

Council Meeting of
August 7, 2012

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

Members of the Council:

SUBJECT: Community Development – Consider appeal of Planning Commission approval of a Conditional Use Permit and Development Permit to allow the construction and operation of a new child day care center in conjunction with a Waiver to allow a reduction of the side setback requirement and Division of Lot to consolidate two lots into one on property located within the HBCSP-MP Zone at 23104 Hawthorne Boulevard. RESOLUTIONS

CUP12-00007, DVP12-00003, WAV12-00003 & DIV12-00004: Mary Mellone

Expenditure: None

RECOMMENDATION:

Recommendation of the Planning Commission and Community Development Director that City Council deny the appeal and adopt **RESOLUTIONS** approving a Conditional Use Permit and Development Permit to allow the construction and operation of a new child day care center in conjunction with a Waiver to allow a reduction of the side setback requirement and Division of Lot to consolidate two lots into one on property located within the HBCSP-MP Zone at 23104 Hawthorne Boulevard

Funding: Not applicable.

BACKGROUND:

The site is currently developed with a vacant 11,600 square foot retail building formerly known as the Florence Fabrics building. On June 6, 2012, the Planning Commission heard the matter and approved the project 4-2 absent one Commissioner. On June 20, 2012, Councilwoman Rhilinger appealed the project for reasons listed on the appeal form (Attachment #C).

Prior Hearings and Publications:

A Planning Commission hearing was scheduled for June 6, 2012. On May 26, 2012, 94 notices were mailed to adjacent property owners and homeowner associations and the site was posted and legal advertisement was published in the newspaper as well. A City Council hearing was scheduled for August 7, 2012. On July 26, 2012, 94 notices were

mailed to adjacent property owners and homeowners associations in the City and the site was posted. On July 27, 2012, a legal advertisement was published in the newspaper.

Environmental Findings:

In-fill development projects within City limits on a project site of no more than five acres substantially surrounded by urban uses are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act, Section 15332.

Analysis:

The applicant seeks approval of a Conditional Use Permit and Development Permit to allow the construction and operation of a new child day care center. A Waiver is being requested to allow a reduction of the side setback requirement along the north property line and a Division of Lot is being requested to consolidate two underlying lots into one.

The proposed child day care center totals 10,023 square feet and is two stories over a subterranean parking garage and will have a maximum height of 28-feet 8-inches. The proposed building will be setback 56-feet from the front property line, 20-feet from the south side property line, 5-feet from the north side property line and 96-feet 5-inches from the rear property line.

The site will be accessed from an existing driveway on Hawthorne Boulevard where six (6) parking stalls are located in front of the building. A ramp to a subterranean garage is located along the southerly property line where an additional 26 parking stalls are located. Vehicles would enter the subterranean garage and travel in a counter-clockwise manner and exit to the parking area located in front of the building. As proposed, parents dropping off children will be directed to enter the garage where room for vehicle queuing is provided and will exit to the parking area in front of the building. Staff notes that parking space #26 is 9-feet in width and recommends a condition that this space be a minimum of 10-feet as it is adjacent to a wall. The Transportation Division of the Community Development Department is concerned with parking spaces #1 and #6 in front of the building and recommends that the applicant continue to work with staff to eliminate spaces or redesign this area to reduce potential circulation conflicts.

The applicant proposes to operate the childcare center for up to 180 preschool aged children within the new building. The Torrance Municipal Code allows for one child for every 35 square feet of classroom area, provided that 75 square feet of playground area is also provided. Based on the 12,015 square feet of outdoor play area provided by the applicant, a maximum capacity of 160 students can be allowed for the center. Staff recommends that the maximum number be limited to 160 children to conform to these areas. The building will be developed with eight (8) classrooms, two (2) of which are for toddlers, a reception area, break room and related storage areas on the first floor. The second floor will have an additional office and storage room.

Parking for childcare is calculated at 1 space for every 15 students plus 1 space for every employee/instructor and a designated area for passenger loading and unloading. The

applicant has indicated that there will be 16 employees and based on 160 students, a total of 27 parking spaces are required and 32 are provided.

The applicant has proposed to operate the center between the hours of 6am to 7pm with a potential to operate as late as 11:30pm to accommodate any employees of the medical uses nearby. The outdoor play area is proposed to operate between the hours of 8:30am to 6pm on weekdays and 10am to 4pm on the weekends to avoid potential noise impacts to the residential uses to the rear. Staff has no objections to the proposed hours of operation which are similar to a day care facility currently under construction at 23805 Hawthorne Boulevard (CUP11-00001 & MOD11-00001). Staff is including a condition reflecting these hours and further recommends that the applicant provide a detailed plan for the outdoor play equipment.

The H-MP Zone requires a 10-foot minimum side setback. As proposed, the project meets or exceeds all required setbacks with the exception of the north side setback. The reduced setback allows for a sizeable toddler play area along the south of the building. The applicants were required to provide facts to substantiate criteria by which the Planning Commission may grant this Waiver (Attachment #4). Given the scope and layout of the development, the reduced setback will not interfere with access and circulation to and on the site.

During a preliminary review of the project, it was discovered that a sewer line and easement runs along the rear perimeter of the property. There are currently two manhole covers, one located at the northeast corner and the other approximately 70-feet to the west of the northeast corner. The Public Works Department recommends that the applicant relocate the public sewer line to be all within the public right of way or the existing easements will be required to be enlarged to 12-feet in width. Should the sewer line remain in place, easements and damage waiver agreements with adjoining properties will also need to be obtained. It is also noted that if the sewer line is to remain in place, additional restrictions will limit any play equipment or heavy landscaping to be placed within this area.

The building is of contemporary commercial architecture. A combination of smooth plaster, glass and metal finishes will decorate the building. The street profile along Hawthorne Boulevard is two-stories with the classroom portion in the rear being one level only with a height of 12-feet 6-inches. Staff notes that because this project is within the Meadow Park Sub District of the Hawthorne Boulevard Specific Plan, the applicant must follow certain specific landscaping guidelines and use the district color "Matte Black."

Planning Commission Recommendation:

The Planning Commission reviewed the proposal on June 6, 2012. The project architect described the project and explained how the drop-off procedure worked. The Commission inquired about the number of students, hours of operation and expressed concerns with the way children are dropped off. The project architect described how a Montessori school has a different philosophy in dealing with separation anxiety and

drop-offs. Representatives for the neighboring property to the south expressed opposition to the project noting safety, liability and potential leasing issues on his property. A representative from the property to the north expressed support for the project. The project architect and applicant responded to concerns and expressed confidence that the operation will not create a traffic safety issue. The public hearing was closed and discussion followed. A motion to approve the project with added conditions passed 4-2 with 2 Commissioners dissenting and absent one Commissioner.

Respectfully submitted,

PLANNING COMMISSION



Ray Uchima, Chair

CONCUR:



Jeffery W. Gibson
Community Development Director

Jeffery W. Gibson
Community Development Director



By _____

For: Gregg D. Lodan, AICP
Planning Manager

NOTED:



LeRoy J. Jackson
City Manager

Attachments:

- A. Resolutions
- B. Location and Zoning Map
- C. Letter of Appeal
- D. Planning Commission hearing Minute Excerpts from 6/6/12
- E. Previous Planning Commission Staff Reports and Supplemental
- F. Items Submitted at the 6/6/12 Planning Commission Hearing
- G. Correspondence
- H. Proofs of Publication and Notification
- I. Plot Plan, Floor Plan and Elevations (Limited Distribution)
- J. Mayor's Script (Limited Distribution)

RESOLUTION NO. 2012-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING 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 CHILD DAY CARE FACILITY PROPERTY LOCATED IN THE H-MP ZONE AT 23104 HAWTHORNE BOULEVARD.

CUP12-00007: MARY MELLONE

WHEREAS, in-fill development projects within City limits on a project site of no more than five acres substantially surrounded by urban uses are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act, Section 15332; 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 at its meeting of June 6, 2012, conducted a duly noticed public hearing to consider an application for a Conditional Use Permit filed by Mary Mellone to allow the construction and operation of a child day care center on property located in the H-MP Zone at 23104 Hawthorne Boulevard; and

WHEREAS, the Planning Commission of the City of Torrance approved a Conditional Use Permit request on June 6, 2012; and

WHEREAS, the City Council of the City of Torrance at its meeting of August 7, 2012, conducted a duly noticed public hearing to consider an application for a Conditional Use Permit filed by Mary Mellone to allow the construction and operation of a child day care center on property located in the H-MP Zone at 23104 Hawthorne Boulevard; and

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

- a) That property for which this Conditional Use Permit is approved is located at 23104 Hawthorne Boulevard;
- b) That the property's Assessor Parcel Number is 7378-002-092;
- c) That the proposed construction and operation of a child day care center is conditionally permitted within H-MP Zone and complies with all of the applicable provisions of the Torrance Municipal Code with the exception of the side setback requirement, as conditioned;
- d) That the proposed construction and operation of a child day care center will not impair the integrity and character of the zoning district because a day care center is conditionally permitted in the H-MP Zone;
- e) That the subject site is physically suitable for a child day care center because the site in which the project is located on is 27,803 square feet and will have a floor area ratio of 0.36 which is within the 0.6 maximum allowed in the Zone;
- f) That the proposed child day care center is compatible with the existing nearby land uses

because the proposed day care center, as conditioned, will not interfere with existing commercial or residential uses in the immediate area;

- g) The proposed child day care center will be compatible with existing and proposed future land uses within the H-MP Zone and the general area in which the proposed use is to be located as child day care centers are conditionally permitted in the Zone;
- h) That the proposed child day care center will encourage and be consistent with the orderly development of the City as provided for in the General Plan and Specific Plan because child day care centers are conditionally permitted in this zone;
- i) The proposed day care center will not discourage the appropriate existing or planned future use of surrounding property because the development furthers the goals of the General Plan and the proposed operation will not conflict with the surrounding commercial uses, as conditioned;
- j) That there will be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed operation is not detrimental to public health and safety;
- k) That there will be adequate provisions for public access, as conditioned, to serve the proposed use because this property can be accessed via Hawthorne Boulevard;
- l) That the proposed location, size, design, and operating characteristics of the proposed use would not be detrimental to the public interest, health, safety, convenience or welfare, or to the property of person located in the area;
- m) That the proposed use, as conditioned, will not produce any or all of the following results:
 - Damage or nuisance from noise, smoke, odor, dust or vibration,
 - Hazard from explosion, contamination or fire,
 - Hazard occasioned by unusual volume or character of traffic or the congregating of large numbers of people or vehicles;

NOW, THEREFORE, BE IT RESOLVED that CUP12-00007 filed by Mary Mellone to allow the construction and operation of a child day care center on property located in the H-MP Zone at 23104 Hawthorne Boulevard on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the use of the subject property for an child day care center shall be subject to all conditions imposed in City Council case CUP12-00007; and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Conditional Use Permit is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.27.1;
3. That the maximum number of students shall not exceed 160; (Development Review)
4. That the hours of the outdoor playground be limited between 8:30am to 6pm on weekdays and 10am to 4pm on weekends; (Development Review)

5. That within 30 days of the final public hearing, the applicants shall remove the City's "Public Notice" sign, provided there is no appeal, to the satisfaction of the Community Development Director; (Development Review)
6. That there shall be no outdoor vending machines, pay phones, kiosks, storage containers, etc. permitted onsite; (Development Review)
7. That parking space #26 shall be enlarged to a minimum of 10-feet in width; (Development Review)
8. That a landscape plan shall be submitted to the Community Development Department for approval prior to the issuance of any building permits and shall be implemented prior to occupancy. The plan shall utilize drought resistant/xeriscape plant materials, and shall provide state-of-the-art water saving irrigation system and/or drip irrigation for larger shrubs and trees. That if more than 2,500 square feet is irrigated, the project shall comply with the 2010 State Water Efficient Landscape Ordinance. Landscaping shall be maintained to the satisfaction of the Community Development Director; (Development Review)
9. That exterior color and material samples, incorporating the use of District Color of "Matte Black" (Pantone Matching System Reference #419) shall be submitted to the Community Development Director for approval prior to the issuance of any building permits; (Development Review)
10. That an exterior lighting plan incorporating the design themes of the District shall be submitted to the Community Development Department for approval prior to the issuance of any building permits to ensure adequate lighting for exterior doorways, parking spaces, and pedestrian walkways to the satisfaction of the Community Development Director. Lighting shall be directed away from residential uses; (Development Review)
11. That the applicant shall show the location of all electrical/mechanical equipment located on the property and the method of screening to the satisfaction of the Community Development Director. Equipment cannot be located within the front setback areas; (Development Review)
12. That a detail of the perimeter walls and gates shall be provided to the Community Development Director for approval to assure that there is one cohesive design, finishing/treatment and placement to the satisfaction of the Community Development Director prior to the issuance of building permits; (Development Review)
13. That vehicles associated with the proposed child day care center operation, including employees and visitors, are required to park on site; (Development Review)
14. That the applicant shall work with staff to provide for the elimination, relocation, or re-design of parking spaces #1 and #6 on the street level in front of the school to provide better visibility and eliminate any conflicts between cars or people to the satisfaction of the Community Development Director; (Transportation Division)
15. The applicant shall provide a sign program which details the wall, ground, directional signs and menu boards proposed for this use. Signage requires a separate review and approval; (Environmental)
16. The following types of signs shall be prohibited for this use: a-frame or freestanding signs; bow or flag banners; air assisted signs; signs attached to light or utility poles, trees or vehicles; persons holding signs; and temporary signs attached to the roof of the building and persons holding signs; (Environmental)

17. The applicant shall provide a noise report performed by a professional acoustical consultant to the satisfaction of the Environmental Division, the consultant shall contact the Environmental Division prior to preparing the noise attenuation plan; (Environmental)
18. The applicant shall post signage on the site which prohibits deliveries, trash pick-ups, and parking lot sweeping between 10:00 p.m. and 7:00 a.m. per Torrance Municipal Code Section 92.30.4; (Environmental)
19. That a commercial radius type driveway, minimum 30 feet wide, with depressed back of walk and wheelchair ramps shall be constructed on Hawthorne Boulevard; (Engineering)
20. That on-site drainage shall be collected within the lot and drained through the curb to the public street; (Engineering)
21. That all connections for water service shall be made to the stubouts provided (unless stubouts are undersized). If existing stubouts are not used, they shall be abandoned at the main; (Engineering)
22. That all proposed and/or existing water meters larger than 2", double check detector assemblies and reduce pressure backflow assemblies shall be located above ground on private property near the public right-of-way. Final location and access shall be approved by the Community Development Director and incorporated into the on-site landscaping plan prior to building permit; (Engineering)
23. That the applicant shall remove the existing 7' wide concrete sidewalk adjacent to curb on Hawthorne Blvd. and construct grass sod with irrigation system or other approved landscaping in parkway area along property frontage; (Engineering)
24. That the applicant shall either fund the relocation (design & construction) of the existing public sewer system to be accessed within the public right-of-way to the satisfaction of the Public Works Director or obtain and present proof of a recorded easement on the property to the north and south (Assessor Parcel #7378-002-087 & 7378-002-091) to the City for access and maintenance of the public sewer to the satisfaction of the Public Works Director. Should the public sewer infrastructure be maintained on private property, the applicant shall:
 - Dedicate 6' additional sewer easement to existing 6' sewer easement south of the northerly property line and 2' additional sewer easement to existing 10' sewer easement west of the easterly property line. A total of 12' wide sewer easement shall be dedicated to the existing public sewer line. See Community Development Department, Engineering Division for forms.
 - Provide a fence and gate plan detail demonstrating sufficient access to the site from the property to the south to the satisfaction of the Public Works Director;
 - Provide a planting and pavement detail for the "playground" area demonstrating sufficient access to the sewer to the satisfaction of the Public Works Director;
 - That only sod or A/C pavement shall be allowed within the sewer easement area to the satisfaction of the Public Works Director;
 - That no permanent structures shall be allowed within the sewer easement area to the satisfaction of the Public Works Director;
 - That the owner shall coordinate with the Public Works Department to ensure they have keys to gates on the property and are able to get access to the public sewer line;

- 25. That should the sewer line be relocated to Hawthorne Boulevard, the applicant shall abandon existing sewer easements on the Final Parcel Map; (Engineering)
- 26. That the applicant shall extend the proposed 8-ft high block wall that is located along the south property line west towards the front of the new building to the satisfaction of the Community Development Director; (Added by Planning Commission)

Introduced, approved and adopted this 7th day of August, 2012.

MAYOR, of the City of Torrance

ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN L. FELLOWS III, City Attorney

By _____
Patrick Q. Sullivan, Assistant City Attorney

RESOLUTION NO. 2012-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A DIVISION OF LOT AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 29 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSOLIDATION OF TWO LOTS INTO ONE PARCEL ON PROPERTY LOCATED IN THE H-MP ZONE AT 23104 HAWTHORNE BOULEVARD.

DIV12-00004: MARY MELLONE

WHEREAS, minor alterations to land use, such as reversion to acreage, are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act, section 15305(c); 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 above described conforms to the Land Use Element of the General Plan of the City of Torrance; and

WHEREAS, the Planning Commission of the City of Torrance at its meeting of June 6, 2012, conducted a duly noticed public hearing to consider an application for a Division of Lot filed by Mary Mellone to allow the consolidation of two lots into one parcel on property located in the H-MP Zone at 23104 Hawthorne Blvd; and

WHEREAS, the Planning Commission of the City of Torrance approved a Division of Lot request on June 6, 2012; and

WHEREAS, the City Council of the City of Torrance at its meeting of August 7, 2012, conducted a duly noticed public hearing to consider an application for a Division of Lot filed by Mary Mellone to allow the consolidation of two lots into one parcel on property located in the H-MP Zone at 23104 Hawthorne Blvd; and

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

- a) That property for which this Division of Lot is approved is located 23104 Hawthorne Boulevard;
- b) That the property's Assessor Parcel Number is 7378-002-092;
- c) The proposed construction and operation of a child day care center, as conditioned, is conditionally permitted within the H-MP Zone, and substantially complies with all of the applicable provisions of this Division;
- d) That the proposed Division of Lot, together with the provisions for its design and improvement, is consistent with the City's General Plan designation of General Commercial;
- e) That the proposed lot consolidation of two lots into one parcel meets the requirements of the California Environmental Quality Act;

NOW, THEREFORE, BE IT RESOLVED that DIV12-00004 filed by Mary Mellone to allow the consolidation of two lots into one parcel on property located in the H-MP Zone at 23104 Hawthorne Boulevard on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the use of the subject property for a child day care center shall be subject to all conditions imposed in DIV12-00002 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established or constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Division of Lot is not used within two years after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.29.13;
3. That the project shall comply with all conditions associated with CUP12-00007, DVP12-00003 & WAV12-00003;

Introduced, approved and adopted this 7th day of August, 2012.

MAYOR, of the City of Torrance

ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN L. FELLOWS III, City Attorney

By _____
Patrick Q. Sullivan, Assistant City Attorney

RESOLUTION NO. 2012-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A DEVELOPMENT PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 36 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION AND OPERATION OF A CHILD DAY CARE FACILITY ON PROPERTY LOCATED IN THE H-MP ZONE AT 23104 HAWTHORNE BOULEVARD.

DVP12-00003: MARY MELLONE

WHEREAS, in-fill development projects within City limits on a project site of no more than five acres substantially surrounded by urban uses are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act, Section 15332; 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 at its meeting of June 6, 2012, conducted a duly noticed public hearing to consider an application for a Development Permit filed by Mary Mellone to allow the construction and operation of a child day care facility on property located in the H-MP Zone at 23104 Hawthorne Boulevard; and

WHEREAS, the Planning Commission of the City of Torrance approved a Development Permit request on June 6, 2012; and

WHEREAS, the City Council of the City of Torrance at its meeting of August 7, 2012, conducted a duly noticed public hearing to consider an application for a Development Permit filed by Mary Mellone to allow the construction and operation of a child day care facility on property located in the H-MP Zone at 23104 Hawthorne Boulevard; and

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

- a) That property for which this Development Permit is approved is located at 23104 Hawthorne Boulevard;
- b) That the property's Assessor Parcel Number is 7378-002-092;
- c) That the proposed child day care facility is consistent with the purpose and requirements of the Meadow Park Sub-district, complies with all applicable provisions of the Hawthorne Boulevard Corridor Specific Plan with the exception of the northerly side setback, and as conditioned, is consistent with the objectives, policies, and programs of the General Plan and with the land use designation of General Commercial and zone;
- d) That the proposed project, as conditioned, conforms with all applicable design/landscaping guidelines and review criteria of the Hawthorne Boulevard Corridor Specific Plan. Further, the development has been designed and conditioned to minimize possibly intrusive impacts on residential properties;
- e) That the subject site is physically suitable for the type and intensity of development, and for the type of land use being proposed as the site provides adequate parking and will have a floor area ratio of 0.36;

- f) That by virtue of high quality design and construction, the proposed development will positively contribute to the orderly and harmonious development of the Hawthorne Boulevard Corridor and the general welfare of the City as it will be implementing the District design guidelines and appropriate uses;
- g) That the proposed development will enhance the commercial development of the area so as to increase the taxable value of real property and sales tax return to the City, and to maintain the stability and value of the property and of the Hawthorne Boulevard Corridor as a desirable commercial area by providing support services to residents and employees in the area;
- h) That traffic impacts have been mitigated, in whole or in part by the design of the on-site circulation system so as to minimize hazard and congestion, to facilitate on-site movements, and to maximize opportunities for pedestrian and transit connections via pedestrian access off of Hawthorne Boulevard, as conditioned;
- i) That there are adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed development is not detrimental to public health and safety as the site is located in an area surrounded by urban uses;
- j) That the proposed development is consistent with the objectives, policies, general land uses and programs of the Torrance General Plan as it is an appropriate use for designation and conforms to the Floor Area Ratio requirement for the area;
- k) That the proposed development would not be detrimental to the public interest, health, safety, convenience or welfare as it complies with all required development standards with the exception of the northerly side setback, as conditioned;
- l) The proposed development meets the requirements of the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED that DVP12-00003 filed by Mary Mellone to allow the construction and operation of a child day care facility on property located in the H-MP Zone at 23104 Hawthorne Boulevard on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the development and use of the subject property for a child day care facility shall be subject to all conditions imposed in City Council case Development Permit 12-00003; and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Development Permit is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.27.1; and

3. That the applicants shall comply with all conditions of CUP12-00007, DIV12-00004 & WAV12-00003;

Introduced, approved and adopted this 7th day of August, 2012.

MAYOR, of the City of Torrance

ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN L. FELLOWS III, City Attorney

By _____
Patrick Q. Sullivan, Assistant City Attorney

RESOLUTION NO. 2012-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A REDUCTION OF THE SIDE SETBACK REQUIREMENT, IN CONJUNCTION WITH THE CONSTRUCTION AND OPERATION OF A CHILD DAY CARE FACILITY ON PROPERTY LOCATED IN THE HBCSP-MP ZONE AT 23104 HAWTHORNE BOULEVARD.

WAV12-00003: MARY MELLONE

WHEREAS, Setback Waivers are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Class 5, Section 15305 (a); 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 4, Article 2 of the Torrance Municipal Code; and

WHEREAS, the Planning Commission of the City of Torrance at its meeting of June 6, 2012, conducted a duly noticed public hearing to consider an application for a Waiver filed by Mary Mellone to allow a reduction of the side setback requirement, in conjunction with the construction and operation of a child day care facility on property located in the H-MP Zone at 23104 Hawthorne Boulevard; and

WHEREAS, the Planning Commission of the City of Torrance approved a Waiver request on June 6, 2012; and

WHEREAS, the City Council of the City of Torrance at its meeting of August 7, 2012, conducted a duly noticed public hearing to consider an application for a Waiver filed by Mary Mellone to allow a reduction of the side setback requirement, in conjunction with the construction and operation of a child day care facility on property located in the H-MP Zone at 23104 Hawthorne Boulevard; and

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

- a) That property for which this Waiver is approved is located at 23104 Hawthorne Boulevard;
- b) That the property's Assessor Parcel Number is 7378-002-092;
- c) That the project is in compliance with the General Commercial General Plan Designation and the Meadow Park Sub-district of the HBCSP Zone with the exception of the northerly side setback, as conditioned;
- d) That there are unreasonable difficulties resulting from strict enforcement of the side setback requirement because the reduced setback allows for a sizeable outdoor toddler play area;

- e) That the reduction of the side setback requirement will not be materially detrimental to the public welfare because the reduced setback allows for a sizeable toddler play area and because the project is in conformance with height, floor area ratio, and parking requirements;
- f) That the reduction of setback requirement will not substantially interfere with the orderly development of the City because reduced setback will not interfere with pedestrian and vehicular access and circulation around and on the site;

NOW, THEREFORE, BE IT RESOLVED that WAV12-00003 filed by Mary Mellone to allow a reduction of the side setback requirement in conjunction with the construction and operation of a child day care facility on property located in the H-MP Zone at 23104 Hawthorne Boulevard on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

- 1. That the development and use of the subject property for a child day care facility shall be subject to all conditions imposed in City Council case Waiver 12-00003 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established for constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
- 2. That if this Waiver is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.27.1;
- 3. That the applicants shall comply with all conditions of CUP12-00007, DVP12-00003 & DIV12-00004;

Introduced, approved and adopted this 7th day of August, 2012.

MAYOR, of the City of Torrance

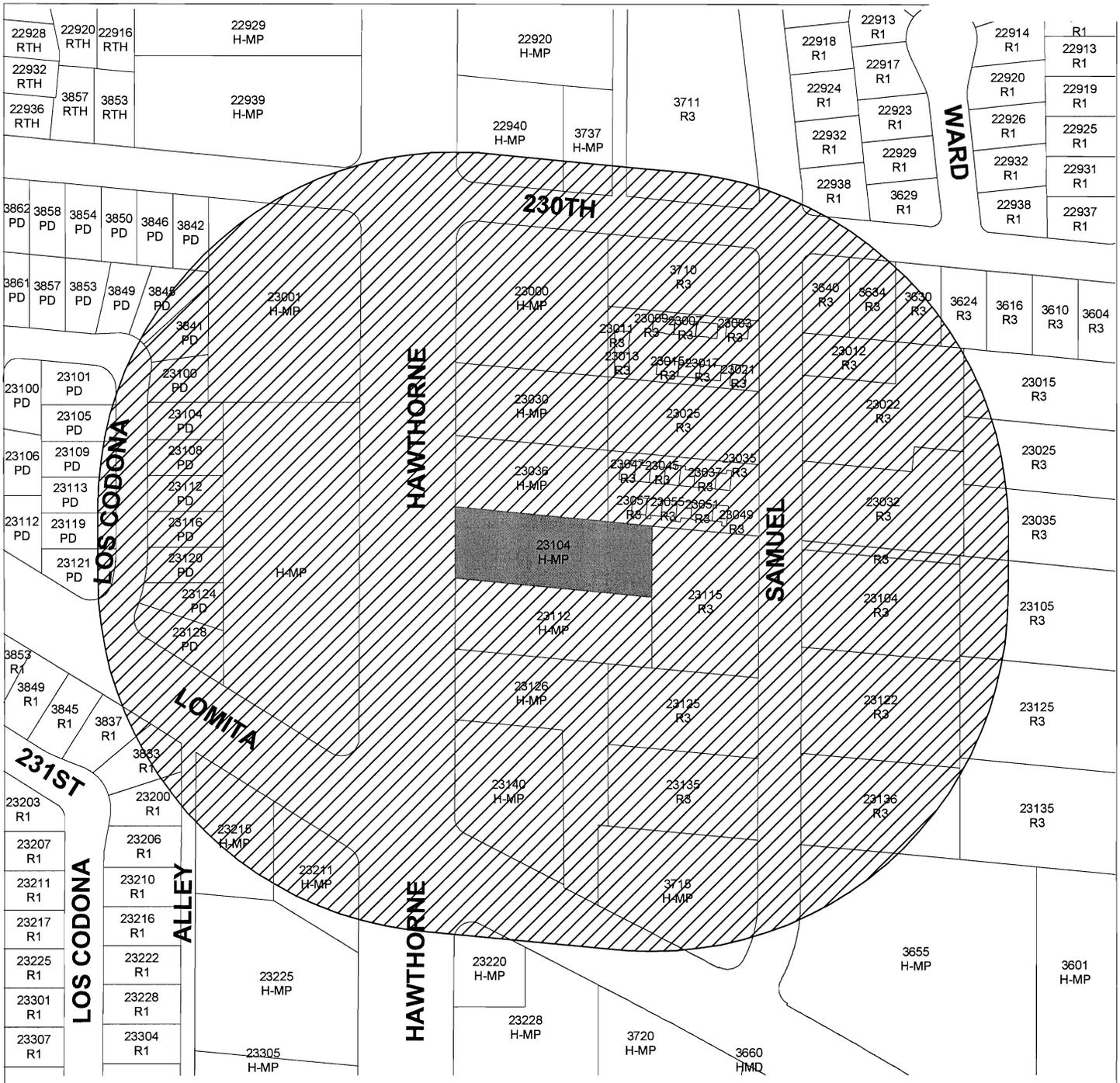
ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN L. FELLOWS III, City Attorney

By _____
Patrick Q. Sullivan, Assistant City Attorney



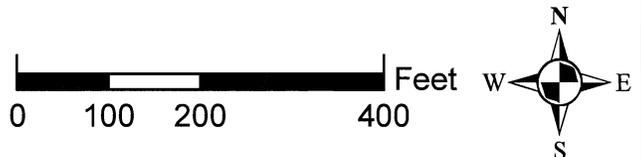
LOCATION AND ZONING MAP

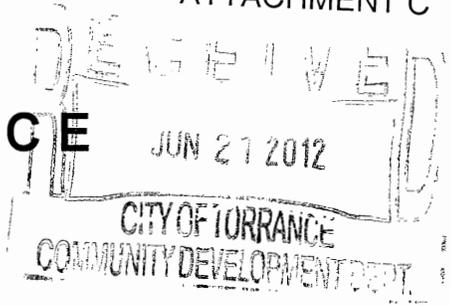
23104 Hawthorne Blvd
 CUP12-00007, DVP12-00003,
 WAV12-00003 & DIV12-00004



LEGEND

-  23104 Hawthorne Blvd
-  500ft Notification Area



CITY OF TORRANCE**INTEROFFICE COMMUNICATION****DATE: June 20, 2012****TO: Jeffrey Gibson, Community Development****FROM: City Clerk's Office****SUBJECT: Appeal 2012-06**

Attached is Appeal 2012-06 received in this office on June 20, 2012 from Susan M. Rhilinger, Torrance City Council, 3031 Torrance Boulevard, Torrance, CA 90503. This appeal is of the Planning Commission's approval on June 6, 2012 regarding CUP12-00007, DIV12-00004, DVP12-00003, WAV12-00003 MARY MELLONE located at 23104 Hawthorne Boulevard, Torrance, CA 90503 to request full consideration by Council regarding traffic and safety concerns and appropriateness of location for 120+ children with hours extending up to 11:30 p.m.

There is no appeal fee.

SECTION 11.5.3. PROCEDURE AFTER FILING.

- a) Upon receipt of the notice of appeal, and the appeal fee, the City Clerk shall notify the concerned City officials, bodies or departments that an appeal has been filed and shall transmit a copy of the appeal documents to such officials, bodies or departments.
- b) The concerned City officials, bodies or departments shall prepare the necessary reports for the City Council, provide public notices, posting, mailing or advertising in the same manner as provided for the original hearing or decision making process, request the appeal be placed on the agenda for hearing before the City Council within thirty (30) days of receipt of the said notice of appeal, and notify the applicant in writing of the time, date and place of the hearing not less than five (5) days before the Council hearing.

Sue Herbers
City Clerk

cc: City Council
City Manager



CITY OF TORRANCE

APPEAL FORM

RECEIVED

AN APPEAL TO:

- City Council
- Planning Commission
- _____

RETURN TO:

2012 JUN 20 PM 2:51

Office of the City Clerk
 3031 Torrance Boulevard
 Torrance CA 90509-2970
 310/618-2870

file @ court

RE: CUP 12-00007, DIV 12-00004, DVP 12-00003, WAV 12-00003
 (Case Number and Name) MARY MELLONE

Address/Location of Subject Property 23104 HAWTHORNE BLVD, TORRANCE
 (If applicable)

Decision of:

- | | |
|---|---|
| <input type="checkbox"/> Administrative Hearing Board | <input type="checkbox"/> License Review Board |
| <input type="checkbox"/> Airport Commission | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Civil Service Commission | <input type="checkbox"/> Community Development Director |
| <input type="checkbox"/> Environmental Quality & Energy Conservation Commission | <input type="checkbox"/> Special Development Permit |
| | <input type="checkbox"/> Other _____ |

Date of decision: 06 Jun 12

Appealing: APPROVAL DENIAL
 OTHER _____

Reason for Appeal: *Be as detailed as necessary. Additional information can be presented at the hearing. Attach pages as required with additional information and/or signatures.*

REQUEST FULL CONSIDERATION BY COUNCIL RE:
TRAFFIC AND SAFETY CONCERNS & APPROPRIATENESS OF
LOCATION FOR 120+ CHILDREN WITH HOURS EXTENDING
UP TO 11³⁰ PM.

Name of Appellant SUSAN M. RHILINGER

Address of Appellant TORRANCE CITY COUNCIL
3031 TORRANCE BLVD, 3rd FLOOR

Telephone Number (310) 618-2801

Signature *Susan M Rhilinger*

Appeal Fee paid \$ <u>N/A</u>	For office use only: Date _____	Received by _____
Notice to: Community Development Department: <input type="checkbox"/> Planning <input type="checkbox"/> Building & Safety		
<input type="checkbox"/> City Council <input type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Other Department(s) _____		

EXCERPT OF MINUTES

√ Minutes Approved
 Minutes Subject to Approval

June 6, 2012

**MINUTES OF A REGULAR MEETING OF
 THE TORRANCE PLANNING COMMISSION**

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:00 p.m. on Wednesday, June 6, 2012 in City Council Chambers at Torrance City Hall.

3. ROLL CALL/ MOTIONS FOR EXCUSED ABSENCE

Present: Commissioners D'anjou, Gibson, Polcari, Rizzo, Weideman and Vice-Chair Uchima.

Absent: Chairperson Skoll (excused).

Also Present: Planning Manager Lodan, Sr. Planning Associate Santana, Associate Civil Engineer Symons, Plans Examiner Noh, Planning Associate Joe, Sr. Fire Prevention Officer Kazandjian, and Assistant City Attorney Sullivan.

12. FORMAL HEARINGS

12B. CUP12-00007, DIV12-00004, DVP12-00003, WAV12-00003: MARY MELLONE

Planning Commission consideration for approval of a Conditional Use Permit and Development Permit to allow the construction and operation of a new child daycare center in conjunction with a Waiver to allow a reduction of the side setback requirement and a Division of Lot to consolidate two lots into one on property located in the H-MP Zone at 23104 Hawthorne Boulevard.

Recommendation: Approval.

Sr. Planning Associate Santana introduced the request and noted supplemental material consisting of correspondence received after the agenda item was completed.

Nagy Bakhoun, Obelisk Architects, project architect, voiced his agreement with the recommended conditions of approval. He stated that his client, Mary Mellone, currently operates two successful pre-schools in Orange County and would like to expand to the South Bay where she lives. He reported that the school accepts children from 18 months to 6 years old, but most are between 18 months and 4 years old. He explained that creating a safe drop-off area was a prime consideration so the project was designed with a subterranean parking garage that vehicles will circulate through to a drop off point next to the front door where teachers will receive children and take them into the office. He noted that the same type of valet system is used at his client's other schools in Orange County.

Mr. Bakhoun briefly described the proposed project. He reported that the building will be smaller than the existing Florence Fabrics building on the site; that classrooms are situated to the rear and will be only one-story and modest in scale to minimize the impact on residential neighbors to the east; and that the front of the building will be moved back from Hawthorne Boulevard to create a buffer, which will also improve visibility for retail spaces on either side of the property. He explained that the new building will create a five-foot setback on the north side, which does not meet current requirements, but is better than the existing situation because lots along this stretch of Hawthorne Boulevard were developed with a zero lot line so the north wall of the existing building sits on the property line.

Mr. Bakhoun reported on an open house that was held for nearby residents and businesses. He stated that residents to the rear were mainly concerned about construction so he explained that the builder will follow City and CALGreen guidelines to minimize the impact and he also offered to install green mesh during construction. He noted that there were also concerns about playground noise, but no more than two classrooms will be allowed on the playground at one time and play periods are limited to 30 minutes. He pointed out that the applicant will be required to hire a noise consultant and will implement whatever additional measures are recommended. He advised that the owner of the retail property to the south objected to having the driveway adjacent to her property, however, he believes this is the safest location. He reported that a public sewer was discovered on the site, which the applicant would like to have relocated to the public right-of-way in order to address access issues. He voiced his opinion that the school would be a great addition to the City of Torrance and an asset to the community.

Commissioner Gibson noted that the applicant was proposing to have 180 children at the school, but the staff report indicates that only 160 would be allowed based on the size of the playground. Mr. Bakhoun responded that the Department of Social Services will typically grant a waiver allowing 10% more students.

In response to Commissioner Gibson's inquiry, Mr. Bakhoun reported that there will be a maximum class size of 24 toddlers and smaller classes for younger children; that the ratio is 1 teacher for every 12 toddlers and 2 to 12 for younger children; and that there will be a total staff of 16. He confirmed that students bring their own lunch; that there is an area for them to nap; and that the outdoor play area is enclosed and supervised at all times.

Commissioner Gibson expressed concerns that the preschool was proposing to operate until 11:00 p.m., and Mr. Bakhoun explained that the 11:00 p.m. closing time was included on the application in case the school has to remain open to accommodate a parent who gets delayed while working at the nearby hospital.

Commissioner D'anjou expressed concerns that the queue of parents dropping off children in the morning could back up onto Hawthorne Boulevard during rush hour. She noted that it takes time to unbuckle a child from a car seat and gather their belongings and a small child might not be comfortable with being handed over to a teacher at the drop-off point. She related her experience that parents often need to accompany their children to the classroom to calm them before leaving.

Mr. Bakhoun explained that parents will be able to park and accompany their children to the classroom, however, a Montessori school has a different philosophy in

dealing with separation anxiety and the drop off goes smoothly for most children after a brief training period.

Noting that she has had occasion to take her grandchildren aged 3 years and 6 months to preschool, Commissioner Gibson stated that she could not imagine a parent who is late for work waiting patiently in line and doubted that the drop-off procedure would go as smoothly as described.

Mr. Bakhom suggested that the valet arrangement would be especially helpful for a parent with a 3-year old and a 6-month old, because the parent could simply drop the toddler off without having to park and take the baby along to the toddler's classroom.

William Hess, legal counsel representing Helen Hess, owner of 23112 Hawthorne Boulevard (vacant Surprise Store building), submitted a letter detailing objections to the project. He stated that the on-site circulation/parking arrangement defies common sense and parents are likely to park on his client's property to avoid a long queue thereby creating safety and liability issues. He noted that the Dollar Tree store's success has already led to a lot of traffic traversing his client's parking lot. He pointed out that there was no mention of any security measures in the plans and expressed concerns about having so many small children in a confined area in the event of an emergency such as an earthquake or a fire. He voiced his opinion that the proposed project would greatly diminish the value of the Hess property and likened it to trying to put a square peg in a round hole.

Citing TMC §95.3.46, Mr. Hess contended that the play area should be confined to the rear of the property rather than immediately adjacent to his client's building and that it must be surrounded by a 6-foot high wall/fence for noise mitigation. Citing TMC §92.36.6, he contended that the Conditional Use Permit could not be approved because contrary to required findings, the proposed development will not enhance the commercial development of the area so as to increase the taxable value of the property (subsection (b)(5); traffic impacts have not been mitigated by the design of an on-site circulation system so as to minimize hazard and congestion (subsection (b)(6); and the development would pose a substantial risk to the public interest, health, safety, convenience and welfare (subsection (b)(9).

Commissioner Weideman requested that Assistant City Attorney Sullivan review and evaluate the TMC sections cited by Mr. Hess.

Bruce Kusada, Capital Real Estate Group, on behalf of Helen Hess, contended that the proposed project would infringe on her property and make it difficult to lease. He stated that the location of the play area was particularly problematic because no one is going to want to spend 8 hours a day next to screaming kids. He expressed concerns about the traffic jam that would be created by parents exiting the site during rush hour. He related his understanding that the Hawthorne Boulevard corridor was intended for commercial uses, which provide sales tax revenue for the city.

Thomas Carpenter, owner of 23036 Hawthorne Boulevard, stated that he supports the project and was glad something was being built on the site and he felt there was potential that the preschool could bring in customers for his tenant, Thomasville Furniture. He indicated that his only concern was that the sewer easement could make it difficult to reconfigure his property in the future.

Vice-Chair Uchima related his understanding that the applicant intends to relocate the sewer line to the street so an easement will not be necessary.

Planning Manager Lodan reported that the applicant is working with the Public Works Department to accomplish this, but the plans have not been finalized. He noted that a condition has been included requiring that the applicant to fund the relocation of the sewer line or obtain an easement on properties to the north and south for access and maintenance of the sewer.

In response to Commissioner Weideman's inquiry, Planning Manager Lodan explained that the plans call for an 8-foot high wall to be constructed along the southerly property line to the point where it connects with the building.

Returning to the podium, Mr. Bakhoum expressed confidence that the on-site circulation plan would work as described, noting that it was based on an analysis of actual operations at Ms. Mellone's other preschools. He reported that Ms. Mellone requires each parent to sign a contract that clearly spells out all the rules, which includes the prohibition of parking on neighboring properties, and the penalty for not following the rules is disenrollment from the school. He explained that children arrive at the school between 7:00 – 9:00 a.m., with the largest influx from 8:30 – 9:00 a.m.; that the valet system of receiving children takes only about 90 seconds per car; and that the nearby signal at Lomita Boulevard will provide a break in traffic so vehicles can easily exit. He disputed the claim that the preschool would diminish the value of neighboring properties, suggesting that property values are more likely to be adversely affected by vacant buildings that have become an eyesore.

Mary Mellone, applicant, clarified that in cases where children are not comfortable with the valet process, parents are asked to come earlier in the morning so they can park and bring the child into the school to allow the child to get acquainted with caregivers and staff and become familiar with the drop-off process. She noted that a conference is held with parents prior to enrollment and they are provided with a handbook so they thoroughly understand how the school operates. With regard to security, she explained that doors are locked while school is in session; that the front desk is staffed to let people in; that any adult coming into the school must show proper identification; that teachers have cell phones in the classrooms; and that there has never been an incident where police have had to be called.

In response to Commissioner D'anjou's inquiry, Ms. Mellone confirmed that people must be "buzzed in" in order to enter the school and no one can enter via gates, which are for emergency exit only.

Commissioner Weideman asked if the applicant would be willing to extend the wall along the southerly property line, and Ms. Mellone agreed to do so.

Vice-Chair Uchima questioned whether either of Ms. Mellone's preschools are located in a commercial area and if so, if they have a similar configuration for queuing/drop-off.

Ms. Mellone reported that her school in Irvine is in a commercial area on Main Street between McArthur and Jamboree and the approval includes restrictions which prohibit standing or parking on the street or in anyone else's parking lot or driveway.

She explained that the queuing arrangement is not the same because there is no underground parking garage so queuing space is much more limited.

Mr. Bakhoun noted that the school's Conditional Use Permit specifically prohibits queuing on the street so all queuing is confined to the driveway.

Commissioner Gibson expressed concerns about having so many children in such a small confined area with only one ingress/egress on Hawthorne Boulevard in the event of an emergency, and Mr. Bakhoun pointed out that there are two egresses for pedestrians and they can also exit through the building.

Commissioner Gibson stated that she likes the Montessori concept but believes this is the wrong location for a preschool.

Responding to the letter submitted by Mr. Hess, Assistant City Attorney Sullivan advised the TMC §95.3.46 applies only to child daycare facilities in conjunction with churches or schools located in the R-1, R-2, R-3, RR-3, RP and R-5 zones, so it was not applicable in this case. He explained that TMC §92.36.6(b)(5) is addressed in Resolution 12-034 Finding "G" and §92.36.6(b)(6) is addressed in Finding "H." He suggested that if the Commission was concerned about the potential impact on neighbors, a condition could be added prohibiting anyone associated with the school from parking on neighboring properties. He noted that daycare centers are allowed in the Hawthorne Boulevard Corridor with approval of a Conditional Use Permit per Table IV-1 of the Hawthorne Boulevard Corridor Specific Plan. With regard to the claim that the project would diminish neighboring property values, he related his belief that potential tenants would be more concerned about having a vacant, abandoned building next door than a preschool, which could be seen as a selling point for employees who need childcare.

Mr. Hess stated that Assistant City Attorney Sullivan failed to address the need for a finding that the development would not pose a substantial risk to and be detrimental to the public interest, health, safety, convenience and welfare - TMC §92.36.6(b)(9).

Commissioner Rizzo noted that the issue of public health and safety was addressed in Resolution No. 12-034 under "Finding "I" and Assistant City Attorney Sullivan directed Mr. Hess to Finding "K" in the same resolution.

MOTION: Commissioner Weideman moved to close the public hearing. The motion was seconded by Commissioner Polcari and passed by unanimous roll call vote (absent Chairperson Skoll).

Commissioner Rizzo stated that he understood the concerns about parking and queuing due to the project's location, however, he recalled that the Commission approved a similar preschool to the south on Hawthorne Boulevard and 238th Street that had a much smaller area for queuing/drop-off and which does not have the same proximity to a traffic signal to provide a break for vehicles entering/exiting the property.

Planning Manager Lodan reported that the preschool has access on 238th Street, as well as Hawthorne Boulevard and is currently under construction. He recalled that preschool was approved for 140-150 students and that an office use will be sharing the building with the preschool.

Indicating that he was inclined to support the project, Commissioner Polcari stated that he thought it was a good use for a site that has been vacant for a long time; that he likes the façade and the way it looks from the street; and that his only concern was that a child would somehow get out and wander onto the busy street.

MOTION: Commissioner Polcari moved to approve CUP12-00007, DVP12-00003, WAV12-00003 and DIV12-00004, as conditioned, including all findings of fact set forth by staff, with the following modification:

Add

- That the applicant shall extend the 8-foot high wall along the southerly property line to the front of the property.

The motion was seconded by Commissioner Weideman and passed as reflected in the following roll call vote:

AYES: Commissioners Polcari, Rizzo, Weideman and Vice-Chair Uchima
 NOES: Commissioners D'anjou and Gibson
 ABSENT: Chairperson Skoll

Planning Manager Lodan noted that the gate on the south side of the property will remain for Fire Department access.

Commenting on her vote, Commissioner D'anjou stated that she hopes to be proven wrong because it's a very nice facility, but she believes it's in the wrong place.

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolution Nos. 12-032, 12-033, 12-034 and 12-035.

MOTION: Commissioner Polcari for the approval of Planning Commission Resolution Nos. 12-032, 12-033, 12-034 and 12-035 as amended. The motion was seconded by Commissioner Weideman and passed as reflected in the following roll call vote:

AYES: Commissioners Polcari, Rizzo, Weideman and Vice-Chair Uchima
 NOES: Commissioners D'anjou and Gibson
 ABSENT: Chairperson Skoll

Vice-Chair Uchima noted that the Commission's decision could be appealed to the City Council within 15 days.

###

SUPPLEMENTAL #1 TO AGENDA ITEM 12B

TO: Members of the Planning Commission

FROM: Development Review Division

SUBJECT: CUP12-00007, DVP12-00003, WAV12-00003 & DIV12-00004/
Mary Mellone

LOCATION: 23104 Hawthorne Boulevard

The following correspondence was not included as part of the item. Staff continues to recommend approval of the request as conditioned.

Prepared by,



Oscar Martinez
Planning Associate

Respectfully submitted,



Gregg D. Lodan, AICP
Planning Manager

ATTACHMENTS:

1. Correspondence

Martinez, Oscar

From: Nagy [nagy@obeliskarc.com]
Sent: Thursday, May 24, 2012 2:28 PM
To: Martinez, Oscar
Subject: Montessori School
Attachments: neighbor meeting.pdf

Oscar,

We had our open house yesterday and it went well. We were there from about 4:45 to 7 pm and most of the concerns were about construction noise, dust control and duration of construction.

Our neighbor to the north was there and was pleased to see new construction proposed and an improved visibility for his store front and current tenant. He did have a concern about adding an access easement on his property because he is concerned the trucks would cause damage to his asphalt.

Our neighbor to the South was concerned that the driveway entry would be adjacent to her store front but I explained that we had no option for this and that she would not either as a result of the current driveway locations along this side of the street. She was also concerned that the children would make lots of noise and I explained that they would be limited in the hours of outside play.

Neighbor to the rear (condo owner) was also there and construction concerns were the most prevalent.

From the neighbor to the rear (apartments) the tall fence blocking out sun was a concern and I explained that it was not 100% obstructed and that it was a live lattice covered fence that would let filtered light through but we would be willing to work with them on that.

Again a very positive meeting.

N



Information from ESET NOD32 Antivirus, version of virus signature database 7165 (20120524)

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

05/31/2012

 OBELISK ARCHITECTS	3800 PACIFIC COAST HIGHWAY · TORRANCE, CALIFORNIA · 90505	
	TEL: 310.373.3568 FAX: 310.373.0810	OBELISKARCHITECTS.COM

Date: 05/21/12

Subject: Notice of Proposed New South Bay Montessori School and
Neighbor Consultation

The owner, Mary Mellone, of the property located at 23104 Hawthorne Blvd., Torrance, (Florence Fabrics site) is intending to demolish and rebuild a new two story plus basement building. The City of Torrance encourages property owners to have a meeting with neighboring property owners in order to view and discuss the project. We have arranged an open house meeting to view the preliminary plans on **May 23, 2012 any time between the hours of 5 and 6:30 PM** at **23104 Hawthorne Blvd.** If you are unable to attend the meeting and would still like to view the plans please call us to coordinate a time to view the plans at our office.

Please contact:

Obelisk Architects

Nagy Bakhoun

3800 Pacific Coast Highway

Torrance, Ca 90505

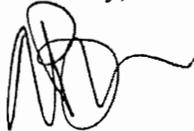
Phone: 310.373.3568

Email: nagy@obeliskarc.com

At the neighborhood meeting we will also ask you to sign an attendance sheet which will document your visit. By signing the form you will verify only that you have been notified about the proposed construction and that you had an opportunity to view the preliminary plans.

We truly appreciate your attendance and your time on this matter.

Sincerely,



Nagy Bakhoun

Via hand delivery

AGENDA ITEM NO. 12B

CASE TYPE AND NUMBER: Conditional Use Permit, CUP12-00007
 Development Permit, DVP12-00003
 Waiver, WAV12-00003
 Division of Lot, DIV12-00004

NAME: Mary Mellone

PURPOSE OF APPLICATION: A request for approval of a Conditional Use Permit and Development Permit to allow the construction and operation of a new child day care center in conjunction with a Waiver to allow a reduction of the side setback requirement and Division of Lot to consolidate two lots into one on property located within the HBCSP-MP Zone.

LOCATION: 23104 Hawthorne Boulevard

ZONING: Hawthorne Boulevard Corridor Specific Plan – Meadow Park Sub District

ADJACENT ZONING AND LAND USE:

NORTH: H-MP, Commercial
 SOUTH: H-MP, Commercial
 EAST: R-3, Multi-Family Residential
 WEST: H-MP, Commercial

GENERAL PLAN DESIGNATION: General Commercial

COMPLIANCE WITH GENERAL PLAN:

This site has a General Plan designation of General Commercial which allows a maximum floor area ratio of 0.6 for solely commercial uses and 1.0 for mixed-use commercial and residential development. The General Commercial designation is intended to permit a wide range of commercial uses which serve both community and regional needs. Regional shopping centers, professional and medical office projects, corridor commercial districts, food and beverage establishments, entertainment facilities, financial institutions, automotive sales and repair operations are all permitted uses in the General Commercial areas.

The proposed child day care center is consistent with the General Commercial General Plan Land Use Designation, however the location of the outdoor activity may not be compatible with the adjacent multi-family residences located to the east.

EXISTING IMPROVEMENTS AND/OR NATURAL FEATURES:

The site is currently developed with a vacant 11,600 square foot retail building formerly known as the Florence Fabrics building. All existing structures will be demolished in conjunction with this project.

ENVIRONMENTAL FINDINGS:

In-fill development projects within City limits on a project site of no more than five acres substantially surrounded by urban uses are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act, Section 15332.

BACKGROUND AND ANALYSIS:

The subject site is located on the east side of Hawthorne Boulevard just north of Lomita Boulevard. The property is surrounded by commercial uses to the north, south and west and multi-family residential uses to the east. The lot totals 27,803 square feet and is flat and rectangular.

The applicant seeks approval of a Conditional Use Permit and Development Permit to allow the construction and operation of a new child day care center. A Waiver is being requested to allow a reduction of the side setback requirement along the north property line and a Division of Lot is being requested to consolidate two underlying lots into one.

The proposed child day care center totals 10,023 square feet and is two stories over a subterranean parking garage and will have a maximum height of 28-feet 8-inches. The proposed building will be setback 56-feet from the front property line, 20-feet from the south side property line, 5-feet from the north side property line and 96-feet 5-inches from the rear property line.

The site will be accessed from an existing driveway on Hawthorne Boulevard where six (6) parking stalls are located in front of the building. A ramp to a subterranean garage is located along the southerly property line where an additional 26 parking stalls are located. Vehicles would enter the subterranean garage and travel in a counter-clockwise manner and exit to the parking area located in front of the building. As proposed, parents dropping off children will be directed to enter the garage where room for vehicle queuing is provided and will exit to the parking area in front of the building. Staff notes that parking space #26 is 9-feet in width and recommends a condition that this space be a minimum of 10-feet as it is adjacent to a wall. The Transportation Division of the Community Development Department is concerned with parking spaces #1 and #6 in front of the building and recommends that the applicant continue to work with staff to eliminate spaces or redesign this area to reduce potential circulation conflicts.

The applicant proposes to operate the childcare center for up to 180 preschool aged children within the new building. The Torrance Municipal Code allows for one child for every 35 square feet of classroom area, provided that 75 square feet of playground area is also provided. Based on the 12,015 square feet of outdoor play area provided by the applicant, a maximum capacity of 160 students can be allowed for the center. Staff recommends that the maximum number be limited to 160 children to conform to these areas. The building will be developed with eight (8) classrooms, two (2) of which are for toddlers, a reception area, break room and related storage areas on the first floor. The second floor will have an additional office and storage room.

Parking for childcare is calculated at 1 space for every 15 students plus 1 space for every employee/instructor and a designated area for passenger loading and unloading. The applicant has indicated that there will be 16 employees and based on this requirement, 27 parking spaces are required and 32 are provided. A parking summary follows:

Parking Summary

•	Children (1 space / 15 students)	
	160	10.7
•	Employee Parking (1 space per employee)	
	16 employees	16
❖	Total Parking Required	27 parking spaces required
❖	Total Parking Provided	32 parking spaces provided

The applicant has proposed to operate the center between the hours of 6am to 7pm with a potential to operate as late as 11:30pm to accommodate any employees of the medical uses nearby. The outdoor play area is proposed to operate between the hours of 8:30am to 6pm on weekdays and 10am to 4pm on the weekends to avoid potential noise impacts to the residential uses to the rear. Staff has no objections to the proposed hours of operation which are similar to a day care facility currently under construction at 23805 Hawthorne Boulevard (CUP11-00001 & MOD11-00001). Staff is including a condition reflecting these hours and further recommends that the applicant provide a detailed plan for the outdoor play equipment.

The H-MP Zone requires a 10-foot minimum side setback. As proposed, the project meets or exceeds all required setbacks with the exception of the north side setback. The reduced setback allows for a sizeable toddler play area along the south of the building. The applicants were required to provide facts to substantiate criteria by which the Planning Commission may grant this Waiver (Attachment #4). Given the scope and layout of the development, the reduced setback will not interfere with access and circulation to and on the site.

During a preliminary review of the project, it was discovered that a sewer line and easement runs along the rear perimeter of the property. There are currently two manhole covers, one located at the northeast corner and the other approximately 70-feet to the west of the northeast corner. The Public Works Department recommends that the applicant shall relocate the public sewer line to be all within the public right of way or the existing easements will be required to be enlarged to 12-feet in width. Should the sewer line remain in place, easements and damage waiver agreements with adjoining properties will also need to be obtained. It is also noted that if the sewer line is to remain in place, additional restrictions will limit any play equipment or heavy landscaping to be placed within this area.

The building is of contemporary commercial architecture. A combination of smooth plaster, glass and metal finishes will decorate the building. The street profile along Hawthorne Boulevard is two-stories with the classroom portion in the rear being one level only with a height of 12-feet 6-inches. Staff notes that because this project is within the Meadow Park Sub District of the Hawthorne Boulevard Specific Plan, the applicant must follow certain specific landscaping guidelines and use the district color "Matte Black."

In the judgment of staff, the proposed project, as conditioned, is compatible with surrounding uses, provides sufficient parking and will not disrupt the orderly development of the area. The project also allows for the opportunity to upgrade a site which has been vacant for some time, therefore, staff recommends approval of the subject request.

The applicant is advised that Code requirements have been included as an attachment to the staff report, and are not subject to modification.

PROJECT RECOMMENDATION: APPROVAL

FINDINGS OF FACT IN SUPPORT OF APPROVAL OF THE REQUEST:

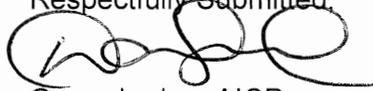
Findings of fact in support of approval of the Conditional Use Permit are set forth in the attached Resolution.

Prepared by,



Oscar Martinez
Planning Associate

Respectfully Submitted,


for: Gregg Lodan, AICP
Planning Manager

Attachments:

1. Resolutions
2. Location and Zoning Map
3. Code Requirements
4. Waiver Substantiation
5. Site Plan, Floor Plans and Elevations

PLANNING COMMISSION RESOLUTION NO. 12-032

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING 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 CHILD DAY CARE FACILITY PROPERTY LOCATED IN THE H-MP ZONE AT 23104 HAWTHORNE BOULEVARD.

CUP12-00007: MARY MELLONE

WHEREAS, in-fill development projects within City limits on a project site of no more than five acres substantially surrounded by urban uses are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act, Section 15332; 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 at its meeting of June 6, 2012, conducted a duly noticed public hearing to consider an application for a Conditional Use Permit filed by Mary Mellone to allow the construction and operation of a child day care center on property located in the H-MP Zone at 23104 Hawthorne Boulevard; and

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

- a) That property for which this Conditional Use Permit is approved is located at 23104 Hawthorne Boulevard;
- b) That the property's Assessor Parcel Number is 7378-002-092;
- c) That the proposed construction and operation of a child day care center is conditionally permitted within H-MP Zone and complies with all of the applicable provisions of the Torrance Municipal Code with the exception of the side setback requirement, as conditioned;
- d) That the proposed construction and operation of a child day care center will not impair the integrity and character of the zoning district because a day care center is conditionally permitted in the H-MP Zone;
- e) That the subject site is physically suitable for a child day care center because the site in which the project is located on is 27,803 square feet and will have a floor area ratio of 0.36 which is within the 0.6 maximum allowed in the Zone;
- f) That the proposed child day care center is compatible with the existing nearby land uses because the proposed day care center, as conditioned, will not interfere with existing commercial or residential uses in the immediate area;
- g) The proposed child day care center will be compatible with existing and proposed future land uses within the H-MP Zone and the general area in which the proposed use is to be located as child day care centers are conditionally permitted in the Zone;
- h) That the proposed child day care center will encourage and be consistent with the orderly

development of the City as provided for in the General Plan and Specific Plan because child day care centers are conditionally permitted in this zone;

- i) The proposed day care center will not discourage the appropriate existing or planned future use of surrounding property because the development furthers the goals of the General Plan and the proposed operation will not conflict with the surrounding commercial uses, as conditioned;
- j) That there will be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed operation is not detrimental to public health and safety;
- k) That there will be adequate provisions for public access, as conditioned, to serve the proposed use because this property can be accessed via Hawthorne Boulevard;
- l) That the proposed location, size, design, and operating characteristics of the proposed use would not be detrimental to the public interest, health, safety, convenience or welfare, or to the property of person located in the area;
- m) That the proposed use, as conditioned, will not produce any or all of the following results:
 - Damage or nuisance from noise, smoke, odor, dust or vibration,
 - Hazard from explosion, contamination or fire,
 - Hazard occasioned by unusual volume or character of traffic or the congregating of large numbers of people or vehicles;

WHEREAS, the Planning Commission by the following roll call vote **APPROVED** CUP12-00007, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that CUP12-00007 filed by Mary Mellone to allow the construction and operation of a child day care center on property located in the H-MP Zone at 23104 Hawthorne Boulevard on file in the Community Development Department of the City of Torrance, is hereby **APPROVED** subject to the following conditions:

1. That the use of the subject property for an child day care center shall be subject to all conditions imposed in Planning Commission case CUP12-00007; and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Conditional Use Permit is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.27.1;
3. That the maximum number of students shall not exceed 160; (Development Review)

4. That the hours of the outdoor playground be limited between 8:30am to 6pm on weekdays and 10am to 4pm on weekends; (Development Review)
5. That within 30 days of the final public hearing, the applicants shall remove the City's "Public Notice" sign, provided there is no appeal, to the satisfaction of the Community Development Director; (Development Review)
6. That there shall be no outdoor vending machines, pay phones, kiosks, storage containers, etc. permitted onsite; (Development Review)
7. That parking space #26 shall be enlarged to a minimum of 10-feet in width; (Development Review)
8. That a landscape plan shall be submitted to the Community Development Department for approval prior to the issuance of any building permits and shall be implemented prior to occupancy. The plan shall utilize drought resistant/xeriscape plant materials, and shall provide state-of-the-art water saving irrigation system and/or drip irrigation for larger shrubs and trees. That if more than 2,500 square feet is irrigated, the project shall comply with the 2010 State Water Efficient Landscape Ordinance. Landscaping shall be maintained to the satisfaction of the Community Development Director; (Development Review)
9. That exterior color and material samples, incorporating the use of District Color of "Matte Black" (Pantone Matching System Reference #419) shall be submitted to the Community Development Director for approval prior to the issuance of any building permits; (Development Review)
10. That an exterior lighting plan incorporating the design themes of the District shall be submitted to the Community Development Department for approval prior to the issuance of any building permits to ensure adequate lighting for exterior doorways, parking spaces, and pedestrian walkways to the satisfaction of the Community Development Director. Lighting shall be directed away from residential uses; (Development Review)
11. That the applicant shall show the location of all electrical/mechanical equipment located on the property and the method of screening to the satisfaction of the Community Development Director. Equipment cannot be located within the front setback areas; (Development Review)
12. That a detail of the perimeter walls and gates shall be provided to the Community Development Director for approval to assure that there is one cohesive design, finishing/treatment and placement to the satisfaction of the Community Development Director prior to the issuance of building permits; (Development Review)
13. That vehicles associated with the proposed child day care center operation, including employees and visitors, are required to park on site; (Development Review)
14. That the applicant shall work with staff to provide for the elimination, relocation, or re-design of parking spaces #1 and #6 on the street level in front of the school to provide better visibility and eliminate any conflicts between cars or people to the satisfaction of the Community Development Director; (Transportation Division)
15. The applicant shall provide a sign program which details the wall, ground, directional signs and menu boards proposed for this use. Signage requires a separate review and approval; (Environmental)
16. The following types of signs shall be prohibited for this use: a-frame or freestanding signs; bow or flag banners; air assisted signs; signs attached to light or utility poles, trees or vehicles; persons holding signs; and temporary signs attached to the roof of the building and persons holding signs; (Environmental)

17. The applicant shall provide a noise report performed by a professional acoustical consultant to the satisfaction of the Environmental Division, the consultant shall contact the Environmental Division prior to preparing the noise attenuation plan; (Environmental)
18. The applicant shall post signage on the site which prohibits deliveries, trash pick-ups, and parking lot sweeping between 10:00 p.m. and 7:00 a.m. per Torrance Municipal Code Section 92.30.4; (Environmental)
19. That a commercial radius type driveway, minimum 30 feet wide, with depressed back of walk and wheelchair ramps shall be constructed on Hawthorne Boulevard; (Engineering)
20. That on-site drainage shall be collected within the lot and drained through the curb to the public street; (Engineering)
21. That all connections for water service shall be made to the stubouts provided (unless stubouts are undersized). If existing stubouts are not used, they shall be abandoned at the main; (Engineering)
22. That all proposed and/or existing water meters larger than 2", double check detector assemblies and reduce pressure backflow assemblies shall be located above ground on private property near the public right-of-way. Final location and access shall be approved by the Community Development Director and incorporated into the on-site landscaping plan prior to building permit; (Engineering)
23. That the applicant shall remove the existing 7' wide concrete sidewalk adjacent to curb on Hawthorne Blvd. and construct grass sod with irrigation system or other approved landscaping in parkway area along property frontage; (Engineering)
24. That the applicant shall either fund the relocation (design & construction) of the existing public sewer system to be accessed within the public right-of-way to the satisfaction of the Public Works Director or obtain and present proof of a recorded easement on the property to the north and south (Assessor Parcel #7378-002-087 & 7378-002-091) to the City for access and maintenance of the public sewer to the satisfaction of the Public Works Director. Should the public sewer infrastructure be maintained on private property, the applicant shall:
 - Dedicate 6' additional sewer easement to existing 6' sewer easement south of the northerly property line and 2' additional sewer easement to existing 10' sewer easement west of the easterly property line. A total of 12' wide sewer easement shall be dedicated to the existing public sewer line. See Community Development Department, Engineering Division for forms.
 - Provide a fence and gate plan detail demonstrating sufficient access to the site from the property to the south to the satisfaction of the Public Works Director;
 - Provide a planting and pavement detail for the "playground" area demonstrating sufficient access to the sewer to the satisfaction of the Public Works Director;
 - That only sod or A/C pavement shall be allowed within the sewer easement area to the satisfaction of the Public Works Director;
 - That no permanent structures shall be allowed within the sewer easement area to the satisfaction of the Public Works Director;
 - That the owner shall coordinate with the Public Works Department to ensure they have keys to gates on the property and are able to get access to the public sewer line;

25. That should the sewer line be relocated to Hawthorne Boulevard, the applicant shall abandon existing sewer easements on the Final Parcel Map; (Engineering)

Introduced, approved and adopted this 6th day of June, 2012.

Chairman, Torrance Planning Commission

ATTEST:

Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, GREGG LODAN, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 6th day of June, 2012, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

PLANNING COMMISSION RESOLUTION NO. 12-033

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A DIVISION OF LOT AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 29 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSOLIDATION OF TWO LOTS INTO ONE PARCEL ON PROPERTY LOCATED IN THE H-MP ZONE AT 23104 HAWTHORNE BOULEVARD.

DIV12-00004: MARY MELLONE

WHEREAS, minor alterations to land use, such as reversion to acreage, are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act, section 15305(c); 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 above described conforms to the Land Use Element of the General Plan of the City of Torrance; and

WHEREAS, the Planning Commission of the City of Torrance at its meeting of June 6, 2012, conducted a duly noticed public hearing to consider an application for a Division of Lot filed by Mary Mellone to allow the consolidation of two lots into one parcel on property located in the H-MP Zone at 23104 Hawthorne Blvd; and

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

- a) That property for which this Division of Lot is approved is located 23104 Hawthorne Boulevard;
- b) That the property's Assessor Parcel Number is 7378-002-092;
- c) The proposed construction and operation of a child day care center, as conditioned, is conditionally permitted within the H-MP Zone, and substantially complies with all of the applicable provisions of this Division;
- d) That the proposed Division of Lot, together with the provisions for its design and improvement, is consistent with the City's General Plan designation of General Commercial;
- e) That the proposed lot consolidation of two lots into one parcel meets the requirements of the California Environmental Quality Act;

WHEREAS, the Planning Commission by the following roll call vote **APPROVED** DIV12-00004, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that DIV12-00004 filed by Mary Mellone to allow the consolidation of two lots into one parcel on property located in the H-MP Zone at 23104 Hawthorne Boulevard on file in the Community Development Department of the City of Torrance, is hereby **APPROVED** subject to the following conditions:

1. That the use of the subject property for a child day care center shall be subject to all conditions imposed in DIV12-00002 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established or constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Division of Lot is not used within two years after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.29.13;
3. That the project shall comply with all conditions associated with CUP12-00007, DVP12-00003 & WAV12-00003;

Introduced, approved and adopted this 6th day of June, 2012.

Chairman, Torrance Planning Commission

ATTEST:

Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, GREGG LODAN, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 6th day of June, 2012, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

PLANNING COMMISSION RESOLUTION NO. 12-034

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A DEVELOPMENT PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 36 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION AND OPERATION OF A CHILD DAY CARE FACILITY ON PROPERTY LOCATED IN THE H-MP ZONE AT 23104 HAWTHORNE BOULEVARD.

DVP12-00003: MARY MELLONE

WHEREAS, in-fill development projects within City limits on a project site of no more than five acres substantially surrounded by urban uses are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act, Section 15332; 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 at its meeting of June 6, 2012, conducted a duly noticed public hearing to consider an application for a Development Permit filed by Mary Mellone to allow the construction and operation of a child day care facility on property located in the H-MP Zone at 23104 Hawthorne Boulevard; and

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

- a) That property for which this Development Permit is approved is located at 23104 Hawthorne Boulevard;
- b) That the property's Assessor Parcel Number is 7378-002-092;
- c) That the proposed child day care facility is consistent with the purpose and requirements of the Meadow Park Sub-district, complies with all applicable provisions of the Hawthorne Boulevard Corridor Specific Plan with the exception of the northerly side setback, and as conditioned, is consistent with the objectives, policies, and programs of the General Plan and with the land use designation of General Commercial and zone;
- d) That the proposed project, as conditioned, conforms with all applicable design/landscaping guidelines and review criteria of the Hawthorne Boulevard Corridor Specific Plan. Further, the development has been designed and conditioned to minimize possibly intrusive impacts on residential properties;
- e) That the subject site is physically suitable for the type and intensity of development, and for the type of land use being proposed as the site provides adequate parking and will have a floor area ratio of 0.36;
- f) That by virtue of high quality design and construction, the proposed development will positively contribute to the orderly and harmonious development of the Hawthorne Boulevard Corridor and the general welfare of the City as it will be implementing the District design guidelines and appropriate uses;
- g) That the proposed development will enhance the commercial development of the area so as to increase the taxable value of real property and sales tax return to the City, and to

maintain the stability and value of the property and of the Hawthorne Boulevard Corridor as a desirable commercial area by providing support services to residents and employees in the area;

- h) That traffic impacts have been mitigated, in whole or in part by the design of the on-site circulation system so as to minimize hazard and congestion, to facilitate on-site movements, and to maximize opportunities for pedestrian and transit connections via pedestrian access off of Hawthorne Boulevard, as conditioned;
- i) That there are adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed development is not detrimental to public health and safety as the site is located in an area surrounded by urban uses;
- j) That the proposed development is consistent with the objectives, policies, general land uses and programs of the Torrance General Plan as it is an appropriate use for designation and conforms to the Floor Area Ratio requirement for the area;
- k) That the proposed development would not be detrimental to the public interest, health, safety, convenience or welfare as it complies with all required development standards with the exception of the northerly side setback, as conditioned;
- l) The proposed development meets the requirements of the California Environmental Quality Act.

WHEREAS, the Planning Commission by the following roll call vote APPROVED DVP12-00003, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that DVP12-00003 filed by Mary Mellone to allow the construction and operation of a child day care facility on property located in the H-MP Zone at 23104 Hawthorne Boulevard on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the development and use of the subject property for a child day care facility shall be subject to all conditions imposed in Planning Commission case Development Permit 12-00003; and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Development Permit is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.27.1; and

3. That the applicants shall comply with all conditions of CUP12-00007, DIV12-00004 & WAV12-00003;

Introduced, approved and adopted this 6th day of June, 2012.

Chairman, Torrance Planning Commission

ATTEST:

Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, GREGG LODAN, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 6th day of June, 2012, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

PLANNING COMMISSION RESOLUTION NO. 12-035

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A REDUCTION OF THE SIDE SETBACK REQUIREMENT, IN CONJUNCTION WITH THE CONSTRUCTION AND OPERATION OF A CHILD DAY CARE FACILITY ON PROPERTY LOCATED IN THE HBCSP-MP ZONE AT 23104 HAWTHORNE BOULEVARD.

WAV12-00003: MARY MELLONE

WHEREAS, Setback Waivers are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Class 5, Section 15305 (a); 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 4, Article 2 of the Torrance Municipal Code; and

WHEREAS, the Planning Commission of the City of Torrance at its meeting of June 6, 2012, conducted a duly noticed public hearing to consider an application for a Waiver filed by Mary Mellone to allow a reduction of the side setback requirement, in conjunction with the construction and operation of a child day care facility on property located in the H-MP Zone at 23104 Hawthorne Boulevard; and

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

- a) That property for which this Waiver is approved is located at 23104 Hawthorne Boulevard;
- b) That the property's Assessor Parcel Number is 7378-002-092;
- c) That the project is in compliance with the General Commercial General Plan Designation and the Meadow Park Sub-district of the HBCSP Zone with the exception of the northerly side setback, as conditioned;
- d) That there are unreasonable difficulties resulting from strict enforcement of the side setback requirement because the reduced setback allows for a sizeable outdoor toddler play area;
- e) That the reduction of the side setback requirement will not be materially detrimental to the public welfare because the reduced setback allows for a sizeable toddler play area and because the project is in conformance with height, floor area ratio, and parking requirements;
- f) That the reduction of setback requirement will not substantially interfere with the orderly development of the City because reduced setback will not interfere with pedestrian and vehicular access and circulation around and on the site;

WHEREAS, the Planning Commission by the following roll call vote APPROVED WAV12-00003, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that WAV12-00003 filed by Mary Mellone to allow a reduction of the side setback requirement in conjunction with the construction and operation of a child day care facility on property located in the H-MP Zone at 23104 Hawthorne Boulevard on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the development and use of the subject property for a child day care facility shall be subject to all conditions imposed in Planning Commission case Waiver 12-00003 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established for constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Waiver is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.27.1;
3. That the applicants shall comply with all conditions of CUP12-00007, DVP12-00003 & DIV12-00004;

Introduced, approved and adopted this 6th day of June, 2012.

Chairman, Torrance Planning Commission

ATTEST:

Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, GREGG LODAN, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 6th day of June, 2012, by the following roll call vote:

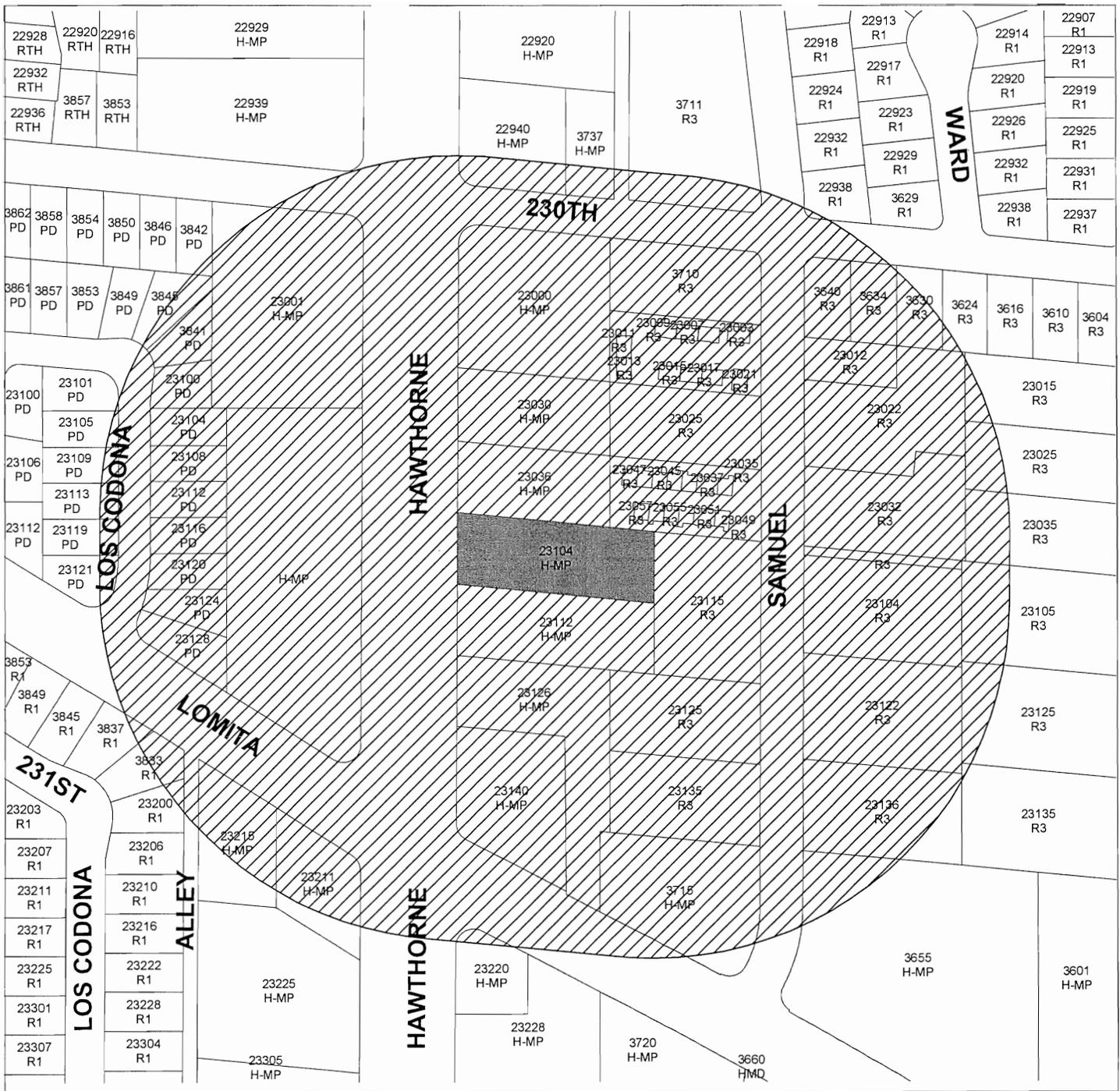
AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission



LOCATION AND ZONING MAP

23104 Hawthorne Blvd
 CUP12-00007, DVP12-00003,
 WAV12-00003 & DIV12-00004



LEGEND

- 23104 Hawthorne Blvd
- 500ft Notification Area



CODE REQUIREMENTS

The following is a partial list of Code requirements applicable to the proposed project. All possible Code requirements are not provided here and the applicant is strongly advised to contact each individual department for further clarification. The Planning Commission may not waive or alter the Code requirements. They are provided for information purposes only.

Building and Safety:

- Comply with the State handicap requirements.
- Comply with the state energy requirements.
- Provide underground utilities.
- Installation of or modifications to the fire sprinkler system require a permit from the Fire Dept.
- Comply with the State Green Code requirements.

Grading:

- Obtain Grading Permit prior to issuance of building permit.
- Submit 2 copies of grading/drainage plan with soil investigation report. Show all existing and proposed grades, structures, required public improvements and any proposed drainage structures.
- First handicap parking space to be van accessible.
- Provide hydrology/hydraulic study. (50 year storm for sump conditions)
- Comply with requirements of the Development Construction provisions of the Los Angeles County NPDES permit. Provide Standard Urban Stormwater Mitigation Plan. Project must mitigate the first 3/4-inch of rainfall to minimize pollution by use of an integrated infiltration and filtration drainage system.

Environmental:

- The Van accessible loading area shall be at least 8 feet wide and the words "NO PARKING" shall be painted on the ground within each loading access aisle in white lettering no less than 12 inches high and located so that it is visible to traffic enforcement officials.
- Direct lighting away from residential land uses (92.30.5)
- Screen all roof equipment (92.30.2)
- Double-line stripe all parking spaces per Torrance Municipal Code (93.4.6)

Engineering:

- Obtain an Encroachment Permit from CalTrans (213-897-3631) for any work (proposed or required by the City) in the public right-of-way on Hawthorne Blvd. Proof of CalTrans Encroachment Permit application submittal is required prior to issuance of Building Permit.
- Replace grinded sidewalk along property frontage per Caltrans' Standards.
- Remove existing Ficus trees and install new street tree in the City parkway every 50' for the width of this lot (City Code sec. 74.3.2). Contact the Torrance Public Works Department at 310-781-6900 and Jeff Yuen (CALTRANS) at 213-897-6381 for information on the type and size of tree for your area.
- Remove abandoned curb drain south of the existing driveway.
- Public water facilities needed to serve this site, including as applicable, mains and appurtenances shall be constructed at the cost of applicant/owner per Torrance Municipal

Water Department (TMWD) plans and specifications. TMWD shall make final determination/approval for location, type and size of all water facilities.

- Centerline ties shall be filed with and checked by the Community Development Department, Engineering Division.
- All Parcel Maps are to be compiled from field survey data unless otherwise permitted by the City Engineer.
- Final Map must be submitted for approval and recordation prior to obtaining Occupancy Permits.
- All physical public improvements which are conditions of this planning case must be completed prior to occupancy.
- Show required sewer easement on Final Parcel Map.

Fire Prevention:

- Fire Department access
- Provide exit at rear of property
- Provide fire sprinklers
- Provide fire alarm
- Provide direct exit to exterior

Development Review:

- Comply with State Department of Water Resources Landscape Design & Irrigation requirements.

To be submitted with Waiver application.

GIVE FACTS TO SUBSTANTIATE THE FOLLOWING CRITERIA BY WHICH THE PLANNING COMMISSION MAY GRANT THIS WAIVER:

- 1. There are practical difficulties or unnecessary hardships resulting from the strict enforcement of this Division:

MUCH OF OUR LOT IS DEDICATED TO STREET WIDENING (2,500 SQ. FT.) AND FOR UTILITY EASEMENTS (12' SEWER X 17'). IT WOULD ALSO PLACE US VERY CLOSE TO THE NEIGHBORING BUILDING TO OUR SOUTH SIDE & IT SITS ON THE NORTH PROPERTY LINE

- 2. It will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof:

THE CURRENT BUILDING SITS ON THE NORTH PROPERTY LINE AND THE PROPOSED WILL BE 5' SETBACK ALLOWING A GREATER DISTANCE FROM THE BUILDING TO THE SOUTH SIDE OF OUR PROPERTY.

- 3. It will not substantially interfere with the orderly development of the City as provided for in this Division:

THE BUILDING TO THE SOUTH AND NORTH OF OUR PROPERTY SIT ON THE NORTH PROPERTY LINE OUR REDUCED SET-BACK WILL GIVE THE BLOCK CONSISTENCY. OUR REDUCTION FROM 10' TO 5' IS ALSO ON THE NORTH SIDE.

ADJACENT PROPERTY OWNERS: (To be completed by the Planning Department)

	<u>Name</u>	<u>Address</u>
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

LAW OFFICES
William R. Hess
5455 Wilshire Blvd. Suite 2100
Los Angeles, Ca. 90036
Telephone (323) 931-7330
Facsimile (323) 931-7990

Submitted by
Opponent

June 6, 2012

City of Torrance
Community Development Department
3031 Torrance Blvd.
Torrance, CA 90503

Re: CUP12-00007, DIV12-00004, DVD12-00003, WAV12-00003

To Whom It May Concern,

I represent Helen Hess, owner of the commercial property at 23112 Hawthorne Blvd., Torrance, California, (the "Hess Property"). While the Hess Property is currently vacant, Mrs. Hess is actively marketing the retail space to prospective tenants and it has been fully occupied for virtually all of the past 32 years. The Hess Property currently shares ingress and egress from Lomita and Hawthorne Boulevards with the Dollar Tree at 23126 Hawthorne Blvd., Torrance, California. The Dollar Tree appears to be enjoying much success and, as a consequence, there has been an exponential increase in both the amount of cars traversing the Hess Property and parking there, most being Dollar Tree customers.

We are now in receipt of the above referenced Petition of Mary Mellone for approval of a Conditional Use Permit and Development Permit to allow the construction and operation of a new child day care center in conjunction with a Waiver to allow a reduction of the side setback requirement, (the setback abuts the Hess Property). Mrs. Hess objects to the Petition for the planned development in the Hawthorne Blvd. Corridor and argues that the CUP cannot be approved under Division 9, Chapter 5, Article 3, Section 92.36.6 of the Torrance Municipal Code ("TMC") based on the following:

With respect to the Hess Property, and others, the proposed development will not "enhance the commercial development of the area so as to increase the taxable value of the property nor maintain the stability and value of the property and of the Hawthorne Boulevard Corridor as a desirable commercial area. TMC, Division 9, Chapter 5, Article 3, Section 92.36.6(b)(5). Mrs. Hess understands that the development's aim is to provide educational and day care services to hundreds of children, including toddlers, nursery and pre-nursery age children. This in turn will cause innumerable risks and hazards for the Hess Property and family, as well as the City of Torrance and others.

While the development calls for underground parking, this does not mitigate against the exponential increase in traffic flow to and from the Florence property from Hawthorne Blvd that will occur when children are dropped off and picked up. This will encourage patrons of the day care center to park at the Hess Property. Needless to say, by the very nature of the proposed development, aside from the risks of traffic congestion and injury to persons and property, there

is the additional element of child safety. Mrs. Hess is unaware of any security measures being planned for the development. In sum, there will be a substantially increased risk of liability to Mrs. Hess from the proposed development. To the extent Mrs. Hess and/or the Hess family incur such exposure and loss they would seek to hold the City of Torrance responsible.

With respect to the increase noise coming from the playground, the Petition does not appear to comply with city requirements of noise abatement. Specifically, the plans call for some of the play area to be located at southern boundary of the development, which also immediately abuts the Hess Property. There is no provision for the appropriate 6 foot wall and/or fence. The Petition, therefore, is not in compliance TMC Division 9, Chapter 5, Article 3, Section 95.3.46.

For the same reasons, there will likely be a substantial interference with the business interests of Mrs. Hess. Prospective tenants of the Hess Property will be discouraged from renting the premises once they learn of the planned day care center. The above described liability and traffic issues will come into play as will the noise from the planned play areas. The Petition also requests a waiver of the setback abutting the Hess Property. This will put that rear of the Hess Property at greater risk for property damage. The prospects for selling the Hess Property, if and when the time comes, will likewise be severely impacted.

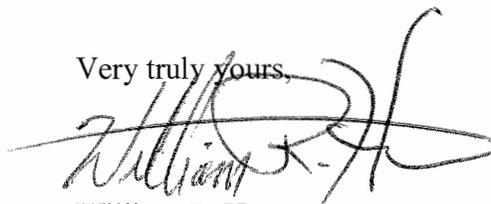
Therefore, it is reasonably certain that the planned day care center will severely diminish the desirability of the surrounding commercial area and will substantially decrease the value of the Hess Property. Indeed, it may be that if the CUP is approved, the result could force Mrs. Hess to make a claim against the City of Torrance for inverse condemnation.

For reasons given above, the Petition cannot also be approved under TMC, Division 9, Chapter 5, Article 3, Section 92.36.6(b)(6), as there is no evidence that traffic impacts have been mitigated, in whole or in part by the design of an on-site circulation system so as to minimize hazard and congestion. Again, the mere construction of underground parking will not mitigate the problem as patrons for the most part will not likely be using the underground structure when they drop off and pick up their children.

And, again, for the same reasons, the Petition cannot be approved under TMC, Division 9, Chapter 5, Article 3, Section 92.36.6(b)(9) because the proposed development would pose substantial risk to and be detrimental to the public interest, health, safety, convenience and welfare.

There are additional problems relating to the construction phase of the development that pose risk to the Mrs. Hess and the Hess Property. Specifically, Mrs. Hess is concerned that persons performing construction services for the owner of the development will park at the Hess Property thereby increasing risk of liability for personal injury and/or property damage. Please feel free to contact me at any time regarding this very important matter.

Very truly yours,

A handwritten signature in black ink, appearing to read "William R. Hess", written over a horizontal line.

William R. Hess

LAW OFFICES
William R. Hess
5455 Wilshire Blvd. Suite 2100
Los Angeles, Ca. 90036
Telephone (323) 931-7330
Facsimile (323) 931-7990

August 1, 2012

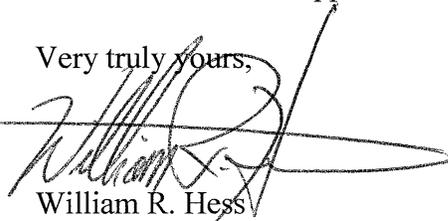
City Clerk
City Hall
3031 Torrance Blvd.
Torrance, CA 90503

RE: CUP12-200007, DVP12-00003, WAV12-00003 & DIV12-00004 MARY MELLONE

Dear Clerk,

Please find a copy of a letter which I submitted to the Planning Commission on June 6, 2012 in objection to the above referenced CUP, Development Permit and Waiver. Please submit the letter to the City Council in support of the appeal of the Planning Commission's approval of the subject CUP and Development Permit. City Council consideration of the appeal is set for public hearing on August 7, 2012 at 7:00 p.m.

Very truly yours,



William R. Hess

WH/jk

Enclosure

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5455 Wilshire Blvd. Suite 2100
Los Angeles, Ca. 90036
Telephone (323) 931-7330
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June 6, 2012

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Community Development Department
3031 Torrance Blvd.
Torrance, CA 90503

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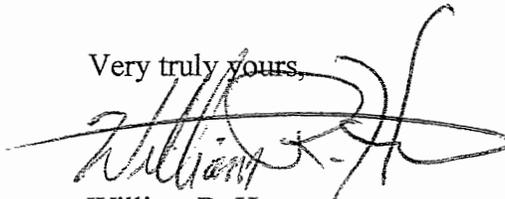
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Very truly yours,



William R. Hess

Daily Breeze

21250 HAWTHORNE BLVE, STE 170 * TORRANCE CALIFORNIA 90503-4077
Direct: (310) 543-6635 Fax: (310) 316-6827

PROOF OF PUBLICATION (201 5.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the THE DAILY BREEZE

a newspaper of general circulation, printed and published _____

in the City of Torrance*
County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of _____

June 10, 1974

Case Number SWC7146

that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement there of on the following dates, to-wit

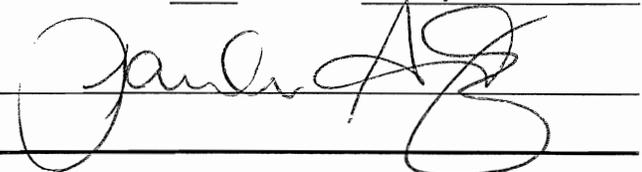
July 27,

all in the year 2012

the foregoing is true and correct.

Dated at Torrance

California, this 27 July 2012



*The Daily Breeze circulation includes the following cities:
Carson, Compton, Culver City, El Segundo, Gardena, Harbor City, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Lomita, Long Beach, Manhattan Beach, Palos Verdes Peninsula, Palos Verdes, Rancho Palos Verdes, Rancho Palos Verdes Estates, Redondo Beach, San Pedro, Santa Monica, Torrance and Wilmington

This space is for the County Clerk's Filing Stamp

2012 JUL 27 10 10

DB 7-87
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Torrance City Council at 7:00 p.m., August 7, 2012 in the City Council Chambers of City Hall, 3031 Torrance Boulevard, Torrance, California, on the following matter:

CUP12-00007, DVP12-00003, WAV12-00003 & DIV12-00004 MARY MELLONE : City Council consideration of an appeal of a Planning Commission approval of a Conditional Use Permit and Development Permit to allow the construction and operation of a new child day care center in conjunction with a Waiver to allow a reduction of the side setback requirement and Division of Lot to consolidate two lots into one on property located within the HBCSP-MP Zone at 23104 Hawthorne Boulevard.

Material can be reviewed in the Community Development Department. All persons interested in the above matter are requested to be present at the hearing or to submit their comments to the City Clerk, City Hall, 3031 Torrance Boulevard, Torrance, CA 90503, prior to the public hearing.

If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department or the office of the City Clerk prior to the public hearing, and further, by the terms of Resolution No. 88-19, you may be limited to ninety (90) days in which to commence such legal action pursuant to Section 1094.6 of the Code of Civil Procedure.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (310) 618-5990. If you need a special hearing device to participate in this meeting, please contact the City Clerk's Office at (310) 618-2870. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title II].

For further information, contact the DEVELOPMENT REVIEW DIVISION of the Community Development Department at (310) 618-5990.

**SUE HERBERS
CITY CLERK**

Published: July 27, 2012

PROOF OF SERVICE BY MAIL

I, the undersigned, am a resident of the County of Los Angeles, State of California, over the age of eighteen years, and not a party to the within action. I am employed by the City of Torrance, 3031 Torrance Boulevard, Torrance California 90503.

On July 26, 2012, I caused to be mailed 94 copies of the within notification for City Council CUP12-00007, DVP12-00002, WAV12-00003 & DIV12-00004: MARY MELLONE to the interested parties in said action by causing true copies thereof to be placed in the United States mail at Torrance California.

I declare under penalty of perjury that the foregoing is true and correct.
Executed July 26, 2012 at Torrance, California.



(signature)

CITY OF TORRANCE
Community Development Department
3031 Torrance Boulevard
Torrance, CA 90503

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Publish: **July 27, 2012**

**SUE HERBERS
CITY CLERK**

Ninety four (94) notices mailed 07/26/12 da