

Council Meeting of
January 13, 2009

SUPPLEMENTAL #2 TO ITEM 13A

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

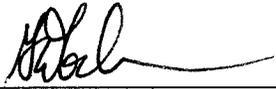
Members of the Council:

**SUBJECT: SUPPLEMENTAL #2 TO COUNCIL AGENDA ITEM 13A
EAS08-00003, CUP08-00015, DIV08-00006, DVP08-00002, & WAV08-
00005: CBB ARCHITECTS (RAJU CHHABRIA)**

Staff has provided revised Resolutions correcting typographical errors brought to staff's attention.

Respectfully submitted,

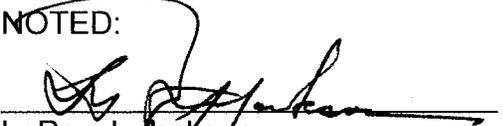
JEFFERY W. GIBSON
COMMUNITY DEVELOPMENT DIRECTOR

By 

Gregg D. Lodan, AICP
Planning Manager

CONCUR:


Jeffery W. Gibson
Community Development Director

NOTED:


LeRoy J. Jackson
City Manager

Attachments:
A. Revised 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 THE CONSTRUCTION AND OPERATION OF A COMMERCIAL CENTER ON PROPERTIES LOCATED IN THE HBCSP-PCH ZONE AT 3720 AND 3744 PACIFIC COAST HIGHWAY, AND APN 7534-001-901.

CUP08-00015: CBB ARCHITECTS (RAJU CHHABRIA)

WHEREAS, the environmental impacts of the construction of a commercial center were analyzed in an Initial Study (referenced as EAS08-00003); and

WHEREAS, the Planning Commission of the City of Torrance held a duly noticed public hearing on November 19, 2008 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission of the City of Torrance at its meeting of November 19, 2008 adopted a Negative Declaration; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on November 19, 2008, to consider an application for a Conditional Use Permit filed by CBB Architects (Raju Chhabria) to allow the construction and operation of a commercial center on property located in the HBCSP-PCH Zone at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901; and

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

WHEREAS, the City Council of the City of Torrance conducted a public hearing on January 13, 2009, to consider an application for a Conditional Use Permit filed by CBB Architects (Raju Chhabria) to allow the construction and operation of a commercial center on property located in the HBCSP-PCH Zone at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901; 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, the City Council of the City of Torrance does hereby find and determine as follows:

- a) That the properties under consideration are located at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901;
- b) That the properties under consideration are described as parts of Lot 32 of the Meadow Park Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;

- c) That there is no evidence that the project will have any potential for adverse effect upon fish and wildlife resources and their habitats and therefore such environmental effect is de minimis;
- d) That the proposed commercial center with food service uses is conditionally permitted in the H-PCH 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;
- e) That the proposed commercial center will not impair the integrity and character of the zoning district because commercial centers with retail and office uses are allowed in the H-PCH Zone and commercial centers with food service uses are conditionally allowed in H-PCH Zone;
- f) That the subject site is physically suitable for the type of land use being proposed because the proposed commercial center meets required parking and the proposed circulation enhancement and project layout will help improve traffic flow for the intersection;
- g) That the proposed commercial center will be compatible with existing and future uses within the district because there is currently a mix of uses including commercial, retail, office, and residential on surrounding properties;
- 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 H-PCH Zoning designation as the uses are either permitted or conditionally permitted in the Zone and are consistent with the General Plan;
- i) That the proposed uses will not discourage the appropriate existing or planned future use of surrounding property or tenancies as a commercial center with retail, office, and food service uses is compatible with the existing surrounding uses and uses allowed in the surrounding commercial 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 Pacific Coast Highway and 242nd Street;
- 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;
- 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;
- n) That adequate parking is provided for the proposed uses on site.

NOW, THEREFORE, BE IT RESOLVED that CUP08-00015 filed by CBB Architects (Raju Chhabria) to allow the construction and operation of a commercial center on property located in the HBCSP-PCH Zone at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901, on file in the Community Development Department of the City of Torrance, is hereby approved subject to the following conditions:

1. That the development and use of the subject space as a commercial center shall be subject to all conditions imposed in Conditional Use Permit 08-00015 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 Planning Commission relied in granting approval;
2. That if this Conditional Use Permit 08-00015 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 92.27.2;
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 trash enclosures shall be provided with solid roll-up door(s) and decorative trellis tops to the satisfaction of the Community Development Director; (Development Review)
5. That exterior color and material samples incorporating the design themes of the District shall be submitted to the Community Development Department for approval prior to the issuance of any building permits; (Development Review)
6. That the applicants continue to work with staff in implementing other aspects of green building during site preparation, both shell and interior construction, and materials selection to the satisfaction of the Community Development Director; (Development Review)
7. That the applicants shall provide a plan with specifications for locations, design and type of outdoor seating such that it will remain consistent throughout the site and shall not be restricted to the single use of individual tenants to the satisfaction of the Community Development Director; (Development Review)
8. That outdoor seating intended for an individual tenant shall not exceed a total of 400 square feet; (Development Review)

9. That the hours of operation shall be limited to 11:00pm Mondays through Saturdays, and until 10:00pm on Sundays; (Development Review)
10. That all persons associated with the operation of the center shall be required to park within the subterranean parking garage; (Development Review)
11. That all loading and unloading activities for the center shall be required to take place on site and shall be prohibited along any right-of-ways; (Development Review)
12. That an exterior lighting plan incorporating the design themes of the District shall be submitted to the Community Development Department for approval prior to the issuance of any building permits to ensure adequate lighting for exterior doorways, stairwells, parking spaces, and pedestrian walkways, and to ensure that lighting is shielded from the abutting residential properties to the south and southeast to the satisfaction of the Community Development Director; (Police and Development Review)
13. That security cameras shall be installed for underground parking structure, outside stairwells, and doorways; (Police and Development Review)
14. That adequate lighting shall be provided for underground parking structure for emergency response; (Police and Development Review)
15. That door alarms shall be installed for building entries and exits; (Police and Development Review)
16. That a retractable security gate shall be installed for the underground parking structure to prohibit unauthorized after hours entry; (Police and Development Review)
17. 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)
18. That the site shall comply with Regional Water Quality Control Board low impact design requirements; (Public Works)
19. That roof drains shall drain to landscaped detention areas; (Public Works)
20. That the central parking lot shall drain to vegetated swale along Pacific Coast Highway; (Public Works)
21. That the applicants shall provide a comprehensive sign program for this location. No businesses at this location shall be allowed to use sign twirlers or persons holding signs for advertisement. Also, prohibited signs shall include: all temporary freestanding signs or those placed in the ground; A-frame or sandwich board signs; signs attached to utility poles, trees, or light poles; and temporary signs placed on vehicles; (Environmental)
22. That outside storage of materials or display of merchandise may be allowed only with approval of a Temporary Parking Lot Event Permit from the Community Development Department; (Environmental)

23. That the applicants shall provide for the storage and pick-up of recyclable materials. Prior to final inspection, provide verification that the waste hauler will collect the recyclables; (Environmental)
24. That the applicants shall provide a noise attenuation study done by a professional noise consultant to verify that this project will comply with the Torrance Noise Ordinance. The study should identify and mitigate noise from this use which could create a nuisance to neighboring properties. Noise between uses and from the parking garage to uses on site must be evaluated. Noise from movement of vehicles through the parking garage, screeching tires, radios, and alarms must be mitigated. Noise levels should be predicted for ten years after building permit application; (Environmental)
25. That the applicants shall show the location of all electrical/mechanical equipment and method of screening. Approval of screening shall be subject to the satisfaction of the Community Development Director; (Environmental)
26. That the applicant shall underground overhead utilities along the property perimeter along Pacific Coast Highway, 242nd Street and Hawthorne Boulevard, and install an underground-serviced marbelite pole street lighting system along the property perimeter along Pacific Coast Highway, 242nd Street and Hawthorne Boulevard to the satisfaction of the Community Development Director; (Transportation Planning)
27. That the applicants shall comply with the City's Transportation Demand Management Ordinance; (Transportation Planning)
28. That the driveway access on Pacific Coast Highway shall be restricted to right-turn in and right-turn out only; (Transportation Planning)
29. That the contractors shall coordinate with the appropriate utility companies to relocate power poles, telephone poles, switch boxes, utility vaults, and utility boxes for construction of street improvements in public right-of-way; (Engineering)
30. That the existing catch basins along Pacific Coast Highway, Hawthorne Boulevard, and 242nd Street shall be relocated to the new curb alignment; (Engineering)
31. That PCC pavement shall be installed in the roadway widening area on Hawthorne Boulevard; (Engineering)
32. That a hydrology study shall be submitted by the applicants and approved by the Community Development Department, Engineering Division, specifying the required driveway hike up at the property line to prevent public storm water from entering subterranean garage. Approval of study is required prior to grading plan approval; (Engineering)
33. That on-site drainage shall be collected within the lot and drain through the curb; (Engineering)
34. That there shall be a ten foot long level area for the driveway to the subterranean garage behind the sidewalk to allow for pedestrian sight distance; (Engineering)
35. That all proposed and/or existing meters over two inches and double detector check/reduce pressure backflow assemblies shall be above ground on private property

adjacent to public right-of-way. Final location and access shall be approved by the Community Development Director and incorporated into the on-site landscaping plan approved by the Community Development Department prior to building permit; (Engineering)

36. That the applicants shall perform fire hydrant flow test for water main in 242nd Street that determines the capability of the public water system to supply the project; (Engineering)
37. That connections for domestic and/or fire water shall not be taken from 16 inch transmission main in Pacific Coast Highway; (Engineering)
38. That water meters shall not be located in parking spaces or driveways; (Engineering)
39. That unused water services shall be abandoned at the man; (Engineering)
40. That fire hydrants along Pacific Coast Highway frontage shall be abandoned; (Engineering)
41. That new hydrants shall be installed along Pacific Coast Highway frontage to current standards (Engineering)
42. That a minimum 30 foot wide commercial radius type driveway with depressed back of walk and wheelchair ramps shall be constructed per City of Torrance Standards on Pacific Coast Highway; (Engineering)
43. That a lot-tie agreement shall be recorded 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 parcel map shall record prior to occupancy; and (Engineering)
44. 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.
45. That the curb design on the southwest portion of the property be modified to the satisfaction of the Community Development Director; (Development Review)
46. That the applicant shall design and construct a median along Hawthorne Boulevard at 242nd Street to connect the existing berm with the existing island south of 242nd Street, to City Standards, to the satisfaction of the Community Development Director; (Transportation Planning)
47. That the applicant shall remove the marked crosswalk on Hawthorne Boulevard at 242nd Street and modify and remove any conflicting striping; and (Transportation Planning)

48. That the applicant shall dedicate, design and construct a northbound right-turn lane from northbound Hawthorne Boulevard to eastbound Pacific Coast Highway in accordance with City Standards, to the satisfaction of the Community Development Director. (Transportation Planning)

Introduced, approved and adopted this 13th day of January, 2009.

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 CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A DIVISION OF LOT AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 29 OF THE TORRANCE MUNICIPAL CODE TO MERGE THREE PARCELS INTO ONE ON PROPERTIES LOCATED IN THE HBCSP-PCH ZONE AT 3720 AND 3744 PACIFIC COAST HIGHWAY, AND APN 7534-001-901.

DIV08-00006: CBB ARCHITECTS (RAJU CHHABRIA)

WHEREAS, the environmental impacts of construction of a commercial center were analyzed in an Initial Study (referenced as EAS08-00003); and

WHEREAS, the Planning Commission of the City of Torrance held a duly noticed public hearing on November 19, 2008 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission of the City of Torrance at its meeting of November 19, 2008 adopted a Negative Declaration; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on November 19, 2008, to consider an application for a Division of Lot filed by CBB Architects (Raju Chhabria) to merge three parcels into one on property located in the HBCSP-PCH Zone at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901; and

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

WHEREAS, the City Council of the City of Torrance conducted a public hearing on January 13, 2009, to consider an application for a Division of Lot filed by CBB Architects (Raju Chhabria) to merge three parcels into one on property located in the HBCSP-PCH Zone at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901; 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, the City Council of the City of Torrance does hereby find and determine as follows:

- a) That the properties under consideration are located at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901;
- b) That the properties under consideration are described as parts of Lot 32 of the Meadow Park Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That there is no evidence that the project will have any potential for adverse effect upon fish and wildlife resources and their habitats and therefore such environmental effect is de minimis;
- d) That the proposed development conforms to the zoning of the subject property;

- e) That the reversion of acreage will not interfere with the orderly development of the City and will be compatible with the surrounding area;
- f) That the proposed reversion of acreage, together with the provisions for its design and improvement, is consistent with the City's General Plan.

NOW, THEREFORE, BE IT RESOLVED that DIV08-00006, filed by Division of Lot filed by CBB Architects (Raju Chhabria) to merge three parcels into one on property located in the HBCSP-PCH Zone at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901, on file in the Community Development Department of the City of Torrance, is hereby approved subject to the following conditions:

1. That the subdivision of the subject property shall be subject to all conditions imposed in Division of Lot 08-00006 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 Division of Lot 08-00006 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 92.27.1; and
3. That the applicants shall comply with all conditions of CUP08-00015.

Introduced, approved and adopted this 13th day of January, 2009.

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 CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A DEVELOPMENT PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 45 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION AND OPERATION OF A COMMERCIAL CENTER ON PROPERTIES LOCATED IN THE HBCSP-PCH ZONE AT 3720 AND 3744 PACIFIC COAST HIGHWAY, AND APN 7534-001-901.

DVP08-00002: CBB ARCHITECTS (RAJU CHHABRIA)

WHEREAS, the environmental impacts of construction of a commercial center were analyzed in an Initial Study (referenced as EAS08-00003); and

WHEREAS, the Planning Commission of the City of Torrance held a duly noticed public hearing on November 19, 2008 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission of the City of Torrance at its meeting of November 19, 2008 adopted a Negative Declaration; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on November 19, 2008, to consider an application for a Development Permit filed by CBB Architects (Raju Chhabria) to allow the construction and operation of a commercial center on property located in the HBCSP-PCH Zone at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901; and

WHEREAS, the Planning Commission of the City of Torrance approved the Development Permit request; and

WHEREAS, the City Council of the City of Torrance conducted a public hearing on January 13, 2009, to consider an application for a Development Permit filed by CBB Architects (Raju Chhabria) to allow the construction and operation of a commercial center on property located in the HBCSP-PCH Zone at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901; 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, the City Council of the City of Torrance does hereby find and determine as follows:

- a) That the properties under consideration are located at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901;
- b) That the properties under consideration are described as parts of Lot 32 of the Meadow Park Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;

- c) That there is no evidence that the project will have any potential for adverse effect upon fish and wildlife resources and their habitats and therefore such environmental effect is de minimis;
- d) That the proposed commercial center is consistent with the purpose and requirements of the Pacific Coast Highway Sub-district, complies with all applicable provisions of the Hawthorne Boulevard Corridor Specific Plan, and is consistent with the objectives, policies, and programs of the General Plan and with the land use designation of General Commercial;
- e) That the proposed project as conditioned, with the exception of the required street building setbacks, conforms with all applicable design and landscaping guidelines of the Hawthorne Boulevard Corridor Specific Plan;
- f) That the subject site is physically suitable for the type and intensity of development, and for the types of land uses being proposed;
- g) That by virtue of high quality design and construction, the proposed development will positively contribute to the orderly and harmonious development of the Hawthorne Boulevard Corridor and the general welfare of the City by increasing the taxable value of the property and sales tax return to the City;
- h) That traffic impacts have been mitigated, in whole or in part by the design of the on-site circulation system so as to minimize hazard and congestion, to facilitate on-site movements between adjacent properties, and to maximize opportunities for pedestrian and transit connections because the project incorporates circulation enhancements such as a dedicated right turn only lane, dedicated areas along both Hawthorne Boulevard and Pacific Coast Highway street frontages to improve traffic at the intersection, minimized potential conflict points at project driveways through strategic placements, and is situated in a location with existing mass transit service;
- i) That there are adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed development is not detrimental to public health and safety;
- j) That the proposed development is consistent with the objectives, policies, general land uses and programs of the Torrance General Plan because the project conforms to the Floor Area Ratio permitted by the General Plan designation of General Commercial;
- k) That the proposed development would not be detrimental to the public interest, health, safety, convenience or welfare because the project has been conditioned to restrict the hours of operation, employee parking, and loading/unloading activities so as to minimize potential points of conflict with surrounding residential areas; and
- l) The proposed development meets the requirements of the California Environmental Quality Act based on the Negative Declaration finding of the Initial Study, EAS08-00003.

NOW, THEREFORE, BE IT RESOLVED that DVP08-00002 filed by filed by CBB Architects (Raju Chhabria) to allow the construction and operation of a commercial center on property located in the HBCSP-PCH Zone at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901, on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the development and use of the subject property for a commercial center development shall be subject to all conditions imposed in Development Permit 08-00002; 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 Development Permit 08-00002 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; and
3. That the project shall comply with all conditions of CUP08-00015.

Introduced, approved and adopted this 13th day of January, 2009.

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 CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW LESS THAN THE MINIMUM BUILDING SETBACK REQUIREMENTS ON PROPERTIES LOCATED IN THE HBCSP-PCH ZONE AT 3720 AND 3744 PACIFIC COAST HIGHWAY, AND APN 7534-001-901.

WAV08-00005: CBB ARCHITECTS (RAJU CHHABRIA)

WHEREAS, the environmental impacts of construction of a commercial center were analyzed in an Initial Study (referenced as EAS08-00003); and

WHEREAS, the Planning Commission of the City of Torrance held a duly noticed public hearing on November 19, 2008 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission of the City of Torrance at its meeting of November 19, 2008 adopted a Negative Declaration; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on November 19, 2008, to consider an application for a a Waiver filed by CBB Architects (Raju Chhabria) to allow less than the minimum building setback requirements on property located in the HBCSP-PCH Zone at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901; and

WHEREAS, the Planning Commission of the City of Torrance approved the Waiver request; and

WHEREAS, the City Council of the City of Torrance conducted a public hearing on January 13, 2009, to consider an application for a Waiver filed by CBB Architects (Raju Chhabria) to allow less than the minimum building setback requirements on property located in the HBCSP-PCH Zone at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901; 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, the City Council of the City of Torrance does hereby find and determine as follows:

- a) That the properties under consideration are located at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901;
- b) That the properties under consideration are described as parts of Lot 32 of the Meadow Park Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;

- c) That there is no evidence that the project will have any potential for adverse effect upon fish and wildlife resources and their habitats and therefore such environmental effect is de minimis;
- d) The project is in compliance with both the H-PCH Zoning and General Commercial General Plan Designation for this site;
- e) That there are unreasonable difficulties resulting from strict enforcement of the minimum street setback requirements because the lot is oddly shaped and such enforcement will limit the applicant's ability to develop the property according to Code;
- f) That reducing the minimum building setback requirements will not be materially detrimental to the public welfare because the proposed commercial center meets the rest of the development standards for the H-PCH Zone and because the project will be compatible with the surrounding area;
- g) That reducing the minimum building setback requirements will not substantially interfere with the orderly development of the City because the proposed development meets the standards of the H-PCH Zone and enhances the value of the property and the surrounding area.

NOW, THEREFORE, BE IT RESOLVED that WAV08-00005 filed by CBB Architects (Raju Chhabria) to allow less than the minimum building setback requirements on property located in the HBCSP-PCH Zone at 3720 and 3744 Pacific Coast Highway, and APN 7534-001-901, on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the development and use of the subject property for a commercial center development shall be subject to all conditions imposed in Waiver 08-00005; 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 Waiver 08-00005 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; and

3. That the project shall shall comply with all conditions of CUP08-00015.
Introduced, approved and adopted this 13th day of January, 2009.

MAYOR, of the City of Torrance

ATTEST:

City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By _____