



City of Culver City

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Staff Report

File #: 21-779, **Version:** 1

Item #: PH-1.

CC - PUBLIC HEARING CONTINUED FROM MARCH 22, 2021: Adoption of a Resolution Approving an Exception to the City's Subdivision Design Standard to Allow the Development of Three Detached Townhome Style Residential Units Located at 4044 Madison Avenue.

Meeting Date: April 12, 2021

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: ☒

Planning Commission Action Required: Yes ☒ No ☐ **Date:** 02/10/21

Public Notification: (E-Mail) Meetings and Agendas - City Council (03/17/2021 & 04/07/2021); (Posted) City Website (03/01/2021); (Mailed) Property owners and occupants within a 500-foot radius of the Project site (03/01/2021); (Sign) Posted on the site (03/01/2021)

Department Approval: Sol Blumenfeld, Community Development Director (03/30/2021)

RECOMMENDATION:

Staff recommends the City Council adopt a resolution approving an exception to the City's subdivision design standard, to allow construction of three detached townhome style residential units at 4044 Madison Avenue in the Medium Density Multiple-Family Residential Zone.

PROCEDURE:

1. The Mayor seeks a motion to receive and file the affidavit of publication and posting of the public hearing notice.
2. The Mayor calls on staff for a brief staff report and City Council poses questions to staff as desired.
3. The Mayor seeks a motion to declare the public hearing open and the City Council receives

public comment.

4. The Mayor seeks a motion to close the public hearing after all testimony has been presented.
5. The City Council discusses the matter and arrives at its decision.

BACKGROUND:

On October 10, 2020, Madison Ave Ventures, LLC (the “Applicant”) applied for an Administrative Site Plan Review, a Tentative Parcel Map and an exception to the City’s Subdivision Design Standard to allow the development of three (3) detached residential townhome style units.

On February 10, 2021, the Planning Commission adopted Resolution No. 2021-P002 (Attachment No. 2) approving Administrative Site Plan Review, P2020-0249-ASPR, Tentative Parcel Map No. 83372, P2020-0249-TPM and recommended the City Council approve the exception request to the subdivision design standard.

On March 22, 2021, the City Council continued the public hearing to April 12, 2021.

No appeals were filed on the Planning Commission actions. The City Council is requested to act on the exception request to the subdivision design standard portion of the proposed development. Refer to Attachment Nos. 3 through 6 (Planning Commission Staff Report, Preliminary Development Plans, Tentative Parcel Map, and Planning Commission Minutes) for a detailed information of the Project.

ANALYSIS:

The applicant requests an exception to the City’s subdivision requirements due to the site’s lot width constraint. The proposed project includes three small lots that surround each dwelling unit with each taking up approximately one-third of the lot, with only the front lot directly bordering the public right-of-way. Parcels that do not have direct street frontage require access to a public street by means of a 10-foot-wide privately owned right-of-way of land, also known as the “stem” of a “flag lot” pursuant to Culver City Municipal Code (CCMC) Section 15.10.700.C.

The 10-foot public street access requirement for each parcel would result in a 30-foot wide driveway, on a 50-foot wide lot. Consequently, this configuration would leave only 20-feet of open space in the front-yard and diminishes the development of viable and quality living spaces. The subject request includes a driveway easement ranging between 15.5 and 20 feet wide and 87 feet deep to provide access to the rear lots. The City’s Subdivision Ordinance Section 15.10.085 provides an exception process if the Planning Commission determines that conditions affecting the site warrant such exceptions and the City Council approves the exception.

If the Project were a typical condominium development, the Project as designed would not require an exception. Usually, in condominium or townhome developments, the driveway along with the space surrounding the units are held in common and vehicular access easements would be secured

through the homeowner's association Covenants, Conditions, and Restrictions (CC&Rs). The key difference in this development is that each dwelling unit, as well as the space around it, will be owned as opposed to the dwellings owning the land around them in common. The proposed driveway easement will still provide the necessary access to the public right-of-way for each dwelling unit.

The requested exception does not violate the Subdivision Map Act because an easement for common driveway purposes assures public right-of-way access for each lot within the development. All required subdivision findings can 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.

The Project site containing the three (3) small lots complies with RMD development standards such as setbacks, height, and parking as approved by the Planning Commission, results in no impacts to adjacent and surrounding residents. 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, findings can be made that the conditions affecting the property warrant and require that an exception 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. The exception findings are in the City Council Resolution and the Planning Commission Resolution (Attachment Nos 1 and 2, respectively).

ENVIRONMENTAL REVIEW:

Pursuant to the California Environmental Quality Act (CEQA) guidelines, a Categorical Exemption Class 3 - New Construction of Small Structures and Class 15 - Minor Land Division, was adopted by the Planning Commission on February 10, 2021, which determined that the Project will not have a significant adverse impact on the environment. The exception is within the scope of the adopted Categorical Exemption (CE) and the circumstances under which the (CE) was prepared have not significantly changed and no new significant information has been found that would impact the CE, and therefore no new environmental analysis is required.

CONCLUSION:

This is a unique Project for Culver City in that it provides a townhome style development on separate small land lots instead of the more common airspace subdivision condominium. The Project design is harmonious with the neighborhood and the immediately abutting properties and minimizes massing to ensure greater compatibility with surrounding multi-family developments.

The Project is 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 and staff believes the findings for the exception to certain subdivision design standards can be made as outlined in the City Council Resolution (Attachment No. 1).

FISCAL IMPACT:

There is no fiscal impact associated with the adoption of the proposed resolution.

ATTACHMENTS:

1. 2021-04-12_ATT - Proposed City Council Resolution
2. 2021-04-12_ATT - Planning Commission Resolution No. 2021-P002 with Exhibit A - Conditions of Approval
3. 2021-04-12_ATT - February 10, 2021, Planning Commission Staff Report (without attachments)
4. 2021-04-12_ATT - Development Plans Dated January 22, 2021
5. 2021-04-12_ATT - Tentative Parcel Map No. 83372
6. 2021-04-12_ATT - February 10, 2021, Planning Commission Minutes

RECOMMENDED MOTION(S):

That the City Council:

Adopt a resolution approving an exception to a subdivision design standard (CCMC Section 15.10.700.C) in order to allow construction of three detached townhome style residential units at 4044 Madison Avenue in the Medium Density Multiple-Family Residential Zone.