



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

CONSENT CALENDAR: November 13, 2018

SUBJECT: Design Overlay Review 1614-16 and
Conditional Use Permit No. 1004-16

APPLICANT: Arthur Gvalevech, Vice President
New Century Catering
16804 S. Figueroa Street
Carson, CA 90248

PROPERTY OWNER: Michael Schatachian, Trust
2404 W. Lincoln Avenue
Montebello, CA 90640

REQUEST: A one-year time extension for Design Overlay Review 1614-16 and Conditional Use Permit 1004-16 to construct and operate a commissary warehouse and food truck storage yard with related site improvements on a site zoned MH-D (Manufacturing, Heavy, Design Overlay).

PROPERTY INVOLVED: 16804 S. Figueroa Street

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chair Pimentel			Madrigal
		Vice-Chair Thomas			Mitoma
		Cainglet			Nunley
		Fe'esago			Rahman
		Alt. Osuna			Alt. Palmer Alt. Rashad

Item No. 5A

I. Introduction

Property Owner

Michael Schatachian, Trust
2404 W. Lincoln Avenue, Montebello, CA 90640

Applicant:

Arthur Gvavech, New Century Catering
16804 S. Figueroa Street, Gardena, CA 90248

Project Address:

16804 S. Figueroa Street, Gardena, CA 90248

II. Project Description and Background

The 0.17-acre project site is located within the MH-D (Manufacturing, Heavy Industrial – Design Overlay) zoning district with a General Plan Land Use designation of Heavy Industrial.

On October 10, 2017, the Planning Commission approved Resolution No. 17-2612 approving:

- **Design Overlay Review No. 1614-16**
Construct a new 4,430-square-foot warehouse consisting of a commissary facility for food storage and related site improvements; and
- **Conditional Use Permit No. 1004-16**
Operate a food commissary facility with overnight parking for forty-six (46) food trucks and thirty-seven (37) vehicle parking spaces.

III. Analysis

Per Section 9172.21(H)(2), the permit holder can request for extension to the Director on or before the expiration of the permit and an extension may be granted by the Planning Commission if the Commission finds that:

- The termination of the permit would constitute an undue hardship upon the permit holder and
- The continuation of the permit would not be materially detrimental to the health, safety and general welfare of the public.

On October 8, 2018, the applicant made a timely request for a one year extension of time to complete the subject project (Exhibit 3). The applicant has been diligently working with the City to fully comply with the conditions of approval but it has taken longer than anticipated to obtain final construction permits (the project is currently under plan check review by the Building & Safety Division).



If approved, the one-year extension of time for Design Overlay Review No. 1614-16 and Conditional Use Permit No. 1004 will expire on October 25, 2019.

IV. Conclusion

Subject to compliance with all of the conditions in the associated resolutions, extension of the permit would not be materially detrimental to the health, safety and general welfare of the public.

V. Public Notice

Public notice was posted to the project site on October 24, 2018. Notices were mailed to property owners and occupants within 500 feet on October 24, 2018. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

VI. Recommendation

That the Planning Commission:

- **WAIVE** further reading;
- **APPROVE** a one-year extension for Design Overlay Review No. 1614-16 and Conditional Use Permit No. 1004-16; and
- **ADOPT** Resolution No. 18-, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING A ONE-YEAR TIME EXTENSION FOR DESIGN OVERLAY REVIEW NO. 1614-16 AND CONDITIONAL USE PERMIT NO. 1004-16 TO CONSTRUCT AND OPERATE A COMMISSARY WAREHOUSE AND FOOD TRUCK STORAGE YARD WITH RELATED SITE IMPROVEMENTS LOCATED AT 16804 SOUTH FIGUEROA STREET."

VII. Exhibits

1. Draft Resolution
2. Planning Commission Staff Report dated October 10, 2017 including Resolution No. 17-2612 and related Conditions of Approval
3. Letter of Justification
4. Zoning Map

Prepared by: Manraj Bhatia, Assistant Planner

CITY OF CARSON
PLANNING COMMISSION

RESOLUTION NO. 18-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING A ONE-YEAR EXTENSION OF TIME FOR DESIGN OVERLAY REVIEW NO. 1614-16 AND CONDITIONAL USE PERMIT NO. 1004-16 TO OCTOBER 25, 2019 TO CONSTRUCT AND OPERATE A COMMISSARY WAREHOUSE AND FOOD TRUCK STORAGE YARD WITH RELATED SITE IMPROVEMENTS AT 16804 S. FIGUEROA STREET

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

Section 1. An application was duly filed by the applicant, Arthur Gvavech of New Century Catering, with respect to real property located at 16804 S. Figueroa Street, , and described in Exhibit "A" attached hereto, requesting a one-year extension for the following:

- **Design Overlay Review No. 1614-16** to construct a new 4,430-square-foot commissary warehouse and
- **Conditional Use Permit No. 1004-16** to operate a food commissary facility with overnight parking for forty-six (46) food trucks and thirty-seven (37) vehicle parking spaces on a 0.17 acre site zoned MH-D (Manufacturing, Heavy- Design Overlay).

A Planning Commission public hearing meeting was duly held on November 13, 2018 at 6:30 P.M. at City Hall, Helen Kawagoe Council Chambers, 701 East Carson Street, Carson, California.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. With respect to the Design Overlay Review No. 1614-16 and Conditional Use Permit No. 1004-16, the Planning Commission found on October 10 , 2017 that:

- a) The proposed use and development will be consistent with the General Plan Land Use Designation of Heavy Industrial use.
- b) The project site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
- c) There will be adequate street access and traffic capacity. The proposed development will have direct access to Figueroa and 168th Streets. The LA County Fire Department and the Carson City Traffic Engineer have approved the proposed project.
- d) There will be adequate water supply for fire protection.
- e) The proposed use and development will be compatible with the existing and anticipated development in the vicinity relative to a harmonious and attractive development of the area.

EXHIBIT NO. 1 -



- f) All signage associated with this project will comply with the Carson Municipal Code provisions and will be reviewed and approved by the Planning Division prior to building occupancy.

Section 4. An analysis was performed pursuant CEQA Guidelines §15162 to determine whether subsequent environmental review was required for Design Overlay Review No. 1614-16 and Conditional Use Permit No. 1004-16. On October 10, 2017, the Planning Commission determined that the proposed project will not have a significant effect on the environment and is deemed Categorically Exempt from CEQA pursuant to Section 15332 (In-Fill Development Projects), Class 32.

Section 5. With respect to the application for extension of time, the Commission finds that the expiration of this permit would constitute an undue hardship on the permit holder since the permit holder has vested substantial amount of time, money and effort into the project.

Section 6. The Commission also finds that the continuation of the permit would not be materially detrimental to the health, safety and general welfare of the public.

Section 7. Based on the previous aforementioned findings that were approved on October 10, 2017, and that no modification is proposed to the project as part of this request, the Commission hereby approves a one (1) year extension for Design Overlay Review No. 1614-16 and Conditional Use Permit No. 1004-16 to allow the applicant additional time to complete the recommended corrections for building plan check and obtain the necessary permits. With approval of this one (1) year extension, the new date for expiration of permits now is October 25th, 2019.

Section 8. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 9. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 13Th DAY OF NOVEMBER, 2018

CHAIRPERSON

ATTEST:

SECRETARY

"EXHIBIT A"

LEGAL DESCRIPTION:

Lots 3 and 4 of Tract No. 2161, in the City of Carson, County of Los Angeles, State of California, as per Map recorded in Book 22, Page 8 of Maps, in the Office of the County Recorder of said county, and that portion of Lot 9 of Tract No. 2161, in the City of Carson, County of Los Angeles, State of California, as per Map recorded in Book 22, Page 8 of Maps, in the Office of the County Recorder of said county, lying northerly of the easterly prolongation of the southerly line of Lot 4 of said Tract, except the Westerly 38 feet of the northerly 103.8 feet of said Lot 9.





CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: October 10, 2017

SUBJECT: Design Overlay Review No. 1614-16 and
Conditional Use Permit No. 1004-16

APPLICANT: Arthur Gvalevech, Vice President
New Century Catering
16804 S. Figueroa Street
Gardena, CA 90248

PROPERTY OWNER: Michael Schatachian, Trust
2404 W. Lincoln Avenue
Montebello, CA 90640

REQUEST: To construct a commissary and food truck storage yard on a
site zoned MH-D (Manufacturing, Heavy, Design Overlay).

PROPERTIES INVOLVED: 16804 S. Figueroa Street

Chairman Diaz moved, seconded by Alternate Commissioner Osuna, to approve the applicant's request with the following changes:

Condition No. 43, redefine this as a 24-hour operation;

Amend Condition No. 48: 3rd line, "...from 46 to 51 ~~twelve (12) months after the operations have started~~ **upon occupancy of 40 or more food trucks.**" Amend 8th line, "...occurred **after an inspection of the site and operations during business hours by the Planning Manager.**"

Delete Condition No. 95 and renumber accordingly.

By way of a friendly amendment, Commissioner Guidry asked that each truck have an assigned parking space/number and a parking valet be available to assist with the onsite maneuvering operations.

The makers of the motion accepted the friendly amendment.

With these proposed changes, the Commission moved to adopt **Resolution No. 17-2612**. Motion carried as follows:

AYES: Diaz, Fe'esago, Guidry, Mitoma, Osuna, Palmer, Pimentel, Thomas

NOES: Andrews

ABSTAIN: None

ABSENT: Post

<u>AYE</u>	<u>NO</u>		<u>AYE</u>	<u>NO</u>	
X		Chairman Diaz	X		Madrigal
X		Vice-Chair Pimentel	X		Mitoma
	X	Andrews	Absent		Post
X		Fe'esago, Jr.	X		Thomas
X		Guidry	X X		Osuna/Palmer

EXHIBIT NO. 2 -



I. Introduction

Property Owner:

Michael Schatachian, Trust, 2404 W. Lincoln Avenue, Montebello, CA 90640

Applicant:

Arthur Gvalevech, New Century Catering, 16804 S. Figueroa Street, Gardena, CA 90248

Project Address:

16804 S. Figueroa Street, Gardena, CA 90248

II. Project Description

The applicant is requesting approval of DOR No. 1614-16 and CUP No. 1004-16 to construct a commissary and food truck storage yard with new site improvements including:

1. 46 mobile food-truck parking spaces with 37 vehicle parking spaces (previously site plan proposed 64 food truck spaces and 7 vehicle parking spaces) with access to electricity, potable water that is stored inside trucks and water to clean the inside of the food-trucks;
2. One (1) ADA accessible parking space;
3. A 4,430-square-foot warehouse/commissary building with walk in freezers, storage rack areas for dry packaged goods;
4. An outside pot/pan dishwashing area and an ice-machine;
5. New landscaping improvements along S. Figueroa and W. 168th Streets.

Design Overlay Review No. 1614-16 will permit the construction of a 4,430-square-foot-warehouse building and associated site improvements for a food commissary.

Conditional Use Permit No. 1004-16 will permit the operation for food truck storage facility with forty-six (46) food truck spaces and 37 vehicle parking spaces at 16804 S. Figueroa Street.

III. Background

On June 13, 2017, the Planning Commission considered the project and identified concerns about the adequacy of proposed parking. The Planning Commission continued the item to allow staff additional time to research similar facilities in other cities.

Current Improvements:

The site is currently improved with a 1,458-square-foot structure which is used as the office. This structure will be demolished as part of the project. The site is predominately covered in concrete with the exception of the lawn area around the building. There is a 6-foot- high masonry wall fronting on 168th Street, an 8-foot high wrought iron fence along Figueroa Street and a 10-foot high masonry wall on the south property line.



Previously Approved Discretionary Permits
None

Public Safety Issues

The Code Enforcement Division has an open case regarding existing truck storage use on this property.

IV. Project Site and Surrounding Land Uses

The project site is located at 16804 S. Figueroa Street.

Site Information	
Existing Land Use	Diesel truck storage yard facility
Existing Zoning District	MH-D
Site Size	1.2 acres
Present Use and Development	Truck storage yard and a 1,458-square-foot structure
Surrounding Uses/Zoning	North: Industrial uses zoned ML-D, East Dominguez St, South: Heavy Industrial uses zoned MH -D East: Heavy Industrial uses zoned MH-D West: Figueroa Street and Los Angeles County Property
Access	Ingress/Egress: Figueroa and 168 th Street

V. Analysis

Parking and Circulation

In response to direction from the Planning Commission, staff conducted additional research on food truck parking facilities.

On June 27, 2017 staff and members of the Planning Commission visited A-1 Food Truck Catering located in Hawthorne and observed that the facility does not manage parking well. Parking stalls were not stripped, vehicles were randomly parked on a portion of the site, and parking possibly overflowed onto the adjacent residential streets.

Staff also researched a food truck storage business in Bell Gardens. Staff found that this facility does not provide vehicle parking on site and as a result, employees park on the street.

To gain a better perspective from an industry expert, staff spoke with Matt Geller, President of the Southern California Mobile Food Vendors Association regarding parking demand within a typical food truck storage operation. Matt Geller stated that based on his experience, these facilities require no more than one parking space per food truck space.



Additionally, staff spoke with Dyett and Bhatia, Urban and Regional Planners, the firm preparing the Carson General Plan and Zoning Code Update regarding recommended parking ratios. The firm recommended no more than 1.5 parking spaces per food truck space.

Staff met with the applicant to discuss ways to provide additional parking spaces. In response to the meeting with staff, the applicant revised the site plan and is now proposing 46 food truck spaces instead of the previous 64 food truck spaces, a reduction of 18 truck parking spaces. Further, the applicant is now proposing 37 vehicle parking spaces, an increase of 30 vehicle parking spaces from previous 7-seven vehicle parking spaces proposed. The proposed ratio is 0.80 parking spaces for each truck space.

The Zoning Code does not have a specific parking requirement for commissaries. Therefore, through the Conditional Use Permit process, the Planning Commission is able to require the project to provide adequate number of parking spaces for the operators of the food trucks. According to the applicant, members of the public would not visit the site. Therefore, the 30 proposed tandem spaces are appropriate. Staff believes the revised site plan including the addition of 30 new vehicle parking spaces at the rear of the site should alleviate concerns about parking demand and circulation. These additional spaces will allow flexibility for the operators of the food trucks to park their cars in these spaces when they first come into the site. They would then move their truck without causing congestion on the site. When the truck is moved, the cars related to the truck would park in that truck space; therefore, vacating the parking spaces for other cars. The same procedure could be followed when food trucks return to the site, Condition No. 51.

The applicant indicated to staff that it needs fifty-one (51) food truck spaces for the proposed project to be economically feasible in the long term. Staff proposes to review the operation one (1) year from the opening date to determine if there are any major parking impacts resulting from the project operation. If no parking major impacts are revealed staff will recommend increasing the number of food truck spaces by five (5) to attain the applicant's requested fifty-one (51) food truck parking spaces, Condition No. 48.

Odors

Staff and the Commission witnessed objectionable odors at A-1 Food Truck Catering site especially near trash bins. Condition of Approval No. 20 requires the operation to be kept clean and without objectionable odors to surrounding areas. Staff suggests trash be picked up at least on a daily basis and if needed twice daily to avoid objectionable odors.

Fencing and Wall

In order to comply with the Zoning Code, the existing 6-foot high masonry wall fronting on 168th street will modified to a combination of block wall and wrought iron, Condition No. 24. In addition, chain-link fence will be removed and replaced with wrought iron gates, Condition No. 25.



Compliance

In order to ensure applicant's compliance with all conditions of approval, staff is recommending Condition of Approval No. 60:

"At all times, the applicant shall provide City staff access to the site. City staff reserves the right to visit the site as frequently as deemed necessary by staff to determine whether the conditions of approval are being adhered to. If City staff determines the applicant is in violation of the conditions of approval, Code Enforcement staff shall be notified immediately to take further action. Ultimately, the failure to comply with the conditions of approval may result in the revocation of the Conditional Use Permit."

Development Impact Fees

The City is in the process of developing and adopting Development Impact Fees (DIF) on new developments. Cities have the authority to collect impact fees 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. **Currently, the City is collecting \$2/square-foot of gross building area which will be applicable to this project.** However, staff expects the City Council to adopt an Interim Development Impact Fee (IDIF) later this year based on City's IDIF study. IDIF will replace the \$2/square-foot fee for industrial properties and will introduce new fees on other types of development. Furthermore, after the City adopts its General Plan, a new Development Impact Fee (DIF) study will be conducted to adopt City's permanent DIF.

The City's IDIF 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 IDIF, the City will issue a letter to the Parties detailing the amount of the DIF due to the City if the specific amount of DIF was not included in the Conditions of Approval. 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.

VI. Environmental Review

Pursuant to CEQA Section 15332, (a), In-fill development projects, Class 32, the proposed project is consistent with the General Plan land use designation of heavy industrial and applicable zoning and will not have a significant adverse effect on the environment and is therefore Categorically exempt from CEQA.



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-, "A Resolution approving Design Overlay Review No. 1614-16 and Conditional Use Permit No. 1004-16 to operate a food commissary facility within a new warehouse building with 4,430-square-feet with overnight parking for forty-six (46) food trucks with 37 vehicle parking spaces to be located at 16804 South Figueroa Street."

VIII. Exhibits

1. Zoning Map
2. Resolution, Exhibit "A" and Conditions of Approval
3. Statement of Operations
4. Site Plan, floor plan and building elevations
5. Planning Commission Staff Report from June 13, 2017

Prepared by: Zak Gonzalez II, Associate Planner



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 17-2612

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1614-16 AND CONDITIONAL USE PERMIT NO. 1004-16 TO OPERATE A FOOD COMMISSARY FACILITY WITHIN A NEW WAREHOUSE BUILDING WITH 4,430-SQUARE-FEET WITH OVERNIGHT PARKING FOR FORTY-SIX (46) FOOD TRUCKS AND THIRTY-SEVEN (37) VEHICLE PARKING SPACES, FOR PROPERTY LOCATED AT 16804 S. FIGUEROA STREET

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

Section 1. An application was duly filed by the applicant, Arthur Gvaleyevch, on behalf of the property owner, Michael Schatachian, Trust, with respect to real property located at 16804 S. Dominguez Street and described in Exhibit "A" attached hereto, requesting approval of a food commissary facility within a new 4,430-square-foot warehouse building with overnight parking for forty-six (46) food trucks. The request includes:

- Design Overlay Review No. 1614-16 to construct a new warehouse building with 4,430-square-feet
- Conditional Use Permit No. 1004-16 for the operation of a food commissary facility with overnight parking for forty-six (46) food trucks and thirty-seven (37) vehicle parking spaces

A Planning Commission meeting was duly held on October 10, 2017, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. With respect to the Design Overlay Review and Conditional Use Permit, the Planning Commission finds that:

- a) The proposed use and development will be consistent with the General Plan Land Use Designation of Heavy Industrial use.
- b) The project site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
- c) There will be adequate street access and traffic capacity. The proposed development will have direct access to Figueroa and 168th Streets. The LA County Fire Department and the Carson City Traffic Engineer have approved the proposed project.
- d) There will be adequate water supply for fire protection.

e) The proposed use and development will be compatible with the existing and anticipated development in the vicinity relative to a harmonious and attractive development of the area.

f) All signage associated with this project will comply with the Carson Municipal Code provisions and will be reviewed and approved by the Planning Division prior to building occupancy.

Section 4. With respect to Ordinance No. 17-1618U, an urgency ordinance of the City of Carson, California, implementing a temporary moratorium on the establishment, expansion, or modification of truck yards, logistic facilities, hazardous materials or waste facilities, container storage and container parking in the City of Carson that extends said moratorium until 10 months and 15 days following the May 2, 2017 date of said ordinance adoption and declaring the urgency thereof, the Planning Commission finds that:

a) The project has 5 or fewer existing loading doors and is therefore exempt from the proposed moratorium ordinance, pursuant to Section 4.B.4.

Section 5. The Planning Commission further finds that the development permitted by the proposed project will not have a significant effect on the environment and is deemed Categorically Exempt from CEQA as per Section 15332., IN-FILL DEVELOPMENT PROJECTS (a) , Class 32.

Section 6. Based on the aforementioned findings, the Commission hereby approves Design Overlay Review No. 1614-16 and Conditional Use Permit No. 1004-16 for the construction of a 4,430-square-foot warehouse commissary building for the operation of food truck parking with 46-parking spaces and 37 vehicle parking spaces 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.

Section 8. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 10th DAY OF OCTOBER, 2017


CHAIRPERSON

ATTEST:


SECRETARY

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

**CONDITIONS OF APPROVAL
DESIGN OVERLAY NO. 1614-16 AND
CONDITIONAL USE PERMIT NO. 1004-16**

GENERAL CONDITIONS

1. If a building permit for Design Overlay Review No. 1614-16 and Conditional Use Permit No.1004-16 is not issued within one year of their effective date of approval, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
4. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
5. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
6. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
7. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
8. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.



9. It is further made a condition of this approval that if any condition is violated or if any law, statute ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
10. Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
11. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
12. 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.
13. 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 the Parties 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

14. Exterior building elevations showing building wall materials, roof types, exterior colors and appropriate vertical dimensions shall be included in the development construction drawings.
15. 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).
16. At building corners where conditions exist that would allow the public to view the back interior side of parapet walls resulting from change in parapet height the raised parapet area shall be constructed so as to be a full three dimensional four sided element of the building to the satisfaction of the Planning Division.
17. 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..
18. Incorporate additional landscaping to screen and block specific project areas that could be subject, as determined by the Planning Division, to graffiti.
19. 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.)
20. **The proposed project site shall be maintained free of debris, litter and inoperable vehicles at all times. The subject property shall be maintained to present an attractive appearance to the satisfaction of the Planning Division, without any objection odors that may adversely affect adjoining properties or the right-of-way. Staff will visit the site as needed to verify that the operations of the project are not adversely impacting the surroundings as specified above. Trash shall be picked up at least once a day or twice a day if deemed necessary by the Planning Manager to reduce objectionable odors from impacting the surrounding areas including streets.**
21. Prior to Issuance of building permit, the specification of all colors and materials must be submitted and approved by the Planning Division.

FENCE/WALL

22. Prior to the issuance of a building permit a Wall and Fence Plan shall be reviewed and approved by the Planning and Building Divisions. The plans shall indicate materials colors and height of proposed and existing walls fences and



shall include a cross section of walls fences indicating adjacent grades. Walls shall be designed as an integral part of the architecture for the development and shall be constructed of tilt up concrete brick split face or slump block or other decorative material approved by the Planning Division.

23. Chain-link fencing/gates, including barbed and concertina wire, visible from the public right-of-way shall be removed. Decorative wrought iron fencing shall be installed in its place. Wrought iron gates shall be installed with LA County Fire Department approved locking mechanisms and shall remain open during hours of operation.
24. **The wall along 168th Street shall be modified to incorporate a combination of block wall and wrought iron as permitted by the Zoning Code.**
25. **All chain-link gates shall be removed and replaced with wrought iron gates.**

LANDSCAPE/IRRIGATION

26. Comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
27. 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.
28. The proposed irrigation system shall include best water conservation practices.
29. 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.
30. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
31. 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.
32. The minimum mix of tree sizes shall be provided as follows and shall conform to the following minimum measurements (individual family home projects excluded):



<i>Minimum Tree Quantity and Size Specifications (Palms are not included)</i>				
<i>Minimum on-site Trees</i>	<i>Size</i>	<i>Trunk Caliper</i>	<i>Height</i>	<i>Spread</i>
5%	48-inch box	3.50-inches	14 to 16 FT	7 to 8 FT
10%	36-inch box	2.50-inches	12 to 14 FT	6 to 7 FT
30%	24-inch box	1.50-inches	9 to 11 FT	4 to 5 FT
55%	15-gallon	1.0-inch	7 to 8 FT	2 to 3 FT

33. The minimum mix of tree species shall be provided as follows:

<i>Minimum Tree Species Mix (Palms are not included)</i>	
<i>Number of Trees</i>	<i>Minimum Number of Tree Species Required</i>
20 or Fewer	3
21 to 30	4
31 to 40	5
More than 40	6

34. Shrubs shall be five (5) gallon container size minimum and are to be spaced 2/3 of mature size. One (1) gallon containers may be used for perennials and groundcovers.
35. Shredded mulch within planter areas is required at a depth of 3" for shrubs and 1" for groundcover. Shredded bark with a tackifier shall be used on 3:1 slopes or greater, not wood chips. Soil shall not be visible. Keep mulch 3" clear of plant stem, 6" of trees.
36. Groundcovers from flats shall be spaced at 10" on center. Low groundcovers shall not exceed an 18" width in front of larger shrubs. One (1) gallon containers shall be used for larger groundcover areas. Perennials or annual color shall be spaced at 8".
37. **Landscape plans shall include the following:**
- a. New landscaping shall be provided along the Figueroa and 168th Street frontages and driveway entries as approved by Planning Division.
 - b. Additional landscaping including, trees shrubs and colorful flowers shall be required at the corner of Figueroa and 168th Streets.
 - c. Additional landscaping shall be provided behind the wall/fence along Figueroa and 168th Street.

LIGHTING/SECURITY/HOURS OF OPERATION

38. Site lighting shall be reviewed and approved by the Planning Division prior to the issuance of building permits.

39. Exterior lights shall be arranged or shielded in such a manner as to contain direct illumination on the parking area and avoid glare on an adjoining site.
40. Applicant shall provide adequate lighting for the parking areas. Security cameras shall be provided via coordination/linkage with the Los Angeles County Sheriff's Department.
41. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9147.1 of the Zoning Ordinance.
42. 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.
43. The food truck hours of operation shall be limited to Monday-Sunday 5:00 a.m. to 5:00 p.m., and the receiving hours of operation for the food commissary shall be 24 hours a day.

PARKING

44. All driveways shall remain clear. No encroachment into driveways shall be permitted.
45. 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.
46. The applicant will provide thirty-seven (37) vehicle parking spaces including 30 tandem spaces. Required parking spaces shall not be used for storage of vehicles/trucks or any other equipment.
47. At any given time, a maximum of forty-six (46) food trucks shall utilize the facility. Furthermore, at any given time, the applicant shall not enter into lease agreements or any other arrangements with more than forty-six (46) food trucks.
48. The applicant may request, through filing a "minor modification" application, to increase the number of trucks as specified in Condition of Approval No. 47 from 46 to 51 ~~twelve (12) months after the operations have started~~ **upon occupancy of 40 or more food trucks**. This increase will result in the reduction of 10 parking spaces. The Planning Manager may grant the approval of this request if the Planning Manager determines the applicant has complied with all the conditions of approval and no violation of the Conditions of approval have occurred **after an inspection by the Planning Manager of the site and operations during business hours by the Planning Manager**. If the approval for increased truck spaces is granted, there shall be an additional 12 month period from the date of approval which the Planning Division shall monitor all operation of the business including the adequacy and safety of the parking areas. If the Planning Division determines all operations have complied during this 12-month period, the approval of the 51 truck spaces shall be final. Otherwise, the number of truck spaces shall be reverted back to 46 including the provisions in Condition No. 47.



49. The applicant shall provide forty-six (46) food truck spaces. Each food truck shall have an assigned parking space. An assigned parking valet shall insure that the food truck operators' vehicles are parked in assigned food truck spaces in a safe manner as trucks leave the food truck storage facility.
50. Staff will visit the site as needed to inspect the safety and adequacy of the parking operations and to ensure there are no parking impacts from the project on surrounding areas.
51. The vehicles associated with each food truck shall be parked in food truck spaces upon exit of the food truck from their designated parking space.

SIGNS/LOT MERGER

52. Business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted) as provided in Section 9172.23 of the Zoning Ordinance.
53. All permitted business signs must be in compliance with the provisions of Section 9146.7 of the Zoning Ordinance.
54. The applicant shall file an application with the Planning Division for a Lot Merger.

TRASH

55. Trash collection shall comply with the requirements of the City's trash collection company. Trash shall be picked up twice a day if needed to prevent foul odors.
56. Trash enclosures shall measure a minimum of fourteen (14) feet wide by six (6) feet deep as required by the City's trash collection company.
57. The trash enclosure and recycling area shall be located on a four inch concrete pad screened by a six foot high decorative concrete block wall that is compatible with the architectural design of the main building. A painted metal, self-closing door shall be used for enclosing the entrance to the trash and recycling areas.
58. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the Planning Division.
59. Prior to Issuance of Building Permit, the trash and recycling area enclosure design is to be approved by the Planning Division.

COMPLIANCE

60. **At all times, the applicant shall provide City staff access to the site. City staff reserves the right to visit the site as frequently as deemed necessary by staff to determine whether the conditions of approval are being adhered to. If City staff determines the applicant is in violation of the conditions of approval, Code Enforcement staff shall be notified immediately to take**

further action. Ultimately, the failure to comply with the conditions of approval may result in the revocation of the Conditional Use Permit.

BUILDING AND SAFETY DIVISION/LA COUNTY DEPARTMENT OF HEALTH

61. Submit development plans for plan check review and approval.
62. Obtain all appropriate building permits and an approved final inspection for the proposed project.
63. Prior to issuance of building permit, proof of worker's compensation and liability insurance must be on file with the Los Angeles County Building and Safety Division.
64. Prior to issuance of a building permit provide written proof of plans approval from the County of Los Angeles Department of Health/Environmental Health
65. The proposed facility shall comply with all Los Angeles County Health Department regulations for clean and sanitary food truck commissary operations prior to issuance of occupancy permits. Food trucks will be available for Health Department inspection on site in accordance with the California Retail Food/Health and Safety Code requirements.

ENGINEERING SERVICES DEPARTMENT – CITY OF CARSON

General Conditions

66. 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.
67. A construction permit is required for any work to be done in the public right-of-way.
68. Compliance with the applicable National Pollutant Discharge Elimination System (NPDES) requirements including best management practices to control storm water pollution from construction activities and facility operations.

Prior to Issuance of Grading Permit

69. Show any improvements within the public right-of-way on the grading plan for review and obtain approval from the City of Carson Engineering Division.

Prior to Issuance of Building Permit

70. 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.
71. 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.

72. 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.
73. A construction permit is required for any work to be done in the public right-of-way.
74. 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.
75. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of construction permit.
76. 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.
77. 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.
78. 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.
79. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
80. 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 Figueroa Street and 168th Street



- b. Sewer Main Improvements (if any) along Figueroa Street and 168th Street as determined by the aforementioned sewer area study.
 - c. Storm Drain Improvements (if any) along Figueroa Street and 168th Street as determined by the aforementioned requirement.
- 81. 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. Prior to issuance of Grading permit, developer shall obtain clearance from City of Carson Engineering Division.

Prior to Issuance of Certificate of Occupancy

- 82. 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.
 - 83. 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.
 - 84. 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.
-
- 85. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right of way along Figueroa Street and along 168th Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
 - 86. Fill in any missing sidewalk within the public right of way along Figueroa Street and along 168th Street abutting this proposed development
 - 87. Remove and replace any broken/damaged driveway approach within the public right of way along Figueroa Street and 168th Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
 - 88. Remove unused driveway approach if any, within the public right of way along Figueroa Street and along 168th 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.

89. The Developer shall modify existing driveways within the public right of way along Figueroa Street and along 168th Street abutting this proposed development per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
 90. 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.
 91. Install/If necessary, modify existing wheelchair ramp at the southeast corner of Figueroa Street and 168th Street per City of Carson Standard, in compliance with ADA requirements.
 92. All new utility lines, servicing the proposed development shall be underground to the satisfaction of the City Engineer.
 93. 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.
 94. Install striping and pavement legend per City of Carson standard.
 95. 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.
-
96. Streets abutting the development shall be slurry sealed from curb-to-curb or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)
 97. 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 DEPARTMENT

98. The proposed project shall comply with all Los Angeles County Fire Department requirements (i.e. fire hydrant fire flow requirements)
99. No parking shall be permitted within areas identified by the Fire Department as "fire-lanes" to ensure emergency vehicles access.

BUSINESS LICENSE



100. All parties involved in the subject project 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.

DEVELOPMENT IMPACT FEE (DIF)

101. The City is in the process of developing and adopting Development Impact Fees (DIF) on new developments. Cities have the authority to collect impact fees 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. The applicant shall pay the City \$2/square-foot of new gross building area.



October 8, 2018

City of Carson
Planning Dept.

Subject: Request for Extension of time for entitlements:
Design Overlay No. 1614-16 and CUP # 1004-16

Reference: PC Resolution # 17-2612

Project name & address: New Century Catering 16804 S Figueroa Street.

I respectfully request a one year extension of time for the subject entitlements as we continue the building permit process.

Due to the convergence of issues we are trying address from LA County regulations and other agency requirements, we have experienced delays in obtaining the approvals needed for building permit issuance.

We are working through the issues but need additional time to resolve.

We did not anticipate the process would take this long or realize the complexities of getting through the system. There have been many unforeseen issues that have caused delays and this is the main reason for this time extension request.

We have already made a substantial investment in the pre-construction costs and we would like to see the project through completion.

We would appreciate any help the city can offer to help resolve the issues we are currently facing.

Thank you for your time and consideration.

Sincerely,



10/08/2018

EXHIBIT NO. 3 -





Location Map: 500 foot radius
16804 Figueroa Street

City of Carson



EXHIBIT NO. 4