



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

CONTINUED PUBLIC HEARING: May 9, 2017

SUBJECT: Design Overlay Review No. 1551-14
Conditional Use Permit No. 960-14

APPLICANT/PROPERTY OWNER: Bijan Radnia

REQUEST: To construct a new 3,510-square-foot convenience store to replace an existing 1,107-square-foot convenience store and all associated site improvements including allowing alcoholic beverage off-sales at an existing Shell auto service station located in the CG-D (Commercial General – Design Overlay) zoning district

PROPERTY INVOLVED: 21633 Wilmington Avenue

COMMISSIONERS' VOTE

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

I. Introduction

Applicant/Property Owner

Bijan Radnia
21633 Wilmington Avenue, Carson, CA 90745

Project Address

21633 S. Wilmington Avenue, Carson, CA 90745

Project Description

Design Overlay Review (DOR) No. 1551-14 to construct a new 3,510 square-foot convenience store to replace an existing 1,107 square-foot convenience store and all associated site improvements at an existing Shell auto service station and Conditional Use Permit (CUP) No. 960-14 to allow off-sales of alcoholic beverages.

II. Project Site and Surrounding Land Uses

The project site is located southeast of the City at the intersection of Carson Street and Wilmington Avenue. The following provides a summary of the site information:

Site Information	
General Plan Land Use	General Commercial
Zone District	CG-D
Site Size	0.62 acres
Present Use and Development	Shell auto service station with a convenience store
Surrounding Uses/Zoning	North: Church parking lot zoned CG-D South: Small Commercial Center zoned CG-D East: Fast Food Restaurant w/drive-through zoned MH, Watson land Industrial Center zoned ML-D West: Liquor Store and a church zoned CG-D
Access	Ingress/Egress: Wilmington Avenue and Carson Street

III. Analysis

On April 11, 2017, the proposed project was presented to the Planning Commission in a public hearing, Exhibit No. 3. Several speakers representing existing liquor stores and convenience stores located within the vicinity of the project site opposed the project, citing concerns that the project would become a competitor that would negatively impact their businesses.

During the hearing, a question arose about a potential school that may be located at the Malamalama o le Lalolagi Samoan Community Congregational Christian Church, which is located within 300 feet of the proposed project site. Per code, a conditional use permit may be considered for proposed off-sales of alcoholic beverages if the

project site is more than 300 feet from a school or park. Staff informed the Commission that a business license search was conducted and found no record for a school. To confirm presence of a school, the Planning Commission requested that staff visit the church and continued the item to the May meeting (Exhibit No. 4).

Additionally, the Planning Commission discussed adding a condition limiting the allowable area for the sale, display, or storage of beer and wine off-sales to 200 square feet instead of using the code requirement of no more than 20% of the gross floor area (Condition of Approval No. 46).

On April 13, 2017, Associate Planner, McKina Alexander and Code Enforcement Officer Enriquez conducted a site visit at the Malamalama o le Lalolagi Samoan Community Congregational Christian Church located adjacent to the project site at 1717 and 1725 E. Carson Street. No evidence of classroom activities or students was observed. Staff spoke with the Pastor and Board President who explained that a pre-school once operated at the church, but closed more than 10 years ago

On May 1, 2017, staff received a letter from the Malamalama o le Lalolagi Samoan Community Congregational Christian Church clarifying that a "school" is held each weekend at the church: youth fellowship and Sunday school (Exhibit No. 5). On May 4, 2017, staff conducted another inspection and received the following information from the church regarding the youth fellowship and Sunday school:

- | | |
|---|------------------------------|
| • Ages of the children: | Between 5-15 |
| • Number of children: | Between 25-45 kids (Sundays) |
| • Who teaches the children: | Church Members |
| • Does a licensed teacher teach the children: | No |
| • Is there a day care on site? | No |

The Zoning Code defines private and public schools as follows:

- Private School is a private institution of learning which is generally supported by tuition, fee, or donation and which offers instruction in areas of academic, vocational and avocational pursuits, but not including a trade school.
- Public School is a publicly owned institution of learning supported primarily by public funds

Based on the above definitions, staff has determined that the weekend youth fellowship and Sunday school uses does not qualify as a school and is an extension of church-related activities. Therefore, staff has determined that there is no school within 300-feet of the project site which meets the Zoning Code separation requirement pursuant to Section 9138.5.

IV. General Plan Consistency

The service station was constructed in 1963 and the convenience store modification was completed approximately 10 years ago. The proposal to allow beer and wine off-sales provides a public convenience that can serve the area. The General Plan Land Use designation of General Commercial remains consistent with the surrounding Commercial, Residential and Light Industrial uses.

Although the proposed use to allow off-sales of alcoholic beverages (beer and wine) is compatible with the surrounding uses, during the April 11th meeting, the Planning Commission expressed a concern regarding the location and its proximity to similar uses.

V. Environmental Review

Pursuant to Section 15331 (In-Fill Development) of the California Environmental Quality Act (CEQA), the proposed project to remove and rebuild the existing convenience store reasonably falls within this exemption category and no foreseeable significant impacts would result.

VI. Public Notice

Public notice was posted to the project site on March 22, 2017. Notices were mailed to property owners and occupants within 500 feet by March 30, 2017. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

VII. Recommendation

That the Planning Commission:

- **WAIVE** further reading;
- **APPROVE** the proposed project subject to the conditions of approval attached as Exhibit "B" to the Resolution; and
- **ADOPT** Resolution No. 17-____, approving Design Overlay Review No. 1551-14 to construct a new 3,510 sq. ft. convenience store with related site improvements at an existing Shell auto service station and Conditional Use Permit (CUP) No. 960-14 to allow alcoholic beverage off-sales at a property located at 21633 Wilmington Avenue.

VIII. Exhibits

1. Draft Resolution
2. Site Map
3. Planning Commission staff report dated April 11, 2017
4. Planning Commission Disposition Excerpt pages 1-3 dated April 11, 2017

5. Malamalama o le Lalolagi Samoan Community Congregational Christian Church letter dated May 1, 2017
6. Development Plans (under separate cover)

Prepared by: McKina Alexander, Associate Planner

**CITY OF CARSON
PLANNING COMMISSION**

RESOLUTION NO. 17-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1551-14 TO CONSTRUCT A NEW 3,510 SQUARE-FOOT CONVENIENCE STORE WITH RELATED SITE IMPROVEMENTS AT AN EXISTING SHELL AUTO SERVICE STATION AND CONDITIONAL USE PERMIT (CUP) NO. 960-14 TO ALLOW ALCOHOLIC BEVERAGE SALES AT A PROPERTY LOCATED AT 21633 WILMINGTON AVENUE IN THE CG-D (COMMERCIAL GENERAL – DESIGN OVERLAY) ZONING DISTRICT.

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 and property owner, Bijan Radnia, with respect to real property located at 21633 Wilmington Avenue and described in Exhibit "A" attached hereto requesting approval to construct a new 3,510 sq. ft. convenience store to replace an existing 1,107 square-foot convenience store and all associated site improvements including allowing alcoholic beverage sales at an existing Shell auto service station within the CG-D (Commercial General – Design Overlay) zoning district. The request includes:

- Design Overlay Review (DOR) No. 1551-14 to permit the design of a new convenience store; and
- Conditional Use Permit (CUP) No. 960-14 to allow incidental alcoholic beverage sales within the CG-D (Commercial General – Design Overlay) district.

Section 2. A public hearing was duly held on April 11, 2017, 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. The Planning Commission continued the matter to May 9, 2017.

Section 3. A public hearing was duly held on May 9, 2017, 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 4. The Planning Commission finds that:

- a) The proposed project is consistent with the General Plan of the City of Carson. The 26,742-square-foot developed lot has a General Plan Land

EXHIBIT NO. 1 -



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 at the northwest corner of Wilmington Avenue and Carson Street. Both are arterial streets resulting in continued adequate capacity to handle traffic levels from the existing auto service station and convenience store uses.
- c) The proposed project consists of removing the existing convenience store and building a new 3,510-square-foot convenience store with 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 over 50 years ago and with the proposed site improvements (installation of a new pedestrian walkway from the street, reconfiguration of the parking area) will better adequately accommodate safe circulation for pedestrians and vehicles.
- e) New landscaping will be installed throughout the site providing shade to vehicles and enhancing the visual attractiveness from adjoining streets and walkways.
- f) The proposed building signage consists of individual channel letters and logo; and the existing price pole sign located at the corner was built in 1963 and was recently refurbished. Per Ordinance No. 16-1602, the sign must be removed which could be replaced with a monument sign by October 4, 2021. All signage is subject to review by the Planning Division under a separate permit pursuant to code.
- g) The proposed improvements are in conformance with the City's design standards and guidelines that are applicable to this project.
- h) The required findings pursuant to Section 9172.23 (D), "Site Plan and Design Review", can be made in the affirmative.

Section 5. In In regards to CMC Section 9172.21 Conditional Use Permit, the Planning Commission finds that:

- i) The proposed incidental alcoholic beverage off-sales business is located greater than 300 feet from a school or park and the total number of off-sale businesses within the City is currently 48 (without the project).
- j) The proposed incidental off-sale business shall obtain a State Alcoholic Beverage Control license Type 20 and in which less than or equal to twenty (20) percent of the gross floor area is used for the sale, display or storage of beer or wine for consumption off-site.

- k) The proposed project is compatible with the General Plan and surrounding uses. The proposed sale of alcoholic beverages is identified in the zoning code as a use subject to a conditional use permit for this zoning designation.

Section 6. The Planning Commission further finds that the proposed project will not have a significant effect on the environment pursuant to Section 15332, Class 32 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines and is therefore categorically exempt.

Section 7. Based on the aforementioned findings, the Planning Commission hereby approves Design Overlay Review No. 1551-14 and Conditional Use Permit No. 960-14 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 8. 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 9TH DAY OF MAY, 2017.

CHAIRMAN

ATTEST:

SECRETARY



THE FORM OF POLICY OF TITLE INSURANCE CONTEMPLATED BY THIS REPORT IS:

AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (2006)



1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A FEE

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

BIJAN RADNIA, TRUSTEE OF THE RADNIA RECORDED TRUST, DATED JULY 1, 2009

3. THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCELS 1 AND 2 AS SHOWN ON NOTICE OF LOT LINE ADJUSTMENT NO. 209-06 AS EVIDENCED BY DOCUMENT RECORDED SEPTEMBER 27, 2006 AS INSTRUMENT NO 06-2152724 OF OFFICIAL RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 66, OF TRACT NO. 4054, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 44, PAGES 39 TO 41, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM, THE EASTERLY 160 11 FEET OF THE SOUTHERLY 163.11 FEET, BOTH DISTANCES MEASURED AT RIGHT ANGLES TO SAID LOT ALSO EXCEPT THEREFROM, THAT PORTION OF LAND DESCRIBED IN THE DEED TO MANUEL CANO AND WIFE, RECORDED JUNE 29, 1967, AS INSTRUMENT NO. 176, IN BOOK D-3687, PAGE 228, OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THAT PORTION OF LOT 66 OF TRACT NO. 4054 IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 44, PAGES 39 THRU 41, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF CARSON STREET AND WILMINGTON AVENUE AS SHOWN ON TRACT NO. 25448 AS PER MAP RECORDED IN BOOK 678, PAGES 96 THRU 99, INCLUSIVE OF MAPS, THENCE WESTERLY ALONG THE CENTERLINE OF SAID CARSON STREET, S89°40'28"W 34.59 FEET TO THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF SAID LOT 66, THENCE NORTHEASTERLY ALONG SAID EASTERLY ONE OF SAID LOT 66, N17°06'20"E 202.40 FEET TO THE SOUTHERLY LINE OF PARCEL 1 OF INSTRUMENT NO. 97-1167221, RECORDED JULY 31, 1997, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID PARCEL 1 OF INSTRUMENT NO. 1167221, S89°40'28"W 167.82 FEET TO THE TRUE POINT OF BEGINNING SAID POINT BEING ALSO THE NORTHWESTERLY CORNER OF INSTRUMENT NO.00-58720, RECORDED JANUARY 4, 2000, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID PARCEL 1, S89°40'28"W 58.35 FEET TO THE EASTERLY LINE OF INSTRUMENT NO. 93-2287170, RECORDED JUNE 14, 1993, THENCE



SOUTHERLY ALONG THE EASTERLY LINE OF SAID INSTRUMENT NO. 93-2287170, S00°18'36"E 143.11 FEET TO THE NORTHERLY LINE OF 100.00 FEET WIDE CARSON STREET PER PARCEL B INSTRUMENT NO. 3891, RECORDED MARCH 14, 1961, THENCE EASTERLY ALONG SAID NORTHERLY LINE OF CARSON STREET, N89°40'28"E 13.46 FEET TO THE EASTERLY LINE OF SAID INSTRUMENT NO. 97-1167221, THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID INSTRUMENT NO. 97-1167221, N17°06'20"E 150.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

THE EASTERLY 160.11 FEET OF THE SOUTHERLY 163.11 FEET, BOTH DISTANCES BEING MEASURED AT RIGHT ANGLES OF LOT 66 OF TRACT 4054, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, CALIFORNIA AS PER MAP RECORDED IN BOOK 44, PAGE(S) 39-41 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

INCLUDING THAT PORTION OF LOT 66 OF TRACT NO. 4054 IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 44, PAGES 39 THRU 41, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF CARSON STREET AND WILMINGTON AVENUE AS SHOWN ON TRACT NO. 25448 AS PER MAP RECORDED IN BOOK 678, PAGES 96 THRU 99, INCLUSIVE OF MAPS, THENCE WESTERLY ALONG THE CENTERLINE OF SAID CARSON STREET, S89°40'28"W 34.59 FEET TO THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF SAID LOT 66, THENCE NORTHEASTERLY ALONG SAID EASTERLY LINE OF SAID LOT 66, N17°06'20"E 202.40 FEET TO THE SOUTHERLY LINE OF PARCEL 1 OF INSTRUMENT NO. 97-1167221, RECORDED JULY 31, 1997, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID PARCEL 1 OF INSTRUMENT NO. 1167221, S89°40'28"W 167.82 FEET TO THE TRUE POINT OF BEGINNING SAID POINT BEING ALSO THE NORTHWESTERLY CORNER OF INSTRUMENT NO. 00-58720, RECORDED JANUARY 4, 2000, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID PARCEL 1, S89°40'28"W 58.35 FEET TO THE EASTERLY LINE OF INSTRUMENT NO. 93-2287170, RECORDED JUNE 14, 1993, THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID INSTRUMENT NO. 93-2287170, S00°18'36"E 143.11 FEET TO THE NORTHERLY LINE OF 100.00 FEET WIDE CARSON STREET PER PARCEL B INSTRUMENT NO. 3891, RECORDED MARCH 14, 1961, THENCE EASTERLY ALONG SAID NORTHERLY LINE OF CARSON STREET, N89°40'28"E 13.46 FEET TO THE EASTERLY LINE OF SAID INSTRUMENT NO. 97-1167221, THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID INSTRUMENT NO. 97-1167221, N17°06'20"E 150.00 FEET TO THE TRUE POINT OF BEGINNING.



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

CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1551-14
CONDITIONAL USE PERMIT NO. 960-14

GENERAL CONDITIONS

1. If a building permit for Design Overlay Review No. 1551-14 and Conditional Use Permit No. 960-14 are not issued within one year of their effective date, said permits 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, the owner, tenant(s), and their subsequent successors (Parties) agree to 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 any damage or harm to people or property, real and personal, that may result from Shell Gas station Owner(s) operations or any claims against the City for or as a result of the granting of the approval. The City will promptly notify the Parties of any such claim, action, or proceeding against the City and Parties will pay the City's associated legal costs and will advance funds assessed by the City to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Parties' consent but should it do so,



the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein. Parties shall provide a deposit in the amount of 100% 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 Parties fails to provide or maintain the deposit, the City may abandon the action and Parties shall pay all costs resulting therefrom and the City shall have no liability to Parties.

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. All exterior roof-top mechanical, heating and air conditioning equipment and appurtenances thereof, shall be completely screened from public view by parapet walls that are architecturally treated so as to be consistent with the building. The construction plans shall include appropriate elevations and cross section drawings demonstrating how such equipment is to be screened from public view (include dimensions, materials and colors).
19. All ground mounted utility structures such as transformers, HVAC equipment, and back flow prevention valves shall be located out of view from a public street or adequately screened through the use of landscaping and or masonry walls, as determined by the Planning Division.
20. Incorporate additional landscaping to screen and block specific project areas that could be subject to graffiti, as determined by the Planning Division.
21. 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.)
22. Prior to Issuance of Building Permit, the specification of all colors and materials must be submitted and approved by the Planning Division.
23. All driveways shall be provided with an enhanced pavement treatment. The enhanced paving shall extend from the back of the approach apron into the site to the first intersecting drive aisle or parking space, as determined by the Planning Division.

DEVELOPMENT IMPACT FEE (DIF)

24. The City is in the process of developing and adopting Development Impact Fees (DIF) on new developments. DIF are routinely collected by other cities to pay for impacts of a project on the City's infrastructure including, but not limited to, streets, sidewalks, bikeways, parkways and median landscaping, parks, police, fire, sewer, libraries, and reclaimed water. The proceeds from DIF will be used by the City to pay for capital improvements necessary to accommodate new developments. By accepting this condition, the applicant and/or the property owner and their successors (Parties) agree not to object to future payment of the adopted DIF as it relates to this project. The City's DIF will be developed to demonstrate that there is a reasonable relationship between the specific amount of the fee imposed, the particular development project and the cost of the public facility attributable to the project. After the adoption of the DIF, the City will issue a letter to the Parties detailing the amount of the DIF due to the City. The Parties shall pay the DIF in full within 30 days from the date of the letter requesting the DIF payment. If payment is not received by the due date, the City will take further action for collection. Any such appeal must be provided in writing to the City Clerk no later than 20 days following the date of notification of the amount from the Planning Department, stating the reasons for the appeal and including all the relevant evidence in support thereof. The City Clerk shall set the appeal for public hearing before the Planning Commission.

LANDSCAPE/IRRIGATION

25. Comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
26. 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.
27. Include additional dense evergreen planting within the space located east of parking space no. 1 adjacent to Wilmington Avenue.
28. Shall provide no less than 10% of on-site landscape.
29. Install additional evergreen tall vertical shrubs and trees to the new landscaped planters adjacent to the parking areas on Carson Street and Wilmington Avenue for screening purposes.
30. Provide a minimum 5-foot-wide landscaped planter along the northern boundary, 3-foot-wide landscaped planter located along the base of the south and east building elevations, and enlarge and refurbish the corner landscape planter.
31. Install evergreen vines and/or tall vertical shrubs to the property wall located along the western boundary to buffer the wall expanse; and add large, vertical evergreen shrubs, vines and trees within the 5-foot-wide planter located along the northern boundary to buffer the wall expanse and provide shade to the parking area.

32. Install new evergreen vines and tall vertical evergreen shrubs to the east side of the trash enclosure to screen views from Wilmington Avenue.
33. 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.
34. 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.
35. Parking areas visible from public streets or adjacent parcels shall be screened with landscaping three feet (3') minimum height, and shall be located to allow for two feet overhang of vehicles unless wheel stops are provided, as approved by the Planning Division. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
36. Parking lots shall have canopy shade trees in landscape islands at a ratio of one tree for every 10 spaces single row (minimum of one) and one tree for every 5 spaces per double row (minimum of two), as approved by the Planning Division. Parking lot double rows shall have a center planter strip 5' wide which may include an infiltration trench, if required. Canopy shade trees shall have a minimum canopy diameter of 30'.
37. The following minimum tree planting setbacks shall be maintained, as approved by the Planning Division:
 - 25' from beginning of curb returns at street intersections
 - 10' from light standards, power poles and fire hydrants
 - 7' from water and sewer lines
 - 5' from sidewalks (except in parkways), driveways, and buildings
38. Trees shall be provided at a minimum size of 24-inch box, with 1.5 inch caliper, 9 to 11 ft height and 4 to 5 ft spread, as approved by the Planning Division.
39. A minimum mix of three tree species shall be provided, as approved by the Planning Division.
40. Shrubs shall be provided at a minimum size of 5-gallon container size. Perennials and ground covers shall be provided at a minimum size of 1-gallon container size, as approved by the Planning Division.
41. Shredded mulch within planter areas is required at a depth of 3" for shrubs and 1" for groundcover.

42. The proposed irrigation system shall include best water conservation practices.

LIGHTING

43. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9127.1 of the Zoning Ordinance. Site lighting shall be reviewed and approved by the Planning Division prior to the issuance of building permits.
44. 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.

OFF-SALES ALCOLHOLIC BEVERAGES

45. Obtain a Type 20 license from the Department of Alcoholic Beverage Control to allow the off-sale of beer and wine.
46. The maximum allowable area for the sale, display or storage of beer and wine for consumption off-site shall be 200 square feet.

PARKING

47. All driveways shall remain clear. No encroachment into driveways shall be permitted.
48. The parking areas will be re-slurry sealed and re-striped with a new parking configuration that complies with ADA, Fire, and Traffic Engineering standards.
49. 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

50. The entire site will be re-slurry and sealed for a consistent refreshed appearance.

SIGNAGE

51. All signage shall comply with the requirements of the Carson Municipal Code and shall be approved by the Planning Division prior to building occupancy.
52. The pole sign shall be removed by October 4, 2021.

TRASH

53. Trash collection shall comply with the requirements of the City's trash collection company.
54. All refuse shall be stored in an appropriate container and maintained within a City approved enclosure. All on-site trash enclosures shall be designed with solid cover roofs to prevent rainwater contact with waste materials. The trash enclosure and roof design shall be consistent with the design of the building architecture, as approved by the Planning Division.

BUILDING AND SAFETY

- 55. Submit development plans for plan check review and approval.
- 56. Obtain all appropriate building permits and an approved final inspection for the proposed project.
- 57. 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

- 58. The Developer shall submit a copy of **approved** Grading plans on bond paper to the City of Carson – Engineering Division, prior to issuance of grading permits.
- 59. The Developer shall submit an electronic copy of approved plans (such as, Sewer, Street and/or Storm Drain Improvements, whichever applies), to the City of Carson – Engineering Division, prior to issuance of construction permits.
- 60. 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.
- 61. A construction permit is required for any work to be done in the public right-of-way.
- 62. 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.
- 63. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of construction permit.

Prior to Issuance of Building Permit

- 64. Drainage/Grading plan shall be submitted for approval of the Building and Safety Division. The Developer shall submit a copy of approved Drainage/Grading plans on bond paper to the City of Carson – Engineering Division.
- 65. Soils report, sewer area study, drainage concept, hydrology study and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept, hydrology study and stormwater information have been received and found satisfactory.
 - a) Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.
- 66. The Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.

67. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
68. The Developer shall submit improvement plans to the Development Services Group – Engineering Division showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
 - a) Street Improvements (if any) along Wilmington Avenue and along Carson Street.
 - b) Sewer main Improvements (if any) along Wilmington Avenue and along Carson Street as determined by the aforementioned sewer area study.
 - c) Storm Drain Improvements (if any) along Wilmington Avenue and along Carson Street as determined by the aforementioned requirement.
69. Off-site improvements (eg. driveways, sidewalk, parkway drains, trees, curb/gutter etc) shown on the grading plans must provide a concurrent submittal to City of Carson Engineering Division. Off-site improvements may be shown on a separate set of street improvement plans.
70. Prior to issuance of Grading permit, developer shall obtain clearance from City of Carson Engineering Division.
71. The Developer has the option to make a cash payment/ shall make a cash payment to the City of Carson In-Lieu of constructing the following Improvements:
 - a) Type II Slurry Seal @ \$0.45/sq. ft.
72. All existing overhead utility lines 12 kilovolts and less (including telecomm) along Wilmington Avenue and along Carson Street shall be underground to the satisfaction of the City Engineer. Alternatively, in the City Engineer's discretion, the City may accept an in-lieu fee in an amount determined by the City Engineer to be sufficient to cover the costs of such undergrounding provided the applicant deposits the full amount of the deposit of the in-lieu fee before issuance of Building Permits. Undergrounding estimate shall be prepared by Southern California Edison and shall be submitted to the City Engineer for his determination.

Prior to Issuance of Certificate of Occupancy,

73. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
74. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
 - a) Comply with mitigation measures recommended by the water purveyor.

75. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the hydrology study, subject to the approval of the City Engineer.
76. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right of way along Wilmington Avenue and along Carson Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
77. Remove and replace any broken/damaged driveway approach within the public right of way along Wilmington Avenue and along Carson Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
78. Remove unused driveway approach if any, within the public right of way along Wilmington Avenue and along Carson Street abutting this proposed development and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
79. The Developer shall modify existing driveways within the public right of way along Wilmington Avenue and along Carson Street abutting this proposed development per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
80. The developer shall construct new driveway approaches per City of Carson Standard and in compliance with the ADA requirements. The Developer shall protect or relocate any facilities to accommodate the proposed driveway approach. The maximum driveway approach width allowed for the site is 30 feet.
81. Modify existing wheelchair ramp at the northwest corner of Wilmington Avenue and Carson Street per City of Carson Standard, in compliance with ADA requirements.
82. Plant approved parkway trees on locations where trees in the public right of way along Wilmington Avenue and along Carson Street abutting this proposed development are missing per City of Carson Standard Nos. 117, 132, 133 and 134.
83. Install irrigation system for the purpose of maintaining the parkway trees to be planted within the public right of way along Wilmington Avenue and along Carson Street abutting this proposed development.
84. All new utility lines, servicing the proposed development shall be underground to the satisfaction of the City Engineer.
85. Comply with any additional requirements, if any, as means of mitigating any traffic impacts as identified in the traffic study approved by the City Traffic Engineer.
86. Install striping and pavement legend per City of Carson standard.
87. Paint Curbs Red along Wilmington Avenue and along Carson Street within or abutting this proposed development. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval.

88. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
89. Streets abutting the development shall be slurry sealed from curb-to-curb or from median-to-curb when medians are existing or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS).
90. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.

FIRE – LOS ANGELES COUNTY

91. Provide a minimum unobstructed width of 26 feet, clear to the sky, vehicular access to within 150 feet of all portions of the exterior walls. Cross hatch designated lanes and label them "No Parking Fire Lane."
92. Show all public hydrants within 300 feet of the property line. Other requirements for additional hydrants may be required.
93. Submit a completed fire flow test for the existing public fire hydrant on Wilmington Avenue, on the same side of the street as the proposed development. The required fire flow for public hydrants is 1500 gallons per minute at 20 psi for duration of 2 hours, over and above maximum daily domestic demand.
94. Provide a minimum 5-foot-wide approved fire fighter access walkway leading from the fire department access road to all required openings in the building's exterior walls. Clearly identify the firefighter walking access routes on the site plan, the required width and indicate the slope and walking surface material.
95. Provide documentation from the utility indicating the KV rating of the overhead transmission lines adjacent to the proposed development.
96. Submit one architectural set and one additional site plan for life and safety plan review.

TRAFFIC ENGINEERING

97. Shall provide walls along the property line of Wilmington Avenue and Carson Street with a length of each fueling station island and a height of 2½ feet.

WATER QUALITY

Prior to Issuance of Building Permit

98. Per City of Carson ordinance 5809 developer shall comply with all applicable Low Impact Development (LID) requirements and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations to the satisfaction of City of Carson City Engineer.

99. Developer shall provide an approved SWPPP stamped by the Los Angeles County Department of Public Works along with WDID number. If Applicable
100. Developer shall provide a copy of the grading and LID Plan.

Prior to Issuance of Certificate of Occupancy

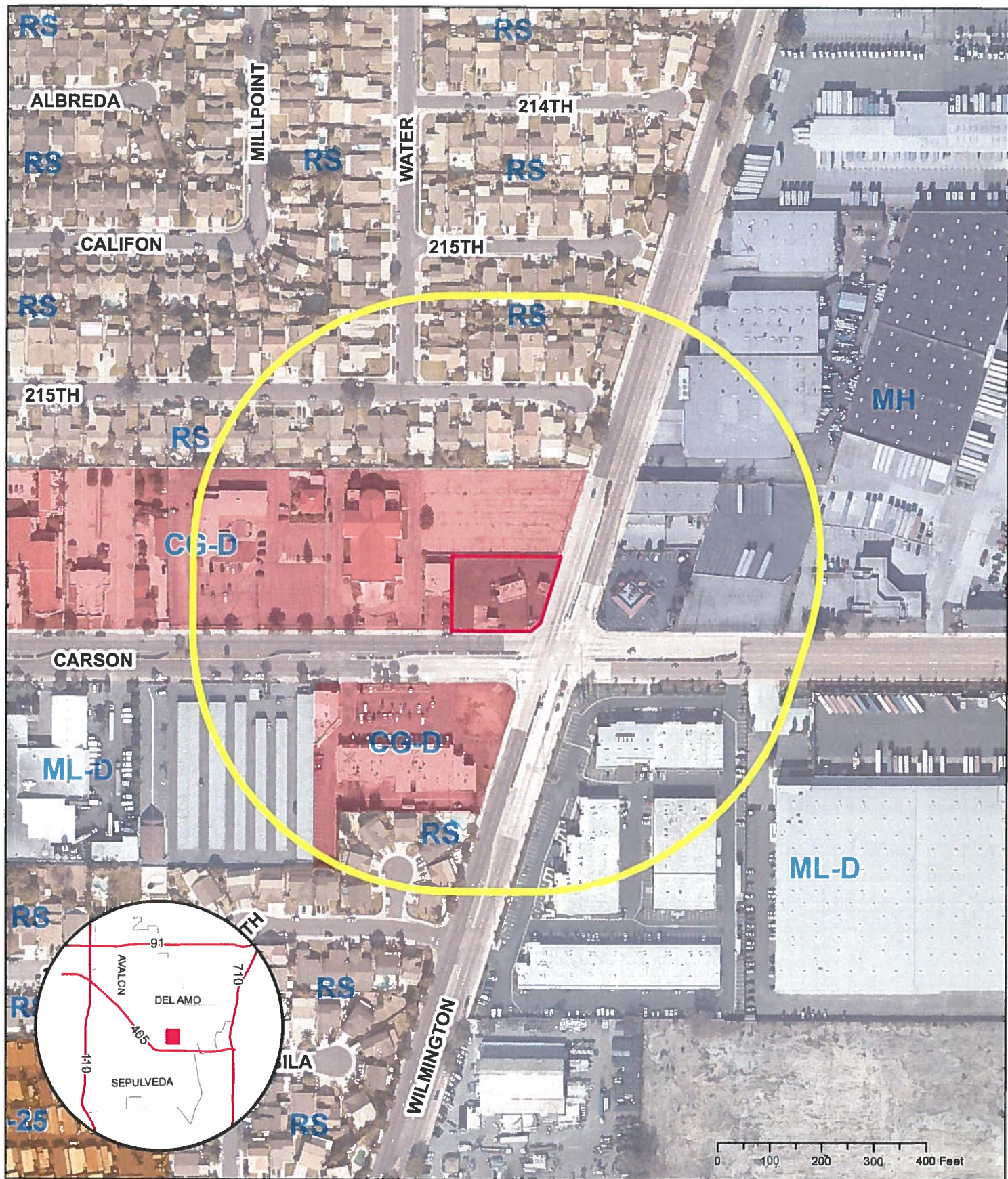
101. For any structural and/or treatment control device installed. Developer shall record a maintenance covenant pursuant to Section 106.4.3 of the County of Los Angeles Building Code and title 12, Chapter 12.80 of the Los Angeles County Code relating to the control of pollutants carried by storm water runoff. In addition, an exhibit shall be attached to identify the location and maintenance information for any structural and/or treatment control device installed.
102. Covenant shall be reviewed and approved by the City Engineer prior to recordation with the Los Angeles County Registrar-Recorder/County Clerk.

SHERIFF DEPARTMENT – LOS ANGELES COUNTY

103. Install and maintain a recorded video system with 24-hour monitoring.

BUSINESS LICENSE

104. All parties involved in the subject project located at 21633 Wilmington Avenue 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 EXHIBIT NO. 2 -
500 Foot Radius Map
21633 Wilmington Avenue



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: April 11, 2017
SUBJECT: Design Overlay Review No. 1551-14
Conditional Use Permit No. 960-14

APPLICANT/PROPERTY OWNER: Bijan Radnia

REQUEST: To construct a new 3,510 square-foot convenience store to replace an existing 1,107 square-foot convenience store and all associated site improvements including allowing alcoholic beverage sales at an existing Shell auto service station located in the CG-D (Commercial General – Design Overlay) zoning district

PROPERTY INVOLVED: 21633 Wilmington Avenue

COMMISSIONERS' VOTE

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

I. Introduction

Applicant/Property Owner

Bijan Radnia

21633 Wilmington Avenue, Carson, CA 90745

Project Address

21633 S. Wilmington Avenue, Carson, CA 90745

II. Project Description

Design Overlay Review (DOR) No. 1551-14 to construct a new 3,510 square-foot convenience store to replace an existing 1,107 square-foot convenience store and all associated site improvements at an existing Shell auto service station and Conditional Use Permit (CUP) No. 960-14 to allow alcoholic beverage sales.

III. Background

The site was developed as an automobile service station in 1963. The development included a 1,107-square-foot auto repair building and eight fuel pumps. In 2008, the auto repair building area was converted to a convenience store.

Previous Discretionary Permits

On February 28, 2012, the Planning Commission approved a request for retail sales of diesel fuel for large-body trucks.

Public Safety Issues

None

IV. Project Site and Surrounding Land Uses

The project site is located southeast of the City at the intersection of Carson Street and Wilmington Avenue. The following provides a summary of the site information:

Site Information	
General Plan Land Use	General Commercial
Zone District	CG-D
Site Size	0.62 acres
Present Use and Development	Shell auto service station with a convenience store
Surrounding Uses/Zoning	North: Church parking lot zoned CG-D South: Small Commercial Center zoned CG-D East: Fast Food Restaurant w/drive-through zoned MH, Watson land Industrial Center zoned ML-D West: Liquor Store and a church zoned CG-D
Access	Ingress/Egress: Wilmington Avenue and Carson Street

V. Analysis

Uses

The project currently includes an automobile service station with convenience store which does not serve alcohol. The proposed project includes replaces the existing convenience store with a larger one that includes alcoholic beverage sales. The alcoholic beverage sales require a conditional use permit. The proposed convenience store is located more than 300 feet from a school or park which meets the code separation requirement. The total number of off-sale businesses within the City with this proposed business will be 49, less than the maximum number of 70 permitted by the code.

Site Plan

Existing Conditions

The project site is a corner lot with frontage along Wilmington Avenue and Carson Street. The site includes a convenience store building, parking lot and canopy covered fuel pump islands. Diesel fuel for large-body trucks is available along the interior pump lanes and unleaded fuel for standard vehicles is available along the outer pump lanes.

Proposed Project

The applicant proposes to demolish the existing convenience store and to replace it with a larger, single-story 3,510-square-foot building along with related parking and landscape improvements.

The proposed façade consists of colors and materials reflecting the Shell Gas brand. New and refurbished landscaped areas, reconfigured parking stalls and a new pedestrian walkway have been integrated into the design taking access from Wilmington Avenue. The new walkway is a strong site design addition that enhances safe pedestrian path of travel to the convenience store. Staff considers the proposed improvements to be beneficial to the patrons and an upgrade to the neighborhood.

Building and Architecture

The new building will have a maximum height of 22 feet and an average height of 19 feet. The storefront includes an aluminum-framed glass entry, foam column moldings, and rock veneer at the bottom portion of stucco walls. The building design incorporates a parapet that will screen all roof-mounted equipment from the public view. The architectural character of the proposed building reflects a contemporary design for a Shell Gas station.

Landscaping

The existing site includes minimal landscaping along the northern boundary and at the corner of Wilmington Avenue and Carson Street. New landscaping greatly enhances the site and is proposed along the building frontage and along the perimeter walls. The new landscaped areas were added to all areas that were feasible. The proposed landscaping consists of shade trees, a variety of dense, fast

growing evergreen and drought-tolerant shrubs and ground cover to help screen the parking areas.

Access and Parking/Traffic

Access to the site is available via four driveways: two on Wilmington Avenue and two on Carson Street. The project is proposing 12 parking spaces to meet code requirements.

Circulation through the site is challenged by the close proximity of the fuel pump islands to the sidewalk. In 2011, the property owner installed bollards at the property line to prevent vehicles from driving on the sidewalk. Since then, the property owner placed traffic cones on each of the bollards to prevent cars from hitting the bollards. This situation remains a concern because open vehicle doors encroach into the sidewalk. To address this concern, staff requested and the applicant agreed to install a 2 ½ high block wall along the street frontage property lines to appropriately prevent further unsafe encroachment onto the sidewalk.

Signage

New logo and individual channel letter style signage is proposed located on the south and east elevations of the proposed convenience store building (facing Carson Street and Wilmington Street). The existing pole sign located at the corner was built in 1963 and was recently refurbished. Per Ordinance No. 16-1602, the pole sign must be removed by October 4, 2021.

The applicant may submit a written request for extension of time before the termination date pursuant to CMC Section 9172.25 (Extension of Nonconforming Privilege); and the Planning Commission may consider approval of one (1) or more extensions of any time limit specified for termination of a nonconforming use or other nonconformity pursuant to CMC Section 9182.05.

Development Impact Fee (DIF)

The project is subject to DIF. However, the applicable fee will be charged against the square footage difference between the existing 1,100-square-foot convenience store and the proposed 3,500-square-foot building. For example, DIF will be applied toward 2,400 square feet which is the estimated difference of the new building area.

VI. General Plan Consistency

The service station was constructed in 1963 and convenience store modification was completed approximately 10 years ago. The General Plan Land Use designation of General Commercial and remains consistent with the surrounding Commercial, Residential and Light Industrial uses.

VII. Environmental Review

Pursuant to Section 15331 (In-Fill Development) of the California Environmental Quality Act (CEQA), the proposed project to remove and rebuild the existing



convenience store reasonably falls within this exemption category and no foreseeable significant impacts would result.

VIII. Public Notice

Public notice was posted to the project site on March 22, 2017. Notices were mailed to property owners and occupants within 500 feet by March 30, 2017. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

IX. Recommendation

That the Planning Commission:

- **WAIVE** further reading;
- **APPROVE** the proposed project subject to the conditions of approval attached as Exhibit "B" to the Resolution; and
- **ADOPT** Resolution No. 17-____, approving Design Overlay Review No. 1551-14 to construct a new 3,510 sq. ft. convenience store with related site improvements at an existing Shell auto service station and Conditional Use Permit (CUP) No. 960-14 to allow alcoholic beverage sales at a property located at 21633 Wilmington Avenue.

X. Exhibits

1. Draft Resolution
2. Site Map
3. Development Plans (under separate cover)

Prepared by: McKina Alexander, Associate Planner



**CITY OF CARSON
PLANNING COMMISSION**

RESOLUTION NO. 17-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1551-14 TO CONSTRUCT A NEW 3,510 SQUARE-FOOT CONVENIENCE STORE WITH RELATED SITE IMPROVEMENTS AT AN EXISTING SHELL AUTO SERVICE STATION AND CONDITIONAL USE PERMIT (CUP) NO. 960-14 TO ALLOW ALCOHOLIC BEVERAGE SALES AT A PROPERTY LOCATED AT 21633 WILMINGTON AVENUE IN THE CG-D (COMMERCIAL GENERAL – DESIGN OVERLAY) ZONING DISTRICT.

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 and property owner, Bijan Radnia, with respect to real property located at 21633 Wilmington Avenue and described in Exhibit "A" attached hereto requesting approval to construct a new 3,510 sq. ft. convenience store to replace an existing 1,107 square-foot convenience store and all associated site improvements including allowing alcoholic beverage sales at an existing Shell auto service station within the CG-D (Commercial General – Design Overlay) zoning district. The request includes:

- Design Overlay Review (DOR) No. 1551-14 to permit the design of a new convenience store; and
- Conditional Use Permit (CUP) No. 960-14 to allow incidental alcoholic beverage sales within the CG-D (Commercial General – Design Overlay) district.

Section 2. A public hearing was duly held on April 11, 2017, 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 26,742-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 at the northwest corner of Wilmington Avenue and Carson Street. Both are

~~EXHIBIT NO. 1~~

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arterial streets resulting in continued adequate capacity to handle traffic levels from the existing auto service station and convenience store uses.

- c) The proposed project consists of removing the existing convenience store and building a new 3,510-square-foot convenience store with 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 over 50 years ago and with the proposed site improvements (installation of a new pedestrian walkway from the street, reconfiguration of the parking area) will better adequately accommodate safe circulation for pedestrians and vehicles.
- e) New landscaping will be installed throughout the site providing shade to vehicles and enhancing the visual attractiveness from adjoining streets and walkways.
- f) The proposed building signage consists of individual channel letters and logo; and the existing price pole sign located at the corner was built in 1963 and was recently refurbished. Per Ordinance No. 16-1602, the sign must be removed which could be replaced with a monument sign by October 4, 2021. All signage is subject to review by the Planning Division under a separate permit pursuant to code.
- g) The proposed improvements are in conformance with the City's design standards and guidelines that are applicable to this project.
- h) The required findings pursuant to Section 9172.23 (D), "Site Plan and Design Review", can be made in the affirmative.

Section 4. In In regards to CMC Section 9172.21 Conditional Use Permit, the Planning Commission finds that:

- i) The proposed incidental alcoholic beverage off-sales business is located greater than 300 feet from a school or park and the total number of off-sale businesses within the City is currently 48 (without the project).
- j) The proposed incidental off-sale business shall obtain a State Alcoholic Beverage Control license Type 20 and in which less than or equal to twenty (20) percent of the gross floor area is used for the sale, display or storage of beer or wine for consumption off-site.
- k) The proposed project is compatible with the General Plan and surrounding uses. The proposed sale of alcoholic beverages is identified in the zoning code as a use subject to a conditional use permit for this zoning designation.



Section 5. The Planning Commission further finds that the proposed project will not have a significant effect on the environment pursuant to Section 15332, Class 32 (In-Fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines and is therefore categorically exempt.

Section 6. Based on the aforementioned findings, the Planning Commission hereby approves Design Overlay Review No. 1551-14 and Conditional Use Permit No. 960-14 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 7. 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 11TH DAY OF APRIL 2017.

CHAIRMAN

ATTEST:

SECRETARY



THE FORM OF POLICY OF TITLE INSURANCE CONTEMPLATED BY THIS REPORT IS:

AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (2006)



1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A FEE

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

BIJAN RADNIA, TRUSTEE OF THE RADNIA RECORDED TRUST, DATED JULY 1, 2009

3. THE LAND REFERRED TO HEREIN IS SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCELS 1 AND 2 AS SHOWN ON NOTICE OF LOT LINE ADJUSTMENT NO. 209-06 AS EVIDENCED BY DOCUMENT RECORDED SEPTEMBER 27, 2006 AS INSTRUMENT NO 06-2152724 OF OFFICIAL RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 1:

LOT 66, OF TRACT NO. 4054, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 44, PAGES 39 TO 41, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM, THE EASTERLY 160 11 FEET OF THE SOUTHERLY 163.11 FEET, BOTH DISTANCES MEASURED AT RIGHT ANGLES TO SAID LOT ALSO EXCEPT THEREFROM, THAT PORTION OF LAND DESCRIBED IN THE DEED TO MANUEL CANO AND WIFE, RECORDED JUNE 29, 1967, AS INSTRUMENT NO. 176, IN BOOK D-3687, PAGE 228, OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THAT PORTION OF LOT 66 OF TRACT NO. 4054 IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA AS PER MAP RECORDED IN BOOK 44, PAGES 39 THRU 41, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF CARSON STREET AND WILMINGTON AVENUE AS SHOWN ON TRACT NO. 25448 AS PER MAP RECORDED IN BOOK 678, PAGES 96 THRU 99, INCLUSIVE OF MAPS, THENCE WESTERLY ALONG THE CENTERLINE OF SAID CARSON STREET, S89°40'28"W 34.59 FEET TO THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF SAID LOT 66, THENCE NORTHEASTERLY ALONG SAID EASTERLY ONE OF SAID LOT 66, N17°06'20"E 202.40 FEET TO THE SOUTHERLY LINE OF PARCEL 1 OF INSTRUMENT NO. 97-1167221, RECORDED JULY 31, 1997, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID PARCEL 1 OF INSTRUMENT NO. 1167221, S89°40'28"W 167.82 FEET TO THE TRUE POINT OF BEGINNING SAID POINT BEING ALSO THE NORTHWESTERLY CORNER OF INSTRUMENT NO.00-58720, RECORDED JANUARY 4, 2000, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID PARCEL 1, S89°40'28"W 58.35 FEET TO THE EASTERLY LINE OF INSTRUMENT NO. 93-2287170, RECORDED JUNE 14, 1993, THENCE

SOUTHERLY ALONG THE EASTERLY LINE OF SAID INSTRUMENT NO. 93-2287170, S00°18'36"E 143.11 FEET TO THE NORTHERLY LINE OF 100.00 FEET WIDE CARSON STREET PER PARCEL B INSTRUMENT NO. 3891, RECORDED MARCH 14, 1961, THENCE EASTERLY ALONG SAID NORTHERLY LINE OF CARSON STREET, N89°40'28"E 13.46 FEET TO THE EASTERLY LINE OF SAID INSTRUMENT NO. 97-1167221, THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID INSTRUMENT NO. 97-1167221, N17°06'20"E 150.00 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2:

THE EASTERLY 160.11 FEET OF THE SOUTHERLY 163.11 FEET, BOTH DISTANCES BEING MEASURED AT RIGHT ANGLES OF LOT 66 OF TRACT 4054, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, CALIFORNIA AS PER MAP RECORDED IN BOOK 44, PAGE(S) 39-41 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

INCLUDING THAT PORTION OF LOT 66 OF TRACT NO. 4054 IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 44, PAGES 39 THRU 41, INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

COMMENCING AT THE CENTERLINE INTERSECTION OF CARSON STREET AND WILMINGTON AVENUE AS SHOWN ON TRACT NO. 25448 AS PER MAP RECORDED IN BOOK 678, PAGES 96 THRU 99, INCLUSIVE OF MAPS, THENCE WESTERLY ALONG THE CENTERLINE OF SAID CARSON STREET, S89°40'28"W 34.59 FEET TO THE SOUTHERLY PROLONGATION OF THE EASTERLY LINE OF SAID LOT 66, THENCE NORTHEASTERLY ALONG SAID EASTERLY LINE OF SAID LOT 66, N17°06'20"E 202.40 FEET TO THE SOUTHERLY LINE OF PARCEL 1 OF INSTRUMENT NO. 97-1167221, RECORDED JULY 31, 1997, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID PARCEL 1 OF INSTRUMENT NO. 1167221, S89°40'28"W 167.82 FEET TO THE TRUE POINT OF BEGINNING SAID POINT BEING ALSO THE NORTHWESTERLY CORNER OF INSTRUMENT NO. 00-58720, RECORDED JANUARY 4, 2000, THENCE WESTERLY ALONG THE SOUTHERLY LINE OF SAID PARCEL 1, S89°40'28"W 58.35 FEET TO THE EASTERLY LINE OF INSTRUMENT NO. 93-2287170, RECORDED JUNE 14, 1993, THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID INSTRUMENT NO. 93-2287170, S00°18'36"E 143.11 FEET TO THE NORTHERLY LINE OF 100.00 FEET WIDE CARSON STREET PER PARCEL B INSTRUMENT NO. 3891, RECORDED MARCH 14, 1961, THENCE EASTERLY ALONG SAID NORTHERLY LINE OF CARSON STREET, N89°40'28"E 13.46 FEET TO THE EASTERLY LINE OF SAID INSTRUMENT NO. 97-1167221, THENCE NORTHEASTERLY ALONG THE EASTERLY LINE OF SAID INSTRUMENT NO. 97-1167221, N17°06'20"E 150.00 FEET TO THE TRUE POINT OF BEGINNING.



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

CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1551-14
CONDITIONAL USE PERMIT NO. 960-14

GENERAL CONDITIONS

1. If a building permit for Design Overlay Review No. 1551-14 and Conditional Use Permit No. 960-14 are not issued within one year of their effective date, said permits 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, the owner, tenant(s), and their subsequent successors (Parties) agree to 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 any damage or harm to people or property, real and personal, that may result from Yellow Basket Property Owner(s) operations or any claims against the City for or as a result of the granting of the approval. The City will promptly notify the Parties of any such claim, action, or proceeding against the City and Parties will pay the City's associated legal costs and will advance funds assessed by the City to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Parties' consent but should it do so,



the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein. Parties shall provide a deposit in the amount of 100% 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 Parties fails to provide or maintain the deposit, the City may abandon the action and Parties shall pay all costs resulting therefrom and the City shall have no liability to Parties.

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. All exterior roof-top mechanical, heating and air conditioning equipment and appurtenances thereof, shall be completely screened from public view by parapet walls that are architecturally treated so as to be consistent with the building. The construction plans shall include appropriate elevations and cross section drawings demonstrating how such equipment is to be screened from public view (include dimensions, materials and colors).
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.

DEVELOPMENT IMPACT FEE (DIF)

22. The City is in the process of developing and adopting Development Impact Fees (DIF) on new developments. DIF are routinely collected by other cities to pay for impacts of a project on the City's infrastructure including, but not limited to, streets, sidewalks, bikeways, parkways and median landscaping, parks, police, fire, sewer, libraries, and reclaimed water. The proceeds from DIF will be used by the City to pay for capital improvements necessary to accommodate new developments. By accepting this condition, the applicant and/or the property owner and their successors (Parties) agree not to object to future payment of the adopted DIF as it

relates to this project. The City's DIF will be developed to demonstrate that there is a reasonable relationship between the specific amount of the fee imposed, the particular development project and the cost of the public facility attributable to the project. After the adoption of the DIF, the City will issue a letter to the Parties detailing the amount of the DIF due to the City. The Parties shall pay the DIF in full within 30 days from the date of the letter requesting the DIF payment. If payment is not received by the due date, the City will take further action for collection. Any such appeal must be provided in writing to the City Clerk no later than 20 days following the date of notification of the amount from the Planning Department, stating the reasons for the appeal and including all the relevant evidence in support thereof. The City Clerk shall set the appeal for public hearing before the Planning Commission.

LANDSCAPE/IRRIGATION

23. Comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
24. 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.
25. Include additional dense evergreen planting within the space located east of parking space no. 1 adjacent to Wilmington Avenue.
26. Shall provide no less than 10% of on-site landscape.
27. Install additional evergreen tall vertical shrubs and trees to the new landscaped planters adjacent to the parking areas on Carson Street and Wilmington Avenue for screening purposes.
28. Provide a minimum 5-foot-wide landscaped planter along the northern boundary, 3-foot-wide landscaped planter located along the base of the south and east building elevations, and enlarge and refurbish the corner landscape planter.
29. Install evergreen vines and/or tall vertical shrubs to the property wall located along the western boundary to buffer the wall expanse; and add large, vertical evergreen shrubs, vines and trees within the 5-foot-wide planter located along the northern boundary to buffer the wall expanse and provide shade to the parking area.
30. Install new evergreen vines and tall vertical evergreen shrubs to the east side of the trash enclosure to screen views from Wilmington Avenue.
31. 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.
32. 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.

33. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
34. The proposed irrigation system shall include best water conservation practices.

LIGHTING

35. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9127.1 of the Zoning Ordinance.
36. 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

37. All driveways shall remain clear. No encroachment into driveways shall be permitted.
38. The parking areas will be re-slurry sealed and re-stripped with a new parking configuration that complies with ADA, Fire, and Traffic Engineering standards.
39. 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

40. The entire site will be re-slurry and sealed for a consistent refreshed appearance.

SIGNAGE

41. All signage shall comply with the requirements of the Carson Municipal Code and shall be approved by the Planning Division prior to building occupancy.
42. The pole sign shall be removed by October 4, 2021.

TRASH

43. Trash collection shall comply with the requirements of the City's trash collection company.
44. The existing trash enclosure shall complement the architecture of the proposed new building and additional landscape to screen its exterior wall.

BUILDING AND SAFETY

45. Submit development plans for plan check review and approval.



46. Obtain all appropriate building permits and an approved final inspection for the proposed project.
47. 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

48. The Developer shall submit a copy of **approved** Grading plans on bond paper to the City of Carson – Engineering Division, prior to issuance of grading permits.
49. The Developer shall submit an electronic copy of approved plans (such as, Sewer, Street and/or Storm Drain Improvements, whichever applies), to the City of Carson – Engineering Division, prior to issuance of construction permits.
50. 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.
51. A construction permit is required for any work to be done in the public right-of-way.
52. 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.
53. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of construction permit.

Prior to Issuance of Building Permit

54. Drainage/Grading plan shall be submitted for approval of the Building and Safety Division. The Developer shall submit a copy of approved Drainage/Grading plans on bond paper to the City of Carson – Engineering Division.
55. Soils report, sewer area study, drainage concept, hydrology study and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept, hydrology study and stormwater information have been received and found satisfactory.
 - a) Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.
56. The Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.
57. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.



58. The Developer shall submit improvement plans to the Development Services Group – Engineering Division showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
- a) Street Improvements (if any) along Wilmington Avenue and along Carson Street.
 - b) Sewer main Improvements (if any) along Wilmington Avenue and along Carson Street as determined by the aforementioned sewer area study.
 - c) Storm Drain Improvements (if any) along Wilmington Avenue and along Carson Street as determined by the aforementioned requirement.
59. Off-site improvements (eg. driveways, sidewalk, parkway drains, trees, curb/gutter etc) shown on the grading plans must provide a concurrent submittal to City of Carson Engineering Division. Off-site improvements may be shown on a separate set of street improvement plans.
60. Prior to issuance of Grading permit, developer shall obtain clearance from City of Carson Engineering Division.
61. The Developer has the option to make a cash payment/ shall make a cash payment to the City of Carson In-Lieu of constructing the following Improvements:
- a) Type II Slurry Seal @ \$0.45/sq. ft.
62. All existing overhead utility lines 12 kilovolts and less (including telecomm) along Wilmington Avenue and along Carson Street shall be underground to the satisfaction of the City Engineer. Alternatively, in the City Engineer's discretion, the City may accept an in-lieu fee in an amount determined by the City Engineer to be sufficient to cover the costs of such undergrounding provided the applicant deposits the full amount of the deposit of the in-lieu fee before issuance of Building Permits. Undergrounding estimate shall be prepared by Southern California Edison and shall be submitted to the City Engineer for his determination.

Prior to Issuance of Certificate of Occupancy,

63. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
64. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
- a) Comply with mitigation measures recommended by the water purveyor.
65. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the hydrology study, subject to the approval of the City Engineer.



66. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right of way along Wilmington Avenue and along Carson Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
67. Remove and replace any broken/damaged driveway approach within the public right of way along Wilmington Avenue and along Carson Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
68. Remove unused driveway approach if any, within the public right of way along Wilmington Avenue and along Carson Street abutting this proposed development and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
69. The Developer shall modify existing driveways within the public right of way along Wilmington Avenue and along Carson Street abutting this proposed development per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
70. The developer shall construct new driveway approaches per City of Carson Standard and in compliance with the ADA requirements. The Developer shall protect or relocate any facilities to accommodate the proposed driveway approach. The maximum driveway approach width allowed for the site is 30 feet.
71. Modify existing wheelchair ramp at the northwest corner of Wilmington Avenue and Carson Street per City of Carson Standard, in compliance with ADA requirements.
72. Plant approved parkway trees on locations where trees in the public right of way along Wilmington Avenue and along Carson Street abutting this proposed development are missing per City of Carson Standard Nos. 117, 132, 133 and 134.
73. Install irrigation system for the purpose of maintaining the parkway trees to be planted within the public right of way along Wilmington Avenue and along Carson Street abutting this proposed development.
74. All new utility lines, servicing the proposed development shall be underground to the satisfaction of the City Engineer.
75. Comply with any additional requirements, if any, as means of mitigating any traffic impacts as identified in the traffic study approved by the City Traffic Engineer.
76. Install striping and pavement legend per City of Carson standard.
77. Paint Curbs Red along Wilmington Avenue and along Carson Street within or abutting this proposed development. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval.
78. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures



constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.

79. Streets abutting the development shall be slurry sealed from curb-to-curb or from median-to-curb when medians are existing or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS).
80. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.

FIRE – LOS ANGELES COUNTY

81. Provide a minimum unobstructed width of 26 feet, clear to the sky, vehicular access to within 150 feet of all portions of the exterior walls. Cross hatch designated lanes and label them "No Parking Fire Lane."
82. Show all public hydrants within 300 feet of the property line. Other requirements for additional hydrants may be required.
83. Submit a completed fire flow test for the existing public fire hydrant on Wilmington Avenue, on the same side of the street as the proposed development. The required fire flow for public hydrants is 1500 gallons per minute at 20 psi for duration of 2 hours, over and above maximum daily domestic demand.
84. Provide a minimum 5-foot-wide approved fire fighter access walkway leading from the fire department access road to all required openings in the building's exterior walls. Clearly identify the firefighter walking access routes on the site plan, the required width and indicate the slope and walking surface material.
85. Provide documentation from the utility indicating the KV rating of the overhead transmission lines adjacent to the proposed development.
86. Submit one architectural set and one additional site plan for life and safety plan review.

TRAFFIC ENGINEERING

87. Shall provide walls along the property line of Wilmington Avenue and Carson Street with a length of each fueling station island and a height of 2½ feet.

WATER QUALITY

Prior to Issuance of Building Permit

88. Per City of Carson ordinance 5809 developer shall comply with all applicable Low Impact Development (LID) requirements and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations to the satisfaction of City of Carson City Engineer.
89. Developer shall provide an approved SWPPP stamped by the Los Angeles County Department of Public Works along with WDID number. If Applicable



90. Developer shall provide a copy of the grading and LID Plan.

Prior to Issuance of Certificate of Occupancy

91. For any structural and/or treatment control device installed. Developer shall record a maintenance covenant pursuant to Section 106.4.3 of the County of Los Angeles Building Code and title 12, Chapter 12.80 of the Los Angeles County Code relating to the control of pollutants carried by storm water runoff. In addition, an exhibit shall be attached to identify the location and maintenance information for any structural and/or treatment control device installed.
92. Covenant shall be reviewed and approved by the City Engineer prior to recordation with the Los Angeles County Registrar-Recorder/County Clerk.

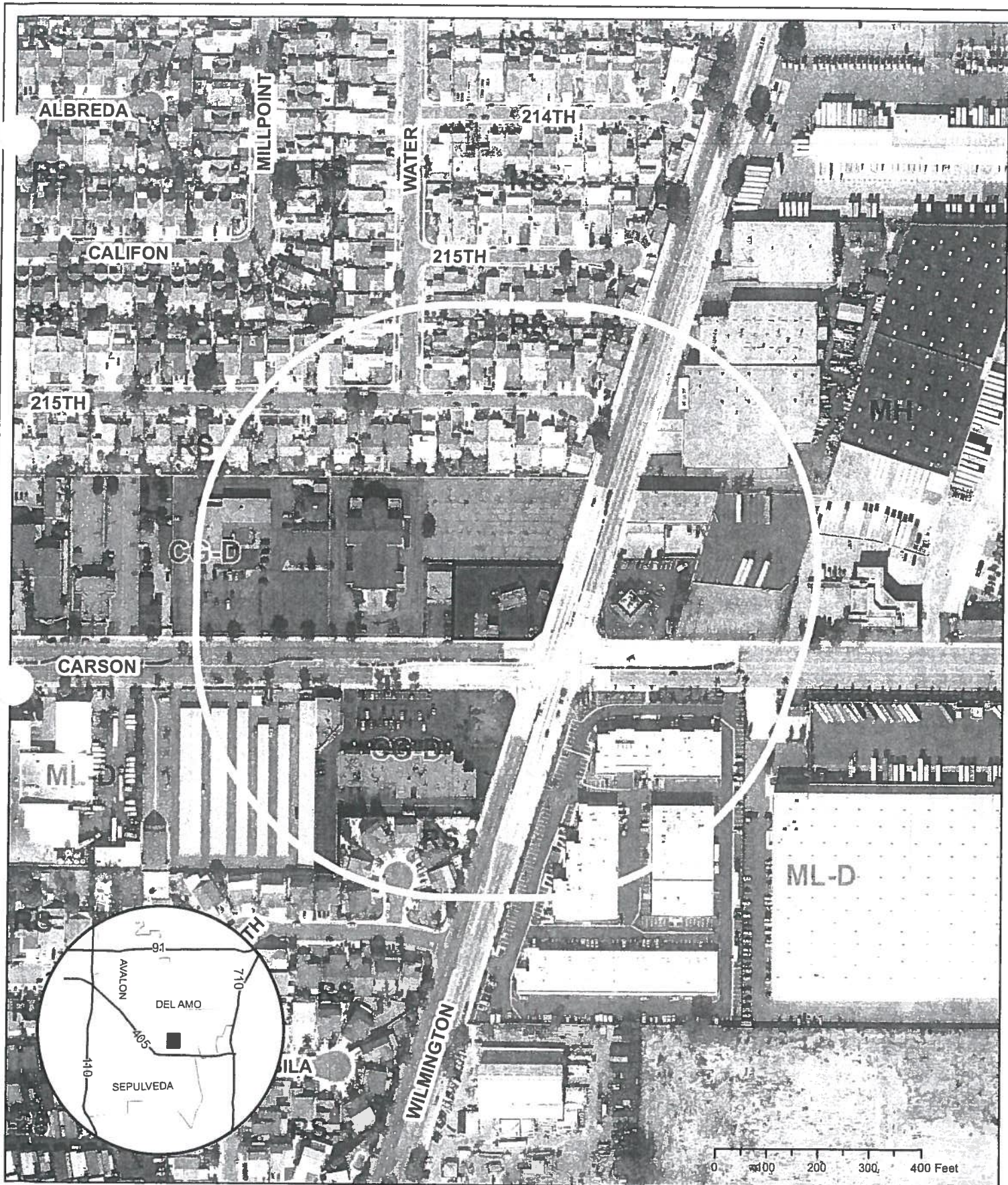
SHERIFF DEPARTMENT – LOS ANGELES COUNTY

93. Install and maintain a recorded video system with 24-hour monitoring.

BUSINESS LICENSE

94. All parties involved in the subject project located at 21633 Wilmington Avenue 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
500 Foot Radius Map
21633 Wilmington Avenue

EXHIBIT NO. ~~2~~

Date Printed Wednesday March 22 2017

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5. CONSENT CALENDAR

A) APPROVAL OF MINUTES - February 28, 2017; March 14, 2017

Motion:

Without objection, Chairman Diaz ordered the approval of the February 28, 2017 and March 14, 2017 Minutes as presented (Madrigal abstained from the March 14th minutes; absent Commissioners Andrews, Post).

6. CONTINUED PUBLIC HEARING

A) Design Overlay Review No. 1631-16

Applicant:

Chas Fisher, Cypress Equities
8343 Douglas Avenue, Suite 200
Dallas, TX 75225

Request:

To permit the remodel of the existing Sears building within SouthBay Pavilion Mall by demising the existing floor area into four retail spaces, updating the exterior façade, and minor landscape improvements, located in the CR-MUR-D (Commercial, Regional Mixed Use Residential – Design Overlay) zoning district

Property Involved:

20700 S. Avalon Boulevard

ee Staff Recommendation:

Approve

Planning Commission Decision:

Commissioner Guidry moved, seconded by Alternate Commissioner Osuna, to approve the applicant's request; to delete Condition No. 12; to amend Condition No. 15, inserting the proper business name; and moved to adopt Resolution No. 17-2601. Motion carried, 9-0 (absent Andrews, Post)

7. PUBLIC HEARING

**A) Design Overlay Review No. 1551-14 and
Conditional Use Permit No. 960-14**

Applicant:

Bijan Radnia

Request:

To construct a new 3,510-sq.-ft. convenience store with associated site improvements and allow alcoholic beverage sales at an existing Shell auto service station located in the CG-D

EXHIBIT NO. 4 -

44

(Commercial General – Design Overlay)
zoning district

Property Involved: 21633 Wilmington Avenue

ma Staff Recommendation: Approve

Planning Commission Decision:

Commissioner Palmer moved, seconded by Vice-Chair Pimentel, to approve the applicant's request; and to amend Condition No. 14, inserting the proper business name. This motion ultimately failed.

By way of a friendly amendment, Commissioner Thomas asked that the beer/wine sales be limited to 200 square feet. The makers of the original motion (which ultimately failed) accepted the friendly amendment.

By way of a substitute motion, Commissioner Madrigal moved, seconded by Commissioner Guidry, to deny the applicant's request. This motion failed as follows:

AYES: Guidry, Madrigal, Mitoma, Osuna
NOES: Diaz, Palmer, Pimentel, Thomas
ABSTAIN: Fe'esago
ABSENT: Andrews, Post

The original motion to approve the applicant's request failed as follows:

AYES: Diaz, Palmer, Pimentel, Thomas
NOES: Guidry, Madrigal, Mitoma, Osuna
ABSTAIN: Fe'esago
ABSENT: Andrews, Post

Chairman Diaz moved, seconded by Commissioner Guidry, to continue this matter to the May 9th Planning Commission meeting to allow staff the opportunity to investigate whether the Samoan Church next door is operating a non-permitted school. The motion carried as follows:

AYES: Diaz, Guidry, Mitoma, Osuna, Palmer, Pimentel, Thomas
NOES: Madrigal
ABSTAIN: Fe'esago
ABSENT: Andrews, Post

7. PUBLIC HEARING

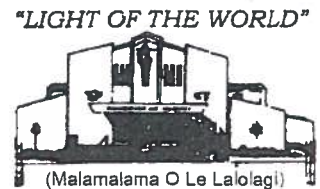
B) Conditional Use Permit No. 1003-16

Applicant: Greg Levine
Standard Metals Recycling
2132 E. Dominguez Street





*Ekalesia Fa'apotopotoga Kerisiano
Malamalama O le Lalolagi*



May 1, 2017

To whom it may concern:

This letter is to confirm that we have school here at the church on the weekend. We have our youth fellowship here on Saturday and Sunday School on Sunday.

I know that Mr. Radnia has a letter from the church supporting his liquor license application. But we had an issue with Mr. Radnia going back 6 years (longer than that) regarding our property. When the church sold them a little piece of land between his gas station and the liquor store, instead of just register just that piece of land, he registers the whole lot where the church is located. We've been trying to get him to sign a corrected deed since that time, but has given the church the run-around. Finally, when this issue came up with his liquor license, he needed the church support. So, for him to sign the corrected deed, he wants the church to give him a letter of support, hence the letter he has.

As you can see, he's not an honest person.

On a personal note, as a resident of Carson, I do not support his application for the safety of the children's of the church, I think the liquor store is suffice for this little corner of Carson, we do not need another store selling liquor.

Please feel free to call me if you have any questions.

Warm Regards,

Manu Mata'utia

President

Ekalesia Fa'apotopotoga Kerisiano

Malamalama o le Lalolagi Church

EXHIBIT NO. 5 -