



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: June 10, 2014

SUBJECT: Design Overlay Review No. 1533-14

APPLICANT: Randall Jepson, PJ Partnership
413 S. Glassell Street
Orange, CA 92866

REQUEST: To construct a 39,785-square-foot tilt-up industrial building located on a 2.15-acre parcel in the ML-D zone

PROPERTY INVOLVED: 19130 S. Figueroa Street (APN 7339016003)

COMMISSION ACTION

_____ Concurred with staff

_____ Did not concur with staff

_____ Other

COMMISSIONERS' VOTE

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

Item No. 11A

I. Introduction

Property Owner:

James and Tamara Christian (LA Deli Distributors)
14438 S. Avalon Blvd.
Gardena, CA 90248

Project Description

The proposed project is a 39,785-square-foot tilt-up industrial building. Area A, as defined in the site plan, includes a 9,331-square-foot area for LA Deli Distributors, a distributor of Boar's Head brand delicatessen items. LA Deli Distributors plans to sublease a 978-square-foot portion of this area to a sandwich shop operator. The sandwich shop will most likely be open for business from late morning to early afternoon hours on weekdays. The remainder of Area A will be devoted to LA Deli Distributors warehousing and distribution functions. Area B is 30,454 square feet and will be leased to a future tenant (refer to Exhibit 2).

II. Background

From 1957 to 1968, Southwest Steel Rolling Mills No. 1 Landfill used the site as a disposal facility for slag wastes that was generated from steel manufacturing operations.

On April 27, 1999, the Planning Commission approved Resolution No. 99-1759 to allow construction of a mono-pole communication facility to be located on the south-east corner of the site. The communication facility is currently operated by Nextel.

On November 16, 2010, the California Regional Water Quality Control Board (Board) issued a No Further Action letter (refer to Exhibit 3). The soil assessment and remediation for the site is complete; however, the ground water monitoring was required to continue. This determination was conditioned on the recordation of a Covenant and Environmental Restriction (Covenant).

On September 14, 2010 the Covenant was prepared and was recorded on January 4, 2011 (refer to Exhibit 4). All future development and operation of this site is restricted by this Covenant which only deems the property appropriate for industrial, commercial, and office developments and uses. Furthermore, the Covenant requires express approval of the Board for any grading or ground disturbance activities. The Covenant does not include a provision for continued ground water monitoring as required by the November 16, 2010 No Further Action letter. Therefore, on May 20, 2014, the Board issued a clarification letter stating that further groundwater monitoring is not required (refer to Exhibit 5).

Planning Commission Staff Report
DOR No. 1533-14
June 10, 2014



III. Analysis

The project meets all the requirements of the Carson Municipal Code.

Parking, Loading, and Maneuvering

All buildings are considered large dock high for parking, loading, and maneuvering space calculations. Thirty nine (39) parking spaces are required for the proposed uses as described in the Project Description section. The site plan provides a total of 63 spaces. Therefore, an adequate number of parking spaces have been provided to accommodate the intended uses for the site. In addition, since the number of parking spaces provided exceeds the required number of parking spaces, additional office space could be provided in-lieu of warehousing space to accommodate a wide range of uses.

Three (3) at-grade truck loading doors and eight (8) dock-high loading doors, for a total of eleven (11) loading doors, are provided for the project. For warehouse uses, one truck parking space is required for every seven (7) loading doors. The project has provided two truck parking spaces. Therefore, the project meets this requirement.

Parking Area Landscaping and Landscape Front Setback

The project meets the 5% internal landscaping requirement for the parking lot. The required variable front setback landscape is 10 feet as long as some setback areas are at least 20 feet. The project meets this requirement. All parking areas will be screened from the public right-of-way by landscaping as required by code.

Trash Enclosure

Two (2) trash enclosures are provided for the site. Since Area A and B will function independently and the parking spaces are separated, one trash enclosure is proposed for each of these areas.

Special Design Considerations

A number of design elements or conditions of approval have been added to ensure an aesthetically pleasing project is constructed.

Screening by Fences and Walls

The existing fence along the south property line will be removed and replaced with a 6-foot high concrete tilt-up wall. In order to screen the loading doors and areas both from the street and from the across the channel, a concrete tilt-up wall will be constructed. This screen wall will be ten (10) feet high and will be constructed as an extension of the building, not as a freestanding wall. All required setbacks for the wall would be met. In addition, the applicant would like to have the option of building a 6-foot high concrete tilt-up wall along the entire easterly property line (along the channel). Since Los Angeles County Flood Control District only maintains chain-link fences, this concrete tilt-up wall, if built, will be placed approximately eight (8) inches inside the property line.

Planning Commission Staff Report
DOR No. 1533-14
June 10, 2014

Screening by Landscaping

The landscaping along Figueroa Street and the northeast corner of the site is designed to screen the loading areas for Area A. Furthermore, additional landscaping has been added in strategic areas to screen the proposed trash enclosures and the existing communication facility to the extent possible.

Enhanced Elevations

The proposed building elevation along Figueroa Street will be attractive and has been enhanced by providing variable setbacks for the building, use of glass, different colors, and defined entry ways.

Circulation

The applicant is required to modify the existing median on Figueroa Street north of Anelo Avenue to provide a left-turn pocket for southbound traffic. This improvement will greatly improve the access to the site and will assist in better traffic flow on Figueroa Street.

IV. Environmental Review

Pursuant to Section 15332 "In-Fill Development Projects" of the California Environmental Quality Act (CEQA), the proposed project is considered an in-fill development that does not have the potential for causing a significant effect on the environment. Thus, the proposed project is found to be categorically exempt.

V. Recommendation

That the Planning Commission:

- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled, "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1533-14 TO ALLOW CONSTRUCTION OF A 39,785-SQUARE-FOOT TILT-UP INDUSTRIAL BUILDING LOCATED ON A 2.15-ACRE PARCEL AT 19130 S. FIGUEROA STREET (APN 7339016003)."

VI. Exhibits

1. Draft Resolution
2. Reduced Plans
3. California Regional Water Quality Control Board Letter, Dated November 16, 2010
4. Covenant and Environmental Restriction, Dated September 14, 2010
5. California Regional Water Quality Control Board Letter, Dated May 20, 2014
6. County Sanitation Districts of Los Angeles County letter dated May 20, 2014
7. Zoning/Vicinity Map
8. Full Size Plans (Under Separate Cover)

Prepared by: 
Saied Naaseh, Associate Planner

Approved by: 

John F. Signo, AICP,
Acting Planning Manager

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 14-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW
NO. 1533-14 TO ALLOW CONSTRUCTION OF A 39,785-
SQUARE-FOOT TILT-UP INDUSTRIAL BUILDING LOCATED ON
A 2.15-ACRE PARCEL AT 19130 S. FIGUEROA STREET (APN
7339016003)

Section 1. An application was duly filed by the applicant, Randall Jepson, PJ Partnership, with respect to Design Overlay Review No. 1533-14 to allow construction of a 39,785-square-foot tilt-up industrial building located on a 2.15-acre parcel in the ML-D zone at 19130 S. Figueroa Street (APN 7339016003) and described in Exhibit "A" attached hereto.

A public hearing was duly held on June 10, 2014, at 6:30 P.M. at City Hall, Helen Kawagoe 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 CMC Section 9172.23, Site Plan and Design Review, the Planning Commission finds that:

a) Compatibility with the General Plan, any specific plans for the area, and surrounding uses.

The proposed project is consistent with the General Plan of the City of Carson in that the subject property is designated for Light Industrial. The proposed project and its anticipated uses are permitted within the ML-D zoning district.

b) Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures and open spaces and other features relative to a harmonious and attractive development of the area.

The proposed project is considered architecturally superior to the properties in the vicinity as well as other aspects such as site planning, land coverage, landscaping, appearance and scale of structures and open spaces and other features relative to a harmonious and attractive development of the area.

c) Convenience and safety of circulation for pedestrians and vehicles.

Adequate driveway widths are provided on the site. Appropriate circulation has been provided to ensure safety for pedestrians and motorists.

d) Attractiveness, effectiveness and restraint in signing, graphics and color.

Currently, no signs are proposed as part of the project. Future sign proposals, if any, will be reviewed for conformance with the Carson Municipal Code to ensure signs are attractive and effective.

- e) **Conformance to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.**

The proposed project is consistent with all design standards and guidelines with Section 9172.15.

Section 4. The Planning Commission further finds that the proposed project will not have a significant effect on the environment. Pursuant to Section 15332 "In-Fill Development Projects" of the California Environmental Quality Act (CEQA) Guidelines, the proposed project is considered an in-fill development that does not have the potential for causing a significant effect on the environment. Thus, the proposed project is found to be categorically exempt.

Section 5. Based on the aforementioned findings, the Commission hereby approves Design Overlay Review No. 1533-14 to allow construction of a 39,785-square-foot tilt-up industrial building located on a 2.15-acre parcel in the ML-D zone at 19130 S. Figueroa Street (APN 7339016003) 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.

PASSED, APPROVED AND ADOPTED THIS 10th DAY OF JUNE, 2014

CHAIRMAN

ATTEST:

SECRETARY

Exhibit "A"
Legal Description



CITY OF CARSON
OFFICE OF ECONOMIC DEVELOPMENT
PLANNING DIVISION
EXHIBIT "B"

CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1533-14

PLANNING – CITY OF CARSON

GENERAL

1. If Design Overlay Review No. 1533-14 is not used within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission and on file with the City Planning Division, in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission.
4. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute or ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
7. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.



8. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
9. 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.
10. 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.
11. 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.
12. Indemnification. The applicant shall indemnify the City and its elected boards, commissions, officers, agents and employees and will hold and save them and each of them harmless from any and all actions, suites, claims, liabilities, losses, damages, penalties, obligations and expenses (including but not limited to attorneys' fees and costs) against the City and/or Agent for any such Claims or Litigation and shall be responsible for any judgment arising therefrom. The City shall provide the applicant with notice of the pendency of such action and shall request that the applicant defend such action. The applicant may utilize the City Attorney's office or use legal counsel of its choosing, but shall reimburse the City for any necessary legal cost incurred by City. The applicant shall provide a deposit in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by 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 City shall have no liability to the applicant. The applicant's obligation to pay the cost of the action, including judgment, shall extend until judgment. After judgment in a trial court, the parties must mutually agree as to whether any appeal will be taken or defended. The applicant shall have the right, within the first 30 days of the service of the complaint, in its sole and absolute discretion, to determine that it does not want to defend any litigation attacking the City's approvals in which case the City shall allow the applicant to

settle the litigation on whatever terms the applicant determines, in its sole and absolute discretion, but applicant shall confer with City before acting and cannot bind City. In that event, the applicant shall be liable for any costs incurred by the City up to the date of settlement but shall have no further obligation to the City beyond the payment of those costs. In the event of an appeal, or a settlement offer, the Parties shall confer in good faith as to how to proceed. Notwithstanding the applicant's indemnity for claims and litigation, the City retains the right to settle any litigation brought against it in its sole and absolute discretion and the applicant shall remain liable.

PARKING

13. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
14. Parking spaces shall be identified (marked) as provided in Section 9162.56 of the Zoning Ordinance.
15. Parking spaces shall be provided with perimeter guards as provided in Section 9162.55 of the Zoning Ordinance.
16. 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 Public Works/City Engineer, provides equivalent life, service and appearance.
17. Compact spaces shall be properly designated pursuant to Section 9162.43 of the Zoning Ordinance.
18. Parking for handicapped shall comply with the requirements of Section 9162.42 of the Zoning Ordinance.
19. Two (2) ADA accessible parking spaces shall be provided as required.
20. Four (4) bicycle racks or other secure bicycle parking shall be provided in an area in close proximity to the entrance of the building.

LANDSCAPING/IRRIGATION

21. 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.
22. The applicant shall comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."
23. The applicant shall install 6" x 6" concrete curbs around all landscaped planter areas, except for areas determined by a SUSMP/NPDES permit, or other

applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient stormwater runoff flow and percolation. Revised landscaping and irrigation plans shall be reviewed and approved by the Planning Division should subsequent modifications be required by other concerned agencies regarding the removal of concrete curbs.

24. 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.
25. The landscape plans shall provide for irrigation for tree wells within the public right of way.
26. Existing tree wells within right-of-way shall be reconstructed to at least 3'x5' and shall allow the adjacent sidewalk to meet ADA requirements. Street trees shall be replanted to replace the existing trees or new trees shall be planted where the planters do not have trees, as required by the Public Works Department.
27. Landscape plans shall include a combination of trees, shrubs, ground cover, and irrigation.
28. All above ground equipment visible from public street shall be screened by landscaping as required by the Planning Division.
29. Prior to installing any landscape irrigation system, the area to be landscaped shall be scarified and covered with a mixture of not less than four (4) inches of topsoil, preferably native topsoil, in a reasonable quantity and type approved by the Planning Division.
30. Mounded earthforms shall be created for the landscape planter area along Figueroa Street with setbacks exceeding twenty (20) feet from the building.

UTILITIES

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

AESTHETICS

34. The specification of all colors and materials must be submitted and approved by the Planning Division prior to the issuance of any building permits.
35. Graffiti shall be removed from all project areas within 3 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any



calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).

36. There shall be no substantial deviation of architectural design or details from the approved set of plans. Any alteration shall be first approved by the Planning Division.

SIGNS

37. Business signs and sign structures shall be permitted in conformance with development plans which have been approved pursuant to the Site Plan and Design Review procedures (including the number of signs and sign structures to be permitted) as provided in Section 9172.23.
38. The applicant shall obtain approvals for all signs from the Planning Division prior to installation.

FENCES/WALLS

39. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9146.3 (industrial zones) of the Zoning Ordinance.
40. The applicant shall submit a fencing plan.
41. The existing chain link fence along the east property line (along Dominguez Channel) shall be removed and replaced with a new chain-link fence as approved by the Los Angeles County Flood Control District, if deemed appropriate by the Planning Division.
42. An approximately ten (10) foot high screen wall shall be constructed along the easterly property line (along Dominguez Channel) as an extension of the building (not a free standing wall) in order to screen the loading doors from the Dominguez channel area.
43. The applicant shall have the option of constructing a six-foot (6') high concrete tilt-up wall along the entire easterly property line (along the channel). This wall, if built, shall be placed approximately 8" inside the property line.
44. Area A loading areas and loading doors shall be screened by a concrete tilt-up wall from view from Figueroa Street.

LIGHTING

45. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9147.1 (industrial zones) of the Zoning Ordinance.
46. Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.

47. Adequate parking lot lighting shall be proposed to provide a safe environment for the users and their cars.
48. Lighting shall be required to light the future bike lane along the Dominguez Channel access road, if determined necessary by Planning Division and approved by the Los Angeles County Flood Control District.

TRUCK LOADING AND MANEUVERING

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

TRASH

50. The trash enclosure and recycling area shall be located on a four inch concrete pad screened by a six-foot-high decorative concrete block wall that is compatible with the architectural design of the main building. A painted metal, self-closing door shall be used for enclosing the entrance to the trash and recycling areas. The trash and recycling area enclosure design is to be approved by the Planning Division prior to issuance of any building permit(s).
51. Recycling areas shall be provided in accordance with Sections 9164.4 and 9164.5 of the Zoning Ordinance. The number and size of recycling facilities are subject to the approval of the Planning Division

AIR QUALITY

52. Temporary traffic controls (i.e., flag person) shall be provided during all construction phases to maintain traffic flow, if determined necessary by the traffic Engineer.
53. Exposed piles (i.e., gravel, sand, and dirt) shall be enclosed, covered, or watered twice daily, or an approved soil binder shall be used.
54. Active grading sites shall be watered at least twice daily.
55. Excavation and grading operations shall be suspended when wind speeds (as instantaneous gusts) exceed 25 miles per hour over a 30-minute period.
56. All trucks hauling dirt, sand, soil, or other loose materials are to be covered or should maintain at least two feet of freeboard (i.e., minimum vertical distance between top of the load and the top of the trailer), in accordance with Section 23114 of the California Vehicle Code.
57. Streets shall be swept at the end of the day if visible soil material is carried over to adjacent roads.
58. Wheel washers shall be installed where vehicles enter and exit unpaved roads onto paved roads.
59. Trucks and any equipment leaving the site shall be washed if dirt, sand, soil, or other loose material is visible.

60. Water shall be applied three times daily, or chemical soil stabilizers shall be used according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces.
61. Traffic speed limits of 15 miles per hour or less shall be posted and enforced on all unpaved roads.

MISCELLANEOUS

62. All Graffiti shall be removed from the site.
63. All future developments, transactions, and operations of this site shall be restricted in accordance with the Covenant and Environmental Restriction dated September 14, 2010 and recorded on January 4, 2011, made part of these conditions of approval.
64. Prior to issuance of grading permits, the applicant shall provide a clearance from the California Regional Water Quality Control Board.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

65. Prior to issuance of building permits, the applicant shall coordinate with and shall receive a clearance from the Los Angeles County Fire Department and shall comply with all their requirements including but not limited to the following:
 - a. Show fire hydrants within 300 feet of property line.
 - b. Show cross street on site plan.
 - c. Provide fire flow information from Water Company on Fire flow Form 196.
 - d. Provide a minimum, unobstructed width of 26 feet clear to sky vehicular access to within 150 feet of all portions of the exterior walls.
 - e. Other requirements maybe made during the fire department life/safety plan review. Submit 1 architectural set of plans and 1 extra site plan for review.

BUILDING AND SAFETY - LOS ANGELES COUNTY

66. Prior to issuance of a Building Permit, the applicant shall obtain all necessary permits from the Building and Safety Division and proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles County Building and Safety Department.
67. The proposed project shall meet all requirements of the American Disabilities Act (ADA).

THE GAS COMPANY

68. Underground Service Alert (USA) must be notified 48 hours prior to commencing work @ (800) 442-4133 or (800) 227-2600. Applicant shall keep the Gas



Company informed of construction schedules, pre-construction meetings, etc., so that they can schedule their work accordingly.

COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

69. The proposed project shall comply with all the requirements of the County Sanitation Districts of Los Angeles County letter dated May 20, 2014, on file at the Planning Division.

PUBLIC WORKS DEPARTMENT - CITY OF CARSON

GENERAL

69. 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.
70. 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.
71. The applicant shall modify the existing median on Figueroa Street north of Anelo Avenue to provide a left-turn pocket for southbound traffic. The design and construction of the left-turn pocket shall be the responsibility of the applicant or its designee and shall be subject to review and approval by the City Engineer.
72. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
73. A construction permit is required for any work to be done in the public right-of-way.
74. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Services prior to approval of the Final Map.
75. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of construction permit.

GRADING PERMIT

76. 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.
77. SUSMP plans shall be submitted to LA County Lisa Naslund. She can be reached at lnaslund@dwplacounty.org.
78. A covenant shall be recorded indicating that the owner of the subject development is aware and agrees to maintain all stormwater BMP features for this project is required. The covenant shall include operation and maintenance guidelines prepared by the project civil engineer/architect.

BUILDING PERMITS

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

79. Drainage/Grading plan shall be submitted for approval of the Building and Safety Division. The Developer shall submit a **copy of approved** Drainage/Grading plans on bond paper to the City of Carson – Engineering Division.
80. CC&R's (covenants, conditions, and restrictions) to address drainage responsibilities are required.
81. 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.
82. Soils report, sewer area study, drainage concept, hydrology study and stormwater quality plan shall be reviewed and approved. Building Permit issuance will not be granted until the required soils, sewer, drainage concept, hydrology study and stormwater information have been received and found satisfactory.
 - a) Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.
83. 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.
84. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
85. The Developer shall submit improvement plans to the Public Works Department – Engineering Division showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
 - a) Street Improvements (*if any*) along Figueroa Street
 - b) Alley Improvements(*if any*)
 - c) Sewer Main Improvements (*if any*) along Figueroa Street as determined by the aforementioned sewer area study.
 - d) Storm Drain Improvements (*if any*) along Figueroa Street as determined by the aforementioned requirement.
86. Off-site improvements (*e.g. driveways, sidewalk, parkway drains, trees, curb/gutter*) shall be shown on the grading plan. Prior to issuance of grading permit, developer shall obtain clearance from Carson Engineering.

87. All existing overhead utility lines less than 12 kilovolts shall be underground to the satisfaction of the City Engineer. Alternatively, in the City Engineer's discretion, the City may accept an in-lieu fee in an amount determined by the City Engineer to be sufficient to cover the costs of such undergrounding provided the applicant deposits the full amount of the deposit of the in-lieu fee before issuance of Building Permits. Undergrounding estimate shall be prepared by Southern California Edison and shall be submitted to the City Engineer for his determination. [Per SCE: Distribution Lines are 12kV and less; Transmission Lines: 16kV and above]

CERTIFICATE OF OCCUPANCY

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

88. 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.
89. 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.
90. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
- a) Comply with mitigation measures recommended by the water purveyor.
91. 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.
92. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right of way along Figueroa Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
93. Fill in any missing sidewalk within the public right of way along Figueroa Street abutting this proposed development
94. Remove and replace any broken/damaged driveway approach within the public right of way along Figueroa Street abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
95. Remove unused driveway approach if any, within the public right of way along Figueroa Street abutting this proposed development and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.

96. The Developer shall modify existing driveways within the public right of way along Figueroa Street abutting this proposed development per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
97. 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 40 feet.
98. Plant approved parkway trees on locations where trees in the public right of way along Figueroa Street abutting this proposed development are missing per City of Carson Standard Nos. 117, 132, 133 and 134.
99. Install irrigation system for the purpose of maintaining the parkway trees existing or to be planted within the public right of way along Figueroa Street abutting this proposed development.
100. The Owner 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.** Contact LACDPW Traffic Lighting Joaquin Herrera (626)300-4770
101. Install streetlights on concrete poles with underground wiring in the public right of way along Figueroa Street abutting this proposed development to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works. Contact LACDPW Traffic Lighting Jeff Chow (626)300-4753.
102. All new utility lines, servicing the proposed development shall be underground to the satisfaction of the City Engineer.
103. Comply with any additional requirements, if any, as means of mitigating any traffic impacts as identified in the traffic study approved by the City Traffic Engineer.
104. Install striping and pavement legend per City of Carson standard.
105. Paint Curbs Red along Figueroa Street within or abutting this proposed development. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval.
106. 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.
107. Streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed from curb-to-curb or from median-to-curb

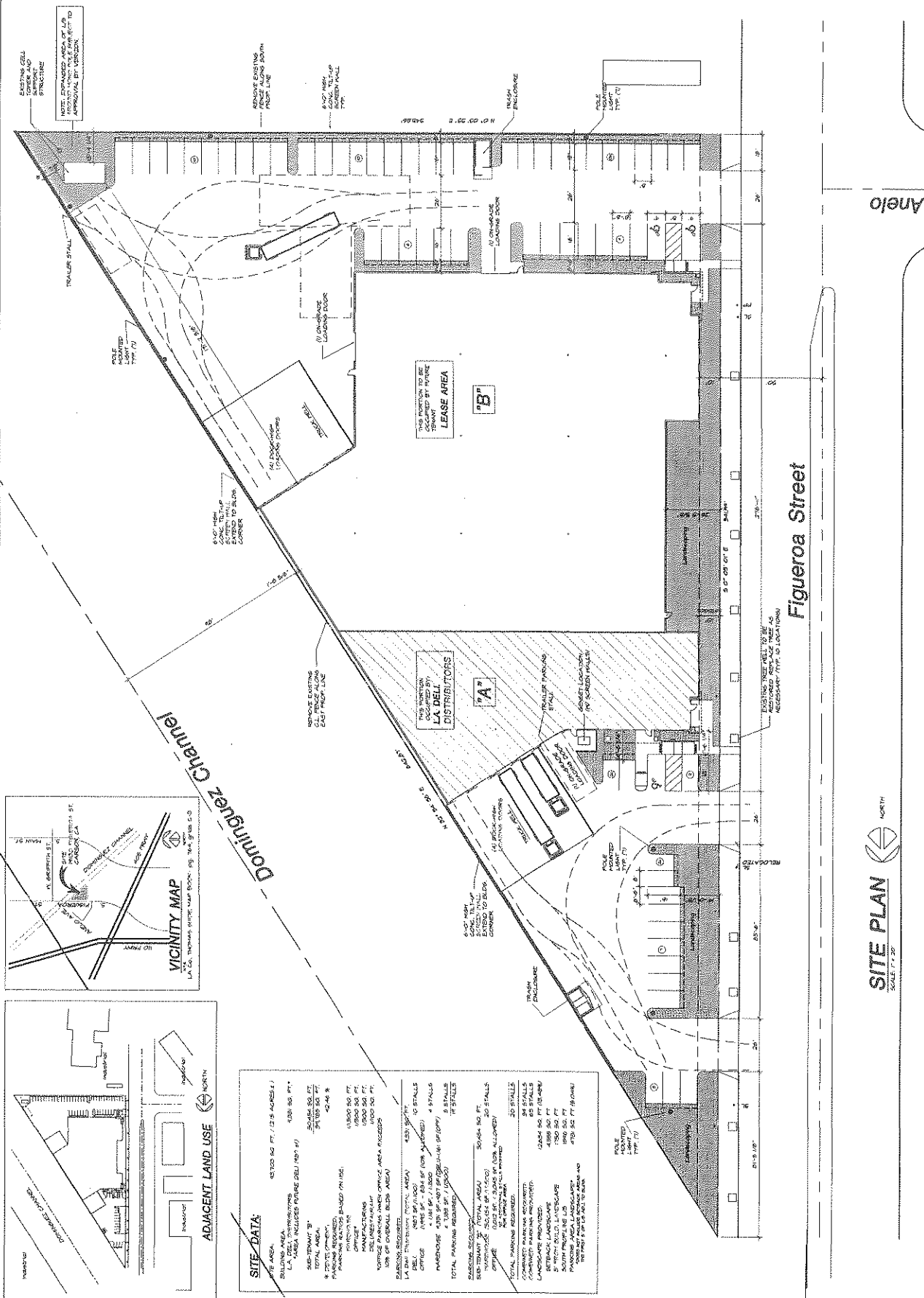
when medians are existing or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS)

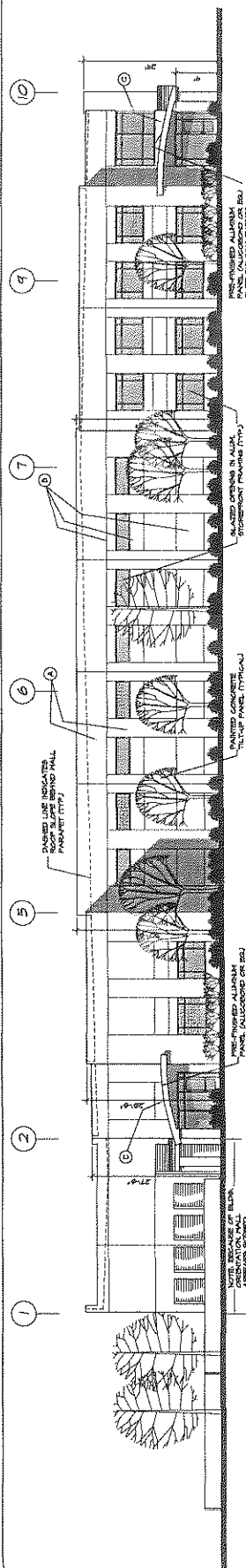
108. At the time of issuance of Certificate of Occupancy, and improvement plan approval, the developer's engineer shall submit the approved off-site improvement plans electronically stored a CD in AutoCad format to the Engineering Services Division.
109. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

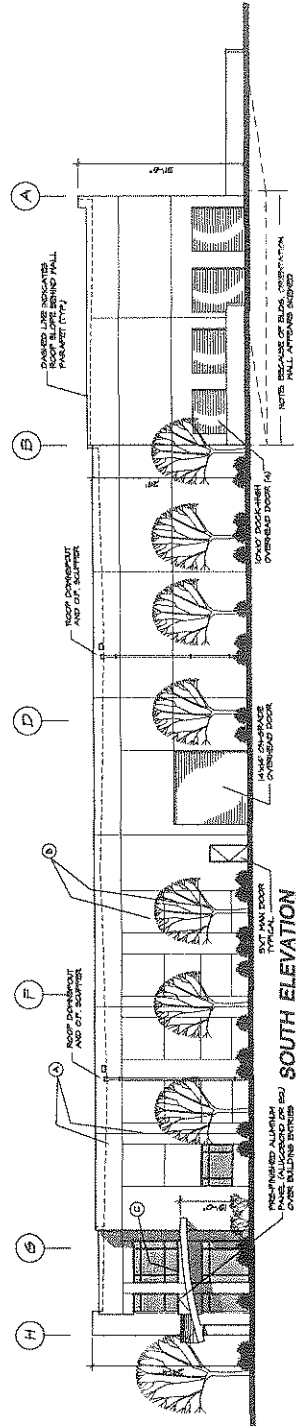
110. Per section 6310 of the Carson Municipal Code, all parties involved in the construction of the project, including but not limited to contractors and subcontractors, will need to obtain a valid City Business License.



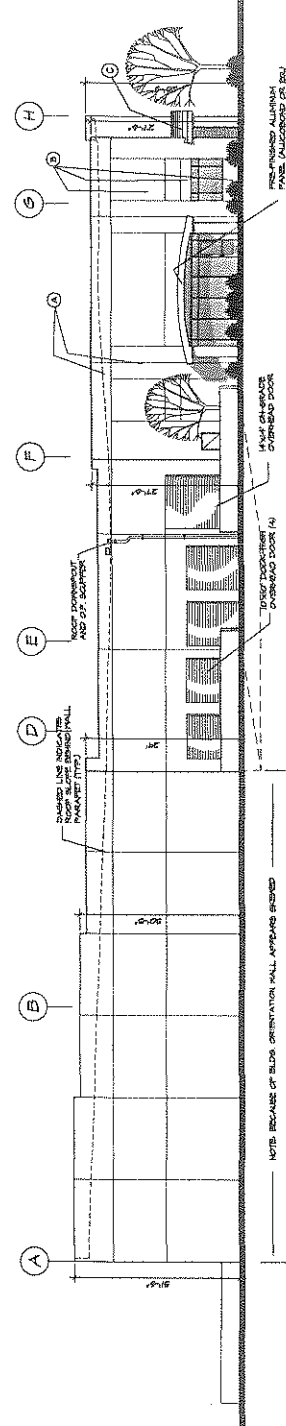




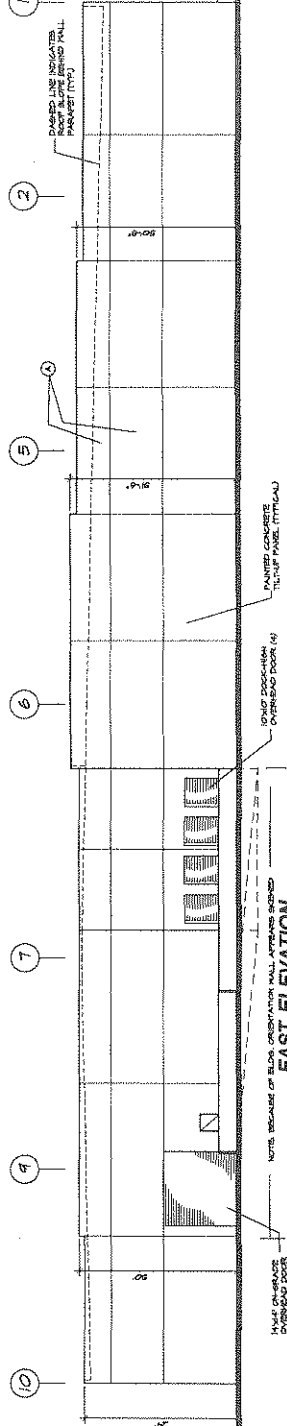
WEST ELEVATION
SCALE 3/32" = 1'-0"



SOUTH ELEVATION



NORTH ELEVATION SCALE 3/32" = 1'-0"



EAST ELEVATION

MATERIAL LEGEND			
S/N	MATERIAL	COLOR	REMARKS
(A)	TELE-UP CONCRETE PANEL WITH PAINT FINISH	Dark Blue/Red	0.000000
(B)	TELE-UP CONCRETE PANEL WITH PAINT FINISH	Dark Blue/Red	0.000000
(C)	PRESTRESSING METAL	WHITE ALUMINUM	

GLAZING LEGEND		GLAZING TYPE
NOTE: 1/4" PLATE		THIS PASTICA
5 SPANDED 1/4"		
7 T TEMPLATED 1/4"		

NOTES:
1. ALL STORMWATER GLAZING SHALL BE DESIGNED TO BE INSTALLED IN TO
WALL EXTERIOR TO REDUCING PER SECTIONS 2403C AND 2404C, INT. IBC.
2. STORMWATER TO BE 24" X 4' ALLIGATOR NY MESH, 100% PVC.



PETERS + JEPHSON PARTNERSHIP, INC.
ARCHITECTURE & PLANNING
413 SOUTH GILBERT
ORANGE, CALIFORNIA 92666
(714) 771-0700

NOTES:

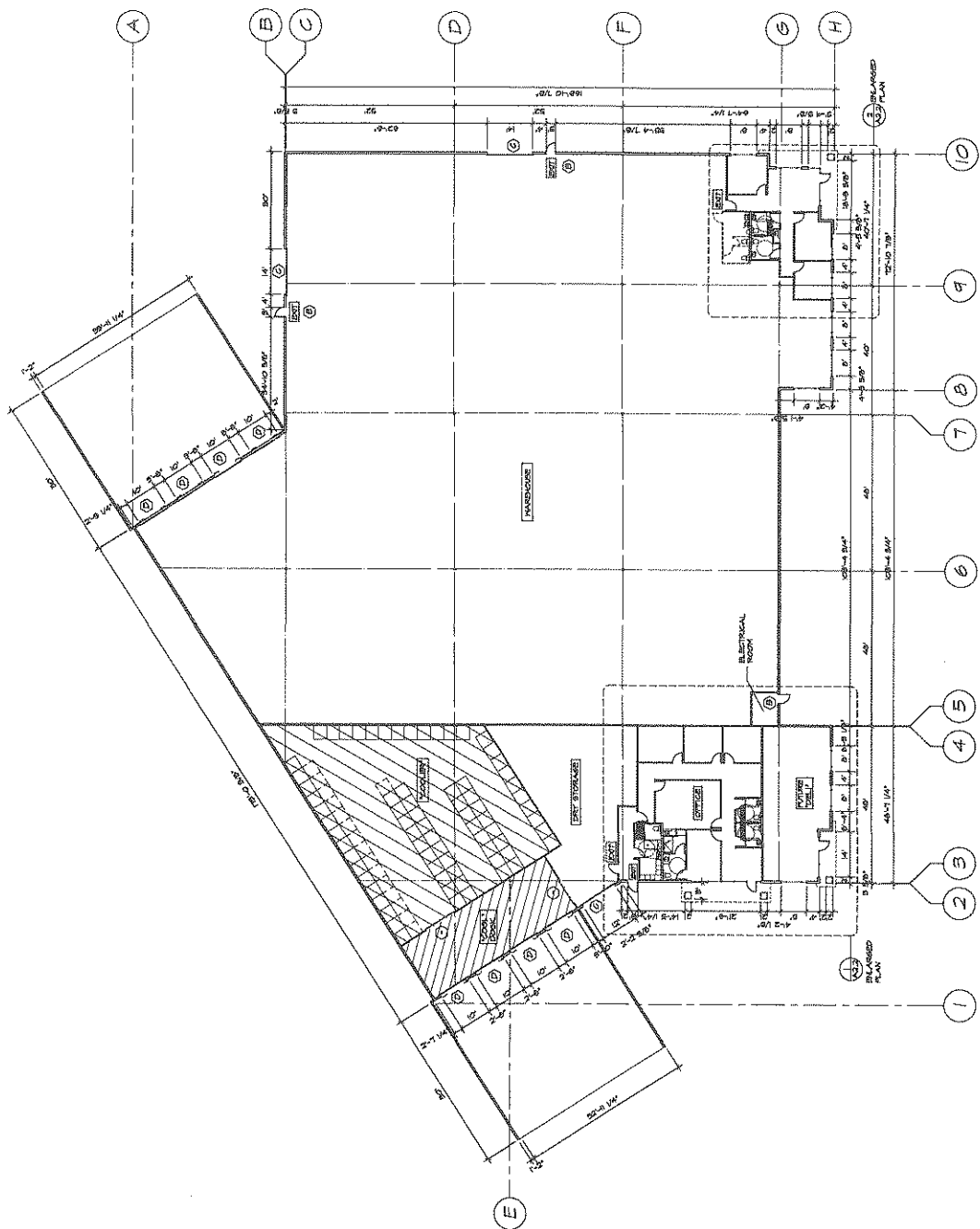
1. ALL INTERIOR WALLS TO BE 4" RCP OF STEEL STUDS @ 24" O.C. & REINFORCED CONCRETE SLAB.
2. ALL EXTERIOR CONCRETE WALLS IN CONDITIONED SPACES TO BE MINIMUM 12" THICK 2" LAP STEEL REINFORCED CONCRETE.
3. ALL EXTERIOR WALLS TO BE INSULATED IN R-8.
4. ALL INTERIOR WALLS TO BE INSULATED IN R-8.
5. ALL INTERIOR WALLS TO BE FINISHED IN A. MECHANICALLY OPERATED EXHAUST SYSTEMS SHALL BE INSTALLED IN ALL KITCHENS, PANTRY, AND MEAT PROCESSING AREAS. EXHAUST SYSTEMS SHALL BE CONNECTED TO EXTERIOR THROUGH ROOF OR WALL. EXHAUST SYSTEMS SHALL BE AT LEAST 3 FEET FROM ANY OPERATING EQUIPMENT AND SHALL BE INSTALLED IN THE EXTERIOR PORTION OF THE BUILDING.

SIGNS:

- INTERIALLY OR EXTERIALLY
ALL SIGNS SHALL BE INSTALLED IN A MANNER THAT DOES NOT OBSTRUCT THE VIEW OF THE BUILDING OR THE ENTRANCE TO THE BUILDING. SIGNS SHALL BE INSTALLED IN A MANNER THAT DOES NOT OBSTRUCT THE VIEW OF THE BUILDING OR THE ENTRANCE TO THE BUILDING. SIGNS SHALL BE INSTALLED IN A MANNER THAT DOES NOT OBSTRUCT THE VIEW OF THE BUILDING OR THE ENTRANCE TO THE BUILDING.

TACTILE SIGNS:

- ALL HALLWAYS WITH TACTILE LETTERING
HALLWAYS SHALL BE INSTALLED IN A MANNER THAT DOES NOT OBSTRUCT THE VIEW OF THE BUILDING OR THE ENTRANCE TO THE BUILDING. SIGNS SHALL BE INSTALLED IN A MANNER THAT DOES NOT OBSTRUCT THE VIEW OF THE BUILDING OR THE ENTRANCE TO THE BUILDING. SIGNS SHALL BE INSTALLED IN A MANNER THAT DOES NOT OBSTRUCT THE VIEW OF THE BUILDING OR THE ENTRANCE TO THE BUILDING.



OVERALL FLOOR PLAN NORTH
SCALE: 1/8" = 1'-0"

A2.2

OFFICE PLAN

DATE

BY

REVISION

NO.

DATE

BY

REVISION

NO.

DATE

BY

REVISION

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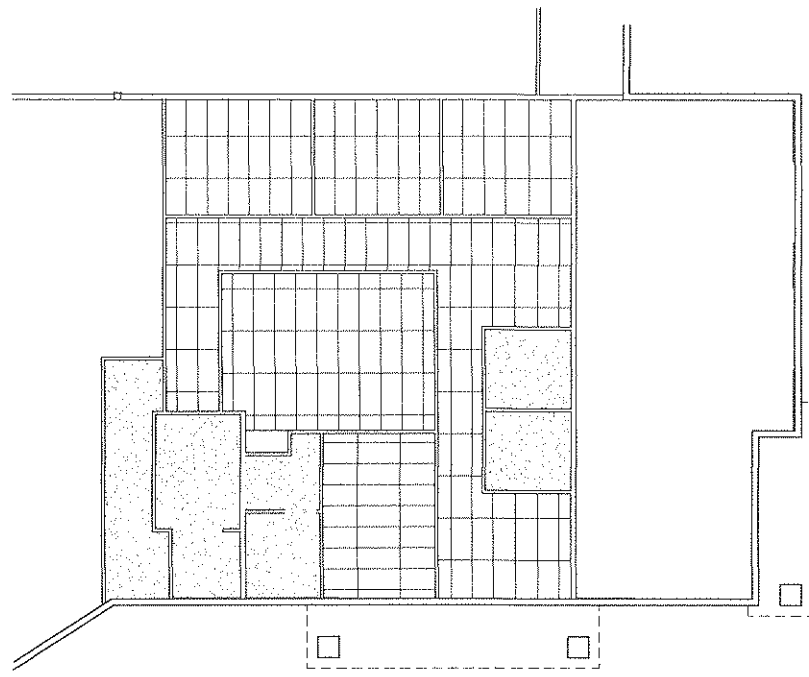
new distribution facilities for:
L.A. DELI DISTRIBUTORS, Inc.
19130 Figueroa Street
Carson, CA 90745



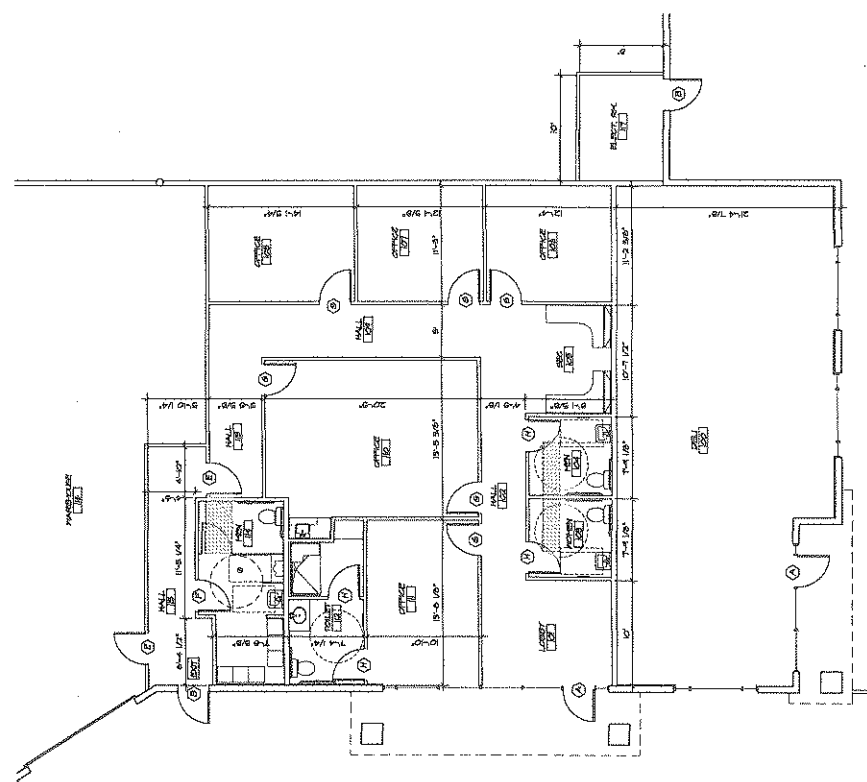
PETERS + JENSON PARTNERSHIP, INC.
413 SOUTH OLIVE STREET
ORANGE, CALIFORNIA 92666
ARCHITECTURE & PLANNING



CEILING PLAN
SCALE 3/8" = 1'-0"



FLOOR PLAN
SCALE 3/8" = 1'-0"



52

A2.3

OFFICE PLAN

DATE: 11/10/00

BY: JEPSON

REVISIONS:

NO. 1

DATE: 11/10/00

BY: JEPSON

REVISIONS:

NO. 2

DATE: 11/10/00

BY: JEPSON

REVISIONS:

NO. 3

DATE: 11/10/00

BY: JEPSON

REVISIONS:

NO. 4

DATE: 11/10/00

BY: JEPSON

REVISIONS:

NO. 5

DATE: 11/10/00

BY: JEPSON

REVISIONS:

NO. 6

DATE: 11/10/00

BY: JEPSON

REVISIONS:

NO. 7

DATE: 11/10/00

BY: JEPSON

REVISIONS:

NO. 8

DATE: 11/10/00

BY: JEPSON

REVISIONS:

new distribution facilities for
L.A. DELI DISTRIBUTORS, Inc.
19130 Figueroa Street
Carson, CA 90745

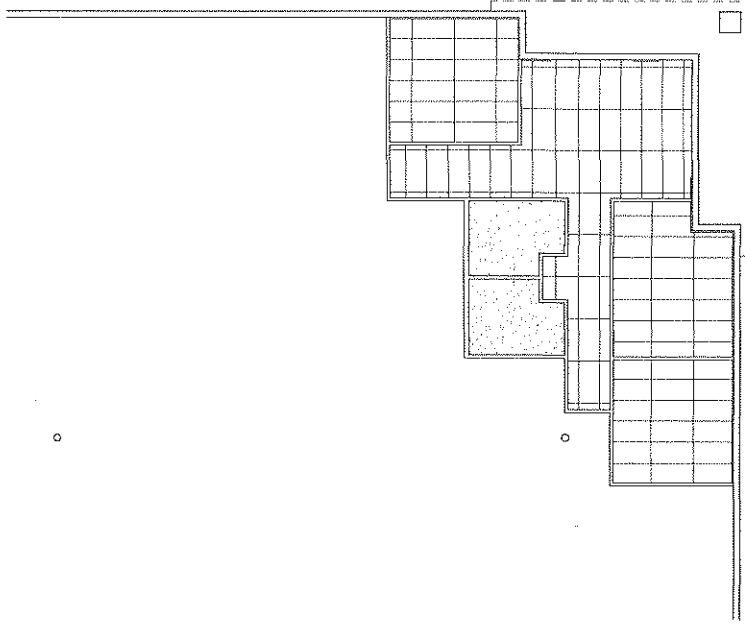


PETERS + JEPSON PARTNERSHIP, INC.
413 SOUTH GLASSELL
ORANGE, CALIFORNIA 92666
714.766.1770
ARCHITECTURE & PLANNING



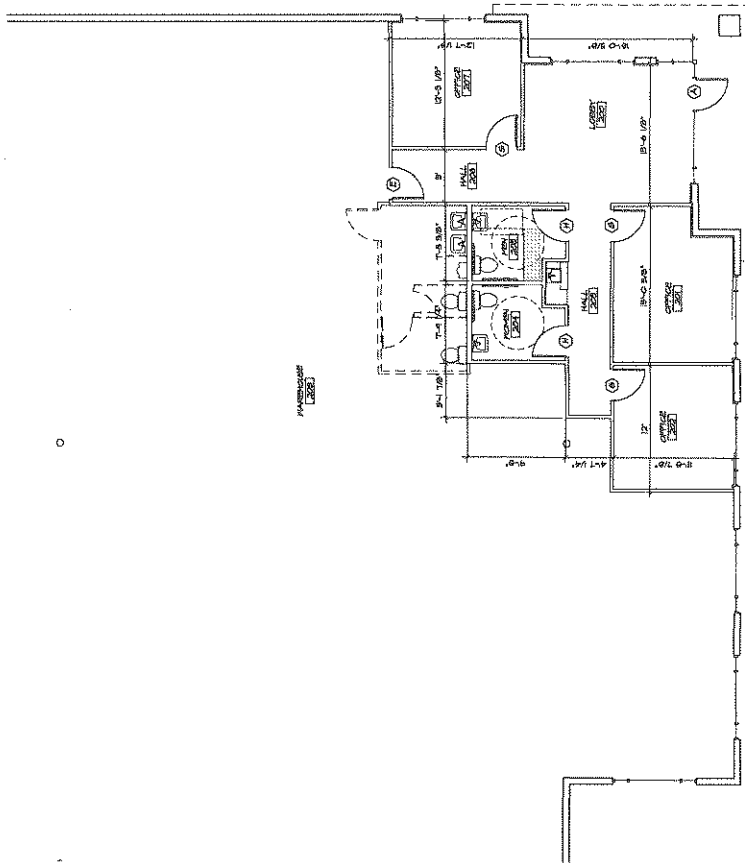
CEILING PLAN

SCALE 3/8" = 1'-0"



FLOOR PLAN

SCALE 3/8" = 1'-0"



26





California Regional Water Quality Control Board

Los Angeles Region



Recipient of the 2001 Environmental Leadership Award from Keep California Beautiful

Linda S. Adams
Agency Secretary

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.waterboards.ca.gov/losangeles>

Arnold Schwarzenegger
Governor

November 16, 2010

Mr. Joe Kennedy
Greve Financial Services, Inc.
P.O. Box 1684
Lomita, CA 90717

CONDITIONAL APPROVAL OF SITE REMEDIATION, SOUTHWEST STEEL ROLLING MILL NO. 1 LANDFILL, 19130 FIGUEROA STREET, CARSON, CA (FILE NO. 57-079)

Dear Mr. Kennedy:

The Southwest Steel Rolling Mills No. 1 Landfill (Landfill) site was operated as a disposal facility for slag wastes between 1957 and 1968 that were generated from steel manufacturing operations. Greve Financial Services, Inc. (Discharger) is preparing the Landfill site for future commercial development by excavating and disposing off-site of the slag material, and covering the entire parcel with asphaltic concrete or concrete when commercial redevelopment is complete.

In 2009, the Discharger undertook voluntary cleanup of the Landfill site and submitted a clean-up activity report, dated September 2009, to the Los Angeles Regional Water Quality Control Board (Regional Board). On September 24, 2009, Regional Board staff determined that the remediation project was deficient and that the following activities must be completed to the satisfaction of the Regional Board Executive Officer prior to considering a No Further Action determination:

- Confirmation from the City of Carson that the project is exempt from California Environmental Quality Act requirements.
- Submittal of all documentation of waste materials handling and disposal for the remediation project.
- Determine whether the carbon range for petroleum hydrocarbons in the engineered backfill at the site is in compliance with soil clean-up guidelines.
- Assess contamination from metals and polychlorinated biphenyls (PCB) in the engineered backfill at the site.
- Design and implement a groundwater monitoring program at the Landfill.
- Complete a human health risk assessment associated with the occurrence of Aroclor 1254 (a PCB compound) in soils reused at the Landfill in the engineered backfill, as well as risks associated with soils excavation completed to date.
- Complete a Covenant and Environmental Restriction on the property title.

On January 6, 2010, Regional Board staff approved a workplan for remaining cleanup activities conditioned on the completion of four quarters of groundwater monitoring at the site.

The Regional Board is in receipt of the reports, *Soil and Groundwater Confirmation Results*, dated February 2010 and *Fourth Quarter 2010 Groundwater Monitoring Report*, dated October 2010, both prepared by Clean Soil, Inc. Soil sampling results completed pursuant to the approved workplan indicate

California Environmental Protection Agency

EXHIBIT NO. 03



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

29

Mr. Joe Kennedy
Greve Financial Services, Inc.

- 2 -

November 16, 2010

that petroleum hydrocarbons and metals in the engineered backfill at the site are within soil clean-up guidelines. Aroclor 1254, identified during voluntary clean-up activities as occurring in dark stained surficial soils, were at non-detect levels following engineered backfill activities. With respect to groundwater monitoring, results of four quarters of monitoring indicate that there are no impacts to groundwater from the Landfill for constituents of concern identified during voluntary cleanup activities (i.e. petroleum hydrocarbons, metals, Aroclor 1254). However, volatile organic compounds (VOCs) were identified in monitoring wells both upgradient and downgradient of the Landfill. Perchloroethylene (PCE) and trichloroethylene (TCE) were measured at levels above their State maximum contaminant level (MCL) for drinking water in upgradient monitoring well MW-2. In downgradient or sidegradient monitoring wells MW-1 and MW-3, 1,1-Dichloroethane (1,1-DCA), 1,1-Dichloroethene (1,1-DCE), and cis-1,2-Dichloroethene (cis-1,2-DCE), which are considered breakdown products of the PCE and TCE, were detected. 1,1-DCE was detected at low or trace levels. 1,1-DCA and cis-1,2-DCE were detected at levels greater than their State MCL for drinking water.

Based upon the information provided to the Regional Board, and with the provision that the information was accurate and representative of site conditions and that site activities will be restricted to commercial or industrial uses, we require no further action at the site pertinent to soil assessment and remediation at this time. This determination is conditioned on the recordation of a Covenant and Environmental Restriction the Landfill property. However, because the source for remaining contamination is unclear, continued groundwater monitoring is required as Regional Board staff further investigates potential contamination sources. The Discharger shall continue semiannual monitoring of known VOC contaminants at the Landfill as part of investigations by the Regional Board or the California Department of Toxic Substances Control for other landfills in the area until further directed by the Regional Board Executive Officer. The reports shall be submitted by May 31 and October 31 of each year. Moreover, if monitoring indicates that the Landfill is contributing to the groundwater contamination, the Regional Board may reopen the case.

If you have any questions please call project manager, Dr. Enrique Casas, at (213) 620-2299 or Unit Chief of Land Disposal, Dr. Wen Yang, at (213) 620-2253.

Sincerely,


Samuel Unger, P. E.
Executive Officer

cc: Cindy Chen, County of Los Angeles Environmental Health Division
Clifford W. Graves, Carson Redevelopment Agency
Mark Slatten, Clean Soil, Inc.

California Environmental Protection Agency



Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

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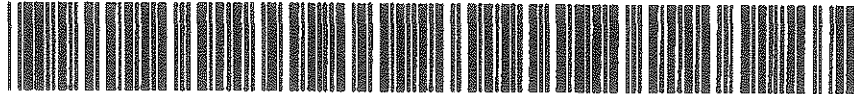


Pages:
0010

Recorded/Filed in Official Records
Recorder's Office, Los Angeles County,
California

01/04/11 AT 03:08PM

FEES :	42.00
TAXES :	0.00
OTHER :	0.00
PAID :	42.00



LEADSHEET



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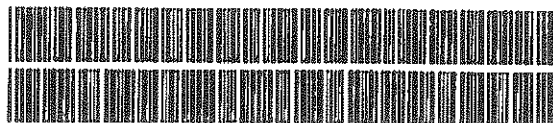
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DAR - Counter (Hard Copy)



THIS FORM IS NOT TO BE DUPLICATED

E188245

EXHIBIT NO. 04



Recording Requested By:
DURABLE PROPERTIES INC.



When Recorded, Mail To:
Samuel Unger, Executive Officer
California Regional Water Quality Control Board
Los Angeles Region
320 W. 4th Street, Suite 200
Los Angeles, California 90013

COVENANT AND ENVIRONMENTAL RESTRICTION
ON PROPERTY

Former Southwest Steel Rolling Mill No. 1 Landfill

19130 Figueroa Street, Carson, California 90248

APN: 7339-016-003

LARWQCB FILE NO. 57-059

This Covenant and Environmental Restriction on Property ("Covenant") is made as of the 14th day of September, 2010 by Durable Properties Inc. ("Covenantor") who is the Owner of record of that certain property situated at 19130 Figueroa Street, in the City of Carson, County of Los Angeles, State of California, which is more particularly described in Exhibit A and ~~B~~ ^{UCL} attached hereto and incorporated herein by this reference (hereinafter referred to as the "Burdened Property"), for the benefit of the California Regional Water Quality Control Board, Los Angeles Region ("Board"), with reference to the following facts:

A. Nature of Covenant. This Covenant is an environmental covenant provided for by Civil Code section 1471 and required by the Board pursuant to Water Code section [13304 or 13307.1] because the Burdened Property is contaminated by hazardous materials as defined in section 25260 of the Health and Safety Code.

B. Contamination of the Burdened Property. The soil at the Burdened Property was contaminated by deposits of slag, PCB impacted soil and construction debris conducted by Southwest Steel Rolling Mills Inc. The known contamination originally consisted of INORGANIC and ORGANIC chemicals including Cadmium, Lead and Zinc which constitute hazardous materials. By means of excavation, segregation and exportation, the known contamination has been reduced to non-detectable levels for organic compounds and sub preliminary remediation goals for metals.

C. Exposure Pathways. The contaminants addressed in this Covenant are present in the soil at the Burdened Property. Without the mitigation measures which have been performed on the Burdened Property, exposure to these contaminants could take place via excavation and dispersion to atmosphere or leaching to groundwater. The risk of public exposure to the contaminants has been substantially lessened by the remediation and controls described herein.

D. Land Uses and Population Potentially Affected. The Burdened Property is used for any industrial purpose and is adjacent to industrial land uses.

E. Disclosure and Sampling. Disclosure of the presence of hazardous materials on the Burdened Property has been made to the Board and extensive sampling of the Burdened Property has been conducted.

F. Use of Burdened Property. Covenantor desires and intends that in order to benefit the Board, and to protect the present and future public health and safety, the Burdened Property shall be used in such a manner as to avoid potential harm to persons or property that might result from any hazardous materials that might remain deposited on portions of the Burdened Property.

ARTICLE I GENERAL PROVISIONS

1.1 Provisions to Run with the Land. This Covenant sets forth protective provisions, covenants, conditions and restrictions (collectively referred to as "Restrictions") upon and subject to which the Burdened Property and every portion thereof shall be improved, held, used, occupied, leased, sold, hypothecated, encumbered, and/or conveyed. These restrictions are reasonably necessary to protect present and future human health and safety or the environment as a result of the presence on the land of hazardous materials. Each and all of the Restrictions shall run with the land and pass with each and every portion of the Burdened Property, and shall apply to, inure to the benefit of, and bind the respective successors, assigns, and lessees thereof for the benefit of the Board and all Owners and Occupants. Each and all of the Restrictions: (a) are imposed upon the entire Burdened Property, unless expressly stated as applicable to a specific portion of the Burdened Property; (b) run with the land pursuant to section 1471 of the Civil Code; and (c) are enforceable by the Board.

1.2 Concurrence of Owners and Lessees Presumed. All purchasers, lessees, and possessors of all or any portion of the Burdened Property shall become Owners or Occupants as defined herein and shall be deemed by their purchase, leasing, or possession of the Burdened Property to be bound by the Restrictions and to agree for and among themselves, their heirs, successors, and assignees, and the agents, employees, and lessees of such owners, heirs, successors, and assignees, that the Restrictions herein established must be adhered to for the benefit of the Board and all Owners and Occupants, and that the interest of all Owners and Occupants of the Burdened Property shall be subject to the Restrictions.

1.3 Incorporation into Deeds and Leases. Covenantor desires and covenants that the Restrictions shall be incorporated in and attached to each and all deeds and leases of all or any portion of the Burdened Property. Recordation of this Covenant shall be deemed binding on all successors, assigns, and lessees, regardless of whether a copy of this Covenant has been attached to or incorporated into any given deed or lease.

1.4 Purpose. It is the purpose of this instrument to convey to the Board real property rights, which will run with the land, to facilitate the remediation of past environmental contamination and to protect human health and the environment by reducing the risk of exposure to residual

hazardous materials.

ARTICLE II DEFINITIONS

2.1 Board. "Board" shall mean the California Regional Water Quality Control Board, Los Angeles Region and shall include its successor agencies, if any.

2.2 Improvements. "Improvements" shall mean all buildings, structures, roads, driveways, gradings, re-gradings, and paved areas, constructed or placed upon any portion of the Burdened Property.

2.3 Occupant or Occupants. "Occupant" or "Occupants" shall mean Owners and those persons entitled by ownership, leasehold, or other legal relationship to the right to use and/or occupy all or any portion of the Burdened Property.

2.4 Owner or Owners. "Owner" or "Owners" shall mean the Covenantor and Covenantor's successors in interest who hold title to all or any portion of the Burdened Property.

ARTICLE III DEVELOPMENT, USE AND CONVEYANCE OF THE BURDENED PROPERTY

3.1 Restrictions on Development and Use. Covenantor promises to restrict the use of the Burdened Property as follows:

- a. Development and use of the Burdened Property shall be restricted to industrial, commercial, and/or office space;
- b. No residence for human habitation shall be permitted on the Burdened Property;
- c. No hospitals shall be permitted on the Burdened Property;
- d. No public or private schools for persons under 21 years of age shall be permitted on the Burdened Property;
- e. No care or community centers for children or senior citizens, or other uses that would involve the regular congregation of children or senior citizens, shall be authorized on the Burdened Property;
- f. No Owner or Occupant shall conduct or permit any excavation work on the Burdened Property, unless expressly permitted in writing by the Board. Any contaminated soils brought to the surface by grading, excavation, trenching, or backfilling shall be managed by the Owner, Owner's agent, Occupant or Occupant's agent in accordance with all applicable provisions of local, state and federal law;
- g. Any excavation conducted on the Burdened Property shall be performed pursuant to an

appropriate and fully implemented Health and Safety Plan;

h. All uses and development shall preserve the integrity of any cap, any remedial measures taken or remedial equipment installed, and any groundwater monitoring system installed on the Burdened Property pursuant to the requirements of the Board, unless otherwise expressly permitted in writing by the Board;

i. No Owner or Occupant shall drill, bore, otherwise construct, or use a well for the purpose of extracting water for any use, including but not limited to, domestic, potable, or industrial uses, unless expressly permitted in writing by the Board; nor shall the Owner or Occupant permit or engage any third party to do such acts;

j. The Owner and Occupant shall notify the Board of each of the following: (1) the type, cause, location and date of any disturbance to any cap, any remedial measures taken or remedial equipment installed, and of the groundwater monitoring system installed on the Burdened Property pursuant to the requirements of the Board, which could affect the ability of such cap or remedial measures, remedial equipment, or monitoring system to perform their respective functions and (2) the type and date of repair of such disturbance. Notifications to the Board shall be made by registered mail within ten (10) working days of both the date of discovery of such disturbance and the date of completion of repairs;

k. The Covenantor agrees that the Board, and any persons acting pursuant to Board orders, shall have reasonable access to the Burdened Property for the purposes of inspection, surveillance, maintenance, or monitoring as provided in Division 7 of the Water Code; and

l. No Owner or Occupant shall act in any manner that threatens or is likely to aggravate or contribute to the existing contaminated conditions of the Burdened Property. All use and development of the Burdened Property shall preserve the integrity of any capped areas.

3.2 Enforcement. Failure of an Owner or Occupant to comply with any of the Restrictions set forth in Paragraph 3.1 shall be grounds for the Board, by the authority of this Covenant, to require that the Owner or Occupant modify or remove, or cause to be modified or removed, any Improvements constructed in violation of that Paragraph. Violation of this Covenant shall also be grounds for the Board to file civil actions against the Owner or Occupant as provided by law.

3.3 Notice in Agreements. After the date of recordation hereof, all Owners and Occupants shall execute a written instrument which shall accompany all purchase agreements or leases relating to all or any portion of the Burdened Property. Any such instrument shall contain the following statement:

The land described herein contains hazardous materials in soils and in the groundwater under the property, and is subject to a Covenant and Environmental Restriction dated as of September 14, 2010, and recorded on _____, 20____, in the Official Records of Los Angeles County, California, as Document No. _____, which Covenant and Environmental Restriction imposes certain covenants, conditions, and restrictions on usage of the property described herein.

This statement is not a declaration that a hazard exists.

ARTICLE IV
VARIANCE AND TERMINATION

- 4.1 Variance. Any Owner or, with the Owner's written consent, any Occupant may apply to the Board for a written variance from the provisions of this Covenant.
- 4.2 Termination. Any Owner or, with the Owner's written consent, any Occupant may apply to the Board for a termination of the Restrictions as they apply to all or any portion of the Burdened Property.
- 4.3 Term. Unless terminated in accordance with Paragraph 4.2 above, by law or otherwise, this Covenant shall continue in effect in perpetuity.

ARTICLE V
MISCELLANEOUS

5.1 No Dedication Intended. Nothing set forth herein shall be construed to be a gift or dedication, or offer of a gift or dedication, of the Burdened Property or any portion thereof to the general public.

5.2 Notices. Whenever any person gives or serves any notice, demand, or other communication with respect to this Covenant, each such notice, demand, or other communication shall be in writing and shall be deemed effective (a) when delivered, if personally delivered to the person being served or an official of a government agency being served, or (b) three (3) business days after deposit in the mail if mailed by United States mail, postage paid certified, return receipt requested, addressed:

If To: "Covenantor"
Durable Properties, Inc.
P.O. Box 1180
Lomita, California 90717

If To: "Board"
Regional Water Quality Control Board
Los Angeles Region
Attention: Executive Officer
320 W. 4th Street, Suite 200
Los Angeles, California 90013

5.3 Partial Invalidity. If any portion of the Restrictions or terms set forth herein is determined by a court having jurisdiction to be invalid for any reason, the remaining portion shall remain in full force and effect as if such portion had not been included herein.

5.4 Recordation. This instrument shall be executed by the Covenantor and by the Executive

Officer of the Board. This instrument shall be recorded by the Covenantor in the County of Los Angeles within ten (10) days of the date of execution.

5.5 References. All references to Code sections include successor provisions.

5.6 Construction. Any general rule of construction to the contrary notwithstanding, this instrument shall be liberally construed in favor of the Covenant to preserve and implement the purpose of this instrument and the policies and purposes of the Water Code. If any provision of this instrument is found to be ambiguous, an interpretation consistent with the purpose of this instrument that would render the provision valid shall be favored over any interpretation that would render it invalid.

IN WITNESS WHEREOF, the parties execute this Covenant as of the date set forth above.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK;
SIGNATURES ON FOLLOWING PAGES]

Covenantor: DURABLE PROPERTIES INC
Print Name: VALERIE M KENNEDY
Signature: Valerie M Kennedy
Title: SECRETARY / TREASURER
Date: 1/4/2011

CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of Los Angeles

On Jan 4, 2011 before me, Irena V. Nikolova, Notary Public,
personally appeared Valerie M. Kennedy,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) ~~is~~ are
subscribed to the within instrument and acknowledged to me that he ~~she~~ they executed the same
in his ~~her~~ their authorized capacity(ies), and that by his/her/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

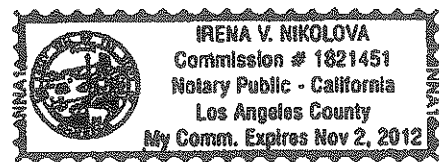
I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Irena Nikolova

Signature of Notary Public

(Notary Seal)



California Regional Water Quality Control Board, Los Angeles Region

Print Name: Samuel Unger, P.E.

Signature: Samuel Unger

Title: Executive Officer

Date: 12-29-10

CERTIFICATE OF ACKNOWLEDGMENT

State of California

County of LOS ANGELES

On DECEMBER 29, 2010 before me, GWENDOLYN RACHELLE MONROE, Notary Public,
personally appeared SAMUEL UNGER,

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/~~she~~/they executed the same
in his/~~her~~/their authorized capacity(ies), and that by his/~~her~~/their signature(s) on the instrument
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Gwendolyn Rachelle Monroe
Signature of Notary Public

(Notary Seal)

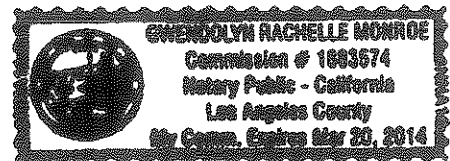


EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

Lot 113 of Tract 4671, in the city of Carson, County of Los Angeles, State of California, as per map recorded in Book 56, Pages 30 and 31 of Maps, in the office of the County Recorder of said county.

EXCEPT THEREFROM, that portion of said lot described in the final decree of Condemnation rendered October 9, 1952 in Superior Court Los Angeles County, Case No. 592783, a certified copy thereof being recorded October 17, 1952 as instrument no. 3854, in Book 40100, Page 403, Official Records, of said County.

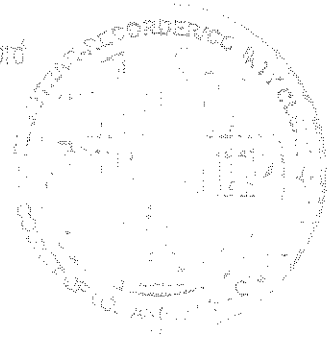
ALSO EXCEPT THEREFROM, that portion of said Lot, described in Part A of Parcel No. 803 of the Final Order of Condemnation entered in Superior Court Los Angeles County, Case No. 842295, a certified copy thereof being recorded March 10, 1966, as Instrument No. 2984 of said County



This is a true and correct copy of the record
as it bears the seal, imprinted in purple ink,
of the Register-Recorder's County Clerk.

JAN 4 1900

CHAS. C. [illegible]
[illegible]





Los Angeles Regional Water Quality Control Board

May 20, 2014

Mr. Jim Christian
L.A. Deli Distributors, Inc.
14438 S. Avalon Blvd.
Gardena, CA 90248

CLARIFICATION ON GROUNDWATER MONITORING REQUIREMENTS, SOUTHWEST STEEL ROLLING MILL NO. 1 LANDFILL, 19130 FIGUEROA STREET, CARSON, CA (FILE NO. 57-059, GEOTRACKER GLOBAL ID. L10006760899)

Dear Mr. Christian:

The Los Angeles Regional Water Quality Control Board (Regional Board) received your letter dated April 28, 2014, indicating that you are the new owner of the Southwest Steel Rolling Mill No. 1 Landfill (Landfill) property, located at 19130 Figueroa Street, Carson, California. In your letter you requested clarification if any groundwater monitoring activities are required by the Regional Board for the Landfill. The approximately two-acre Landfill site is located immediately southwest of the Dominguez Flood Control Channel and was operated from July 30, 1957 to June 29, 1968, as permitted by the County of Los Angeles Department of County Engineer Industrial Waste Division and the Regional Board. Wastes permitted for disposal at the Landfill were limited to natural earth, rock, sand and gravel, paving fragments, concrete, brick, plaster and plaster products, steel mill slag, street sweepings, glass, and asbestos-fiber containing materials. Multiple investigations indicate that steel mill slag was the primary waste deposited at the site.

Starting in 2007, the previous property owner, Mr. Joe Kennedy, Durable Properties, Inc., undertook a voluntary cleanup of the site to prepare it for future commercial redevelopment, including excavating and crushing the slag material and using the crushed materials to construct a structural fill at the site. On November 16, 2010, the Regional Board issued a no further action (NFA) determination regarding soil assessment and remediation at the Landfill property. The NFA determination was conditioned on site activities being restricted to commercial or industrial uses and the recordation of a Covenant and Environmental Restriction for the property. Included in the NFA determination was a discussion about the occurrence of volatile organic compounds (VOCs) in monitoring wells both upgradient and downgradient of the Landfill. Because VOCs are not a constituent of concern (COC) for the slag wastes deposited at the Landfill they are deemed to be regional in nature and related to other industrial sites or landfills in the area. Nevertheless, the Regional Board directed that Mr. Kennedy continue semiannual monitoring of known VOCs as part of any regional groundwater investigations in the area. Since there has not been any investigation of regional groundwater in the area required by the Regional Board subsequent to the NFA determination, groundwater monitoring at the site was not started.

On January 4, 2011, a Covenant and Environmental Restriction was recorded with the County of Los Angeles Recorder's Office. Condition 3.1.h of the Covenant and Environmental

California Regional Water Quality Control Board - Southern District

120 West 19th Street, Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/southern

EXHIBIT NO. 05



Mr. Jim Christian
L.A. Deli Distributors, Inc.

- 2 -

May 20, 2014

Restriction included the requirement that "All uses and development shall preserve the integrity of any cap, any remedial measures taken or remedial equipment installed, and any groundwater monitoring system installed on the Burdened Property pursuant to the requirements of the Board, unless otherwise expressly permitted in writing by the Board;" It is our understanding that, following the recordation of the Covenant and Environmental Restriction, Mr. Kennedy chose to sell rather than develop the property and that he removed existing groundwater monitoring wells pursuant to well abandonment requirements of the County of Los Angeles Department of Public Health, but without approval from the Regional Board.

As the new property owner we understand that you are interested in determining your obligation to conduct groundwater monitoring at the site pursuant to the NFA determination and/or the Covenant and Environmental Restriction. The Landfill is currently not regulated under waste discharge requirements adopted by the Regional Board and there is no current or pending Regional Board investigation of regional groundwater quality in the area. As such you are not required to conduct groundwater monitoring at the Landfill as this time. However, as the successor owner of the Landfill, you are responsible for the condition of the property per the Covenant and Environmental Restriction.

If you have any questions please call project manager, Dr. Enrique Casas, at (213) 620-2299 or Unit Chief of Land Disposal, Dr. Wen Yang, at (213) 620-2253.

Sincerely,


Samuel Unger, P.E.
Executive Officer

43



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

GRACE ROBINSON HYDE
Chief Engineer and General Manager

May 20, 2014

Ref File No.: 2964557

Mr. Saied Naaseh, Associate Planner
Community Development Department
City of Carson
701 East Carson Street
P.O. Box 6234
Carson, CA 90749

Dear Mr. Naaseh:

Design Overlay Review No. 1533-14

The County Sanitation Districts of Los Angeles County (Districts) received the letter and plans for the subject project forwarded by your office on May 2, 2014. The proposed development is located within the jurisdictional boundaries of District No. 8. We offer the following comments regarding sewerage service:

1. The proposed project may require a Districts' permit for Industrial Wastewater Discharge. Project developers should contact the Districts' Industrial Waste Section at extension 2900, in order to reach a determination on this matter. If this permit is necessary, project developers will be required to forward copies of final plans and supporting information for the proposed project to the Districts for review and approval before beginning project construction. For additional Industrial Wastewater Discharge Permit information, go to http://www.lacsd.org/wastewater/industrial_waste/permit.asp.
2. The wastewater flow originating from the proposed project will discharge to a local sewer line, which is not maintained by the Districts. The Districts' trunk sewer that will most likely serve the proposed project is the proposed project is the Main Street Trunk Sewer, located in Broadway at Griffith Street. This 21-inch diameter trunk sewer has a design capacity of 3.8 million gallons per day (mgd) and conveyed a peak flow of 1.2 mgd when last measured in 2012. Because the Districts does not have a complete record of the local sewer line in Figueroa Street, the Districts cannot determine with certainty the trunk sewer which will most likely serve the proposed project. Please provide plans for the local sewer line in Figueroa Street from Del Amo Boulevard to Griffith Street in order to obtain a detailed response confirming the trunk sewer which will serve the proposed project.
3. The wastewater generated by the proposed project will be treated at the Joint Water Pollution Control Plant located in the City of Carson, which has a design capacity of 400 mgd and currently processes an average flow of 263.7 mgd.

4. The expected average wastewater flow from the project site is 8,013 gallons per day. For a copy of the Districts' average wastewater generation factors, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and click on the Table 1, Loadings for Each Class of Land Use link.
5. The Districts are empowered by the California Health and Safety Code to charge a fee for the privilege of connecting (directly or indirectly) to the Districts' Sewerage System for increasing the strength or quantity of wastewater attributable to a particular parcel or operation already connected. This connection fee is a capital facilities fee that is imposed in an amount sufficient to construct an incremental expansion of the Sewerage System to accommodate the proposed project. Payment of a connection fee will be required before a permit to connect to the sewer is issued. For more information and a copy of the Connection Fee Information Sheet, go to www.lacsd.org, Wastewater & Sewer Systems, click on Will Serve Program, and search for the appropriate link. For more specific information regarding the connection fee application procedure and fees, please contact the Connection Fee Counter at extension 2727.
6. In order for the Districts to conform to the requirements of the Federal Clean Air Act (CAA), the design capacities of the Districts' wastewater treatment facilities are based on the regional growth forecast adopted by the Southern California Association of Governments (SCAG). Specific policies included in the development of the SCAG regional growth forecast are incorporated into clean air plans, which are prepared by the South Coast and Antelope Valley Air Quality Management Districts in order to improve air quality in the South Coast and Mojave Desert Air Basins as mandated by the CCA. All expansions of Districts' facilities must be sized and service phased in a manner that will be consistent with the SCAG regional growth forecast for the counties of Los Angeles, Orange, San Bernardino, Riverside, Ventura, and Imperial. The available capacity of the Districts' treatment facilities will, therefore, be limited to levels associated with the approved growth identified by SCAG. As such, this letter does not constitute a guarantee of wastewater service, but is to advise you that the Districts intend to provide this service up to the levels that are legally permitted and to inform you of the currently existing capacity and any proposed expansion of the Districts' facilities.

If you have any questions, please contact the undersigned at (562) 908-4288, extension 2717.

Very truly yours,

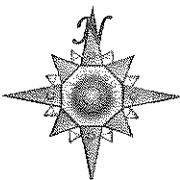
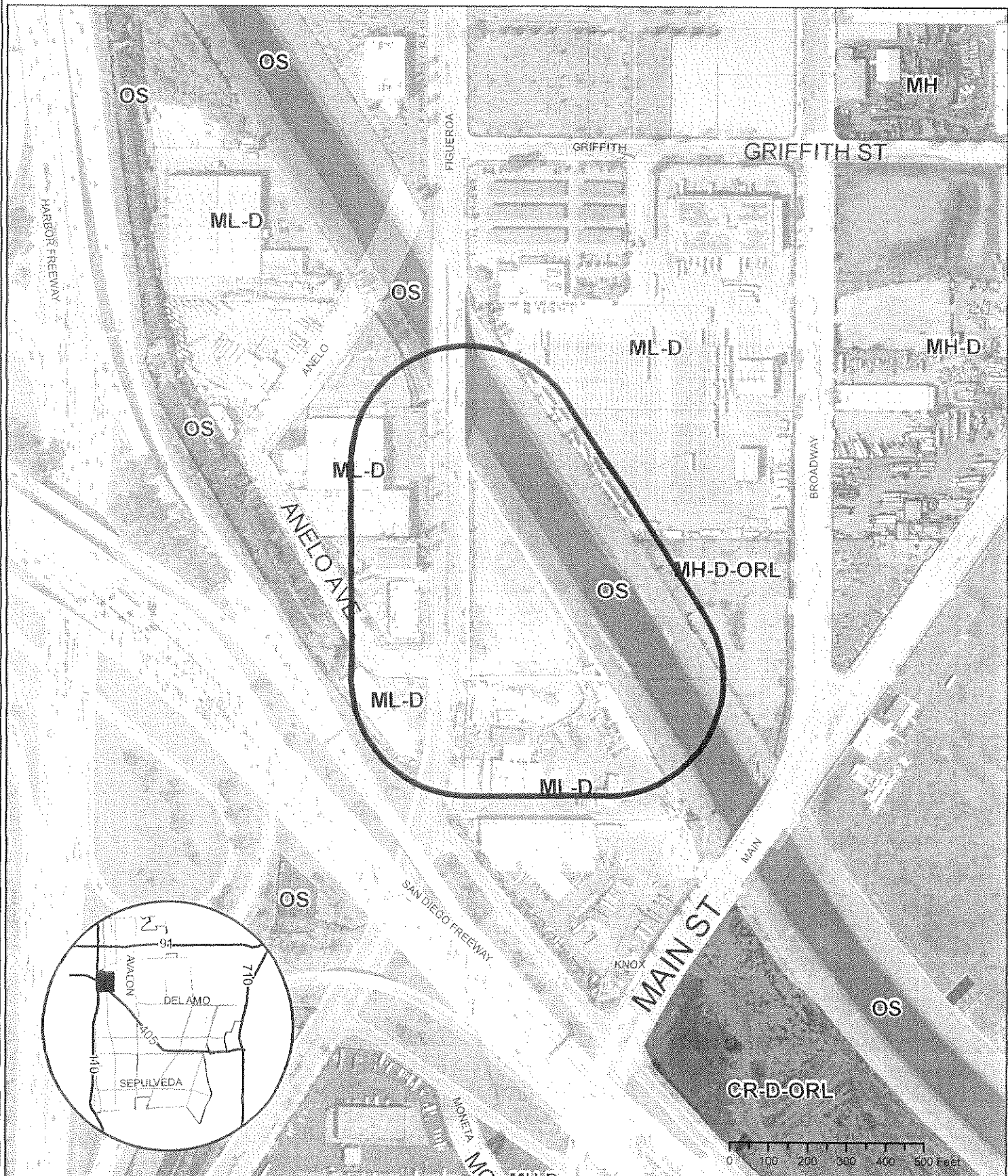
Grace Robinson Hyde



Adriana Raza
Customer Service Specialist
Facilities Planning Department

AR:ar

cc: L. Shadler



City of Carson **EXHIBIT NO. 07**
300 Foot Radius Map
19130 S. Figueroa Street