

Council Meeting of
July 8, 2008

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

Members of the Council:

SUBJECT: Community Development - Consider resolutions reflecting City Council's decision to approve a Conditional Use Permit in conjunction with a Tentative Tract Map at 2319 Apple Avenue.

CUP07-00031 & TTM68939 – Pine Meadows, LLC

Expenditure: None

RECOMMENDATION

Recommendation of the Community Development Director that the City Council adopt resolutions reflecting their decision to approve a Conditional Use Permit to allow the construction of a new six-unit condominium project in conjunction with a Tentative Tract Map for condominium purposes on property located in the R-3 Zone at 2319 Apple Avenue.

Funding: Not applicable

BACKGROUND

On June 24, 2008, the City Council considered a Conditional Use Permit for a new six-unit condominium project in conjunction with a Tentative Tract Map for condominium purposes. The City Council voted 6-1 to approve the proposed project with 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.

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

RESOLUTION NO. 2008

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 A NEW SIX-UNIT CONDOMINIUM PROJECT ON PROPERTY LOCATED IN THE R-3 ZONE AT 2319 APPLE AVENUE.

CUP07-00031: PINE MEADOWS, LLC

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on February 6th, 2008, to consider an application for a Conditional Use Permit filed by Pine Meadows, LLC to allow a new six-unit condominium project over two stories in height and FAR of 0.64 on property located in the R-3 Zone at 2319 Apple Avenue; and

WHEREAS, the Planning Commission of the City of Torrance continued the matter to March 5, 2008; and

WHEREAS, the Planning Commission denied without prejudice the Conditional Use Permit request on March 5, 2008; and

WHEREAS, the City Council of the City of Torrance conducted a public hearing on June 24th, 2008, to consider an application for a Conditional Use Permit filed by Pine Meadows, LLC to allow a new six-unit condominium project on property located in the R-3 Zone at 2319 Apple 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, infill developments under five acres are categorically exempted by the Guidelines for Implementation of the California Environmental Quality Act; Section 15332; 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 2319 Apple Avenue;
- b) That the property is described as Assessor Parcel #7359-016-007 and 7359-016-008;
- c) The proposed six-unit condominium development is conditionally permitted within the Multiple-family Residential District (R-3 Zone), and substantially complies with all of the applicable provisions of this Division;
- d) The proposed use will not impair the integrity and character of the Multiple-family Residential District (R-3 Zone) because multiple-unit developments are common in the subject property's neighborhood;

- e) The subject site is physically suitable for the proposed six-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, and adequate parking for each unit is provided;
- f) The six-unit condominium development will be compatible with existing and proposed future land uses within the Multiple-family Residential District (R-3 Zone) because the proposed development further implements the goals of the R-3 Zone;
- g) The proposed six-unit condominium development will be compatible with existing and proposed future land uses within the zoning district and the general area because the surrounding properties are zoned for Multiple-Family Residential use (R-3 Zone) and there are multiple-family residential projects in the surrounding area;
- h) The proposed, six-unit condominium development will encourage and be consistent with the orderly development of the City as the General Plan land use designation is Medium Density Residential and the proposed density is consistent in this designation;
- i) The proposed, six-unit 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, comply with applicable development standards in terms of FAR, height, setbacks, parking and open space, and are compatible with the current development trends in the similar zoned properties throughout the City;
- j) There will be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed, six-unit condominium development is not detrimental to public health and safety;
- k) There will be adequate provisions for public access to serve the proposed, six-unit condominium development because a pedestrian walkway is provided along the southerly and westerly property lines to access the rear units;
- l) The location, size, design, and operating characteristics of the six-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 and conforms to all setbacks;
- m) The proposed, six-unit 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 CUP07-00031, filed by Pine Meadows, LLC to allow the construction of a new six-unit condominium project on property in the R-3 Zone at 2319 Apple Avenue, is hereby APPROVED subject to the following conditions:

1. That the use of the subject property for a six-unit condominium development shall be subject to all conditions imposed in Conditional Use Permit CUP07-00031 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 Conditional Use Permit CUP07-00031 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 for 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 condominiums; (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 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)
7. That a detail of the perimeter and patio 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)
8. That the trash enclosure shall provide a solid roll-up door(s) and decorative trellis to the satisfaction of the Community Development Director; (Development Review)
9. That the driveways and pedestrian walkways shall include sections of decorative/stamped concrete or other materials and that a detail of the driveway shall be submitted to the Community Development Department for approval prior to the issuance of building permits; (Development Review)
10. That the applicant shall show the location of all electrical/mechanical equipment located on the property and the method of screening to the satisfaction of the Community

Development Director. Equipment can not be located within the front setback areas; (Development Review)

11. That an exterior lighting plan shall be submitted to the Community Development Department for approval prior to the issuance of any building permits; (Development Review)
12. That within 30 days of the final public hearing, the applicant shall remove the City's "Public Notice" sign (provided there is no appeal) to the satisfaction of the Community Development Director; (Development Review)
13. It shall be prohibited for any persons on public or private property to hold and/or move or twirl signs for the advertisement of this development; (Environmental)
14. Permanently label and provide wheel stops in all guest parking spaces; (Environmental)
15. That the applicant shall provide a noise attenuation report done by a professional noise consultant which verifies that the finished interior of each living unit will not be more than 45dba. The report should consider any exterior noise sources that may affect the dwelling, in this case such as traffic, the railroad and the train whistle. If noise measures require that windows be closed, mechanical ventilation with minimum of 15cfm of fresh air per occupant will be required; (Environmental)
16. That the storage compartments in garages must begin 4'6" above the finished floor and cannot project more than 3 feet into the parking area; (Environmental)
17. That the trash enclosure shall provide a trellis or decorative top and area for recyclables; (Environmental)
18. That a location shall be designed for real estate signs to the satisfaction of the Environmental Division; (Environmental)
19. That the applicant shall upgrade the existing overhead-serviced street light system to an underground-serviced street lighting system, complete with a new marbelite pole to the satisfaction of the Community Development Director; (Transportation)
20. That the applicant shall extend the water main across a portion of the property frontage to accommodate new meters and blow off device; (Engineering)
21. That the applicant shall perform flow test and provide calculations to determine capability of public water system to supply the project; (Engineering)
22. That the applicant shall record a "Lot Tie Agreement" providing that multiple lots underlying this property shall not be sold, leased, or financed separately. The lot-tie agreement shall be recorded prior to granting of any building permits and map shall record prior to occupancy; (Engineering)
23. That separate sewer laterals shall be provided for each building; (Engineering)
24. That on-site drainage shall be collected within the lot and drain through the curb to the public street; (Engineering)

25. That the applicant shall submit a hydrology study to determine required height of driveway ridge to be extended along the property frontage to prevent public storm water from entering depressed driveway/garage. Approval of study is required prior to grading plan approval; (Engineering)

Introduced, approved and adopted this 1st day of July, 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. 2008

A RESOLUTION OF THE PLANNING COMMISSION 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 A SUBDIVISION FOR CONDOMINIUM PURPOSES ON PROPERTY LOCATED IN THE R-3 ZONE AT 2319 APPLE AVENUE.

TTM68939: PINE MEADOWS, LLC

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on February 6th, 2008, to consider an application for a Tentative Tract Map Permit filed by Pine Meadows, LLC to allow a subdivision for condominium purposes on property located in the R-3 Zone at 2319 Apple Avenue; and

WHEREAS, the Planning Commission of the City of Torrance continued the matter to March 5, 2008; and

WHEREAS, the Planning Commission denied without prejudice the Tentative Tract Map Permit request on March 5, 2008; and

WHEREAS, the City Council of the City of Torrance conducted a public hearing on June 24th, 2008, to consider an application for a Tentative Tract Map Permit filed by Pine Meadows, LLC to allow a subdivision for condominium purposes on property located in the R-3 Zone at 2319 Apple 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, infill developments under five acres are categorically exempted by the Guidelines for Implementation of the California Environmental Quality Act; Section 15332; and

WHEREAS, the above described 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 does hereby find and determine as follows:

- a) That the property under consideration is located at 2319 Apple Avenue;
- b) That the property is described as Assessor Parcel #7359-016-007 and 7359-016-008;
- c) The proposed six-unit condominium development is conditionally permitted within the Multiple-family Residential District (R-3 Zone), and substantially complies with all of the applicable provisions of this Division;
- d) The subdivision will not interfere with the orderly development of the City and will be substantially compatible with existing residential developments;

e) 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 TTM68939 filed by Pine Meadows, LLC to allow a subdivision for condominium purposes on property located in the R-3 Zone at 2319 Apple Avenue on file in the Community Development Department of the City of Torrance, is APPROVED subject to the following conditions:

1. That the use of the subject property for a six-unit condominium development shall be subject to all conditions imposed in TTM68939 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 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;
3. That the applicant shall comply with all conditions of CUP07-00031;
4. That all conditions of 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 1st day of July 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 _____