



# City of Culver City

Mike Balkman Council  
Chambers  
9770 Culver Blvd.  
Culver City, CA 90232

## Staff Report

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**File #:** 19-736, **Version:** 2

**Item #:** PH-1.

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**PC:** Tentative Parcel Map No. 82489, P2018-0279-TPM, and an Exception to Certain Subdivision Requirements for the Development of a Two (2) Unit Townhome Style Subdivision at 4116 Higuera Street in the Two-Family Residential (R2) Zone and an Administrative Modification for Driveway Backup Length and Parking Space Length.

**Meeting Date:** January 23, 2018

**Contact Person/Dept:** William Kavadas, Assistant Planner;  
Michael Allen, Current Planning Manager

**Phone Number:** 310-253-5706 / 310-253-5727

**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 (January 16, 2019); (Posted) City Website (January 16, 2019); (Sign Posted) on Project Site (January 2, 2019); (Mailed) to Surrounding Owners and Occupants (January 2, 2019)

**Department Approval:** Sol Blumenfeld, Community Development Director (1/15/2019)

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### RECOMMENDATION

Staff recommends the Planning Commission 1) Adopt a categorical exemption per CEQA Section 15315, Class 15, Minor Land Divisions, finding that there are no potentially significant adverse impacts on the environment, 2) Approve Tentative Parcel Map No. 82489, P2018-0279-TPM and Administrative Modification P2018-0279-AM, subject to the Conditions of Approval as stated in Resolution No. 2019-P002, and 3) Recommend to the City Council approval of an exception to a subdivision design standard (CCMC Section 15.10.700.C) requiring lot frontage along a dedicated public street or access to same via a certain sized "stem" of a "flag lot".

### 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 November 15, 2018, F Bar and A Kendall 1997 Revocable Trust and Nicolas Kendall-Bar (Applicant) submitted an application for a Tentative Parcel Map to allow the development of two (2) abutting townhome style residential units within the project site located at 4116 Higuera Street in the Residential Two Family (R2) Zone.

### **Existing Conditions**

The site is located on the north side of Higuera Street, midway between Hubbard Street and Carson Street, shown on the vicinity map (Attachment No. 2). The site is generally flat in topography and rectangular in shape measuring 45 feet in width by 120.82 feet in depth, slightly smaller than a typical single family lot in the neighborhood (i.e. 45 feet by 140 feet). The subject site is currently developed with a single-family residential structure and detached rear garage, proposed to be demolished as part of the project.

The surrounding neighborhood consists of largely rectangular parcels, similar in size, and developed with single family and duplex units in single-story design. 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 existing land uses are consistent with the subject property.

### **Project Description**

The applicant proposes to create two (2) abutting townhome style single-family homes on small lots shown on the Tentative Parcel Map (Attachment No. 5). The proposed dwelling units are designed as an abutting two-story structure with four at-grade parking spaces, two covered and two uncovered for each unit. Pursuant to Zoning Code Section 17.540.010, any construction, addition, or alteration to an individual single-family or two-family dwelling is exempt from Site Plan Review. Therefore, the two (2) residential dwelling units are not subject to any discretionary review and will be reviewed for compliance with applicable Zoning Code development standards and applicable design guidelines, as part of the City's building permit process. The Planning Commission is only required to take action on the proposed subdivision and administrative modification. The preliminary plans for the proposed two (2) unit development are for reference purposes only.

The proposed abutting two-story townhomes are arranged in a configuration that provides direct entry to the front unit from Higuera Street, and the rear unit will be accessed from the side yard. The front unit will be 1,938 square feet while the rear unit will be 1,721 square feet. Each unit will have three (3) bedrooms and three (3) bathrooms. Each unit includes a covered parking space with a tandem uncovered space directly behind the covered space. The structure is designed in a modern style, characterized by straight lines and ninety (90) degree angles. The building incorporates ample breaks in the façade and appropriate setbacks on all sides. The choice of siding, including ivory and brown smooth stucco and river rock cement siding along the front help to provide variation to the aesthetic features of the building. The maximum height of the structure is twenty-seven feet, eleven inches (27'-11") to top of parapet.

All improvements shown in the preliminary development plans are consistent with the provisions of the Culver City Municipal Code (CCMC). The proposed subdivision will create two small lots that will require exception

from the subdivision regulations. This exception will require a recommendation from Planning Commission and approval from City Council.

### **ANALYSIS/DISCUSSION:**

The R2 Zone allows up to two dwelling units on one property. As proposed, the R2 development standards are applied to the project as a whole, rather than individual parcels, consistent with the development in the zoning district. The minimum required setbacks in the R2 Zone are fifteen (15) feet, four (4) feet, and ten (10) feet, for the front, sides, and rear respectively. The maximum allowable dwelling unit size is 40% of the lot area plus 1,500 square feet, and the maximum allowable height is two (2) stories and thirty (30) feet. The minimum lot size and area are fifty (50) feet in width, one hundred (100) feet in depth, and 5,000 square feet in area. As illustrated in the project summary (Attachment No. 3), the proposed development conforms to all regulations of the R2 zone, with the exception of lot dimensions which are considered legal non-conforming per the original subdivision. Due to reduced lot width, the applicant is asking for an administrative modification to the parking backup area.

### **SUBDIVISION, DENSITY, AND LOT AREA REQUIREMENTS**

The State Subdivision Map Act and Culver City Municipal Code (CCMC) Chapter 15.10, Subdivisions, regulate land subdivisions and require the submittal of a tentative parcel map for subdivisions. In addition, 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 project is comprised of a 5,436 square foot lot, 45 feet in width and 120.82 feet in length. Other parcels in the neighborhood have a slightly larger lot area of 6,300. While lot width does not comply with current lot width requirements, the lot was legally subdivided previously. Through the subdivision process, two (2) small land lots for townhome style development will 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 Division has reviewed the Tentative Parcel Map (Attachment No. 5) for the proposed subdivision and found it to be in compliance with all applicable State and local regulations as more specifically outlined in the recommended conditions of approval. However, the rear lot will not have the City Subdivision standard minimum street frontage of a 10 foot stem providing access to the right-of-way. Municipal Code 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 Planning Commission makes findings and makes a recommendation for the exception to the City Council.

If the project was a standard condominium wherein both units are developed as airspace units, the project would not require an exception. In condominium developments the driveway and land surrounding the units are typically held in common and shared access is secured through the condominium association Covenants, Conditions, and Restrictions (CC&Rs). Furthermore, CCMC Section 15.10.700.C requires direct street frontage or street frontage through a stem or flag connection with a minimum 10 foot wide stem for adjoining lots. 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 land around it as opposed to both residents owning the land around the dwellings in common.

However, requiring two ten (10) foot wide driveways on the property would diminish the ability of the front lot to provide adequate living space in the remaining 25 foot wide space. By providing a shared driveway, the applicant will provide access to parking while allowing adequate building space for both units and reducing driveway prevalence within the street facing front of lot. Exception findings are made in Resolution No. 2019-P002 (Attachment No. 1). An exception may only be made if it is not an exception to any requirement of the Subdivision Map Act. The requested exception does not violate the Subdivision Map Act because a 16 foot wide easement for common driveway purposes is provided assuring public right-of-way access for both lots 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 both 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.

#### NEIGHBORHOOD COMPATIBILITY

The proposed development is located along the 4100 block of Higuera Street, which is a neighborhood feeder street developed with one-story single-family and duplex units. Due to the R2 zoning designation, the block and surrounding streets (Carson Street and Hubbard Street) have been transitioning to two-unit developments consistent with the density designation (Low Density Two Family) envisioned for the neighborhood by the City's General Plan Land Use Element.

The proposed subdivision to create two small lots for the development of two, two-story abutting townhomes will be consistent with the existing density and land uses in the neighborhood. Shown on the "Site Development Standards" of the preliminary development plans, the proposed development complies with the Zoning Code requirements, including development standards for the R2 Zone as applied to the project as a whole. The applicant is requesting an administrative modification to the backup distance for the driveway, discussed below.

The building design incorporates architectural features and materials that break-up the massing and bulk, compatible with development in the neighborhood, and sensitive to the preservation of privacy including the consideration of window locations.

#### LANDSCAPING AND OPEN SPACE

As required by the CCMC, the applicant must landscape all front, side, and rear yards not devoted to paved driveways, walkways or patios; these setback areas are also required in order to meet the open space requirements of the R2 Zone. The front yard will provide approximately 675 square feet of open space. The remaining side and rear yard will provide approximately 1,107 square feet of open space. Second floor balconies will provide additional open space for each unit. Landscape will include a variety of planting materials including trees to soften the building façade. The administrative modification for backup space, if approved, will also preserve more open space and landscaping in the front of the structure. An existing mature avocado tree will be preserved in the rear yard. Preliminary landscape information is included in the preliminary development plans made as part of this report (Attachment No. 4).

#### TRAFFIC, PARKING, AND CIRCULATION

The existing fifty (50) foot wide public right-of-way, Higuera Street, has been deemed by the Engineering

Division of the Public Works Department to be of adequate width to serve the site and the proposed subdivision and associated two-unit development. The gutter, curb, sidewalk, and driveway approach along the project's frontage are required to be removed and replaced, while preserving existing street trees, as more specifically outlined in the recommended conditions of approval. The density of the overall development will not create any significant traffic impacts and is below the threshold requiring a traffic study or off-site improvements related to traffic.

In accordance with the Zoning Code requirements, each unit will be provided with the minimum required two (2) parking spaces in tandem configuration, and designed to provide the minimum required width and height clearances. Due to site width constraints, parking will be provided in with two covered spaces and two uncovered spaces in tandem for each unit, facing towards the public right-of-way. In order to comply with front yard coverage standards and provide a single-family character to the project, the applicant proposes a reduced drive apron width that opens into a full 16 foot wide driveway. The Municipal Code requires parking that leads into a narrower driveway to provide a minimum 17 foot backup with 45 degree clearance to said driveway. Due to site constraints including lot width and existing tree protection, the applicant proposes a backup length of 15 feet 4 inches and uncovered parking space length of 16 feet 2 inches, consistent with the ten (10) percent reduction permitted through an Administrative Modification.

Providing a typical side loading rear garage would be difficult due to the existing lot width of 45 feet, the requirement to meet setbacks, interior garage dimensions, and required turning radius. The proposed reduced back up length helps to increase landscaping area within the front yard, reduce the prevalence of parking in the front yard, and help to preserve an existing mature avocado tree in the rear yard, all goals and policies of the multi-family residential design guidelines. The Administrative Modification will still maintain four total parking spaces and provide unimpeded access to the parking spaces from the public right-of-way.

The configuration of the proposed onsite parking, vehicular access and maneuvering area are designed in accordance with all applicable CCMC standards or acceptable as an Administrative Modification. Based on the above, the proposed subdivision project is in conformance with all applicable CCMC requirements relating to parking, circulation, and traffic.

## **PUBLIC OUTREACH**

As part of the project review process, a community meeting was held on Wednesday, August 15, 2018 at 6:30PM, at Veterans Memorial Building. The applicant invited interested persons to learn about the development project, provide comments and feedback, and share any concerns regarding the proposed project. Approximately eleven (11) people who live in the immediate neighborhood attended the community meeting. After the applicant gave a presentation on the project, attendees provided general comments related to the following:

- Height and Massing - Attendees expressed concern that the style of the home was too large and took up too much of the lot. Attendees also wanted more variation on the facades especially facing south.
- Design - Residents like the design of the style overall but were concerned with privacy and wanted to ensure that view sheds from second story windows did not adversely affect neighbor privacy.

Overall, attendees seemed to support the project as a whole, but wanted to make sure the single-family aspects of the neighborhood were preserved due to concerns that Culver City was losing a small town feel and that they did not want to see Culver City start to resemble Santa Monica or West Los Angeles. Attachment No. 6 includes detailed notes from the public meeting.

Staff believes that the front loading garages and a unit that provides an active façade to the street will help to maintain the single-family aspect of the neighborhood. Staff also believes that landscape screening on

balconies and decks will help to shield neighboring open space appropriately. Staff worked with the applicant team to provide a more varied façade and ensure 360 degree architecture. Privacy will be preserved by providing high windows on the second floor and utilizing landscaping along the rear property lines.

#### Comments Received During Public Comment Period

As of the writing of this report, staff has not received any written public comments on the proposed project.

#### **CONCLUSION/SUMMARY**

The proposed project is unique as it varies from the traditional airspace condominium style development. Staff worked with the applicant to design a project that is compatible with the neighborhood and immediately abutting properties. The applicant followed staff direction to redesign and modify the project to meet both the specific Code requirements and the intent of the Multi-Family Design Guidelines including articulation and massing. The project has density similar to other properties in the immediate area, is fully parked, and provides adequate massing and articulation to respect the prevailing scale and development pattern of the neighborhood.

Based on the proposed preliminary development plans 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 P2018-0243-TPM and the exception to certain subdivision design standards can be made as outlined in Resolution No. P2019-002 (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 environment and the proposed project has been determined to be a Class 15 Categorical Exemption as a “Minor Land Division” (Section 15315) project. Specifically, as outlined herein, the project consists of the subdivision of the site into two (2) small lots, thereby establishing one residential unit on each small lot. The project is deemed consistent with the applicable General Plan and R2 zoning designation and regulations without any variances or exceptions to said General Plan or Zoning Code, does not involve a parcel from a larger subdivision within the previous two (2) years, and will not result in a parcel with an average slope of greater than 20 percent. In addition, the project will be adequately served by all required utilities and public services; and will have all services and access to local standards. Therefore, the project is categorically exempt pursuant to the above noted CEQA section.

#### **MOTION**

That the Planning Commission:

Adopt Resolution No. 2019-P002 approving Tentative Parcel Map P2018-0279-TPM and P2018-0279-AM related to a new two-unit townhome development on small lots pending approval of an exception to the Subdivision Map Act by City Council.

#### **ATTACHMENTS**

1. Draft Resolution No. 2019-P002 and Exhibit A Conditions of Approval
2. Vicinity Map
3. Project Summary
4. Preliminary Development Plans Dated December 14, 2018

5. Tentative Parcel Map No. 82489
6. Applicant Summary of Community Meetings
7. Public Comments (if received prior to final drafting of staff report)