

Council Meeting of  
December 7, 2010

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

Members of the Council:

**SUBJECT:**

**Community Development – Adopt RESOLUTIONS reflecting November 9, 2010 City Council decision to approve a Conditional Use Permit, Variance, and Waiver for property located in the R-2 Zone at 4102 Hickman Drive.**

**Expenditure: None**

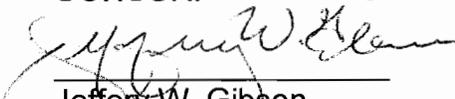
**RECOMMENDATION**

Recommendation of the Community Development Director that City Council adopt **RESOLUTIONS** reflecting City Council decision at the November 9, 2010 meeting to adopt a Negative Declaration and approve 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)**

**BACKGROUND**

On November 9, 2010, the City Council considered an administrative appeal of a Planning Commission's adoption of a Negative Declaration and approval of a Conditional Use Permit, Variance and Waiver to allow the development of an auxiliary building on a site with an existing church facility. The City Council voted 6-0, one Councilmember absent, to adopt the Negative Declaration and approve the proposed project. As directed by the City Council, resolutions of approval for the Conditional Use Permit, Variance and Waiver have been provided for the City Council's consideration.

CONCUR:

  
\_\_\_\_\_  
Jeffery W. Gibson  
Community Development Director

Respectfully submitted,

Jeffery W. Gibson  
Community Development Director

NOTED:

  
\_\_\_\_\_  
LeRoy J. Jackson  
City Manager

By   
\_\_\_\_\_  
Gregg D. Lodan, AICP  
Planning Manager

Attachments:  
A. Resolutions

**10B**



**RESOLUTION NO. 2010-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING AN ADMINISTRATIVE APPEAL AND APPROVING 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 approved 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 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, 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.

**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 APPROVED subject to 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 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.

Introduced, approved and adopted this 7<sup>th</sup> day of December 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 AN ADMINISTRATIVE APPEAL AND 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 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, approved 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 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 was constructed prior to the establishments of the current code requirements, regarding minimum lot size and setback requirements for churches;
- 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.

**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 APPROVED subject to 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, approved and adopted this 7<sup>th</sup> day of December 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, APPROVING A VARIANCE AS PROVIDED FOR IN 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, approved 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;
- C) That practical difficulties and unnecessary hardships will result from the strict enforcement of the lot size and parking requirements, because the existing church facility has been located on this site for over 50 years, and was constructed prior to the establishments of the current code requirements, regarding minimum lot size and parking requirements for churches;
- 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;
- 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, including a valet service.

**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 APPROVED subject to conditions:

- 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.

Introduced, approved and adopted this 7<sup>th</sup> day of December 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 \_\_\_\_\_