



Planning Commission **STAFF REPORT**

*Gina Frierman-Hunt, Chair
Bob Spears, Vice-Chair
Matthew Buckles, Commissioner
Manish Desai, Commissioner
Leslie Hinton, Commissioner
John Hutt, Commissioner
William Pevsner, Commissioner*

*Vincent Gonzalez, Director of
Planning and Community Preservation*

DATE: October 20, 2016

TO: Planning Commission

INITIATED BY: Vincent Gonzalez, Director of Planning & Community Preservation

FROM: Jonathan Perez, Assistant Planner

SUBJECT: **Conditional Use Permit (CUP) 16-03: A request to allow a 693 square-foot recreation building on an R-3 Zoned property located at 156 W. Highland Avenue.**

Executive Summary

At the September 1, 2016 meeting, the Planning Commission reviewed the project and continued it to this meeting to provide the applicant the opportunity to modify the design of an as built recreation building to reduce the height of the attic space above the first floor so that the structure's bulk and massing more closely resembles a one story recreation building in style and function. And to reduce the possibility of the structure being converted into a dwelling unit in the future.

The applicant, Steve Salisian, is returning with revised plans which shows a removal of the 2nd story and a revised building height of 15'-0". In addition, the applicant has removed the existing stairs to the attic space/second story and reduced the height of the attic space to 4'-5". Revisions also include a removal of the first-story storage space and relocation of the bathroom to the northwest corner of the building. A CUP is required because any development in an R-3 Zone requires an approval of a CUP.

Staff seeks Planning Commission consideration of Conditional Use Permit 16-03 (CUP 16-03). Included is Resolution 16-07 should the Commission wish to approve the project.

BACKGROUND

After discussing this item at their September 1, 2016 meeting, the Planning Commission voted to continue it to give the applicant, Steve Salisian, the opportunity to address the

Planning Commission's concerns regarding the architectural design of the as built recreation building, specifically the attic space above the first floor, which the Commission considered to be too close in appearance to a second story structure. The Commission suggested to the applicant the option of reducing the height of the recreation building by removing the 2nd story/attic space or by redesigning the building to have a vaulted ceiling. The Commission also had concerns about the recreation building being used as another dwelling unit. To alleviate this concern, the Commission suggested relocating the first floor bathroom to the northwest corner of the building to prevent a shower from being added at a later date. In addition, the Commission wanted a reduction of the attic space to reduce the possibility of it being used as a de-facto 2nd story and also recommended removal of the stairs/ladder up to the attic space. Lastly, the Commission was also concerned about the walkway between the units and wanted to see on the site plan that the walkway would be paved with some sort of pervious material.

The Planning Commission Staff Report from the September 1, 2016 meeting is attached herein for reference as Exhibit C and project plans submitted at the September 1, 2016 meeting are attached herein for reference as Exhibit D.

REVISED PROPOSAL

The applicant removed the second story of the recreation building thereby revising the height from 20'-0" feet to a height of 15'-0". The overall square footage of the recreation building was also revised from an existing square footage of 1,322 square feet to a proposed 693 square feet. Regarding the interior of the recreation building, the applicant relocated the bathroom to the northwest corner of the building thus eliminating the adjacent storage space as indicated on the prior floor plan. The stairs/ladder leading up to the attic space have been completely removed, and the attic space has also been lowered from 8'-6" and 7'-0" to a proposed 4'-5".

The applicant has included both the existing and proposed floor plans as well as existing and proposed elevations on the plans to allow the Planning Commission to compare the existing recreation building as it currently stands and the proposed concept. The site plan also shows the existing setback of the recreation building from the east property line symbolized by a dashed line which measures approximately 3 feet and shows the proposed setback of the recreation building from the east property line indicated by a solid line measuring 10 feet.

The South and North elevations were also revised to show the existing and proposed setback of the recreation building from the eastern property line as requested by the Planning Commission for comparative purposes. The existing South and North elevation views show a side yard setback of approximately 3 feet, and the proposed South and North elevation plans show a side yard setback of 10 feet. Finally the revised site plan shows paving material for the walkway in between the dwelling units and recreation building.

Staff believes that the revised height of the recreation building along with the reconfiguration of interior space—specifically the bathroom and attic, sufficiently address the Commissioners concerns regarding the bulk and mass of the recreation building and that the attached resolution will alleviate the concerns regarding the possibility of the recreation building being used as a dwelling unit.

Should the Commission wish to approve the project as presented, Resolution 16-07, is attached herein as Exhibit A.

ALTERNATIVES

The Planning Commission has the following alternatives:

1. Approve the application for Conditional Use Permit 16-03.
2. Deny the application for Conditional Use Permit 16-03.
3. Continue the subject project, and provide the applicant with direction on the project.

RECOMMENDATION

Staff seeks Planning Commission consideration of Conditional Use Permit 16-03 (CUP 16-03). Included is Resolution 16-07 should the Commission wish to approve the project.

Prepared By:

Jonathan Perez
Assistant Planner

Attachments:

1. Exhibit A: Planning Commission Resolution 16-07
2. Exhibit B: Revised Site Plan
3. Exhibit C: Staff Report dated September 1, 2016
4. Exhibit D: Project Plans from September 1, 2016 Meeting

EXHIBIT A

Planning Commission Resolution 16-07

PLANNING COMMISSION RESOLUTION 16-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SIERRA MADRE APPROVING CONDITIONAL USE PERMIT 16-03 TO ALLOW A ONE-STORY, 693-SQUARE-FOOT RECREATION/EXERCISE BUILDING ON AN R-3 ZONED PROPERTY LOCATED AT 156 W. HIGHLAND AVENUE.

THE PLANNING COMMISSION OF THE CITY OF SIERRA MADRE DOES HEREBY RESOLVE:

WHEREAS, an application for a Conditional Use Permit was filed by:

**Steve Salisian
156 W. Highland Avenue
Sierra Madre, CA 91024**

WHEREAS, the request for a CONDITIONAL USE PERMIT can be described as:

A request to allow a one-story, 693-square-foot recreation/exercise building, in an R-3 Zone, on the property located at 156 W. Highland Avenue. Pursuant to Sierra Madre Municipal Code (SMMC) 17.60.030.F, a conditional use permit is required for all developments in the R-3 Zone.

WHEREAS, the Planning Commission has received the report and recommendations of staff;

WHEREAS, a public hearing was held before the Planning Commission on September 1, 2016 and was continued to the hearing for October 20, 2016, with all testimony received being made part of the public record;

NOW THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the Commissioners at said hearing, the Planning Commission now finds as follows:

- 1. The site for the proposed use is adequate in size, shape and topography;** in that the site is regularly shaped, and can accommodate the proposed project while meeting all of the requirements set forth in the City's Municipal Code.
- 2. The site has sufficient access to streets which are adequate, in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;** in that the 60-foot-wide public street that provides access to the site is in good condition and is of a standard width for streets in residential areas. Since there is no increase in the number of dwelling units, an increase to existing traffic levels that could necessitate the widening of the existing street is not expected.

3. **The proposed use will not unreasonable interfere with the use, possession and enjoyment of surrounding and adjacent properties;** in that the zoning of the proposed site allows for multi-family residential use that include recreational areas such as that being provided by the applicant. The surrounding neighborhood includes single- and multi-family development, and because the proposed project will not change the existing use or density of the site, it will not unreasonably interfere with the use, possession, and enjoyment of surrounding and adjacent properties.
4. **There is a demonstrated need for the use requested;** in that the proposed recreation building would help meet the R-3 Zone requirement for common usable recreational area, thereby improving the multi-family residential use of the subject property.
5. **The use will, as to location and operation, be consistent with the objectives of the General Plan;** in that the proposed use of the building as a recreation/exercise building is consistent with the site's General Plan designation of RH (Residential Medium/High Density) as implemented in the R-3 Zoning Ordinance as common usable recreational leisure areas are required by the ordinance. So we
6. **The public interest, convenience, and necessity require that the use be permitted at the location requested;** in that the proposed project would be used for multi-family residential purposes in the R-3 Multiple Family Residential Zone, and the project meets the intent of the City's General Plan and Zoning Ordinance's development standards as prescribed by Chapter 17.28 Furthermore, improvements to multi-family residential properties enhance their use while serving the needs of the City when such projects are consistent with the General Plan and development guidelines.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission APPROVES Conditional Use Permit 16-03, subject to the conditions of approval in the attached Exhibit A.

The approval is final, unless appealed to the City Council in writing within ten (10) days following written notice of the adoption of this Resolution, pursuant to the provisions of Section 17.60.120 of the Sierra Madre Municipal Code.

The time in which to seek judicial review of this decision shall be governed by Code of Civil Procedure Section 1094.6. The Planning Commission Secretary shall certify to the adoption of this resolution, transmit copies of the same to the applicant and his counsel, if any, together with a proof of mailing in the form required by law and shall enter a certified copy of this resolution in the book of resolution of the City.

Planning Commission Resolution 16-07
October 20, 2016

APPROVED, the 20th day of October, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Gina Frierman-Hunt, Chairperson
Sierra Madre Planning Commission

ATTEST:

Vincent Gonzalez, Director
Planning & Community Preservation Department

EXHIBIT A

**CONDITIONS OF APPROVAL
CUP 16-03**

General Conditions:

The applicant and property owner shall:

1. Comply with all applicable provisions of the Sierra Madre Municipal Code, including but not limited to those Chapters pertaining to Zoning, Building and Construction, Vehicles and Traffic, and Health and Safety, and including all such provisions which may be contained in Uniform Codes which have been incorporated by reference within the Sierra Madre Municipal Code.
2. Comply with all applicable provisions of Federal, State and Los Angeles County Law and regulations, including but not limited to the California Environmental Quality Act.
3. Execute and deliver to the City's Department of Planning & Community Preservation an Affidavit of Acceptance of Conditions on a form to be provided by such Department within ten business days of the date of this approval. This approval shall not be effective for any purpose until the Applicant complies with this condition.
4. To the fullest extent permitted by law, fully protect the City, its employees, agents and officials from any loss, injury, damage, claim, lawsuit, expense, attorney's fees, litigation expenses, court costs or any other costs arising out of or in any way related to the issuance of this approval, or the activities conducted pursuant to this approval. Accordingly, to the fullest extent permitted by law, the applicant and the property owner shall defend, indemnify and hold harmless City, its employees, agent and officials, from and against any liability, claims, suits, actions, arbitration proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual, alleged or threatened, including, but not limited to, actual attorneys' fees, litigation expenses and court costs of any kind without restriction or limitation, incurred in relation to, as a consequence of, arising out of or in any way attributable to, actually, allegedly or impliedly, in whole or in part, the issuance or approval, or the activities conducted pursuant to this approval. Applicant and property owner shall pay such obligations as they are incurred by City, its employees, agents and officials, and in the event of any claim or lawsuit, shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability, with respect to such claim or lawsuit.

Planning Conditions:

The applicant and property owner shall:

1. Construct the project in substantial conformance with all applications and supporting materials presented to the Planning Commission on October 20, 2016. Inaccuracies and misrepresentations will be grounds for immediate revocation of the Conditional Use Permit.
2. Submit as-built construction plans for 1st Plan Check within 3 (three) months of the date of this approval in order to obtain a building permit; failure to do so will constitute an abandonment of the entitlement, and shall render this approval null and void.
3. Pay double the building permit fee for the subject building pursuant to Code Section 15.04.110 as it was constructed prior to obtaining a building permit.
4. Not modify the bathrooms on the 1st story to include bathing or showering facilities such as a shower or bathtub, the bathroom shall only include a sink and toilet at all times. Additionally, the attic space shall be used for storage purposes only and shall not be modified in any way or used in any manner other than for storage.
5. Record a covenant as provided by the City of Sierra Madre, prohibiting the use of the recreation/exercise building as a dwelling unit, including permanent or temporary sleeping or living quarters, and allowing the City Planning and Community Preservation staff to conduct annual/quarterly onsite inspections to ensure the recreation building is not modified in anyway or being used as another dwelling unit. The covenant must be recorded prior to the issuance of the building permit.

Public Works Conditions:

The applicant and property owner shall:

1. Submit a drainage/Low Impact Development plan for review and approval by the Public Works Department prior to issuance of a building permit since the subject building exceeds 500 square feet.
2. Show the project's provision for sanitary sewer to the subject building on the construction plans.
3. Schedule a sewer dye test with the Public Works Department at the applicant's cost in order to confirm that the subject building is in fact

connected to the public sewer.

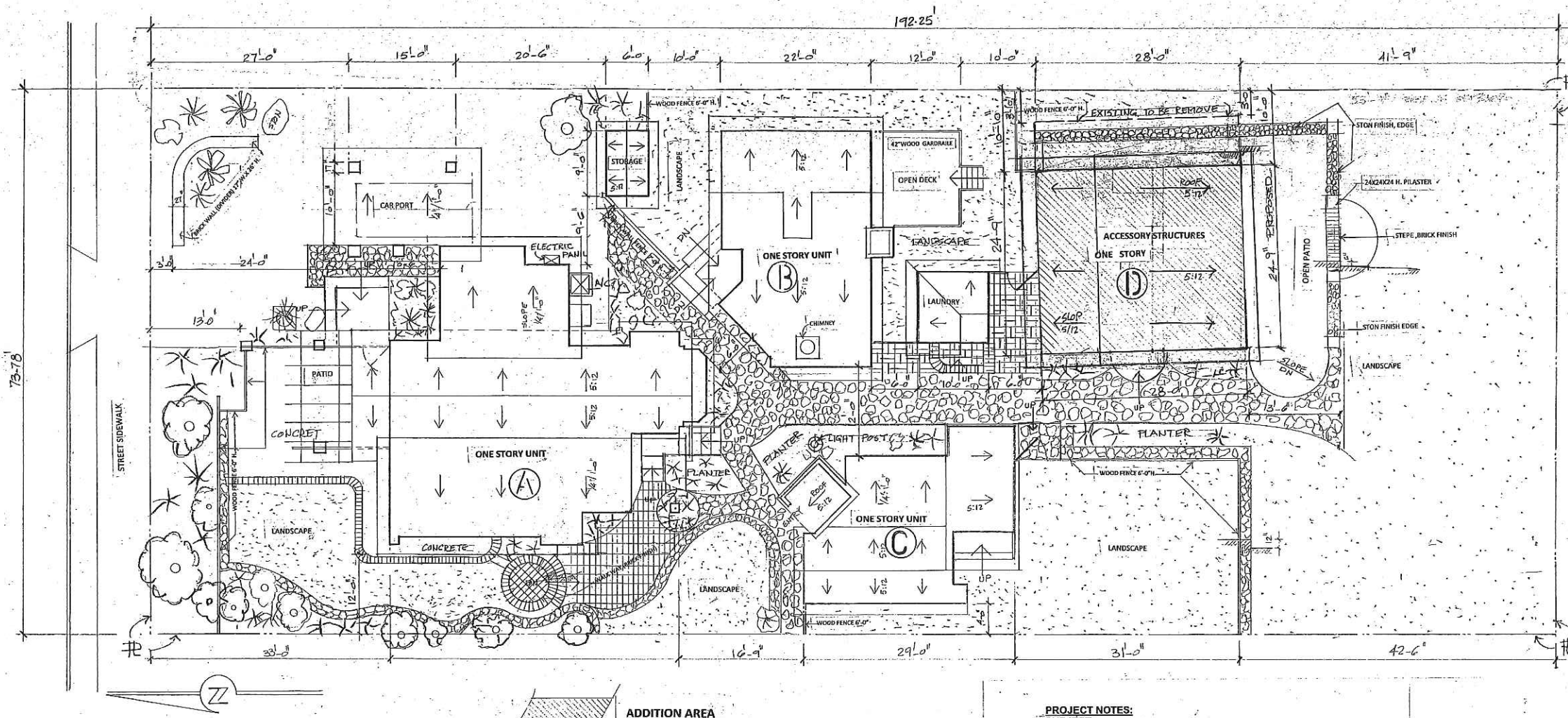
4. Submit an erosion control plan for the entire southerly portion of the subject property which appears to be disturbed unprotected soil.
5. Provide receipt from Scholl Canyon Landfill verifying that the property owner personally disposed of demolition refuse/debris from the office building previously demolished without a demolition permit.
6. Provide photographic proof that the trees that were removed from the site were not protected species. It appears based on 2013 imagery, that as many as 9 trees have been removed without permits. If it cannot be confirmed to the City's satisfaction that they were not protected trees, the City will assume that they were all protected species in good condition and mitigation shall be payment to the City's tree replacement bank of an amount of funds equivalent to the cost of planting 18-24-inch boxed trees.

(end of conditions)

EXHIBIT B

Revised Site Plan

156 W. HIGHLAND AVE.
SIERRA MADRE CA, 91024



SITE AND ROOF PLAN SCALE 1/8"=1'-0"

STRUCTURE (A):SINGLE ONE STORY DEWELLING UNIT	979.0 SQ.FT.
STRUCTURE (B):SINGLE ONE STORY DEWELLING UNIT	520.0 SQ.FT.
STRUCTURE (C):SINGLE ONE STORY DEWELLING UNIT	352.0 SQ.FT.
PROPOSED STRUCTURE (D):ONE STORY RECREATION & EXERCISE BUIDING	693.0 SQ.FT.
LAUNDRY ROOM	100.0 SQ.FT.
STORAGE	54.0 SQ.FT.
FIRE NOTES FOR STRUCTURE (D) / RECREATION BUILDING ONLY	
1-FIRE SPRINKLERS SYSTEM SHALL BE INSTALLED AS THE CITY REQUIREMENT (PER N.F.P.A - 13 D)	
2-SOMKE AND CARBO MONOXIDE DETECTORS SHALL BE REQUIRED	

EXISTING STRUCTURE (D) : TWO STORY RECREATION & EXERCISE BUIDING 1322 SQ.FT.

PROJECT NOTES:
SUBJECT: LEGALIZE ACCESSORY STRUCTURE BUILDING (RECREATION AND EXERCISE BUILDING, 693 SQ.FT.) FOR THREE UNIT IN ONE LOT.
PROJECT ADDRESS: 156 W. HIGHLAND AVE., SIERRA MADRE, CA 91024
ASSR ID NO.: 5767-021-029
OWNER: SALISIAN, ROBERT AND STEVE
OWNER ADDRESS: SAME
TELEPHONE: 626-253-0045
LOT SIZE: (UNUSABLE AREA)=14,183.00 SQ.FT.
TOTAL FLOOR AREA:
UNIT # A = 979.00 SQ.FT.
UNIT # B = 520.00 SQ.FT.
UNIT # C = 352.00 SQ.FT.
LAUNDRY ROOM = 100.00 SQ.FT.
STORAGE ROOM = 54.00 SQ.FT.
RECREATION BUILDING = 693.00 SQ.FT.
TOTAL = 2,698.00 SQ.FT.
TOTAL FLOOR AREA FOR THE RECREATION SPACE: 693.00 SQ.FT.
MAXIMUM ALLOWABLE FLOOR AREA FOR THE PROPERTY: 8,430.00 SQ.FT.
HIGHT OF PROPOSED BUILDING: ONE STORY 12'-6" & 20.0' (ONE STORY)
EXISTING LOT COVERAGE:
1. UNIT # A = 979.00 SQ.FT.
FRONT ENTRY = 70.00 SQ.FT.
BACK = 65.00 SQ.FT.
2. UNIT # B = 520.00 SQ.FT.
3. UNIT # C = 352.00 SQ.FT.
FRONT ENTRY = 52.00 SQ.FT.
4. LAUNDRY ROOM = 100.00 SQ.FT.
5. STORAGE ROOM = 54.00 SQ.FT.
6. COVER CARPORT = 150.00 SQ.FT.
7. OPEN CARPORT = 520.00 SQ.FT.
TOTAL = 2,862.00 SQ.FT.
PROPOSED LOT COVERAGE:
EXISTING LOT COVERAGE + RECRATON BUILDING = 2,862.00+(28X24.75) = 3,555.00 SQ.FT.
MAXIMUM ALLOWBLE LOT COVERAGE FOR THE SITE: 7,800.85 SQ.FT.

RECEIVED
OCT 11 2016
CITY OF SIERRA MADRE
PLANNING & BUILDING

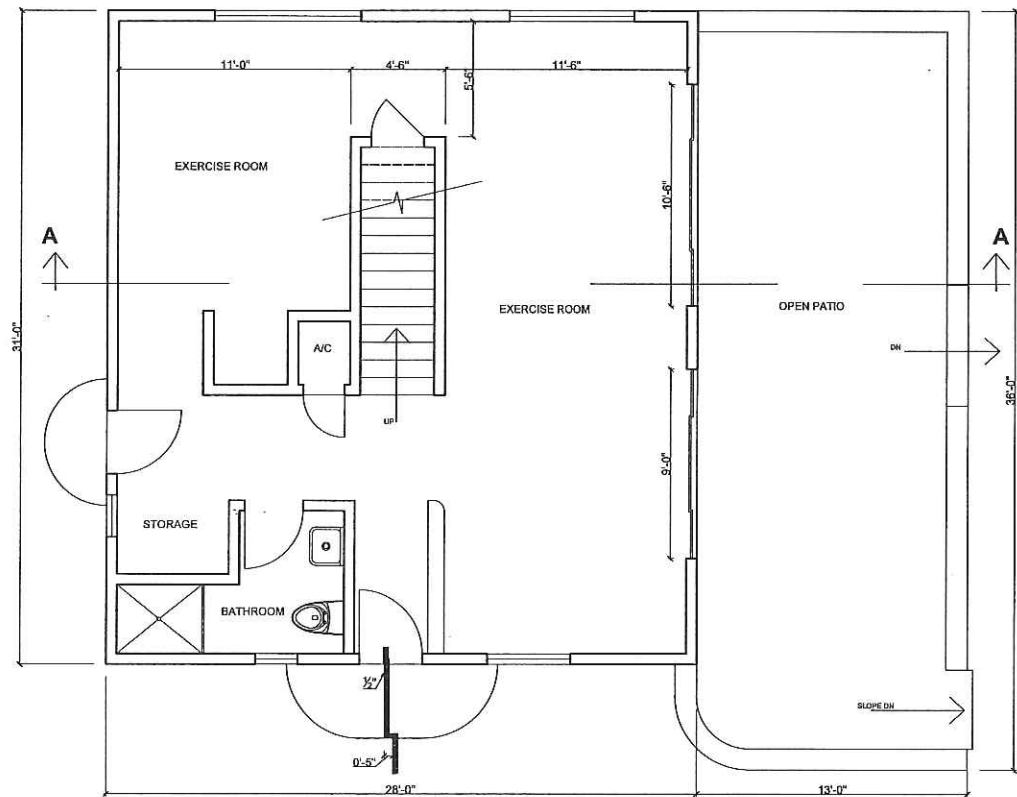
REVISIONS	BY

S.A.G. CONSTRUCTION & DESIGN
SAMR A. GURGIS
281 N. ALTADENA DR.
PASADENA CA, 91107

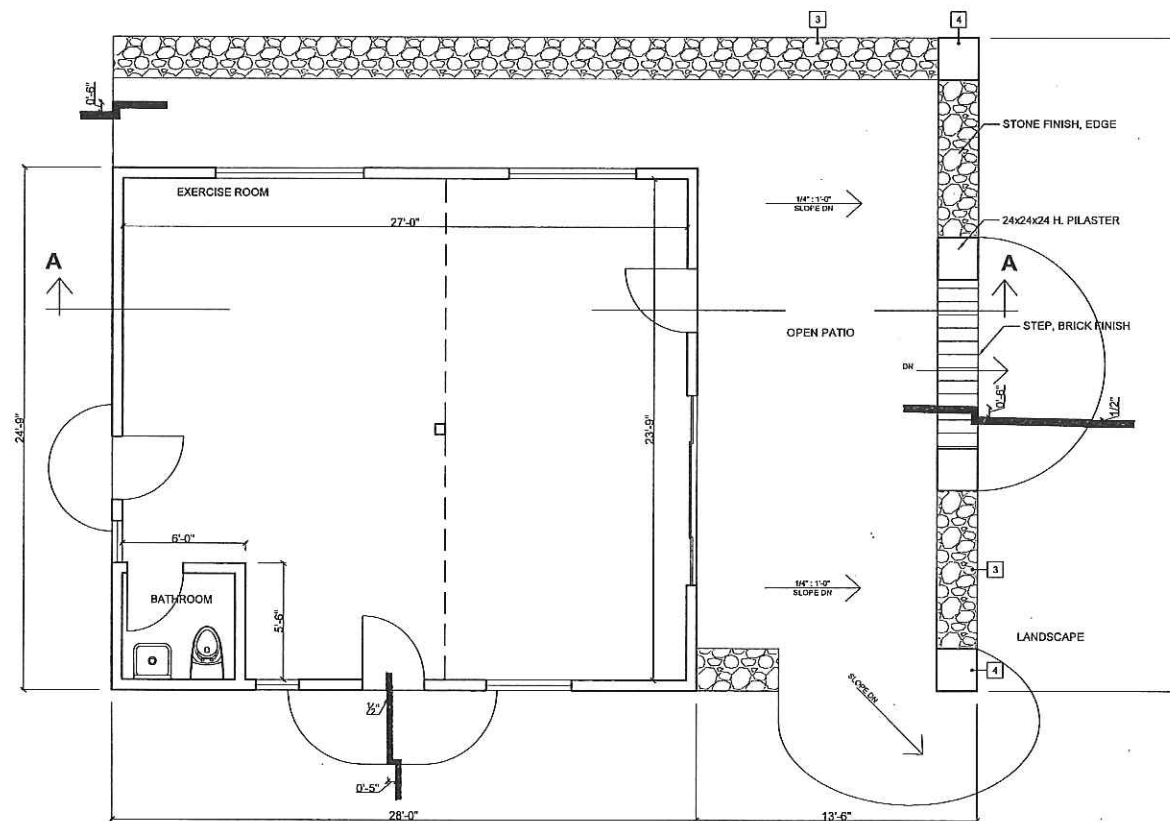
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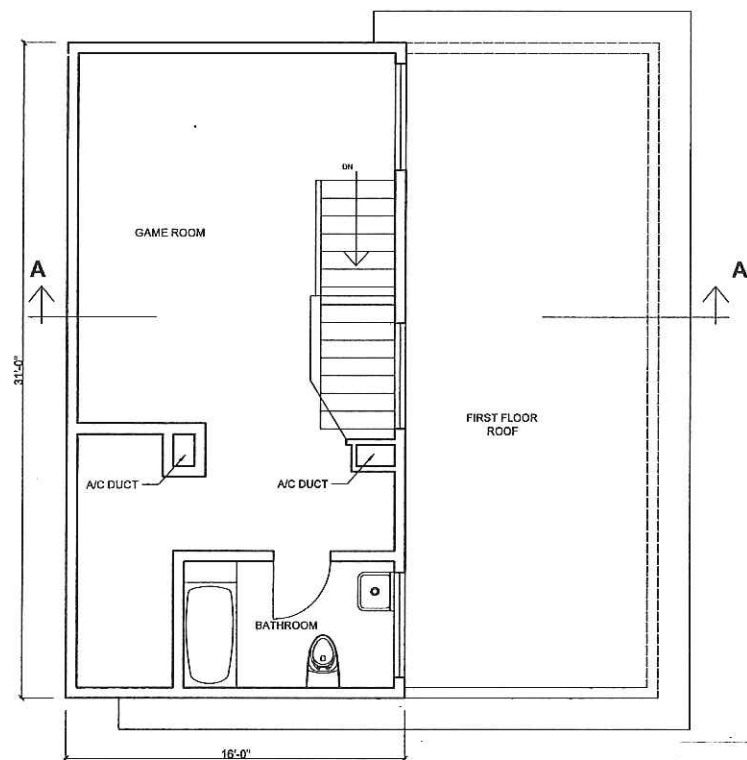
RECREATION & EXERCISE BUILDING
156 W. HIGHLAND AVE,
SIERRA MADRE, CA 91024



EXISTING FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"



PROPOSED FIRST FLOOR PLAN 693.0 SQ.FT.
SCALE: 1/4" = 1'-0"



EXISTING SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

EXISTING (TWO STORY) 1322.0 SQ.FT.

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OCT 11 2016

CITY OF SIERRA MADRE
PLANNING & BUILDING

DEMOLISH SECOND FLOOR

- LEGEND:
- 1 1" x 6" WOOD SIDING OVER BLACK PAPER
 - 2 CLASS "A" COMPOSITION SHINGLE 30 YEARS ER, #5546
 - 3 STONE FINISHED EDGE
 - 4 24" x 24" x 24" H. PLASTER / BRICK FINISH

REVISION	BY

SAG & A.R. DESIGN AND ENGINEERING SERVICES
281 N. ALTADENA DR., PASADENA, CA 91107
626-449-6461

156 W. HIGHLAND AVE,
SIERRA MADRE, CA
91024

Date: 10/04/2016

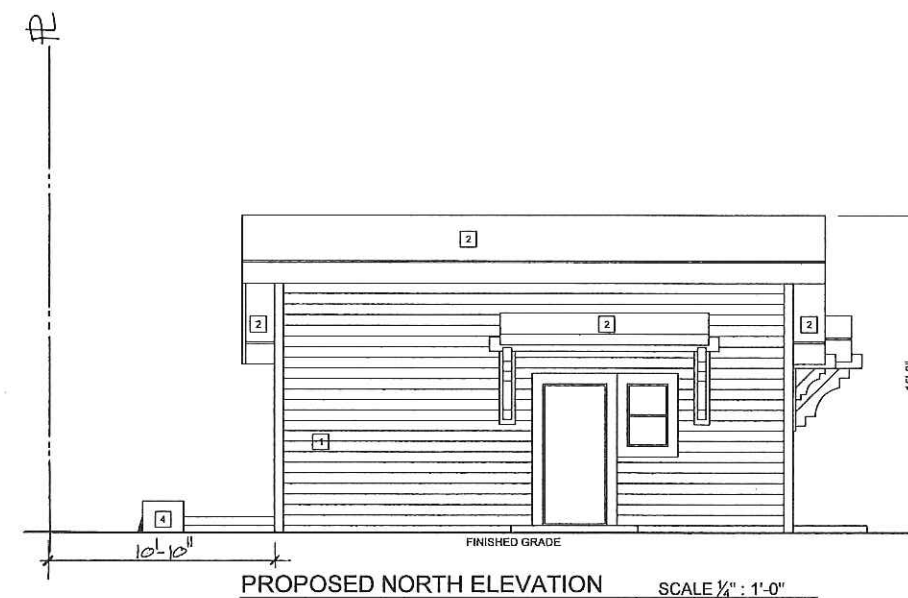
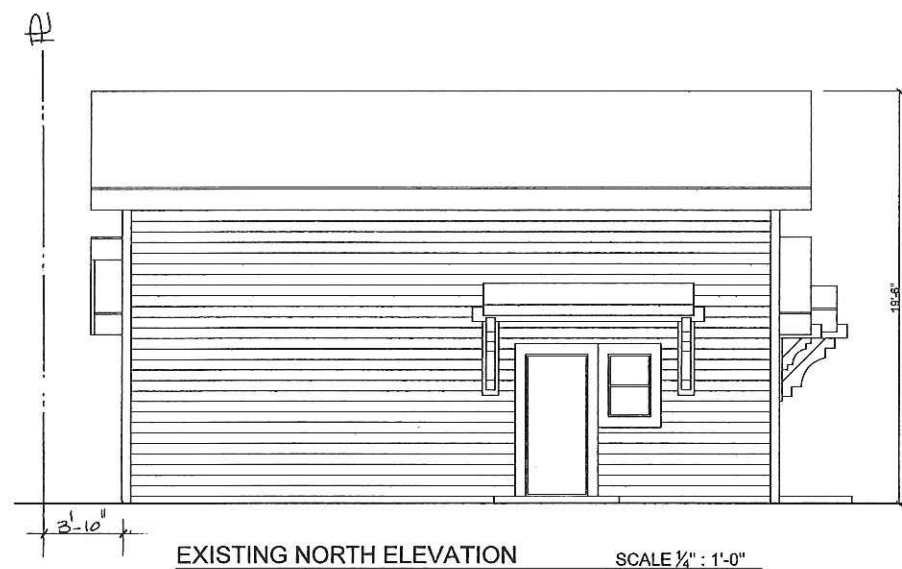
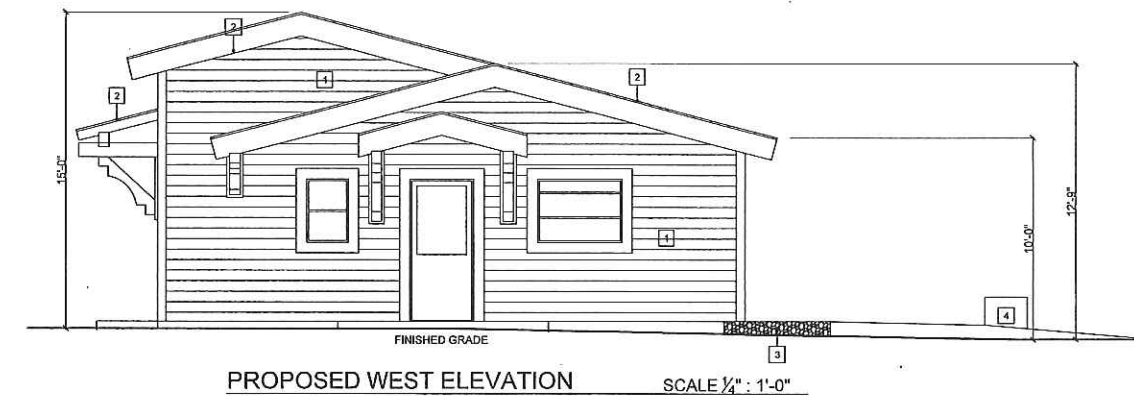
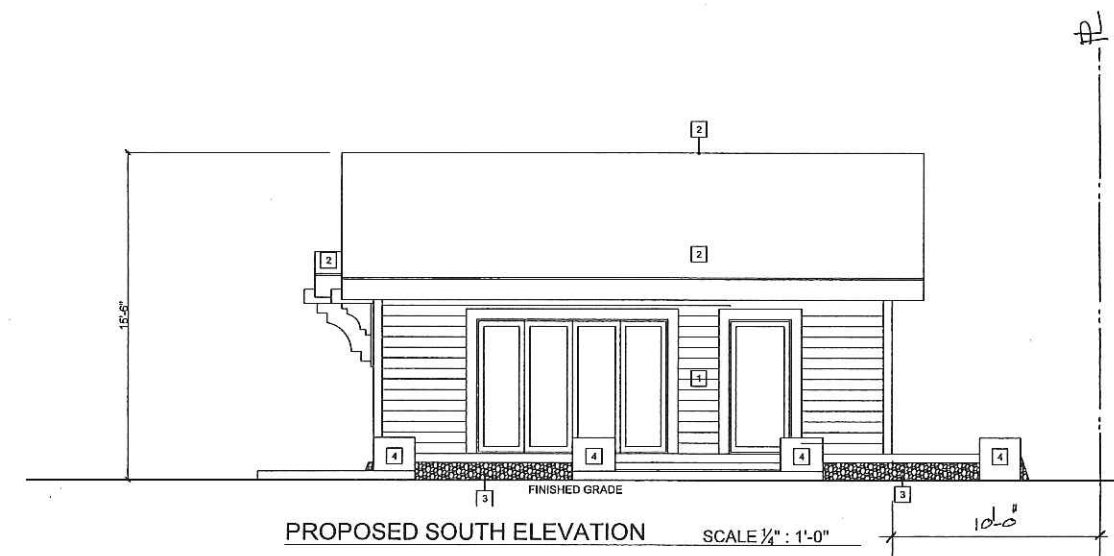
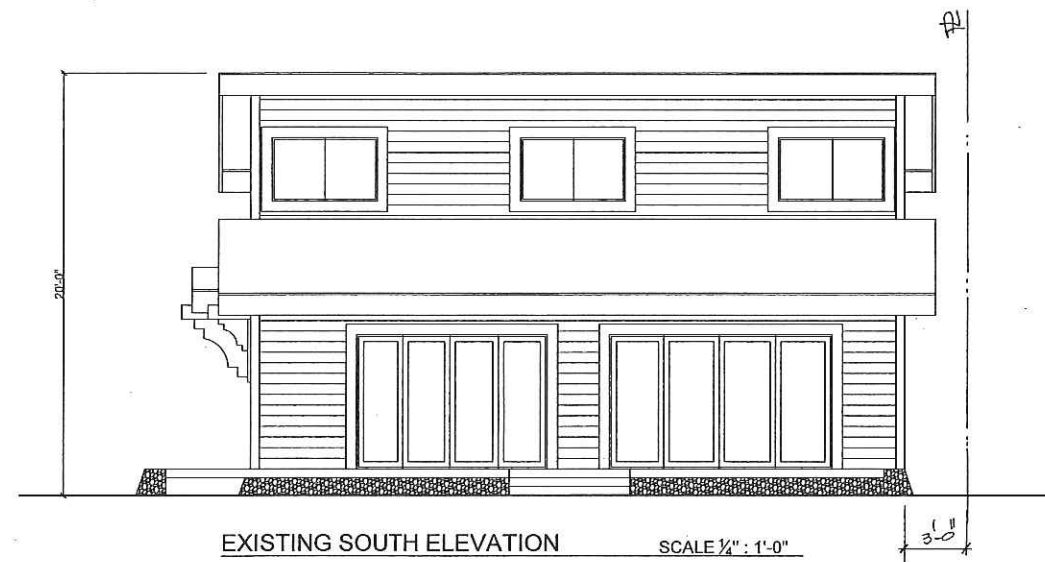
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CITY OF SIERRA MADRE
PLANNING & BUILDING

OCT 11 2016

**CITY OF SIERRA MADRE
PLANNING & BUILDING**

**CITY OF SIERRA MADRE
PLANNING & BUILDING**

REVISION	BY

SAG & A-R DESIGN AND ENGINEERING SERVICES
281 N. ALTADENA DR., PASADENA, CA 91107
626-449-8461

1156 W. HIGHLAND AVE,
SIERRA MADRE, CA
91024

SIERRA MADRE, CA

91024

Date: 10/04/2016

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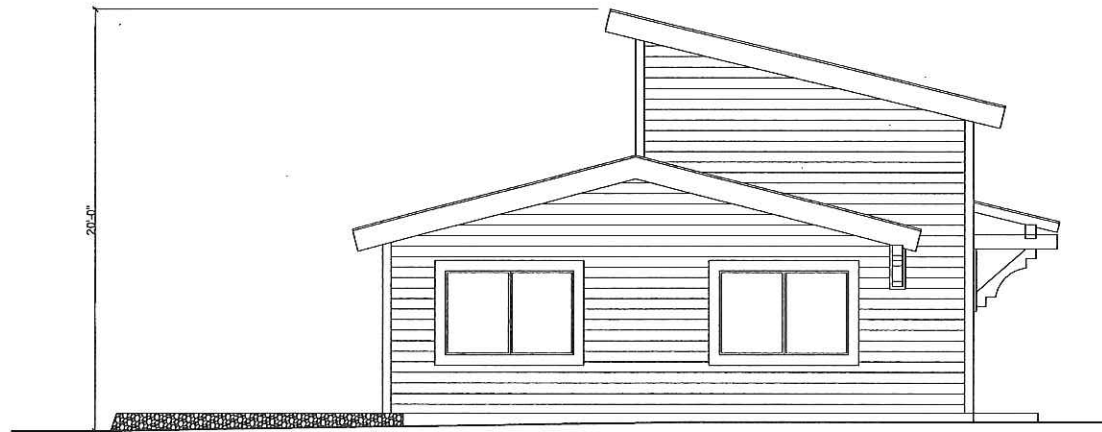
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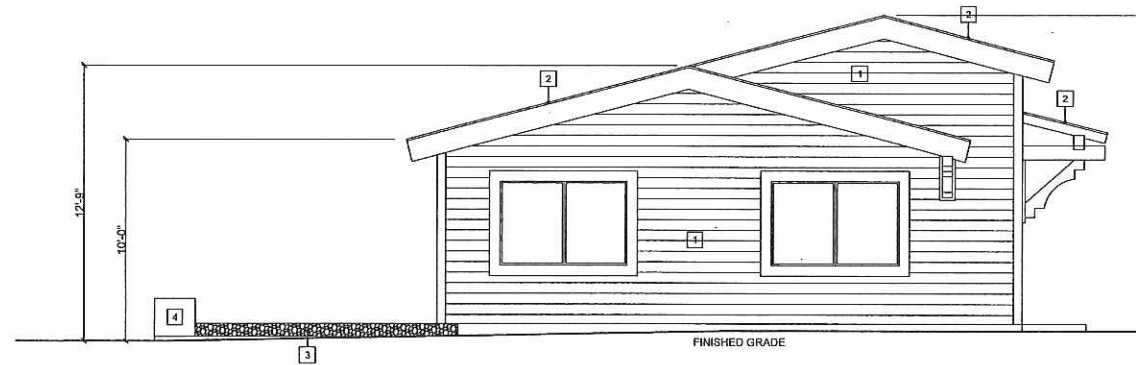
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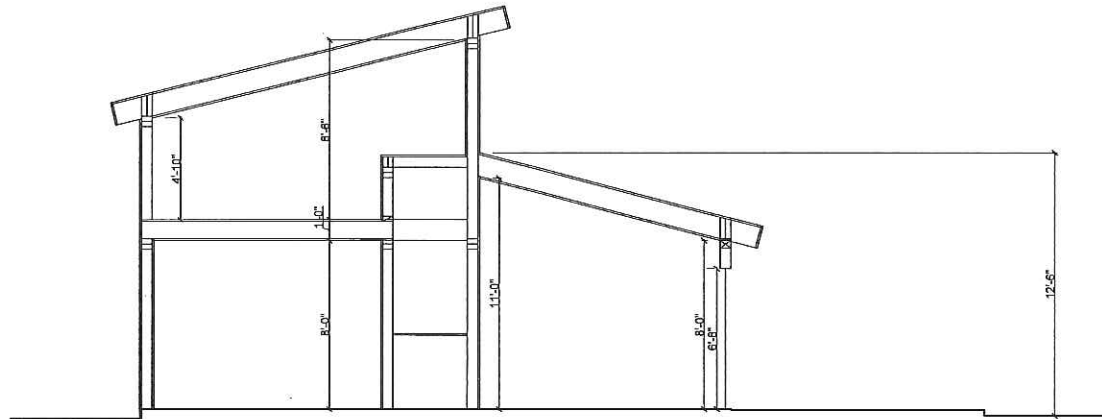
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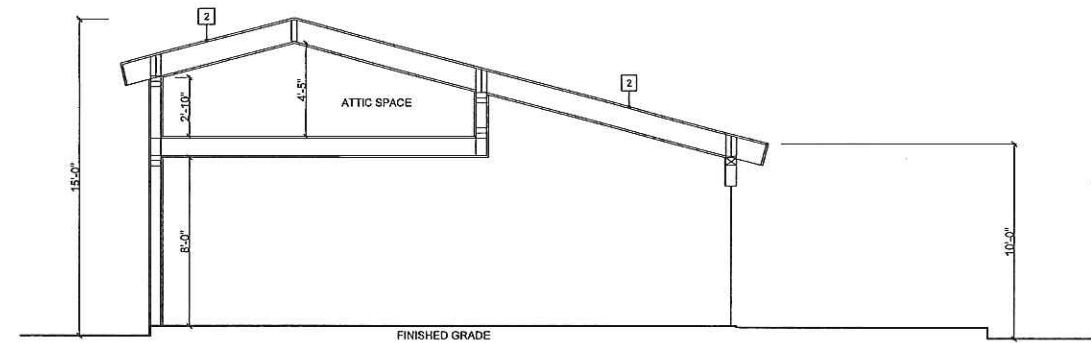
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PROPOSED EAST ELEVATION SCALE 1/4" = 1'-0"



EXISTING SECTION A - A SCALE 1/4" = 1'-0"



PROPOSED SECTION A - A SCALE 1/4" = 1'-0"

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OCT 11 2016
CITY OF SIERRA MADRE
PLANNING & BUILDING

- LEGEND:**
- 1" x 6" WOOD SIDING OVER BLACK PAPER
 - CLASS "A" COMPOSITION SHINGLE 30 YEARS ER, #5546
 - STONE FINISHED EDGE
 - 24" x 24" x 24" H. PLASTER / BRICK FINISH

REVISION	BY

SAG & A.R. DESIGN AND ENGINEERING SERVICES
281 N. ALTADENA DR., PASADENA, CA 91107
626-448-6461

156 W. HIGHLAND AVE,
SIERRA MADRE, CA
91024

Date: 10/04/2016
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EXHIBIT C

Staff Report Dated September 1, 2016



Planning Commission **STAFF REPORT**

Gina Frierman-Hunt, Chair
Bob Spears, Vice-Chair
Matthew Buckles, Commissioner
Manish Desai, Commissioner
Leslee Hinton, Commissioner
John Hutt, Commissioner
William Pevsner, Commissioner

*Vincent Gonzalez, Director -
Planning and Community
Preservation*

DATE: September 1, 2016

TO: Planning Commission

INITIATED BY: Vincent Gonzalez, Director of Planning & Community Preservation

PREPARED BY: Jonathan Perez, Assistant Planner

SUBJECT: Conditional Use Permit 16-03 (CUP 16-03) – A request to allow a one-story, 693-square-foot recreation building on the property located at 156 W. Highland Avenue.

Executive Summary

The applicant, Steve Salisian, is requesting that the Planning Commission consider a request for a Conditional Use Permit (CUP) to allow a one story, 693-square-foot recreation/exercise building on the property located at 156 W. Highland Avenue. Pursuant to SMMC 17.60.030.F, a conditional use permit is required for all developments in the R-3 Zone.

Staff recommends that the Planning Commission approve Conditional Use Permit 16-03 (CUP 16-03) pursuant to Resolution 16-07, subject to conditions of approval.

BACKGROUND

The subject property measures 14,184 square feet and is located at 156 West Highland Avenue, between Hermosa Avenue on the west and Auburn Avenue on the east. The

property is regularly shaped and is zoned R-3 (Multiple Family Residential) with a General Plan Land Use designation of RH (Residential Medium/High Density). The property is surrounded by one- and two-story properties also zoned R-3 on the east, west and south developed with multi-family and single-family residential uses; the Sierra Madre Elementary School is located across the street (north) from the site.

The property is developed with 3 (three) one-story multi-family units, a one-car carport, a laundry room, a storage space and the subject one-story, 693 square-foot building at the rear, which was originally constructed as a fourth dwelling unit by the applicant, Steve Salesian, without prior building and zoning approvals from the City. Prior to constructing the subject building, the applicant demolished a 203-square-foot accessory building that was located in the same location at the rear of the property.

Upon reviewing the R-3 zoning requirements to determine whether the additional multi-family unit could be permitted on the site, staff informed the applicant that the property does not meet the minimum lot size per dwelling unit required to allow the additional unit¹. Moreover, the existing parking is non-conforming regarding the total number of required spaces for a 3-unit multi-family development², and the applicant would be required to bring it up to code including providing the additional parking required for the fourth unit. Based on the layout of existing development on the site, it was determined that additional parking cannot be provided to meet the requirements of the R-3 Ordinance.

Proposed Project

Given the abovementioned zoning limitations with regards to the use of the building as a dwelling unit, the applicant wishes to obtain approval of a conditional use permit to modify the size of the structure and use it as a recreation/exercise accessory building for the multi-family property, in which case minimum lot size and parking requirements are not applicable. According to the applicant, the recreation/exercise building will provide adequate space for the activities and events of the three families that occupy existing Units A, B and C on the site. Pursuant to Code Section 17.28.180, common usable recreational areas are required at a minimum of 400 square feet for each dwelling, and recreational buildings may be included in this area.

¹ In the R-3 Zone, the minimum lot size for the first two dwelling units is 9,000 square feet, plus 3,000 square feet of lot area for each additional unit. As such, the minimum lot size for a 4-unit property would be 15,000 square feet.

² Pursuant to Code Section 17.28.170.B, off-street parking for projects with densities greater than 8 units/acre are as follows: units with 2 bedrooms or more require two enclosed or covered spaces, and each unit with 1 bedroom would require one covered space, plus one guest space for every 3 units. Thus, the existing development requires a total of 5 spaces, including 4 enclosed/covered space plus 1 guest space. The fourth unit would require 2 additional enclosed/covered spaces plus 1 additional guest space, for a total of 9 spaces.

The first floor includes 693 square feet of floor area with two exercise rooms, a storage area and a bathroom. In addition, there is an attic space above the first floor accessible by an attic ladder. The use of the attic shall only be used for storage. The applicant is also proposing an uncovered ground floor patio at the rear of the building. The applicant has removed the closet originally located on the first floor of the building adjacent to the bathroom as requested by staff. A site plan including the floor plans and elevations has been attached herein for reference as Exhibit B.

When reviewing the original site plan submitted to the City, staff asked the applicant to remove the shower included in the 1st floor bathroom as staff was concerned that full or $\frac{3}{4}$ bathrooms could make the structure more easily converted to a dwelling unit, and are not necessary in an on-site recreation building. The applicant complied and the current layout of the 1st floor bathroom includes only a toilet and sink, in addition, the applicant removed the closet adjacent to the first floor bathroom.

Although the applicant is aware that the building cannot be used as a dwelling unit, staff is concerned that the structure could be converted in the future without approval by the City. Consequently, if the Commission wishes to approve the applicant's request, staff recommends that the Resolution include a condition of approval requiring that the bathroom areas be limited to the minimum space required to only accommodate a sink and toilet, without closets or any other spaces that can be used to add a shower or bathtub in the future. Staff also recommends that recordation of a covenant be required restricting its use to recreation/exercise and prohibiting the conversion of the building to a dwelling unit and use of the building as permanent or temporary sleeping or living quarters.

Conditional Use Permit

Pursuant to SMMC 17.60.030.G, approval of a CUP is required for all developments in the R-3 Zone, including the proposed recreation/exercise building. Since the project requires a CUP, the request is subject to the findings required for approval of a CUP.

Protected Trees

According to the applicant, no protected trees were removed or otherwise affected by the construction of the subject building. A condition of approval has been included in the Resolution requesting that the applicant provides photographic proof to this effect, in the absence of which mitigation measures shall apply.

Aerial view of 156 W. Highland



PROJECT SUMMARY

Category	Existing	Proposed ³	Code Requirement / Allowed	Meets Code
Lot size	14,184 sq.ft. (192.25' deep X 73.78' wide)	No Change	12,600 sq.ft. (minimum)	Yes
Lot Coverage	20%	25%	Not to exceed aggregate of 55% of lot area, or 60% with use of porous materials.	Yes
Recreation Building Height	20 feet	No change	30 feet or two stories above finish grade, whichever is less.	Yes
Recreation Building Setbacks:				
<u>Front</u>	121 feet	No change	25 feet	Yes
<u>Sides:</u>				
West -	36 feet	No change	15 feet for two-story construction; 10 feet for single-story construction	Yes
East* -	Approx. 3 feet*	10 feet*	15 feet for two-story construction; 10 feet for single-story construction	Yes
<u>Rear</u>	41 feet 9 inches	No change	10 feet for single-story construction	Yes
<u>Between Structures:</u>	6.5 feet to laundry room	No change	25 feet	Yes
Density	3 units	No Change	3 units (13 units/acre)	Yes
Unit Sizes	<u>Unit A</u> 979 sq.ft. (2 bedrooms) <u>Unit B</u> 520 sq.ft. (1 bedroom)	No change No change	<u>Minimum area:</u> 650 sq.ft for 1 bedroom unit; 1,300 sq.ft. for 4 bedroom unit.	Yes

³ Since the "proposed" project has already been constructed, the information shown on this table is the same for "Proposed" and "Existing", except for the existing and proposed lot coverage as well as the eastern setback, which shows the coverage and setback pre- and post-construction.

* Note the existing setback from the eastern property line is approximately 3 feet. The applicant will remove a portion of the eastern side of the structure to conform to the required 10 foot side yard setback.

	<u>Unit C</u> 352 sq.ft. (1 bedroom)	No change		No ⁴
Common Area	Front, sides and rear of property	Existing open areas plus 693 sq.ft. recreation building	<u>Minimum area:</u> 1,200 sq.ft. (400/unit).	Yes
Parking	1-car carport and 520 sq.ft. of uncovered parking area in the front yard	No change	5 covered spaces plus 1 guest parking space uncovered	No ⁵

FINDINGS

The following findings have to be made to grant a Conditional Use Permit:

- 1. The site for the proposed use is adequate in size, shape and topography;** in that the site is regularly shaped, and can accommodate the proposed project while meeting all of the requirements set forth in the City's Municipal Code.
- 2. The site has sufficient access to streets which are adequate, in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;** in that the 60-foot-wide public street that provides access to the site is in good condition and is of a standard width for streets in residential areas. Since there is no increase in the number of dwelling units, an increase to existing traffic levels that could necessitate the widening of existing streets is not expected.
- 3. The proposed use will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties;** in that the zoning of the proposed site allows for multi-family residential uses that include recreational areas such as that being provided by the applicant. The surrounding neighborhood includes single- and multi-family development, and because the proposed project will not change the existing use or density on the site, it will not unreasonably interfere with the use, possession, and enjoyment of surrounding and adjacent properties. With respect to the attic space along the east elevation, the attic does not have any windows and will only be used for storage, thus avoiding privacy impacts to the adjacent property.

⁴ Units B and C are existing non-conforming regarding minimum required unit size. The applicant is not proposing any changes to the unit sizes.

⁵ Parking is existing non-conforming, and can remain as such since the proposed project does not involve construction of a new unit.

4. **There is a demonstrated need for the use requested;** in that the proposed recreation/exercise building would help meet the R-3 Zone requirement for common usable recreational area, thereby improving the multi-family residential use of the subject property.
5. **The use will, as to location and operation, be consistent with the objectives of the General Plan;** in that the proposed use of the building as a recreation/exercise building is consistent with the site's General Plan designation of RH (Residential Medium/ High Density) as implemented in the R-3 Zoning Ordinance as common usable recreational leisure areas are required by the ordinance.
6. **The public interest, convenience, and necessity require that the use be permitted at the location requested;** in that the proposed project would be used for multi-family residential purposes in the R-3 Multiple Family Residential Zone, and the project meets the intent of the City's General Plan and Zoning Ordinance's development standards as prescribed by Chapter 17.28. Furthermore, improvements to multi-family residential properties enhance their use while serving the needs of the City when such projects are consistent with the General Plan and development guidelines.

ENVIRONMENTAL

The project qualifies for a Categorical Exemption, pursuant to Section 15303(e) New Construction or Conversion of Small Structures of the California Environmental Quality Act (CEQA), in that it involves construction of an accessory structure on a multi-family residential property developed with three units.

ALTERNATIVES

The Planning Commission has the following alternatives:

1. Approve the application for Conditional Use Permit 16-03, pursuant to Planning Commission Resolution 16-07.
2. Deny the application for Conditional Use Permit 16-03, identifying the findings that cannot be made and the basis for rejecting those findings.
3. Continue the subject project, and provide the applicant with direction on the project.

RECOMMENDATION

Staff recommends that the Planning Commission approve Conditional Use Permit 16-03 pursuant to Resolution 16-07, subject to conditions of approval.

Prepared By:

Jonathan Perez
Assistant Planner

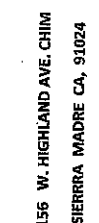
Attachments:

1. Exhibit A: Planning Commission Resolution 16-07
2. Exhibit B: Site Plan
3. Exhibit C: Project Application
4. Exhibit D: Site Photos
5. Exhibit E: Survey
6. Exhibit F: Vicinity Map
7. Exhibit G: FAR Engineering Services Letter

EXHIBIT D

Project Plans from September 1, 2016 Meeting

REVISIONS	BY



FIRE NOTES FOR STRUCTURE (D) / RECREATION BUILDING ONLY
1-FIRE SPRINKLERS SYSTEM SHALL BE INSTALLED AS THE CITY REQUIREMENT (PER N.F.P.A – 13 D)
2-SOMKE AND CARBO MONOXIDE DETECTORS SHALL BE REQUIRED

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JUL 10 1960
CITY OF NEW YORK
PLANNING DEPARTMENT

Date	4-11-16
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Job	
Sheet	A- (1)
Of	Sheets

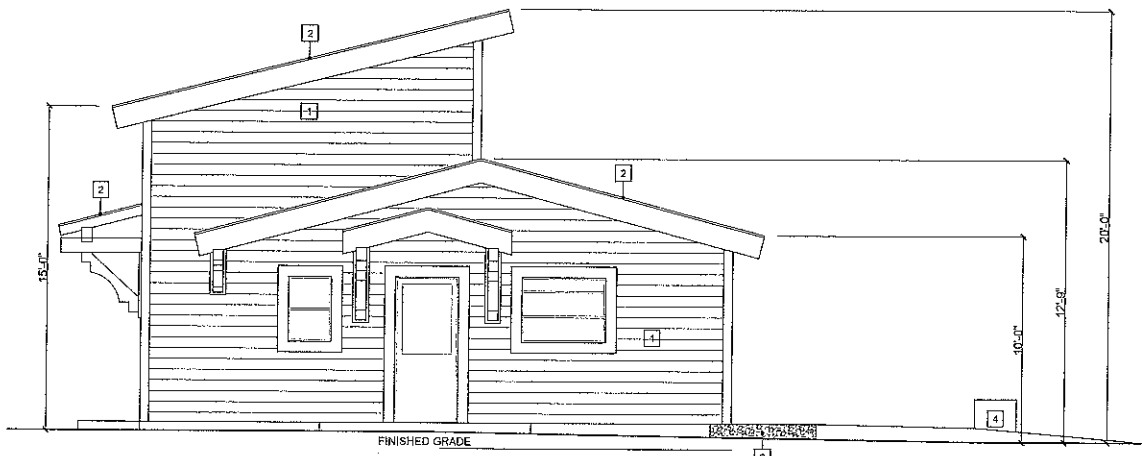
RECREATION & EXERCISE BUILDING
156 W. HIGHLAND AVE,
SIERRA MADRE, CA 91024

REVISION	BY

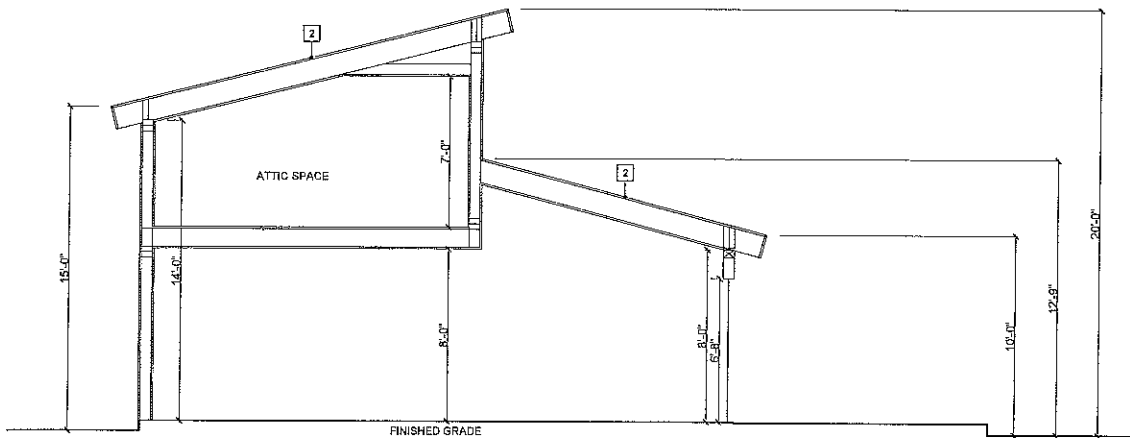
SAG & A-R DESIGN AND ENGINEERING SERVICES
281 N. ALTADENA DR., PASADENA, CA 91107
626-449-6461

156 W. HIGHLAND AVE,
SIERRA MADRE, CA
91024

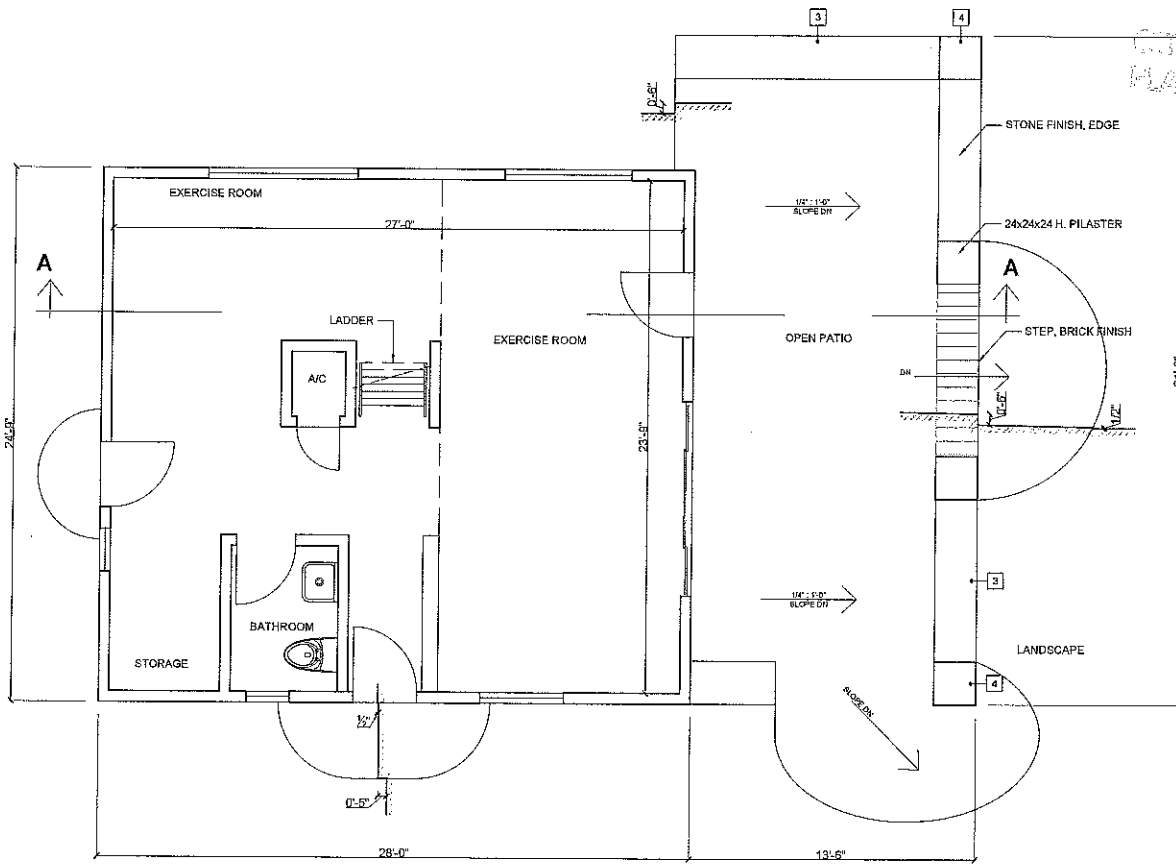
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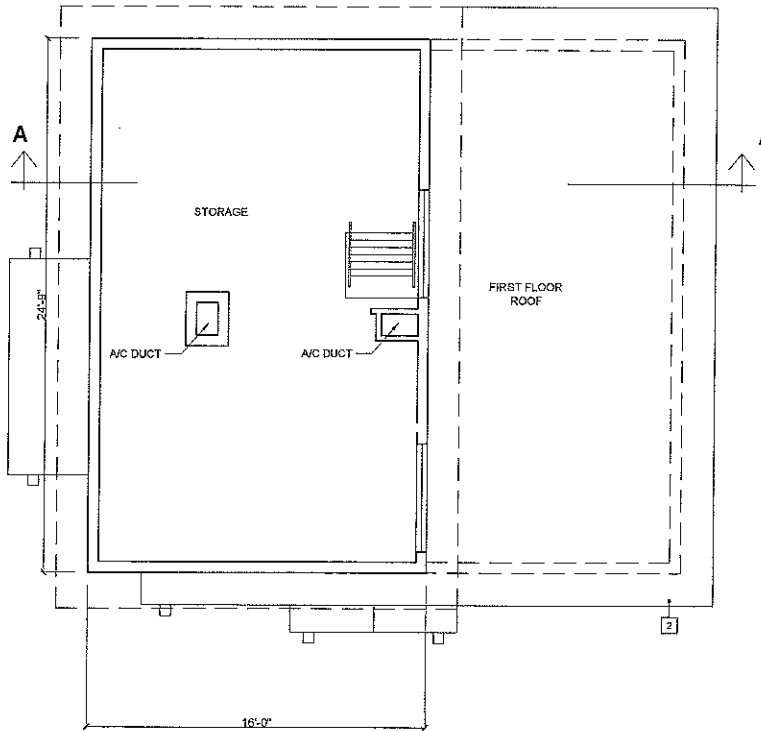
WEST ELEVATION SCALE 1/4" = 1'-0"



SECTION A - A SCALE 1/4" = 1'-0"

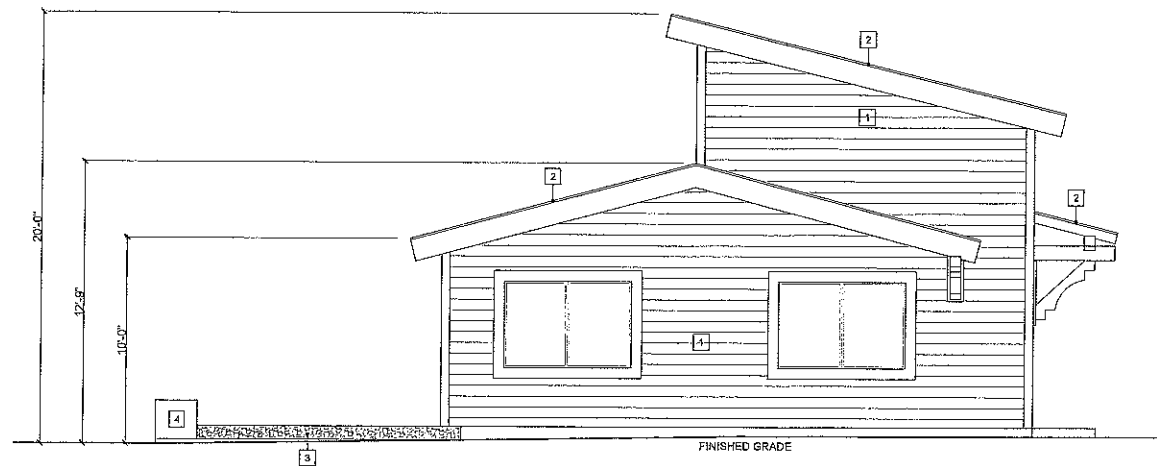


FIRST FLOOR PLAN SCALE: 1/4" = 1'-0"

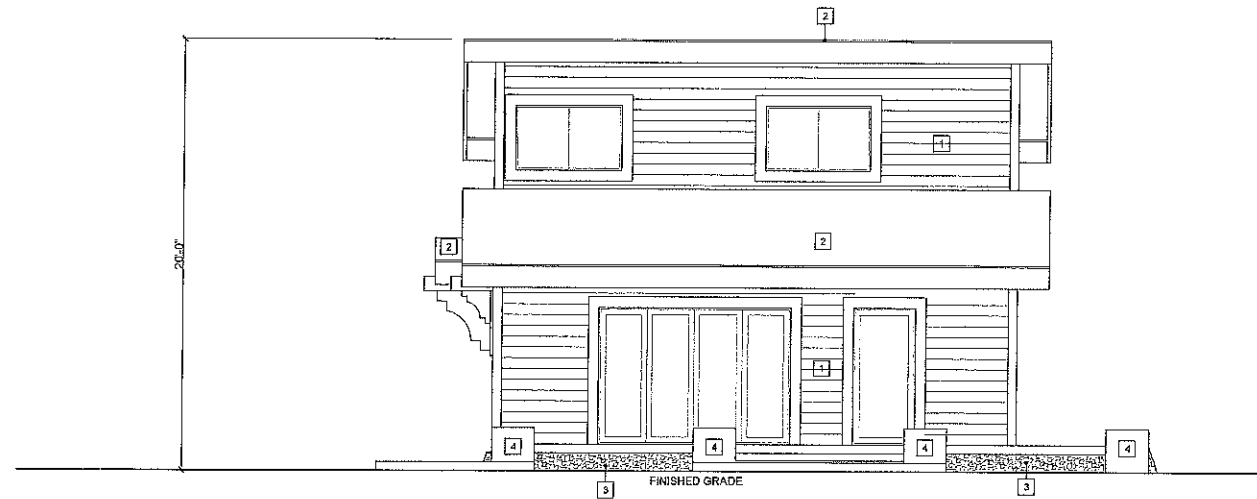


SECOND FLOOR PLAN SCALE: 1/4" = 1'-0"

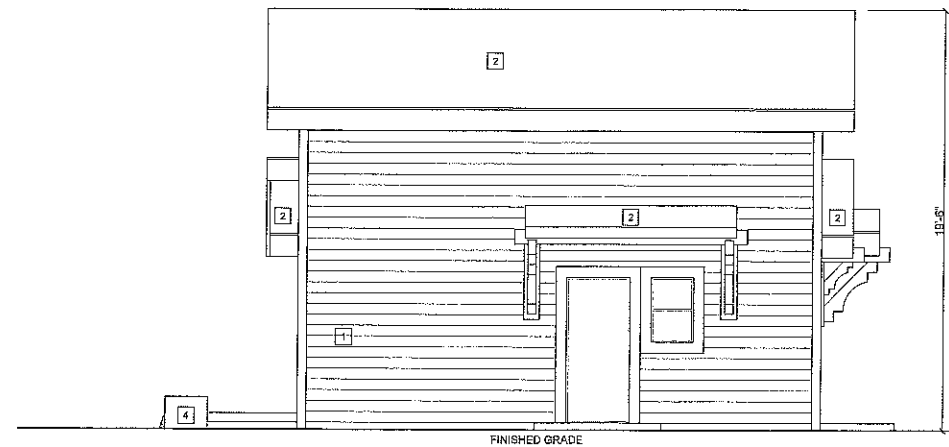
- LEGEND:
- 1 1" x 8" WOOD SIDING OVER BLACK PAPER
 - 2 CLASS "A" COMPOSITION SHINGLE 30 YEARS EP, #5546
 - 3 STONE FINISHED EDGE
 - 4 24" x 24" x 4" H. PLASTER / BRICK FINISH



EAST ELEVATION SCALE $\frac{1}{4}" : 1'-0"$



SOUTH ELEVATION SCALE $\frac{1}{4}" : 1'-0"$



NORTH ELEVATION SCALE $\frac{1}{4}" : 1'-0"$

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- LEGEND:
- 1 1" x 6" WOOD SIDING OVER BLACK PAPER
 - 2 CLASS "A" COMPOSITION SHINGLE 30 YEARS ER, #5546
 - 3 STONE FINISHED EDGE
 - 4 24" x 24" x 24" H. PLASTER / BRICK FINISH

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DATE: 08/26/2016

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