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Appeal Application

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Appeals are time sensitive and must be received by the City Clerk in the specified time period pursuant to the Carson Municipal Code or applicable authority. It is advisable to consult with the Department managing the issue if there is question with regards to appealing an action. All fees associated with appeals can be located in the City's Master Fee Schedule and/or Carson Municipal Code. This is an appeal of the:

- Director decision to the Planning Commission – shall be filed in writing within 15 days of the date of the Director action.
- Planning Commission decision to the City Council – shall be filed in writing within 15 days of the date of the Commission action.
- Other - Specify decision-maker, appellate body, Municipal Code authority: _____

Appellant Information:

Name(s): Imperial Avalon, LLC (Applicant) Darren Embry on behalf of applicant

Address: 4276 Katella Avenue #23

City/State/Zip: Los Alamitos CA 90720

Phone: 323/481-9178 Email: darren@faring.com

Appealing Application Regarding:

**If appeal is made by any member of the City Council or the City Manager, the sections identified with an asterisk (*) are not required; the Statement of Grounds for Appeal need only provide, in substance and effect, a request that a specific decision, administrative case number, or resolution number, as the case may be, be reviewed by the Planning Commission or City Council, as the case may be. CMC §9173.4.*

Name of Applicant(s): Imperial Avalon, LLC Date of Final Decision: 11/21/2022

*Administrative File No. /Case No.: Vesting Tentative Tract Map #83157

*Street Address (otherwise, the legal description and location of the premises included in the action) 21207 S. Avalon Boulevard, Carson CA

*Specific Matter Being Appealed: Planning Commission approval of VTTM #83157, Condition #48

Statement of the Grounds for Appeal (attach separate sheet if necessary): VTTM Condition #48 is inconsistent with Development Agreement Section 4.7 (see attachment for more details)

Signature of Appellant:  Date: 11/22/2022

FOR OFFICE USE ONLY:

Date Appeal received: _____, 20____.

Appeal Fee received: \$ _____


 Dr. Khaleah K. Bradshaw, City Clerk

cc: Department Director, File

Appeal Justification Attachment.

The Applicant hereby appeals Condition #48 of the Planning Commission Resolution approving Vesting Tentative Tract Map (VTTM) #83157, which as written specifically requires the approval and recordation of the Final Map prior to issuance of a building permit for the Project.

We appeal on the grounds that Condition #48 as currently written and as approved by the Planning Commission is inconsistent with Section 4.7 of the Development Agreement (“DA”). DA Section 4.7 provides additional flexibility by permitting construction to commence on the project Apartment buildings prior to recordation of the Final Map. The DA requires only that the Final Map be recorded prior to issuance of a either (1) building permit for the Townhome units and/or (2) certificate of occupancy (as opposed to building permit) for the Apartment buildings.

The Applicant team inadvertently overlooked this condition and therefore did not raise this objection during the Planning Commission hearing that occurred on November 21, 2022. As such, we are filing this appeal to ensure that the final VTTM conditions of approval are consistent with Development Agreement Section 4.7 and allow for the additional flexibility relative to commencement of construction for the Apartment buildings.