

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 933-06, CONDITIONAL USE PERMIT NO. 617-06, VARIANCE NO. 481-06 AND TENTATIVE TRACT MAP NO. 66128 FOR THE DEVELOPMENT OF SIX (6) DETACHED CONDOMINIUM UNITS LOCATED AT 325, 329 AND 335 W. FIAT 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 325, 329 and 335 W. Fiat Street and described in Exhibit "A" attached hereto, requesting approval to construct six (6) detached condominium units on 0.43 acres. 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 six (6) condominium units (CMC Section 9203.1); and
- Variance request to reduce the required front yard setback (CMC Section 9126.23);

A public hearing was duly held on February 27, 2007, 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 six (6) detached condominium units on 0.43 acres is consistent with the RM-25-D (Residential, Multiple-Family – 25 units per acre – Design Overlay) zone. The proposed project is consistent with the General Plan land use designation for High Density Residential (14-25 units per acre) and meets the goals and policies described in the General Plan Land Use Element.
- b) The project site is located in an urban, developed residential community. Surrounding uses include multifamily development to the north and west and single family

residences to the south and east. The proposed development will be consistent with the residential neighborhood. The proposed development will be a great improvement to the existing neighborhood which consists of post World War II tract housing. The development will provide a new sidewalk and fully landscaped parkway on the north side of Fiat Street where currently, there are no public street improvements. The proposed project meets all applicable design standards and guidelines of the Carson Municipal Code, except for a variance request for reduction of the required front yard setback.

- c) Vehicular ingress and egress will be provided on Fiat Street. The private common driveway meets the Fire Department and City's requirements for driveway width and access. An eight-foot street dedication is provided on Fiat Street as a condition of development and street improvements will include curb and gutter, sidewalk and a fully landscaped parkway. Residents will enjoy private patios, private side yard entry areas and adequate on-site parking, including guest parking.
- d) The site is square 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 request for reduced front yard setback. The property is located within an established residential neighborhood which includes a variety of multiple family and single family dwelling units. The proposed detached condominium units will be compatible with and will improve the character of the existing residential neighborhood. Utilities, including electricity, telephone lines, water, and sewer will be adequately provided.
- e) The proposed project is for multiple detached residential condominiums and will only have signs for addresses.
- f) 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.
- g) 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.
- h) A special circumstance is applicable in granting Variance No. 481-06 from the required 20 foot front yard setback (Section 9126.23 of the CMC) as a result of a required eight-foot street dedication along the north side of Fiat Street. There is no public sidewalk or parkway in this area and an eight-foot street dedication will be required as part of the development of this site. As such, the original 18,856 square foot lot will be reduced to 17,820 square feet. The proposed 15-foot front yard setback will be consistent with existing multiple and single family residential front yard setbacks located to the east and west of the subject property. Future street improvements along the north side of Fiat Street will, in fact, reduce those adjacent properties' front yard setbacks to 15 feet, or less in some cases, after street dedication.
- i) The granting of this variance will be consistent with adjacent multiple family and single family front yard setbacks along Fiat Street. As such, the proposed development and front yard setback will not be out of character with the surrounding land uses, which also include reduce front yard setbacks. The application of the Zoning Ordinance deprives the applicant privileges enjoyed by other properties in the vicinity under identical topography conditions and zoning classification.

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 subdivision is consistent with the RM-25-D (Residential, Multiple-Family – 25 units per acre – Design Overlay) zone and with the General Plan designation of High Density Residential. Per current zoning, the two parcels can accommodate 11 dwelling units, however only six residential units are being proposed. The proposal therefore complies with the requirements of the City's Subdivision Ordinance and the California Government Code.
- 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 High Density residential uses and RM-25-D, respectively.
- c) The project has been designed to provide architectural harmony among adjacent property owners. Its attractive architectural design elements, its ample landscaping and surrounding masonry walls promote a sense of community among future residents as well as adjacent residential property owners. This project will therefore not cause any serious public health problems to future occupants or adjacent property owners.
- d) There will be adequate street access and traffic capacity on Fiat Street to accommodate the six (6) residential units. Conditions of approval will provide maximum land use compatibility between the proposed residential development and the existing residential neighborhood.

Section 5. The Planning Commission further finds that the proposed project on 0.43 acres 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 6. Based on the aforementioned findings, the Planning Commission hereby approves Design Overlay Review No. 933-06, Conditional Use Permit No. 617-06, Tentative Tract Map No. 66128 and Variance No. 481-06, with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 7. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 8. 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 27th DAY OF FEBRUARY, 2007.

CHAIRMAN

ATTEST:

SECRETARY