

Council Meeting of  
August 28, 2007

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

Members of the Council:

**SUBJECT: Community Development - City Council consideration of a resolution reflecting their decision to approve a Precise Plan of Development at 5108 Newton Street.**

**PRE06-00041: Najib & Nahla Al-Samarrai**

**Expenditure: None**

**RECOMMENDATION**

The Community Development Director recommends that the City Council adopt a Resolution reflecting their decision to approve a Precise Plan of Development (PRE06-00041) to allow the construction of first and second-story additions to an existing one-story single family residence on property located in the R-1 Zone in the Hillside Overlay District at 5108 Newton Street.

**Funding: Not applicable**

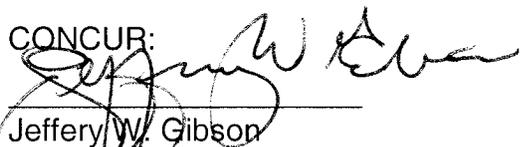
**BACKGROUND**

On August 21, 2007, the City Council considered a Precise Plan of Development to allow first and second story additions to an existing one-story single family residence. The City Council voted 4-3 to approve the proposed additions with conditions. As directed by the City Council a resolution of approval for the Precise Plan of Development has been provided for the City Council's consideration.

Respectfully submitted,

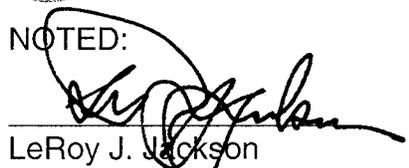
Jeffery W. Gibson  
Community Development Director

CONCUR:

  
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Jeffery W. Gibson  
Community Development Director

By   
\_\_\_\_\_  
Gregg D. Lodan, AICP  
Planning Manager

NOTED:

  
\_\_\_\_\_  
LeRoy J. Jackson  
City Manager

Attachments:  
A.) Resolution



**RESOLUTION NO. 2007**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF FIRST AND SECOND STORY ADDITIONS TO AN EXISTING ONE STORY SINGLE FAMILY RESIDENCE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 5108 NEWTON STREET.

**PRE06-00041: Najib & Nahla Al-Samarrai**

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**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on March 7, 2007, to consider an application for a Precise Plan of Development filed by Najib & Nahla Al-Samarrai to allow the construction of first and second story additions to an existing one story single family residence with a detached garage on property located in the Hillside Overlay District in the R-1 Zone at 5108 Newton Street; and

**WHEREAS**, the Planning Commission denied without prejudice the Precise Plan of Development request; and

**WHEREAS**, the Planning Commission denied the request for reconsideration; and

**WHEREAS**, the City Council of the City of Torrance conducted a public hearing on August 21, 2007, to consider an appeal of a Planning Commission denial without prejudice of a Precise Plan of Development filed by Najib & Nahla Al-Samarrai to allow the construction of first and second story additions to an existing one story single family residence with a detached garage on property located in the Hillside Overlay District in the R-1 Zone at 5108 Newton Street; 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**, Additions to existing structures provided that the addition will not result in an increase of more than 2,500 square feet to a single family residence in a residential zone is Categorically Exempted by the 2007 Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15301 (e)(1); and

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

- a) That the property is located at 5108 Newton Street.

- b) That the property is identified as Lot 216 of Tract 18249.
- c) That the proposed second story addition will not have an adverse impact upon the view, light, air and privacy of other properties in the vicinity because there are currently no views over the existing single story residence from the properties to north, south, east, and west.
- d) That the proposed additions have been located, planned and designed so as to cause the least intrusion on the views, light, air and privacy of other properties in the vicinity because the proposed additions have been located approximately 10 feet north of the southerly side property line.
- e) That the design provides an orderly and attractive development in harmony with other properties in the vicinity because the exterior design elements are in keeping with the architecture of the existing residence and the surrounding residences.
- f) That the design will not have a harmful impact upon the land values and investment of other properties in the vicinity because the exterior will be treated with high-quality finishes equal to those of surrounding residences.
- g) That granting such application would not be materially detrimental to the public welfare and to other properties in the vicinity because a single-family residence is an appropriate use for this property. The proposed addition will upgrade a residence built in 1954 and it is in compliance with the R-1 Zone and the Hillside Overlay District.
- h) That the proposed additions would not cause or result in an adverse cumulative impact on other properties in the vicinity because the proposed addition conforms to the Low-Density Residential Designation of the Land Use Element of the General Plan of the City of Torrance. Additionally, homes in the surrounding neighborhood have two stories.
- i) That it is not feasible to increase the size of or rearrange the space within the existing building or structure for the purposes intended except by increasing the height to 27 feet in order preserve the rear yard outdoor recreation space.
- j) That denial of such an application would result in an unreasonable hardship to the applicant because the proposed addition meets all code required setbacks, lot coverage and Floor Area Ratio.
- k) That granting the application would not be materially detrimental to the public welfare and to other properties in the vicinity because the proposed residence complies with all zoning development standards. The proposed residence will cause no additional hazards, including traffic or fire hazards and there are no anticipated view impacts on neighboring properties.

**NOW, THEREFORE, BE IT RESOLVED** that PRE06-00041, filed by Najib & Nahla Al-Samarrai to allow the construction of first and second story additions to an existing one-

story single family residence on property located in the Hillside Overlay District in the R-1 Zone at 5108 Newton Street, 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 single-family residence shall be subject to all conditions imposed in Precise Plan of Development 06-00041 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 Precise Plan of Development 06-00041 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 height of the residence at the highest point of the roof shall not exceed a height of 27 feet as represented by the elevation of 128.8 on the plans and a lowest adjacent grade of 101.8 based on a bench mark elevation of 100 located at the north westerly corner of the property as shown on the official survey map on file in the Community Development Department. The Silhouette Certification indicates the highest ridge is 128.8 and the lowest adjacent grade is 101.8 based on a benchmark elevation of 100 located at the north westerly corner of the property; (Development Review)
4. That the height of the structure shall be certified by a licensed surveyor/engineer prior to requesting a framing or roof-sheathing inspection and shall not exceed 27 feet based on the elevation of 128.8 as indicated on the plans and a lowest adjacent grade of 101.8 and based on the benchmark elevation of 100 as shown on the survey map on file in the Community Development Department; (Development Review)
5. That the within 30 days of the final public hearing, the applicant shall remove the silhouette of the proposed structure to the satisfaction of the Community Development Director; (Development Review)
6. That within 30 days of the final public hearing, the applicant shall remove the City's "Public Notice" sign to the satisfaction of the Community Development Director; (Development Review)
7. That 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)
8. That automatic roll-up doors shall be provided; (Development Review)

- 9. That the applicant shall indicate true north on the plans; (Development Review)
- 10. That the applicant shall provide four inch minimum contrasting address numerals for residential, condo, etc. uses; (Environmental)
- 11. That the attic space shall not exceed an area of 601 square feet to the satisfaction of the Community Development Director; (Development Review)
- 12. That the interior clear height of the attic space shall not exceed 6 foot four inches as represented on the plans; **(Added by City Council)**
- 13. That the pulldown stairwell to the attic be located in the hallway near the bedroom to the satisfaction of the Community Development Director; **(Added by City Council)**

Introduced, approved and adopted this 28th day of August, 2007.

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MAYOR, of the City of Torrance

ATTEST:

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City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By \_\_\_\_\_