



City of Culver City

Staff Report

File #: 22-941, **Version:** 1

Item #: PH-2.

PC - PUBLIC HEARING: Consideration of a Two Unit Townhome Style Subdivision and an Exception to Certain Subdivision Requirements at 8902 Hubbard Street in the Two-Family Residential Zone (P2021-0304-TPM).

Meeting Date: April 27, 2022

Contact Person/Dept: William Kavadas, Assistant Planner
Erika Ramirez, Current Planning Manager

Phone Number: 310-253-5706

Fiscal Impact: Yes ☐ No ☒

General Fund: Yes ☐ No ☒

Public Hearing: ☒ **Action Item:** ☐ **Attachments:** ☒

City Council Action Required: Yes ☒ No ☐ **Date:** TBD

Public Notification:(E-Mail) Meetings and Agendas - Planning Commission (4/21/22); (Posted) City Website (4/12/22); (Mailed) Property owners and occupants within a 500-foot radius of the site (4/6/22); (Sign Posted) on Project Site (4/6/22)

Department Approval: Sol Blumenfeld, Community Development Director (04/20/2022)

RECOMMENDATION

Staff recommends the Planning Commission 1) Adopt a Categorical Exemption pursuant to CEQA Guidelines Section 15303, Class 3, and CEQA Guidelines Section 15061(b)(3), the common sense exemption, 2) Approve Tentative Parcel Map No. 83798, P2021-0304-TPM subject to the Conditions of Approval as stated in Resolution No. 2022-P005, and 3) Recommend to the City Council approval of an exception to certain subdivision requirements (CCMC Section 15.10.085) regarding lot frontage.

PROCEDURES

1. Chair calls on staff for a brief staff report and the Planning Commission poses questions to staff as desired.
2. Chair opens the public hearing and receives comments from the general public.
3. Chair seeks a motion to close the public hearing after all testimony has been presented.
4. Commission discusses the matter and arrives at its decision.

BACKGROUND

Request

On December 6, 2021, Hubbard Habitat, LLC (the “Applicant”) applied for Tentative Parcel Map to allow the subdivision of 2 townhome units located at 8902 Hubbard Street (the “Project Site”) in the Two-Family Residential (R2) Zone.

Existing Conditions

The Project Site is located near the end of Hubbard Street north of Higuera Street, as shown on the Vicinity Map (Attachment No. 2). The 6,560 square foot site is generally flat in topography and rectangular in shape with dimensions of approximately 44 feet in width along Hubbard Street, increasing to 55 feet in width at the rear property line with a depth of 131 feet along the northern property line and 138 feet along the southern property line. The subject site is currently developed with a single-family home.

Surrounding Area/General Plan/Zoning

The surrounding neighborhood includes a mix of low-density single family, duplex, and triplex uses. The City’s General Plan Land Use Element designates the site as Low Density Two Family and the site is zoned Two-Family Residential (R2). Surrounding zoning and land use are shown in Table 1.

Table 1: Surrounding Zoning and Land Use

Location	Zoning	Land Use
North	R2	Single Family Dwelling with ADU
East	R2	Single Family Dwelling
South	R2	Single Family Dwelling
West	R2	Single Family Dwelling

Project Description

The Project is a 2-unit townhome subdivision. CCMC Section 17.540.010 exempts residential development of less than 2 units from a Site Plan Review application and Table 2-2 of Section 17.210.015 allows single-family and duplex uses by right in the R2 Zone. The applicant plans to construct 2 detached single-family dwellings on fee-simple lots where each property owner also owns the land immediately surrounding the building. Physical and utility access to each unit will be provided through reciprocal access agreements. The Planning Commission is the final decision body on the subdivision for townhome purposes as the 2 units alone are permitted by-right. The City Council will be the final decision body on the request for an Exception to Subdivision requirements. The design has been reviewed by staff in conjunction with the goals and policies of the Multi-Family Design Guidelines. Except for the Exception to Subdivision request, the proposed development conforms to all regulations of the R2 zone as illustrated in the Project Summary (Attachment No. 3).

Design

The buildings have a contemporary design and each structure is 2 stories with at-grade parking in enclosed garages. Parking is located to the rear of the property behind the main structure to reduce the aesthetic impact of parking on the public right-of-way. The maximum height of each structure varies but no structure is greater than 28 feet 6 inches in height, below the Code permitted 30 feet. Each unit has a roof deck accessible from an exterior staircase. Each roof deck has a 5-foot setback from the northern building edge to provide privacy to the neighboring property. The Project development program is summarized in Table 2.

Table 2: Development Program

	Unit 1	Unit 2
Size (sq. ft.)	2,075	2,075
Bedrooms	3	3
Bath	3.5	3.5

Landscaping and Open Space

The R2 zone does not have a specific open space requirement, though the applicant must landscape all front, side, and rear yard areas not established as paved driveways, walkways, or patios as required by Culver City Municipal Code. The front unit has a large front yard and small courtyard in the back of the dwelling. The rear unit has a small front yard area and a large backyard area. A King Palm and Willow Tree will be planted in the front yard along Hubbard Street with a line of shrubbery immediately fronting the sidewalk. Bamboo is proposed along the rear yard and side yard of the rear unit to provide privacy to both the subject and neighboring properties.

In addition, each unit has a 160 square foot roof deck to provide additional open space. Each roof deck has a planter box 5 feet in depth that will help to increase privacy for adjacent properties.

Parking and Circulation

Each unit is required to provide 2 parking spaces. Each unit has provided 2 parking spaces within enclosed garages. Each unit will have a raceway to accommodate a dedicated outlet for future EV charging stations. Due to the size of the project, no dedicated bicycle parking was required. The applicant will pay a mobility fee of \$7,636.00 for one net new unit.

ANALYSIS/DISCUSSION:

The R2 Zone allows up to 2 dwelling units maximum and by-right. The Applicant proposes to build 2 for sale dwelling units. Pursuant to Zoning Code Table 2-3 of Section 17.210.020 minimum lot sizes for townhome purposes are determined through the Subdivision review process.

TENTATIVE PARCEL MAP AND EXCEPTION TO CERTAIN SUBDIVISION REQUIREMENT

The State Subdivision Map Act and CCMC Chapter 15.10 regulate land division and require the submittal of a tentative parcel map for subdivision of 2 townhome small lot parcels. CCMC Section 17.210.020 - Table 2-3, Residential Districts Development Standards (R1, R2, R3), requires a minimum lot area of 5,000 square feet or the average area of residential lots within a 500-foot radius of the proposed subdivision, whichever is greater. However, this section also states that condominium, townhome, or planned development projects may be subdivided with smaller parcel sizes for ownership purposes, with the minimum lot area determined through the subdivision review process, provided that the overall development site complies with the minimum

lot size requirements of the Zoning Code. The State Subdivision Map Act and CCMC Chapter 15.10 regulates land divisions and requires the submittal of a tentative parcel map for subdivisions of land.

The project is comprised of an existing 6,560 square foot lot with varying dimensions of 44-to-55-feet wide and 131-to-138-feet deep. Other parcels in the neighborhood have similar though slightly smaller lot areas. While lot width does not comply with current lot width requirements, the lot is a legal lot of record. Through the subdivision process, 2 small land lots for townhome style development would be created within the existing lot.

The key objective of the tentative parcel map process is to allow the City to review the proposed subdivision to ensure all necessary improvements and requirements are provided. The Public Works Engineering Division has reviewed the Tentative Parcel Map (Attachment No. 5) for the proposed subdivision and found it to follow all applicable State and local regulations as more specifically outlined in the recommended conditions of approval, except for the minimum street frontage requirement. The rear lot would not provide the required 15-foot stem providing access to the right-of-way. However, CCMC Section 15.10.085 provides an exception process if the Planning Commission determines that the conditions affecting the site warrant such exceptions to portions of the Subdivision ordinance. The Commission makes findings and makes a recommendation for the exception to the City Council.

The 44-foot lot width does not allow for a 15-foot-wide stem for the back townhome unit because when combined with the 10-foot-wide driveway for the front unit, the resulting driveway would be 25 feet wide, diminishing the ability to provide viable living space. The project does provide a 10-foot-wide driveway easement serving the lots on which the dwellings will be located, thus providing access to the public right-of-way for each dwelling unit. If the project were a standard condominium wherein units are developed as airspace units, the driveway and land surrounding the units would typically be held in common and shared access would be secured through Covenants, Conditions, and Restrictions (CC&Rs). While this project is consistent in design and function with condominium and attached townhome developments, the proposed subdivision will enable each resident to own their dwelling as well as the surrounding land.

The Applicant is requesting that an exception to the subdivision requirements be made, pursuant to CCMC Section 15.10.085, because the proposed 10-foot-wide driveway easement will provide access to each unit's garage, similar to individual driveways. Similarly, a 25-foot-wide driveway would decrease area to build habitable living space. The requested exception does not violate the Subdivision Map Act because a 10-foot-wide easement for common driveway purposes is provided assuring public right-of-way access for each lot within the development.

All required subdivision findings can otherwise be made for the Project and all required vehicular, pedestrian, and utility/drainage easements will be made a part of the final map assuring all lots have required access to the public right-of-way. This exception will not be materially detrimental to the public welfare nor injurious to the property or improvements in the immediate vicinity. For these reasons, an exception can be made to the requirement for public street frontage and the minimum stem size required for access to the public street via a flag lot. If the Commission approves the requested exception, it will be subject to final approval by the City Council.

PUBLIC OUTREACH

The Project was noticed on April 6, 2022, by mail to owners and occupants in the surrounding neighborhood and by one on-site posted signs. As of April 21, 2022, staff has not received any written public comments during the noticing of the Planning Commission hearing.

CONCLUSION/SUMMARY

Based on the proposed tentative parcel map and recommended conditions of approval, staff considers the Project: compatible with the surrounding neighborhood; adequately served by public facilities; and, consistent with the General Plan, Zoning Code, and all CCMC and State subdivision requirements. Staff believes that findings for Tentative Parcel Map P2021-0304-TPM and recommendation for an exception to certain subdivision requirements can be made as outlined in Resolution No. 2022-P005 (Attachment No. 1).

ENVIRONMENTAL DETERMINATION:

Pursuant to the California Environmental Quality Act (CEQA) Guidelines, initial review of the Project by staff established that there are no potentially significant adverse impacts on the environmental and the proposed Project has been determined to qualify for a Class 3 Categorical Exemption as a “New Construction of Small Structures” (Section 15303) project as the project includes the construction of no more than 2 residential units in an urbanized area and for a “common sense” exemption under and CEQA Guidelines Section 15061(b)(3). Therefore, the Project is categorically exempt pursuant to the above noted CEQA sections.

MOTION

That the Planning Commission:

- 1) Adopt a Categorical Exemption pursuant to CEQA Section 15303, Class 3 and CEQA Guidelines Section 15061(b)(3), the common sense exemption, finding that there are no potentially significant adverse impacts on the environment; 2) Approve Tentative Parcel Map No. 83798, P2021-0304-TPM subject to the Conditions of Approval as stated in Resolution No. 2022-P005; and 3) Recommend to the City Council approval of an exception to certain subdivision requirements (CCMC Section 15.10.085) regarding lot frontage.

ATTACHMENTS

1. Proposed Resolution No. 2022-P005 and Exhibit A-Conditions of Approval and Exhibit B-Code Requirements
2. Vicinity Map
3. Project Summary
4. Preliminary Development Plans
5. Tentative Parcel Map No. 83798