



CITY OF CARSON
PLANNING COMMISSION STAFF REPORT

CONTINUED PUBLIC HEARING: May 28, 2019

SUBJECT: Design Overlay Review (DOR) No. 1743-18
Tentative Tract Map (TTM) No. 82395-18
Specific Plan (SP) No. 17-18

APPLICANT: Brandywine Homes, Inc.
16580 Aston
Irvine, CA 9606

PROPERTY OWNER: City of Carson
701 East Carson Street
Carson, CA 90745

REQUEST: Consider approval of Design Overlay Review No. 1743-18, Tentative Tract Map No. 82395-18, and recommending that the City Council adopt Specific Plan No. 17-18 and Mitigated Negative Declaration to develop a 38-unit condominium project on a 1.6 acre- project site at 1007 East Victoria Street.

PROPERTY INVOLVED: 1007 East Victoria Street

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

EXHIBIT NO. 3

Item No. 6A

I. **Introduction**

Property Owner

City of Carson
701 East Carson Street
Carson, Ca 90745
(949) 296-2400

Applicant

Brandywine Homes, Inc.
16580 Aston
Irvine, Ca 92606

Representative

Alex Hernandez
Brandywine Homes, Inc
(949) 296-2400
alex@brandywine-homes.com

II. **Project Description**

The applicant requests the approval of Design Overlay Review No. 1743-18 and Tentative Tract Map No. 82395-18; and recommendation of approval to the City Council for Specific Plan No. 17-18 (Brandywine Specific Plan) to develop a new 38-unit condominium residential development and related site improvements. The project site is located on the north side of East Victoria Street, directly across from California State Dominguez Hills. In addition, the project site is conveniently located approximately 0.4 miles south of California State Route 91 and approximately 1.63 miles east of the I-110

Project Site and Surrounding Land Uses

The project site is located along the northern edge of the City of Carson. The site is located north of East Victoria Street, and between South Avalon Boulevard and South Central Avenue. The following provides a summary of the site information:

Site Information	
General Plan Land Use	Existing: High Density Residential (up to 25 DU/ac) Proposed: No Changes to General Plan Land Use
Zone District	SP-4 Dominguez Hills Specific Plan (up to 25 du/acre) Proposed: "Brandywine" Specific Plan zone (up to 25 du/ac);
Site Size	~69,696 SF (or 1.6 acres)
Present Use and Development	Vacant
Surrounding Uses/Zoning	North: Specific Plan – Single-Family Residential South: California State University Dominguez Hills. East: Specific Plan – Single-Family Residential West: Single-Family Residential

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Previously Approved Discretionary Permits

The project site was previously mapped as Lot 11 of Tract No. 52103, as a part of SP 4-93.

Public Safety Issues

None.

III. Analysis

Background

The project site is a vacant lot designated as Lot 11 in the existing Dominguez Hills Village Specific Plan (SP-4). The original Specific Plan was designed for residential, child care, neighborhood retail, industrial and open space uses, and allowed for a maximum buildout of 893 residential units. Since its development in 1996, Dominguez Hills Village has evolved into what is now solely residential uses, built out to only 574 residences ranging from condominiums to single-family. This transition from the original plan of varied uses to purely residential uses has created the appropriate environment for the proposed 38-unit townhome development. The development aligns with the existing uses within the Specific Plan and does not exceed the original proposed buildout of 893 residential units.

Under the original approved Specific Plan, Lot 11 was designated for a 1.6-acre child care center to be developed by K. Hovnanian at Dominguez Hills, Inc. (K. Hovnanian). On February 23, 2007, a Grant Deed (the Deed) was recorded granting The Community Development Center, Inc. (CDC) ownership to the subject property. The Deed was subject to an Executory Limitation which provided the City of Carson (the City) Power of Termination and Right of Re-entry should CDC violate the terms and conditions set forth in the Deed. A condition of the Deed held CDC responsible for the development and use of the subject property as a child care center and related educational facility. The child care facility was to be operative until the relinquishment date set for December 31, 2016. CDC violated the Executory Limitation by neglecting to develop Lot 11 with a childcare facility, and in 2017, a dispute involving the title to the subject property emerged between the City and CDC where the City exercised a power of termination.

The City and CDC settled the dispute pursuant to the terms set forth a Settlement Agreement executed by CDC on July 31, 2017. The Settlement Agreement provided that the City would have the exclusive right to negotiate the sale of the subject property in the name of both the City and CDC. Further, the Settlement Agreement mandated that CDC shall cooperate with executing any documents necessary to transfer title. On June 13, 2018, the City and CDC entered into a Purchase and Sale Agreement to transfer title and ownership to Brandywine Acquisitions Group and set the escrow closing date to June 28, 2019. An amendment was made to the Purchase and Sale Agreement to extend the escrow closing date to August 31, 2019 to accommodate for adequate time needed for the County's Tentative Tract Map review.

Brandywine Homes submitted their entitlement applications in October of 2018 to begin the review of their proposed 38-unit condominium residential development to be constructed on Lot 11 in the Dominguez Hills Village Specific Plan.

Use

Current Improvements

The 1.6-acre site is currently vacant with no existing structures.

Proposed Improvements

Construct a 38-unit residential townhome community with on-grade parking, landscaping, and other associated improvements.

Buildings and Architecture

The residential buildings 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, particularly with the existing residential community within the same Specific Plan. 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 three story townhome project consists of 38 residential units with approximately 53,000 square feet of total floor area. There will be six (6) buildings with three stories of residential units, with balconies and private open spaces provided on the ground and second floor areas.

The project architecture is reflective of a “Farmhouse” style that is unique to the surrounding area but utilizes architectural elements that will allow the development to be in harmony with the existing community. The proposed building has a maximum height of 35 feet. The building exterior includes vertical and horizontal elements that break up the overall massing and provide visual interest. The current project design reflects revisions made by the Applicant in response to City design review.

Elevations

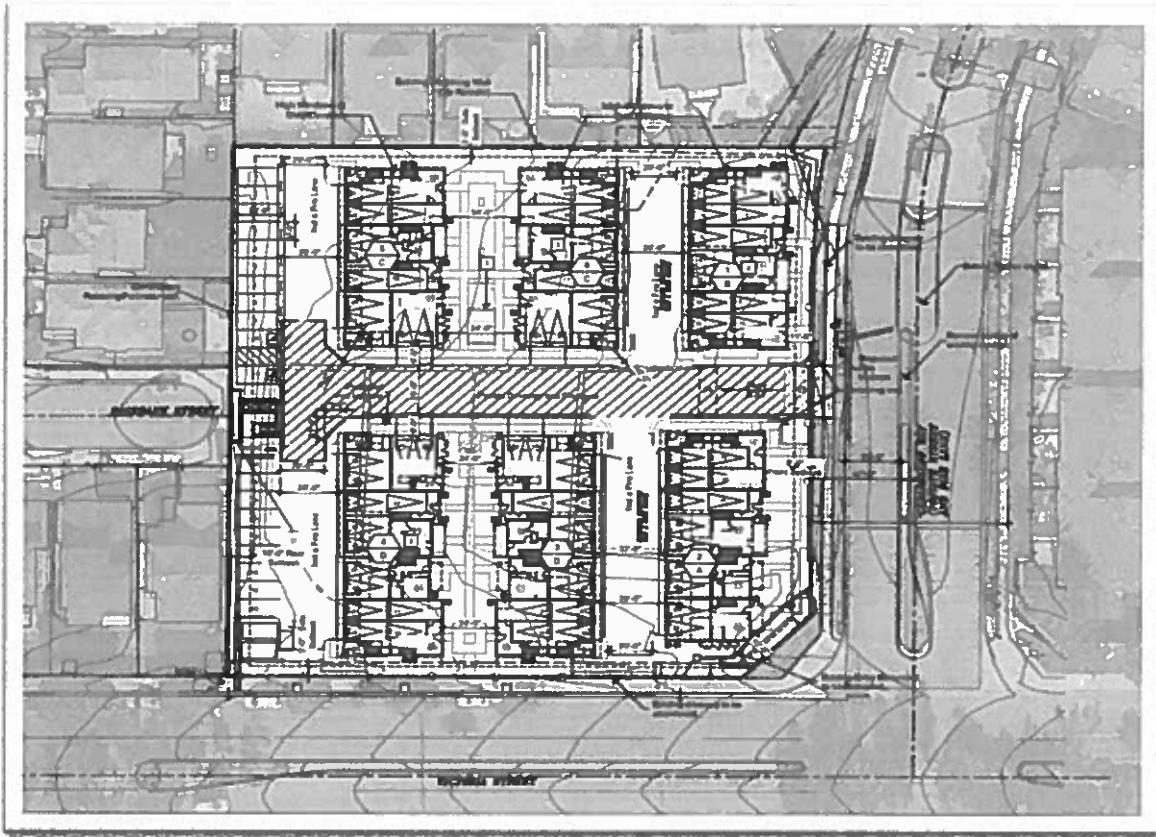


Site Plan

The 1.6-acre project site will consist of 38 residential townhome units organized among six (6) separate buildings, resulting in a project density of 24 units per acre. The project provides approximately 10,480 square feet of useable open space and parking spaces servicing the project are proposed to be attached to the individual units with visitor parking appropriately located on-grade to the west of the property out of the public view.

The site design creates a quality pedestrian atmosphere and the proposed landscaped setback areas along East Victoria 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 Brandywine Specific Plan must provide private open space in accordance with Carson Municipal Code (CMC) Section 9128.15. Each unit's floorplan includes a balcony and/or patio providing individual outdoor open space areas ranging from approximately 61 to 90 square feet.

Common Open Space

The proposed common open space will include approximately 10,380 square feet of publicly accessible landscaped area with outdoor and table seating, a BBQ, turf lawn, a shade structure, waste receptacles, and a bike rack for temporary bicycle parking. Additional amenities will be provided to accommodate for children and pets.

Landscape

The proposed landscape plan features a water efficient design and includes several different plant species across the project site. Lush landscaping including an abundance of evergreen trees and drought tolerant botanicals such as agave, aloe, and coyote brush will be utilized to provide screening along all property lines and screening for the adjoining single-story residences to the north and west, and screening from the public right-of-way on East Victoria Street. In addition, all planting

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and irrigation shall comply with the applicable State's Model Water Efficient Landscape Ordinance.

Block Walls and Gates

The project also includes an existing six-foot high block wall to the north of the property, a new six-foot high block wall to the west and south of the property, a two to three-foot block wall with a 42-inch guardrail on top located to the east of the property where buildings 1 and 2 have frontages facing Cedarbluff Way, and a six-foot high metal patio pedestrian access gate located along East Victoria Street.

Access and Parking

One driveway adjacent to Cedarbluff Way provides the primary vehicle access to the project site. Resident parking is provided in attached garages and can be accessed via supplemental driveways branching off of the main driveway, and visitor parking is located to the west of the project site and can be accessed using the main driveway. All parking spaces will be completely screened from public view by use of block walls and landscaping. There are no internal vehicular streets other than the minimal access into the parking garage. The proposed project includes a total of 96 parking spaces: 76 resident spaces and 20 guest parking spaces. Pursuant to the Planning Standards in Section n(3)(a) of the Dominguez Hills Village Specific Plan, "there shall be no access from Lot 11 off or onto Victoria Street." Additionally, provisions set forth in Section 11.3(b) of the covenant (attached) recorded on June 4, 2004 establishes that an easement on Cedarbluff Way is reserved in favor of the subject lot with the purpose of providing access, ingress, egress, and utility service to the lot. To further substantiate easement rights given to Lot 11, a Memorandum of Understanding (MOU) was drafted (attached) and executed between the Dominguez Hills Village Community Association (Association) and Brandywine Homes to establish a working relationship between the Association and Brandywine Homes to make irrefutable the easements for entry/exit from Cedarbluff Way given to Lot 11.

The site design provides a quality pedestrian atmosphere, with landscaped private walkways located away from main driveways, pedestrian access gates along East Victoria Street and Cedarbluff Way, and a communal open space area with seating and amenities provided to residents and visitors to utilize for leisurely activities.

Due to the proximity of the project site to California State Dominguez Hills and Dignity Health Sports Park, residents of the proposed project would be able to access these centers via local sidewalks, promoting pedestrian-oriented and transit-oriented environment.

Subdivision

One existing lot will be subdivided into 38 condominium units ranging from approximately 1,200 to 1,800 square feet in size. The subdivision also sets aside common lots for open space, a private driveway and fire lane.

Tentative Tract Map No. 82395 was reviewed by LA County Department of Public Works (the County) and resulted in the issuance of a letter dated March 18, 2019

with recommended preliminary conditions for final map approval; however, the letter further states that details and notes shown on the tentative map are not necessarily approved, and due to concerns about sewer capacity and incomplete sewer and hydrology studies, the County has deferred recommendation of tentative map approval until a sewer capacity and hydrology study have been thoroughly conducted and demonstrates that the project site will have adequate sewer capacity and meets water quality requirements. In lieu of cancellation or postponement of the Public Hearing to allow time for Brandywine Homes to obtain the required approvals, Brandywine Homes has drafted an Indemnification Agreement (attached) requesting that the City allow the Public Hearing to proceed as scheduled, and that final action on the outstanding items subject to the holds be deferred until the time of consideration of Final Map, except that any approval of the Tentative Map by the Commission may be conditioned in any manner deemed necessary. The Indemnification Agreement was reviewed by the City of Carson Planning and Public Works Staff, Los Angeles County Public Works Staff, and the City Attorney's Office, and has been deemed adequate in indemnifying all parties involved in reviewing the project entitlements.

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 SP-4 zone; therefore, the applicant proposes the new Brandywine Specific Plan. The following provides development standards outlined in the Brandywine Specific Plan:

Brandywine Specific Plan Zoning Regulations

LOT 11: HOUSING TYPE D DEVELOPMENT STANDARDS		
Topic	Standard	Source^{1,2}
Minimum Lot Area	5,000 sf	Zoning Ordinance §9125.2
Street Access	Primary access via Cedarbluff Way. No access from Victoria Street.	SP 4-93, Page V-92 Planning Standards – a)
Driveway Widths, Approaches, and Sight Distance	Main drive aisle – 26 ft Alley drive aisle- 26 ft with 20 ft choker at intersection with Main drive aisle	SP 4-93, SPA No. 3
Roadway Landscape	15 ft landscape easement along west side of Cedarbluff Way	SP 4-93, Page V-92 Planning Standards – b)

LOT 11: HOUSING TYPE D DEVELOPMENT STANDARDS		
Topic	Standard	Source ^{1,2}
Minimum Lot Width (Corner Lot)	55 ft	Zoning Ordinance §9125.4
Street Frontage	50 ft	Zoning Ordinance §9125.3
Maximum Lot Coverage	60%	SP 4-93, Page V-92 Descriptive Summary – d)
Minimum Building Setback Requirements Front Yard Side Yard Rear Yard	8 ft for 3-story 5 ft for 3-story 10 ft for 3-story	SP 4-93, SPA No. 3 SP 4-93, SPA No. 3 SP 4-93, SPA No. 3
Maximum Allowable Density	25 du/ac	SP 4-93, SPA No. 3
Maximum Structure Height	3 stories/35 ft	SP 4-93, SPA No. 3
Minimum Space Between Buildings	10 ft between buildings 20 ft front-to-front buildings	Zoning Ordinance §9126.27
Minimum Private Storage	200 cubic feet of lockable storage space per unit	Zoning Ordinance §9128.15 & §9128.54
Minimum Private Open Space Per Unit	77 sf Such space shall have a configuration that would allow a horizontal rectangle or square of a minimum seventy-seven (77) square feet in area and a minimum dimension of five (5) feet eight (8) inches [5'-8"] to be placed in said space.	SP 4-93, SPA No. 3
Minimum Common Space Per Unit & Recreational Facilities	140 sf + amenities	SP 4-93, Page V-53 Open Space and Recreation Plan Standards – i)
Parking Spaces	2 covered spaces per unit and ½ guest space per unit	SP 4-93, SPA No. 3
Garage Parking Spaces	Unobstructed minimum interior dimension of 20 ft in width by 20 ft in length.	Zoning Ordinance §9162.41
Garage Parking – Tandem Spaces	Unobstructed minimum interior dimension of 10 ft in width by 37 ft in length.	SP 4-93, SPA No. 3

LOT 11: HOUSING TYPE D DEVELOPMENT STANDARDS		
Topic	Standard	Source ^{1,2}
Trash Storage, Enclosures	<p>For residential facilities of more than 12 units, trash areas shall be provided as follows:</p> <p>a. If individual trash areas are provided, the individual trash areas shall be at least 3 ft by 4 ft for each unit, and there shall be 1 additional area of at least 4½ ft by 6 ft.</p> <p>b. If a common trash area is provided, the common trash area shall be at least 4½ ft by 15 ft with an additional 5 sf of trash area for each unit over 13.</p>	Zoning Ordinance §9164.2.C.3
Legend: ft = feet; sf = square feet; du = dwelling unit; ac = acre		
Sources: 1. Specific Plan 4-93 as amended through Specific Plan Amendment No. 2 (Ordinance No. 99-1170, September 7, 1999) 2. Carson Municipal Code, Article IX, Planning and Zoning (Zoning Ordinance)		

The project applicant has taken into consideration the development's proximity to the adjacent properties to the north and to the west. Building heights are set to a maximum of 35 feet due to the grade difference between the lots. As a measure of privacy, the applicants have designed the buildings closest to the existing residences to include high windows on the elevations that are most affected by the privacy concerns. In addition to high windows, the site is also designed to incorporate an abundance of landscaping along the perimeters of the project site to help screen the development from neighboring properties and to provide a measure of noise mitigation.

Since the project entails a Specific Plan Amendment, the proposed project will have its own Specific Plan with separate development standards and amenities, and the community will have its own Homeowner's Association. The project applicant will make clear in the proposed CC&R's that residents and future residents of the development will not have the rights to utilize the existing amenities and recreation areas in Dominguez Hills Village.

IV. Discussion

CFD/DIF Agreement

Brandywine Homes will enter into an Agreement for Development Impact Fees and Community Facilities District participation with the City and will comply with all its requirements. In accordance with this agreement, Brandywine Homes will be responsible for payment of one-time impact fees of \$14,000/dwelling unit. The Project contemplates a 38-unit residential condominium project. Based on the number of proposed dwelling units of the Project, Developer will be responsible for development impact fees in the amount of \$532,000 (DIF Amount), provided that the Project increases or decreases in size, the DIF Amount will be adjusted accordingly at the same rate. No building permits will be issued prior to the full payment of the DIF Amount.

City adopted CFD 2018-01 to finance the ongoing costs of the following: law enforcement, street and sidewalk maintenance, landscape maintenance, street sweeping and sidewalk cleaning, and other eligible impacts of the Project within the CFD (the CFD Services). Brandywine Homes has agreed to and shall participate in the CFD No 2018-01 for these purposes so as to offset the ongoing impacts of the Project (the CFD Benefits), in accordance with the CFD Cost Allocation attached as Exhibit "A" to the Agreement for Development Impact Fees and Community Facilities District Participation.

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 April 26, 2019 through May 26, 2019. The Draft Mitigated Negative Declaration found potentially less than significant impacts of aesthetics, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, transportation, tribal cultural resources, and utilities and service systems. 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 and Community Outreach

Public notice was posted to the project site on May 2, 2019. Notices regarding a community meeting were mailed to property owners and occupants on March 18, 2019. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

On March 27, 2019, the applicant hosted a community meeting with the adjacent property owners and occupants. The community meeting was held at the Stevenson Park Community Center in Carson, which is in close proximity to the project site. Notices of the community meeting were sent to all property owners and tenants within 1000 feet from the project site. Approximately 20-30 property owners and/or occupants attended the meeting. A number of concerns were voiced regarding traffic impacts on Cedarbluff Way, screening methods from existing homes adjacent to the

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project site, mitigation of noise from construction, and positioning and design of the monument sign located on the southwest corner of Cedarbluff Way and Victoria Street.

The applicant has addressed the issue on traffic impacts on Cedarbluff Way by proposing a modified entry located further from Dominguez Hills Villages exit gate, and provides for a modified median allowing left turn lane into the project which reduces potential vehicle queueing. Construction would take place during the appropriate hours allowed by City code to mitigate any potential noise impact during hours inappropriate for construction.

City staff considers the proposed project and to be consistent with the existing Dominguez Hills Village Specific Plan and surrounding community. The applicant believes that the proposed project represents an attractive high density development, with favorable design components that align with the existing surrounding communities. The applicant also recognizes that the site plan is setback from the from the street, to create a more neighborhood-friendly facade.

VII. Recommendation

That the Planning Commission:

- **APPROVE** Design Overlay Review No. 1743-18, Tentative Tract Map No. 82395-18 subject to the conditions of approval attached as Exhibit "B" to the Resolution and contingent upon City Council approval of, Specific Plan No. 17-18, and Mitigated Negative Declaration; and
- **RECOMMEND APPROVAL** Specific Plan No. 17-18, 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. 1743-18, TENTATIVE TRACT MAP NO. 82395-18, AND RECOMMENDING THAT THE CITY COUNCIL ADOPT SPECIFIC PLAN NO. 17-18 AND MITIGATED NEGATIVE DECLARATION TO DEVELOP A 38-UNIT RESIDENTIAL CONDOMINIUM PROJECT ON A 1.6-ACRE PROJECT SITE AT 1007 EAST VICTORIA STREET."**

VIII. Exhibits

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|-----------------------------------|--------------------------------|
| 1. Development Plans | 4. Indemnification Agreement |
| 2. Specific Plan | 5. Memorandum of Understanding |
| 3. Mitigated Negative Declaration | 6. Draft Resolution |

Prepared by: Nancy Mith, Planner

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