

Council Meeting of
February 26, 2008

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

Members of the Council:

SUBJECT: Community Development – Consideration of Resolutions to approve a Conditional Use Permit and Tentative Tract Map to allow the development of an office condominium on property located in the C-1 Zone at 1104 Sartori Avenue.

CUP07-00024 & TTM-069717: Capellino and Associates (Mark and Rick Capellino)

Expenditure: None

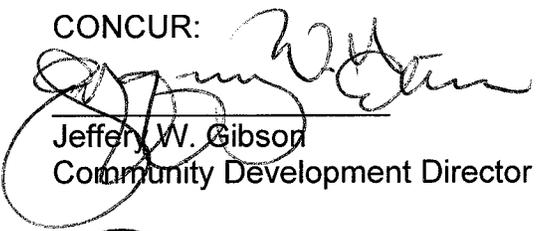
RECOMMENDATION

Recommendation of the Community Development Director that the City Council adopt Resolutions approving a Conditional Use Permit and Tentative Tract Map to allow the development of an office condominium on property located in the C-1 Zone at 1104 Sartori Avenue.

BACKGROUND

On December 11, 2007, the City Council considered an appeal of a Planning Commission's denial of a Conditional Use Permit and Tentative Tract Map to allow the development of an office condominium. The City Council voted 7-0 to approve the proposed development, with amended conditions. As directed by the City Council, resolutions of approval for the Conditional Use Permit and Tentative Tract Map have been provided for the City Council's consideration.

CONCUR:

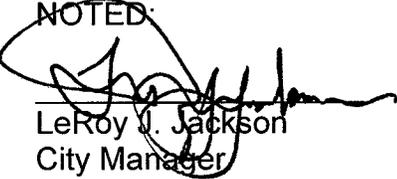


Jeffery W. Gibson
Community Development Director

Respectfully submitted,

Jeffery W. Gibson
Community Development Director

NOTED:



LeRoy J. Jackson
City Manager

By 

Gregg D. Lodan, AICP
Planning Manager

Attachments:
A. Resolutions

RESOLUTION NO. _____

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 AN OFFICE CONDOMINIUM COMPLEX ON PROPERTY LOCATED IN THE C-1 ZONE AT 1104 SARTORI AVENUE.

**CUP07-00024: CAPELLINO AND ASSOCIATES
(MARK AND RICK CAPELLINO)**

WHEREAS, the Planning Commission of the City of Torrance at its meeting of October 3, 2007, denied without prejudice Conditional Use Permit 07-00024 filed by Capellino and Associates (Mark and Rick Capellino) to allow the construction and operation of an office condominium development on property located in the C-1 Zone at 1104 Sartori 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 2 of the Torrance Municipal Code; and

WHEREAS, Projects characterized as in-fill development are categorically exempt under the California Environmental Quality Act, Section 15332. The project is characterized as in-fill development because it is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; and

WHEREAS, the City Council of the City of Torrance conducted a duly noticed public hearing on December 11, 2007, to consider CUP07-00024; and

NOW THEREFORE, THE CITY COUNCIL DOES HEREBY DETERMINE AS FOLLOWS:

- a) That property under consideration is located at 1104 Sartori Avenue;
- b) That the property is located on Lot 16, 17, 18 and 19 of Block 71 and a portion of S-31 of Torrance Tract as per map recorded in Book 7354, Page 021 and Lot 028 in the Office of the County Recorder County of Los Angeles, State of California;
- c) That the proposed use as an office condominium complex is conditionally permitted in the C-1 Zone and the proposal complies with all of the applicable provisions of the Torrance Municipal Code as conditioned and all conditions imposed on the property;
- d) That the proposed office condominium complex will not impair the integrity and

character of the zoning district because professional offices are allowed in the C-1 Zone and commercial condominium developments are conditionally allowed in the C-1 Zone;

- e) That the subject site is physically suitable for the type of land use being proposed, because the proposed building will be located closest to Sartori Avenue, allowing adequate parking to be located on site behind the building. One curb cut off of Engracia Avenue is proposed, which in combination with the alley located to the east will facilitate on site traffic circulation;
- f) That the proposed use will entirely replace the existing use, and therefore does not need to be compatible with any existing uses on site. The office condominium complex and the required parking will be the only uses on the site;
- g) That the proposed office condominium complex will be compatible with existing and future uses within the district, because there is currently a mix of uses including commercial, retail and multiple family residential on surrounding properties. Additionally, these properties are zoned for residential, commercial and manufacturing uses, which are compatible with an office complex;
- h) That the proposed use will encourage and be consistent with the orderly development of the City as provided for in the General Plan Commercial Center designation and the C-1 Zoning designation, as the uses are conditionally permitted in the Zone and consistent with the General Plan. Additionally, this use is compatible with the surrounding uses;
- i) That the proposed use will not discourage the appropriate existing or planned future use of surrounding property or tenancies, as an office complex is compatible with the existing surrounding uses and the uses allowed in the surrounding zoning designations;
- j) That there will be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed development is not detrimental to public health and safety;
- k) That there will be adequate provisions for public access to serve the proposed use, because this property can be accessed via Engracia Avenue, Sartori Avenue and a public alley to the north of the property;
- 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, because the proposal provides the required amount of parking and meets all development standards;
- m) That the proposed use 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 CUP07-00024 filed by Capellino and Associates (Mark and Rick Capellino) to allow the construction and operation of an office condominium development on property located in the C-1 Zone at 1104 Sartori Avenue on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to conditions:

1. That the development and use of the subject space as an office condominium complex shall be subject to all conditions imposed in City Council case CUP07-00024, 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 use shall be maintained in conformance with such maps, plans, drawings, specifications, applications or other documents, presented by the applicant to the Community Development Department, and upon which the City Council relied in granting approval; and
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 of time as provided for in Section 92.27.1;
3. 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; (Development Review)
4. That the applicant shall use clear glass on all of the proposed windows facing Sartori Avenue, to the satisfaction of the Community Development Director; (Development Review)
5. 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)
6. That the applicants shall work with staff in developing a revised parking plan that will accommodate the required back up distance and the required number of parking stalls; (Development Review)
7. That a detail of the perimeter and yard walls shall be provided to the Community Development Department and that solid block perimeter walls shall be used, subject to the approval of the Community Development Director, prior to the issuance of any building permits; (Development Review)

8. That an exterior lighting plan shall be submitted to the Community Development Department for approval, prior to the issuance of any building permits, to ensure that lighting is shielded from the abutting residential properties to the south east, to the satisfaction of the Community Development Director; (Development Review)
9. That the back flow preventer shall be placed toward the easterly portion of the lot and screened by landscaping, to the satisfaction of the Community Development Director; (Development Review)
10. That the applicant shall provide a sign program to address signage at the site. Signs will be reviewed, approved and permitted separately; (Environmental)
11. That the applicant shall provide graffiti proof window film or other protective covering on the lower level windows; (Environmental)
12. That the applicant shall provide a trellis or decorative top for each trash enclosure area. Within the trash enclosure area, provide for the storage and pick-up of recyclable materials. At final inspection, provide verification that the waste hauler will collect the recyclables; (Environmental)
13. That the applicant shall evidence that this use will comply with the Torrance Noise Ordinance. Obtain a professional noise consultant to verify that after construction the interior noise level of the offices shall comply with code. Noise from the railroad, traffic and nearby industrial and commercial uses should be evaluated in the study, as well as noise and vibration from the elevators. Noise levels leaving this site shall not exceed 60 decibels during the day and 55 at night when measured at the property line; (Environmental)
14. That the lights from this development shall not create a nuisance for neighboring residential and commercial uses; (Environmental)
15. That the applicant shall provide nine inch (minimum) contrasting address numerals for non-residential uses; (Environmental)
16. 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 the satisfaction of the Community Development Director; (Environmental)
17. That the applicant shall provide a commercial radius type driveway with depressed back of walk and wheelchair ramps shall be constructed on Engracia Avenue; (Engineering)
18. That the owner or developer of the site shall design and construct $\frac{1}{2}$ the public alley with 8 foot A.C. pavement and 4 foot P.C.C. center gutter along the width of property including alley apron an appropriate transition work. The street plan, prepared by a professional engineer, shall be approved the City prior to issuance of grading permit. Construction of the alley is required prior to occupancy. Contact the Engineering

Division of the Community Development Department for information on the approximate scope of this requirement; (Engineering)

19. That storm water shall be collected and treated on-site and discharged through the curb to the street or the alley; (Engineering)
20. That the applicant shall abandon all unused water service at the main; (Engineering Water)
21. That all water service shall be taken from the main in Engracia Avenue; (Engineering Water)
22. That the applicant shall upgrade the existing overhead-fed street light pole and street light/utility system to an underground-fed street light/utility system complete with new marbelite pole for the pole on Engracia Avenue; (Transportation)
23. That the proposed project shall provide a three foot one inch side yard setback and a five foot one inch rear yard setback at the south east corner of the property; (AMENDED BY CITY COUNCIL)
24. That the proposed project shall provide a pre-cast concrete breezeway, finished with smooth stucco and painted to match the trim of the building, near the center of the building, from Sartori Avenue through to the rear parking lot area; (AMENDED BY CITY COUNCIL)
25. That the proposed project shall incorporate triangular shaped metal awnings; (AMENDED BY CITY COUNCIL)
26. That the proposed building exterior shall provide planter boxes and ornamental/sculpted railings under windows in a staggered pattern; and (AMENDED BY CITY COUNCIL)
27. That the proposed building shall incorporate the originally proposed veneer treatment on the lower portion of the façade. (AMENDED BY CITY COUNCIL)

Introduced, approved and adopted this 26th day of February 2008.

ATTEST:

Mayor of the City of Torrance

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By _____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A TENTATIVE TRACT MAP AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 29 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE MERGER OF FOUR UNDERLYING LOTS, THE SUBSEQUENT SUBDIVISION FOR CONDOMINIUM PURPOSES AND THE ABANDONMENT OF A PORTION OF SARTORI AVENUE ON PROPERTY LOCATED IN THE C-1 ZONE AT 1104 SARTORI AVENUE.

**TTM069717: CAPELLINO AND ASSOCIATES
(MARK AND RICK CAPELLINO)**

WHEREAS, the Planning Commission of the City of Torrance at its meeting of October 3rd, 2007, denied without prejudice Tentative Tract Map 069717 filed by Capellino and Associates (Mark and Rick Capellino) to allow the merger of four underlying lots, the subsequent subdivision for condominium purposes and the abandonment of a portion of Sartori Avenue on property located in the C-1 Zone at 1104 Sartori 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, construction of a four unit office condominium complex is categorically Exempt by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15332; and

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

WHEREAS, the City Council of the City of Torrance conducted a duly noticed public hearing on December 11, 2007 to consider TTM069717; and

NOW THEREFORE, THE CITY COUNCIL DOES HEREBY DETERMINE AS FOLLOWS:

- a) That the property under consideration is located at 1104 Sartori Avenue; That the property is located on Lot 16, 17, 18 and 19 of Block 71 and a portion of S-31 of Torrance Tract as per map recorded in Book 7354, Page 021 and Lot 028 in the Office of the County Recorder County of Los Angeles, State of California;
- b) That the proposed development conforms to the zoning of the subject property;

- c) That the subdivision will not interfere with the orderly development of the City and will be compatible with the existing neighborhood;
- d) That the proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan;

NOW, THEREFORE, BE IT RESOLVED that TTM069717, filed by Capellino Associates (Mark and Rick Capellino) to allow the merger of four underlying lots, the subdivision for condominium purposes, and the abandonment of a portion of Sartori Avenue on property located in the C-1 Zone at 1104 Sartori 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 four unit office condominium complex shall be subject to all conditions imposed in City Council case TTM069717 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 City Council relied in granting approval;
2. That if this Tentative Tract 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;

Introduced, approved and adopted this 26th day of February 2008.

Mayor of the City of Torrance

ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By _____