



# CITY OF CARSON

## Legislation Text

File #: 2019-1047, Version: 1

### Report to Mayor and City Council

Tuesday, December 03, 2019

Special Orders of the Day

#### **SUBJECT:**

**PUBLIC HEARING TO CONSIDER ADOPTION OF RESOLUTION NO. 19-194 OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA: (1) APPROVING AMENDED MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, AND (2) ADOPTING REVISED SPECIFIC PLAN NO. 17-18, THE THIRD AMENDMENT TO DOMINGUEZ HILLS VILLAGE SPECIFIC PLAN (SPECIFIC PLAN NO. 4-93), WITH RESPECT TO DEVELOPMENT OF 36 RESIDENTIAL TOWNHOME UNIT LOCATED ON A 1.57-ACRE PARCEL AT 1007 EAST VICTORIA STREET(CITY COUNCIL)**

#### **I. SUMMARY**

On May 28, 2019, the Planning Commission approved DOR No. 1743-18, Tentative Tract Map No. 82395-18, and Specific Plan Amendment. On June 18, 2019, the City Council considered the Specific Plan Amendment. During the hearing, numerous members of the community expressed their concerns regarding the project. The City Council directed the developer to meet with the community to address their concerns including: (1) redesigning the project to eliminate project access on Cedarbluff Way; (2) reducing the height of proposed buildings for consistency with the surrounding multi-family buildings and address privacy issues; (3) revise the proposed building colors; and (4) explore a gated community concept.

After holding several meetings with the community and City staff, the applicant (Brandywine Homes) has completely redesigned the project to address the most important issue to the residents which was elimination of the project access to Cedarbluff Way. As a result, the project only has access to Victoria Street and the number of units has been reduced from 38 to 36. In addition, the applicant has lowered building pads by 2'-4' for increased consistency with the height of the surrounding multi-family buildings in Dominguez Hills Village and to increase privacy for the existing community. Furthermore, the colors of the buildings were updated to be more consistent with the existing community. The gate concept was considered by the developer; however, Fire Department requires a 50' minimum setback from entry kiosk to the public right of way. This requirement would reduce the number of units to 27 making the project financially infeasible. As a result, the

developer is proposing architectural features that emulate gates.

On November 12, 2019, the Planning Commission conducted a public hearing and unanimously approved Revised Design Overlay Review (DOR) 1743-18 and Revised Tentative Tract Map (TTM) No. 82395-18 for the construction of a 36-unit residential townhome development. In addition, the Planning Commission recommended approval of Revised Specific Plan No. 17-18 to the City Council, (Exhibit Nos. 3, 4, and 5).

## **II. RECOMMENDATION**

TAKE the following actions:

1. OPEN the public hearing, TAKE public testimony, CLOSE the public hearing.
2. ADOPT Resolution No. 19-194, entitled "A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA: (1) APPROVING AMENDED MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, AND (2) ADOPTING REVISED SPECIFIC PLAN NO. 17-18, THE THIRD AMENDMENT TO DOMINGUEZ HILLS VILLAGE SPECIFIC PLAN (SPECIFIC PLAN NO. 4-93), WITH RESPECT TO DEVELOPMENT OF 36 RESIDENTIAL TOWMHOME UNITS LOCATED ON A 1.57-ACRE PARCEL AT 1007 EAST VICTORIA STREET"

## **III. ALTERNATIVES**

TAKE such other action as the City Council deems appropriate, consistent with the requirements of the law.

## **IV. 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 by the relinquishment date of December 31, 2016. CDC violated the Executory Limitation by neglecting to develop Lot 11 with a childcare facility, and 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.

### Project Description

The project proposes to construct six buildings that collectively include 36 residential townhome units (25 two-bedroom, 7 three-bedroom, and 4 four-bedroom units).

The proposed buildings on the site have a maximum height of 35 feet. The project provides for a landscaped common area that is centrally located within the project. This community common area is a distinguishing element of the Brandywine project with features that include but are not limited a BBQ, benches, a shaded structure, and bike racks.

### 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.

### Subdivision; Approval of Maps

On November 12, 2019, the Planning Commission approved Revised TTM No. 82395-18, providing for the subdivision of the one existing vacant lot that is the site of the Project into 36 townhome units. As discussed in the Staff Report from said Planning Commission hearing, the County of Los Angeles, Department of Public Works, had previously reviewed the TTM and deferred its approval of same until a sewer capacity and hydrology study have been thoroughly conducted and demonstrate that the project site will have adequate sewer capacity and meet water quality requirements (the "Holds").

### 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.

### Density

The project proposes 36 residential units on a 1.57 acre site, for a density of 22.9 dwelling units per acre. The current General Plan land use designation allows up to 25 dwelling units per acre, meaning such designation presently allows the proposed number of units for this site.

### California Environmental Quality Act (CEQA)

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, (Exhibit No. 1, Attachment B).

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, (Exhibit No. 2). The Memorandum focuses on the revised site plan's potential impacts on air quality, noise, and traffic. The memorandum concludes the revised project would not result in impacts greater than previously analyzed in the Public Review Draft of the IS/MND,

### Public Notice

Public notice of the City Council hearing was posted in the newspaper, and notices were

mailed to property owners and occupants on November 14, 2019. The agenda was posted at City Hall 72 hours prior to the City Council meeting.

### Community Input

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 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.

## **V. FISCAL IMPACT**

No immediate fiscal impact. However, the project is expected to generate increased property tax revenues from the site on which it will be located, which is currently vacant land. 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 eligible ongoing maintenance and services costs associated with the project 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). The CFD rate currently in effect is \$879.10 per unit per year for a total of \$31,647.60 per year. Both DIF and CFD are adjusted annually.

## **VI. EXHIBITS**

1. Proposed City Council Resolution No. 19-194 (pgs. 7-31)
2. Memorandum to the IS/MND (pgs. 32-103)
3. Planning Commission Resolution No. 19-2678 (pgs. 104-125)
4. Planning Commission Draft Minutes dated November 12, 2019

(pgs. 126-130)

5. Planning Commission Staff Report dated November 12, 2019 (pgs. 131-142)

Prepared by: Saied Naaseh, Community Development Director/ Ignacio Rincon, Senior Planner