

CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION

EXHIBIT "B"

CONDITIONS OF APPROVAL

DESIGN OVERLAY REVIEW NO. 997-07

CONDITIONAL USE PERMIT NO. 664-07

CONDITIONAL USE PERMIT NO. 665-07

VARIANCE NO. 494-07

GENERAL CONDITIONS

1. If Design Overlay Review No. 997-07, Conditional Use Permit No. 664-07, Conditional Use Permit No. 665-07, and Variance No. 494-07 are not used within one year of their effective dates, 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 approved 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 make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission and on file with the City Planning Division, 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.
4. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval, and which are consistent with the development plans included as Exhibit(s) to the staff report presented at the hearing in which the project was approved, including modifications to the plans and/or conditions of approval made by the Planning Commission during said hearing. Such approved development plans are subject to review and approval by the Planning Division prior to the issuance of a building permit.

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. It is further made a condition of this approval that if any condition is violated or if any law, statute or 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.
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. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 997-07, Conditional Use Permit No. 664-07, Conditional Use Permit No. 665-07, and Variance No. 494-07. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds 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 Applicant's 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.

PARKING

10. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
11. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
12. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
13. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either

- a. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
 - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.
14. Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.
 15. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

LANDSCAPING/IRRIGATION

16. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect and in substantial conformance with preliminary landscape plans dated February 8, 2007. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
17. Such landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
 - a. Vine-like landscaping along perimeter walls;
 - b. Annual flowers wherever possible; and,
 - c. Irrigation system designed to commercial grade standards.

Furthermore, these plans, and are subject to Planning Division review and approval before landscape/irrigation construction, which is to be completed prior to the issuance of final occupancy.

18. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
19. The applicant shall install 6" x 6" concrete curbs around all landscaped planter areas, except for areas determined by a SUSMP/NPDES permit, or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient stormwater 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.
20. 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.

UTILITIES

21. All utilities and aboveground equipment shall be constructed and located pursuant to Section 9146.8 of the Zoning Ordinance, unless otherwise provided for in these conditions.
22. All roof mounted equipment shall be screened from public view or incorporated into the design of the structure or building.
23. All utility meters will be painted the same color as the structures to reduce visibility (the Gas Company will not allow meters to be placed in boxes).

AESTHETICS

24. Texture treatment (such as rough stucco, sandblasting, etc.) shall be incorporated into building facades, subject to Planning Division approval.
25. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.
26. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
27. Graffiti shall be removed from all project areas within 3 days of written notification by the City of Carson. 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 modifications (i.e., fencing, landscaping, chemical treatment, etc.).

SIGNS

28. 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. The monument sign and 55-foot pylon sign shall be designed to match the convenience store building, including color(s), texture(s), and/or finish(es), and shall be subject to Planning Division review and approval prior to the issuance of a building permit for said sign.
29. All permitted business signs must be in compliance with the provisions of Section 9136.7 of the Zoning Ordinance.
30. Advertising signs promoting cigarette sales that are visible from the public right-of-way are prohibited.

FENCES/WALLS

31. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9136.3 (commercial zones) of the Zoning Ordinance.

LIGHTING

32. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9137.1 (commercial zones) of the Zoning Ordinance.
33. 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.

TRUCK LOADING AND MANEUVERING

34. All truck loading facilities, maneuvering areas and parking spaces shall be designed to the standards outlined in Section 9162.62 of the Zoning Ordinance.

TRASH

35. 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. The trash and recycling area enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).
36. 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 approval of the Planning Division.

EASEMENTS

37. A Covenant and Agreement form for an existing easement shall be recorded with the Los Angeles County Recorder's office prior to the issuance of a building permit. Said document shall indicate all easements.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

38. Provide water mains, fire hydrants, and fire flows as required by County Forester and Fire Warden for all land shown on the map to be recorded.
39. Provide Fire Department and City approved street signs and building address numbers prior to occupancy.
40. Fire Department access shall be extended to within 150 feet distance of any portion of structure to be built.

41. Access shall comply with Section 10.207 of the Fire Code which requires all weather access. All weather access may require paving.
42. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
43. All hydrants shall measure 6" x 4" x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All hydrants shall be installed a minimum of 25' from a structure or protected by a two hour fire wall. Location as per map on file with this office.
44. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
45. Submit fire flow information to this Los Angeles County Fire Department, Land Development Division office for approval.

PUBLIC SAFETY - CITY OF CARSON

46. Ensure compliance with non-structural seismic mitigation measures, e.g. overhead glass treatments should use safety glass or film; vending machines, ice machines (if used) and other types of machines and equipment should be bolted or braced. Pictures and decorative items within common areas shall be secured for earthquake safety.
47. Ensure compliance with current seismic mitigation codes.
48. Where practical, surface treatments, accessibility or landscaping strategies should work to deter graffiti. Stucco or cinder block walls, with access to the public, should be set back or landscaped in such a way as to deter graffiti.
49. Automobile fluid leakage shall be disposed of properly. Leakage shall be prevented flowing to storm drains and shall be properly treated so that no potential harm to the environment or to persons exists.
50. Public phones, if any, shall be placed at the front of the convenience store, in clear line-of-site from the cash register (customer payment) area, or other area where employees who are required to stand in place for extended periods of time have clear view to the phone area.
51. Video surveillance of the convenience store and gas canopy areas shall be recorded 24-hours per day, 7-days a week and stored electronically for future review, if necessary.

51.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

52. Prior to issuance of Building Permit, a soils report, sewer area study, drainage concept, and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept and stormwater information have been received and found satisfactory.
53. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept and stormwater quality plan.
54. 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.
55. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
56. Repair any broken or raised sidewalk, curb and gutter along 223rd Street and along Figueroa Street within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
57. The Developer shall fill in missing sidewalk, remove and replace any broken/damaged driveway approach in the public right of way abutting the proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
58. The Developer shall modify existing driveways in the public right of way per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
59. Where sidewalk meander around existing driveways and extending beyond the public right of way at any location, the required described sidewalk easements shall be submitted and approved prior to issuance of the building permit.
60. Remove unused driveway approach if any, and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
61. Modify existing wheelchair ramp at the corner of 223rd Street and Figueroa Street per City of Carson Standard, in compliance with ADA requirements.
62. Install streetlights on concrete poles with underground wiring along 223rd Street to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works.
63. The Developer shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the streetlights to be installed. The annexation shall be completed prior to the issuance of Certificate of Occupancy. (annexation procedure is approximately 12-months)

64. All existing overhead utility lines less than 50 kilovolts along 223rd Street and along Figueroa Street abutting the proposed development, shall be undergrounded to the satisfaction of the City Engineer.
65. All new overhead utility lines, along 223rd Street and along Figueroa Street abutting the proposed development shall be underground to the satisfaction of the City Engineer.
66. Plant approved parkway trees on locations where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134.
67. Install irrigation system for the purpose of maintaining the parkway trees to be planted along the frontage of the development on 223rd Street and along Figueroa Street.
68. Paint curbs red along 223rd Street and along Figueroa Street within or abutting this proposed development, to the satisfaction of the City Traffic Engineer.
69. 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.
70. Offsite sewer improvements are tentatively required.
71. 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.
72. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings in the development must be provided. The system shall include fire hydrants of the type and location as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
73. 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.
74. The Developer shall submit a copy of approved plans on mylars (i.e. Grading, Sewer, Street, and Storm Drain Improvement Plans), to the City of Carson – Engineering Division, prior to issuance of construction permits.

75. Any improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
76. 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.
77. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the drainage study, subject to the approval of the City Engineer.
78. Prior to issuance of Building Permit, the following must be on file:
 - a. Drainage/Grading plan prepared by a registered Civil Engineer, reviewed and approved to the satisfaction of the Building and Safety Division.
 - b. Construction bond as required for all work to be done within the public right of way.
 - c. Proof of Worker's Compensation and Liability Insurance.
79. The Developer shall comply with the applicable SUSMP requirements and shall incorporate into the project plan a Storm Water Mitigation Plan, which includes those Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.
80. A construction permit is required for any work to be done in the public right-of-way.
81. Idling of tow trucks, flatbed trucks, or any other vehicles for extended periods of time is prohibited.
82. Truck traveling onsite during construction and grading activities will maintain a speed of less than 15 miles per hour to control dust levels.
83. Transport of product, both removal and deposit, shall be planned so to minimize the number of trips. This shall be done by planning destination routes to and from the site and filling hauling trucks to the maximum capacity prior to shipment.
84. Suspend construction activities and loading of grading materials when wind speeds exceed 25 miles per hour.
85. The parking spaces for the disabled must be located such that they do not require users to pass behind vehicles other than their own, nor be required to cross vehicular traffic ways.

86. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

PLANNING DEPARTMENT – CITY OF CARSON

87. Signs shall be posted on the site restricting the refueling of tractor trailers or vehicles with three or more axles.
88. The height of the gas station canopy shall be reduced to 14 feet 6 inches in height to restrict the refueling of tractor trailers or vehicles with three or more axles.
89. No diesel sales shall be made to tractor trailers and commercial vehicles with 3 or more axles and that a sign be posted to that effect.
90. The automated automobile laundry shall remain closed between the hours of 8 PM and 7 AM daily.