



PLANNING COMMISSION STAFF REPORT

HEARING DATE: September 28, 2021

SUBJECT: Site Plan and Design Review (DOR) No. 1782-19

APPLICANT: Mario Jaime of MJ Design Construction
P.O. Box 5044
Long Beach, CA 90805

PROPERTY OWNER: Rodney Argo of Argo Family Trust
439 W Gardena Blvd
Carson, CA 90248

REQUEST: A one-year time extension of Project Approval (Site Plan and Design Review 1782-19) for a previously-approved project for development of a 3,754 square foot warehouse building on a 0.15-acre parcel.

PROPERTY INVOLVED: 439 W Gardena Boulevard

COMMISSION ACTION

AYE	NO		AYE	NO	
		Chairperson Thomas			Monteclaro
		Vice Chair Palmer			D. Thomas
		Diaz			Rashad
		Guerra			
		Huff			Alt. Docdocil Alt. Hernandez Alt. Wilson

Item No. 5A

I. Introduction

Applicant

Mario Jaime of MJ Design Construction
P.O. Box 5044
Long Beach, CA 90805

Property Owner

Rodney Argo of Argo Family Trust
439 West Gardena Boulevard
Carson, CA 90248

II. Project Description and Background

The 0.15 acre subject property is located close to the northeast corner intersection of Gardena Boulevard and Figueroa Street in a predominantly light industrial area with some commercial uses interspersed. The project site currently contains a vacant, undeveloped site.

The proposed 3,754 gross square foot two-story warehouse building is intended to be used as a warehouse for personal storage for the Argo Family Trust. The warehouse will not be publicly accessible and will house mainly personal effects related to Don Argo and family. Collector cars and show cars owned by Don Argo may be stored. There will not be any employees. Access will be for only family members, those given permission to access the structure or appointments.

On July 9, 2019, the Planning Commission adopted Resolution No. 19-2671, approving Site Plan and Design Review No. 1782-19, subject to specified conditions of approval.

Pursuant to Condition No. 3 of the project conditions of approval, the applicant is required to obtain building permits and commence construction within two years following the effective date of project approval (July 24, 2019), or the project approval shall become null and void, unless a time extension is approved by the Planning Commission. The procedure/criteria for approval of a time extension by the Commission are set forth in Carson Municipal Code (“CMC”) Sections 9172.21(H)(2) and 9172.23(I)(2), discussed in the “Analysis” section, below.

The applicant submitted for Building Plan Check and plans were approved in February 2021 after several rounds of revisions. However, LA County Public Works Department identified issues with the proposed Low-Impact Development (LID) due to existing soil type and thus permits could not be pulled unless LID plans were revised and approved. Applicant is currently working diligently towards obtaining the necessary approvals and permits. As stated in its letter of justification (Exhibit 4), it has taken longer than expected to obtain building permits due to issues arising in inter-departmental coordination and limited staffing at both ends. These issues have been exacerbated due to restrictions brought about by the COVID-19 pandemic. Therefore, the applicant is requesting additional time to complete the process and start construction on this project.

The request before the Planning Commission is not for reconsideration or modification of the project approvals or conditions, but rather is only for consideration of approval of the applicant’s request for a one-year time extension for effectiveness of the project approvals pursuant to the aforementioned Condition No. 3.

III. Analysis

On July 5, 2021, the applicant made a timely request for an extension of time to complete the subject project (Exhibit 3).

Subsection (I)(2) of CMC Section 9172.23 (“Site Plan and Design Review”) provides, “Upon application by the permit holder filed with the Director on or before the date of expiration of the

permit, a permit which would otherwise expire may be extended by the Commission . . . if the Commission . . . finds that the termination of the permit would constitute an undue hardship upon the permit holder and that the continuation of the permit would not be materially detrimental to the health, safety and general welfare of the public. Extensions shall not be granted for more than a total of one (1) year unless a public hearing is held and approval granted in the same manner and based upon the same criteria as for the issuance of a new permit.”

The requested extension is for one (1) year. Thus, the requested extension may be granted by the Planning Commission upon finding that:

- The termination of the permit would constitute an undue hardship upon the permit holder; and
- The continuation of the permit would not be materially detrimental to the health, safety and general welfare of the public.

The applicant has been diligently working with the City to fully comply with the conditions of approval and obtain the required permits but it has taken longer than anticipated. The applicant’s letter of justification states that additional time is needed to obtain building permits due to issues arising in inter-departmental coordination and limited staffing at both ends.

The project was originally approved and conditioned so as to ensure it is not materially detrimental to the health, safety and general welfare of the public, and staff is not aware of any circumstances, whether existing at the time of project approval or arising since that time, that would cause the extended effectiveness of the project approvals for an additional year to be materially detrimental to the health, safety and general welfare of the public. Subject to ongoing compliance by applicant with all of the conditions of approval, staff believes that granting the requested extension of the permit would not be materially detrimental to the health, safety and general welfare of the public.

If the request is approved, the one-year extension of time will expire on July 9, 2022.

IV. Recommendation

That the Planning Commission:

V. ADOPT Resolution No. 21-____, A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING A ONE-YEAR TIME EXTENSION FOR EFFECTIVENESS OF PREVIOUSLY-GRANTED PROJECT ENTITLEMENTS (SITE PLAN AND DESIGN REVIEW 1782-19 FOR A PROPOSED TWO-STORY WAREHOUSE BUILDING LOCATED AT 439 WEST GARDENA BOULEVARD.

VI. Exhibits

1. Draft Resolution
2. Planning Commission Staff Report dated July 9, 2019, including Resolution No. 19-2671
3. Letter of Justification.

Prepared by: Manraj Bhatia, Associate Planner

CITY OF CARSON
PLANNING COMMISSION

RESOLUTION NO. 21-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING A ONE-YEAR TIME EXTENSION FOR EFFECTIVENESS OF PREVIOUSLY GRANTED PROJECT ENTITLEMENTS (SITE PLAN AND DESIGN REVIEW 1782-19) FOR A PROPOSED TWO-STORY WAREHOUSE BUILDING LOCATED AT 439 WEST GARDENA BOULEVARD.

WHEREAS, on July 9, 2019, the Planning Commission adopted Resolution No. 19-2671, approving Site Plan and Design Review No. 1782-19 (the “Project Entitlement”), for the development of a 3,754 gross square foot two-story warehouse project on the real property located at 439 W. Gardena Boulevard and legally described in Exhibit “A” attached thereto (the “Project”), subject to the conditions of approval attached to said resolution as Exhibit “B.” The approval of the Project Entitlement took effect on July 24, 2019; and

WHEREAS, Condition No. 3 of the Project conditions of approval provides that if a building permit is not issued for the Project within two years of the Project Entitlement effective date, the Project Entitlement shall be declared null and void unless an extension of time is approved by the Planning Commission; and

WHEREAS, on July 5, 2021, the Department of Community Development received an application from Mario E. Jaime requesting a one-year time extension for the Project Entitlement. (the “Request”); and

WHEREAS, a staff report with recommendations was submitted, and the Planning Commission duly considered the Request on the 28th day of September, 2021.

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

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

SECTION 2. The Planning Commission finds as follows:

- a) The applicant has been diligently working with the City’s staff to proceed with the Project and fully comply with the Project conditions of approval, but it has taken the applicant longer than anticipated to complete the LA County’s Department of Public Works Low-Impact Development (LID) requirements and obtain final construction permits. The applicant has experienced Project delays caused by the COVID-19 pandemic related to limitations in its own staff, limitations on its ability to communicate with other agencies, and the need to work remotely/virtually. As a result, additional time is needed beyond the two-year period provided by Condition No. 3 of the Project conditions of approval for the applicant to obtain building permits and commence construction.

- b) The Project was conditionally approved in 2019 in such a manner as to ensure that the Project is not materially detrimental to the health, safety and general welfare of the public, and no circumstances, either existing at the time of Project approval or arising since that time, have come to light that would make the requested one-year extension of effectiveness of the Project Entitlement materially detrimental to the health, safety and/or general welfare of the public, subject to ongoing compliance with the conditions of approval. Granting the requested one-year extension would not be materially detrimental to the health, safety and general welfare of the public.
- c) The termination or expiration of the Project Entitlement would constitute an undue hardship on the permit holder. The permit holder has worked diligently to complete the Project and to satisfy the Project conditions of approval, investing significant time, effort, and/or resources in doing so, but has been unable to do so within the time limit specified in Condition No. 3, due to factors largely beyond its control related to the delays caused in the inter-department coordination which was further exacerbated by the COVID-19 pandemic.

SECTION 3. Based on the foregoing findings, the Commission hereby approves a one (1)-year extension, effective and commencing as of July 24, 2021, of effectiveness of the Project Entitlement, thus allowing the applicant/holder of the Project Entitlement until July 24, 2022 to obtain building permits and commence construction in compliance with Condition No. 3 of the Project conditions of approval. With approval of the one (1) year extension pursuant to this Section 3, the new date for expiration of the Project Entitlements is July 24, 2022, and the Project conditions of approval remain in full force and effect.

SECTION 4. Following expiration of the 15-day appeal period pursuant to Sections 9173.33-9173.4 of the Zoning Ordinance, if not appealed within such time period, this resolution shall take effect and shall thereupon be effective as stated in Section 3.

SECTION 5. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

PASSED, APPROVED and ADOPTED this 28th day of September, 2021.

CHAIRPERSON

ATTEST:

SECRETARY



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: July 9, 2019

SUBJECT: Site Plan and Design Review (DOR) No. 1782-19

APPLICANT: Mario Jaime of MJ Design Construction
P.O. Box 5044
Long Beach, CA 90805

PROPERTY OWNER: Rodney Argo of Argo Family Trust
439 W Gardena Blvd
Carson, CA 90248

REQUEST: Consider approval of a Site Plan and Design Review No. 1782-19 to develop a 3,754 square foot warehouse building on a 0.15-acre parcel.

PROPERTY INVOLVED: 439 W Gardena Boulevard

COMMISSION ACTION

AYE	NO		AYE	NO	
		Chairman Pimentel			Palmer
		Vice-Chair Cainglet			Rahman
		Fe'esago			Rashad
		Madrigal			Valdez
		Mitoma			Alt. Diaz Alt. Hellerud Alt. Zuniga

Item No. 7A

I. Introduction

Property Owner

Rodney Argo of Argo Family Trust
439 West Gardena Boulevard
Carson, CA 90248

Applicant

Mario Jaime of MJ Design Construction
P.O. Box 5044
Long Beach, CA 90805

II. Project Description

The applicant requests approval of Site Plan and Design Review (DOR) No. 1782-19 to construct a 3,754 gross square foot two-story warehouse building in the ML-D (Manufacturing, Heavy; Design Review) zone. The intent of the project is to use the warehouse for personal storage for the Argo Family Trust. The warehouse will not be publicly accessible and will house mainly personal effects related to Don Argo and family. Collector cars and show cars owned by Don Argo may be stored.

There will not be any employees. Access will be for only family members, those given permission to access the structure or appointments.

III. Project Site and Surrounding Land Uses

The subject property is located on the northeast corner intersection of Gardena Boulevard and Figueroa Street in a predominantly light industrial area with some commercial uses interspersed.



Figure (a) Project Site in context to surrounding zoning

The following provides a summary of the site information:

Site Information	
General Plan Land Use Designation	Light Industrial
Zone District	Manufacturing , Light - Design Overlay (ML-D) Zoning District
Site Size	0.15 acre
Present Use and Development	Vacant
Surrounding Uses/ Zoning	North: ML-D - Industrial South: ML-D - Commercial East: ML-D - Residential West: ML-D - Commercial
Access	Ingress/Egress: Gardena Boulevard

IV. Analysis

Site History

At the incorporation of the City, this area was zoned as Light Industrial. There were several single family dwellings mixed with light industrial in the area at the time. The Single family dwellings thus became legal, non-conforming. Over time, the single family dwellings have given way to light industrial development. A non-conforming single-family dwelling on this site was demolished with permits in April 2016. The project site is currently vacant with a non-conforming single family dwelling still existing on the adjacent parcel.

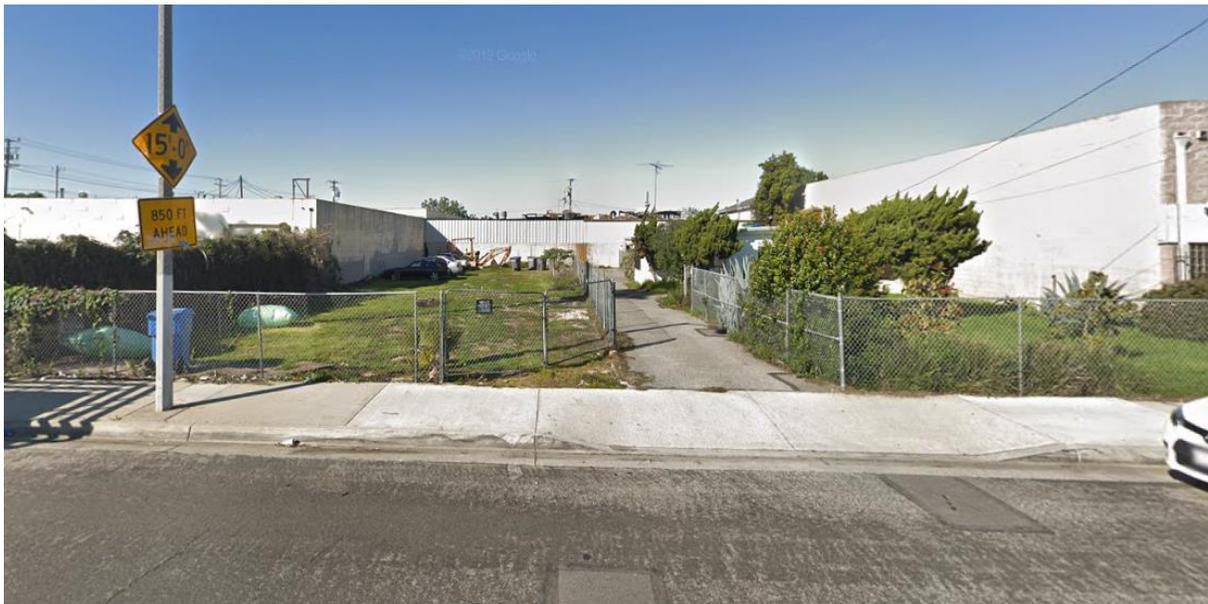


Figure (b) Current state of the project site

Site Plan

The proposed two-story building includes a total gross area of 3,754 square feet with 680 square feet of office spaces split in the two levels. It will have a grade level loading dock door and a second smaller roll-up door on the second floor for forklifting materials into the warehouse.

An outdoor private storage area is proposed at the rear of the property for outdoor material storage. The proposed outdoor storage area is completely screened from view from the public right-of-way.

Access

Currently, the site access is provided by a shared driveway with the property to the residential property to east. The applicant proposes a new 20' driveway on the western edge of the subject property for automotive and pedestrian ingress/egress. The proposal also includes closure of the portion of existing driveway falling within the subject property, which will reduce the existing driveway width to a 10' driveway. The reduced driveway will continue to adequately serve the existing single-family residence.

Parking

Carson Municipal Code Section 9162.21 requires 1 parking space for every 750 square feet of gross floor area. The proposed developed would require 5 parking spaces; 4 regular and 1 ADA compliant parking spaces are proposed.



Figure (c) Proposed front elevation

Building and Architecture

The project is designed in a modern architectural style combining split-faced concrete block with a highlighted white plastered area featured on the second floor. The material selection and featured articulation effectively breaks-up the façade and producing a modern design aesthetic.

Signage

A lighted building identification sign is proposed and will be mounted on the building directly facing West Gardena Boulevard. The proposed location and size of the sign is in compliance with the Carson Municipal Code. A separate Business Sign application will be submitted and a Sign permit obtained before a sign can be placed on the building.

Fence and security

Currently submitted plans propose wrought iron fencing on all sides of the property. Due to security concerns and to comply with the Carson Municipal Code, the applicant would like to revise the proposal to build a 3'6" high CMU Block wall in the front with a 4'6" high wrought iron fencing above. This will continue up to the building line on the sides of the property, beyond which a 6' high wall with a 2' wrought iron fencing will be continued. In addition, a man-gate is proposed on the East side of the building to allow restricted access to the rear of the property. The applicant also proposes to create a green screen on the western end of the property to enhance the aesthetics of the project. Condition number 25 conditions the project to this change and Condition number 7 requires the applicant to submit revised plans incorporating this change to the satisfaction of the Planning Division staff.

Landscaping

Per the CMC, 325 square feet of landscaping is required. A total of 350 square feet of new landscaping is proposed along the southern property line adjacent to West Gardena Boulevard and along the easterly setback walkway.

V. CFD/DIF Discussion

On April 16, 2019, the City Council adopted Ordinance No. 19-1931 to implement the City's Interim Development Impact Fee (IDIF) Program. In accordance with this IDIF program, the applicant shall be responsible for payment of one-time development impact fee at the rate of \$2.44/square feet of building. The Project contemplates a 3,754 gross square feet of area. Based on the proposed square footage, the developer will be responsible for development impact fees in the amount of \$9,159.76 (DIF Amount), provided that if the Project increases or decreases in size, the DIF Amount will be adjusted accordingly at the same rate. No building permits shall be issued prior to the full payment of the DIF Amount.

City adopted CFD 2018-01 to finance the ongoing costs of the following: law enforcement, street and sidewalk maintenance, landscape maintenance, street sweeping and sidewalk cleaning, and other eligible impacts of the Project within the CFD (the CFD Services). Based on the adopted CFD, the subject property falls under Industrial Zone 1 and will be charged accordingly. The base year CFD fee has been established at \$2,616.10 per acre. Calculated CFD for this site up to June 2020 is \$392.42.

VI. Zoning and General Plan Consistency

The proposed building will be constructed consistent with the standards of the Manufacturing Light (ML) zoning designation and Light Industrial General Plan land use designation and will remain consistent with the surrounding uses.

VII. Environmental Review

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, Class 32 – In-Fill Development Projects.

VIII. Public Notice

Notice of public hearing was posted in the newspaper and to the project site on June 27, 2019. Notices were mailed to property owners and occupants within a 750' radius on June 26, 2019. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

IX. Recommendation

That the Planning Commission:

- **APPROVE** Site Plan and Design Review No. 1782-19 subject to the conditions of approval attached as Exhibit “B” to the Resolution; and
- **ADOPT** Resolution No. 19-____, entitled “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1782-19 FOR A PROPOSED TWO-STORY WAREHOUSE BUILDING LOCATED AT 439 WEST GARDENA BOULEVARD.”

X. Exhibits

1. Draft Resolution
2. Development Plans (under separate cover)

Prepared by: Manraj G. Bhatia, Assistant Planner

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 19-2671

**A RESOLUTION OF THE PLANNING COMMISSION OF
THE CITY OF CARSON APPROVING DESIGN OVERLAY
REVIEW NO. 1782-19 FOR A PROPOSED TWO-STORY
WAREHOUSE BUILDING LOCATED AT 439 WEST
GARDENA BOULEVARD**

WHEREAS on May 2, 2019 the Department of Community Development received an application from Mario Jaime of MJ Design Construction, on behalf of Rodney Argo of the Argo Family Trust for real property located at 439 West Gardena Boulevard and described in Exhibit "A" attached hereto requesting approval of Design Overlay Review No. 1782-19 to allow for the construction of a 3,754 square foot two-story warehouse; and

WHEREAS the Planning Commission, upon giving the required notice, did on the ninth day of July, 2019, conduct a duly advertised public hearing as required by law to consider said design overlay application. Notice of the hearing was originally posted and mailed to property owners and properties within a 750' foot radius of the project site by June 27, 2019; and

WHEREAS, the Planning Commission determined that the proposed Design Overlay Review No. 1782-19 is Categorically exempt under Class 32 (In-Fill Development Projects) Section 15332 of the California Environmental Quality Act and that a Notice of Exemption will be filed with the County Clerk of the County of Los Angeles pursuant to the California Environmental Quality Act; and

WHEREAS, studies and investigations were made and a staff report with recommendations was submitted; and

WHEREAS the Planning Commission determined that the facts of this matter are as follows:

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

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

SECTION 2. The Planning Commission determined that the facts of this matter are as follows:

- a) The proposed project is consistent with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of Light Industrial and the proposed development is compatible with the surrounding areas.
- b) The proposed project is compatible in 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, open spaces, and other features relative to a harmonious and attractive development of the area.
- c) The proposed project consists of a new two-story warehouse and office building and is planned to be constructed in a single phase. The proposed development plans comply with the Carson Municipal Code requirements ensuring that the project is well designed and aesthetically pleasing to the surrounding physical environment.
 - d) The proposed project adequately accommodates safe circulation for pedestrians and vehicles.
 - e) The public health, safety and welfare would not be adversely affected by this project.
 - f) The proposed wall signage will be individual channel letters subject to review by the Planning Division under separate permit pursuant to code.
 - g) The proposed improvements are in conformance with the City's design standards and guidelines that are applicable to this project.
 - h) The required findings pursuant to Section 9172.23 (D), "Site Plan and Design Review", can be made in the affirmative.

SECTION 3. The project is categorically exempt under Class 32 (In-Fill Development Projects) pursuant to Section 15332 of the California Environmental Quality Act.

SECTION 4. Design Overlay Review No. 1782-19 Complies with the City's Zoning Ordinance and General Plan and is consistent with the intent of Article IX, Chapter 1, Section 9172.23 (Site Plan and Design Review) of the Carson Municipal Code.

SECTION 5. 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.

SECTION 6. The Secretary of the Planning Commission shall certify to the adoption of this Resolution.

SECTION 7. The Planning Commission of the City of Carson, pursuant to the findings noted above, does hereby approve Design Overlay Review No. 1782-19 to allow for the construction of a 3,754 square foot two-story warehouse at 439 West Gardena Boulevard, subject to the Conditions of Approval contained in Exhibit B.

This recommendation was adopted by the following vote at the Planning Commission meeting of July 9, 2019:

APPROVED and ADOPTED this 9th day of July, 2019.


CHAIRPERSON

ATTEST:


SECRETARY

**CITY OF CARSON
PLANNING DIVISION
EXHIBIT "A"
LEGAL DESCRIPTION**

Property Address: 439 W. Gardena Boulevard

Parcel Identification Number: 6125-019-025

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

The West 50 feet of the South 140 feet of Lot 10 of Tract No. 2619, in the City of Carson, County of Los Angeles, State of California, as per Map recorded in Book 26, Page 99 of Maps, in the office of the County Recorder of said County.

**CITY OF CARSON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION**

**EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1782-19**

GENERAL CONDITIONS

1. City adopted Ordinance No. 19-1931 to implement the City's Interim Development Impact Fee ("IDIF") Program. In accordance with this IDIF program, the applicant, property owner, and/or successor to whom these project entitlements are assigned ("Developer") shall be responsible for payment of one-time impact fees at the rate of \$2.44/square feet of building. The Project contemplates a 3,754 gross square feet of area. Based on the proposed square footage, the Developer will be responsible for development impact fees in the amount of \$9,159.76 (DIF Amount), provided that if the Project increases or decreases in size, the DIF Amount will be adjusted accordingly at the same rate. No building permits shall be issued prior to the full payment of the DIF Amount. See the following City webpage for additional information: <http://ci.carson.ca.us/CommunityDevelopment/IDIFProgram.aspx>.
2. City adopted CFD 2018-01 to finance the ongoing costs of the following: law enforcement, street and sidewalk maintenance, landscape maintenance, street sweeping and sidewalk cleaning, and other eligible impacts of the Project within the CFD (the CFD Services). Based on the adopted CFD, the subject property falls under Industrial Zone 1 and will be charged accordingly. The base year CFD fee has been established at \$2,616.10 per acre. Calculated CFD for this site up to June 2020 is \$392.42. See the following City webpage for additional information: <http://ci.carson.ca.us/communitydevelopment/CFD.aspx>.
3. If a building permit for Design Overlay Review No. 1782-19 is not issued within **two years** of their effective date, said permit shall be declared null and void unless an extension of time is previously 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 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.
6. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
7. Substantial revisions will require review and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.

8. 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.
9. 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.
10. 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.
11. 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.
12. 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.
13. 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.
14. Indemnification. Developer, for itself and its successors in interest ("Indemnitors") agree to defend, indemnify and hold harmless the City of Carson, its agents, officers and employees ("Indemnitees") from and against any and all claims, liabilities, damages, losses, costs, fees, penalties, actions or proceedings (collectively, "Claims") against Indemnitees to attack, set aside, void, or annul any of the project entitlements or approvals that are the subject of these conditions, and any claims against Indemnitees which are in any way related to any damage or harm to people or property, real or personal, arising from Indemnitors' operations or any of the project entitlements or approvals that are the subject of these conditions. The City will promptly notify Indemnitors of any such claim, action or proceeding against Indemnitees, and, at the option of the City, Indemnitors shall either undertake the defense of the matter and pay Indemnitees' associated legal costs or shall advance funds assessed by the City to pay for the defense of the matter by the City Attorney. In the event the City opts for Indemnitors to undertake defense of the matter, the City will cooperate reasonably in the defense, but retains the right to settle or abandon the matter without Indemnitors' consent. Indemnitors shall provide a

deposit to the City in the amount of 100% of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorneys' fees, and shall make additional deposits as requested by the City to keep the deposit at such level. If Indemnitors fail to provide or maintain the deposit, Indemnitees may abandon the action and Indemnitors shall pay all costs resulting therefrom and Indemnitees shall have no liability to Indemnitors.

AESTHETICS

15. 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.
16. Down spouts shall be interior to the structure or architecturally integrated into the structure to the satisfaction of the Planning Division.
17. Any roof-mounted equipment shall be screened to the satisfaction of the Planning Division.
18. Incorporate additional landscaping to screen and block specific project areas that could be subject, as determined by the Planning Division, to graffiti.
19. Graffiti shall be removed from all areas within three (3) days of written notification by the City of Carson, including graffiti found on perimeter walls and fences. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modification (i.e. fencing, landscaping, chemical treatment, etc.).
20. The proposed project site shall be maintained free of debris, litter and inoperable vehicles at all times. The subject property shall be maintained to present an attractive appearance to the satisfaction of the Planning Division.

FENCE/WALLS

21. Perimeter walls and fences shall be architecturally coordinated with the project building and subject to the approval of the Planning Commission.
22. Where walls are used, they shall be of decorative material to include stucco block, slump stone or split face.
23. Chain-link fencing, including barbed and concertina wire, shall be removed. Decorative wrought iron fencing or a wall shall be used as a replacement.
24. A 3'- 6" high wall with 4'- 6" high wrought iron fence over it shall be constructed along the frontage and sides of the property line up to building line. A 6' high concrete block wall with a 2' high wrought iron fence over it shall be constructed along the side property lines.

LANDSCAPE/IRRIGATION

25. Comply with the provisions of Section 9168 of the Zoning Ordinance, "Water Efficient Landscaping."

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.
27. The proposed irrigation system shall include best water conservation practices.
28. Installation of 6" x 6" concrete curbs are required around all landscaped planter areas, except for areas determined by National Pollutant Discharge Elimination System (NPDES) permit or other applicable condition of approval that requires certain landscaped areas to remain clear of concrete curbs for more efficient storm water 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.
29. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
30. Prior to Issuance of Building Permit, the applicant shall submit two sets of landscape and irrigation plans drawn, stamped, and signed by a licensed landscape architect. Such plans are to be approved by the Planning Division.

LIGHTING

31. Shall provide adequate lighting for the parking areas.
32. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9147.1 of the Zoning Ordinance.
33. Such lights are to be directed on-site in such a manner as to not create a nuisance or hazard to adjacent street and properties, subject to the approval of the Planning Division.

PARKING

34. All driveways shall remain clear. No encroachment into driveways shall be permitted.
35. All areas used for movement, parking, loading, or storage of vehicles shall be paved and in accordance with Section 9162.0 of the Zoning Ordinance.

SIGNS

36. All signage shall comply with the requirements of the Carson Municipal Code and shall be approved by the Planning Division prior to building occupancy.

TRASH

37. Trash collection shall comply with the requirements of the City's trash collection company.

UTILITIES

38. 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.
39. 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.
40. The applicant shall remove at his/her own expense any obstructions within the utility easements that would interfere with the use for which the easements are intended.
41. Any aboveground utility cabinet or equipment cabinet shall be screened from the public right-of-way by a decorative block wall or landscaping, to the satisfaction of the Planning Division.

BUILDING AND SAFETY DIVISION

42. Submit development plans for plan check review and approval.
43. Obtain all appropriate building permits and an approved final inspection for the proposed project.
44. Prior to issuance of building permit, proof of worker's compensation and liability insurance must be on file with the Los Angeles County Building and Safety Division.

FIRE DEPARTMENT

45. The proposed development shall obtain approval and comply with all Los Angeles County Fire Department requirements.

ENGINEERING SERVICES DEPARTMENT – CITY OF CARSON

General Conditions

46. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
47. A construction permit is required for any work to be done in the public right-of-way.
48. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Division prior to issuance of permit by Engineering Division.
49. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of permit by Engineering Division.
50. Compliance with the applicable National Pollutant Discharge Elimination System (NPDES) requirements including best management practices to control storm water pollution from construction activities and facility operations.

Prior to Issuance of Grading Permit

51. 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.
52. Show any improvements within the public right-of-way on the grading plan for review and obtain approval from the City of Carson Engineering Division.

Prior to Issuance of Building Permit

53. 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.
54. 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. Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.
55. 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 LACDPW Sewer Unit.
56. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
57. The Developer shall submit improvement plans to the 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. The following are required as a part of the projects improvement plans.
 - a. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right of way along Gardena Blvd abutting this proposed development per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
 - b. Remove unused driveway approach if any, within the public right of way along Gardena Blvd. abutting this proposed development and replace it with full height curb and gutter and sidewalk per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
 - c. The Developer shall construct new driveway approaches per City of Carson PW Standard Drawings 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.
 - d. Install striping and pavement legend per City of Carson PW Standard Drawings.

- e. Paint Curbs Red along Gardena Blvd within or abutting this proposed development. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval.
 - f. Sewer Main Improvements (if any) along Gardena Blvd as determined by the aforementioned sewer area study.
 - g. Storm Drain Improvements (if any) along Gardena Blvd. as determined by the aforementioned requirement.
58. Off-site improvements (*e.g., driveways, sidewalk, parkway drains, trees, curb/gutter etc.*) shown on the grading plans must provide a concurrent submittal to City of Carson Engineering Division. Off-site improvements may be shown on a separate set of street improvement plans. Prior to issuance of Grading permit, Developer shall obtain clearance from City of Carson Engineering Division.
59. Per City of Carson Municipal Code Section 5809, Developer shall comply with all applicable Low Impact Development (LID) requirements and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations to the satisfaction of the City Engineer.
60. Developer shall apply for a Construction Activities Stormwater General Permit from the State Water Resources Control Board.
61. Developer shall provide a copy of an approved SWPPP stamped by Los Angeles County Building and Safety Division along with WDID number.
62. Developer shall provide contact information of the Qualified Storm Water Developer (QSD) and/or Qualified SWPPP (Storm Water Pollution Prevention Plan) Developer (QSP) of the site.
63. Developer shall submit digital copies of LID/NPDES/Grading Plans concurrently to City of Carson, Engineering Services Department and Los Angeles County Building & Safety Division.
64. Developer shall complete, sign and return the Stormwater Planning Program LID Plan Checklist form and return to City of Carson Engineering Services Division.

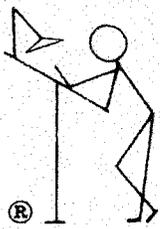
Prior to Issuance of Certificate of Occupancy

65. For any structural and/or treatment control device installed. Developer shall record a maintenance covenant pursuant to Section 106.4.3 of the County of Los Angeles Building Code and title 12, Chapter 12.80 of the Los Angeles County Code relating to the control of pollutants carried by storm water runoff. In addition, an exhibit shall be attached to identify the location and maintenance information for any structural and/or treatment control device installed.
66. Developer shall complete and submit digital BMP Reporting Template Spreadsheet to Sustainability Administrator, Julio Gonzalez at jgonzale@carson.ca.us
67. Covenant shall be reviewed and approved by the City Engineer prior to recordation with the Los Angeles County Registers Recorder/County Clerk.

68. RECORDATION is the responsibility of the Developer. Provide a copy of the recorded covenant agreement to City Engineer
69. Inspection will be conducted once a year after all Post Construction Best Management Practices (BMP) are constructed.
70. Developer shall provide an approved Notice of Termination (NOT) by the State Water Resources Control Board.
71. 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.
72. 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.
73. The Developer shall construct and guarantee the construction of all required and previously approved Street Improvements to the satisfaction of the City of Carson Public Works Inspector and the City Engineer.
74. 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.
75. All new utility lines, servicing the proposed development shall be underground to the satisfaction of the City Engineer.
76. 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.
77. 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.
78. Streets abutting the development, shall be slurry sealed from curb-to-curb or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS). Developer may pay a fee in-lieu of application of Slurry Seal. (\$0.45 per square foot \$1,350.00 minimum fee for first location up to 3,000 square feet)
79. 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

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



M J DESIGN CONSTRUCTION

PO BOX 5044
Long Beach, CA. 90805

License #B 699-922

Cell : 401-497-6351

July 05, 2021

Mr. Alvin Betancourt; Planning Manager
City of Carson, Community Development
Planning Division
701 East Carson Street, Carson. CA 90745

Mr. Betancourt,
Re: Site Plan and Design Review (DOR) # 1782-19
Address : 439 W Gardena Blvd.
Carson, CA. 90248

This is to request an extension for 1 year to your approval of 2 years from the date of the planning commission resolution.

Due to the current pandemic, the process of complying with all requirements, communication with the city plan check engineers, utility companies and our own staff has been limited and convoluted and slow.

Please let us know what else do you need to accomplish our request, thank you.

Mario E. Jaime, Principal at MJ Design Const.

Cc: Owner
File