

# AGENDA 06/12/08 PLANNING COMMISSION

## **Regular Meeting**

**MEETING DATE:** 

Thursday, June 12, 2008

**MEETING TIME:** 

7:00 p.m.

**MEETING PLACE:** 

City Council Chambers, City Hall

350 Main Street

El Segundo, California 90245-0989

**VIDEO:** 

El Segundo Cable Channel 3 (Live).

Replayed on Friday following Thursday's Meeting

at: 1:00 p.m. and 7:00 p.m., Channel 3.

The Planning Commission, with certain statutory exceptions, can only take action upon properly posted and listed agenda items.

Unless otherwise noted in the Agenda, the public can only comment on City-related business that is within the subject-matter jurisdiction of the Planning Commission and items listed on the Agenda during the **Public Communications** portion of the meeting. Additionally, the public can comment on any public hearing item on the Agenda during the public hearing portion of such item. The time limit for comments is generally limited to five minutes per person.

Members of the public may request that items be placed on the Agenda by submitting a **Written Request** to the Planning and Building Safety Director at least ten days before the Planning Commission Meeting (by 10:00 a.m. the Monday of the prior week). The request must include a brief general description of the business to be transacted or discussed at the meeting. Playing of video tapes or use of visual aids may be permitted during meetings if they are submitted to the Planning and Building Safety Director a minimum of two working days before the meeting and they do not exceed five minutes in length.

1

. 001

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- Public Communications (Related to City Business only and for which the Planning D. Commission is responsible - 5 minutes per person; 30 minutes total). Individuals who received value of \$50 or more to communicate to the Planning Commission on another's behalf, and employees speaking on their employer's behalf, must so identify themselves before addressing the Commission. Failure to do so is a misdemeanor. While all comments are welcome, the Brown Act does not allow the Commission to take action on any item not on the agenda. The Commission may respond to comments after public communications is closed.

#### E. Consent Calendar

All items are to be adopted by one motion without discussion and passed unanimously. If a request for discussion of an item is made, the item(s) should be considered individually under the next Agenda heading.

1. Consideration and possible other action regarding approval of the May 22, 2008, Planning **Commission Meeting Minutes** 

**RECOMMENDED ACTION:** The recommended action is for the Planning Commission to approve the Minutes.

- F. Call Items from Consent Calendar
- Written Communications (other than what is included in Agenda packets) G.
- H. New Business - Public Hearing
  - 2. Environmental Assessment No. 686 and Subdivision No. 05-10 (VTM No. 64579)

Address:

215 and 223 Penn Street

Applicant:

Tim Hovland and William Levine

Property Owners: Tim Hovland and William Levine

The proposed project is a request for a one-year extension of Vesting Tentative Map No. 64579 to merge two lots into one and allow an eight-unit condominium development on the newly created lot. The residential units would be located in three buildings with two-stories over semi-subterranean two-car garages. Vehicle access will be from the adjacent alley. The project site is located in the Multi-Family Residential (R-3) Zone and is currently developed with a single-family dwelling at 215 Penn Street and a duplex at 223 Penn The existing parcels each measure 50.01' wide by 142.96' deep, totaling approximately 14,296 square feet. The site is an interior lot located within the block bordered by Grand Avenue to the north, Franklin Avenue to the south, Sheldon Street to the west, and Penn Street to the east. The project is currently under construction in conformance with the original project approvals.

RECOMMENDED ACTION: That the Planning Commission (1) open the public hearing and take documentary and testimonial evidence; (2) after considering the evidence adopt Resolution No. 2636; and (3) discuss and take any other action related to this item.

I. <u>Continued Business</u> - Public Hearing

None.

- J. Report from Planning and Building Safety Director or designee
- K. Planning Commissioners' Comments
- L. Other Business

None.

M. Adjournment – meeting scheduled for June 26, 2008, 7:00 p.m.

NOTE: The related files are available for public review in the Planning Division, Monday through Friday, 7:30 a.m. to 5:30 p.m. (alternating Fridays off) Agenda packets, including Staff Reports, are also available in the Planning Division beginning at 5:00 p.m. Friday of the week prior to the Planning Commission meeting.

**POSTED:** 

(Signature)

(Date/Tingle

P:\Planning & Building Safety\PLAN-COM\AGENDAS\2008\2008 06-12 PC.AGENDA.doc

#### MINUTES OF THE MEETING OF THE PLANNING COMMISSION OF THE CITY OF EL SEGUNDO, CALIFORNIA

#### May 22, 2008

Vice-Chair Wagner called the El Segundo Planning Commission meeting to CALL TO ORDER order at 7:00 p.m. in the El Segundo City Hall's Council Chambers, 350 Main Street, El Segundo, California.

Commissioner Rotolo led the Pledge of Allegiance to the Flag.

PLEDGE TO FLAG

PRESENT:WAGNER, ROTOLO, FUENTES, and FELLHAUER

**ROLL CALL** 

ABSENT: FRICK

None.

**PUBLIC** COMMUNICATIONS

Vice-Chair Wagner presented the Consent Calendar.

**CONSENT CALENDAR** 

Commissioner Fellhauer moved, seconded by Commissioner Fuentes, to MOTION approve the May 08, 2008, Minutes as submitted. Motion carried (4-0).

Vice-Chair Wagner presented Agenda Item E-2, Environmental Assessment No. 789 and Administrative Use Permit No. 08-01 project. Applicant: Fori & Paula Owurowa. Address: 700-A Allied Way (Plaza El Segundo). Owner: PES Partners, LLC

Commissioner Fellhauer moved, seconded by Commissioner Fuentes to approve MOTION Environmental Assessment No. 789 Administrative Use Permit No. 08-01. Motion carried (4-0).

None.

CALL ITEMS FROM CONSENT

None.

WRITTEN COMMUNICATIONS

Vice-Chair Wagner presented Agenda Item H-3; Environmental Assessment No. NEW BUSINESS -EA-790 Subdivision No. 08-02. Applicant: SUBTEC - Bob Vargo. Owner: 1300 PUBLIC HEARING East Walnut, LLC; Address: 1300 East Walnut Avenue.

Principal Planner Paul Samaras presented the staff report (of record.)

Assistant City Attorney Berger stated he had some suggested language changes for Resolution No. 2634 first on Stamped Page 2 to Subsection "2-C" Factual Findings to read as follows, "The subject site is a rectangular lot, measuring 16,138 square feet." Subsection "F" Factual Findings would read as follows, "The

size of each new lot must be 8,069 square feet." Mr. Berger requested the following changes to the Conditions of Approval. Condition No. One would read as follows, "Before the City issues building permits and approves a final map, the applicant must demolish the existing single-family residence pursuant to a demolition permit." Condition No. Two would read as follows, "Before the City issues building permits, the applicant must maintain the site clear of debris, trash, and weeds in accordance with ESMC Chapter 7-4." Condition No. Four would read as follows, "The applicant must replace the curb and sidewalk" and the rest of the sentence would remain as is. Condition No. Five would read as follows, "The applicant must replace the existing 4" sewer lateral with 6" diameter sewer lateral." The second sentence would read as follows, "The applicant must also provide a 6" sewer lateral for the newly established lot." Condition No. Six would reads as follows, "The applicant must replace the existing sewer main segment in Walnut Avenue measured from the sewer main connection in front of the property furthest from the intersection at California Street" and the rest will remain as is. Condition No. Seven would read as follows, "The applicant must provide a potable water service lateral and a water meter for the new lot." Condition No. Eight would read as follows, "The applicant must identify" and the rest of the sentence will remain as is. Mr. Berger stated that Condition No. Nine is not needed as it is handled under Condition Ten through Fifteen. Condition No. Sixteen would read as follows, "The tentative parcel map expires 24 months after initial approval" and the rest of the sentence would remain as is.

#### Cheryl Vargo, representing applicant

Ms. Vargo stated that she was present to any questions or comments and that the applicant agreed to the conditions of approval as amended.

Commissioner Rotolo moved, seconded by Commissioner Fellhauer to approve MOTION Environmental Assessment No. 790 Subdivision No. 08-02, Resolution 2634 to allow the subdivision of a 16,138 square foot parcel into two lots in the Single-Family R-1 Zone at 1300 East Walnut Avenue with the Conditions of Approval as revised by the City Attorney and staff in this meeting. Motion carried (4-0).

None.

**PUBLIC HEARING CONTINUED BUSINESS** 

None.

REPORT FROM **PLANNING AND BUILDING SAFETY** DIRECTOR

Planning Manager stated that there would be items scheduled for the June 12, PLANNING 2008 and June 26, 2008 meetings.

COMMISSIONERS **COMMENTS** 

None.

OTHER BUSINESS

Vice-Chair Wagner made a motion to adjourn the meeting. Motion carried (4-0).

MOTION

The meeting adjourned at 7:12 p.m.

**ADJOURNMENT** 

PASSED AND APPROVED ON THIS 22nd DAY OF MAY 2008.

Gary Chicots, Secretary of the Planning Commission and Director of The Planning and Building Safety Department Cheryl Frick, Madame Chair Planning Commission City of El Segundo, California

P:\Planning & Building Safety\PLAN-COM\MINUTES\2008\2008 05-22 Minutes.doc

#### **CITY OF EL SEGUNDO**

## **PLANNING COMMISSION STAFF REPORT**

**PUBLIC HEARING:** 

June 12, 2008

SUBJECT:

Environmental Assessment No. 686 and

**Subdivision No. 05-10 (VTM 64579)** 

**APPLICANT:** 

Tim Hovland and William Levine

**PROPERTY OWNERS:** 

Tim Hovland and William Levine

**REQUEST:** 

A request for a one-year time extension of Vesting Tentative Map No. 64579 to combine two lots into one and for condominium purposes to allow the construction of an eight-unit condominium

development.

PROPERTY INVOLVED:

215 and 223 Penn Street

#### I. Introduction

The Planning Division received an application for a one-year extension of Vesting Tentative Map No. 64579 to merge two lots into one and construct an eight-unit condominium development in three buildings on the newly created parcel. The project is currently under construction. The stated purpose of the requested extension is to allow additional time for the recording of the map and completion of construction of the project. The existing Vesting Tentative map was approved by the Planning Commission on May 25, 2006. The project site is located within the Multi-Family Residential (R-3) Zone.

#### II. Recommendation

Planning staff recommends that the Planning Commission review the facts as contained within this report, and adopt Resolution No. 2636, approving a one year time extension for Subdivision No. 05-10 (VTM No. 64579).

#### III. Background

The project site consists of two interior rectangular lots. The property slopes from north to south with a drop in elevation of 10 feet from the left side to the right side. The lots at 215 and 223 Penn Street are currently being developed with multi-family residences. Both properties have alley access to garages at the rear of the property.

#### IV. Analysis

The applicant proposes a multi-family residential development consisting of eight condominium units in three buildings. The residential units will be two-stories over semi-subterranean two-car garages. Each unit will have three bedrooms and two and one-half bathrooms. The entries to the units are sited along the north and south building face and are setback 5'-6" feet from the side property line. The living area of each unit ranges in size from 1,893 square feet to 1,964 square feet.

The site plan organization is designed with driveway access from the adjacent alley. The driveway width is 25 feet. In addition to providing two enclosed garage parking spaces per unit, four visitor parking spaces would be provided on-site at the rear of the buildings.

The three buildings total 15,050 square feet (not including the garages). The lot coverage totals 50% (7,186 square feet) of the parcel.

Soft landscaping would cover approximately 2,223 square feet of the lot. The landscaping will be distributed throughout the property, with additional emphasis on the front and rear setback areas. Additional landscaping will line the walkways to the units.

The project complies with the General Plan and meets all R-3 Zone development standards. No changes are proposed to the project design.

The surrounding land uses are as follows:

	Land Uses	<u>Zone</u>
North:	Multi-family	R-3
South:	Multi-family	R-3
East:	Multi-family and	
	School Maintenance Facility	R-3
West:	Multi-family	R-3

#### Subdivision

The Planning Commission approved the original project on May 25, 2006. The Multi-Family Residential Zone (R-3) allows condominium development as a permitted use. No conditions have changed and none of the findings for denial exist for the project. Pursuant to ESMC §§ 14-1-12 and 14-2-3, the development rights granted by the approval of the Vesting Tentative Map expires two years after approval, unless the applicant requests a time extension of the map. The applicant filed a timely request for an extension of the map on May 13, 2008; before the map expired on May 25, 2008. Upon the timely filing of the extension request, the map is automatically extended 60 days (to July 24, 2008) or until the

application for the extension is approved, conditionally approved, or denied, whichever occurs first pursuant to Government Code §66452.6. If the request for an extension is approved it would be the first one-year extension. The extension would expire on May 25, 2009, unless the applicant requests a second extension or records the Final Map with the County Recorder's Office. The ESMC allows for a maximum of five one-year extensions.

#### V. <u>Inter-Departmental Comments</u>

The project application and plans were circulated to all departments and all comments were attached to the original Environmental Assessment (EA-686) report. Staff has re-circulated the request for the proposed Vesting Tentative Map extension to all departments. The attached draft resolution approving a one-year extension contains all of the original conditions of approval.

#### VI. <u>Environmental Review</u>

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines § 15332, Class 32, as an infill development. The project consists of demolishing two buildings containing 3 units and constructing an 8-unit multi-family residential development in four buildings on a property zoned Multi-Family Residential (R-3). The project will result in a net increase of five-units on the newly created parcel that is approximately one-third of an acre. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality.

#### VII. Conclusion

Staff recommends that the Planning Commission adopt Resolution No. 2636 approving a one year extension of Vesting Tentative Map No. 64579.

#### VIII. Exhibits

- A. Draft Planning Commission Resolution No. 2636
- B. Planning Commission Staff Report Dated May 25, 2006

3

- C. Planning Commission Resolution No. 2602
- D. Application
- E. Vesting Tentative Map No. 64579

Prepared by: Bill Woolard, Contract Senior Planner

kimberly Christensen, AICP, Planning Manager Planning and Building Safety Department

Gary Chicots, Director

Planning and Building Safety Department

P:\Planning & Building Safety\PROJECTS\676-700\EA-686\EA-686.extSR.doc

#### **RESOLUTION NO. 2636**

A RESOLUTION REGARDING AN APPLICATION FROM TIM HOVLAND AND WILLIAM LEVINE APPROVING ENVIRONMENTAL ASSESSMENT NO. 686 AND SUBDIVISION NO. 05-10 FOR A ONE-YEAR EXTENSION OF VESTING TENTATIVE MAP NO. 64579, TO ALLOW THE CONSTRUCTION OF AN EIGHT-UNIT CONDOMINIUM DEVELOPMENT AT 215 AND 223 PENN STREET.

The Planning Commission of the City of El Segundo does resolve as follows:

### SECTION 1: The Planning Commission finds and declares that:

- A. On May 13, 2008, Tim Hovland and William Levine filed an application for a one-year extension of Vesting Tentative Map No. 64579 to allow the construction of an eight-unit condominium development;
- B. Tim Hovland and William Levine's application was reviewed by the City's Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code ("ESMC");
- C. In addition, the City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the "CEQA Guidelines"), and the City's Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);
- D. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the application before this Commission for June 12, 2008;
- E. On June 12, 2008, the Commission held a public hearing to receive public testimony and other evidence regarding the application including, without limitation, information provided to the Commission by Tim Hovland and William Levine; and
- F. The Commission considered the information provided by City staff, public testimony, and Tim Hovland and William Levine's; representatives. This Resolution, and its findings, is adopted based upon the evidence presented to the Commission at its June 12, 2008 hearing including,

without limitation, the staff report submitted by the Planning and Building Safety Department.

## SECTION 2: Factual Findings. The Commission finds that the following facts exist:

- A. The subject site is located in the Multi-Family Residential (R-3) Zone;
- B. The surrounding land uses consist of apartments located to the north, south and west, and apartments and a school maintenance facility to the east;
- C. The subject site is a rectangular lot, measuring 100.01 feet wide by 142.96 feet deep, totaling 14,298 square feet;
- D. The subject site is currently being developed with three multi-family structures containing eight residential units, located above semi-subterranean garages;
- E. Vehicle access for the proposed condominium development would be provided from the alley;
- F. The proposed project consists of three two-story buildings containing eight residential units, located above semi-subterranean garages that are intended to be offered for sale as condominium units; and
- G. The maximum roof height of the proposed condominium units would be 26 feet.

SECTION 3: Environmental Assessment. Based upon the facts identified in this Resolution and the evidence presented to the Planning Commission at its June 12, hearing, the proposed project is categorically exempt from additional CEQA analysis pursuant to CEQA Guidelines § 15332 which identifies the project as a Class 32, infill development. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. Moreover, the project is proposed to be built on a site of not more than five acres and is substantially surrounded by urban uses. Further, the site has no value as habitat for endangered, rare, or threatened species. There are adequate utilities and public services to serve the project.

<u>SECTION 4:</u> General Plan and Zoning. The proposed project conforms with the City's General Plan and the zoning regulations in the ESMC as follows:

A. The Land Use Designation of the project site is Multi-Family Residential. The project conforms with Goal 3 of the City's 2000-2005 General Plan

Housing Element which seeks to provide housing opportunities through new construction, in a variety of locations and densities in accordance with the Land Use Element. The project conforms with the City's General Plan Land Use Element Objective LU 3-2, which designates the site for Multi-Family Residential use. Policy 3.1 of the Housing Element requires the construction of 78 new housing units during the 2000-2005 timeframe in order to meet the goals of the Regional Housing Needs Assessment. This project will help achieve this goal by providing a net of five additional residential units. The project is also consistent with the Housing Element Goal 4 to remove governmental constraints on housing development and in turn improve the overall quality of housing through the private sector;

- B. The ESMC zoning classification for the project site is Multi-Family Residential (R-3), which allows condominium developments in conformance with ESMC Chapter 15-4C;
- C. The proposal meets all the site development standards of Chapter 15-4C of the ESMC; and
- D. The proposed Subdivision complies with the applicable provisions of ESMC Chapter 14-1, since proper notification and a public hearing were provided, proper hearing decision and records will be complied with and the required findings will be considered.

<u>SECTION 5:</u> Approval. Subject to the conditions listed in the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission approves Environmental Assessment No. EA-686 and Subdivision No. 05-10 (VTM No. 64579) for a one year time extension.

SECTION 6: This Resolution will remain effective until superseded by a subsequent resolution.

<u>SECTION 7:</u> The Commission Secretary is directed to mail a copy of this Resolution to Tim Hovland and William Levine and to any other person requesting a copy.

<u>SECTION 8:</u> This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

<u>SECTION 9:</u> Except as provided in Section 8, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

PASSED AND ADOPTED this 12th day of June 2008.
--

ATTEST:	Cheryl Frick, Chairperso City of El Segundo Plant	n ning Commission
Gary Chicots, Secretary	Frick Wagner Rotolo- Fuentes Fellhauer	*.  -
APPROVED AS TO FORM: Mark D. Hensley, City Attorney		
By: Karl H. Berger, Assistant City Atto	orney	

#### PLANNING COMMISSION RESOLUTION NO. 2636

#### Exhibit A

#### **CONDITIONS OF APPROVAL**

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Tim Hovland and William Levine agree to comply with the following conditions for the City of El Segundo's approval of Environmental Assessment No. 686, Subdivision No. 05-10 ("Project Conditions"):

#### **Zoning Conditions**

- 1. Before the City issues a building permit, the applicant must submit plans, which indicate that the project substantially complies with plans and conditions approved and on file with the Planning and Building Safety Department. Any subsequent modification to the project as approved must be referred to the Director of Planning and Building Safety for a determination regarding the need for Planning Commission review of the proposed modification.
- 2. There may be a maximum of eight-units developed on the newly created 14,298 square-foot parcel.
- 3. The trash enclosure must be fully enclosed with opaque doors to screen the trash area from view. The trash enclosure must be relocated a minimum of 12.5 feet north out of the driveway visibility area and clear of the guest parking area.

#### **Public Safety Conditions**

- 4. Before building permits are issued, the applicant must submit a photometric light study along with the landscaping plan to the Police Department for review and approval. The photometric study must be point-by-point and include the light loss factor (.7). Lighting levels must be adjusted accordingly to meet the minimum footcandle requirements within each area of the project.
- 5. Building and unit addressing must be a minimum of four inches high, visible from the street, of contrasting color to the background and illuminated during hours of darkness. If the addressing has multiple numerical addresses (i.e. 215 and 223), this must be reflected in the street side address numbering. Building and unit addressing must be

- provided on the rear of the building facing the alley, the same as the street side addressing.
- 6. All aisles, passageways and recesses related to and within all sides of the building must be illuminated with a maintained minimum of .25-.50 footcandles on the ground surface during hours of darkness. The lighting devices must be enclosed and protected by weather and vandal resistant covers.
- 7. A minimum of one footcandle of light on the ground surface must be provided, throughout the driveway and guest parking spaces and trash dumpster during hours of darkness. Aisles, passageways and recesses related to and within all sides of the building complex must be illuminated with and maintain a minimum of .25-.50 footcandles during hours of darkness. Lighting devices must be enclosed and protected by weather and vandal resistant covers.
- 8. All main entry doors (including entry doors from the garage into the residence) must be of solid core construction with a minimum thickness of 1 ¾ inches.
- 9. Main entry doors constructed of or with glass are not permitted.
- 10. Entry doors must have a deadbolt-locking device and the deadbolt throw must have a one-inch projection. The cylinder guard must be of case hardened steel, with the outer edge angled or tapered and free of spinning. The exterior portion of the lock must be connected to the inside portion of the lock with bolts at least one-quarter inch in diameter and constructed of steel. The locking mechanism must contain a minimum of a five-pin tumbler.
- 11. All main entry doors where windows are set along side the entry door must either reverse the swing of the door or reverse the position of the window to be opposite the locking mechanism.
- 12. A panoramic door viewer (190 degrees) must be installed in each main entry door.
- 13. Strike plates must be made with a minimum of 16 U.S. gauge steel, bronze or brass and secured to the jamb by a minimum of two screws, off-set and which must penetrate at least two inches into solid backing beyond the surface to which the strike plate is attached.

- 14. Sliding glass doors must have a secondary locking device (i.e. locked by a key or a twisting/turning device/Charlie bar). This device must limit any up and down or sideways movement while the window is in the closed/locked position.
- 15. Double or French doors must have a secondary locking device, such as a cane or flush bolt in addition to a deadbolt. The inactive leaf of double door(s) must be equipped with metal flush bolts having a minimum embedment of 5/8 inch into the head and threshold of the doorframe.
- 16. The mailboxes must be placed in a secure, central location (i.e. behind the security gate). Mailboxes and mail receptacles must include a locking device.
- 17. The trash dumpsters must be fully enclosed. A wail pack or light standard must be placed directly over the dumpster.
- 18. The Covenants, Conditions, and Restrictions (C.C. & R's) must include a provision notifying the residents of the individual units that an alarm permit is required by the El Segundo Police Department for the operation of any home security alarm system, whether audible or monitored by a security company and False Alarm regulations are enforced by the El Segundo Police Department.

#### **Design Conditions**

- 19. Before building permits are issued, the applicant must submit a geotechnical report that is no more than one year old to the Director of Planning and Building Safety for review and approval.
- 20. Before building permits are issued, the applicant must submit a grading plan to the Director of Planning and Building Safety for review and approval.
- 21. Before building permits are issued, plans must show conformance with the 2001 California Building, Mechanical, Electrical, Fire, Plumbing, and Energy Codes as adopted by the ESMC, as a Group R, Division 1 occupancy.
- 22. Before building permits are issued, plans must be reviewed for accessibility requirements per Chapter 11 of the 2001 California Building Code.

- 23. The project must conform with the California Airport Noise Regulations and California Noise Insulation standards.
- 24. The applicant must employ all necessary measures to reduce interior noise levels to minimum state standards. The applicant will commission a post acoustical analysis to demonstrate compliance. The applicant can choose to comply with the all applicable provisions of ESMC § 13-1-4 which establishes Residential Noise Insulation standards in the City of El Segundo in lieu of performing a post acoustical analysis.
- 25. One of the units must be made handicap accessible pursuant to Sections 1102.A.3-C and 1105A of the 2001 California Building Code.

#### Service Fees

- 26. Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time library services mitigation fee of \$0.03 per gross square-foot of building floor area.
- 27. Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time fire services fee of \$0.14 per gross square-foot of building floor area.
- 28. Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time police services mitigation fee of \$0.11 cents per gross square-foot of building floor area.
- 29. Before building permits are issued, the applicant must pay the required sewer connection fees (as specified in ESMC Title 12-3).
- 30. Pursuant to ESMC §§ 15-27A-1, et seq., and before the City issues certificates of occupancy, the applicant must pay the required traffic mitigation fees as calculated in accordance with City Council Resolution No. 4443.

#### Miscellaneous Conditions

31. The plant materials used in landscaping must be compatible with the El Segundo climate pursuant to Sunset Western Garden Book's Zone 24 published by Sunset Books Inc., Revised and Updated 2001 edition and available for review at the Planning and Building Safety Department. The landscape and irrigation plan shall be reviewed by the Planning and Building Safety Department and the Recreation and Parks Department.

- 32. The applicant must landscape the parkway. The parkway must be included in the landscaping plan that is to be reviewed by the Planning and Building Safety Department and the Recreation and Parks Department.
- 33. The applicant must ensure that the existing tree located in the parkway along the property line fronting Penn Street will be protected from harm during construction to ensure that the tree remains in place.
- 34. The applicant must provide a parkway tree in the parkway in front of the 215 Penn Street. The location, size and species of tree must be approved by the Recreation and Parks Department. The list of approved tree species is available from the Parks and Recreation Department. The Purple Leaf Plum (Pyrus cerisafera) tree is not an allowed planting material.
- 35. The applicant must ensure that water service connections are sized for the expected water usage increase as a result of the new development.
- 36. Curb, gutter and sidewalk along the property line fronting Penn Street must be replaced with new improvements (6" curb and 5-foot sidewalk).
- 37. The applicant must underground all utility service wires on the property and from the property to where they connect to the utility pole in the parkway on Penn Street.
- 38. The applicant must construct any new driveway pursuant to City of El Segundo's standards.
- 39. The applicant must ensure that encroachment permits are secured from the Public Works Department before commencing any work in the public right-of-way.
- 40. Before building permits are issued, the applicant must develop plans, which identify fire protection, notification, detection and access provisions and mechanisms for their testing and maintenance.
- 41. The applicant must ensure that combustible storage for pre/post construction will comply with the California Fire Code, including fire protection.
- 42. The applicant must ensure that any trenches deeper than five feet and meeting CalOSHA definitions will comply with shoring requirements.

- 43. The applicant must comply with the latest NPDES requirements and provide Best Management Practices (BMPs) for sediment control, construction material control, and erosion control.
- 44. The applicant must keep soil stockpiled for two days or more covered, moist, or treated with soil binders to prevent dust generation.
- 45. The applicant must cover or maintain two feet of free board on any stock pile of debris, dirt or rusty materials on-site.
- 46. All haul trucks hauling soil, sand, and other loose materials must either be covered or maintain two feet of freeboard.
- 47. The owner or contractor must conduct daily street sweeping and truck wheel cleaning to prevent dirt in the storm drain system.
- 48. During clearing, grading, earth moving, excavation or transportation of cut or fill materials, streets and sidewalks within 150 feet of the site perimeter must be swept and cleaned a minimum of twice weekly.
- 49. All diesel equipment must be operated with closed engine doors and must be equipped with factory-recommended mufflers.
- 50. The applicant must provide a telephone number for local residents to call to submit complaints associated with the construction noise. The number must be posted on the project site and must be easily viewed from adjacent public areas.
- 51. The applicant must record the Covenants, Conditions and Restrictions (CC&Rs) specifying that no storage is permitted within the required parking spaces consistent with the El Segundo Municipal Code. The CC&Rs must be approved as to form by the City Attorney before the City approves the Final Map. The applicant agrees to compensate the City for the costs of such review.
- 52. Before approval of the Final Map, the applicant must submit to the City for review and City Attorney approval a copy of the Covenants, Conditions, and Restrictions (C.C. & R's) that address the project conditions of approval and the management and maintenance of the property. Applicant must pay for all fees incurred by the City as a result of the City Attorney's review of CC&R's before the City issues a certificate of occupancy.

- 53. Vesting Tentative Map No. 64579 and associated project entitlements will expire on May 25, 2009, unless a Final Map is approved and recorded or a second extension is requested. The development rights expire when the vesting tentative map expires unless a final map is approved before the expiration date. Once the final map is approved, the development rights remain valid for one year pursuant to ESMC §14-2-3(B) and may be extended for one year pursuant to ESMC §14-2-3(D).
- 54. Tim Hovland and William Levine agree to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of Environmental Assessment No. 686 and Subdivision No. 05-10 (VTM 64579). Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Environmental Assessment No. 686 and Subdivision No. 05-10 (VTM 64579) Tim Hovland and William Levine agree to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.

By signing this document, Tim Hovland and William Levine certify that they have read, understood, and agree to the Project Conditions listed in this document.

Tim Hovland, P	Property Owner
William Levine,	Property Owner

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}

#### CITY OF EL SEGUNDO

## PLANNING COMMISSION STAFF REPORT

**PUBLIC HEARING:** 

May 25, 2006

SUBJECT:

Environmental Assessment No. 686 and

Subdivision No. 05-10 (VTM 64579)

APPLICANT:

Tim Hovland and William Levine

**PROPERTY OWNERS:** 

Tim Hovland and William Levine

**REQUEST:** 

A subdivision request (Vesting Tentative Map) to combine two lots into one for condominium purposes and allow the construction of an eight-

unit condominium development.

PROPERTY INVOLVED:

215 and 223 Penn Street

#### I. Introduction

The Planning Division received an application for Vesting Tentative Map No. 64579 to merge two lots into one and construct an eight-unit condominium development in three buildings on the newly created parcel.

Each parcel measures approximately 50.01 feet wide by 142.96 feet deep, totaling 14,298 square feet together. The applicant intends to construct eight condominium units with adequate on-site parking. The project is located within the Multi-Family Residential (R-3) Zone. The project site is an interior lot located within the block bordered by Grand Avenue to the north, Franklin Avenue to the south, Sheldon Street to the west, and Penn Street to the east.

#### II. Recommendation

Planning staff recommends that the Planning Commission review the facts as contained within this report, and adopt Resolution No. 2602, approving Environmental Assessment No. 686 and Subdivision No. 05-10 (VTM 64579).

#### III. <u>Background</u>

The project site consists of two interior rectangular lots. The property slopes from north to south with a drop in elevation of 10 feet from the left side to the right side. The lot at 215 Penn Street is currently developed with a single-family

residence constructed in 1953 and the lot at 223 Penn Street is developed with a duplex originally developed in 1951 and 1952. There is an existing curb cut at the front of the property at 215 Penn Street. However, both properties have alley access to garages at the rear of the property.

#### IV. Analysis

The applicant proposes a multi-family residential development consisting of eight condominium units in three buildings. The lot coverage totals 50% (7,186 square feet) of the parcel. The residential units will be two-stories over semi-subterranean two-car garages.

Each unit will have three bedrooms and two and two-half bathrooms located on the middle and upper floors. The entries to the units are sited along the north and south building face and are setback 5'-6" from the side property line. The living area of the units range in size from 1,893 square feet to 1,964 square feet. The three buildings total 15,050 square feet (not including the garages).

The site plan organization is designed to facilitate driveway access from the alley. The driveway is 25 feet wide and runs down the middle of the lot between the buildings. Each unit has an enclosed two-car garage. Additionally, four visitor parking spaces are provided on-site at the rear of the buildings.

Soft landscaping would cover approximately 2,223 square feet of the lot. The landscaping will be distributed throughout the property, with additional emphasis on the front and rear setback areas. Additional landscaping lines the walkways to the units.

The following chart provides the development standards for the Multi-Family Residential (R-3) Zone and those proposed for the project. The project meets all R-3 Zone development standards.

REQUIREMENTS	R-3 ZONE STANDARDS	PROPOSED PROJECT STANDARDS
Permitted Uses	Multi-family, including condominiums	Development of 8 condominium units
Minimum Lot Size	7,000 square feet per lot (for new lots)	14,298 square feet (new lot)
Lot Area per Dwelling (Density)	9 units: 1 unit per 1,613 square feet of lot area and one additional unit for a fraction of a lot greater than 1,075 square feet	8 units: 1 unit per 1,787 square feet of lot area
Lot Coverage	7,578 square feet (53%)	7,186 square feet (50%)

REQUIREMENTS	R-3 ZONE STANDARDS	PROPOSED PROJECT STANDARDS
Front Setback	Average of 20 feet, with a minimum of 15 feet	20' average front setback, minimum of 16'-9"
Side Setbacks	10% of the lot width = 5 feet	5'-6" minimum
Rear Setback	10-foot minimum	13.71' minimum
Height	26-foot maximum	26-foot maximum
Building Wall Modulation	No plane of a building wall facing a property line shall exceed 24' in height or length without at least a two-foot offset for a minimum length of 6 feet in the wall plane.	No wall exceeds 24' in height or length without at least a 2' offset for a minimum length of 6' in wall plane.
Open Space	Private: 50 square feet per unit  Common: 200 square feet per unit  = 1,600 square feet total	Private: 62.9 square feet per unit minimum.  Common: 617 square feet per unit = 4,943 square feet total.
andscaping	<ol> <li>Landscaping required in front yard and street side setback areas.</li> <li>50% of the common open space shall include soft landscape (800 square feet)</li> </ol>	<ol> <li>Front setback area is to be landscaped with a combination of soft and hard landscape materials.</li> <li>839 square feet (52%) of common open space is composed of soft landscape.</li> </ol>
vans	42" high within front yard 6' high to the rear of the front yard	Walls within front yard are a maximum of 42" and walls located to rear of the front yard setback are a maximum of 6 feet.
orner Clearance	No structure, tree, fence, etc. shall exceed 30" in height within the corner of the property (a triangular area 15' along the street side property line and 15' along the front property line).	The subject site is an interior lot; the corner clearance requirement is not applicable.

		T
REQUIREMENTS		PROPOSED PROJECT STANDARDS
Parking	2 spaces per dwelling unit and 2 visitor spaces for the first 5 units and 2 additional spaces for each additional 3 units = 20 parking spaces total	16 parking spaces (2 space per unit in enclosed garages) and 4 visitor spaces = 20 parking spaces total
Vehicular Access	Where an R-3 lot abuts an alley, vehicular access shall be from the alley; minimum 12 feet wide	Vehicle access is taken from the alley; 25 feet wide
Driveway Visibility	Fences, walls, and landscaping shall not be allowed to exceed 30", unless it is a tree which is trimmed to provide a minimum of 12' of visibility from street grade under the canopy created by the branches.  The driveway visibility are is located adjacent to but outside of the driveway area, one angle of the triangle shall be formed by the intersection of the driveway and the property line abutting the street, the sides of the triangle are 10' in length. The third side of the triangle shall be a straight line connecting the 2 other endpoints.	The driveway visibility area has no structures, fences, trees or landscaping that exceeds the height limit.
Curb Cut and Driveway Width	lot width or maximum 30'	No curb cut is provided. Vehicle access is from a 25-foot wide driveway off the alley
from Side Property	5' minimum in front 2/3 (or 100') of lot. Entrance on or from an alley may be less.	Driveway is located in the middle of the lot and is offset 37'-6" from either side property line.

The surrounding land uses are as follows:

	Land Uses	<u>Zone</u>
North:	Apartments	R-3
South:	Apartments	R-3
East:	Apartments and School Maintenance Facility	R-3
West:	Apartments	R-3

#### Subdivision

The application includes a subdivision request (Vesting Tentative Map No. 64579) to merge two lots into one and allow an eight-unit condominium development on the newly created parcel. The Multi-Family Residential (R-3) Zone allows condominium development as a permitted use. Residents will have exclusive rights to their personal units and garage, and a percentage ownership in the common areas and project amenities. Covenants, Conditions and Restrictions (C.C. & R's) will establish a Homeowners Association (HOA) to ensure maintenance of the common areas and the exterior of the building. The C.C. & R's will be reviewed by the City Attorney's office before the City Council can approve the Final Map. The vesting tentative map would expire 24 months after approval or conditional approval but may be extended for a period not to exceed 12 months, pursuant to Section 66452.6 of the Subdivision Map Act and ESMC § 14-2-3. The development rights expire when the vesting tentative map expires unless a final map is approved before the expiration date. Once the final map is approved, the development rights remain valid for one year pursuant to ESMC § 14-2-3B and may be extended for one year pursuant to ESMC §14-2-3D.

## Findings for Denial of a Subdivision

Section 14-1-6 of the El Segundo Municipal Code states that the Planning Commission must deny approval of a tentative map, vesting tentative map or a parcel map for which a tentative map was not required, if it makes any of the following findings consistent with Section 66474 of the California Government Code:

- That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451 of the California Government Code.
- 2. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.
- 3. That the site is not physically suitable for the type of development.
- That the site is not physically suitable for the proposed density of the development.
- 5. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.
- 6. That the design of the subdivision or type of improvements are likely to cause serious public health problems.

5 026

7. That the design of the subdivision or type of improvements will conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

Planning staff believes that none of the findings for denial exist for the proposed project since the project complies with the zoning standards and is consistent with the General Plan. Additionally, the proposal meets the City's development goal that promotes the construction of high quality multi-family residential projects with open space and leisure facilities. This project would be located in an appropriate place in the City and has been evaluated carefully to insure that this development is not detrimental to the existing residential character of the area. This proposal to construct an eight-unit condominium development would improve and maintain the existing scale and character of the neighborhood.

#### **General Plan Consistency**

This condominium development would conform with Goal 3 of the City's 2000-2005 Housing Element which focuses on providing housing opportunities through new construction, but also in a variety of locations and densities in accordance with the land use designations detailed in the Land Use Element of the General Plan. The Land Use Designation of the project site is Multi-Family Residential. The project conforms with Goal 3 of the City's 2000-2005 General Plan Housing Element which seeks to provide housing opportunities through new construction, in a variety of locations and densities in accordance with the Land Use Element. The project conforms with the City's General Plan Land Use Element Objective LU 3-2, which designates the site for Multi-Family Residential use. Policy 3.1 of the Housing Element specifies providing for the construction of 78 new housing units during the 2000-2005 timeframe in order to meet the goals of the Regional Housing Needs Assessment. This project will help facilitate the achievement of this goal by providing a net of five additional residential units. The project is also consistent with the Housing Element Goal 4 to remove governmental constraints on housing development and in turn improve the overall quality of housing through the private sector.

#### V. <u>Inter-Departmental Comments</u>

The project application and plans were circulated to all departments and all comments are attached to the report. Staff has incorporated those comments that have a legal nexus as conditions of approval. The Recreation and Parks Department requires the applicant to provide a parkway tree in front of the portion of the property that is 223 Penn Street and that the existing tree in front of 215 Penn Street must be protected in place. In addition, the Recreation and Parks Department requires the landscaping and irrigation plan to include the parkway. Finally, the Recreation and Parks Department noted that the Purple Leaf Plum (Pyrus cerisafera) tree is not recommended for El Segundo's climate. Condition No. 31 will ensure that the landscaping plans are reviewed and that appropriate planting materials are used for the climate in El Segundo. The Public

Works Department commented that all off-grade or deteriorated sidewalk, curb must be replaced and be ADA compliant. In addition, the Public Works Department noted that a traffic mitigation fee and a sewer connection fee must be paid to the City. The Police Department made a number of comments regarding issues related to safety and lighting. The Director of Planning and Building Safety Department noted that one of the units must meet handicap accessibility requirements pursuant to California Building Code Sections 1102A.3-C and 1105A.

#### VI. <u>Environmental Review</u>

The proposed project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Categorical Exemption Section 15332, Class 32, as an infill development. The project consists of demolishing one detached garage and three additional buildings containing three units and constructing an eight-unit multi-family residential development on a property in the Multi-Family Residential (R-3) Zone. The project will result in a net increase of five-units on the newly created parcel that is approximately one-third of an acre. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality.

#### VII. Conclusion

Planning staff recommends approval of Environmental Assessment No. 686 and Subdivision No. 05-10 (VTM 64579) since the required findings for support have been made.

7

#### VIII. Exhibits

- A. Draft Planning Commission Resolution No. 2602
- B. Inter-Departmental Comments
- C. Site Photos
- D. Application
- E. Vesting Tentative Map No. 64579
- F. Plans

Prepared by: Alexis Schopp, Planning Technician

Kimberly Christensen, AICP, Planning Manager

Planning and Building Safety Department

Seimone Juris, Director

Planning and Building Safety Department P:/Planning&BuilingSafety/projects/Ea-676-700/Ea-686/Ea-686.SR

028



#### **RESOLUTION NO. 2602**

A RESOLUTION ADOPTED BY THE EL SEGUNDO PLANNING COMMISSION REGARDING AN APPLICATION FROM TIM HOVLAND AND WILLIAM LEVINE APPROVING ENVIRONMENTAL ASSESSMENT NO. EA-686 AND SUBDIVISION NO. 05-10 FOR VESTING TENTATIVE MAP NO. 64579 TO MERGE TWO LOTS INTO ONE AND ALLOW THE CONSTRUCTION OF AN EIGHT-UNIT CONDOMINIUM DEVELOPMENT AT 215 AND 223 PENN STREET.

The Planning Commission of the City of El Segundo does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On November 17, 2005, Tim Hovland and William Levine, filed an application for Environmental Assessment No. EA-686 and Subdivision No. 05-10 (Vesting Tentative Map No. 64579) to allow the construction of an eight-unit condominium development at 215 and 223 Penn Street;
- B. Tim Hovland and William Levine's application was reviewed by the City's Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code ("ESMC");
- C. In addition, the City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, et seq., "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, et seq., the "CEQA Guidelines"), and the City's Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);
- D. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the application before this Commission for May 25, 2006;
- E. On May 25, 2006, the Commission held a public hearing to receive public testimony and other evidence regarding the application including, without limitation, information provided to the Commission by Tim Hovland and William Levine; and
- F. The Commission considered the information provided by City staff, public testimony, and Tim Hovland and William Levine's representatives. This Resolution, and its findings, are made based upon the evidence presented

-1-

to the Commission at its May 25, 2006 hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

## SECTION 2: Factual Findings. The Commission finds that the following facts exist:

- A. The subject site is located in the Multi-Family Residential (R-3) Zone;
- B. The surrounding land uses consist of apartments located to the north, south and west, and apartments and a school maintenance facility to the east;
- C. The subject site is a rectangular lot, measuring 100.01 feet wide by 142.96 feet deep, totaling 14,298 square feet;
- D. The subject site is currently developed with four structures including one single-story, single-family dwelling, a detached garage, one single-story residential unit and a residential unit attached to a garage;
- E. Vehicle access for the proposed condominium development would be provided from the alley;
- F. The proposed project consists of three two-story buildings containing eight residential units, located above semi-subterranean garages; and
- G. The maximum roof height of the proposed condominium units would be 26 feet.

SECTION 3: Environmental Assessment. Because of the facts identified in Section 2 of this Resolution, the proposed project is exempt from the requirements of CEQA because it is categorically exempt under the CEQA Guidelines and El Segundo Guidelines which identify the project as a Category 15332, Class 32 as an infill development. The project consists of the constructing an 8-unit multi-family residential development on a property in the Multi-Family Residential (R-3) Zone in the City of El Segundo. The project will result in a net increase of five-units on the newly created parcel that is approximately one-third of an acre in size. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality.

<u>SECTION 4:</u> General Plan and Zoning. The proposed project conforms with the City's General Plan and the zoning regulations in the ESMC as follows:

A. The Land Use Designation of the project site is Multi-Family Residential. The project conforms with Goal 3 of the City's 2000-2005 General Plan

Housing Element which seeks to provide housing opportunities through new construction, in a variety of locations and densities in accordance with the Land Use Element. The project conforms with the City's General Plan Land Use Element Objective LU 3-2, which designates the site for Multi-Family Residential use. Policy 3.1 of the Housing Element specifies providing for the construction of 78 new housing units during the 2000-2005 timeframe in order to meet the goals of the Regional Housing Needs Assessment. This project will help facilitate the achievement of this goal by providing a net of five additional residential units. The project is also consistent with the Housing Element Goal 4 to remove governmental constraints on housing development and in turn improve the overall quality of housing through the private sector;

- B. The ESMC zoning classification for the project site is Multi-Family Residential (R-3), which allows condominium developments in conformance with ESMC Chapter 15-4C;
- The proposal meets all the site development standards of ESMC Chapter 15-4C; and
- D. The proposed Subdivision complies with the applicable provisions of ESMC Chapter 14-1, since proper notification and a public hearing were provided, proper hearing decision and records will be complied with and the required findings will be considered.

SECTION 5: Subdivision. Pursuant to Government Code § 66474 the Planning Commission finds that it cannot deny the application based on any of the following findings:

- 1. The proposed map is not inconsistent with applicable general and specific plans as specified in Government Code § 65451. As set forth in Section 4, this project meets the goals and objectives of the General Plan.
- 2. The design of the proposed subdivision is consistent with applicable general and specific plans. As set forth in Section 4, this project meets the goals and objectives of the General Plan.
- 3. The site is physically suitable for the type of development. The project site is suitable for the construction of an eight-unit residential condominium development because the lot is rectangular and gently slopes from the north to the south it can accommodate the development as permitted in the Multi-Family Residential (R-3) Zone.

- 4. That the site is physically suitable for the proposed density of development. The proposed project does not exceed the permitted density and is able to comply with all required development standards. Therefore, the site is physically suitable for the proposed density.
- 5. The design of the subdivision or the proposed improvements are unlikely to cause substantial damage or substantially and avoidably injure fish or wildlife or their habitat. The proposed project is the development of eight condominium units on a lot currently developed with a single-family residence and a duplex in an urbanized area that is not likely to result in any substantial environmental damage or cause injury to fish or wildlife or their habitat.
- 6. The design of the subdivision or type of improvements is unlikely to cause serious public health problems. There is no evidence demonstrating that the development of the eight-unit condominium project is likely to cause any serious public health problems.
- 7. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. The subdivision of the eight condominium units will not conflict with any known easements located on or adjacent to the property.

<u>SECTION 6:</u> Approval. Subject to the conditions listed in the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission approves Environmental Assessment No. EA-686 and Subdivision No. 05-10 (VTM 64579).

SECTION 7: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 8: The Commission Secretary is directed to mail a copy of this Resolution to Tim Hovland and William Levine and to any other person requesting a copy.

SECTION 9: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 10: Except as provided in Section 9, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

PASSED AND ADOPTED this 25th day of May 2006.

Michael Kretzmer, Chairperson City of El Segundo Flanning Commission

ATTEST:

Seimone Jurijs

Fellhauer Frick Kretzmer Rotolo

Wagner

Aye Aye Aye

Aye

Aye

APPROVED AS TO FORM Mark D. Hensley, Kity Attorney

By:

Karl H/Berger, Assistant/City Attorney

## PLANNING COMMISSION RESOLUTION NO. 2602

#### Exhibit A

#### CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Tim Hovland and William Levine agree to comply with the following provisions as conditions for the City of El Segundo's approval of Environmental Assessment No. 686, Subdivision No. 05-10 ("Project Conditions"):

#### **Zoning Conditions**

- 1. Before the City issues a building permit, the applicant must submit plans, which indicate that the project substantially complies with plans and conditions approved and on file with the Planning and Building Safety Department. Any subsequent modification to the project as approved must be referred to the Director of Planning and Building Safety for a determination regarding the need for Planning Commission review of the proposed modification.
- There may be a maximum of eight-units developed on the newly created 14,298 square-foot parcel.
- 3. The trash enclosure must be fully enclosed and secured with opaque doors to screen the trash area from view. The trash enclosure must be relocated a minimum of 12.5 feet north out of the driveway visibility area and clear of the guest parking area.

#### **Public Safety Conditions**

- 4. Before building permits are issued, the applicant must submit a photometric light study along with the landscaping plan to the Police Department for review and approval. The photometric study must be point-by-point and include the light loss factor (.7). Lighting levels must be adjusted accordingly to meet the minimum footcandle requirements within each area of the project.
- 5. Building and unit addressing must be a minimum of four inches high, visible from the street, of contrasting color to the background and illuminated during hours of darkness. If the addressing has multiple

numerical addresses (i.e. 215 and 223), this shall be reflected in the numbering street side. Building and unit addressing must be provided on the rear of the building facing the alley, the same as the street side addressing.

- 6. All aisles, passageways and recesses related to and within all sides of the building must be illuminated with a maintained minimum of .25-.50 footcandles on the ground surface during hours of darkness. The lighting devices must be enclosed and protected by weather and vandal resistant covers.
- 7. A minimum of one footcandle of light on the ground surface must be provided, throughout the driveway and guest parking spaces and trash dumpster during hours of darkness. Aisles, passageways and recesses related to and within all sides of the building complex must be illuminated with and maintain a minimum of .25-.50 footcandles during hours of darkness. Lighting devices must be enclosed and protected by weather and vandal resistant covers.
- 8. All main entry doors (including entry doors from the garage into the residence) shall be of solid core construction with a minimum thickness of 1 3/4 inches.
- 9. Main entry doors constructed of or with glass are not permitted.
- 10. Entry doors must have a deadbolt-locking device and the deadbolt throw must have a one-inch projection. The cylinder guard must be of case hardened steel, with the outer edge angled or tapered and free of spinning. The exterior portion of the lock must be connected to the inside portion of the lock with bolts at least one-quarter inch in diameter and constructed of steel. The locking mechanism must contain a minimum of a five-pin tumbler.
- 11. All main entry doors where windows are set along side the entry door must either reverse the swing of the door or reverse the position of the window to be opposite the locking mechanism.
- 12. A panoramic door viewer (190 degrees) must be installed in each main entry door.
- 13. Strike plates must be made with a minimum of 16 U.S. gauge steel, bronze or brass and secured to the jamb by a minimum of two screws, off-set and which must penetrate at least two inches into solid backing beyond the surface to which the strike plate is attached.

- 14. Sliding glass doors must have a secondary locking device (i.e. locked by a key or a twisting/turning device/Charlie bar). This device must limit any up and down or sideways movement while the window is in the closed/locked position.
- 15. Double or French doors must have a secondary locking device, such as a cane or flush bolt in addition to a deadbolt. The inactive leaf of double door(s) must be equipped with metal flush bolts having a minimum embedment of 5/8 inch into the head and threshold of the doorframe.
- 16. The mailboxes must be placed in a secure, central location (i.e. behind the security gate). Mailboxes and mail receptacles must include a locking device.
- 17. The trash dumpsters must be fully enclosed. A wall pack or light standard must be placed directly over the dumpster.
- 18. The Covenants, Conditions, and Restrictions (C.C. & R's) must include a provision notifying the residents of the individual units that an alarm permit is required by the El Segundo Police Department for the operation of any home security alarm system, whether audible or monitored by a security company and False Alarm regulations are enforced by the El Segundo Police Department.

#### **Design Conditions**

- 19. Before building permits are issued, the applicant must submit a geotechnical report that is no more than one year old to the Director of Planning and Building Safety for review and approval.
- Before building permits are issued, the applicant must submit a grading plan to the Director of Planning and Building Safety for review and approval.
- 21. Before building permits are issued, plans must show conformance with the 2001 California Building, Mechanical, Electrical, Fire, Plumbing, and Energy Codes with El Segundo amendments as a Group R, Division 1 occupancy.
- 22. Before building permits are issued, plans must be reviewed for accessibility requirements per Chapter 11 of the 2001 California Building Code.

- 23. The project must conform with the California Airport Noise Regulations and California Noise Insulation standards.
- 24. The applicant must employ all necessary measures to reduce interior noise levels to minimum state standards. The applicant will commission a post acoustical analysis to demonstrate compliance. The applicant can choose to comply with the all applicable provisions of ESMC § 13-1-4 which establishes Residential Noise Insulation standards in the City of El Segundo in lieu of performing a post acoustical analysis.
- 25. One of the units must be made handicap accessible pursuant to Sections 1102.A.3-C and 1105A of the 2001 California Building Code.

#### Service Fees

- 26. Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time library services mitigation fee of \$0.03 per gross square-foot of building floor area.
- 27. Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time fire services fee of \$0.14 per gross square-foot of building floor area.
- 28. Pursuant to ESMC §§ 15-27A-1, et seq., and before building permits are issued, the applicant must pay a one-time police services mitigation fee of \$0.11 cents per gross square-foot of building floor area.
- 29. Before building permits are issued, the applicant must pay the required sewer connection fees (as specified in ESMC Title 12-3).
- Pursuant to ESMC §§ 15-27A-1, et seq., and before the City issues certificates of occupancy, the applicant must pay the required traffic mitigation fees as calculated in accordance with City Council Resolution No. 4443.

### Miscellaneous Conditions

31. The plant materials used in landscaping must be compatible with the El Segundo climate pursuant to Sunset Western Garden Book's Zone 24 published by Sunset Books Inc., Revised and Updated 2001 edition and available for review at the Planning and Building Safety Department. The landscape and irrigation plan shall be reviewed by the Planning and Building Safety Department and the Recreation and Parks Department.

- 32. The applicant must landscape the parkway. The parkway must be included in the landscaping plan that is to be reviewed by the Planning and Building Safety Department and the Recreation and Parks Department.
- 33. The applicant must ensure that the existing tree located in the parkway along the property line fronting Penn Street will be protected from harm during construction to ensure that the tree remains in place.
- 34. The applicant must provide a parkway tree in the parkway in front of the 215 Penn Street. The location, size and species of tree must be approved by the Recreation and Parks Department. The list of approved tree species is available from the Parks and Recreation Department. The Purple Leaf Plum (Pyrus cerisafera) tree is not an allowed planting material.
- 35. The applicant must ensure that water service connections are sized for the expected water usage increase as a result of the new development.
- 36. Curb, gutter and sidewalk along the property line fronting Penn Street must be replaced with new improvements (6" curb and 5-foot sidewalk).
- 37. The applicant must underground all utility service wires on the property and from the property to where they connect to the utility pole in the parkway on Penn Street.
- 38. The applicant must construct any new driveway pursuant to City of El Segundo's standards.
- 39. The applicant must ensure that encroachment permits are secured from the Public Works Department before commencing any work in the public right-of-way.
- 40. Before building permits are issued, the applicant must develop plans, which identify fire protection, notification, detection and access provisions and mechanisms for their testing and maintenance.
- 41. The applicant must ensure that combustible storage for pre/post construction will comply with the California Fire Code, including fire protection.
- 42. The applicant must ensure that any trenches deeper than five feet and meeting CalOSHA definitions will comply with shoring requirements.

- 43. The applicant must comply with the latest NPDES requirements and provide Best Management Practices (BMPs) for sediment control, construction material control, and erosion control.
- 44. The applicant must keep soil stockpiled for two days or more covered, moist, or treated with soil binders to prevent dust generation.
- 45. The applicant must cover or maintain two feet of free board on any stock pile of debris, dirt or rusty materials on-site.
- 46. All haul trucks hauling soil, sand, and other loose materials must either be covered or maintain two feet of freeboard.
- 47. The owner or contractor must conduct daily street sweeping and truck wheel cleaning to prevent dirt in the storm drain system.
- 48. During clearing, grading, earth moving, excavation or transportation of cut or fill materials, streets and sidewalks within 150 feet of the site perimeter must be swept and cleaned a minimum of twice weekly.
- 49. All diesel equipment must be operated with closed engine doors and must be equipped with factory-recommended mufflers.
- 50. The applicant must provide a telephone number for local residents to call to submit complaints associated with the construction noise. The number must be posted on the project site and must be easily viewed from adjacent public areas.
- 51. The applicant must record the Covenants, Conditions and Restrictions (CC&Rs) specifying that no storage is permitted within the required parking spaces consistent with the El Segundo Municipal Code. The CC&Rs must be approved as to form by the City Attorney before the City approves the Final Map. The applicant agrees to compensate the City for the costs of such review.
- 52. Before approval of the Final Map, the applicant must submit to the City for review and City Attorney approval a copy of the Covenants, Conditions, and Restrictions (C.C. & R's) that address the project conditions of approval and the management and maintenance of the property. Applicant must pay for all fees incurred by the City as a result of the City Attorney's review of CC&R's before the City issues a certificate of occupancy.

- 53. The vesting tentative map expires 24 months after approval or conditional approval but may be extended for a period not to exceed 12 months, pursuant to Government Code § 66452.6 and ESMC § 14-2-3. The development rights expire when the vesting tentative map expires unless a final map is approved before the expiration date. Once the final map is approved, the development rights remain valid for one year pursuant to ESMC § 14-2-3B and may be extended for one year
- 54. Tim Hovland and William Levine agree to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of Environmental Assessment No. 686 and Subdivision No. 05-10 (VTM 64579). Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Environmental Assessment No. 686 and Subdivision No. 05-10 (VTM 64579) Tim Hovland and William Levine agree to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.

By signing this document, Tim Hovland and William Levine certify that they have read, understood, and agree to the Project Conditions listed in this document.

Tim Hovland, Property Owner

William Levine, Property Owner

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}



# City of El Segundo

PLANNING DIVISION

Environmental Assessment No: FA-486

Planning and Building Safety 350 Main Street El Segundo, CA 90245 (310) 524-2344; Fax (310) 322-4167 www.elsegundo.org

041

## **APPLICATION FOR A SUBDIVISION**

Environmental Assessment No: EA-686	SUB No: 08-10
Applicant:	Date:
Tim Hovland for Penn Villas, LLC  Name (print or type)  431 Main Street  Address El Segundo, CA 90245  City/St/Zip  Owner _XX Lessee	(310)433-6809 (310)545-8606  Phone thovland@aol.com Email  Signature  Agent
Penn Villas, IIC	_(310)433-6809 (310)545-8606
Name (print or type)	(310)433-6809 (310)545-8606 Phone Fax
431 Main Street Address	thovland@aol.com
El Segundo, CA 90245	Email O
City/St/Zip	Signature
Representative of applicant: (i.e., attorney, expeditor	r, etc.)
Tim Hovland for Penn Villas, LLC	(310)433-6809 (310)545-8606
Name (print or type)	Dhama
431 Main Street Address	thovland@aol.com
El Segundo, CA 90245	Email O
City/St/Zip	- FAST
	Signature

1

**EXHIBIT D** 

EA-686; SUB 08-10 215-223 Penn Street.

Architect/Engineer:	
Soloff Surveying & Consulting	(210)5/2 0/04
Name (print or type)	(310)543-9491

Soloff Surveying &	Consulting	(310)543-9491	(310)542 0004
Name (print or type) 1611 S. PCH	···	Phone	(310)543-9391 <b>Fax</b>
Address		_Lsoloff@aol.com	Гад
· •		Email	
Redondo Beach, CA City/St/Zip	90277		
City/Suzip		Sign	ature
Property situated at:	Lots 18 & 19, Block 27, I	F1 Commis March	
	(Exact legal description. Pr	Ovide attachment if need	
		orido attacimient, il neces	ssary).
General location:	215-223 Penn Street	between Grand & Fr	anklin
	Address (Street/Avenue)		Street/Avenue)
Existing Zoning:			•
existing connig.	R-3 Genera	il Plan Land Use Designati	on:
Check type of			
Application:			
Tentative Bereal M	<b>1</b>	_	
Tentative Parcel M	ар	Vesting Tentative Map	)
Tentative Tract Ma	n		
	۲		t Map
Final Tract Map		Final Vestine Teacher	
		Final Vesting Tract Ma	þ
Stay Application		X Extension of Parcel Ma	an or Track se
			sh or react wab
Lot Merger			
omplete:			

Request: Under the provisions of Title 14 of the Municipal Code, application for consideration of a Subdivision for the above described property.

**Existing No. of Lots** 

**Existing No. of Units** 

Proposed No. of Lots

Proposed No. of Units

## **OWNER'S AFFIDAVIT**

I, We <u>Tim Hovland</u> being property involved in this application and that I/We had the City of El Segundo with respect to preparing an contained and the information on documents and all best of my/our knowledge and belief.	duly sworn depose and say that I/We am the <b>OWNER</b> of the ave familiarized myself (ourselves) with the rules and regulation of the diling this application and that the foregoing statements hereing plans attached hereto are in all respects true and correct to the
72	S/7/ 2008
STATE OF CALIFORNIA, ) County of Los Angeles )ss.  On this day of in and for said County and State, personally appeare person whose name sthat he/she executed the same.	20, before me, the undersigned Notary Public known to me to be the subscribed to the within instrument, and acknowledged to me
WITNESS my hand and official seal.	)
	Notary Public in and for said County and State

MAY 1 3 2008

**PLANNING DIVISION** 

## STATE OF CALIFORNIA COUNTY OF LOS ANGELES

On May 1, 2008 before me, FRANCENE D	. URALMAN the
	(Name and title of the officer)
undersigned Notary Public personally appeared	TIM HOVLAND
	(Name of person signing)
who proved to me on the basis of satisfactory evidence instrument and acknowledged to me that he executed the instrument the person, or the entity upon behalf of where the instrument the person, or the entity upon behalf of where the contract of the cont	ce to be the person whose name is subscribed to the within
I certify under PENALTY OF PERJURY under the laws and correct.	s of the State of California that the foregoing paragraph is true
WITNESS my hand and official seal.	FRANCENE D. URALMAN MOTARY PUBLIC - CALIFORNIA COMMISSION # 1725171 LOS ANGELES COUNTY My Comm. Exp. February 12, 2011
(Signature of officer)	(Seal)



007010	AGENT AUTHORIZAT	ion
I hereby authorize	/ V <sub>2</sub>	
understand that this person will be	to act for me/u	is in all matters relevant to this application
correspondence.	e equality contact on the	is in all matters relevant to this application project and will be sent all information
	7	
Ja Jan		
Owner's Signature	<del>2</del> /	
ed story	· /	
یر کره شکری		
to V o		
,~	AGENT AFFIDAVIT	
	MODITI AFFIDAVII	
I, We	being duly sworn depos hat I/We have familiarized mys	se and say that I/We am the AGENT of the self (ourselves) with the rules and regulation
I, We	being duly sworn depos hat I/We have familiarized mys	se and say that I/We am the AGENT of the self (ourselves) with the rules and regulation tion and that the foregoing statements here reto are in all respects true and correct to the
I, We	being duly sworn depos hat I/We have familiarized mys	reto are in all respects true and correct to the
I, We	being duly sworn depos hat I/We have familiarized mys	reto are in all respects true and correct to the
I, We	being duly sworn depos hat I/We have familiarized mys eparing and filing this applicat ents and all plans attached he	reto are in all respects true and correct to the
property involved in this application and the City of El Segundo with respect to procontained and the information on docume best of my/our knowledge and belief.	being duly sworn depos hat I/We have familiarized mys eparing and filing this applicat ents and all plans attached he	reto are in all respects true and correct to the
property involved in this application and the City of El Segundo with respect to procontained and the information on docume best of my/our knowledge and belief.  STATE OF CALIFORNIA.	being duly sworn depos hat I/We have familiarized mys eparing and filing this applicat ents and all plans attached he	reto are in all respects true and correct to the
property involved in this application and the City of El Segundo with respect to procontained and the information on docume best of my/our knowledge and belief.  STATE OF CALIFORNIA, County of Los Angeles )ss.	being duly sworn depos hat I/We have familiarized mys eparing and filing this applicat ents and all plans attached her Signature	ion and that the foregoing statements here reto are in all respects true and correct to the determinant of t
property involved in this application and the City of El Segundo with respect to procontained and the information on docume best of my/our knowledge and belief.  STATE OF CALIFORNIA, County of Los Angeles  On this	being duly sworn depose that I/We have familiarized mysteparing and filing this applicate ants and all plans attached here.  Signature	before me, the undersigned Notary Public
property involved in this application and the City of El Segundo with respect to procontained and the information on docume best of my/our knowledge and belief.  STATE OF CALIFORNIA, County of Los Angeles  On this	being duly sworn depose that I/We have familiarized mysteparing and filing this applicate ants and all plans attached here.  Signature	before me, the undersigned Notary Public
property involved in this application and the City of El Segundo with respect to procontained and the information on docume best of my/our knowledge and belief.  STATE OF CALIFORNIA, County of Los Angeles  On this	being duly sworn depose that I/We have familiarized mysteparing and filing this applicate ants and all plans attached here.  Signature	before me, the undersigned Notary Public
property involved in this application and the City of El Segundo with respect to procontained and the information on docume best of my/our knowledge and belief.  STATE OF CALIFORNIA, County of Los Angeles  On this	being duly sworn depose that I/We have familiarized mysteparing and filing this applicate ants and all plans attached here.  Signature	before me, the undersigned Notary Public
property involved in this application and the City of El Segundo with respect to procontained and the information on docume best of my/our knowledge and belief.  STATE OF CALIFORNIA, ) County of Los Angeles )ss.  On this day of n and for said County and State, personal person whose name hat he/she executed the same.	being duly sworn depose that I/We have familiarized mysteparing and filing this applicate ants and all plans attached here.  Signature	before me, the undersigned Notary Public
property involved in this application and the City of El Segundo with respect to procontained and the information on docume best of my/our knowledge and belief.  STATE OF CALIFORNIA, ) County of Los Angeles )ss.  On this day of and for said County and State, personal person whose name hat he/she executed the same.	being duly sworn depose that I/We have familiarized mysteparing and filing this applicate ants and all plans attached here.  Signature	before me, the undersigned Notary Public
property involved in this application and the City of El Segundo with respect to procontained and the information on docume best of my/our knowledge and belief.  STATE OF CALIFORNIA, County of Los Angeles )ss.  On this day of nand for said County and State, personal	being duly sworn depose that I/We have familiarized mysteparing and filing this applicate ants and all plans attached here.  Signature	before me, the undersigned Notary Public

anc

#### SROUR & ASSOCIATES, LLC

Business and Real Estate Development Services

Elizabeth C. Srour Francene Baker Uralman 1001 Sixth Street, Suite 110 Manhattan Beach, CA 90266 (310) 372-8433 • (310) 372-8894 Fax Email: srourllc@esrour.com

May 12, 2008

City of El Segundo Department of Planning and Building Safety Kimberly Christensen, AICP, Planning Manager El Segundo, CA 90245

RE:

215-223 Penn Street, VTTM 64579

EA 686, Subdivision 05-10

Dear Ms. Christensen:

This correspondence is submitted on behalf of the owner of the subject property, Penn Villas, LLC and its authorized agent, Tim Hovland. We are assisting the owner and the project engineer, Soloff Surveying & Consulting, with coordination of the Final Parcel Map as well as other aspects of the condominium project. Resolution No. 2602 approving VTTM 64579 was adopted May 25, 2006. Construction is underway and completion is expected sometime in June 2008. The project engineer is processing the final map with the County Engineer for recordation. However, the final map will not be recorded prior to the expiration date.

We hereby request that the Planning Commission grant a one year extension of the tentative map which will allow Soloff Surveying and Consulting to proceed through recordation of the final map. Attached is a check payable to the City in the amount of \$467.50 to cover the City filing fee, a check to the County Clerk for \$50.00 and 13 copies of the Tract Map, along with the application, grant deed, owner's letter of authorization and radius map/ownership information.

Thank you for your consideration.

Elizabeth Srow

Respectfully,

ELIZABETH SROUR

on Behalf of Property Owner

MAY 13 2008
PLANNING