



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: February 27, 2007

SUBJECT: Design Overlay Review No. 933-06
 Conditional Use Permit No. 617-06
 Variance No. 481-06
 Tentative Tract Map No. 66128

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

REQUEST: Subdivision of two parcels for the construction of a six-unit, detached residential condominium project and request for Variance to reduce front yard setback. 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.

PROPERTY INVOLVED: 325, 329 and 335 W. Fiat Street

COMMISSION ACTION

Concurred with staff

Did not concur with staff

Other

COMMISSIONERS' VOTE

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

I. Introduction

The applicant, Tom Yuge, on behalf of the property owner, Mike Padilla, is proposing to subdivide two parcels for the construction of a six-unit, detached residential condominium project. A variance is requested to reduce the front yard setback from 20 feet to 15 feet due to a required eight-foot street dedication. The subject property is located within the RM-25-D (Residential, Multi-Family – 25 du/ac - Design Overlay) zone and has a General Plan designation of High Density Residential.

Pursuant to Section 9172.23 of the Carson Municipal Code (CMC), Site Plan and Design Review is required by the Planning Commission for any construction of a new building or structure having an estimated valuation of \$50,000 or more when the property is located in a design overlay district; a tentative tract map is also required for division of airspace for six condominium units; and a conditional use permit is required for the development of residential condominiums.

II. Background

The subject site is located on the north side of Fiat Street, between Moneta Avenue to the east and Caroldale Avenue to the west. The site consists of two parcels, totaling 18,876 square feet. There are three existing, detached single family homes built in the mid-1950s which are currently being rented out. The site is surrounded by a mixture of single family residences to the east and south, a residential condominium complex to the north and multiple family dwelling units to the west. The properties to the north, west and east are zoned RM-25-D (Residential, Multifamily – 25 Units per Acre – Design Overlay) and the properties to the south are zoned RS (Residential, Single-Family).

III. Project Description

The three existing single family structures will be demolished to make way for six detached residential condominium dwelling units. The six detached units are all two story and each feature four bedrooms, two and a half baths and a two-car attached garage. They range in size from 1,918 to 1,934 square feet of floor area. Each unit contains ample private open space and private storage space as required and there is one guest parking space for each unit.

BUILDING AREA AND REQUIRED PARKING

Model	Number of Units	Plan Type	Living Area	Parking Per Unit
A	2	4 Bdrm/ 2.5 Bath	1,934 s.f.	2 Covered + 1 Guest
B	2	4 Bdrm/ 2.5 Bath	1,918 s.f.	2 Covered + 1 Guest
C	2	4 Bdrm/ 2.5 Bath	1,934 s.f.	2 Covered + 1 Guest

The project features contemporary design elevations, with concrete tile roofing, stucco banding around windows, dual pane windows, six panel entry doors and sectional roll-up garage doors with automatic door openers. The two units facing Fiat Street each feature a front covered patio. Landscaping is ample and lush and the common driveway and driveway entry areas will feature a decorative stamped and stained pattern.

With the exception of the front yard setback, the project meets all site development standards including rear and side yard setbacks, building height, space between buildings, two-car covered garages with guest parking spaces and residential trash areas. The applicant requests a five-foot variance from the required 20-foot front yard setback due to a required eight-foot street dedication along Fiat Street for landscaped parkway and sidewalk. The proposed five-foot covered patio encroachments within the 15-foot front yard are permitted per the CMC. After the required eight foot street dedication, the parcel will contain 17,820 square feet. The project also meets the specialized standards for residential condominium developments including private open space (150 square feet minimum); one 30-inch box tree per unit; and private storage space (200 cubic feet).

IV. Analysis

The applicant's proposal involves the approval of several discretionary permits by the Planning Commission.

Tentative Tract Map

A tract map must be processed in accordance with the California Government Code and the City's Subdivision Ordinance for every land division involving individual ownership of residential condominium units. The Subdivision Ordinance outlines map contents and approval procedures and the Government Code outlines a list of findings to be made in order to approve or deny a map.

Section 66474 of the California Government Code requires that a tentative map be denied 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.

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. 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. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.

This site is adequately zoned for this type of development and is consistent with Municipal Code and General Plan policies. The project conforms to all development standards of the zoning ordinance, with the exception of the front yard setback which will require a variance of five feet. The project is compatible with adjacent residential land uses and the project's attractive contemporary design helps improve the overall aesthetics of the community.

c. That the site is not physically suitable for the proposed development.

The site's topography is flat and therefore allows for this type of residential development.

d. That the site is not physically suitable for the proposed density of development.

The site contains 18,876 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 11 residential units under zoning regulation and is located in a fully developed, urban area. The site is therefore physically suitable for the proposed development and can accommodate the proposed six residential condominium units.

e. That the design of the subdivision or the proposed improvements is likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.

The current land use at this site is three single-family residences. The proposed development continues a residential land use development and will not cause substantial environmental damage or substantially injure fish or other wildlife. The property is adequately zoned to support the development of six detached residential condominium units.

f. That the design of the subdivision or type of improvements is likely to cause serious public health problems.

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.

- g. That the design of the subdivision or type of improvements will conflict with easements, acquired by the public at large, for 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 subdivision will not conflict with easements, acquired by the public at large, as it will be developed to serve only those six residential units. The site is adequate in size, shape, and topography and has access to required utilities as it is located within an urbanized area.

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 six detached condominium units on 0.43 acres is consistent with the RM-25-D (Residential, Multiple-Family – 25 du/ac – Design Overlay) zone which allows a maximum 25 units per acre. The proposed project is consistent with the General Plan land use designation for High Density Residential (25 units per acre) and meets the goals and policies described in the General Plan Land Use Element. Further, this proposal is not inconsistent with existing, surrounding multiple family dwelling units located to the north and west of the subject site.

- 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 1,918 to 1,934 square feet. The project features contemporary design elevations, with concrete tile roofing, stucco banding around dual paned windows, six panel entry doors and sectional roll-up garage doors with automatic door openers. The two units facing Fiat Street each feature a front covered patio.

Landscaping is ample and lush and the common driveway and driveway entry areas will feature a decorative stamped and stained pattern. 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 from Fiat Street. An eight-foot street dedication is provided along Fiat Street whereby the developer will be required to install full sidewalk and a landscaped parkway to match the south side of Fiat Street. 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 development 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 proposed project meets the goals and policies described in the General Plan Land Use Element. The owners of the condominium units will hold an undivided interest in the common areas and an association will be formed to pay for maintenance of common areas. The proposed residential condominium units are of an attractive design consistent with the General Plan and are an improvement over existing surrounding single and multiple family dwelling units.

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 landscaped areas. The shape is square 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 Fiat 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 Fiat Street. Six 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 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. 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 final 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.

Variance

The applicant is requesting a five-foot variance from the required 20 foot front yard setback (Section 9126.23 of the CMC) as a result of a required eight foot street dedication.

Section 9172.22 of the Carson Municipal Code 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.”

A special circumstance is applicable in this case due to the existing unimproved public-right of way along the entire street length 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.

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.

Staff believes that the application of the Zoning Ordinance deprives the applicant privileges enjoyed by other properties in the vicinity under identical topography conditions and zoning classification.

V. Environmental Review

The proposed project is for six detached residential condominium units on 0.43 acres in a developed urban area. Therefore, the project is Categorically Exempt from the California Environmental Quality Act pursuant to Section 15332 (In-Fill Development Projects).

VI. Conclusion

It is staff's opinion that the proposed Design Overlay Review (DOR), Conditional Use Permit (CUP), Variance and Tentative Tract Map (TTM) are compatible with the General Plan Land Use Element, zoning and surrounding multiple family and single

family residential 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, blighted property which deteriorates from the character of the neighborhood.

VII. Recommendation

That the Planning Commission:

- **APPROVE** the Categorical Exemption;
- **APPROVE** Design Overlay Review No. 933-06; Conditional Use Permit No. 617-06; Variance No. 481-06; and Tentative Tract Map No. 66128 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 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."

VIII. Exhibits

1. Land Use Map
2. Proposed Resolution
3. Project Plans (Under separate cover)

Prepared by: _____
Rocio Lopez, Planner

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

Approved by: _____
Sheri Repp, Planning Manager