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## 6. CONTINUED PUBLIC HEARING

A) Design Overlay Review (DOR) No. 1661-17; Conditional Use Permit (CUP) No.1023-17; Tentative Tract Map (TTM) No. 76070-17; General Plan Amendment (GPA) No. 100-17; Zone Change (ZCC) No. 178-17; Specific Plan (SP) No. 15-17

Applicant: Anthony Laney of LANEY LA, Inc.  
13110 Hawthorne Blvd., Unit A  
Hawthorne, CA 90250

Property Owner: Real Quest Holding, LLC  
3129 S. Hacienda Blvd., #649  
Hacienda Heights, CA 91745

Request: Consider approval of a four story, 32-unit residential condominium project

Property Involved: 21809 and 21811 S. Figueroa Street

Ic Staff Recommendation: Approve

Chair Pimentel opened the public hearing.

Bryce Egbert, representing Real Quest, noted his concurrence with the conditions of approval.

Commissioner Rashad started discussion regarding the community benefit program fee contribution from the Union South Bay project being approximately \$3,000 per unit for the increased density over the base Mixed-Use Carson Street (MU-CS) zone; and stated that since the residential units in the Union South Bay Specific Plan are smaller (studios and one-bedroom units) than the proposed units in the Birch residential project (two- and three-bedroom units), he requested the applicant pay a fee similar to the Union South Bay project, but with a multiplying factor of 1.75, which is \$5,250 per unit. Since the Birch residential project is proposing amenities such as bike rack, bench, public open space, and art, the Planning Commission requested that the applicant pay a fee of \$5,250 per unit for the increased density requested over base High Density Residential General Plan Land Use designation, for a total of \$63,000. The applicant agreed to pay the community benefit program fee of \$63,000 for the additional 12 units over the standard density allowed.

Charles Thomas, resident, noted his opposition to allowing the additional density, believing the applicant is not providing adequate public benefits. He stated that Birch has not provided a pro forma.

In response to Commissioner Diaz' inquiry, Mr. Egbert stated that construction prices have drastically increased since this project was first designed, noting that if designed today, it would have been something else than a podium build.

Chair Pimentel closed the public hearing.

Planning Commission Decision:

Chair Pimentel moved, seconded by Vice-Chair Cainglet, to approve staff recommendation as proposed, thus adopting Resolution No. 19-2663. With the agreement to modify Condition No. 19-2663. Motion carried as follows, 7-1:

AYES: Cainglet, Fe'esago, Hellerud, Madrigal, Pimentel, Rahman, Rashad  
NOES: Diaz  
ABSTAIN: None  
ABSENT: Mitoma, Palmer

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**CITY OF CARSON**  
**PLANNING COMMISSION STAFF REPORT**

CONTINUED

PUBLIC HEARING: February 12, 2019

SUBJECT: Design Overlay Review (DOR) No. 1661-17  
Conditional Use Permit (CUP) No. 1023-17  
Tentative Tract Map (TTM) No. 76070-17  
General Plan Amendment (GPA) No. 100-17  
Zone Change (ZCC) No. 178-17  
Specific Plan (SP) No. 15-17

APPLICANT: Anthony Laney of LANEY LA, Inc.  
13110 Hawthorne Blvd. Unit A  
Hawthorne, CA 90250

PROPERTY OWNER: Real Quest Holding, LLC  
3129 S. Hacienda Blvd. #649  
Hacienda Heights, CA 91745

REQUEST: Consider approval of a four-story, 32-unit residential condominium project

PROPERTY INVOLVED: 21809 and 21811 S. Figueroa Street

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

## **I. Introduction**

### Property Owner

Real Quest Holding, LLC – Michael Wang  
3129 S. Hacienda Blvd. #649  
Hacienda Heights, CA 91745  
(626) 271-5322  
[chihbbs@gmail.com](mailto:chihbbs@gmail.com)

### Applicant

Anthony Laney, AIA  
LANEY LA, Inc.  
13110 Hawthorne Blvd. Unit A  
Hawthorne, CA 90250  
(310) 870-7175  
[anthony@laney.la](mailto:anthony@laney.la)

### Representative

Paul Choi, AIA  
LANEY LA, Inc.  
13110 Hawthorne Blvd. Unit A  
Hawthorne, CA 90250  
(310) 870-7175  
[paul@laney.la](mailto:paul@laney.la)

## **II. Project Description**

The applicant requests the approval of Design Overlay Review No. 1661-17, Conditional Use Permit No.1023-17 and Tentative Tract Map No. 76070-17; and recommendation of approval to the City Council for General Plan Amendment No. 100-17, Zone Change No. 178-15, and Specific Plan No. 15-17 (Birch Specific Plan “BSP”) to develop a new four-story, 32-unit residential condominium and related site improvements, and has entered into an agreement for participation in the City-wide Community Facilities District (CFD) and Development Impact Fees (DIF).

## **III. Project Site and Surrounding Land Uses**

The 0.8 acre project site is located along the western edge of the City. The site is within a block from the intersection of Carson Street and Figueroa Street, adjacent to State Route 110 (SR-110), and within a half mile of a Metro Express bus station.

## **IV. Background and Analysis**

The staff report from the November 13, 2018 public hearing provided a thorough analysis and discussion on the project site plan and design, building architecture, landscaping, and parking (Exhibit 3).

## *Planning Commission*

On December 11, 2018, this item was continued at the Planning Commission's request with a 7-0 vote. During the public hearing, the Commission discussed concerns regarding ongoing maintenance and professional management. Condition of Approval No. 32 has been added which includes language in the CC&Rs prohibiting the homeowners association (HOA) from discontinuing professional management of the housing development to ensure on-going property maintenance and security.

The CC&Rs shall include language that prohibits the Homeowners Association (HOA) from ceasing professional property management without obtaining City of Carson City Council approval.

The Commission also discussed a community benefit fee program, a resident's concern letter, and project pro forma. The Commission continued this item to January 22, 2019 to allow time for the applicant to provide a response (Exhibits 2 and 3). The item was continued to February 12, 2019 at the request of the applicant.

## *Specific Plan*

The project is proposing 32 units with a density of 41 dwelling units per acre. The current General Plan land use designation allows up to 25 dwelling units per acre which would allow 20 units for this site. The proposed density increase aligns with the one of the 2040 General Plan Update Land Use alternatives which envisions this area as Downtown High Density Mixed-Use land use designation. Staff recommends a condition of approval that requires the applicant to make any necessary revisions to the Specific Plan within 48 hours from the City Council action and submit to Planning Division for review and approval (Condition No. 20). The following changes shall be made to the Specific Plan for these purposes:

- The residential density allowed shall be limited to 45 units per acre.

## *Community Benefit Program Options*

In exchange for increased density, the Commission requested the applicant to provide a community benefit fee program that secures fees for affordable housing at another location which offsets the impacts to the community. The applicant has stated to staff the economics of the project cannot justify accommodating this request. It should be noted that the City does not have an adopted policy requiring such an amenity. As such, the applicant has volunteered to continue working with staff to provide the following community benefits: bus shelter improvement in close proximity to the project, new public bike rack and bench in front of the project site, and an on-site public art installation. Furthermore, the applicant will be paying Development Impact Fees (DIF) and participating in the Citywide Community Facilities District (CFD). Both the DIF and CFD payments increase with the increase in the number of units for the project. Therefore, the infrastructure and service

impacts of the additional units are mitigated by payment of additional DIF and CFD associated with the additional units.

As an alternative option, the Commission can require that the applicant incorporate a community benefit in-lieu fee program into the Specific Plan prior to final adoption. The Avalon Specific Plan was conditioned to provide the following community benefits: \$250,000 contribution to the City, public art (valued at \$200,000), public plaza, right-of-way dedication to future street improvements, and commitment to meet a performance schedule to ensure the project is built in a timely manner. Therefore, the community benefit contribution from The Avalon Specific Plan was approximately \$3,000 per unit for the increased density over the base Mixed-Use Carson Street (MU-CS) zone. Since this Birch Residential project is proposing some amenities such as bike rack, bench, public open space, and art, the Planning Commission could assess a fee of \$3,000 per unit for the increased density requested over base High Density Residential General Plan Land Use designation for a total of \$36,000. (Condition No. 19).

*Comparison Table showing difference between density allowed and proposed for The Avalon Specific Plan and Birch Specific Plan*

	The Avalon Specific Plan (approved in 2015)	Birch Specific Plan (0.8 acre site)
Density Allowed prior to approval (dwelling units/acre)	35	25
Density Proposed (DU/AC)	65	45
Additional number of units allowed above the existing density	165	12
Proposed Units	357	32

The Commission may consider making additional recommendations to the City Council to consider adopting a community benefit fee program or other amenities such as "work force" housing quantifying the amenities in direct proportion to the requested density increase as a policy and program within the General Plan Update. If the Commission decides to move this forward, staff can incorporate this recommendation into the ongoing General Plan Update process which the Commission will be involved in.

#### *Resident Concern Letter*

During the public hearing, Mr. Charles Thomas presented a concern letter to the Commission regarding the proposed project (Exhibit 4). The following areas of concern were noted and have been primarily discussed in previous meetings:

- Increased density;
- Elimination of private space for nine units;
- Environmental impact of the units adjacent to the 110 Freeway;
- Inadequate open space located on the roof; and
- Parking requirements.

Also mentioned in the letter are lack of workforce housing and a proposal to require deed restrictions. The market conditions will prescribe the unit costs for the project's location within the City so the applicant estimates the units will likely sell for about \$300,000 to \$400,000 which is within the 2018 LA County area median income (AMI) target sales price range. The sales targets for a deed restriction based on the 2018 AMI for Los Angeles County range from \$319,660 at 70% of AMI, to \$730,619 at 160% of AMI. The City does not have an adopted policy requiring deed restrictions for market rate housing.

*Pro forma*

After further consideration, the applicant has indicated they will provide financial information during the public hearing. It should be noted that staff does not require applicants to provide financial feasibility including a detailed pro forma because this information is not germane to the review and recommendation of a project. The purview of the Commission and staff is to review for compliance with the Carson Municipal Code and determine if the required project findings for approval can be made.

**V. Environmental Review**

The City reviewed the environmental impacts of the proposed project pursuant to the California Environmental Quality Act (CEQA). A Draft Mitigated Negative Declaration was prepared and made available for a public review period from May 2, 2018 through May 21, 2018. The Draft Mitigated Negative Declaration found potentially significant impacts of cultural resources, noise, and tribal cultural resources. With the inclusion of the proposed mitigation measures, adverse impacts are mitigated to the maximum extent feasible and below a level of significance.

**VI. Public Notice**

Public notice was posted to the project site on January 2, 2019. Notices were mailed to property owners and occupants on January 12, 2019. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

**VII. Conclusion**

The Planning Commission has expressed concerns regarding a community benefit fee program in exchange for a request for increased density. Although the City does not have an adopted policy requiring such an amenity and the applicant states the economics of the project cannot justify providing this request, staff recommends a condition of approval that requires the applicant to incorporate a community benefit

in-lieu program into the Specific Plan prior to final adoption of the Specific Plan. The Birch Residential project can be conditioned to provide the following community benefits: \$36,000 contribution to the City, and proposed amenities such as bike rack, bench, public open space, and art (Condition of Approval No. 19).

The applicant is requesting approval of this project and requests that action be taken without further continuances. The applicant has requested that if the Planning Commission does not reach a consensus to recommend approval of the project to the City Council, an alternative motion should be introduced to recommend denial of the applications to the City Council. In this case, staff recommends the Planning Commission to make clear findings for denial.

## **VIII. Recommendation**

That the Planning Commission:

- **APPROVE** Design Overlay Review No. 1661-17, Conditional Use Permit No.1023-17, Tentative Tract Map No. 76070-17 subject to the conditions of approval attached as Exhibit "B" to the Resolution and contingent upon City Council approval of General Plan Amendment No. 100-17, Zone Change No. No. 178-17, Specific Plan No. 15-17, and Mitigated Negative Declaration; and
- **RECOMMEND APPROVAL** General Plan Amendment No. 100-17, Zone Change No. 178-17, and Specific Plan No. 15-17, and Mitigated Negative Declaration and adoption of the Mitigated Negative Declaration for the Project to the City Council; and
- **WAIVE FURTHER READING AND ADOPT RESOLUTION NO. 19-\_\_\_\_, ENTITLED "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1661-17, CONDITIONAL USE PERMIT NO. 1023-17, TENTATIVE TRACT MAP NO. 76070-17, AND RECOMMENDING THAT THE CITY COUNCIL ADOPT GENERAL PLAN AMENDMENT NO. 100-17, ZONE CHANGE NO. 178-17, SPECIFIC PLAN NO. 15-17, AND MITIGATED NEGATIVE DECLARATION TO DEVELOP A 32-UNIT RESIDENTIAL CONDOMINIUM PROJECT ON A 0.8-ACRE PROJECT SITE AT 21809 AND 21811 S. FIGUEROA STREET."**

## **IX. Exhibits**

1. Draft Resolution
2. Planning Commission Disposition Excerpt dated December 11, 2018
3. Planning Commission Staff Reports: December 11, 2018 and November 13, 2018
4. Resident Concern Letter dated December 11, 2018
5. Development Plans

Prepared by: Leila Carver, Planner

# EXHIBIT NO. 4

Charles Thomas  
17532 Persimmon Dr.  
Carson, CA 90746

November 11, 2018

City of Carson Planning Commission  
701 E. Carson Street  
Carson, CA 90745

**RE: Item 6A – Planning Commission Meeting dated 12/11/18** (Design Overlay Review (DOR) No. 1661-17; Conditional Use Permit (CUP) No. 1023-17; Tentative Tract Map (TTM) No. 76070-17; General Plan Amendment (GPA) No. 100-17; Zone Change (ZCC) No. 178-17; Specific Plan (SP) No. 15-17

I write this letter to be entered into the record regarding the above entitled project. This is a continuation of the public hearing dated November 13, 2018. Present at that meeting were the following Planning Commissioners: Fe' esago, Osuna, Madrigal, Mitoma, Nunley, Pimentel, Rahman and Thomas. This item was continued over due to concerns expressed by the Planning Commission relating to: (1) density variances from code (from 25u/acre to 41u/acre); (2) elimination of private space for nine of the thirty-two units (representing 28% of the project) in contravention of the requirement for under Carson Municipal Code Section 9128.15 for private open space; (3) the environmental impact of a project where all of the units (representing 28% of the project) along the 110 Freeway have significant airborne environmental pollution concerns; (4) inadequate open space, which was limited to a walled in "yard" on the roof of the project; and (5) parking requirements under Carson Municipal Code.

Since that meeting, Mayor Robles appointed Planning Commissioners at the December 4, 2018 meeting. Those members and their respective swearing in date are:

Cainglet – December 10, 2018  
(Alternate #1) Diaz – December 10, 2018  
Fe' esago – December 10, 2018  
Mitoma – December 11, 2018  
Palmer – December 11, 2018  
Pimentel – December 10, 2018  
Rashad – December 10, 2018

The following Planning Commissioners were appointed, but as of 2PM on December 11, 2018 have not been sworn in:

Cinco  
Alternate #2 - Hellerud  
Alternate #3 - Zuniga

The concern with moving forward with consideration of a project of this magnitude with an only four members of the prior Commission is inappropriate. The new Commissioners have had inadequate time

to digest the massive record already created in the November 13, 2018 meeting. As such, it appears that the Planning Manager is attempting to make a mockery of the Brown Act. What is the rush for approval?

The next concern, procedurally is the staff report, located online at:

<http://ci.carson.ca.us/content/files/pdfs/planning/sr/2018-12-11/1661.12.11.18.pdf> provides a report, but does not include Exhibits #2, 3, 4 and 5. These documents are not included, yet specifically referenced in the staff report. Again, this appears to be a violation of the word and spirit of the Brown Act. Moreover, the staff report seems to only address three of the five issues articulated in the Meeting dated November 13, 2018.

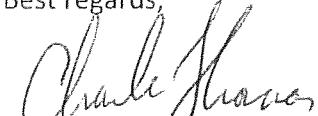
Finally, as it relates to the issue of "Work force" housing (as discussed on "triangle 3" of the packet, I hereby attach the following spreadsheet I shared with the Applicant during our lunch on November 20, 2018. This lunch coincidentally was immediately before Applicant's meeting with the Director of Community Development, Saied Naaseh-Shahry, referenced in the Staff report on page "triangle 3"). Per the staff report, "The applicant informed staff that the economics of the project cannot justify providing 'workforce housing'."

This runs counter to the very conversation I had with applicant minutes before this purported meeting with Saied and the Applicant. As you can see from the spreadsheet, the sales targets for a deed restriction range from \$319,660 at 70% of area median income (AMI), to \$730,619 at 160% of AMI. The Applicant confessed in our meeting that their target sales prices sat within this range; so the "affordability" argument is highly questionable, if not a deliberate distortion of the truth.

I urge this Planning Commission to inquire of Staff and the Applicant about these specious economic arguments. As I mentioned to the Applicant at lunch, the more significant negative driver for these units is not any proposed deed restrictions for workforce housing; rather the fact that 28% of these units have no public patio space and will require specialized filters on the exterior windows due to the airborne pollution from sitting directly off the 110 Freeway (please note: there is no "green wall" requested or proposed for this project by Applicant or Staff).

I am available for discussion regarding these important issues, and I urge this Planning Commission to engage in informed and reasoned judgment as required by their oaths. The citizens of this Carson deserve nothing less.

Best regards,



Charles Thomas

cc: City Clerk  
City Attorney



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	Annual	Monthly	Target Mtg (33% Front End)	Target Loan Fixed 30-yr	Target Sales @ 4.75 @ 80% LTV	Price Target Down Payment 20%
2018 AMI - LA County	\$ 69,300	\$ 5,775				
70%	\$ 48,510	\$ 4,043	\$ 1,334	\$ 255,728	\$ 319,660	\$ 63,932
80%	\$ 55,440	\$ 4,620	\$ 1,525	\$ 292,343	\$ 365,429	\$ 73,086
90%	\$ 62,370	\$ 5,198	\$ 1,715	\$ 328,766	\$ 410,958	\$ 82,192
100%	\$ 69,300	\$ 5,775	\$ 1,906	\$ 365,381	\$ 456,726	\$ 91,345
110%	\$ 76,230	\$ 6,353	\$ 2,096	\$ 401,804	\$ 502,255	\$ 100,451
120%	\$ 83,160	\$ 6,930	\$ 2,287	\$ 438,419	\$ 548,024	\$ 109,605
130%	\$ 90,090	\$ 7,508	\$ 2,477	\$ 474,842	\$ 593,553	\$ 118,711
140%	\$ 97,020	\$ 8,085	\$ 2,668	\$ 511,457	\$ 639,321	\$ 127,864
150%	\$ 103,950	\$ 8,663	\$ 2,859	\$ 548,071	\$ 685,089	\$ 137,018
160%	\$ 110,880	\$ 9,240	\$ 3,049	\$ 584,495	\$ 730,619	\$ 146,124

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## 5. CONSENT CALENDAR

### A) Selection of Chair and Vice-Chair

Ramona Pimentel was selected to serve as the Planning Commission Chair, 8-0 (Diaz abstained; absent Cinco and Madrigal).

Alex Cainglet was selected to serve as the Planning Commission Vice-Chair, 6-0 (Diaz, Palmer, Rashad abstained; absent Cinco and Madrigal).

Charles Thomas, resident, stated he was curious as to Alex Cainglet and Ramona Pimentel nominating each other.

### B) Minutes: October 30, 2018; November 13, 2018

Commissioner Mitoma moved, seconded by Commissioner Fe'esago, to approve the minutes as presented. Motion carried without objection, 7-0 (Cainglet and Diaz abstained; absent Cinco and Madrigal).

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## 6. CONTINUED PUBLIC HEARING

### A) Design Overlay Review (DOR) No. 1661-17; Conditional Use Permit (CUP) No.1023-17; Tentative Tract Map (TTM) No. 76070-17; General Plan Amendment (GPA) No. 100-17; Zone Change (ZCC) No. 178-17; Specific Plan (SP) No. 15-17

#### Applicant's Request:

The applicant, Anthony Laney of LANEY LA, Inc., is requesting to consider approval of a four-story, 32-unit residential condominium project at 21809 and 21811 S. Figueroa Street.

#### Staff Report and Recommendation:

Contract Planner Carver presented staff report and the recommendation to **APPROVE** Design Overlay Review No. 1661-17, Conditional Use Permit No.1023-17, Tentative Tract Map No. 76070-17 subject to the conditions of approval attached as Exhibit "B" to the Resolution and contingent upon City Council approval of General Plan Amendment No. 100-17, Zone Change No. No. 178-17, Specific Plan No. 15-17, and Mitigated Negative Declaration; and **RECOMMEND APPROVAL** of General Plan Amendment No. 100-17, Zone Change No. 178-17, and Specific Plan No. 15-17, and Mitigated Negative Declaration and adoption of the Mitigated Negative Declaration for the Project to the City Council; and **WAIVE** further reading and **ADOPT** Resolution No. 18-, entitled, "A Resolution of the Planning Commission of the city of Carson approving Design Overlay Review No. 1661-17, Conditional Use Permit No. 1023-17, Tentative Tract Map No. 76070-17, and recommending that the City Council adopt General Plan Amendment No. 100-17, Zone Change No. 178-17, Specific Plan No. 15-17, and Mitigated Negative Declaration to develop a 32-unit residential condominium project on a 0.8-acre project site at 21809 and 21811 S. Figueroa Street." A copy of the Agreement for Development Impact Fees (DIF) and Community Facilities District (CFD) Participation was distributed to the Commission.

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Anthony Laney, project architect, reiterated that the design is in line with the transit and pedestrian corridor and Carson Street Master Plan; and he highlighted the generous and attractive roof top deck.

Bryce Egbert, representing Real Quest, stated the design has a transit-oriented theme which encourages pedestrian activity; advised that they will be beautifying the bus stops in this corridor; and explained that this area will bring about the lower end market rate sales of these units.

Paul Choi, project manager/architect, briefly commented on the beautification of the bus shelters; and advised that they will provide a curb-side EV charging station, bike racks, pedestrian seating, public art, and a decorative sliding gate for this project.

Commissioner Palmer stated that he does not see any language in the CC&R's to protect this property from falling into disrepair; and that there is no language in the CC&R's to indicate what happens in the future when the market changes and possible owner-occupied issues arise.

Mr. Egbert stated they are committed to making sure this property is kept fresh into the future; and stated that additional HOA standards will be added to maintain the units into the future.

Commissioner Mitoma noted his concern with providing an adequate amount of parking, pointing out that with all the condo units in this area, there is very little street parking available.

Contract Planner Carver advised that this project exceeds parking requirements as indicated in the Municipal Code and Specific Plan.

Commissioner Mitoma asked how the EV charging station will be secured from kids playing around with them, suggesting they not be curb side.

Mr. Egbert stated that adjustments can be made to the plans for the EV charging station.

Vice-Chair Cainglet asked that the city of Carson be protected from any liability issues with the EV charging station.

Contract Planner Carver stated that she worked closely with Public Works staff to make sure the EV charging station would be sited in the most appropriate location in the public right-of-way and noted that liability will be with the applicant and the EV charging station provider.

Vice-Chair Cainglet asked that the City's risk management work on this issue to minimize the City's exposure to liability. He asked about the increase in density.

Mr. Egbert stated they worked closely with staff to meet the vision for this corridor; and explained that there is a lot of open square footage in these large units.

Commissioner Palmer asked that the CC&R's include language that prohibits the HOA from getting rid of professional property management in the future. He asked if there are security plans in place.

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Mr. Egbert stated they have communicated with the fire department and the sheriff's department and will continue to do so; and stated that the CC&R's will restrict the owners from getting rid of professional property management, stating if they have to, the developer will maintain ownership of one of the units.

Commissioner Rahman noted her concern with an EV charging station impacting the number of parking spaces.

Commissioner Diaz asked that the words "at this time" be stricken in the conditions relating to increasing the density, not allowing the proposed density to increase higher than 32; and he recommended that City Council adopt a density bonus program similar to that of Emoryville's (Exhibit No. 5).

Vice-Chair Cainglet asked if the CC&R's require owners to live in their units for a certain amount of time before putting them up for rent.

Mr. Egbert stated they will work with their legal team to add language that rental units will be properly maintained at all times.

Commissioner Rashad asked why no affordable housing is being provided.

Mr. Egbert explained that affordable housing does not fit within the vision for this project; and stated that these units will be market rate, workforce driven; and stated it is not financially feasible for them.

In response to Commissioner Mitoma's inquiry, Mr. Egbert stated that the ultimate cost for these units will depend on market conditions at the time of completion, but guesstimated the units will be between \$300,000 to \$400,000.

Vice-Chair Cainglet asked what the total cost will be for this project.

Mr. Egbert advised that construction costs have been steadily rising in the past few months and that they do not have final figures on what those costs will be; and stated they do not have a current pro forma at this time.

Chair Pimentel opened the public hearing.

Charles Thomas, resident, read into the record his letter that was distributed to the Commission (of record). He questioned whether the applicant genuinely plans to sell these units between \$300,000 and \$400,000; and expressed his belief the applicant is giving little back to the City in exchange for the increase in density.

David Cunningham stated he is from the 64<sup>th</sup> Assembly District; that he surveyed people of Carson to get their opinion about this project; and that a decision shouldn't be made about this project until the City obtains the input of the residents.

There being no further input, Chair Pimentel closed the public hearing.

Commissioner Palmer stated that City Council should consider in lieu fees for every unit approved over the standard density allowance.

Assistant City Attorney Neumeyer explained that in lieu fees would not be appropriate/allowed for this project, but suggested the Commission could ask Council to consider updating its code to allow similar fees for future developments.

Commissioner Palmer asked that language be included for City Council consideration to adopt imposing a fee program which offsets the impacts to the community when granting density bonuses.

Director Naaseh explained that the City's General Plan is currently being updated to address development for today's housing demands.

Commissioner Diaz asked that the public hearing be reopened to allow the applicant to address Mr. Thomas' letter.

Chair Pimentel opened the public hearing.

Mr. Egbert explained that deed restrictions on units would deter buyers; and stated that the anticipated price of these units fits within the graph in the letter.

Vice-Chair Cainglet pointed out that deed restrictions would not be a wise idea, stating that banks will not typically lend money for deed restricted properties. He noted his concern with no patio spaces on those units facing the freeway.

Mr. Egbert stated that providing no patio spaces for those units facing the freeway was due to decreasing the negative impacts from the adjoining freeway.

Mr. Laney added that is why they are incorporating a top grade air filtration system; and noted that the roof top deck can be used by all tenants.

Commissioner Zuniga asked why the applicant knows what the units may sell for but does not know what the project will cost.

Mr. Egbert explained that the cost of construction has risen dramatically since their plans were completed; advised that they already have \$2.5 million in this project; and guesstimated the project may cost \$9 million. He stated he could share an updated pro forma.

Commissioner Palmer stated he would like to see an updated pro forma and for a recommendation to be forwarded to City Council to consider adopting a fee program which offsets the impacts to the community when granting density bonuses. He clarified he is not asking for an affordable housing component with this project, that he wants this applicant to provide more benefits to the City when granting a density bonus and/or to secure more fees through the specific plan process. He added he wants the language to come back to the Planning Commission before it's considered by City Council.

The public hearing was closed.

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**Planning Commission Decision:**

Commissioner Fe'esago moved, seconded by Commissioner Mitoma, to continue this matter to the January 8, 2019, Planning Commission meeting.

Commissioner Mitoma offered a friendly amendment that the motion include the returning staff report include discussion addressing all the items discussed at this evening's meeting.

Assistant City Attorney Neumeyer clarified that the Planning Commission wants the next staff report to address City Council's consideration of a community benefit fee program/component in Specific Plan 15-17, addressing the issue of affordable housing and density bonuses; to address the issues in Mr. Thomas' letter; and, if possible, to have a pro forma for review.

Commissioner Diaz asked that the motion also include City Council to consider adopting something similar to the city of Emeryville's Development Density Bonus program (Exhibit No. 5).

The friendly amendment was accepted. Motion unanimously carried, 9-0 (absent Cinco and Madrigal).

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**7. PUBLIC HEARING**

**A) Variance No. 565-18**

Applicant/Property Owner: City of Carson, 20400 Main Street  
Attn: John Raymond, Assistant City Manager  
Carson, CA 90745

Request: Variance for construction noise which will exceed the allowed noise levels at the Carson Reclamation Authority's 157-acre site

Property Involved: 20400 S. Main Street

ee Staff Recommendation: Withdrawn

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**8. MANAGER'S REPORT**

Director Naaseh welcomed the new Commissioners.

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**9. COMMISSIONERS' ORAL COMMUNICATIONS**

Commissioner Zuniga noted she is eager to learn from the Commissioners.

Commissioner Diaz stated it is good to see familiar faces and that he is looking forward to working with this Commission and staff again and representing the community.

Commissioner Fe'esago wished everyone happy holidays.

# EXHIBIT NO. 3



## CITY OF CARSON PLANNING COMMISSION STAFF REPORT

CONTINUED  
PUBLIC HEARING:

December 11, 2018

SUBJECT: Design Overlay Review (DOR) No. 1661-17  
Conditional Use Permit (CUP) No. 1023-17  
Tentative Tract Map (TTM) No. 76070-17  
General Plan Amendment (GPA) No. 100-17  
Zone Change (ZCC) No. 178-17  
Specific Plan (SP) No. 15-17

APPLICANT: Anthony Laney of LANEY LA, Inc.  
13110 Hawthorne Blvd. Unit A  
Hawthorne, CA 90250

PROPERTY OWNER: Real Quest Holding, LLC  
3129 S. Hacienda Blvd. #649  
Hacienda Heights, CA 91745

REQUEST: Consider approval of a four-story, 32-unit residential condominium project

PROPERTY INVOLVED: 21809 and 21811 S. Figueroa Street

AYE	NO		AYE	NO	
		Cainglet			Palmer
		Cinco			Pimentel
		Fe'esago			Rahman
		Madrigal			Rashad
		Mitoma			Alt. Diaz Alt. Hellerud Alt. Zuniga

**Item No. 6A**

## **I. Introduction**

### Property Owner

Real Quest Holding, LLC – Michael Wang  
3129 S. Hacienda Blvd. #649  
Hacienda Heights, CA 91745  
(626) 271-5322  
[chihbbs@gmail.com](mailto:chihbbs@gmail.com)

### Applicant

Anthony Laney, AIA  
LANEY LA, Inc.  
13110 Hawthorne Blvd. Unit A  
Hawthorne, CA 90250  
(310) 870-7175  
[anthony@laney.la](mailto:anthony@laney.la)

### Representative

Paul Choi, AIA  
LANEY LA, Inc.  
13110 Hawthorne Blvd. Unit A  
Hawthorne, CA 90250  
(310) 870-7175  
[paul@laney.la](mailto:paul@laney.la)

## **II. Project Description**

The applicant requests the approval of Design Overlay Review No. 1661-17, Conditional Use Permit No.1023-17 and Tentative Tract Map No. 76070-17; and recommendation of approval to the City Council for General Plan Amendment No. 100-17, Zone Change No. 178-15, and Specific Plan No. 15-17 (Birch Specific Plan "BSP") to develop a new four-story, 32-unit residential condominium and related site improvements, and has entered into an agreement for participation in the City-wide Community Facilities District (CFD) and Development Impact Fees (DIF).

## **III. Project Site and Surrounding Land Uses**

The 0.8 acre project site is located along the western edge of the City of Carson. The site is within a block from the intersection of Carson Street and Figueroa Street, adjacent to State Route 110 (SR-110), and within a half mile of a Metro Express bus station.

## **IV. Background and Analysis**

### *Planning Commission*

This item was continued from November 13, 2018 at the Planning Commission's request with a 7-0 vote, Exhibit 1. During the public hearing, the Commission discussed concerns regarding the following issues:

- "Work force" housing;
- Open space; and
- Parking

Staff addressed the Commission's concerns regarding open space and parking during the hearing. The following provides a discussion regarding "work force" housing.

The Commission continued the item since the applicant is requesting an increase in density and should provide community benefits including affordable and/or "workforce housing" for the project. Staff informed the Commission that the Municipal Code does not have provisions to require projects to provide affordable and/or "workforce housing". Staff proposed to meet with the applicant to discuss this issue further.

The project is proposing 32 units with a density of 41 dwelling units per acre. The current General Plan land use designation allows up to 25 dwelling units per acre which would allow 20 units for this site. The proposed density increase aligns with the one of the 2040 General Plan Update Land Use alternatives which envisions this area as Downtown High Density Mixed-Use land use designation. Downtown High Density Mixed-Use is consistent with the adjacent Carson Street Mixed Use Corridor because it proposes to include a variety of similar uses as such as residential, small-scale businesses, offices, retail, services, and other commercial uses generally with a total site Floor Area Ratio (FAR) of between 1.0 and 3.0. This FAR will result in similar or higher densities than the proposed project. The designation also proposes development will be designed to be pedestrian-oriented creating ground floor activation.

Other communities have ordinances that provide requirements and methodology to allow density increases. The City could consider this approach because it can provide a clear path to request increases in the allowable density and provide the City with a menu of amenities in exchange for this increase in density. As an example the City of Emeryville's Density Bonus ordinance is attached as Exhibit 5.

On November 20, 2018, staff met with the applicant to discuss the Commission's request for "workforce housing" which is defined as affordable to workers and close to their jobs. It could be homeownership, as well as rental housing, that can be reasonably afforded by a moderate to middle income families and is accessible to transit. The applicant informed staff that the economics of the project cannot justify providing "workforce housing". However, the applicant is proposing the following community benefits: a public bike rack, an electric vehicle charging station that will be available for public use and improvements to a bus shelter in close proximity to the project site. The details of these amenities will be determined by staff at a later time.

The Commission's intentions to obtain additional amenities such as "work force" housing in exchange for higher densities are a reasonable request. However, the City does not have an adopted policy requiring such amenities. The Commission could consider making a recommendation to the City Council to adopt a policy similar to Emeryville's quantify the amenities in direct proportion to the requested density increase.

## **V. Recommendation**

That the Planning Commission:

- **APPROVE** Design Overlay Review No. 1661-17, Conditional Use Permit No.1023-17, Tentative Tract Map No. 76070-17 subject to the conditions of approval attached as Exhibit "B" to the Resolution and contingent upon City Council approval of General Plan Amendment No. 100-17, Zone Change No. No. 178-17, Specific Plan No. 15-17, and Mitigated Negative Declaration; and
- **RECOMMEND APPROVAL** General Plan Amendment No. 100-17, Zone Change No. 178-17, and Specific Plan No. 15-17, and Mitigated Negative Declaration and adoption of the Mitigated Negative Declaration for the Project to the City Council; and
- **WAIVE FURTHER READING AND ADOPT RESOLUTION NO. 18-\_\_\_\_, ENTITLED "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1661-17, CONDITIONAL USE PERMIT NO. 1023-17, TENTATIVE TRACT MAP NO. 76070-17, AND RECOMMENDING THAT THE CITY COUNCIL ADOPT GENERAL PLAN AMENDMENT NO. 100-17, ZONE CHANGE NO. 178-17, SPECIFIC PLAN NO. 15-17, AND MITIGATED NEGATIVE DECLARATION TO DEVELOP A 32-UNIT RESIDENTIAL CONDOMINIUM PROJECT ON A 0.8-ACRE PROJECT SITE AT 21809 AND 21811 S. FIGUEROA STREET."**

## **VI. Exhibits**

1. Draft Resolution
2. Planning Commission Disposition Excerpt dated November 13, 2018
3. Planning Commission Staff Report, November 13, 2018
4. Development Plans
5. Example Ordinance - City of Emeryville

Prepared by: Leila Carver, Planner

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Planning Commission Decision:

Commissioner Madrigal moved, seconded by Vice-Chair Thomas, to approve this request with the revised resolution, thus approving Resolution No. 18-2659. Motion carried, 7-0 (absent Cainglet, Nunley).

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**6. PUBLIC HEARING**

**B) Design Overlay Review (DOR) No. 1661-17; Conditional Use Permit (CUP) No.1023-17; Tentative Tract Map (TTM) No. 76070-17; General Plan Amendment (GPA) No. 100-17; Zone Change (ZCC) No. 178-17; Specific Plan (SP) No. 15-17**

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13110 Hawthorne Blvd., Unit A  
Hawthorne, CA 90250

Property Owner: Real Quest Holding, LLC  
3129 S. Hacienda Blvd., #649  
Hacienda Heights, CA 91745

Request: Consider approval of a four story, 32-unit residential condominium project

Property Involved: 21809 and 21811 S. Figueroa Street

Ic Staff Recommendation: Approve

Anthony Laney, project architect, stated that they did conduct a neighborhood meeting to address the plans for this property; and noted that the design is in line with the transit and pedestrian corridor and Carson Street Master Plan.

Vice-Chair Thomas expressed his belief the City is getting very little in return for allowing double density, noting that the offer of public art and limited landscaping is not enough of a benefit. He addressed his concern with 9 of the units facing the freeway, stating there is no open space for those owners or adequate parking for this project. He stated that reduced or low-income units should be offered.

Mr. Laney stated they also will be paying significant developer impact fees (DIFs).

Vice-Chair Thomas stated those DIFs already exist for all new developments.

Commissioner Mitoma expressed his belief there is too much high density building going on in Carson, stating it is losing its small town, single-family housing character.

Commissioner Osuna asked where the children will be playing.

Mr. Laney explained that the roof deck will have high walls to accommodate a safe play area for the children living in this development.

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Mr. Choi stated that the parking plan adheres to the requirements for the Carson Street Master Plan, noting that every unit has two parking spaces.

Chair Pimentel opened the public hearing.

Connie Wining stated that she owns the 4-unit single story residential building next door; and expressed her concern and opposition with those residents losing their privacy with this high density project.

Cindy Garcia stated that she owns the residential two-story building on the other side of this property; advised that her tenants already park on the street, noting those vehicles are routinely vandalized; and expressed her concern with this high density housing, the limited open space, and the limited play area being proposed for the children. She expressed her belief that no roof top playground is safe for curious children; and expressed her concern that this multi-story project will negatively add to the noise and traffic in this area. She stated that the homeless people routinely cause problems in this high transit area, starting fires to keep warm, and that many police calls for help go unanswered. She stated this multi-story, high density project will take away the sunlight from her property and will ruin the small family community in this area.

There being no further input, Chair Pimentel closed the public hearing.

Assistant City Attorney Jones advised that there will need to be 5 approval votes for a General Plan Amendment.

Commissioner Madrigal expressed his belief this item should be continued, stating there are too many issues that still need to be addressed.

Director Naaseh highlighted his understanding that the Commission would like staff and the applicant to revisit density, parking, and units facing the freeway. He pointed out that high density is a personal preference, stating there are many people in the City who would like to see higher density; advised that staff has been given direction from City Council over the years to create more density, more housing; and that staff has worked closely with developers to meet the City's goals and state housing requirements. He added that areas next to freeways are prime locations for higher density housing and not appropriate for single-family housing; and he stated now that redevelopment agency funding has been taken away, it will continue to be difficult to get affordable housing.

Commissioner Mitoma stated that the City should be adequately compensated for the high density bonus.

Vice-Chair Thomas agreed this item should be continued and reiterated that the units should not only be market rate, but also offer income driven set-aside units.

Contract Planner Carver advised that the California Air Resources Board recommended eliminating the outdoor balconies from the freeway oriented units to reduce the hazards from that traffic; and noted that all units are to be equipped with an air filtration system, Condition No. 18. She clarified that there will be over 10,000 s.f. of landscaping, not 1,800 s.f. as indicated by Vice-Chair Thomas.

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Chair Pimentel re-opened the public hearing.

Bryce Egbert, Real Quest, stated they have closely worked with staff and adopted/changed everything that staff suggested; and he added the project design is in line with the discussions which took place over the past year with City staff. He stated they would have further discussions with staff following this continuance.

Chair Pimentel closed the public hearing.

Planning Commission Decision:

Commissioner Madrigal moved, seconded by Commissioner Fe'esago, to continue this matter to December 11, 2018. Motion carried, 7-0 (absent Cainglet, Nunley).

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## 7. MANAGER'S REPORT

Director Naaseh announced that Ms. Alexander is now the Acting Senior Planner. The Commission congratulated Acting Senior Planner Alexander on her new appointment.

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## 8. COMMISSIONERS' ORAL COMMUNICATIONS

Commissioner Osuna wished everyone a happy Thanksgiving.

Commissioner Madrigal wished everyone a happy Thanksgiving and thanked everyone for their well wishes and prayers while he was out sick.

Vice-Chair Thomas urged everyone to donate to the university's Thanksgiving food drive, with collection boxes at a number of locations throughout the City; and he noted there are many college students who are in need of food and shelter.

Commissioner Mitoma thanked and commended Denise Bothe and Maria Gonzalez on their production of the Planning Commission packets, echoed by the Commissioners.

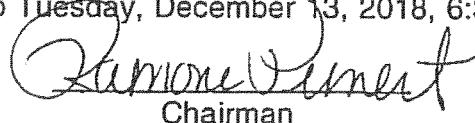
Commissioner Rahman noted her delight in serving on this body; and announced that free turkeys will be given away at Rowley Park on November 19<sup>th</sup>, with Senator Steven Bradford in attendance.

Chair Pimentel commended staff on a job well done.

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## 9. ADJOURNMENT

At 8:00 p.m., the meeting was adjourned to Tuesday, December 13, 2018, 6:30 p.m., Council Chambers.



Chairman

Attest By:



Denise Bothe

Secretary



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**CITY OF CARSON**  
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**PROPERTY OWNER:** Real Quest Holding, LLC  
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Hacienda Heights, CA 91745

**REQUEST:** Consider approval of a four-story, 32-unit residential condominium project

**PROPERTY INVOLVED:** 21809 and 21811 S. Figueroa Street

AYE	NO		AYE	NO	
		<b>Chairman Pimentel</b>			<b>Madrigal</b>
		<b>Vice-Chair Thomas</b>			<b>Mitoma</b>
					<b>Nunley</b>
		<b>Cainglet</b>			<b>Rahman</b>
		<b>Fe'esago</b>			<b>Alt. Osuna</b>
					<b>Alt. Palmer</b>
					<b>Alt. Rashad</b>

**Item No.**

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## III. Project Site and Surrounding Land Uses

The project site is located along the western edge of the City of Carson. The site is within a block from the intersection of Carson Street and Figueroa Street, adjacent to State Route 110 (SR-110), and within a half mile of a Metro Express bus station. The following provides a summary of the site information:

<b>Site Information</b>	
General Plan Land Use	Existing: High Density Residential (up to 25 DU/ac) <b>Proposed: Urban Residential (up to 65 DU/ac)</b>
Zone District	Existing RM-18-D (up to 18 du/acre) <b>Proposed: "Birch" Specific Plan zone (up to 65 du/ac);</b>
Site Size	33,703 SF (or 0.77 acres)
Present Use and	Single family homes (three)

Development	
Surrounding Uses/Zoning	<p>North: Residential</p> <p>South: Residential buildings along with a religious building and a middle school.</p> <p>East: Figueroa St./Multifamily apartments</p> <p>West: SR -110 Freeway</p>

*Previously Approved Discretionary Permits*

None.

*Public Safety Issues*

None.

#### **IV. Analysis**

##### Background

The project area largely contains single- and two-story, multi-family residential uses and neighborhood serving commercial uses. In the past several years, the Carson Street corridor (between I-405 and I-110) has been transitioning into a more “urban” development with higher density residential units and mixed use development. This transition has created the first steps for a more pedestrian friendly and transit-oriented environment. Staff has received positive feedback from the community on the development along the Carson Street Corridor.

The project site is located approximately 400 feet south of the Carson Street corridor. In addition, Silver Line transit stop at Carson Street and I-110 provides convenient express bus service to downtown LA. Furthermore, LA County Board of Supervisors is considering West Carson Specific Plan (located west of I-110 along Carson Street) which also encourages high density mixed use developments to create an “urban” environment. Therefore, it is a natural expectation that this high density development pattern would spill into the Figueroa corridor. Due to the proximity of the project site to the Carson Street corridor, residents of the proposed project would be able to access the mixed-use district via local sidewalks, promoting pedestrian-oriented and transit-oriented development.

##### Use

##### *Current Improvements*

The 0.78-acre project site contains three existing single story residential buildings, one residence is located at 21811 South Figueroa Street, and two residences are located at 21809 South Figueroa Street.

Access to the site is provided by two driveways from Figueroa Street.

##### *Proposed Improvements*

Construct a 32-unit residential condominium community with on-grade parking, landscaping, and other associated improvements.

### Buildings and Architecture

The residential building and associated improvements were designed with a strong and appropriately scaled framework of architectural and landscape elements. The building mass and landscaping throughout the project site are designed to create a sense of unity within on-site elements and with off-site elements. High-quality features are proposed through site design (i.e. building orientation and screening), architecture (i.e. mass, scale, form, style, material, and color), and streetscape elements (i.e. lighting and paving materials).

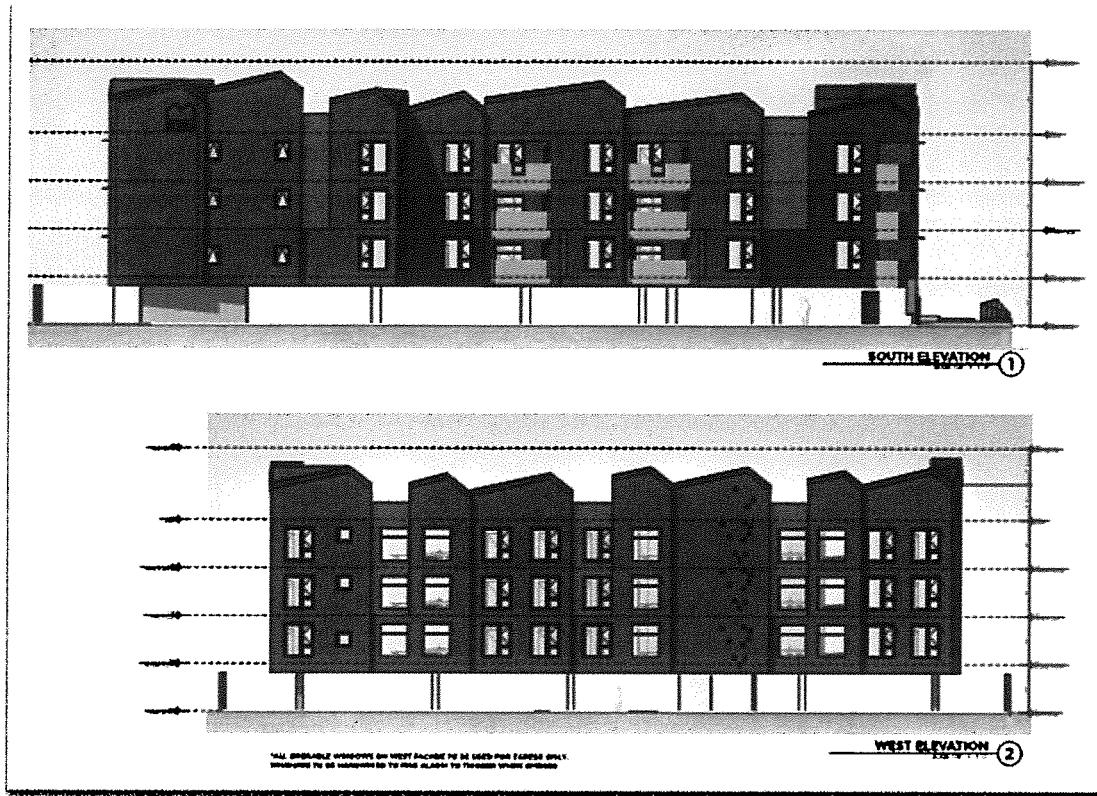
The proposed four-story condominium is a raised podium structure consisting of 32 residential units with 44,208 square feet of total floor area. There will be three floors of residential units and a roof deck will occupy a portion of the roof level. The street level includes a lobby, mail room, elevator and at-grade parking.

The project architecture is reflective of a "Modern" style that is unique to the surrounding area. The proposed building has a maximum height of 55 feet. The building exterior includes vertical and horizontal elements that break up the overall massing and provide visual interest.

### *North and East Elevation*



### *South and West Elevation*

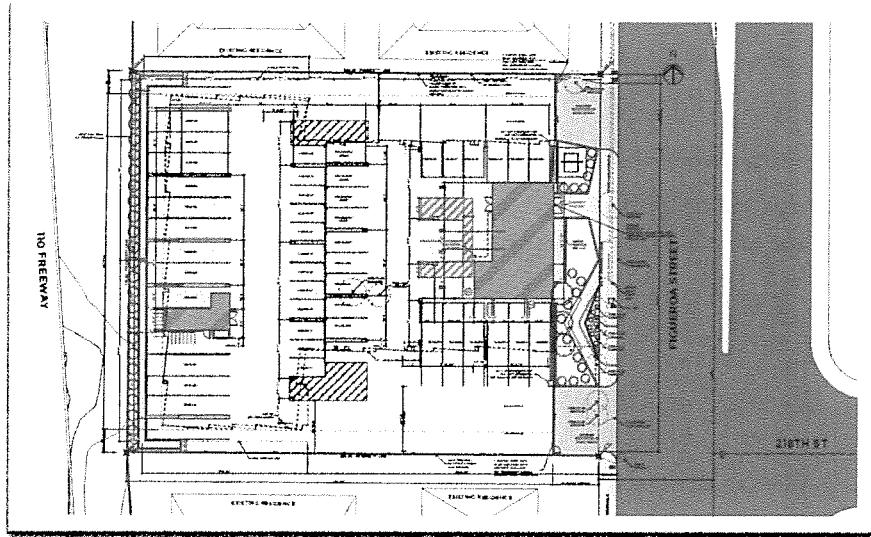


### Site Plan

The 0.8 acre project site will consist of a 32-unit condominium building resulting in a project density of 41 units per acre. The project provides approximately 14,000 square feet of useable open space, balconies, and roof space. Parking spaces servicing the project are proposed to be appropriately located at the rear of the property and/or behind front setback landscaping and out of the public view.

The site design creates a quality pedestrian atmosphere and the proposed parkway and landscaped setback areas along South Figueroa Street soften views of the project site and enhance the overall visual quality of the project.

## *Site Plan*



### Open Space, Landscaping, and Fencing

#### *Private Open Space*

Projects in the Birch Specific Plan must provide private open space in accordance with Carson Municipal Code (CMC) Section 9128.15. Each unit's floorplan includes a balcony providing individual outdoor open space area, with the exception made for residential units that face the 110 freeway to the west. These units do not have private open space due to their proximity to the freeway.

#### *Common Open Space*

The proposed common open space will include approximately 1,800 square foot publicly accessible landscaped area with outdoor seating along Figueroa boulevard, and an approximately 6,000 square foot roof deck with an outdoor kitchen and BBQ, fire pits, turf lawn, and lounge areas. The proposed roof terrace includes raised planters that will help create an attractive and inviting environment for residents and guests.

#### Landscape

The proposed landscape plan features water efficient design and includes several different plant species across the project site. Hedges and trees will provide screening along all property lines and screening for the adjoining single-story residence to the north, west and south. In addition, all planting and irrigation shall comply with applicable water conservation limits.

#### Fence and Sliding Gate

The project also includes a six-foot high wrought iron fence with sliding access gate on the western edge along Figueroa Street, and 8-foot block wall along the remaining perimeter. The proposed iron fence wall along Figueroa will include a public art component to provide additional screening of the parking from the street, refer to Condition No. 19.

### Access and Parking

Two driveways adjacent to Figueroa Street provide vehicle access to the project site and parking areas. Parking will be completely screened from the public view except at the driveway access points into the garages. There are no internal vehicular streets other than the minimal access into the parking garage. The proposed project includes 73 parking spaces: 64 resident spaces and 9 guest parking spaces.

The site design creates a quality pedestrian atmosphere with a large parkway area in front of the building, access from the street, and internal pedestrian access throughout the proposed building. Due to the proximity of the project site to the Carson Street corridor, residents of the proposed project would be able to access the corridor via local sidewalks, promoting pedestrian-oriented and transit-oriented environment.

In addition, the project site is accessible via local sidewalks to two transit lines. The Metro Silver Line links San Pedro in the south with the Harbor Gateway Transit Center, south Los Angeles, and downtown Los Angeles to the north, making a stop adjacent to Carson at I-110/Carson Street approximately 0.3 miles from the project site (Metro 2017). The Torrance Transit Rapid 3 runs along Carson Street then heads south on Avalon Boulevard; the eastbound and westbound stops are located approximately 0.2 miles from the project site (Torrance Transit 2017).

### Subdivision

Two existing lots will be subdivided into 32 condominium units ranging from approximately 900 to 2,000 square feet in size. The subdivision also sets aside common lots for open space, a private driveway and fire lane.

Tentative Tract Map No. 76070 was reviewed by LA County Department of Public Works and resulted in the issuance of a letter dated October 24, 2018 (attached) determining that the proposed Tentative Tract Map meets the requirements of local ordinances and the State Subdivision Map Act and recommending conditions for the final map approval.

### General Plan Amendment No. 100-17

The project includes a General Plan Amendment application to change the existing land use designation from High Density Residential to Urban Residential. The City of Carson General Plan Land Use designation for this site is High Density Residential, which allows up to 25 dwelling units per acre. The proposed Birch Specific Plan project proposes 41 units per acre at this time, so the Urban Residential land use designation is required to accommodate up to 65 dwelling units per acre. The project is consistent with General Plan policies. A summary of the Project's General Plan consistency is provided within the Specific Plan Section IV.A.

## Rezone – Zone Change No. 178-17

### *Current*

The site is located within the existing RM-18-D (Residential, Multifamily – 18 dwelling units per acre – Design Overlay) zoning district.



### *Proposed*

The project includes a zone change application changing the existing zoning district from RM-18-D (Residential, Multifamily – 18 dwelling units per acre – Design Overlay) to Birch Specific Plan zoning district. Where the Carson Zoning Ordinance regulations and/or development standards are inconsistent with Birch Specific Plan, the Birch Specific Plan standards and regulations shall prevail. However, any issue not specifically addressed in Birch Specific Plan shall be subject to the Carson Zoning Ordinance regulations. The proposed "Birch Specific Plan" zone and Urban Residential General Plan Land Use designation will increase the residential density to allow up to 65 dwelling units per acre.

## Specific Plan

Specific plans are planning tools included in state law that allow cities to adopt different development standards than those in a specific zone. The implementation of the project requires different development standards than those included in the RM-18-D zone; therefore, the applicant proposes the new Birch Specific Plan. The following provides a comparison zoning regulations summary of building height, density, floor area ratio (FAR) and parking standards in the Birch Specific Plan, MU-CS zone and RM-18-D zone:

### **Comparison of Zoning Regulations**

	<b>Birch Specific Plan</b>	<b>MU-CS Zone</b>	<b>RM-18-D Zone</b>
Building Height	55 feet max	55 feet max	30 feet max
Density	65 du/ac	35 du/ac	18 du/ac
FAR	2.0	1.5	N/A
Parking	Residential Spaces Per 1-BR Unit: 2 covered spaces per unit; 1 guest space for each four units	Residential Spaces Per 1-BR Unit: 2 covered spaces per unit; 1 guest space for each four units	Residential Spaces Per 1-BR Unit: 2 covered spaces per unit; 1 guest space for each four units N/A

*The proposed 32-unit residential condominium project has been compared to the associated Birch Specific Plan as well as the West Gateway goals/principles found in the Carson Street Mixed-Use District Master Plan.*

*Goal/Principle (1) – Create an appealing sense of entry into the city for people approaching from the freeway off-ramp. This includes a new gateway element at the entry to the district.*

- Project Conformance – The proposed project contributed to an appealing sense of entry to a West Gateway adjacent area once the previously mentioned design recommendations have been incorporated into the project. The building facades visible from the freeway feature high-quality materials that improves the stucco dominated façade resulting an enhanced building appearance and public view appeal.

*Goal/Principle (4) – Buffer pedestrians from the roadway with landscaping where speeds tend to be high and traffic busiest.*

- Project Conformance – This Goal/Principle does not apply to the project or BSP area, as it is assumed that the highest and traffic busiest areas are focused along Carson Street.

*Goal/Principle (5) – Provide residential development within walking distance of the MTA Transitway at the Harbor (1-110) Freeway.*

- Project Conformance – The proposed project is a standalone residential development that provides 32 new residential units adjacent to and within walking distance of the Metro transit stop at the Harbor (1-110) Freeway, which is complies with the intended goal/principle.

## V. Discussion

### Issues

#### *Residential Density Limits*

Carson's General Plan establishes density limits for mixed-use projects. The maximum residential density for the High Density Residential designation is 25 units per acre. The proposed residential project is 65 units per acre, and therefore exceeds the maximum allowed under the General Plan.

#### Solution

In order to address the residential density limits, the applicant is requesting approval of a specific plan, general plan amendment, and zone change. These approvals will change the maximum residential density for this project site to 65 dwelling units per acre. In staff opinion, the increase in density is appropriate to continue to stimulate development near the West Gateway District area of the Carson Street corridor.

Staff has advised the applicant that density limits may be exceeded through the use of a Specific Plan for projects that advance the goals and polices of the General Plan and provide community benefits. Community benefits are based on the principle that in exchange for providing incentives that increase development intensity, the City and the community at large should receive community benefits. The community benefits will be included as volunteered conditions of approval. The applicant has proposed public art in compliance with the Birch Specific Plan, and also proposes approximately 1,800 square foot publicly accessible landscaped area with outdoor seating along Figueroa Boulevard.

With regard to the General Plan, the proposed project advances the goals and policies related to land use, transportation, housing and economic development. In addition, the high quality design of the project in proximity to the prominent gateway area of Carson, will serve as further development of the transit-oriented development, and the continued revitalization of Carson Street.

#### CFD/DIF Agreement

City has created a Citywide CFD (CFD No. 2018-01) to collect the appropriate CFD assessments from this applicant and other new developments. However, the Fiscal Impact Analysis Report which determines the tax rate for new projects has not been completed yet. The applicant has entered into a DIF/CFD agreement to annex into the CFD No. 2018-01 as well the payment of the Development Impact Fee (DIF), Exhibit 1.

The City's consultant, RKA Consulting Group, has prepared the annual CFD obligations of the project which includes the following components:

- Landscape Maintenance: \$159.00
- Street and Sidewalk Sweeping: \$310.84
- Street Maintenance: \$18,328.00
- Sheriff Service: \$1,248.00

Total Annual Assessment: \$20,045.84

The first three components of the CFD are based on street frontage of the property. The sheriff service is based on the estimated number of new residents that will be occupying the building. All new development projects will be required to annex into CFD 2018-01. Once annexed into the CFD, the property owner would pay the CFD assessments through property taxes for perpetuity.

Currently, the City is collecting \$10,000/dwelling unit which will be applicable to this project. Through this agreement, the applicant will be obligated to pay \$320,000.00 as a onetime fee. Eventually, the current DIF will be replaced by the Interim Development Impact Fee (IDIF) by early 2019 based on City's IDIF study. Furthermore, after the City adopts the 2040 General Plan, a new Development Impact Fee (DIF) study will be conducted to adopt City's permanent DIF.

## **VI. Environmental Review**

The City reviewed the environmental impacts of the proposed project pursuant to the California Environmental Quality Act (CEQA). A Draft Mitigated Negative Declaration was prepared and made available for a public review period from May 2, 2018 through May 21, 2018. The Draft Mitigated Negative Declaration found potentially significant impacts of cultural resources, noise, and tribal cultural resources. With the inclusion of the proposed mitigation measures, adverse impacts are mitigated to the maximum extent feasible and below a level of significance.

## **VII. Public Notice and Community Outreach**

Public notice was posted to the project site on October 14, 2018. Notices were mailed to property owners and occupants on October 29, 2018. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

On June 6, 2018, the applicant hosted a community meeting with the adjacent property owners and occupants. The community meeting was at the Salvador Dali Society in Torrance, CA, which is in close proximity to the project site. Notices of the community meeting were sent to all property owners and tenants within 500 feet from the project site. A handful of property owners and/or occupants attended the meeting. The major concern discussed at the neighborhood meeting was visibility of the parked cars in the parking structure from the street, potentially making the project vulnerable to crime, and also give the appearance a of lower quality project. The applicant has addressed the issue of visibility of the parking from street by re-designing the gates to be more solid with public art incorporated into the design of the gate/fence. The applicant will also provide security cameras as a measure to help deter crime on the property. See the attached summary of neighborhood meeting provided by the applicant for further detail.

Additional community outreach was conducted for the project after public notice of public hearing was posted on the property by the applicant, and mailed to property owners and tenants by the City. City staff received two phone calls from adjacent property owners inquiring about the details of the project. The two property owners expressed opposition to this development because of its high density and concerns that the height (four story building) will prevent natural light and reduce privacy to the adjacent properties.

City staff considers the proposed project and building to be consistent with the intended future development in proximity to the Carson mixed-use district, West Gateway District area. Also due to close proximity to freeway and within half mile from a high quality transit station, the project is in a good position for continued development of a high quality Transit Oriented Development/transit priority area. The applicant believes that the proposed project represents an attractive medium density development, a favorable middle-ground between no-development, and more urban development. The applicant also recognizes that the site plan is setback from the street, to create a more neighborhood-friendly facade.

## **VIII. Recommendation**

That the Planning Commission:

- **APPROVE** Design Overlay Review No. 1661-17, Conditional Use Permit No.1023-17, Tentative Tract Map No. 76070-17 subject to the conditions of approval attached as Exhibit "B" to the Resolution and contingent upon City Council approval of General Plan Amendment No. 100-17, Zone Change No. No. 178-17, Specific Plan No. 15-17; and Mitigated Negative Declaration; and
- **RECOMMEND APPROVAL** General Plan Amendment No. 100-17, Zone Change No. 178-17, and Specific Plan No. 15-17, and Mitigated Negative Declaration and adoption of the Mitigated Negative Declaration for the Project to the City Council; and
- **WAIVE FURTHER READING AND ADOPT RESOLUTION NO. 18-\_\_\_\_, ENTITLED "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1661-17, CONDITIONAL USE PERMIT NO. 1023-17, TENTATIVE TRACT MAP NO. 76070-17, AND RECOMMENDING THAT THE CITY COUNCIL ADOPT GENERAL PLAN AMENDMENT NO. 100-17, ZONE CHANGE NO. 178-17, SPECIFIC PLAN NO. 15-17, AND MITIGATED NEGATIVE DECLARATION TO DEVELOP A 32-UNIT RESIDENTIAL CONDOMINIUM PROJECT ON A 0.8-ACRE PROJECT SITE AT 21809 AND 21811 S. FIGUEROA STREET."**

## **IX. Exhibits**

1. Development Plans
2. Specific Plan
3. Summary of Community Meeting
4. Mitigated Negative Declaration

5. Letter and conditions of Final Map approval from LA County Dept. of Public Works for Tentative Tract Map
6. Draft Ordinance
7. Draft Resolution

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