

Martin Fuentes, Chairman
Elizabeth Alcantar, Vice Chairperson
Richard Becerra, Commissioner
Richard Corvera-Hernandez, Commissioner
Kimberly Ortega, Commissioner



CUDAHY CITY
COUNCIL CHAMBERS
5240 Santa Ana Street
Cudahy, CA 90201
Phone: (323) 773-5143
Fax: (323) 771-2072

AGENDA

A REGULAR MEETING OF THE CUDAHY PLANNING COMMISSION Monday, October 15, 2018 – 6:00 P.M.

"Members of the Public are Advised that all PAGERS, CELLULAR TELEPHONES and any OTHER COMMUNICATION DEVICES are to be turned off upon entering the City Council Chambers." If you need to have a discussion with someone in the audience, kindly step out into the lobby.

Written materials distributed to the Planning Commission within 72 hours of the Special Planning Commission meeting are available for public inspection immediately upon distribution in the City Clerk's Office at City Hall located at 5220 Santa Ana Street, Cudahy, CA 90201.

In compliance with the Americans with Disabilities Act (ADA) if you need special assistance to participate in this meeting, you should contact the City Clerk's Office at (323) 773-5143 at least 72 hours in advance of the meeting.

1. CALL TO ORDER

2. ROLL CALL

Commissioner Becerra
Commissioner Corvera-Hernandez
Commissioner Ortega
Vice Chairperson Alcantar
Chairman Fuentes

3. PLEDGE OF ALLEGIANCE

4. PRESENTATIONS - NONE

5. PUBLIC COMMENTS

(Chairperson: This is the time set aside for citizens to address the Planning Commission on matters relating to Commission business. When addressing the Commission please speak into the microphone and voluntarily state your name and address. **Each person will be allowed to speak only once and will be limited to five (5) minutes.** The proceedings of this meeting are recorded on audio CD.

6. WAIVE FULL READINGS

- A. Approval to waive the full reading of all resolutions on the agenda and declare that said titles which appear on the public agenda shall be determined to have been read by title only.

Recommendation: To waive the full text reading of all resolutions on the agenda.

7. PUBLIC HEARING

- A. **APN 6225-011-006 (Walnut Street) – Consideration of a Conditional Use Permit No. 38-364 and Development Review Permit No. 41-509 to allow the construction of a 4-unit multi-family residential development located at APN 6225-011-006 (Walnut Street).**

Recommendation: Staff recommends that the Planning Commission of the City of Cudahy:

- 1) Approve CUP 38.364 for a 4-unit multi-family residential development located within the Low Density Residential Zone (LDR); and
- 2) Approve Development Review Permit (DRP) No. 41.509 to allow the construction of a new 4-unit multi-family residential development located at APN 6225-011-006 (Walnut Street) to be constructed according to the conceptual drawings presented by the applicant.

8. BUSINESS SESSION

9. COMMISSION BUSINESS

10. ADJOURNMENT

I Salvador Lopez Jr., hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at Cudahy City Hall, Bedwell Hall, Clara Park, Lugo Park, and the City's Website not less than 72 hours prior to the meeting. A copy of said Agenda is on file in the Community Development Department.

Dated this 11th Day of October 2018



Salvador Lopez Jr.
Interim Community Development Manager



AGENDA REPORT

MEETING DATE: October 15, 2018

TO: Honorable Chair & Planning Commission Members

FROM: Salvador Lopez, Interim Community Development Manager

Subject: **Conditional Use Permit No. 38-364 and Development Review Permit No. 41-509 to allow the construction of a 4-unit multi-family residential development located at APN 6225-011-006 (Walnut Street).**

RECOMMENDATION:

Staff recommends that the Planning Commission of the City of Cudahy (the "City"):

1. Approve CUP 38.364 for a 4-unit multi-family residential development located within the Low Density Residential Zone (LDR); and
2. Approve Development Review Permit (DRP) No. 41.509 to allow the construction of a new 4-unit multi-family residential development located at APN 6225-011-006 (Walnut Street) to be constructed according to the conceptual drawings presented by the applicant.

BACKGROUND/PROJECT DESCRIPTION:

The subject property is located on an approximately 0.47-acre (9,706 sq.ft.), 52.5-foot x 182-foot parcel at APN 6225-011-006 (Walnut Street) in the City of Cudahy, between Salt Lake Avenue and Bear Street, in the Low Density Residential (LDR) Zone. The site is vacant and unoccupied with the exception of a few mature trees located to the rear of the property. The immediate area is developed with a mix of multi-family and single family residential land uses.

The applicant is proposing four (4) two-story detached "townhome" style multi-family units (maximum 24 feet and four inches in height). The architectural style proposed for the project is a modern interpretation of a Mediterranean architectural style which incorporates a blend of contemporary and traditional architectural forms and details which include a hip style roof, stucco walls, and articulated facades such as inset windows and doors, offset/projected wall features, private balconies, and recessed entryways. Proposed building colors incorporate an earth-tone palette with tan stucco finishes, white trim around windows, brown garage doors and light grey asphalt shingle roofing.

The table below provides detailed information for each unit:

Unit Number	Bedrooms	Habitable Area	Garage	Private Open Space
1	3	1,183 sq.ft.	2-car – 424 sq.ft.	154 -deck
2	2	744 sq.ft.	2-car – 441 sq.ft.	203 – roof top
3	2	747 sq.ft.	2-car – 435 sq.ft.	203 – roof top
4	3	1,298 sq.ft.	2-car – 440 sq.ft.	151 - deck

The development also includes a common laundry area, 1,120 sq.ft. of common open space and two (2) on-site guest parking areas. The private open space areas for each individual unit are provided through a combination of 2nd story patios/decks and roof top open desks.

The site layout shows that each of the buildings are oriented along a shared access driveway. The proposed driveway would extend the length of the site, with all units fronting along the driveway. Guest parking spaces are located between the buildings and at mid-locations on the site. To maximize residential density, the applicant has provided the communal open space area located to the rear of the property, totaling approximately 1,120 square feet. Amenities include bike rack storage and decorative benches.

Entitlements required for the project include:

1. Development Review Permit (DRP) for any project located in the LDR Zone that involves new construction, including second stories, proposing three or more dwelling units (CMC) § 20.84.180);
2. Conditional Use Permit (CUP) for a multi-family development in the Low Density Residential (LDR) Zone (CMC § 20.16-1);

ANALYSIS & DISCUSSION:

General Plan and Zoning. The General Plan designates the site and surrounding area as “Low Density Residential” as noted above, the property’s zoning is Low Density Residential (LDR). Table 1 below shows the project site and surrounding area’s zoning and land uses.

**Table 1
Zoning and Land Use**

PROJECT SITE	LDR	Single-Family Residential
NORTH	City of Bell	Water Tank
EAST	LDR	Single-Family Residential
SOUTH	LDR	Multi-Family Residential
WEST	LDR	Multi-Family Residential

The LDR Zone incorporates low-density, low height, single and multi-family residential areas in the form of one- and two-story dwelling units at a density of 2,904 square feet per unit, or approximately 15 units per acre, and requires 280 square feet of common open space, and 150 square feet of private open space per unit. The LDR Zone restricts building height to two stories or 35 feet, whichever is less, and requires minimum habitable floor areas of 700 and 1,250 square feet for two- and three-bedroom dwelling units, respectively (CMC § 20.16-2).

The proposed project meets General Plan and Zoning standards for use (multiple-family residential), building height, and front and side setbacks. The project plans show that the individual units' habitable area and private open space areas either meet or exceed zoning standards. The project proposes a 26-foot driveway as required by the Los Angeles County Fire Department. Table 2 below compares the project's characteristics with development standards.

**Table 2
Development Standards: Required vs. Proposed Project**

	General Plan	Zoning	Density	Height	Setbacks	Min Floor Area (2 & 3 BR units)	Parking	Private Open Space per unit	Common Open Space
Required	LDR	LDR	2,904 SF/DU (4 du/acre)	2 stories or 35 feet	Front: 15 feet Side: 5 ft. and 2-story at 10 ft. Rear: 10 ft.	700 SF – 1,100 SF	2 enclosed spaces/unit .5 guest space/unit (2)	150 SF	280 SF/Unit = 1,120 SF
Proposed	LDR	LDR	4 du/acre	2 stories, 29'	Front: 15 ft. Side: 5-10 ft. Rear: 10 ft.	744 SF – 1,298 SF	2 enclosed spaces/unit 2 guest spaces	151 SF-203 SF	1,120 SF
Consistent?	YES	YES	YES	YES	YES	YES	YES	YES	YES

Table 2 shows that the proposed development complies strictly with the applicable development standards for development of new condominiums in the LDR zone.

Compatibility with surrounding uses. The proposed multiple-family residential project is generally compatible and consistent with surrounding uses. Single and multiple-family residential uses lie immediately south, east, and west of the project site, in one and two-story structures. The building height of 29 feet does not exceed the LDR zone's 35-foot maximum height. The placement of four attached units on the site, facing a central driveway, reduces the project's visual bulk and is similar to other lots on the street with four to six buildings per lot. The private yards within the side setbacks would be sufficient to support small patio trees and other plant material that would soften the buildings' appearance once the tree canopy is visible over the boundary-line concrete-block fence.

The Los Angeles County Fire Department's Land Development Division reviewed the proposed plan for access requirements and has tentatively approved the proposed access (26-foot-wide driveway) to the subject property and the proposed units, with conditions of approval, including verifying adequate fire flow at the existing public fire hydrant on Walnut Street.

DEPARTMENT COMMENTS AND REQUIREMENTS:

Code Enforcement: No outstanding issues or concerns.

Los Angeles County Sheriff's Department: No outstanding issues or concerns.

Los Angeles County Fire Department:

1. Access shall comply with § 503 of the Fire Code, which requires all-weather access. All-weather access may require paving.

2. Vehicular **access** must be provided and maintained **serviceable** throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
3. Provide Fire Department or City-approved street signs and building **access** numbers prior to occupancy.
4. The required fire flow for the proposed development at this location is 1,500 gallons per minute at 20 psi for the duration of 2 hours, over and above maximum daily domestic demand. The applicant shall provide a follow-up fire flow availability test verifying adequate fire flow at the existing hydrant on Walnut Street.

Engineering: No outstanding issues or concerns. However, if improvements are proposed in the public right-of-way, conditions of approval will be provided at that time.

Building and Safety: No outstanding issues or concerns.

REQUIRED FINDINGS:

DEVELOPMENT REVIEW PERMIT

CMC § 20.84.210, Basis for Approval or Denial of a Development Review Permit.

- **20.84.210(a) The project is consistent with the City of Cudahy General Plan, any applicable specific plan, and any plan of another governmental agency made applicable by statute or ordinance.**

Support for Finding: The project is compatible with the City of Cudahy's General Plan because it proposes a multiple-family residential project in the Low Density Residential General Plan designation and the Low Density Residential zone, at a density allowable under the Cudahy zoning code. The LDR designation sets forth a residential density of up to 15 dwelling units/acre; the LDR zone sets project density to 15 units per acre.

- **20.84.210(b) The height, bulk, and other design features of structures are in proportion to the building site, and external features are balanced and unified so as to present a harmonious appearance.**

Support for Finding: The proposed development includes four (4) two-story multiple family residential units. The residential structure is 29 feet in height, similar to other two-story structures within the immediate neighborhood. There is sufficient area in the 15-foot front setback for landscaping, presenting a harmonious appearance with nearby residences that also face the street. Accordingly, the project is consistent with the height, bulk, and other design features required by the City Zoning design guidelines and provides a unified and uniform appearance.

- **20.84.210(c) The project design contributes to the physical character of the community, relates harmoniously to existing and anticipated development in the vicinity, and is not monotonously repetitive in and of itself or in conjunction with neighboring uses and does not contribute to excessive variety among neighboring uses.**

Support for Finding: The existing surrounding properties include single story and two-story single-family and multi-family residences. The proposed development includes four (4) residential units, consistent with the height, bulk, and other design features found in the surrounding area. In particular, the unit facing the street has well-defined corner entries with inset porches, giving the appearance of single-family housing on the street frontage, also similar to existing new construction. The proposed surface articulations, including trimmed windows, etc., avoid monotonous repetition.

- **20.84.210(d) The site layout and the orientation and location of structures and their relationship to one another and to open spaces, parking areas, pedestrian walks, signs, illumination, and landscaping achieve safe, efficient, and harmonious development.**

Support for Finding: The proposed site layout presents a balanced, axial plan that relates to similar structures along Street. The units' front door entries are oriented symmetrically either toward Walnut Street or toward the interior area. Attached two-car garages reduce the possibility that cars will be parked in the street. There are areas available for guest parking, landscaping, including the front setback, the rear setback, the private open space and common areas. The central common driveway permits good visibility along the length of the project interior and will have security lighting for safety.

- **20.84.210(e) The grading and site development show due regard for the qualities of the natural terrain and landscape and do not call for the indiscriminate destruction of trees, shrubs, and other natural features.**

Support for Finding: The proposed development requires minor grading and removal of some existing ornamental trees and shrubs. However, the site is urbanized, flat and there is little evidence of "natural" terrain (prior to channelization of the Los Angeles River, the site was likely comprised of sandy alluvium). There are no "natural" features on the site. Moreover, the project would add new landscaping, including trees and shrubs, that would partially replace those that would be removed.

- **20.84.210(f) The design, lighting, and placement of signs are appropriately related to the structure and grounds and are in harmony with the general development of the site.**

Support for Finding: The project will not have illuminated signage, with the exception for possible illuminated identifying address signs on the front elevation. That sign must meet CMC standards for property identification signs and the conditions of approval for the project, and thus would be in harmony with the general development of the site.

- **20.84.210(g) Mechanical equipment, machinery, trash, and other exterior service areas are screened or treated in a manner which is in harmony with the design of the structures and grounds.**

Support for Finding: There are no proposed exterior mechanical equipment, machinery, trash, or other service areas. Specifically, trash enclosures will not be provided as each unit will have

individual trash receptacles located within each individual garage area. Other mechanical equipment must comply with CMC design guidelines and Building Code standards, which require that all mechanical equipment, machinery, trash, and other exterior service areas be screened from public view.

- **20.84.210(h) The project shows proper consideration for adjacent residentially zoned or occupied property and does not adversely affect the character of such property.**

Support for Finding: The proposed project would re-develop a site that lies between occupied single and multiple-family residences. By introducing new, up-to-date residences with new landscaping, the project would improve the character of the adjacent properties and maintain or improve property value. The design is consistent with the City's General Plan and zoning designation, meets all development standards within the provisions of the Conditional Use Permit for the project, is compatible with the surrounding residential use, and will not adversely affect the value or quality of the neighborhood.

CONDITIONAL USE PERMIT

CMC § 20.44.070 Basis for Approval or Denial of a Conditional Use Permit.

- **20.84.330(a) That the use shall be consistent with the General Plan and consistent with the integrity and character of the zone in which it is intended to be located.**

Support for Finding: The proposed residential development is consistent with the General Plan and the integrity and character of the low density residential zone (LDR) as the project does not exceed the maximum allowable density for the underlying zone and is designed in a manner to be consistent with the height, bulk, and other design features found in the surrounding area. In particular, the unit facing the street has well-defined corner entries with inset porches, giving the appearance of single-family housing on the street frontage, also similar to existing new construction. The proposed surface articulations, including trimmed windows, etc., avoid monotonous repetition.

- **20.84.330(b) That the site is adequate in size and shape to accommodate the yards, walls and fences, parking and loading, landscaping, and other development standards prescribed in this zoning code, or required by the Planning commission, City Council, or other authorized agent in order to integrate the conditional use with the land and uses in the neighborhood.**

Support for Finding: The proposed development would provide four (4) multi-family residential units, two and three-bedroom units corresponding to the project's site plan, and would provide common open space, enclosed off-street parking in attached garages, and adequate front, side, and rear yard setbacks. The project meets wall height requirements, includes safe pedestrian circulation, adequate open spaces and green areas.

- **20.84.330(c) That the Planning Commission shall consider the nature, condition, and development of adjacent uses, buildings, and structures and the effect the proposed use may have on such adjacent uses, buildings and structures.**

Support for Finding: The existing surrounding sites include single-story and two-story single-family and multifamily residences. The proposed development includes four (4) two-story multiple-family residential units, consistent with the height, bulk, and other design features found in the surrounding area. The proposed project is consistent with the purpose and intent of the General Plan and zone designation, providing a variety of single and two-story residences compatible with the surrounding neighborhood. Accordingly, the proposed development will not have a negative impact on surrounding uses, buildings, and structures.

- **20.84.330(d) That the site for a proposed conditional use should relate to streets and highways adequate in width and pavement to carry the kind and quantity of traffic such use would generate.**

Support for Finding: The proposed development is an infill residential development consistent with applicable zoning provisions as Walnut Street is considered a local street and is adequate in size, width and pavement to accommodate the residential development. New trips generated by the project would not significantly affect Walnut Street or nearby intersections.

- **20.84.330(e) That adequate provisions for water, sewer and public utilities and services are available to ensure that the use will not be detrimental to the public health and safety.**

Support for Finding: The project is developed in compliance with the provisions for water, sewer and public utilities as the applicant will be required to meet the minimum requirements as set forth by the water, sewer and public utilities. The Los Angeles County Fire Department's Land Development Division reviewed the proposed plan for access requirements and has tentatively approved the proposed access (26-foot-wide driveway) to the subject property and the proposed units, with conditions of approval, including verifying adequate fire flow at the existing public fire hydrant on Walnut Street.

- **20.84.330(f) That the use will not be detrimental to the public interest, health, safety, convenience or welfare.**

Support for Finding: The new multifamily residential development will not be detrimental to the public interest, health, safety, convenience or welfare as the project has met all development standards of the zoning code and is consistent with goals and policies of the Cudahy 2040 General Plan.

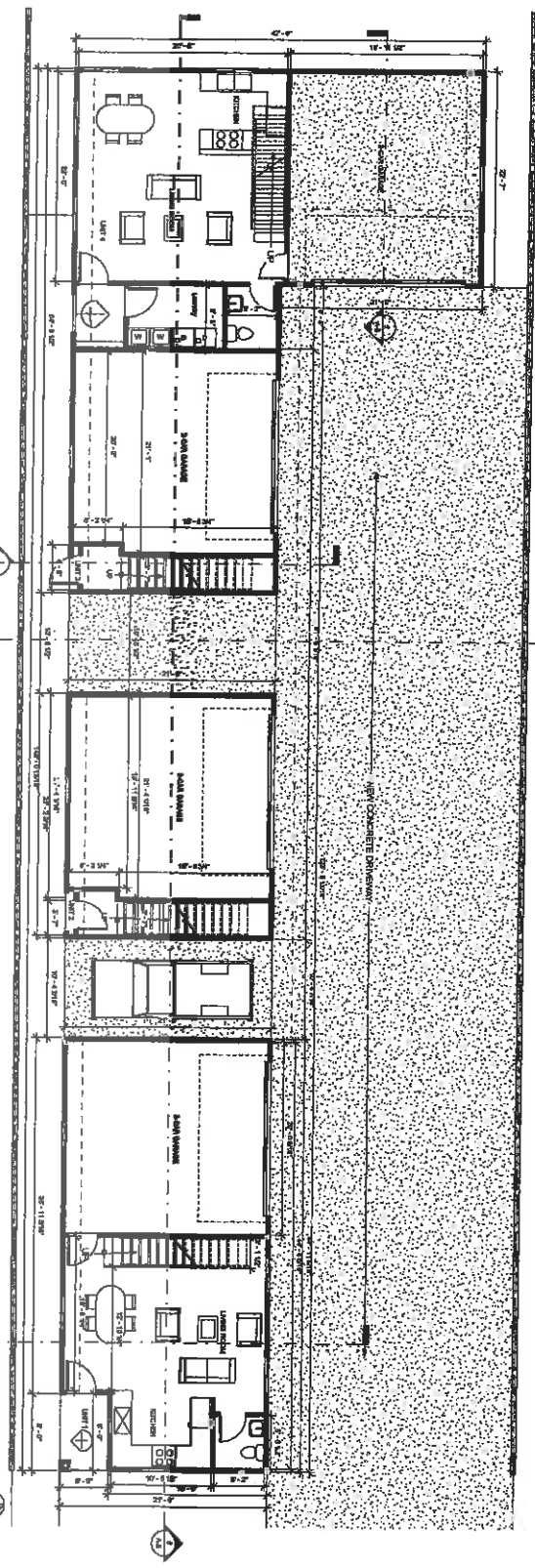
CEQA (CALIFORNIA ENVIRONMENTAL QUALITY ACT):

The Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, *et seq* ("CEQA"), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, *et seq*), and the City's Local CEQA Guidelines. In accordance with the provisions of the California Environmental Quality Act (CEQA), an environmental analysis has been completed for this case. As a result of that analysis, it has been determined that this case will not have a significant impact upon the environment and is

Categorically Exempt, pursuant to Section 15303, New Construction or Conversion of Small Structures, Class 3(b), of the CEQA Guidelines.

ATTACHMENTS:

1. Location Map
2. Proposed Development Plans
3. Resolution No. PC 18-18



New Floor Plan
3/1/07 = 1:0"

Wall Legend
 Existing Wall
 New 2x4 Wood Studs @ 16" O.C.

Type Mark	Width	Height	Description	Quantity
1	2'-0"	8'-0"	Glass Door	New
2	2'-0"	8'-0"	Hollow Door	New
3	2'-0"	8'-0"	Decorative Solid Core Door	New
4	2'-0"	8'-0"	Decorative Solid Core Door	New
5	2'-0"	8'-0"	Solid Core	New
6	2'-0"	8'-0"	Check Door	New
7	4'-0"	8'-0"	Check Door	New
8	4'-0"	8'-0"	Check Door	New
9	4'-0"	8'-0"	Check Door	New
10	4'-0"	8'-0"	Check Door	New

Type Mark	Width	Height	Description	Quantity
A	4'-0"	4'-0"	WFS	New
B	2'-0"	5'-0"	WFS	New
C	2'-0"	2'-0"	WFS	New
D	2'-0"	4'-0"	WFS	New
E	2'-0"	4'-0"	WFS	New
F	2'-0"	5'-0"	WFS	New
G	2'-0"	4'-0"	WFS	New
H	2'-0"	4'-0"	WFS	New
I	2'-0"	2'-0"	WFS	New
J	2'-0"	2'-0"	WFS	New
K	2'-0"	2'-0"	WFS	New

Sheet Title
 Ground level
 floor plan

Stamps

DATE: 03-01-07
 SCALE: As Shown
 DRAWN: [Signature]

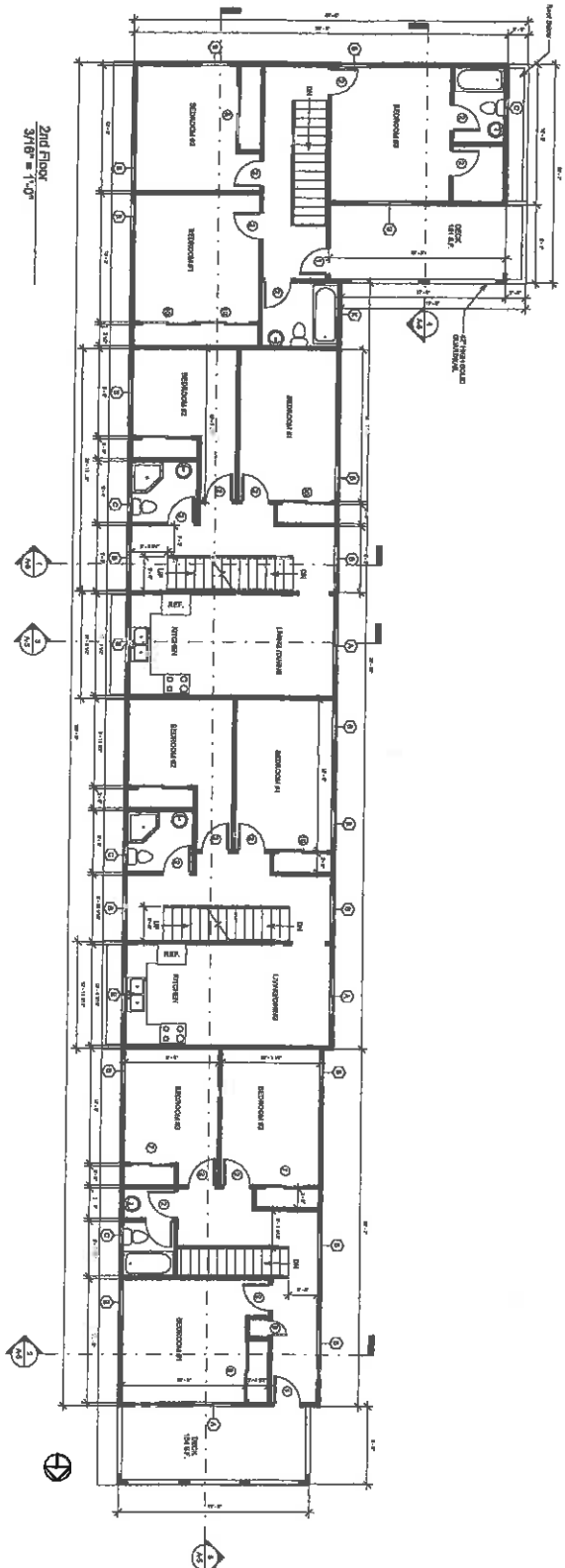
A-2

Job Description: 4 Unit Apartment Unit
Job Address: Walnut St. Cudahy, Ca
Owner's Name: Raul Beas

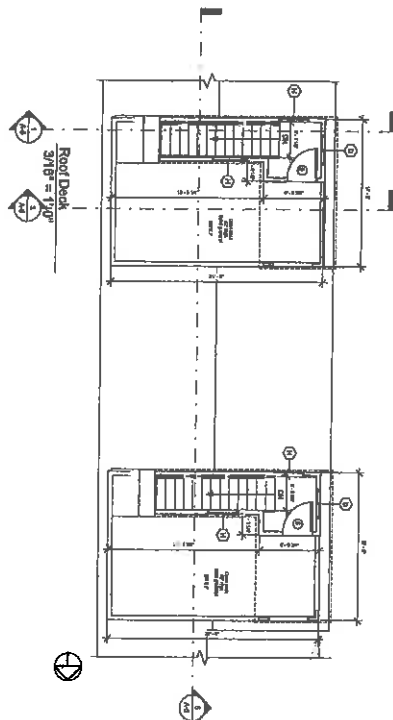
L. A. DRAFTING
 BUILDING DESIGN STUDIO

6915 E. FLORENCE AVE. # 203
 DOWNEY, CA 90240
 LADrafting@aol.com
 TEL 562.822.8967

Revision	20



2nd Floor
3/8" = 1'-0"



Roof Deck
3/8" = 1'-0"

Door Schedule					
Type Mark	Width	Height	Description	Quantity	Material / Finish
1	2'-0"	6'-0"	GLASS DOOR	1	NEW
2	2'-0"	6'-0"	WOOD DOOR	1	NEW
3	3'-0"	6'-0"	ALUMINUM SLIDING GLASS DOOR	1	NEW
4	3'-0"	7'-0"	GLASS DOOR	1	NEW
5	2'-0"	6'-0"	WOOD DOOR	1	NEW
6	2'-0"	6'-0"	WOOD DOOR	1	NEW
7	4'-0"	6'-0"	WOOD DOOR	1	NEW
8	6'-0"	6'-0"	WOOD DOOR	1	NEW
9	6'-0"	6'-0"	WOOD DOOR	1	NEW
10	6'-0"	6'-0"	WOOD DOOR	1	NEW
11	4'-0"	6'-0"	WOOD DOOR	1	NEW
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89	4'-0"	6'-0"	WOOD DOOR	1	NEW
90	4'-0"	6'-0"	WOOD DOOR	1	NEW
91	4'-0"	6'-0"	WOOD DOOR	1	NEW
92	4'-0"	6'-0"	WOOD DOOR	1	NEW
93	4'-0"	6'-0"	WOOD DOOR	1	NEW
94	4'-0"	6'-0"	WOOD DOOR	1	NEW
95	4'-0"	6'-0"	WOOD DOOR	1	NEW
96	4'-0"	6'-0"	WOOD DOOR	1	NEW
97	4'-0"	6'-0"	WOOD DOOR	1	NEW
98	4'-0"	6'-0"	WOOD DOOR	1	NEW
99	4'-0"	6'-0"	WOOD DOOR	1	NEW
100	4'-0"	6'-0"	WOOD DOOR	1	NEW

Sheet Title
2nd Floor Plan and Roof Deck Plan

DATE: 03/2017
SCALE: AS SHOWN
PROJECT:

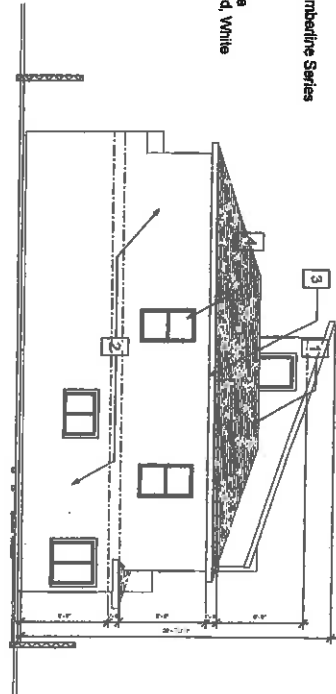
Job Description: 4 Unit Apartment Unit
Job Address: Walnut St. Cudahy, Ca
Owner's Name: Raul Beas

L. A. DRAFTING
BUILDING DESIGN STUDIO

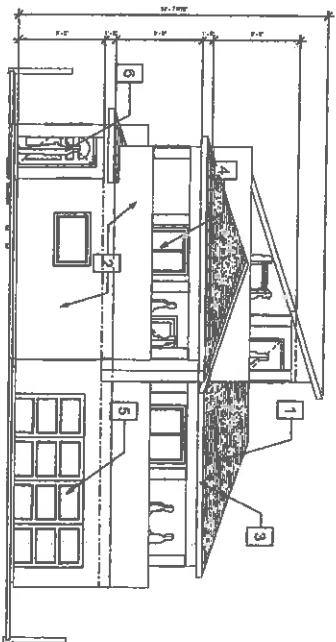
3815 E. FLORENCE AVE. # 209
DOWNEY, CA 90240
TEL: 652.622.8997

Elevation Notes

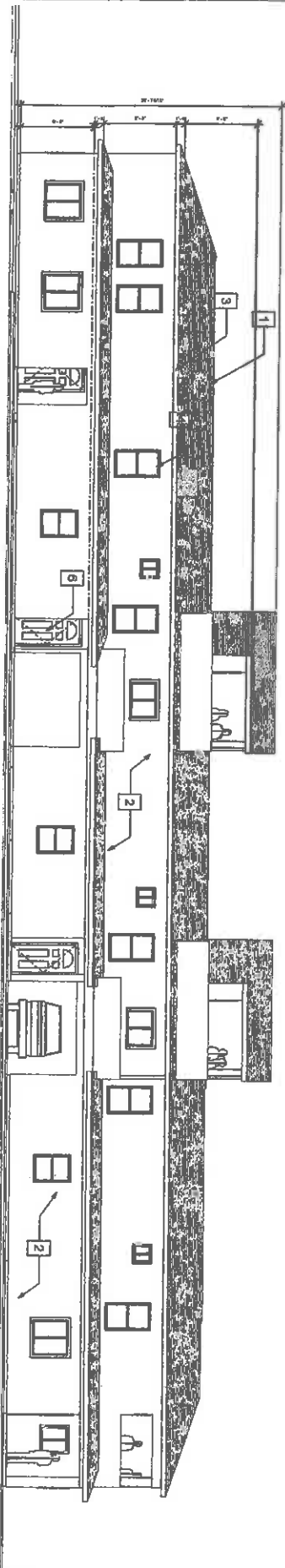
1. Asphalt shingles, 40 yr by GAF Timberline Series
2. Cement Plaster, Sand finish
- Color:
3. Wood Façade, White
4. Vinyl Window, double glaze, White
5. Decorative Garage Door, Insulated, White
6. Decorative Entry Door by Owner
7. Foam Insulating 6" Wide
- Color:



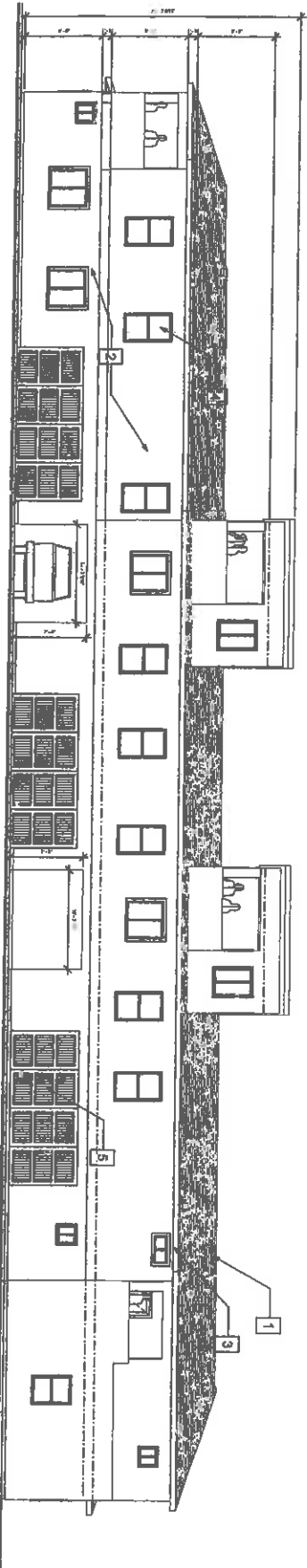
South new Elevation
3/16" = 1'-0"



North new Elevation
3/16" = 1'-0"



East Elevation
3/16" = 1'-0"



West new Elevation
3/16" = 1'-0"

REVISIONS	BY

L. A. DRAFTING
BUILDING DESIGN STUDIO
8615 E. FLORENCE AVE. # 203
DOWNEY, CA 90240
Ladraft@aol.com
TEL. 562.622.8697

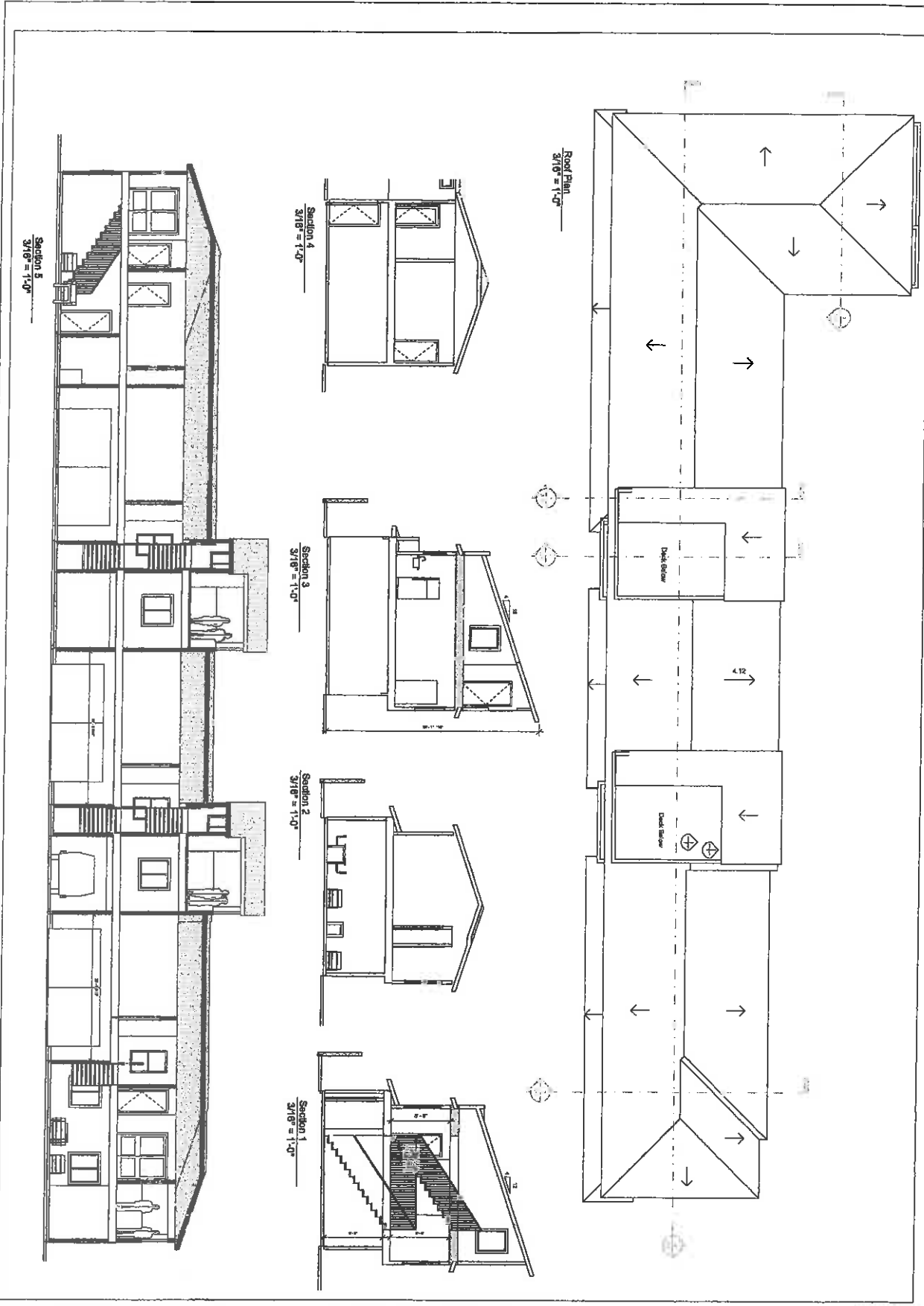
Job Description: 4 Unit Apartment Unit
Job Address: Walnut St. Cudahy, Ca
Owner's Name: Raul Beas

Stamps

Sheet Title
Exterior
Elevations

DATE: 05/20/17
SCALE: As Noted
JOB NO.: 180001
SHEET: 3/16

A-4



A-5 <small>ARCH 2013</small>	DATE: 03/20/17
	PROJECT: 4 Unit Apartment
	SCALE: As Shown
	CAD: J. A. ...
	CHECK: ...

Sheet Title
 Sections and Roof Plan

Job Description: 4 Unit Apartment Unit
Job Address: Walnut St. Cudahy, Ca
Owner's Name: Raul Beas

L. A. DRAFTING
 BUILDING DESIGN STUDIO
 8615 E. FLORENCE AVE. # 203
 DOWNEY, CA 90240
 TEL: 562.622.6567



RESOLUTION NO. PC 18-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CUDAHY APPROVING DEVELOPMENT REVIEW PERMIT 41.509 AND CONDITIONAL USE PERMIT 38.364 TO ALLOW THE CONSTRUCTION OF A 4-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT LOCATED WITHIN THE LOW DENSITY RESIDENTIAL ZONE. (LOCATION: APN 6225-011-006 - WALNUT STREET; APPLICANT: RAUL BEAS)

WHEREAS: The applicant, Raul Beas, requests approval of Conditional Use Permit 38.364 and Development Review Permit 41.509 to allow the construction of a 4-unit multi-family residential development; and

WHEREAS: The subject property is located at APN 6226-011-006 – Walnut Street in an area that is designated by the Cudahy General Plan as Low Density Residential and by the Cudahy Zoning Map as Low Density Residential (LDR); and

WHEREAS: The subject property is 9,576 square feet (.22 acres) in area, and the Low Density Residential (LDR) Zone accommodates detached and attached residential units, including small lot subdivisions, duplexes and triplexes, townhomes with private open space, and lower density multi-unit structures that comprise a cohesive development incorporating common open space areas, and that are developed at a maximum density of 15 units per acre; and

WHEREAS: This matter was duly posted and set for public hearing for October 15, 2018 at 6:00 P.M. consistent with the City of Cudahy's Zoning Ordinance procedures for Conditional Use Permits and Development Review Permits.

NOW THEREFORE, the Planning Commission of the City of Cudahy hereby resolves:

SECTION 1. The Project has been environmentally reviewed pursuant to the provisions of the California Environmental Quality Act (Public Resources Code Sections 21000, et seq (“CEQA”), the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq), and the City’s Local CEQA Guidelines. An environmental analysis has been completed for this case. As a result of that analysis, it has been determined that this case will not have a significant impact upon the environment and is Categorically Exempt, pursuant to Section 15303, New Construction or Conversion of Small Structures, Class 3(b), of the CEQA Guidelines.

SECTION 2. After considering the proposal on the basis for approval or denial of Conditional Use Permit 38.364 stated in Chapter 20 of the Cudahy Municipal Code and, the Planning Commission finds as follows:

CONDITIONAL USE PERMIT 38.364

- A. The proposed residential development is consistent with the General Plan and the integrity and character of the low density residential zone (LDR) as the project does not exceed the maximum allowable density for the underlying zone and is designed in a manner to be consistent with the height, bulk, and other design features found in the surrounding area. In particular, the unit facing the street has well-defined corner entries with inset porches, giving the appearance of single-family housing on the street frontage, also similar to

existing new construction. The proposed surface articulations, including trimmed windows, etc., avoid monotonous repetition.

- B. The proposed development would provide four (4) multi-family residential units, two and three-bedroom units corresponding to the project's site plan, and would provide common open space, enclosed off-street parking in attached garages, and adequate front, side, and rear yard setbacks. The project meets wall height requirements, includes safe pedestrian circulation, adequate open spaces and green areas.
- C. The existing surrounding sites include single-story and two-story single-family and multifamily residences. The proposed development includes four (4) two-story multiple-family residential units, consistent with the height, bulk, and other design features found in the surrounding area. The proposed project is consistent with the purpose and intent of the General Plan and zone designation, providing a variety of single and two-story residences compatible with the surrounding neighborhood. Accordingly, the proposed development will not have a negative impact on surrounding uses, buildings, and structures.
- D. The proposed development is an infill residential development consistent with applicable zoning provisions as Walnut Street is considered a local street and is adequate in size, width and pavement to accommodate the residential development. New trips generated by the project would not significantly affect Walnut Street or nearby intersections.
- E. The project is developed in compliance with the provisions for water, sewer and public utilities as the applicant will be required to meet the minimum requirements as set forth by the water, sewer and public utilities. The Los Angeles County Fire Department's Land Development Division reviewed the proposed plan for access requirements and has tentatively approved the proposed access (26-foot-wide driveway) to the subject property and the proposed units, with conditions of approval, including verifying adequate fire flow at the existing public fire hydrant on Walnut Street.
- F. The new multifamily residential development will not be detrimental to the public interest, health, safety, convenience or welfare as the project has met all development standards of the zoning code and is consistent with goals and polices of the Cudahy 2040 General Plan.

SECTION 3. After considering the proposal on the basis for approval or denial of Development Review Permit 41.509 stated in Chapter 20 of the Cudahy Municipal Code, the Planning Commission finds as follows:

DEVELOPMENT REVIEW PERMIT 41.509

- A. The project is compatible with the City of Cudahy's General Plan because it proposes a multiple-family residential project in the Low Density Residential General Plan designation and the Low Density Residential zone, at a density allowable under the Cudahy zoning code. The LDR designation sets forth a residential density of up to 15 dwelling units/acre; the LDR zone sets project density to 15 units per acre.
- B. The proposed development includes four (4) two-story multiple family residential units. The residential structure is 29 feet in height, similar to other two-story structures within the

immediate neighborhood. There is sufficient area in the 15-foot front setback for landscaping, presenting a harmonious appearance with nearby residences that also face the street. Accordingly, the project is consistent with the height, bulk, and other design features required by the City Zoning design guidelines and provides a unified and uniform appearance.

- C. The existing surrounding properties include single story and two-story single-family and multi-family residences. The proposed development includes four (4) residential units, consistent with the height, bulk, and other design features found in the surrounding area. In particular, the unit facing the street has well-defined corner entries with inset porches, giving the appearance of single-family housing on the street frontage, also similar to existing new construction. The proposed surface articulations, including trimmed windows, etc., avoid monotonous repetition.
- D. The proposed site layout presents a balanced, axial plan that relates to similar structures along Street. The units' front door entries are oriented symmetrically either toward Walnut Street or toward the interior area. Attached two-car garages reduce the possibility that cars will be parked in the street. There are areas available for guest parking, landscaping, including the front setback, the rear setback, the private open space and common areas. The central common driveway permits good visibility along the length of the project interior and will have security lighting for safety.
- E. The proposed development requires minor grading and removal of some existing ornamental trees and shrubs. However, the site is urbanized, flat and there is little evidence of "natural" terrain (prior to channelization of the Los Angeles River, the site was likely comprised of sandy alluvium). There are no "natural" features on the site. Moreover, the project would add new landscaping, including trees and shrubs, that would partially replace those that would be removed.
- F. The project will not have illuminated signage, with the exception for possible illuminated identifying address signs on the front elevation. That sign must meet CMC standards for property identification signs and the conditions of approval for the project, and thus would be in harmony with the general development of the site.
- G. There are no proposed exterior mechanical equipment, machinery, trash, or other service areas. Specifically, trash enclosures will not be provided as each unit will have individual trash receptacles located within each individual garage area. Other mechanical equipment must comply with CMC design guidelines and Building Code standards, which require that all mechanical equipment, machinery, trash, and other exterior service areas be screened from public view.
- H. The proposed project would re-develop a site that lies between occupied single and multiple-family residences. By introducing new, up-to-date residences with new landscaping, the project would improve the character of the adjacent properties and maintain or improve property value. The design is consistent with the City's General Plan and zoning designation, meets all development standards within the provisions of the Conditional Use Permit for the project, is compatible with the surrounding residential use, and will not adversely affect the value or quality of the neighborhood.

SECTION 4. Based upon the findings contained in this Resolution and on all other written and oral evidence in the record, the Planning Commission hereby approves Conditional Use Permit

38.364 and Development Review Permit 41.509 subject to the conditions of approval set forth below:

1. The applicant, its successors in interest, and assignees, shall indemnify, protect, defend (with legal counsel reasonably acceptable to the City), and hold harmless, the City, and any agency or instrumentality thereof, and its elected and appointed officials, officers, employees, and agents from and against all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, and disbursements (collectively, "Claims") arising out of or in any way relating to this project, any discretionary approval granted by the City related to the development of the project, or the environmental review conducted under the California Environmental Quality Act, Public Resources Code section 21000 *et seq.*, ("CEQA") for the project. If the City Attorney is required to enforce any conditions of approval, the applicant shall pay for all costs of enforcement, including attorney's fees.
2. Subcontractors hired to construct the physical structures of the building shall obtain a contractor's business license from the City Business License Department and submit proof of workers' compensation insurance to the City Building Department, before the issuance of any permits.
3. All conditions shall be binding upon the applicants, their successors and assigns, shall run with the land, shall limit and control the issuance and validity of certificate of occupancy, and shall restrict and limit the construction, location, and use and maintenance of all land and structures within the development.
4. The site shall be kept in a neat manner at all times and any landscaping shall be continuously maintained in a healthy and thriving condition.
5. Any changes in building textures, materials, and colors on the exterior walls are subject to planning approval. A developer is required to submit samples of all exterior materials for approval prior to the issuance of building permits.
6. Construction shall conform to the site plan on file with the Community Development Department and as approved by the Planning Commission.
7. A complete set of plans including the sewer, drainage, grading, and erosion control plans, which accurately depict the location of the proposed structures, driveways, and all other elements of the development, shall be submitted as part of the plan check submittal.
8. The applicant shall comply with all conditions set forth by the Los Angeles County Fire Department for this application in its letter of correspondence on file with the City Planning Department.
9. Applicant shall remove graffiti within 24 hours of application. In the event graffiti is not removed within 24 hours, the applicant grants access and indemnifies the City to enter the property to abate graffiti according to CMC Sections 15.20.150 and 15.20.
10. Utility equipment including and not limited to electricity, cable, or telephone equipment must be placed underground.

11. As part of the plan check submittal, written verification from the local water authority that there is sufficient water service for the additional tenant spaces, as well as fire suppression being provided without interruption.
12. A Lighting Plan shall be submitted with construction drawings to Building & Safety for plan check.
13. Landscaping and irrigation plans, which provide for adequate landscaping shall be submitted to the Community Development Department for approval as part of plan check submittal. All types of plants selected, and required watering systems for such landscaping, shall, to the extent possible, conserve water and shall be consistent with any water conservation ordinance enacted by the City.
14. The applicant shall work with the Planning Division to ensure that all new site plan improvements provide for safe and efficient pedestrian circulation. These improvements shall be identified on a revised site plan.
15. All roof-mounted equipment shall be adequately and decoratively screened and shall not be visible from the street.
16. The locations of air-conditioning condensers shall be shown on the site plan and shall not be visible from the street.
17. All building materials and plants selected shall be comparable to the proposed development.
18. The applicant shall obtain necessary permits to repair or improve any curb, gutter or sidewalk damaged due to the construction process.
19. Any electrical transformers shall be adequately and decoratively screened from view. The applicant shall provide the details with the set of building plans to illustrate this requirement.
20. The applicant shall include all general notes on the plans submitted for plan check as required. The floor plans and elevation drawings shall reflect the same information. The developer is required to check said plans for accuracy and make sure plans are drawn to scale and corrections are made as necessary prior to the issuance of permits.
21. The developer shall not deviate from any of the approved plans without prior approval from the Director of Community Development or the Planning Commission.
22. The applicant shall submit a complete listing of all subcontractors used for the project. Each subcontractor shall obtain a contractor's business license from the City's Business License Department and submit proof of workers' compensation insurance to the City of Cudahy Building Department, before the issuance of any permits.
23. Increased noise levels will be mitigated by the limitation of construction activities to not earlier than 7:00 A.M. and not later than 6:00 P.M. To reduce temporary construction noise contractors hired for the project shall implement BMPs such as providing advance notification of construction to surrounding land uses, ensuring that equipment is properly muffled, placement of noise sources away from residences, implementing noise

attenuation measures, and generally conduct construction in compliance with City of Cudahy Municipal Code Article 23: Environmental Performance Standards.

24. In the event of transfer of ownership of the property involved in this application, the new owner shall be fully informed of the use of said property as set forth by this approval, together with all conditions, which are a part of, said approval.
25. All City Fees, i.e., plan check, building permit fees, school fees, Quimby fees, CC&R review, etc., shall be paid by the applicant prior to the submittal of the plans to the Building and Safety Department”.
26. The applicant shall sign and notarize an Affidavit of Acceptance of Conditions, which acknowledges all of the conditions imposed herein and the applicant’s acceptance of this Permit subject to those conditions.
27. The rights granted under CUP No. 38.364 may be modified or revoked by the Planning Commission should it be determined that the proposed uses or conditions under which the project is being operated or maintained is detrimental to the public health, welfare or materially harmful to property or improvements in the vicinity, if the property is operated or maintained to constitute a public nuisance or is a contributor to blight, or if the uses on the property are changed from the uses expressly approved herein.
28. The rights granted under CUP No. 38.364 shall expire within one (1) year of the date of approval by the Planning Commission unless proper building permits have been obtained or the applicant(s) applies for and is granted an extension of time. No extension of time will be considered unless the application for an extension is filed at least 30 days prior to the expiration. An extension will not be granted if conditions have changed in that the requisite findings for approval can no longer be made.
29. Prior to any occupancy permit being granted, or commencement of the approved use, these conditions shall be completed to the satisfaction of the City.

**PASSED AND APPROVED THIS 15th DAY OF OCTOBER 2018 BY THE FOLLOWING
ROLL CALL VOTE:**

AYES:
NOES:
ABSENT:
ABSTAIN:

Chairman

ATTEST:

APPROVE AS TO FORM:
OLIVAREZ MADRUGA
ASSISTANT CITY ATTORNEY

Salvador Lopez Jr., Deputy Secretary

By: _____
Martin De Los Angeles