

ATTACHMENT NO. 4

RESOLUTION NO. 2016-R_036

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3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 CULVER CITY, CALIFORNIA, APPROVING AN EXCEPTION TO
5 CULVER CITY MUNICIPAL CODE (CCMC) CHAPTER 15.10:
6 SUBDIVISIONS; TO ALLOW THE CONSTRUCTION AND
7 CREATION OF THREE DETACHED TOWNHOME STYLE
8 RESIDENTIAL UNITS ON THREE LOTS AT 4241 DUQUESNE
9 AVENUE IN THE RESIDENTIAL MEDIUM DENSITY MULTIPLE
10 FAMILY (RMD) ZONE.

11 (Subdivision Exception Related to Approved Administrative Site Plan
12 Review, P2015-0122-ASPR and Tentative Parcel Map, P2015-0122-TPM)

13 WHEREAS, on October 23, 2015, Brock Wylan (the "Applicant") filed an
14 application on behalf of Brock Wylan and Simon James (the "Owner") for an Administrative Site
15 Plan Review and Tentative Parcel Map to construct a two-story, 3-unit, townhome style
16 residential project, with a semi-subterranean parking garage, by creating three (3) detached
17 townhome style dwelling units on three new lots within one existing residential lot at 4241
18 Duquesne Avenue (the "Project"). The Project site is legally described as Lot 8 of Block 19 of
19 Tract No. 1775 in the City of Culver City, County of Los Angeles, State of California; and,

20 WHEREAS, on March 9, 2016, after a duly noticed public hearing on the subject
21 applications, including full consideration of the applications, plans, staff report, environmental
22 information and all testimony presented, the Planning Commission (i) adopted a Class 3
23 Categorical Exemption, in accordance with the California Environmental Quality Act (CEQA),
24 finding the Project will not result in significant adverse environmental impacts; and (ii) adopted
25 Resolution No. 2016-P003, conditionally approving Administrative Site Plan Review, P2015-
26 0122-ASPR and Tentative Parcel Map, P2015-0122-TPM and recommending to the City
27 Council approval, pursuant to CCMC Section 15.10.085, of an exception to a subdivision
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1 design standard requiring lot frontage along a dedicated public street or access to same via a
2 certain sized "stem" of a "flag lot" (CCMC Section 15.10.700.C), and;

3 WHEREAS, on May 9, 2016, after conducting a duly noticed public hearing on
4 the aforementioned exception request, including full consideration of the applications, plans,
5 staff reports, environmental finding, Planning Commission recommendation, and all testimony
6 presented; the City Council (i) by a vote of ___ to ___, determined that no new information has
7 become available and no changes in the proposed Project have been made since the Planning
8 Commission adopted the Class 3 Categorical Exemption and, therefore, no additional
9 environmental analysis is required; and (ii) by a vote of ___ to ___, approved an exception to
10 a subdivision design standard requiring lot frontage along a dedicated public street or access
11 to same via a certain sized "stem" of a "flag lot" (CCMC Section 15.10.700.C), subject to
12 Conditions of Approval referenced herein below.

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15 NOW, THEREFORE, the City Council of the City of Culver City, California, DOES
16 HEREBY RESOLVE as follows:

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18 Section 1. Pursuant to the foregoing recitations and the provisions of Culver
19 City Municipal Code (CCMC) Section 15.10.085, the following findings for an exception to
20 subdivision requirements are hereby made:

21 **A. The conditions affecting the property warrant and require that an exception be made.**

22
23 The Zoning Code requires a minimum lot area of 5,000 square feet, or the average area of
24 residential lots within a 500-foot radius of proposed subdivision, and further states that
25 condominium, townhome, or planned development projects may be subdivided with smaller
26 parcel sizes for ownership purposes, with the minimum lot area determined through the
27 subdivision review process. The overall project will maintain its current 6,750 square foot
28 lot area with a reduction to 6,250 square feet after a 10 foot dedication for future widening
29 of Duquesne Avenue. The overall 50 foot lot width will not change and the overall lot length
of 135 feet will be reduced to 125 feet after the 10 foot dedication noted above. Through
the subdivision process, three small land lots for townhome style development will be
created within the existing conforming lot.

1 CCMC Section 15.10.700 sets forth general design standards governing the approval of
2 any subdivision map. Specifically, CCMC Section 15.10.700.C, requires that all lots front
3 on a dedicated public street or have access to same via a private street or the "stem" of a
4 "flag lot". Flag lots shall be allowed only when, in the opinion of the Commission, there is
5 no reasonable alternative. The Project's middle and rear lots, which do not front on a
6 dedicated public street, cannot accommodate the City Subdivision standard minimum of a
7 10 foot stem each (for stems which are contiguous for 50% or more of their length) per
8 CCMC Section 15.10.700.C. The Project is providing a 12 foot wide driveway easement
9 for all three lots on which the dwellings will be located similar to a standard condominium
10 or townhome development wherein all three units are attached. The Project is consistent
11 in design and function with condominium and attached townhome developments. The key
12 difference is that each resident will own the dwelling as well as the land around it as opposed
13 to all three residents owning the land around the dwellings in common. The 50 foot lot width
14 does not allow for two 10 foot wide stems because the driveway would be 20 feet,
15 diminishing the ability to provide a viable living space.

16 For these reasons, the conditions affecting the property warrant and require that an
17 exception be made to the requirement for public street frontage and the minimum stem size
18 required for access to the public street via a flag lot.

19 **B. The exception is not an exception to any requirement of the Subdivision Map Act.**

20 The exception does not violate the Subdivision Map Act because a 12 wide easement for
21 common driveway purposes is provided assuring public right-of-way access for each lot
22 within the development.

23 **C. The exception will not be materially detrimental to the public welfare nor injurious to
24 the property or improvements in the immediate vicinity.**

25 All required subdivision findings can be made for the Project and all required vehicular,
26 pedestrian, and utility/drainage easements will be made a part of the final map assuring all
27 three lots have required access to the public right-of-way. This exception will not be
28 materially detrimental to the public welfare nor injurious to the property or improvements in
29 the immediate vicinity.

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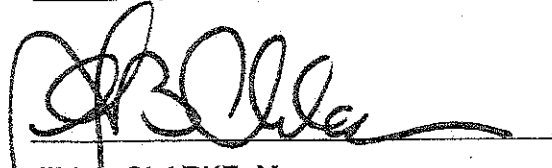
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1 SECTION 2. Pursuant to the foregoing recitations and findings, the City Council
2 of the City of Culver City, California, hereby approves an exception to a subdivision design
3 standard requiring lot frontage along a dedicated public street or access to same via a certain
4 sized "stem" of a "flag lot" (CCMC Section 15.10.700.C), subject to the conditions as set forth
5 in Exhibit A to Planning Commission Resolution No. 2016-P003.
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7 APPROVED and ADOPTED this 09 day of May, 2016.
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11 JIM B. CLARKE, Mayor
12 City of Culver City, California

13 ATTEST:

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16 MARTIN R. COLE, City Clerk
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18 A16-00332
19 Deputy City Clerk
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APPROVED AS TO FORM:


CAROL A. SCHWAB, City Attorney
for