

Harada, Patricia

From: Toni Reina <treina@continentaldevelopment.com>
Sent: Tuesday, April 18, 2023 2:28 PM
To: Planning
Cc: Samaras, Paul
Subject: Public Hearing for EA 1230 - Zoning Code Clean up

Good afternoon,

Continental Development Corporation (CDC) has reviewed the staff report for this public hearing and would like to submit the following comments for City Council consideration.

Our thanks go to staff for undertaking this comprehensive effort to amend the El Segundo Municipal Code to improve and streamline permitted uses and development standards. Staff's continued efforts to enhance customer service are greatly appreciated.

CDC supports the following modifications as welcome changes that will provide applicants with flexibility and savings of time and expense.

- Addition of micro-breweries with tasting rooms and/or dining to the conditionally permitted uses in the MU-N and MU-S zones.
- Addition of outdoor dining to the permitted accessory uses in all commercial zones. This change is especially appreciated as elimination of the automatic CUP requirement will save substantial time and expense.
- Modification/simplification of setback requirements in the MU-S zone.
- Consolidation of permitted uses, accessory uses, and uses subject to a conditional use permit for commercial zones into one table in an easy-to-use format.
- Clarification that parking spaces in excess of the minimum number required may be provided in tandem configuration.

CDC does not support the following proposed modifications:

Elimination of the exclusion of common area restrooms from the calculation of Floor Area (Net) in nonresidential buildings(ESMC 15-1-6 G.DEFINITIONS). By adding back/including the square footage of common area restrooms in the Net Floor Area calculation, there is an assumption of more physical occupants in the building when this isn't actually the case. It also potentially impacts and drives various development regulations associated with the building. Including common area restrooms in the calculation of total Net Floor Area has the same effect as the multiple-counting of space that could be attributed to the listed allowable exclusions. It is requested that this change be deleted.

Chapter 2 – General Provisions:

Wall and fence height regulations (ESMC section 15-2-4 (a) (b) (c):

- CDC opposes the elimination of Director's discretion for height of walls and fences and establishment of specific height requirements for nonresidential walls and fences. The appropriate height of a fence or wall is dependent upon several important considerations including function, placement, context of the surrounding improvements, security, etc. Because circumstances vary from project to project, authorization of Director discretion should be retained. If there must be a regulation limiting fence/wall height, consider the limit to be equivalent to the height of the bottom of the 2nd floor in a multistory building and the perimeter roofline in the case of a single story building.
- CDC opposes elimination of Directors discretion with regard to height of retaining walls and establishment of a limit of three feet for retaining walls that protect a cut slope in a required front or

street side setback. Without knowledge of the slope and soils conditions, an arbitrary three-foot height limit may or may not be appropriate. These wall and fence decisions should remain at the Director's discretion based on the submitted plans, inclusive of the appropriate civil and geotechnical engineering documentation. Any Director decision is appealable, and it is highly preferable to work together with staff on these types of solutions rather than having arbitrary regulations that can (not intentionally) but ultimately subject applicants to the timely and expensive Adjustment or Variance process.

- Temporary construction fencing: The timeframes for erection and removal of temporary construction fencing should remain at the discretion of the Director with consideration given to the circumstances of the specific project or property condition.

Chapter 15 – Off street parking requirements

Parking area development standards

(e) Streamline the vehicle lift permit process in residential zones, permit them as tandem spaces in non-residential zones, and set a stacking limit of two vehicles. CDC does not support the two vehicle limit on stacking in a parking structure in non-residential zones. This requirement does not provide the flexibility of use that is needed. If the parking structure size is code compliant/within required height limits, the property owner should have discretion in the number of vertically stacked vehicles subject to any building code requirements. The use of automated garages can vastly reduce the size of the garage (as much as 50%) while maintaining the same parking capacity.

Thank you for consideration of these comments. Please contact Toni Reina at treina@continentaldevelopment.com or Alex Rose at arose@continentaldevelopment.com if you have any questions regarding these comments.

Sincerely,

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