

Council Meeting of
February 28, 2012

Honorable Mayor and Members
of the Torrance City Council
City Hall
Torrance, California

Members of the Council:

SUBJECT: Community Development – Adopt **RESOLUTIONS** reflecting City Council decision to deny without prejudice a Mitigated Negative Declaration, Conditional Use Permit, Development Permit, and Modification of a previously approved Conditional Use Permit for property located in the H-DA1 Zone at northeast corner of Carson Street and Del Amo Circle Drive, west of Hawthorne Boulevard.

**CUP09-00013, DVP09-00001, MOD09-00003 (CUP65-38), EAS09-00003:
Del Amo 5, LLC**

RECOMMENDATION

Recommendation of the Community Development Director that City Council adopt **RESOLUTIONS** reflecting City Council decision at the January 10, 2012 meeting to deny without prejudice a Mitigated Negative Declaration, Conditional Use Permit, Development Permit, and Modification of a previously approved Conditional Use Permit (CUP65-38) to allow a senior housing development on property located in the H-DA1 Zone at the northeast corner of Carson Street and Del Amo Circle Drive, west of Hawthorne Boulevard.

BACKGROUND

On January 10th, 2012, the City Council considered an appeal of a Planning Commission's denial without prejudice of the subject request. The City Council voted 5-2, to deny the appeal. Revised Resolutions of denial without prejudice for the subject entitlements have been provided for the City Council's consideration.

CONCUR:



Jeffery W. Gibson
Community Development Director

Respectfully submitted,

Jeffery W. Gibson
Community Development Director

NOTED:



LeRoy J. Jackson
City Manager

By 

Gregg D. Lodan, AICP
Planning Manager

Attachments:

A. Revised Resolutions

RESOLUTION NO. 2012-

A RESOLUTION OF THE CITY OF COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A CONDITIONAL USE PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 3 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION AND OPERATION OF A NEW SENIOR HOUSING DEVELOPMENT ON PROPERTY LOCATED IN THE HBCSP-DA1 ZONE AT THE NORTHEAST CORNER OF CARSON STREET AND DEL AMO CIRCLE DRIVE, WEST OF HAWTHORNE BOULEVARD.

CUP09-00013: DEL AMO 5, LLC

WHEREAS, the environmental impacts of the construction and operation of a senior housing development were analyzed in an Initial Study (referenced as EAS09-00003); and

WHEREAS, the City Council held a duly noticed public hearing on January 10th, 2012 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the City Council at its meeting of January 10th, 2012 denied without prejudice a Mitigated Negative Declaration; and

WHEREAS, the City Council of the City of Torrance conducted a public hearing on January 10th 2012, to consider an application for a Conditional Use Permit filed by Del Amo 5, LLC to allow the construction and operation of a new senior housing development on property located in the HBCSP-DA1 at the northeast corner of Carson Street and Del Amo Circle Drive, west of Hawthorne Boulevard; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 5, Article 1 of the Torrance Municipal Code; and

WHEREAS, the City Council of the City of Torrance does hereby find and determine as follows:

- a) That the properties for this Conditional Use Permit are bounded by Carson Street, Del Amo Circle Drive, and Hawthorne Boulevard;
- b) That the properties for this Conditional Use Permit are described as Portions of the Susana Dominguez 1021.52 Acre Allotment as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That the proposed senior housing development is conditionally permitted in the HBCSP-DA1 ;

- d) That the proposed senior housing development and undefined use for the residual parcel may impair the integrity and character of the zoning district;
- e) That the subject site may not be physically suitable for the type of land use proposed due to its location at the apex of a curved street;
- f) That there is uncertainty with the totality of the project, because as presented, the proposal is incomplete, and lacks a final design layout and a definite operator; and
- g) That the proposed senior housing development is lacking in contributing to the intended mixed-use nature of the site as a whole.

NOW, THEREFORE, BE IT RESOLVED that CUP09-00013 filed by Del Amo 5, LLC to allow the construction and operation of a new senior housing development on property located in the HBCSP-DA1 at the northeast corner of Carson Street and Del Amo Circle Drive, west of Hawthorne Boulevard, on file in the Community Development Department of the City of Torrance, is hereby DENIED WITHOUT PREJUDICE.

Introduced, approved and adopted this 28th day of February, 2012.

MAYOR, of the City of Torrance

ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By _____

RESOLUTION NO. 2012-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A DEVELOPMENT PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 45 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION AND OPERATION OF A NEW SENIOR HOUSING DEVELOPMENT ON PROPERTY LOCATED IN THE HBCSP-DA1 ZONE AT THE NORTHEAST CORNER OF CARSON STREET AND DEL AMO CIRCLE DRIVE, WEST OF HAWTHORNE BOULEVARD.

DVP09-00001: DEL AMO 5, LLC

WHEREAS, the environmental impacts of the construction and operation of a senior housing development were analyzed in an Initial Study (referenced as EAS09-00003); and

WHEREAS, the City Council held a duly noticed public hearing on January 10th, 2011 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the City Council at its meeting of January 10th, 2012 denied without prejudice a Mitigated Negative Declaration; and

WHEREAS, the City Council of the City of Torrance conducted a public hearing on January 10th 2012, to consider an application for a Development Permit filed by Del Amo 5, LLC to allow the construction and operation of a new senior housing development on property located in the HBCSP-DA1 at the northeast corner of Carson Street and Del Amo Circle Drive, west of Hawthorne Boulevard; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 2, Article 36 of the Torrance Municipal Code; and

WHEREAS, the above described conforms to the Land Use Element of the General Plan of the City of Torrance; and

WHEREAS, the City Council of the City of Torrance does hereby find and determine as follows:

- a) That the properties for this Development Permit are bounded by Carson Street, Del Amo Circle Drive, and Hawthorne Boulevard;
- b) That the properties for this Development Permit are described as Portions of the Susana Dominguez 1021.52 Acre Allotment as per map recorded in the Office of the Los Angeles County Recorder, State of California;

- c) That the proposed senior housing development may not be consistent with the purpose and requirements of the Del Amo Business Sub-district One, may not comply with all applicable provisions of the Hawthorne Boulevard Corridor Specific Plan, and may not be consistent with the objectives, policies, and programs of the General Plan and with the land use designation of Commercial Center;
- d) That the subject site may not be physically suitable for the type and intensity of development and for the types of land uses being proposed;
- e) That there is uncertainty with the totality of the project, because as presented, the proposal is incomplete, and lacks a final design layout and a definite operator; and
- f) That the proposed senior housing development is lacking in contributing to the intended mixed-use nature of the site as a whole.

NOW, THEREFORE, BE IT RESOLVED that Development Permit filed by Del Amo 5, LLC to allow the construction and operation of a new senior housing development on property located in the HBCSP-DA1 at the northeast corner of Carson Street and Del Amo Circle Drive, west of Hawthorne Boulevard, on file in the Community Development Department of the City of Torrance, is hereby DENIED WITHOUT PREJUDICE.

Introduced, approved and adopted this 28th day of February, 2012.

MAYOR, of the City of Torrance

ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By _____

RESOLUTION NO. 2012-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A MODIFICATION OF A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION AND OPERATION OF A NEW SENIOR HOUSING DEVELOPMENT ON PROPERTY LOCATED IN THE HBCSP-DA1 ZONE AT THE NORTHEAST CORNER OF CARSON STREET AND DEL AMO CIRCLE DRIVE, WEST OF HAWTHORNE BOULEVARD.

MOD09-00003: DEL AMO 5, LLC

WHEREAS, the environmental impacts of the construction and operation of a senior housing development were analyzed in an Initial Study (referenced as EAS09-00003); and

WHEREAS, the City Council held a duly noticed public hearing on January 10th, 2012 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission at its meeting of January 10th, 2012 denied without prejudice a Mitigated Negative Declaration; and

WHEREAS, the City Council of the City of Torrance conducted a public hearing on January 10th 2012, to consider an application for a Modification of a previously approved Conditional Use Permit (CUP65-38) filed by Del Amo 5, LLC to allow the construction and operation of a new senior housing development on property located in the HBCSP-DA1 at the northeast corner of Carson Street and Del Amo Circle Drive, west of Hawthorne Boulevard; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 5, Article 1 of the Torrance Municipal Code; and

WHEREAS, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the properties for this Modification are bounded by Carson Street, Del Amo Circle Drive, and Hawthorne Boulevard;
- b) That the properties for this Modification are described as Portions of the Susana Dominguez 1021.52 Acre Allotment per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That the proposed senior housing development is conditionally permitted in the HBCSP-DA1 ;

- d) That the proposed senior housing development and undefined use for the residual parcel may impair the integrity and character of the zoning district;
- e) That the subject site may not be physically suitable for the type of land use proposed due to its location at the apex of a curved street
- f) That there is uncertainty with the totality of the project, because as presented, the proposal is incomplete, and lacks a final design layout and a definite operator; and
- g) That the proposed senior housing development is lacking in contributing to the intended mixed-use nature of the site as a whole.

NOW, THEREFORE, BE IT RESOLVED that MOD09-00003 filed by Del Amo 5, LLC to allow the construction and operation of a new senior housing development on property located in the HBCSP-DA1 at the northwest corner of Carson Street and Del Amo Circle Drive, west of Hawthorne Boulevard, on file in the Community Development Department of the City of Torrance, is hereby DENIED WITHOUT PREJUDICE.

Introduced, approved and adopted this 28th day of February, 2012.

MAYOR, of the City of Torrance

ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By _____