

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 23-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON FINDING A CEQA EXEMPTION AND CONDITIONALLY APPROVING SITE PLAN AND DESIGN REVIEW NO. 1928-23 AND CONDITIONAL USE PERMIT 1125-23 TO DEVELOP ONE PARCEL INTO A 2,140 SQUARE FOOT STARBUCKS COFFEE SHOP WITH DRIVE THROUGH AND A 3,596 SQUARE FOOT DRIVE THROUGH CARWASH.

WHEREAS, on January 26, 2023, the Department of Community Development, Planning Division received an application from Infinity CF, LLC. for real property located at 23820 Avalon Boulevard and described in Exhibit “A” attached hereto, requesting approval of Site Plan and Design Review (DOR) No. 1928-23 and Conditional Use Permit (CUP) No. 1125-23 to develop one parcel into a 2,140 square foot Starbucks coffee shop with drive through and a 3,596 square foot drive through carwash; and

WHEREAS, studies and investigations were made and a staff report with recommendations was submitted, and the Planning Commission, upon giving the required notice, did on the twenty-second day of August, 2023, conduct a duly noticed public hearing as required by law to consider said Site Plan and Design Review and Conditional Use Permit application. Notice of the hearing was originally posted and mailed to property owners and properties within a 750-foot radius of the project site by August 9, 2023; and

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY RESOLVES AS FOLLOWS:

SECTION 1. The Planning Commission finds that the foregoing recitals are true and correct, and are incorporated herein by reference.

SECTION 2. With respect to the **Design Overlay Review No. 1928-2023**, the Planning Commission finds as follows:

- a) The proposed project is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of Corridor, Mixed Use and the proposed Starbucks Coffee Shop with drive through and drive through carwash are compatible with uses in the surrounding area which consists of a mixture of multi-family residential, gas stations, and a warehouse.
- b) The architecture and design of the proposed project is compatible with existing and anticipated development in the vicinity. The project features a modern design and conforms to the site development requirements of the Commercial, General Zone.
- c) The project site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed uses and development. The proposed development will have adequate street access for pedestrians and vehicles, and

adequate capacity for parking and service. The subject project proposes three vehicular driveways with two located on Sepulveda Boulevard and one located on Avalon Boulevard. The proposed Starbucks requires 21 parking spaces with 21 provided and the carwash requires 12 parking spaces with 12 provided, as conditioned.

- d) The proposed use and development will be compatible with the intended character of the area. The project provides a modern design similar to current development trends for newer Starbucks locations and carwashes. The project is compatible in design and scale with existing and anticipated development in the vicinity, consisting of a mixture of residential, commercial, and industrial uses.
- e) The proposed project meets the development standards required by the municipal code including minimum lot area, setbacks, design, landscaping, and hours of operation, as conditioned.

SECTION 3. With respect to the **Conditional Use Permit No. 1125-2023**, the Planning Commission finds as follows:

- a) A CUP for the carwash is required pursuant to CMC Section 9138.14. The proposed carwash is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of Corridor, Mixed Use and is compatible with uses in the surrounding area which consists of a mixture of multi-family residential, gas stations, and a warehouse.
- b) The project site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed carwash use.
- c) The proposed development will have adequate street access for pedestrians and vehicles, and adequate capacity for parking and service. The subject project proposes three vehicular driveways with two located on Sepulveda Boulevard and one located on Avalon Boulevard.

SECTION 4. The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, in-fill-development, which consists of environmentally benign in-fill projects which are consistent with local general plan and zoning requirements. A Notice of Exemption shall be filed with the County Clerk of the County of Los Angeles pursuant to the California Environmental Quality Act.

SECTION 5. Site Plan and Design Review No. 1928-2023 and Conditional Use Permit No. 1125-2023 comply with the City's Zoning Ordinance and General Plan and is consistent with the intent of Article IX, Chapter 1, Sections 9172.23 (Site Plan and Design Review) and 9172.21 (Conditional Use Permit) of the Carson Municipal Code.

SECTION 5. The Planning Commission of the City of Carson, pursuant to the findings set forth above, does hereby approve Site Plan and Design Review No. 1928-2023 and Conditional Use Permit No. 1125-2023 to develop one parcel into a 2,140 square foot Starbucks coffee shop with drive through and a 3,596 square foot drive through carwash, subject to the Conditions of Approval contained in Exhibit B.

SECTION 6. This decision of the Planning Commission shall become effective and final 15 days after the date of the action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.

SECTION 7. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

APPROVED and **ADOPTED** this 22nd day of August 2023.

CHAIRPERSON

ATTEST:

SECRETARY

EXHIBIT A
LEGAL DESCRIPTION

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

Real property in the City of Carson, County of Los Angeles, State of California, described as follows:

That portion of Lot 1, in the City of Carson, County of Los Angeles, State of California, of the 3365.95 acre tract allotted to Maria Dolores Dominguez De Matson, by the decree of partition of a portion of the Rancho San Pedro, filed in Case No. 3284 of the superior court of the County of Los Angeles, California, described as follows:

BEGINNING at the intersection of the East line of Avalon boulevard (80.00 feet wide) as shown on the County surveyor's Map No. 8500, with the North line of Sepulveda boulevard, 70.00 feet as shown on said Map No., 8500; thence North 88° 12' 15" East, along the North line of Sepulveda boulevard 250.00 feet; thence North 1° 54' 35" East, parallel with the East line of Avalon boulevard 250 feet; thence South 88° 12' 15" West, parallel with the North line of Sepulveda boulevard 250.00 feet to the East line of Avalon boulevard; thence South 1° 54' 35" West, along the East line of Avalon boulevard 250.00 feet to the point of beginning.

EXCEPT THEREFROM that portion included within the lines of the land described in the deed to the County of Los Angeles, recorded on October 5, 1965 as [Instrument No. 4123 of official records](#), in the office of the county recorder of said county.

EXCEPT THEREFROM all interest in and to all Oil, Oil rights, Minerals, Mineral rights, Natural gas, Natural gas rights and other Hydrocarbons by whatsoever name together with the perpetual right of drilling, mining, exploring and operating therefore and removing the same from said land or any other land, including the right to Whipstock or directionally drill and mine from lands other than those hereinabove described and to bottom such Whipstocked or directionally drilled wells, tunnels and shafts under and beneath or beyond the exterior limits thereof and to redrill, retunnel, equip, maintain, repair, deepen and operate any such wells or mines, without however, the right to drill, mine, explore and operate through the surface or the upper 500 feet of the subsurface of the land hereinabove described or otherwise in such a manner as to endanger the safety of any improvements that may be constructed on said lands.

[APN: 7315-003-055](#)

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

**SITE PLAN AND DESIGN REVIEW NO. 1928-2023,
CONDITIONAL USE PERMIT NO. 1125-2023**

I. GENERAL CONDITIONS

1. 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.
 2. The applicant, property owner, and/or successor to whom these project entitlements are assigned ("Developer") 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.
 3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
 4. Any substantial project 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.
 5. 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.
 6. A modification of these conditions, 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.
 7. 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 Developer has been given written notice to cease such violation and has failed to do so for a period of thirty days.
 8. Precedence of Conditions. If any of these Conditions of Approval alter a commitment made by the Developer 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.
 9. 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.
 10. 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
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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.

11. Indemnification. The applicant, owner, and tenant(s), for themselves and their successors in interest (“Indemnitors”), agree to defend, indemnify and hold harmless the City of Carson, its agents, officers and employees, and each of them (“Indemnitees”) from and against any and all claims, liabilities, damages, losses, costs, fees, expenses, penalties, errors, omissions, forfeitures, actions, and proceedings (collectively, “Claims”) against Indemnitees to attack, set aside, void, or annul any of the project entitlements or approvals that are the subject of these conditions, and any Claims against Indemnitees which are in any way related to Indemnitees’ review of or decision upon the project that is the subject of these conditions (including without limitation any Claims related to any finding, determination, or claim of exemption made by Indemnitees pursuant to the requirements of the California Environmental Quality Act), and any Claims against Indemnitees which are in any way related to any damage or harm to people or property, real or personal, arising from Indemnitors’ operations or any of the project entitlements or approvals that are the subject of these conditions. The City will promptly notify Indemnitors of any such claim, action or proceeding against Indemnitees, and, at the option of the City, Indemnitors shall either undertake the defense of the matter or pay Indemnitees’ associated legal costs or shall advance funds assessed by the City to pay for the defense of the matter by the City Attorney. In the event the City opts for Indemnitors to undertake defense of the matter, the City will cooperate reasonably in the defense, but retains the right to settle or abandon the matter without Indemnitors’ consent. Indemnitors shall provide a deposit to the City 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 attorneys’ fees, and shall make additional deposits as requested by the City to keep the deposit at such level. If Indemnitors fail to provide or maintain the deposit, Indemnitees may abandon the action and Indemnitors shall pay all costs resulting therefrom and Indemnitees shall have no liability to Indemnitors.
 12. That the hours of operation for the carwash shall be 8am to 8pm, seven days a week.
 13. ***Interim Development Impact Fee:*** In accordance with Article XI (Interim Development Impact Fee Program) of the Carson Municipal Code (“CMC”), the applicant, property owner, and/or successor to whom these project entitlements are assigned (“Developer”) shall be responsible for payment of one-time interim development impact fees (“IDIF”) at the applicable amounts/rates detailed below for each square foot of commercial development constructed for the project. If the project increases or decreases regarding the square footage constructed, the total IDIF amount will be adjusted accordingly at the applicable rate. Additionally, subject to the review, verification, and approval of the Community Development Director, the applicant *may* be eligible for development impact fee credits for demolition of an existing permitted structure or structures. To be eligible for credits, **prior to demolition**, please make the credit request with James Nguyen at jnguyen@carsonca.gov in the Community Development Department. Awarded fee credits shall reduce the final development impact fee amount and are applied when development impact fees are due. Final IDIF rates and amounts are calculated and due prior to issuance of the building permit(s). No building permit shall be issued prior to the full payment of the required IDIF amount, which payment shall be made in one lump sum installment. IDIF amounts/rates are subject to adjustment every July 1st based on State of California Construction Cost Index (Prior March to Current March Adjustment),
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per CMC Section 11500. IDIF amounts/rates for commercial development have been set at \$6.03 per square foot for Fiscal Year 2023-24, effective July 1, 2023, through June 30, 2024. Based on these rates, the Developer would be responsible for payment of IDIF in the amount of \$34,588.08 for the proposed project, calculated as follows: 5,736 square feet X \$6.03 per square foot = \$34,588.08. However, if the IDIF for the project is not paid by the end of the 2023-24 fiscal year (i.e., by June 30, 2024), a new IDIF rate/amount will apply for the period of July 1, 2024, through June 30, 2025, based on the IDIF rate for Fiscal Year 2024-25, and so on for subsequent fiscal year(s).

Notice of Imposition of Interim Development Impact Fees; Right to Protest

Pursuant to CMC Section 11503, Developer is hereby notified of the IDIF imposed on the project, as described and in the amount stated above. In accordance with Government Code Section 66020, Developer may protest the imposition of the IDIF on the project by complying with the requirements set forth in CMC 11900. Any such protest shall be filed within ninety (90) days after the effective date of the City's approval/conditional approval of the project.

If you have any questions or comments regarding this notice, please contact James Nguyen at jnguyen@carsonca.gov or (310) 952-1700 ext. 1310.

II. AESTHETICS

1. 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.
2. Any roof-mounted equipment shall be screened to the satisfaction of the Planning Division.
3. Graffiti shall be removed from all areas within twenty-four (24) hours of written notification by the City of Carson, including graffiti found on perimeter walls. 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.).
4. 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.

III. FENCE/WALLS

1. That the existing 6' tall masonry block wall at the northern portion of the property shall remain and be maintained free from graffiti and painted when necessary.

IV. LANDSCAPE/IRRIGATION

1. Comply with the provisions of Section 9168.1 (Adoption of Water Efficient Landscape Ordinance) and 9138.14 (Automobile/Vehicle Service) of the Zoning Ordinance.
 2. 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.
 3. The proposed irrigation system shall include best water conservation practices.
 4. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
 5. 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.
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V. LIGHTING

1. Shall provide adequate lighting for the parking areas.
2. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9137.1 (Exterior Lighting) of the Zoning Ordinance.
3. 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.

VI. PARKING

1. Prior to the issuance of Building Permit, the Developer shall submit a revised parking plan in accordance with Section 9162.21 of the Zoning Ordinance, and that the Starbucks shall include a total of 21 parking spaces and the carwash shall include a total of 12 parking spaces, to be reviewed by the planning division, subject to the satisfaction of the Community Development Director.
2. All driveways shall remain clear. No encroachment into driveways shall be permitted.
3. That the intersecting point of the Avalon Boulevard and Sepulveda Boulevard vehicle entrance/exit shall remain clear.
4. All areas used for movement, parking, loading, or storage of vehicles shall be paved, striped, and provided with wheel stops in accordance with Section 9162.0 of the Zoning Ordinance.

VII. TRASH

1. A trash enclosure shall be provided on site, at a location approved by the Planning Division.
2. Trash collection shall comply with the requirements of the City's trash collection company.

VIII. BUSINESS LICENSE

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