



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: February 13, 2007

SUBJECT: Modification No. 2 to Design Overlay Review No. 837-03, Conditional Use Permit No. 561-03, and Tentative Tract Map No. 60237

APPLICANT: Clarissa Blake
10410 S. Cimarron St.
Los Angeles, CA 90047

REQUEST: Modification from the original approval to add a front gate/fence and change the architectural design of the buildings

PROPERTY INVOLVED: 553 E. 213th Street

COMMISSION ACTION

- Concurred with staff
- Did not concur with staff
- Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Cottrell – Chairman			Saenz
		Pulido – Vice-Chairman			Tyus
		Faletogo			Verrett
		Graber			Wilson
		Hudson			

Item No. 11A

I. Introduction

The applicant, Clarissa Blake, on behalf of the property owner, William Ali Inc., is proposing a modification from the original approval in order to add a front gate/fence and change the architectural design of the residential buildings. The subject property is located at **553 E. 213th Street**.

The proposed front gate/fence ranges from six feet to 11 feet, 8 inches in height. The purpose of the gate/fence is to restrict vehicular access. There are also pedestrian gates which are six feet in height on both sides of the vehicular gate. A four-foot high perimeter gate is located in the front along the public sidewalk.

The change to the architectural design includes the placement of foam blocks at the corners of the buildings. These foam blocks significantly change the appearance of the homes as approved by the Planning Commission and Redevelopment Agency.

The approved building area and parking is summarized in Table 1:

TABLE 1 – BUILDING AREA AND REQUIRED PARKING

Building Model	Number of Units	Plan Type	Living Area	Parking Per Unit	Required Parking
A and A-R	2	4 Bdrm/ 3.5 Bath	2,402 s.f.	2 Covered + 1 Guest	6
B and B-R	3	4 Bdrm/ 3.5 Bath	2,511 s.f.	2 Covered + 1 Guest	9
C and C-R	2	3 Bdrm/ 3.5 Bath	1,940 s.f.	2 Covered + 1 Guest	6
TOTAL	7		16,217 s.f.		21

The subject property is 0.91 acre, zoned RM-8-D (Residential, Multifamily – 8 du/ac – Design Overlay), has a General Plan designation of Low Density Residential (8 du/ac), and is located in Redevelopment Project Area No. 1.

Background

On April 13, 2004, the Planning Commission approved the following requests:

- Conditional Use Permit No. 03-10-561 (CUP No. 561-03) for construction of multiple-family residences (CMC Section 9121.1); and

- Tentative Tract Map (TTM) No. 60237 for division of airspace for seven (7) condominium units.

On May 4, 2004, the Redevelopment Agency approved the following request:

- Design Overlay Review No. 03-12-837 (DOR No. 837-03), which was for the architectural design of the homes as required for properties within a Design Overlay Review district and located within a Redevelopment Project Area.

On May 24, 2005, the Planning Commission approved Modification No. 1 to Design Overlay Review No. 837-03, Conditional Use Permit No. 561-03, and Tentative Tract Map No. 60237, to modify Condition No. 149 to read as follows:

“149. Prior to issuance of Building Permit, the following must be on file:

- a. Drainage/Grading plan as approved by the Los Angeles County Department of Public Works.
- b. Construction bond as required for all work to be done within the public right of way.
- c. Proof of Worker's Compensation and Liability Insurance.
- d. ~~Final Map shall be recorded.~~ (This condition was deleted at the 5-24-05 Planning Commission meeting.)
- e. The Final Map shall be recorded prior to issuance of any Certificate of Occupancy. (This condition was added at the 5-24-05 Planning Commission meeting.)”

II. Analysis

Required Findings

The required findings for Site Plan and Design Review, Conditional Use Permit, and Tentative Tract Map have not changed since the Planning Commission's original approval on April 13, 2004. The findings have been outlined below and modified as necessary.

Site Plan and Design Review

Any construction of a multi-family dwelling in a “D” designation zone is subject to the requirements contained in CMC Section 9172.23, Site Plan and Design Review. This section states that a Site Plan and Design Review shall be approved by the Planning Commission only if the project meets the following criteria:

- a. **Compatibility with the General Plan, any specific plans for the area, and surrounding uses.**

The proposed project for seven (7) detached condominium units on 0.92 acres is consistent with the RM-8-D (Residential, Multiple-Family – 8 du/ac – Design

Overlay) zone which allows 8 units per acre. The proposed project is consistent with the General Plan land use designation for Low Density Residential (8 units per acre) and meets the goals and policies described in the General Plan Land Use Element.

- b. Compatibility of architecture and design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance, scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area.**

The proposed project includes three types of floor plans ranging from 1,940 to 2,511 square feet. The architecture for the units will include design features such as covered entries, pilasters, window trim, and stone and brick veneer. Each home will be individually developed so that no two are identical in exterior architecture.

Landscaping will be placed in various areas around the site, including the courtyard areas, along the front of the homes, in public and private open spaces, and in the recreational area. Trees in the recreation area will provide shading.

The proposed project will not be gated and is designed for compatibility with other multifamily development in the neighborhood.

- c. Convenience and safety of circulation for pedestrians and vehicles.**

Vehicular ingress and egress will be provided on 213th Street. A five-foot street dedication is provided along 213th Street for future street improvement. A four-foot sidewalk will be provided along both sides of the private driveway which will lead to the recreation and fountain area in the rear of the property. The private driveway meets the Fire Department's and City's requirements for driveway width. Therefore, this finding can be made in the affirmative.

- d. Attractiveness, effectiveness and restraint in signing, graphics and color.**

The proposed project is for a multiple-family residential project and will only have signs for addresses.

- e. Conformance to any applicable design standards and guidelines which have been adopted pursuant to Section 9172.15.**

No specific or general design standards have been adopted which would apply to this site, therefore this finding does not apply.

Conditional Use Permit

Pursuant to CMC Section 9121.1, a Conditional Use Permit is required for the development of multiple-family dwellings. Section 9172.21 (D) of the Zoning Ordinance requires that the Planning Commission, by Resolution, render its approval based on the ability to make affirmative findings on the following criteria:

a. The proposed use and development will be consistent with the General Plan.

The proposed project for seven (7) detached condominium units on 0.92 acres is consistent with the RM-8-D (Residential, Multiple-Family – 8 du/ac – Design Overlay) zone which allows 8 units per acre. The proposed project is consistent with the General Plan land use designation for Low Density Residential (8 units per acre) and meets the goals and policies described in the General Plan Land Use Element.

b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.

The size of the site is adequate to support the proposed use and all associated support development including parking spaces, private open space, and recreational area. The shape is rectangular and does not constrain the development as proposed. Adequate buffers and setbacks are provided from all surrounding uses. The site is flat and the location is appropriate for this proposal in that the surrounding neighborhood has similar multifamily development. Vehicular ingress and egress will be provided on 213th Street. Utilities, including electricity, telephone lines, water, and sewer will be adequately provided. Therefore, this finding can be made in the affirmative.

c. There will be adequate street access and traffic capacity.

This proposal will not generate significant amounts of traffic. Adequate street access is provided on 213th Street. Seven guest parking spaces are available throughout the development. Thus, this finding can be made in the affirmative.

d. There will be adequate water supply for fire protection.

The Fire Department has reviewed the project for adequate street access, driveway width, fire hydrants, and fire flow. Appropriate conditions of approval are attached to ensure that the project will be served by adequate fire protection. Therefore, this finding can be made in the affirmative.

e. The proposed use and development will be compatible with the intended character of the area.

The project site is located in a suburban, developed residential community. Surrounding uses include multifamily development to the west, a mobilehome park to the north, an auto dealership to the east, and single-family residences to the south. The proposed development will be consistent with the residential neighborhood. Therefore, this finding can be made in the affirmative.

f. Such other criteria as are specified for the particular use in other Sections of this Chapter.

Approval of the Conditional Use Permit is contingent upon the City Council's approval of the subdivision map. All additional and applicable sections can be satisfied provided that the conditions of approval are applied. Therefore, this finding can be made in the affirmative.

Tentative Tract Map

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.

The proposed tentative tract map will permit the division of 0.92 acres of land into seven (7) detached condominium homes. The map will include a recreational area and a private common driveway.

The proposed map, including design and improvements of the proposed subdivision will be consistent with the Land Use Element of the General Plan and zone which designates the property for Low Density residential uses and RM-8-D, respectively.

The design of the subdivision and its proposed improvements will not cause serious public health problems since the proposed project is for residential development within an existing residential neighborhood. There will be adequate street access and traffic capacity along 213th Street. Conditions of approval will provide maximum land use compatibility between the proposed residential development and the existing residential neighborhood. This includes incorporating landscaping for screening and locating units in order to protect the privacy of adjacent residents.

Pursuant to Section 9126.23, the height of a fence/gate in the front yard cannot exceed 3½ feet, unless conditioned as part of a tract map. The applicant is requesting that the Planning Commission condition the front fence/gate to a maximum height of 11 feet, 8 inches feet. The applicant contends that a front fence/gate would deter vandalism and other crimes and would make the development more pleasing to property owners and tenants.

Issues of Concern

- Issue – Fire Department and Sheriff’s Department Approval of Front Fence/Gate: The front fence/gate was not part of the original approval granted by the Planning Commission and Redevelopment Agency in 2004. The fence/gate was erected during the construction phase without prior approval by the Planning Division. Staff’s main concern is that the fence would obstruct Fire Department access. However, the applicant was able to obtain approval for the gate from the County Fire Department, Fire Prevention Division. Additional comments from the Land Development Unit, Fire Prevention Division require that the applicant comply with the Los Angeles County Regulation No. 5 for access and locking devices (see Exhibit 2). The Fire Department will grant final approval upon site inspection. The Sheriff’s Department has similar concerns regarding access. Upon verbal communications with staff, the Sheriff’s Department indicated the use of a new remote control device in which they can easily access private gated communities. The applicant will be required to meet the requirements of the Sheriff’s Department as well.
 - *Proposed Condition/Change*: A condition has been added requiring the applicant to comply with all requirements of the Los Angeles County Fire Department and Sheriff’s Department for access and locking devices.

- *Proposed Condition/Change:* A condition has been added requiring a call box at the front of the gate/fence for guest and Fire Department access.
- Issue – Height of Front Fence/Gate: The front gate ranges in height from six feet to 11 feet, eight inches. The six feet portion is located at the corners of where the pedestrian gates are located. The 11-foot, eight-inch portion is located at the center of the gate. Although the applicant contends the fence is needed to prevent theft and improve safety, it would be possible for an outside to climb the fence at the six-foot portion. The areas above six feet in height are for aesthetic purposes only. A fence that is 11 feet, eight inches would draw unnecessary attention to the site and would be out-of-scale with the rest of the neighborhood. It is staff's opinion that the gate can achieve the same aesthetic quality if it was reduced to a maximum height of eight feet. This would require the removal of the existing 11-foot, eight-inch high gate and replacement with an eight-foot high gate.
 - *Proposed Condition/Change:* The maximum height of the vehicular fence/gate shall be eight feet in height.
- Issue –Front Fence/Gate along Street: A perimeter gate of approximately four feet in height is located along the street next to the sidewalk. Although the fence is painted and made of wrought-iron, it is staff's opinion that the fence detracts from the landscaping located behind the fence. Staff recommends that the four-foot high perimeter front fence be removed.
 - *Proposed Condition/Change:* The perimeter fence located in the front of the property adjacent to the public sidewalk and common driveway shall be removed.
- Issue – Building Design: The applicant has added architectural treatments to the buildings that were not shown on the approved elevations. Although many of the architectural treatments enhance the aesthetics of the project, the foam blocks that have been added to the corners of the building appear out of place with the rest of the design. The Planning Commission may require that these corner blocks be removed.
 - *Proposed Condition/Change:* Staff recommends that the Planning Commission review the design of the building and consider if the corner blocks are appropriate.

III. Conclusion

The applicant has provided a number of improvements to the development, such as the thick window trim and stamped concrete throughout the entire development. Although staff commends the applicant for these improvements, the City has the discretion to determine if these changes are appropriate, particularly with the addition of a front fence/gate which may create safety issues if it had not been reviewed and approved by the Fire Department. In regards to the corner blocks, the Planning

Commission should determine if this addition improves the overall quality of the development.

IV. Environmental Review

Pursuant to the California Environmental Quality Act (CEQA), Article 19, Guidelines, Section 13301(a) for exterior alterations and Section 15303(e) for a fence/gate, the proposed project is deemed "Categorically Exempt".

V. Recommendation

That the Planning Commission:

- **APPROVE** Modification No. 2 to Design Overlay Review No. 837-03, Conditional Use Permit No. 561-03, and Tentative Tract Map No. 60237, subject to the conditions 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 MODIFICATION NO. 2 TO DESIGN OVERLAY REVIEW NO. 837-03, CONDITIONAL USE PERMIT NO. 561-03, AND TENTATIVE TRACT MAP NO. 60237, FOR THE ADDITION OF A FRONT GATE/FENCE AND CHANGES TO THE ARCHITECTURAL DESIGN OF THE BUILDINGS LOCATED AT 553 E. 213th STREET."

VI. Exhibits

1. Planning Commission Resolution
2. Letter from the Fire Department dated Dec. 28, 2006
3. Development Plans

Prepared by: _____
John F. Signo, AICP, Senior Planner

Approved by: _____
Sheri Repp, Planning Manager