



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: February 26, 2013

SUBJECT: Design Overlay Review No. 1474-13
Conditional Use Permit No. 927-13

APPLICANT: Related
Attn: Rick Westberg
18201 Von Karman Avenue, Suite 900
Irvine, CA 92612

REQUEST: Phase 2 of the Via 425 Apartments consisting of a four-story 40-unit affordable housing community with a podium-level courtyard above an interior parking structure on a 1.07-acre site

PROPERTY INVOLVED: 401-409 (425) E. Carson Street

COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Goolsby
		Vice-Chair Verrett			Gordon
		Brimmer			Saenz
		Diaz			Schaefer

Item No. 11B

I. Introduction

The applicant, Rick Westberg representing Related, is requesting approval to construct Phase 2 of the Via 425 Apartments. The proposed project will resemble the existing Phase 1 development in architecture and design and the main driveway will be shared among the two phases. Phase 2 includes 40 affordable housing units in a four-story building on a 1.07-acre site. The subject property is located at 401-409 E. Carson Street west of the existing Phase 1 development and is in the MU-CS (Mixed Use – Carson Street) zoning district. Related is collaborating with the Carson Housing Authority to develop the site. The application includes:

- Design Overlay Review No. 1474-13: Site plan and design review for construction in the MU-CS zoning district.
- Conditional Use Permit No. 927-13: Construction of a multifamily development.

The proposed project includes:

- Four-story, 40-unit development, with five housing types including single-level flats and multi-level townhomes

TABLE 1 – UNIT SUMMARY

Plan	Description	Quantity	Size
1	1-bedroom flat	8	579 s.f.
2	2-bedroom townhome	2	1,075 s.f.
3	2-bedroom townhome	18	971 s.f.
4	3-bedroom flat	9	1,082 s.f.
5	3-bedroom townhome	3	1,191 s.f.

- 86 parking spaces total
 - 71 spaces located in a gated parking garage below the podium area
 - 20 tandem spaces
 - Four van-accessible handicap spaces
 - 15 spaces located along the main driveway
- A podium-level courtyard above the parking garage that includes a tot lot, landscaping, and other amenities
- 3,565-square-foot community space, leasing, and storage area for residents located along Carson Street on the ground floor



Affordability Component

The proposal is for a 100 percent affordable housing development as described in Table 2. Pursuant to Section 9126.91 of the Carson Municipal Code (CMC), projects with an affordable component qualify for deviations from the development standards subject to the discretion of the Planning Commission.

TABLE 2 – AFFORDABLE COMPONENT BREAKDOWN

INCOME LEVEL	DESCRIPTION	PROPOSED UNITS	UNIT PERCENTAGE
Low	No greater than 60% HCD median income	19	48%
Moderate	No greater than 120% HCD Median	21	52%
TOTAL		40	100%

HCD = California Department of Housing and Community Development

II. Background

On February 15, 2005, Carson Redevelopment Agency (RDA) entered into an exclusive negotiating agreement (ENA) with Victoria Carson Homes, LLC to develop a residential project on 2.8 acres, which included the subject site. On May 15, 2007, the RDA and Victoria Carson Homes, LLC entered into a disposition and development agreement (DDA) for the terms of the development. On December 3, 2007, Victoria Carson Homes, LLC submitted Design Overlay Review No. 1257-07, Conditional Use Permit No. 687-07, Tentative Tract Map No. 69675, and an ordinance amendment relating to floor area ratio to develop a 108-unit residential condominium complex at the site. Due to inactivity and expiration of the DDA and ENA, the development application was closed in mid-2009 due to inactivity.

In late 2008, the *Carson Redevelopment Agency (RDA)* released a request for qualifications (RFQ) to qualified developers for the development of RDA-owned property. On February 2, 2010, the RDA selected Related.

On June 8, 2010, the Planning Commission approved Conditional Use Permit No. 807-10 and recommended approval of Design Overlay Review No. 1364-10 to the RDA for Phase 1 of the Via 425 Apartments located at 425 E. Carson Street, which included 65 affordable housing units in a four-story development. Phase 1 was developed to have a shared driveway with adjacent properties to the west in the event those properties could be assembled for a Phase 2 development. On June 15, 2010, RDA approved Design Overlay Review No. 1364-10. On May 23, 2012, construction was completed and a certificate of occupancy was granted. Residents began moving into the units in June 2012.



Existing Development/Amortization in the MU-CS zone

The site was developed in the 1920s for residential use. Over the decades, the site became dilapidated and unpermitted structures were built, including an illegal residence. On July 8, 1994, the City of Carson concerned with the appearance of these older rundown homes adopted Ordinance No. 94-1039 requiring the abatement of residential properties with 9 or less units within the MU-CS (Mixed Use – Carson Street) zone. More specifically, this ordinance states that residential properties with 9 or less units are allowed to continue indefinitely under existing ownership until such time as there is a change in ownership. A five year amortization period applies upon the change of ownership after July 8, 1994. As such, the subject properties were given a five-year amortization in 1995 and 2004 when they were sold, and subject to abatement on February 18, 2000 and August 31, 2009, respectively.

Due to the agreements between the RDA and Victoria Carson Homes, LLC, as described above, the City did not actively require abatement since development was anticipated. Beginning in 2010, the Code Enforcement Division issued warnings and cited the property owner on a number of occasions because of continuing deferred maintenance and disrepair. These issues include unsightly trash enclosures, building damage and maintenance, unpermitted canopies, and an illegal unit (a former storage shed). The Code Enforcement Division and the City Prosecutor's office are deferring any action upon confirmation that the property has sold and development will commence.

Surrounding Land Uses

Surrounding the project site to the north are one- and two-story single family homes. To the east across the Phase 1 Via 425 Apartments is a corner shopping center with a restaurant, retail uses, offices, and other commercial uses. Further east across Grace Avenue is the Villagio, a mixed use affordable housing community built in the late 1990s. Across Carson Street to the south are multi-tenant commercial uses. To the west is a two-story office building and the Carson Senior Assisted Living facility.

Zoning and General Plan

The project site is zoned MU-CS (Mixed Use – Carson Street), which is consistent with the Land Use Element of the General Plan which designates the project site as Mixed Use-Residential. Properties along Carson Street to the east, west, and south of the project site share the same zoning and General Plan land use designation. Properties to the north are zoned RS (Residential, Single-family) and have a General Plan land use designation of Low Density Residential.

Regional Access

Access to the property is via Carson Street to the south. Regional access is via the 405 Freeway located less than one mile to the east and the 110 Freeway located approximately one mile to the west.

Affordable Housing Definitions

In order to be considered an affordable housing project as described in Section 9126.91 of the Carson Municipal Code, a project must include a minimum of 10% of the units proposed for affordable and/or senior citizen households. The affordable units must be kept as affordable for a period of not less than 30 years. This section defines "Affordable Households" as follows:

- *Very low-income households* – Households with an income that is 50% or less of the area median family income published approximately annually by the State Department of Housing and Community Development (HCD) based on information provided by the Federal Department of Housing and Urban Development (HUD).
- *Lower-income households* – Households with an income this is more than 50% or 60% or less of the area median family income published annually by HCD based on information provided by HUD.
- *Low-income households* – Households with an income this is more than 60% or 80% or less of the area median family income published annually by HCD based on information provided by HUD.
- *Moderate-income households* – Households with an income this is more than 80% or 120% or less of the area median family income published annually by HCD based on information provided by HUD.

Housing Needs Assessment

The State of California requires that every city provide the opportunity for the development of its fair share of housing for all segments and income levels of society. This fair share is determined by the Southern California Association of Governments, more frequently referred to as SCAG.

Carson has been notified by SCAG that to meet the City's fair share of the region's housing needs, which includes Los Angeles, Orange, San Bernardino and Riverside Counties, it will be necessary to provide the opportunity for the development of 1,812 dwelling units by 2014. A portion of those units must be affordable to very low and low-income persons and families. The regional housing needs assessment (RHNA) for the city of Carson for 2006-2014 are shown in Table 3.

**TABLE 3 – REGIONAL HOUSING NEEDS ASSESSMENT
FOR CITY OF CARSON FOR 2006-2014**

Income Group	Number of Housing Units	Percent
Very Low (<50% Area Mean Income)	461	25%
Low (50-80% Area Mean Income)	287	16%
Moderate (80-120% Area Mean Income)	307	17%
Above Moderate (>120% Area Mean Income)	757	42%
TOTAL	1,812	100%

The State of California also requires that every city provide a Housing Element as part of its General Plan. Section 65580 of the California Government Code states that "... each local government also has the responsibility to consider economic, environmental, and fiscal factors and community goals set forth in the General Plan and to cooperate with other local governments and the state in addressing regional housing needs." In stipulating the content of the Housing Element, Section 65583 of the Government Code indicates that the element shall consist of "... an identification and analysis of the existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources and scheduled programs for the preservation, improvement, and development of housing." This section further states that the element "... shall identify adequate sites for housing, including rental housing, factory-built housing, and mobile homes, and shall make adequate provision for the existing and projected needs of all economic segments of the community."

The City is obligated to provide for affordable housing based on RHNA described in the Housing Element of the General Plan. The proposed project would help accomplish this obligation because it provides 19 units for low-income residents and 21 units for moderate-income residents.

Permitted Waivers, Modifications, and Deviations of Development Standards

The code allows flexibility in development standards. This flexibility is either up to the discretion of the planning commission through the design review process or through affordable or density bonus sections of the code. Table 5 provides a summary of these permitted waivers, modifications, and deviations.

TABLE 5 –PERMITTED WAIVERS, MODIFICATIONS, AND DEVIATIONS

	Requirement	Proposed Project	Notes
Front Yard	10'	5' for arcade & balconies	Reduction allowed under the discretion of the Planning Commission, Section 9126.9.C of the CMC
Private Open Space	130 s.f. for each 0- and 1-bdrm. unit 150 s.f. for each larger unit	90 s.f. for 1-bdrm. units 94-145 s.f. for 2-3 bdrm. units	Reduction allowed under the discretion of the Planning Commission, Section 9126.9.C of the CMC
Public Art Component	All new developments over 20,000 square feet should incorporate a public art component equal to at least 1% of the total project costs	None	A suggestion, not a requirement and building frontage along Carson Street prohibits display of public art



As noted above, front yard and private open space are deviations allowed under the discretion of the Planning Commission subject to the requirements of Site Plan and Design Review (Section 9126.9.C of the CMC).

Parking Requirements

Since this project includes affordable housing units with density bonus, according to Section 9409 of the CMC, the proposed project requires 72 parking spaces based on one (1) parking space for one bedroom units and two (2) parking space for two and three bedroom units. Comparatively, a market rate project with no density bonus would require 90 parking spaces based on Section 9162.21 of the CMC which requires two (2) covered spaces for each unit plus 1 guest space for every 4 units.

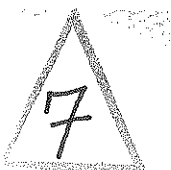
Project Design

Phase 2 will be similar in architecture and design to the existing Phase 1 development. The proposed four-story building uses modern architecture with rectangular shapes and parapet roofs. The project features decorative projections along Carson Street which provides façade relief from the recessed building. The project generally provides three levels along Carson Street, four levels in the central area, and two levels in the rear which is adjacent to existing one- and two-story single-family homes. The rear units feature shed roofs which are different in design than the rest of the project, but provides an interesting contrast from the neighboring homes.

The west elevation abuts an existing office building. There will be a 5½-foot buffer between the proposed building and the western property line. Landscaping will be planted in this buffer area as well as in the podium-level courtyard. The top two levels of the proposed project will be visible from adjacent properties to the west and partially visible from Carson Street, however building walls will be decorated with plaster finishing, sun shades, control joints, and metal copings at the top of the parapet to add architectural interest.

The main driveway, guest parking, and access to the parking structure are located on the eastern portion of the property. The main driveway will be shared with the existing Phase 1 development. Once complete, the proposed project will be an expansion of the Via 425 Apartments sharing the similar architecture, building materials, landscaping, and building form.

The applicant has not yet designed the community space at the front of the building. It is anticipated that existing amenities from the existing Phase 1 building will be consolidated or moved to the Phase 2 development. There will be a common manager's office for both phases. Recreational facilities, the media room, and the business center may be consolidated. A condition of approval has been included so that a separate laundry room is provided for Phase 2.



Notable Conditions of Approval

The following conditions of approval require the project to provide electric charging station opportunities and an in lieu fee to pay for the project's frontage improvements of Carson Street:

19. Prior to issuance of building permit, the applicant shall show that at least fifteen percent (15%) of all parking spaces have a 1" conduit for a mixture of 120V and 240V electrical outlets at these parking spaces subject to the approval of the Planning Division.

101. Prior to issuance of building permits, the developer shall pay an in-lieu fee for the construction of the improvements within the public right-of-way fronting the property including the parkway and median improvements consistent with the Carson Street master Plan.

Findings

Based on the discussions above, it staff's opinion that the proposal is consistent with the General Plan and Carson Street Master Plan. The proposed deviations are reasonable for this type of development and staff can make all of the findings required under Section 9172.21 and 9172.23 for the CUP and DOR. Details for the findings can be found in the attached resolution.

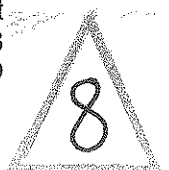
V. Environmental Review

Pursuant to the California Public Resources Code Section 21159.23, the proposed project is for an affordable housing community and is exempt from environmental review requirements of the California Environmental Quality Act (CEQA) Guidelines based on the following:

- The project site is less than five acres;
- The 40-unit project will be required to have an affordability component to last for at least 30 years;
- The surrounding urban area is developed; and
- There are at least 5,000 persons per square mile in the vicinity.

VI. Conclusion

The proposed project is in conformance with the vision, goals and policies described within the General Plan, MU-CS (Mixed-Use – Carson Street) zone district, and the Carson Street Master plan. The project is compatible with the existing Phase 1 development and will help create a distinctive character along Carson Street. The project will create a pedestrian-friendly downtown district near the civic core and facilitate with the redevelopment of currently underutilized and unattractive parcels along Carson Street. The affordability component assists the City in meeting its RHNA obligation as described in the Housing Element.



VII. Recommendation

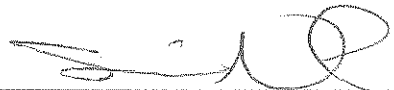
That the Planning Commission:

- **APPROVE** Design Overlay Review No. 1474-13 and Conditional Use Permit No. 927-13 subject to the conditions of approval attached as Exhibit "B" to the Resolution; and
- **WAIVE** further reading and **ADOPT** Resolution No._____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1474-13 AND CONDITIONAL USE PERMIT NO. 927-13 FOR CONSTRUCTION OF PHASE 2 TO THE VIA 425 APARTMENTS FOR PROPERTY LOCATED AT 401-409 E. CARSON STREET."

Exhibits

1. Zoning Map
2. Proposed Resolution
3. Proposed Development Plans (submitted under separate cover)

Prepared by:

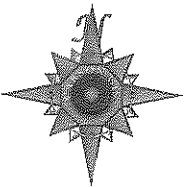


John F. Signo, AICP, Senior Planner

Reviewed and Approved by:



Sheri Repp Loadsman, Planning Manager



City of Carson
 500 Foot Radius Map
 401-409 East Carson Street



CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 13-

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW
NO. 1474-13 AND CONDITIONAL USE PERMIT NO. 927-13 FOR
CONSTRUCTION OF PHASE 2 TO THE VIA 425 APARTMENTS
FOR PROPERTY LOCATED AT 401-409 E. CARSON 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, Related, with respect to real property located at 401-409 E. Carson Street as described in Exhibit "A" attached hereto, requesting the approval of a four-story 40-unit affordable housing community on 1.07 acres. The proposed project is the second phase of the Via 425 Apartments and will share a common driveway with the existing development. The request includes:

- Design Overlay Review (DOR) No. 1474-13 for development in the MU-CS (Mixed Use – Carson Street) zoning district; and
- Conditional Use Permit (CUP) No. 927-13 for construction of a multifamily development in the MU-CS zoning district.

A public hearing was duly held on February 26, 2013, at 6:30 P.M. at the Carson 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. Pursuant to Section 9138.17(C) of the Carson Municipal Code (CMC), all uses within the Mixed-Use – Carson Street corridor are subject to site plan and design review per Section 9172.23, and a conditional use permit (CUP) is required for multifamily development within the MU-CS (Mixed-Use – Carson Street) zoning district. The Planning Commission finds that:

1. The proposed project is consistent with the Carson General Plan Mixed Use - Residential land use designation and adheres to the policies, goals and objectives of the Carson Street Master Plan. The proposed affordable housing development is consistent with development standards of the MU-CS (Mixed-Use – Carson Street) zoning district. The proposed project will create affordable housing opportunities and is beneficial to the housing stock of the City of Carson.

2. The design and architecture of the proposed project is consistent with the Phase 1 development to the east. The building will be designed using light-colored stucco, slate veneer, concrete block, and metal awnings and railing. The proposed project conforms to all applicable design and development standards of the MU-CS (Mixed-Use – Carson Street) zoning district, with exception to standards permitted at the discretion of the Planning Commission pursuant to Section 9126.91(C) of the CMC. The Planning Commission finds that the proposed project is consistent with the intent of the Carson Street Master Plan and finds the requested deviations



acceptable. The Planning Commission has the discretion to approve the following subject to Site Plan and Design Review:

- a. Architectural projections into the required front yard five feet from the property line;
- b. Reduce the required private open space for one-bedroom units from 130 square feet to 90 square feet, and two- and three-bedroom units from 150 square feet to 94-145 square feet, respectively; and
- c. Waive the suggestion to provide a public art component located at the front of the property.

Based on the merits of the project, the Planning Commission finds that the design and development is attractive and consistent with anticipated development for the Carson Street Corridor. The project provides affordable housing opportunities consistent with the policies and objectives of the Housing Element. The proposed front yard encroachment will bring the development closer to Carson Street and enhance the architectural appearance by creating an offset with the building. As such, providing a public art component along Carson Street is not feasible nor is necessary. The reduction in private open space is typical for this type of development. The proposed project will compliment the Phase 1 development to the east by having similar architecture and design.

3. The project is pedestrian-oriented in that the building is oriented toward the street and provides live-work units to serve the residents and surrounding community. The architecture of the building features a modern design with rectangular forms and recessed structures. The main entrance will be located on Carson Street next to a shared driveway. Resident parking will be provided within a gated parking structure located in the interior of the development. The parking structure will be concealed from the public right-of-way through a "wrap" design in which the residential units screen the parking. The rear two-story units feature shed roofs which contrast from the parapet roofs of the rest of the project. The level above the parking garage features a courtyard with a playground, seating, and landscaping. The community room will be designed to accommodate residents of both phases. As such, the exact layout is still to be determined since amenities in the Phase 1 building may be consolidated into the Phase 2 building and vice versa. Amenities should include a multi-use room, conference room, kitchen, lounge, library, computer room, laundry room, fitness room, media room, and restrooms. Prior to issuance of a building permit, floor plans for the community room will be required for review and approval by staff.

4. The proposed project is compatible with similar approved housing projects and anticipated development within the MU-CS (Mixed-Use – Carson Street) zone. This includes the Phase 1 development to the east, which will share a common driveway, the Villagio development located across Grace Avenue to the east, and the City Center development further east at the southeastern corner of Carson Street and Avalon Boulevard. The redevelopment of the project site will be an asset to the City and adheres to the goals and vision of the Carson Street Master Plan. The proposed project will be a catalyst to future development along Carson Street and will help support future transit-oriented developments within this heavily traveled mass transit area. As such, the project is compatible with the existing and anticipated development for the area.

5. The on-site circulation pattern and parking areas meet the requirements of the MU-CS (Mixed-Use – Carson Street) zoning district, with the exception to the total number of

parking spaces which has been provided consistent with Section 9409 of the CMC which specifically addresses parking requirements for affordable housing developments.

6. Signage will be incorporated into the sign program for Via 425 Apartments and will be for identification and address only. All signage shall comply with the requirements in the MU-CS (Mixed-Use – Carson Street) zoning district.

7. Review by the Los Angeles County Fire Department will be conducted to ensure the proposed project has adequate water supply to meet current and anticipated fire suppression needs. The County Fire Department will impose conditions as needed, which must be satisfied prior to issuance of a final building permit.

8. All additional and applicable sections can be satisfied provided that the conditions of approval are applied. Therefore, this finding can be made in the affirmative.

Section 4. Pursuant to the California Public Resources Code Section 21159.23, the proposed project is for an affordable housing community and is exempt from environmental review requirements of the California Environmental Quality Act (CEQA) Guidelines based on the following:

- The project site is less than five acres;
- The 40-unit project will be required to have an affordability component to last for at least 30 years;
- The surrounding urban area is developed; and
- There are at least 5,000 persons per square mile in the vicinity.

Section 5. Based on the aforementioned findings, the Planning Commission hereby approves Design Overlay Review No. 1474-13 and Conditional Use Permit No. 927-13, subject to the conditions set forth in Exhibit "B" attached hereto.

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

Section 7. 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 26th DAY OF FEBRUARY, 2013.

CHAIRMAN

ATTEST: _____
SECRETARY

ORDER NO. : 2476022200-48

EXHIBIT A

The land referred to is situated in the County of Los Angeles, City of Carson, State of California, and is described as follows:

THE WEST 40 FEET OF THE SOUTH 110 FEET OF THE WEST 100 FEET OF LOT 37 OT TRACT NO. 3848, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 42, PAGES 68 AND 69 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THE SOUTHERLY 20 FEET THEREOF.



CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"

DESIGN OVERLAY REVIEW NO. 1474-13

CONDITIONAL USE PERMIT NO. 927-13

GENERAL CONDITIONS

1. If a building permit is not issued within one year of the date of approval of Design Overlay Review No. 1474-13 and Conditional Use Permit No. 927-13, said permits shall be declared null and void unless an extension of time is requested prior to expiration and 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. Prior to issuance of a building permit, the lots shall be merged to form one continuous lot.
4. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
5. Within forty-eight hours of approval of the subject project, the applicant shall deliver to the Development Services Group a cashier's check or money order payable to the County Clerk in the amount of \$75.00 (seventy-five dollars) to enable the City to file the Notice of Exemption. If within such forty-eight hour period the applicant has not delivered to the Development Services Group the above-noted cashier's check or money order, the approval for the project granted herein may be considered automatically null and void.
6. 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 by the Planning Commission.
7. The applicant shall submit two complete sets of plans and related documentation 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.
8. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.



9. 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.
10. 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.
11. 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.
12. The Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 1474-13 and Conditional Use Permit No. 927-13. 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

13. The required parking shall meet all applicable standards as outlined in the Carson Municipal Code.
14. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
15. Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.
16. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
17. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
18. Decorative colored concrete pattern shall occur at all driveway entrance areas.
19. Prior to issuance of building permit, the applicant shall show that at least fifteen percent (15%) of all parking spaces have a 1" conduit for a mixture of 120V and



240V electrical outlets at these parking spaces subject to the approval of the Planning Division.

LANDSCAPING/IRRIGATION

20. The applicant shall submit two sets of landscaping and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division prior to the issuance of any building permit.
21. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
22. 6" x 6" concrete curbs are required around all landscaped planter areas, as deemed necessary by the Planning Division.
23. Landscaping shall be provided with a permanently installed, automatic irrigation system and operated by an electrically-timed controller station set for early morning or late evening irrigation.
24. Landscaping and irrigation plans shall be stamped and signed by a licensed landscape architect and are to include, but are not limited to:
 - a. Annual flowers wherever possible;
 - b. Five and one gallon shrubs;
 - c. Flats of ground cover planted 8-inches on center; and
 - d. Tree height and plant materials to be approved by the project planner prior to installation.
25. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
26. A minimum of 10 specimen trees shall be provided for construction of 40 dwelling units per Section 9138.17(E)(d). Location and size shall be reviewed and approved by the Planning Division.

GRAFFITI LANDSCAPING

27. The applicant shall incorporate additional landscaping to screen and block specific project areas that could be subject to graffiti, as determined by the Planning Division.
28. Graffiti shall be removed from all project areas within three (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.).



UTILITIES

29. Public utility easements shall be provided in the locations as required by all utility companies with easements free and clear of obstructions, and electrical utilities shall be installed underground, unless screened from public right-of-way to the satisfaction of the Planning Division.
30. The applicant shall remove at his own expense any obstructions within the utility easements that would interfere with the use for which the easements are intended.
31. Prior to issuance of a building permit, the applicant shall enter into an agreement with the city franchise cable TV operator to permit the installation of cable in a common utility trench; or provide documentation that steps to provide cable TV to the proposed development have been initiated to the satisfaction of the City.
32. The applicant shall provide a central antenna with connections to each unit via underground or internal wall wiring to provide for satellite TV and internet service. Any satellite dish shall be screened from public view to the greatest extent feasible.
33. Any above-ground utility box, piping, or structure not shown on the development plan that is subsequently required by a utility company shall be screened to the satisfaction of the Planning Division prior to issuance of certificate of compliance.

AESTHETICS

34. Permanent exterior security grills including roll down security grills shall not be permitted. Interior security grills on the ground-level must recess completely into pockets that conceal the grill when it is retracted. Security grills for the community space and lobby/leasing office should not be visible during hours of operation.
35. Prior to issuance of a building permit, a floor plan of the bike storage, community space, and lobby/leasing office shall be provided for review and approval by the Planning Division. The community space shall include a laundry room for residents of Phase 2.
36. High quality postal delivery receptacles shall be provided and located in an area convenient for each resident, subject to the approval of the Planning Division.
37. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.
38. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
39. 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.

SIGNS

40. All signs shall conform to the requirements of the existing sign program for Phase 1. Any Phase 2 signage shall be incorporated into the sign program and reviewed and approved by the Planning Division prior to the issuance of a building permit. The sign program shall detail all signs to be erected including location, size, type, materials, etc., and shall comply with the requirements of Section 9138.17(F) of the CMC. A temporary sign shall also be erected before and during construction which describes the project and displays building elevations.

FENCES/WALLS

41. Perimeter walls shall conform to the requirements of the Carson Municipal Code and shall be architecturally coordinated with the project buildings and subject to the approval of the Planning Division.
42. Where walls are used, they shall conform to the requirements of the Carson Municipal Code and shall be of decorative material to include stucco block, slumpstone or splitface.

LIGHTING

43. A precise lighting plan including a photometric plan shall conform to the requirements of the Carson Municipal Code and shall be submitted showing all proposed street, parking, walkway, and recreational area lighting, subject to the approval of the Planning Division.
44. Onsite lighting shall conform to the requirements of the Carson Municipal Code and shall be directed downward and inward so as not to cause light and glare impacts to adjacent residences and motorists.

AIR QUALITY

Construction

45. Use zero Volatile Organic Compounds (VOC) content architectural coatings on buildings. These reduce VOC (ROG) emissions by 95% over conventional architectural coatings. The following websites provide lists of manufacturers and major brand names:
- a. <http://www.aqmd.gov/business/brochures/zerovoc.html>
 - b. <http://www.delta-institute.org/publications/paints.pdf>
 - c. <http://www.cleanaircounts.org/factsheet/FS%20PDF/Low%20VOC%20Paint.pdf>
- Restrict the number of gallons of coatings used per day.
 - Encourage water-based coatings or other low-emitting alternatives.
 - Consider requiring the use of coatings with a lower VOC content than 100 grams per liter.
 - Where feasible, paint contractors should use hand applications as well instead of from spray guns.



46. The grading contractor shall do the following:
 - a. Provide watering of the active grading area at least twice a day, throughout the grading phase.
 - b. Apply soil stabilizers to inactive areas.
 - c. Replace ground cover in disturbed areas quickly.
47. General contractor(s) shall maintain and operate construction equipment so as to minimize exhaust emissions. During construction, trucks and vehicles in loading and unloading queues would turn their engines off, when not in use, to reduce vehicle emissions. Construction emissions should be phased and scheduled to avoid emissions peaks and discontinued during second-stage smog alerts.
48. Electricity from power poles, rather than temporary diesel or gasoline powered generators, shall be used to the extent feasible.
49. All construction vehicles shall be prohibited from idling in excess of five minutes, both on and off-site.
50. All construction related equipment shall use aqueous diesel fuel, a diesel particulate filter and cooled exhaust gas recirculation.
51. All construction vehicles tires shall be washed at the time these vehicles exit the project site.
52. All fill material carried by haul trucks and stock piles shall be covered by a tarp or other means.
53. Reduce speed on unpaved roads to less than 15 miles per hour (mph).
54. Supply lunch van to construction site for employees, to reduce vehicle trips.

Operations

Service and Support Facilities (point sources)

55. All point source facilities shall obtain all required permits from the SCAQMD. The issuance of these permits by the SCAQMD shall require the operators of these facilities to implement Best Available Control Technology and other required measures that reduce emissions of criteria air pollutants.
56. Land uses on the project site shall be limited to those that do not emit high levels of potentially toxic contaminants or odors.

Natural Gas Consumption and Electricity Production

57. All residents and non-residential buildings shall meet the California Title 24 Energy Efficiency standards for water heating, space heating and cooling, to the extent feasible.
58. All fixtures used for lighting of exterior common areas shall be regulated by automatic devices to turn off lights when they are not needed, but a minimum level of lighting should be provided for safety.



Building Materials, Architectural Coatings and Cleaning Solvents

59. Building materials, architectural coatings and cleaning solvents shall comply with all applicable SCAQMD rules and regulations.

Transportation System Management and Demand Management

60. The applicant shall, to the extent feasible, schedule deliveries during off-peak traffic periods to encourage the reduction of trips during the most congested periods.
61. The applicant shall coordinate with the Carson Circuit Transit System, the City of Carson, the MTA, Los Angeles Department of Transportation, and Torrance Transit to provide information with regard to local bus and rail services.
62. During site plan review, consideration shall be given regarding the provision of safe and convenient access to bus stops and public transportation facilities.
63. Applicant shall provide bicycle racks located at convenient locations throughout the project site.

CULTURAL RESOURCES

64. A qualified archaeologist shall be on site during all earth moving and trenching activities. The archaeologist shall be empowered to stop and/or relocate earth-moving activities if cultural resources are identified. In the event that previously unknown archaeological remains are uncovered during construction, land alteration work in the general vicinity of the find shall be halted. Prompt evaluations would then be made regarding the finds and an appropriate course of action would be implemented as directed by the archaeologist. If prehistoric archaeological deposits are discovered, local Native American organizations shall be consulted and involved in making cultural resources management decisions. All such procedures shall comply with CEQA Guidelines Section 15064.5, Public Resources Code 5097.98, and Health and Safety Code 7050.5. All resources shall be documented and curated, and a report shall be filed with the City's Planning Department within 30 days of the find.

GEOLOGY AND SOILS

65. Prior to issuance of building permits, the Building Department shall review and approve all structural plans to assure compliance with the seismic safety design parameters set forth in the most current version of the City's Building Code. Compliance with these requirements would ensure implementation of appropriate measures, such as reinforcement and shoring, designated construction zones, barriers, and other methods, to anticipate and avoid the potential for significant and adverse impacts caused by building site instability and falling debris during construction activities (as caused by a seismically induced event). Such plans shall be prepared in consultation with or certified by a qualified structural engineer, experienced with earthquake-resistant design techniques.
66. Prior to issuance of a grading permit, the Building Department shall ensure that the recommendations of a certified geologist's site-specific report are incorporated into the grading plan to mitigate seismically-induced ground shaking hazards and all applicable requirements of the City's grading ordinance.

NOISE

67. All construction equipment powered by internal combustion engines shall be equipped with proper mufflers and air-intake silencers in good working order.
68. All equipment maintenance activities shall be performed within the center of the project site as is practical.
69. Stationary equipment such as concrete pumps, generators and compressors shall be located more than 200 feet from the nearest residential uses. Alternately, they may be located behind a structure or temporary noise barrier constructed of minimum 3/4" thick plywood with no gaps or cracks that blocks line of site between the residential uses within 200 feet of the unit and the unit itself.
70. Mechanical ventilation shall be provided for all dwelling units along Carson Street. This will enable residents to close all windows to achieve the City's interior noise level standard of 45 dBA CNEL or less. Compliance with this requirement shall be shown on the architectural plans, prior to issuance of building permits.
71. Exterior construction activities at the project site shall be limited to the hours of 7:00 a.m. to 8:00 p.m. Monday through Saturday and shall exclude public holidays. Interior construction activities that do not generate exterior noise are exempt from this requirement.

TRASH

72. Prior to issuance of building permits, trash collection facilities shall comply with the requirements of the City Waste Management Specialist and franchise trash collection company.
73. Trash enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).
74. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. Recycle bins shall be provided at all upper levels next to trash chutes and shall be emptied on a daily basis by maintenance staff. Recycle bins shall be conveniently located for residents and properly screened. The size, location, and number of all recycle bins shall be approved by the Planning Division prior to Certificate of Occupancy.
75. All other trash collection, including green wastes, shall comply with the requirements of the City's trash collection company.

THE GAS COMPANY

76. Applicant must furnish the Gas Company with "signed" final plans, before construction, including profiles and subsequent plan revisions as soon as they are available. A minimum of twelve (12) weeks is needed to analyze the plans and design alterations for any conflicting facilities.
77. Underground Service Alert (USA), (800) 442-4133 or (800) 227-2600, must be notified within 48 hours prior to commencing work. Inform Gas Co. of



construction schedules, pre-construction meetings, etc. so that they can plan ahead.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

78. The applicant shall comply with all requirements of the LA County Fire Department.

COUNTY SANITATION DISTRICTS – COUNTY OF LOS ANGELES

79. The applicant shall pay the appropriate connection fee to the County Sanitation Districts of Los Angeles County for connection or incremental expansion of the Sewerage System. Payment of the connection fee shall be required prior to issuance of sewer connection permit.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

80. Any hazardous wastes/materials encountered during construction shall be remediated in accordance with local, state, and federal regulations.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

81. 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.
82. The Developer shall submit a copy of approved plans on mylars (such as, Sewer, Street and/or Storm Drain Improvements, whichever applies), to the City of Carson – Engineering Division, prior to issuance of construction permits.
83. On-site flatwork (e.g. base, paving, curb and gutters) are subject to inspection by Public Works Inspectors. Permit shall be obtained from City of Carson Engineering Services.
84. 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.
85. A construction permit is required for any work to be done in the public right-of-way.

Building Permits

Prior to issuance of **Building Permit**, the proposed development is subject to the following:

86. 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.
87. CC&R's (covenants, conditions, and restrictions) to address drainage responsibilities are required.



88. The Developer shall comply with the applicable SUSMP requirements and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.
89. 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.
90. 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.
91. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
92. 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 Carson Street.
 - b. Sewer Main Improvements (if any) along Carson Street as determined by the aforementioned sewer area study.
 - c. Storm Drain Improvements (if any) along Carson Street as determined by the aforementioned requirement.
93. 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 Building Permit.
94. Proof of Worker's Compensation and Liability Insurance.
95. Prior to issuance of building permits, the developer shall pay an in-lieu fee of \$85,558.00 for the construction of the improvements within the public right-of-way fronting the property including the parkway and median improvements consistent with the Carson Street master Plan.

Certificate Of Occupancy



Prior to issuance of **Certificate of Occupancy**, the proposed development is subject to the following:

96. 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.
97. Repair any broken or raised sidewalk, curb and gutter along Carson Street within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
98. The Developer shall fill in any 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.
99. Install irrigation system for the purpose of maintaining the parkway trees to be planted along the frontage of the development on Carson Street.
100. Modify existing raised landscaped median along the frontage of the development on Carson Street to comply with the Carson Street Master Plan construction requirements to the satisfaction of the City Engineer.
101. The developer shall pay an in-lieu fee of \$85,558.00 for the construction of the improvements within the public right-of-way fronting the property including the parkway and median improvements consistent with the Carson Street master Plan.
102. 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.
103. 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.
104. 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 shall be determined by the City Engineer.
105. All new utility lines, servicing the proposed development abutting the proposed development shall be underground to the satisfaction of the City Engineer.
106. Install striping and pavement legend per City of Carson standard.
107. Paint Curbs Red along Carson Street within or abutting this proposed development. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval.



108. The Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.
109. 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.
110. 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.
111. Streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed from curb-to-curb or from median-to-curb when medians are existing or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)
112. 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.
113. At the time of issuance of Certificate of Occupancy, and improvement plan approval, the developer's engineer shall submit the approved off-site improvement plans electronically stored a CD in AutoCad format to the Engineering Services Division.
114. 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.
115. Developer shall comply with the *Carson Street Mixed-Use District Master Plan* standards and construction requirements.
116. All existing overhead utility lines on site shall be underground to the satisfaction of the City Engineer.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

117. Per Section 6310 of the Carson Municipal Code, all parties involved in the construction project, including but not limited to contractors and subcontractors, shall obtain a City Business License.

