



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: March 11, 2014
SUBJECT: Design Overlay Review No. 1447-12
APPLICANT: Wesley Sanders
420 South Sloan Avenue
Compton, CA 90221
REQUEST: To construct a new 3,500 square feet single-family dwelling with attached two-car garage on a 46.5-foot wide vacant lot
PROPERTIES INVOLVED: 17911 and 17915 Mackeson Court

COMMISSION ACTION

_____ Concurred with staff
_____ Did not concur with staff
_____ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Faletogo - Chairperson			Gordon
		Verrett - Vice-Chair			Piñon
		Brimmer			Saenz
		Diaz			Schaefer
		Goolsby			

I. Introduction

Date Application Received

- March 1, 2012: Design Overlay Review No. 1447-12

Applicant / Property Owner Representative

- Wesley Sanders, 420 South Sloan Avenue, Compton, CA 90221

Property Owner

- Designer Properties, LLC, 18723 Erwin Street, Tarzana, CA 91335

Project Address

- 17911 and 17915 Mackeson Court

Project Description

- To construct a new 3,500-square-foot single-family dwelling with attached two-car garage on a 4,600-square-foot vacant lot located at 17911 Mackeson Court.
- The vacant lot at 17915 Mackeson Court was included in this proposal, but is not ready at this time due to the existing oil well at the site. It is expected to be brought to the Planning Commission at a later meeting.

II. Background

Previous Uses of Property

- The subject properties were formerly active oil well sites. The wells are no longer active and most of the structures associated with the previous wells have been removed (see *Issues of Concern* for further details).

Previously Approved Discretionary Permits

- There have been no previously approved discretionary permits on the subject parcels.

Public Safety Issues

- There is no past or current zoning code enforcement case associated with any of the subject properties.

III. Analysis

Location/Site Characteristics/Existing Development: Design Overlay Review 1447-12

- The subject properties are currently vacant and located at 17911 and 17915 Mackeson Court, a one-block long cul-de-sac street northeast of the intersection of Victoria Street and Tamcliff Avenue.
- Adjacent to the west, north and south and across the street from the subject properties on Mackeson Court are two-story single-family residences.
- The subject property is 46.5 feet wide and 100 feet deep, comprising a total area of approximately 4,650 square feet.

- The property located to the north at 17911 Mackeson Court has no existing oil well on site, but there is an abandoned oil well at 17915 Mackeson Court.

Zoning/General Plan/Redevelopment Area Designation

- The subject properties are zoned RS (Residential, Single-family) with all adjacent properties sharing the same zoning designation.
- The subject properties have a General Plan Land Use designation of Low Density Residential, which is consistent with the zoning designation.

Applicable Zoning Ordinance Regulations

The same development standards are applicable to all properties involved in the proposed Site Plan and Design Reviews due to the similarity of their site characteristics, zoning and general plan designations. The following table summarizes the proposed projects' consistency with current site development standards for the RS zone district and other zoning code sections applicable to the proposed uses:

Applicable Zoning Section	Compliant	Non-Compliant
Residential Development Standards		
Section 9121.1, Uses Permitted (see also 9126.9 and 9127.23)	X	
9124, Dwelling Units; 9125.2, Minimum Lot Area; 9125.3, Street Frontage and Access; 9125.4, Minimum Lot Width; 9126.12, Height of Buildings and Structures.	X	
9126.221, Parking Setback; 9126.23, Front Yard; 9126.24, Side Yard; 9126.25, Rear Yard.	X	
9126.29, Encroachments	X	
9126.28, Usable Open Space	X	
9126.3, Fences, Walls and Hedges	X	
9126.4, Trash and Recycling Areas	X	
9126.6, Parking, Loading and Driveways (refer to 9162.21 for further details)	X	
9127.1, Exterior Lighting	X	

Applicable Zoning Section	Compliant	Non-Compliant
9126.8, Utilities	X	
General Development Standards		
9162.0(A), Paving and Drainage of Vehicular Areas	X	
9162.1, General Requirements	X	
9162.21(A)(1), Parking Spaces Required	X	
9162.3(A)(4), Location of Parking	X	
9162.41(A), Automobile Parking Stall Size	X	
9162.52(C), Landscaping Requirements	X	
9162.8, Driveway Widths, Driveway Approaches and Traffic Sight Distance	X	
Procedures		
9171.4, Environmental Review Requirements	X	
9172.23, Site Planning and Design Review		
9171.1(B)(3), Types of Procedure		
9173.1 through 9173.9, Elements of Procedure	X	

Project Details

- The proposed residence for this project is comprised of two side-by-side lots. The southern lot will require Planning Commission approval at a later date.
- The first floor features an entryway leading from the front door into a great room centrally located with a dining room/kitchen and a family room. The second floor features six bedrooms and bathrooms.
- The front elevation featuring a two-car garage located in the front and a covered walkway leading to the front door.
- The front elevation for the proposed house is similar in design to the residences in the vicinity of the subject property, which feature a 2nd story setback from the garage located in the front of the residences, a covered porch area near the entrance, and different types of siding.

Required Findings: Design Overlay Review No. 1447-12

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:

- 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;
- e. 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. Specific details regarding the applicable findings identified for each of the discretionary permits are incorporated in the attached resolution.

Issues of Concern / Proposed Condition/Change: Design Overlay Review No. 1447-12

- Issue: 17911 Mackeson Court has no existing onsite oil well, but is located within 200 feet of the well at 17915 Mackeson Court. According to Building Code Section 110.4 the applicant would need to submit a report for 17915 Mackeson Court prepared by a registered design professional, such as a licensed civil engineer and/or licensed petroleum engineer, to evaluate whether the well is being properly operated, maintained, or abandoned. No permits shall be issued until documentation of proper operation, maintenance, or abandonment or re-abandonment is submitted to and approved by the Building Official. The applicant would need to provide documentation that shows current standards by the Department of Conservation Division of Oil, Gas, and Geothermal Resources (DOGGR) are met. If the oil well has not been abandoned to current standards, plans may have to be revised. The Building and Safety Department may need to hire a petroleum engineer at the cost of the applicant to review the report submitted if it includes a proposal for oil well re-abandonment.
- The applicant provided staff with a summary report dated March 15, 2012 of a Well Status Review (Well Review Program Name and Number: CR-12-002)

prepared by Mr. Wei Ru Chen, Well Review Engineer. This report states that if during construction, any abandoned or unrecorded wells are uncovered, the developer shall contact the District office immediately. An amended site plan shall be submitted for review. The District office will send a follow-up letter to the local jurisdiction. Remedial plugging and re-abandonment operations may be required. This report has been included as Exhibit No. 2.

- Since there is an oil well within 200 feet of 17911 Mackeson Court, the applicant provided the most recent Methane Gas Leak Test Report by Mearns Consulting LLC, dated September 20, 2013, indicating the required leak test of the surface plug was performed on September 19, 2013 and the surface plug was found not to be leaking. This report has been included as Exhibit No. 3.
- Remediation: Staff requires that the applicant follow the directions and recommendations given by the Building and Safety Department to ensure that the wells have been properly capped and vented. A construction site plan review and abandonment permitting process is required by DOGGR. It is staff's opinion that through these processes and by ultimate approval from the Building and Safety Department, the subject site will be free of possible hazards to future occupants. The Conditions of Approval will reflect staff's requirement to follow the directions of the environmental consultant and gain approval from DOGGR prior to building occupancy.

IV. Environmental Review

Pursuant to Section 15303, Class 3 – New Construction or Conversion of Small Structures, the proposed development of the new, two-story single-family dwelling reasonably falls within this exemption category since no foreseeable significant impacts would result.

V. Recommendation

That the Planning Commission:

- **APPROVE** the Categorical Exemption;
- **APPROVE** Design Overlay No. 1447-12 subject to 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. 1447-12 FOR CONSTRUCTION OF A NEW, TWO-STORY SINGLE-FAMILY DWELLING WITH ATTACHED GARAGE ON A PROPERTY LOCATED AT 17911 MACKESON COURT."

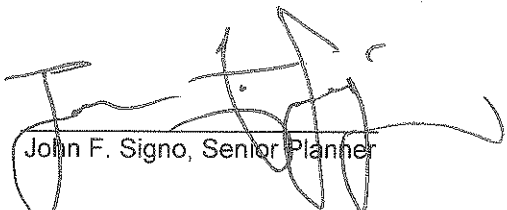
VI. Exhibits

1. Draft Resolution for DOR No. 1447-12.
2. Agency Response from California's Division of Oil, Gas and Geothermal Resources;
3. Summary of Methane Gas Leak Test by Mearns Consulting LLC;
4. Site plan, elevations, floor plans (under separate cover);
5. Land use map.

Prepared by:


Peter Raktiprakorn, Assistant Planner

Reviewed by:


John F. Signo, Senior Planner

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO. 1447-12 FOR CONSTRUCTION OF A NEW, TWO-STORY SINGLE-FAMILY DWELLING WITH ATTACHED GARAGE ON A PROPERTY LOCATED AT 17911 MACKESON COURT

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, Wesley Sanders, with respect to real property located at 17911 and 17915 Mackeson Court, and described in Exhibit "A" attached hereto, requesting the approval to construct two 3,500-square-foot, two-story single-family residences on side-by-side lots, in the RS (Residential, Single-family) zone district. The property at 17915 Mackeson Court has an existing oil well at the site and is not ready for review at this time.

A public hearing was duly held on March 11, 2014, 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 proposed project is identified in the General Plan as a permitted use for this land use category and adheres to the goals and objectives of the Housing Element of the General Plan by improving housing stock in the community and enhancing neighborhood quality. There is no specific plan for this area. The surrounding land uses are two-story single-family dwellings, and the proposed project is compatible with these uses.
- b) The project is compatible in 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) The proposed project includes an attached two-car garage, therefore the off-street parking requirements are met and circulation on the adjacent public street will not be adversely impacted.
- d) There are no signs intended for the proposed project, therefore the signing findings are not necessary.
- e) The proposed project conforms to any applicable design standards and guidelines that have been adopted pursuant to Section 9172.15.

- f) The proposed single family dwelling at 17911 Mackeson Court meets the goals and objectives of the General Plan and are consistent with applicable zoning and design regulations. 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.

Section 4. The Planning Commission further finds that the use permitted by the proposed Design Overlay Review will not have a significant effect on the environment. The proposed use will not alter the predominantly residential character of the surrounding area and meets or exceeds all City standards for protection of the environment. Therefore, the proposed project is found to be categorically exempt under Section 15303(a) of the California Environmental Quality Act (CEQA) Guidelines.

Section 5. Based on the aforementioned findings, the Commission hereby grants Design Overlay Review No. 1447-12 with respect to 17911 Mackeson Court described in Section 1 hereof, subject to the conditions set forth in Exhibit "B" attached hereto, and approves the categorical exemption. The residence proposed for 17915 Mackeson is not approved at this time.

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 11th DAY OF MARCH, 2014.

CHAIRMAN

ATTEST:

SECRETARY

DOR# 1447-12

EXHIBIT "A"

LEGAL DESCRIPTION

Real property in the City of Carson, County of Los Angeles, State of California, described as follows:

PARCEL A:

LOTS 35 AND 36 OF TRACT 25491, IN THE CITY OF CARSON, AS PER MAP RECORDED IN BOOK 750 PAGES 66 TO 68 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING A SUBDIVISION OF THE SURFACE AND THAT PORTION OF THE SUBSURFACE WHICH IS WITHIN 500 FEET MEASURED VERTICALLY DOWNWARD FROM THE SURFACE (AS SAID SURFACE EXISTED ON OCTOBER 25, 1965) OF PORTIONS OF THE 273.89 ACRE TRACT ALLOTED TO MERCHANTS EXCHANGE BANK, AND THE 504.19 ACRE TRACT ALLOTED TO J. G. DOWNEY BY THE DECREE OF PARTITION OF A PORTION OF THE RANCHO SAN PEDRO IN CASE NO. 939 OF THE SUPERIOR COURT OF THE COUNTY OF LOS ANGELES, SHOWN AS PARCEL 4 ON RECORD OF SURVEY FILED IN BOOK 82 PAGES 31 AND 32 OF RECORD OF SURVEY, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL B:

LOTS 11, 12, 47 AND 48 OF TRACT 23924, IN THE CITY OF CARSON, AS PER MAP RECORDED IN BOOK 757 PAGES 3 TO 8 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, BEING A SUBDIVISION OF SURFACE AND THAT PORTION OF THE SUBSURFACE WHICH IS WITHIN 500 FEET, MEASURED VERTICALLY DOWNWARD FROM THE SURFACE, AS SAID SURFACE EXISTED ON OCTOBER 25, 1965, PER BENCH MARK SY 3125.

APN: 7319-021-019 and 7319-021-018 and 7319-013-021 and 7319-013-022 and 7319-019-011 and 7319-019-012

17911 & 17915 Mackeson Ct.

CITY OF CARSON
DEVELOPMENT SERVICES
PLANNING DIVISION
EXHIBIT "B"
CONDITIONS OF APPROVAL
DESIGN OVERLAY REVIEW NO. 1447-12

GENERAL CONDITIONS

1. If a building permit plan check submittal proposing the implementation of Design Overlay Review No. 1447-12 is not submitted to the City of Carson within one year of its effective date, said permit shall be declared null and void unless an extension of time is previously approved by the Planning Commission.
2. Development on 17915 Mackeson Court is not approved at this time. Plans must meet the requirements of the Department of Gas and Geothermal Resources (DOGGR) and reviewed and approved by the Building Official for proper treatment of the abandoned oil well.
3. 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.
4. The applicant shall comply with all city, county, state and federal regulations applicable to this project.
5. 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 by the Planning Commission.
6. 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.
7. It is further made a condition of this approval that if any condition is violated or if any law, statute or 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.



8. 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.
9. A modification of the conditions of this permit, including additions or deletions, may be considered upon filing of an application by the owner of the subject property or his/her authorized representative in accordance with Section 9173.1 of the Zoning Ordinance.
10. Decision of the Planning Commission shall become effective and final 15 days after the date of its action unless an appeal is filed in accordance with Section 9173.4 of the Zoning Ordinance.
11. Precedence of Conditions. If any of the Conditions of Approval alter a commitment made by the applicant in another document, the conditions enumerated herein shall take precedence unless superseded by a Development Agreement, which shall govern over any conflicting provisions of any other approval.
12. City Approvals. All approvals by City, unless otherwise specified, shall be by the department head of the department requiring the condition. All agreements, covenants, easements, deposits and other documents required herein where City is a party shall be in a form approved by the City Attorney. The Developer shall pay the cost for review and approval of such agreements and deposit necessary funds pursuant to a deposit agreement.
13. The 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, or in any way related to the approval of the City, its advisory agencies, appeal boards, or legislative body concerning Design Overlay Review No.1447-12. 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. The applicant shall provide a deposit in the amount of 100 percent of the City's estimate, in its sole and absolute discretion, of the cost of litigation, including the cost of any award of attorney's fees, and shall make additional deposits as requested by the City to keep the deposit at such level. The City may ask for further security in the form of a deed of trust to land of equivalent value. If the applicant fails to provide or maintain the deposit, the City may abandon the action and the applicant shall pay all costs resulting therefrom and the City shall have no liability to the applicant.



PARKING

14. All parking areas and driveways shall remain clear. No encroachment into parking areas and/or driveways shall be permitted.
15. All areas used for the movement parking, loading, repair or storage of vehicles shall be paved with either:
 - a. Concrete or asphaltic concrete to a minimum thickness of three and one-half inches over four inches of crushed aggregate base; or
 - b. Other surfacing material which, in the opinion of the Director of Engineering Services, provides equivalent life, service and appearance.

AESTHETICS

16. The specification of all colors and materials and texture treatment must be submitted and approved by the Planning Division prior to the issuance of any building permits.
17. The roofing material shall be of tile or higher quality material as reviewed and approved by the Planning Division. The development plans shall be revised prior to building plan check submittal.
18. Landscaping shall be provided in the front yard to the satisfaction of the Planning Department.
19. Wrought iron and railings shall be sculptured or otherwise designed in such way as to create interest to the satisfaction of the Planning Division.
20. All trash and debris shall be removed prior to the issuance of a building permit. The subject property shall be maintained at all times to present an attractive appearance to the satisfaction of the Planning Division.
21. Vehicle repairs shall be done only in accordance with Section 9122.7 of the Zoning Ordinance. Said repairs must be an accessory use, not a primary use.
22. Graffiti shall be removed from all project areas within 3 days of written notification by the City of Carson. Should the graffiti problem persist more than twice in any calendar year, the matter may be brought before the Planning Commission for review and further consideration of site modifications (i.e., fencing, landscaping, chemical treatment, etc.).

FENCES/WALLS

23. Existing and proposed fences and walls shall be permitted, repaired and constructed subject to inspection and approval pursuant to all applicable Los Angeles County Building and Safety Division standards and Planning Division.
24. All fences, walls and hedges shall be located and constructed in compliance with the standards as provided for in Section 9126.3 of the Zoning Ordinance. Forty-

two inches is the maximum height for fences, walls, and hedges located within the twenty-foot front yard setback.

LIGHTING

25. All exterior lighting shall be provided in compliance with the standards as provided for in Section 9127.1 of the Zoning Ordinance.

FIRE DEPARTMENT - COUNTY OF LOS ANGELES

26. Fire Department access shall be extended to within 150 feet distance of any portion of structure to be built.
27. All required fire hydrants shall be installed, tested and accepted prior to construction. Vehicular access must be provided and maintained serviceable throughout construction.
28. All plans require prior approval from the Fire Department.

ENGINEERING SERVICES DEPARTMENT - CITY OF CARSON

29. A construction permit is required for any work to be done in the public right-of-way.
30. As necessary, the applicant shall remove and replace broken driveway approach per City of Carson Standard.
31. The applicant shall submit plans to the Department of Public Works showing all the required improvements in the public right of way for review and approval by the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
32. All infrastructure necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of the Certificate of Occupancy.
33. The applicant shall gain approval from the Planning Division for any applicable SUSMP requirements and shall incorporate Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.

Prior to issuance of a Building Permit, the following must be on file:

34. Drainage/Grading plan as approved by the Los Angeles County Department of Public Works.
35. Construction bond as required for all work to be done within the public right of way.
36. Proof of Worker's Compensation and Liability Insurance.

37. Any city owned improvements, street or otherwise, damaged during the construction shall be removed and reconstructed per City standard plan and to the satisfaction of the City Engineer.
38. Since this project site contains active, abandoned or idle oil or gas wells, the issue shall be addressed and mitigation measures provided to the California Department of Conservation, Division of Oil, Gas and Geothermal Resources for issuance of necessary permit.

BUSINESS LICENSE DEPARTMENT - CITY OF CARSON

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

