



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING:

December 13, 2016

SUBJECT:

Design Overlay Review No. 1613-16

APPLICANT:

John Dodson of ADN Architects
1330 Olympic Boulevard
Santa Monica, CA 90404

REQUEST:

To remodel an existing Burger King restaurant and related site improvements in the SP-3 (Specific Plan No. 3) zoning district.

PROPERTY INVOLVED:

20950 Figueroa Street

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Diaz			Mitoma
		Vice-Chairman Madrigal			Pimentel
		Andrews			Post
		Fe'esago, Jr.			Thomas
		Guidry			

I. **Introduction**

Applicant

John Dodson, ADN Architects, 1330 Olympic Blvd., Santa Monica, CA 90404

Property Owner

Wei Cheng K, 2120 Blackmore Ct., San Diego, CA 92109-1420

Project Address

20950 Figueroa Street, Carson, CA 90745

Project Description

The applicant is proposing DOR No. 1613-16 for façade and site improvements including remodel the restrooms for an existing Burger King restaurant.

II. **Project Site and Surrounding Land Uses**

The project site is in the Carson Town Center located on Figueroa Street south of Torrance Boulevard. The following provides a summary of the site information:

Site Information	
General Plan Land Use	General Commercial
Zone District	SP-3
Site Size	0.42 acres
Present Use and Development	Burger King Restaurant
Surrounding Uses/Zoning	North: Commercial (restaurants and bank) zoned SP-3 South: Industrial warehouse and office zoned SP-3 East: Commercial (Kmart) zoned SP-3 West: 110-Fwy and Industrial Building zoned ML-D
Access	Ingress/Egress: Figueroa Street and Torrance Blvd.

Previous Discretionary Permits

Administrative Design Overlay Review No. 633-96: The Planning Division approved a new 3,300-square-foot Burger King restaurant with drive-through in 1996.

Public Safety Issues

None.

III. Analysis

Moratorium Exception – Resolution No. 16-035

- The project site is located within Area 1C of the “Signature Project” moratorium area.
- On April 5, 2016, the City Council approved the exception for the Burger King remodel finding the project to be consistent with and complement the “Signature Project” as a regional destination that serves the local market. See Exhibit No. 3.

Site Plan

The existing Burger King restaurant is about 3,200 square feet and is located on a 32,014-square-foot lot within the Carson Town Center west of the Kmart Shopping Center. There are 33 existing parking spaces.

Landscape

Trees, shrubs and plant groundcover are located at the perimeter along the Figueroa Street side, the adjacent parking lot entrance, and landscape planters within the parking area. Staff considers the existing landscape to be well maintained.

Building and Architecture

As stated above, the site is located within the Carson Town Center. The major tenant for the Center is Kmart. On October 18, 2016, the property owner for the Kmart building obtained City Council approval for an exception to the same moratorium (Resolution No. 16-035). This exception allows the property owner to convert the Kmart building into a multiple tenant building including a John’s Incredible Pizza and remodel the façade of the building. Staff has ensured the proposed improvements for the Burger King remodel are compatible with those proposed for the Kmart building.

The applicant proposes the following improvements for the Burger King site:

- Refresh the exterior of the restaurant with new architectural features to the façade and roof, install new individual channel-letter style signage and repaint. The exterior paint consists of neutral earth tones with red natural accent on portions of the front elevation and a red LED light band along portions of the top;
- Improve the site by replacing the exterior playground area with a new patio and planter, and re-stripe the existing ADA parking stalls; and
- Remodel the restrooms.

Parking

The ADA parking stalls are being re-striped and an associated ADA path of travel from Figueroa Street is being installed.

Pavement

Staff observed potholes adjacent to the landscaped strip located east of the parking lot and the pavement is discolored. Staff recommends repairing the potholes and slurry seal the entire Burger King parking lot for a consistent refreshed appearance. See Condition No. 32 mitigating this matter.

Signage

New individual channel letter style logo signage is proposed. The building signage will comply with CMC 9136.7 business sign requirement as referenced in SP-3 design standards. All building signs shall be approved by the Planning Division staff prior to building occupancy.

General Plan Consistency

The Burger King restaurant was developed west of the K-Mart Shopping Center as part of the Carson Town Center project about ten years ago and with the proposed improvements will remain compatible with the surrounding Commercial and Light Industrial uses.

IV. Environmental Review

Pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA), the proposed project to remodel the existing Burger King restaurant and related site improvements reasonably falls within this exemption category and no foreseeable significant impacts would result.

V. Public Notice

Public notice was posted to the project site on November 23, 2016. Notices were mailed to property owners and occupants within 300 feet by December 1, 2016. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

VI. Recommendation

That the Planning Commission:

- **WAIVE** further reading;
- **APPROVE** the proposed project subject to the conditions of approval attached as Exhibit "B" to the Resolutions; and
- **ADOPT** Resolution No._____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1613-16 TO REMODEL AN EXISTING BURGER KING

RESTAURANT AND RELATED SITE IMPROVEMENTS FOR A PROPERTY
LOCATED AT 20950 FIGUEROA STREET."

VII. Exhibits

1. Draft Resolution
2. Site Map
3. Resolution No. 16-035
4. Development Plans (under separate cover)

Prepared by: McKina Alexander, Associate Planner

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 16-

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF CARSON APPROVING DESIGN OVERLAY
REVIEW NO. 1613-16 TO REMODEL AN EXISTING
BURGER KING RESTAURANT AND RELATED SITE
IMPROVEMENTS FOR A PROPERTY LOCATED AT
20950 FIGUEROA STREET**

**THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY
FINDS, RESOLVES AND ORDERS AS FOLLOWS:**

Section 1. An application was duly filed by the applicant, John Dodson of ADN Architects, on behalf of the business operator, Burger King Restaurant, with respect to real property located at 20950 Figueroa Street and described in Exhibit "A" attached hereto requesting approval of Design Overlay Review No. 1613-16 to remodel an existing Burger King restaurant and related site improvements for a property located at the Carson Town Center within the SP-3 (Specific Plan No. 3) zoning district.

Section 2. A public hearing was duly held on December 13, 2016, at Carson City Hall, 701 East Carson Street, Carson, California. A notice of the time, place, and purpose of the aforesaid meeting was duly given. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at said hearing.

Section 3. The Planning Commission finds that:

- a) The proposed project is consistent with the General Plan of the City of Carson. The 32,014-square-foot developed lot has a General Plan Land Use designation of General Commercial and is compatible with the surrounding areas.
- b) The proposed project is consistent with the General Plan goals and policies for general commercial use. The subject property is located west of the Kmart commercial center on Figueroa Street (an arterial street) and is within proximity to the 110 Freeway resulting in continued adequate capacity to handle traffic levels from the existing restaurant use.
- c) The proposed project consists of remodeling an existing Burger King restaurant and related site improvements. The proposed development plans comply with the Carson Municipal Code requirements ensuring that the project is well designed and aesthetically pleasing to the surrounding physical environment.
- d) The project site was developed ten years ago and continues to adequately accommodate safe circulation for pedestrians and vehicles.

EXHIBIT NO. 1 -



- e) The proposed wall signage will be individual channel letters subject to review by the Planning Division under separate permit pursuant to code.
- f) The proposed improvements are in conformance with the City's design standards and guidelines that are applicable to this project.
- g) The required findings pursuant to Section 9172.23 (D), "Site Plan and Design Review", can be made in the affirmative.
- h) The project site is located within Area 1C of the "Signature Project" moratorium area. On April 5, 2016, the City Council approved an exception to the moratorium for the Burger King remodel finding the project to be consistent with and complementing the "Signature Project" as a regional destination that serves the local market (Resolution No. 16-035).

Section 4. Pursuant to Section 15332 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines the project is categorical exempt. The proposed project reasonably falls within this exemption category and no foreseeable significant impacts would result. As such, the Planning Commission hereby approves the Categorical Exemption.

Section 5. Based on the aforementioned findings, the Planning Commission hereby approves Design Overlay Review No. 1613-16 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

PASSED, APPROVED AND ADOPTED THIS 13TH DAY OF DECEMBER 2016.

CHAIRMAN

ATTEST:

SECRETARY



1/2

Exhibit A

PARCEL 1:

THOSE PORTIONS OF LOTS 26 AND 27 OF TRACT NO. 6378, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 68 PAGES 1 AND 2 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS A WHOLE AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 28 OF SAID TRACT; THENCE SOUTH 89° 26' 10" WEST A DISTANCE OF 940.07 FEET TO THE EASTERLY SIDE OF FIGUEROA STREET AS ESTABLISHED BY RIGHT OF WAY INSTRUMENT RECORDED AUGUST 8, 1935 IN BOOK 13459 PAGE 359 OF OFFICIAL RECORDS OF SAID COUNTY; THENCE ALONG SAID SIDE LINE NORTH 00° 33' 34" WEST A DISTANCE OF 554.03 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 00° 33' 34" WEST ALONG SAID EASTERLY SIDE LINE OF FIGUEROA STREET 83.41 FEET TO THE BEGINNING OF A TANGENT CURVE, CONCAVE EASTERLY AND HAVING A RADIUS OF 1450.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 04° 03' 22" AN ARC DISTANCE OF 102.65 FEET; THENCE NORTH 90° 00' 00" EAST A DISTANCE OF 134.88 FEET; THENCE SOUTH 00° 00' 00" EAST A DISTANCE OF 186.00 FEET; THENCE NORTH 90° 00' 00" WEST A DISTANCE OF 136.70 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

EASEMENTS FOR PARKING, INGRESS AND EGRESS, PUBLIC AND PRIVATE UTILITIES, PEDESTRIAN TRAFFIC, COMFORT AND CONVENIENCE, TEMPORARY CONSTRUCTION, ACTIVITY, SERVICE AND DELIVERY VEHICLES, DOORS AND EXITS, FOUNDATIONS, FOOTINGS, OVERHANGS AND CANOPIES, ENCROACHMENTS AND SIGNAGE, AS PROVIDED IN DOCUMENT RECORDED JULY 18, 1995 AS INSTRUMENT NO. 95-1158617.

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CITY OF CARSON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
EXHIBIT "B"

CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1613-16

GENERAL CONDITIONS

1. If a building permit for Design Overlay Review No. 1613-16 is not issued within one year of their effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
4. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
5. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
6. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
7. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
8. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject



property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.

9. It is further made a condition of this approval that if any condition is violated or if any law, statute ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
10. Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
11. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
12. Covenant, Conditions, and Restrictions (CC&Rs). Covenants, Conditions and Restrictions (CC&Rs) shall be established for the project. The applicant or successor in interest shall pay for the cost of review and approval of the CC&Rs by the City Attorney. The CC&Rs shall provide for proper maintenance of the property and include other necessary conditions to carry out the terms herein, and shall be enforceable by the City, and recorded prior to development of any parcels. An initial deposit of \$5,000.00 is required to cover processing costs. The applicant shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
13. Deposit Account. A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.
14. Indemnification. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 1613-16. The applicant shall provide a deposit in



the amount of 100 percent of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and the City shall have no liability to the applicant.

AESTHETICS

15. Texture treatment (such as rough stucco, sandblasting, etc.) shall be incorporated into building facades, subject to the Planning Division approval.
16. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division.
17. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.
18. Any roof-mounted equipment shall be screened to the satisfaction of the Planning Division.
19. Incorporate additional landscaping to screen and block specific project areas that could be subject, as determined by the Planning Division, to graffiti.
20. Graffiti shall be removed from all areas within three (3) days of written notification by the City of Carson, including graffiti found on perimeter walls and fences. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modification (i.e. fencing, landscaping, chemical treatment, etc.)
21. Prior to Issuance of Building Permit, the specification of all colors and materials must be submitted and approved by the Planning Division.

LANDSCAPE/IRRIGATION

22. Comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
23. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.
24. Installation of 6" x 6" concrete curbs are required around all landscaped planter areas, except for areas determined by National Pollutant Discharge Elimination System (NPDES) permit or other applicable condition of approval



that requires certain landscaped areas to remain clear of concrete curbs for more efficient storm water runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.

25. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
26. The proposed irrigation system shall include best water conservation practices.
27. Prior to Issuance of Building Permit, the applicant shall submit two sets of landscape and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division.

LIGHTING

28. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9127.1 of the Zoning Ordinance.
29. Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.

PARKING

30. All driveways shall remain clear. No encroachment into driveways shall be permitted.
31. All areas used for movement, parking, loading, or storage of vehicles shall be paved and in accordance with Section 9162.0 of the Zoning Ordinance.

PAVEMENT

32. Repair potholes and slurry seal the entire Burger King parking lot for a consistent refreshed appearance.

TRASH

33. Trash collection shall comply with the requirements of the City's trash collection company.

BUILDING AND SAFETY DIVISION

34. Submit development plans for plan check review and approval.
35. Obtain all appropriate building permits and an approved final inspection for the proposed project.



36. Prior to Issuance of building permits, proof of worker's compensation and liability insurance must be on file with the Los Angeles County Building and Safety Division.

ENGINEERING SERVICES DEPARTMENT – CITY OF CARSON

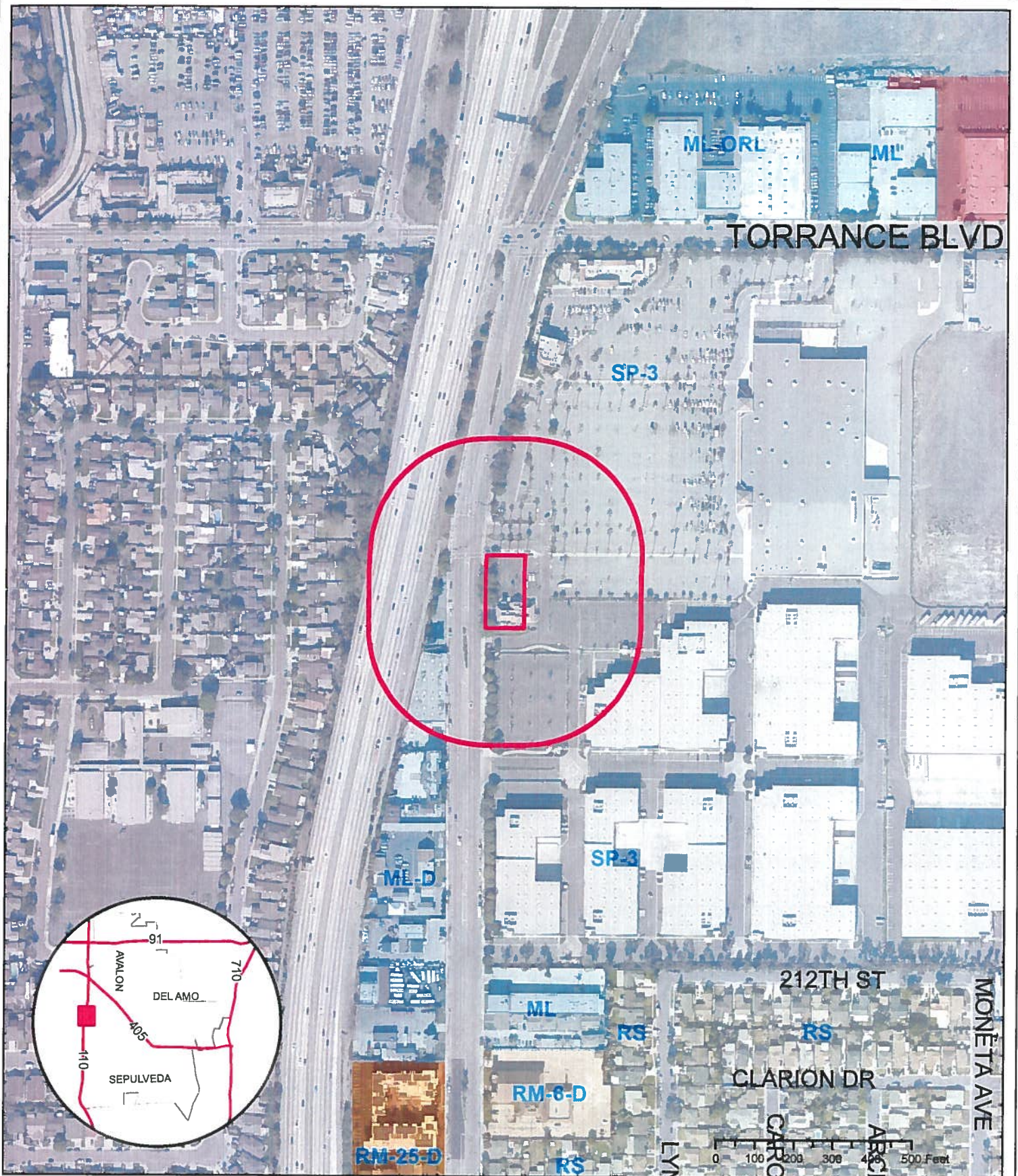
General Conditions

37. All necessary street dedications and street improvements shall not apply due to the exceptions stated on CMC § 9161.2, with exceptions to the items below
38. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson standard plan and to the satisfaction of the City Engineer.
39. A construction permit is required for any work to be done in the public right-of-way.
40. Construction bond for all work to be done within the public right-of-way shall be submitted and approved by Engineering Services prior to issuance of permit by Engineering Services.
41. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of construction permit.

BUSINESS LICENSE

42. All parties involved in the subject project located at 20950 Figueroa Street including to but not limited to contractors and subcontractors are required to obtain a city business license per Section 6310 of the Carson Municipal Code.





City of Carson
300 Foot Radius Map
20950 Figueroa Street

EXHIBIT NO. 2 -

14

RESOLUTION NO. 16-035

A RESOLUTION OF THE CITY OF CARSON, CALIFORNIA, ALLOWING AN EXCEPTION TO THE APPLICATION OF INTERIM URGENCY ORDINANCE NO. 16-1578U FOR REMODELING AN EXISTING BURGER KING AND PROCESSING OF ALL RELATED PERMITS LOCATED IN THE CARSON TOWN CENTER AT 20950 FIGUEROA STREET.

WHEREAS, On December 15, 2015, Interim Urgency Ordinance No. 15-1575U was enacted pursuant to the authority conferred upon the City Council of the City of Carson by Government Code Section 65858 by a 5-0 vote; and

WHEREAS, Interim Urgency Ordinance No. 15-1575U enacted a 45-day moratorium on new development and expansion or modification of existing buildings or sites in six planning areas; and

WHEREAS, On January 5, 2016, the City issued a "10-day report" describing the measures taken to alleviate the conditions that led to the adoption of Interim Urgency Ordinance No. 15-1575U, which date was at least ten (10) days prior to the adoption of this extension , as required by State law; and

WHEREAS, On January 19, 2016, the City Council adopted Interim Urgency Ordinance No. 16-1578U extending a moratorium on new development and expansion or modification of existing buildings or sites in six Planning Areas for 10 months and 15 days. On February 2, 2016, the City Council ratified the ordinance; and

WHEREAS, A moratorium was necessary in order to protect the City and its residents, businesses and visitors from the potential impacts of new development and expansion or modification of existing buildings or sites in the six planning study areas, including air quality, noise, traffic, parking, public safety and other impacts, and to preserve the quality of life and protect the health, safety and welfare of the community given potential development boosts in the area given the immanency in approval and development of a "Signature Project" on the Property. The City must make certain that new development and expansion or modification of existing buildings or sites in the six planning study areas are issued only under adequate regulations and to study cumulative impacts of developments in the area as well. Imposition of a moratorium will allow the City sufficient time to conclude the preparation of a comprehensive studies and plans for the regulation of such activities. The absence of this Ordinance would create a serious threat to the orderly and effective implementation of any amendments to the Carson Municipal Code, which may be adopted by the City Council as a result of studying this issue, in that new development and expansion or modification of existing buildings or sites in the six planning study areas under the Existing Regulations may be in conflict with or frustrate the purposes of the City's General Plan; and

EXHIBIT NO. 3 -

[MORE]

WHEREAS, During the effective period of the moratorium, no application for permit will be accepted, no consideration of any application for permit will be made, and no permit will be issued by the City for the establishment, expansion, or modification of new development in six planning study areas within the City until this ordinance has expired or has been repealed according to applicable law; and

WHEREAS, The City Council may allow exceptions to the application of the moratorium, if, based on substantial evidence presented in writing to the City Council at a Council meeting held no less than 30 nor more than 90 City- calendar days after the Planning Manager's receipt of that evidence, it determines any of the following:

- A. The City's receipt and consideration of an application for a permit to establish, expand, or modify development in six planning study areas within the City's jurisdiction is necessary for the preservation of the public health, safety and welfare; or
- B. The City's receipt and consideration of an application for a permit to expand, or modify development in six planning study areas within the City's jurisdiction will result in a project which will improve energy or water efficiency; or
- C. The request is for an exception from the application of this Ordinance for the leasing and tenant improvements of tenant space within an existing building or structure and either (1) the use proposed under the lease is consistent with and will not pose an impediment to the establishment of a "signature project" as that concept is described in the Land Use and Economic Development Elements of the City's General Plan; or
- D. The request is for an exception from the application of this Ordinance for permits for development of new projects or expansion and modification of existing buildings and sites and the use proposed is consistent with and will not pose an impediment to the establishment of a "signature project" as that concept is described in the Land Use and Economic Development Elements of the City's General Plan; and

WHEREAS, on February 29, 2016, Mr. Iku Shimomura, A.I.A. with Armet Davis Newlove & Associates, filed a request on behalf of the owners(s), filed an application for an exception from Interim Urgency Ordinance No. 15-1575U to allow for remodeling an existing Burger King and processing of all related permits located in the Carson Town Center at 20950 Figueroa Street.

WHEREAS, Staff has reviewed application and views this use consistent with "signature project" as defined in concept in the Land Use and Economic Development Elements of the City's General Plan because it is consistent with the existing and future vision for the area. The area is expected to remain a major retail destination for the City and no changes in land use are expected.

WHEREAS, If the City Council determines to allow an exception, then such applications and/or permits may be filed and processed in accordance with the City's then current regulations

and authority, subject to the California Environmental Quality Act ("CEQA"), CEQA Guidelines, and any other applicable laws, ordinances and regulations.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON HEREBY MAKES THE FOLLOWING FINDINGS:

1. Section 6 of Interim Urgency Ordinance No. 16-1578U states that the City Council may allow exceptions to the application of this Ordinance, if the City Council determines any of the provisions included in Section 6, A through D apply to the request. Staff has determined that provisions of Section 6.C. apply to this request; and

2. The request is for an exception from the application of Interim Urgency Ordinance No. 16-1578U for remodeling of an existing building and the Burger King is consistent with and will not pose an impediment to the establishment of a "signature project" as that concept is described in the Land Use and Economic Development Elements of the City's General Plan. The "signature project" will be a regional retail destination and the existing use serves the local market and does not compete with the "signature project". In addition, the Burger King would eventually compliment the "signature project"; and

3. The said property is an existing Burger King within an existing shopping center with a General Plan designation of General Commercial. The building could use the upgrades proposed by the owner as it was constructed about 10 years ago. Staff has determined the said upgrades are consistent with the existing zoning and character of the area and would not pose an impediment to the establishment of a "signature project" as required by Section 6.C Interim Urgency Ordinance No. 16-1578U.

PASSED, APPROVED AND ADOPTED THIS 5 DAY OF April, 2016.


MAYOR ALBERT ROBLES

ATTEST:


DONESIA L. GAUSE, CITY CLERK

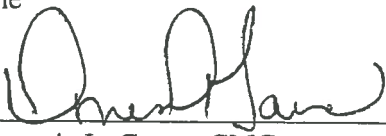
APPROVED AS TO FORM:


CITY ATTORNEY

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF CARSON)

I, Donesia L. Gause, City Clerk of the City of Carson, California, hereby attest to and certify that the foregoing resolution, being Resolution No. 16-035, adopted by the Carson City Council at its meeting held on the 5th day of April, 2016, by the following vote:

AYES:	COUNCIL MEMBERS:	Mayor Robles, Davis-Holmes, Santarina, and Hilton
NOES:	COUNCIL MEMBERS:	None
ABSTAIN:	COUNCIL MEMBERS:	None
ABSENT:	COUNCIL MEMBERS:	None



Donesia L. Gause, CMC