



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: July 8, 2014

SUBJECT: Design Overlay Review No. 1536-14; Conditional Use Permit No. 954-14

APPLICANT: Robert Stenson
2041 Rosecrans Avenue, Suite 380
El Segundo, CA 90245

REQUEST: To construct three 2-story multiple-family residential buildings with 11 units totaling 8,781 square feet of interior living area located in the MU-SB (Mixed Use Sepulveda Boulevard) zone district

PROPERTIES INVOLVED: 440 E. Sepulveda Boulevard

COMMISSION ACTION

☐ Concurred with staff

☐ Did not concur with staff

☐ Other

COMMISSIONERS' VOTE

<u>AYE</u>	<u>NO</u>		<u>AYE</u>	<u>NO</u>	
		Chairman Faletogo			Gordon
		Vice-Chair Verrett			Piñon
		Brimmer			Saenz
		Diaz			Schaefer
		Goolsby			

Item No. 11A

I. Introduction

Property Owner/Applicant

1. Property Owner: Merchants Bank of California, N.A., 1 Civic Plaza Drive, Carson, CA 90745
2. Property Applicant: Robert Stenson, 2041 Rosecrans Avenue, Suite 380, El Segundo, CA 90245

Project Address

3. 440 E Sepulveda Boulevard, Carson, CA 90745

Project Description

4. Proposed three 2-story multiple-family residential buildings with 11 units totaling 8,628 square feet of interior living area. Parking totaling 25 spaces will be provided on-site with 17 alley-loaded garage spaces, 5 canopy spaces and 3 uncovered guest spaces. Gross site area is approximately 19,326 square feet; net site area is approximately 18,326 square feet after providing a five-foot dedication to expand the alley.

II. Background

Current Use of the Property

The property is currently vacant.

Previous Uses

The property was previously used as an auto repair shop in the 1980's. In 1982 the Los Angeles County Department of Engineer Facilities issued an Industrial Wastewater Discharge Permit No. 9375 for the disposal of wastes from cleaning automotive radiators. In 1993 the City issued a demolition permit for a wood building. There is no record of a Phase 1 soils report for this property; however, the City's Engineer Division is requiring a soils report as a condition of approval.

Previously Approved Discretionary Permits

Previous Design Overlay Review No. 1282-08 was approved on September 9, 2008 for two office buildings with approximately 8,726 square feet of office space. The permit was not acted upon and has since expired.

Public Safety Issue

The subject property is vacant and there are no open zoning code enforcement cases associated with this property.

III. Analysis

Location/Site Characteristics/Existing Development

The subject property is located at 440 E. Sepulveda Boulevard and is approximately 19,300 square feet. Commercial and residential uses surround the subject property. Single-family homes are located to the south across an alley and to the north across Sepulveda Blvd. A restaurant, operating as a bar and grill, is located to the east. Other commercial uses are located to the west.

Project Site



Site outlined in yellow, City of Carson GIS, 2014

The project site plan also includes 25 parking spaces which comply with Section No. 9138.18.D.12.d of the Carson Municipal Code (CMC). The required parking is 25 spaces based upon 1 space for each 1-bedroom unit, and 1 guest space for each 4 units. The site plan identifies seven 2-car garages, three 1-car garages, four covered tandem spaces, and three guest parking spaces including one Americans with Disabilities Act (ADA) accessible space.

The building has been designed with stucco exterior and stone veneer. The landscape areas in front of the buildings, building wall base areas, and common areas include a colorful array of drought tolerant trees and shrubs that will provide an aesthetically-pleasing building and landscape.

The current alley access to the site is 10 feet wide. The City Traffic Engineer has reviewed the proposed site plan and has determined that a five foot dedication along the southern length of the subject property, in conjunction with future dedications from property all property owners along the alley will allow the city to improve alley access over time.

[illegible]

North, East and West Elevations



The subject property is zoned MU-SB (Mixed Use – Sepulveda Boulevard) and properties to the east and west share the same zoning. The properties to the north and south are zoned RS (residential Single Family). The subject property has a General Plan land use designation of Mixed Use – Residential.

The proposed multiple-family residential buildings are subject to the approval of a development plan in accordance with the Site Plan and Design Review procedures as provided in Section 9172.23.

Required Findings: Site Plan and Design Review

Pursuant to Section 9172.23, Site Plan and Design Review, the Planning and 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 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 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.

Issues of Concern:

- Issue – Project Safety: Being that rear garage access will be through the alley, there is an issue with public safety especially during the evening hours.
Mitigation: To promote public safety the applicant shall provide security sensor lighting and security cameras at the rear of the proposed garages. The lighting and security cameras should deter potential crimes that include graffiti and robberies.

IV. Environmental Review

Pursuant to Title 14 of the California Code of regulations, Chapter 3, Guidelines for Implementation of the California Environmental Quality Act (CEQA), article 16 (Categorical Exemptions) the project is deemed categorically exempt under Section 15332 (In-Fill Development Project) and will not result in significant adverse effects on the environment.

V. Recommendation

That the Planning Commission:

- WAIVE further reading and ADOPT Resolution No. 14-2519 entitled "A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW NO 1536-14 AND CONDITIONAL USE PERMIT NO. 954-14 FOR THE CONSTRUCTION OF

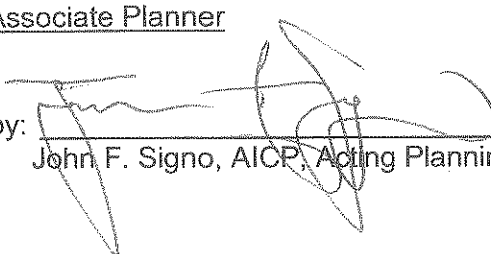
THREE MULTI-FAMILY RESIDENTIAL BUILDINGS LOCATED AT 440 E.
SEPULVEDA BOULEVARD."

VI. Exhibits

1. Draft Resolution
2. Development Plans

Prepared by: Richard Rojas, AICP, Associate Planner

Reviewed and Approved by:



John F. Signo, AICP, Acting Planning Manager

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 14-2519

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF CARSON APPROVING DESIGN OVERLAY REVIEW
NO 1536-14 AND CONDITIONAL USE PERMIT NO. 954-14 FOR
THE CONSTRUCTION OF THREE MULTI-FAMILY RESIDENTIAL
BUILDINGS LOCATED AT 440 E. SEPULVEDA BOULEVARD**

Section 1. An application was duly filed by the applicant, Robert Stenson, with respect to Design Overlay Review No. 1536-14 and Conditional Use Permit No. 954-14 to allow construction construct three 2-story multiple-family residential apartment buildings with 11 units totaling 8,781 square feet of interior living area located in the MU-SB (Mixed Use Sepulveda Boulevard) zone district (APNs 7406-013-003 & 7406-013-014 through 7406-013-007), as described in Exhibit "A" attached hereto.

A public hearing was duly held on July 8, 2014, at 6:30 P.M. at City Hall, Helen Kawagoe 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. Pursuant to CMC Section 9172.23, Site Plan and Design Review, the Planning Commission finds that:

a) Compatibility with the General Plan, any specific plans for the area, and surrounding uses.

The proposed project is consistent with the General Plan of the City of Carson in that the subject property is designated for Mixed-Use Sepulveda Boulevard (MU-SB). The proposed project and its anticipated uses are permitted within the MU-SB zoning district.

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.

The proposed project is considered architecturally superior to the properties in the vicinity as well as other aspects such as 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.

Adequate driveway widths are provided on the site. Appropriate circulation has been provided to ensure safety for pedestrians and motorists.



d) Attractiveness, effectiveness and restraint in signing, graphics and color.

Currently, no signs are proposed as part of the project. Future sign proposals, if any, will be reviewed for conformance with the Carson Municipal Code to ensure signs are attractive and effective.

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

The proposed project is consistent with all design standards and guidelines with Section 9172.15.

Section 4. The Planning Commission further finds that the proposed project will not have a significant effect on the environment. Pursuant to Section 15332 "In-Fill Development Projects" of the California Environmental Quality Act (CEQA) Guidelines, the proposed project is considered an in-fill development that does not have the potential for causing a significant effect on the environment. Thus, the proposed project is found to be categorically exempt.

Section 5. Based on the aforementioned findings, the Commission hereby approves Design Overlay Review No. 1536-14 and Conditional Use Permit No. 954-14 to allow construction construct three 2-story multiple-family residential buildings with 11 units totaling 8,781 square feet of interior living area located in the MU-SB (Mixed Use Sepulveda Boulevard) zone district (APNs 7406-013-003 & 7406-013-014 through 7406-013-007) 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.

PASSED, APPROVED AND ADOPTED THIS 8th DAY OF JULY, 2014

CHAIRMAN

ATTEST:

SECRETARY

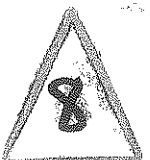
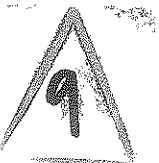


Exhibit "A"
Legal Description



CITY OF CARSON
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

EXHIBIT "B"

CONDITIONS OF APPROVAL

DESIGN OVERLAY REVIEW NO. 1536-14

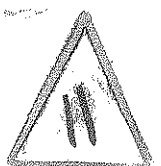
CONDITIONAL USE PERMIT NO. 954-14

GENERAL CONDITIONS

1. If a building permit for Design Overlay Review No. 1536-14 and Conditional Use Permit No. 954-14 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. **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.
9. **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.
10. **Deposit Account.** A trust deposit account shall be established for all deposits and fees required in all applicable conditions of approval of the project. The trust deposit shall be maintained with no deficits. The trust deposit shall be governed by a deposit agreement. The trust deposit account shall be maintained separate from other City funds and shall be non-interest bearing. City may make demands for additional deposits to cover all expenses over a period of 60 days and funds shall be deposited within 10 days of the request therefore, or work may cease on the Project.
11. 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. 1536-14 and Conditional Use Permit No. 954-14. 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.



AESTHETICS/ PRIVACY INTRUSION/SIGNAGE/SAFETY

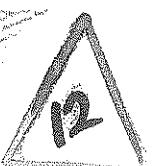
12. The applicant shall submit a landscape and irrigation plan to the Planning Division prior to issuance of a building permit in compliance with CMC 9138.15.D.7, Landscaping. The applicant shall maintain all landscaping with an automatic irrigation system.
13. Jacaranda trees shall be planted in the parkway along Sepulveda Boulevard.
14. All landscaping and irrigation plans shall be prepared by a licensed landscape architect. Irrigation and landscaping plans submitted for Building and Safety Division plumbing permits shall include signature from a licensed landscape architect in compliance with CMC.
15. The proposed irrigation system shall include best practices water conservation automatic water control equipment/systems.
16. Any roof-mounted equipment shall be screened to the satisfaction of the Planning Division.
17. The proposed residential development shall comply with all Los Angeles County Fire Department requirements, i.e. fire hydrant installations and fire flow requirements.
18. The applicant shall construct a maximum six-foot high masonry block wall along the side property lines. The City's Building and Safety Division shall approve the proposed masonry block wall construction plans.
19. The proposed project site shall be maintained free of debris and litter at all times.
20. The applicant shall submit a comprehensive lighting plan to the Planning Division prior to the issuance of a building permit.

PUBLIC WORKS DEPARTMENT - CITY OF CARSON

The Department of Public Works recommends approval of the proposed project subject to the following conditions:

GENERAL

21. The Developer shall submit a copy of **approved** Grading plans to the City of Carson – Engineering Division, prior to issuance of grading permits.
22. The Developer shall submit a copy of **approved** plans on mylars (*such as, Sewer, Street and/or Storm Drain Improvements, whichever applies*), to the City of Carson – Engineering Division, prior to issuance of construction permits.
23. Any existing off-site improvements damaged during the construction shall be removed and reconstructed per City of Carson Standard plan and to the satisfaction of the City Engineer.
24. A construction permit is required for any work to be done in the public right-of-way.



25. Construction bond for all work to be done within the public right-of-way shall be submitted and approved by Engineering Services.
26. Proof of Worker's Compensation and Liability Insurance shall be submitted to the city prior to issuance of construction permit.
27. Prior to the issuance of a building permit, the Developer shall submit a sewer area study to the Los Angeles County Department of Public Works (LACDPW) to determine if capacity is adequate in the sewerage system to be used as the outlet for the sewer of this development. If the system is found to have insufficient capacity, the problem must be addressed and resolved to the satisfaction of the L.A. County Sewer Department.
28. Drainage/grading plan prepared by a registered Civil Engineer, to the satisfaction by the Los Angeles County Department of Public Works.
29. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings in the development must be provided. The system shall include fire hydrants of the type and location as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
30. The developer's engineer shall submit the approved off-site improvement plans electronically stored on a CD in AutoCAD format to the Engineering Services Division.

BUILDING PERMITS

Prior to issuance of **Building Permit**, the proposed development is subject to the following:

31. Drainage/Grading plan shall be submitted for approval of the Building and Safety Division. The Developer shall submit a **copy of approved** Drainage/Grading plans on bond paper to the City of Carson – Engineering Division.
32. CC&R's (covenants, conditions and restrictions) to address drainage responsibilities are required.
33. The Developer shall comply with the applicable NPDES requirements and shall include Best Management Practices necessary to control storm water pollution from construction activities and facility operations prior to issuance of Building Permit.
34. Soils report, sewer area study, drainage concept, hydrology study and stormwater quality plan shall be reviewed and approved. Building permit issuance will not be granted until the required soils, sewer, drainage concept, hydrology study and stormwater information have been received and found satisfactory.
 - a) Comply with mitigation measures recommended in the approved soils, sewer area study, drainage concept, hydrology study and stormwater quality plan.
35. Quitclaim or relocate any easements interfering with building locations to the satisfaction of the City, appropriate agency or entity.
36. Additional right-of-way is required beyond the existing right-of-way line. Dedicate 5-ft of additional right-of-way abutting the development along the alley. New right-of-



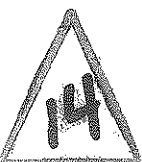
way line shall be 10-ft from existing centerline. Developer shall prepare legal description for required dedication, for review and approval of the City Engineer and Recordation with County Recorder's Office. All documents shall be approved and ready for recordation prior to the issuance of Building Permits.

37. The Developer shall submit improvement plans to the Department of Public Works – Engineering Services Division showing all the required improvements in the public right of way for review and approval of the City Engineer. A copy of approved conditions of approval shall be attached to the plans when submitted.
- a) Street Improvements (*if any*) along Sepulveda Blvd.
 - b) Full width alley improvements (*if any*)
 - c) Sewer Main Improvements (*if any*) along Sepulveda Blvd. as determined by the aforementioned sewer area study.
 - d) Storm Drain Improvements (*if any*) along Sepulveda Blvd. as determined by the aforementioned requirement.
38. Offsite improvements (*e.g., driveways, sidewalk, parkway drains, trees, curb/gutter*) shall be shown on the grading plan. Prior to issuance of grading permit, developer shall obtain clearance from Department of Public Works Engineering Services Division.
39. All existing overhead utility lines less than 12 kilovolts shall be underground to the satisfaction of the City Engineer. Alternatively, at the City Engineer's discretion, the City may accept an in-lieu fee in an amount determined by the City Engineer to be sufficient to cover the costs of such underground provided the applicant deposits the full amount of the deposit of the in-lieu fee before the issuance of Building Permits. Undergrounding estimate shall be prepared by Southern California Edison and shall be submitted to the City Engineer for his determination.

CERTIFICATE OF OCCUPANCY

Prior to issuance of **Certificate of Occupancy**, the proposed development is subject to the following:

40. The Developer shall install separate sewer laterals to individually serve each building in the development. Installation and dedication of main line sewers may be necessary to meet this requirement.
41. The Developer shall comply with all requirements from L.A. County Sewer Maintenance Division for maintenance of new and/or existing sewer main, relating to this development, prior to release of all improvement bonds.
42. The Developer shall execute and provide to the City Engineer, a written statement from the water purveyor indicating that the water system will be operated by the purveyor and that under normal conditions, the system will meet the requirements for the development and that water service will be provided to each building.
- a) Comply with mitigation measures recommended by the water purveyor.



43. The Developer shall construct and guarantee the construction of all required drainage infrastructures in accordance with the requirements and recommendations of the hydrology study, subject to the approval of the City Engineer.
44. Repair any broken or raised/sagged sidewalk, curb and gutter within the public right of way along Sepulveda Blvd. abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
45. Fill in any missing sidewalk if any, within the public right of way along Sepulveda Blvd. abutting this proposed development
46. Remove and replace any broken/damaged driveway approach within the public right of way along Sepulveda Blvd. abutting this proposed development per City of Carson Standard and to the satisfaction of the City Engineer.
47. Remove unused driveway approach, within the public right of way along Sepulveda Blvd. abutting this proposed development and replace it with full height curb and gutter and sidewalk per City of Carson Standard and to the satisfaction of the City Engineer.
48. The developer shall modify existing driveways within the public right of way along Sepulveda Blvd. abutting this proposed development per City of Carson Standard to comply with the ADA requirements and to the satisfaction of the City Engineer.
49. The developer shall construct new driveway approaches per City of Carson Standard and in compliance with the Ada requirements. The Developer shall protect or relocate any facilities to accommodate the proposed driveway approach. The maximum driveway approach width allowed for the site is 20 feet.
50. Install/If necessary, modify existing wheelchair ramp at the corner of Sepulveda Blvd. and Fries Street per City of Carson Standard, in compliance with ADA requirements.
51. Plant approved parkway trees on locations where trees in the public right of way along Sepulveda Blvd. abutting this proposed development are missing per City of Carson Standard Nos. 117, 132, 133 and 134.
52. Install irrigation system for the purpose of maintaining the existing trees and the parkway trees to be planted within the public right of way abutting this proposed development.
53. The Owner shall annex the area to the L.A. County Lighting Maintenance District, for the purpose of operating and maintaining the streetlights to be installed. The annexation shall be to the satisfaction of L.A. County and shall be completed prior to the issuance of Certificate of Occupancy. **Additional streetlight installation or upgrade to existing streetlights may be required as part of the annexation. (annexation procedure us approximately 12-months)** Contact LACDPW Traffic Lighting Joaquin Herrera (626) 300-4770.
54. Install streetlights on concrete poles with underground wiring in the public right of way along Sepulveda Blvd. abutting this proposed development to the satisfaction of the L.A. County Street Lighting Division, Department of Public Works. Contact LACDPW Traffic Lighting Jeff Chow (626) 300-4753.



55. All existing overhead utility lines less than 12 kilovolts along Sepulveda Blvd. abutting the proposed development, shall be underground to the satisfaction of the City Engineer.
56. All new utility lines, servicing the proposed development shall be underground to the satisfaction of the City Engineer.
57. Comply with any additional requirements, if any, as means of mitigating any traffic impacts as identified in the traffic study approved by the City Traffic Engineer.
58. Install striping and pavement legend per City of Carson standard.
59. Paint curbs red along Sepulveda Blvd. within or abutting this proposed development. Plans showing the proposed red curbs shall be submitted to the Traffic Engineer for review and approval.
60. If needed, easements shall be granted to the City, appropriate agency, or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructure constructed and handicap access for this development to the satisfaction of the City Engineer and or appropriate agency or entity.
61. Streets abutting the development, with new utility trench cuts to serve the development, shall be slurry sealed from curb-to-curb or from median-to-curb when medians are existing or as approved by the City Engineer. Slurry Seal materials shall be rubberized emulsion aggregate slurry (REAS).
62. At the time of issuance of Certificate of Occupancy, and improvement plan approval, the developer's engineer shall submit the approved off-site improvement plans electronically stored in CD in AutoCAD format to the Engineering Services Division.
63. All infrastructures necessary to serve the proposed development (water, sewer, storm drain, and street improvements) shall be in operation prior to the issuance of Certificate of Occupancy.

SHERIFF'S DEPARTMENT – LOS ANGELES COUNTY

64. Install and maintain a recorded video system with 24-hour monitoring to serve as a deterrent to criminal and nuisance activity.

FIRE DEPARTMENT – LOS ANGELES COUNTY

65. Prior to the issuance of a building permit, requirements for Fire Department access and adequate water for firefighting purposes shall be satisfied.

