



CITY OF CARSON PLANNING COMMISSION STAFF REPORT

CONTINUED PUBLIC HEARING: January 22, 2008
SUBJECT: Design Overlay Review No. 1015-07
APPLICANT: Bizhan Khaleeli
2025 Paseo Del sol
Palos Verdes Estates, CA 90274
REQUEST: To add two vehicular gates for Mosaic Walk on Via
Mattonella and Via Tessera in order to establish a
gated community.
PROPERTY INVOLVED: 22518-22606 South Figueroa Street

COMMISSION ACTION

- Concurred with staff
 Did not concur with staff
 Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Faletogo – Chairman			Graber
		Hudson – Vice-Chair			Saenz
		Cannon			Verrett

Item No.

I. Introduction

The applicant, Bizhan Khaleeli, on behalf of the Mosaic Walk Homeowner Association (HOA), is proposing to add two (2) vehicular entry gates for the Mosaic Walk community on Via Mattonella on the Shadwell Street side and Via Tessera on the Figueroa Street side. The proposed entry gates/fences will be six (6) feet in height. The purpose of the gates/fences is to restrict vehicular access and stop “cut-through” traffic. A 42-inch high perimeter fence will be located along Shadwell Street connecting to the existing block wall at the corner of Figueroa Street and Shadwell Street. Six-foot high fences will be located along Shadwell Street at the terminus of Firenze Street and Venice Street, and at the northeastern portion of the site, located a minimum of 10 feet from the Shadwell Street right-of-way. Mosaic Walk is located at **22518-22606 South Figueroa Street**.

The entry gate/fence on Via Mattonella, which has an existing street width of 36 feet, will be located 60 feet from Shadwell Street and will require removal of 4 parking spaces. The entry gate/fence on Via Tessera, which has an existing street width of 30 feet will be located 50 feet from Figueroa Street. The proposed gate on Via Tessera will not require removal of any parking spaces.

The gates/fences will be made of wrought iron supported by decorative block columns to match the existing Mosaic Walk theme. The applicant is proposing call boxes for pedestrians at both entries and a call box for vehicular traffic at the Shadwell entrance located on the passenger side.

The Mosaic Walk community is 4.37 acres, zoned RM-12-D (Residential, Multifamily – 8 du/ac – Design Overlay), has a General Plan designation of Medium Density Residential, and is located within Redevelopment Project Area No. 4.

II. Background

On June 3, 2003, the City Council held a public hearing approved the following:

- General Plan Amendment No. 02-12-071 to change the land use designation from Low Density Residential (8 du/ac allowed) to Medium Density Residential (12 du/ac allowed); and
- Zone Change Case No. 02-12-141 to change the zone from RS (Residential, Single-Family) to RM-12-D (Residential Multiple-Family – 12 units per acre – Design Overlay).

On June 24, 2003, the Planning Commission approved the following request:

- Design Overlay Review No. 02-12-809, which was for the architectural design of the homes as required for properties within a Design Overlay Review district. Mosaic Walk was approved to be an integral part of the existing neighborhood, particularly to the north which contains single-family homes.

As such, there were no gates proposed, nor was the community designed to accommodate vehicular entry gates;

- Conditional Use Permit No. 02-12-535, for construction of multiple family residences (CMC Section 9121.1); and
- Tentative Tract Map No. 54179 for division of airspace for 45 condominium units.

On December 11, 2007 and January 8, 2008, the Planning Commission held a public hearing to review the proposed gates/fences for the community (Design Overlay Review No. 1015-07). Staff mentioned that the project, as proposed, was not satisfactory to the Sheriff's Department, Fire Department, and the City Traffic Engineer as a whole. An alternative to make Via Mattonella a one-way street was unacceptable to the Traffic Engineer. The Planning Commission stated the importance of finding a solution that does not compromise safety and will not place liability on the City. The Planning Commission directed staff and the applicant to consider an option that is satisfactory to the Fire Department, Sheriff's Department and the City Traffic Engineer, and is acceptable to the residents of Mosaic Walk. The public hearing was continued to January 22, 2008.

III. Analysis

Required Findings

Site Plan and Design Review

Any construction or modification of a multi-family community in a Design Overlay is subject to a Design Overlay Review (DOR) pursuant to Section 9172.23, Site Plan and Design Review, of the Carson Municipal Code (CMC). 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 and scale of structures and 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; and

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

Staff can make the findings for the criteria above, however, because this is a proposal to install vehicular and pedestrian entry gates/fences for a community that was not originally designed as a gated community, staff has a number of concerns and recommended conditions as discussed below.

Issues of Concern

- Issue – Fire Department and Sheriff’s Department Approval of Entry Gates/Fences: Staff has worked diligently with the applicant and reviewing agencies to design an alternative that works. Staff has designed an alternative that is acceptable to the Fire Department, Sheriff’s Department, and City Traffic Engineer.

However, the applicant disagrees with staff’s alternative and is advocating a design that requires minimal improvements to Via Mattonella. The applicant’s design requires guests to exit a vehicle while the engine is running and walk to a call box located on the passenger side. This design would create a situation in which the sidewalk on the western side of Via Mattonella serves no purpose because it is cut-off by the gate. It is staff’s opinion that the applicant’s design creates a safety hazard when a driver exits a vehicle while the engine is idling and creates an unneeded sidewalk that leads to nowhere.

Staff indicated to the applicant that the main concern is health, safety, and welfare of the community. The proposed project should not compromise safety or create a liability for the City by obstructing access to emergency vehicles. The proposed fences/gates were not part of the original approval granted by the Planning Commission in 2003. Since the gates/fences are being proposed for an existing community, there are constraints to designing the gates/fences to acceptable standards.

Staff has researched the issue and believes that the best possible alternative that satisfies the concerns of the Fire Department, Sheriff’s Department, and the City Traffic Engineer is to create a three-lane driveway on Via Mattonella consisting of one outbound lane and two inbound lanes with a call box island located on the driver’s side for incoming guests. This solution would require the driveway width to be extended from 36 feet to 40 feet by removing one of the sidewalks. This alternative has been forwarded for review and approved by the Fire Department, Sheriff’s Department, and City Traffic Engineer.

The main advantage of this alternative is that the call box would be located on the driver’s side of the vehicle where drivers would not have to exit their vehicles. The added width allows adequate space (26 feet clear and unobstructed) for Fire Department access and turnaround, and the removal of

one sidewalk eliminates the problem of having a sidewalk lead to nowhere. Aesthetically, this design eliminates the unnecessary, un-functional concrete sidewalk.

The applicant contends that there is an existing fire hydrant located along the western edge of the driveway that cannot be relocated, thus making staff's alternative infeasible. Upon site inspection, staff observed the fire hydrant to be in a landscape area outside of the driveway. Thus, it is staff's opinion that the fire hydrant would not interfere with the expansion of the driveway. Furthermore, the driveway can be shifted around the fire hydrant if necessary.

The comments from the Sheriff's Department also dealt with access. The Sheriff's Department indicated the use of a new remote control device in which they could easily access private gated communities. This would require at least one of the vehicle entry gates to be equipped with a radio frequency activated opening device compatible with Sheriff's Department radios. In addition, the Sheriff's department required the installation and maintenance of a digital video recording system in which to monitor the entry and exit gates on a 24-hour basis. This would serve as a deterrent to criminal and nuisance activities and would aid in the investigation of criminal activities.

It is staff's opinion that the alternative for one outbound and two inbound lanes is the best alternative based on the numerous alternatives reviewed. This preferred alternative would require guests to enter from Via Mattonella on the Shadwell Street side. Guests would be able to call a resident without having to exit the vehicle. If the Planning Commission is amenable to this preferred alternative, the following conditions are proposed:

- *Proposed Condition/Change:* A condition has been added to require Via Mattonella on the Shadwell Street side to be altered according to the plans on file at the Planning Division and approved by the Fire Department, Sheriff's Department and the City Traffic Engineer.
 - *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:* All other requirements of the Fire Department, Sheriff's Department and the City Traffic Engineer shall be met prior to installation of the fences/gates.
- Issue – Other Gates/Fences: The original approved plans from 2003 showed 42-inch high gates/fences for the homes along Shadwell. Staff has conveyed to the applicant that the gates/fences may be constructed in order to give those homes a more defined "front yard." Instead of gating each individual home with a gate/fence, the application is proposing a continuous gate/fence

in front of the units along Shadwell Street. Similar gates/fences will be constructed at the Figueroa Street side to enclose the community.

In areas along the perimeter located a minimum 10 feet from the street right-of-way, the fence may extend up to six feet in height. The applicant proposes six-foot high fences along Shadwell Street at the terminus of Firenze Street and Venice Street, and at the northeastern corner of the community.

- *Proposed Condition/Change:* Staff has added conditions to require that all gates/fences be compatible with the overall design of the community.
- Issue – Parking: Installation of the gates/fences would result in the permanent removal of approximately 4 guest parking spaces. However, there would still be 50 guest parking spaces remaining, which is adequate to meet the minimum requirement of 45 spaces.
 - *Proposed Condition/Change:* No conditions or changes required.

IV. Conclusion

Mosaic Walk has been regarded as a model development in the City of Carson. The developer, the Olson Companies, designed Mosaic Walk to be an un-gated, integral part of the surrounding neighborhood. The new property owners have expressed their concerns with cut-through traffic and kids loitering and defacing their private property. It is the homeowners' intent to improve the safety and welfare of their community by making it a gated. However, doing so after-the-fact is difficult because the community was never designed to be gated; there is inadequate area to provide for a turnaround, call box island, and queuing area similar to communities that were designed to be gated. It is staff's opinion that the alternative shown in the attached plan is the best alternative because it minimizes safety concerns and would be an attractive improvement to the community.

V. Environmental Review

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15303(e), fences/gates are categorically exempt.

VI. Recommendation

That the Planning Commission:

- **ADOPT** the categorical exemption;
- **APPROVE** Design Overlay Review No. 1015-07; 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. 1015-07 to construct perimeter and vehicular gates and

fences for the Mosaic Walk community. The subject property is located at 22518-22606 S. Figueroa Street.”

VII. Exhibits

1. Resolution
2. Facsimile from the Fire Department approving preferred plan on Via Mattonella along Shadwell Street dated January 17, 2008
3. Memorandum from Sheriff’s Department dated January 4, 2008
4. Planning Division preferred development plan
5. Applicant’s development plan (under separate cover)

Prepared by: _____
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Approved by: _____
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