



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: June 27, 2006

SUBJECT: Design Overlay Review No. 907-06, Conditional Use Permit No. 611-06, Variance No. 480-06

APPLICANT: S. Sanjar
323 E. 220th Street
Carson, CA 90745

REQUEST: Construction of four (4) new apartment units on a 0.30-acre lot in the RM-12-D (Residential, Multifamily – 12 units/acre – Design Overlay) zone district. The variance request is for the reduction of the required garage setback to less than 26 feet

PROPERTY INVOLVED: 323 East 220th Street

COMMISSION ACTION

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

COMMISSIONERS' VOTE

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

I. Introduction

Applicant / Property Owner

- S. Sanjar, 323 E. 220th Street, Carson, CA 90745

Project Address

- 323 E. 220th Street

Project Description

- Construction of four (4) new approximately 1,700 square-foot, apartment units on a 13,500 square-foot (0.30 acre) lot in the RM-12-D (Residential, Multifamily – 12 units/acre – Design Overlay) zone district. The project consists of two separate buildings, a single unit in the front (south) and a multi-family building consisting of three attached apartment units in the rear (north) of the lot. Carson Municipal Code (CMC) section 9126.221 requires a garage setback of 26 feet when facing an interior lot line. Also, CMC section 9162.41 requires new residential garage spaces to have an unobstructed minimum interior dimension of 18 feet in width by 20 feet in length for lots less than 50 feet wide. Because of the walls (generally 6 inches thick), the total length of the garage is approximately 21 feet. The subject lot is 45 feet in width. Therefore, providing the necessary area to be zoning code compliant is not possible as the total width needed for the required garage length and setback area is 47 feet. Thus the variance request to permit a reduction of the required garage setback to 24 feet. 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 A	1,305	3 Bdrms. 3 Bath	2-car garage plus 1 guest	2 garage/ 1 guest
Units B and C	1,470	3 Bdrms. 3 Bath	2-car garage plus 1 guest	4 garage/ 2 guest
Unit D	1,420	3 Bdrms. 3 Bath	2-car garage plus 1 guest	2 garage/ 1 guest
TOTAL	7,240 (Including garages and balconies)	n/a	n/a	8 garage/ 4 guest <u>Project meets requirements</u>

The proposed project provides 12 parking spaces, including eight (8) garage spaces and four (4) guest parking spaces. The garages and guest parking spaces are accessible through a 20-foot-wide private driveway. All four guest parking spaces are provided between the two garage buildings. The Fire Department has reviewed the driveway and approved the design.

II. **Background**

Existing Site Conditions / Current Use of Property

- Currently, there is one single-family home on the subject property, approximately 1,000 square feet in size constructed in 1927. An accessory garage structure is located behind the existing house. Both of these buildings are to be demolished as part of this development proposal.

Previous Proposals/ Approved Discretionary Permits

- There are no previously approved discretionary permits associated with this property.
- This proposal was scheduled to be heard before the Planning Commission on June 13, 2006. However, planning staff failed to meet applicable public hearing notification deadlines, pursuant to Section 9173.22C, Posting, of the Carson Municipal Code (CMC). Therefore, this item was rescheduled for the June 27, 2006 Planning Commission public hearing.

Public Safety Issues

- The Public Safety Department has not reported any current code enforcement cases associated with this property.

III. **Analysis**

Location/Site Characteristics/Existing Development

- Regional vehicular access to the subject property is served by the 405 Freeway to the east and the 110 Freeway to the west; and
- The subject property is located in a residential neighborhood of single-family and multiple-family residential homes of six or less units. Most of the homes in the neighborhood were built in the late 1920's to mid-century.

Zoning/General Plan/Redevelopment Area Designation

- The subject property, as well as adjacent properties to the east and west and those across 220th Street are zoned RM-12-D (Residential, Multifamily – 12 units per acre, Design Overlay); properties to the north are zoned RS (Residential, Single-family);
- The applicant is proposing an apartment development which will be consistent with the RM-12-D (Residential, Multifamily – 12 units per acre – Design Overlay)

zone and consistent with the General Plan land use designation of High 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 consistency with current site development standards for the RM-12-D zone district and other zoning code sections applicable to the proposed use:

Applicable Zoning Ordinance Sections	Compliant	Non-Compliant	Comments
Section 9121.1: Uses Permitted	X		RM-12-D zone
Section 9123: Conditional Use Criteria	X		Conditional Use Permit required for multi-family housing
Section 9124 : Dwelling Units	X		
Section 9125.3: Street Frontage and Access	X		Site is 45' wide with access from 220th Street; Property is considered legal nonconforming
Section 9126.12: Height of Buildings and Structures	X		
Section 9126.21: Ground Cover	X		40% maximum allowed; 29% proposed
Section 9126.221: Parking Setback		X	26' required when garage door facing wall. Variance No. 480-06 requested.

Applicable Zoning Ordinance Sections	Compliant	Non-Compliant	Comments
Section 9126.23: Front Yard	X		
Section 9126.24: Side Yard	X		
Section 9126.25: Rear Yard	X		
Section 9126.27: Space Between Bldgs.	X		
Section 9126.28: Usable Open Space	X		30% required; 34% provided
Section 9126.4: Trash and Recycling Areas	X		
Section 9126.6: Parking, Loading, and Driveways	X		
Section 9126.8: Utilities	X		Required to be underground; added as Condition of Approval to the attached Resolution
Section 9126.9: Site Planning and Design	X		Subject to Section 9172.23 (Site Plan and Design Review)

Applicable Zoning Ordinance Sections	Compliant	Non-Compliant	Comments
Section 9127.1: Exterior Lighting	X		
Section 9128.54: Development Standards	X		
Section 9128.55: Development Criteria	X		
Section 9162.21: Parking Spaces Req'd	X		
Section 9162.51: Standards for Parking Lot Design	X		

Site Plan and Design Review

Any construction of a multi-family dwelling in a "D" designation zone is subject to the requirements contained in Section 9172.23 of the CMC, 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.

Conditional Use Permit

Pursuant to Section 9121.1 of the CMC, 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.

Variance

Section 9172.22 of the CMC 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 proposed project meets or exceeds all the development standards in the CMC, except for the required garage setback.

All of the required findings pursuant to Sections 9172.21(d), 9172.23(d), “Site Plan and Design Review, Approval Authority and Findings and Decision” can be made in the affirmative. A variance request has been submitted to reduce the required garage setback. All findings for the variance request can be made in the affirmative, pursuant to CMC Section 9172.22. Details can be found in the attached Resolution.

Issues of Concern

- Issue – Garage Setback: Pursuant to Section 9126.221 of the CMC, the required garage setback for residential development, when the garage opening faces a side property line is 26 feet. There are multi-family residential developments in the vicinity that have garages placed in a similar fashion to those proposed and

exhibit less than the required setback. The strict application of a 26 foot garage setback would deprive the applicant of privileges enjoyed by others in the area because the subject property is only 45 feet wide.

- o *Proposed Condition/Change:* Staff recommends approval of the variance request to reduce the required garage setback from 26 feet to 24 feet.

IV. Environmental Review

Pursuant to Section 15332 of the California Environmental Quality Act (CEQA), the proposed development of four apartment units 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, 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, and providing the community with additional housing needs.

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. 907-05, Conditional Use Permit No. 611-06, And Variance No. 480-06 For Construction Of Four Apartment Units Located At 323 E. 220th Street."

VII. Exhibits

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

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

Approved by: _____
Sheri Repp-Loadsman, Planning Manager

