

Council Meeting of
March 25, 2008

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

Members of the Council:

SUBJECT: Community Development – Consideration of Resolutions to deny two Conditional Use Permits to allow the construction of two new detached condominium units on each parcel in conjunction with a Division of Lot for condominium purposes on properties located in the R-3 Zone at 18923 Patronella Avenue and 3531 190th Street.

CUP07-00018, CUP07-00019, DIV07-00012: Mustapha Riad

Expenditure: None

RECOMMENDATION

Recommendation of the Community Development Director that the City Council adopt Resolutions reflecting their decision to deny two Conditional Use Permits to allow the construction of two new detached condominium units on each parcel in conjunction with a Division of Lot for condominium purposes on properties located in the R-3 Zone at 18923 Patronella Avenue and 3531 190th Street.

BACKGROUND

On February 26, 2008, the City Council considered an appeal of a Planning Commission's approval of two Conditional Use Permits to allow the construction of two new detached condominium units on each parcel in conjunction with a Division of Lot for condominium purposes. The City Council voted 5-0, with two Councilmembers absent, to deny the proposed development. As directed by the City Council, Resolutions of denial for the Conditional Use Permits and Division of Lot 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 
fa Gregg D. Logan, AICP
Planning Manager

Attachments:

A. Resolutions

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING 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 TWO-UNIT CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED IN THE R-3 ZONE AT 18923 PATRONELLA AVENUE.

CUP07-00018: MUSTAPHA RIAD (RIAD ITANI)

WHEREAS, On September 5, 2007, the Planning Commission of the City of Torrance conducted a public hearing and approved an application for a Conditional Use Permit (CUP07-00018) filed by Mustapha Riad (Riad Itani) to allow the construction of a two-unit condominium development on property located in the R-3 Zone at 18923 Patronella Avenue; and

WHEREAS, On September 20, 2007, Marjorie and Robert Ruth filed an appeal for consideration of the Planning Commission's approval of the request to allow the construction of a two-unit condominium development on property located at 18923 Patronella Avenue; and

WHEREAS, On February 26, 2008, the City Council of the City of Torrance conducted a public hearing of an appeal of the Planning Commission's approval of a Conditional Use Permit to allow the construction of a two-unit condominium development on property located at 18923 Patronella Avenue; and

WHEREAS, the construction of two dwelling units is categorically exempted by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303 (b); 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, the City Council of the City of Torrance does hereby find and determine as follows:

- a) That the property under consideration is located at 18923 Patronella Avenue;
- b) That the property is located on Lot 63 of Tract 17838 as per map recorded in Parcel Map Book 4089, Page 022 and Parcel Number 002 in the Office of the County recorder County of Los Angeles, State of California;

- c) The subject site is not physically suitable for the proposed, two-unit condominium development as on site circulation to required parking may potentially be constrained;
- d) The proposed two-unit condominium development will not be compatible with existing land uses within the general area in which the proposed condominium project is to be located because the design, placement, and orientation of the units is not in harmony with the neighborhood;
- e) The proposed two-unit condominium development will not encourage and be consistent with the existing uses of surrounding properties because the proposed density could potentially exacerbate traffic and parking issues in the immediate area;
- f) The location, size, design, and operating characteristics of the two-unit condominium development may be detrimental to the public interest, health, safety, convenience or welfare, or to the property of persons located in the area.

NOW, THEREFORE, BE IT RESOLVED that CUP07-00018 filed by Mustapha Riad (Riad Itani) to allow the construction of a two-unit condominium project on property located in the R-3 Zone at 18923 Patronella Avenue on file in the Community Development Department of the City of Torrance, is hereby DENIED.

Introduced, approved and adopted this 25th day of March 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 _____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING 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 TWO-UNIT CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED IN THE R-3 ZONE AT 3531 190TH STREET.

CUP07-00019: MUSTAPHA RIAD (RIAD ITANI)

WHEREAS, On September 5, 2007, the Planning Commission of the City of Torrance conducted a public hearing and approved an application for a Conditional Use Permit (CUP07-00019) filed by Mustapha Riad (Riad Itani) to allow the construction of a two-unit condominium development on property located in the R-3 Zone at 3531 190th Street; and

WHEREAS, On September 20, 2007, Marjorie and Robert Ruth filed an appeal for consideration of the Planning Commission's approval of the request to allow the construction of a two-unit condominium development on property located at 3531 190th Street; and

WHEREAS, On February 26, 2008, the City Council of the City of Torrance conducted a public hearing of an appeal of the Planning Commission's approval of a Conditional Use Permit to allow the construction of a two-unit condominium development on property located at 3531 190th Street; and

WHEREAS, the construction of two dwelling units is categorically exempted by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303 (b); 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, the City Council of the City of Torrance does hereby find and determine as follows:

- a) That the property under consideration is located at 3531 190th Street;
- b) That the property is located on Lot 62 of Tract 17838 as per map recorded in Parcel Map Book 4089, Page 022 and Parcel Number 001 in the Office of the County recorder County of Los Angeles, State of California;

- c) The subject site is not physically suitable for the proposed, two-unit condominium development as on site circulation to required parking may potentially be constrained;
- d) The proposed two-unit condominium development will not be compatible with existing land uses within the general area in which the proposed condominium project is to be located because the design, placement, and orientation of the units is not in harmony with the neighborhood;
- e) The proposed two-unit condominium development will not encourage and be consistent with the existing uses of surrounding properties because the proposed density could potentially exacerbate traffic and parking issues in the immediate area;
- f) The location, size, design, and operating characteristics of the two-unit condominium development may be detrimental to the public interest, health, safety, convenience or welfare, or to the property of persons located in the area.

NOW, THEREFORE, BE IT RESOLVED that CUP07-00019 filed by Mustapha Riad (Riad Itani) to allow the construction of a two-unit condominium project on property located in the R-3 Zone at 3531 190th Street on file in the Community Development Department of the City of Torrance, is hereby DENIED.

Introduced, approved and adopted this 25th day of March 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 _____

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING A DIVISION OF LOT AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 29 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A SUBDIVISION FOR CONDOMINIUM PURPOSES ON PROPERTIES LOCATED IN THE THE R-3 ZONE AT 18923 PATRONELLA AVENUE AND 3531 190TH STREET.

DIV07-00012: MUSTAPHA RIAD (RIAD ITANI)

WHEREAS, On September 5, 2007, the Planning Commission of the City of Torrance conducted a public hearing and approved an application for a Division of Lot (DIV07-00012) filed by Mustapha Riad (Riad Itani) to allow a subdivision for condominium purpose on properties located in the R-3 Zone at 18923 Patronella Avenue and 3531 190th Street; and

WHEREAS, On September 20, 2007, Marjorie and Robert Ruth filed an appeal for consideration of the Planning Commission's approval of the request to allow a subdivision for condominium purpose on properties located at 18923 Patronella Avenue and 3531 190th Street; and

WHEREAS, On February 26, 2008, the City Council of the City of Torrance conducted a public hearing of an appeal of the Planning Commission's approval of a Division of Lot to allow a subdivision for condominium purpose on properties located in the R-3 Zone at 18923 Patronella Avenue and 3531 190th Street; 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, due and legal publication of notice was given to owners of property within a 500 foot radius 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 City Council of the City of Torrance does hereby find and determine as follows:

- a) That the properties under consideration are located at 18923 Patronella Avenue and 3531 190th Street;
- b) That the subject properties are located in Lots 63 and 62 of Tract 17838 as per map recorded in Parcel Map Book 4089, Page 022 and Parcel Numbers 002 and 001 in the Office of the County recorder County of Los Angeles, State of California;
- c) That the proposed subdivision is not consistent with the development pattern in the area and the proposed two-unit condominium development is not compatible with the surrounding area.

NOW, THEREFORE, BE IT RESOLVED that DIV07-00012, filed by Mustapha Riad (Riad Itani) to allow two lots to be subdivided for a four-unit condominium project on properties located in the R-3 Zone at 18923 Patronella Avenue and 3531 190th Street on file in the Community Development Department of the City of Torrance, is hereby DENIED.

Introduced, approved and adopted this 25th day of March 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 _____