



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: November 12, 2019

SUBJECT: Revised Design Overlay Review (DOR) No. 1743-18
Revised Tentative Tract Map (TTM) No. 82395-18
Revised Specific Plan 2017-18

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, and Tentative Tract Map No. 82395-18, and recommend that the City Council adopt Revised Specific Plan 2017-18 and Amended Mitigated Negative Declaration to develop a 36-unit townhome project on a 1.57-acre project site at 1007 East Victoria Street.

PROPERTY INVOLVED: 1007 East Victoria Street

COMMISSION ACTION

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

EXHIBIT NO. 5

I. Introduction

Property Owner

City of Carson
701 East Carson Street
Carson, Ca 90745

Representative

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

Applicant

Brandywine Homes, Inc.
16580 Aston
Irvine, Ca 92606

II. Project Description

On May 28, 2019, the Planning Commission approved Design Overlay Review No. 1743-18 and Tentative Tract Map No. 82395-18, and recommended that the City Council adopt Specific Plan 4-93 Revision No. 3 and Mitigated Negative Declaration to develop a 38-unit townhome project.

On June 18, 2019, the City Council remanded the item back to the Planning Commission and directed the applicant to work with the community to address opposition to ingress/egress from Cedarbluff Way, color scheme revision and building height reduction.

The applicant has redesigned the proposed project by changing ingress/egress from Cedarbluff Way to Victoria Street; modifying the color palette; and lowering the building height for all structures. The redesign and modification also reduced the number of units from 38 to 36 townhomes (Discussed in greater detail in Site Plan section).

The applicant requests the approval of Revised Design Overlay Review No. 1743-18 and Revised Tentative Tract Map No. 82395-18; and recommendation of approval to the City Council for Revised Specific Plan No. 4-93 Revision No. 3 and certification of Amended Mitigation Negative Declaration to develop a new 36-unit townhome residential development and related site improvements.

Project Site and Surrounding Land Uses

The project site is located along the northern edge of the City of Carson, on the north side of East Victoria Street, between South Avalon Boulevard and South Central Avenue, directly across from California State Dominguez Hills. 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 1.57 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

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 are now solely residential uses, built out to only 574 residences ranging from condominiums to single-family products. This transition from the original plan of varied uses to purely residential uses has created the appropriate environment for the proposed 36-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 townhome (revised to 36 units) residential development to be constructed on Lot 11 in the Dominguez Hills Village Specific Plan.

Use

Current Improvements

The 1.57-acre site is currently vacant with no existing structures.

Proposed Improvements

Construct a 36-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 six (6) three-story buildings, with each building containing four to seven units, for a total of 36 residential units. There are five different floor plan types, ranging from 2 bedrooms to 4 bedrooms. The units range in size from 1,228 to 1,876 square feet. See development plans (Exhibit 1).

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 exterior building colors will include a variety of neutral earth tones (beige, brown, taupe, and blue), while the exterior building materials will include composite shingle roofing, stucco, fiber cement trim and sliding, metal garage doors, wood railings, decorative shutters, light fixtures, and vinyl shutters.

Elevations



Site Plan

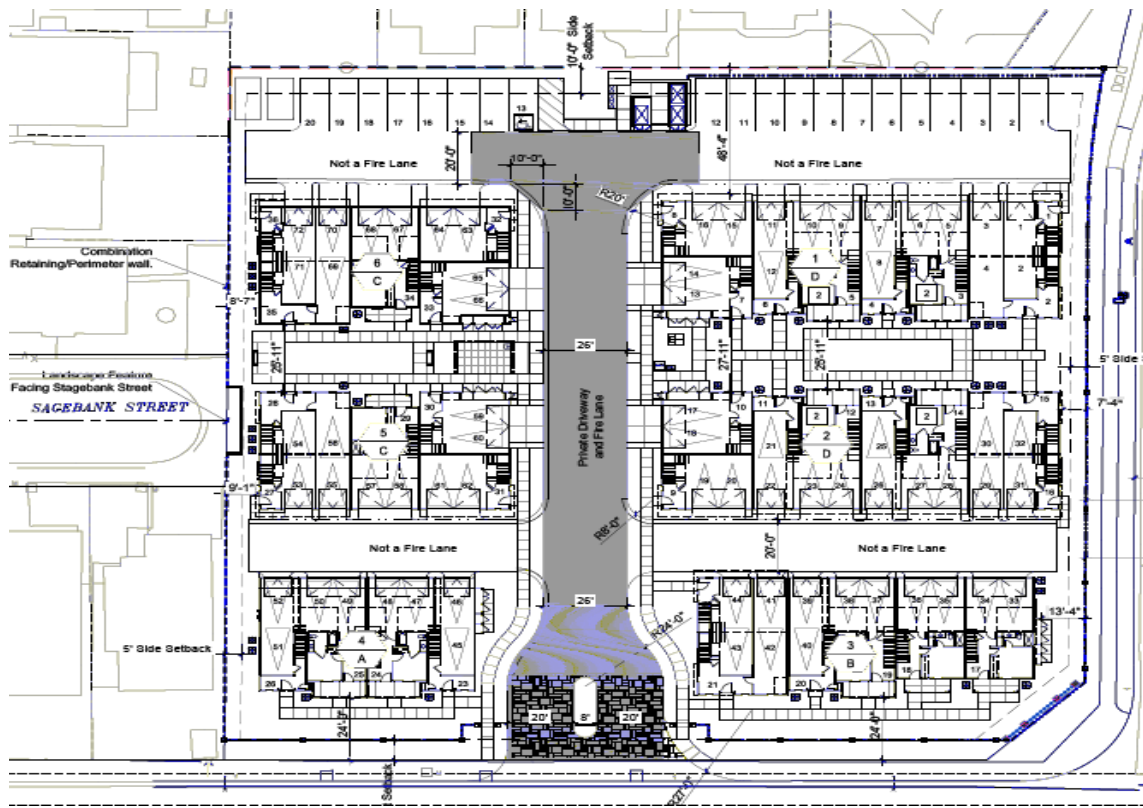
The 1.57-acre project site will consist of 36 residential townhome units organized among six (6) separate buildings, resulting in a project density of 22.9 units per acre. The project includes 25,879 square feet of open space, including 3,924 square feet of private open space (patios and balconies), and 16,578 sf of common open space, including a bbq, play area and pocket park.

The site plan was redesigned to address the concerns of the residents. One of the primary concerns was the ingress/egress point from Cedarbluff Way. The new site plan relocates the entry point to Victoria Street on the southern perimeter. Per the City Traffic Engineer, the applicant will restripe Victoria Street thereby adding a deceleration lane that will allow for safe ingress/egress movements and paint curbs red on both east and west sides of the entrance for a distance of 20'-30' feet. In response to concerns over building height the applicant has lowered all building pad grades (2' to 4') to reduce the overall building heights. Guest parking spaces were relocated to the northern perimeter of the subject property thereby creating a 48' setback from Dominguez Hills Village properties. The parking lot will be 8' below the existing block wall that separates the proposed development from the existing Dominguez Hills Village properties.

Additional concerns over safety prompted the request for a gated residential development. LA County Department of Public Works design guidelines (Attachment D), requires a 50' minimum setback from entry kiosk to public right of way making the option impractical. The redesigned site plan provides an enhanced entry with

pedestrian portals, wider divided drive aisle, landscaped median, overhead trellis structures and enhanced materials.

Site Plan



Open Space, Landscaping and Fencing

Private Open Space

Carson Municipal Code (CMC) Section 9128.15 mandates private open space requirements. Each unit includes a balcony and/or patio providing individual private outdoor open space ranging from approximately 77 to 176 square feet per unit thereby meeting the CMC requirement.

Common Open Space

The proposed common open space/amenities will be centrally located between buildings 1 and 2, and buildings 5 and 6. They will include approximately 16,578 square feet of publicly accessible landscaped area, with an outdoor picnic table and lawn seating, a free standing 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.

Landscaping

The proposed landscaping plan features a water efficient design and several different plant species across the project site. The lush landscaping includes an abundance of evergreen trees and drought tolerant botanicals, as well as a mix of trees, shrubs, and ground cover, and fruitless olive trees, "little gem" magnolia, shoestring acacia, Brisbane box trees, strawberry trees, Australian willow,

paperback melaleuca, and Italian cypress. 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 Victoria Street and Cedarbluff Way. In addition, all planting and irrigation shall comply with the applicable State's Model Water Efficient Landscape Ordinance (Exhibit 2).

Block Walls and Gates

On the Dominguez Hills Village side, there is an existing six-foot (6') high wall along the northern boundary that will be protected in place. In addition, a new six-foot 6' high wall will be installed on the subject property as both a decorative and retaining wall on the northern perimeter. A new six-foot high slump block masonry wall with a two-inch (2") high slump cap will be installed along the majority of the western boundary and portions of the southern boundary. A six foot (6') high slump block masonry wall will be installed along the southern boundary with an enhanced entry featuring pedestrian portals, monument signage, and enhanced planting.

Access and Parking

All vehicular and pedestrian Ingress/egress will take place from Victoria Street. All residential units include attached garages accessed from the main driveway. Visitor parking is located to the rear of all residential units, along the northern property line and accessed from the main driveway. All residential and guest parking spaces will be screened from public view. There are no internal vehicular streets other than the minimal access into the residents parking garages. The proposed project includes a total of 92 parking spaces: 72 resident spaces and 20 guest parking spaces.

Subdivision

One existing lot will be subdivided into 36 townhome units, ranging in size from approximately 1,228 to 1,876 square feet. The subdivision also sets aside common lots for open space, a private driveway and fire lane.

Tentative Tract Map No. 82395-18 was reviewed by LA County Department of Public Works 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 the applicant to obtain the required approvals, the applicant has drafted a Revised Indemnification Agreement (Attachment A) 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 Revised Brandywine Specific Plan (Exhibit 2). The following provides development standards outlined in the Revised 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 Victoria Street.	SP 4-93, SPA No. 3
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; 20' ft. if non-fire lane location; min backup distance 26'	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)
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	22.9 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

LOT 11: HOUSING TYPE D DEVELOPMENT STANDARDS		
Topic	Standard	Source ^{1,2}
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
Trash Storage, Enclosures	For residential facilities of more than 12 units, trash areas shall be provided as follows: 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. 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.	Zoning Ordinance §9164.2.C.3
Legend: ft = feet; sf = square feet; du = dwelling unit; ac = acre		

LOT 11: HOUSING TYPE D DEVELOPMENT STANDARDS		
Topic	Standard	Source ^{1,2}
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.

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 community.

IV. Discussion

CFD/DIF Agreement

Brandywine Homes (the applicant) 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, the applicant will be responsible for payment of one-time impact fees of \$14,000/dwelling unit. The Project contemplates a 36-unit residential townhome project. Based on the number of proposed dwelling units of the Project, Developer will be responsible for development impact fees in the amount of \$504,000 (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). The applicant 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 (MND) 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.

A Memorandum to the IS/MND has been prepared explaining the nature of the project changes since its circulation for public review of the Draft IS/MND. The Memorandum focuses on the revised site plan's potential impacts on air quality, noise, and traffic analyses. (Attachment C.)

VI. Public Notice and Community Outreach

On October 31, 2019, the public notice was posted to the project site. The agenda was posted at City Hall 72 hours prior to the Planning Commission meeting.

From August 1, 2019, to October 9, 2019, the applicant had a total of seven (7) meetings, workshops and/or has gone door to door (Attachment E) to meet with the residents of Dominguez Hills Village and Stevenson Village to discuss their concerns per the direction of the City of Carson City Council.

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.

VII. Recommendation

That the Planning Commission:

- **APPROVE** Revised Design Overlay Review No. 1743-18, and Revised Tentative Tract Map No. 82395-18 subject to the conditions of approval attached as Attachment "B" to the Resolution and contingent upon City Council approval of, Revised Specific Plan 2017-18 and Amended Mitigated Negative Declaration; and
- **RECOMMEND APPROVAL** Revised Specific Plan 2017-18 and Amended Mitigated Negative Declaration and adoption of the Amended 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 REVISED DESIGN OVERLAY REVIEW NO. 1743-18, REVISED TENTATIVE TRACT MAP NO. 82395-18, AND RECOMMENDING THAT THE CITY COUNCIL ADOPT REVISED SPECIFIC PLAN 2017-18 AND AMENDED MITIGATED NEGATIVE DECLARATION TO DEVELOP A 36-UNIT RESIDENTIAL

TOWNHOME PROJECT ON A 1.57-ACRE PROJECT SITE AT 1007 EAST VICTORIA STREET.”

VIII. Exhibits

1. Revised Development Plans
2. Revised Specific Plan

IX. Attachments

- A. Amendment No. 1 to Indemnification Agreement
- B. Revised Draft Resolution and Revised Conditions of Approval
- C. Amended Mitigated Negative Declaration
- D. LA County DPW Design Guidelines
- E. Community Meetings
- F. Planning Commission Staff Report Dated May 28, 2019
- G. City Council Staff Report Dated June 18, 2019

Prepared by: Ignacio Rincon, Senior Planner