



## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: January 12, 2010

SUBJECT: Modification No. 1 to Design Overlay Review No. 880-04

APPLICANT: Joel Dalguntas  
21841 Orrick Avenue  
Carson, CA 90745

REQUEST: To install a 6-foot high, wrought-iron, automatic-sliding gate for an existing 8-unit detached condominium development in the RM-12-D (Residential, Multi-family – 12 units per acre – Design Review) zone

PROPERTY INVOLVED: 21840 S. Orrick Avenue

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#### 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
		Brown			Verrett
		Gordon			

***Item No. 11B***

## **I. Introduction**

The applicant, Joel Dalguntas, is proposing to add a 6-foot high, wrought-iron, automatic-sliding gate to a condominium development approved by the Planning Commission on February 22, 2005. The subject property is located at 21840 Orrick Avenue.

The purpose of the gate is to restrict errant vehicular access. The proposal includes a 6-foot high pedestrian gate on the west side of the vehicular gate. On February 22, 2005, the Planning Commission approved a variance request to reduce the front yard setback. The proposal would be in compliance with that variance request.

## **II. Background**

On February 22, 2005, the Planning Commission adopted Resolution No. 05-2026 (Exhibits No. 3 and No. 4) approving the following requests:

- Design Overlay Review No. 880-04 for the architectural design of the homes as required for properties within a Design Overlay Review district;
- Conditional Use Permit No. 586-04 for construction of multiple-family residences (CMC Section 9121.1);
- Variance No. 462-04 for a reduced front yard setback for the encroachment of a play area, including a protective fence and wall combination;
- Variance No. 463-04 for the exclusion of a community room requirement;
- Variance No. 464-04 for a reduced side yard encroachment of two condominium units on the west side of the property; and,
- Tentative Tract Map (TTM) No. 60533 for division of airspace for eight (8) condominium units.

Minutes from the February 22, 2005 Planning Commission are included for your reference (Exhibit No. 5).

## **III. Analysis and Findings**

### **Modification No. 1 to Design Overlay Review No. 880-04**

Pursuant to Condition No. 11 contained in Exhibit "B" of Planning Commission Resolution No. 05-2026, any substantial revision to the approved site plan requires Planning Commission approval. The following findings must be made in the affirmative in order to receive Planning Commission approval:

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

The proposed vehicular and pedestrian entrance gates are permitted uses for the RM-12-D (Residential, Multi-family – 12 units per acre – Design Overlay) zone. The General Plan Land Use Designation of Medium Density Residential is consistent with this zoning. There are currently no specific plans for the area. The surrounding uses in the immediate vicinity are



predominately single-family homes with which the detached single-family dwelling condominium development is compatible.

- 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 project site is located in a developed residential community. Existing surrounding uses are all residential. The proposed project is for a vehicular gate and secure pedestrian access. The contemporary design and use of high quality construction materials provide compatibility with the existing condominium project, and newer condominium development elsewhere in the city has included similar wrought-iron entrance gates.

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

Vehicular ingress and egress is provided on Orrick Avenue, and egress only is provided on Dolores Street. The private common driveway and proposed vehicular access gate meets the Fire Department and City's requirements for driveway width and access. Pursuant to the Fire Department's request, the vehicular gate will be remotely operable by emergency vehicles and condominium residents, and an intercom box is provided for visitor screening. The pedestrian gate is secured with only the condominium residents holding keys and/or the lock combination. The City Traffic Engineer approves of the plan provided a reflective sign is placed in a conspicuous area on the proposed gate facing Orrick Avenue to warn oncoming traffic of the gate. A "Not a Through Street" sign exists at the corner of Orrick Avenue at Carson Street, approximately 900 feet from the proposed gate. Therefore, this finding can be made in the affirmative.

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

The proposed project is for an electronic automatic, wrought-iron vehicular and pedestrian access gate. The only proposed sign is for a red, reflective, end-of-roadway marker to be placed on the north-facing side in the center of the gate. The design of the sign is consistent with figure "OM-4-1" of the Federal Highway Administration's Manual on Uniform Traffic Control Devices (2003, Rev. 1) (Exhibit No. 6).

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

This project conforms to applicable design standards and guidelines adopted pursuant to Section 9172.15 of the Carson Municipal Code (CMC).

#### *Issues of Concern*

- Issue – Height of Front Fence/Gate: The Pursuant to Section 9126.29 of the CMC, the height of a fences, walls and hedges in the front yard cannot exceed 3½ feet. The applicant is requesting that the Planning Commission

Planning Commission Staff Report – January 12, 2010  
Modification No. 1 to DOR No. 880-04



permit the front fence/gate to a maximum height of 6 feet. The applicant contends that a front fence/gate would deter errant vehicles, trucks and buses, control uninvited visitors, potential vandalism and other crime, as well as provide an aesthetic upgrade to the existing property thus creating a more pleasing environment to property owners and tenants .

- *Proposed Condition/Change:* None. The 6-foot height of the proposed vehicular and pedestrian access gates is consistent with the maximum height of fences, walls, and hedges permitted in the residential zones by CMC Section 9126.3. Variance No. 462-04, approved by Planning Commission Resolution No. 05-2026, permitted a reduced front yard setback, essentially removing it. Thus, a six-foot high gate is permissible at the main entrance. The existing protective gate encircling the play area has a zero front yard setback along the north property line. The proposed gate will extend from the western-most point of the existing play area gate, and will connect with the existing wall that is west of the driveway area. After the new gate is installed, there is still adequate pedestrian access around the cul-de-sac by way of the existing 4-foot wide ADA-compliant sidewalk within the public right-of-way.
- Issue – Fire Department and City Traffic Engineer Approval of Proposed Vehicular and Pedestrian Access Gate: The proposed gate was not part of the original approval granted by the Planning Commission in 2005. The impetus for installing a gate was not present during the design and construction phases of the condominium development. However, since owners and tenants started inhabiting the complex, issues related to errant vehicles and uninvited guests started to occur. The current Homeowner's Association (HOA) was compelled to submit application for the proposed gate as they felt the issues were reaching a critical point, endangering the owners and tenants, and causing potential harm to the property. Upon initial consultation with the Planning Department the applicant who is also the current HOA President, was told to seek preliminary approval of the proposed gate by the Fire Department and City Traffic Engineer. The Fire Department's preliminary approval of the site plan is provided as Exhibit No. 7. The applicant will be required to comply with the Los Angeles County Regulation No. 5 for access and locking devices and the Fire Department will grant final approval upon site inspection. Upon verbal communications with staff, the Traffic Engineer indicated preliminary approval of the plan provided that a specific sign is placed on the north side of the gate. 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 that the applicant comply with all requirements of the City Traffic Engineer for signage related to the proposed gate.



- *Proposed Condition/Change:* A condition has been added requiring that the applicant submit revised Conditions, Covenants, and Restrictions (CCR's) which provide for rules pertaining to the operation and maintenance of the proposed gate. These CCR's will be required to be reviewed and approved by the Planning Division prior to building permit issuance for the proposed gate.

#### IV. Environmental Review

Pursuant to Section 15303(e) of the California Environmental Quality Act (CEQA), New Construction of Small Structures, appurtenant structures such as fences are deemed to be "Categorically Exempt". No further environmental review is required.

#### V. Recommendation

That the Planning Commission:

- **APPROVE** the Categorical Exemption;
- **APPROVE** Modification No. 1 to Design Overlay Review No. 884-04, 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 Modification No. 1 to Design Review No. 884-04 for the construction of a six-foot-high, wrought-iron, automatic sliding gate at the entrance to 21840 Orrick Avenue."

#### VI. Exhibits

1. Draft Resolution
2. Map of 21840 Orrick Avenue and Orrick Avenue South of Carson Street
3. Planning Commission Staff Report Dated February 22, 2005 (without exhibits)
4. Planning Commission Resolution No. 05-2026
5. Planning Commission Minutes Dated February 22, 2005
6. Figure "OM-4-1" of the Federal Highway Administration's Manual on Uniform Traffic Control Devices (2003, Rev. 1)
7. Los Angeles County Fire Department – Preliminary Approval of Development Plans Dated October 29, 2009
8. Development Plans

Prepared by:   
Steven Newberg, AICP, Associate Planner

Reviewed and Approved by:   
Sheri Repp-Loadsmen, Planning Officer

SN: mod1\_d88004

**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 10-**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF CARSON APPROVING MODIFICATION NO. 1 TO  
DESIGN REVIEW NO. 884-04 FOR THE CONSTRUCTION OF A  
SIX-FOOT HIGH, WROUGHT-IRON, AUTOMATIC SLIDING  
GATE AT THE ENTRANCE TO 21840 ORRICK AVENUE**

**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, Joel Dalguntas, on behalf of the Orrick Avenue Condominium Home Owners' Association, with respect to real property located at 21840 Orrick Avenue, and described in Exhibit "A" attached hereto, requesting the approval to install a 6-foot high, wrought-iron, automatic-sliding gate at the entrance to an existing 8-unit detached condominium project in the RM-12-D (Residential, Multi-family – 12 units per acre – Design Review) zone.

A Planning Commission meeting was duly held on January 12, 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.

On February 22, 2005, the Planning Commission approved Resolution No. 05-2026 for Design Overlay Review No. 880-04, Conditional Use Permit No. 586-04, Variance No. 462-04, Variance No. 463-04, Variance No. 464-04, and Tentative Tract Map No. 60533, authorizing the construction of an eight-unit, detached condominium development.

On September 30, 2009, the applicant submitted an application for Modification No. 1 to Design Overlay Review No. 880-04, to approve the installation of a six-foot high, automatic, wrought-iron, sliding gate for vehicular and pedestrian access. The proposal would be consistent with the approved Variance No. 462-04, for a reduction in the front yard setback to zero setback.

**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 vehicular and pedestrian entrance gates are permitted uses for the RM-12-D (Residential, Multi-family – 12 units per acre – Design Overlay) zone. The General Plan Land Use Designation of Medium Density Residential is consistent with this zoning. There are currently no specific plans for the area. The surrounding uses in the immediate vicinity are predominately single-family homes with which the detached single-family dwelling condominium development is compatible.
- b. The project site is located in a developed residential community. Existing surrounding uses are all residential. The proposed project is for a vehicular gate and secure pedestrian access. The contemporary design and use of high quality construction materials provide compatibility with the existing condominium project, and newer condominium development elsewhere in the city has included similar wrought-iron entrance gates.



- c. Vehicular ingress and egress is provided on Orrick Avenue, and egress only is provided on Dolores Street. The private common driveway and proposed vehicular access gate meets the Fire Department and City's requirements for driveway width and access. Pursuant to the Fire Department's request, the vehicular gate will be remotely operable by emergency vehicles and condominium residents, and an intercom box is provided for visitor screening. The pedestrian gate is secured with only the condominium residents holding keys and/or the lock combination. The City Traffic Engineer approves of the plan provided a reflective sign is placed in a conspicuous area on the proposed gate facing Orrick Avenue to warn oncoming traffic of the gate. A "Not a Through Street" sign exists at the corner of Orrick Avenue at Carson Street, approximately 900 feet from the proposed gate.
- d. The proposed project is for an electronic automatic, wrought-iron vehicular and pedestrian access gate. The only proposed sign is for a red, reflective, end-of-roadway marker to be placed on the north-facing side in the center of the gate. The design of the sign is consistent with figure "OM-4-1" of the Federal Highway Administration's Manual on Uniform Traffic Control Devices (2003, Rev. 1).
- e. The project conforms to applicable design standards and guidelines adopted pursuant to Section 9172.15 of the Carson Municipal Code (CMC).

**Section 4.** The Planning Commission further finds that the proposed gate will not have a significant effect on the environment. The proposed use does not significantly alter the predominately residential character of the surrounding area and meets or exceeds all City standards for protection of the environment. Therefore the proposed project is found to be categorically exempt under the CEQA Guidelines, Section 15301(k), Existing Facilities.

**Section 5.** Based on the aforementioned findings, the Commission hereby grants Modification No. 1 to Design Overlay Review No. 880-04, with respect to the properties described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto, and approves the categorical exemption.

**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 12<sup>th</sup> DAY OF JANUARY, 2010.**

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**CHAIRMAN**

**ATTEST:**

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**SECRETARY**



**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
**EXHIBIT "A"**

**LEGAL DESCRIPTION**

**MODIFICATION NO. 1 TO DESIGN OVERLAY REVIEW NO. 880-04**

**Property Address:** 21840 Orrick Avenue

The land is situated in the County of Los Angeles, State of California and is described as follows:

The North 93.8' of the South 258.8' of Lot 41 of Tract No. 2982, in the City of Carson, County of Los Angeles, State of California, as per Map recorded in Book 35, Page 31 of Maps, in the Office of the County Recorder of said County.

Except the North 73.8' of the East 165' thereof.





**CITY OF CARSON**  
**DEVELOPMENT SERVICES**  
**PLANNING DIVISION**  
**EXHIBIT "B"**  
**CONDITIONS OF APPROVAL**  
**MODIFICATION NO. 1 TO DESIGN OVERLAY REVIEW NO. 880-04**

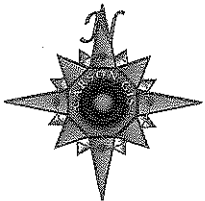
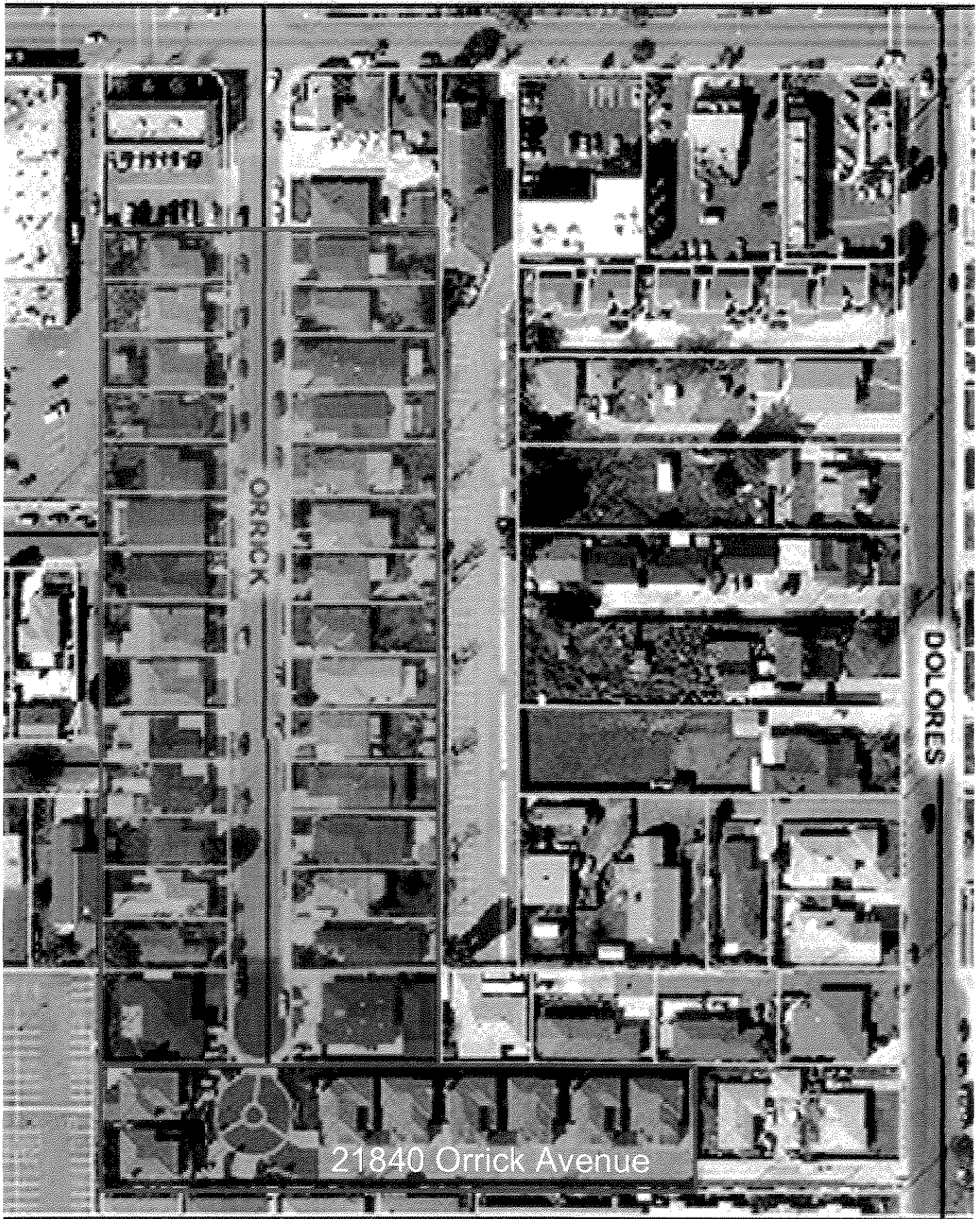
GENERAL CONDITIONS

1. All conditions contained in Exhibit "B", of Planning Commission Resolution No. 05-2026 passed and approved on February 22, 2005, shall remain in full force and effect, except as expressly modified by this resolution.
2. If the proposed development authorized by Modification No. 1 to Design Overlay Review No. 880-04 is not implemented within one year of its effective date, said modification shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
3. The applicant shall comply with all requirements of the Los Angeles County Fire Department access and locking devices. A copy of an approved scheme shall be received by the Planning Division prior to the issuance of a building permit.
4. The applicant shall comply with all requirements of the Los Angeles County Sheriff's Department access and locking devices. A copy of an approved scheme shall be received by the Planning Division prior to the issuance of a building permit.
5. The applicant shall install a red, reflective sign consistent with figure "OM-4-1" of the Federal Highway Administration's Manual on Uniform Traffic Control Devices (2003, Rev. 1), subject to review and approval by the City Traffic Engineer.
6. The applicant shall submit revised Conditions, Covenants, and Restrictions (CCR's) which provide for rules pertaining to the operation and maintenance of the proposed gate. These CCR's will be required to be reviewed and approved by the Planning Division prior to building permit issuance for the proposed gate
7. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Modification No. 1 to Design Overlay Review No. 880-04. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for

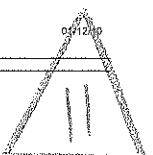


defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.





*21840 Orrick Avenue (Subject Property)  
and  
Potentially Affected Properties South of Carson Street*





## CITY OF CARSON

### PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: February 22, 2005

SUBJECT: Design Overlay Review No. 880-04  
Conditional Use Permit No. 586-04  
Tentative Tract Map No. 60533  
Variance No. 462-04  
Variance No. 463-04  
Variance No. 464-04

APPLICANT: Thomas T. Yuge, Cetech Engineering  
2252 W. Carson Street, Suite 8  
Torrance, CA 90501

REQUEST: To construct eight (8) detached residential  
condominium units on 1.09 acre.

PROPERTY INVOLVED: 21840, 21841, 21842, 21844, 21846 Orrick  
Avenue and 21840 Dolores Street

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#### COMMISSION ACTION

\_\_\_ Concurred with staff  
\_\_\_ Did not concur with staff  
\_\_\_ Other

#### COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Cottrell –Chairperson			Hudson
		Pulido –Vice-Chairman			Philipp
		Boggs			Saenz
		Diaz			Wilson
		Embisan			

## I. Introduction

### *Date Application Received*

- September 27, 2004: Design Overlay Review No. 880-04; Conditional Use Permit No. 586-04; Tentative Tract Map No. 60533; Variance No. 462-04; Variance No. 463-04; Variance No. 464-04

### *Applicant*

- Thomas T. Yuge, Cetech Engineering: 2252 W. Carson Street, Suite 8; Torrance, CA 90501

### *Property Owner*

- Fernando Hernandez: 1242 N. Avalon Blvd.; Wilmington, CA 90744

### *Project Address*

- 21840, 21841, 21842, 21844, 21846 Orrick Avenue and 21840 Dolores Street

### *Project Description*

- To subdivide and construct eight (8) detached condominium units on 1.09 acre in the RM-12-D (Residential, Multifamily – 12 units per acre – Design Overlay) zone district and within Redevelopment Project Area No. 4. The subdivision is for division of airspace for detached condominium units. Table 1 below summarizes the living area and required parking.

**TABLE 1 – BUILDING AREA AND REQUIRED PARKING**

	Living Area (Sq. Ft.)	Unit Description	Parking Per Unit	Total Required Parking
Unit 1 and 2	2,071	4 Bdrms. 2¾ Bath	2-car garage plus 1 guest	4 garage/ 2 guests
Unit 3 to 8	2,201	4 Bdrms 3 Bath	2-car garage plus 1 guest	12 garage/ 6 guests
<b>TOTAL</b>	17,348	n/a	n/a	16 garage/ 8 guests

The proposed project includes 24 parking spaces, including 16 garage spaces for residents and 8 onsite guest parking spaces. The garages and guest parking spaces are accessible through a common private driveway. The two (2) western units will

have private motor courtyards that can provide additional parking for those units. A circular driveway with a 32-foot radius is provided at the entrance per Fire Department requirements. There will be a 1,324 square-foot recreation area adjacent to the circular driveway near the entrance which will be landscaped and maintained by the homeowners association.

## II. Background

### *Existing Site Conditions/Previous Use of Property*

- The subject site is a level, rectangular lot consisting of 1.09 acre and is located at the end of the Orrick Avenue cul-de-sac approximately 750 feet south of Carson Street.
- The site connects to Dolores Street to the east via a narrow 20-foot wide driveway.
- Six (6) deteriorated rental units on the site were built in the 1940s and were demolished last year in anticipation of this project.
- A seven (7)-foot wide area will be dedicated to the Orrick Avenue right-of-way for future street improvements.
- The subject property and properties to the north and south are zoned RM-12-D (Residential, Multifamily – 12 units per acre – Design Overlay). To the west is the St. Philomena Church, which is zoned RM-25-D (Residential, Multifamily – 25 units per acre – Design Overlay). To the east are properties zoned RS (Residential, Single-family) which contain single-family homes. Further north along Orrick Avenue are single-family homes in the RS zone.

### *Previously Approved Discretionary Permits*

- Design Overlay Review No. 335-86/Conditional Use Permit/Variance No. 222-86: Application for a 13-unit apartment building. Variance required to reduce setbacks. Application denied by Planning Commission on May 27, 1986.
- Design Overlay Review No. 775-02/Variance No. 441-02/Zone Change Case No. 139-02: Application to rehabilitate existing homes. Variance required to reduce setbacks. Zone Change Case requested to change the zoning from RM-12-D to RS. Application withdrawn; No further action taken on project.

### *Public Safety Issues*

- Public Safety Department has reported code violations involving graffiti and maintenance of the property. However, these code violations were associated with the buildings on the property which have since been demolished. The Public Safety Department has not reported any code violations since.

## III. Analysis

#### *Location/Site Characteristics/Existing Development*

- The subject property is located at 21840, 21841, 21842, 21844, 21846 Orrick Avenue and 21840 Dolores Street in the City of Carson;
- The subject property is located at the end of the Orrick Avenue cul-de-sac approximately 750 feet south of Carson Street;
- The subject site is 1.09 acre, relatively flat and rectangular-shaped with a 20-foot wide portion extending to Dolores Street;
- Regional vehicular access to the subject property is served by Carson Street to the north, the 405 Freeway to the east, and the 110 Freeway to the west; and
- The subject property is located in a residential neighborhood. Most of the homes in the neighborhood were built in the 1940s and 1950s.

#### *Zoning/General Plan/Redevelopment Area Designation*

- The subject property is zoned RM-12-D (Residential, Multifamily – 12 units per acre – Design Overlay) with the adjacent properties to the north and south sharing the same zoning designation. The adjacent properties to the east and further north along Orrick Avenue are zoned RS (Residential, Single-family). To the west is St. Philomena Church which is zoned RM-25-D;
- The applicant is proposing a detached condominium project which will be consistent with the RM-12-D (Residential, Multifamily – 12 units per acre – Design Overlay) zone;
- The applicant is proposing a detached condominium project which will be consistent with the General Plan land use designation of Medium Density Residential; and
- The subject property and all adjacent properties are within Redevelopment Project Area No. 4.

#### *Applicable Zoning Ordinance Regulations*

The following table summarizes the proposed projects' consistency with current site development standards for the RM-12-D zone district and other zoning code sections applicable to the proposed use:

<b>Applicable Zoning Ordinance Sections</b>	<b>Compliant</b>	<b>Non-Compliant</b>	<b>Comments</b>
Section 9121.1: Uses Permitted	x		Proposed project is consistent with the RM-12-D zone
Section 9123: Conditional Use Criteria	x		Subject to Section 9128.51-9128.55
Section 9124 : Dwelling Units	x		Maximum allowed density is 12 units per acre; Project is for eight (8) units on 1.09 acre; Proposed density is 7 units per acre
Section 9125.3: Street Frontage and Access	x		Site has 50 feet of street frontage on Orrick Avenue

Applicable Zoning Ordinance Sections	Compliant	Non-Compliant	Comments
Section 9126.12: Height of Buildings and Structures	x		30' allowed; Proposed maximum height for roofline is 22'
Section 9126.21: Ground Cover	x		Maximum 40% building coverage of net lot area; Proposed <40%
Section 9126.221: Parking Setback	x		25' min. from street right-of-way
Section 9126.23: Front Yard		x	20' setback required; <b><u>Variance requested</u></b>
Section 9126.24: Side Yard		x	10' required; 6' proposed for Units No. 1 and 2; <b><u>Variance requested</u></b>
Section 9126.25: Rear Yard	x		15' required
Section 9126.27: Space Between Bldgs.	x		10' min.; 15' min. if parking space in-between
Section 9126.28: Usable Open Space	x		30% required
Section 9126.4: Trash and Recycling Areas	x		City's trash collection company contacted for requirements
Section 9126.6: Parking, Loading, and Driveways	x		24 total parking spaces, including 8 guest parking spaces
Section 9126.7: Signs	n/a	n/a	Real estate signs under separate review
Section 9126.8: Utilities	x		Condition of Approval
Section 9126.9: Site Planning and Design	x		Subject to Section 9172.23 (Site Plan and Design Review)
Section 9127.1: Exterior Lighting	x		Condition of Approval
Section 9128.13: Application for CUP	x		CUP application submitted
Section 9128.15: Development Standards	x		The following is provided: <ul style="list-style-type: none"> <li>• min. 150 s.f. private open space per unit</li> <li>• Adequate length and separation between buildings</li> <li>• Landscaping Plan</li> </ul>
Section 9128.17: Declaration of Covenants, Conditions, and Restrictions (CC&Rs)		x	Condition of Approval
Section 9128.51: Multiple-Family Dwelling	x		CUP application submitted



Applicable Zoning Ordinance Sections	Compliant	Non-Compliant	Comments
Section 9128.53: Application for CUP	x		CUP application submitted
Section 9128.54: Development Standards		x	The following is provided: <ul style="list-style-type: none"> <li>• Min. 150 s.f. of private open space required per unit</li> <li>• Adequate length and separation between buildings</li> <li>• Landscaping Plan</li> <li>• 1,324 s.f. recreation facility</li> <li>• <b><u>Variance requested to eliminate required clubhouse/recreation room</u></b></li> <li>• 8 guest parking spaces</li> <li>• Treatment of Utilities: To be conditioned upon approval</li> </ul>
Section 9128.55: Development Criteria	x		DOR and CUP submitted
Section 9162.21: Parking Spaces Req'd	x		2 garage spaces provided per unit, 16 total garage spaces; 8 guest parking; 24 total spaces provided
Section 9162.24: Parking for the Disabled and Associated Signing and Ramping	x		No clubhouse provided

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



- d. Attractiveness, effectiveness and restraint in signing, graphics and color.
- e. Conformance to any applicable design standards and guidelines which have been adopted pursuant to Section 9172.15.

All of the required findings described above can be made in the affirmative subject to the conditions of approval. Specific details regarding the applicable findings identified for each of the discretionary permits are incorporated in the attached resolution (Exhibit 2).

#### 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.
- b. The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development.
- c. There will be adequate street access and traffic capacity.
- d. There will be adequate water supply for fire protection.
- e. The proposed use and development will be compatible with the intended character of the area.
- f. Such other criteria as are specified for the particular use in other Sections of this Chapter.

All of the required findings can be made in the affirmative subject to conditions of approval. Specific details regarding the applicable findings identified for each of the discretionary permits are incorporated in the attached resolution (Exhibit 2).

#### 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 1.09 acre of land into eight (8) condominium homes. The map will include a recreational area and a private common driveway which will be maintained by the homeowners association.

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 on Carson Street via Orrick Avenue and Dolores Street (for egress). Conditions of approval will provide maximum land use compatibility between the proposed residential development and the existing residential neighborhood.

Variance Request to Reduce Front Yard Setback, Side Yard Setback, and Eliminate Clubhouse/Recreation Room

CMC Section 9172.22 states a variance "shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this Chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification."

The applicant has requested a variance in order to reduce the required front and side yard setbacks, and exclude the required clubhouse/recreation room. It is staff's opinion that the variance requests are justified due to special circumstances regarding the shape, size, and location of the subject property.



First, the subject property is located at the end of a narrow cul-de-sac. The cul-de-sac does not have sufficient width for a fire truck to turnaround. Thus, the Fire Department is requiring a 32-foot turnaround bulb on the property. The required bulb takes up 3,215 square feet and limits the amount of area that can be used for open space and a clubhouse/recreation room. Because of this requirement, the applicant argues that there is a hardship in providing the required amount of recreation area, and that a portion of the recreation area must extend into the required front yard. In order to secure the recreation area for resident-use only, the applicant is proposing that the recreation area be fenced or walled. The fence/wall will encroach into the required front yard setback, however, it is not expected to detract from the attractiveness of the development since a landscape area with shrubbery will buffer the wall/fence from the street and driveway. Because of this hardship, the variance request to deviate from the front yard setback requirement (CMC Section 9126.23) is necessary and justified.

Secondly, the Fire Department requirement for a bulb also causes a hardship for the clubhouse/recreation room. As discussed above, the 3,215 square feet required for the turnaround bulb limits the area that could be used for open space and a clubhouse/recreation room. Because of this hardship, the variance request to exclude a clubhouse/recreation room is justified.

Lastly, the applicant wishes to utilize the western portion of the property, which is west of the Fire Department bulb, for two (2) units. However, due to the shallow depth of the property, which is 93.8 feet, it is difficult to place two (2) units side-by-side in this area. Typically, the lot width for a single-family property is 50 feet, and the required maximum side yard setback is five (5) feet. In this case, the effective lot width for each unit would be 47 feet, and because the project is for detached condominiums, the required side yard setback is 10 feet, leaving only 27 feet for two homes. Thus, the applicant is requesting a variance in this area to reduce the required side yard setback from 10 feet to six (6) feet. Because the homes on Orrick Street are single-family, the maximum required side yard setback for those homes is five (5) feet. Thus, the proposed project would still exceed the neighborhood standard by providing the six (6) feet, and the variance request is justified.

#### **IV. Environmental Review**

Pursuant to Section 15332 of the California Environmental Quality Act (CEQA), the proposed eight-unit condominium project is considered in-fill development and is "Categorically Exempt".

#### **V. Conclusion**

It is staff's opinion that the proposed Design Overlay Review, Conditional Use Permit, Tentative Tract Map, and Variance requests are compatible with the surrounding neighborhood. The proposed project's relationship to the goals and objectives stated in the General Plan includes, but is not limited to, the protection



and enhancement of property values, providing the community with additional housing, and development of an underutilized, deteriorated property.

**VI. Recommendation**

That the Planning Commission:

- WAIVE further reading and ADOPT Resolution No.\_\_\_\_\_, entitled "A Resolution of the Planning Commission of the City of Carson approving Design Overlay Review No. 880-04, Conditional Use Permit No. 586-04, Tentative Tract Map No. 60533, Variance No. 462-04, Variance No. 463-04, and Variance No. 464-04, for the development of eight (8) detached condominium units located at 21840, 21841, 21842, 21844, 21846 Orrick Avenue and 21840 Dolores Street."

**VII. Exhibits**

1. Land Use Map
2. Proposed Resolution
3. Correspondences
4. Proposed Plans (Submitted under separate cover)

**Prepared by:** \_\_\_\_\_  
John F. Signo, Associate Planner

**Reviewed by:** \_\_\_\_\_  
Sean Scully, Senior Planner

**Approved by:** \_\_\_\_\_  
Sheri Repp, Planning Manager

d88004p\_c58604p\_ttm60533p\_v46204p\_v46304p\_v46404p\_Orrick\_St\_8\_Units



**CITY OF CARSON**  
**PLANNING COMMISSION**  
**RESOLUTION NO. 05-2026**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 880-04, CONDITIONAL USE PERMIT NO. 586-04, TENTATIVE TRACT MAP NO. 60533, VARIANCE NO. 462-04, VARIANCE NO. 463-04, AND VARIANCE NO. 464-04, FOR THE DEVELOPMENT OF EIGHT (8) DETACHED CONDOMINIUM UNITS LOCATED AT 21840, 21841, 21842, 21844, 21846 ORRICK AVENUE AND 21840 DOLORES 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, Thomas T. Yuge, with respect to real property located at 21840, 21841, 21842, 21844, 21846 Orrick Avenue and 21840 Dolores Street and described in Exhibit "A" attached hereto, requesting approval to construct eight (8) detached condominium units on 1.09 acre. The application includes:

- Design Overlay Review (DOR) for review of architectural design as required for properties within a design overlay review district (Carson Municipal Code (CMC) Section 9172.23);
- Conditional Use Permit (CUP) for construction of multiple-family residences (CMC Section 9121.1);
- Tentative Tract Map (TTM) for division of airspace for eight (8) condominium units (CMC Section 9203.1);
- Variance request to reduce the required front yard setback (CMC Section 9126.23);
- Variance request to reduce the required side yard setback (CMC Section 9126.24); and
- Variance request to exclude the required clubhouse/recreation room for a multifamily development on a property greater than one (1) acre (CMC Sections 9128.15 and 9128.54).

A public hearing was duly held on February 22, 2004, at 6:30 P.M. at the Carson 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.** Any construction of a multifamily dwelling in a Design Overlay Review designation zone is subject to the requirements contained in Carson Municipal Code Section 9172.23, Site Plan and Design Review. Pursuant to Carson Municipal Code Section 9121.1,



a Conditional Use Permit is required for the development of residential condominiums. The Planning Commission finds that:

a) The proposed project for eight (8) detached condominium units on 1.09 acre is consistent with the RM-12-D (Residential, Multiple-Family – 12 units per acre – Design Overlay) zone. The proposed project is consistent with the General Plan land use designation for Medium Density Residential (9-12 units per acre) and meets the goals and policies described in the General Plan Land Use Element.

b) The project site is located in a developed residential community. Existing surrounding uses are all residential. The proposed project is for detached condominiums and is designed for compatibility with the existing residential neighborhood.

c) The proposed project meets all applicable design standards and guidelines of the Carson Municipal Code, except for those variance requests for reduction of the required front and side yard setbacks, and exclusion of a clubhouse/recreation room.

d) The proposed project will be a harmonious and attractive development for the area in that it will replace dilapidated rental homes with detached condominiums.

e) Vehicular ingress and egress will be provided on Orrick Avenue, and egress will be provided on Dolores Street. A seven-foot street dedication is provided for Orrick Avenue for future street improvement. A recreation area will be provided near the entrance in order to provide recreational amenities for the residents. The private common driveway meets the Fire Department and City's requirements for driveway width and access.

f) The site is rectangular and flat and is adequate to support the proposed development. The proposed project meets the City's design and development standards, with exception to the variance requests for front and side yard setbacks, and exclusion of a clubhouse/recreation room. The property is located at the end of a residential cul-de-sac and the proposal for detached condominium units will be compatible with the existing residential neighborhood. Utilities, including electricity, telephone lines, water, and sewer will be adequately provided.

g) The proposed project is for multiple detached residential condominiums and will only have signs for addresses.

h) There will be adequate water supply for fire protection. The Fire Department has reviewed the project for adequate driveway access, fire hydrants, and fire flow. Appropriate conditions of approval are attached to ensure that the project will be served by adequate fire protection.

**Section 4.** Pursuant to Section 66474 of the Government Code, a city shall deny approval of a tentative map based on certain findings. The Planning Commission finds that the proposed tentative tract map can be substantiated based on the following affirmations:

a) The proposed tentative tract map will permit the division of 1.09 acres of land into eight (8) detached condominium homes. The map will include a recreation area and a private common driveway which conform to the City's requirements.

b) The proposed map, including design and improvements of the proposed subdivision, will be consistent with the Land Use Element of the General Plan and the zoning which designates the properties for Medium Density residential uses and RM-12-D, respectively.

c) 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 on Orrick Avenue. Furthermore, egress will be provided on Dolores Street to the

east. Conditions of approval will provide maximum land use compatibility between the proposed residential development and the existing residential neighborhood.

**Section 5.** CMC Section 9172.22 states a variance “shall be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of this Chapter deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.”

The applicant has requested a variance in order to reduce the required front and side yard setbacks, and exclude the required clubhouse/recreation room. The Planning Commission finds that there are special circumstances in regards to the size, shape, and location of the subject property that justify these requests.

First, the subject property is located at the end of a narrow cul-de-sac. The cul-de-sac does not have sufficient width for a fire truck to turnaround. Thus, the Fire Department is requiring a 32-foot turnaround bulb on the property. The required bulb takes up 3,215 square feet and limits the amount of area that can be used for open space and a clubhouse/recreation room. Because of this requirement, the applicant argues that there is a hardship in providing the required amount of recreation area, and that a portion of the recreation area must extend into the required front yard. In order to secure the recreation area for resident-use only, the applicant is proposing that the recreation area be fenced or walled. The fence/wall will encroach into the required front yard setback, however, it is not expected to detract from the attractiveness of the development since a landscape area with shrubbery will buffer the wall/fence from the street and driveway. Because of this hardship, the variance request to deviate from the front yard setback requirement (CMC Section 9126.23) is necessary and justified.

Secondly, the Fire Department requirement for a bulb also causes a hardship for the clubhouse/recreation room. As discussed above, the 3,215 square feet required for the turnaround bulb limits the area that could be used for open space and a clubhouse/recreation room. Because of this hardship, the variance request to exclude a clubhouse/recreation room is justified.

Lastly, the applicant wishes to utilize the western portion of the property, which is west of the Fire Department bulb, for two (2) units. However, due to the shallow depth of the property, which is 93.8 feet, it is difficult to place two (2) units side-by-side in this area. Typically, the lot width for a single-family property is 50 feet, and the required maximum side yard setback is five (5) feet. In this case, the effective lot width for each unit would be 47 feet, and because the project is for detached condominiums, the required side yard setback is 10 feet, leaving only 27 feet for two homes. Thus, the applicant is requesting a variance in this area to reduce the required side yard setback from 10 feet to six (6) feet. Because the homes on Orrick Street are single-family, the maximum required side yard setback for those homes is five (5) feet. Thus, the proposed project would still exceed the neighborhood standard by providing the six (6) feet, and the variance request is justified.

**Section 6.** The Planning Commission further finds that the proposed project on 1.09 acre will not have a significant effect on the environment. The property is located in a developed residential area and will be compatible with the existing residential neighborhood. The project meets or exceeds all City standards for protection of the environment. Therefore,



the proposed project is found to be categorically exempt under the California Environmental Quality Act (CEQA), Section 15332 (In-Fill Development Projects).

**Section 7.** Based on the aforementioned findings, the Planning Commission hereby approves Design Overlay Review No. 880-04, Conditional Use Permit No. 586-04, Tentative Tract Map No. 60533, Variance No. 462-04, Variance No. 463-04, and Variance No. 464-04, with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

**Section 8.** The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

**Section 9.** 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 22<sup>nd</sup> DAY OF February, 2005.**

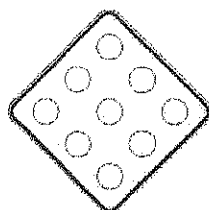
  
CHAIRMAN

**ATTEST:**

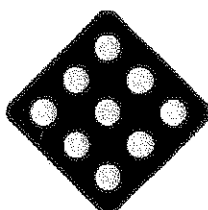
  
SECRETARY

**Figure 3C-1. Object Markers and End-of-Roadway Markers**

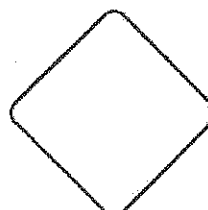
**Type 1 Object Markers**



OM1-1

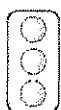


OM1-2

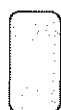


OM1-3

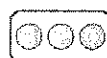
**Type 2 Object Markers**



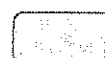
OM2-1V



OM2-2V



OM2-1H

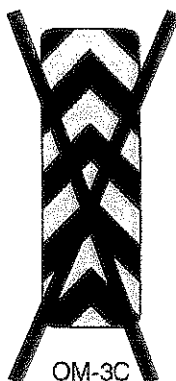


OM2-2H

**Type 3 Object Markers**



OM-3L



OM-3C

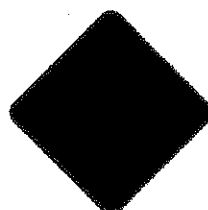


OM-3R

**End-of-Roadway Markers**



OM4-1



OM4-2

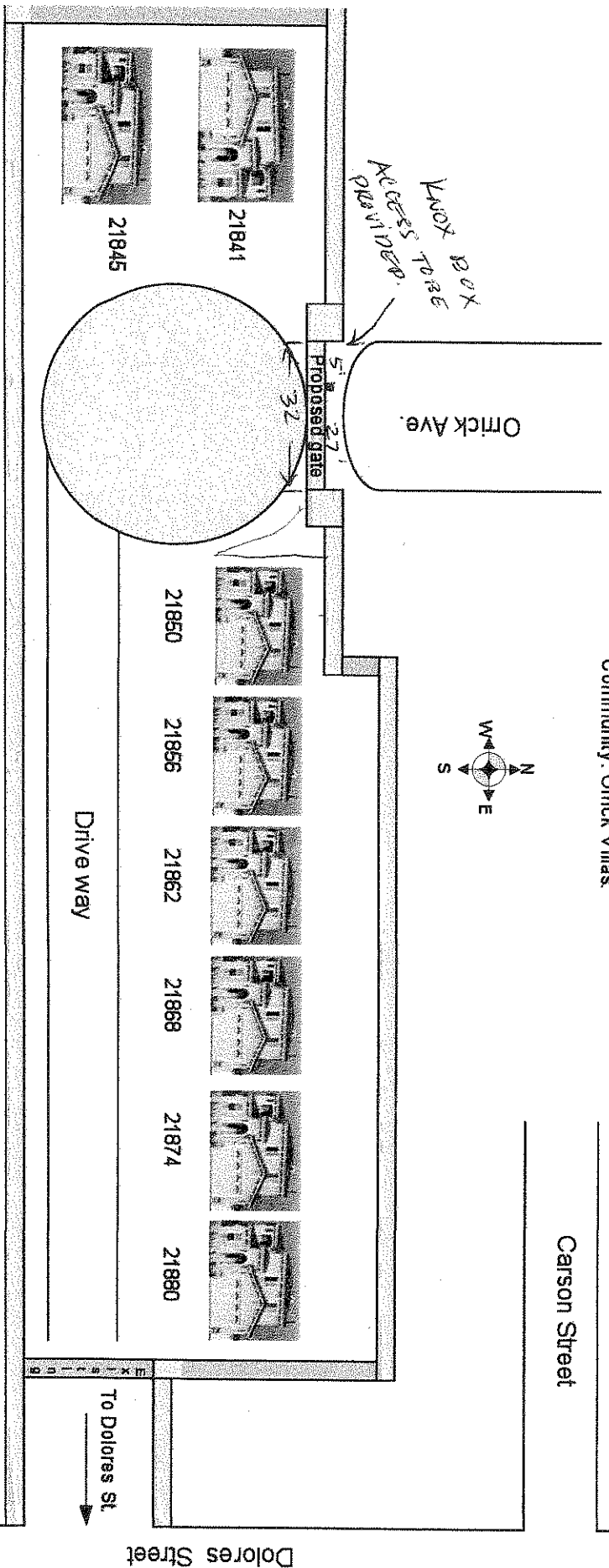


OM4-3

# PROPOSED ENTRANCE GATE

Location: 21840 Orlick  
Community: Orlick Villas

Carson Street



PLANNING DEPARTMENT  
(310) 952-1761

DEC 10 2009

CITY OF CARSON  
701 E. CARSON ST.  
CARSON, CA 90745

APPROVE

BY

DATE

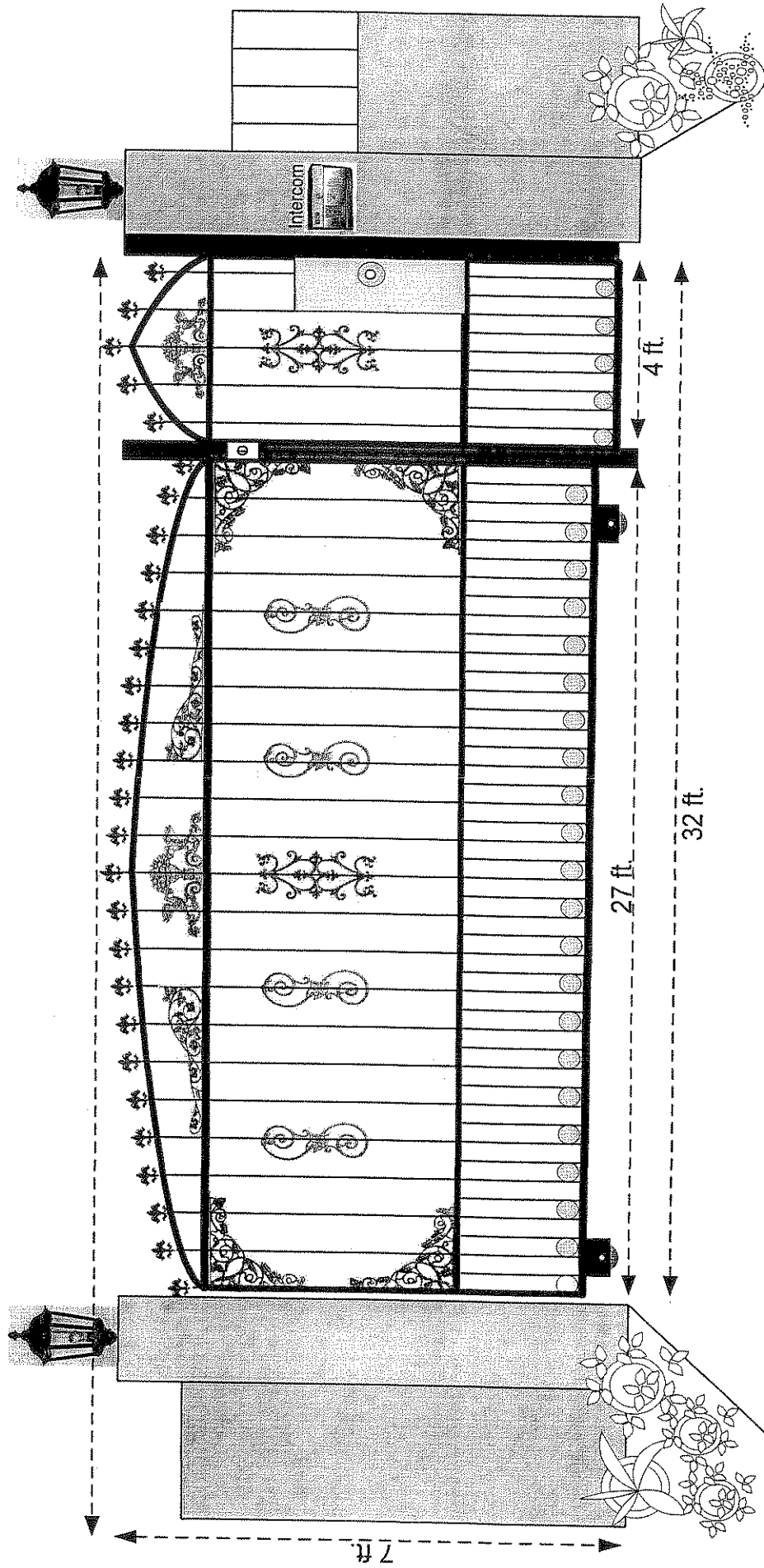
11/4/09

- ☒ Subject to field inspection approval
- ☐ Subject to corrections on plans
- ☐ Subject to compliance with corrective sheet requirements

The stamping of this plan and specification SHALL NOT be held to permit or to be approved by any official.

220<sup>th</sup> Street

# ORRICK VILLAS PROPOSED MAIN GATE ( SITE PLAN - FRONT VIEW )



Designed by: Joel Dalguntas 12-2-2009