



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: March 25, 2014

SUBJECT: Conditional Use Permit No. 947-13  
Zone Text Amendment No. 16-13

APPLICANT AND OWNER: Thomas Safran & Associates  
Attn: Steve Mikhalevich  
11812 San Vicente Boulevard, No. 600  
Los Angeles, CA 90049

REQUEST: Permit a drive-thru restaurant at a mixed-use development (Renaissance at City Center) and amend the Carson Municipal Code to allow such use

PROPERTY INVOLVED: 21720 S. Avalon Boulevard

---

#### COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

#### COMMISSIONERS' VOTE

<u>AYE</u>	<u>NO</u>		<u>AYE</u>	<u>NO</u>	
		Chairman Faletogo			Gordon
		Vice-Chair Verrett			Piñon
		Brimmer			Saenz
		Diaz			Schaefer
		Goolsby			

## I. Introduction

The applicant and owner, Steve Mikhalevich of Thomas Safran & Associates, is proposing an amendment to the Carson Municipal Code (CMC) to allow a drive-through (drive-thru) restaurant at a mixed use development in the MU-CS (Mixed Use – Carson Street) zoning district. The proposal would allow Schlotzsky's Deli to operate a drive-thru and pick-up window at the newly constructed Renaissance at City Center development located at 21720 S. Avalon Boulevard.

## II. Background

On February 26, 2008, the Planning Commission approved a development plan for a four-story, mixed-use project for 236 residential units, including 150 market-rate condominium units, 86 affordable senior housing units, 20,245 square feet of retail use, and 8,518 square feet of restaurant use. The 4.29-acre project site is located on the southeast corner of Avalon Boulevard and Carson Street at 708-724 E. Carson Street and 21720-21814 S. Avalon Boulevard. The project included:

- Design Overlay Review (DOR) No. 1256-07 for the project design;
- Conditional Use Permit (CUP) No. 685-07 for shared parking; and
- CUP No. 686-07 for a mixed-use development.

On February 19, 2009, the Planning Commission approved a request for a modification (Modification No. 1) to redesign the ground level to accommodate better flexibility for future commercial tenants. On October 11, 2011, the Planning Commission approved a modification (Modification No. 2) to modify conditions regarding park fees and enhance the architectural design by including a tower at the southern end of the building.

### *Carson Street Master Plan*

In 2006, the City adopted the Carson Street Master Plan (Master Plan) to guide the development and redevelopment of the Carson Street corridor between Interstate 405 and Interstate 110 (Corridor). The vision of the Carson Street Master Plan is “the creation of a distinct district along the Carson Street Corridor with a “main street” character, featuring a unique pedestrian friendly mixed use environment.” The Master Plan strives for the following goals and objectives:

- Create a beautiful, vibrant “main street” that reflects the community’s vision and embodies the identity of the city of Carson.
- Create a distinctive mixed-use character throughout Carson Street.
- Create a livable, pedestrian friendly downtown district near the civic core.
- Create distinctive gateways on either end of Carson Street at the freeway intersections.
- Capitalize on the cultural diversity of Carson as a vehicle for restaurants and other retail uses.

- Direct revitalization efforts to support desirable and viable commercial development.
- Promote a high standard of amenity in public places.

In 2006, the City also established the MU-CS zoning district by adopting Ordinance No. 06-1363. The standards for the MU-CS zoning district are found in Section 9138.17 of the CMC.

### III. Analysis

Staff is apprehensive about supporting a drive-through restaurant in a mixed-use corridor because of the goals and objectives of creating a pedestrian-friendly environment near the City's civic core. However, the proposed Schlotzsky's Deli is a desirable restaurant that would promote a high standard of amenity for the community. It would capitalize on the cultural diversity of Carson by providing a deli restaurant in the mixed-use corridor. Furthermore, it is staff's opinion that by limiting signage for the drive-through and providing a dining experience with great ambiance, patrons would most likely use the restaurant's dining area rather than the drive-through.

It should be noted that the establishment of the MU-CS zoning district made existing restaurant drive-throughs along the Carson Street Corridor nonconforming and subject to abatement. Although the City has not actively sought abatement from these businesses, it was the intent of the City to remove these uses because they promote vehicular activity and are contrary to goals and objectives of creating a pedestrian-friendly environment.

It should also be mentioned that an ordinance amendment allowing restaurant drive-throughs in the Carson Street Corridor may lead to a proliferation of these uses. Staff has made contact with other developers and property owners that have sought to develop a drive-through in the Carson Street Corridor, but staff has remained firm and discouraged these uses. By approving this ordinance amendment, the City may be setting a negative precedent along the City's "main street."

The applicant's traffic engineer has prepared a report examining the parking, circulation, and maneuverability for the restaurant and drive-through. The report has been reviewed by the City's traffic engineer who concurs with its findings.

Findings for the Conditional Use Permit are included in the proposed resolution pursuant to Section 9172.21 of the CMC.

#### *Conditions of Approval*

Several conditions of approval have been included specific to the proposed project as summarized below and included in the attached resolution.

Drive-through: The drive-through will create queuing and possibly maneuvering issues within the parking garage. Sensitivity should be considered for residents

above, including noise, and parking for other commercial tenants. Safety of pedestrians must be ensured along Avalon Boulevard at the exit from the pickup window.

Lighting: Cars exiting the drive-through at night may create an unsafe situation for pedestrians. Adequate lighting is essential.

Bike Parking: Providing additional bike racks would allow customers a choice in their mode of transportation and would alleviate the vehicle parking demand.

Signs: Minimizing signage is essential in ensuring the drive-through does not become the primary use. The sign program must be amended and adequate directional signs must be installed within the parking garage.

Surveillance Cameras/Remote Access: Requirements for remote access to the Sheriff's Department has been required of other restaurants and commercial uses. Remote access of surveillance cameras allows the Sheriff's Department to understand the situation prior to officers arriving at the scene.

#### **IV. Environmental Review**

An Initial Study and Mitigated Negative Declaration were prepared for the original project (City Center development) in accordance with the California Environmental Quality Act (CEQA) Guidelines. On February 26, 2008, the Planning Commission adopted the Mitigated Negative Declaration based on findings that the proposed project would not create a significant environmental impact with the implementation of mitigation measures. The mitigation measures were included as conditions of approval in Resolution No. 08-2193. The proposed restaurant is consistent with the expected use at the City Center development and is covered under the adopted Mitigated Negative Declaration. No further environmental review is necessary.

#### **V. Conclusion**

Although staff is hesitant to support this ordinance amendment along the City's main corridor, it is possible for restaurant drive-throughs to coexist in a mixed-use environment. The City Center provides homes to residents in the upper floors and retail and restaurant uses at the ground floor. Because of the amenities provided, residents are more likely to walk to destinations instead of drive. Staff believes the Schlotzsky's Deli drive-through can be a successful asset to the Carson Street Corridor, but should be closely monitored for proper vehicular circulation, queuing, and safety concerns.

## **VI. Recommendation**

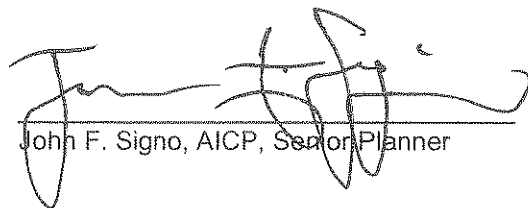
That the Planning Commission:

- **APPROVE** Conditional Use Permit No. 947-13, subject to the conditions of approval included in the attached resolution;
- **RECOMMEND APPROVAL** to the City Council of Zone Text Amendment No. 16-13 regarding an ordinance amendment to allow drive-through restaurants in the MU-CS zone with an approved conditional use permit; and
- **WAIVE** further reading and **ADOPT** Resolution No.\_\_\_\_\_, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 947-13 FOR A RESTAURANT DRIVE-THROUGH LOCATED AT 21720 S. AVALON BOULEVARD, AND RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONE TEXT AMENDMENT NO. 16-13 REGARDING AN ORDINANCE AMENDMENT TO ALLOW DRIVE-THROUGH RESTAURANTS IN THE MU-CS ZONING DISTRICT."

## **VII. Exhibits**

1. Proposed resolution
2. Proposed ordinance amendment
3. Approved Resolution No. 09-2266
4. Approved Resolution No. 08-2193
5. Various correspondences from applicant and tenant (Schlotzsky's Deli)
6. Letter from Traffic Engineer dated March 6, 2014
7. City Center Parking Study by Kunzman Associates, Inc. dated February 13, 2014
8. Development Plan (under separate cover)

Prepared by:



John F. Signo, AICP, Senior Planner

**Reviewed and Approved by:** Barry Waite, Acting Community Dev. Director

CITY OF CARSON  
PLANNING COMMISSION  
RESOLUTION NO. 14-\_\_\_\_\_

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING CONDITIONAL USE PERMIT NO. 947-13 FOR A RESTAURANT DRIVE-THROUGH LOCATED AT 21720 S. AVALON BOULEVARD, AND RECOMMENDING TO THE CITY COUNCIL APPROVAL OF ZONE TEXT AMENDMENT NO. 16-13 REGARDING AN ORDINANCE AMENDMENT TO ALLOW DRIVE-THROUGH RESTAURANTS IN THE MU-CS ZONING DISTRICT

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

Section 1. On March 25, 2014, the Planning Commission held a duly noticed public hearing at 6:30 P.M. at the Helen Kawagoe Council Chambers at Carson City Hall, 701 East Carson Street, Carson, California to discuss a conditional use permit (CUP) application for a drive-through restaurant for Schlotzsky's Deli at the Renaissance at City Center development located at 21720 S. Avalon Boulevard, and an ordinance amendment allowing drive-through restaurants in the MU-CS (Mixed-Use – Carson Street) zoning district with approval of a CUP and under certain requirements. A notice of the time, place and purpose of the aforesaid hearing 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 9172.21 of the Carson Municipal Code (CMC), the Planning Commission finds that:

a) The proposed project is consistent and adheres to 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 Renaissance at City Center is a mixed-use development in the MU-CS (Mixed-Use – Carson Street) zone, which encourages a mixture of uses. The Renaissance at City Center is a focal point in the Carson Street Corridor and an exemplary example of mixed-use development. The proposed Schlotzsky's Deli drive-through restaurant is at the ground level along Avalon Boulevard and would be an asset to the community.

b) The design and architecture of the proposed development conforms to all the applicable design and development standards of the MU-CS (Mixed-Use – Carson Street) zone, with exception to use which is covered under an ordinance amendment. CUP No. 685-07 for shared parking was approved to address the number of parking spaces based on mixed uses. The City traffic engineer has reviewed the design of the proposed drive-through and concurs that it would not cause a significant health and safety impact. Adequate parking, maneuvering, and drive-through queuing will be provided.

c) The building is oriented toward the street and the restaurant will serve the residents and surrounding community. The commercial portion of the project is designed to encourage pedestrian activity and the addition of one drive-through restaurant will not have a substantial effect on the pedestrian environment. The design and architecture of the building features a very eclectic style combining European influences in each section of the elevations. The elevation along Avalon Boulevard contains a variety of architectural building sections to break the long elevation. The first floor of the building features a different veneer for each building section in addition to



canvas awnings, plaster coated foam trim, recessed aluminum storefronts and decorative entry signage per tenant. Conditions of approval have been included to minimize the amount and size of signage for the drive-through.

d) Schlotzsky's Deli is a desirable restaurant that fits well with the goals and vision of the Carson Street Master Plan. The restaurant will help in being a catalyst for future development and businesses along Carson Street. As such, the project is compatible with the existing and anticipated development of the area.

e) The on-site circulation pattern and parking areas have been reviewed by the City traffic engineer for safety issues. Customer and guest parking areas located on the ground floor provide adequate and safe circulation of vehicles and pedestrians on site. A condition will be placed that delivery of merchandise be limited to off-peak hours to the extent feasible. Senior and condominium resident parking located in the subterranean garage also provide adequate and safe circulation of vehicles and pedestrians on site. Carson Street and Avalon Boulevard are major thoroughfares that can accommodate the expected traffic to be generated from the restaurant use. In addition, the drive-through will increase customer convenience while reducing the need for on-site parking.

f) The project features building mounted signage above the proposed business shops. A sign program has been developed to control all signage on the property. Provisions will be included to minimize the amount and size of signage for the drive-through. With the implementation of this sign program, the attractiveness, effectiveness and restraint in signing, graphics and color can be made at this time. All signage shall comply with the requirements in the MU-CS (Mixed-Use – Carson Street) zone.

g) The existing building has been reviewed and approved by the County Fire Department for adequate water supply to meet current and anticipated fire suppression needs.

h) Approval of the Conditional Use Permit is contingent upon the City Council's approval of Zone Text Amendment No. 16-13 regarding an ordinance amendment to allow restaurant drive-throughs at mixed-use developments on four acres or greater and under certain requirements. 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.** Based on the aforementioned findings, the Planning Commission hereby recommends approval to the City Council of Zone Text Amendment No. 16-13, regarding an ordinance amendment affecting Section 9131.1 (Permitted Uses) and Section 9138.17 (Mixed-Use – Carson Street (MU-CS)) of the Carson Municipal Code (CMC), as described in Exhibit 1.

**Section 5.** An Initial Study and Mitigated Negative Declaration were prepared for the original project (City Center development) in accordance with the California Environmental Quality Act (CEQA) Guidelines. On February 26, 2008, the Planning Commission adopted the Mitigated Negative Declaration based on findings that the proposed project would not create a significant environmental impact with the implementation of mitigation measures. The mitigation measures were included as conditions of approval in Resolution No. 08-2193. The proposed restaurant is consistent with the expected use at the City Center development and is covered under the adopted Mitigated Negative Declaration. No further environmental review is necessary.

Pursuant to Section 15061(b)(3) of the California Environmental Quality Act (CEQA), the Planning Commission finds that the proposed ordinance amendment is an



update to the existing standards and guidelines in the CMC and is exempt under the general rule. The ordinance amendment will generate no direct significant environmental impacts.

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

PASSED, APPROVED AND ADOPTED THIS 25<sup>th</sup> DAY OF MARCH, 2014.

---

CHAIRMAN

ATTEST:

---

SECRETARY



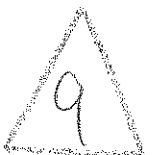


**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
**EXHIBIT "B"**

**CONDITIONAL USE PERMIT NO. 947-13**

GENERAL CONDITIONS

1. The conditions contained herein shall complement the conditions described in Resolution No. 09-2266 adopted by the Planning Commission on August 25, 2009, and any subsequent modifications thereafter.
2. If a business license permit for said use is not issued within one year of the date of approval of Conditional Use Permit No. 947-13, said permit shall be declared null and void unless an extension of time is requested prior to expiration and approved by the Planning Commission.
3. Upon activation, the Conditional Use Permit shall become automatically null and void if said use has been suspended or has ceased to exist for a period of one year, unless an extension of time is requested prior to expiration and approved by the Planning Commission.
4. 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.
5. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
6. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
7. 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.
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. Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
13. 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.
14. Deposit Account. A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.
15. 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, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning Conditional Use Permit No. 947-13. 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. The applicant shall provide a deposit in the amount of 100 percent of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form



of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and the City shall have no liability to the applicant.

### AESTHETICS

16. There shall be no deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division.
17. All trash and inoperable vehicles shall be removed prior to the issuance of a building permit. The subject property shall be maintained at all times to present an attractive appearance to the satisfaction of the Planning Division.
18. Building materials shall be of matte finish in order to reduce glare and match the design of the main mall building.

### DRIVE-THROUGH

19. Hours of operation for the drive-through shall be limited to between 9 a.m. to 9 p.m. The Planning Commission may consider extended hours of operation based upon guidance from the Sheriff's Department or City Traffic Engineer.
20. A traffic monitor shall be provided during peak hours to prevent overflow queuing and ensure safe maneuvering within the parking garage.
21. Adequate bollards shall be installed to ensure safe maneuverability within the parking garage to the satisfaction of the Planning Division.
22. The operator shall demonstrate an ability to prevent problems related to potential noise, litter, loitering, crowd control and parking.
23. A parking area shall be provided for orders that may take additional time to prepare to prevent excess queuing within the parking garage. The parking area may be the same as short-term customer pick-up parking.
24. All parking within the parking garage shall be shared amongst all commercial uses and residential guest parking.
25. The applicant shall demonstrate safe egress from the drive-through pickup window onto Avalon Boulevard. The applicant shall provide a safe curb cut and driveway across the public sidewalk and ensure the safety of pedestrians along Avalon Boulevard to the satisfaction of the City Engineer and City Traffic Engineer.

### GRAFFITI

26. 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.



27. 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.).

#### LIGHTING

28. 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 onto adjacent properties and motorists.
29. Per Section 9138.17(D) of the Carson Municipal Code, the applicant shall provide illumination for all storefront entries.
30. Pedestrian-scale lighting with a minimum one foot candle shall be required along the public right-of-way to the satisfaction of the City Engineer.

#### PARKING

31. The required parking shall meet all applicable standards as outlined in the Carson Municipal Code, including Section 9138.17(D)(12), MU-CS Site Requirements.
32. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
33. Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.
34. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
35. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
36. 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.
37. Parking for the handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.

#### BIKE PARKING

38. Additional bike racks shall be provided to allow customers a choice for mode of transportation. Bike racks shall be installed in compliance with Section 9138.17(D)(12) to the satisfaction of the Planning Division.



## SIGNS

39. A primary wall sign for the restaurant shall be permitted along Avalon Boulevard, however, the primary sign cannot include advertisement for the drive-through. Secondary wall signs may be permitted in accordance with the approved sign program.
40. All signage shall comply with the requirements of the Carson Municipal Code and the approved sign program for City Center. Signs shall be reviewed and approved by the Planning Division and the City Center management prior to installation.
41. Signage for the drive-through shall be kept to a minimum and shall not draw unnecessary attention to motorists as determined by the Planning Division. The drive-through shall remain an ancillary part of the restaurant.
42. Directional signs within the parking garage shall be installed to direct traffic and maneuverability to the satisfaction of the City Traffic Engineer.

## TRASH

43. Trash enclosure design shall be approved by the Planning Division prior to issuance of any building permit(s).

## BUILDING AND SAFETY - COUNTY OF LOS ANGELES

44. Appropriate permits shall be obtained for work that has been done on the property without required permits, or said work shall be removed. All work shall be brought into compliance with applicable codes.

## BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

45. 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.

## PUBLIC SAFETY - CITY OF CARSON

46. Ensure compliance with current seismic mitigation codes.

## SHERIFF'S DEPARTMENT – COUNTY OF LOS ANGELES

47. The applicant and building owner shall provide digital security cameras at the area of the exterior doors and driveway entrances with remote internet access by the LA County Sheriff's Office. Cameras shall be maintained in working order and surveillance footage shall be maintained for a minimum of 30 days on digital media and shared with law enforcement upon request.

ORDINANCE NO. 14-\_\_\_\_\_

AN ORDINANCE OF THE CITY OF CARSON, CALIFORNIA, ADOPTING AN AMENDMENT TO THE ZONING ORDINANCE OF THE CARSON MUNICIPAL CODE REGARDING DRIVE-IN OR DRIVE-THROUGH RESTAURANTS FOR MIXED-USE DEVELOPMENTS IN THE MU-CS ZONING DISTRICT, INCLUDING AN AMENDMENT TO SECTION 9131.1 (USES PERMITTED) OF DIVISION 1 (USES PERMITTED) AND SECTION 9138.17 (MIXED-USE – CARSON STREET (MU-CS)) OF DIVISION 8 (SPECIAL REQUIREMENTS FOR CERTAIN USES) OF PART 3 (COMMERCIAL ZONES)

WHEREAS, this amendment to the Carson Municipal Code (CMC) amends Section 9131.1 (Uses Permitted) to allow a drive-in or drive-through restaurant for mixed-use development in the MU-CS (Mixed-Use – Carson Street) zoning district under certain requirements with approval of a conditional use permit (CUP), and amends Section 9138.17 (Mixed-Use – Carson Street) to add requirements for the establishment of a drive-in or drive-through restaurant in the MU-CS zoning district; and

WHEREAS, allowing a drive-in or drive-through restaurant in a mixed-use development diversifies the uses permitted in the MU-CS zoning district and provides convenience to the community that would not otherwise be permitted; and

WHEREAS, the purpose of the MU-CS zoning district is to create a downtown retail and residential district which will provide the City of Carson with a distinctive core area which includes the Civic Center and a distinctive mixed-use character throughout the Carson Street Corridor; and

WHEREAS, it is necessary for the City to make appropriate updates to its Zoning Ordinance due to community needs and economic changes; and

WHEREAS, the proposed ordinance amendment is consistent with the Carson Municipal Code and General Plan; and

WHEREAS, on March 25, 2014, the Planning Commission held a public hearing to discuss an ordinance amendment to the CMC regarding drive-in or drive-through restaurants for mixed-use development in the MU-CS zoning district, which at the conclusion of said public hearing, the Planning Commission recommended to the City Council approval of said ordinance amendment; and

WHEREAS, on \_\_\_\_\_, 2014, the City Council held a public hearing to discuss the ordinance amendment to the Carson Municipal Code (CMC) regarding drive-in or drive-through restaurants for mixed-use development in the MU-CS zoning district.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

**Section 1.** Section 9131.1 (Uses Permitted) of Division 1 (Uses Permitted) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended by adding the following underlined text under the category "Drive-in or drive-through restaurants" with all other text remaining unchanged as follows:

	"ZONES"					
	CN	CR	CG	CA	MU-CS	MU-SB
Drive-in or drive-through restaurants. (See CMC 9133 and 9138.17)"	X	X	X	C	<u>C</u>	

**Section 2.** Section 9138.17 (Mixed-Use – Carson Street (MU-CS)) of Division 8 (Special Requirements for Certain Uses) of Part 3 (Commercial Zones) of Chapter 1 (Zoning) of Article IX (Planning and Zoning) of the Carson Municipal Code is hereby amended by adding the following underlined text and creating a new category, "14. Drive-in or drive-through restaurants" at the end of subsection D (Site Requirements) and prior to subsection E (Landscaping) with all other text remaining unchanged as follows:

"14. Drive-In or Drive-Through Restaurants.

- a. Drive-in or drive-through restaurants are only permitted for multi-level mixed-use developments on 4 acres or greater that contain a mixture of commercial and residential uses and includes senior or affordable housing.
- b. Only one drive-in or drive-through restaurant is permitted per mixed-use development.
- c. The drive-in or drive-through shall be ancillary to the main restaurant and designed to not draw excessive attention.
- d. Signage for the drive-in or drive-through shall be kept to a minimum and approved through a development plan.
- e. A traffic report shall be prepared by a qualified traffic engineer and reviewed and approved by the city traffic engineer for proper queuing, adequate circulation, and available parking.
- f. A conditional use permit shall be obtained in compliance with CMC Section 9172.21 and approved by the Planning Commission."

**Section 3.** If any provision(s) of this Ordinance or the application thereof to any person or circumstances is held invalid or unconstitutional by any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any other provision or application, and to this end the provisions of this ordinance are declared to be severable. The City Council hereby declares that they would have adopted this ordinance and each section,

subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections, subsections, clauses, phrases, parts or portions thereof be declared invalid or unconstitutional.

**Section 5.** The City Clerk shall certify to the adoption of this Ordinance, and shall cause the same to be posted and codified in the manner required by law.

**Section 6.** This ordinance shall be effective thirty (30) days following its adoption.

**PASSED, APPROVED, and ADOPTED** this \_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Mayor Jim Dear

ATTEST:

\_\_\_\_\_  
City Clerk Donesia L. Gause, CMC

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney



CITY OF CARSON

PLANNING COMMISSION

RESOLUTION NO. 09-2266

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING TENTATIVE TRACT MAP NO. 70818 FOR THE SUBDIVISION OF SEVEN (7) EXISTING LOTS INTO TWO (2) GROUND LOTS AND SEVEN (7) AIRSPACE LOTS FOR THE DEVELOPMENT OF A MIXED-USE PROJECT LOCATED AT 708-724 E. CARSON STREET AND 21720-21814 S. AVALON BOULEVARD

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, Thomas Safran & Associates, with respect to real property located at 708-724 E. Carson Street and 21720-21814 S. Avalon Boulevard, and described in Exhibit "A" attached hereto, requesting the approval of Tentative Tract Map No. 70818 for the subdivision of seven (7) existing lots into two (2) ground lots and seven (7) airspace lots in the MU-CS (Mixed-Use - Carson Street) zoning district and within Redevelopment Project Area No. 4.

A public hearing was duly held on August 25, 2009, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

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

Section 3. The Planning Commission finds that:

a) The proposed tentative tract map would create a total of two (2) ground lots and seven (7) airspace lots from seven (7) existing lots for the development of a mixed-use project approved by the Planning Commission on February 26, 2008. The total area is 4.29 acres. The proposed subdivision and all properties included are subject to conditions, covenants, and restrictions (CC&Rs) for the maintenance of all common areas and parking lots subject to review by the City Attorney for form and content.

b) The proposed map, including design and improvements of the proposed subdivision will be consistent with the Land Use Element of the General Plan which currently designates the properties for Mixed Use Residential development.

c) The design of the subdivision and its proposed improvements will not cause serious public health problems since the proposed project is an improvement to a blighted area that the Redevelopment Agency wants to improve.

d) There will be adequate street access and traffic capacity on Avalon Boulevard and Carson Street, both of which are major highways as identified in the Transportation and Infrastructure Element of the General Plan. Regional access onto the 405 Freeway is available approximately one-half mile to the north on Avalon Boulevard and one-half mile to the east on Carson Street.

e) The project involves no potential for any adverse effect, either individually or cumulatively, on wildlife resources and therefore a De Minimis Impact Finding is made relative to AB 3158, Chapter 1706, Statutes of 1990.

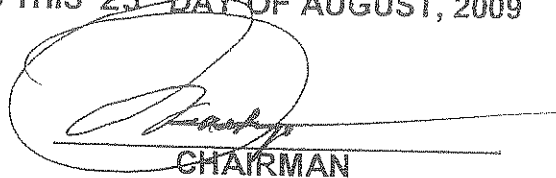
**Section 4.** The Planning Commission further finds that the proposed subdivision will not have a significant effect on the environment as indicated in the Initial Study and Mitigated Negative Declaration adopted on February 26, 2008.

**Section 5.** Based on the aforementioned findings, the Commission hereby approves Tentative Parcel Map No. 70818 with respect to the property described in Section 1 hereof, 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 25<sup>th</sup> DAY OF AUGUST, 2009

  
CHAIRMAN

ATTEST:

  
SECRETARY

EXHIBIT "A"

LEGAL DESCRIPTION

PARCELS 1&2 OF LOT LINE ADJUSTMENT NO. 235-08, OR NO 20081992752, RECORDED ON 11/12/08.

ASSESSOR'S PARCEL NUMBER: 7332-001-001, 7332-001-002, 7332-001-003, 7332-001-004, 7332-001-900, 7332-001-901, 7332-001-902

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

THOMAS SAFRAN OWNED PARCELS

NORTH WESTERLY PORTION OF PROJECT SITE

PARCEL 1:

THAT PORTION OF LOT 56 OF TRACT 2982, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 35, PAGE 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

BEGINNING AT A POINT IN THE WESTERLY LINE OF SAID LOT 56, DISTANT THEREON NORTHERLY 543.19 FEET FROM THE SOUTHWESTERLY CORNER OF SAID LOT; THENCE EASTERLY, PARALLEL WITH THE NORTHERLY LINE OF SAID LOT TO A POINT IN THE EASTERLY LINE OF THE WESTERLY 25.00 TO FEET OF SAID LOT, SAID POINT BEING THE SOUTHEASTERLY CORNER OF THE LAND DESCRIBED AS PARCEK 19-27, IN THE DEED TO THE COUNTY OF LOS ANGELES, RECORDED FEBRUARY 24, 2965, AS INSTRUMENT NO. 3153, IN BOOK D-2809, PAGE 543, OF OFFICIAL RECORDS OF SAID COUNTY, SAID POINT BEING ALSO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUING EASTERLY, PARALLEL WITH THE NORTHERLY LINE OF LOT 56, A DISTAINCE OF 135.00 FEET, MORE OR LESS, TO THE SOUTHWESTERLY CORNER OF LAND DESCRIBED IN THE DEED TO JOHN D. CALAS AND KAY CALAS, RECORDED JULY 30, 1963, AS INSTRUMENT NO. 126, IN BOOK D-2122, PAGE 392 OF SAID OFFICIAL RECORDS; THENCE NORTHERLY, ALONG THE WESTERLY LINE OF SAID LAND OF CALAS, A DISTANCE OF 135.00 FEET TO THE SOUTHEASTERLY CORNER OF THE LAND DESCRIBED AS PARCEL 23-27 IN THE HEREINBEFORE MENTIONED DEED TO THE COUNTY OF LOS ANGELES, THENCE ALONG THE BOUNDARIES OF SAID PARCEL 23-27 WESTERLY A DISTANCE OF 118.00 FEET AND SOUTHWESTERLY, A DISTANCE OF 24.05 FEET TO THE MOST SOUTHERLY CORNER OF SAID PARCEL 23-27; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF THE HERINBEFORE METIONED PARCEL 19-27, A DISTANCE OF 118.00 FEET TO THE TRUE POINT OF BEGINNING.\

Parcel 3:

THE EASTERLY 45.00 FEET OF THE PORTION OF LOT 56 OF TRACT NO. 2982, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP



RECORDED IN BOOK 3 PAGE 31, OF MAPS, IN THE COUNTY RECORDER OF SAID COUNTY, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE WESTERLY LINE OF SAID LOT 56, DISTANT THEREON NORTH 543.19 FEET FROM THE SOUTHWESTERLY CORNER OF SAID LOT; THENCE EASTERLY PARALLEL WITH AND DISTANT WESTERLY 100 FEET, MEASURED ALONG AND PARALLEL WITH NORTHERLY LINE OF SAID LOT FROM EASTERLY LINE OF SAID LOT 56; THENCE NORTHERLY ALONG SAID PARALLEL LINE TO THE NORTHERLY LINE OF SAID LOT 26, IN THE SOUTHERLY LINE OF CARSON STREET; THENCE WESTERLY ALONG SAID STREET TO THE NORTHWEST CORNER OF SAID LOT; THENCE SOUTHERLY ALONG LUCILE STREET, NOW AVALON BOULEVARD, 155 FEET TO THE TRUE POINT OF BEGINNING.

EXCEPT THEREFROM THENORTHERLY 20.00 FEET THEREOF.

#### REDEVELOPMENT AGENCY OWNED PARCELS

SOUTHERLY 252.00 FEET OF PROJECT SITE

ALL THAT CERTAIN REAL PROPERTY SITUATED IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

#### PARCEL 1

THE NORTH 126 FEET OF THE SOUTH 252 FEET OF LOT 56 OF TRACT NO. 2982, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 35, PAGE 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPT THEREFROM ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES, LYING BELOW A DEPTH OF 500 FEET, WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED IN INSTRUMENT OF RECORD.

THE NORTH LINE THEREOF TO BE PARALLEL WITH THE SOUTH LINE OF SAID LOT.

EXCEPT THE WESTERLY 25 FEET OF THE NORTHERLY 126 FEET OF THE SOUTHERLY 252 FEET OF LOT 56, TRACT NO. 2982, AS SHOWN ON MAP RECORDED IN BOOK 35, PAGE 31 OF MAPS IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ALSO EXCEPT THEREFROM THAT PORTION WITHIN THE WESTERLY 15 FEET OF THE NORTHERLY 63 FEET OF THE SOUTHERLY 252 FEET OF SAID LOT.

#### PARCEL 2

THE NORTH 63 FEET OF THE SOUTH 126 FEET OF LOT 56 OF TRACT NO. 2982, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 35, PAGE 31 OF MAPS, IN THE OFFICE OF THE RECORDER OF THE COUNTY OF LOS ANGELES.



PARCEL 3

THE SOUTH 63 FEET OF LOT 56 OF TRACT NO 2982, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 35, PAGE 31 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

THE NORTH LINE THEREOF TO BE PARALLEL WITH THE SOUTH LINE OF SAID LOT.

EXCEPT THE EASTERLY 10 FEET OF THE WESTERLY 25 FEET OF THE SOUTHERLY 63 FEET OF LOT 56, TRACT NO. 2982, AS SHOWN ON MAP RECORDED IN BOOK 35, PAGE 31 OF MAPS, IN THE OFFICE OF THE RECORDER OF THE COUNTY OF LOS ANGELES.

APN: 7332-001-900; 7332-001-901; 7332-001-902

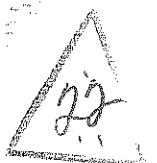


CITY OF CARSON  
DEVELOPMENT SERVICES GROUP  
PLANNING DIVISION  
EXHIBIT "B"

CONDITIONS OF APPROVAL  
TENTATIVE TRACT MAP NO. 70818

GENERAL CONDITIONS

1. The applicant shall comply with all city, county, state and federal laws and regulations applicable to this land division.
2. Conditions set forth in Planning Commission Resolution No. 08-2193 adopted on February 26, 2008, approving Design Overlay Review No. 1256-07, Conditional Use Permit No. 685-07, and Conditional Use Permit No. 686-07 shall apply to this proposed subdivision unless specifically modified, added, or deleted herein. In the event that a previously approved condition(s) conflicts with a condition(s) contained herein, the condition(s) contained herein shall control.
3. Final map recordation cannot occur until the developer has sole ownership of the entire site, including those lands currently owned by the Carson Redevelopment Agency. In the event the developer fails to consolidate the site under one ownership and this tentative map expires, a new tentative map would have to be submitted for review and approval.
4. A copy of the CC&Rs (Conditions, Covenants, and Restrictions) shall be submitted to the Planning Division for transmittal to the City Attorney for review and approval as to form and content. The CC&Rs shall contain statements that the project will be in compliance with city, county and state regulations and address issues dealing with property maintenance of parking and common areas.
5. Conditions not required to be fulfilled prior to, or shown on the final map, shall be stated on a separate document to be recorded with the final map.
6. On the date a subsequent tentative map or tentative parcel map is approved for this site, any previously approved but unrecorded maps shall become null and void.
7. The recorded map shall conform to the tentative map approved by the Planning Commission and to the Conditions of Approval. Two copies of the final recorded map shall be submitted to the Economic Development Group.



8. The final map shall be recorded with the County Recorder within two years of the Planning Commission's approval of the tentative map, unless an extension is granted.
9. Each extension of Tentative Tract Map No. 70818, provided for in the Subdivision Ordinance, must be secured from the Planning Commission prior to expiration of this map.
10. The applicant shall file an Affidavit of Acceptance with the Planning Division within 30 days of receipt of the signed Planning Commission resolution. The applicant shall record said Affidavit and these conditions of approval in the Office of the Los Angeles County Recorder, and proof of such recordation shall be submitted to the Planning Division within 30 days of receipt of the Redevelopment Agency resolution.
11. If any condition herein is violated, or if any law, statute or ordinance is violated, the permit shall lapse provided the applicant has been given written notice to cease such violation and has failed to do so for a period of 30 days.
12. Minor lot line adjustments may be made to the satisfaction of the Planning Manager prior to the final approval of the map by the City Council.
13. The pad elevation on the grading plan shall not differ by more than six inches with the approved Tentative Parcel Map without approval by the Development Services Group.
14. 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 Tentative Tract Map No. 70818. 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.

#### BUILDING AND SAFETY

15. A building permit may be issued prior to the recordation of the final map provided any reliance on such permit shall not result in any vested right to complete the improvements except as provided in Government Code Sections 66498.1 et. seq. and provided further, that the applicant shall execute an acknowledgment of acceptance of this fact.



16. An "Acknowledgment of No Vested Rights in Tentative Map Approval" form shall be filed with the City of Carson prior to the issuance of a building permit except as provided in Government Code Sections 66498.1 et. seq.

COUNTY OF LOS ANGELES – DEPARTMENT OF PUBLIC WORKS

17. Prior to final map approval, a drainage concept and Standard Urban Stormwater Mitigation Plan (SUSMP), Will Serve letter from the water purveyor, and revised tentative map shall be reviewed and approved. Final map approval will not be granted until the items listed above have been received and found satisfactory.

18. A grading plan and soils report shall be submitted and approved prior to approval of the final map. The grading plans must show and callout the construction of the drainage devices and details, paved driveways, elevation and drainage of all pads, and SUSMP devices. The applicant shall show and callout all existing easements on the drainage plan and obtain the easement holder approvals prior to grading plan approval.

Roads

19. Provide a property line return radius of 27 feet plus additional right of way for a corner cut-off at the intersection of Avalon Boulevard and Carson Street to the satisfaction of the City Engineer.
20. Dedicate vehicular access rights on Avalon Boulevard and Carson Street.
21. Close any unused driveway with standard curb, gutter, and sidewalk along the property frontage on Avalon Boulevard and Carson Street.
22. Reconstruct driveways and existing curb ramp to meet current Americans with Disabilities Act requirements to the satisfaction of the City Engineer.
23. Construct driveways along the property frontage on Avalon Boulevard and Carson Street to the satisfaction of the City Engineer.
24. Close the raised median on Carson Street to the satisfaction of the City Engineer.
25. Repair any displaced, broken, or damaged curb, gutter, sidewalk and pavement along the property frontage on Avalon Boulevard and Carson Street to the satisfaction of the City Engineer.
26. Plant street trees on Avalon Boulevard and Carson Street to the satisfaction of the City Engineer. Existing trees in dedicated, or to be dedicated, right of way shall be removed if not acceptable as street trees.
27. Comply with any additional requirements, if any, as means of mitigating any traffic impacts. Detailed signing and striping plans and/or traffic and lighting plans may be required.





28. Comply with the following street lighting requirements:

- a. Provide street lights on concrete poles with underground wiring along the property frontage on Avalon Boulevard and Carson Street to the satisfaction of the City Engineer. Submit street lighting plans, along with existing and/or proposed underground utilities plans, as soon as possible for review and approval to the County of Los Angeles Department of Public Works' Traffic and Lighting Division, Street Lighting Section. For additional information, please contact the Street Lighting Section at (626) 300-4726.
- b. The operation and maintenance of the street lights on the private and future street shall remain the responsibility of the developer/property owner/Home Owners' Association until such time as the street(s) are accepted for maintenance by the City Engineer. Assessments will be imposed on portions of the development served by gated private and future streets (if any) as a result of benefits derived from existing or future street lights on adjacent public roadways.
- c. The proposed development or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.
  - i. Request the street Lighting Section to commence annexation and levy of assessment proceedings.
  - ii. Provide business/property owner's name(s), mailing address(3s), site address, Assessor Parcel number(s), and parcel boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.
  - iii. Submit a map of the proposed development, including any roadways conditioned for street lights that are outside the proposed project area, to Street Lighting Section. Contact the Street Lighting Section for map requirements with any questions at (626) 300-4726.
- d. The annexation and assessment balloting process takes approximately 10 to 12 months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the



assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.

- e. For acceptance of street light transfer of billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works-approved plans. The contractor shall submit one complete set of As-built plans. Provided the above conditions are met, all street lights in the development, or the current phase of the development, have been energized, and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year. The transfer of billing could be delayed one or more years if the above conditions are not met. The Lighting District cannot pay for the operation and maintenance of street lights on gated private and future street(s).
29. Prior to final map approval, enter into an agreement with a City-franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of City Engineer or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of City Engineer.

Sewer

30. All requirements of the Los Angeles County Department of Public Works and City of Carson Engineering Division regarding sewer use shall be met.

Water

31. A water system maintained by the water purveyor, with appurtenant facilities to serve all parcels in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
32. There shall be filed with the City Engineer a statement from the water purveyor indicated that the water system will be operated by the purveyor, that under normal conditions the system will meet the requirements for the land division, and that water service will be provided to each lot.
33. Submit landscape and irrigation plans for each open space lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance to the satisfaction of the City Engineer.



### Subdivision

34. Place a note on the final map, to the satisfaction of the City Engineer, indicating that this map is approved as a mixed-use project for two ground-level lots and seven airspace lots. Two of the airspace lots are underground.
35. Label driveways and multiple access strips as a private driveway and fire lane and delineate on the final map to the satisfaction of the City Engineer.
36. If required, provide suitable turnaround and label the driveway private driveway and fire lane on the final map to the satisfaction of the Fire Department.
37. Provide reciprocal easements for drainage, ingress/egress, sewer, water, utilities, and maintenance purposes, etc., over the common driveway in document to the satisfaction of the City Engineer.
38. Relocate or quitclaim any easements interfering with building locations to the satisfaction of the City Engineer.
39. Provide addressing information in Microsoft Excel format to the satisfaction of the City Engineer.
40. Remove the existing building prior to final map approval. Demolition permits are required from Public Works' Building and Safety District office.
41. Private easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication until after the final map is filed with the Registrar-Recorder/County Clerk's office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.
42. A final guarantee will be required at time of filing of the final map with the Registrar-Recorder/County Clerk's Office.
43. A final map prepared by, or under the direction of, a pre-1982 registered Civil Engineer or licensed Land Surveyor must be processed through the City Engineer prior to being filed with the Registrar-Recorder/County Clerk's office.

### Storm Drain and Hydrology

44. A Standard Urban Stormwater Mitigation Plan (as part of the drainage concept) is required prior to tentative map approval.
45. Prior to tentative map approval for drainage, submit a drainage concept showing the extent of drainage impacts and provide mitigation acceptable to the County. The analysis should address increases in runoff, any change in drainage patterns, debris producing areas, and the capacity of existing storm drain facilities. Provide line identification of all proposed drainage facilities. Preliminary soils and geology reports related to debris, retention, and detention

basins may be required based on geographic and adverse geotechnical conditions. Provide engineering calculations to support sizing of debris, retention and detention basins. Provide approximate flood hazard and bank erosion setbacks and lot identifications (as needed). Show slopes for existing and proposed streets.

46. Prior to tentative map approval for drainage, submit a revised exhibit map showing clear and legible contour lines, existing offsite elevations and proposed onsite elevations at the property line, offsite drainage patterns, and existing & proposed drainage patterns. Show and label all existing Los Angeles County drainage systems and easements.

#### Grading

47. A revised tentative map and/or exhibit map is required to show the following additional items:
- a. Pad elevations for all proposed street level/underground lots (Ground level lot Nos. 1 & 2, and lot Nos. 3 & 4).
  - b. Earthwork volume.
  - c. Benchmark information.
  - d. All existing on-site public and private easements with names of the holder, document numbers and recorded dates. Label all easements as "to remain," "to be relocated," or "to be abandoned."
  - e. Delineate the limits of the entire fire lane, including any turn around areas required by the fire department, limits of grading, longitudinal grades, pavement dimension and curve data.
  - f. Disclose grading quantities shown on the tentative map and subdivision application (grading quantities shall cut, fill and over-excavation).
  - g. The tentative map appears only showing the proposed precise building pad elevations, it is recommended to show the existing topography, the rough grading/proposed pad elevation, and the location of the underground building footprint on the revised tentative map.

## CITY ENGINEERING DIVISION

(Note: The following conditions shall be completed, unless otherwise completed as part of DOR No. 1256-07.)

48. The Developer shall submit a copy of **approved** Grading plans on bond paper to the City of Carson – Engineering Division, prior to issuance of grading permits.
49. The Developer shall submit 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.
50. 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.
51. 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.
52. A construction permit is required for any work to be done in the public right-of-way.
53. Prior to final map approval, quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
54. Prior to final map approval, a soils report, sewer area study, drainage concept, hydrology study and stormwater quality plan shall be reviewed and approved. Tentative map approval 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.
55. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings in the development must be provided prior to tentative map approval. 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.
56. A Final Map prepared by, or under the direction of, a pre-1982 Registered Civil Engineer or Licensed Land Surveyor must be processed through the City Engineer prior to being filed with the County Recorder.
57. CC&R's (covenants, conditions, and restrictions) to address drainage responsibilities are required prior to Final Map approval.
58. Private easement will not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication until after the Final Map is filed with the County Recorder. If easements are granted after the date of tentative map

approval, a subordination must be executed by the easement holder prior to the filing of the Final Map.

59. The Developer shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of street light operation and maintenance. The annexation shall be to the satisfaction of L.A. County and shall be completed prior to the approval of the Final Map. Additional streetlight installation or upgrade to existing streetlights may be required as part of the annexation. *(annexation procedure is approximately 12-month)*
60. Provide suitable turnaround and label the driveways "Private Driveway and Fire Lane" on the Final Map to the satisfaction of the Fire Department.
61. A determination should be made that this project is in compliance with the California Environmental Quality Act. The findings and considerations required by Sections 66473.5, 66474, and 66474.6 of the Subdivision Map Act should be made by the City Council. The following finding should be made by the City Council if any dedications are made by certificate on the Final Map:
  - a. *The City Council hereby determines that division and development of the property in the manner set forth on the map of Tract Map No. 70818 will not unreasonably interfere with the free and complete exercise of the public entity and/or public utility rights of way and/or easements within the Tract Map.*
62. The Developer shall send a print of the development map to the County Sanitation District, to request for annexation. The request for annexation must be approved prior to Final Map approval.
63. A final guarantee will be required at the time of the filing of the Final Map with the County Recorder/County Clerk's Office.
64. An electronic file (.dwg or .dxf) of the Final Map shall be submitted in a CD media, upon request of the City.
65. At the time of approval of Final Map 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.
66. Additional Right-of-Way is required beyond the existing right-of-way line. Dedicate 10-ft of additional right-of-way abutting the development along Avalon Blvd. New Right-of-Way line shall be 60-ft from existing centerline. Length of dedication is approximately 250-ft south of the southerly curb line of Carson Street. Developer shall include dedication on the Final Map.
67. Prior to final map approval, dedicate a 5'x15' easement for future bus shelter along Carson Street adjacent to the proposed development.

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

68. Drainage/Grading plan prepared by a registered Civil Engineer, to the satisfaction by the Los Angeles County Department of Public Works.



69. 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.
70. 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 along Avalon Blvd and along Carson Street
  - b. Sewer Main Improvements *(if any)* along Avalon Blvd and along Carson Street as determined by the aforementioned sewer area study.
  - c. Storm Drain Improvements *(if any)* along Avalon Blvd and along Carson Street as determined by the aforementioned requirement.
71. 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.
72. Proof of Worker's Compensation and Liability Insurance.
73. ~~For Phase 2, the Developer shall pay \$4,672 per multi-family dwelling unit in Park and Recreation Fees.~~ [STRICKEN AT AUGUST 25, 2009 PLANNING COMMISSION MEETING]

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

74. Prior to recordation of the Final Map, the Developer shall pay ~~\$4,672 per multi-family dwelling unit in Park and Recreation Fees for Phase 1.~~ The Developer shall pay the remainder of the Park and Recreation fees for Phase 2 prior to recordation of the Final Map. \$512,794 in Park and Recreation Fees. [MODIFIED ON OCTOBER 11, 2011, BY PLANNING COMMISSION; MOD. NO. 2 TO DOR NO. 1256-07, CUP NO. 685-07, CUP NO. 686-07, AND TPM NO. 70818]
75. Final Map shall be recorded.
76. 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.
77. Repair any broken or raised sidewalk, curb and gutter along Avalon Blvd and along Carson Street within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
78. 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, Carson Street Mixed Used Master Plan and to the satisfaction of the City Engineer.

31

79. Plant approved parkway trees on locations where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134 and Carson Street Mixed Used Master Plan.
80. Install irrigation system for the purpose of maintaining the parkway trees.
81. Modify existing raised landscaped median along the frontage of the development along Avalon Blvd and along Carson Street to the satisfaction of the City Engineer.
82. 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.
83. 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.
84. The developer shall construct new driveway approaches per City of Carson Standard and in compliance with the ADA requirements. The Developer shall protect or relocate any facilities to accommodate the proposed driveway approach. The maximum driveway approach width allowed for the site is 30 feet.
85. Modify existing wheelchair ramp at the corner of Avalon Blvd and Carson Street per City of Carson Standard, in compliance with ADA requirements.
86. All new utility lines, servicing the proposed development abutting the proposed development shall be underground to the satisfaction of the City Engineer.
87. Comply with any additional requirements, if any, as means of mitigating any traffic impacts as identified by the City Traffic Engineer.
88. Paint curbs red along Avalon Blvd and along Carson Street within or abutting this proposed development. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval.
89. 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.
90. 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.
91. Streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed 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)
92. 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.





93. 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.
94. 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.

CITY REVENUE DIVISION

95. 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 valid City Business License.

COUNTY OF LOS ANGELES – FIRE DEPARTMENT

96. All conditions required by the County of Los Angeles Fire Department shall be met. Fire Department conditions are on file at the City Planning Division.



CITY OF CARSON  
PLANNING COMMISSION  
RESOLUTION NO. 08-2193

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1256-07, CONDITIONAL USE PERMIT NO. 685-07, AND CONDITIONAL USE PERMIT NO. 686-07 FOR THE CONSTRUCTION OF A 236-UNIT RESIDENTIAL MIXED-USE DEVELOPMENT FOR PROPERTY LOCATED AT 708-724 E. CARSON STREET AND 21720-21814 S. AVALON BOULEVARD.

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, Thomas Safran Associates, with respect to real property located at 708-724 E. Carson Street and 21720-21814 S. Avalon Boulevard as described in Exhibit "A" attached hereto, requesting the approval of a 236-unit residential mixed-use development on 4.29 acres. The request includes:

- Design Overlay Review (DOR) No. 1256-07 for development within the Mixed-Use – Carson Street (MU-CS) Corridor;
- Conditional Use Permit (CUP) No. 685-07 for shared parking; and
- CUP No. 686-07 for a mixed-use development.

A public hearing was duly held on February 26, 2008, 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. Pursuant to Section 9162.24 of the CMC, when two or more uses share a parking facility, and when demonstrated by a signed affidavit that the hours of their demand do not substantially overlap, then the parking requirement may be reduced by the Planning Commission through the approval of a Conditional Use Permit pursuant to Section 9172.21 (D). Pursuant to CMC Section 9131.1 (Uses Permitted), a Conditional Use Permit is required for Mixed-Use (commercial/residential) developments within the MU-CS (Mixed-Use – Carson Street) zone. The Planning Commission finds that:

1. The proposed project is consistent and adheres to 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 mixed-use development is consistent with development standards of the recently adopted MU-CS (Mixed-Use – Carson Street) zone. The proposed project will be a focal point at the corner of Avalon Boulevard and Carson Street, and an exemplary example of a mixed-use development. The commercial portion is oriented at the ground level along Avalon Boulevard and Carson Street, which provides an urban presence and pedestrian-oriented amenities.

2. The design and architecture of the proposed development conforms to all the applicable design and development standards of the MU-CS (Mixed-Use – Carson Street) zone, with exception to building height, floor area ratio (FAR), density, private open space, and parking. The project complies with Section 9126.91 of the CMC, in that 36 percent of the units are affordable senior citizen households. In approving development plans for residential projects qualifying under this Section, the approving authority may allow deviations from the development standards relating to FAR, density, private open space, and parking. In addition, CUP No. 685-07 for shared parking is being proposed to address the number of parking spaces.

3. The project is pedestrian oriented as the building is oriented toward the street and restaurant and retail uses will serve the residents and surrounding community. The commercial portion of the project is designed to encourage pedestrian activity. The design and architecture of the project features a very eclectic style of architecture, combining European influences in each section of the elevations. A clock tower is proposed at the intersection of Avalon Boulevard and Carson Street and 86 senior housing units will be located on the northern portion of the development. The remaining elevation along Avalon Boulevard contains a variety of architectural building sections to break the long elevation. The first floor of the building features a different veneer for each building section in addition to canvas awnings, plaster coated foam trim, recessed aluminum storefronts and decorative entry signage per tenant. The remainder of the building includes 25-year dimensional shingle roofing with decorative ridgeline; decorative cornice and wrought iron railing; vinyl French doors; and stucco banding throughout. The project includes ample side and rear yard setbacks, lush landscaping, and adequate design amenities. Conditions of approval have been included to mitigate potential conflicts between the commercial and residential uses.<sup>1</sup>

4. The proposed mixed-use project is compatible with similar approved housing projects and anticipated development within the MU-CS (Mixed-Use – Carson Street) zone. 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 mixed-use 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 of the area.

5. The on-site circulation pattern and parking areas meet the requirements of the MU-CS (Mixed-Use – Carson Street) zone, with the exception of required guest and senior housing parking stalls. The findings under Conditional Use Permit (CUP No. 685-07) will address these deviations. Customer and guest parking areas located on the ground floor provide adequate and safe circulation of vehicles and pedestrians on site. A condition will be placed that delivery of merchandise be limited to off-peak hours to the extent feasible. Senior and condominium resident parking located in the subterranean garage also provide adequate and safe circulation of vehicles and pedestrians on site. Carson Street and Avalon Boulevard are major thoroughfares that can accommodate the expected traffic to be generated from the proposed development.

6. Based on Section 9138.17 (Mixed-Use – Carson Street) of the CMC, Section D (12), 690 parking spaces are required for the mixed-use development which includes commercial, restaurant, resident guest and residential uses. As the project contains more than 10% affordable, senior housing units, it qualifies for a reduction in the required parking for senior housing. As such, the applicant proposes a 0.7 ratio for 85 of the senior housing units and a 0.75 ratio for overall guest parking. Based on this reduced ratio, 558 parking spaces would be

<sup>1</sup> On Oct. 11, 2011, the Planning Commission approved an 80-foot-high bell tower in the south portion of the building because of its exceptional design and overall appearance in accordance with Section 9138.17(D)(6)(e). Mod. No. 2 to DOR No. 1256-07, CUP No. 685-07, and CUP No. 686-07

required for the project. The maximum parking demand as identified in the shared parking analysis for the project would be 566 parking spaces before shared parking factors are considered. A total of 580 parking spaces are proposed on site, which includes 202 parking spaces on the ground level for commercial and residential guest parking and 378 subterranean parking spaces (78 for senior residents and 300 for condominium residents). Based on these findings, it is anticipated that the project, even at peak lunch periods, will be able to provide adequate on-site parking.

7. The project features building mounted signage above the proposed business shops. A specific sign program shall be developed for the project subject to the review and approval of the Planning Commission prior to the issuance of building permits for the project. With the implementation of this sign program, the attractiveness, effectiveness and restraint in signing, graphics and color can be made at this time. All signage shall comply with the requirements in the MU-CS (Mixed-Use – Carson Street) zone.

8. The County Fire Department has reviewed the proposed project and concludes that adequate water supply exists to meet current and anticipated fire suppression needs. The County Fire Department has imposed several conditions, which are incorporated in the Conditions of Approval for this project.

9. Approval of the Conditional Use Permit is contingent upon the City Council's approval of the final subdivision map. 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. The Planning Commission further finds that the use permitted by the proposed project will not have a significant effect on the environment as indicated in the Initial Study and Mitigated Negative Declaration prepared for this project.

Section 5. Based on the aforementioned findings, the Planning Commission hereby approves Design Overlay Review No. 1256-07, Conditional Use Permit No. 685-07, and Conditional Use Permit No. 686-07 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 26<sup>th</sup> DAY OF FEBRUARY, 2008.

ATTEST:

SECRETARY

CHAIRMAN

## EXHIBIT "A"

All that certain real property situated in the County of Los Angeles, State of California, described as follows:

Parcel 1:

The Easterly 45.00 feet of the portion of Lot 56 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31, of Maps, in the Office of the County Recorder of said County, described as follows:

Beginning at a point in the Westerly line of said Lot 56, distant thereon North 543.19 feet from the Southwesterly corner of said Lot; thence Easterly parallel with the Northerly line of said Lot 56 to a point in a line drawn parallel with and distant Westerly 100 feet, measured along and parallel with the Northerly line of said Lot from the Easterly line of said Lot 56; thence Northerly along said parallel line to the Northerly line of said Lot 26, in the Southerly line of Carson Street; thence Westerly along said Street to the Northwest corner of said Lot; thence Southerly along Lucile Street, now Avalon Boulevard, 155 feet to the true point of beginning.

Except therefrom the Northerly 20.00 feet thereof.

Parcel 2:

That portion of Lot 56 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31, of maps, in the Office of the County Recorder of said County, described as follows:

Beginning at a point in the Westerly line of said Lot 56, distant thereon Northerly 504 feet from the Southwest corner of said Lot, said point of beginning being also the Northwest corner of that parcel of land, as provided to E. William Ulrich, et al., by deed recorded in Book 2009, Page 251, of Official Records; thence Northerly along Lucile Street, 39.19 feet; thence Easterly parallel with the Northerly line of said Lot 56 to a point in a line drawn parallel with and distant Westerly 100 feet, measured along and parallel with the Northerly line of said Lot 56, from the Easterly line of said Lot; thence Southerly along said parallel line to the Northerly line of said land of Ulrich, et al.; thence Westerly along the Northerly line of said land to the point of beginning.

Except therefrom the 10 feet of the Westerly 25 feet.

Parcel 3:

The North 63 feet of the South 504 feet of Lot 56 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in



Book 35, Page 31 of Maps, in the Office of the County Recorder of said County, the North line thereof to be parallel with the South line of said Lot.

Parcel 4:

The North 63 feet of the South 441 feet of Lot 56 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31, of Maps, in the Office of the County Recorder of said County, the North line thereof to be parallel with the South line of said Lot.

Except therefrom the Easterly 10 feet of the Westerly 10 feet.

Also except therefrom 50% of all mineral rights, as reserved in the deed from Helen J. Ryder, a married woman as her sole and separate property and B. E. Ryder, her husband also known as Bayard Edward Ryder, recorded in Book 21221, Page 358, Official Records.

Parcel 5:

The North 63 feet of the South 378 feet of Lot 56 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County, the North line thereof to be parallel with the South line of said Lot.

Except therefrom the Easterly 10 feet of the Westerly 25 feet.

Parcel 6:

The North 63 feet of the South 315 feet of Lot 56 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31, of maps, in the Office of the County Recorder of said County, the North line thereof to be parallel with the South line of said Lot.

Except therefrom the Easterly 10 feet of the Westerly 25 feet.

Parcel 7:

That portion of Lot 56 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County, described as follows:

Beginning at a point in the South boundary line of Carson Street, distant 100 feet West from the intersection of the East boundary line of said Lot with the said South boundary line of Carson Street; thence South parallel with the East boundary line of said Lot, to the North boundary line of the lands conveyed to E. William Ulrich, et al., recorded in Book 2009, Page 251, Official Records; thence East along the North boundary of the lands so conveyed to the East line of said Lot 56; thence North along the East line of said Lot to the intersection with South

File No: 06157517

boundary line of Carson Street; thence West along the South boundary line of Carson Street, 100 feet to the point of beginning.

Except therefrom the Northerly 20.00 feet thereof.

Assessor's Parcel Number: 7332-001-002; 7332-001-003;  
7332-001-004



## EXHIBIT "A"

All that certain real property situated in the County of Los Angeles, State of California, described as follows:

Parcel 1:

The North 126 feet of the South 252 feet of Lot 56 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of maps, in the Office of the County Recorder of said County.

Except therefrom all oil, gas, minerals and other hydrocarbon substances, lying below a depth of 500 feet, without the right of surface entry, as reserved in instrument of record.

The North line thereof to be parallel with the South line of said Lot.

Except the Westerly 25 feet of the Northerly 126 feet of the Southerly 252 feet of Lot 56, Tract No. 2982, as shown on map recorded in Book 35, Page 31 of maps, in the Office of the County Recorder of said County.

Also except therefrom that portion within the Westerly 15 feet of the Northerly 63 feet of the Southerly 252 feet of said Lot.

Parcel 2:

The North 63 feet of the South 126 feet of Lot 56 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County, the North line thereof to be parallel with the South line of said Lot.

Except the Easterly 10 feet of the Westerly 25 feet of the Northerly 63 feet of the Southerly 126 feet of Lot 56, Tract No. 2982, as shown on map recorded in Book 35, Page 31 of Maps, in the Office of the Recorder of the County of Los Angeles.

Parcel 3:

The South 63 feet of Lot 56 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

The North line thereof to be parallel with the South line of said Lot.

Except the Easterly 10 feet of the Westerly 25 feet of the Southerly 63 feet of Lot 56, Tract No. 2982, as shown on map recorded in Book 35, Page 31 of maps, in the Office of the Recorder of the County of Los Angeles.





File No: 06157518

Assessor's Parcel Number:

**7332-001-005; 7332-001-006  
7332-001-007**



## EXHIBIT "A"

All that certain real property situated in the County of Los Angeles, State of California, described as follows:

Parcel A:

That portion of Lot 56 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Beginning at a point in the Westerly line of said Lot 56, distant thereon Northerly 543.19 feet from the Southwesterly corner of said Lot; thence Easterly, parallel with the Northerly line of said Lot to a point in the Easterly line of the Westerly 25.00 feet of said Lot, said point being the Southeasterly corner of the land described as Parcel 19-27, in the deed to the County of Los Angeles, recorded February 24, 1965, as Instrument No. 3153, in Book D-2809, Page 543, of Official Records of said County, said point being also the true point of beginning of this description; thence continuing Easterly, parallel with the Northerly line of Lot 56, a distance of 135.00 feet, more or less, to the Southwesterly corner of the land described in the deed to John D. Calas and Kay Calas, recorded July 30, 1963, as Instrument No. 126, in Book D-2122, Page 392, of said Official Records; thence Northerly, along the Westerly line of said land of Calas, a distance of 135.00 feet to the Southeasterly corner of the land described as Parcel 23-27 in the hereinbefore mentioned deed to the County of Los Angeles; thence along the boundaries of said Parcel 23-27 Westerly a distance of 118.00 feet and Southwesterly, a distance of 24.05 feet to the most Southerly corner of said Parcel 23-27; thence Southerly along the Easterly line of the hereinbefore mentioned Parcel 19-27, a distance of 118.00 feet to the true point of beginning.

Parcel B:

The Westerly 15.00 feet of that portion of Lot 56 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County, described in the deed to Herbert V. Souders, et ux., recorded August 20, 1938, as Instrument No. 992, in Book 15995, Page 182, Official Records, in the Office of the County Recorder of said County.

Assessor's Parcel Number: **7332-001-001**



CITY OF CARSON  
DEVELOPMENT SERVICES  
PLANNING DIVISION

EXHIBIT "B"

DESIGN OVERLAY REVIEW NO. 1256-07

CONDITIONAL USE PERMIT NO. 685-07

CONDITIONAL USE PERMIT NO. 686-07

GENERAL CONDITIONS

1. If a building permit is not issued within one year of the date of approval of Design Overlay Review No. 1256-07, Conditional Use Permit No. 685-07, and Conditional Use Permit No. 686-07, said permit(s) 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. The architectural feature at the northwestern portion of the building and all other structures that exceed the height requirement shall be revised to meet the height requirement as described in Section 9138.17(D)(6) of the Carson Municipal Code, unless an ordinance amendment is approved by the City which allows for such architectural features to exceed the height requirement.
4. Prior to issuance of a building permit, a tentative tract map shall be submitted to the City for subdivision of the residential units and commercial tenant spaces. The tract map shall be recorded with the County Recorder's office prior to issuance of certificate of occupancy.
5. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
6. Within forty-eight hours of approval of the subject project, the applicant shall deliver to the Planning Division a cashier's check or money order payable to the County Clerk in the amount of \$50.00 (fifty dollars) pursuant to SB 1535 to enable the city to file the Certificate of Fee Exemption citing a De Minimus Impact. If within such forty-eight hour period the applicant has not delivered to the Planning Division the above-noted cashier's check or money order, the approval for the project granted herein may be considered automatically null and void.
7. In addition, should the Department of Fish and Game reject the Certificate of Fee Exemption filed with the Notice of Exemption and require payment of fees, the applicant shall deliver to the Planning Division, within forty-eight hours of



notification, a cashier's check or money order payable to the County Clerk in the amount of \$1,876.75 pursuant to SB 1535. If this fee is imposed, the subject project shall not be operative, vested or final unless and until the fee is paid.

8. 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.
9. 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.
10. All buildings, grounds, parking areas and landscaping shall be maintained in a neat and orderly manner at all times.
11. 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.
12. 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.
13. 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.
14. 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. 1256-07, Conditional Use Permit No. 685-07, and Conditional Use Permit No. 686-07. 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

15. The required parking shall meet all applicable standards as outlined in the Carson Municipal Code.
16. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
17. Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.
18. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
19. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
20. Decorative colored concrete pattern shall occur at all driveway entrance areas.
21. Electrical wiring and features appropriate to support alternative fuel vehicles shall be provided for resident and guest parking subject to the approval of the Planning Division. If not provided prior to the adoption of these conditions of approval, the applicant shall demonstrate appropriate features necessary to support the future service of alternative fuel vehicles.
22. Changes to the commercial tenant uses shall warrant review and approval by the Planning Division for compliance with the shared parking requirements. The Planning Division shall review commercial tenancy changes to ensure that hours of operations between tenants in the development do not substantially overlap as to create a parking impact. Substantial changes in tenancy shall warrant review and approval by the Planning Commission.

LANDSCAPING/IRRIGATION

23. 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.
24. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
25. 6" x 6" concrete curbs are required around all landscaped planter areas, as deemed necessary by the Planning Division.
26. 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.

45

27. 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.
28. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.

#### GRAFFITI LANDSCAPING

29. 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.
30. 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

31. 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.
32. 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.
33. 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.
34. 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.
35. 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

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. Identification signs shall conform to the requirements of the sign program and shall be approved by the Planning Division prior to the issuance of a building permit(s). The sign plan 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 to the extent feasible. 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 shall conform to the requirements of the Carson Municipal Code and shall be submitted showing all proposed street, 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 – MITIGATION MEASURES

#### 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 – MITIGATION MEASURES

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 – MITIGATION MEASURES

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.

HAZARDS AND HAZARDOUS MATERIALS – MITIGATION MEASURES

67. As a condition to the issuance of grading and shoring permits for the Econo Lube site and the site of the former cleaners, (the Econo Lube contaminated with fuel and the cleaners contaminated with PCE above actionable levels), the developer shall provide the City with a plan of action for remediation that has been approved by the Los Angeles Regional Water Quality Control Board or other lead agency. Upon the developer's completion of the remediation in accordance with the approved plan, including the installation of water monitoring wells (to the extent required) and the delivery of the contaminated soil removal completion report prepared by the developer's State-licensed consultant, the City shall issue the building permit for those sites.
68. As a condition to issuance of a certificate of occupancy for the buildings to be constructed on those sites, the developer shall deliver a No Further Action letter from the Regional Water Quality Board or other lead agency in connection with the soils remediation. Developer shall diligently pursue a No Further Action letter with respect to the groundwater in a timely manner.
69. Prior to the issuance of any grading permit for residential/commercial development at the subject site, the City shall obtain evidence of issuance of a "No Further Action" letter or clearance from the LARWQCB, to certify that any contaminated portions of the site have been addressed.

NOISE

70. All construction equipment powered by internal combustion engines shall be equipped with proper mufflers and air-intake silencers in good working order.
71. All equipment maintenance activities shall be performed within the center of the project site as is practical.
72. 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.



73. Mechanical ventilation shall be provided for all dwelling units along Avalon Boulevard and 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.
74. 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.

#### TRANSPORTATION/TRAFFIC

75. Dedicate right-of-way on the east side of Avalon Boulevard south of Carson Street to accommodate the construction of a right-turn lane on the northbound approach of the Avalon Boulevard/Carson Street intersection, subject to approval by the City Engineer.
76. Reconstruct the median on Avalon Boulevard south of Carson Street to provide a left-turn pocket at the project's commercial driveway, subject to approval by the City Engineer.
77. Reconstruct the median on Carson Street east of Avalon Boulevard to eliminate the existing median opening, subject to approval by the City Engineer.

#### TRASH

78. Trash collection shall comply with the requirements of the City Waste Management Specialist and franchise trash collection company.
79. Trash enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).
80. 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.
81. All other trash collection, including green wastes, shall comply with the requirements of the City's trash collection company.

#### THE GAS COMPANY

82. 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.
83. 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

84. The required fire flow for this development is 3,750 gallons per minute for 3 hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure.
85. Upgrade 3 hydrants measuring 6" x 4" x 2-1/2", conforming to current AWWA standard C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
86. Provide evidence on LACoFD fire flow form, Form No. 196, that the hydrant(s) and available flow rate(s) meet LACoFD requirements prior to issuance of certificate of occupancy. Provide a separate detailed drawing for all proposed gates.
87. Verify location and flow test of all existing fire hydrants on the east side of Avalon Boulevard, and the south side of Carson Street within 200 feet of lot frontage. Additional requirements may apply when information on hydrant locations and fire flow availability is received and reviewed.
88. The applicant shall comply with all other requirements of the LA County Fire Department.

COUNTY SANITATION DISTRICTS - COUNTY OF LOS ANGELES

89. 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

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

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

91. 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.
92. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept and stormwater quality plan.
93. CC&R's (covenants, conditions, and restrictions) to address drainage responsibilities are required.



94. 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.
95. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
96. Repair any broken or raised sidewalk, curb and gutter along Avalon Boulevard and along Carson Street within or abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
97. The Developer shall 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.
98. 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.
99. The developer shall construct new driveway approaches per City of Carson Standard and in compliance with the ADA requirements. The Developer shall protect or relocate any facilities to accommodate the proposed driveway approach. The maximum driveway approach width allowed for the site is 28 feet.
100. 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.
101. 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.
102. Provision shall be made for the continual maintenance of the common driveways and common areas. This can be achieved by the formation of an association, comprise of the owners of the units, responsible for the maintenance of the common driveways and common areas.
103. If necessary, modify existing wheelchair ramp at the corner of Avalon Boulevard and Carson Street per City of Carson Standard, in compliance with ADA requirements.
104. 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 to the satisfaction of L.A. County and shall be completed prior to the issuance of Certificate of Occupancy. Additional streetlight installation or upgrade to existing streetlights may be required as part of the annexation. (Annexation procedure is approximately 12-month)

105. All new utility lines, along Avalon Boulevard and along Carson Street abutting the proposed development shall be underground to the satisfaction of the City Engineer.
106. Plant approved parkway trees on locations where trees are missing per City of Carson Standard Nos. 117, 132, 133 and 134.
107. Plant parkway grass along Avalon Boulevard and along Carson Street to the satisfaction of the City Engineer.
108. Install irrigation system for the purpose of maintaining the parkway trees to be planted along the frontage of the development on Avalon Boulevard and along Carson Street.
109. Modify existing raised landscaped median along the development on Avalon Boulevard and along Carson Street to the satisfaction of the City Engineer.
110. Install striping and pavement legend per City of Carson standard.
111. Paint curbs red along Avalon Boulevard and along Carson Street, within or abutting this proposed development, to the satisfaction of the City Traffic Engineer.
112. 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.
113. 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.
114. 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.
115. The Developer shall send a print of the development map to the County Sanitation District, to request for annexation. The request for annexation must be approved prior to issuance of Certificate of Occupancy.
116. 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.
117. Comply with mitigation measures recommended by the water purveyor.
118. 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 along Avalon Boulevard and along Carson Street

119. At the time of approval 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.
120. 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.
121. A construction permit is required for any work to be done in the public right-of-way.
122. 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.
123. Street shall be slurry sealed from median-to-curb when medians are existing or as approved by the Engineer in the field. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)
124. 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.
125. 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.
126. Prior to issuance of Building Permit, the following must be on file:
  - a. Drainage/Grading plan prepared by a registered Civil Engineer, 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.
127. 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.

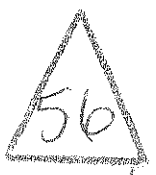


BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

128. 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.

BELL TOWER

129. The bell tower at the southern end of the building shall be stationary. No ringing is allowed unless previously approved by the Planning Commission at a public hearing with proper noticing given to residents within 500 feet of the property.  
*[MOD. NO. 2 TO DOR NO. 1256-07, CUP NO. 685-07, CUP NO. 686-07, AND TPM NO. 70818  
ADOPTED BY PLANNING COMMISSION ON OCT. 11, 2011]*







THOMAS SAFRAN & ASSOCIATES

December 12, 2013

PLANNING DEPARTMENT  
(310) 952-1761

Mr. John Signo  
Senior Planner  
City of Carson Planning Division  
701 E Carson Street  
Carson, California 90745

DEC 12 2013

CITY OF CARSON  
701 E. CARSON ST.  
CARSON, CA 90745

Re: Carson South Schlotzsky's Deli Drive-Thru Pick-up Window

Dear Mr. Signo:

Pursuant to our meeting on Wednesday, November 20 to discuss drive-thru pick-up window design for Schlotzsky's, we agreed to revise the design, relocate the menu board, and include bollards to address Planning Staff's concerns with the operation of the drive-thru. Please find answers to Staff's additional questions below:

- 1) How does drive-thru pick-up window add value?

Drive thru pick-up window is a requirement for Schlotzsky's to occupy at The Shops. Schlotzsky's system will serve guests in less than 4 minutes. This standard allows them to serve clientele who want a to-go experience only. Often this clientele includes guests who are not easily mobile, such as seniors, young children, and physically disabled.

- 2) What is the number of employees at this location?

Schlotzsky's expects to have 6-8 employees working at a time and 25-30 on payroll.

- 3) How are you going to get customers to primarily dine inside the restaurant instead of primarily using the drive thru?

The restaurant design is inviting, modern, and unique. A guest function room will be included to facilitate large groups. Schlotzsky's offers table service which provides



## THOMAS SAFRAN & ASSOCIATES

guests with an additional level of service inside the store. Orders are placed at the counter, however the staff will deliver the order to the table and follow through with table service thereafter including refills, pre-bussing, etc. We also have booth and family seating which is attractive to the guest. Our system-wide averages represent significantly higher inside sales at 57%.

4) What are projected sales?

Schlotzsky's projects sales to be between \$1,000,000 and \$1,200,000

5) How are you going to control menu board noise? Also, please provide more information on the menu board.

The drive-thru intercom is only in use when a guest is in the ordering position. The staff utilizes digital headsets for clear communications.

Schlotzsky's is a high quality, national credit tenant that will be an important anchor at the City Center project to attract visitors and other high quality retail tenants. This momentum will further activate the development into a destination for the local Carson community to shop and dine.

Please feel free to call me with any questions at 310-820-4888.

Best wishes and thank you.

Sincerely,

Tyler Monroe  
Project Manager

Cc: Sheri Repp  
Richard Garland  
Mo Vazin



September 26, 2013

Mr. John Signo  
Senior Planner  
City of Carson Planning Division  
701 E Carson Street  
Carson, California 90745

Re: Carson South Schlotzsky's Deli Drive-Thru

Dear Mr. Signo:

The following is a request for a permit to allow operation of a drive-thru pick up window on the ground floor of the Renaissance at City Center mixed-use development located at 708 E. Carson Street Carson, CA 90745.

- a. A drive-thru with banks is allowed in the MCU zone.
- b. The drive-thru pick up window meets all required setbacks and other features required by the zoning code.
- c. The site for the proposed use is a special case because it is inside of a mixed-use development that has a promenade.
- d. The site is simplified and hidden – as well as adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by the zoning code.
- e. The drive-thru pick up window is incidental to the restaurant use not primary and therefore is not a traditional drive thru and will not set a precedent.
- f. The drive-thru pick up window will not create traffic on Avalon because drive-thru entrance and exit will be benefit from the adjacent crosswalk and traffic light on Avalon.
- g. The existence of the drive-thru pick up window will increase customer convenience while reducing the need for on-site parking.
- h. Parking spaces will be controlled by provided parking attendants, as needed.

59



THOMAS SAFRAN & ASSOCIATES

- i. The drive-thru pick up window will be operated by Schlotzsky's, an international restaurant concept with over 350 stores around the world.
- j. Schlotzsky's is a high quality, powerful national tenant - one that is necessary to be an anchor for quality lease-up and one that is involved with each local community.
- k. The brand will attract similar caliber retail, thereby creating jobs, liveliness, and prestige - all ultimately revitalizing the area.
- l. Schlotzsky's corporate approved the site contingent on the city approving a drive-thru pick up window, as it is a catalyst to a flagship headquarters store with a training facility.
- m. This proposed store will be a 5,000 square foot headquarters store - advanced and big enough to support high volume and a training facility.
- n. Schlotzsky's successfully operates many drive-thru pick up windows nationwide using a franchise system - and the proposed drive-thru pick up window will be managed by Schlotzsky's own staff accordingly.
- o. The franchisee is a strong operator and a savvy businessman - as he was approved for Schlotzsky's largest franchise agreement in 40 years - 170 stores throughout Southern California.

Please feel free to call me with any questions at 310-820-4888.

Best wishes and thank you.

Sincerely,

Andrew D. Gross  
President, Development

Cc: Sheri Repp  
Mo Vazin



Limited-Service, Unlimited Possibilities

Published on *QSR magazine* (<http://www.qsrmagazine.com>)

Home > Schlotzsky's Signs Brand's Largest Franchise Agreement

## **Schlotzsky's Signs Brand's Largest Franchise Agreement**

Schlotzsky's, the home of The Original round-toasted sandwich and famous Fresh-from-Scratch buns, announced it has signed the brand's largest franchise agreement in more than 40 years.

Anchored by its new Lotz Better model and consistent positive sales, the partnership calls for 170 Schlotzsky's locations throughout California, including Los Angeles, Riverside, Ventura, and San Bernardino counties.

Each of the new restaurants will feature a new, contemporary design and an upgraded service model in which crewmembers hand-deliver food to the tables.

In addition, as part of a co-branding deal with Cinnabon and Carvel, the locations will include counters offering signature treats from the dessert brands.



"The magnitude of this franchise agreement is a testament to the growing strength of our brand in the marketplace," says Kelly Roddy, president of Schlotzsky's. "Between this agreement in California and multiple others we've signed in the past year alone, the momentum is incredible.

"On top of the obvious benefits the expansion is having on our brand, it's also creating job growth in communities around the country," Roddy adds, noting that



the new locations in Southern California will create nearly 7,000 jobs in the next five years.

After completing its initiative to reimagine its 350-plus-unit franchise system, executives at Schlotzsky's are focusing on growing in markets where there is a demand for a high-quality franchise brand.

In this newest deal, Moe Vazin is responsible for opening the 170 locations throughout the market. Prior to joining the Schlotzsky's family, Vazin experienced much success with his extensive management experience, accumulating a portfolio of supermarkets, manufacturing, and distribution in the retail industry.

"Obviously, we look very carefully at brands before making a significant investment like this," Vazin says. "We had many reasons for choosing Schlotzsky's, but the key factors were its high-quality, fresh sandwiches, pizzas, salads, and soups; the fact that we can offer Cinnabon and Carvel under the same roof; and an incredible management team that shares our vision of the brand in Southern California."



A rebooted Schlotzsky's includes three Focus brands under one roof.

Roddy says Vazin perfectly fits the profile for a Schlotzsky's multiunit franchisee.

"He's a top-notch operator, and we're confident he will not only uphold our brand standards and reputation, but knock it out of the park by making us the top fast-casual destination in Southern California," he says.

This partnership comes on the heels of Schlotzsky's signing a multiunit franchise agreement in May 2012 with regional developers John Fehmer and Anastasia Rusakov to open 25 new Schlotzsky's locations throughout Orange County, California.

With more than 350 locations worldwide, Schlotzsky's continues its growth momentum by aggressively targeting markets in Texas and untapped markets around the country for multiunit developers.



These markets include: Atlanta; Charlotte, North Carolina; Denver; Kansas City, Missouri; Miami; Nashville, Tennessee; Raleigh, North Carolina; St. Louis; and Tampa, Florida; as well as other underdeveloped markets through the United States.

Roddy says, ideally, Schlotzsky's plans to have upwards of 700 locations by 2016.

---

**Source URL:** <http://www.qsrmagazine.com/news/schlotzskys-signs-brands-largest-franchise-agreement>

Copyright © 2013 Journalistic Inc. All Rights Reserved. QSR is a registered trademark of Journalistic, Inc.



# Schlottzsky's better

What is  
**Lotz Better?**  
Lotz Better Culture  
Lotz Better Business Model  
Lotz Better Marketing  
& Positioning  
Lotz Better Re-Image  
Lotz Better Growth

*What's the point, you ask?  
When you profit, we profit.  
It's really that simple. Everything we do  
is geared toward increasing your bottom line.  
Now THAT's Lotz Better!*

**Lotz has changed** since 1971, when a small hole-in-the-wall on South Congress in Austin, TX was home to a single, one-of-a-kind sandwich.

**The Original®** has always been *original*. One zany, cravable creation with a truly unique combination of 13 flavors and ingredients not found in any other sandwich.

What sets **Schlottzsky's®** apart from our competition is our bun. It's Round. It's delicious. It's patented. It's made and baked to perfection **Fresh-from-Scratch®** on location *everyday*. It's that kind of dedication that has created a passionate customer following for nearly 40 years.

## Big deal, you say? What's Lotz Better today?

Schlottzsky's is taking its core strengths from the last 39 years (our funky nature, unique bread and quirky attitude) and blowing it out the door.

Our five-, ten- and fifteen-year strategies are centered around five main tenets:

### Lotz Better® Culture

Can a corporate culture driven by franchisee- and guest-centric vision, action, and deliverables make a positive difference for you and your bottom line? Schlottzsky's says YES... YES it can.

### Lotz Better® Business Model

From floor-to-ceiling & back-of-the-house to the front door, Schlottzsky's management and associates embrace a personal and professional filter that says if it's not **Lotz Better** - make it so. It shows in EVERYTHING we do, from site selection, restaurant operations, training & partner development, menu analysis, marketing campaigns, COGs, franchisee selection... *everything*.

Our unique & profit-centric **Cinnabon® Express** co-brand opportunity is an expansion of this model.

### Lotz Better® Marketing & Positioning

Research by Technomic, Inc., concludes that Schlottzsky's is ideally positioned in the quick casual restaurant segment, and can stake a resonating claim to being **Lotz Better®** against our competition. Keying off this brand filter that brings new and existing guests back in droves have come innovative marketing initiatives such as Table Service, popular promotional campaigns, co-branding opportunities, a national catering program, local restaurant marketing campaigns and more.

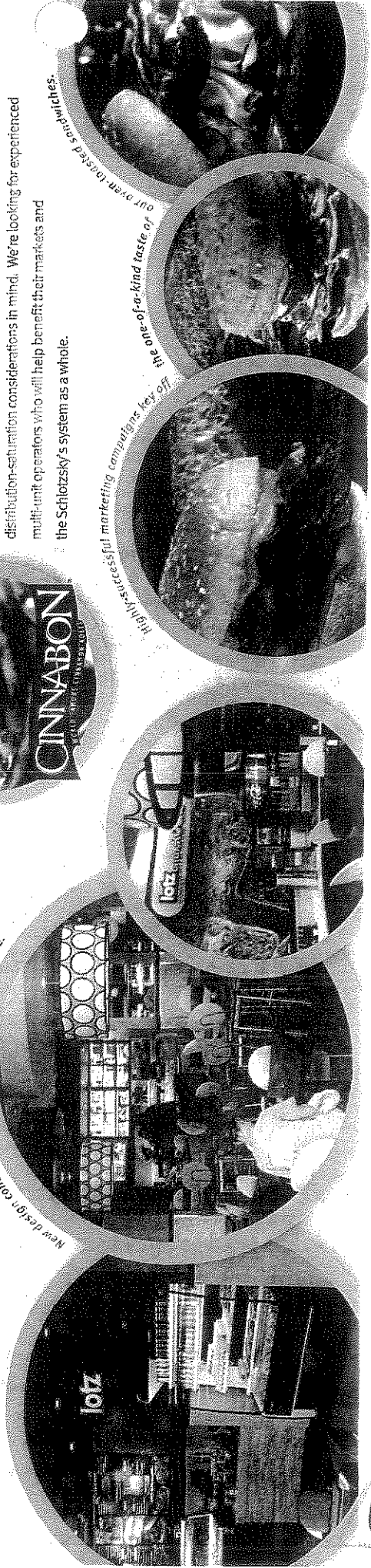
### Lotz Better® Re-Image

It's an exciting time for Schlottzsky's and franchisees! Our new prototype design is rolling out across the US, including retro-fits and new locations. All aspects of the brand will be re-imaged including packaging, front-of-house dining areas, advertising & marketing campaigns, and more.

### Lotz Better® Growth

Schlottzsky's is developing for smart growth, with core market, media- and distribution-saturation considerations in mind. We're looking for experienced multi-unit operators who will help benefit their markets and the Schlottzsky's system as a whole.

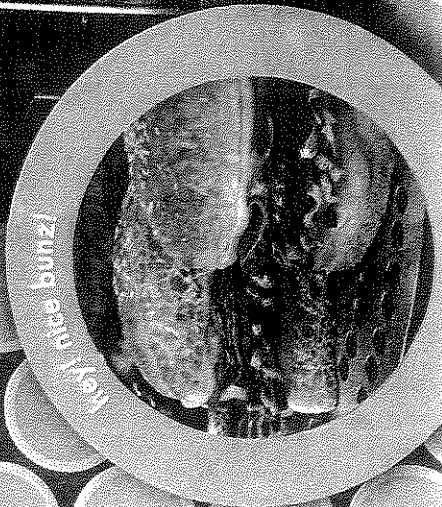
New design concept is hip, modern, upscale, & comfortable.



64



**See inside for  
details on a  
Lotz Better®  
Franchising  
Opportunity!**



When you join the Schlotzsky's® franchise family, you'll be working with passionate, experienced professionals who have extensive brand-building, development, and operational experience in all areas of the food service industry. Our commitment is to provide you with world-class support and service based on respect, trust, and dedication to the success of your business. Here are just a few of the ways we'll support your business:

## LOADS OFFERED BY SHOLVADO OPERATORS AND FIELD SUPPORT

- Initial management training and ongoing business consultation
- Access to corporate management team for business review and performance analysis
- Regular consultation visits, up to four per year
- Ongoing support for Quality, Service and Cleanliness

## Summary

- Comprehensive certified training for the franchisee and key managers
- Continuing corporate training and on-site restaurant training
- Online access to franchisee training tools and development support
- In-depth operations manual

**အိတ်ကန်ဒိုကွ**

- ▶ Innovative, targeted local and national marketing programs specifically designed to increase sales by building customer frequency and new product roll-outs.
- ▶ High quality point-of-purchase, merchandising and local store marketing materials

## Product Development

- Continually bring world-class menu variety through innovative products and expanded offerings
- Operational support and top-notch quality assurance

- Comprehensive assistance in site selection using Strategic Integrated Mapping and Modeling System (SIMMS) specifically customized for Schlitzsky's
- Prototypical architectural and engineering design and conceptual layouts for new restaurants
- Access to our national network of select brokers

## FINANCIAL REQUIREMENTS

- The three-restaurant minimum commitment requires liquidity totaling \$600,000 and a net worth of \$1.5 million. New markets may require a larger minimum number of restaurants, and your financial plan will need to reflect the capital necessary to complete the development of the number of restaurants your contract to open. This financial plan must be complete, and the commitment of capital must be in place before the new markets investment can be executed.

[illegible]

The franchise fee is \$30,000 per restaurant with a 20-year initial term. There is an on going royalty of 6 percent, and a marketing/advertising investment commitment of 4 percent. The estimated total investment per restaurant varies on the type of restaurant built. The total investment range is delineated in the Franchise Disclosure Document (FDD) we provide to you.

... ..

Schlotzsky's makes an earnings claim in the Franchise Disclosure Document (FDD) we provide to you. However, we encourage you to contact our existing franchisees regarding their experiences. A list of names and telephone numbers of our franchisees is provided in the FDD.

**REAL ESTATE - SIZE CRITERIA -**

## DEMOGRAPHICS

- Preexisting:**
- +/-2,800 sq. ft. on a 30k-35k sq. ft. lot
  - Minimum frontage: 125 ft.
  - 35 or more parking stalls
  - Conversions are considered

Environ. Con-

- +/-2,800 sq. ft.
- Minimum footage: 40 ft.
- Drive-thru preferred with minimum 6 car stack
- Ability to do 500 square foot of outdoor

## WISIBILITY/ACCESSIBILITY

- 200 ft. unobstructed visibility from traveled road

• 25,000 cars daily on main

- Maximum signage allowed by code
- using national sign package for Schlitzsky's and adequate python signage
- Easy ingress and egress with at least 4 points of access to site, and no medians impeding accessibility to location

# ENVIRONMENTAL

- Strong anchored centers (Home Depot, Lowe's, Wal-Mart) or high-profile convenience centers located in synergistic retail corridors
- High visibility and fresh images for centers
- Retail synergy as well as 3-5 other casual dining or fast casual restaurants in a ¼ mile radius around the site
- Center should be supported in the trade area by high activity generators such as schools, office parks, hospitals, parks, etc.

**DEMOGRAPHICS... 2 MILE**

**TYPICAL SUBURBAN LOCATION**  
 • \$50,000+ HH Income – 2 mile radius  
 • 30,000 minimum residential population  
 • 15,000 daytime population  
 • Median Age: 40  
 • Household size: 2.5+  
 • Strong core group of CSR and  
 • Casual dining customers in area

**For more information, please contact:**

Scholitzky's Franchises Sales • 800-227-8353

200 Glenridge Point Parkway • Suite 200 • Atlanta, GA 30342 • [www.schlottzskys.com](http://www.schlottzskys.com) • [request@focusbrands.com](mailto:request@focusbrands.com)

1. The first step in the process of creating a new product is to identify a market need. This involves conducting market research to determine what consumers want and what problems they are trying to solve. Once a need is identified, the next step is to develop a concept that addresses that need. This is often done through brainstorming sessions with a team of designers and engineers. The concept is then refined through prototyping and testing, with feedback from potential users being used to make improvements. Finally, the product is launched into the market, and its success is monitored through sales data and customer feedback. This iterative process allows for continuous improvement and adaptation to changing market conditions.



---

**CITY OF CARSON**  
**INTEROFFICE MEMORANDUM**

---

**TO:** JOHN SIGNO, PLANNING  
**FROM:** RICHARD GARLAND, TRAFFIC ENGINEER  
**SUBJECT:** PARKING STUDY FOR THE PROPOSED SCHLOTZSKY'S DELI  
**DATE:** MARCH 6, 2014

---

I have reviewed the parking study for City Center prepared by Kunzman Associates, which includes an analysis of the drive-thru lane at the proposed Schlotzsky's deli, and submit the following comments:

- I concur with the findings of the shared parking analysis, which demonstrates that the overall peak parking demand of the project would be lower than the total number of spaces provided because of the varying hourly, daily, and monthly peaking characteristics of the land uses at the site.
- The report states that observations at existing Schlotzsky's restaurants indicate that two to three vehicles are typically stopped in the drive-thru lanes during times of peak operation. Based on this information, the proposed stacking distance of six vehicles would be sufficient for this facility.





KUNZMAN ASSOCIATES, INC.

CITY CENTER

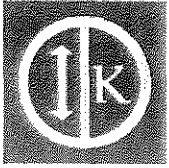
PARKING STUDY

February 13, 2014

Exhibit No. 7

Traffic Engineering | Transportation Planning | Parking | Noise/Vibration | Expert Witness  
Air Quality | Global Climate Change | Health Risk Assessment





# KUNZMAN ASSOCIATES, INC.

OVER 35 YEARS OF EXCELLENT SERVICE

February 13, 2014

Mr. Tyler Monroe, Project Manager  
THOMAS SAFRAN & ASSOCIATES  
11812 San Vicente Boulevard, Suite 600  
Los Angeles, CA 90049-5063

Dear Mr. Monroe:

## INTRODUCTION

The firm of Kunzman Associates, Inc. is pleased to submit this parking study for the City Center project in the City of Carson. Kunzman Associates, Inc. has been asked to conduct an analysis of the project in order to ascertain if adequate parking spaces are provided at the project site for existing and future conditions under the City's parking regulations.

This report summarizes our methodology, analysis, and findings. Although this is a technical report, every effort has been made to write the report clearly and concisely. To assist the reader with those terms unique to transportation engineering, a glossary of terms is provided within Appendix A.

## PROJECT DESCRIPTION

The project site is located at the southeast corner of Avalon Boulevard and Carson Street in the City of Carson. The proposed development will consist of 9,542 square feet of commercial retail, 10,302 square feet of family restaurant, 6,177 square feet of fast-food restaurant, 86 affordable senior apartment dwelling units, and 150 condominium dwelling units. The project site plan will provide a total of 558 parking spaces. Figure 1 shows project location map and Figure 2 illustrates the project site plan.

## PARKING CODE

The City of Carson Parking Code requirements are included in Appendix B. Typically, a parking code includes an overage factor. A parking code may require 5.00 parking spaces per thousand square feet of floor space; however, the actual number of vehicles parked will typically be, for instance, a maximum of 4.50 vehicles parked per thousand square feet of floor space at any one point during the week. Thus, in this example, there is an overage of 0.50 spaces per thousand square feet of floor space during peak parking demand.

Based on the City of Carson Parking Code requirements, 602 parking spaces are needed for the project site (see Table 1). This demand is required if all land uses simultaneously generated their maximum parking code demands.

1111 TOWN & COUNTRY ROAD, SUITE 34  
ORANGE, CALIFORNIA 92868  
(714) 973-8383

WWW.TRAFFIC-ENGINEER.COM

68

Mr. Tyler Monroe, Project Manager  
THOMAS SAFRAN & ASSOCIATES  
February 13, 2014

To conduct a shared parking analysis, it is necessary to disaggregate the parking code into weekday and weekend as well as customer/visitor/guest and employee/resident parking space demands. Based on the City of Carson Parking Code and the Urban Land Institute recommended parking ratios, the disaggregated parking rates are shown in Table 1. Also shown in Table 1 is the implied parking space demand when only the weekday and weekend peak parking rates are multiplied by the land use quantities. A total of 569 parking spaces are required for weekdays and 597 parking spaces are required for weekends.

When monthly, day of week, and hourly parking factors are utilized, significantly less than 602 parking spaces will be needed for the development.

#### SHARED PARKING

Because the peak parking demands for the various land uses are non-coincidental, there is substantial opportunity for shared parking to occur.

Kunzman Associates, Inc. has used the procedures developed by the Urban Land Institute, Shared Parking (2005). The Urban Land Institute shared parking analysis evaluates the types of uses, parking rates, monthly variations of parking demand by land use, differences between weekday and weekend parking demand for customer/visitor and employees, and the hourly distribution of peak parking demand for each type of land use. The Urban Land Institute procedures were utilized in this study to evaluate peak parking demand that would occur for the project at any point in time when monthly, day of week, and hourly factors are utilized.

A computer program was used to analyze the shared parking for the proposed development. The program is consistent with the procedures provided by the Urban Land Institute. The following inputs were included within the shared parking computer program for each land use:

- Peak parking demand by land use per parking code.
- Weekend vs. weekday adjustment factors.
- Customer/visitor/guest and employee/resident factors.
- Monthly adjustment factors to account for variations in parking demand over the year. It should be noted that a late December month is defined as the period between Christmas and New Year's Day, reflecting high attendance at active entertainment venues, lower demand at office and other employment-centered destinations, and moderate demand for retail.
- Hourly distribution of parking demand based upon the Urban Land Institute data.

The idea of a shared parking analysis is that if the various land uses have peak parking demands at different points in time, or on different days of the week, then the number of spaces required is not the sum of the parking requirements for each land use, but rather less. If the peak demands for the various





Mr. Tyler Monroe, Project Manager  
THOMAS SAFRAN & ASSOCIATES  
February 13, 2014

land uses are non-coincidental, then there is an opportunity for sharing of parking. To determine the degree to which shared parking can occur, the cumulative hourly parking demand of the land uses is calculated at all points in time throughout the day for both weekdays and weekends. With the parking demand known by hour and day, then the maximum peak parking demand during a seven day week can be determined. The maximum expected parking demand during the seven day week is then used as a basis for determining the number of parking spaces needed.

To determine the degree to which sharing of parking can occur, each month of the year was evaluated and the peak parking demand for both weekdays and weekends was determined utilizing data provide by the Urban Land Institute.

Table 2 shows the expected hourly peak parking demand of the land uses for both weekdays and weekends. Table 3 shows the cumulative parking demand peaks for all land uses combined.

Based on the calculations in this report, a December maximum parking demand of 528 parking spaces will occur on weekdays from 7:00 PM - 8:00 PM, and a December maximum parking demand of 541 parking spaces will occur on weekends also from 7:00 PM - 8:00 PM. The detailed computer calculations for each month are included in Appendix C.

Based on the parking demand survey, it appears that the project site generates significantly less parking demand than estimated by the Urban Land Institute shared parking methodology.

Sufficient on-site parking is provided based on the maximum likely parking demand of 541 parking spaces and the 558 parking spaces provided.

#### DRIVE-THRU ANALYSIS

As shown on Figure 2, the Schlotzsky's Deli is proposed to have a drive-thru. The drive-thru route is also illustrated on Figure 2. The drive-thru will provide stacking space for 2 vehicles behind the menu board and 4 vehicles behind the pick-up window (total of 6 vehicles before a conflict with the cross drive aisle). Additional vehicles can stack within the internal drive aisle.

Based upon discussions with the applicant, Schlotzsky's Deli typically does about \$900,000 in sales per location. Roughly 40% of those sales are drive-thru customers which equates to \$360,000. Considering a \$12 average ticket, that means there are 30,000 customers per year in the drive-thru. Schlotzsky's Deli research has found an average of 1.4 people per vehicle equating to approximately 21,500 vehicles utilizing the drive-thru annually. Schlotzsky's Deli is open 364 days per year for an average of approximately 60 vehicles per day on average, open 12 hours a day calculates to an average of approximately 5 vehicles per hour.

The typical lunch rush from 11:30 AM to 2:00 PM would expect that average to approximately triple. So at 15 vehicles per hour, it is anticipated that an average of one vehicle would arrive every 4 minutes. This corresponds with their average service times of: (1) 15 second greet time and (2) one minute order time at the menu board and (3) total service time not to exceed 210 seconds from greet time to drive off



Mr. Tyler Monroe, Project Manager  
THOMAS SAFRAN & ASSOCIATES  
February 13, 2014

with their meal. Based upon Schlotzsky's Deli observations of extreme rush hours, a maximum likely scenario of two to three vehicles at the menu board and pick-up window can be adequately be stacked within the proposed drive-thru.

## CONCLUSIONS

1. The project site is located at the southeast corner of Avalon Boulevard and Carson Street in the City of Carson. The proposed development will consist of 9,542 square feet of commercial retail, 10,302 square feet of family restaurant, 6,177 square feet of fast-food restaurant, 86 affordable senior apartment dwelling units, and 150 condominium dwelling units. The project site plan will provide a total of 558 parking spaces.
2. Based on the City of Carson Parking Code requirements, 602 parking spaces are needed for the project site.
3. Because the peak parking demands for the various land uses are non-coincidental, there is substantial opportunity for shared parking to occur.
4. Based on the City of Carson Parking Code and the Urban Land Institute recommended parking ratios for weekdays and weekends, a total of 569 parking spaces are required for weekdays and 597 parking spaces are required for weekends.
5. Once shared parking factors are utilized, a December maximum parking demand of 528 parking spaces will occur on weekdays from 7:00 PM - 8:00 PM, and a December maximum parking demand of 541 parking spaces will occur on weekends also from 7:00 PM - 8:00 PM. The 558 parking spaces provided by the project are sufficient to accommodate peak demands.
6. Sufficient on-site parking and Schlotzsky's Deli drive-thru stacking are provided based on the parking study.

It has been a pleasure to serve your needs on the City Center project. Should you have any questions or if we can be of further assistance, please do not hesitate to call at (714) 973-8383.

Sincerely,

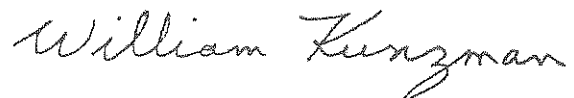
KUNZMAN ASSOCIATES, INC.



Carl Ballard, LEED GA  
Principal Associate  
#5617



KUNZMAN ASSOCIATES, INC.



William Kunzman, P.E.  
Principal



**Table 1**  
**Parking Code Requirements<sup>1</sup>**

Land Use	Quantity	Units <sup>2</sup>	City Parking Code	Weekday Requirements			Weekend Requirements		
				Customer/ Visitor/Guest	Employee/ Resident	Total	Customer/ Visitor/Guest	Employee/ Resident	Total
<b><u>Parking Rates:</u></b>									
Commercial Retail	9.542	TSF	3.33	2.42	0.58	3.00	2.66	0.67	3.33
Family Restaurant	10.302	TSF	10.00	6.00	1.00	7.00	8.50	1.50	10.00
Fast-Food Restaurant	6.177	TSF	10.00	8.50	1.50	10.00	8.00	1.30	9.30
Affordable Senior Apartments									
- Resident <sup>3,4</sup>	85	DU	1.25	0.25	1.00	1.25	0.25	1.00	1.25
- Manager	1	DU	2.00	0.00	2.00	2.00	0.00	2.00	2.00
Condominiums <sup>3</sup>	150	DU	2.25	0.25	2.00	2.25	0.25	2.00	2.25
<b><u>Parking Required:</u></b>									
Commercial Retail	9.542	TSF	31	23	6	29	25	6	31
Family Restaurant	10.302	TSF	103	62	10	72	88	15	103
Fast-Food Restaurant	6.177	TSF	62	53	9	62	49	8	57
Affordable Senior Apartments									
- Resident <sup>3,4</sup>	85	DU	76	16	60	76	16	60	76
- Manager	1	DU	2	0	2	2	0	2	2
Condominiums <sup>3</sup>	150	DU	328	28	300	328	28	300	328
Total			602	182	387	569	206	391	597

<sup>1</sup> Source: City of Carson and Urban Land Institute, Shared Parking, 2nd Edition, 2005.

<sup>2</sup> TSF = Thousand Square Feet; DU = Dwelling Units

<sup>3</sup> A reduction of 75 percent was used to assess the parking requirements for the customer/visitor/guest portion of the affordable senior apartments/condominium land uses. Deviations from the parking requirements may be authorized subject to approval of a Development Plan by the Planning Commission pursuant to Section 9172.23 (Site Plan and Design Review) if the project includes affordable housing opportunities defined by code.

<sup>4</sup> A reduction of 70 percent was used to assess the parking requirements for the resident portion of the affordable senior apartments land use. Deviations from the parking requirements may be authorized subject to approval of a Development Plan by the Planning Commission pursuant to Section 9172.23 (Site Plan and Design Review) if the project includes affordable housing opportunities defined by code.



முதுமையின் துன்பம்

73

Table 3

Monthly Peak Parking Demand

Month	Weekdays	Weekends
January	508	517
February	509	517
March	519	529
April	516	525
May	521	530
June	519	530
July	523	530
August	524	533
September	515	524
October	521	530
November	519	528
December	528	541
Late December	515	529
Maximum	528	541



Figure 1  
Project Location Map



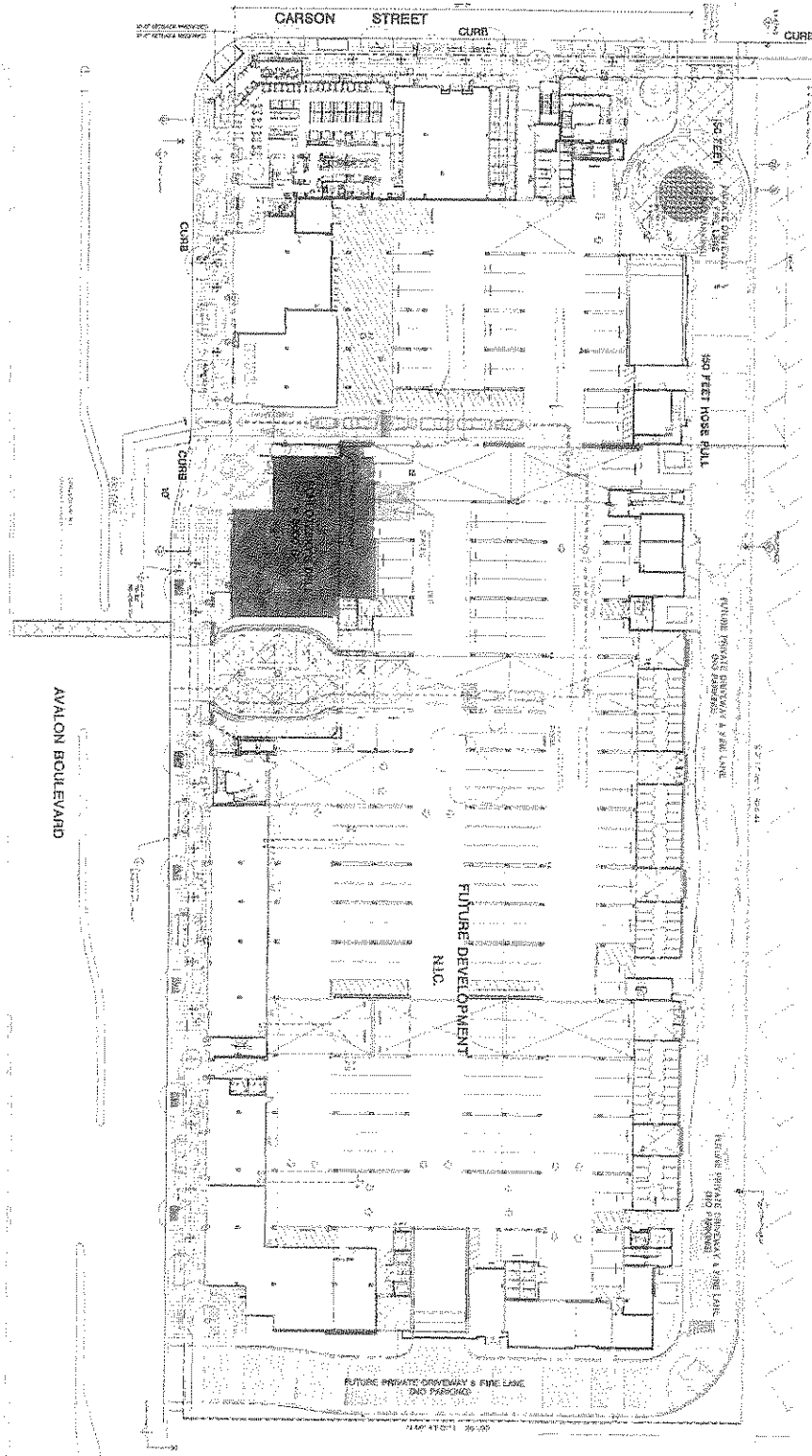
KUNZMAN ASSOCIATES, INC.

OVER 35 YEARS OF EXCELLENT SERVICE

5617/1



Figure 2  
Site Plan



NTS

KUNZMAN ASSOCIATES, INC.

OVER 35 YEARS OF EXCELLENT SERVICE

5617/2

116