



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: May 27, 2008
SUBJECT: Design Overlay Review No. 1268-08
Conditional Use Permit No. 699-08

APPLICANT: Reynaldo Ramos
Attention: Rudy Padilla
274 E. 236th Street
Carson, CA 90745

REQUEST: First and second floor additions to an existing three-unit, multifamily dwelling located in the RM-12-D (Residential, Multifamily – 12 units per acre – Design Overlay) zone

PROPERTY INVOLVED: 274 E. 236th Street

COMMISSION ACTION

Concurred with staff
 Did not concur with staff
 Other

COMMISSIONERS' VOTE

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

Item No.11-B

I. Introduction

Date Application Received

- March 17, 2008: Design Overlay Review No. 1268-08 and Conditional Use Permit No. 699-08

Applicant and Property Owner

- Reynaldo Ramos, 274 E. 236th Street, Carson, CA 90745

Project Address

- 274 E. 236th Street, Carson, CA 90745

Project Description

- Proposed 1,063-square-foot second floor addition and a 97-square-foot first floor addition to an existing 1,988-square-foot multiple dwelling containing three units.
- The application includes the following:
 - Design Overlay Review No. 1268-08 for the approval of a 1,160-square-foot addition to an existing 1,988-square-foot multiple dwelling containing three units.
 - Conditional Use Permit No. 699-08 for multiple dwellings.

II. Background

Current Use of Property

- The property is developed with an existing 1,988-square-foot three-unit multiple dwelling. The multiple dwelling units were built in 1947.

Previously Approved Discretionary Permits

- There is no record of previously approved discretionary permits on this property. The dwelling units were permitted by Los Angeles County and built prior to the City's incorporation and thus are considered legal pursuant to Section 9182.21(E) of the Carson Municipal Code (CMC).

Public Safety Issues

- After consulting with the Public Safety Department it was determined that there is no zoning code enforcement cases associated with this property.

III. Analysis

Location/Site Characteristics/Existing Development

- The subject property is located at 274 E. 236th Street.
- The existing multiple family dwelling units were built in 1947.
- Residential uses surround the subject property.
- The lot has an irregular shape in that it is located at the corner of 236th Street and Catskill Avenue with an alley located to the rear. The lot area is 7,817 square feet.



- The lot is legal non-conforming as to parking and is developed with three two-car garages. The lot does not meet the 9 parking space requirement, however, the parking deficiency is allowed to continue indefinitely per Section No. 9182(F) of the CMC, provided the number of dwelling units is not increased and the addition does not occupy the only available space on the lot which could be used to meet the parking requirement. The addition of a second floor on two of the units will not warrant any additional parking since it is not increasing the number of units. The proposed project complies with said CMC requirements.
- The proposed 1,063-square-foot second-floor addition consists of two units being remodeled with the addition of two bedrooms and one bathroom which are located to the east of the property next to the existing garages. The proposed 97-square-foot first-floor addition consists of a new 85-square-foot front door entrance and a 15-square-foot bay window bedroom remodel to the front units facing East 236th Street.

Zoning/General Plan/Redevelopment Area Designation

- The subject property is zoned RM-12-D (Residential Multiple Dwelling, Design Overlay Review) and surrounding properties share the same zoning.
- The subject property has a General Plan Land Use designation of Medium Density.

Applicable Zoning Ordinance Regulations

The proposed multiple dwelling bedroom additions are subject to the approval of a development plan in accordance with the Site Plan and Design Review (DOR) and Conditional Use Permit (CUP) procedures as provided in Section 9172.23 and Section 9172.21, respectively.

Required Findings: Site Plan and Design Review

Pursuant to Section 9172.23, Site Plan and Design Review, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. Compatibility with the General Plan, any specific plans for the area, and surrounding uses.
2. 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.
3. Convenience and safety of circulation for pedestrians and vehicles.
4. Attractiveness, effectiveness and restraint in signing, graphics and color.
5. Conformance to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.

All of the required findings pursuant to Section 9172.23(D), "Site Plan and Design Review, Approval Authority and Findings and Decision", can be made in the affirmative. Details can be found in the attached Resolution.

Required Findings: Conditional Use Permit

Pursuant to Section 9172.21. D., Conditional Use Permit, the Planning Commission may approve the proposal only if the following findings can be made in the affirmative:

1. The proposed use and development will be consistent with the General Plan.
2. The site is adequate in size, shape, topography, location, utilities and other factors to accommodate the proposed use and development.
3. There will be adequate street access and traffic capacity.
4. There will be adequate water supply for fire protection.
5. The proposed use and development will be compatible with the intended character of the area.

All of the required findings pursuant to Section 9172.21(D), "Conditional Use Permit Review, Commission Findings and Decision", can be made in the affirmative. Details can be found in the attached Resolution.

Issues of Concern:

- Issue – Project Aesthetics: Pursuant to Section 9172. 23 (D), Site Plan and Design Review, Approving Authority Findings and Decision, the project must be harmonious and attractive to the area.
 - *Mitigation:* The existing first floor exterior stucco and roofing materials shall be repainted and/or replaced to match the proposed second floor addition.
 - *Mitigation:* Tile roofing materials shall be used for existing and new roof areas if existing and proposed structures can support tile material. This issue to be coordinated with the City's Building & Safety Division.
 - *Mitigation:* All windows shall have exterior frame trim treatment.
 - *Mitigation:* Install new roll-up garage doors with automatic garage door openers.

IV. Environmental Review

Pursuant to Section 15301(e) "Existing Facilities" of the California Environmental Quality Act (CEQA), the proposed first and second floor additions do not have the potential for causing a significant effect on the environment and are found to be categorically exempt.




V. 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. 1268-08 AND CONDITIONAL USE PERMIT NO. 699-08 FOR FIRST- AND SECOND-FLOOR ADDITIONS TO AN EXISTING MULTIFAMILY DWELLING LOCATED AT 274 E. 236TH STREET."

VI. Exhibits

1. Resolution
2. Development Plans

Prepared by: 
Zak Gonzalez II, Planner

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

Approved by: _____
Sheri Repp, Planning Manager

DOR No. 1268-08 & CUP No. 699-08 4

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 08-

A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW
NO. 1268-08 AND CONDITIONAL USE PERMIT NO. 699-08 FOR
FIRST- AND SECOND-FLOOR ADDITIONS TO AN EXISTING
MULTIFAMILY DWELLING LOCATED AT 274 E. 236TH 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, Reynaldo Ramos, with respect to real property located at 274 E. 236th Street, and described in Exhibit "A" attached hereto, requesting the approval of a Design Overlay Review (DOR No. 1268-08) and Conditional Use Permit (CUP No. 699-08) for a developed property in the RM-12-D (Residential, Multifamily – 12 units per acre – Design Overlay) zone.

A public hearing was duly held on May 27, 2008, at 6:30 P.M. at 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. The Planning Commission finds that:

- a) The General Plan designates the property as Medium Density which is compatible with the proposed use. The proposed addition to an existing three-unit dwelling will be consistent with the surrounding residential uses and is appropriate for the subject property.
- b) The project is compatible in design with existing and anticipated development in the vicinity, including the aspects of site planning, land coverage, landscaping, appearance and scale of structures, open spaces, and other features relative to a harmonious and attractive development of the area.
- c) The site is adequate in size, shape, topography, location, utilities, and other factors to accommodate the proposed use and development. The surrounding land uses are primarily residential uses and the proposed project is compatible with those uses. The site is 7,817 square feet, relatively flat, and is located in a residential area.
- d) The lot is legal non-conforming as to parking and is developed with three two-car garages. The lot does not provide the required 9 parking spaces as indicated in the Carson Municipal Code (CMC), however, the parking deficiency is allowed to continue indefinitely provided the number of units is not increased and the addition does not occupy the only available space on the lot which could be used to meet the parking requirement. The proposed project complies with Section 9182.41(F) of the CMC pertaining to parking nonconformity.



Therefore, circulation and street parking on the adjacent public streets will not be adversely impacted. Safety and convenience of vehicular and pedestrian access is provided.

- e) The proposed project is for additions to a multifamily dwelling and no signs are proposed.
- f) The proposed DOR and CUP application for the proposed multiple dwelling units remodel/addition meets the goals and objectives of the General Plan and is consistent with applicable zoning and design regulations. Therefore all of the required findings pursuant to Section 9172.23 (D), "Design Overlay Review, Approval Authority and Findings and Decision" and CUP Section 9172.21 (D) can be made in the affirmative.

Section 4. The Planning Commission further finds that the use permitted by the proposed Design Overlay Review and Conditional Use Permit will not have a significant effect on the environment. The proposed use will not alter the predominantly residential character of the surrounding area and will meet or exceed all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15301(e) of the CEQA (California Environmental Quality Act) Guidelines.

Section 5. Based on the aforementioned findings, the Commission hereby grants Design Overlay Review No. 1268-08 and Conditional Use Permit No. 699-08 with respect to the property described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto.

Section 6. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the applicant.

Section 7. 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 May, 2008

CHAIRMAN

ATTEST:

SECRETARY



EXHIBIT "A"

Legal Description:

Lot 4 of Tract No. 13843, M. B. 302-17-19. Also known as APN 7329-033-003
(274 E. 236th Street, Carson, CA).

CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1268-08 and
CONDITIONAL USE PERMIT NO. 699-08

GENERAL CONDITIONS

1. If a building permit for Design Overlay Review No. 1268-08 and Conditional Use Permit No. 699-08 is not issued within one year of their effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. The approved Resolution, including the Conditions of Approval contained herein, and signed Affidavit of Acceptance, shall be copied in their entirety and placed directly onto a separate plan sheet behind the cover sheet of the development plans prior to Building and Safety plan check submittal. Said copies shall be included in all development plan submittals, including any revisions and the final working drawings.
3. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
4. The applicant shall make any necessary site plan and design revisions to the site plan and elevations approved by the Planning Commission in order to comply with all the conditions of approval and applicable Zoning Ordinance provisions. Substantial revisions will require review and approval by the Planning Commission. Any revisions shall be approved by the Planning Division prior to Building and Safety plan check submittal.
5. The applicant and property owner shall sign an Affidavit of Acceptance form and submit the document to the Planning Division within 30 days of receipt of the Planning Commission Resolution.
6. It is further made a condition of this approval that if any condition is violated or if any law, statute ordinance is violated, this permit may be revoked by the Planning Commission or City Council, as may be applicable; provided the applicant has been given written notice to cease such violation and has failed to do so for a period of thirty days.
7. The applicant shall submit two complete sets of plans that conform to all the Conditions of Approval to be reviewed and approved by the Planning Division prior to the issuance of a building permit.

8. The multifamily dwelling shall be limited to no more than three (3) dwelling units. In the event that a future unit(s) is (are) created or an additional room(s) is (are) added without first obtaining approval from the City, said Conditional Use Permit (CUP) shall be deemed null and void, and the property owner must remediate the dwelling within 30 days of notice from the City by either eliminating the illegal dwelling/room/partition or obtaining approval of a CUP from the Planning Commission.
9. Applicant shall defend, indemnify and hold harmless the City of Carson, its agents, officers, or employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void or annul, and approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No. 1268-08 and Conditional Use Permit No. 699-08. The City will promptly notify the Applicant of any such claim, action, or proceeding against the City and the Applicant will either undertake defense of the matter and pay the City's associated legal costs or will advance funds to pay for defense of the matter by the City Attorney. The City will cooperate fully in the defense. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

AESTHETICS-GARAGE USE (FOLLOWING CONDITIONS SHALL BE COMPLIED WITH BEFORE ISSUANCE OF CERTIFICATE OF OCCUPANCY).

10. The existing first floor exterior stucco shall be repainted or replaced to match the proposed second floor addition.
11. Tile roofing material shall be used for existing and new roof areas if existing and proposed structure can support tile material. This condition to be coordinated with the City's Building & Safety Division.
12. All windows shall have exterior frame trim treatment.
13. Install new roll-up garage doors with new automatic garage door openers.
14. Existing garages shall be used for storage of vehicles and not for habital living space or use as storage shed.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

15. Prior to issuance of a Building Permit, Proof of Worker's Compensation and Liability Insurance must be on file with the Los Angeles County Building and Safety Department.

BUSINESS LICENSE DEPARTMENT – CITY OF CARSON

16. Per section 6310 of the Carson Municipal Code, all parties involved in the project, including but not limited to contractors and subcontractors, will need to obtain a City Business License.

