Council Meeting of
November 9, 2010

PUBLIC HEARING

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

Members of the Council:

SUBJECT: Community Development - Consider an administrative appeal of Planning Commission adoption of a Negative Declaration and approval of a Conditional Use Permit to allow the construction of an auxiliary building above an existing parking lot on a site with an existing church facility, a Variance to allow less than the required lot size and parking requirements, and a Waiver of the side and rear setback requirements on property located in the R-2 Zone at 4102 Hickman Drive.

EAS09-00002, CUP09-00005, VAR09-00002, WAV09-00006: Ion Cretu (Saints Archangels Michael & Gabriel Romanian Orthodox Church)

Expenditure: None

RECOMMENDATION

Recommendation of the Planning Commission that the City Council deny the appeal and take the following action on property located at 4102 Hickman Drive:

1. Adopt a Negative Declaration; and
2. Adopt Resolutions approving a Conditional Use Permit, Variance and Waiver.

Recommendation of the Community Development Director that the City Council uphold the appeal and take the following action on property located at 4102 Hickman Drive:

1. Adopt a Negative Declaration; and
2. Adopt Resolutions denying a Conditional Use Permit, Variance and Waiver.

Funding: Not applicable

BACKGROUND

The subject property is located on the south side of Hickman Drive, between Bailey Drive and Osage Avenue, in North Torrance. It is currently developed with a church building, constructed circa 1957, located towards the front of the property, with a surface parking lot

in the rear. Vacant land and a mixture of residential uses, including single family, duplexes, and multi-family, surround the project site. The project was first heard by the Planning Commission on August 5, 2009, when they adopted a Negative Declaration and continued the hearing indefinitely, to allow time for redesign. The applicant hired a new architectural firm, worked with Staff, and after various revisions, submitted revised plans on July 19, 2010. They returned to the Planning Commission on August 18, 2010, when the Conditional Use Permit and Waiver were approved by a unanimous vote of 7-0, including a motion recommending that the City Council approve the Variance. Variances may only be approved by the City Council and are automatically forwarded to this body for consideration; consequently, the entire project is brought before the City Council, including the Environmental Assessment.

Prior Hearings and Publications

A Notice of Public Review Period of a Proposed Negative Declaration was published in the newspaper on June 26, 2009, and 137 notices were mailed to property owners within a 500-foot radius. A Planning Commission Public Hearing was scheduled for August 5, 2009. On July 24, 2009, 137 notices were mailed to property owners within a 500-foot radius, the site was posted, and a legal advertisement was published in the newspaper. A second Planning Commission Hearing was scheduled for August 18, 2010. On August 6, 2010, 134 notices were mailed to property owners within a 500-foot radius, the site was posted, and a legal advertisement was published in the newspaper. A City Council Public Hearing was scheduled for November 9, 2010. On October 29, 2010, 165 notices were mailed to property owners within a 500-foot radius and to all Homeowner Associations in the City, the site was posted, and a legal advertisement was published in the newspaper.

Environmental Findings

The construction of an auxiliary church building is not categorically exempted, because the project requires approval of a Variance of the Zoning Code and a Waiver of the Development Standards.

The potential environmental impacts associated with the construction of an auxiliary church building have been assessed in an Initial Study, referenced as EAS09-00002. As the decision-making body relative to the proposed development, it is the City Council's role to review the information provided within the Initial Study, and determine the extent of potential environmental impacts. If, on the basis of the Initial Study and related public testimony, the City Council finds that there is no substantial evidence that the project will have a significant effect on the environment, the appropriate action would be to approve the Negative Declaration, prior to taking action on the project.

Based on the Initial Study prepared for the project, there is no substantial evidence that the project may have a significant effect on the environment, beyond the impacts previously identified and analyzed in the 2010 General Plan Environmental Impact Report. The 2010 General Plan EIR identified the potential unavoidable significant adverse impacts from long term development in the City. On the basis of the Initial Study, the Community Development Department recommends adoption of a Negative Declaration.

ANALYSIS

The applicant is requesting approval of a Conditional Use Permit to construct an auxiliary church building, totaling 2,506 square feet, in conjunction with an existing church use. The addition is proposed towards the rear of the property, is detached from the existing church building, and is elevated eight feet above grade, by a combination of support columns and shear walls, in order to preserve and maximize parking spaces on grade, below the addition. The new building will feature compatible building materials with the existing church building, including matching colors, stucco walls, cornerstones, simulated tile roofing, and use of arches on windows and between support columns. The proposed use would include a lunchroom for the congregation, after the church services have concluded, an activities room, library, office, restroom and small storage area.

The Torrance Municipal Code (TMC) parking requirement for churches is applied only to assembly areas. As the proposal will not enlarge or include any additional assembly areas, additional parking would not be required; however, because the project is considered a substantial improvement, the existing substandard parking would have to be brought into current compliance or receive approval of a parking Variance. Currently, the site has 15 parking spaces. Based on the revised floor plans, 25 parking spaces are required for the existing church use. With the reconfiguration of the parking lot, 18 parking spaces are proposed, six stalls short of the requirement. Inclusive of the 18 stalls, seven are proposed in a tandem configuration with valet service. A maximum of three compact stalls are permitted; however, five are proposed, in order to meet the backup requirements for the remainder of the stalls. However, Staff notes that one of the stalls falls short of the backup spacing. The TMC minimum lot size permitted for a church use is one acre (43,560 square feet) with a minimum lot width of 100 feet. The site's lot size is 0.27 acre (11,720 square feet) and the lot width is 60 feet. The parking deficits mentioned above and the substandard lot size and width require a Variance.

The TMC minimum setbacks for a church use are 20 feet on all sides. The project has provided 10 feet on the sides and 18 feet for the rear, with the rear stairs at 10 feet. Both the proposed sides and rear setbacks require a Waiver. The project's front yard setback is unchanged, at 23.5 feet, and the maximum building height is 23 feet, which both comply with the front setback and height development standards. The proposed FAR of the project is 0.38. A detailed analysis of the project is provided in the previous Staff Reports to the Planning Commission, see Attachment D.

The City Council may grant a Variance, if they find that there are practical difficulties or unnecessary hardships resulting from the strict enforcement of the Official Land Use Plan; *and* if the proposal will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof; *and* if it will not substantially interfere with the orderly development of the City as provided for in the Official Land Use Plan. The City Council may grant a Waiver, based also on the same criteria mentioned above for the Variance.

Staff worked with the applicant on various revisions, which would address the development standards and concerns raised during the first public hearing. While the

proposed plans do not meet all of the development standards, they are an improvement over the original project, and include the following enhancements: larger side and rear yard setbacks, removal of a balcony and freestanding elevator (elevator is now incorporated inside the addition), the structure features a more refined and compatible design with the existing church building, utilizing wider stuccoed shear walls and arches between columns (the original design was minimalistic), an increased distance from the parking stalls to the rear property line that abut apartments, three additional parking spaces, and with the inclusion of a valet service, many of Staff's parking concerns have been mitigated.

Despite the improved proposal, there are several static components that cannot be changed, and those include the substandard-sized lot and substandard lot width for church uses. Furthermore, as proposed, the project cannot meet the minimum side and rear setback requirements of 20 feet. Staff agrees that there are practical difficulties in the strict enforcement of these standards, as even the existing church building, as constructed, cannot meet these requirements. As a Variance is required for the parking and substandard lot size, Staff recommends that the City Council uphold the appeal and deny this project, without prejudice.

PLANNING COMMISSION RECOMMENDATION

On August 5, 2009, the Planning Commission reviewed the Environmental Assessment, Conditional Use Permit, Waiver and Variance requests. The applicant described the project, and the Commission entertained public comments regarding the Initial Study. As no one came forward, the Commission adopted the Negative Declaration by a unanimous vote of 7-0. Public comment proceeded with the project, and eight individuals spoke in favor of the project, one resident indicated concerns with privacy, because of the front facing windows, one property owner spoke in opposition of the project, stating that the site was being overdeveloped and that a church should have never been built on the lot. Three Commissioners stated that they would not support the project, due to the parking deficiencies. Discussion followed whether a continuance should be granted for redesign. One Commissioner stated that he would not support a continuance, because the project would automatically be forwarded to the City Council for approval of the Variance, and he believed that the applicant would have sufficient time to redesign the project in that time. Three Commissioners disagreed and favored continuing the meeting for redesign. The Planning Commission continued the hearing indefinitely, by a roll call vote of 5-2.

On August 18, 2010, the Planning Commission conducted a second public hearing. The applicant's two new architects spoke regarding the revisions, the applicant further spoke on the enhanced parking layout, four individuals spoke in favor of the project, and no one spoke in opposition. Three Commissioners stated that they would support the revised project, as the new parking arrangement was an improvement over the original design. The Planning Commission approved the Conditional Use Permit and Waiver and recommended approval of the Variance to the City Council, by a unanimous vote of 7-0. As Staff had recommended denial of the project, Resolutions were not prepared in favor of the project that evening.

At the Planning Commission meeting of September 15, 2010, the Planning Commission adopted the Conditional Use Permit and Waiver Resolutions by a unanimous vote of 6-0, absent one Commissioner.

PLANNING COMMISSION

By _____
Harvey Horwich, Chair

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. Resolutions
B. Negative Declaration
C. Location and Zoning Map
D. 09/15/10, 08/18/10 & 08/05/09, Planning Commission Resolutions, Minutes Excerpts, Agenda Items, Initial Study - Environmental Assessment, Notice of Completion, and Documents Submitted at Hearings
E. Recommended Conditions, If Approved
F. Proofs of Publication and Notification
G. Full Size Project Plans and Reduced Size with Colored Renderings (Existing Site Plan, Proposed Site Plan, Floor Plan, Roof Plan and Elevations (Limited Distribution)
H. Mayor's Script (Limited Distribution)

RESOLUTION NO. 2010-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, GRANTING AN ADMINISTRATIVE APPEAL AND DENYING WITHOUT PREJUDICE A CONDITIONAL USE PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 3 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF AN AUXILIARY BUILDING ABOVE AN EXISTING PARKING LOT ON A SITE WITH AN EXISTING CHURCH FACILITY ON PROPERTY LOCATED IN THE R-2 ZONE AT 4102 HICKMAN DRIVE.

CUP09-00005: ION CRETU
(SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)

WHEREAS, the environmental impacts of the construction of an auxiliary building elevated above the parking lot of an existing church facility were analyzed in an Initial Study (referenced as EAS09-00002); 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 Planning Commission held a duly noticed public hearing on August 5, 2009 to consider the environmental issues related to the project and to receive and consider public testimony; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009 adopted a Negative Declaration by a unanimous roll call vote of 7-0; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 5, 2009, to consider an application for a Conditional Use Permit filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of an existing church facility on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009, by a roll call vote of 5-2, continued the meeting indefinitely; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 18, 2010, to consider an application for a Conditional Use Permit filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of an existing church facility on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the Planning Commission of the City of Torrance at its meeting of August 18, 2010, approved Conditional Use Permit 09-00005 by a unanimous roll call vote of 7-0; and

WHEREAS, the Planning Commission of the City of Torrance at its meeting of August 18, 2010, recommended approval of a Variance to allow less than the required lot size and parking requirements (referenced as VAR09-00002) by a unanimous roll call vote of 7-0; and

WHEREAS, the City Council of the City of Torrance held a duly noticed public hearing on November 9, 2010, to consider an application for a Conditional Use Permit to allow the construction of an auxiliary building above the parking lot of an existing church facility on property located in the R-2 Zone at 4102 Hickman Drive, and to consider the environmental issues related to the project, and to receive and consider public testimony; and

WHEREAS, the City Council of the City of Torrance, at its meeting of November 9, 2010, adopted a Negative Declaration, and denied without prejudice Conditional Use Permit 09-00005; 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 4102 Hickman Drive;

b) That the property is described as a portion of Lot 22 of the Resurvey of the R.O. Hickman Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;

c) That the proposed construction of an auxiliary building above the parking lot of the existing church facility is conditionally permitted within the Two Family Residential District (R-2 Zone); however, this proposal does not comply with all of the applicable provisions, specifically, the lot size, parking requirements, and setback requirements;

d) That the proposed project may impair the integrity and character of the Two Family Residential District (R-2 Zone), because the proposed project does not meet the required development standards; and

e) That the subject site is not physically suitable for the proposed project, because the lot is substandard in area and width size, and the proposed project does not meet the required setbacks and parking requirements.

NOW, THEREFORE, BE IT RESOLVED that CUP09-00005, filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of an existing church facility on property located in the R-2 Zone at 4102 Hickman Drive, on file in the

Community Development Department of the City of Torrance, is hereby DENIED WITHOUT PREJUDICE.

Introduced, approved and adopted this 9th day of November 2010.

_____
MAYOR of the City of Torrance

ATTEST:

_____
City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN L. FELLOWS III, City Attorney

By_____

RESOLUTION NO. 2010-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A VARIANCE FROM THE PROVISIONS OF DIVISION 9, CHAPTER 4, ARTICLE 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW LESS THAN THE REQUIRED LOT SIZE AND PARKING REQUIREMENTS ON PROPERTY LOCATED IN THE R-2 ZONE AT 4102 HICKMAN DRIVE.

VAR09-00002: ION CRETU
(SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)

WHEREAS, the environmental impacts of the construction of an auxiliary building above the parking lot of an existing church facility were analyzed in an Initial Study (referenced as EAS09-00002); and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof, all in accordance with the provisions of Division 9, Chapter 4, Article 2 of the Torrance Municipal Code; and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 5, 2009 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009 adopted a Negative Declaration by a unanimous roll call vote of 7-0; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 5, 2009, to consider an application for a Variance filed by Ion Cretu to allow less than the required lot size and parking requirements for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009, by a roll call vote of 5-2, continued the meeting indefinitely; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 18, 2010, to consider an application for a Variance filed by Ion Cretu to allow less than the required lot size and parking requirements for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the Planning Commission of the City of Torrance at its meeting of August 18, 2010, recommended approval of a Variance to allow less than the required lot size and parking requirements (referenced as VAR09-00002) by a unanimous roll call vote of 7-0; and

WHEREAS, the City Council of the City of Torrance held a duly noticed public hearing on November 9, 2010, to consider an application for a Variance filed by Ion Cretu to allow less than the required lot size and parking requirements for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the City Council of the City of Torrance, at its meeting of November 9, 2010, denied without prejudice Variance 09-00002; and

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

A) That the property address is 4102 Hickman Drive;

B) That the property is described as a portion of Lot 22 of the Resurvey of the R.O. Hickman Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California; and

C) That the project will substantially interfere with the orderly development of the City as provided for in the Official Land Use Plan, because the proposed lot is substandard is area and width, and that the project does not meet the parking requirements regarding the number of parking spaces, sizing, backup spacing, and tandem configuration with valet service, which may impact the residential neighborhood.

NOW, THEREFORE, BE IT RESOLVED that VAR09-00002 filed by Ion Cretu to allow less than the required lot size and parking requirements for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive, on file in the Community Development Department of the City of Torrance, is hereby DENIED WITHOUT PREJUDICE.

Introduced, approved and adopted this 9th day of November 2010.

_____
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. 2010-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, GRANTING AN ADMINISTRATIVE APPEAL AND DENYING WITHOUT PREJUDICE A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW LESS THAN THE REQUIRED SIDE AND REAR SETBACKS FOR AN AUXILIARY CHURCH BUILDING ON PROPERTY LOCATED IN THE R-2 ZONE AT 4102 HICKMAN DRIVE.

WAV09-00006: ION CRETU
(SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)

WHEREAS, the environmental impacts of the construction of an auxiliary building above the parking lot of an existing church facility were analyzed in an Initial Study (referenced as EAS09-00002); and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof, all in accordance with the provisions of Division 9, Chapter 4, Article 2 of the Torrance Municipal Code; and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 5, 2009 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009 adopted a Negative Declaration by a unanimous roll call vote of 7-0; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 5, 2009, to consider an application for a Waiver filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009, by a roll call vote of 5-2, continued the meeting indefinitely; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 18, 2010, to consider an application for a Waiver filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the Planning Commission of the City of Torrance at its meeting of August 18, 2010, approved Waiver 09-00006 by a unanimous roll call vote of 7-0; and

WHEREAS, the Planning Commission of the City of Torrance at its meeting of August 18, 2010, recommended approval of a Variance to allow less than the required lot size and parking requirements (referenced as VAR09-00002) by a unanimous roll call vote of 7-0; and

WHEREAS, the City Council of the City of Torrance held a duly noticed public hearing on November 9, 2010, to consider an application for a Waiver filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the City Council of the City of Torrance, at its meeting of November 9, 2010, denied without prejudice Waiver 09-00006; and

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

A) That the property address is 4102 Hickman Drive;

B) That the property is described as a portion of Lot 22 of the Resurvey of the R.O. Hickman Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California; and

C) That the proposed project may be materially detrimental to the public welfare or to the property of others located in the vicinity, because it does not meet the required side and rear setbacks.

NOW, THEREFORE, BE IT RESOLVED that WAV09-00006 filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive, on file in the Community Development Department of the City of Torrance, is hereby DENIED WITHOUT PREJUDICE.

Introduced, approved and adopted this 9th day of November 2010.

_____
MAYOR of the City of Torrance

ATTEST:

_____
City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN L. FELLOWS III, City Attorney

By_____

Negative Declaration

Project Title: Saints Archangels Michael & Gabriel Romanian Orthodox Church/ Ion Cretu
Initial Study, EAS09-00002 for
Conditional Use Permit, CUP09-00005
Variance, VAR09-00002
Waiver, WAV09-00006

Lead Agency Name and Address: City of Torrance
3031 Torrance Boulevard
Torrance, CA 90503

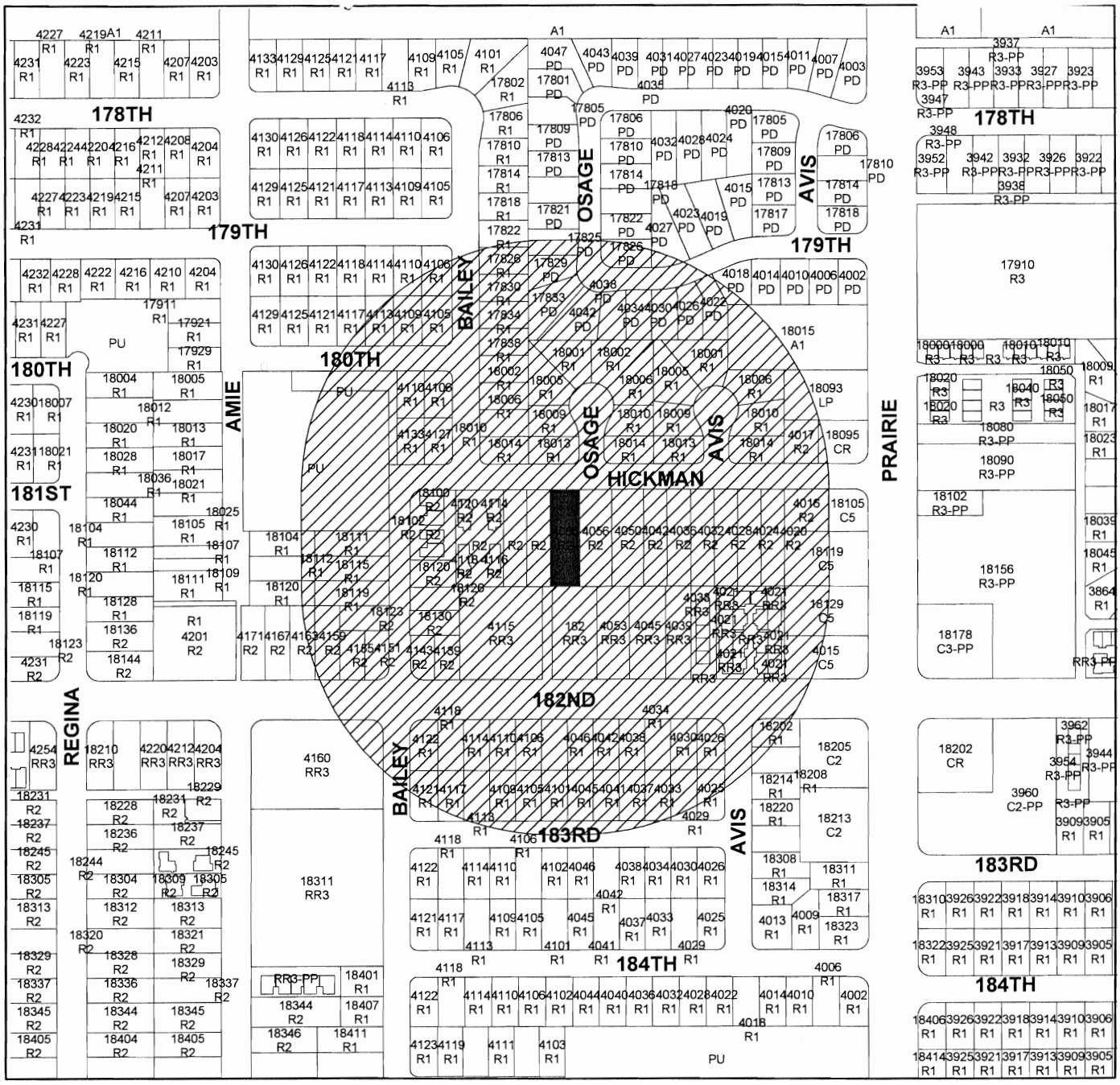
Contact Person and Phone Number: Gregg D. Lodan, AICP
Planning Manager
310.618.5990

Project Location: 4102 Hickman Drive, Torrance, CA 90504

Project Applicant's Name and Address: Ion Cretu
1267 Barry Avenue #9
Los Angeles, CA 90025

Project Description: This is a request to allow a series of entitlements to construct a 2,506 square foot auxiliary building (cafeteria, food handling room, library, activity room, office and storage area) above an existing parking lot, in conjunction with an existing church facility. The request includes a Conditional Use Permit to allow the addition, a Variance to allow less than the required lot size and parking requirements, and a Waiver of the side and rear setback requirements on property located in the R-2 Zone at 4102 Hickman Drive. The project does not meet the CEQA Categorical Exemption guidelines, due to the Variance and Waiver request.

Environmental Determination: Based on the Initial Study prepared for the project, there is no substantial evidence that the project may have a significant effect on the environment, beyond the impacts previously identified and analyzed in the 2010 General Plan Environmental Impact Report. The 2010 General Plan EIR identified the potential unavoidable significant adverse impacts from long term development in the City. On the basis of the Initial Study, the Community Development Department recommends adoption of a Negative Declaration.



LOCATION AND ZONING MAP

4102 Hickman Drive
CUP09-00005, WAV09-00006,
VAR09-00002, & EAS09-00002

TORRANCE COMMUNITY DEVELOPMENT GIS

LEGEND

4102 Hickman Drive

Notification Area

0 125 250 500 Feet

N W E S

Prepared using City of Torrance Community Development Geographic Information System
Jeffery W. Gibson, Community Development Director

PLANNING COMMISSION RESOLUTION NO. 09-038

A RESOLUTION OF THE PLANNING COMMISSION 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 OF AN AUXILIARY BUILDING ABOVE THE PARKING LOT OF THE EXISTING CHURCH FACILITY ON PROPERTY LOCATED IN THE R-2 ZONE AT 4102 HICKMAN DRIVE.

CUP09-00005: ION CRETU
(SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)

WHEREAS, the environmental impacts of the construction of an auxiliary building elevated above the parking lot of the existing church facility were analyzed in an Initial Study (referenced as EAS09-00002); and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 5, 2009 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009 adopted a Negative Declaration; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 5, 2009, to consider an application for a Conditional Use Permit filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of the existing church facility on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009, by a roll call vote of 5 - 2, continued the meeting indefinitely; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 18, 2010, to consider an application for a Conditional Use Permit filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of the existing church facility on property located in the R-2 Zone at 4102 Hickman Drive; 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 Planning Commission of the City of Torrance does hereby find and determine as follows:

a) That the property under consideration is located at 4102 Hickman Drive;

b) That the property is described as a portion of Lot 22 of the Resurvey of the R.O. Hickman Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;

c) That the existing church and the proposed construction of an auxiliary building above the parking lot of the existing church facility is conditionally permitted within the Two Family Residential District (R-2 Zone), and complies with most of the applicable provisions, except for the lot size, parking and setback requirements; however, the scale of the project is compatible with the surrounding residential neighborhood, the church is a cultural asset to the community, the use has been in occupancy over 50 years at this site, and the new parking arrangement would be an improvement over the existing situation;

d) That the proposed project will not impair the integrity and character of the Two Family Residential District (R-2 Zone), because the proposed project is conditionally permitted in said Zone and it complies with most of the development standards, except for the lot size, parking and setback requirements; however, the scale of the project is compatible with the surrounding residential neighborhood, the church is a cultural asset to the community, the use has been in occupancy over 50 years at this site, and the new parking arrangement would be an improvement over the existing situation;

e) That the subject site is physically suitable for the proposed project, because although the lot is substandard in area and width size, and the proposed project does not meet the required setbacks and parking requirements, the use has been in occupancy over 50 years at this site and the new parking arrangement would be an improvement over the existing situation;

f) That the proposed auxiliary building is compatible with the existing church land use presently on the subject property, because the project is proposed with the same exterior materials and general architectural elements of the existing church facility, no increase in occupancy is proposed, the occupancy of the auxiliary building shall take place after the church services have concluded, and will be occupied by the same members of the church;

g) That the proposed use shall be compatible with existing and proposed future land uses within the zoning district and the general area in which the proposed use is to be located, because the proposed use is conditionally permitted within the zoning district and the scale of the project is compatible with the surrounding residential neighborhood;

h) That the proposed use will encourage and be consistent with the orderly development of the City as provided for in the General Plan and any applicable Specific Plan or Redevelopment Plan, because the proposed use is conditionally

permitted in the zoning district, is subject to all special conditions of approval, and the scale of the project is compatible with the surrounding residential neighborhood;

i) That the proposed use will not discourage the appropriate existing or planned future use of surrounding property or tenancies, because the proposed use is conditionally permitted in the zoning district, is subject to all special conditions of approval, and the scale of the project is compatible with the surrounding residential neighborhood;

j) 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;

k) That there are adequate provisions for public access to serve the proposed use, because both the existing driveway and pedestrian walkways are being retained;

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 persons located in the area, because the project is subject to all special conditions of approval, including a valet parking service;

m) That the proposed use 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; and

n) That the proposed development meets the requirements of the California Environmental Quality Act.

WHEREAS, the Planning Commission by the following roll call vote APPROVED CUP09-00005, subject to conditions:

AYES:	COMMISSIONERS:	Browning, Busch, Gibson, Skoll, Uchima, Weideman, Chairperson Horwich
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	None
ABSTAIN:	COMMISSIONERS:	None

NOW, THEREFORE, BE IT RESOLVED that CUP09-00005 filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of the existing church facility on property located in the R-2 Zone at 4102 Hickman Drive 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 church auxiliary building shall be subject to all conditions imposed in Planning Commission case CUP09-00005; 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 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 as provided for in Section 92.27.1;

3. That the applicant shall provide a trash enclosure for the site that is bounded on three sides by walls of material compatible in color, texture and appearance with the main structure. The door must be constructed of solid, opaque material. The enclosure shall have a trellis or decorative top with a solid liner under it to prevent wind blown litter, dumping, and rainwater from infiltrating into the receptacle. Trash bins shall remain in the enclosures, with the lids closed, except during trash pickup; (Environmental)

4. That within the trash enclosure, the applicants shall provide bins for the storage of recyclable materials. Provide verification that the trash hauler will also collect recyclables; (Environmental)

5. That the operation of a primary school or day care shall be prohibited at this location; (Development Review)

6. That all activities shall be conducted within the building and shall not reduce the amount of available parking; (Development Review)

7. 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)

8. That a parking lot lighting plan shall be submitted prior to the issuance of any building permits; (Development Review)

9. That the storage trailer, currently located at the southeast corner of the parking lot, shall be removed prior to occupancy; (Development Review)

10. That the cafeteria and/or other rooms in the proposed addition shall not be leased or used by the general public, unless additional parking for these accessory uses has

been provided to the satisfaction of the Community Development Director; (Development Review)

11. That a parking lot layout plan, showing double-lined striped parking spaces, shall be submitted for approval to the satisfaction of the Community Development Director, prior to the issuance of any building permits; (Development Review)

12. That a detail of the support columns, showing the utility appurtenances for the addition, shall be provided for approval to the satisfaction of the Community Development Director, prior to the issuance of any building permits; (Development Review)

13. That all rooftop equipment shall be screened as an integral part of the structure's architecture to the satisfaction of the Community Development Director; (Development Review)

14. That outside storage of furniture, supplies or any other equipment shall not be permitted;` (Development Review)

15. That if a full kitchen is provided, the applicant shall obtain the necessary Los Angeles Health Department approvals; (Development Review) **MODIFIED BY PLANNING COMMISSION**

16. That color and material samples shall be submitted for approval by the Community Development Director, prior to the issuance of any building permits; (Development Review)

17. That within 30 days of the final public hearing, the applicants 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 final building plans shall reflect the correct area size for the addition wherever indicated; (Development Review)

19. That the hours of operation for the church and the addition are Sunday, 10:30 a.m. to 2:30 p.m., occasional Saturdays (baptisms, weddings, or memorial services), 11:00 a.m. to 1:00 p.m. or 4:00 p.m. to 6:00 p.m., Christmas Day and New Year's Day, 10:30 a.m. to 2:30 p.m., and the three days before Easter, Thursday and Friday, 7:00 p.m. to 9:00 p.m., Saturday, midnight Resurrection service; (Development Review)

20. That the hours of operation for the Sunday School classroom shall be the same as the church operation, and that a maximum of ten children, five to ten years of age, shall be allowed, and that no nursery component has been requested; (Development Review)

21. That a valet service shall be provided during the hours of operation; (Development Review)

22. That non-trespassing lighting for evening hours shall be installed in the enclosed parking lot; (Police)

23. That surveillance cameras shall be installed in the parking lot; (Police)

24. That the parking lot entry shall be restricted after hours; (Police)

25. That one lagerstroemia indica (Crape Myrtle) tree (15-gallon size) shall be planted every 50' of the project lot width with two lodge pole pine stakes/straps; and (Public Works – Streetscape)

26. 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.

Introduced and approved this 18th day of August 2010.

Harvey Honovich

Chairperson, Torrance Planning Commission

ATTEST:

for: Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Gregg D. Lodan, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 15th day of September 2010, by the following roll call vote:

AYES:	COMMISSIONERS:	Browning, Busch, Skoll, Uchima, Weideman, Chairperson Horwich
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	Gibson
ABSTAIN:	COMMISSIONERS:	None

For: Secretary, Torrance Planning Commission

PLANNING COMMISSION RESOLUTION NO. 09-039

A RESOLUTION OF THE PLANNING COMMISSION 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 REQUIRED SIDE AND REAR SETBACKS FOR AN AUXILIARY CHURCH BUILDING ON PROPERTY LOCATED IN THE R-2 ZONE AT 4102 HICKMAN DRIVE.

WAV09-00006: ION CRETU
(SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)

WHEREAS, the environmental impacts of the construction of an auxiliary building above the parking lot of the existing church facility were analyzed in an Initial Study (referenced as EAS09-00002); and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 5, 2009 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009 adopted a Negative Declaration; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 5, 2009, to consider an application for a Waiver filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009, by a roll call vote of 5 - 2, continued the meeting indefinitely; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 18, 2010, to consider an application for a Waiver filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof, all in accordance with the provisions of Division 9, Chapter 4, Article 2 of the Torrance Municipal Code; and

WHEREAS, The Planning Commission of the City of Torrance does hereby find and determine as follows:

A) That the property address is 4102 Hickman Drive;

B) That the property is described as a portion of Lot 22 of the Resurvey of the R.O. Hickman Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;

C) That unreasonable difficulties will result from the strict enforcement of the side and rear setback requirements, because the existing church facility has been located on this site for over 50 years, and the lot is a substandard size lot for a church use;

D) That the proposed project will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof, because the scale of the project is compatible with the surrounding residential neighborhood, the church is a cultural asset to the community, the use has been in occupancy over 50 years at this site, and the new parking arrangement would be an improvement over the existing situation; and

E) That the proposed project will not substantially interfere with the orderly development of the City as provided for in this Division, because the use is conditionally permitted in the zoning district, and is subject to all special conditions.

WHEREAS, the Planning Commission by the following roll call vote APPROVED WAV09-00006, subject to conditions:

AYES:	COMMISSIONERS:	Browning, Busch, Gibson, Skoll, Uchima, Weideman and Chairperson Horwich
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	None
ABSTAIN:	COMMISSIONERS:	None

NOW, THEREFORE, BE IT RESOLVED that WAV09-00006 filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive, is hereby APPROVED, subject to the following conditions:

1. That the use of the subject property for a church shall be subject to all conditions imposed in Waiver 09-00006 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 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 Waiver 09-00006 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 applicants shall comply with all the conditions of CUP09-00005.

Introduced and approved this 18th day of August 2010.

Chairperson, Torrance Planning Commission

ATTEST:

For: Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Gregg D. Lodan, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 15th day of September 2010, by the following roll call vote:

AYES:	COMMISSIONERS:	Browning, Busch, Skoll, Uchima, Weideman, Chairperson Horwich
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	Gibson
ABSTAIN:	COMMISSIONERS:	None

For: Secretary, Torrance Planning Commission

EXCERPT OF MINUTES

√ **Minutes Approved**
~~☐ Minutes Subject to Approval~~

September 15, 2010

MINUTES OF A REGULAR MEETING OF THE TORRANCE PLANNING COMMISSION

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:00 p.m. on Wednesday, September 15, 2010 in City Council Chambers at Torrance City Hall.

3. ROLL CALL

Present: Commissioners Browning, Busch, Skoll, Uchima, Weideman and Chairperson Horwich.

Absent: Commissioner Gibson.

Also Present: Planning Manager Lodan, Planning Assistant Yumul, Plans Examiner Noh, Associate Civil Engineer Symons, Fire Marshal Kazandjian and Assistant City Attorney Sullivan.

MOTION: Commissioner Browning moved to grant Commissioner Gibson an excused absence from the meeting. The motion was seconded by Commissioner Uchima and passed by unanimous voice vote.

12. RESOLUTIONS

12A. CUP09-00005, VAR09-00002, WAV09-00006 (EAS09-00002): ION CRETU/ SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH

Planning Commission adoption of Resolutions reflecting their decision to approve a Conditional Use Permit to allow the construction of an auxiliary building above the parking lot of the existing church facility, a Variance to allow less than the required lot size and parking requirements, and a Waiver of the side and rear setback requirements on property located in the R-2 Zone at 4102 Hickman Drive.

Planning Assistant Yumul read aloud the number and title of Planning Commissioner Resolution Nos. 10-038 and 10-039.

MOTION: Commissioner Busch moved for the adoption of Planning Commission Resolution Nos. 10-038 and 10-039. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Commissioner Gibson).

###

AGENDA ITEM NO. 12A

TO: Members of the Planning Commission

FROM: Development Review Division

DATE: September 15, 2010

SUBJECT: CUP09-00005, VAR09-00002, WAV09-00006 (EAS09-00002): Ion Cretu (Saints Archangels Michael & Gabriel Romanian Orthodox Church)

LOCATION: 4102 Hickman Drive

A public hearing was conducted, at the Planning Commission Meeting of August 18, 2010, for the consideration of a proposed Conditional Use Permit to allow the construction of an auxiliary building above the parking lot of the existing church facility, a Variance to allow less than the required lot size and parking requirements, and a Waiver of the side and rear setback requirements. At that meeting, a motion for Approval of CUP09-00005 and WAV09-00006 passed by a unanimous vote of 7 - 0. Resolutions for Approval of this project were not prepared for the Planning Commission's consideration, as Staff had recommended Denial without Prejudice of this project. Resolutions for Approval are herewith provided for the Planning Commission's consideration (Attachment No. 1). A motion recommending that the City Council approve the Variance also passed by a unanimous vote. No Planning Commission Resolution is required for this action.

Prepared by,

Yolanda Gomez
Planning Associate

Respectfully submitted,

Gregg D. Lodan, AICP
Planning Manager

ATTACHMENTS:

1. Proposed Planning Commission Resolutions
2. Excerpt of the Minutes Subject to Approval for the Planning Commission Hearing of August 18, 2010

PLANNING COMMISSION RESOLUTION NO. 09-038

A RESOLUTION OF THE PLANNING COMMISSION 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 OF AN AUXILIARY BUILDING ABOVE THE PARKING LOT OF THE EXISTING CHURCH FACILITY ON PROPERTY LOCATED IN THE R-2 ZONE AT 4102 HICKMAN DRIVE.

CUP09-00005: ION CRETU
(SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)

WHEREAS, the environmental impacts of the construction of an auxiliary building elevated above the parking lot of the existing church facility were analyzed in an Initial Study (referenced as EAS09-00002); and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 5, 2009 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009 adopted a Negative Declaration; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 5, 2009, to consider an application for a Conditional Use Permit filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of the existing church facility on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009, by a roll call vote of 5 - 2, continued the meeting indefinitely; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 18, 2010, to consider an application for a Conditional Use Permit filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of the existing church facility on property located in the R-2 Zone at 4102 Hickman Drive; 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 Planning Commission of the City of Torrance does hereby find and determine as follows:

a) That the property under consideration is located at 4102 Hickman Drive;

b) That the property is described as a portion of Lot 22 of the Resurvey of the R.O. Hickman Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;

c) That the existing church and the proposed construction of an auxiliary building above the parking lot of the existing church facility is conditionally permitted within the Two Family Residential District (R-2 Zone), and complies with most of the applicable provisions, except for the lot size, parking and setback requirements; however, the scale of the project is compatible with the surrounding residential neighborhood, the church is a cultural asset to the community, the use has been in occupancy over 50 years at this site, and the new parking arrangement would be an improvement over the existing situation;

d) That the proposed project will not impair the integrity and character of the Two Family Residential District (R-2 Zone), because the proposed project is conditionally permitted in said Zone and it complies with most of the development standards, except for the lot size, parking and setback requirements; however, the scale of the project is compatible with the surrounding residential neighborhood, the church is a cultural asset to the community, the use has been in occupancy over 50 years at this site, and the new parking arrangement would be an improvement over the existing situation;

e) That the subject site is physically suitable for the proposed project, because although the lot is substandard in area and width size, and the proposed project does not meet the required setbacks and parking requirements, the use has been in occupancy over 50 years at this site and the new parking arrangement would be an improvement over the existing situation;

f) That the proposed auxiliary building is compatible with the existing church land use presently on the subject property, because the project is proposed with the same exterior materials and general architectural elements of the existing church facility, no increase in occupancy is proposed, the occupancy of the auxiliary building shall take place after the church services have concluded, and will be occupied by the same members of the church;

g) That the proposed use shall be compatible with existing and proposed future land uses within the zoning district and the general area in which the proposed use is to be located, because the proposed use is conditionally permitted within the zoning district and the scale of the project is compatible with the surrounding residential neighborhood;

h) That the proposed use will encourage and be consistent with the orderly development of the City as provided for in the General Plan and any applicable Specific Plan or Redevelopment Plan, because the proposed use is conditionally

permitted in the zoning district, is subject to all special conditions of approval, and the scale of the project is compatible with the surrounding residential neighborhood;

i) That the proposed use will not discourage the appropriate existing or planned future use of surrounding property or tenancies, because the proposed use is conditionally permitted in the zoning district, is subject to all special conditions of approval, and the scale of the project is compatible with the surrounding residential neighborhood;

j) 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;

k) That there are adequate provisions for public access to serve the proposed use, because both the existing driveway and pedestrian walkways are being retained;

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 persons located in the area, because the project is subject to all special conditions of approval, including a valet parking service;

m) That the proposed use 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; and

n) That the proposed development meets the requirements of the California Environmental Quality Act.

WHEREAS, the Planning Commission by the following roll call vote APPROVED CUP09-00005, subject to conditions:

AYES:	COMMISSIONERS:	Browning, Busch, Gibson, Skoll, Uchima, Weideman, Chairperson Horwich
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	None
ABSTAIN:	COMMISSIONERS:	None

NOW, THEREFORE, BE IT RESOLVED that CUP09-00005 filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of the existing church facility on property located in the R-2 Zone at 4102 Hickman Drive 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 church auxiliary building shall be subject to all conditions imposed in Planning Commission case CUP09-00005; 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 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 as provided for in Section 92.27.1;

3. That the applicant shall provide a trash enclosure for the site that is bounded on three sides by walls of material compatible in color, texture and appearance with the main structure. The door must be constructed of solid, opaque material. The enclosure shall have a trellis or decorative top with a solid liner under it to prevent wind blown litter, dumping, and rainwater from infiltrating into the receptacle. Trash bins shall remain in the enclosures, with the lids closed, except during trash pickup; (Environmental)

4. That within the trash enclosure, the applicants shall provide bins for the storage of recyclable materials. Provide verification that the trash hauler will also collect recyclables; (Environmental)

5. That the operation of a primary school or day care shall be prohibited at this location; (Development Review)

6. That all activities shall be conducted within the building and shall not reduce the amount of available parking; (Development Review)

7. 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)

8. That a parking lot lighting plan shall be submitted prior to the issuance of any building permits; (Development Review)

9. That the storage trailer, currently located at the southeast corner of the parking lot, shall be removed prior to occupancy; (Development Review)

10. That the cafeteria and/or other rooms in the proposed addition shall not be leased or used by the general public, unless additional parking for these accessory uses has

been provided to the satisfaction of the Community Development Director; (Development Review)

11. That a parking lot layout plan, showing double-lined striped parking spaces, shall be submitted for approval to the satisfaction of the Community Development Director, prior to the issuance of any building permits; (Development Review)

12. That a detail of the support columns, showing the utility appurtenances for the addition, shall be provided for approval to the satisfaction of the Community Development Director, prior to the issuance of any building permits; (Development Review)

13. That all rooftop equipment shall be screened as an integral part of the structure's architecture to the satisfaction of the Community Development Director; (Development Review)

14. That outside storage of furniture, supplies or any other equipment shall not be permitted;` (Development Review)

15. That if a full kitchen is provided, the applicant shall obtain the necessary Los Angeles Health Department approvals; (Development Review) **MODIFIED BY PLANNING COMMISSION**

16. That color and material samples shall be submitted for approval by the Community Development Director, prior to the issuance of any building permits; (Development Review)

17. That within 30 days of the final public hearing, the applicants 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 final building plans shall reflect the correct area size for the addition wherever indicated; (Development Review)

19. That the hours of operation for the church and the addition are Sunday, 10:30 a.m. to 2:30 p.m., occasional Saturdays (baptisms, weddings, or memorial services), 11:00 a.m. to 1:00 p.m. or 4:00 p.m. to 6:00 p.m., Christmas Day and New Year's Day, 10:30 a.m. to 2:30 p.m., and the three days before Easter, Thursday and Friday, 7:00 p.m. to 9:00 p.m., Saturday, midnight Resurrection service; (Development Review)

20. That the hours of operation for the Sunday School classroom shall be the same as the church operation, and that a maximum of ten children, five to ten years of age, shall be allowed, and that no nursery component has been requested; (Development Review)

21. That a valet service shall be provided during the hours of operation; (Development Review)

22. That non-trespassing lighting for evening hours shall be installed in the enclosed parking lot; (Police)

23. That surveillance cameras shall be installed in the parking lot; (Police)

24. That the parking lot entry shall be restricted after hours; (Police)

25. That one lagerstroemia indica (Crape Myrtle) tree (15-gallon size) shall be planted every 50' of the project lot width with two lodge pole pine stakes/straps; and (Public Works – Streetscape)

26. 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.

Introduced and approved this 18th day of August 2010.

_____
Chairperson, Torrance Planning Commission

ATTEST:

_____
Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Gregg D. Lodan, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 15th day of September 2010, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

_____
Secretary, Torrance Planning Commission

PLANNING COMMISSION RESOLUTION NO. 09-039

A RESOLUTION OF THE PLANNING COMMISSION 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 REQUIRED SIDE AND REAR SETBACKS FOR AN AUXILIARY CHURCH BUILDING ON PROPERTY LOCATED IN THE R-2 ZONE AT 4102 HICKMAN DRIVE.

WAV09-00006: ION CRETU
(SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)

WHEREAS, the environmental impacts of the construction of an auxiliary building above the parking lot of the existing church facility were analyzed in an Initial Study (referenced as EAS09-00002); and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 5, 2009 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009 adopted a Negative Declaration; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 5, 2009, to consider an application for a Waiver filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009, by a roll call vote of 5 - 2, continued the meeting indefinitely; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 18, 2010, to consider an application for a Waiver filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof, all in accordance with the provisions of Division 9, Chapter 4, Article 2 of the Torrance Municipal Code; and

WHEREAS, The Planning Commission of the City of Torrance does hereby find and determine as follows:

A) That the property address is 4102 Hickman Drive;

B) That the property is described as a portion of Lot 22 of the Resurvey of the R.O. Hickman Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;

C) That unreasonable difficulties will result from the strict enforcement of the side and rear setback requirements, because the existing church facility has been located on this site for over 50 years, and the lot is a substandard size lot for a church use;

D) That the proposed project will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof, because the scale of the project is compatible with the surrounding residential neighborhood, the church is a cultural asset to the community, the use has been in occupancy over 50 years at this site, and the new parking arrangement would be an improvement over the existing situation; and

E) That the proposed project will not substantially interfere with the orderly development of the City as provided for in this Division, because the use is conditionally permitted in the zoning district, and is subject to all special conditions.

WHEREAS, the Planning Commission by the following roll call vote APPROVED WAV09-00006, subject to conditions:

AYES:	COMMISSIONERS:	Browning, Busch, Gibson, Skoll, Uchima, Weideman and Chairperson Horwich
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	None
ABSTAIN:	COMMISSIONERS:	None

NOW, THEREFORE, BE IT RESOLVED that WAV09-00006 filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive, is hereby APPROVED, subject to the following conditions:

1. That the use of the subject property for a church shall be subject to all conditions imposed in Waiver 09-00006 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 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 Waiver 09-00006 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 applicants shall comply with all the conditions of CUP09-00005.

Introduced and approved this 18th day of August 2010.

_____
Chairperson, Torrance Planning Commission

ATTEST:

_____
Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Gregg D. Lodan, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 15th day of September 2010, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

_____
Secretary, Torrance Planning Commission

EXCERPT OF MINUTES

~~☐ Minutes Approved~~
√ **Minutes Subject to Approval**

August 18, 2010

MINUTES OF A REGULAR MEETING OF THE TORRANCE PLANNING COMMISSION

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:02 p.m. on Wednesday, August 18, 2010 in City Council Chambers at Torrance City Hall.

3. ROLL CALL

Present: Commissioners Browning, Busch, Gibson, Skoll, Uchima, Weideman and Chairperson Horwich.

Absent: None.

Also Present: Planning Manager Lodan, Planning Associate Martinez, Plans Examiner Noh, Associate Civil Engineer Symons, Fire Marshal Kazandjian and Assistant City Attorney Sullivan.

9A. CUP09-00005, VAR09-00002, WAV09-00006 (EAS09-00002): ION CRETU/ SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of an auxiliary building above the parking lot of the existing church facility, a Variance to allow less than the required lot size and parking requirements, and a Waiver of the side and rear setback requirements on property located in the R-2 Zone at 4102 Hickman Drive.

Recommendation

Denial without prejudice.

Darian Raoac and Fabio Righi, Domani Architects, reviewed revisions that were made to project since it was originally considered on August 5, 2009, which include reconfiguring the parking lot, relocating the Sunday school room to the ground floor, adding handicapped-accessible restrooms, and enhancing the architectural design to be more compatible with the existing church.

Chairperson Horwich noted that included in the staff report was a list of recommended conditions should the project be approved.

Ion Cretu, representing Saints Archangels Michael & Gabriel Romanian Orthodox Church, voiced his agreement with the recommended conditions of approval,

SUBJECT TO APPROVAL

but related his understanding that Condition No. 25, which requires the planting of one tree for every 50 feet of street frontage, was not applicable due to the narrow parkway.

At Commissioner Skoll's request, Mr. Raoac explained the church's proposal to provide valet parking for church services so that a tandem parking arrangement can be used thereby increasing the on-site parking to 18 spaces.

Mr. Cretu expressed confidence that the parking would be adequate since only 25-35 people attend Sunday services many of whom are elderly and do not drive.

Commissioner Browning noted that according to the testimony at the last hearing, parishioners share a meal following church services, and questioned whether health department approval would be required since Condition No. 15 states that no food shall be prepared in the addition unless the approval of the L.A. County Health Department is obtained.

Plans Examiner Noh clarified that health department approval is required only if the facilities include a full kitchen, and Mr. Cretu reported that the plans do not include a full kitchen. Commissioner Browning suggested that Condition No. 15 be modified for purposes of clarity.

Commissioner Skoll questioned whether the Fire Department was satisfied that accessibility problems have been addressed and elderly churchgoers would not be put at risk.

Fire Marshal Kazandjian advised that this property has always had accessibility problems therefore the Fire Department has included several requirements to provide an extra level of fire protection in case access is delayed, including requiring the building to be equipped with a sprinkler system.

Carmen Corbei, 4026 Hickman Drive, expressed support for the project, noting that she has attended the church for many years and has never observed any parking problems.

Ecaterina Chirica, Parish Council president, noted that the church has functioned in its present location for 16 years without any traffic or parking problems and neighbors have complimented the church's appearance. She explained that the addition will provide needed space for meal-sharing after the service, which currently takes place outdoors. She stated that churchgoers support the City's economy by shopping at the Del Amo mall after services.

Noting that she and her husband attend the church, Lisa Knight, 2131 W. 236th Place, emphasized that church gatherings are small and well-organized and that the proposed addition will not add to the volume of churchgoers.

Mihaela Stroe, Garden Grove, related her belief that the requirements for granting a Waiver and a Variance were met because there are practical difficulties associated with this site that do not allow for compliance with current standards; the project will not be materially detrimental to the public welfare or other properties in the vicinity since it will not increase the number of attendees or change the way the church operates; and it will not interfere with the orderly development of the City and will only be an asset to the community.

SUBJECT TO APPROVAL

Returning to the podium, Mr. Righi urged approval of the project. He noted that the church has done a lot to improve this property since taking ownership and while the parking situation is not ideal, it is an improvement over existing conditions since cars have to be moved to accommodate after-service functions held in the parking lot.

Voicing support for the project, Commissioner Weideman stated that he believed the scale of the project fits with the surrounding residential neighborhood and that the church is a cultural asset to the community. With regard to the proposed Waiver and Variance, he noted that a church has been located on this site for over 50 years and the new parking arrangement would be an improvement over the existing situation.

Indicating that he would also support the project, Commissioner Browning related his belief that the applicant had worked with staff to come up with the best project for this particular site and the positive aspects outweigh the negative.

Noting that it has been more than a year since this project was originally considered, Commissioner Busch commended the applicant for hiring professional architects and working through the process with staff. He also commended Planning Associate Yolanda Gomez for the well-written staff report.

MOTION: Commissioner Browning moved to close the public hearing. The motion was seconded by Commissioner Weideman and passed by unanimous voice vote.

MOTION: Commissioner Busch moved for the approval of CUP09-00005 and WAV09-00006 as conditioned, including all findings of fact set forth by staff, with the following modification:

Modify
No. 15 That if a full kitchen is provided, the applicant shall obtain the necessary Los Angeles Health Department approvals.

The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

MOTION: Commissioner Busch moved to recommend that the City Council approve VAR09-00002. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Planning Manager Lodan noted that Resolutions reflecting the Commission's action would be brought back for approval at the next meeting.

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SUBJECT TO APPROVAL

EXCERPT OF MINUTES

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August 18, 2010

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Recommendation

Denial without prejudice.

Darian Raoac and Fabio Righi, Domani Architects, reviewed revisions that were made to project since it was originally considered on August 5, 2009, which include reconfiguring the parking lot, relocating the Sunday school room to the ground floor, adding handicapped-accessible restrooms, and enhancing the architectural design to be more compatible with the existing church.

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Returning to the podium, Mr. Righi urged approval of the project. He noted that the church has done a lot to improve this property since taking ownership and while the parking situation is not ideal, it is an improvement over existing conditions since cars have to be moved to accommodate after-service functions held in the parking lot.

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Indicating that he would also support the project, Commissioner Browning related his belief that the applicant had worked with staff to come up with the best project for this particular site and the positive aspects outweigh the negative.

Noting that it has been more than a year since this project was originally considered, Commissioner Busch commended the applicant for hiring professional architects and working through the process with staff. He also commended Planning Associate Yolanda Gomez for the well-written staff report.

MOTION: Commissioner Browning moved to close the public hearing. The motion was seconded by Commissioner Weideman and passed by unanimous voice vote.

MOTION: Commissioner Busch moved for the approval of CUP09-00005 and WAV09-00006 as conditioned, including all findings of fact set forth by staff, with the following modification:

Modify

No. 15 That if a full kitchen is provided, the applicant shall obtain the necessary Los Angeles Health Department approvals.

The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

MOTION: Commissioner Busch moved to recommend that the City Council approve VAR09-00002. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Planning Manager Lodan noted that Resolutions reflecting the Commission's action would be brought back for approval at the next meeting.

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AGENDA ITEM NO. 9A

TO: Members of the Planning Commission

FROM: Development Review Division

SUBJECT: Initial Study (EAS09-00002), Conditional Use Permit (CUP09-00005), Variance (VAR09-00002), Waiver (WAV09-00006) / Ion Cretu (Saints Archangels Michael & Gabriel Romanian Orthodox Church)

LOCATION: 4102 Hickman Drive

On August 5, 2009, the Planning Commission reviewed a proposal for the construction of a 2,480 square foot auxiliary building, elevated eight feet above the existing parking lot grade, on a site with an existing church facility, located at 4102 Hickman Drive. The case came before the Planning Commission, because a Conditional Use Permit was required to allow the addition, a Variance was required to allow less than the required lot size and parking requirements, and a Waiver was required of the side and rear setback requirements. The proposal also included the adoption of a Negative Declaration. Staff recommended Denial without Prejudice, due to the need for a parking Variance and the substandard lot size.

At the hearing, the applicant stated that the criteria for granting the Variance and Waiver were met, because the small lot size does not allow for compliance, it will be consistent with other nearby structures and will be screened by trees, and there will be no change in the services/programs offered by the church and no increase in the size of the congregation. The applicant further explained that the proposed reconfiguration of the parking lot would be an improvement over existing conditions, as it would allow for two-way traffic, though there would be a slight deficit in backup space. Additionally, the applicant stated that many of the church members are elderly, and as such, carpool or take public transportation; therefore, the limited parking should not pose a problem.

At the hearing, the Planning Commission voted to adopt a Negative Declaration, which passed by a unanimous roll call vote. Eight speakers voiced support for the project. One property owner, from 18010 Bailey Drive, voiced concerns about privacy impacts. Another property owner, from 4105 W. 182nd Street, voiced opposition stating that the church was overdeveloping the property and that the original church use should not have been allowed there. Several of the Commissioners stated that they could not support the project, as designed, due to the parking layout and parking deficits. Discussion arose whether the item under discussion should be continued for redesign. A motion to continue the hearing indefinitely passed by a vote of 5 - 2.

Subsequent to the Planning Commission hearing, Staff met with the applicant and the church's representatives in order to facilitate revisions, which would meet the development standards and the concerns raised during the public hearing. After reviewing multiple scenarios, including attempts to utilize alley access, it became

apparent that the revisions before the Commission tonight, work the best for maximizing parking on-site and minimizing potential neighborhood impacts. On July 19, 2010, Staff received the final revisions (Attachment No. 6). The applicant informed Staff that the plans inadvertently show a Sunday School Classroom/Nursery in the existing church's floor plan; however, they are not proposing to have a nursery. According to the applicant, the operation of the Sunday School classroom will have a maximum of ten children, between the ages of five to ten years old, and will be operating only during the church's service.

The revised plans show the following changes, from the original plan. The addition's rear setback was increased to 18 feet from the property line (original plans were setback 15 feet). The size for the addition was increased to 2,506 square feet (original plans were 2,480 square feet). A cafeteria/assembly area, activities room, library, food handling room and storage room are shown in the floor plan, as in the previous plan; however, men's and women's handicap restrooms have been added to the revised plans and the administrative quarters for the priest (previously located in the existing church). The Sunday School Classroom, previously located in the elevated addition, is now shown in the existing church's priest's office space. The front open stairway now lines up with the addition and is setback ten feet from the side property line (original plans were setback five feet). A second open stairway is proposed in the rear of the addition, and also lines up with the addition to provide a ten-foot side and rear setback (original plans did not include a second stairway, which is a Building Code requirement). The elevator has been incorporated into the addition near the front stairway, and opens towards the west property line on the ground floor, and opens inside of the addition on the second floor (original plans showed a freestanding elevator, which opened into the landing). The balcony shown in the original plans has been removed from these revisions, including the wrought iron railings. The front stairway is proposed nine feet eight inches away from the existing church structure (the original plans showed a six-foot separation). The HVAC units have been relocated towards the front/center of the addition, and are shown lower than the parapet (original plans showed the units above the parapet). The height of the addition has not changed, it is shown as 23 feet. Additionally, the elevations reflect a more refined design, as the support columns have been treated with exterior architectural features resembling a more substantive structure, with wider stuccoed shear walls and arch elements between the columns (original plans showed one-foot support columns from grade to the bottom of the elevated addition). The other exterior materials remain as previously proposed, stucco walls and roofing tile to match the existing church building.

The parking layout has changed substantially, to include a valet service for the tandem configuration underneath the elevated addition. Five compact parking stalls are shown perpendicular and adjacent to the west property line, and 20.5 feet away from the rear property line (original plans showed this row of parking five feet from the rear property line); five standard parking spaces are shown perpendicular and adjacent to the east property line, and eight and one-half feet away from the rear property line (original plans also showed this row of parking five feet from the rear property line), with one handicap parking stall shown parallel to the east property line, and two rows of tandem parking

spaces (providing stacking capability for seven cars) shown in the center drive aisle, for a total of 18 parking spaces. The original plans showed only the two rows of perpendicular standard-sized parking stalls against the side property lines, totaling 15 parking spaces, including one handicap space. A reduction of the parking spaces from standard-sizing to compact-sizing on the west row is proposed, in order to provide 25 feet of backup space between the west and east row (original plans showed only 21.1 feet of backup space). Access to the site shall remain the same, via the existing 15-foot drive aisle along the eastern portion of the property. The addition of a trash enclosure at the southeast corner of the property is proposed, and a mobile valet key cart is shown, against the southeast portion of the church structure.

Staff received correspondence from the property owner of 4105 W. 182nd Street, who also owns the vacant property to the west of the proposed project, in opposition of the revised project, citing parking and compatibility concerns. The letter is included as Attachment No. 5 to this report. As of the completion of this Staff Report, Staff has not received any further correspondence.

The applicant was required to provide facts to substantiate the criteria by which the City Council/Planning Commission may review the Variance and Waiver, which are attached to the original Staff Report from the August 5, 2009 hearing (Attachment #4). A Variance of the development standards is requested for the lot size and parking requirement deficits. The City Council may grant a Variance, if they find that there are practical difficulties or unnecessary hardships resulting from the strict enforcement of this Division; and if the proposal will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof; and if it will not substantially interfere with the orderly development of the City as provided for in the Official Land Use Plan. A Waiver of the development standards is requested for the side and rear setbacks. The Planning Commission or the City Council may grant a Waiver, based also on the same criteria mentioned above for the Variance.

The proposed changes have addressed many of the Building, Fire, and Planning's concerns, including moving the children's Sunday School classroom from the elevated floor addition to the existing single-level church facility and relocating the exterior stairway from five feet to ten feet from the side property line. The proposed plan does not meet the current parking requirements; however, because the applicant is proposing a valet service, many of the parking deficiencies have been mitigated. Staff concedes that the proposed plan is an improvement over the previous design, as the code required backup distance is now attained, for all, but one, of the parking spaces, and provides an additional three parking spaces, than the original plan and what currently exists on-site.

While the revisions are an improvement over the original project, there are several static components that cannot be changed, and those include the substandard-sized lot and the substandard lot width for church uses, which also require a Variance. Furthermore, a Waiver is still required, as the project cannot meet the minimum side and rear setback requirements of 20 feet. Staff agrees that there are practical difficulties in the strict

enforcement of these standards, as even the existing church building, as constructed, cannot meet these requirements. Due to the need for the parking Variance and the substandard lot size, Staff continues to recommend Denial of this request.

PROJECT RECOMMENDATION: DENIAL WITHOUT PREJUDICE

FINDINGS OF FACT IN SUPPORT OF DENIAL OF THE PROJECT:
Findings of fact in support of denial are set forth in the attached Resolution.

RECOMMENDED CONDITIONS, IF PROJECT IS APPROVED:
A list of recommended conditions of the proposed project are set forth in Attachment #2, should the Planning Commission consider Approval of the subject request.

Prepared by,

Yolanda Gomez
Planning Associate

Respectfully Submitted,

Gregg D. Lodan, AICP
Planning Manager

ATTACHMENTS:
1. Revised Planning Commission Resolutions
2. Recommended Conditions of Approval
3. Excerpt of Minutes of the 08/05/2009 Planning Commission Meeting
4. Staff Report Agenda Item and Documents Submitted at the 08/05/2009 Planning Commission Meeting
5. Correspondence
6. Revised Site Plan, Floor Plans and Elevations (Limited Distribution)

PLANNING COMMISSION RESOLUTION NO. 09-038

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A CONDITIONAL USE PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF AN AUXILIARY BUILDING ABOVE THE PARKING LOT OF THE EXISTING CHURCH FACILITY ON PROPERTY LOCATED IN THE R-2 ZONE AT 4102 HICKMAN DRIVE.

CUP09-00005: ION CRETU
(SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)

WHEREAS, the environmental impacts of the construction of an auxiliary building elevated above the parking lot of the existing church facility were analyzed in an Initial Study (referenced as EAS09-00002); and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 5, 2009 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009 adopted a Negative Declaration; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 5, 2009, to consider an application for a Conditional Use Permit filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of the existing church facility on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009, by a roll call vote of 5 - 2, continued the meeting indefinitely; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 18, 2010, to consider an application for a Conditional Use Permit filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of the existing church facility on property located in the R-2 Zone at 4102 Hickman Drive; 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 Planning Commission of the City of Torrance does hereby find and determine as follows:

a) That the property under consideration is located at 4102 Hickman Drive;

b) That the property is described as a portion of Lot 22 of the Resurvey of the R.O. Hickman Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;

c) That the proposed construction of an auxiliary building above the parking lot of the existing church facility is conditionally permitted within the Two Family Residential District (R-2 Zone); however, this proposal does not comply with all of the applicable provisions, specifically, the lot size, parking requirements, and setback requirements;

d) That the proposed project may impair the integrity and character of the Two Family Residential District (R-2 Zone), because the proposed project does not meet the required development standards; and

e) That the subject site is not physically suitable for the proposed project, because the lot is substandard in area and width size, and the proposed project does not meet the required setbacks and parking requirements.

WHEREAS, the Planning Commission by the following roll call vote DENIED WITHOUT PREJUDICE CUP09-00005, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that CUP09-00005 filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of the existing church facility on property located in the R-2 Zone at 4102 Hickman Drive on file in the Community Development Department of the City of Torrance, is hereby DENIED WITHOUT PREJUDICE.

Introduced, approved and adopted this 18th day of August 2010.

_____
Chairperson, Torrance Planning Commission

ATTEST:

_____
Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Gregg D. Lodan, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 18th day of August 2010, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

_____
Secretary, Torrance Planning Commission

PLANNING COMMISSION RESOLUTION NO. 09-039

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA DENYING WITHOUT PREJUDICE A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW LESS THAN THE REQUIRED SIDE AND REAR SETBACKS FOR AN AUXILIARY CHURCH BUILDING ON PROPERTY LOCATED IN THE R-2 ZONE AT 4102 HICKMAN DRIVE.

WAV09-00006: ION CRETU
(SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)

WHEREAS, the environmental impacts of the construction of an auxiliary building above the parking lot of the existing church facility were analyzed in an Initial Study (referenced as EAS09-00002); and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 5, 2009 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009 adopted a Negative Declaration; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 5, 2009, to consider an application for a Waiver filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009, by a roll call vote of 5 - 2, continued the meeting indefinitely; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 18, 2010, to consider an application for a Waiver filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof, all in accordance with the provisions of Division 9, Chapter 4, Article 2 of the Torrance Municipal Code; and

WHEREAS, The Planning Commission of the City of Torrance does hereby find and determine as follows:

A) That the property address is 4102 Hickman Drive;

B) That the property is described as a portion of Lot 22 of the Resurvey of the R.O. Hickman Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California; and

C) That the proposed project may be materially detrimental to the public welfare or to the property of others located in the vicinity, because it does not meet the required side and rear setbacks.

WHEREAS, the Planning Commission by the following roll call vote DENIED WITHOUT PREJUDICE WAV09-00006, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that WAV09-00006 filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive, is hereby DENIED WITHOUT PREJUDICE.

Introduced, approved and adopted this 18th day of August 2010.

_____
Chairperson, Torrance Planning Commission

ATTEST:

_____
Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Gregg D. Lodan, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 18th day of August 2010, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

_____
Secretary, Torrance Planning Commission

RECOMMENDED CONDITIONS FOR CUP09-00005, IF APPROVED:

1. That the use of the subject property for a church auxiliary building shall be subject to all conditions imposed in Planning Commission case CUP09-00005; 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 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 as provided for in Section 92.27.1;

3. That the applicant shall provide a trash enclosure for the site that is bounded on three sides by walls of material compatible in color, texture and appearance with the main structure. The door must be constructed of solid, opaque material. The enclosure shall have a trellis or decorative top with a solid liner under it to prevent wind blown litter, dumping, and rainwater from infiltrating into the receptacle. Trash bins shall remain in the enclosures, with the lids closed, except during trash pickup; (Environmental)

4. That within the trash enclosure, the applicants shall provide bins for the storage of recyclable materials. Provide verification that the trash hauler will also collect recyclables; (Environmental)

5. That the operation of a primary school or day care shall be prohibited at this location; (Development Review)

6. That all activities shall be conducted within the building and shall not reduce the amount of available parking; (Development Review)

7. 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)

8. That a parking lot lighting plan shall be submitted prior to the issuance of any building permits; (Development Review)

9. That the storage trailer, currently located at the southeast corner of the parking lot, shall be removed prior to occupancy; (Development Review)

10. That the cafeteria and/or other rooms in the proposed addition shall not be leased or used by the general public, unless additional parking for these accessory uses has been provided to the satisfaction of the Community Development Director; (Development Review)

11. That a parking lot layout plan, showing double-lined striped parking spaces, shall be submitted for approval to the satisfaction of the Community Development Director, prior to the issuance of any building permits; (Development Review)

12. That a detail of the support columns, showing the utility appurtenances for the addition, shall be provided for approval to the satisfaction of the Community Development Director, prior to the issuance of any building permits; (Development Review)

13. That all rooftop equipment shall be screened as an integral part of the structure's architecture to the satisfaction of the Community Development Director; (Development Review)

14. That outside storage of furniture, supplies or any other equipment shall not be permitted;` (Development Review)

15. That food shall not be prepared in the addition without obtaining Los Angeles County Health Department approvals; (Development Review)

16. That color and material samples shall be submitted for approval by the Community Development Director, prior to the issuance of any building permits; (Development Review)

17. That within 30 days of the final public hearing, the applicants 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 final building plans shall reflect the correct area size for the addition wherever indicated; (Development Review)

19. That the hours of operation for the church and the addition are Sunday, 10:30 a.m. to 2:30 p.m., occasional Saturdays (baptisms, weddings, or memorial services), 11:00 a.m. to 1:00 p.m. or 4:00 p.m. to 6:00 p.m., Christmas Day and New Year's Day, 10:30 a.m. to 2:30 p.m., and the three days before Easter, Thursday and Friday, 7:00 p.m. to 9:00 p.m., Saturday, midnight Resurrection service; (Development Review)

20. That the hours of operation for the Sunday School classroom shall be the same as the church operation, and that a maximum of ten children, five to ten years of age, shall be allowed, and that no nursery component has been requested; (Development Review)

21. That a valet service shall be provided during the hours of operation; (Development Review)

22. That non-trespassing lighting for evening hours shall be installed in the enclosed parking lot; (Police)

23. That surveillance cameras shall be installed in the parking lot; (Police)

24. That the parking lot entry shall be restricted after hours; (Police)

25. That one lagerstroemia indica (Crape Myrtle) tree (15-gallon size) shall be planted every 50' of the project lot width with two lodge pole pine stakes/straps; and (Public Works – Streetscape)

26. 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.

RECOMMENDED CONDITIONS FOR VAR09-00002, IF APPROVED:

1. That the use of the subject property for a church shall be subject to all conditions imposed in Variance 09-00002 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 further, that the said use shall be 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 Variance 09-00002 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 applicants shall comply with all conditions of CUP09-00005.

RECOMMENDED CONDITIONS FOR WAV09-00006, IF APPROVED:

1. That the use of the subject property for a church shall be subject to all conditions imposed in Waiver 09-00006 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 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 Waiver 09-00006 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 applicants shall comply with all conditions of CUP09-00006.

11A. CUP09-00005, VAR09-00002, WAV09-00006 (EAS09-00002): ION CRETU (SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)

Planning Commission consideration for the adoption of a Negative Declaration in conjunction with a request for approval of a Conditional Use Permit to allow the construction of an existing church facility, a Variance to allow less than the required lot size and parking requirements, and a Waiver of the side and rear yard setback requirements on property located in the R-2 Zone at 4102 Hickman Drive.

Recommendation

Denial without prejudice.

Planning Associate Gomez introduced the request.

Ion Cretu, representing Saints Archangels Michael & Gabriel Romanian Orthodox Church, reported that the congregation is small, with 40-45 members attending Sunday services and the proposed project will provide auxiliary space and improve the flow of parking. He related his belief that the criteria for granting the Variance and Waiver have been met because: 1) There are practical difficulties and unnecessary hardships that would result from the strict enforcement of parking standards and setback requirements because the small lot size does not allow for compliance; 2) The project would not be materially detrimental to the public welfare or to other properties in the vicinity because it will be consistent with other nearby structures and will be screened by trees; and 3) It will not substantially interfere with the orderly development of the City because there will be no change in the services/programs offered by the church and no increase in the size of the congregation. He explained that the proposed reconfiguration of the parking lot would be an improvement over existing conditions, even though there would be a slight deficit in backup space, because it would allow for two-way traffic. He stated that many church members are elderly so they carpool or take public transportation to church services therefore the limited parking is not a problem. He requested that the Commission approve the project as proposed.

Commissioner Skoll noted that according to Item 15f of the Initial Study (page 46) staff determined that the project would not result in inadequate parking capacity.

Planning Manager Lodan advised that staff does not believe the project would result in inadequate parking capacity in terms of CEQA (California Environmental Quality Act) guidelines. He explained that the project meets City parking requirements for fixed seating (1 space for every 5 seats = 14 required spaces), however, it is subject to more restrictive requirements based on assembly area (1 space for each 35 square feet of assembly area = 32 required spaces).

Commissioner Busch commented on the church's attractive exterior, noting that he was not able to go inside.

In response to Commissioner Skoll's inquiry, Mr. Cretu confirmed that the church was prepared financially to go forward with the project and comply with all the recommended conditions should it be approved.

Mr. Cretu requested additional information about the Code requirement which states that children are not allowed above the ground floor for classroom/school purposes, and Plans Examiner Noh suggested that Mr. Cretu visit the Building and Safety department so he could review the specific Building Code section with him.

Commissioner Gibson noted that Condition No. 5 prohibits the operation of a primary school or daycare facility at this location and Planning Manager Lodan clarified that this prohibition does not pertain to Sunday school classes.

Chairperson Weideman invited public comment on Initial Study EAS09-00002.

As no one came forward to speak, Commissioner Busch offered the following motion.

MOTION: Commissioner Busch moved to adopt a Negative Declaration with regard to EAS09-00002. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Chairperson Weideman invited public comment on the project.

Ecaterina Chirica, parish council president of Saints Archangels Michael & Gabriel Romanian Orthodox Church, shared renderings of the project, noting that windows have been positioned so as not to intrude on neighbors' privacy and trees will be planted to provide additional screening. Submitting a drawing to illustrate, she requested that parking requirements be re-calculated eliminating the floor area in front of the altar because this area is consecrated and only walked on when parishioners are receiving sacraments.

Planning Manager Lodan offered to re-calculate the parking requirements based on the information submitted by Ms. Chirica. He later advised that the parking requirements would be reduced from 32 spaces to 24 spaces.

Nicolae Rusu, 5230 Cahuenga Boulevard, North Hollywood, explained that church members have invested a lot of time and money to improve the church and the proposed project will provide needed space for them to study the bible, hold social gatherings, and conduct small conferences. He urged the Commission to approve the project.

Georgeta Bostean, 11982 Heritage Circle, Downey, provided background information about the heritage of Romanians. She reported that following a brief discussion, church members have agreed to relocate all children's activities to the ground floor administrative office and move this function upstairs in order to comply with Code requirements. She noted that many church members were present at this meeting to support the project, however, they would forego testifying due to the lateness of the hour and asked that the Commission simply acknowledge their presence.

Chairperson Weideman asked for a show of hands of those who support the project but would not be speaking.

Commissioner Uchima questioned how many children are in the congregation, and Ms. Bostean stated that there are approximately 10-15 children, but only a handful of them are present at Sunday services.

Commissioner Uchima noted that the plans indicate a nursery on the second floor. Ms. Bostean reported that there was no intention to have a nursery and the area had probably been mislabeled.

Commissioner Browning disclosed that he is of Romanian descent but is not a member of this church and his vote would not be influenced by his background.

Fire Marshal Kazandjian related his preference to have revised plans submitted if the church no longer intends to have facilities for children on the second floor.

Cathy Griffin, 18010 Bailey Drive, stated that she appreciates the exterior improvements that have been made to the church and requested clarification of the location of the north-facing windows to ensure that there would be no privacy impact.

Referring to rendering 4B submitted by the applicant, Commissioner Uchima noted that it appears that north-facing windows in the addition would be blocked by the church's steeples.

Planning Manager Lodan advised that the north-facing windows are only 18 inches wide by 42 inches high, so they are fairly small.

Denney Thomas reported that his family has owned the property at 4105 W. 182nd Street for many years and the City thwarted attempts to develop it and questioned why this church was ever approved. He voiced his opinion that the church was trying to cram too much on this property and related his belief that the land was more suitable for condominiums and someone should develop it rather than adding additional space to a church that shouldn't be there in the first place.

Chairperson Weideman noted that the church has been at this location for over 50 years and probably would not have to build on stilts if Mr. Thomas would allow church members to park on his vacant property.

Mr. Thomas reiterated his belief that this land was more suitable for condominiums, which would generate revenue for the City of Torrance.

Commissioner Busch noted that houses of worship are a vital part of every community.

Vasile Tudoran, 819 Ohio Avenue, Long Beach, suggested that Commissioners and/or Planning staff should make a visit to the church on a Sunday because they would see that very few people attend the services and most of them are elderly. He explained that following the services, church members share a meal as this is part of their culture and they currently have no designated area to do this. He expressed the church's willingness to do whatever the City requires in order to get the project approved.

Chairperson Weideman echoed comments on the church's attractive exterior, noting that he and his wife have lived in North Torrance for 27 years and they were not aware of the church prior to this case.

Commissioner Busch questioned whether staff would be comfortable should the Commission decide to approve the Variance for parking requirements or if they felt it would create an unsafe situation.

Planning Manager Lodan advised that staff recommended denial of the Variance because they are concerned that the parking arrangement would be problematic and believe it would function better if Code requirements were met.

In response to Commissioner Gibson's inquiry, Planning Manager Lodan confirmed that the City Council makes the final decision on any Variance and the Planning Commission's action would be in the form of a recommendation.

Commissioner Browning indicated that he could not support the project as proposed due to the parking deficiency and felt the project needed to be redesigned with the assistance of Community Development staff.

Commissioner Busch stated that he understood the church's need for more space and would like to support the project, but could not do so as currently designed.

Commissioner Uchima stated that he had serious reservations about the parking arrangement and suggested the possibility that the church could lease space from a nearby property owner to provide more parking.

Lisa Knight, 2131 W. 236th Place, urged approval of the project. She reported that she and her husband have attended the church for the past year and observed that church gatherings are small, quiet and respectful of surrounding residents and the neighborhood.

Carmen Corbei, 4026 Hickman Drive, stated that she has two units on her lot with ample parking and church members were welcome to park on her property.

In response to Commissioner Uchima's inquiry, Planning Manager Lodan advised that while residential neighbors may allow church members to park on their property, it would not count toward parking requirements. He clarified that the church could enter into a shared-parking agreement with a commercial property owner but it would have to be within 150 feet of the site.

Commissioner Horwich stated that he didn't think anything would be accomplished by continuing the hearing since the project must be approved by the City Council and it takes at least six weeks to be placed on the Council agenda, which should be more than enough time for the church to revise the project.

Commissioner Busch indicated that he favored a continuance because he felt that an applicant should make a good faith effort at the Planning Commission level and he believed it would be better for the church to have the Planning Commission's approval when the project is forwarded to the City Council.

Commissioner Skoll noted his concurrence with Commissioner Busch's remarks.

Commissioner Browning related his belief that the Commission would be shirking its responsibility by forwarding the project to the City Council without making an effort to resolve this matter.

Agnes Vassiliou, 4113 W. 180th Street, stated that she is not a member of the church but has visited it and observed that it has a very small congregation. She reported that parking has never been a problem in this area and offered to let the church use her parking if the City would allow it. She voiced her opinion that the church is an asset to the community and everything possible should be done to help them get the space they need.

Mihaela Florescu, Redondo Beach, reported that she is a member of the church but does not attend every week and stressed the need for additional space.

Mr. Cretu stated that he was not opposed to working with staff, but reiterated his position that the proposed parking arrangement was an improvement over the existing arrangement even though it is not ideal and reported that it was unlikely that the church would be able to secure off-site parking within 150 feet. He noted that the church has been at this location since 1995 and no one has ever complained about it.

In response to Commissioner Horwich's inquiry, Planning Manager Lodan provided clarification regarding the minimum lot area requirement for churches.

Mr. Cretu agreed to continue the hearing to a date uncertain.

MOTION: Commissioner Busch moved to continue the hearing indefinitely. The motion was seconded by Commissioner Uchima and passed by a 5-2 roll call vote, with Commissioners Gibson and Horwich dissenting.

AGENDA ITEM NO. 11A

CASE TYPE AND NUMBER: Initial Study, EAS09-00002 for
Conditional Use Permit, CUP09-00005
Variance, VAR09-00002
Waiver, WAV09-00006

NAME: Ion Cretu (Saints Archangels Michael & Gabriel Romanian Orthodox Church)

PURPOSE OF APPLICATION: The project is a request to allow a series of entitlements to allow the construction of an auxiliary building above an existing parking lot on a site with an existing church facility. The request includes the adoption of a Negative Declaration, a Conditional Use Permit to allow the addition, a Variance to allow less than the required lot size and parking requirements, and a Waiver of the side and rear setback requirements on property located in the R-2 Zone at 4102 Hickman Drive.

LOCATION: 4102 Hickman Drive

ZONING: R-2, Two Family Residential District

ADJACENT ZONING AND LAND USE:
NORTH: R-1, Single Family Residential District *(Single Family Residences)*
SOUTH: RR-3, Restricted Multiple Family Residential District *(Apartments, Condominiums and Single Family Residences)*
EAST: R-2, Two Family Residential District *(Single Family Residences and Duplexes)*
WEST: R-2, Two Family Residential District *(Vacant Land, Condominiums and Single Family Residences)*

GENERAL PLAN DESIGNATION: Low Medium Density Residential

COMPLIANCE WITH GENERAL PLAN: This site has a General Plan Land Use Designation of Low Medium Density Residential (9 - 18 dwelling units per acre) and is characterized by small lot single family, two family, and townhouse developments. The Low-Medium Density Residential designation is implemented by the R-1, R-2 and R-TH zones. Churches and associated facilities are conditionally permitted in the R-2 Zone.

Based on the non-conforming conditions, site layout, and potential parking impacts to the neighborhood, this proposal to construct an auxiliary church building on this property does not promote the goals and policies of the General Plan.

EXISTING IMPROVEMENTS AND/OR NATURAL FEATURES: The property is currently developed with a church building, constructed in 1957. The building features three cupolas, and a small landscaped area in front of the property. A substandard parking lot is located towards the rear of the church, with a drive aisle located on the east side of the property. There are no outstanding natural features on the site.

ENVIRONMENTAL FINDINGS: The construction of this auxiliary church building is not Categorically Exempt, because the project requires approval of a Variance of the Zoning Code and a Waiver of the Development Standards.

The potential environmental impacts associated with the construction of an auxiliary church building has been assessed in an Initial Study, referenced as EAS09-00002. As the decision-making body relative to the proposed development, it is the Planning Commission's role to review the information provided within the Initial Study, and determine the extent of potential environmental impacts. If, on the basis of the Initial Study and related public testimony, the Planning Commission finds that there is no substantial evidence that the project will have a significant effect on the environment, the appropriate action would be to approve the Negative Declaration, prior to taking action on the project.

Based on the Initial Study prepared for the project, there is no substantial evidence that the project may have a significant effect on the environment, beyond the impacts previously identified and analyzed in the 1992 General Plan Environmental Impact Report (SCH #90010318). The 1992 General Plan EIR identified the potential unavoidable significant adverse impacts from long term development in the City. On the basis of the Initial Study, the Community Development Department recommends adoption of a Negative Declaration.

BACKGROUND AND ANALYSIS:

The applicant is requesting adoption of a Negative Declaration (EAS09-00002), approval of a Conditional Use Permit (CUP09-00005) to allow the development of an auxiliary church building in conjunction with an existing church use, a Variance (VAR09-00002) to allow less than the required lot size and parking requirements, and a Waiver (WAV09-00006) of the side and rear setback requirements.

The project consists of a 2,480 square foot auxiliary building, which will contain a cafeteria, food handling room, nursery for children up to six years of age, Sunday school classroom for children six to twelve years of age, library and activity room all on one floor. This addition will be constructed towards the rear of the property, behind the existing church building, and above an existing parking lot. The plot plan shows that the proposed building will be elevated eight feet above grade, on 16 support columns (four rows of four). These columns are interspersed between the parking spaces of the surface parking lot, encompassing an area of approximately 62 feet by 40 feet. An exterior staircase, featuring 16 stairs, will be constructed five feet from the western property line, at approximately the midpoint of the length of the lot. This flight of stairs leads up to a landing adjacent to an open balcony, where the entry into the addition is located. The balcony runs along approximately 75 percent of the length of the addition. A free-standing elevator is proposed adjacent to the staircase and balcony.

The existing church building (2,250 square feet), located in the front of the property, is a legal, non-conforming use, as it was constructed in 1957 and a Conditional Use Permit was not required at that time. According to the City's Building records, various churches have occupied this site from 1957 through today, with the current occupant since 1995. No additions or modifications of the existing church building are proposed at this time. However, in order to construct additional detached space, a Conditional Use Permit is required by today's standards, in the R-2 Zone. The rectangular shaped lot totals 11,719.80 square feet (0.27 acre), according to the Los Angeles County Assessor's Office, which shows a width of 60 feet by a length of 195.33 feet. The applicant showed the lot size on the plans as 11,809 square feet. The TMC requires that churches provide a

minimum lot area of one acre (43,560 square feet), with a minimum width of 100 feet. Therefore, a Variance is required, because the applicants are proposing to expand an existing church facility on a substandard sized lot, with a deficit of 31,840 square feet of lot area, and a 40-foot deficit in lot width.

The addition's setbacks are shown on the plot plan as 10 feet on both the west and east side property line, 15 feet from the rear property line, and frontward, there is approximately 29.7 feet of separation from the existing church building to the north and approximately 120 feet from the front property line. The Torrance Municipal Code (TMC) requires that churches provide 20-foot setbacks at the front, side and rear. The applicant is requesting a Waiver of the side and rear setback requirements, as the proposed project has a deficit of 10 feet on each side and 5 feet at the rear. The elevator structure and staircase are approximately 6.5 feet and 6 feet away from the existing church building, respectively.

Vehicular access is currently realized from an existing 15-foot driveway on the east side of the property, which shall remain as-is. The existing parking lot is shown with 15 diagonally striped parking spaces at the rear of the property. However, the applicant is proposing a change of the parking lot layout from diagonal to right angle (perpendicular) striping, in order to place the addition's support columns between the parking spaces. The number of proposed parking spaces shall remain the same (15). However, the proposed project will require additional parking, as the parking lot is being reconfigured and should be brought into compliance at the time of a substantial improvement. The TMC requires one parking space for each five fixed seats *or* one parking space for each 35 square feet of assembly areas not containing fixed seats, whichever is the greater. This is to apply only to the maximum area to be used at any one time. The existing church's floor plan shows an assembly area of approximately 1,100 square feet, which contains 14 fixed pews (each pew is the equivalent of five fixed seats). Using the fixed seat rule, the church would require 14 parking spaces. Using the rule for assembly areas not containing fixed seats, the project would require 32 parking spaces. The TMC requires that the calculation (fixed seats vs. non-fixed seats of assembly area) resulting in the highest number shall be implemented. Therefore, 32 parking spaces (using the non-fixed assembly area) would be required. The proposed plan shows 15 parking spaces, a deficit of 17 parking spaces.

Additionally, the proposed parking lot layout does not meet the TMC parking requirements for sizing, specifically, the back-up space. With the proposed perpendicular layout, 25 feet of back-up space is required between the two rows of parking spaces, in order for a vehicle to safely negotiate the ingress and egress of the parking space and lot. The plan shows approximately 21 feet 2 inches for back-up, a deficit of 3 feet 10 inches. In addition, the parking lot layout shows the two parking spaces (parking space #1 & 9) closest to the rear (south) property line with a five foot setback from the property line. The TMC requires either a turnaround space minimum of eight feet or a back-up space of 30 feet to allow for appropriate turnaround.

Furthermore, the TMC states that the construction of a church in a residential area shall not be permitted unless parking facilities and ingress and egress of automobiles does not disturb the residential character of the neighborhood. As the parking facilities do not meet many of the TMC requirements, in Staff's judgment, the facilities could potentially disturb the character of the residential neighborhood. Additionally, negotiating the ingress and

egress of the parking spaces and lot is further hampered by the multiple support columns, which may be considered obstructions or obstacles, especially in concert with the reduced back-up space, and the lack of a minimum turnaround space. The applicant has informed Staff that the support column diameter width shall be between seven and nine inches, including stucco/exterior treatments, but also indicated that this width may vary by column, as plumbing and/or other utilities may be attached to the outside of the columns. Staff would not be in favor of any exterior attachment of plumbing, utilities or conduit to the support columns. Due to the above parking requirements for number of parking spaces required, back-up space and turnaround requirements, the applicant is requesting a Variance of the parking standards.

Pedestrian access will remain as currently designed. There is an existing walkway at the midpoint of the frontage, which leads to the church's entryway. This walkway also connects to a walkway along the western portion of the property, which leads to the rear parking lot area. A door on the western wall of the church also provides access to the west side walkway.

The hours of operation for the church and the proposed addition shall not change: Sunday, 10:30 a.m. to 2:30 p.m., occasional Saturdays (baptisms, weddings, or memorial services), 11:00 a.m. to 1:00 p.m. *or* 4:00 p.m. to 6:00 p.m., Christmas Day and New Year's Day, 10:30 a.m. to 2:30 p.m., and the three days before Easter, Thursday and Friday, 7:00 p.m. to 9:00 p.m., Saturday, midnight Resurrection service. As stated in the attached Initial Study, Transportation Planning Division Staff have determined that the proposed church operation would increase the number of AM and PM peak trips by 1.38 and 1.36, respectively, and increase the 24-hour volume by 0.02% and 0.12% on Prairie Avenue and 182nd Street, respectively. While the data shows increases, the proposed use will have less than significant impacts, as the hours of operation are not daily.

The combined floor area for the existing building (2,250 square feet) and the proposed auxiliary building (2,480 square feet) totals 4,730 square feet, providing a FAR of 0.40. The existing FAR is 0.19. The maximum height of the auxiliary building is 23 feet, and the existing church building is 17 feet 6 inches, with the tallest cupola at 34 feet 9 inches. The maximum height allowed in this Zone is 27 feet, with the exception of church steeples and bell towers (TMC 95.3.6b). The elevations show an HVAC unit above the addition's roofline. The applicant has advised Staff that they will be able to revise the drawings to show the unit lowered into the attic. Should the project be approved, Staff is recommending a condition that no rooftop equipment shall be visible above the parapet from the adjoining properties or public rights-of-way and that any screening used shall be an integral part of the architecture of the structure.

The TMC requires that five percent of a parking lot comprising more than 20 parking spaces shall be landscaped and continuously maintained, with a minimum width of three feet and a minimum area of nine square feet. For this project, the planter/landscaped area amount minimum would be 354 square feet. The applicant has not provided a landscaping plan, but has shown, on the plot plan, 20 Italian Cypress trees along the perimeter of the parking lot. In Staff's judgment, these trees would not provide adequate screening of the parking lot and support columns, as they grow very tall and narrow, nor would they meet the landscaping requirements for minimum planter areas. Staff is recommending a

Condition of Approval that a landscaping plan shall be provided for approval by the Community Development Director, prior to issuance of any building permits.

A summary of the statistical information is provided below:

Saints Archangels Michael & Gabriel Romanian Orthodox Church
Project Data

	Proposed	***Code Requirement***
Lot Area	11,719.80 sf	43,560.00 sf
	(0.27 acre)	(one acre)
Existing Church Facility	2,250 sf	N/A
Existing FAR	0.19	N/A
Proposed Auxiliary Building	2,480 sf	N/A
Total Area	**4,730 sf**	N/A
Proposed FAR	0.40	N/A
Lot Width	60 ft	100 ft
Side Setback (West & East)	10 ft	20 ft
Rear Setback	15 ft	20 ft
Proposed Parking	15 ps	32 ps
Parking Back-Up	21.17 ft	25 ft
Turnaround Space	5 ft	8 ft
Proposed Building Height	23 ft	27 ft

The proposed addition will utilize exterior finishes and architecture that match the existing church building, such as a stucco finish on the walls with stone moldings placed vertically at the corners, mansard-type roof element covered in tile, arched windows with molding treatments, and wrought iron railings.

The applicant provided Staff with several preliminary plans prior to this formal submittal. Staff reviewed the preliminary plans and noted the areas that did not meet the TMC and development standards, and notes that the formal submittal did not substantially change. Staff further advised the applicant that the size of the addition vs. the lot's dimensions would be problematic, because overdeveloping the site would present a challenge to provide substantial additional parking on-site. Staff noted that the vacant parcel adjacent to the proposed site could be utilized for a parking lot. However, the applicant indicated that the property owner of the vacant lot is unwilling to negotiate with them. Staff further advised the applicant that should they decide to submit a formal proposal without addressing the TMC requirements, Staff would not be able to recommend approval of the project.

The applicant has provided a plan that does not comply with several of the development and parking standards. The applicant was required to provide facts to substantiate the criteria by which the City Council/Planning Commission may review the Variance (Attachment #3) and Waiver (Attachment #4). A Variance of the development standards is requested for the lot size and parking requirement deficits. The City Council may grant a

Variance, if they find that there are practical difficulties or unnecessary hardships resulting from the strict enforcement of this Division; *and* if the proposal will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof; *and* if it will not substantially interfere with the orderly development of the City as provided for in the Official Land Use Plan. A Waiver of the development standards is requested for the side and rear setbacks. The Planning Commission or the City Council may grant a Waiver based also on the same criteria mentioned above for the Variance. While Staff agrees that there are practical difficulties in the strict enforcement of the TMC for this project, in Staff's judgment, the request for the Conditional Use Permit does not promote the goals and policies of the General Plan, and the project is not compatible with the surrounding neighborhood, due to potential problems related to the ingress and egress of automobiles and their potential to cause disturbances of the residential character of the neighborhood. As noted earlier, the proposed site is surrounded by single family residences, duplexes and multi-family residences. Additionally, in Staff's judgment, the project may be materially detrimental to the public welfare or to the property of other persons located in the vicinity, due to the overdevelopment of the site and insufficient parking; and due to these same reasons, it may substantially interfere with the orderly development of the City. Staff, therefore, recommends Denial of this request.

Staff received two letters from the applicant. One letter described the proposed use and included photographs of the church facility and property. Another letter requested the waiving of the application fees. Neither Staff nor the Planning Commission may waive the application fees; however, the City Council may review this request when this case is before them for consideration. Copies of all the letters are attached to this Staff Report (Attachment #7). As of the completion of this report, Staff has not received any further correspondence from agencies or other interested parties, regarding the Proposed Negative Declaration or public hearing.

The Building Regulations Division Staff has supplied a number of California Building Code requirements that are crucial to this development, including a condition that children are not allowed above the ground floor for nursery/classroom purposes. As the design of the addition is elevated eight feet above the parking lot grade, it is not considered as the ground floor. An additional building code requirement states that an exterior balcony/stairway is not allowed to be within 10 feet of a property line. Both the balcony and stairway are proposed at five feet from the property line. The Fire Prevention Division Staff has also supplied a number of Fire Code requirements, including a fire sprinkler system shall be installed in the addition, as well as below the addition (above the parking lot area). All of these code requirements have been discussed with the applicant.

Should the Planning Commission adopt the Negative Declaration, approve the Conditional Use Permit and Waiver, and recommend the approval of the Variance to the City Council, Staff has attached a list of recommended conditions to ensure a quality project. Staff conducted a site visit of the proposed property, and noted opportunities to enhance the appearance of the project. The site currently lacks a trash enclosure. Landscaping on the property is minimal, the front setback area is landscaped with various levels of material. Additionally, the parking lot appears to lack adequate lighting, with building lights attached to the side of the existing church building, and only two lights attached to the rear of the

building and directed towards the parking lot. Staff is recommending the attached Conditions of Approval to address these issues. In addition to these conditions addressing aesthetics, Staff is including a number of conditions related to the church's operation, to ensure compatibility with the surrounding uses. Given the church's proximity to residential properties and the limited parking available on-site. Staff is recommending that no primary school or day care operations shall be permitted on-site. Similarly, all church activities shall be conducted within the buildings, so that the amount of available parking shall not be reduced.

The applicant is advised that Code Requirements have been included as an attachment to the Staff Report, and are not subject to modification by the Planning Commission.

PROJECT RECOMMENDATION: DENIAL WITHOUT PREJUDICE

FINDINGS OF FACT IN SUPPORT OF DENIAL OF THE PROJECT:
The findings in support of the Denial Without Prejudice of this project are set forth in the attached Planning Commission Resolutions.

RECOMMENDED CONDITIONS, IF PROJECT IS APPROVED:
A list of the recommended conditions for this project is set forth in Attachment #5, should the Planning Commission consider Approval of the subject request.

Prepared by,

Yolanda Gomez
Planning Associate

Respectfully submitted,

for: Gregg D. Lodan, AICP
Planning Manager

ATTACHMENTS:
1. Planning Commission Resolutions
2. Location and Zoning Map
3. Variance Criteria Substantiation Form
4. Waiver Criteria Substantiation Form
5. Recommended Conditions of Approval
6. Partial List of Code Requirements
7. Correspondence
8. Initial Study
9. Plot Plan, Floor Plan, and Elevations (Limited Distribution)

PLANNING COMMISSION RESOLUTION NO. 09-038

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A CONDITIONAL USE PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF AN AUXILIARY BUILDING ABOVE THE PARKING LOT OF THE EXISTING CHURCH FACILITY ON PROPERTY LOCATED IN THE R-2 ZONE AT 4102 HICKMAN DRIVE.

CUP09-00005: ION CRETU
(SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)

WHEREAS, the environmental impacts of the construction of an auxiliary building above the parking lot of the existing church facility were analyzed in an Initial Study (referenced as EAS09-00002); and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 5, 2009 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009 adopted a Negative Declaration; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 5, 2009, to consider an application for a Conditional Use Permit filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of the existing church facility on property located in the R-2 Zone at 4102 Hickman Drive; 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 Planning Commission of the City of Torrance does hereby find and determine as follows:

a) That the property under consideration is located at 4102 Hickman Drive;

b) That the property is described as a portion of Lot 22 of the Resurvey of the R.O. Hickman Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;

c) That the proposed construction of an auxiliary building above the parking lot of the existing church facility is conditionally permitted within the Two Family Residential

District (R-2 Zone); however, this proposal does not comply with all of the applicable provisions, specifically, the lot size, parking requirements, and setback requirements;

d) That the proposed project may impair the integrity and character of the Two Family Residential District (R-2 Zone), because the proposed project does not meet the required development standards;

e) That the subject site is not physically suitable for the proposed project, because the lot is substandard in area and width size, and the proposed project does not meet the required setbacks and parking requirements, including turnaround space for safe egress from the parking lot area;

f) That the proposed project may not be compatible with existing and proposed future land uses within the Two Family Residential District (R-2 Zone) and the general area because the proposed project does not meet the required development standards;

g) That the proposed use will not encourage or be consistent with the orderly development of the City as provided for in the General Plan, because the project proposes to overdevelop the property and does not meet the required development standards;

h) That there may not be adequate provisions for public access to serve the proposed use, because the project does not meet the required development standards, specifically the parking requirements and turnaround space for egress from the parking lot area;

i) That the proposed location, size, design, and operating characteristics of the proposed use would be detrimental to the public interest, health, safety, convenience or welfare, or to the property of persons located in the area, because the project does not meet the lot area and width requirements, parking requirements, and setback requirements;

WHEREAS, the Planning Commission by the following roll call vote DENIED WITHOUT PREJUDICE CUP09-00005, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that CUP09-00005 filed by Ion Cretu to allow the construction of an auxiliary building above the parking lot of the existing

church facility on property located in the R-2 Zone at 4102 Hickman Drive on file in the Community Development Department of the City of Torrance, is hereby DENIED WITHOUT PREJUDICE.

Introduced, approved and adopted this 5th day of August 2009.

_____
Chairperson, Torrance Planning Commission

ATTEST:

_____
Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Gregg D. Lodan, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 5th day of August 2009, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

_____

Secretary, Torrance Planning Commission

PLANNING COMMISSION RESOLUTION NO. 09-039

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA DENYING WITHOUT PREJUDICE A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW LESS THAN THE REQUIRED SIDE AND REAR SETBACKS FOR AN AUXILIARY CHURCH BUILDING ON PROPERTY LOCATED IN THE R-2 ZONE AT 4102 HICKMAN DRIVE.

WAV09-00006: ION CRETU
(SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)

WHEREAS, the environmental impacts of the construction of an auxiliary building above the parking lot of the existing church facility were analyzed in an Initial Study (referenced as EAS09-00002); and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 5, 2009 to consider the environmental issues related to the project and receive and consider public testimony; and

WHEREAS, the Planning Commission at its meeting of August 5, 2009 adopted a Negative Declaration; and

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on August 5, 2009, to consider an application for a Waiver filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof, all in accordance with the provisions of Division 9, Chapter 4, Article 2 of the Torrance Municipal Code; and

WHEREAS, The Planning Commission of the City of Torrance does hereby find and determine as follows:

A) That the property address is 4102 Hickman Drive;

B) That the property is described as a portion of Lot 22 of the Resurvey of the R.O. Hickman Tract as per map recorded in the Office of the Los Angeles County Recorder, State of California;

C) That the proposed project may be materially detrimental to the public welfare or to the property of others located in the vicinity, because it does not meet the required

development standards, including parking requirements and turnaround space for egress from the parking lot;

D) That the proposed project may substantially interfere with the orderly development of the City, because it is proposed on a substandard sized lot and does not meet the required setbacks and parking requirements.

WHEREAS, the Planning Commission by the following roll call vote DENIED WITHOUT PREJUDICE WAV09-00006, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that WAV09-00006 filed by Ion Cretu to allow less than the required side and rear setbacks for an auxiliary church building on property located in the R-2 Zone at 4102 Hickman Drive, is hereby DENIED WITHOUT PREJUDICE.

Introduced, approved and adopted this 5th day of August 2009.

_____

Chairperson, Torrance Planning Commission

ATTEST:

_____

Secretary, Torrance Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, Gregg D. Lodan, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 5th day of August 2009, by the following roll call vote:

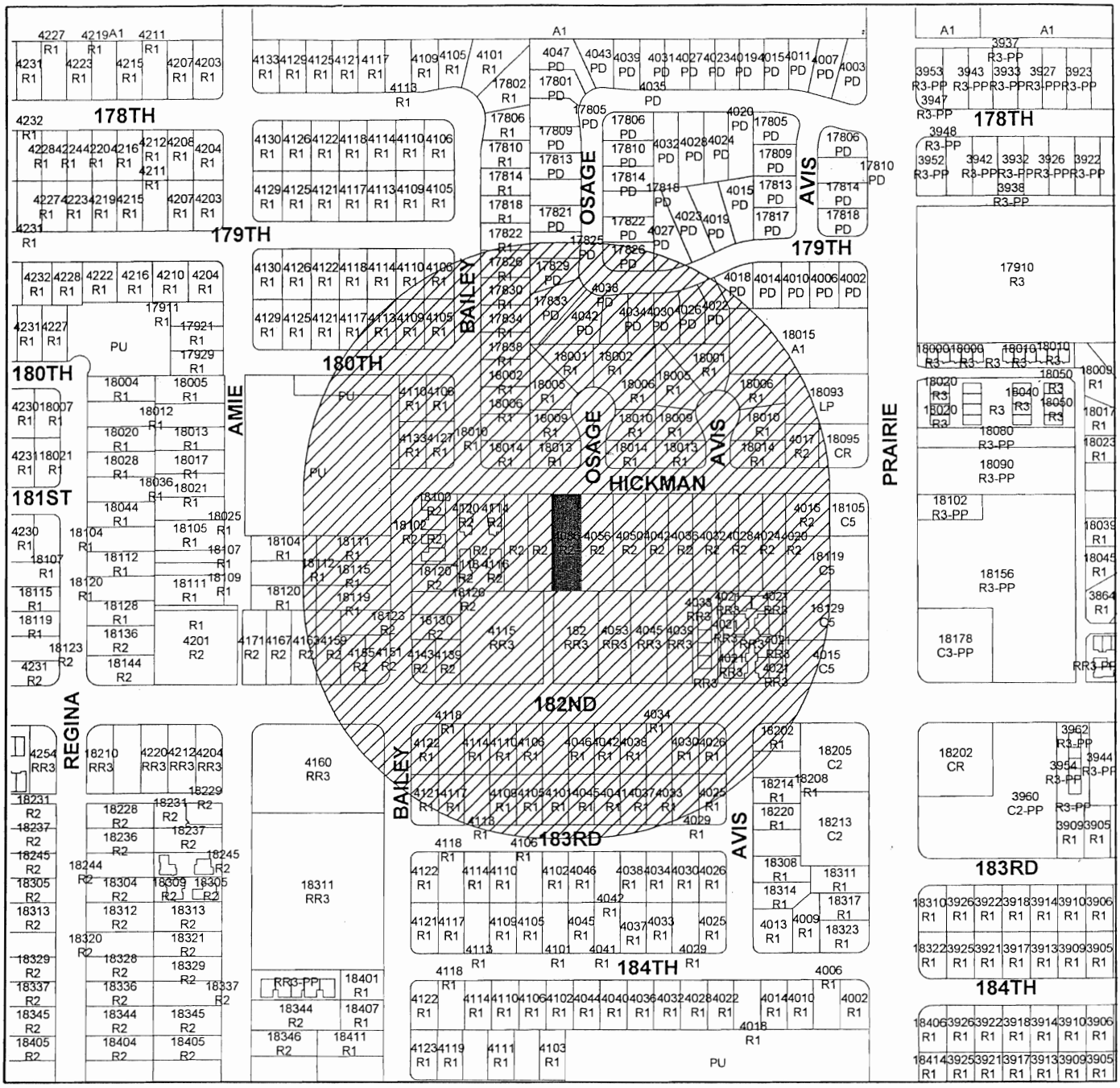
AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

_____
Secretary, Torrance Planning Commission



LOCATION AND ZONING MAP

4102 Hickman Drive
CUP09-00005, WAV09-00006,
VAR09-00002, & EAS09-00002

TORRANCE COMMUNITY DEVELOPMENT GIS

LEGEND

4102 Hickman Drive

Notification Area

0 125 250 500 Feet

N W E S

Prepared using City of Torrance Community Development Geographic Information System
Jeffery W. Gibson, Community Development Director

TO BE SUBMITTED WITH VARIANCE APPLICATION VAR 09-00002

GIVE FACTS TO SUBSTANTIATE THE FOLLOWING CRITERIA BY WHICH THE CITY COUNCIL MAY GRANT THIS VARIANCE. IT IS MANDATORY THAT THESE CRITERIA BE MET BEFORE THE CITY MAY LEGALLY GRANT ANY VARIANCE, AND IT IS INCUMBANT UPON THE APPLICANT TO PROVE TO THE SATISFACTION OF THE CITY THAT THE CRITERIA ARE MET:

1. There are practical difficulties or unnecessary hardships resulting from the strict enforcement of this ordinance:

   YES - THE SIZE OF THE PROPERTY LOT (A CHURCH SINCE ITS CONSTRUCTION IN 1957) DOES NOT ALLOW FOR COMPLIENCE WITH THE CITY REQUIREMENTS FOR A CHURCH IN R2 ZONING IN REFERENCE TO SET BACK AND PARKING STANDARDS

2. It will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof:

   THE PROPOSED ADDITION WILL NOT INTERFERE WITH SURROUNDING PROPERTIES; IT WILL BE LOCATED IN THE BACK YARD AND WILL NOT EXCEDE THE HIGHT OF APARTMENT BLDG. NEAR SOUTH OF R. ALSO, THE PROPOSED ADDITION WILL BE SCREENED WITH 20 NEW TREES : and

3. It will not substantially interfere with the orderly development of the City as provided for in the Official Land Use Plan.

   THE PROPOSED ADDITION WILL HOUSE THE SAME PEOPLE THAT ATTEND THE CHURCH SERVICE, ON THE SAME SCHEDULE.

RECEIVED
MAR 20 2009
CITY OF
COMMUNITY

CITY OF TORRANCE - PL...NING DEPARTMENT WAV 09 - 00006

To be submitted with Waiver application.

GIVE FACTS TO SUBSTANTIATE THE FOLLOWING CRITERIA BY WHICH THE PLANNING COMMISSION MAY GRANT THIS WAIVER:

1. There are practical difficulties or unnecessary hardships resulting from the strict enforcement of this Division:

   YES - THE SIZE OF THE PROPERTY LOT DOES NOT ALLOW FOR COMPLIENCE WITH THE CITY REQUIREMENTS FOR A CHURCH IN R2 ZONING IN REFERENCE TO SET BACK AND PARKING STANDARDS. THIS PROPERTY WAS ALWAYS A CHURCH SINCE BLDG. CONSTRUCTION IN 1957

2. It will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof:

   YES - THE PROPOSED ADDITION WILL NOT INTERFERE WITH SURROUNDING PROPERTIES; WILL BE SCREENED WITH NEW 20 TREES, AND THE HEIGHT WILL NOT EXCEDE THE ONE OF THE APARTMENT BUILDING IN THE SOUTH SIDE.

3. It will not substantially interfere with the orderly development of the City as provided for in this Division:

   YES - THE PROPOSED ADDITION WILL HOUSE THE SAME PEOPLE THAT ATTEND THE CHURCH SERVICE ON THE SAME SCHEDULE

ADJACENT PROPERTY OWNERS: (To be completed by the Planning Department)

	Name	Address
1.		
2.		
3.		
4.		
5.		

RECOMMENDED CONDITIONS FOR CUP09-00005, IF APPROVED:

1. That the use of the subject property for a church auxiliary building shall be subject to all conditions imposed in Planning Commission case CUP09-00005; 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 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 as provided for in Section 92.27.1;

3. That the applicants provide a trash enclosure for the site that is bounded on three sides by walls of material compatible in color, texture and appearance with the main structure. The door must be constructed of solid, opaque material. The enclosure shall have a trellis or decorative top with a solid liner under it to prevent wind blown litter, dumping, and rainwater from infiltrating into the receptacle. Trash bins shall remain in the enclosures, with the lids closed, except during trash pickup; (Environmental)

4. That within the trash enclosure, the applicants shall provide bins for the storage of recyclable materials. Provide verification that the trash hauler will also collect recyclables; (Environmental)

5. That the operation of a primary school or day care shall be prohibited at this location; (Development Review)

6. That all activities shall be conducted within the building and shall not reduce the amount of available parking; (Development Review)

7. 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)

8. That a parking lot lighting plan shall be submitted prior to the issuance of any building permits; (Development Review)

9. That the storage trailer, currently located at the southeast corner of the parking lot, shall be removed prior to occupancy; (Development Review)

10. That the cafeteria and/or other rooms in the proposed addition shall not be leased or used by the general public, unless additional parking for these accessory uses has been provided to the satisfaction of the Community Development Director; (Development Review)

11. That a parking lot layout plan, showing double-lined striped parking spaces, shall be submitted for approval to the satisfaction of the Community Development Director, prior to the issuance of any building permits; (Development Review)

12. That a detail of the support columns, showing the utility appurtenances for the addition, shall be provided for approval to the satisfaction of the Community Development Director, prior to the issuance of any building permits; (Development Review)

13. That all rooftop equipment shall be screened as an integral part of the structure's architecture to the satisfaction of the Community Development Director; (Development Review)

14. That outside storage of furniture, supplies or any other equipment shall not be permitted;` (Development Review)

15. That food shall not be prepared in the addition without obtaining Los Angeles County Health Department approvals; (Development Review)

16. That color and material samples shall be submitted for approval by the Community Development Director, prior to the issuance of any building permits; (Development Review)

17. That within 30 days of the final public hearing, the applicants 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 non-trespassing lighting for evening hours shall be installed in the enclosed parking lot; (Police)

19. That surveillance cameras shall be installed in the parking lot; (Police)

20. That the parking lot entry shall be restricted after hours; (Police)

21. That one lagerstroemia indica (Crape Myrtle) tree (15-gallon size) shall be planted every 50' of the project lot width with two lodge pole pine stakes/straps; and (Public Works – Streetscape)

22. 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.

RECOMMENDED CONDITIONS FOR VAR09-00002, IF APPROVED:

1. That the use of the subject property for a church shall be subject to all conditions imposed in Variance 09-00002 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 further, that the said use shall be 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 Variance 09-00002 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 applicants shall comply with all conditions of CUP09-00005.

RECOMMENDED CONDITIONS FOR WAV09-00006, IF APPROVED:

1. That the use of the subject property for a church shall be subject to all conditions imposed in Waiver 09-00006 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 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 Waiver 09-00006 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 applicants shall comply with all conditions of CUP09-00006.

CODE REQUIREMENTS

The following is a partial list of Code requirements applicable to the proposed project. All possible Code requirements are not provided here and the applicant is strongly advised to contact each individual department for further clarification. The Planning Commission may not waive or alter the Code requirements. They are provided for information purposes only.

Building Regulations:

- Comply with the State energy requirements.
- Provide underground utilities.
- Comply with the State handicap requirements.
- Provide two means of egress from the second floor.
- Exterior balcony/stairway is not allowed to be within 10 feet of a property line.
- Children are not allowed above ground floor for classroom/school purposes.

Environmental:

- All parking spaces must be double-lined striped and sized to meet Torrance code.
- Provide a noise attenuation study performed by a professional consultant which verifies that noise from the auxiliary building will not impact surrounding uses.
- Deliveries, trash pick-up, and parking lot sweeping shall be prohibited between 10:00 p.m. and 7:00 a.m. (TMC 92.30.4).
- All electrical and mechanical equipment, including roof equipment, must be screened from view with materials that are compatible with the structure. Staff approval of the screening materials is required.
- Direct lighting away from residential land uses (TMC 92.30.5).
- The words "No Parking" shall be painted on the ground within the 8-foot loading and unloading access aisle of the handicap parking space. This notice shall be painted in white letters no less than 12 inches high and located so that it is visible to traffic enforcement officials.
- Construction of a church in a residential area shall not be permitted unless parking facilities and ingress and egress of automobiles does not disturb the residential character of the neighborhood.
- Provide 9" (minimum) contrasting address numerals for non-residential uses.

Engineering - Permits and Records:

- A Construction and Excavation Permit (C&E Permit) is required from the Community Development Department, Engineering Permits and Records Division, for any work in the public right-of-way.
- Close abandoned driveway(s) with full height curb and gutter to match existing (City Code sec. 74.4.4).
- Install grass sod with irrigation system in parkway along property frontage on Hickman Drive.

- Install a street tree in the City Parkway every 50' for the width of this lot (City Code sec. 74.3.2). Contact the Torrance Public Works Department at 310.781.6900 for information on the type and size of tree for your area.
- Replace grinded sidewalk per City of Torrance standards.

Public Works – Street Operations:

- That public rights-of-way shall be in safe condition upon project completion, including no displaced sidewalks or curbing. That any unsafe areas shall be repaired or replaced.

Grading:

- Obtain Grading Permit prior to issuance of building permit.
- Submit 2 copies of grading/drainage plan with soil investigation report. Show all existing and proposed grades, structures, required public improvements and any proposed drainage structures.

Fire Prevention:

- Fire alarm system required.
- Fire sprinkler system required.
- Provide occupant load.
- Provide seating arrangement.
- Provide direct exit for nursery.
- Provide panic hardware.
- Provide emergency lighting.

Comprehensive Planning:

- Provide 25 feet of back-up space for perpendicular parking layout.
- That roof-mounted HVAC unit shall be screened architecturally.

Development Review:

- Provide 5% minimum landscaping for parking lot.

Saints Archangels-Michael & Gabriel
Romanian Orthodox Church
4102 Hickman Drive, Torrance, CA 90504
(310) 214-8336

August 11, 2008:

Jeffrey W. Gibson
Director

City of Torrance
Community Development Department
3031 Torrance Blvd.
Torrance, Ca 90503

Ref: Property at 4102 Hickman Drive- Proposed New Multipurpose Auxiliary Addition

To Whom It May Concern:

This letter is to inform you that we are a non-profit organization with the employer identification number: 95-33822989 established 32 years ago and functioning at present location since March 1995.

We purchased the property from another congregation belonging to the same Christian Orthodox faith as ours and the property was used as a church since the construction of the building in 1957 with the capacity of 75 persons and 15 parking spaces.

Our church regular hours of operation are Sunday from 10:30 am- 2:30 pm; occasionally on Saturday for a baptism, a wedding, or a memorial service (11:00 am – 1:00 pm or 4:00 pm – 6:00 pm), Christmas day and New Year's day (10:30 am – 2:30 pm), and the three special days before Easter (Thursday and Friday evening 7:00 pm – 9:00 pm and Saturday – midnight Resurrection service). This is a total of 65 days per year.

According to our faith the church is the holy place where God is publicly glorified and worshipped and we try, with our modest resources of immigrants, to beautify our church as much as possible. (Attached are pictures of the interior and exterior of the church)

Our parish priest, V. Rev. Fr. Mihai Carpeniseanu is the dean of Western U.S.A. Romanian Orthodox Churches of the Romanian Orthodox Archdiocese of Americas.

There are ten Romanian Orthodox Churches in California (Tujunga, Torrance, Los Angeles, Anaheim, Claremont, Castro Valley, San Jose, San Diego, and two in Sacramento.)

Our Christian Orthodox traditions are almost 2000 years old, and the Divine Liturgy on Sundays is the same as the one 1500 years ago. The religious services are profound, beautiful, and rich in symbolism. Unfortunately, some of our congregation parents come seldom to the church with their children because the little ones can't stay still and they disturb the church service. The older children, having come rarely to the church and without a formal religious education, have a hard time attending our "long" Orthodox service.

Also our parishioners, mostly Romanian immigrants, or of Romanian ancestry, come from long distances to the church to attend the service in the "mother tongue" and to meet and talk with other people who share the same cultural traditions. As a custom, after Sunday service, we serve a lunch meal with Romanian food prepared at home and it is very hard not to have a formal place to eat.

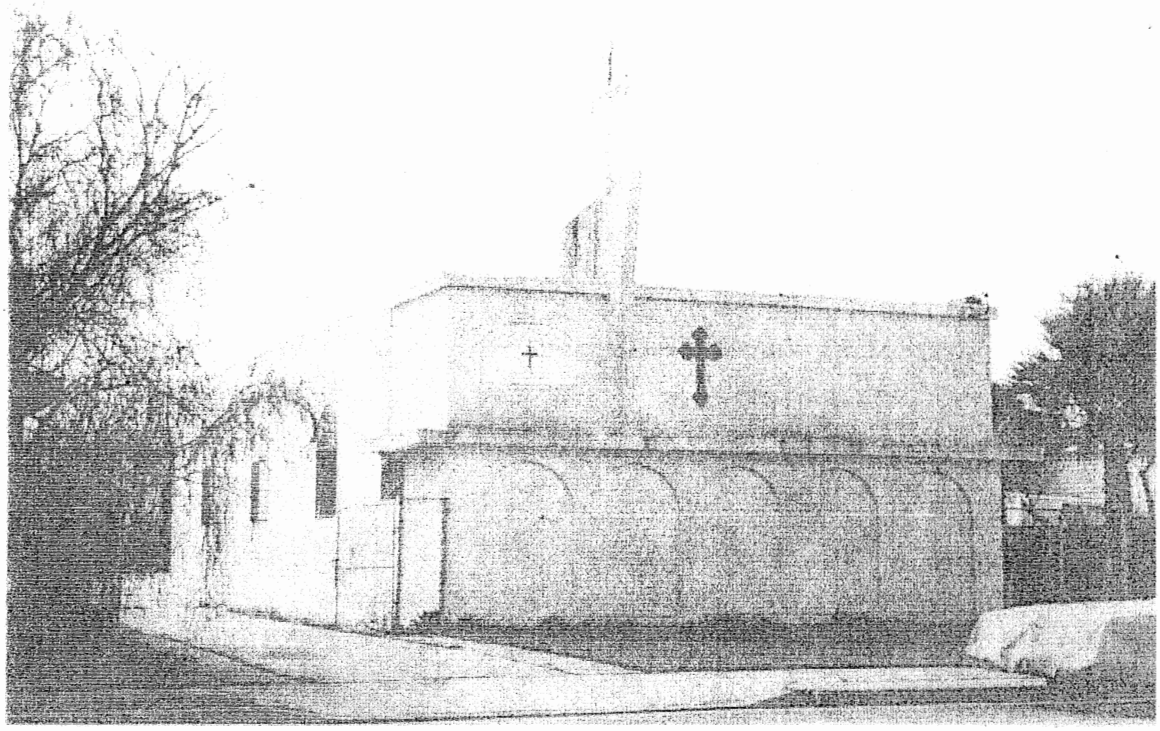
Our congregation is in great need of having a multipurpose auxiliary building, with a nursery room and Sunday school room, a cafeteria, a library, and a recreation/cultural room.

Please consider for approval our proposed expansion.

Regards,

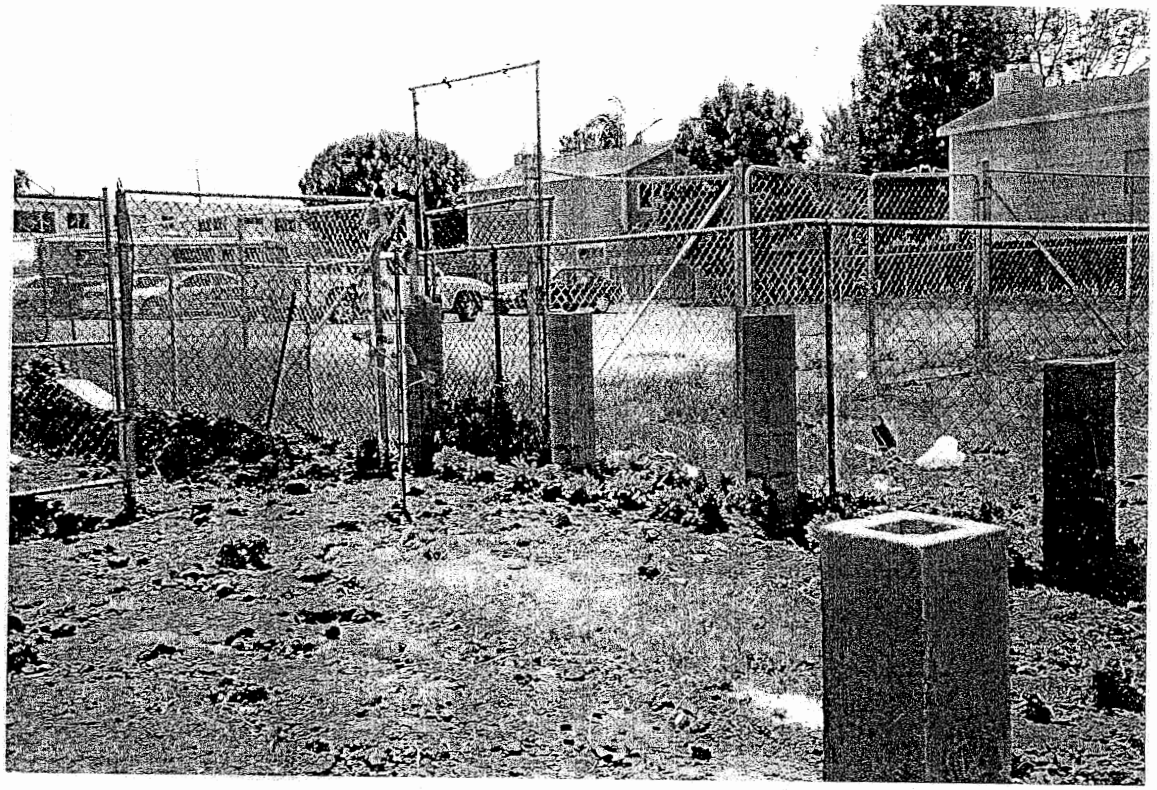
Ecaterina Chirica

Ecaterina M. Chirica
Parish Council President

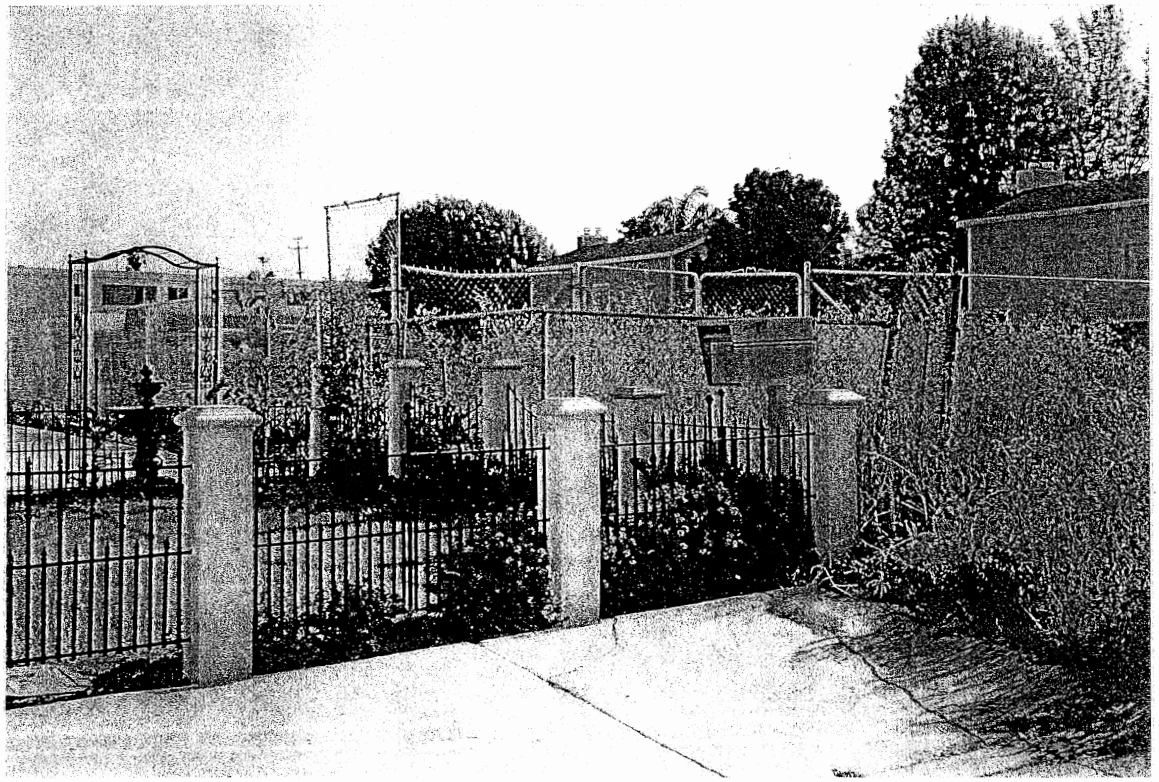


ORIGINAL BUILDING WHEN PURCHASSED — MARCH 1995

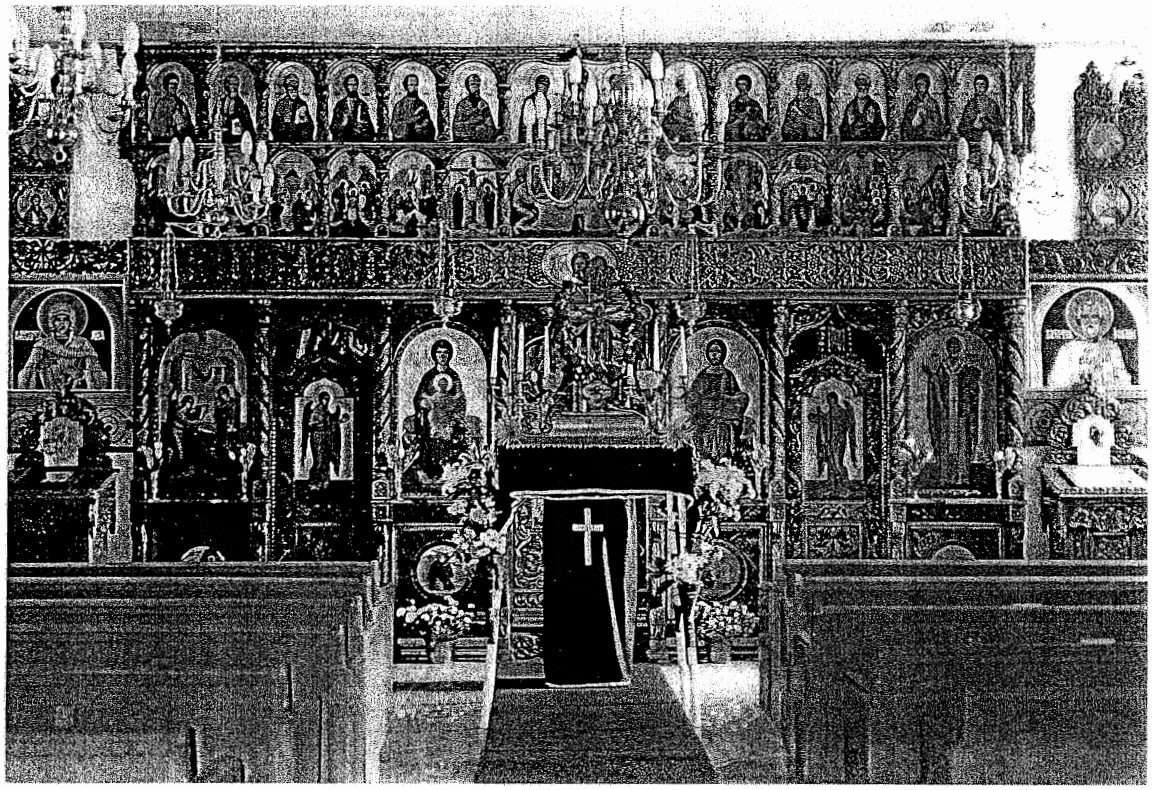
REMODELED BUILDING — NOVEMBER 2007



FRONT YARD LANDSCAPING – FALL 2007

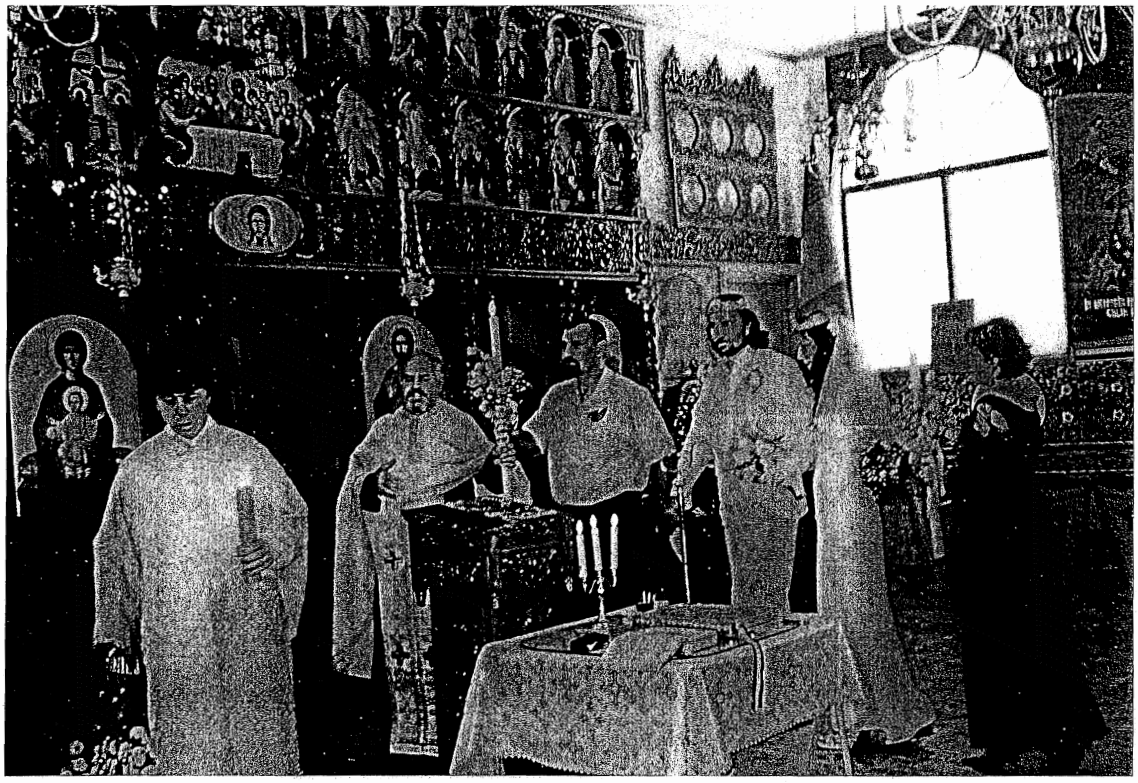


FRONT YARD – AFTER LANDSCAPING – 2007



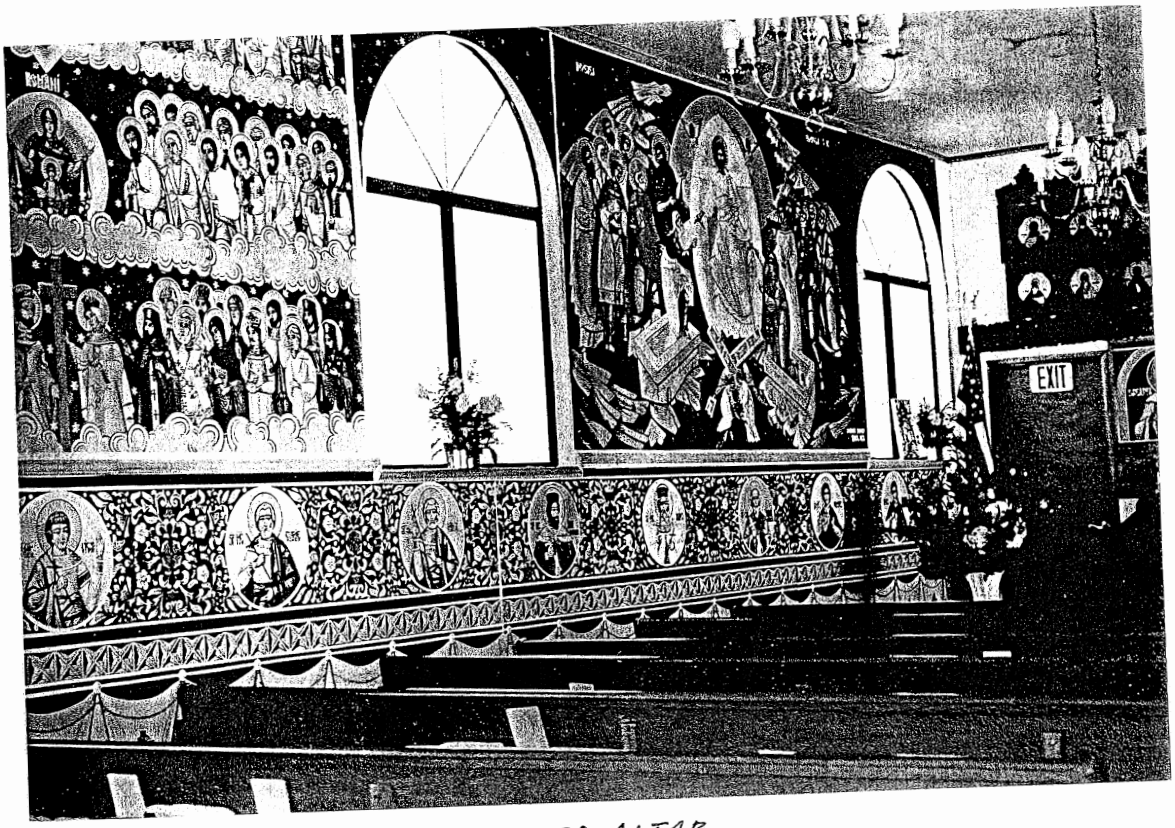
CHURCH INTERIOR AT EASTER – VIEW TOWARD ALTAR

VIEW TOWARDS ALTAR WITH ICONOSTAS DURING A MEMORIAL SERVICE

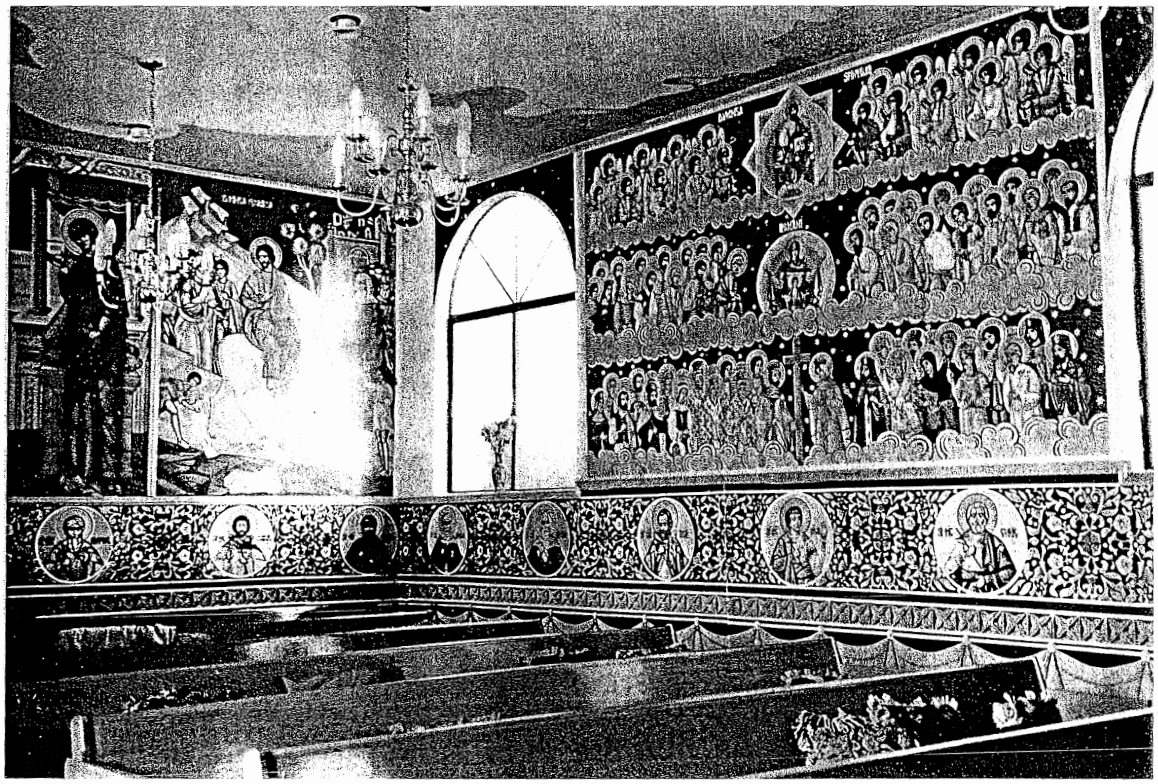


VIEW DURING A WEDDING CEREMONY – IN FRONT OF THE ICONOSTAS

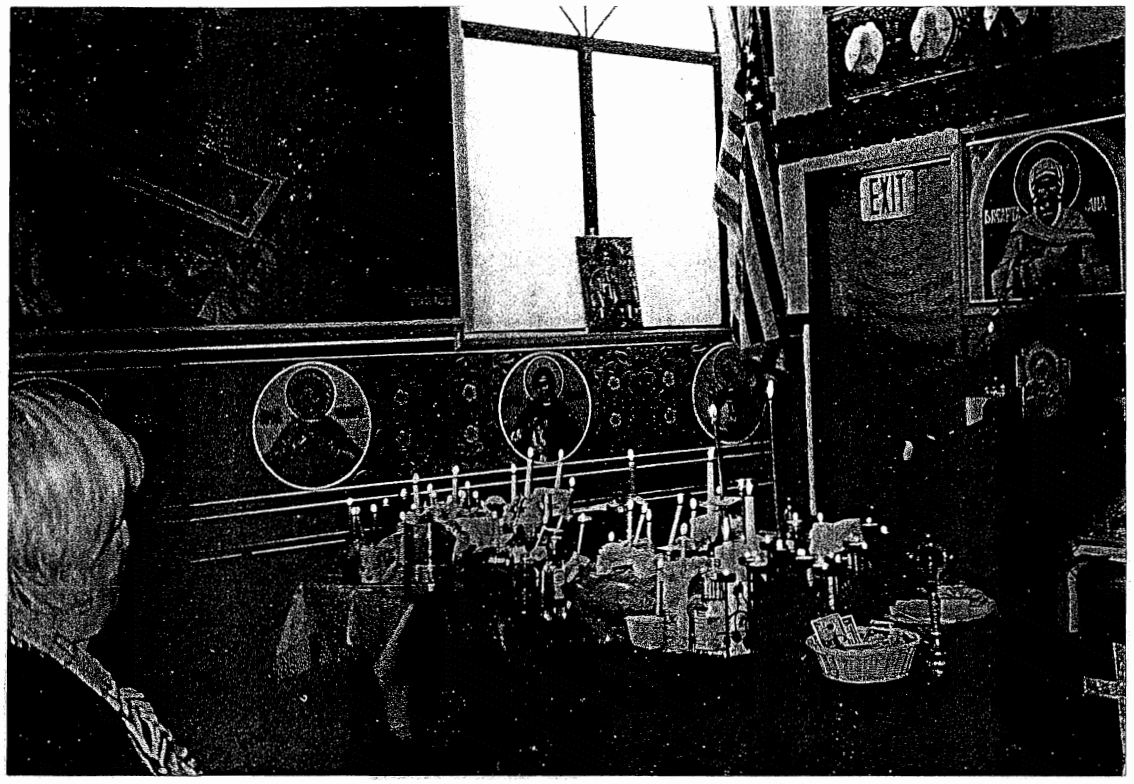
VIEW DURING THE WEDDING CEREMONY



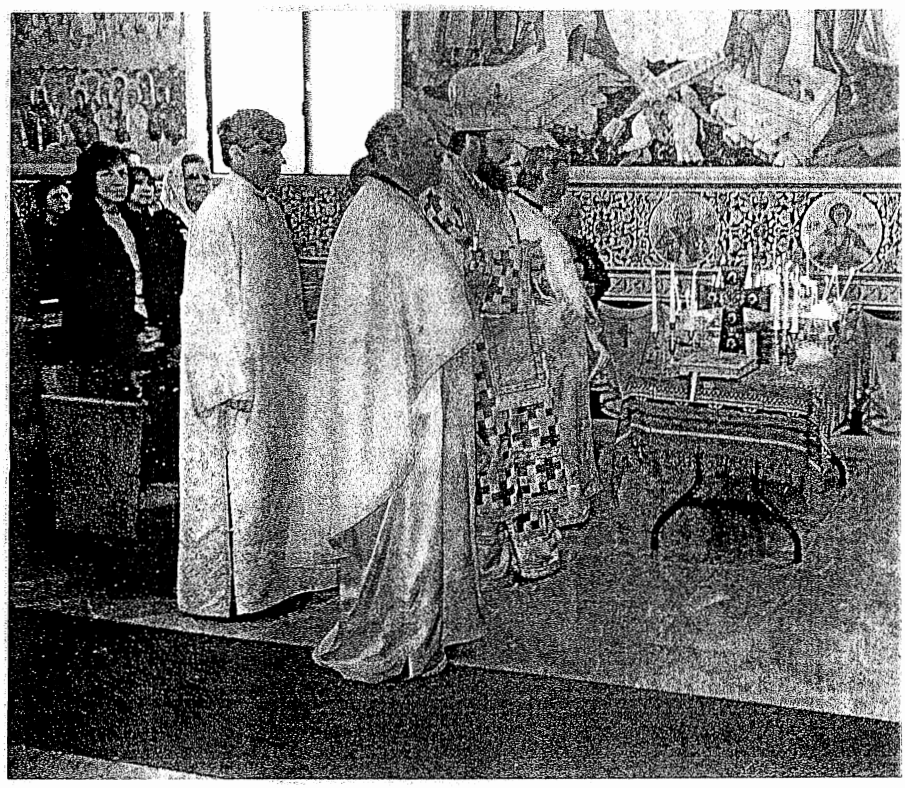
INTERIOR - EAST WALL TOWARD ALTAR



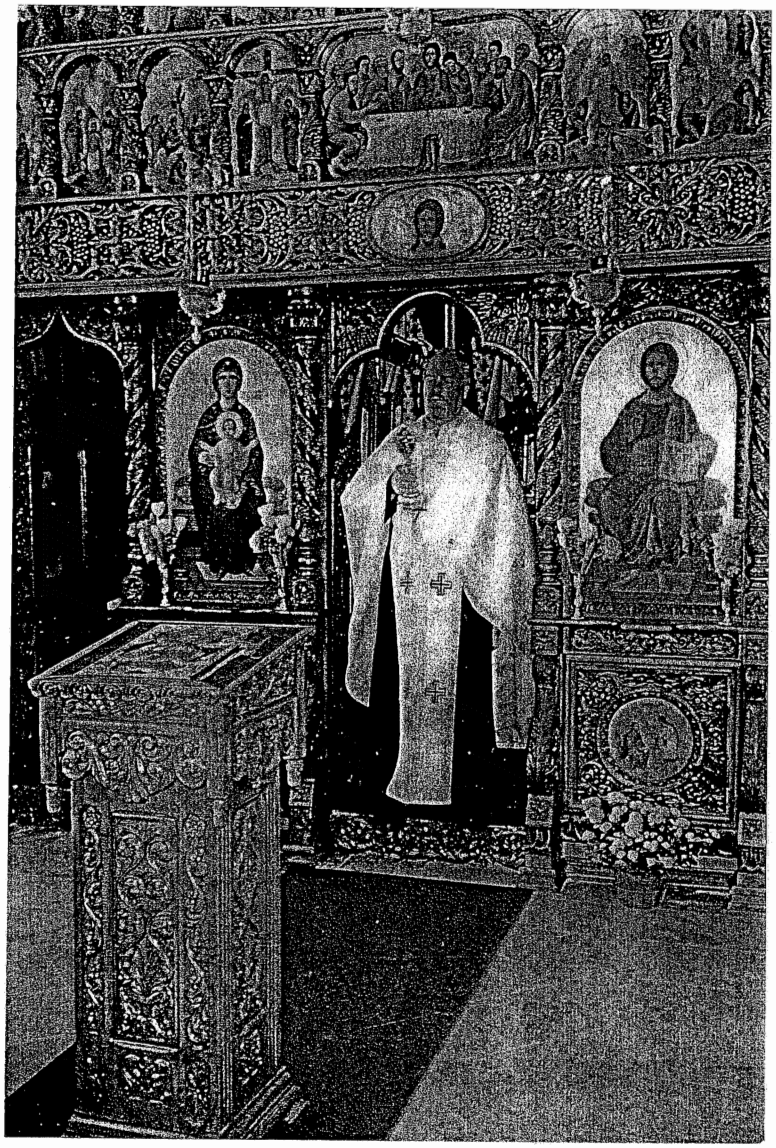
INTERIOR - EAST WALL - TOWARD NAVE ENTRANCE



INTERIOR VIEW - IN FRONT OF THE ICONOSTAS - SPECIAL BLESSING SERVICE



INTERIOR VIEW - IN FRONT OF THE ICONOSTAS - SPECIAL SERVICE
(BLESSING OF THE WATER)
WITH ARCHIBISHOP'S VISIT



INTERIOR VIEW – DURING DIVINE LITURGY SERVICE ON SUNDAY

Saints Archangels-Michael & Gabriel
Romanian Orthodox Church
4102 Hickman Drive, Torrance, CA 90504
(310) 214-8336

CITY OF TORRANCE
PLANNING DEPARTMENT
3031 TORRANCE BLVD
TORRANCE, CA 90503

02/05/09

REF.: PROPERTY AT 4102 HICKMAN DR. / PROPOSED ADDITION

TO WHOM IT MAY CONCERN:

THIS LETTER IS TO INFORM YOU THAT WE ARE A NON-PROFIT ORGANIZATION WITH THE EMPLOYER IDENTIFICATION NUMBER 95-33822989.

PLEASE APPROVE THE FEE WAIVER FOR THE APPLICATION SUBMITTED.

RESPECTFULY

CHURCH PARISH COUNCIL PRESIDENT

BOE-267-SNT REV. 11 (8-07)

2008 RELIGIOUS EXEMPTION CHANGE IN ELIGIBILITY OR TERMINATION NOTICE (CARD)

(Section 257.1 of the Revenue and Taxation Code)

If you do not return this card, it does not of itself constitute a waiver of exemption as called for by the California Constitution, but may result in onsite inspection to verify exempt activity.

NAME AND MAILING ADDRESS

St Archangels Michael And Gabriel
Romanian Orthodox Chur
4102 Hickman Dr
Torrance, CA 90504

79830

ASSESSOR'S IDENTIFICATION NUMBER
MAPBOOK PAGE PARCEL
4084-008-005

LOCATION OF PROPERTY *(if other than mailing address)*
4086 Hickman Dr
Torrance, CA 90504

To all persons who have received a Religious Exemption for the 2007-2008 fiscal year.

QUESTION: Will the property to which the exemption applies in the 2007-2008 fiscal year continue to be used exclusively for religious purposes in the 2008-2009 fiscal year?

☑ Yes ☐ No

SIGNATURE ▶ Eustrinadel

TITLE PARISH COUNCIL PRESIDENT

TELEPHONE NUMBER (8 a.m. - 5 p.m.) (562) 713-4063

E-MAIL ADDRESS *(optional)*

BOE-267-SNT (CARD)

COUNT OF LOS ANGELES • OFFICE OF THE ASSESSOR
500 WEST TE STREET, ROOM 225 • LOS ANGELES, CA 9001 0
Telephone 213.974.3481 • Email: *exempt@assessor.lacounty.gov* • Website: *asses acounty.gov*
Si desea ayuda en Español, llame al número 213.974.3211

RICK AUERBACH
ASSESSOR

2008 RELIGIOUS EXEMPTION CHANGE IN ELIGIBILITY OR TERMINATION NOTICE

(Section 257.1 of the Revenue and Taxation Code)

NAME AND MAILING ADDRESS

APN(s)

LOCATION OF PROPERTY *(if other than mailing address)*

Dear Claimant:

Your organization was allowed the Religious Exemption for 2007 on all or a portion of its property. The Religious Exemption is available only to property which is **owned** by a church and **used exclusively for** religious worship (church), or religious worship including a school. Property used for school purposes only, where there are no church services, does not qualify for the Religious Exemption but may qualify for the Welfare Exemption. Leased real or personal property is not eligible for the Religious Exemption unless the owner of the leased property is also a religious organization and conducts religious worship activities (church services and/or school purposes) on the property, in which case both the owner and the operator must file for the Religious Exemption. Under one-time filing, the Religious Exemption will remain in effect until the property is sold or all or a part of the property is used for activities that are outside the scope of the Religious Exemption.

If, as of January 1, 2008, you still own the property and the activities conducted on the property **have not changed** since January 1, 2007, answer the question on the card "yes" and sign and return the card to the Assessor. The Assessor will continue the exemption. If you do not return the card, it may result in an onsite inspection to verify that the property is being used for exempt activities.

If, as of January 1, 2008, you no longer owned the property or activities other than religious worship or religious worship including a school were taking place on the property, answer the question on the card "no" and sign and return the card to the Assessor within 30 days, so that the exemption can be modified or terminated. If you do not notify the Assessor when the property is no longer eligible for the exemption, it will result in an escape assessment plus interest and may result in a penalty of up to $250.

The following activities are outside the scope of the Religious Exemption (those activities which are within the scope of either the Church Exemption or the Welfare Exemption are indicated in parentheses):

a. No activity (no exemption)

b. Parsonage, living quarters (welfare)

c. Thrift store (welfare)

d. Bingo (welfare)

e. Other (non-church or non-school) religious or charitable activities of another organization on your church-owned property (welfare: both the owner and the operator must file)

f. Property owned by a non-church entity but leased to and used exclusively by a church for religious services (church)

If you wish to claim either the Church Exemption or the Welfare Exemption, contact the Assessor **immediately**: the deadline for timely filing for the Church Exemption or Welfare Exemption is February 15. Section 270, Revenue and Taxation Code, provides for late filing of the Church and Welfare Exemptions.

City of Torrance, Community Development Dept.
3031 Torrance Blvd., Torrance, CA 90503 (310) 618-5990
Jeffery W. Gibson, Director

Environmental Checklist Form

1.	**Project Title:**	Saints Archangels Michael & Gabriel Romanian Orthodox Church / Ion Cretu (EAS09-00002 for CUP09-00005, VAR09-00002, WAV09-00006)
2.	**Lead Agency Name and Address:**	City of Torrance 3031 Torrance Boulevard Torrance, CA 90503
3.	**Contact Person and Phone Number:**	Gregg D. Lodan, AICP Planning Manager 310.618.5990
4.	**Project Location:**	4102 Hickman Drive, Torrance, CA 90504
5.	**Project Sponsor's Name & Address:**	Ion Cretu 1267 Barry Avenue #9 Los Angeles, CA 90025
6.	**General Plan Designation:**	Low Medium Density Residential
7.	**Zoning:**	R-2 (Two Family Residential District)
8.	**Description of the Project:**	This is a request to allow a series of entitlements to construct a 2,480 square foot auxiliary building (cafeteria, food handling room, nursery for children up to 6 years old, Sunday school classroom for children 6 – 12 years old, library and activity room) above an existing parking lot, in conjunction with an existing church facility of 2,250 square feet. The request includes a Conditional Use Permit to allow the addition, a Variance to allow less than the required lot size and parking requirements, and a Waiver of the side and rear setback requirements on property located in the R-2 Zone at 4102 Hickman Drive. The project does not meet the CEQA Categorical Exemption guidelines due to the Variance and Waiver request.
	Surrounding Land uses and Setting:	The site is surrounded by single family residential to the north, single family residential and duplexes to the east, apartments, condominiums, and single family residential to the south, and vacant land, condominiums, and single family residential to the west.
	Other public agencies whose approval is required:	None

ENVIROMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐ Aesthetics	☐ Agriculture Resources	☐ Air Quality
☐ Biological Resources	☐ Cultural Resources	☐ Geology/Soils
☐ Hazards & Hazardous Materials	☐ Hydrology/ Water Quality	☐ Land Use/ Planning
☐ Mineral Resources	☐ Noise	☐ Population/ Housing
☐ Public Services	☐ Recreation	☐ Transportation/ Traffic
☐ Utilities/ Service Systems	☐ Mandatory Findings of Significance	

DETERMINATION: On the basis of this initial evaluation:

☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Field Inspections and Assessment By:

Yolanda Gomez, Planning Associate — June 25, 2009
Date

CONCUR:

Gregg D. Lodan, AICP, Planning Manager
Secretary to the Planning Commission — June 25, 2009
Date

ENVIRONMENTAL ISSUES:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
1. AESTHETICS. Would the project:					
(a) Have a substantial adverse effect on a scenic vista?	2, 3, 4	☐	☐	☐	☒
(b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	4	☐	☐	☐	☒
(c) Substantially degrade the existing visual character or quality of the site and its surroundings?	2, 3, 4	☐	☐	☐	☒
(d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	1	☐	☐	☒	☐

The proposed addition would not introduce incompatible visual elements within a field of view containing a scenic vista or substantially block a scenic vista. The project site does not contain a scenic resource and is not located on or near a designated state or city scenic highway. The blocks surrounding the site are developed with residential units; and therefore, provide sparse night time lighting, including street lights and automobile headlights. The project does not propose any new exterior lighting. Currently, there is some exterior lighting attached to the rear of the existing church building; however, additional adequate lighting for the parking lot, exterior stairs and elevator shall be conditioned for public safety and shall be conditioned to be directed and shielded to minimize light spilling onto surrounding properties and vehicular traffic. The addition and parking lot are located towards the rear of the property, behind the existing church building, and as such, should not produce any significant impact adjacent to public rights-of-ways or adjacent properties. Additionally, trees are proposed along the perimeter of the parking lot to provide natural screening of the proposed structure and glare from any lights. With all of these elements, the proposed project should not pose any significant impact in regards to Aesthetics.

2. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:					
(a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	3, 4	☐	☐	☐	☒
(b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	3, 9	☐	☐	☐	☒
(c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	3, 9	☐	☐	☐	☒

The proposed project would not result in the conversion of either local or state-designated prime agricultural land from agricultural use to a non-agricultural use. The project is not located on a property with agricultural activities on the site. The site is currently used as a church and parking lot. The project site and surrounding properties are not agriculturally zoned nor are they developed with uses that are agricultural. Therefore, the project will not affect Agricultural Resources.

ENVIRONMENTAL ISSUES:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
(a) Conflict with or obstruct implementation of the applicable air quality plan?	4	☐	☐	☐	☒
(b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	2	☐	☐	☐	☒
(c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative threshold for ozone precursors)?	2	☐	☐	☐	☒
(d) Expose sensitive receptors to substantial pollutant concentrations?	2	☐	☐	☐	☒
(e) Create objectionable odors affecting a substantial number of people?	2, 4	☐	☐	☐	☒

The long-term cumulative impacts of development in the City, pursuant to the Torrance General Plan, were assessed in the General Plan Update Final EIR, 1992. The impacts on air quality were significant and unable to be mitigated, as such a statement of over-riding consideration was adopted concerning air quality. Churches are conditionally permitted uses in the R-2 Zone, and consistent with the Low Medium Density Residential designation, and as such, the proposed development of this site was assumed in the analysis performed in the General Plan EIR; accordingly, the cumulative impacts related to this project are considered to be previously assessed.

The proposal's construction activities could result in dust generation. These short-term impacts would be mitigated by Best Management Practices (BMPs), and in compliance with the City's Building Code regulations. Dust and dirt from construction activities and the exhaust emissions from construction equipment, although of short duration, would be restricted by existing City and Regional Air Quality Regulations, and, therefore, would not have a significant impact on the environment.

4. BIOLOGICAL RESOURCES. Would the project:					
(a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	2, 4	☐	☐	☐	☒
(b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife	2, 4	☐	☐	☐	☒

ENVIRONMENTAL ISSUES:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
Service?					
(c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	2, 4	☐	☐	☐	☒
(d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	2, 4	☐	☐	☐	☒
(e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	2, 4	☐	☐	☐	☒
(f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	2, 4	☐	☐	☐	☒

The Conservation Element of the Torrance General Plan and the General Plan EIR do not identify any threatened or endangered species in the City of Torrance. The project site has been developed with a church building since 1957. It is surrounded by other urban development, specifically residential, with no significant stretches of open space and no areas of significant biological resource values. The project site is not located in an environmentally sensitive area. No riparian, wetland or other sensitive natural community identified in local plans, policies or regulations or by the California Department of Fish and Game or the United States Fish and Wildlife Service occur on the project site. The project does not conflict with any conservation or preservation plans. For these reasons, the project has no impact on Biological Resources.

5. CULTURAL RESOURCES. Would the project:					
(a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	2	☐	☐	☐	☒
(b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	2	☐	☐	☐	☒
(c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	2	☐	☐	☐	☒
(d) Disturb any human remains, including those interred outside of formal cemeteries?	2	☐	☐	☐	☒

There is no evidence as provided by the General Plan and the General Plan EIR, of any known historical, archeological, or paleontological resources on the site. There are no known human remains on the site, which is currently used for a church facility. For these reasons, the project has no impact on Cultural Resources.

ENVIRONMENTAL ISSUES:		Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
6. GEOLOGY AND SOILS. Would the project:						
(a)	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:		☐	☐	☒	☐
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	2, 5	☐	☐	☒	☐
ii)	Strong seismic ground shaking?	2, 5	☐	☐	☒	☐
iii)	Seismic-related ground failure, including liquefaction?	2, 5	☐	☐	☒	☐
iv)	Landslides?	2, 5	☐	☐	☐	☒
(b)	Result in substantial soil erosion or the loss of topsoil?	1	☐	☐	☒	☐
(c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	2, 5	☐	☐	☒	☐
(d)	Be located on expansive soil, as identified in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?		☐	☐	☐	☒
(e)	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?		☐	☐	☐	☒

The City of Torrance is located in a seismically active area, however, the project site does not lie within or immediately adjacent to an Alquist-Priolo Earthquake Fault Zone, nor are there any active or potentially active faults identified by the State as being on the site. The nearest fault considered active is the Newport-Inglewood Fault, which is located two miles north of the City boundary. The project would not expose people to the rupture of a known earthquake fault zone. The 2009 California Building Code (2009 CBC) provides the only available mitigation, in that it sets procedures and limitations for the design of structures, based on seismic risk and the type of facility. All construction will be subject to all applicable provisions of the 2009 CBC.

Since the project site and area surrounded by the development are relatively flat, there is no risk of landslides occurring. The property will be subject to grading to conform to the requirements of the Torrance Municipal Code and the 2009 CBC with regards to soil compaction and drainage. Erosion will be controlled by standard erosion control measures imposed in conjunction with the issuance of a grading permit. The project does not create the potential for significant increases in erosion of the project site or surrounding areas.

ENVIRONMENTAL ISSUES:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
7. HAZARDS AND HAZARDOUS MATERIALS. Would the project:					
(a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	2, 3, 5	☐	☐	☐	☒
(b) Create significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	2, 3, 5	☐	☐	☐	☒
(c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	1	☐	☐	☐	☒
(d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	2, 3, 5, 13	☐	☐	☐	☒
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	9	☐	☐	☐	☒
(f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	9	☐	☐	☐	☒
(g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	5	☐	☐	☐	☒
(h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	4, 5, 9	☐	☐	☐	☒

ENVIRONMENTAL ISSUES:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact

The proposed project is not expected to increase the exposure of people to hazardous materials or other health hazards. The project is not within the vicinity of an airport or airstrip and will not interfere with any related airport operations or existing airport landuse plan and would not result in a safety hazard for people residing or working in the project area. The proposed project would not substantially impede public access or travel upon public rights-of-way and would not interfere with any adopted emergency response plan or emergency evacuation plan. The project is located in an urbanized area that does not contain expanses of wildland area; and therefore, does not pose potential fire hazard involving wildland fires. For these reasons, the project is not expected to result in a significant impact regarding Hazards and Hazardous Materials.

8. HYDROLOGY AND WATER QUALITY. Would the project:					
(a) Violate any water quality standards or waste discharge requirements?	4, 5	☐	☐	☐	☒
(b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	4	☐	☐	☐	☒
(c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	4, 5	☐	☐	☐	☒
(d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	4, 5	☐	☐	☐	☒
(e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	4, 5	☐	☐	☐	☒
(f) Otherwise substantially degrade water quality?	5	☐	☐	☐	☒
(g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	14	☐	☐	☐	☒
(h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	14	☐	☐	☐	☒

ENVIRONMENTAL ISSUES:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
(i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	3, 5	☐	☐	☐	☒
(j) Inundation by seiche, tsunami, or mudflow?	5	☐	☐	☐	☒

The project is not located near any bodies of water, nor is it located in an area subject to flooding. Soil absorption rates will not be altered as a result of the proposed use and addition. The site is currently developed with a church building and related paved parking lot, and soil absorption rates will not be significantly altered, as the amount of impervious surface area will remain the same, or improved pursuant to landscaping conditions of approval. As a precursor to obtaining a Grading Permit, an Erosion Control Plan providing Best Management Practices (BMPs) to control the discharge of storm water pollutants, including sediments associated with the construction activities, will have to be submitted to and approved by the Grading Division of the Community Development Department, in accordance with the National Pollutant Discharge Elimination System (NPDES) and Standard Urban Stormwater Mitigation Plan (SUSMP) regulations. For these reasons, the project will not pose significant environmental impacts with regards to bodies of water or groundwater systems.

9. LAND USE AND PLANNING. Would the project:					
(a) Physically divide an established community?	3, 9	☐	☐	☐	☒
(b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	3, 9, 10	☐	☐	☒	☐
(c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	3, 4	☐	☐	☐	☒

The proposed project would not divide an established community as the project involves the addition of an auxiliary building to an existing church facility on a 0.27-acre project area that is surrounded by residential uses. This property has a General Plan land use designation of Low Medium Density Residential. The designation is characterized by small lot single family, two family, and townhouse developments. The designation is implemented by the R-1, R-2 and R-TH Zones. Churches and associated facilities are conditionally permitted in the R-2 Zone.

The project requires a Variance because the Torrance Municipal Code requires a minimum of a one-acre parcel for church uses, and the proposed project does not meet the parking requirements. The project also requires a Waiver of the side and rear setback development standards.

10. MINERAL RESOURCES. Would the project:					
(a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	3	☐	☐	☐	☒
(b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	3	☐	☐	☐	☒

ENVIRONMENTAL ISSUES:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
There are no known mineral resources in the vicinity; therefore, the proposed development will not negatively impact mineral resources.					
11. NOISE. Would the project result in:					
(a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	6, 11	☐	☐	☐	☒
(b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	6, 11	☐	☐	☐	☒
(c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	6, 11	☐	☐	☐	☒
(d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	6, 11	☐	☐	☒	☐
(e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	6, 9, 11	☐	☐	☐	☒
(f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	6, 9, 11	☐	☐	☐	☒
The proposed project must comply with the Noise Ordinance of the Torrance Municipal Code. An increase in noise levels is expected during the construction of the project. The construction hours are regulated by the Torrance Municipal Code to minimize impacts to nearby properties. The impact will cease upon completion of the project and long term noise levels will be typical of the existing use. A noise attenuation study will be required to ensure that the addition will not impact the surrounding uses and will comply with the Torrance Noise Ordinance. As such, the project should not pose significant impacts to Noise.					
12. POPULATION AND HOUSING. Would the project:					
(a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	2, 3	☐	☐	☐	☒
(b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	2, 3, 9	☐	☐	☐	☒

ENVIRONMENTAL ISSUES:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
(c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	2, 3	☐	☐	☐	☒

The proposed project consists of an auxiliary building addition of to an existing church. The project is consistent with the land use designation and most zoning classifications, will not displace any existing housing,and will not increase the City's population, as it is not a residential use, thus the project will not have an impact on Population and Housing.

13. PUBLIC SERVICES					
(a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	2	☐	☐	☐	☒
(i) Fire protection?	2, 5	☐	☐	☒	☐
(ii) Police protection?	2, 5	☐	☐	☒	☐
(iii) Schools?	2, 3	☐	☐	☐	☒
(iv) Parks?	2, 7	☐	☐	☐	☒
(v) Other public facilities?	2	☐	☐	☒	☐

There are adequate fire, police, park and public maintenance services provided by the City of Torrance available to service the proposed project, as the subject site and the immediate area are almost entirely developed, except for two small adjacent parcels zoned R-2, which could potentially be developed to a maximum of two, two-family, units. Furthermore, since this is not a residential proposal, there will be no school age population generated. Therefore, the project will not have a significant impact with regard to Public Services.

14. RECREATION:					
(a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	2, 7	☐	☐	☐	☒
(b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the	1	☐	☐	☐	☒

ENVIRONMENTAL ISSUES:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
environment?					

The subject property was not previously used for recreation. As there are no residential units on site, it is not expected to increase the City's population, and the project is not expected to significantly increase demand for public recreational services.

15. TRANSPORTATION/TRAFFIC. Would the project:

(a)	Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number or vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	8, 12	☐	☐	☒	☐
(b)	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	8, 12	☐	☐	☒	☐
(c)	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	5, 9	☐	☐	☐	☒
(d)	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	1, 10	☐	☐	☐	☒
(e)	Result in inadequate emergency access?	1, 10	☐	☐	☐	☒
(f)	Result in inadequate parking capacity?	1, 10	☐	☐	☐	☒
(g)	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	8	☐	☐	☐	☒

The Transportation Planning Division of the Community Development Department of the City of Torrance has calculated that the proposed church operation will increase the number of trips to 44 Total Trip Ends Per Day (TPED). This would be an increase of 23 total TPEDs from the existing church operation's 21 TPEDs. The Transportation Planning Division has concluded that the proposed church operation would increase the number of AM and PM peak trips by 1.38 and 1.36, respectively, and increase the 24-hour volume by 0.02% and 0.12% on Prairie Avenue and 182nd Street, respectively. Therefore, the proposed use will have less than significant impacts on Transportation / Traffic.

16. UTILITIES AND SERVICE SYSTEMS. Would the project:

(a)	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	2, 4, 5, 8	☐	☐	☐	☒
(b)	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing	2, 4, 5, 8	☐	☐	☐	☒

ENVIRONMENTAL ISSUES:		Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
	facilities, the construction of which could cause significant environmental effects?					
(c)	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	2, 4, 5, 8	☐	☐	☐	☒
(d)	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	2, 4, 5, 8	☐	☐	☐	☒
(e)	Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	2, 8	☐	☐	☐	☒
(f)	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	2, 4	☐	☐	☐	☒
(g)	Comply with federal, state, and local statutes and regulations related to solid waste?	2, 4	☐	☐	☐	☒

The proposed addition to the church facility will not require or result in new or expanded water service and drainage facilities. The project is not expected to significantly impact Utilities and Service Systems.

17. MANDATORY FINDINGS OF SIGNIFICANCE:

(a)	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	2	☐	☐	☐	☒

The proposed project involves the addition of an auxiliary building to an existing church facility on a property zoned for residential uses and currently developed with a church building and related parking lot. The property is located in an urban area and there is no evidence that the project will result in any adverse impact on the fish and wildlife resources and their habitat or plant materials.

(b)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with	2	☐	☐	☐	☒

ENVIRONMENTAL ISSUES:	Sources	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less than Significant Impact	No Impact
the effects of past projects, the effects of other current projects, and the effects of probable future projects)?					

The long-term cumulative impacts of development in the City pursuant to the Torrance General Plan were assessed in the General Plan Update Final EIR, 1992. The analysis performed in the General Plan EIR assumed this site was developed as a residential use; however, churches were/are conditionally permitted. The EIR identified certain cumulative impacts such as generation of air pollution, 100-year flood protection, traffic congestion, limited solid waste disposal facilities in Los Angeles County and limited water supply for Southern California. These cumulative impacts are considered to be previously assessed and the development does not have impacts that are individually limited, but cumulatively considerable.

(c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		☐	☐	☐	☒

As the environmental impacts of this project are herein determined to be less than significant overall, there is no evidence to indicate that adverse impacts will be caused to human beings, either directly or indirectly.

18. EARLIER ANALYSIS:

a) The General Plan Update Final EIR, 1992, is a program EIR pursuant to Section 15168 of the CEQA Guidelines. Pursuant to CEQA and the CEQA Guidelines, a program EIR can (1) provide the basis in an Initial Study for determining whether the later activity may have any significant effects, and (2) be incorporated by reference to deal with regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole. This Initial Study incorporates the analysis contained in the General Plan EIR.

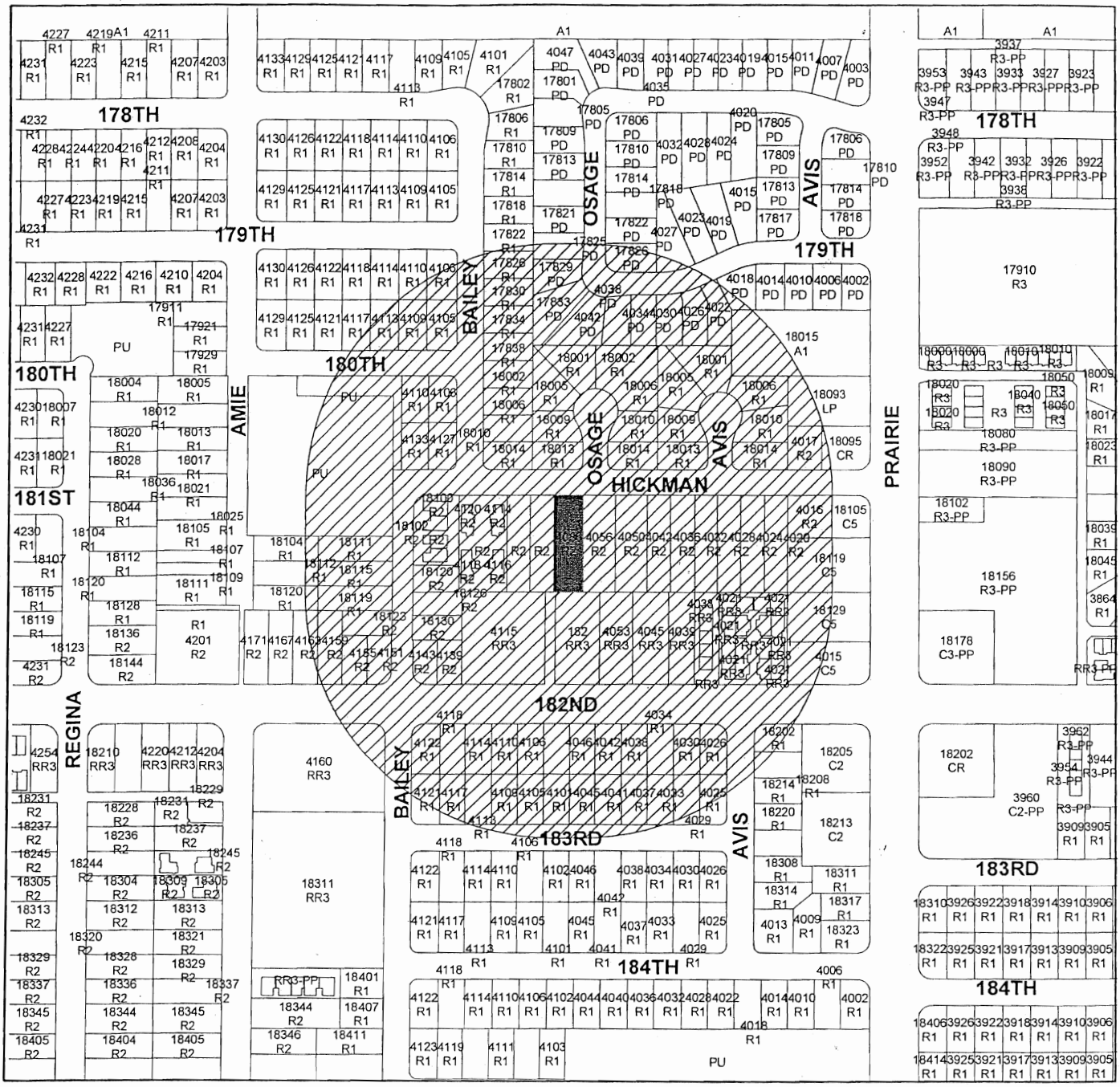
19. SOURCE REFERENCES:

1. Project Plot Plan, Floor Plan and Elevations
2. General Plan Final Environmental Impact Report, SCH #90010318, October 1992
3. City of Torrance General Plan – Land Use Element and Land Use Map, October 1992
4. City of Torrance General Plan – Conservation Element, October 1992
5. City of Torrance General Plan – Safety Element, October 1992
6. City of Torrance General Plan – Noise Element, October 1992
7. City of Torrance General Plan – Parks and Recreation Element, October 1992
8. City of Torrance General Plan – Circulation Element, October 1992
9. City of Torrance Zoning Map
10. City of Torrance Municipal Code, Division 9: Planning & Land Use
11. City of Torrance Municipal Code, Division 4: Public Health & Welfare
12. City of Torrance Trip Generation Study
13. California Department of Toxic Substances Control: http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm
14. FEMA Flood Insurance Rate Maps, December 1979

20. ATTACHMENTS:

1. Location and Zoning Map
2. City of Torrance Trip Generation Study

ATTACHMENT 1



LOCATION AND ZONING MAP

4102 Hickman Drive
CUP09-00005, WAV09-00006,
VAR09-00002, & EAS09-00002

TORRANCE COMMUNITY DEVELOPMENT GIS

LEGEND

4102 Hickman Drive

Notification Area

0 125 250 500 Feet

N W E S

Prepared using City of Torrance Community Development Geographic Information System
Jeffery W. Gibson, Community Development Director

ATTACHMENT 2

PROJECT DESCRIPTION: **Date: 6/24/09**

Church addition (2,480 sqft.) located at 4102 Hickman Drive

Existing Average Daily Traffic (ADT)

A. 56,200 Prairie Avenue
B. 9,510 182nd Street

Existing Peak Hour Volumes

B. 4,428 Prairie Avenue
A. 840 182nd Street

TRIP GENERATION

TEPD Rate: 9.11 Trips/1,000 sqft. of Gross Floor Area for Church (560)
0.56 Trips/1,000 sqft. of GFA during morning (a.m.) peak-hour (560)
0.55 Trips/1,000 sqft. of GFA during afternoon (p.m.) peak-hour(560)

Source: ITE Trip Generation (8th Edition)

A. Existing from sites 21 trip-ends per day (TEPD).

B. From project 23 TEPD. (Church)

1.38 TE during morning (a.m.) peak-hours (62% entering, 38% exiting)
1.36 TE during afternoon (p.m.) peak-hours (48% entering, 52% exiting)

C. Net increase = 23 TEPD.

TRIP DISTRIBUTION

A. **Arriving**
1. ___ TEPD northbound.
2. ___ TEPD southbound.

Departing
1. ___ TEPD northbound.
2. ___ TEPD southbound.

Total **Total**

TRAFFIC CHARACTERISTICS

24-hour volume will increase by 0.02% and 0.12% on Prairie Avenue and 182nd Street respectively. Peak hour V/C Ratios at critical intersections in the vicinity of the proposed site and the existing levels of service at these intersections will have minimal impacts.

By: PS

Los Angeles County Registrar / Recorder
12400 Imperial Highway, Norwalk, CA
(800)201-8999

Business Filings

NORWALK

Cashier: F. HARRIS

200906251230048

Thursday, June 25, 2009 4:13 PM

Item(s)

Fee	Qty	Total
NoC - County Posting Fee	1	$75.00
Total		**$75.00**

Customer payment(s):

Cash	$75.00

City of Torrance, Community Development Dept.
3031 Torrance Blvd., Torrance, CA 90503 (310) 618-5990
Jeffery W. Gibson, Director

Notice of Completion

TO:

LOS ANGELES COUNTY
REGISTRAR-RECORDER/COUNTY CLERK
ENVIRONMENTAL FILING DIVISION
12400 IMPERIAL HIGHWAY, ROOM 2001
NORWALK, CA 90650

FROM:

CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPARTMENT/
DEVELOPMENT REVIEW DIVISION
3031 TORRANCE BOULEVARD
TORRANCE, CA 90503

PROJECT IDENTIFICATION AND LOCATION

Project Title Saints Archangels Michael & Gabriel Romanian Orthodox Church / Ion Cretu	
Project Location (Specific) 4102 Hickman Drive	
Project Location (City) City of Torrance	Project Location (County) Los Angeles

PROJECT DESCRIPTION

Description of Nature, Purpose, and Beneficiaries of Project:

EAS09-00002, CUP09-00005, VAR09-00002, WAV09-00006:
The project is a request for a series of entitlements to allow the construction of an auxiliary building above an existing parking lot on a site with an existing church facility located in the R-2 Zone at 4102 Hickman Drive. The project does not meet the CEQA Categorical Exemption guidelines due to a Variance request of the parking requirements and minimum lot size required by the Torrance Municipal Code (TMC 95.3.6), and a Waiver of the side and rear setback requirements.

The site is currently developed with an approximately 2,250 square foot church building originally built in 1957. The site is surrounded by single family residential to the north, single family residential and duplexes to the east, apartments, condominiums, and single family residential to the south, and vacant land, condominiums, and single family residential to the west.

ORIGINAL FILED
JUN 25 2009
LOS ANGELES, COUNTY CLERK

Lead Agency City of Torrance	Division/Department Development Review Division / Community Development Department	
Address Where Copy Of EAS Is Available Community Development Department/3031 Torrance Boulevard, Torrance CA 90503		
Review Period June 26, 2009 through July 27, 2009		
Contact Person Gregg D. Lodan, AICP, Planning Manager	Phone Number (Including Area Code) (310) 618-5990	Extension

City of Torrance, Community Development Dept.
3031 Torrance Blvd., Torrance, CA 90503 (310) 618-5990
Jeffery W. Gibson, Director

Notice of Completion – Form A

TO:

LOS ANGELES COUNTY
REGISTRAR-RECORDER/COUNTY CLERK
ENVIRONMENTAL FILING DIVISION
12400 IMPERIAL HIGHWAY, ROOM 2001
NORWALK, CA 90650

FROM:

CITY OF TORRANCE
COMMUNITY DEVELOPMENT DEPARTMENT/
DEVELOPMENT REVIEW DIVISION
3031 TORRANCE BOULEVARD
TORRANCE, CA 90503

Project Title Saints Archangels Michael & Gabriel Romanian Orthodox Church / Ion Cretu			Contact Person Gregg D. Lodan, AICP	
Lead Agency City of Torrance			Phone (310) 618-5990	
Street Address 3031 Torrance Blvd.	City Torrance		Zip Code 90503	County Los Angeles
County Los Angeles			City/Nearest Community Torrance	
Cross Streets Between Bailey Drive and Prairie Avenue			Zip Code 90504	Total Acres 0.27
Assessor's Parcel No. 4084-008-005	Section	TWP	Range	Base

WITHIN TWO MILES OF:

☒ State Hwy # 1, 107 ☐ Airports
☐ Waterways ☐ Railways
☒ Schools El Camino, St. Catherine, Carr, Lincoln, Casimir, Arlington, Hamilton, Yukon, North, Edison, Magruder, Ascension Lutheran, Lynn, Bishop Montgomery, Anza, Towers, West, Victor, St. James, Lynn, South Bay Jr., Jefferson, Seaside, Richardson, Arnold, Levy, First Lutheran, Madrona, La Primera, Redondo, Hickory

DOCUMENT TYPE:

CEQA		NEPA	Other
☐ NOP	☐ Supplemental/Subsequent	☐ NOI	☐ Joint Document
☐ Early Cons	☐ EIR (Prior SCH No.)	☐ EA	☐ Final
☒ Neg. Dec.	☐ Other:	☐ Draft EIS	☐ Other:
☐ Draft EIR		☐ FONSI	

LOCAL ACTION TYPE:

☐ General Plan Update	☐ Specific Plan	☐ Rezone	☐ Annexation
☐ General Plan Amendment	☐ Master Plan	☐ Prezone	☐ Redevelopment
☐ General Plan Element	☐ Plan Unit Development	☒ Use Permit	☐ Coastal Permit
☐ Community Plan	☒ Site Plan	☐ Land Division: (Subdivision/Parcel Map/Tract Map/etc.)	☒ Other: Variance & Waiver

DEVELOPMENT TYPE:

☐ Residential:	Units:	Acres:		☐ Water Facilities:	Type:	MGD:
☐ Office:	Sq. Ft.:	Acres:	Employees:	☐ Transportation:	Type:	
☐ Commercial:	Sq. Ft.:	Acres: Acres:	Employees:	☐ Mining:	Mineral:	
☐ Industrial:	Sq. Ft.:		Employees:	☐ Power:	Type:	Watts:
☐ Education:				☐ Waste Treatment:	Type:	
☐ Recreational:				☐ Hazardous Waste:	Type:	
☒ Other: Church/Religious Institution						

PROJECT ISSUE(S) DISCUSSED IN DOCUMENT

☒ Aesthetics/Visual	☒ Flood Plain/Flooding	☐ Schools/Universities	☒ Water Quality
☒ Agricultural Land	☒ Forest Land/Fire Hazard	☐ Septic Systems	☒ Water Supply/Ground Water
☒ Air Quality	☒ Geologic/Seismic	☒ Sewer Capacity	☒ Wetland/Riparian
☒ Archeological	☒ Minerals	☒ Soil Erosion/Compaction/Grading	☒ Wildlife
☐ Coastal Zone	☒ Noise	☒ Solid Waste	☒ Growth Inducing
☒ Drainage/Absorption	☒ Population/Housing Balance	☒ Toxic/Hazardous	☒ Land Use
☐ Economics/Jobs	☒ Public Services Facilities	☒ Traffic/Circulation	☐ Cumulative Effects
☐ Fiscal	☒ Recreation/Parks	☒ Vegetation	☐ Other:

Present Land Use	Zoning	General Plan Land Use
Church/Religious Institution	R-2	Low-Medium Density Residential (9-18 du/ac)

Project Description

EAS09-00002, CUP09-00005, VAR09-00002, WAV09-00006:
The project is a request for a series of entitlements to allow the construction of an auxiliary building above an existing parking lot on a site with an existing church facility located in the R-2 Zone at 4102 Hickman Drive. The project does not meet the CEQA Categorical Exemption guidelines due to a Variance request of the parking requirements and minimum lot size required by the Torrance Municipal Code (TMC 95.3.6), and a Waiver of the side and rear setback requirements.

The site is currently developed with an approximately 2,250 square foot church building originally built in 1957. The site is surrounded by single family residential to the north, single family residential and duplexes to the east, apartments, condominiums, and single family residential to the south, and vacant land, condominiums, and single family residential to the west.

REVIEW AGENCIES

KEY

S = Document sent by lead agency X = Document sent by SCH D = Suggested Distribution

_____	Resources Agency	_____	Caltrans District # 7
_____	Boating & Waterways	_____	Department of Transportation Planning
_____	Conservation	_____	Aeronautics
_____	Fish & Game	_____	California Highway Patrol
_____	Forestry	_____	Housing and Community Development
_____	Colorado River Board	_____	Statewide Health Planning
_____	Dept. Water Resources	_____	Health
_____	Reclamation	_____	Food and Agriculture
_____	Parks & Recreation	_____	Public Utilities Commission
_____	Office of Historic Preservation	_____	Public Works
_____	Native American Heritage Commission	_____	Corrections
_____	S. F. Bay Cons. & Development Commission	_____	General Services
_____	Coastal Commission	_____	OLA
_____	Energy Commission	_____	Santa Monica Mountains
_____	State Lands Commission	_____	TRPA
_____	Air Resources Board	_____	OPR – OLGA
_____	Solid Waste Management Board	_____	OPR – Coastal
_____	SWRCB: Sacramento	_____	Bureau of Land Management
_____	RWQCB: Region #	_____	Forest Service
_____	Water Rights	_____	Other: Dept. of Toxic Substances Control
_____	Water Quality	_____	Other: South Coast Air Quality Mgmt. Dist.

PUBLIC REVIEW PERIOD (TO BE FILLED IN BY LEAD AGENCY)	
Starting Date June 26, 2009	Ending Date July 27, 2009
Signature , Planning Manager	Date June 25, 2009

LEAD AGENCY (COMPLETE IF APPLICABLE)		
Consulting Firm		
Address		
City	State	Zip Code
Contact		
Phone		
Applicant		
Address		
City	State	Zip Code
Phone		

FOR SCH USE ONLY
Date Received At SCH
Date Review Starts
Date To Agencies
Date To SCH
Clearance Date
Catalog Number
Notes

Daily Breeze

5215 TORRANCE BLVD * TORRANCE CALIFORNIA 90503-4077
(310) 543-6635 * (310) 540-5511 Ext. 396

PROOF OF PUBLICATION
(201 5.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the **THE DAILY BREEZE**

a newspaper of general circulation, printed and published

in the City of **Torrance**
County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of

June 10, 1974
Case Number **SWC7146**
that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement there of on the following dates, to-wit

June 26,

all in the year 2009

the foregoing is true and correct.
Dated at Torrance

California, this 26 June 2009

Signature

This space is for the County Clerk's Filing Stamp

RECEIVED

2009 JUL -1 AM 10: 49

CITY OF TORRANCE
CITY CLERK'S OFFICE

Proof of Publication of

DB

DB 6-138

Notice of Public Review Period of a Proposed Negative Declaration

NOTICE IS HEREBY GIVEN that pursuant to the California Environmenta Act, the City of Torrance proposes to adopt a Negative Declaration. A N Declaration means that the project has been determined not to have a significa on the environment. The proposed Negative Declaration and Initial Study (re number EAS09-00002) are available for PUBLIC REVIEW on the following n

SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTH CHURCH / ION CRETU EAS09-00002, CUP09-00005, VAR09-00002, WAV09
The project is a request for a series of entitlements to allow the construction of an building above an existing parking lot on a site with an existing church facility locat R-2 Zone at 4102 Hickman Drive. The project does not meet the CEQA Ca Exemption guidelines due to a Variance request of the parking requirements and m lot size required by the Torrance Municipal Code (TMC 95.3.6), and a Waiver of and rear setback requirements.

The site is currently developed with an approximately 2,250 square foot church originally built in 1957. The site is surrounded by single family residential to the nort family residential and duplexes to the east, apartments, condominiums, and sing residential to the south, and vacant land, condominiums, and single family resident west.

Based on the Initial Study prepared for the project, there is no substantial evidence project may have a significant effect on the environment beyond the impacts pr identified and analyzed in the 1992 General Plan Environmental Impact Repo #90010318). The 1992 General Plan EIR is a program EIR and identifies the p unavoidable significant adverse impacts from long-term development in the City. T of Torrance proposes to adopt a Negative Declaration.

Public review of the Initial Study will commence on June 26, 2009 and will contir 5:30 p.m. on July 27, 2009. Written comments on the Initial Study and on the pr adoption of a Negative Declaration will be accepted during the public review per may be directed to Gregg D. Lodan, Planning Manager, Torrance Con Development Department, 3031 Torrance Boulevard, Torrance CA 90503. Th Study, Plans, and all documents referenced in the Initial Study are available for re the public counter of the City of Torrance Community Development Departmen normal business hours. The Community Development Department is located second floor of the east wing of the City Hall complex at 3031 Torrance Boulevar

The Torrance Planning Commission will consider the proposed adoption of the N Declaration in conjunction with the consideration of the proposed project at public h in the near future. The Community Development Department will be sending a N Public Hearing 10 days prior to the meetings. The Planning Commission will con written comments received during the public review period in making their determ

PROOF OF SERVICE BY MAIL

I, the undersigned, am a resident of the County of Los Angeles, State of California, over the age of eighteen years, and not a party to the within action. I am employed by the City of Torrance, 3031 Torrance Boulevard, Torrance California 90503.

On **June 26, 2009**, I caused to be mailed **137** copies of the within notification for **SAINT ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH/ION CRETU EAS09-00002, CUP09-00005, VAR09-00002, WAV09-00006** to the interested parties in said action by causing true copies thereof to be placed in the United States mail at Torrance California.

I declare under penalty of perjury that the foregoing is true and correct.
Executed **June 26, 2009**, at Torrance, California.

(signature)

Notice of Public Review Period of a Proposed Negative Declaration

NOTICE IS HEREBY GIVEN that pursuant to the California Environmental Quality Act, the City of Torrance proposes to adopt a Negative Declaration. A Negative Declaration means that the project has been determined not to have a significant effect on the environment. The proposed Negative Declaration and Initial Study (reference number EAS09-00002) are available for PUBLIC REVIEW on the following matter:

SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH / ION CRETU
EAS09-00002, CUP09-00005, VAR09-00002, WAV09-00006:
The project is a request for a series of entitlements to allow the construction of an auxiliary building above an existing parking lot on a site with an existing church facility located in the R-2 Zone at 4102 Hickman Drive. The project does not meet the CEQA Categorical Exemption guidelines due to a Variance request of the parking requirements and minimum lot size required by the Torrance Municipal Code (TMC 95.3.6), and a Waiver of the side and rear setback requirements.

The site is currently developed with an approximately 2,250 square foot church building originally built in 1957. The site is surrounded by single family residential to the north, single family residential and duplexes to the east, apartments, condominiums, and single family residential to the south, and vacant land, condominiums, and single family residential to the west.

Based on the Initial Study prepared for the project, there is no substantial evidence that the project may have a significant effect on the environment beyond the impacts previously identified and analyzed in the 1992 General Plan Environmental Impact Report (SCH #90010318). The 1992 General Plan EIR is a program EIR and identifies the potential unavoidable significant adverse impacts from long-term development in the City. The City of Torrance proposes to adopt a Negative Declaration.

Public review of the Initial Study will commence on June 26, 2009 and will continue until 5:30 p.m. on July 27, 2009. Written comments on the Initial Study and on the proposed adoption of a Negative Declaration will be accepted during the public review period and may be directed to Gregg D. Lodan, Planning Manager, Torrance Community Development Department, 3031 Torrance Boulevard, Torrance CA 90503. The Initial Study, Plans, and all documents referenced in the Initial Study are available for review at the public counter of the City of Torrance Community Development Department during normal business hours. The Community Development Department is located on the second floor of the east wing of the City Hall complex at 3031 Torrance Boulevard.

The Torrance Planning Commission will consider the proposed adoption of the Negative Declaration in conjunction with the consideration of the proposed project at public hearings in the near future. The Community Development Department will be sending a Notice of Public Hearing 10 days prior to the meetings. The Planning Commission will consider all written comments received during the public review period in making their determination.

If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department or the office of the City Clerk prior to the public hearing, and further, by the terms of Resolution No. 88-19, you may be limited to ninety (90) days in which to commence such legal action pursuant to Section 1094.6 of the Code of Civil Procedure.

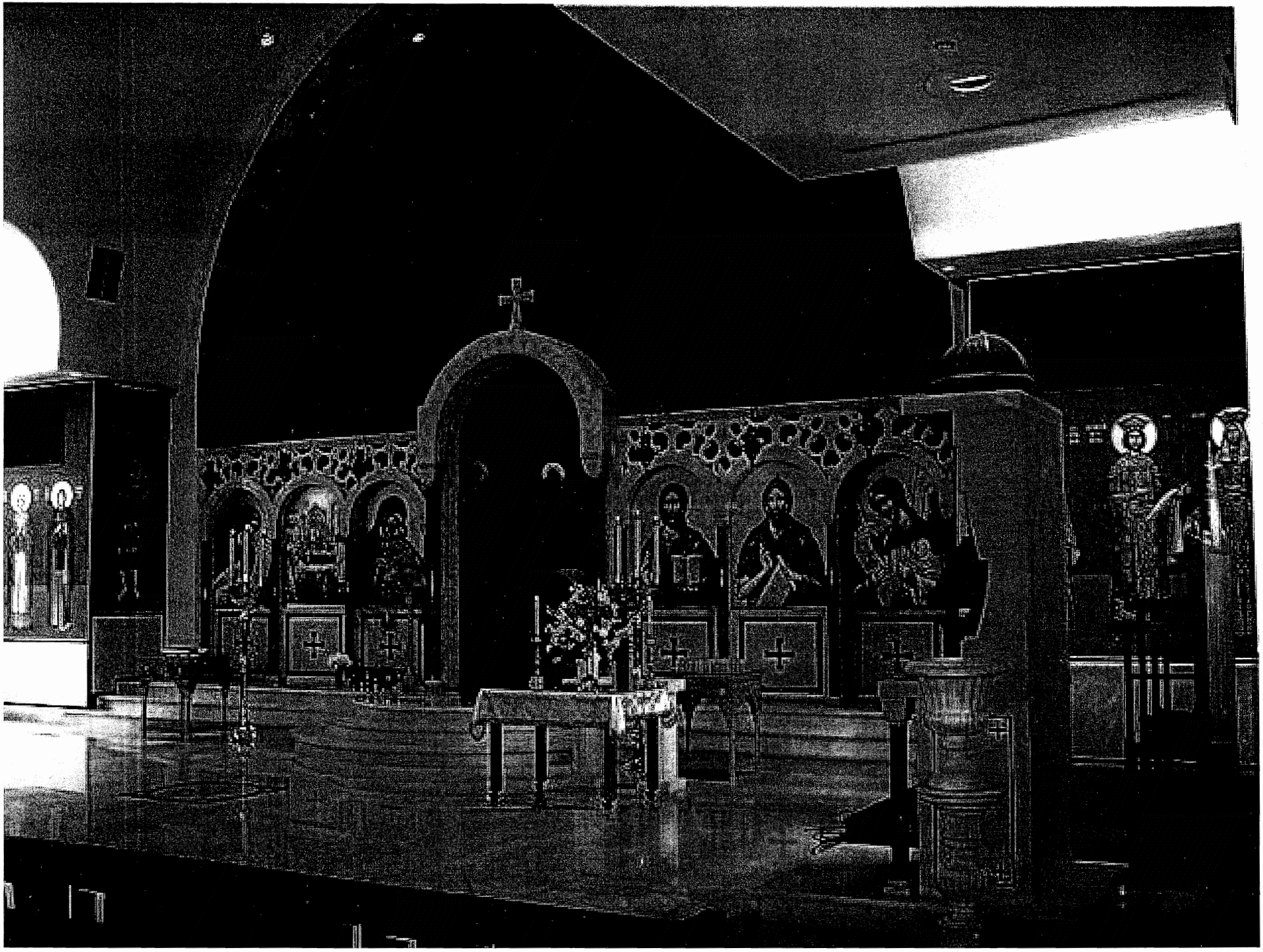
For further information, contact the DEVELOPMENT REVIEW DIVISION of the Community Development Department at 310.618.5990.

Gregg D. Lodan, AICP
Secretary, Planning Commission

Publish: June 26, 2009

ONE HUDNREAD AND THIRTY SEVEN (137) NOTICES MAILED OUT ON 6/26/09. eg

Submitted to the
Planning Commission
at the 08/05/2009
Public Hearing
by APPLICANT.



EXCERPT OF MINUTES √ **Minutes Approved**
☐ ~~Minutes Subject to Approval~~

August 5, 2009

MINUTES OF A REGULAR MEETING OF THE TORRANCE PLANNING COMMISSION

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:01 p.m. on Wednesday, August 5, 2009 in the Council Chambers at Torrance City Hall.

3. ROLL CALL

Present: Commissioners Browning, Busch, Gibson, Horwich, Skoll, Uchima and Chairperson Weideman.

Absent: None.

Also Present: Planning Manager Lodan, Planning Associate Gomez, Plans Examiner Noh, Associate Civil Engineer Symons, Deputy City Attorney Sullivan and Fire Marshal Kazandjian.

11. FORMAL HEARINGS

11A. CUP09-00005, VAR09-00002, WAV09-00006 (EAS09-00002): ION CRETU (SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)

Planning Commission consideration for the adoption of a Negative Declaration in conjunction with a request for approval of a Conditional Use Permit to allow the construction of an existing church facility, a Variance to allow less than the required lot size and parking requirements, and a Waiver of the side and rear yard setback requirements on property located in the R-2 Zone at 4102 Hickman Drive.

Recommendation

Denial without prejudice.

Planning Associate Gomez introduced the request.

Ion Cretu, representing Saints Archangels Michael & Gabriel Romanian Orthodox Church, reported that the congregation is small, with 40-45 members attending Sunday services and the proposed project will provide auxiliary space and improve the flow of parking. He related his belief that the criteria for granting the Variance and Waiver have been met because: 1) There are practical difficulties and unnecessary hardships that would result from the strict enforcement of parking standards and setback requirements because the small lot size does not allow for compliance; 2) The project would not be materially detrimental to the public welfare or to other properties in the vicinity because it will be consistent with other nearby structures and will be screened by trees; and 3) It will not substantially interfere with the orderly

development of the City because there will be no change in the services/programs offered by the church and no increase in the size of the congregation. He explained that the proposed reconfiguration of the parking lot would be an improvement over existing conditions, even though there would be a slight deficit in backup space, because it would allow for two-way traffic. He stated that many church members are elderly so they carpool or take public transportation to church services therefore the limited parking is not a problem. He requested that the Commission approve the project as proposed.

Commissioner Skoll noted that according to Item 15f of the Initial Study (page 46) staff determined that the project would not result in inadequate parking capacity.

Planning Manager Lodan advised that staff does not believe the project would result in inadequate parking capacity in terms of CEQA (California Environmental Quality Act) guidelines. He explained that the project meets City parking requirements for fixed seating (1 space for every 5 seats = 14 required spaces), however, it is subject to more restrictive requirements based on assembly area (1 space for each 35 square feet of assembly area = 32 required spaces).

Commissioner Busch commented on the church's attractive exterior, noting that he was not able to go inside.

In response to Commissioner Skoll's inquiry, Mr. Cretu confirmed that the church was prepared financially to go forward with the project and comply with all the recommended conditions should it be approved.

Mr. Cretu requested additional information about the Code requirement which states that children are not allowed above the ground floor for classroom/school purposes, and Plans Examiner Noh suggested that Mr. Cretu visit the Building and Safety department so he could review the specific Building Code section with him.

Commissioner Gibson noted that Condition No. 5 prohibits the operation of a primary school or daycare facility at this location and Planning Manager Lodan clarified that this prohibition does not pertain to Sunday school classes.

Chairperson Weideman invited public comment on Initial Study EAS09-00002.

As no one came forward to speak, Commissioner Busch offered the following motion.

MOTION: Commissioner Busch moved to adopt a Negative Declaration with regard to EAS09-00002. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Chairperson Weideman invited public comment on the project.

Ecaterina Chirica, parish council president of Saints Archangels Michael & Gabriel Romanian Orthodox Church, shared renderings of the project, noting that windows have been positioned so as not to intrude on neighbors' privacy and trees will be planted to provide additional screening. Submitting a drawing to illustrate, she requested that parking requirements be re-calculated eliminating the floor area in front of the altar because this area is consecrated and only walked on when parishioners are receiving sacraments.

Planning Manager Lodan offered to re-calculate the parking requirements based on the information submitted by Ms. Chirica. He later advised that the parking requirements would be reduced from 32 spaces to 24 spaces.

Nicolae Rusu, 5230 Cahuenga Boulevard, North Hollywood, explained that church members have invested a lot of time and money to improve the church and the proposed project will provide needed space for them to study the bible, hold social gatherings, and conduct small conferences. He urged the Commission to approve the project.

Georgeta Bostean, 11982 Heritage Circle, Downey, provided background information about the heritage of Romanians. She reported that following a brief discussion, church members have agreed to relocate all children's activities to the ground floor administrative office and move this function upstairs in order to comply with Code requirements. She noted that many church members were present at this meeting to support the project, however, they would forego testifying due to the lateness of the hour and asked that the Commission simply acknowledge their presence.

Chairperson Weideman asked for a show of hands of those who support the project but would not be speaking.

Commissioner Uchima questioned how many children are in the congregation, and Ms. Bostean stated that there are approximately 10-15 children, but only a handful of them are present at Sunday services.

Commissioner Uchima noted that the plans indicate a nursery on the second floor. Ms. Bostean reported that there was no intention to have a nursery and the area had probably been mislabeled.

Commissioner Browning disclosed that he is of Romanian descent but is not a member of this church and his vote would not be influenced by his background.

Fire Marshal Kazandjian related his preference to have revised plans submitted if the church no longer intends to have facilities for children on the second floor.

Cathy Griffin, 18010 Bailey Drive, stated that she appreciates the exterior improvements that have been made to the church and requested clarification of the location of the north-facing windows to ensure that there would be no privacy impact.

Referring to rendering 4B submitted by the applicant, Commissioner Uchima noted that it appears that north-facing windows in the addition would be blocked by the church's steeples.

Planning Manager Lodan advised that the north-facing windows are only 18 inches wide by 42 inches high, so they are fairly small.

Denney Thomas reported that his family has owned the property at 4105 W. 182nd Street for many years and the City thwarted attempts to develop it and questioned why this church was ever approved. He voiced his opinion that the church was trying to cram too much on this property and related his belief that the land was more suitable for condominiums and someone should develop it rather than adding additional space to a church that shouldn't be there in the first place.

Chairperson Weideman noted that the church has been at this location for over 50 years and probably would not have to build on stilts if Mr. Thomas would allow church members to park on his vacant property.

Mr. Thomas reiterated his belief that this land was more suitable for condominiums, which would generate revenue for the City of Torrance.

Commissioner Busch noted that houses of worship are a vital part of every community.

Vasile Tudoran, 819 Ohio Avenue, Long Beach, suggested that Commissioners and/or Planning staff should make a visit to the church on a Sunday because they would see that very few people attend the services and most of them are elderly. He explained that following the services, church members share a meal as this is part of their culture and they currently have no designated area to do this. He expressed the church's willingness to do whatever the City requires in order to get the project approved.

Chairperson Weideman echoed comments on the church's attractive exterior, noting that he and his wife have lived in North Torrance for 27 years and they were not aware of the church prior to this case.

Commissioner Busch questioned whether staff would be comfortable should the Commission decide to approve the Variance for parking requirements or if they felt it would create an unsafe situation.

Planning Manager Lodan advised that staff recommended denial of the Variance because they are concerned that the parking arrangement would be problematic and believe it would function better if Code requirements were met.

In response to Commissioner Gibson's inquiry, Planning Manager Lodan confirmed that the City Council makes the final decision on any Variance and the Planning Commission's action would be in the form of a recommendation.

Commissioner Browning indicated that he could not support the project as proposed due to the parking deficiency and felt the project needed to be redesigned with the assistance of Community Development staff.

Commissioner Busch stated that he understood the church's need for more space and would like to support the project, but could not do so as currently designed.

Commissioner Uchima stated that he had serious reservations about the parking arrangement and suggested the possibility that the church could lease space from a nearby property owner to provide more parking.

Lisa Knight, 2131 W. 236th Place, urged approval of the project. She reported that she and her husband have attended the church for the past year and observed that church gatherings are small, quiet and respectful of surrounding residents and the neighborhood.

Carmen Corbei, 4026 Hickman Drive, stated that she has two units on her lot with ample parking and church members were welcome to park on her property.

In response to Commissioner Uchima's inquiry, Planning Manager Lodan advised that while residential neighbors may allow church members to park on their property, it would not count toward parking requirements. He clarified that the church could enter into a shared-parking agreement with a commercial property owner but it would have to be within 150 feet of the site.

Commissioner Horwich stated that he didn't think anything would be accomplished by continuing the hearing since the project must be approved by the City Council and it takes at least six weeks to be placed on the Council agenda, which should be more than enough time for the church to revise the project.

Commissioner Busch indicated that he favored a continuance because he felt that an applicant should make a good faith effort at the Planning Commission level and he believed it would be better for the church to have the Planning Commission's approval when the project is forwarded to the City Council.

Commissioner Skoll noted his concurrence with Commissioner Busch's remarks.

Commissioner Browning related his belief that the Commission would be shirking its responsibility by forwarding the project to the City Council without making an effort to resolve this matter.

Agnes Vassiliou, 4113 W. 180th Street, stated that she is not a member of the church but has visited it and observed that it has a very small congregation. She reported that parking has never been a problem in this area and offered to let the church use her parking if the City would allow it. She voiced her opinion that the church is an asset to the community and everything possible should be done to help them get the space they need.

Mihaela Florescu, Redondo Beach, reported that she is a member of the church but does not attend every week and stressed the need for additional space.

Mr. Cretu stated that he was not opposed to working with staff, but reiterated his position that the proposed parking arrangement was an improvement over the existing arrangement even though it is not ideal and reported that it was unlikely that the church would be able to secure off-site parking within 150 feet. He noted that the church has been at this location since 1995 and no one has ever complained about it.

In response to Commissioner Horwich's inquiry, Planning Manager Lodan provided clarification regarding the minimum lot area requirement for churches.

Mr. Cretu agreed to continue the hearing to a date uncertain.

MOTION: Commissioner Busch moved to continue the hearing indefinitely. The motion was seconded by Commissioner Uchima and passed by a 5-2 roll call vote, with Commissioners Gibson and Horwich dissenting.

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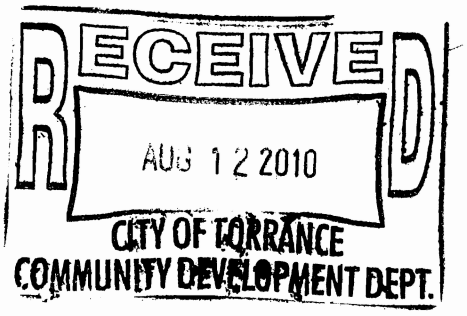

8-11-10

Community Development Department
3031 Torrance Blvd., Torrance, CA 90503

Attn: Yolanda Gomez

The purpose of this letter is to state our opposition to the request of a conditional use permit that will allow the variances to the proposed project developments to the Saints Archangels Michael & Gabriel Romanian Orthodox Church, located at 4102 Hickman Drive, Torrance California.

We are current owners & residents in the multi family located at 4105 W. 182nd. St., which is directly South of the proposed project. We also own the vacant land adjacent to the church property and are well vested in the Torrance area for over 50 years. We are not in favor of this development for a number of reasons, and have concerns as it pertains to overflow parking in the neighborhood.

Overall, the property just does not seem to promote the goals and policies of the General Plan as required by the Commission for Two Family Residential Zoning District.

The applicants has provided the Commission with a plan for further development that does not comply with several of the development and parking standards. Without adequate parking spaces the patrons of this church would be left with no other choice than to park in the street that is meant for the residents in the immediate area. We reviewed the plan for parking which includes tandem parking, and a requirement for a valet parking attendant. We wonder how many parishioners will actually stand and wait for an attendant to either park or retrieve their cars at peak hours, which could result in parking problems on the surrounding residential streets. We also wondered how the parking configuration will pass fire standards.

An additional issue is that the applicant is applying for variances that do not meet the commission's standards. The Torrance Municipal Code requires that churches provided 20 foot setbacks at the front, side and rear areas. Any proposed plans that has less than the stated requirements would have a further negative environmental impact on the surrounding residential properties and neighborhood.

We are concerned that the proposed improvements are being developed for the purpose of a primary school and daycare center. This maybe acceptable in a commercial zone, however this proposed facility design would create a negative visual impact on the character of our residential neighborhood and does not comply with the General Plan.

As stated earlier, the project is not compatible with the surrounding neighborhood, due to potential problems related to inadequate parking for automobiles and their potential to cause disturbances and inconvenience to the residential neighborhood comprising of single family dwellings, duplexes and multi family apartments.

We enjoy living in Torrance for the overall compatibility of the general plan & we hope the Planning Commission continues to enforce it.

In conclusion, we are asking the Commission to deny the waiver of variances, the conditions of use permit and proposed plans to overdevelopment of the additional proposed building project by the applicants.

Respectfully Submitted,

The Denney W. Thomas Family

Denney Thomas

RECOMMENDED CONDITIONS FOR CUP09-00005, IF APPROVED:

1. That the use of the subject property for a church auxiliary building shall be subject to all conditions imposed in Planning Commission case CUP09-00005; 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 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 as provided for in Section 92.27.1;

3. That the applicant shall provide a trash enclosure for the site that is bounded on three sides by walls of material compatible in color, texture and appearance with the main structure. The door must be constructed of solid, opaque material. The enclosure shall have a trellis or decorative top with a solid liner under it to prevent wind blown litter, dumping, and rainwater from infiltrating into the receptacle. Trash bins shall remain in the enclosures, with the lids closed, except during trash pickup; (Environmental)

4. That within the trash enclosure, the applicants shall provide bins for the storage of recyclable materials. Provide verification that the trash hauler will also collect recyclables; (Environmental)

5. That the operation of a primary school or day care shall be prohibited at this location; (Development Review)

6. That all activities shall be conducted within the building and shall not reduce the amount of available parking; (Development Review)

7. 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)

8. That a parking lot lighting plan shall be submitted prior to the issuance of any building permits; (Development Review)

9. That the storage trailer, currently located at the southeast corner of the parking lot, shall be removed prior to occupancy; (Development Review)

10. That the cafeteria and/or other rooms in the proposed addition shall not be leased or used by the general public, unless additional parking for these accessory uses has been provided to the satisfaction of the Community Development Director; (Development Review)

11. That a parking lot layout plan, showing double-lined striped parking spaces, shall be submitted for approval to the satisfaction of the Community Development Director, prior to the issuance of any building permits; (Development Review)

12. That a detail of the support columns, showing the utility appurtenances for the addition, shall be provided for approval to the satisfaction of the Community Development Director, prior to the issuance of any building permits; (Development Review)

13. That all rooftop equipment shall be screened as an integral part of the structure's architecture to the satisfaction of the Community Development Director; (Development Review)

14. That outside storage of furniture, supplies or any other equipment shall not be permitted;` (Development Review)

15. That if a full kitchen is provided, the applicant shall obtain the necessary Los Angeles County Health Department approvals; (Development Review)

16. That color and material samples shall be submitted for approval by the Community Development Director, prior to the issuance of any building permits; (Development Review)

17. That within 30 days of the final public hearing, the applicants 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 final building plans shall reflect the correct area size for the addition wherever indicated; (Development Review)

19. That the hours of operation for the church and the addition are Sunday, 10:30 a.m. to 2:30 p.m., occasional Saturdays (baptisms, weddings, or memorial services), 11:00 a.m. to 1:00 p.m. or 4:00 p.m. to 6:00 p.m., Christmas Day and New Year's Day, 10:30 a.m. to 2:30 p.m., and the three days before Easter, Thursday and Friday, 7:00 p.m. to 9:00 p.m., Saturday, midnight Resurrection service; (Development Review)

20. That the hours of operation for the Sunday School classroom shall be the same as the church operation, and that a maximum of ten children, five to ten years of age, shall be allowed, and that no nursery component has been requested; (Development Review)

21. That a valet service shall be provided during the hours of operation; (Development Review)

22. That non-trespassing lighting for evening hours shall be installed in the enclosed parking lot; (Police)

23. That surveillance cameras shall be installed in the parking lot; (Police)

24. That the parking lot entry shall be restricted after hours; (Police)

25. That one lagerstroemia indica (Crape Myrtle) tree (15-gallon size) shall be planted every 50' of the project lot width with two lodge pole pine stakes/straps; and (Public Works – Streetscape)

26. 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.

RECOMMENDED CONDITIONS FOR VAR09-00002, IF APPROVED:

1. That the use of the subject property for a church shall be subject to all conditions imposed in Variance 09-00002 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 further, that the said use shall be 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 Variance 09-00002 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 applicants shall comply with all conditions of CUP09-00005.

RECOMMENDED CONDITIONS FOR WAV09-00006, IF APPROVED:

1. That the use of the subject property for a church shall be subject to all conditions imposed in Waiver 09-00006 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 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 Waiver 09-00006 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 applicants shall comply with all conditions of CUP09-00006.

Attachment F

Daily Breeze

21250 HAWTHORNE BLVE, STE 170 * TORRANCE CALIFORNIA 90503-4077
(310) 543-6635 * (310) 540-5511 Ext. 396

PROOF OF PUBLICATION
(201 5.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the **THE DAILY BREEZE**

a newspaper of general circulation, printed and published

in the City of **Torrance***
County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of

June 10, 1974

Case Number **SWC7146**

that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement there of on the following dates, to-wit

October 29,

all in the year 2010

the foregoing is true and correct.
Dated at Torrance

California, this 29 October 2010

*The Daily Breeze circulation includes the following cities: Carson, Compton, Culver City, El Segundo, Gardena, Harbor City, Hawthorne, Hermosa Beach, Inglewood, Lawndale, Lomita, Long Beach, Manhattan Beach, Palos Verdes Peninsula, Palos Verdes, Rancho Palos Verdes, Redondo Beach, San Pedro, Santa Monica, Torrance and Wilmington

This space is for the County Clerk's Filing Stamp

Proof of Publication of

DB

DB 10-91

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Torrance City Council at **7:00 p.m., November 9, 2010,** in the City Council Chambers of City Hall, 3031 Torrance Boulevard, Torrance, California, on the following matter:

EAS09-00002, CUP09-00005, VAR09-00002, WAV09-00006, ton Creiu (Satints Archangels Michael & Gabriel Romanian Orthodox Chuch): Consider an administrative appeal of Planning Commission adoption of a Negative Declaration and approval of a Conditional Use Permit to allow the construction of an auxiliary building above an existing parking lot on a site with an existing church facility, a Variance to allow less than the required lot size and parking requirements, and a Waiver of the side and rear setback requirements on property located in the R-2 Zone at 4102 Hickman Drive.

Material can be reviewed in the Community Development Department. All persons interested in the above matter are requested to be present at the hearing or to submit their comments to the City Clerk, City Hall, 3031 Torrance Boulevard, Torrance, Ca 90503, prior to the public hearing.

If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department or the office of the City Clerk prior to the public hearing, and further, by the terms of Resolution No. 88-19, you may be limited to ninety (90) days in which to commence such legal action pursuant to Section 1094.6 of the Code of Civil Procedure.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (310) 618-5990. If you need a special hearing device to participate in this meeting, please contact the City Clerk's Office at (310) 618-2870. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28 CFR 35.102-35.104 ADA Title II]

for further information, contact the **DEVELOPMENT REVIEW DIVISION** of the Community Development Department at (310) 618-5990.

SUE HERBERS
CITY CLERK

Pub: October 29, 2010

PROOF OF SERVICE BY MAIL

I, the undersigned, am a resident of the County of Los Angeles, State of California, over the age of eighteen years, and not a party to the within action. I am employed by the City of Torrance, 3031 Torrance Boulevard, Torrance California 90503.

On **October 29, 2010**, I caused to be mailed **165** copies of the within notification for City Council **EAS09-00002, CUP09-00005, VAR09-00002, WAV09-00006: ION CRETU (SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH)** to the interested parties in said action by causing true copies thereof to be placed in the United States mail at Torrance California.

I declare under penalty of perjury that the foregoing is true and correct.
Executed **October 29, 2010** at Torrance, California.

Denise Soh

(signature)

CITY OF TORRANCE
Community Development Department
3031 Torrance Boulevard
Torrance, CA 90503

NOTICE OF PUBLIC HEARING

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EAS09-00002, CUP09-00005, VAR09-00002, WAV09-00006, Ion Cretu (Saints Archangels Michael & Gabriel Romanian Orthodox Church): Consider an administrative appeal of Planning Commission adoption of a Negative Declaration and approval of a Conditional Use Permit to allow the construction of an auxiliary building above an existing parking lot on a site with an existing church facility, a Variance to allow less than the required lot size and parking requirements, and a Waiver of the side and rear setback requirements on property located in the R-2 Zone at 4102 Hickman Drive.

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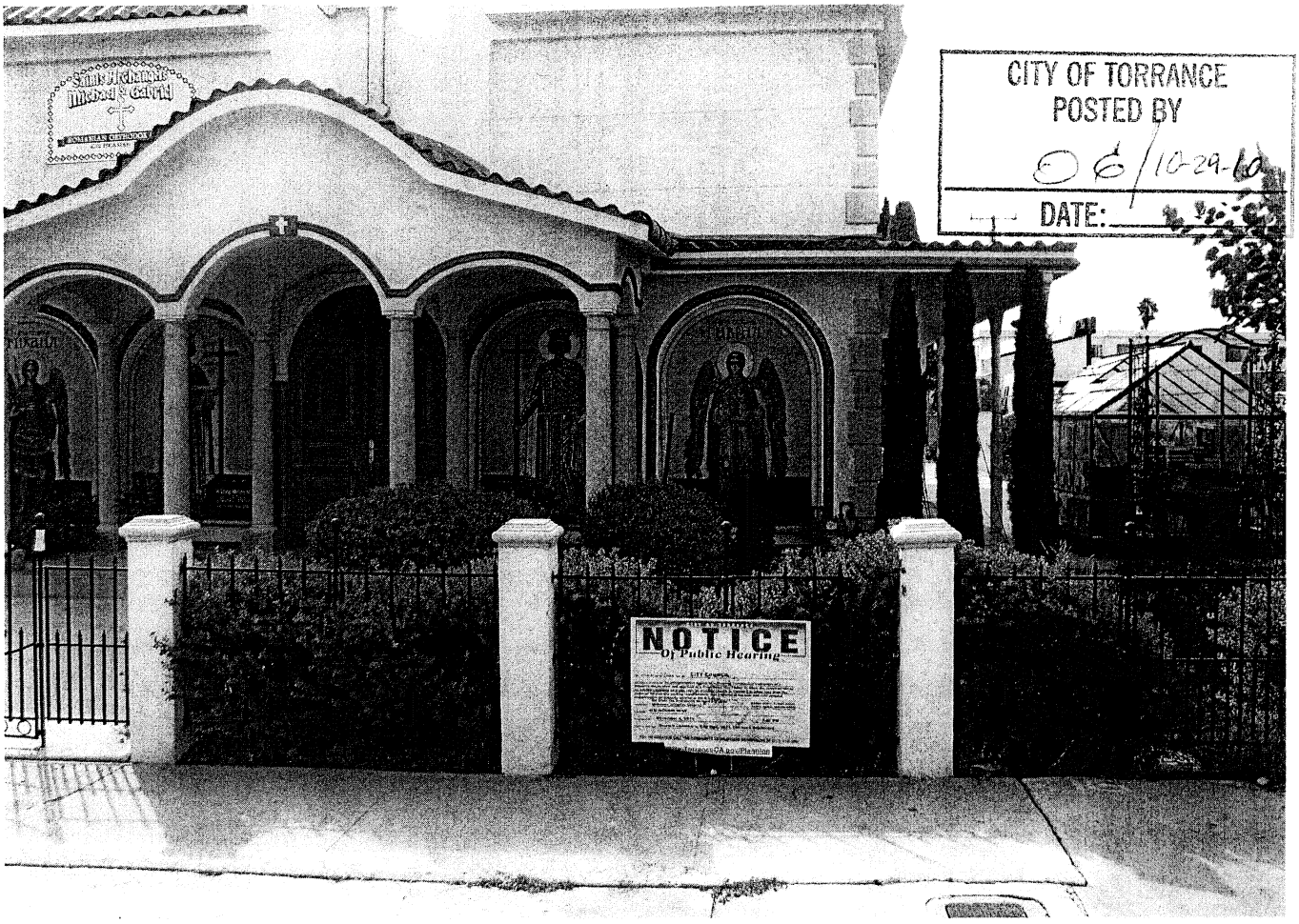
Publish: **October 29, 2010**

SUE HERBERS
CITY CLERK

One hundred sixty five (165) notices mailed 10-29-10. ac



CITY OF TORRANCE

NOTICE

Of Public Hearing

NOTICE IS HEREBY GIVEN that the **CITY COUNCIL**

will hear a request for **an administrative appeal of a Planning Commission's adoption of a Negative Declaration and approval of a Conditional Use Permit to allow the construction of an auxiliary building on a site with an existing church, a Variance to allow less than the required lot size and parking requirements, and a Waiver of the side and rear setback requirements on property located in the R-2 Zone.**

Applicant: **Ion Cretu (SS Archangels Michael & Gabriel Romanian Orthodox Church)**

Case Type &Case no.(s): **EAS09-00002, CUP09-00005 VAR09-00002, WAV09-00006**

Location: **4102 HICKMAN DRIVE**

Hearing date: **November 9, 2010** Time: **7:00 PM**

Place of hearing: **Council Chambers, City Hall, 3031 Torrance Boulevard**

FOR INFORMATION CALL THE COMMUNITY DEVELOPMENT DEPARTMENT AT (310) 618-5990

www.TorranceCA.gov/Planning