

**RESOLUTION NO. 6636**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, APPROVING VESTING TENTATIVE MAP #1-22 (VTM #1-22) PER GARDENA MUNICIPAL CODE CHAPTER 17.08, FOR THE SUBDIVISION OF AIRSPACE TO CREATE FIVE CONDOMINIUM UNITS FOR A PROPERTY LOCATED IN THE MEDIUM RESIDENTIAL MULTIPLE-FAMILY RESIDENTIAL ZONE (R-3) ZONE AND DIRECTING STAFF TO FILE A NOTICE OF EXEMPTION UNDER THE COMMON SENSE EXEMPTION OF CEQA GUIDELINES SECTION 15061(b)(3)**

WHEREAS, On January 10, 2018, an application was filed to construct a five-unit townhome development at the property located at 1715 West 149 Street (APN: 6103-022-091). The applicant's request included approval for of a site plan review (SPR #1-18) tentative map (TM #1-18); and

WHEREAS, On July 3, 2018, the Planning Commission held a public hearing at which time it considered all material and evidence, whether written or oral, and the Planning Commission approved SPR #1-18, TM #1-18, and directed Planning Staff to file a notice of exemption; and

WHEREAS, In August of 2022, building permits were issued for the development of the townhome style residential structure, utilizing SPR #1-18; and

WHEREAS, On January 3, 2022, TM #1-18 expired due to the fact that the previous applicant had not recorded a final tract map to Los Angeles County Recorder's office; and

WHEREAS, On November 28, 2022, FM Marketing & Properties, LLC (FM Marketing) submitted an application for Vesting Tentative Map #1-22 (VTM #1-22) for the subdivision of airspace to create five-condominium lots (the "Project") located at 1715 West 149 Street (the "Property"); and

WHEREAS, The General Plan Land Use Plan designation of the Subject Property is Medium Residential and the zoning is Medium Density Multiple-Family Residential (R-3); and

WHEREAS, The subject property is bounded by multifamily residential uses (R-3) to the north, east, and west and both multifamily and single-family residential uses (R-3) to the south; and

WHEREAS, on May 16, 2023, the Planning Commission held a public hearing at which time it considered all evidence presented, both written and oral after which it adopted Resolution No. PC 9-23 approving the vesting tentative map; and

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WHEREAS, On May 23, 2023, Mayor Pro Tem Francis called for review of the project, which was seconded may Councilmember Love; and

WHEREAS, on June 15, 2023, a public hearing was duly noticed for the City Council meeting of June 27, 2023, at which time it held a public hearing; and

WHEREAS, in making the various findings set forth herein, the City Council has considered all of the evidence presented by staff, the applicant, and the public, whether written or oral, and has considered the procedures and the standards required by the Gardena Municipal Code;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA, DOES HEREBY FIND, DETERMINE, AND RESOLVE, AS FOLLOWS:**

**SECTION 1. VESTING TENTATIVE MAP NO. 83979 (VTM#1-22)**

Vesting Tentative Map No. 83979, dated January 3, 2023, and shown on Exhibit B, dividing the Property into five condominium units is hereby approved, subject to the conditions of approval attached as Exhibit A, based on the fact that none of the findings which would prohibit the approval of a map are present and the map satisfies all of the requirements of the Gardena Municipal Code Chapter 17.08 and Government Codes 66474 and 66473.1, and 66473.5.

**A. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans (Government Code § 66474 and § 66473.5);**

The Land Use Plan of the City's General Plan, designates the Property as Medium Density Residential Density and the Zoning Map designates the Property as Medium Density Multiple Family (R-3). The Project involves five townhome units and is consistent with the Land Use Plan of the Community Development Element of the General Plan. Additionally, the Circulation Plan of the Community Development Element designates West 149th Street as a local street. Local streets are designed to provide vehicular, pedestrian, and bicycle access to individual parcels. As conditioned, the applicant will be making street improvements that will be consistent with the Circulation Plan. Additionally, the Project would be consistent with the following goal and policy of the General Plan:

- Land Use Plan LU Goal 1 – preserve and protect existing single-family and low/medium-density residential neighborhoods while promoting the development of additional high-quality housing types in the City.
- Land Use Plan LU Policy 1.4 – Locate new medium- and high-density residential development near neighborhood and community shopping centers with commensurate high levels of community services and facilities.

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The Property would be divided to create five new condominium units, therefore, providing for more opportunities for home ownership within the City. Approval of the vesting map allows the City to require CC&Rs to better insure that the property is well-maintained.

There are no applicable Specific Plans.

**B. That the site is not physically suitable for the type of development (Government Code § 66474);**

The Property is a 14,283-square-foot parcel that fronts West 149th Street to the south, and private property on all other sides. The townhome style structure was originally approved in 2018 under SPR #1-18, which showed that the development complied with the development standards of the R-3 zone per Gardena Municipal Code Chapter 18.16. Allowing the units under construction to be legally divided as condominiums does not change this analysis.

**C. That the site is not physically suitable for the proposed density of the development (Government Code § 66474);**

The Property is 14,283 square feet, flat, and serviced by all necessary utilities. The zoning of the Property allows for 17 units per acre, or six units, and was approved for five units. The Property also provides adequate ingress and egress. Therefore, the site is physically suitable for the type and density of the development. Allowing the units under construction to be legally divided as condominiums does not change this analysis.

**D. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidable injure fish or wildlife or their habitat (Government Code § 66474);**

The Property is currently under construction for the five-unit structure. There is no substantial natural environment, fish, or wildlife in the area which will be harmed by the project. Furthermore, the subdivision has been designed to provide adequate access for pedestrians and vehicles, guests and residents, and emergency access. The five-unit condominiums are not expected to create environmental damage or public health problems.

**E. That the design of the subdivision or type of improvements is likely to cause serious public health problems (Government Code § 66474);**

The subdivision will not cause serious public health problems as the density conforms to the R-3 zone and the permitted uses in the General Plan Zone and Land Use of the Property.

**F. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision (Government Code § 66474);**

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The subdivision is designed so as not to interfere with public access easements given that the applicant agreed upon a seven-foot-wide easement, to provide the City of Gardena, for public road and right-of-way purposes.

**G. The design of the subdivision does not provide for, to the extent feasible, future passive or natural heating and cooling opportunities (Government Code § 66473.1)**

During winter, a north/south alignment of parcels provides for southern exposure to the winter path of the Sun. During the summer, prevailing winds are west/southwest from the north (Los Angeles International Airport) and west from the south (Torrance Airport). The general direction of these prevailing winds can be expected to allow the development to benefit from natural and passive cooling opportunities in the summer. Therefore, the design of the subdivision provides for the configuration of structures to provide for future passive or natural heating and cooling opportunities.

There are no grounds upon which to deny the map. Therefore, with the conditions of approval (Exhibit A), the subdivision and subdivision design will be consistent with the General Plan and State Subdivision Map Act as supplemented by Title 17 of the Gardena Municipal Code

**SECTION 2. CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS**

The Project is exempt from the California Environmental Quality Act (CEQA) pursuant to the common sense exemption of CEQA Guidelines 15061(b)(3) because it can be seen with certainty that there will not be any possibility that approving the Vesting Tentative Map will have any significant impact on the environment. Allowing the map to be placed on the property for purposes of creating condominium units does not have any physical impacts as it merely changes the way in which the buildings which are already under construction can be owned.

Staff is hereby directed to file a Notice of Exemption.

**SECTION 3.** Certification. The City Clerk shall certify the passage of this resolution.

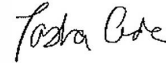
**SECTION 4.** Record of Proceedings. The record of these proceedings can be found at the Community Development Department, Room 101, 1700 West 162<sup>nd</sup> Street, Gardena, California. The Director of Community Development is the custodian of such record.

**SECTION 5.** Effective Date. This Resolution shall be effective immediately.

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BE IT FURTHER RESOLVED that the City Clerk shall certify to the passage and adoption of this Resolution; shall cause the same to be entered among the original Resolutions of said City; and shall make a minute of the passage and adoption thereof in the records of the proceedings of the City Council of said City in the minutes of the meeting at which the same is passed and adopted.

Passed, approved, and adopted this 27<sup>th</sup> day of June, 2023.



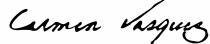
\_\_\_\_\_  
TASHA CERDA, Mayor

ATTEST:



\_\_\_\_\_  
MINA SEMENZA, City Clerk

APPROVED AS TO FORM:



\_\_\_\_\_  
CARMEN VASQUEZ, City Attorney

- Exhibit A: Conditions of Approval
- Exhibit B: VTM 83979 (#1-22)

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    ) SS:  
CITY OF GARDENA                )

I, **MINA SEMENZA**, City Clerk of the City of Gardena, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Resolution, being **Resolution No. 6636** duly passed and adopted by the City Council of said City of Gardena, approved and signed by the Mayor of said City, and attested by the City Clerk, all at a regular meeting of said City Council held on the **27th day of June 2023**, and that the same was so passed and adopted by the following roll call vote:

AYES: COUNCIL MEMBERS LOVE AND TANAKA, MAYOR PRO TEM FRANCIS, COUNCIL MEMBER HENDERSON, AND MAYOR CERDA

NOES: NONE

ABSENT: NONE

*for*   
\_\_\_\_\_  
City Clerk of the City of Gardena, California

(SEAL)