

Council Meeting of
May 22, 2007

CONTINUED PUBLIC HEARING

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

Members of the Council:

SUBJECT: City Council consideration of a continued public hearing of an appeal of a Planning Commission approval of a Conditional Use Permit to allow construction of a three-unit condominium project in conjunction with a Division of Lot for condominium purposes, on property located in the R-3 zone at 1829 Cabrillo Avenue.

CUP06-00021 & DIV06-00018: Dennis La Charite

Expenditure: None

RECOMMENDATION

The Community Development Director recommends that the City Council take the following actions on property located in the R-3 zone at 1829 Cabrillo Avenue:

- Direct Community Development Department Staff to initiate an Environmental Assessment.
- Upon completion of the Environmental Review remand the matter to the Planning Commission for review.

Funding: Not applicable

BACKGROUND

On May 8, 2006, the City Council considered an appeal of the requested Conditional Use Permit and Division of Lot. At the request of the City Attorney, the City Council voted 6-0 to continue the matter to May 22, 2007 to allow time to review the resulting administrative record.

ANALYSIS

On May 8, 2006, the City Council received correspondence from an Architect Gordon A. Olschlager claiming that the existing duplex is an example of early 20th Century craftsman design. An Environmental Review of the project will allow Staff the

HEARING

13A

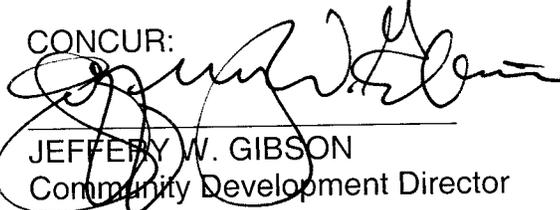
opportunity to determine if there is historical significance to the existing duplex. Staff has met with the applicant and has advised him of our recommendation.

Respectfully submitted,

Jeffery W. Gibson
Community Development Director

By 
For: Gregg Lodan, AICP
Planning Manager

CONCUR:


JEFFERY W. GIBSON
Community Development Director

NOTED:


LeROY J. JACKSON
City Manager

Attachments:

- A. Correspondence and Supplemental Material submitted to City Council on May 8, 2007
- B. City Council Item 13B Staff Report of May 8, 2007
- C. Correspondence from Steve Kaplan received May 17, 2007
- D. Plot Plan, Floor Plan and Exterior Elevations (**Limited Distribution**)
- E. Mayor's Script (**Limited Distribution**)

Submitted at
5/8/07
CC.Mtg. Item 13B

GORDON A. OLSCHLAGER, AIA
ARCHITECT

2847 1/2 AVENEL STREET
LOS ANGELES, CALIFORNIA 90039

ATTACHMENT A

May 7, 2007

City Council
City of Torrance
3031 Torrance Boulevard
Torrance, CA

Re: 1829 Cabrillo Street

Dear Council Member

I am an architect with 30 years of experience in historic preservation and the development of Historic Preservation Districts. I served for 10 years on the Angelino Heights Historic Preservation Overlay Zone Board in the City of Los Angeles overseeing many successful rehabilitations and additions to historic homes.

The duplex located at 1829 Cabrillo Street is a classic example of early 20th craftsman style residential design and qualifies as a contributing structure to the area of the City of Torrance that has been recognized as a significant historic resource by the community.

This area in my opinion is eligible for listing in the National Register of Historic Places as a historic district because of its unique plan and the involvement of the Fredrick Law Olmsted Firm in its design. Mr. Olmsted and his sons were the most prominent Landscape Architects in American in the late 19th and early 20th Century. Examples of their work include Central Park, New York City, Piedmont Park, Atlanta Georgia, Balboa Park San Diego, Golden Gate Park, San Francisco and The University of Washington campus in Seattle.

Given the historical significance of this area of Torrance, its high degree of retention of original historic structures, its association with a national design firm and the fact that the site is potentially eligible for listing on the National Register of Historic Places, the California Environmental Quality Act, must be considered in any approval of construction plans which could have an adverse effect on a historic resource.

There are many successful examples of additions to properties that achieve the desire for larger more livable homes that do not require the demolition of the existing structure. Most often the end of result of this approach is much more interesting than all new construction. I would urge the City Council to ask the property owner to study this alternative and consider concessions to parking, setbacks, heights and density, if necessary, to meet the property owner's objectives as an alternative to destroying an important resource. Consideration should also be given to the advantages of the reuse of this existing structure form a "Green Building" environmentally sensitive approach to development.

Sincerely,

Gordon A. Olschlager

Gordon A. Olschlager
Architect

Council Meeting of
May 8, 2007

SUPPLEMENTAL #1 TO ITEM 13B

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

Members of the Council:

**SUBJECT: SUPPLEMENTAL #1 TO COUNCIL AGENDA ITEM 13B
CUP06-00021 & DIV06-00018: DENNIS LA CHARITE**

The attached Proof of Publication was received after the item was completed. The Planning Commission and Community Development Director continue to recommend that the City Council deny the appeal and approve the project as conditioned and adopt the **RESOLUTIONS** of approval.

Respectfully submitted,

JEFFERY W. GIBSON
COMMUNITY DEVELOPMENT DIRECTOR

By 
for: Gregg D. Lodan, AICP
Planning Manager

CONCURRED:

Jeffery W. Gibson
Community Development Director

APPROVED:

LeRoy S. Jackson
City Manager

Attachments:
A. Proof of Publication

Daily Breeze

5215 TORRANCE BLVD * TORRANCE CALIFORNIA 90503-4077
(310) 543-6635 * (310) 540-5511 Ext. 396

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

May 1,

all in the year 2007

] the foregoing is true and correct.

Dated at Torrance

California, this 1 Day of May 2007

Signature

This space is for the County Clerk's Filing Stamp

MAY - 2 2007

Proof of Publication of

DB

DB 5-13

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., May 8, 2007, in the City Council Chambers of City Hall, 3031 Torrance Boulevard, Torrance, California, on the following matter:

CUP06-00021 and DIV06-00018, DENNIS LA CHARITE: City council consideration of an appeal of a Planning Commission approval of a Conditional Use Permit to allow the construction of a three-unit condominium project in conjunction with a Division of Lot for condominium purposes, on property located in the R-3 zone at 1829 Cabrillo Avenue.

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 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**

Pub.: May 1, 2007.

Council Meeting of
May 8, 2007

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

PUBLIC HEARING

Members of the Council:

SUBJECT: City Council consideration of an appeal of a Planning Commission approval of a Conditional Use Permit to allow construction of a three-unit condominium project in conjunction with a Division of Lot for condominium purposes, on property located in the R-3 zone at 1829 Cabrillo Avenue.

CUP06-00021 & DIV06-00018: Dennis La Charite

Expenditure: None

RECOMMENDATION

The Planning Commission and Community Development Director recommend that the City Council deny the appeal and take the following action on property located in the R-3 zone at 1829 Cabrillo Avenue.

1. Adopt Resolutions approving:

- A Conditional Use Permit (CUP06-00021) to allow construction of a three-unit condominium project.
- A Division of Lot (DIV06-00018) for condominium purposes.

Funding: Not applicable

BACKGROUND

The subject property is located north of 220th Street, on Cabrillo Avenue and is currently developed with a duplex that was built in 1923. The subject property is a total of 6,375 square feet (127.5' x 50') and is surrounded by a mixture of multiple and single family residences. On January 17th, 2007, the Planning Commission approved CUP06-00021 and DIV06-00018 by a vote of 5-1 with one Commissioner excused. On January 29th, 2007, Save Historic Old Torrance appealed the decision citing CEQA concerns.

Prior Hearings and Publications

A Planning Commission Public Hearing was scheduled for January 17, 2007. On January 4, 2007, 121 notices were mailed to property owners within a 500 foot radius. On January 4, 2007, 9 notices were mailed to the appropriate utility providers. On April 27, 2007, 117 notices of the City Council Public Hearing were mailed to property owners within a 500-foot radius and the appropriate utility companies. A notice of public hearing was posted at the site and a legal advertisement was published in the newspaper on May 1, 2007.

Environmental Findings

The construction of a three-unit condominium development is Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act Section 15303 (b). The subdivision of a lot into four or fewer parcels is categorically exempted by the California Environmental Quality Act Section 15315.

ANALYSIS

The applicant is requesting approval of a Conditional Use Permit and a Division of Lot to construct an attached three-unit condominium project on property located in the R-3 zone. The subject site is on Cabrillo Avenue, north of 220th Street. Each unit has a two-car garage and there is a guest space located adjacent to the garage for Unit 1. Vehicular access to the site will be from the alley and no curb cuts are proposed on Cabrillo Avenue. Unit 1 will be oriented towards Cabrillo Avenue. Units 2 and 3 will be oriented to the north and can be accessed by a pedestrian walkway located along the north property line.

Each unit has a bedroom, bathroom, and living room on the first floor, and a master bedroom suite, dining room, kitchen, half-bathroom, and private deck on the second floor. There will be 1,363 square feet of private open space provided for all three units. Each unit will have a private 400 square foot deck, and Unit 3 will also have a private 163 square foot yard. The proposed units are a blend of craftsman and cottage style design and will use a mixture of wood and brick veneer sidings with shingle roofs.

A summary of the project statistics follows:

Statistical Information			
Lot Area	6,375 sq. ft.		
	Unit 1	Unit 2	Unit 3
New Residence	1,283 sq. ft.	1,283 sq. ft.	1,283 sq. ft.
First Floor	518 sq. ft.	518 sq. ft.	518 sq. ft.
Second Floor	765 sq. ft.	765 sq. ft.	765 sq. ft.
Total Project	3,849* sq. ft.		
Floor Area Ratio*	0.60		
*excludes garages			
Building Height	26.25 feet		

The proposed project is categorically exempted by CEQA, complies with the R-3 standards and exceeds the open space requirements. The condominiums incorporate architectural finishes that are compatible with surrounding homes and

are reminiscent of an original design style for when the area was first developed. This project is also architecturally similar to a three-unit condominium project that was recently constructed at 1918 Cabrillo Avenue. For these reasons, Staff recommends denial of this appeal and approval of this project.

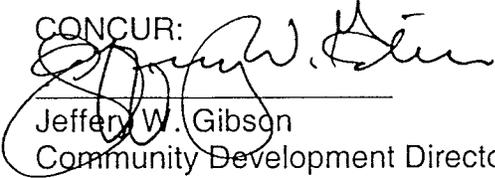
PLANNING COMMISSION RECOMMENDATION

The Planning Commission reviewed the Conditional Use Permit and Division of Lot requests on January 17, 2007. The applicant briefly described the proposed project, noting that it was designed to complement the neighborhood and that the existing structure was not salvageable. Some residents noted concerns about requiring an EIR to be completed for the project, the project being out of character with the neighborhood, and the project's impact on traffic and parking. One Commissioner stated that the applicant's past projects have been well received and that the existing residences do not appear to be salvageable. The Chairperson noted that the modest-sized units would provide an opportunity for first-time buyers and the large decks would provide very usable open space. One Commissioner stated he could not support the project because of concern about the size of the project and its compatibility with the neighborhood. The Planning Commission voted to approve the project by a vote of 5-1 with one Commissioner excused.

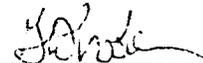
Respectfully submitted,

Jeffery W. Gibson
Community Development Director

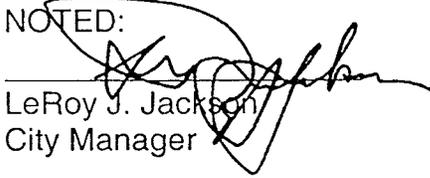
CONCUR:


Jeffery W. Gibson
Community Development Director

By


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 Minutes Excerpt 1/17/07
 - E. Previous Planning Commission Staff Report
 - F. Proofs of Publication and Notification
 - G. Plot Plan, Floor Plan and Exterior Elevations (Limited Distribution)
 - H. Mayor's Script (Limited Distribution)

RESOLUTION NO. 2007

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 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A THREE-UNIT CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED IN THE R-3 ZONE AT 1829 CABRILLO AVENUE.

CUP06-00021: DENNIS LA CHARITE

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on January 17, 2007, to consider an application for a Conditional Use Permit filed by Dennis La Charite to allow the construction of a three-unit condominium project on property located in the R-3 zone at 1829 Cabrillo Avenue; and

WHEREAS, the Planning Commission approved the Conditional Use Permit request; and

WHEREAS, the City Council of the City of Torrance conducted a public hearing on May 8, 2007, to consider an appeal of a Planning Commission approval of a Conditional Use Permit filed by Dennis La Charite to allow the construction of a three-unit condominium project on property located in the R-3 zone at 1829 Cabrillo Avenue; 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 6, Article 2 of the Torrance Municipal Code; and

WHEREAS, the construction of three dwelling units is categorically exempted by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303 (b); and

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

- a) That the property under consideration is located at 1829 Cabrillo Avenue;
- b) That the property is described as Lot 6, Block 35, Torrance Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) The proposed, three-unit condominium development is conditionally permitted within the Limited Multiple Family Residential District (R-3 Zone), complies with all of the applicable provisions of this Division.

- d) The proposed use will not impair the integrity and character of the Limited Multiple Family Residential District (R-3 Zone) because the proposed three-unit, attached condominium development complies with the applicable standards of the R-3 zone, has a street facing orientation with craftsman-style porches and an uninterrupted front yard area.
- e) The subject site is physically suitable for the proposed, three-unit condominium development because the location of the units comply with the setback standards, sufficient private open space is provided that is directly accessible from each unit, adequate parking for each unit is provided including one space for guests, and access is provided along the alley, eliminating the need for a curb cut along Cabrillo Avenue.
- f) The three-unit attached condominium development will be compatible with existing and proposed future land uses within the Limited Multiple Family Residential District (R-3 Zone) and the general area in which the proposed condominium project is to be located because the area consists of a mix of quadraplexes, triplexes, and single-family residences.
- g) The proposed, three-unit attached condominium development will encourage and be consistent with the orderly development of the City as provided for in the General Plan because the proposed development increases the opportunities for home ownership and promotes a high-quality residential environment.
- h) The proposed, three-unit attached condominium development will not discourage the appropriate existing or planned future use of surrounding property because the multiple owner-occupied units further the goals of the General Plan, complies will all applicable development standards, and is compatible with the current development trends in the surrounding vicinity;
- i) There will be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed, three-unit attached condominium development is not detrimental to public health and safety;
- j) There will be adequate provisions for public access to serve the proposed, three-unit condominium development because a pedestrian access is provided along the north property line in addition to the vehicular access;
- k) The location, size, design, and operating characteristics of the three-unit condominium development would not be detrimental to the public interest, health, safety, convenience or welfare, or to the property of persons located in the area because the proposed condominium project provides all required off street parking, including guest parking. Furthermore, the plan provides the least disruption of street parking by utilizing alley access for the site;
- l) The proposed, three-unit attached condominium development will not produce any or all of the following results:
 1. Damage or nuisance from noise, smoke, odor, dust or vibration,
 2. Hazard from explosion, contamination or fire,
 3. 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 CUP06-00021 filed by Dennis La Charite to allow the construction of a three-unit condominium project on property located in the R-3 zone at 1829 Cabrillo Avenue 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 three-unit residential condominium shall be subject to all conditions imposed in Planning Commission case CUP06-00021; 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 a copy of the Covenants, Conditions and Restrictions shall be submitted to the Community Development Director for approval by the City Attorney prior to the issuance of building permits to ensure that all conditions required by the Planning Commission to be included in the CC&R's are in fact properly included in the document and a copy of the document shall be submitted to the Community Development Department for placement in the permanent file; (Development Review)
4. That the Covenants, Conditions and Restrictions shall make a provision for a tie breaker in the event of a disagreement between the owners of the three condominiums; (Development Review)
5. That the Covenants, Conditions and Restrictions shall make provisions for reciprocal access and parking agreements for guest parking space; (Development Review)
6. That a Tenant Relocation Plan as provided for in Torrance Municipal Code Section 91.36.8, be prepared and a copy submitted to the Community Development Department, to the satisfaction of the Community Development Director, prior to the issuance of building permits; (Development Review)
7. That the proposed driveways and walkways be treated with high quality finishes such as stamped or color, to the satisfaction of the Community Development Department and that pervious paving material be used at the guest parking space location subject to the approval of the Community Development Department, prior to the issuance of building permits; (Development Review)

8. That the exterior color and material samples shall be submitted to the Community Development Department for approval prior to the issuance of any building permits; (Development Review)
9. That the property shall be graded to be within two feet of the grade of the adjacent properties; (Development Review)
10. 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; (Development Review)
11. That a detail of the perimeter and yard walls and gates shall be provided to the Community Development Director for approval to assure that there is one cohesive design and finishing or treatment to the satisfaction of the Community Development Director prior to the issuance of building permits; (Development Review)
12. That automatic electric roll-up garage doors shall be installed; (Development Review)
13. That the applicant provide a wheel stop and permanently label guest parking; (Environmental)
14. That the applicant provide four-inch address numerals at front and rear of property; (Environmental)
15. That the applicant shall provide a laundry area for Unit #1; (Environmental)
16. That the applicant shall indicate where trash containers for each unit will be stored. Each unit must have a bin for recyclable materials. Prior to final inspection, the applicant shall provide verification that the company contracted for trash pickup will also collect and separate recyclable materials; (Environmental)
17. That the applicant shall provide a noise attenuation plan to verify that the finished interior of each residence shall not exceed 45 dba. Noise, vibration and whistle from nearby railroad shall be accounted for within the study in addition to other potential sources; (Environmental)
18. That the applicant shall show the location of all electrical/mechanical equipment and method of screening and if possible, locate away from front setback. Approval of screening shall be subject to Community Development Department approval; (Environmental)

- 19. That half of the alley shall be designed and reconstructed with eight foot wide A.C. and four foot P.C.C. center gutter along the width of property including appropriate transition work. The alley plan shall be prepared by a private engineer shall be approved prior to a grading permit; (Mapping and Permits)
- 20. That existing water service shall be abandoned at the main; (Mapping and Permits)
- 21. That new water meters shall be located on the project side of the alley; (Mapping and Permits)
- 22. That new water meters shall not be located in the driveway or in front of the garage; (Mapping and Permits)
- 23. That the perimeter walls be constructed of masonry and finished to the satisfaction of the Community Development Department; (Added by Planning Commission)
- 24. That all conditions of all other City departments received prior to or during the consideration of this case by the Planning Commission shall be met.

Introduced, approved and adopted this 8th day of May, 2007.

MAYOR, of the City of Torrance

ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By _____

RESOLUTION NO. 2007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A APPROVING A DIVISION OF LOT AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 29 OF THE TORRANCE MUNICIPAL CODE ALLOWING ONE LOT TO BE SUBDIVIDED FOR A THREE-UNIT CONDOMINIUM PROJECT ON PROPERTY LOCATED IN THE R-3 ZONE AT 1829 CABRILLO AVENUE.

DIV06-00018: DENNIS LA CHARITE

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on January 17, 2007, to consider an application for a Division of Lot filed by Dennis La Charite to allow one lot to be subdivided for a three-unit condominium project at 1829 Cabrillo Avenue; and

WHEREAS, the Planning Commission approved the Division of Lot request; and

WHEREAS, the City Council of the City of Torrance conducted a public hearing on May 8, 2007, to consider an appeal of a Planning Commission approval an application for a Division of Lot filed by Dennis La Charite to allow one lot to be subdivided for a three-unit condominium project at 1829 Cabrillo Avenue; 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 6, Article 2 of the Torrance Municipal Code; and

WHEREAS, minor land subdivisions of property in urbanized areas into four or fewer parcels are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act, section 15315; and

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

- a) That properties for which this Division of Lot is approved are located at 1829 Cabrillo Avenue;
- b) That the property is described as Lot 6, Block 35, Torrance Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That the proposed, three-unit residential condominium development is conditionally permitted in R-3 zone;

- d) That the 50 foot wide lot is consistent with the development pattern in the area and that the proposed condominium development is consistent with the R-3 zone;
- e) That the subdivision will not interfere with the orderly development of the City and will incorporate a high quality design;
- f) That the proposed Division of Lot, together with the provisions for its design and improvement, is consistent with the Medium Density Residential General Plan Designation.

NOW, THEREFORE, BE IT RESOLVED that DIV06-00018, filed by Dennis La Charite to allow one lot to be subdivided to allow a three-unit condominium project on property located in the R-3 zone at 1829 Cabrillo Avenue 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 three condominium units shall be subject to all conditions imposed in DIV06-00018 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 Division of Lot DIV06-00018 is not used within two years after granting of the permit, it shall expire and become null and void unless extended by the Planning Director for an additional period as provided for in Section 92.29.13;
3. That half of the alley shall be designed and reconstructed with eight foot wide A.C. and four foot P.C.C. center gutter along the width of property including appropriate transition work. The alley plan shall be prepared by a private engineer shall be approved prior to a grading permit; (Mapping and Permits)
4. That existing water service shall be abandoned at the main; (Mapping and Permits)
5. That new water meters shall be located on the project side of the alley; (Mapping and Permits)
6. That new water meters shall not be located in the driveway or in front of the garage; (Mapping and Permits)

7. That all conditions of all other City departments received prior to or during the consideration of this case by the Planning Commission shall be met.

Introduced, approved and adopted this 8th day of May, 2007.

MAYOR, of the City of Torrance

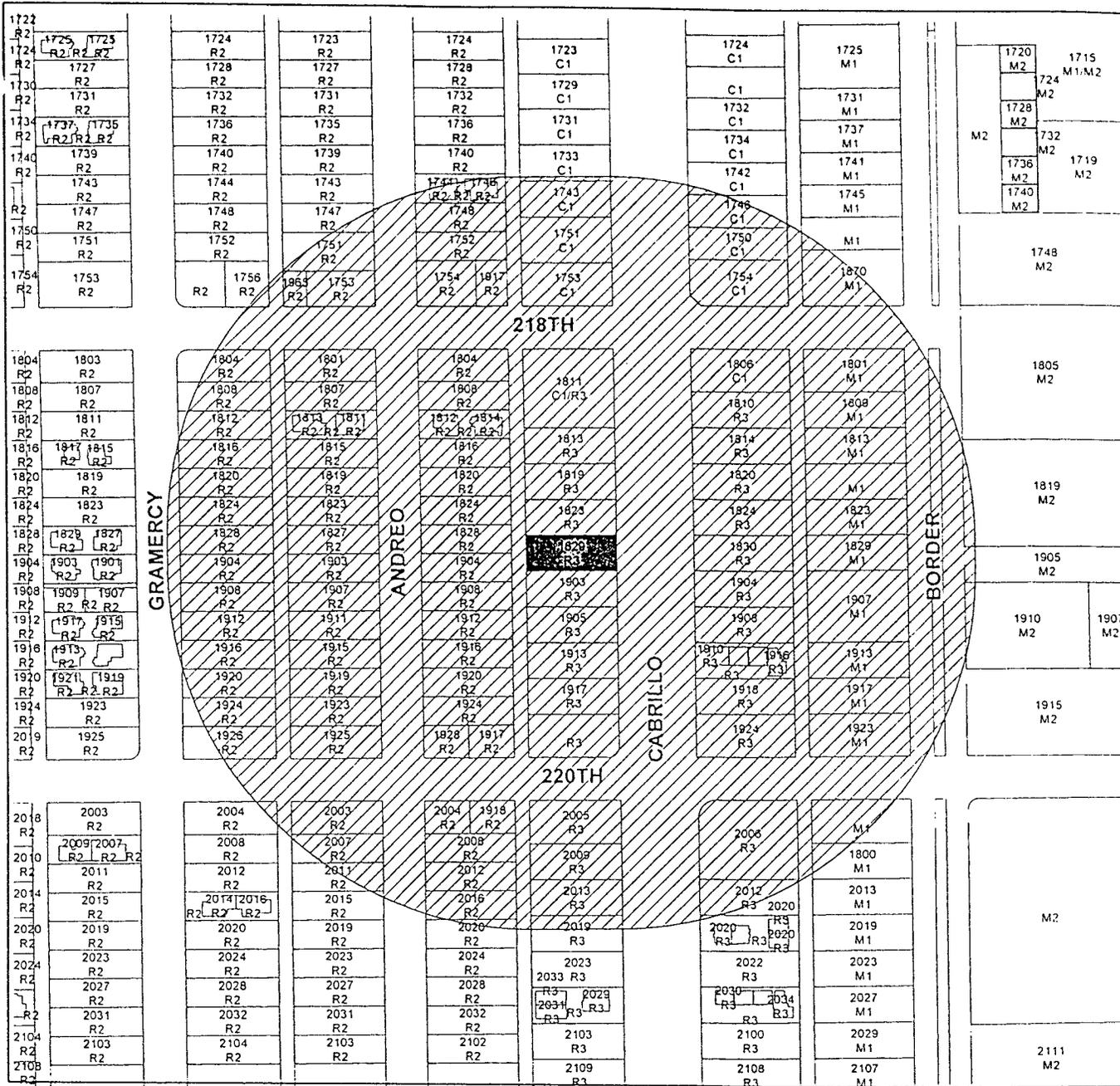
ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By _____



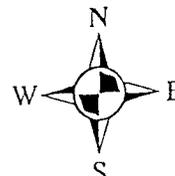
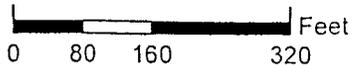
LOCATION AND ZONING MAP

1829 Cabrillo Ave
 CUP06-00021
 DIV06-00018



LEGEND

-  1829 Cabrillo Ave
-  500 FT Notification Area



CITY OF TORRANCE**INTEROFFICE COMMUNICATION****DATE: January 29, 2007**

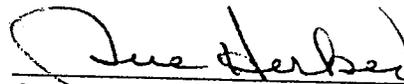
TO: Jeffery Gibson, Community Development
FROM: City Clerk's Office
SUBJECT: Appeal 2007-02

Attached is Appeal 2007-02 received in this office on January 29, 2007 from Don Barnard, Save Historic Torrance, 2028 Gramercy Avenue, Torrance, CA 90501. This appeal is of the Planning Commission's approval on January 17, 2007 regarding CUP06-00021, DIV06-00018 located at 1829 Cabrillo Avenue, Torrance, CA 90501 citing Historic Resource EIR; CEQA.

The appeal fee of \$160.00, paid by check, was accepted by the City Clerk.

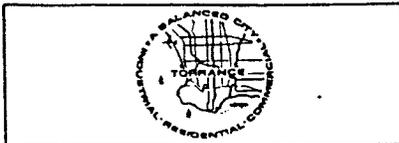
TMC SECTION 11.5.3. PROCEDURE AFTER FILING.

- 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 OF TORRANCE

REC'D CITY CLERK

APPEAL FORM

2007 JAN 29 PM 3:11

AN APPEAL TO:

- City Council
- Planning Commission
- _____

RETURN TO:

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

RE: CUP06-0021 DIV06-00018
 (Case Number and Name)

Address/Location of Subject Property 1829 CABRILLO Ave, Torrance Ca 90501
 (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: 1-17-07 Appealing: APPROVAL DENIAL

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.*

Historic Resource EIR; CEQA

Name of Appellant SAVE Historic Old Torrance

Address of Appellant 2028 Gramercy Ave. Torrance Ca 90501

Telephone Number (310) 320-0269

Signature Don Baranack President

<small>For office use only</small>		
Appeal Fee paid \$ _____	Date _____	Received by _____
Notice to: <input type="checkbox"/> 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) _____		

January 17, 2007

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

10. FORMAL HEARINGS

10D. CUP06-00021, DIV06-00018: DENNIS LA CHARITE

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of three condominium units in conjunction with a Division of Lot for condominium purposes on property located in the R-2 Zone at 1829 Cabrillo Avenue.

Recommendation

Approval.

Sr. Planning Associate Santana introduced the request.

Dennis La Charite, applicant, voiced his agreement with the recommended conditions of approval.

Referring to Condition No. 6, which requires a Tenant Relocation Plan to be submitted to the Community Development Department prior to the issuance of building permits, Commissioner Browning related his understanding that the Code requires that the Tenant Relocation Plan be approved by the Planning Commission.

Planning Manager Lodan advised that while the Code mentions that the Tenant Relocation Plan should be submitted at the time of application, it has staff's practice to allow it to be submitted later for review during the plan check process prior to the issuance of building permits.

A brief discussion ensued concerning the possibility of having the Commission review Tenant Relocation Plans in the future, and it was the consensus of the Commission to continue the current practice of allowing staff to review it.

Mr. La Charite reported that the Tenant Relocation Plan was in the process of being finalized, noting that the City has a staff member who oversees the process and contacts tenants to ensure that everything is done properly.

Bonnie Mae Barnard, Save Historic Old Torrance, stated that while her organization has endorsed past projects by Mr. La Charite, they are opposed to this one because it involves the demolition of historic structures. She disputed the claim in the staff report that the project was categorically exempted from the California Environmental Quality Act (CEQA), citing an appeals court decision that any contributing structure to a historic district falls under the protection of CEQA, even if the historic

district has not yet been designated as long as an expert states that it qualifies to be one. She stated that progress is being made toward the enactment of a Historical Preservation Overlay Zone and the razing these buildings without an Environmental Impact Report would be an egregious error.

Chairperson Fauk noted that Deputy City Attorney Whitham has commented on the CEQA issue in the past.

Deputy City Attorney Whitham advised that while it is true that historic resources cannot be categorically exempted under CEQA, it is not clear whether these structures are a historic resource as they are not listed on any registry. She stated that if commissioners believe that substantial evidence has been presented that they are a historic resource, then the project should not be categorically exempted, but the categorical exemption is perfectly legal if they feel there has not been a substantial showing that this is the case.

Commissioner Busch asked about the court case cited by Ms. Barnard.

Deputy City Attorney Whitham stated that the appellate case, which Ms. Barnard has cited in the past, involves a jail that was found to be historic by a local government board, however, the structures in question have not been declared to be historic. She noted that although the City Council approved the naming of the original Torrance tract as "Old Torrance Founded 1912," they did not designate it as a historic area or confer any special protection in terms of historic preservation.

Commissioner Busch questioned whether an EIR would be required if the project was determined not to be categorically exempted.

Deputy City Attorney Whitham explained that an environmental assessment would be completed, after which a determination would be made as to whether a Negative Declaration, a Mitigated Negative Declaration, or an Environmental Impact Report should be prepared.

Planning Manager Lodan noted that an Initial Study/ Environmental Checklist is used to assess the potential environmental impact of a project, an example of which is included in Agenda Item 10F (EAS06-00005).

Mr. La Charite reported that the existing structures are not salvageable and noted that he has reviewed books on Craftsman homes and added architectural elements to ensure that this project will complement the neighborhood. He cited his previous project on 220th Street as an example of a new development that respects the historic nature of this area.

Ramie McCoy, 1918 W. 220th Street, stated that he has supported previous projects by this developer but was opposed to this one because he believes its size is out of character with the rest of the neighborhood. He also expressed concerns about the project's impact on traffic and parking.

Voicing support for the project, Commissioner Browning stated that it was apparent from the testimony that Mr. La Charite's projects have been well received in the past and the existing residences do not appear to be salvageable.

MOTION: Commissioner Browning moved to close the public hearing. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

Chairperson Faulk expressed his preference that a condition be included requiring a decorative block wall around the perimeter of the project. Voicing support for the project, he noted that the modest-sized units would provide an opportunity for first-time buyers and the large decks would provide very usable open space.

Commissioner Weideman stated that he did not believe the size of this project was compatible with the neighborhood, therefore, he could not support it.

MOTION: Commissioner Browning moved for the approval of CUP06-00021 and DIV06-00018, as conditioned, including all findings of fact set forth by staff, adding a condition requiring a decorative block wall around the perimeter. The motion was seconded by Commissioner Gibson and passed by 5-1 roll call vote, with Commissioner Weideman dissenting (absent Commissioner Uchima).

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolution Nos. 07-005 and 07-006.

MOTION: Commissioner Browning moved for the adoption of Planning Commission Resolution Nos. 07-005 and 07-006 as amended. The motion was seconded by Commissioner Horwich and passed by a 5-1 roll call vote, with Commissioner Weideman dissenting (absent Commissioner Uchima).

Approved as Submitted February 7, 2007 s/ Sue Herbers, City Clerk

AGENDA ITEM NO. 10D**CASE TYPES AND NUMBER:** Conditional Use Permit—CUP06-00021, DIV06-00018**NAME:** Dennis La Charite**PURPOSE OF APPLICATION:**

Request for approval of a Conditional Use Permit to allow the construction of three new attached condominium units and a Division of Lot for condominium purposes on property located in the R-3 zone at 1829 Cabrillo Avenue.

LOCATION: 1829 Cabrillo Avenue**ZONING:** R-3 Limited Multiple Family Residential**ADJACENT ZONING AND LAND USE:**

North:	R-3	Multiple Family Residential, quadruplex
South:	R-3	Multiple Family Residential, quadruplex
East:	R-3	Multiple Family Residential, duplex
West:	R-2	Two Family Residential, single family residential

GENERAL PLAN DESIGNATION: Medium Density Residential**COMPLIANCE WITH GENERAL PLAN:**

This site has a General Plan Land Use Designation of Medium Density Residential which are areas characterized by townhouse and low-rise apartment developments. This designation is implemented by the R-3, RR-3, R3-3, R-P, and PD zones. The density range for this designation is 18 to 28 units/net acre.

The existing R-3, Limited Multiple Family Residential District zoning is in conformance with the Medium Density Residential designation. The applicant's proposal for three (3) attached residential condominiums on the .15 acre lot is consistent with the Medium Density Residential designation in terms of use and density. The proposed density of 20.5 dwelling units/acre is well within the maximum allowable density range. The three-unit proposal is also consistent with the surrounding neighborhood which is a mixture of quadruplexes, triplexes, and single-family residences.

EXISTING IMPROVEMENTS AND/OR NATURAL FEATURES:

1829 Cabrillo Avenue is currently developed with a 1,338 square foot, one story duplex, built in 1923.

C.D.D. RECOMMENDATIONS – 1/17/07
 AGENDA ITEM NO. 10D
 CASE NO. CUP06-00021, DIV06-00018

ENVIRONMENTAL FINDINGS:

In urbanized areas, duplexes and similar multi-family structures, totaling no more than six dwelling units is Categorically Exempted by the 2006 Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303(b).

BACKGROUND AND/OR COMMENTS

The applicant requests approval of a Conditional Use Permit for the construction of three new attached condominium units and a Division of Lot for condominium purposes. The existing duplex will be demolished as part of this project.

The subject site is on Cabrillo Avenue, north of 220th Street and east of Andreo Avenue. This development is subject to the R-3 standards. As such, the proposed project of two bedroom units requires two garage parking spaces per unit. The R-3 standards provide for an average 20 foot front yard setback, 10 foot rear yard setback and 10% lot width side yard setbacks. The Floor Area Ratio allowed in the R-3 district is 0.60, excluding the garage.

The 50 foot by 127.5 foot lot totals 6,375 square feet in area and is rectangular in shape with an alley at the rear. Unit 1 (front unit) will be oriented toward Cabrillo Avenue and will maintain a 20 foot front setback. A wall separates Unit 1 from Unit 2 (center unit), which will be oriented toward the north lot line. Another wall will separate Unit 2 from Unit 3 (rear unit). Unit 3 will be oriented toward the north and will maintain a 10 foot rear setback. Both Unit 2 and Unit 3 will be accessed by a 5.25 foot wide pedestrian walkway located along the north property line. A guest parking space will be located adjacent to the Unit 1 garage, along the south property line. All three units are proposed to be attached and will maintain 5 foot north side yard setbacks and 10 foot south side yard setbacks. Access to the site will be provided by one driveway located at the rear of the property, along the alley.

Each condominium unit will feature one bedroom, one bathroom and a living room on the first floor, and a master bedroom suite, master bathroom, dining room, kitchen, and one half-bathroom on the second floor. A private, 400 square foot deck will be provided on the second floor for each unit, and a 6 foot to 8 foot high privacy wall is proposed to separate the balconies for Unit 1 and Unit 2. The maximum height of the units as measured from lowest adjacent grade will be 26.25 feet.

The statistical information for the project based on staff calculations is provided below

Statistical Information			
Lot Area	6,375 sq. ft.		
	Unit 1	Unit 2	Unit 3
New Residence	1,283 sq. ft.	1,283 sq. ft.	1,283 sq. ft.
First Floor	518 sq. ft.	518 sq. ft.	518 sq. ft.
Second Floor	765 sq. ft.	765 sq. ft.	765 sq. ft.
Total Project	3,849* sq. ft.		
Floor Area Ratio*	0.60		
*excludes garages			
Building Height	26.25 feet		

The R-3 standards require a minimum of 600 square feet per unit be provided as open space. In this case, at least 1,800 square feet of the lot must be open space, half of which must be private usable open space, directly accessible from each individual unit. Areas such as yards, driveways, and open porches count towards this requirement. Private decks, measuring 400 square feet in area, are provided for each individual unit. Unit 3 also has a yard of 163 square feet for private open space. Additionally, the property contains 450 square feet of common open space, totaling 1,813 square feet.

The R-3 standards allow for a height of two stories or 35 feet. The proposed units are 26.25 feet in height, as measured from lowest adjacent grade. The R-3 standards allow for a Floor Area Ratio (F.A.R.) of 0.60 of the lot area. The Floor Area Ratio for the proposed project is 0.60. In order to enhance the appearance of the project, Staff is adding a condition that the driveway and concrete walkway areas be treated with high quality finishes, such as stamped or colored concrete, to the satisfaction of the Community Development Department. Additionally, Staff is adding a condition that the guest parking space be composed of some type of pervious material, to the satisfaction of the Community Development Department.

The proposed design features a blend of craftsman and cottage style design, incorporating a mixture of wood and brick veneer sidings with shingle roofs, well in line with the majority of newer developments, as well as the existing homes along Cabrillo Ave.

The proposed three-unit project, as conditioned, is compatible with the development in the surrounding area. The required on-site parking is provided and the design maintains the integrity of the mixed single-family and multiple-family neighborhood. For these reasons, staff recommends approval of this request, subject to conditions.

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

PROJECT RECOMMENDATION: APPROVAL

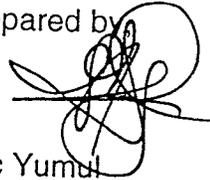
FINDINGS OF FACT IN SUPPORT OF APPROVAL OF THE CONDITIONAL USE PERMIT AND DIVISION OF LOT:

Findings of fact in support of APPROVAL are set forth in the attached resolutions.

RECOMMENDED CONDITIONS, IF PROJECT IS APPROVED:

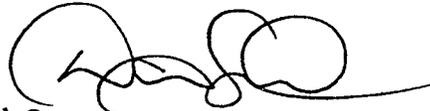
Recommended conditions for the project are set forth in the attached Planning Commission Resolutions.

Prepared by



Soc Yumel
Planning Assistant

Respectfully submitted,



for: Gregg Lodan, AICP
Planning Manager

Attachments:

1. Resolutions
2. Location and Zoning Map
3. Code Requirements
4. Site Plan, Floor Plan & Elevations

PLANNING COMMISSION RESOLUTION NO. 07-005

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 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A THREE UNIT ATTACHED CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED IN THE R-3 ZONE AT 1829 CABRILLO AVENUE.

CUP06-00021: Dennis La Charite

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on January 17, 2007, to consider an application for a Conditional Use Permit filed by Dennis La Charite to allow the construction of a three-unit attached condominium development on property located in the R-3 Zone at 1829 Cabrillo Avenue; 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, in an urbanized area, duplexes and similar multi-family structures, totaling no more than six dwelling units is Categorically Exempted by the 2006 Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303(b); and

WHEREAS, the Planning Commission by the following roll call vote APPROVED CUP06-00021, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

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

- a) That the property under consideration is located at 1829 Cabrillo Avenue;

- b) That the property is described as Lot 6, Block 35, Torrance Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) The proposed, three-unit condominium development is conditionally permitted within the Limited Multiple Family Residential District (R-3 Zone), complies with all of the applicable provisions of this Division.
- d) The proposed use will not impair the integrity and character of the Limited Multiple Family Residential District (R-3 Zone) because the proposed three-unit, attached condominium development complies with the applicable standards of the R-3 zone, has a street facing orientation with craftsman-style porches and an uninterrupted front yard area.
- e) The subject site is physically suitable for the proposed, three-unit condominium development because the location of the units comply with the setback standards, sufficient private open space is provided that is directly accessible from each unit, adequate parking for each unit is provided including one space for guests, and access is provided along the alley, eliminating the need for a curb cut along Cabrillo Avenue.
- f) The three-unit attached condominium development will be compatible with existing and proposed future land uses within the Limited Multiple Family Residential District (R-3 Zone) and the general area in which the proposed condominium project is to be located because the area consists of a mix of quadraplexes, triplexes, and single-family residences.
- g) The proposed, three-unit attached condominium development will encourage and be consistent with the orderly development of the City as provided for in the General Plan because the proposed development increases the opportunities for home ownership and promotes a high-quality residential environment.
- h) The proposed, three-unit attached condominium development will not discourage the appropriate existing or planned future use of surrounding property because the multiple owner-occupied units further the goals of the General Plan, complies with all applicable development standards, and is compatible with the current development trends in the surrounding vicinity;
- i) There will be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed, three-unit attached condominium development is not detrimental to public health and safety;
- j) There will be adequate provisions for public access to serve the proposed, three-unit condominium development because a pedestrian access is provided along the north property line in addition to the vehicular access;
- k) The location, size, design, and operating characteristics of the three-unit condominium development would not be detrimental to the public interest, health, safety, convenience or welfare, or to the property of persons located in the area because the proposed condominium project provides all required off street parking, including guest parking. Furthermore, the plan provides the least disruption of street parking by utilizing alley access for the site;

- l) The proposed, three-unit attached condominium development will not produce any or all of the following results:
1. Damage or nuisance from noise, smoke, odor, dust or vibration,
 2. Hazard from explosion, contamination or fire,
 3. 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 CUP06-00021 filed by Dennis La Charite to allow the construction of a three-unit attached condominium project on property located in the R-3 zone at 1829 Cabrillo Avenue 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 three-unit attached residential condominium shall be subject to all conditions imposed in Planning Commission case CUP06-00021; 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 Planning 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 Planning 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 Planning Director for an additional period as provided for in Section 92.27.1;
3. That a copy of the Covenants, Conditions and Restrictions shall be submitted to the Community Development Director for approval by the City Attorney prior to the issuance of building permits to ensure that all conditions required by the Planning Commission to be included in the CC&R's are in fact properly included in the document and a copy of the document shall be submitted to the Community Development Department for placement in the permanent file; (Development Review)
4. That the Covenants, Conditions and Restrictions shall make a provision for a tie breaker in the event of a disagreement between the owners of the three condominiums; (Development Review)
5. That the Covenants, Conditions and Restrictions shall make provisions for reciprocal access and parking agreements for guest parking space; (Development Review)
6. That a Tenant Relocation Plan as provided for in Torrance Municipal Code Section 91.36.8, be prepared and a copy submitted to the Community Development Department, to the satisfaction of the Community Development Director, prior to the issuance of building permits; (Development Review)

7. That the proposed driveways and walkways be treated with high quality finishes such as stamped or color, to the satisfaction of the Community Development Department and that pervious paving material be used at the guest parking space location subject to the approval of the Community Development Department, prior to the issuance of building permits; (Development Review)
8. That the exterior color and material samples shall be submitted to the Community Development Department for approval prior to the issuance of any building permits; (Development Review)
9. That the property shall be graded to be within 2 feet of the grade of the adjacent properties; (Development Review)
10. 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; (Development Review)
11. That a detail of the perimeter and yard walls and gates shall be provided to the Community Development Director for approval to assure that there is one cohesive design and finishing or treatment to the satisfaction of the Community Development Director prior to the issuance of building permits; (Development Review)
12. That automatic electric roll-up garage doors shall be installed; (Development Review)
13. That the applicant provide a wheel stop and permanently label guest parking; (Environmental)
14. That the applicant provide four-inch address numerals at front and rear of property; (Environmental)
15. That the applicant shall provide a laundry area for Unit #1; (Environmental)
16. That the applicant shall indicate where trash containers for each unit will be stored. Each unit must have a bin for recyclable materials. Prior to final inspection, the applicant shall provide verification that the company contracted for trash pickup will also collect and separate recyclable materials; (Environmental)
17. That the applicant shall provide a noise attenuation plan to verify that the finished interior of each residence shall not exceed 45 dba. Noise, vibration and whistle from nearby railroad shall be accounted for within the study in addition to other potential sources; (Environmental)

18. That the applicant shall show the location of all electrical/mechanical equipment and method of screening and if possible, locate away from front setback. Approval of screening shall be subject to Community Development Department approval; (Environmental)
19. That ½ of the alley shall be designed and reconstructed with 8 foot wide A.C. and 4 foot P.C.C. center gutter along the width of property including appropriate transition work. The alley plan shall be prepared by a private engineer shall be approved prior to a grading permit; (Mapping and Permits)
20. That existing water service shall be abandoned at the main; (Mapping and Permits)
21. That new water meters shall be located on the project side of the alley; (Mapping and Permits)
22. That new water meters shall not be located in the driveway or in front of the garage; (Mapping and Permits)
23. That all conditions of all other City departments received prior to or during the consideration of this case by the Planning Commission shall be met.

Introduced, approved and adopted this 17th day of January 2007.

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 17th day of January 2007, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

PLANNING COMMISSION RESOLUTION NO. 07-006

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A DIVISION OF LOT FOR CONDOMINIUM PURPOSES ON PROPERTY LOCATED IN THE R-3 ZONE AT 1829 CABRILLO AVENUE

DIV06-00018: Dennis La Charite

WHEREAS, in an urbanized area, duplexes and similar multi-family structures, totaling no more than six dwelling units is Categorically Exempted by the 2006 Guidelines for¹ Implementation of the California Environmental Quality Act; Article 19, Section 15303(b); and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on January 17, 2007 filed by Dennis La Charite for the subdivision of one parcel for condominium purposes on property located in the R-3 zone at 1829 Cabrillo Avenue; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 2, Article 29 of the Torrance Municipal Code; and

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

- A) That properties for which this Division of Lot is approved are located at 1829 Cabrillo Avenue;
- B) That the property is described as Lot 6, Block 35, Torrance Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- C) That the proposed, three-unit residential condominium development is conditionally permitted in R-3 zone;
- D) That the 50 foot wide lot is consistent with the development pattern in the area and that the proposed condominium development is consistent with the R-3 zone;
- E) That the subdivision will not interfere with the orderly development of the City and will incorporate a high quality design;
- F) That the proposed Division of Lot, together with the provisions for its design and improvement, is consistent with the Medium Density Residential General Plan Designation; and

WHEREAS, the Planning Commission the Planning Commission by the following roll call vote APPROVED DIV06-00018, subject to conditions, by the following role call vote;

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that DIV06-00018, filed by Dennis La Charite for condominium purposes on property located in the R-3 zone at 1829 Cabrillo Avenue, on Lot 6, Block 35, Torrance Tract, 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 the proposed, three-unit condominium development shall be subject to all conditions imposed in DIV06-00018 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 Division of Lot DIV06-00018 is not used within two years after granting of the permit, it shall expire and become null and void unless extended by the Planning Director for an additional period as provided for in Section 92.29.13;
- 3) That ½ of the alley shall be designed and reconstructed with 8 foot wide A.C. and 4 foot P.C.C. center gutter along the width of property including appropriate transition work. The alley plan shall be prepared by a private engineer shall be approved prior to a grading permit; (Mapping and Permits)
- 4) That existing water service shall be abandoned at the main; (Mapping and Permits)
- 5) That new water meters shall be located on the project side of the alley; (Mapping and Permits)

- 6) That new water meters shall not be located in the driveway or in front of the garage; (Mapping and Permits)
- 7) That all conditions of all other City departments received prior to or during the consideration of this case by the Planning Commission shall be met.

Introduced, approved and adopted this 17th day of January 2007.

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 17th day of January 2007, by the following roll call vote:

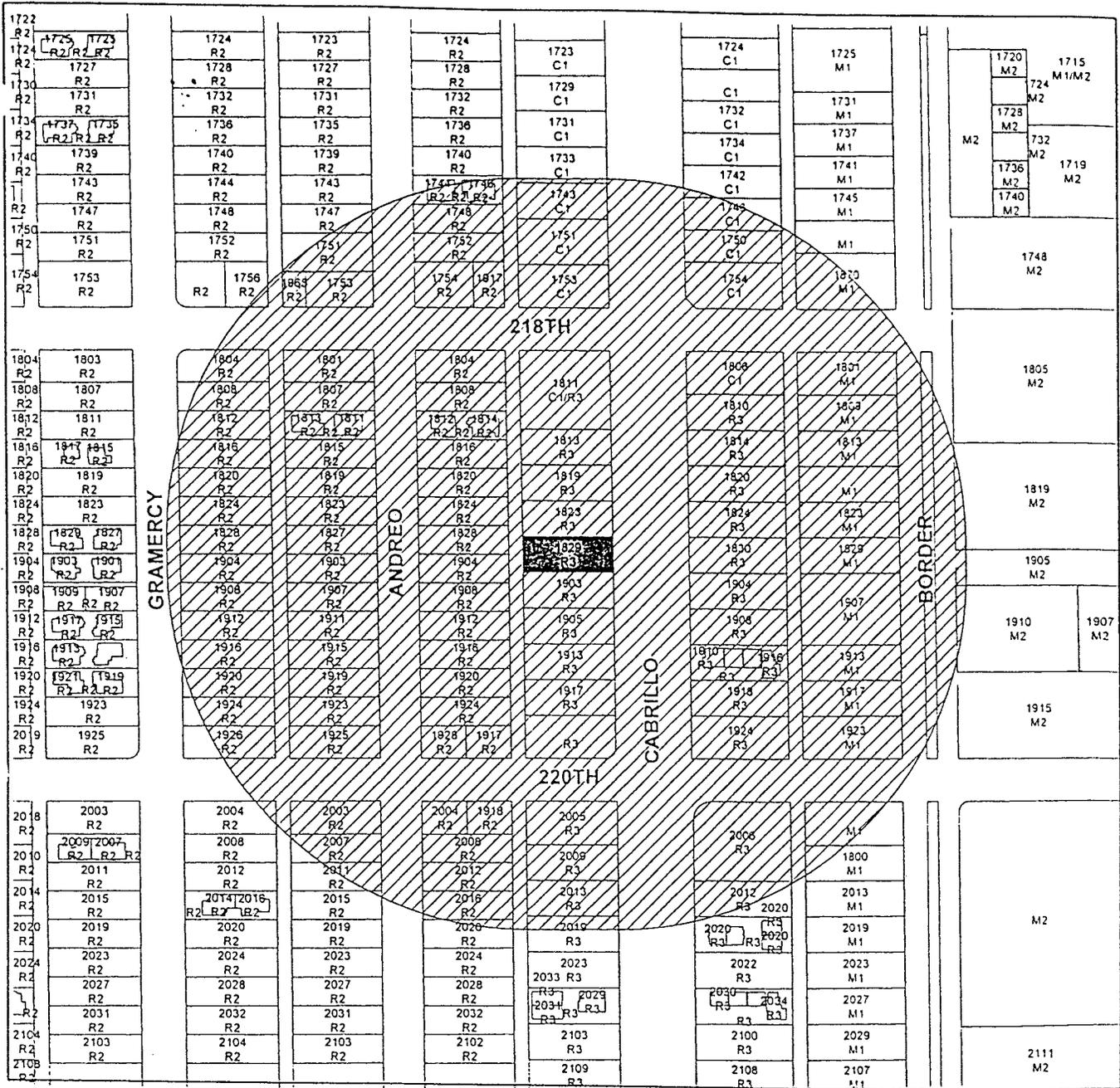
AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission



LOCATION AND ZONING MAP
 1829 Cabrillo Ave
 CUP06-00021
 DIV06-00018

LEGEND

- 1829 Cabrillo Ave
- 500 FT Notification Area

Prepared using City of Torrance Community Development Geographic Information System
 Jeffery W. Gibson, Community Development Director

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 herewith for information purposes only.

Building and Safety Department:

- Comply with State energy requirements.
- Provide a one-hour fire rated separation between units/tenants.
- Provide separate utilities to each unit.
- Provide underground utilities.
- Pre-wire each unit for cable television.
- Obtain demolition permit prior to the removal of any structure on site.

Environmental Division:

- The front yard of any property zoned for residential use shall not be more than 50%-paved (92.5.14).
- The property shall be landscaped prior to final inspection (92.21.9).
- Provide 200 cubic feet of storage area per unit in garage area (R-3) (93.5.11)

Grading Division:

- Obtain grading permit prior to issuance of building permit.
- Submit two copies of grading/drainage plan with soil investigation report. Show all existing and proposed grades, structures, required public improvements and any proposed drainage structures.

Permits and Mapping:

- A C&E Permit is required from the Community Development Department, Engineering Division for any work in the public right-of-way.
- Install a 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 Dept. at 310.781.6900 for information on the type and size of tree for your area.
- Provide separate meters for each individual dwelling unit.
- Reconstruct portions of curb and gutter to prevent water ponding, per City of Torrance Standards.
- For condominium units, Final Map must record prior to obtaining Occupancy Permits.
- All Parcel Maps are to be compiled from field survey data unless otherwise permitted by the Community Development Director.

- All physical improvements which are conditions of this planning case must be completed prior to recordation of the Final Parcel Map.
- Remove all existing structures prior to Final Map recordation.

ATTACHMENT F

PROOF OF PUBLICATION WILL BE FORTHCOMING

CUP06-00021 & DIV06-00018: DENNIS LA CHARITE

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 April 27, 2007, I caused to be mailed 117 copies of the within notification for CUP06-00021 and DIV06-00018 (DENNIS LA CHARITE) 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 April 27, 2007, at Torrance, California.

Adela M. Castro
(signature)

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

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., May 8, 2007, in the City Council Chambers of City Hall, 3031 Torrance Boulevard, Torrance, California, on the following matter:

CUP06-00021 and DIV06-00018, DENNIS LA CHARITE: City Council consideration of an appeal of a Planning Commission approval of a Conditional Use Permit to allow the construction of a three-unit condominium project in conjunction with a Division of Lot for condominium purposes, on property located in the R-3 zone at 1829 Cabrillo Avenue.

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

STEVE KAPLAN

ATTORNEY AT LAW

FACSIMILE COVER PAGE

DATE: May 17, 2007

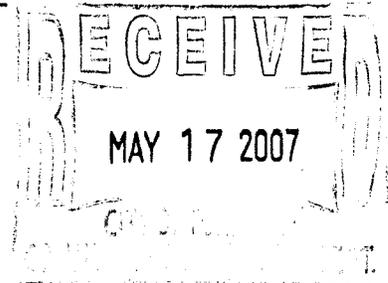
FROM: Steve Kaplan
Fax No. 310.545.0574

TO: Dan Santana
Senior Planning Associate
City of Torrance Planning Department

FAX NUMBER: 310.618.5829

RE: 1829 Cabrillo Avenue

PAGES: 3 (including cover sheet)

**MESSAGE:**

Dan,

Please find attached my letter to the City Council to be included in the materials for the appeal hearing on May 22.

Thanks for your help.

Best regards,
Steve Kaplan

STEVE KAPLAN

ATTORNEY AT LAW

May 17, 2007

City Council
 City of Torrance
 3031 Torrance Boulevard
 Torrance, CA 90503

Re: Appeal Hearing
 CUP06-00021 and DIV06-00018/Proposed 3-unit condominium development
 Property located at 1829 Cabrillo Avenue

Members of the City Council:

The undersigned represents Mr. Dennis La Charite, the applicant with reference to the entitlement applications captioned above.

As you are aware, the Planning Commission approval of the subject project has been appealed by Don Barnard, President of the Save Historic Old Torrance ("SHOT") organization. The basis of the appeal is that SHOT claims the structure to be demolished in the development of the site has significant historic value. Said claim is supported by a letter from Gordon A. Olschlager, AIA, a letter that, in the opinion of the undersigned, is lacking in probative detail justifying the historic significance of the existing duplex.

Please also be advised that at the public hearing of this matter on May 22nd, I shall submit a letter from Margarita J. Wuellner, Ph.D., Principal Architectural Historian for the environmental consulting firm of PCR Services Corporation that will take issue with the claim of historic significance for the 1829 Cabrillo Avenue property.

On Wednesday May 16th, my client met with Community Development Director Jeffery Gibson and other Planning Department staff members. Mr. La Charite was informed that it was staff's intention to recommend to the City Council that an initial environmental assessment be undertaken notwithstanding the fact that the construction of the project is categorically exempt from environmental review under CEQA guidelines.

On behalf of my client, request is hereby made to the City Council to conduct the public hearing scheduled for May 22nd so that the subject applications can be reviewed and approved on the merits of the proposed development. The Planning Commission approved the proposed project in January. Should the Council remand this matter back for further environmental investigation, the Planning Commission may not hold a public hearing on this matter again until August or September. Such a delay would be extremely detrimental and fundamentally unfair to my client.

1219 MORNINGSID DRIVE
 PHONE (310) 802.1230

SUITE 212
 FAX (310) 802.0060

MANHATTAN BEACH, CA 90266
 E-MAIL SIKREATTY@AOL.COM

May 17 '07 14:43 P.02

Fax: 3105450574

MBC

Torrance City Council
May 17, 2007
Page 2

SHOT has the right to seek approval from the City Council for the formation of a Historical Preservation Overlay Zone in the Old Torrance neighborhood. Such a zone would put property owners on notice of the limitations involved in the redevelopment of property in the affected zone. Claiming historic significance to individual properties on a case by case basis is, once again, fundamentally unfair to my client.

Thank you for your review of this material. I welcome the opportunity to present our position to the City Council next Tuesday evening.

Sincerely,

~~Steve Kaplan~~

cc: Jeffery Gibson, Community Development Director
Dan Santana, Senior Planning Associate
Dennis La Charite

