

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO.

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING CONDITIONAL USE PERMIT
NO. 631-06 AND TENTATIVE TRACT MAP NO. 67934 FOR
THE RESIDENTIAL CONDOMINIUM CONVERSION OF
EIGHT (8) UNITS LOCATED AT 157 W. 223RD 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, Mike Bihn, with respect to real property located at 157 W. 223rd Street and described in Exhibit "A" attached hereto, requesting approval to subdivide one parcel for the conversion of an existing, eight (8) unit apartment complex into an eight (8) unit condominium project. The subject property is located within the RM-25-D (Residential, Multi-Family - Design Overlay District) zone and has a General Plan designation of High Density.

A public hearing was duly held on April 10, 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. Pursuant to Carson Municipal Code Section 9121.1, a Conditional Use Permit is required for residential condominiums. The Planning Commission finds that:

- a) The proposed residential condominium conversion project is consistent with the General Plan Land Use Designation of High Density Residential and conforms to the RM-25-D (Residential, Multi-Family within a Design Overlay District) zone. The project meets the goals and policies described in the General Plan Land Use Element. The existing eight unit building is of an attractive design consistent with the General Plan and surrounding multiple family dwelling units.
- b) The site contains 18,200 square feet and is zoned RM-25-D (Residential, Multi-Family within a Design Overlay District) with a General Plan designation of High Density Residential. The site can accommodate up to 10 residential units under zoning regulation and is located in a fully developed, urban area. The site is therefore adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed residential condominium conversion project.
- c) The site is fully developed with an existing eight unit apartment complex and there is adequate street and traffic capacity from 223rd Street which currently serves this site.
- d) There is adequate water supply for fire protection based on the Fire Department review of the project for adequate driveway access, fire hydrants, and fire flow.
- e) The project site is located in an urban, developed residential community. Surrounding uses include multifamily development to the west, south and east and

single family residences to the north. The proposed condominium conversion will be consistent with the character of the existing residential neighborhood.

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 current RM-25-D (Residential, Multi-Family within a Design Overlay District) zone and with the General Plan designation of High Density Residential. The parcel can accommodate 10 dwelling units, however only eight residential units of the already-erected building are being proposed for the subdivision of airspace for condominium conversion.
- b) The proposed condominium conversion is consistent with the Land Use Element of the General Plan and the zoning which designates the properties for High Density residential use and RM-25-D, respectively. The proposed condominium conversion conforms to all development standards of the zoning ordinance, with the exception of the interior garage dimensions. The proposed one and a half foot width and unobstructed interior deviation from Section 9162.41 (Automobile Parking Stall Size) of the CMC, is relatively minute and does not contravene the intent and purpose of the residential condominium development standards. Furthermore, the project is compatible with adjacent residential land uses and complies with the city's Housing Element goal of promoting homeownership opportunities.
- c) The project site is fully developed with a multi-family residential project. Multi-family residential is an appropriate type of development at this site, given surrounding multi-family development patterns and the intent of the zoning regulations and the General Plan Land Use Element.
- d) No development will occur as a result of the proposed Tentative Tract Map. No fish or wildlife habitat exist on the site or in the near vicinity, therefore no significant adverse environmental impacts will occur as a result of the proposed residential condominium conversion project.
- e) No impacts detrimental to the general welfare of the public are foreseen from the approval of a Tentative Tract Map to allow the conversion of eight units to be sold individually as condominiums.
- f) The existing design and improvements of the site will not conflict with public access easements. There are no easements required by the public at large for access through, or for the use of the property.
- g) Each tenant of the eight unit apartment complex was sent, via certified mail, a written notification of the intention to convert the property into a condominium project.

Section 5. The Planning Commission further finds that the proposed condominium conversion will not have a significant effect on the environment. The property is located in a developed multiple family residential area and is 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 15301, Existing Facilities, Class 1, item (k). This section states that the division of multiple family residences into common-interest ownership where no physical changes occur can be considered categorically exempt.

Section 6. Based on the aforementioned findings, the Planning Commission hereby approves Conditional Use Permit No. 631-06 and Tentative Tract Map No. 67934, 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 10th DAY OF APRIL, 2007.

CHAIRMAN

ATTEST:

SECRETARY