



CITY OF CARSON
PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: May 25, 2010
SUBJECT: Tentative Parcel Map No. 70372
APPLICANT: Bryan Miranda
Carson Marketplace LLC
4350 Von Karmen Avenue
Newport Beach, CA 92660

REQUEST: To approve a two-lot tentative parcel map to split the landfill portion of the property from the surface parcel for the development project known as the Boulevards at South Bay

PROPERTY INVOLVED: 20400 Main Street

COMMISSION ACTION

____ Concurred with staff
____ Did not concur with staff
____ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Graber
		Vice-Chair Saenz			Park
		Brimmer			Schaefer
		Diaz			Verrett
		Gordon			

Item No. 11A

I. Introduction

The applicant is requesting approval of Tentative Parcel Map No.70372 to vertically subdivide an existing 157-acre property into two parcels separating the landfill portion from the surface. The subject property is zoned Carson Marketplace Specific Plan. It is located at 20400 Main Street within Redevelopment Project Area No. 1. The Project is known as the Boulevards at South Bay, a mixed-use commercial and residential development.

II. Background

The city of Carson approved the Carson Marketplace Specific Plan, a General Plan Amendment, and a zoning change to Carson Marketplace Specific Plan on February 8, 2006. The Carson Redevelopment Agency certified an Environmental Impact Report SCH No. 2005051059 for the project on the same date. The City Council approved a Development Agreement for the project on July 25, 2006. The name of the project was changed from Carson Marketplace to the Boulevards at South Bay.

The General Plan designation is Mixed-use Residential and the zoning is Carson Marketplace Specific Plan. The Boulevards at South Bay is a mixed-use project on 168 acres, with 11 acres located north of Del Amo Boulevard and the remainder located on the south side of the street. The allowed uses include up to 1,550 residential units including both for-sale units and apartments, and 1,995,125 square feet of commercial uses.

This subdivision divides the 157 acre area south of Del Amo Boulevard into an upper and lower parcel. The lower parcel consists of the landfill and is intended to be owned by a non-profit organization formed to assure that the landfill will be monitored and meet all regulatory requirements. The separation of the landfill from the upper parcels is expected to make the commercial and residential development sites more attractive to potential tenants, developers and buyers. There will be assurance that the entities occupying or owning the upper properties would not be directly responsible for the landfill. A community facilities district will be established to assure that there will be long term maintenance of the landfill remediation system. Conditions have been included to assure that adequate safeguards have been established for the future ownership and maintenance of the landfill.

This request is the first of three subdivision maps for the project. The second subdivision map, which is currently under review, will subdivide the upper parcel into a public road which will connect to the I-405/Avalon interchange and several lots. The third subdivision map will divide the 11-acre parcel west of Del Amo Boulevard into lots. The parcel west of Del Amo Boulevard is not on landfill.



Future subdivisions would also be expected for residential condominium development.

The site is located west of the I-405 San Diego Freeway, west of the I-405/Avalon Interchange, north of the Torrance Lateral, east of Main Street and the SCE lines north of Del Amo Boulevard. The area south of the Torrance Lateral is developed with single-family residences and three mobile home parks. In a separate City/Caltrans project, the I-405/Avalon Boulevard interchange will be reconfigured to allow direct access into the Boulevards at South Bay Project, add a southbound on-ramp, make improvements to the other two ramps, and widen Avalon Boulevard under the overpass, and to widen the overpass at 213th Street. This interchange project should begin construction in late July or early August.

III. Analysis

Pursuant to Section 66474 of the Government Code, a city shall deny approval of a tentative map if any of the following findings can be made:

- a) That the proposed map is not consistent with applicable general and specific plans in Section 65451.
- b) That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- c) That the site is not physically suitable for the proposed type of development.
- d) That the site is not physically suitable for the proposed density of development.
- e) That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably fish and wildlife or their habitat.
- f) That the design of the subdivision or type of improvements is likely to cause serious public health problems.
- g) That the design of the subdivision or the type of improvements will conflict with easements acquired by the public at large, access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternative easements for access of use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by



judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

Subdivision Map No. 70372 will allow the first step toward development of the Boulevards at South Bay. The map is in conformance with the approved Specific Plan and General Plan. The site which is predominately flat is suitable for the proposed development and the density of the residential use. The site and the environmental impacts from the development have been thoroughly analyzed in an Environmental Impact Report which was prepared for the project and certified by the Carson Redevelopment Agency.

The State Department of Toxic Substances Control (DTSC) is responsible for the overseeing the remediation of the site. Remediation has been underway for the last two years and will be complete in 1-2 years. Monitoring wells are currently being constructed on site. The gas collection system and the methane membrane are expected to be installed in the fall. DTSC staff is on-site during all the remediation activities. Deep Dynamic Compaction (DDC), which compacted the landfill, was completed on the site last year. DDC reduced the amount of subsidence which will occur on the site. TetraTech will be building a Landfill Operation Center (LOC). All the monitoring equipment will be located in this building and it will be staffed by full time employees. TetraTech has a 20-year contract to monitor the landfill. The approval of this subdivision will not cause public health problems. The design of the subdivision will not conflict with any easements.

IV. Environmental Review

An Environmental Impact Report was prepared by the Carson Redevelopment Agency (Agency). On February 8, 2006, the Agency certified the Carson Marketplace Environmental Impact Report (State Clearinghouse No. 2005051059) adopted a Statement of Overriding Consideration and Mitigation Monitoring and Reporting Program. The proposed subdivision is in conformance with the project analyzed in the EIR.

V. Conclusion

The proposed subdivision is necessary to develop the approved mixed-use project. The mixed-use project is in conformance with the vision, goals and policies described within the General Plan, and the Carson Marketplace Specific Plan. The project will facilitate the redevelopment of a currently blighted site and make the site more attractive to future tenants and owners. The mixed-use project will provide housing opportunities including affordable housing for the



community. The retail and restaurant uses will provide jobs to the community and increase tax revenue.

VI. Recommendation

That the Planning Commission:

- **APPROVE** Tentative Parcel Map No. 70372, subject to the conditions of approval attached as Exhibit "B" to the Resolution; and
- **WAIVE** further reading and **ADOPT** Resolution No. _____, entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING TENTATIVE PARCEL MAP NO. 70372 FOR THE SUBDIVISION OF THE UPPER SURFACE PARCEL FROM THE FOR THE LOWER LANDFILL PARCEL LOCATED AT 20400 MAIN STREET (THE BOULEVARDS AT SOUTH BAY.)"

VII. Exhibits

1. Zoning Map
2. Proposed Resolution
3. Proposed Tentative Tract Map No. 70372 (submitted under separate cover)

Prepared by:

Chris Ketz
Chris Ketz, Planning Consultant

Approved by:

Sheri Repp
Sheri Repp, Planning Officer

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING TENTATIVE PARCEL MAP NO. 70372 FOR THE SUBDIVISION OF A LOT INTO TWO VERTICAL PARCELS SEPARATING THE LANDFILL PORTION FROM THE UPPER PORTION FOR THE DEVELOPMENT OF A MIXED-USE PROJECT, THE BOULEVARDS AT SOUTH BAY, LOCATED AT 20400 MAIN STREET

THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. An application was duly filed by the applicant, Carson Marketplace LLC, with respect to real property located at 20400 Main Street, and described in Exhibit "A" attached hereto, requesting the approval of Tentative Parcel Map No. 70372 for the subdivision of a lot into two vertical parcels in the Carson Marketplace Specific Plan zoning district and within Redevelopment Project Area No. 1.

A public hearing was duly held on May 25, 2010, at 6:30 P.M. at City Hall, Council Chambers, 701 East Carson Street, Carson, California. A notice of time, place and purpose of the aforesaid meeting was duly given.

Section 2. Evidence, both written and oral, was duly presented to and considered by the Planning Commission at the aforesaid meeting.

Section 3. The Planning Commission finds that:

a) The proposed tentative parcel map will create a total of two (2) lots separating the lower landfill from the upper parcel for the development of a mixed-use project, the Boulevards at South Bay approved by the City Council on February 8, 2006. The total area is 157 acres. The proposed subdivision will be subject to conditions, covenants, and restrictions (CC&Rs) for the maintenance of all common areas and the landfill subject to review by the City Attorney for form and content. In addition, Environmental CC&Rs and a Community Facilities District will be formed to ensure the ongoing remediation activities.

b) The California Department of Toxic Substances Control (DTSC) is the lead agency overseeing the remediation activities for the project. The 157-acre portion of the site is located south of DI Amo Boulevard and was used as a Class II Landfill under an Industrial Waste Disposal Permit issued to Cal Compact, Inc. by the County of Los Angeles. Landfilling occurred from April 1959 to December 1964 with an approximate closing date of February 1965. During the life of the landfill, less than 7 million cubic yards of solid municipal waste and 2.6 million barrels of industrial liquid waste was received at the landfill. As a result of the contamination on and adjacent to the landfill, the 157-acre site is listed by DTSC as a hazardous substances site. On March 18, 1988 Remediation Action Order No. HSA87/88-40 was issued requiring investigation of contamination at the landfill site and preparation of remediation action plans. The city will coordinate with DTSC prior to the final map approval to assure compatibility with all approved plans.

c) The proposed map is consistent with the Land Use Element of the General Plan which currently designates the properties for Mixed Use Residential development.



d) The proposed subdivision will not cause serious public health problems since the proposed project includes the remediation of an existing closed landfill and will be an improvement to a blighted area that the Redevelopment Agency wants to improve.

e) There will be adequate street access and traffic capacity on Avalon Boulevard and Del Amo Boulevard, both of which are major highways as identified in the Transportation and Infrastructure Element of the General Plan. Regional access directly from the 405 Freeway is planned and will be constructed prior to the issuance of occupancy permits for the commercial use.

Section 4. The Planning Commission further finds that an Environmental Impact Report SCH No. 2005051059 was certified by the Carson Redevelopment Agency on February 8, 2006. The proposed project was fully analyzed the the document.

Section 5. Based on the aforementioned findings, the Commission hereby approves Tentative Parcel Map No. 70372 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. This action shall become final and effective fifteen days after the adoption of this Resolution unless within such time an appeal is filed with the City Clerk in accordance with the provisions of the Carson Zoning Ordinance.

PASSED, APPROVED AND ADOPTED THIS 25th DAY OF MAY, 2010

CHAIRMAN

ATTEST:

SECRETARY



CITY OF CARSON
DEVELOPMENT SERVICES GROUP
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
TENTATIVE PARCEL MAP NO. 70372

GENERAL CONDITIONS

1. All extensions must be secured from the Planning Commission prior to expiration of this map.
2. The applicant shall comply with all city, county, state and federal laws and regulations applicable to this land division.
3. Conditions not required to be fulfilled prior to, or shown on the final map, shall be stated on a separate document to be recorded with the final map.
4. The recorded map shall conform to the tentative map approved as Exhibit C and to the Conditions of Approval. Two copies of the finally recorded map shall be submitted to the Development Services Group.
5. At the time of recordation of the final map, the subdivision must conform to the requirements of Carson Marketplace Specific Plan City Council Ordinance No. 06-1343.
6. This tentative map shall be recorded with the County Recorder within two years of the date of final approval by the Planning Commission, Carson Redevelopment Agency or City Council of the City of Carson.
7. Minor lot line adjustments may be made to the satisfaction of the Development Services General Manager prior to the final approval of the map by the City Council.
8. A copy of the CC&Rs (Covenants, Conditions and Restrictions) shall be submitted to the Development Services Group for transmittal to the City Attorney for review and approval as to form and content. The CC&Rs shall contain statements that the project will be in compliance with city, county and state regulations. All Conditions of Approval shall be included within the CC&Rs. No changes to the approved CC&Rs shall be made without the City's consent. The CC&Rs shall be recorded concurrently with the map.



9. Concurrent with the recordation of the final map or such later date as is authorized by the City in writing at the time of recordation of the final map, the owner shall cause Environmental CC&Rs to be recorded against the property and shall complete formation of a Community Facilities District. The CC&Rs and Community Facilities District shall be in the form reasonably approved by the City Attorney. The Community Facilities District shall provide the primary mechanism and the CC&Rs shall provide the secondary mechanism for funding of the operation and maintenance costs of on-going remediation activities at the Property. The CC&Rs shall incorporate by reference all conditions of approval applicable to the development of the property.
10. The subdivision must comply with the Mitigation Monitoring Report adopted by the City Council for the Carson Marketplace Environmental Impact Report in City Council Resolution Number 06-07.
11. Concurrent with the recordation of the final map or such later date as is authorized by the City in writing at the time of recordation of the final map, a Community Facilities District shall be formed with respect to the above grade parcel and a Reciprocal Easement Agreement and Operating Agreement shall recorded against that above grade parcel, each in a form reasonably approved by the City Attorney, providing for funding of the maintenance of public streets and rights of way created in connection with the development of the above grade parcel.

BUILDING AND SAFETY

12. Place a note on the final map, to the satisfaction of the City Engineer, indicating that this map is approved as a subdivision for two vertical parcels. The upper parcel is a residential/commercial parcel.
13. Reserve appropriate easements (such as ingress/egress, right to grade, and maintenance purposes, etc.) on Parcel 2 in favor of Parcel 1 to the satisfaction of the City Engineer.
14. Reserve drainage easements, if appropriate, on Parcel 1 in favor of Parcel 2 to the satisfaction of the City Engineer.
15. Private easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication until after the final map is filed with the Registrar-Recorder/County Clerk's office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the final map.
16. Prior to final map approval, the lining membrane must be located, completed, and approved by DTSC, so that the horizontal and vertical parcel lines between the two vertical parcels can accurately be mapped.



17. At the time of final map recordation, the developer's engineer shall submit the approved project electronically stored on 3 1/2" diskette(s) or CD in Auto Cad or Arc View format, in compliance with the County of Los Angeles adopted Digital Subdivision Ordinance (Ordinance No. 99-0080).
18. The following note shall be placed on all parcel maps with parcel sizes of five acres or more: "Further division of this property to parcel sizes less than five acres will require improvements."
19. A final parcel map must be processed through the City Engineer prior to being filed with the County Recorder.
20. Prior to submitting the parcel map to the City Engineer for his examination pursuant to Section 66450 Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Section of the Land Development Division of this Department for the following mapping items: mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.
21. If signatures of record title interests appear on the final map, a preliminary guarantee is needed. A final guarantee will be required. If said signatures do not appear on the final map, a title report/guarantee is needed showing all fee owners and interest holders and this account must remain open until the final parcel map is filed with the County Recorder.

Building and Safety/Land Development Division - Road Unit

22. Dedicate the right to restrict access on Del Amo Boulevard and Main Street.
23. Stamps Drive has been vacated by the city; therefore easements shall be provided for all utility companies that have facilities remaining in the vacated area.

Land Development Division - Drainage

24. Define parcel line boundaries with dimensions, slopes, and angles on the final map or parcel map waiver to the County of Los Angeles Department of Public Works' satisfaction. Public Works reserves the right to deny the final map if noncompliant with storm drain plans.
25. Dedicate easements for the Los Angeles County Flood Control District facilities within vacated portion of Stamps Drive to the satisfaction of Public Works.
26. If any existing drainage facilities and/or devices are to remain, show locations of existing drainage facilities and/or devices relative to the proposed vertical parcel line. The proposed vertical parcel line shall be located below the existing drainage facilities and/or devices which are to remain.



Building and Safety/Land Development Division - Grading Section

27. A grading plan is not required since grading is not proposed on the subdivision.

Building and Safety/Land Development Division –Sewer Unit

28. The subdivider shall vacate easements and abandon sewer mainlines along Stamps Drive to the satisfaction of the City. If portions of the existing sewer mainlines are to remain along Stamps Drive, easements are tentatively required, subject to review by the City Engineer to determine the final locations and requirements. The proposed vertical parcel line shall be located below the existing sewer mainlines which are to remain.

Building and Safety/Land Development Division - Water Ordinance Unit

29. If any existing water mains are to remain, show locations of existing water mainlines relative to the proposed vertical parcel line. The proposed vertical parcel shall be located below the existing mainlines which are to remain.

BUSINESS LICENSE DIVISION – CITY OF CARSON

30. Per Section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

