

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 22-XXXX

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON FINDING AN EXEMPTION FROM CEQA AND CONDITIONALLY APPROVING SITE PLAN AND DESIGN REVIEW NO. 1891-22 FOR DEVELOPMENT OF TWO PROPOSED TILT-UP WAREHOUSE BUILDINGS ON PROPERTY FORMERLY ADDRESSED AS 100 W. ALONDRA BOULEVARD (BUILDING 1 RECENTLY READDRESSSED AS 112 W. ALONDRA BOULEVARD AND BUILDING 2 RECENTLY READDRESSSED AS 219 WEST GARDENA BOULEVARD), APN 6125-017-800

WHEREAS, on February 2, 2022, the Department of Community Development received a complete application from Link Logistics Real Estate for real property located at 100 W. Alondra Boulevard, legally described in Exhibit “A” attached hereto, requesting approval of Site Plan and Design Overlay Review No. 1891-22 to demolish an existing 69,106 square-foot vacant two-story office building and an existing 54,609 square-foot vacant one-story warehouse building and construct two new tilt-up warehouse buildings: Building 1 (which has since been readdressed as 112 W. Alondra Blvd.) - 183,921 square-foot building with 5,000 square feet of ground floor office space, an additional 5,000 square feet of mezzanine office space, 27 truck loading docks and 144 surface parking spaces and 39 truck parking spaces; and Building 2 (which has since been readdressed as 219 W. Gardena Blvd.) - 102,900 square-foot building with 3,000 square feet of ground floor office space, an additional 3,000 square feet of mezzanine office space, 25 truck loading docks and 94 surface parking spaces on the same site; and

WHEREAS, studies and investigations were made, and a staff report with recommendations was submitted, and the Planning Commission, upon giving the required notice, did on the 8th day of November 2022, conduct a duly noticed public hearing as required by law to consider said application. Notice of the hearing was posted and mailed to property owners and properties within a 750-foot radius of the project site by October 27th, 2022; and

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 finds as follows:

- a) The proposed project, as conditioned pursuant to the conditions of approval attached hereto as Exhibit “B,” is compatible with the General Plan of the City of Carson. The project site has a General Plan Land Use designation of Light Industrial, which allows for a floor area ratio (FAR) of 50.0. The proposed project as presented by the applicant has a FAR of 50.5, but a condition of approval has been included requiring the FAR to be reduced to 50.0, and more specifically, requiring the applicant to present revised

project plans for Director approval indicating where square footage has been removed and how the project as revised will meet the 50.0 FAR. The proposed project is otherwise compatible with the General Plan Land Use designation of Light Industrial and is compatible with the surrounding uses. There is no applicable specific plan for the area.

- 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 and open spaces, and other features relative to a harmonious and attractive development of the area. The proposed project consists of demolishing two existing buildings (a vacant 54,609 square foot two-story office building and a vacant 69,106 square foot warehouse building) and developing two new tilt-up warehouse buildings: Building 1 - 183,921 square-foot building with 5,000 square feet of ground floor office space, an additional 5,000 square feet of mezzanine office space, 27 truck loading docks, 144 surface parking spaces, and 39 truck parking spaces; and Building 2 - 102,900 square-foot building with 3,000 square feet of ground floor office space, an additional 3,000 square feet of mezzanine office space, 25 truck loading docks and 94 surface parking spaces on the same site.

The project is designed in a modern architectural style combining natural concrete wall fascia, metal canopies, clear anodized mullions, blue high-performance glazing, and unique rustic steel pop-outs that pay homage to the city's historic industrial roots. Large openings with reflective glass have been used along the Alondra and Main Street façade to create views for the speculative office space. Articulation of the concrete panels interspersed with the use of different color tones breaks up the façade to create an inviting design aesthetic. The project design is compatible with the surrounding area and with similar industrial uses.

- c) The proposed development, as conditioned pursuant to the conditions of approval attached hereto as Exhibit "B," provides for convenience and safety of circulation for pedestrians and vehicles. The proposed development will have adequate street access for pedestrian and vehicles, and adequate capacity for parking and traffic. The proposed warehouse facility will have two vehicular access points from Alondra Boulevard, Main Street, Broadway Street and Gardena Boulevard. The internal driveways will provide full access to the warehouse facility and are designed to meet Fire Department turning radius requirements. A traffic trip generation assessment prepared by the applicant's traffic engineering consultant dated May 10, 2022 and approved by the City's Traffic Engineer concluded that the proposed project would generate 710 fewer two-way trips per day (consisting of 838 fewer passenger car trips and 128 more truck trips) with 113 fewer AM peak hour trips and 103 fewer PM peak hour trips as compared to the existing facilities being demolished, when in use. Similarly, the study found that the proposed project will generate 512 fewer two-way passenger car equivalent (PCE) trips per day (consisting of 838 fewer passenger car trips and 326 more truck PCE trips) with 105 fewer PCE AM peak hour trips and 92 fewer PCE PM peak hour trips as compared to the existing facilities being demolished, when in use. The traffic assessment only analyzes the project under ITE Trip Generation Manual 10th Edition Land Use Code 150 for a "warehouse" as described therein; because of this and the speculative use of the proposed buildings/facilities once developed, a condition of approval has been added to require a further Planning Commission approval based on an affirmative finding as to convenience and safety of circulation

for pedestrians and vehicles (without limitation as to any other applicable entitlements/approvals) prior to any use of the facility that would generate a significantly higher rate or amount of daily or AM or PM peak hour truck trips, PCE traffic trips, or actual traffic trips to or from the subject property than that analyzed in the May 10, 2022 traffic assessment.

Building “A” requires 129 parking spaces: 122 for warehouse ($183,921 \text{ sf}/1,500 = 122$) and 7 for office ($10,000 \text{ sf}/1,500 = 6.66$). The applicant proposes 144 parking spaces; 128 standard, and 1 ADA van accessible, 4 ADA standard parking, 4 standard clean vehicle, 5 standard electric vehicle (EV), 1 EV van accessible, and 1 EV accessible.

Building “B” requires 64 parking spaces: 60 for warehouse ($102,000 \text{ sf}/1,500 = 68$) and 5 for office ($6,000 \text{ sf}/1,500 = 4$). The applicant proposes 94 parking spaces; 82 standard, and 1 ADA van accessible, 3 ADA standard parking, 3 standard clean vehicle, 3 standard electric vehicle (EV), 1 EV van accessible, and 1 EV accessible.

Carson Municipal Code Section 9162.62, Truck Parking for warehouse uses over 30,000 square feet in size, requires one (1) truck parking space for every seven (7) loading docks, doors, or ramps. A minimum of one per site is required. The project proposes 52 dock doors thus, nine (9) truck parking spaces are required. The applicant proposes 39 truck parking spaces for the project. The project meets all the CMC development standards for truck loading and maneuvering. The driveway gating from each street access is set back far enough to allow a truck of the required size (thirty-three (33) or fifty-five (55) feet) to stop completely off the public right-of-way when the gate is closed.

Conditions of approval have also been included requiring the developer to submit and obtain Community Development Director approval of a truck routing plan to and from the state highway and interstate freeway system, and requiring (i) anti-idling signs indicating a three minute diesel truck engine idling restriction to be posted at the subject property along entrances to the site and in the loading areas and strictly enforced by the facility operator, (ii) signs to be posted in prominent locations on the facility premises indicating that off-site parking for any employee, truck, or other vehicle related to the operation or use of the facility is strictly prohibited, and (iii) signs to be installed at all truck exit driveways on the facility premises directing truck drivers to the approved truck routes pursuant to the truck routing plan, all to the satisfaction of the Director.

- d) Carson Municipal Code Section 9146.7 (Signs) allows two square feet of business signage for every one linear foot of lot frontage for the first one hundred (100) feet, plus one-half ($1/2$) times the frontage in excess of one hundred (100) feet. Building 1 at 623 feet in length, 461.5 square feet of signage will be allowed. Building 2 at 535 feet in length, 417.5 square feet would be allowed. All signage associated with this project will be reviewed and approved as a separate application and will ensure that the signage complies with applicable Carson Municipal Code provisions, and will exhibit attractiveness, effectiveness, and restraint in signing graphics and color.
- e) The proposed development will be constructed in one single phase.
- f) The proposed landscape plan will comply with applicable water conservation requirements. Permanent irrigation utilizing best water conservation practices will be installed for both on and off-site landscaped areas.
- g) The required findings pursuant to Section 9172.23 (D), “Site Plan and Design Review,” can be and are made in the affirmative.

SECTION 3. The proposed project is limited to Site Plan and Design Review pursuant to Carson Municipal Code (CMC) Section 9172.23. CEQA applies only to discretionary projects proposed to be carried out or approved by public agencies, and the discretionary component of an action must give the agency the authority to consider a project's environmental consequences to trigger CEQA. Although Site Plan and Design Review approvals pursuant to CMC 9172.23(B)(1) involve discretion of the Planning Commission in applying the facts to determine if the required affirmative findings of CMC 9172.23(D) can be made, the Planning Commission's discretion is limited to the design-related issues included in the required findings. Accordingly, the City cannot impose conditions of approval that constitute environmental impact mitigation measures for Site Plan and Design Overlay Review (DOR) No. 1891-22 exceeding the scope of such design-related issues. Additionally, design-related issues such as those found in CMC 9172.23 have been found not to require the separate invocation of CEQA, as it is common sense that such design related issues do not relate to the potential for whether a project causes a significant effect on the environment. (Pub. Res. Code §21080; *McCorkle Eastside Neighborhood Group v. City of St. Helena*, 31 Cal.App.5th 80 (2018)). City staff shall cause a Notice of Exemption to be filed as authorized by CEQA and the State CEQA Guidelines.

SECTION 4. The Planning Commission of the City of Carson, pursuant to the findings noted above, does hereby approve Site Plan and Design Review No. 1891-22, subject to the Conditions of Approval contained in Exhibit "B," attached hereto.

SECTION 5. This decision of the Planning Commission shall become effective and final 15 days after the date of the action unless an appeal is filed within that time 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.

PASSED, APPROVED and ADOPTED this 8th day of November 2022.

CHAIRPERSON

ATTEST:

SECRETARY

EXHIBIT "A "

PARCEL "1" AS SHOWN ON LOT LINE ADJUSTMENT NO. 303-21 RECORDED JULY 28, 2022 AS INSTRUMENT NO. 2022 0765432, OF OFFICIAL RECORDS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA. ALSO DESCRIBED IN THE DOCUMENT AS FOLLOWS:

THAT PORTION OF LOT 33 OF THE GARDENA TRACT, IN THE CITY OF CARSON, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 52, PAGE 73, OF MISCELLANEOUS RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH A STRIP OF LAND 10 FEET WIDE, LYING NORTHERLY OF THE ADJOINING SAID LOT 33, SAID STRIP BEING A PORTION OF ALONDRA BOULEVARD, FORMERLY KNOWN AS CENTRAL AVENUE, VACATED BY ORDER OF THE BOARD OF SUPERVISORS OF SAID LOS ANGELES COUNTY, A CERTIFIED COPY OF WHICH IS RECORDED IN BOOK 99, PAGES 85 AND 86, OF MISCELLANEOUS RECORDS, IN SAID RECORDER'S OFFICE, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY LINE OF LOT 44 OF SAID GARDENA TRACT WITH THE EASTERLY LINE OF BROADWAY, 100 FEET WIDE, AS DESCRIBED IN THE FINAL ORDER OF CONDEMNATION ENTERED IN LOS ANGELES COUNTY SUPERIOR COURT CASE NO. 274177, A CERTIFIED COPY BEING RECORDED AUGUST 18, 1933 AS INSTRUMENT NO. 355, IN BOOK 12339, PAGE 97, OF OFFICIAL RECORDS OF SAID COUNTY, AND ALSO REGISTERED AUGUST 21, 1933 AS DOCUMENT NO. 11657-B AND ENTERED ON CERTIFICATE OF TITLE D-4580, ON FILE IN THE OFFICE OF THE COUNTY RECORDER;

THENCE NORTHERLY ALONG THE SAID EASTERLY LINE, NORTH 01°49'04" WEST 1258.36 FEET TO THE NORTHERLY LINE OF SAID 10' WIDE STRIP OF LAND;

THENCE ALONG SAID NORTHERLY LINE, NORTH 88°16'13" EAST 666.05 FEET TO THE EASTERLY LINE OF SAID LOT 33;

THENCE SOUTHERLY ALONG SAID EASTERLY LINE OF SAID LOT 33, SOUTH 01°49'33" EAST 559.01 FEET TO THE NORTHERLY LINE OF PARCEL 1 AS DESCRIBED AND SHOWN ON NOTICE OF LOT LINE ADJUSTMENT NO. 33-92, RECORDED JULY 23, 1992 AS INSTRUMENT NO. 92-1344808 OF OFFICIAL RECORDS;

THENCE WESTERLY ALONG LAST MENTIONED NORTHERLY LINE, SOUTH 88°11'42" WEST 351.32 FEET TO A LINE PARALLEL WITH AND DISTANT EASTERLY 314.81 FEET MEASURED EASTERLY AT RIGHT ANGLES FROM SAID EASTERLY LINE OF BROADWAY;

THENCE SOUTHERLY ALONG SAID PARALLEL LINE; SOUTH 01°49'04" EAST 697.92 FEET TO THE SOUTHERLY LINE OF PARCEL 2 OF SAID LOT LINE ADJUSTMENT 33-92;

THENCE WESTERLY ALONG SAID SOUTHERLY LINE, SOUTH 85°55'28" WEST 14.83 FEET TO THE SOUTHERLY LINE OF SAID LOT 44;

THENCE WESTERLY ALONG SAID SOUTHERLY LINE OF LOT 44, SOUTH 88°12'51" WEST 300.00 FEET TO THE POINT OF BEGINNING.

EXCEPT FROM LOT 33 AN UNDIVIDED ½ INTEREST IN ANY AND ALL OIL, GAS, MINERALS AND OTHER HYDROCARBON SUBSTANCES WITHOUT THE RIGHT OF SURFACE ENTRY OR EXCAVATING TO A DEPTH OF 250 FEET AS RESERVED BY KEITH W. SCHLAEGEL AND OPAL B. SCHLAEGEL, HUSBAND AND WIFE, IN DEED RECORDED APRIL 14, 1959 AS INSTRUMENT NO. 740, OF OFFICIAL RECORDS.

Grant Deed - continued

Date: **06/13/2022**

ALSO EXCEPT THEREFROM THAT PORTION OF LOT 33, ALL OIL, GAS, MINERALS, WATER AND OTHER HYDROCARBON SUBSTANCES IN AND UNDER SAID LAND, BUT WITHOUT THE RIGHT OF SURFACE OR SUBSURFACE ENTRY TO A DEPTH OF 250 FEET FROM THE PRESENT SURFACE OF SAID LAND, AS RESERVED BY SIDNEY R. TITLE AND CHARLOTTE W. TITLE, HUSBAND AND WIFE, IN DEED RECORDED AUGUST 08, 1962 AS INSTRUMENT NO. 2921, OF OFFICIAL RECORDS.

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

**EXHIBIT "B"
CONDITIONS OF APPROVAL
SITE PLAN AND DESIGN OVERLAY REVIEW NO. 1891-22**

I. GENERAL CONDITIONS

1. ***Interim Development Impact Fee:*** In accordance with Article XI (Interim Development Impact Fee Program) of the Carson Municipal Code (“CMC”), the applicant, property owner, and/or successor to whom these project entitlements are assigned (“Developer”) shall be responsible for payment of one-time interim development impact fees (“IDIF”) at the applicable amounts/rates detailed below for each square foot of industrial development constructed for the project. If the project increases or decreases regarding the square footage constructed, the total IDIF amount will be adjusted accordingly at the applicable rate.

Additionally, subject to the review, verification, and approval of the Community Development Director, the applicant *may* be eligible for development impact fee credits for demolition of an existing permitted structure or structures. To be eligible for credits, **prior to demolition**, provide building volume (average building height and footprint, usable areas) of all existing permitted structures and the new proposed structure. Awarded fee credits shall reduce the final development impact fee amount and are applied when development impact fees are due.

Final IDIF rates and amounts are calculated and due prior to issuance of the building permit(s). No building permit shall be issued prior to the full payment of the required IDIF amount, which payment shall be made in one lump sum installment. IDIF amounts/rates are subject to adjustment every July 1st based on State of California Construction Cost Index (Prior March to Current March Adjustment), per CMC Section 11500.

IDIF amounts/rates for industrial development have been set at \$3.22 per square foot for Fiscal Year 2022-23, effective July 1, 2022, through June 30, 2023. Based on these rates, the Developer would be responsible for payment of IDIF in the amount of \$923,523.62 for the proposed project, calculated as follows: 286,821 square feet X \$3.22 per square foot = \$923,563.62. However, if the IDIF for the project is not paid by the end of the 2022-23 fiscal year (i.e., by June 30, 2023), a new IDIF rate/amount will apply for the period of July 1, 2023, through June 30, 2024, based on the IDIF rate for Fiscal Year 2022-23, and so on for subsequent fiscal year(s).

Notice of Imposition of Interim Development Impact Fees; Right to Protest

Pursuant to CMC Section 11503, Developer is hereby notified of the IDIF imposed on the project, as described and in the amount stated above. In accordance with Government Code Section 66020, Developer may protest the imposition of the IDIF on the project by complying with the requirements set forth in CMC 11900. Any such protest shall be filed within ninety (90) days after the effective of approval by the City of the entitlement(s) or permit(s) that is/are the subject of these conditions of approval. The ninety (90) day approval period in which the Developer may submit a protest has begun as of the effective date of the City’s approval of the entitlement(s) or permit(s) that is/are the subject of these conditions of approval.

2. **Funding Mechanism for Ongoing Services/Community Facilities District:** The Developer is required to establish a funding mechanism to provide an ongoing source of funds mitigate the impacts of the proposed development on City services on an ongoing basis.

In 2018, City adopted Community Facilities District (CFD) No. 2018-01 and may adopt a similar community facilities district in the future to use instead of CFD No. 2018-01 (collectively referred to herein as the “CFD”) to fund the ongoing costs of City services permitted by the CFD, including the maintenance of parks, roadways, and sidewalks and other eligible impacts of the Project within the CFD (the CFD Services). The City uses this mechanism for projects wanting to join the CFD as a means to satisfy the condition to mitigate impacts on services. In 2019, the City undertook a Fiscal Impact Analysis (“FIA”), and uses the analysis generally to determine the impacts in CFD No. 2018-01.

Based on the FIA, the subject property falls under the “Industrial Zone – Industrial Zone 1” category. Based on a 13.04 acre development, the current estimated annual amount for ongoing services is \$41,790.98, subject to annual adjustments every July 1st. Prior to recordation of final tract map or permit issuance, whichever comes first, Developer shall demonstrate compliance under this section either through: (1) Annexing into a City CFD; or (2) Establishing a funding mechanism to provide an ongoing source of funds for ongoing services, acceptable to the City.

This condition may be satisfied by annexing the subject property to the CFD with the rate comparable to that of the FIA, or by requesting the City undertake a Fiscal Impact Study by a consultant chosen by the City with respect to the subject property with similar scope and standards as the FIA and paid for by the Developer to set the rate of the CFD for the subject property. Should another Fiscal Impact Study be undertaken, a lower or higher rate may be required for the mitigation of impacts based on the Study. The Developer may also provide another mechanism for satisfying the requirement to mitigate impacts that is acceptable to the City Council.

To understand the requirements in more detail, please visit the City’s CFD webpage at <https://ci.carson.ca.us/communitydevelopment/CFD.aspx> and/or contact James Nguyen at jnguyen@carsonca.gov or 310-952-1700 ext. 1310.

3. The Project Floor Area Ratio (FAR) must be reduced from 50.5 to 50.0. Developer shall present revised project plans to the Community Development Director for the Director’s approval, which plans shall indicate where square footage has been removed and how the revised project meets the 50.0 FAR.
4. Developer did not apply for or obtain any land use entitlement in connection with Site Plan and Design Review No. 1891-22, which relates solely to the development of the proposed facility, not any subsequent use thereof. Accordingly, the permissible uses of the subject property are limited to the automatically permitted uses set forth in CMC 9141.1 for the applicable zone (M-L) until such time as Developer obtains a land use entitlement authorizing further/other uses.
5. Developer shall record a covenant on the subject property, which shall run with the land and which shall be in a form acceptable to the City Attorney, to the effect that the subject property shall not be used as a High-Cube Transload Warehouse (ITE Trip Generation Manual 10th Edition - Land Use Code 154), a Short Term Storage Warehouse (ITE Trip Generation Manual 10th Edition - Land Use Code 154), a High-Cube Fulfillment Center Warehouse (ITE Trip Generation Manual 10th Edition - Land Use Code 155), a High-Cube Parcel Hub Warehouse (ITE Trip Generation Manual 10th Edition - Land Use Code 156), a High-Cube Cold Storage Warehouse (ITE Trip Generation Manual 10th Edition - Land Use

Code 157), or any other use that would generate a significantly higher rate or amount of daily or AM or PM peak hour truck trips, PCE traffic trips, or actual traffic trips to or from the subject property than that analyzed in the Urban Crossroads Trip Generation Assessment report dated May 10, 2022 that was prepared for the project, which was ITE Trip Generation Manual 10th Edition Land Use Code 150 for a “warehouse” as described therein, without Developer first obtaining a further Planning Commission site plan and design review approval pursuant to CMC 9172.23 (without limitation as to any other applicable approvals), including an affirmative finding as to safety and convenience of pedestrian and vehicular circulation pursuant to CMC 9172.23(D)(1)(c), based on an analysis of the anticipated project trip generation figures utilizing the applicable ITE Trip Generation Manual Land Use Code(s) for the then-proposed use.

6. If a building permit for Site Plan and Design Review No. 1891-22 is not issued within **two years** of the effective date of the approved Planning Commission Resolution, the entitlement shall be declared null and void unless an extension of time is approved by the Planning Commission.
7. The approved Resolution, including these Conditions of Approval, 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.
8. Developer 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.
9. Developer shall comply with all city, county, state and federal regulations applicable to this project.
10. Any substantial project 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.
11. The applicant and property owner shall sign an Affidavit of Acceptance of these Conditions of Approval, in a form approved by the Director, and shall submit the signed Affidavit of Acceptance to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
12. A modification of these conditions, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
13. It is further made a condition of this approval that if any condition is violated or if any law, statute, or ordinance is violated, then except as otherwise provided in Section 9172.28 of the Zoning Ordinance, this permit may be revoked by the Planning Commission or City Council, as may be applicable, provided the Developer has been given written notice to cease such violation and has failed to do so for a period of thirty days.
14. Precedence of Conditions. If any of these Conditions of Approval alter a commitment made by the Developer 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.
15. 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.

16. 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 therefor, or work may cease on the Project.
17. Indemnification. To the fullest extent permitted by law, the applicant, property owner, and tenant(s), for themselves and their successors in interest (“Indemnitors”), agree to defend, indemnify and hold harmless the City of Carson, its agents, officers and employees, and each of them (“Indemnitees”) from and against any and all claims, liabilities, damages, losses, costs, fees, expenses, penalties, errors, omissions, forfeitures, actions, and 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 Indemnitees’ review of or decision upon the project that is the subject of these conditions (including without limitation any Claims related to any finding, determination, or claim of exemption made by Indemnitees pursuant to the requirements of the California Environmental Quality Act), 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 or 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.
18. The Developer shall encourage future occupants to engage the community for employment opportunities to create a local labor force.
19. The loading doors and truck entries, truck drive aisles, and truck exits shall be oriented away from adjacent public right-of-way and streets.
20. The project shall comply with all applicable California Air Resource Board (CARB) and South Coast Air Quality Management (SCAQMD) requirements.
21. The truck entries shall be located along or adjacent to approved City of Carson truck routes. The Developer shall submit and obtain Director approval of a Truck Routing plan to and from the state highway and interstate freeway system.
22. The building roofs shall be solar-ready, which includes designing and constructing the building in a manner that facilitates and optimizes the installation of a rooftop solar photovoltaic system at some point after the building has been constructed.

23. The office portion of a building's rooftop that is not covered with solar panels or other utilities shall be constructed with a light-colored roofing material with a solar index ("SRI") of not less than 78. The material shall be the minimum solar reflective rating of the roof material for the life of the building.

AESTHETICS

24. There shall be no deviation of architectural design or details from the approved set of plans. The Planning Division shall first approve any alteration.
25. Any roof-mounted equipment shall be screened to the satisfaction of the Planning Division.
26. Prior to Building and Safety plan check submittal, the specification of all colors and materials and texture treatment must be submitted and approved by the Planning Division.
27. 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.
28. No outdoor storage of materials shall be permitted on the property at any time.

LANDSCAPE/IRRIGATION

29. Installation, maintenance, and repair of all landscaping shall be the responsibility of the property owner.
30. All landscaping shall be drought -tolerant and be in compliance with the Model Efficient Landscape Ordinance and that palm trees shall not be utilized.

LIGHTING

31. All exterior lighting shall be provided in compliance with the standards pursuant to Section 9127.1 of the Zoning Ordinance.
32. 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 Department.

PARKING

33. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
34. Anti-idling signs indicating a three minute diesel truck engine idling restriction shall be posted at the subject property along entrances to the site and in the loading areas, to the satisfaction of the Community Development Director, and shall be strictly enforced by the facility operator.
35. Thhe Developer shall post signs in prominent locations on the facility premises indicating that off-site parking for any employee, truck, or other vehicle related to the operation or

use of the facility is strictly prohibited, to the satisfaction of the Community Development Director.

36. Signs shall be installed at all truck exit driveways on the facility premises directing truck drivers to the approved truck routes pursuant to the Truck Routing Plan, to the satisfaction of the Community Development Director.
37. All signs under this Section shall be legible, durable, and weather-proof, to the satisfaction of the Community Development Director.

TRASH

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

BUILDING AND SAFETY DIVISION

39. Submit development plans for plan check review and approval.
40. Prior to issuance of building permit, proof of worker's compensation and liability insurance for Developer must be on file with the Los Angeles County Building and Safety Division.
41. Obtain all appropriate building permits and an approved final inspection for the proposed project.
42. The Developer shall comply with applicable LID requirements (Carson Municipal Code 5809) and shall include Best Management Practices necessary to control storm water pollution from construction activities to the satisfaction of Building and Safety.

PUBLIC WORKS DEPARTMENT- CITY OF CARSON

43. The Developer shall submit an electronic copy of approved plans (*such as, Sewer, Street and/or Storm Drain Improvements, Grading, etc., whichever applies*), to the City of Carson – Engineering Division, prior to issuance of construction permits.
44. Any existing off-site improvements damaged and/or destroyed during the construction shall be removed and reconstructed per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
45. A construction permit is required for any work to be done within the public right-of-way.
46. Proof of Worker's Compensation and Liability Insurance shall be submitted to the City prior to issuance of any permit by Engineering Division.
47. Construction bond for all work to be done within the public right of way shall be submitted and approved by Engineering Division prior to the issuance of any encroachment permits.
48. The Developer shall provide recorded covenant to address drainage maintenance/responsibilities.

49. If required by the Engineering Division, soils report, sewer area study, drainage concept, hydrology study and stormwater quality plan shall be reviewed and approved by Engineering Division.

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

50. 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.
51. Per City of Carson Municipal Code Section 5809(d)(2), Developer shall comply with all street and road construction of 10,000 S.F. or more of impervious surface, shall manage wet weather with Green Infrastructure: Greens Streets.
52. 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 to Kenneth Young via E-mail kyoung@carsonca.gov
53. Developer shall submit digital copies of the LID/NPDES/Grading Plans, hydrology and Hydraulic analysis concurrently to City of Carson, Engineering Services Department and Los Angeles County Building & Safety Division. Deliver copy to Kenneth Young via E-mail kyoung@carsonca.gov
54. Developer shall complete, sign and return the Stormwater Planning Program LID Plan Checklist form and return to City of Carson Engineering Services Division.
55. 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.
56. If or when required, as determined by the City Engineer, Developer shall provide CC&R's (covenants, conditions, and restrictions) to address drainage responsibilities.
57. A 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. Developer shall comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.
58. 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 the development that is the subject of these conditions. 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.
59. Pursuant to Section 9161.4 of the Zoning Ordinance, Developer shall dedicate additional Right-of-Way beyond the existing right-of-way line to the extent the City Engineer determines such additional right-of-way is necessary to conform with City of Carson PW Standard Street Section to accommodate the ADA access behind the Main St. driveway approach to the project site. Developer shall prepare the legal description for any such

required dedication, for review and approval of the City Engineer and Recordation with County Recorder's Office. All documents shall be approved and ready for recordation prior to issuance of Building Permits.

60. 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 project's improvement plans, pursuant to Section 9161.4 of the Zoning Ordinance:
 - a. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right of way along Main St. abutting this proposed development per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
 - b. Remove and replace any broken/damaged driveway approach within the public right of way along Main St. abutting this proposed development per City of Carson PW Standard Drawings and to the satisfaction of the City Engineer.
 - c. The Developer shall modify existing driveways within the public right of way along Main St. abutting this proposed development per City of Carson PW Standard Drawings to comply with the ADA requirements and to the satisfaction of the City Engineer.
 - d. Plant approved parkway trees on locations where trees in the public right of way along Main St. abutting this proposed development are missing per City of Carson PW Standard Drawings Nos. 117, 132, 133 and 134.
 - e. Plant parkway grass/landscaping in the public right of way along Main St. abutting this proposed development per City of Carson PW Standard Drawing No. 116 to the satisfaction of the City Engineer.
 - f. Install irrigation system for the purpose of maintaining the parkway trees to be planted within the public right of way along Main St. abutting this proposed development.
 - g. Install/Modify existing raised landscaped median along the Main St. to the satisfaction of the City Engineer.
 - h. Install striping and pavement legend per City of Carson PW Standard Drawings.
 - i. Paint Curbs Red along Main St. within or abutting this proposed development. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval.
 - j. Streets abutting 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).
61. 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.
62. Pursuant to Section 9161.4 of the Zoning Ordinance, Developer shall underground all existing overhead utility lines 12 kilovolts and less along Main St. abutting the proposed development to the satisfaction of the City Engineer and only to the extent that the estimated cost of this, and all such required improvements, does not exceed fifty (50)

percent of the valuation of the structure(s) for which a building permit is requested. Pursuant to Section 9161.7 of the Zoning Ordinance, 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 in-lieu fee before issuance of Building Permits. The in-lieu fee, and fees for all such required improvements, shall not exceed fifty (50) percent of the valuation of the structure(s) for which a building permit is requested. Undergrounding cost estimate shall be prepared by Southern California Edison and shall be submitted to the City Engineer for his determination.

63. Comply with the street lighting requirements if required by the LA County Public Works, Traffic Safety and Mobility Division, Street Lighting Section and any City Street Lighting requirements.

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

64. 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.
65. Developer shall complete and submit digital BMP Reporting Template Spreadsheet to Kenneth Young via E-mail kyoung@carsonca.gov
66. Covenant shall be reviewed and approved by the City Engineer prior to recordation with the Los Angeles County Registers Recorder/County Clerk.
67. RECORDATION is the responsibility of the Developer. Provide a copy of the recorded covenant agreement to City Engineer
68. Inspection will be conducted once a year after all Post Construction Best Management Practices (BMP) are constructed.
69. 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.
70. 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.
71. 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.
72. All street cuts for utility construction purposes shall be repaired by the Developer per the City's utility trench repair standard.

73. All infrastructures necessary to serve the proposed development (Electric, Gas, water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.
74. The Developer shall pay any applicable Public Works/Engineering fees prior to the issuance of the Certificate of Occupancy.

FIRE DEPARTMENT

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

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

76. 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.