

Date May 30, 2009

Mr. Don Ashton  
Deputy Executive Officer  
Los Angeles, County Board of Supervisor  
Room 383, Kenneth Hahn  
Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Mr. Ashton:

Subject: Tentative Tract/Parcel Map No. Project No: R2006-03795-(2)

Applicant: Salud F. Rivera

Location: 21603 Berendo Ave. Torrance CA 90502

\_\_\_\_\_  
Zoned District

Related zoning matters:

CUP or VAR No. 20060329-(2)

Change of Zone Case No. \_\_\_\_\_

Other \_\_\_\_\_

This is a notice of appeal from the decision of the Regional Planning Commission in the subject case. Submitted herewith is a check (or money order), in the total amount of \$775.00. The fee of \$130.00 is to cover the cost of a hearing by the Board of Supervisors and the fee of \$645.00 is to cover the Regional Planning Department's processing fee.

This is to appeal: (Check one)

\_\_\_\_\_ The Denial of this request

The Approval of this request

\_\_\_\_\_ The following conditions of the approval:

\_\_\_\_\_

Briefly, the reason for this appeal is as follows:

*See attached*

*C Tabellaro*  
(Signed) Appellant

*Chris Tabellario*  
Print Name

*21534 Meyler Street*  
Address

*Torrance CA 90502*

*310) 320-3339*  
Day Time Telephone Number

## Reasons for Appeal

Project No. R2006-03795-(2)

Conditional Use Permit: 200600329-(2)

Proposed 3-story Duplex for 21603 Berendo Ave. Torrance, CA 90502

### Summary of reasons:

- Neighborhood opposition of close to 100 correspondences via phone calls, e-mails, letters and a petition with over 260 legitimate signatures, appear to have been overlooked.
- The building will be out of character with the neighborhood given its massive size, height, and design. It is 2 to 5 times larger (square feet) than the surrounding homes and very different in appearance than the neighborhood homes.
- The proposed building will be a detriment to the neighborhood, not an enhancement. At a minimum there will be a loss of peace, sunshine, comfort, privacy, and enjoyment of homes due to its overall size, the third floor alone being 2,655 square feet.
- Neighbors are concerned about their welfare, safety and security as there is doubt that the building will be something other than a duplex.
- The reasons for denying the permit from the Public Hearing on January 20, 2009 are still considered to be valid.
  - Some of these reasons were addressed at the Commissioners' hearing, however, not satisfactorily.

The Hearing Officer, Gina Natoli, cited the following as reasons for denying the permit. From the Hearing Officer's Findings and Order report:

#15: "The property would not be appropriately utilized as the proposed residential use rather than an allowed commercial use."

#16. The proposed three-story duplex is not of similar character to the surrounding residential uses.

Conclusion B. "The requested use at the proposed locations will adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding areas, be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and could jeopardize, endanger, or otherwise constitute a menace to public health, safety and general welfare;"



Chris Tabellario  
21534 Meyler Street  
Torrance, CA 90502  
310/320-3339

May 31, 2009

To Whom It May Concern:

Due to a work related commitment, I will be unavailable to attend any hearing set during the dates of August 20 – September 10, 2009.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads "C. Tabellario".

Chris Tabellario  
21534 Meyler Street  
Torrance, CA 90502  
310/320-3339



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Jon Sanabria  
Acting Director of Planning

May 27, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Consuelo Chaneco  
325 W. 220<sup>th</sup> Street  
Carson, CA 90745

Regarding: Project Number R2006-03795-(2)  
Conditional Use Permit 200600329-(2)  
Duplex at 21603 Berendo Avenue, West Carson

Dear Applicant:

The Regional Planning Commission, by its action of May 20, 2009, **APPROVED** the above described Conditional Use Permit. The attached documents contain the Regional Planning Commission's **CORRECTED** findings and conditions relating to the approval. Please carefully review each condition. Condition No. 3 requires that the permittee file an affidavit accepting the conditions before the grants becomes effective. **These findings and conditions supersede the previously distributed findings and conditions dated May 20, 2009.**

The applicant or and other interested person may appeal the Regional Planning Commission's decision to the Board of Supervisors through the office of Sachi A. Hamai, Executive Officer, Room 383, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, California 90012. Please contact the Executive Office for the amount of the appeal fee at (213) 974-1426. **The appeal period for this project will end at 5:00 p.m. on June 3, 2009.** Any appeal must be delivered in person to the Executive Office by this time. If no appeal is filed during the specified period, the Regional Planning Commission action is final.

Upon completion of the appeal period, please notarize the attached acceptance forms and **hand deliver** this form and any other required fees or materials to the planner assigned to your case. Please **make an appointment** with the case planner to assure that processing will be completed expeditiously. For further information on appeal procedures or any other matter pertaining to these approvals, please contact Tyler Montgomery in the Zoning Permits Section II at (213) 974-6435.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING  
Jon Sanabria  
Acting Director of Planning

Maria Masis, Supervising Regional Planner  
Zoning Permits II Section

Enclosures: Findings and Conditions, Affidavit (Permittee's Completion)  
c: BOS; Zoning Enforcement; Testifiers

# FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

PROJECT NUMBER R2006-03795-(2)  
CONDITIONAL USE PERMIT CASE NUMBER 200600329-(2)

REGIONAL PLANNING COMMISSION HEARING DATE: MAY 20, 2009

## SYNOPSIS:

Pursuant to the provisions of Section 22.56, Part 1 of the Los Angeles County Code, a Conditional use Permit to authorize the construction and maintenance of a two-family residence in a C-3 (Unlimited Commercial) zone, within the Carson Zoned District of Los Angeles County.

## PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

### April 1, 2009 Public Hearing

A duly noticed public hearing was held on April 1, 2009. Commissioners Bellamy, Rew, Helsley, and Modugno were present; Commissioner Valadez was absent. The applicant, Ms. Salud F. Rivera, and her representatives Ms. Consuelo Chaneco and Mr. Rolando Del Rosario, were sworn in and testified in favor of the project. Two area residents, Ms. Chris Tabellario and Mr. Donald Hibbard, were sworn in and testified in opposition to the project. Concerns included the statements that the project was out of character with the surrounding single-family residential community, that the submitted site plans were vague and confusing, and that the structure—which included numerous bedrooms and bathrooms—could be easily converted to unpermitted multi-family residential or commercial uses in the future. Such uses, they stated, could bring an increase in crime, traffic, and transients to the neighborhood. After discussion, the Commission requested that the applicant make several changes to the submitted site plan. These changes included the following:

- a. Redesign the structure to incorporate a minimum 5-foot rear yard setback along its entire length;
- b. Revise the architectural plans to show the third story of the structure as habitable space rather than an uninhabited attic;
- c. Reduce the height of the structure's third-story walls by at least three (3) feet, so that the slope of the roof meets the third-story floor at the structure's perimeter, and;
- d. Redesign the windows of the upper stories in order to maximize the privacy of neighbors to the rear.

The Commission subsequently continued the public hearing until May 20, 2009 to allow the applicant time to revise the project plans.

### May 20, 2009 Public Hearing

A continued public hearing was held on May 20, 2009. All commissioners were present. Staff informed the Commission that the revised plans, as submitted by the applicant, substantially incorporated all changes requested at the previous hearing. While the slope

of the roof still did meet the third-story floor at the structure's perimeter, the applicant had reduced the height of the third story walls by four (4) feet, reducing the structure's overall height to 31 feet. In addition, the applicant had voluntarily reduced the number of bathrooms in the two-family residence from ten (10) to seven (7) and agreed to provide additional landscaping at the rear of the structure to mitigate rear neighbors' aesthetic concerns. The applicant, Ms. Salud F. Rivera, and her representative Ms. Consuelo Chaneco, were sworn in and testified in favor of the project. One area resident, Ms. Chris Tabellario, was sworn in and testified in opposition to the project. She restated her position that the size of the structure was out-of-character for the single-family residential neighborhood, and that the structure could be easily used for a variety of unpermitted uses. She also stated that at the January 21, 2009 public hearing, a Hearing Officer concluded that the project would likely adversely affect the health, safety, and general welfare of the neighborhood, and that the applicant has failed to prove otherwise. After some discussion, the Commission closed the public hearing and voted to approve Conditional Use Permit Case No. 200600329-(2) with those conditions recommended by staff.

#### Findings

1. The applicant, Salud F. Rivera, is requesting a Conditional Use Permit (CUP) to authorize the construction and maintenance of a two-family residence (duplex) in a C-3 (Unlimited Commercial) zone, within the Carson Zoned District of Los Angeles County.
2. The subject property contains a single-family residence, a carport, and a garage, and is located at 21603 Berendo Avenue. The site is within the community of West Carson in the Carson Zoned District of unincorporated Los Angeles County.
3. The project site is zoned C-3 (Unlimited Commercial).
4. The subject property is approximately 4,800 square feet and is relatively level. The existing single-story, single-family residence is located on the southern portion of the property. There is also an unpermitted secondary dwelling unit attached to the residence on the western portion of the property, which will be demolished. Access to the facility would be from the east via Berendo Avenue. The area is relatively urbanized and is surrounded by commercial and residential uses in all directions.
5. Surrounding properties are zoned as follows:
  - North: R-1 (Single-family Residence)
  - South: C-3 (Unlimited Commercial)
  - East: R-1 (Single-family Residence); C-3 (Unlimited Commercial)
  - West: R-1 (Single-family Residence)
6. The surrounding land uses consists of the following:
  - North: Single-family residences,

East: Single-family residences, Multi-family residences  
South: Apartment buildings, Commercial services  
West: Single-family residences

7. The Department of Regional Planning has determined that the project qualifies for a Class 3 Categorical Exemption (small structures) under the California Environmental Quality Act (CEQA) reporting requirements.
8. A total of 137 public hearing notices were mailed out to property owners located within the 500-foot radius of the subject property on February 19, 2009 regarding the subject proposal. The notice was published in the *Daily Breeze* and in *La Opinion* on February 25, 2009. Case-related materials were sent on February 19, 2009 to the Carson Regional Library. The public hearing notice was posted at the project site at least 30 days prior to the public hearing.
9. Staff has received phone calls from four (4) area residents and letters from 74 unique area residents regarding the project. All residents opposed the project for a variety of reasons. The 35-foot height of the structure was described as out of character for the surrounding neighborhood, which consists mostly of low-rise residential buildings. Adjacent residents also felt that the structure would be an invasion of their privacy, as it incorporates several windows that look directly into two rear yards. Also cited as a concern was the multi-family use of the proposed structure, which one residents felt would attract a more transient population to the neighborhood.
10. A 267-signature petition (from 193 unique addresses) was received in opposition to the project proposal. In addition a 76-signature petition (from 69 unique addresses) was received in favor of the project proposal.
11. Staff consulted with both the Department of Public Works and the County Fire Department regarding the project proposal. Public Works recommended approval of the project, as they had no requests for additional street improvements or dedications. County Fire initially put a hold on the project, pending a fire flow test and verification of the distance from the nearest fire hydrant. This hold was lifted and the project cleared for public hearing.
12. The proposed project would meet all applicable development standards for the zone and the General Plan Land Use category.
13. The site is immediately adjacent to a single-story apartment building to the south, and there is a 35-foot high office building to the south of this property. There are also some two-story residences in the immediate vicinity, including two (2) houses across the street and all nine (9) houses which take access from a nearby cul-de-sac. There is also an extensive development of three-story townhomes approximately 380 feet to the east of the subject property.



14. Concern of area residents regarding the project's 31-foot height is mitigated by the fact that 35 feet is the maximum height for many properties in the immediate vicinity, and that this height does not require a Conditional Use Permit. In addition, rear windows for the second and third floors will be high-mounted "privacy" windows, and the applicant has agreed to additional rear landscaping to minimize the aesthetic impact of the structure's height on neighbors to the rear.
15. Concerns regarding the future conversion of the structure to a multi-family residence are mitigated by the applicant's offer to limit the two-family residence to a total of seven (7) bathrooms and the fact that any subdivision of the structure to allow additional units is prohibited without a new public hearing.
16. The development standards listed in the County Code for C-3 zoning indicate two-family residences are permitted upon issuance of a Conditional Use Permit.
17. The County Code requires a minimum of three (3) covered and one (1) uncovered off-street parking spaces. This requirement is consistent with the site plan submitted by the applicant, which depicts four (4) covered parking spaces.
18. The property would be appropriately utilized as a residential use rather than a commercial use, as it is surrounded on all sides by other residential uses, including two apartment buildings also constructed on underlying commercial zones.
19. A previous basis for denial of the project by the Hearing Officer—the inconsistency of the submitted site plans, project application, and applicant statements—has been corrected and is therefore no longer valid. Other reasons for denial—that the project is out of character with the surrounding neighborhood and that the site would not be appropriately utilized for a residential use—were considered and rejected by the Commission.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed locations will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding areas, not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;

- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such use would generate and by other public or private facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for conditional use permits as set forth in Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

**REGIONAL PLANNING COMMISSION ACTION:**

1. The Commission has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit 200600329-(2) is **APPROVED** subject to the attached conditions.

**VOTE: 5-0**

**Concurring: Bellamy, Rew, Valadez, Helsley, Modugno**

**Dissenting: None**

**Abstaining: None**

**Absent: None**

**Action Date: 05/20/09**

1. c: Each Commissioner, Zoning Enforcement, Building and Safety.

MM:TM  
05/27/09

1. This grant authorizes the use of the subject property for the construction and maintenance of a two-family residence (duplex) on a property in the C-3 (Unlimited Commercial) zone, as depicted on the approved Exhibit "A," subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
3. This grant shall not be effective for any purpose until the permittee has filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 9.
4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
  - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
  - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.

6. This grant shall expire unless used within two (2) years from the date of approval. A one-year time extension may be requested in writing and with payment of the applicable fee at least six (6) months prior to the expiration date.

7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$300.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for 2 biennial inspections. Inspections shall be unannounced  
  
If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150 per inspection).
10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health and safety or so as to be a nuisance.
11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
12. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.

13. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the facility being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
14. In the event of an occurrence of such extraneous markings, drawings, or signage, the permittee shall remove or cover them within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
15. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A."
16. The permittee shall provide a minimum of four (4) covered parking spaces, developed to the specifications listed in Section 22.52.1095 of the Los Angeles County Code.
17. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises under which the permittee has control.
18. Outdoor storage and display are prohibited unless approved by a Revised Exhibit "A".
19. As volunteered by the applicant, the structure shall contain no more than seven (7) full bathrooms.
20. As delineated in Section 22.28.210 of the Los Angeles County Code, the maintenance of more than two (2) dwelling units on the subject property is specifically prohibited unless approved by a separate conditional use permit.
21. Within sixty (60) days of approval of this grant, the permittee shall submit to the Director for review and approval three copies of a revised landscape plan. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. A minimum of three (3) trees from the Los Angeles County Drought-tolerant Plant List shall be planted and maintained within the rear yard setback. Landscaping comply with the drought-tolerant landscaping requirements of Section 22.52.2230 of the County Code. A minimum of seventy-five (75) percent of such total landscaped area shall contain plants from the drought-tolerant plant list of the Department of Regional Planning. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover. Throughout the term of this grant, the permittee shall maintain all landscaping in a

PROJECT NO. R2006-03795-(2)  
CONDITIONAL USE PERMIT NO. 200600329-(2)

CONDITIONS  
Page 4 of 4

neat, clean and healthful condition, including proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary.

MM:TM  
05/27/09



Los Angeles County  
Department of Regional Planning

Planning for the Challenges Ahead



Jon Sanabria  
Acting Director of Planning

May 7, 2009

TO: Leslie G. Bellamy, Chair  
Wayne Rew, Vice Chair  
Esther L. Valadez, Commissioner  
Harold V. Helsley, Commissioner  
Pat Modugno, Commissioner

FROM: Tyler Montgomery *TM*  
Regional Planning Assistant II  
Zoning Permits II Section

SUBJECT: PROJECT NO. R2006-03795-(2)  
CONDITIONAL USE PERMIT CASE NO. 200600329-(2)  
May 20, 2009 Continued Public Hearing  
Agenda Item No. 5

Conditional Use Permit No. 2006000329-(2) seeks to authorize the construction and maintenance of a three-story duplex in a C-3 (Unlimited Commercial) zone, located at 21603 Berendo Avenue in the Carson Zoned District. This case is an appeal of the Hearing Officer's denial of January 20, 2009.

The Regional Planning Commission previously heard this case on April 1, 2009. At this hearing, the Commission requested that several changes be made to the site plans and continued the public hearing until May 20, 2009. The requested changes included the following items:

1. Redesign the structure to incorporate a minimum 5-foot rear yard setback along its entire length;
2. Revise the architectural plans to show the third story of the structure as habitable space rather than an uninhabited attic;
3. Reduce the height of the structure's third-story walls by at least three (3) feet, so that the slope of the roof meets the third-story floor at the structure's perimeter, and;
4. Redesign the windows of the upper stories in order to maximize the privacy of neighbors to the rear.

A set of revised site plans have been submitted by the applicant. Items 1 and 2 were followed. It is staff's opinion that Item 4 has also been followed, as the design of all rear-facing windows on the second and third floors have been modified to high "privacy"

windows. It is also staff's opinion that Item 3 has been followed substantially. The applicant states that the structural design of the residence prevents the slope of the eaves from making contact with the third-story floor. However, instead of removing the three-foot wall separating the eaves from the floor, the upper portion of the wall was shortened by four (4) feet. Therefore, the overall height of the building has been lowered from 35 feet to 31 feet.

Due to the factors mentioned in staff's previous report and in light of the applicant's adherence to the requests made by the Commission at its April 1, 2009 public hearing, staff feels that the burden of proof for a conditional use permit has been met.

#### **SUGGESTED APPROVAL MOTION**

I move that the Regional Planning Commission **APPROVE** Conditional Use Permit 200600329 with the attached Findings and Conditions.

Enclosure:  
Revised Site Plan

05/07/09  
MM:TM





Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Jon Sanabria  
Acting Director of Planning

March 26, 2009

TO: Leslie G. Bellamy, Chair  
Wayne Rew, Vice Chair  
Esther L. Valadez, Commissioner  
Harold V. Helsley, Commissioner  
Pat Modugno, Commissioner

FROM: Tyler Montgomery *TM*  
Regional Planning Assistant II  
Zoning Permits II Section

SUBJECT: **PROJECT NO. R2006-03795-(2)**  
**CONDITIONAL USE PERMIT CASE NO. 200600329-(2)**  
**April 1, 2009 Public Hearing**  
**Agenda Item No. 8**

Conditional Use Permit No. 2006000329-(2) seeks to authorize the construction and maintenance of a three-story duplex in a C-3 (Unlimited Commercial) zone, located at 21603 Berendo Avenue in the Carson Zoned District.

An error was included in the original staff report, which referred to a 35-foot-high apartment building to the south of the proposed duplex. This structure is actually a 35-foot-high office building. Finding Number 13 should be corrected to accurately reflect this fact.

Since the preparation of the previous staff report, five (5) additional letters of opposition have been received regarding the project proposal. These letters are enclosed. Also included are three (3) additional pages of the opposition petition that were inadvertently excluded from the previous packet. These pages contain 35 additional signatures (29 unique), for a total of 267 signatures in opposition from 193 unique addresses.

Staff also received some complaints from area residents regarding the manner in which signatures for the approval petition were collected by the applicant. A resident claims some other neighbors were told that the duplex would only be two (2) stories, rather than three (3). The applicant states that her daughter, while collecting signatures, may have told "two or three" residents that the facility would be "two stories with an attic," although the petition does clearly state that the project is three (3) stories. Staff also received a complaint from an area resident alleging that the applicant stated that the

project would be a quadruplex for generating rental income. The applicant denies that this occurred.

MM:TM  
03/26/09

## Montgomery, Tyler

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**From:** Denise Grelle [DGrelle@healthcarepartners.com]  
**Sent:** Monday, March 23, 2009 9:15 AM  
**To:** Montgomery, Tyler  
**Subject:** Project No. R2006-03795-(2) Permit Case No. 200600329-(2)  
**Importance:** High

Dr. Mr. Montgomery,

I am writing to oppose the permit for the above mentioned case. I live down the street and cannot imagine a building the size stated on the permit being allowed to be built. The lot itself is very small and will not be able to accommodate adequate parking. The street is already overcrowded with vehicles parked on both sides of the street and is also heavily traveled as it is a corridor to Carson Street.

This building will most certainly affect the neighborhood in a negative manner. On that street there are all single family resident houses with the exception of the liquor store and office buildings toward Carson Street. It will affect all neighbors on either side and at the rear of their property. I certainly would not want a three story building as my neighbor and/or view of my side yard or backyard, not to mention the security issue. They will be able to see into all neighbors property. I truly feel this will be a menace to our neighborhood. I understand their initial plan called for a bar/dance area. One can only imagine the intent of this building if that was on the initial request. They may have amended that section to not be included, but I can guarantee you that if that was their initial intent, with or without the planning commissions blessing, they will turn the third floor into a bar/dance area!

If this 3 story duplex is allowed to be built, it will set the standard for more to be built on the same street. This is a great little nice neighborhood where most homeowners take pride in their home, landscaping and surrounding areas. This 3 story duplex will certainly be out of character and will be bad for our neighborhood!!! As I am sure you can appreciate, you would not want your family living next to a 3 story duplex.

I strongly suggest that the planning committee reconsider this proposal and not approve the building. Unfortunately we are unable to attend the hearing.

Sincerely,

Richard & Denise Grelle  
310-483-9261

The information in this email, including attachments, may be confidential and/or privileged and may contain confidential health information. This email is intended to be reviewed only by the individual or organization named as addressee. If you have received this email in error please notify HealthCare Partners immediately - by return message to the sender - and destroy all copies of this message and any attachments. Confidential health information is protected by state and federal law, including, but not limited to, the Health Insurance Portability and Accountability Act of 1996 and related regulations.

**Montgomery, Tyler**

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**From:** Patty Mortl [pattymortl@ca.rr.com]  
**Sent:** Monday, March 23, 2009 1:10 PM  
**To:** Montgomery, Tyler  
**Subject:** project no. R2006-03795-(2)  
**Attachments:** Cream\_stripes\_cream\_border2.gif

Regarding conditional use permit case no. 200600329-2

**Please don't approve this 3 storey monster in our neighborhood.** We are a 1000 home community on mostly one story homes. The people asking for this permit have changed the proposed use of the building at least 4 times in trying to get the permit. They have also had people distributing petitions stating it was only a 2 storey building.

MIKE MORTL  
844 W CLARION DRIVE TORRANCE CA 90502

<Arial> 

## Montgomery, Tyler

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From: Larry Abe [larryabe@earthlink.net]  
Sent: Tuesday, March 24, 2009 12:37 PM  
To: Montgomery, Tyler  
Subject: Fw: Project No. R2006-03795-(2) Conditional Use Permit Case No. 200600329-(2)

=====REVISED=====

>  
>Mr. Montgomery,  
>  
>Reference: Project No. R2006-03795-(2) Conditional Use Permit Case No.  
>200600329-(2)  
>  
>As this project was misrepresented to me during petition verbal solicitation, please remove  
my prior signature approval to the above referenced permit application.  
>  
>I have been advised of several misrepresentations by the individuals during soliciting of  
neighborhood signatures for this project. I am now aware of more specifics of the petitioners  
plans for this development and do not agree with approval for this development for the  
following reasons.  
>  
>1) No CLEAR usage has been defined in the application  
>2) I have become aware of the future plans for this property and they are not as represented  
to me during signature solicitation. Plans for the third story usage have not been well  
defined and it is easily envisioned that a 'club' which includes music, alcohol and potential  
'VIP' private rooms may be developed. This is NOT in keeping with the current atmosphere of  
the neighborhood.  
>3) The surrounding neighborhood cannot support such a development as there is no parking  
area designated for this development. This will endanger the health and well being of the  
neighborhood and particularly local child populations.  
>4) Potential late night operation is not consistent with the current  
>surrounding bedroom community  
>5) Enforcement of public safety and general welfare rights of neighborhood is dubious at  
best.  
>6) I firmly disagree that signatures obtained from outside this neighborhood should be valid  
or considered in any way. It is OUR children and neighborhood that is being subjected to this  
risk.  
>  
>Please accept this email as confirmation of my request to rescind my signature from the  
petition.  
>  
>Thank you for your consideration.  
>  
>Larry Abe

## Montgomery, Tyler

---

**From:** susan.nielsen@juno.com  
**Sent:** Wednesday, March 25, 2009 7:52 AM  
**To:** Montgomery, Tyler  
**Subject:** Project No. R2006-03795-(2) - 21603 Berendo

Project No. R2006-03795-(2)  
Conditional Use Permit Case No. 200600329-(2)

Dear Mr. Montgomery,

I wrote to you once before regarding this project, and am doing so again with the same concerns. I am AGAINST it.

This is a residential neighborhood; my neighborhood. It consists of single-family homes averaging 1500 square feet on lots averaging 5,000 sqft. Any apartment or commercial buildings are on the main streets (Carson or Vermont) surrounding the tract, not inside.

The current property at 21603 Berendo has a lot size of 4,844 sqft, and according to title records a 2-bedroom, 1-bath home of 480 sqft. For years the current owner, Ms. Rivera, has rented out an unpermitted unit on that property. Now she wants to build a 3-story multi-unit building.

At first, we were told it was a duplex, with one unit being about 1500 sqft. and the second being 6,000 sqft. That is a mansion! In this neighborhood? Then we hear that it will have an elevator to a dance studio and bar on the top level. When the neighbors heard that and protested, the story suddenly got changed to a huge storage level, yet with elevator access. What is to stop her from converting the space to unpermitted rental units, as she has done in the past? What will stop her from having a commercial business on a residential street? The small lot, once the structure is constructed, will not support clientele parking.

I urge you to NOT ALLOW this structure to be built! The reasons:

1. Three stories will tower over the neighborhood, affecting the privacy of the residents.
2. The size of the structure does not conform to the neighborhood.
3. The owner has disregarded the laws, zoning, and disrespected the neighbors in the past with the bootleg rental. With the vagueness and her changing the presentation of this, we suspect she will continue on as before.
4. The lot size is too small to accomodate this size of structure, plus parking for the occupants or business customers.
5. The values and desirability of our neighborhood will diminish with this non-conforming structure.

Sincerely,  
Susan Nielsen  
310-320-2646

March 26, 2009

To: The Los Angeles County Regional Planning Commission

Re: Project No. R2006-03795-(2)

Conditional Use Permit Case No. 200600329-(2)

This letter is in rebuttal to the March 19, 2009 report recommending an Approval for the proposed three-story duplex at 21603 Berendo Avenue, Torrance, CA 90502.

Please Note:

The 35-foot high apartment building mentioned in this report, is NOT an apartment building. It is a dental office building. This error was pointed out to the planner before the January 20, 2009 hearing and it persists. The 35-high apartment building is incorrectly mentioned and referenced in the Staff Analysis report (page 5/7, page 6/7 twice)

On the summary letter to the report:

3<sup>rd</sup> paragraph: The reference to a future dance area and bar on the front sheet was not vague wording. The actual reference was from the submitted site plan's project summary. It stated: "The floor plan was planned according to the convenience of the 2 daughters of the owner and the owner herself, having a small music and dancing area with the combination of a small bar at a later date."

The 3<sup>rd</sup> floor of this proposed building is very large, currently, 2,655 square feet and it is on a commercial zoned lot. The neighbors naturally concluded the building would be housing a revenue generating business.

4<sup>th</sup> paragraph: There was an oversight on the number of signatures submitted stating opposition. The number of signatures is closer to 260. Missing were three pages of signatures. Copies of these three pages have been resubmitted to the planning office. The signatures for opposition are from neighbors who are in the immediate and adjacent neighborhood tracts of the proposed site.

In regards to the petition in favor of the project, it was stated there are 76 signatures, from 69 unique addresses. Upon closer inspection the following was revealed:

- 6 signatures have no address. 5 of these signatures are in the same handwriting.
- Of the 76 signatures, 32 (42%) are outside the 90502 ZIP code and are 1 to 20+ miles away from the project site.
  - Of these 32 signatures
    - 23 are 1-9 miles away from the project site.
    - 6 are 10-19 miles away
    - 3 are 20+ miles away
- Several of the signatures (8) in the 90502 ZIP code were obtained outside the residential neighborhood, along the main thoroughfares of Carson Street and Vermont Avenue.

- The architect for the project, C. Chaneco, signed twice using two different names. It should be noted it is the same signature and the same address both times. Connie Chaneco on 03/15/09 and Consuelo Chaneco on 02/29/09. It has been confirmed by the planner she uses both names.

No approval signatures were obtained in the adjacent neighborhood tract to the west. This neighborhood is profoundly affected by this proposed three-story duplex given its height and size and proximity to the project site. Nor were signatures obtained from the Broadwell Street area, immediately east of the site and within steps of the site.

In addition, it was reported, via the neighborhood e-mail network, misleading information was given by the petitioners regarding a two story home, while on the petition it was stated three storey [sic].

5<sup>th</sup> paragraph. The photographs do not show any three-story residential buildings. In the photos taken facing west (behind the building), there are no multistory buildings.

From the FINDINGS and ORDER OF THE REGIONAL PLANNING COMMISSION  
COUNTY OF LOS ANGELES Report

Findings #4:

Regarding the unpermitted portion of the residence. In the past, the applicant has rented out the unpermitted secondary dwelling unit. This was cited in the Staff Analysis report, page 5 of 7, for the January 20, 2009 hearing and as such, there was also cited a concern the proposed building will be used for future rental units.

The concern about future rental units has been further substantiated by a neighbor who was approached by neighborhood petitioners seeking support for the building of a "quadplex for rental income".

In addition, on the approval petition, there are 4 different names/signatures affiliated with the proposed project site. And a neighboring family told me they were to move into the residence on March 15, 2009. It is suspected the applicant continues to rent out the unpermitted portion of the residence.

The neighbors are skeptical this proposed three story duplex will remain a duplex given the past history of the owner to rent out the unpermitted portion of the residence, the property is zoned Commercial-3, and the inconsistencies for use that have been noted during this application process. Also adding concern is the large size of the elevator, 6'x6", on the revised site plan.

Findings #6. Land use.

North: Single family residences: This area is mostly single story homes, with a few two-story homes.

South: Apartment buildings, commercial services: There are four commercial lots on the west side and 21603 Berendo is one of them. The other three are two commercial buildings and a small, single story apartment building.

East: Single family residences & multi-family residences: This neighborhood area is mostly single story homes; with some two story homes, mostly on Broadwell street. As for the



multi-family residences, they are not in the immediate neighborhood. Actually, I am not sure what or where these reference.

West: Single family residence: This tract is single story homes.

Findings #8.

The public hearing notices for both hearings (January 20 & April 1, 2009) have been posted behind 2 chain link fences. The current posting is somewhat obscured and even more difficult to read due to the double chain link fencing in front of it.

Findings #9.

The 67 letters that are cited in the report were designed around the Burden of Proof. Neighbors checked (✓) those points of the Burden of Proof that pertained to their individual situations as they relate to the proposed three-story duplex. The report simply states 67 letters were received.

Findings #10.

As mentioned above, the correct number of opposing signatures is closer to 260. Three pages were misplaced and not counted for the report. Copies were re-faxed (March 24<sup>th</sup>) to the planner in order to correct this error.

Findings #13.

To clarify, the apartment building is a small, single story building.

As noted above, the 35-foot high apartment building is NOT an apartment building. It is a dental office building. This error was pointed out to the planner before the January 20, 2009 hearing and it persists. The 35-high apartment building is incorrectly mentioned and reference in the Staff Analysis report (page 5/7, page 6/7 twice)

It is a critical point to the report. There are no multi-story apartment buildings in the neighborhood or surrounding neighborhoods.

The extensive development of three-story townhomes is not accessible by the neighborhood or surrounding neighborhood. One must exit the neighborhoods to gain entrance to this development. This development is completely different in appearance and scope than the homes in the neighborhood of the projected site, 21603 Berendo Ave.

Findings #17.

The actual future use of the proposed duplex is highly suspect given the inconsistencies of use cited by the applicant throughout the course of this application process. The neighbors are very concerned and suspect the building will be used in some commercial format. Substantiating this concern, in the "Announcement" (page prior to approval petition in this report) the owner writes "Please be informed that unlimited commercial zone - C3 have **more priviledges** [sic] than a residential zone R1 or R2."

Previously the owner has rented out the unpermitted portion of the residence. This was cited in the Staff Analysis report, page 5 of 7, for the January 20, 2009 hearing and as such, there was also cited a concern the proposed building will be used for future rental units. This concern has been further substantiated by a neighbor who was approached by neighborhood petitioners seeking support for building a "quadplex for rental income on the property". The petitioners

compared their proposed quadplex to the small, single story apartment building to the immediate south of the projected site.

The neighbors are skeptical that the duplex will only be for residential use, particularly the third floor. It is suspected the building or a portion(s) will be used as a source of revenue. The ultimate use of this proposed three-story building is suspicious given the number of inconsistencies provided by the applicant:

- On the permit application there was to be a "loft" for storage.
- On the original submitted site plan it was written as part of the project summary, about the music and dance area with plans for a future bar.
- On the current revised site plan, the third floor is for two personal storage areas, and the remaining portion to be a family exercise and recreation room. The area is a very large 2,655 square feet.
- The neighbor who was asked to sign a petition in support of a quadplex for rental income.
- The past history of renting out the unpermitted portion of the current residence.

#### Findings #18.

- I do not agree that the previous basis for denial has been met.
- The proposed three-story duplex is out of character for the neighborhood and surrounding neighborhoods.
- It is highly suspect as to the ultimate use of this proposed duplex, that it will not remain a residential property.
- This building will negatively affect many of the neighbors in a variety of ways as stated by the Burden of Proof.

#### Other Issues Not on the Report

On the original submitted site plan there was a mixed use of measurement, standard feet & inches, and decimal use. Has this been corrected?

The applicant's responses on the Burden of Proof do not substantiate or even address any of the points as they are written as vague generalities. The responses for Section A are particularly egregious.

There are serious cracks appearing in many of the homes and block wall fences on Meyler Street. This is the adjacent neighborhood to the immediate west of the project site. What is causing these sizable cracks to appear? Will the land support a three-story building?

The owner has been previously cited for trailers, inoperable vehicles, and junk on the property. The first time in 1997 and there was compliance. Currently there is another pending the decision of the project.

In the Staff Analysis report there is a photograph/diagram showing nearby two and three-story buildings. This picture was not taken at an equal distance from the project site. It is off center, showing the East neighborhoods with the extensive three-story townhome development. If it were centered, it would show more of the West residential neighborhood of single story

homes. This photograph is an inaccurate portrayal of the immediate surrounding neighborhoods.

A very large number of neighbors see this proposed building as a detriment to our neighborhoods.

Respectfully,  
Chris Tabellario  
21534 Meyler Street  
Torrance, CA 90502

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:  
21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City,	State,	Date
<i>Marshall McKeown</i>	OSCAR MCKEOWN	94 W. 214TH ST.	Torrance,	CA 90502	01/17/09
<i>Paul Tracyowski</i>	PAUL TRACYOSKI	936 W 214 ST	Torrance,	CA 90502	01/17/09
<i>Sharon Ditty</i>	SHARON DITTY	932 W 214 ST	Torrance,	CA 90502	1-17-09
<i>Jennis Cadente</i>	Jennis Cadente	918 W. 214TH ST.	Torrance,	CA 90502	1-17-09
<i>Sharon Tabers</i>	Sharon Tabers	11	Torrance,	CA 90502	1-17-09
<i>Rick Harsco Widayr</i>	RICK HARSCO	21312 Payne Ave	Torrance,	CA 90502	1-17-09
<i>EDUARDO T. ADO</i>	EDUARDO T. ADO	21303 Payne Ave	Torrance,	CA 90502	1-17-09
<i>George D. Baldwin</i>	GEORGE D. BALDWIN	21309 Payne Ave	Torrance,	CA 90502	1-17-09
<i>LE RAY MORG BELL</i>	LE RAY MORG BAWDIN	21304 Payne Ave	Torrance,	CA 90502	1-17-09
<i>Hortense Hassell</i>	GERTRUDE HASELL	21301 Payne Ave	Torrance,	CA 90502	1-17-09
<i>Jack Behier</i>	JACK BEHIER	21302 SAFETY AVE	Torrance,	CA 90502	1/17/09

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for: 21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State	Date
<i>[Signature]</i>	ADRIAN BOWEN	21402 S. BERENDO AVE	Torrance, CA 90502	1/17/09
<i>[Signature]</i>	DOM SPANG	21412 BROADWELL AVE	Torrance, CA 90502	1/17/09
<i>[Signature]</i>	James Sheldon	21403 Broadwell Ave	Torrance, CA 90502	1/17/09
<i>[Signature]</i>	SHARIS HASHIMOTO	21521 BROADWELL AVE	Torrance, CA 90502	1/17/09
<i>[Signature]</i>	Charles M. St	21809 Broadwell	Torrance, CA 90502	1/17/09
<i>[Signature]</i>	Lu W. Lim	21309 Broadwell	Torrance, CA 90502	1/17/09
<i>[Signature]</i>	Edele Livey	1007 W. 213 <sup>th</sup> St	Torrance, CA 90502	1/17/09
<i>[Signature]</i>	Maria Manzanarez	21309 JAFFRY	Torrance, CA 90502	1/17-09
<i>[Signature]</i>	MABEL SZCZYNSKI	21315 TAPPET	Torrance, CA 90502	1/17/09
<i>[Signature]</i>	THOMAS SZCZYNSKI	21315 TAPPET AVE	Torrance, CA 90502	1/17/09
<i>[Signature]</i>	STEVE ELEMING	21329 TAPPET AVE	Torrance, CA 90502	1/17/09
<i>[Signature]</i>	MICHAEL PINTA	946 W. 214 <sup>th</sup> ST	Torrance, CA 90502	1/17/09

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:  
 21603 Berendo Ave, Torrance, CA 90502

Taken to  
 hearing 1/20/09

Project No. R2006-03795-(2)

Conditional Use Permit Case T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State	Date
<i>Oscar Talle da</i>	Oscar Talle da	9024w Legion Dr	Torrance, CA 90502	1/17/09
<i>Louise Brookman</i>	Louise Brookman	21188 Dobie Ave	Torrance, CA 90502	1/16/09
<i>Stella Wilson</i>	Stella Wilson	21018 Dobbie Ave	Torrance, CA 90502	1/17/09
<i>Meafou Fuimaono</i>	Meafou Fuimaono	21126 Northhamshire Ave	Torrance, CA 90502	1/17/09
<i>Stella Wilson</i>	Stella Wilson	21127 Northhamshire Ave	Torrance, CA 90502	1/17/09
<i>David Crockett</i>	David Crockett	21324 Buddlong Ave	Torrance, CA 90502	1/17/09
<i>Easter Crockett</i>	Easter Crockett	21324 Buddlong Ave	Torrance, CA 90502	1/17/09
<i>Beatrice D Panis</i>	BEATRICE PANIS	1109 W 213th	Torrance, CA 90502	1/19/09
<i>Elizabeth Perez</i>	ELIZABETH PEREZ	1113 W 213th	Torrance, CA 90502	1/17/09
<i>Josephine Chan</i>	Josephine Chan	1017 W 213th St Torrance CA	Torrance, CA 90502	1/17/09
<i>Rose Geiger</i>	ROSE GEIGER	1023 W 213th St Torrance, CA	Torrance, CA 90502	1/19/09

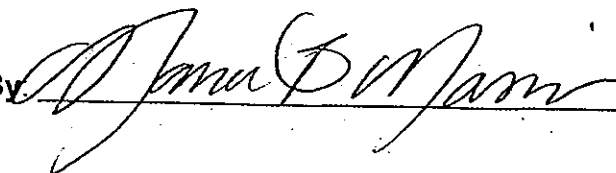
# Regional Planning Commission Transmittal Checklist

Hearing Date April 1, 2009
Agenda Item Number 8

**Project Number:** R2006-03795-(2)  
**Case(s):** Conditional Use Permit No. 200600329  
**Contact Person:** Tyler Montgomery, Zoning Permits II

Included	NA/None	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Factual
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Conditions
<input checked="" type="checkbox"/>	<input type="checkbox"/>	DPW Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	FD Letter
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other Department's Letter(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Burden Of Proof Statement(s)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Opponent And Proponent Letters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Aerial (Ortho/Oblique) Image(s)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan And Elevations
<input type="checkbox"/>	<input type="checkbox"/>	

Reviewed By \_\_\_\_\_





Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Jon Sanabria  
Acting Director of Planning

March 19, 2009

TO: Leslie G. Bellamy, Chair  
Wayne Rew, Vice Chair  
Esther L. Valadez, Commissioner  
Harold V. Helsley, Commissioner  
Pat Modugno, Commissioner

FROM: Tyler Montgomery *TM*  
Regional Planning Assistant II  
Zoning Permits II Section

SUBJECT: PROJECT NO. R2006-03795-(2)  
CONDITIONAL USE PERMIT CASE NO. 200600329-(2)  
April 1, 2009 Public Hearing  
Agenda Item No. 8

Conditional Use Permit No. 2006000329-(2) seeks to authorize the construction and maintenance of a three-story duplex in a C-3 (Unlimited Commercial) zone, located at 21603 Berendo Avenue in the Carson Zoned District.

The case was originally heard before the Hearing Officer on January 20, 2009. After hearing testimony, the Hearing Officer denied the above application due to perceived inconsistencies between the applicant's site plan, permit application, and statements made at the hearing. The Findings of this denial are included as an attachment to your packet. The applicant, Salud F. Rivera, subsequently appealed this denial to the Regional Planning Commission.

Since this previous hearing, the applicant has submitted a revised site plan in response to the inconsistencies identified by the Hearing Officer. The revised plan shows the specific floor plan of the 2,655 square-foot third story, indicating two separate "personal items storage" areas of 546 square feet and 260 square feet, respectively, and a "family exercise room and recreation" area of 1,680 square feet. The remainder of the area is occupied by a corridor, elevator shaft, and stairwell. A reference to a "future dance area and bar" on the front sheet of the plans was also removed, as this vague wording concerned area residents that a commercial use was being proposed, when in fact the dance area and bar are meant to be residential amenities.

Also since the previous hearing, staff has received additional correspondence from area



residents. In addition to the six (6) letters and 232-signature petition (from 164 unique addresses) stating opposition to the project—which were considered at the previous hearing—staff has received an additional 67 opposition letters, for a total of 73 letters of opposition from 69 unique addresses. The applicant has also submitted a petition in favor of the project, containing 76 signatures from 69 unique addresses, although it should be noted that 20 of these signatures were from addresses more than five (5) miles from the project site.

Also submitted by the applicant was a sheet containing several additional photographs of buildings in the surrounding area, including addresses. Staff has checked the purported heights that are stated on this sheet, and they appear to be accurate within two (2) feet.

Due to the changes in the applicant's site plans, staff believes that they are now consistent with the applicant's permit application and statements. If the Commission decides that the submitted plans are still lacking in internal consistency, or that the proposed project does not meet the required Burden of Proof, the Commission has the option to either deny the project or request changes to the plans and continue the hearing to a later date. However, because no information has arisen that would contradict any information used in staff's previous analysis, staff maintains its recommendation for **APPROVAL** of the project proposal, subject to the attached conditions.

#### **SUGGESTED APPROVAL MOTION**

I move that the Regional Planning Commission **APPROVE** Conditional Use Permit 200600329 with the attached Findings and Conditions.

#### Enclosure:

01/20/09 Hearing Officer packet (distributed 01/08/09)  
01/20/09 Hearing Officer packet update memo (dated 01/15/09)  
01/21/09 Letter and Findings of denial  
Additional letters of opposition (69 unique)  
Petition of approval (69 unique)  
Additional applicant photographs

03/19/09  
MM:TM

# FINDINGS AND ORDER OF THE REGIONAL PLANNING COMMISSION COUNTY OF LOS ANGELES

PROJECT NUMBER R2006-03795-(2)  
CONDITIONAL USE PERMIT CASE NUMBER 200600329-(2)

REGIONAL PLANNING COMMISSION HEARING DATE: APRIL 1, 2009

## SYNOPSIS:

Pursuant to the provisions of Section 22.56, Part 1 of the Los Angeles County Code, a Conditional use Permit to authorize the construction and maintenance of a two-family residence in a C-3 (Unlimited Commercial) zone, within the Carson Zoned District of Los Angeles County.

## PROCEEDINGS BEFORE THE REGIONAL PLANNING COMMISSION:

### Findings

1. The applicant, Salud F. Rivera, is requesting a Conditional Use Permit (CUP) to authorize the construction and maintenance of a two-family residence (duplex) in a C-3 (Unlimited Commercial) zone, within the Carson Zoned District of Los Angeles County.
2. The subject property contains a single-family residence, a carport, and a garage, and is located at 21603 Berendo Avenue. The site is within the community of West Carson in the Carson Zoned District of unincorporated Los Angeles County.
3. The project site is zoned C-3 (Unlimited Commercial).
4. The subject property is approximately 4,800 square feet and is relatively level. The existing single-story, single-family residence is located on the southern portion of the property. There is also an unpermitted secondary dwelling unit attached to the residence on the western portion of the property, which will be demolished. Access to the facility would be from the east via Berendo Avenue. The area is relatively urbanized and is surrounded by commercial and residential uses in all directions.
5. Surrounding properties are zoned as follows:
  - North: R-1 (Single-family Residence)
  - South: C-3 (Unlimited Commercial)
  - East: R-1 (Single-family Residence); C-3 (Unlimited Commercial)
  - West: R-1 (Single-family Residence)
6. The surrounding land uses consists of the following:
  - North: Single-family residences,

East: Single-family residences, Multi-family residences  
South: Apartment buildings, Commercial services  
West: Single-family residences

7. The Department of Regional Planning has determined that the project qualifies for a Class 3 Categorical Exemption (small structures) under the California Environmental Quality Act (CEQA) reporting requirements.
8. A total of 137 public hearing notices were mailed out to property owners located within the 500-foot radius of the subject property on December 9, 2008, regarding the subject proposal. The notice was published in the *Daily Breeze* and in *La Opinion* on December 13, 2008. Case-related materials were sent on December 9, 2008 to the Carson Regional Library. The public hearing notice was posted at the project site at least 30 days prior to the public hearing.
9. Staff has received phone calls from two (2) area residents and letters from 69 unique area residents regarding the project. All residents opposed the project for a variety of reasons. The 35-foot height of the structure was described as out of character for the surrounding neighborhood, which consists mostly of low-rise residential buildings. Adjacent residents also felt that the structure would be an invasion of their privacy, as it incorporates several windows that look directly into two rear yards. Also cited as a concern was the multi-family use of the proposed structure, which one residents felt would attract a more transient population to the neighborhood.
10. A 232-signature petition (from 164 unique addresses) was received in opposition to the project proposal. In addition a 76-signature petition (from 69 unique addresses) was received in favor of the project proposal.
11. Staff consulted with both the Department of Public Works and the County Fire Department regarding the project proposal. Public Works recommended approval of the project, as they had no requests for additional street improvements or dedications. County Fire initially put a hold on the project, pending a fire flow test and verification of the distance from the nearest fire hydrant. This hold was lifted and the project cleared for public hearing.
12. The proposed project would meet all applicable development standards for the zone and the General Plan Land Use category.
13. The site is immediately adjacent to an apartment building to the south, and there is a 35-foot high apartment building to the south of this property. There are also some two-story residences in the immediate vicinity, including two (2) houses across the street and all nine (9) houses which take access from a nearby cul-de-sac. There is also an extensive development of three-story townhomes approximately 380 feet to the east of the subject property.

14. Concern of area residents regarding the project's 35-foot height is mitigated by the fact that 35 feet is the maximum height for all properties in the immediate vicinity, and that this height does not require a Conditional Use Permit
15. The development standards listed in the County Code for C-3 zoning indicate two-family residences are permitted upon issuance of a Conditional Use Permit.
16. The County Code requires a minimum of two (2) covered and one (1) uncovered off-street parking spaces. This requirement is consistent with the site plan submitted by the applicant, which depicts four (4) covered parking spaces.
17. The property would be appropriately utilized as a residential use rather than a commercial use, as it is surrounded on all sides by other residential uses, including two apartment buildings also constructed on underlying commercial zones.
18. The previous basis for denial of the project by the Hearing Officer—the inconsistency of the submitted site plans, project application, and applicant statements—has been corrected and is therefore no longer valid.

BASED ON THE FOREGOING, THE REGIONAL PLANNING COMMISSION CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed locations will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding areas, not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such use would generate and by other public or private facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for conditional use permits as set forth in Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

**REGIONAL PLANNING COMMISSION ACTION:**

1. The Commission has considered the Categorical Exemption for this project and certifies that it is consistent with the finding by the State Secretary for Resources or by local guidelines that this class of projects does not have a significant effect on the environment.
2. In view of the findings of fact and conclusions presented above, Conditional Use Permit 200600329-(2) is **APPROVED** subject to the attached conditions.

**VOTE:**

**Concurring:**

**Dissenting:**

**Abstaining:**

**Absent:**

**Action Date:**

1. c: Each Commissioner, Zoning Enforcement, Building and Safety.

MM:TM  
03/19/09

1. This grant authorizes the use of the subject property for the construction and maintenance of a two-family residence (duplex) on a property in the C-3 (Unlimited Commercial) zone, as depicted on the approved Exhibit "A," subject to all of the following conditions of approval.
  2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
  3. This grant shall not be effective for any purpose until the permittee has filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 9.
  4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
  5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
    - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
    - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
- The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.
6. This grant shall expire unless used within two (2) years from the date of approval. A one-year time extension may be requested in writing and with payment of the applicable fee at least six (6) months prior to the expiration date.

7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$300.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for 2 biennial inspections. Inspections shall be unannounced  
  
If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150 per inspection).
10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health and safety or so as to be a nuisance.
11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
12. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.

13. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the facility being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
14. In the event of an occurrence of such extraneous markings, drawings, or signage, the permittee shall remove or cover them within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
15. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A."
16. The permittee shall provide a minimum of four (4) covered parking spaces, developed to the specifications listed in Section 22.52.1095 of the Los Angeles County Code.
17. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises under which the permittee has control.
18. Outdoor storage and display are prohibited unless approved by a Revised Exhibit "A".
19. Within sixty (60) days of approval of this grant, the permittee shall submit to the Director for review and approval three copies of a revised landscape plan. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. Landscaping comply with the drought-tolerant landscaping requirements of Section 22.52.2230 of the County Code. A minimum of seventy-five (75) percent of such total landscaped area shall contain plants from the drought-tolerant plant list of the Department of Regional Planning. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover. Throughout the term of this grant, the permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary.

MM:TM  
03/19/09



# Hearing Officer Transmittal Checklist

Hearing Date January 20, 2009
Agenda Item Number 8

**Project Number:** R2006-03795-(2)  
**Case(s):** Conditional Use Permit Case No. 200600329-(2)  
**Contact Person:** Tyler Montgomery, Zoning Permits II

Included	NA/None	Document
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Factual
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Property Location Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Staff Report
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Findings
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Draft Conditions
<input checked="" type="checkbox"/>	<input type="checkbox"/>	DPW Letter
<input checked="" type="checkbox"/>	<input type="checkbox"/>	FD Letter
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Other Department's Letter(s)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Burden Of Proof Statement(s)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Environmental Documentation (IS, MMP, EIR)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Opponent And Proponent Letters
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Photographs
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Resolution (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ordinance with 8.5 X 11 Map (ZC Or PA)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use Radius Map
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Plan And Elevations
<input type="checkbox"/>	<input type="checkbox"/>	

Reviewed By: *Thomas P. Spisio*



Los Angeles County Department of Regional Planning  
 320 West Temple Street, Los Angeles, California 90012  
 Telephone (213) 974-6443

PROJECT NO. R2006-03795-(2)

CONDITIONAL USE PERMIT CASE NO. 200600329

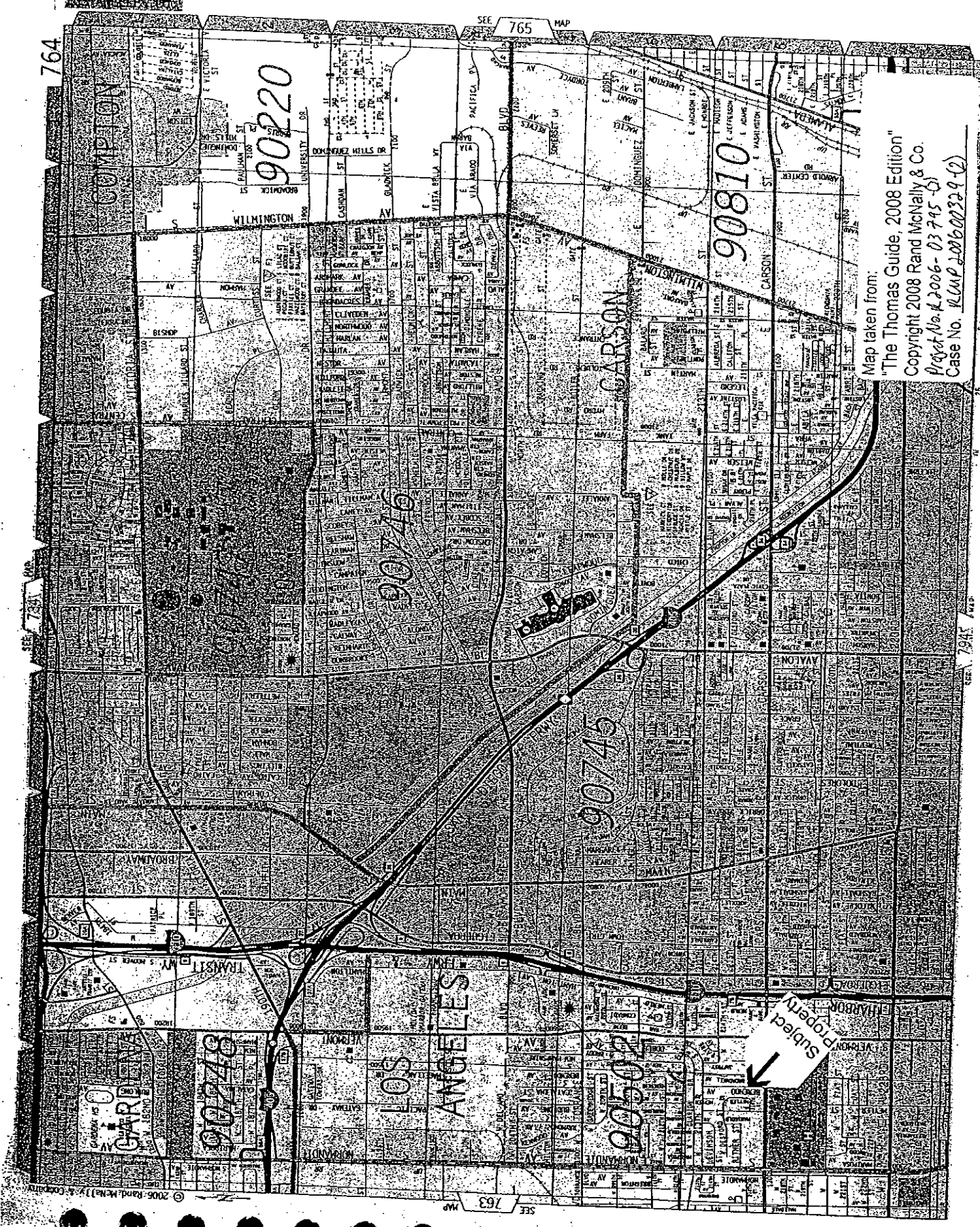
RPC/HO MEETING DATE January 20, 2009	CONTINUE TO
AGENDA ITEM 8	
PUBLIC HEARING DATE January 20, 2009	

APPLICANT Salud F. Rivera		OWNER Salud F. Rivera		REPRESENTATIVE Consuelo Chaneco	
REQUEST <i>Conditional Use Permit.</i> To authorize the construction of a three-story duplex in a C-3 (Unlimited Commercial) zone.					
LOCATION/ADDRESS 21603 Berendo Avenue, Torrance, within the Carson Zoned District of Los Angeles County ACCESS Berendo Avenue, between West Carson Street and West 213 <sup>th</sup> Street			ZONED DISTRICT Carson		
			COMMUNITY West Carson		
			EXISTING ZONING C-3 (Unlimited Commercial)		
SIZE 4,800 square feet		EXISTING LAND USE Single-family residence		SHAPE Rectangular	
				TOPOGRAPHY Level	
SURROUNDING LAND USES & ZONING					
North: Single-family residences—R-1 (Single-family Residence)			East: Single-family residences—R-1 (Single-family Residence); C-3 (Unlimited Commercial)		
South: Apartment building—C-3 (Unlimited Commercial)			West: Single-family residences—R-1 (Single-family Residence)		
GENERAL PLAN		DESIGNATION		MAXIMUM DENSITY	
Countywide Land Use Plan		C (Commercial)		N/A	
				CONSISTENCY See Staff Analysis	
ENVIRONMENTAL STATUS Class 3 Categorical Exemption – Small Structures					
DESCRIPTION OF SITE PLAN The applicant, Salud F. Rivera, is requesting a Conditional Use Permit to construct a three-story duplex. One unit would have an area of 1,250 square feet, and a second unit would have an area of 3,500 square feet, not including a 2,600 square-foot loft area. The footprint of the proposed structure would occupy approximately 55 percent of the lot area, and 17 percent of the lot area would be landscaped. The maximum height of the proposed structure is 35 feet. Four (4) covered parking spaces would be provided on-site.					
KEY ISSUES					
▪ Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code Conditional Use Permit Burden of Proof requirements.					

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON					
RPC HEARING DATE(S)		RPC ACTION DATE		RPC RECOMMENDATION	
MEMBERS VOTING AYE		MEMBERS VOTING NO		MEMBERS ABSTAINING	
STAFF RECOMMENDATION (PRIOR TO HEARING)					
SPEAKERS* (O) (F)		PETITIONS (O) (F)		LETTERS (O) (F)	

\*(O) = Opponents (F) = In Favor



Map taken from:  
"The Thomas Guide, 2008 Edition"  
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Project No. R2006-03745-01  
Case No. R200600329-02

Subject Property

764

SEE 765 MAP

90220

90810

90746

90745

90502

90248

LOS ANGELES

CARSON

WILMINGTON

GARDEN

SEE 763 MAP

SEE 765 MAP

SEE 763 MAP

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## STAFF ANALYSIS

### PROJECT NUMBER:

R2006-03795-(2)

### CONDITIONAL USE PERMIT NO.

200600329-(2)

### OVERVIEW OF THE PROPOSED PROJECT

The applicant, Salud F. Rivera, is requesting a Conditional Use Permit (CUP) to authorize the construction of a three-story, two-family residence in a C-3 (Unlimited Commercial) zone within the Carson zoned district of Los Angeles County.

### DESCRIPTION OF SUBJECT PROPERTY

#### Location

The subject property contains a single-family residence and is located at 21603 Berendo Avenue. The site is within the community of West Carson in the Carson zoned district of unincorporated Los Angeles County.

#### Physical Features

The subject property is approximately 4,800 square feet and is relatively level. The existing single-story, single-family residence is located on the southern portion of the property. There is also an unpermitted secondary dwelling unit attached to the residence on the western portion of the property, which will be demolished. Access to the facility would be from the east via Berendo Avenue. The area is relatively urbanized and is surrounded by commercial and residential uses in all directions.

### ENTITLEMENT

The applicant, Salud F. Rivera, is requesting a Conditional Use Permit (CUP) to authorize the construction of a two-family residence in a C-3 (Unlimited Commercial) zone.

### EXISTING ZONING

#### Subject Property

The project site is zoned C-3 (Unlimited Commercial).

#### Surrounding Zones

Surrounding properties are zoned as follows:

North: R-1 (Single-family Residence)

South: C-3 (Unlimited Commercial)

East: R-1 (Single-family Residence); C-3 (Unlimited Commercial)

West: R-1 (Single-family Residence)

### EXISTING LAND USES

#### Subject Property

The subject is currently utilized as a single-family residence. An unpermitted secondary dwelling unit is attached to the residence, although it is not in use and will be demolished as part of the subject property's redevelopment.

#### Surrounding Land Use

Surrounding land uses consist of:

North: Single-family residences

East: Single-family residences, Multi-family residences

South: Apartment building, Retail buildings

West: Single-family residences

### GENERAL PLAN

#### Land Use Policy Map

The subject property is located within the C (Commercial) classification of the Countywide Land Use Plan. This designation allows for mainly commercial service and retail uses. However, residential uses may be allowed when determined appropriate through a discretionary review such as a Conditional Use Permit.

### SITE PLAN

The site plan depicts the proposed two-family residence (duplex) to be constructed on the 4,800 square-foot parcel. One unit would have a floor area of 1,250 square feet, and would consist mainly of the existing one-story, single-family residence structure. The second unit would have an area of 3,500 square feet, not including a 2,600 square-foot loft area. This unit would be attached to the first unit and would be constructed both above and beside it, consisting of three stories in total, when considering the loft. A staircase and elevator would access all three stories of this unit. The site plan also indicates that the third story—referred to as a "loft"—would be used exclusive for storage. The footprint of the proposed structure would occupy approximately 55 percent (2,640 square feet) of the lot area, and 17 percent of the lot area (816 square feet) would be landscaped. The maximum height of the proposed structure is 35 feet. Four (4) covered parking spaces would be provided on-site, and would be located directly below the second floor of the 3,500 square-foot unit. This site takes access from Berendo Avenue to the east.

### COMPLIANCE WITH APPLICABLE ZONING STANDARDS

The property on which the proposed facility is to be located is zoned C-3 (Unlimited Commercial). A two-family residence is a permitted use in this zone, subject to the issuance of a Conditional Use Permit. Development standards for the C-3 zone require that no more than 90% of the property's net area be occupied by buildings, and that a minimum of 10% of the net area be landscaped with lawn, shrubbery, flowers, and/or trees. The site plan indicates that approximately 55% of the net area will be occupied by buildings, while approximately 17% of its net area would be landscaped.

Section 22.52.2230 of the County Code requires that a minimum of 75% of the total landscaped area shall contain plants from the County's drought-tolerant plant list. Because the specific plants to be used are not specified on the current site plan, staff shall add as a Condition of Approval that an appropriate drought-tolerant landscape plan be submitted prior to final approval of the project.

Section 22.52.1180 determines parking requirements for residential uses. The Code requires two covered parking spaces, plus one uncovered parking space for each two-family residence. This requirement is consistent with the site plan submitted by the applicant, which depicts four (4) covered parking spaces.

The maximum height limit for all zones is 35 feet, not including antennas or chimneys. This requirement is consistent with the site plan submitted by the applicant, which depicts a maximum height of 35 feet for the structure.

#### **BURDEN OF PROOF**

As required by Section 22.56.040 of the Los Angeles County Code, in addition to the information required in the permit application, the applicant shall substantiate to the satisfaction of the Hearing Officer and/or the Commission, the following facts:

- A. That the requested use at the location proposed will not:
  - 1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area; or
  - 2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
  - 3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fence, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- C. That the proposed site is adequately served:
  - 1. By highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and
  - 2. By other public or private service facilities as are required.

The applicant's Burden of Proof responses are attached to this document.

#### **ENVIRONMENTAL DOCUMENTATION**

The Department of Regional Planning has determined that the project qualifies for a Class 3 Categorical Exemption (small structures) under the California Environmental Quality Act (CEQA) reporting requirements. This exemption specifically allows for the construction of a two-family residence.

#### LEGAL NOTIFICATION/COMMUNITY OUTREACH

A total of 137 public hearing notices were mailed out to property owners located within the 500-foot radius of the subject property on December 9, 2008, regarding the subject proposal. The notice was published in the *Daily Breeze* and in *La Opinion* on December 13, 2008. Case-related materials were sent on December 9, 2008 to the Carson Regional Library. The public hearing notice was posted at the project site at least 30 days prior to the public hearing.

#### PUBLIC COMMENTS

At the time of this report, staff has received phone calls from two (2) area residents and a letter from one (1) area resident (enclosed) regarding the project. All three residents opposed the project for a variety of reasons. The 35-foot height of the structure was described as out of character for the surrounding neighborhood, which consists mostly of low-rise residential buildings. Adjacent residents also felt that the structure would be an invasion of their privacy, as it incorporates several windows that look directly into two rear yards. Also cited as a concern was the multi-family use of the proposed structure, which one residents felt would attract a more transient population to the neighborhood.

#### PUBLIC AGENCY COMMENTS AND RECOMMENDATIONS

Staff consulted with both the Department of Public Works and the County Fire Department regarding the project proposal. Public Works recommended approval of the project, as they had no requests for additional street improvements or dedications. County Fire initially put a hold on the project, pending a fire flow test and verification of the distance from the nearest fire hydrant. This hold was lifted and the project cleared for public hearing in August 2008.

#### ZONING ENFORCEMENT CASES

Zoning Enforcement has received a total of one (1) request for service regarding the subject property. The case is currently closed.

1. Zoning Enforcement Case 04-0037586  
Trailers, inoperable vehicles, and junk on property.  
Opened August 28, 1997  
Action: Complied; all items removed.  
Closed October 22, 1997

#### STAFF EVALUATION

The applicant, Salud F. Rivera, is requesting a permit to construct and maintain a two-family residence (duplex) in a C-3 (Unlimited Commercial) zone. A two-family residence is an allowed use within this zone, subject to the issuance of a Conditional Use Permit. The project site currently contains a single-family residence. As part of the project, a 450 square-foot addition to the existing residence would be demolished. An existing carport and garage would also be demolished.

The proposed duplex would occupy approximately 55% of the net parcel area, which is below the maximum allowable coverage of 90% in the C-3 zone. The proposed

landscaping is also adequate, as approximately 17% of the parcel's net area will be covered—greater than the minimum requirement of 10%. The project would require a minimum of two (2) covered and one (1) uncovered off-street parking spaces, and four (4) covered off-street parking spaces are proposed. The project also proposes a maximum height of 35 feet, which does not exceed the height limit for the zone. Therefore, the proposed project would meet all applicable development standards for the zone and the General Plan Land Use category. There is no Community Standards District or Town Council for the West Carson community.

It was discovered during staff's research of the history of the subject property that—at some point subsequent to the construction of the existing residence in 1927—an unpermitted 450 square-foot addition was added to the northern portion of the structure. This addition was used as a secondary dwelling unit and was rented by the property owner at various times in the past. Because the addition is proposed to be demolished as part of the proposed project, staff did not refer the violation to Zoning Enforcement. Instead, the applicant voluntarily vacated the illegal addition pending its demolition, a permit for which would be issued by Building & Safety upon approval of the proposed project. If the project is denied, the issue shall be referred to Zoning Enforcement for resolution.

Because of the maintenance of an illegal secondary dwelling unit in the past, staff has some concern that the large third-story area—identified as a "loft"—may be utilized as an unpermitted secondary dwelling unit at some point in the future. The applicant has indicated that the space would be used solely to store a large number of personal items, which are currently kept in numerous sheds and the existing garage. In order to ensure that the conversion of this area to living space does not occur, the applicant's architect has offered to alter the design in a way that restricts access to the third story in some way. Staff is open to such a redesign, and would be willing to add it as a Condition of Approval should the Hearing Officer decide that it is necessary and appropriate.

The site is surrounded by single-family residential uses to the north and east. Multi-family residential and commercial uses exist to the south. There are also single-family residential and some multi-family residential uses to the west. There has been concern from area residents that a three-story duplex would not be in character with the surrounding area, which has been described as primarily one-story residences. However, the site is immediately adjacent to an apartment building to the south (21605 Berendo Avenue), and there is a 35-foot high apartment building to the south of this property (21613 Berendo Avenue). There are also some two-story residences in the immediate vicinity, including the houses at 21520 and 21516 Berendo Avenue and all nine (9) houses which take access from the nearby cul-de-sac known as Broadwell Avenue. There is also an extensive development of three-story townhomes approximately 380 feet to the east of the subject property at 945 West Carson Street.

Although the 35-foot height of the proposed duplex is undesirable to the project's immediate neighbors, it should be noted that 35 feet is also the maximum height for the R-1 (Single-family Residence) zone, which borders the subject property to the north,



east, and west. Therefore, nothing precludes other neighbors from building to this height without a discretionary permit. The reason that this project must obtain a Conditional Use Permit is that it is proposing a residential use within a C-3 (Unlimited Commercial) zone. The objection to height—although it can be considered as part of the overall decision—cannot be the sole cause for recommending denial of this project. A commercial building, for example, could be built to the same height on the subject property without a discretionary permit.

One area resident has raised an objection to the project based on the perception that multi-family residences create the potential for a more transient population and thus lower property values. However, this perception cannot be used as a basis to deny a project, especially when it is immediately adjacent to two other existing multi-family apartment buildings.

Due to the fact that all development standards for the underlying zoning will be met by the project proposal, the main aspect to consider for this Conditional Use Permit is whether or not the use of this commercial zone for a residential use would significantly affect the nearby area in a harmful manner. In this case, staff feels that the property would actually be better utilized for a residential use rather than a commercial use, as it is surrounded on all sides by other residential uses, including two apartment buildings also constructed on underlying commercial zones.

Due to the aforementioned factors, staff feels that the applicant has met the required burden of proof for a Conditional Use Permit.

#### **FEES/DEPOSITS**

If approved, the following fees will apply unless modified by the Regional Planning Commission:

##### Zoning Enforcement

1. Inspection fees of \$300.00 to cover the costs of two (2) recommended biennial zoning enforcement inspections.

#### **STAFF RECOMMENDATION**

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

Staff recommends **APPROVAL** of Project No. R2006-03795-(2) / Conditional Use Permit No. 200600329-(2), subject to the attached conditions.

Prepared by Tyler Montgomery, Regional Planning Assistant II  
Reviewed by Maria Masis, Section Head  
Zoning Permits Section II

#### Attachments:

Draft Findings  
Draft Conditions of Approval

PROJECT NO. R2006-03795-(2)  
CONDITIONAL USE PERMIT NO. 200600328-(2)

STAFF ANALYSIS  
PAGE 7 OF 7

Applicant's Burden of Proof statement  
Letter from Department of Public Works  
Letter from County Fire  
One (1) Letter from area resident  
Diagram of existing residence and illegal addition  
Map of nearby two-story and three-story buildings  
Site photographs

MM:TM  
01/12/09

**HEARING OFFICER'S FINDINGS AND ORDER:**

**REQUEST:** Pursuant to the provisions of Section 22.56, Part 1 of the Los Angeles County Code, a Conditional use Permit to authorize the construction and maintenance of a two-family residence in a C-3 (Unlimited Commercial) zone, within the Carson Zoned District of Los Angeles County.

**PROCEEDINGS BEFORE THE HEARING OFFICER:**

Findings

1. The applicant, Salud F. Rivera, is requesting a Conditional Use Permit (CUP) to authorize the construction and maintenance of a two-family residence (duplex) in a C-3 (Unlimited Commercial) zone, within the Carson Zoned District of Los Angeles County.
2. The subject property contains a single-family residence, a carport, and a garage, and is located at 21603 Berendo Avenue. The site is within the community of West Carson in the Carson Zoned District of unincorporated Los Angeles County.
3. The project site is zoned C-3 (Unlimited Commercial).
4. The subject property is approximately 4,800 square feet and is relatively level. The existing single-story, single-family residence is located on the southern portion of the property. There is also an unpermitted secondary dwelling unit attached to the residence on the western portion of the property, which will be demolished. Access to the facility would be from the east via Berendo Avenue. The area is relatively urbanized and is surrounded by commercial and residential uses in all directions.
5. Surrounding properties are zoned as follows:
  - North: R-1 (Single-family Residence)
  - South: C-3 (Unlimited Commercial)
  - East: R-1 (Single-family Residence); C-3 (Unlimited Commercial)
  - West: R-1 (Single-family Residence)
6. The surrounding land uses consists of the following:
  - North: Single-family residences,
  - East: Single-family residences, Multi-family residences
  - South: Apartment buildings, Commercial services
  - West: Single-family residences
7. The Department of Regional Planning has determined that the project qualifies for a Class 3 Categorical Exemption (small structures) under the California Environmental Quality Act (CEQA) reporting requirements.

8. A total of 137 public hearing notices were mailed out to property owners located within the 500-foot radius of the subject property on December 9, 2008, regarding the subject proposal. The notice was published in the *Daily Breeze* and in *La Opinion* on December 13, 2008. Case-related materials were sent on December 9, 2008 to the Carson Regional Library. The public hearing notice was posted at the project site at least 30 days prior to the public hearing.
9. At the time of this report, staff has received phone calls from two (2) area residents and a letter from one (1) area resident regarding the project. All three residents opposed the project for a variety of reasons. The 35-foot height of the structure was described as out of character for the surrounding neighborhood, which consists mostly of low-rise residential buildings. Adjacent residents also felt that the structure would be an invasion of their privacy, as it incorporates several windows that look directly into two rear yards. Also cited as a concern was the multi-family use of the proposed structure, which one residents felt would attract a more transient population to the neighborhood.
10. Staff consulted with both the Department of Public Works and the County Fire Department regarding the project proposal. Public Works recommended approval of the project, as they had no requests for additional street improvements or dedications. County Fire initially put a hold on the project, pending a fire flow test and verification of the distance from the nearest fire hydrant. This hold was lifted and the project cleared for public hearing.
11. The proposed project would meet all applicable development standards for the zone and the General Plan Land Use category.
12. The site is immediately adjacent to an apartment building to the south, and there is a 35-foot high apartment building to the south of this property. There are also some two-story residences in the immediate vicinity, including two (2) houses across the street and all nine (9) houses which take access from a nearby cul-de-sac. There is also an extensive development of three-story townhomes approximately 380 feet to the east of the subject property.
13. Concern of area residents regarding the project's 35-foot height is mitigated by the fact that 35 feet is the maximum height for all properties in the immediate vicinity, and that this height does not require a Conditional Use Permit
14. The development standards listed in the County Code for C-3 zoning indicate two-family residences are permitted upon issuance of a Conditional Use Permit.
15. The County Code requires a minimum of two (2) covered and one (1) uncovered off-street parking spaces. This requirement is consistent with the site plan submitted by the applicant, which depicts four (4) covered parking spaces.

16. The property would be appropriately utilized as a residential use rather than a commercial use, as it is surrounded on all sides by other residential uses, including two apartment buildings also constructed on underlying commercial zones.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. The proposed use is consistent with the adopted general plan for the area;
- B. The requested use at the proposed locations will not adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding areas, not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking, landscaping and other development features;
- D. The proposed site is adequately served by highways of sufficient width, and improved as necessary to carry the kind of traffic such use would generate and by other public or private facilities as are required.

THEREFORE, the information submitted by the applicant and presented at the public hearing substantiates the required findings for conditional use permits as set forth in Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

- 1. The Hearing Officer finds that the project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA). The project is within a class of projects, which have been determined not to have a significant effect on the environment in that it meets the criteria set forth in section 15301 of the State CEQA Guidelines and Class 3 of the County Environmental Document Reporting Procedures and Guidelines, Appendix G
- 2. In view of the findings of facts presented above, Conditional Use Permit Case No. 200600329-(2) is **APPROVED**, subject to the attached conditions.

Attachments: Conditions  
Affidavit of Acceptance

- c: Each Commissioner, Zoning Enforcement, Building and Safety

1. This grant authorizes the use of the subject property for the construction and maintenance of a two-family residence (duplex) on a property in the C-3 (Unlimited Commercial) zone, as depicted on the approved Exhibit "A," subject to all of the following conditions of approval.
  2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or other entity making use of this grant.
  3. This grant shall not be effective for any purpose until the permittee has filed at the office of the Department of Regional Planning their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 8, and until all required monies have been paid pursuant to Condition No. 9.
  4. The permittee shall defend, indemnify and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void or annul this permit approval, which action is brought within the applicable time period of Government Code Section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
  5. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within ten days of the filing pay the Department of Regional Planning an initial deposit of \$5,000, from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in the department's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
    - a. If during the litigation process, actual costs incurred reach 80 percent of the amount on deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.
    - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.
- The cost for collection and duplication of records and other related documents will be paid by the permittee in accordance with Los Angeles County Code Section 2.170.010.
6. This grant shall expire unless used within two (2) years from the date of approval. A one-year time extension may be requested in writing and with payment of the applicable fee at least six (6) months prior to the expiration date.

7. If any provision of this grant is held or declared to be invalid, the permit shall be void and the privileges granted hereunder shall lapse.
8. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the County Recorder. In addition, upon any transfer or lease of the property during the term of this grant, the permittee shall promptly provide a copy of the grant and its conditions to the transferee or lessee, as applicable, of the subject property.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles the sum of \$300.00. These monies shall be placed in a performance fund which shall be used exclusively to compensate the Department of Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval, including adherence to development in accordance with the approved site plan on file. The fund provides for 2 biennial inspections. Inspections shall be unannounced

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the permittee shall be financially responsible and shall reimburse the Department of Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150 per inspection).

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission or a hearing officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or hearing officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public health and safety or so as to be a nuisance.
11. All requirements of the Zoning Ordinance and of the specific zoning of the subject property must be complied with unless specifically modified by this grant, as set forth in these conditions or shown on the approved plans.
12. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works.

13. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the facility being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
14. In the event of an occurrence of such extraneous markings, drawings, or signage, the permittee shall remove or cover them within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
15. The subject property shall be developed and maintained in substantial compliance with the plans marked Exhibit "A."
16. The permittee shall provide a minimum of four (4) covered parking spaces, developed to the specifications listed in Section 22.52.1095 of the Los Angeles County Code.
17. The permittee shall maintain the subject property in a neat and orderly fashion. The permittee shall maintain free of litter all areas of the premises under which the permittee has control.
18. Outdoor storage and display are prohibited unless approved by a Revised Exhibit "A".
19. Within sixty (60) days of approval of this grant, the permittee shall submit to the Director for review and approval three copies of a revised landscape plan. The landscape plan shall show the size, type, and location of all plants, trees, and watering facilities. Landscaping comply with the drought-tolerant landscaping requirements of Section 22.52.2230 of the County Code. A minimum of seventy-five (75) percent of such total landscaped area shall contain plants from the drought-tolerant plant list of the Department of Regional Planning. Watering facilities shall consist of a permanent water-efficient irrigation system, such as "bubblers" or drip irrigation, for irrigation of all landscaped areas except where there is turf or other ground cover. Throughout the term of this grant, the permittee shall maintain all landscaping in a neat, clean and healthful condition, including proper pruning, weeding, litter removal, fertilizing and replacement of plants when necessary.

MM:TM  
01/12/09



In addition to the information required in the application, the applicant shall substantiate to the satisfaction of the Zoning Board and/or Commission, the following facts:

A. That the requested use at the location proposed will not:

1. Adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, or
2. Be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, or
3. Jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.

*That the proposed project will not adversely affect the environment.*

*It will enhance the beauty of the surroundings.*

B. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

*That the proposed project conform to all zoning & building codes of the County of L.A.*

C. That the proposed site is adequately served:

1. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate, and
2. By other public or private service facilities as are required.

*That the project is adequately serving and complying w/ the traffic of requirements.*



**COUNTY OF LOS ANGELES**  
**DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

DEAN D. EFSTATHIOU, Acting Director

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

May 28, 2008

IN REPLY PLEASE  
REFER TO FILE: LD-1

TO: Mark Child, AICP  
Zoning Permits I Section  
Department of Regional Planning

Attention Adrienne Ng

FROM: Steve Burger *MS*  
*for* Land Development Division

**CONDITIONAL USE PERMIT (CUP) REVIEW AND COMMENT**  
**PROJECT NO. R2006-03795-(2)**  
**CUP NO. RCUP 200600329-(2)**  
**21603 BERENDO AVENUE**  
**WEST CARSON**

- Public Works recommends approval of this CUP.
- Public Works does **NOT** recommend approval of this CUP.

We reviewed the site plan for the subject CUP to legalize an existing duplex residence with unpermitted additions.

There are no additional right-of-way acquisitions or road improvements to be imposed under the provisions of the Zoning Ordinance. Please note that prior to any work within public right of way, the applicants will be required to obtain a permit from Public Works' Construction Division, Permit Section. This permit will allow the Permit Section to perform a site visit and review the specific locations of above-ground facilities within public right of way. If you have any other questions or require additional information, please contact Simin Agahi at (626) 458-4921.

SA:ca

P:\LDPUB\SUBMGT\CUP\ R2006-03795\_CUP 200600329\_21603 Berendo Avenue.DOC




COUNTY OF LOS ANGELES  
FIRE DEPARTMENT

5823 Rickenbacker Road  
Commerce, California 90040-3027

DATE: August 21, 2008  
TO: Department of Regional Planning  
Attn: Permits and Variances  
PROJECT #: CUP R2006-03795  
LOCATION: 21603 Berendo Avenue, Torrance

- The Fire Department Land Development Unit has no additional requirements for this permit.
- The required fire flow for this development is \_\_\_\_ gallons per minute for \_ hours. The water mains in the street fronting this property must be capable of delivering this flow at 20 pounds per square inch residual pressure. \_\_\_\_ Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- Verify \_\_ 6" X 4" X 2 1/2" fire hydrant, conforming to AWWA C503-75 or approved equal. All installations must meet Fire Department specifications. Fire hydrant systems must be installed in accordance with the Utility Manual of Ordinance 7834 and all installations must be inspected and flow tested prior to final approval.
- Comments: THIS PROJECT IS CLEARED FOR PUBLIC HEARING BY THE FIRE DEPARTMENT.
- Location: Fire Flow performed by California Water Service Company on 07-31-08 is adequate.
- Access: Access is adequate for this project.
- Special Requirements: \_\_\_\_\_

Fire Protection facilities; including access must be provided prior to and during construction. Should any questions arise regarding this matter, please feel free to call our office at (323) 890-4243.

Inspector: SCOTT JAEGGI 

Land Development Unit – Fire Prevention Division – Office (323) 890-4243 Fax (323) 890-9783



**COUNTY OF LOS ANGELES FIRE DEPARTMENT**

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**FIRE PREVENTION DIVISION**

Land Development Unit  
5823 Rickenbacker Road  
Commerce, California 90040

***TRANSMITTAL***

**DATE:** August 21, 2008

**TO:** DRP - Adrienne Ng, FPD - Carson, Applicant's Agent - Consuelo Chaneco

**FROM:** Scott Jaeggi, Inspector   
(323) 890-4243

**SUBJECT:** CUP R2006-03795 / 21603 Berendo Avenue, Torrance

Attached please find the conditions of approval for the above referenced project.  
If you have any additional questions, please feel free to contact me.

**Montgomery, Tyler**

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**From:** Linda O'Beck [lindaobeck@gmail.com]  
**Sent:** Friday, January 09, 2009 1:15 PM  
**To:** Montgomery, Tyler  
**Subject:** Proposed multi-unit construction on Berendo  
**Follow Up Flag:** Follow up  
**Flag Status:** Red

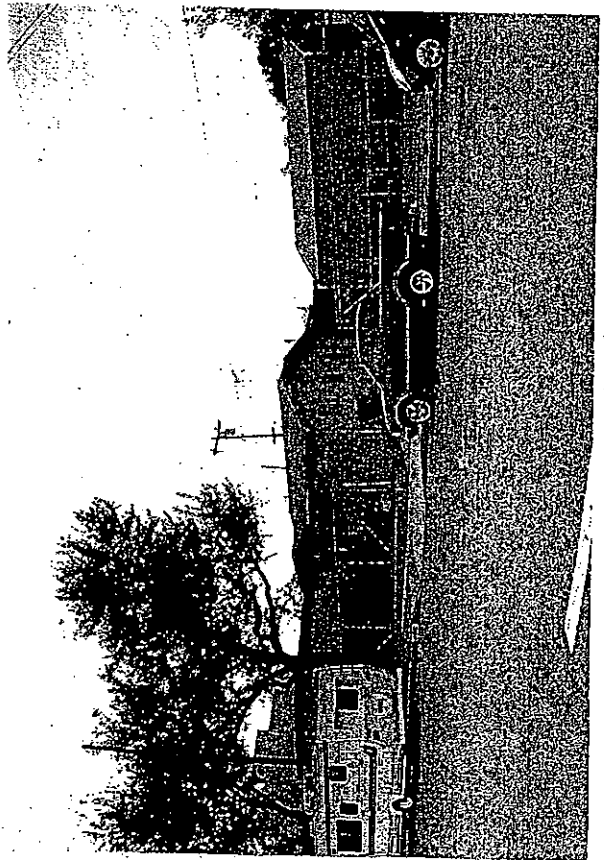
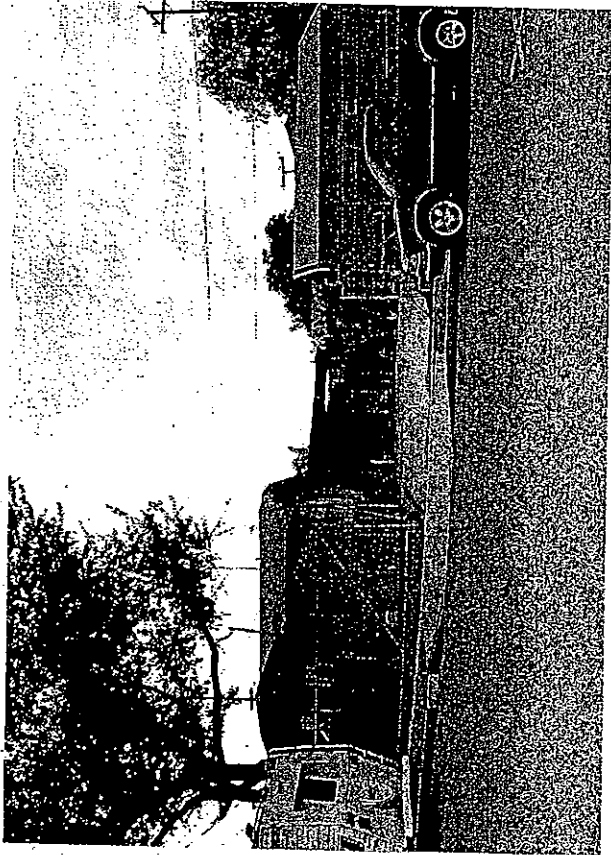
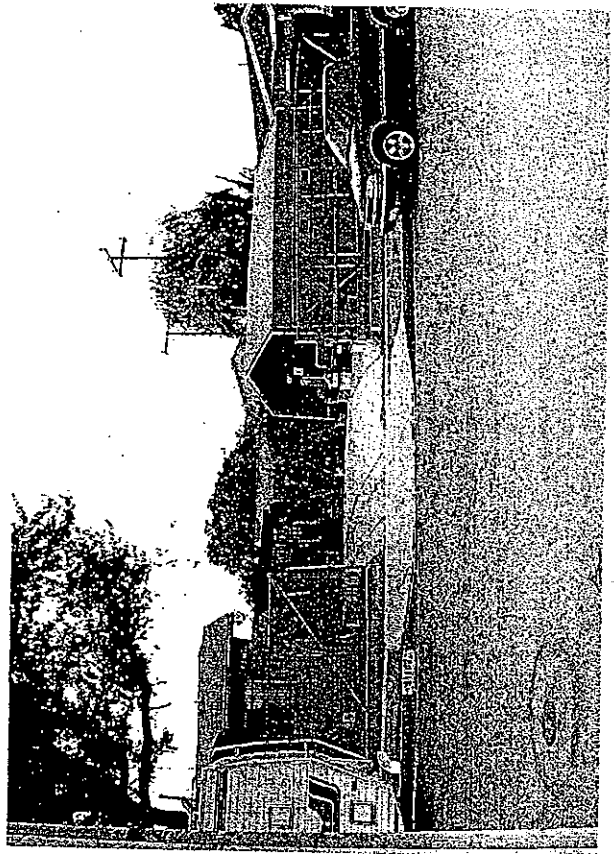
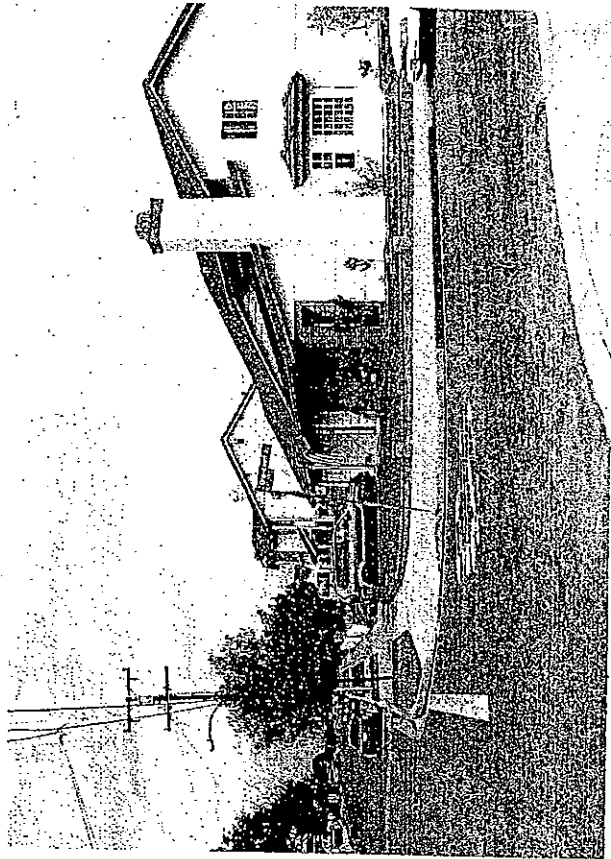
Please allow this to serve as my objection to the construction of a multi-unit rental property in our neighborhood of single family dwellings. I vehemently object to properties being designated as multi-unit dwellings in a single family residential neighborhood, where neighbors have maintained a quiet, peaceful, attractive and safe environment for our children and grandchildren for many years. We do not now wish to see it turned into a potential array of rentals with transient dwellers who are not vested in our neighborhood and which properties would inherently decrease property values for the remaining homeowners. In addition, two-story properties are not appropriate as they encroach on the privacy and security of surrounding single story home owners. Thank you

L.J. Imaoka  
1042 W. 213th Street  
Torrance, CA 90502

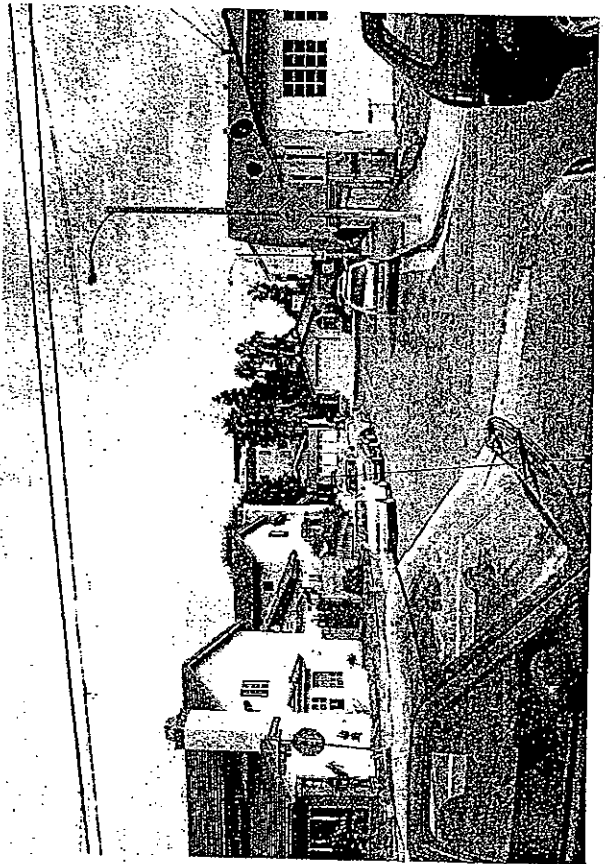
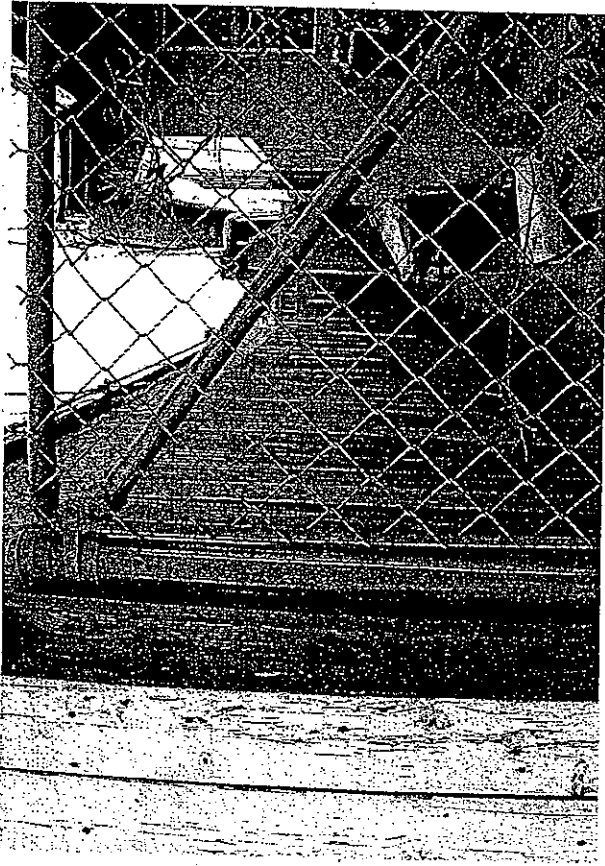
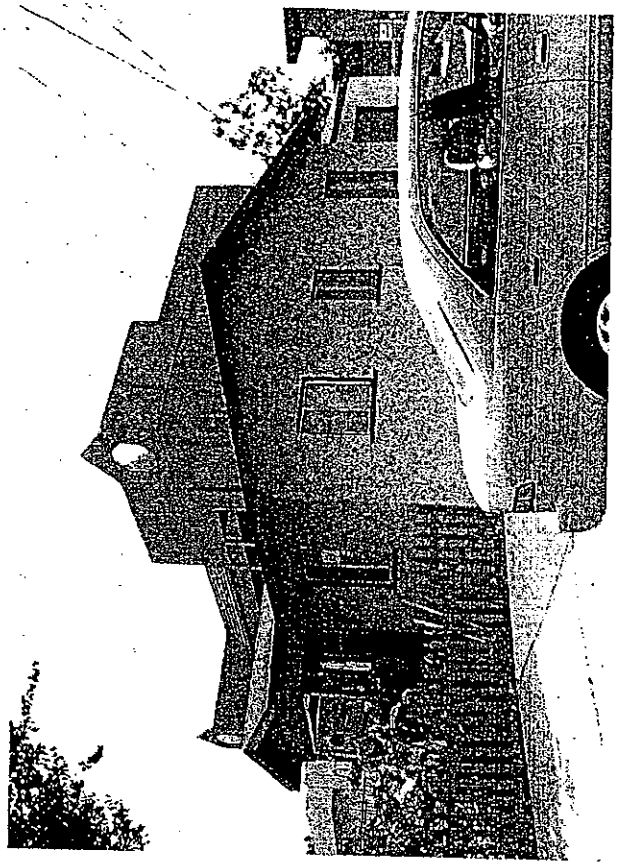
1/12/2009













Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Bruce W. McClendon FAICP  
Director of Planning

January 15, 2009

TO: Gina Natoli, AICP  
Hearing Officer

FROM: Tyler Montgomery *TM*  
Regional Planning Assistant II  
Zoning Permits II Section

SUBJECT: PROJECT NO. R2006-03795-(2)  
CONDITIONAL USE PERMIT CASE NO. 200600329-(2)  
January 20, 2009 Public Hearing  
Agenda Item No. 8

The attached correspondence was received by staff after the preparation of the Staff Analysis. In total, six (6) letters were received from area residents at five (5) unique addresses. Two (2) phone calls from area residents were also received. All of these were in opposition to the proposed project. Residents cited reasons for opposition that included the height of the proposed structure, the out-of-character nature of a multi-family dwelling in a neighborhood of single-family residences, the increased traffic the additional dwelling unit would bring, the possibility of decreased property values, the likelihood that the duplex would be illegally subdivided into more units in the future, and the possibility that the structure would set a precedent for increased density in the area. Also submitted was a petition in opposition to the project, containing 232 signatures from 164 unique addresses in the area. The petition is also attached.

One phone call from an area resident stated that she had tried to contact the person residing at the existing residence at 21603 Berendo Avenue. When asked if he was the owner of the residence, the gentleman residing there stated that he was a renter. Because a portion of the existing residence is an illegal addition—as discussed in the Staff Analysis—renting this portion of the structure separately would be a violation of the zoning ordinance. When contacted, the applicant's representative stated that this gentleman is actually a boarder, who makes use of the entire house. According to the zoning ordinance, boarders may live and pay rent at an existing single-family residence so long as they are not effectively confined to a guest house or secondary dwelling unit, both of which have specific definitions in the County Code.

01/15/09  
MM:TM

## Montgomery, Tyler

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**From:** C M Tabellario [cmtab46@sbcglobal.net]  
**Sent:** Monday, January 12, 2009 12:06 PM  
**To:** Montgomery, Tyler  
**Subject:** Opposition of a 3 story multi-family duplex at 21603 Berendo Ave. Torrance CA 90502

**Follow Up Flag:** Follow up  
**Flag Status:** Red

Mr. Montgomery,

Regarding:  
Project No. R2006-03795-(2)  
Conditional Use Permit No. T200600329-(2)

A quick overview of why I am opposed to the proposed 3 story multi-family duplex at 21603 Berendo Ave. Torrance CA 90502.

This property backs up to a substantial portion of my backyard and as such:

A 3 or 2 story building will be an intrusion to my privacy. The tenants, from the back windows, will literally be able to see everything in my yard, patio and perhaps see into parts of my house.

I will not feel SAFE or SECURE in my own house or yard knowing there is an apartment building very close by where the tenants are able to see much of my daily activities. Including when I am not home.

It is completely out of keeping with its immediate neighborhood, and the surrounding area. Mostly single story, single family residences. Some two story homes.

It is completely out of keeping with my neighborhood which it backs up to. Single family residences, single story.

There will be a major decrease in my property value having such a building directly in back of my yard.

It will completely block my current view of the sky and trees

It will drastically affect the amount of sun my yard receives, which I find depressing.

As you are aware, there are portions of the roof of the current building that are built right up against my block wall and fence as well as IN my fence where a piece of block had to be removed to accommodate it. Furthermore, my neighbor Don Hibbard, an original homeowner in my tract, he is fairly sure our block wall fence was built at least one foot away from the property line. Does this mean part of 21603 Berendo's building is really on my property?

The backyard is unsightly- taken up with strung up tattered tarps and storage units.

On the proof of burden Mr. Rivera filled out, he did not address all the points of each section, nor did he give specifics, just generalities.

I believe you mentioned in a prior conversation that Mr. Rivera contacted his immediate neighbors with his plans for a 3 story multi-family duplex and they were in agreement with his proposal.

I was not contacted, my neighbor Don Hibbard whose back yard is also affected, was not contacted. The Berendo neighbors I personally spoke with were surprised & shocked to hear about the proposed building. They knew nothing about it. One would conclude they weren't contacted by Mr. Rivera either.

I do not want a precedent set for other apartment buildings to be built in the area.

I do not want a precedent set for 3 story buildings to be built.

This is a quick overview of why I am vehemently opposed to the proposed 3 story multi-family duplex at 21603 Berendo Ave. Torrance CA 90502. A two story is also not acceptable for the same reasons.

I am in favor of keeping a single story, single family home on the property, within its property lines.

Sincerely,  
Chris Tabellario  
21534 Meyler Street  
Torrance, CA 90502  
310/320-3339

1450 1011

**Montgomery, Tyler**

---

**From:** susan.nielsen@juno.com  
**Sent:** Tuesday, January 13, 2009 6:01 PM  
**To:** Montgomery, Tyler  
**Subject:** Project No. R2006-03795-(2)

Dear Mr. Montgomery,

As a homeowner in the "Normandie Gardens" neighborhood in which the proposed duplex at 21603 Berendo is to be built, I want to formally say I am **AGAINST** this project. My concerns are as follows:

1. The neighborhood was mostly built in 1959/1960 and consists of single-family homes averaging 1300 square feet. The majority are one-story; there are a few 2-story homes that were built around 1981 on Broadwell, the street next to Berendo.
2. The title records state that the current dwelling which is taxed is a small 2-bedroom house of 480 square feet. (I am the local real estate agent so naturally check these things.) What is currently on the property is clearly much larger than that; the owner has added unpermitted square footage apparently for income.
3. This address is on a residential street, not on the surrounding major streets (such as Carson, Vermont or Normandie) which have commercial structures. There are **NO** duplexes or apartment buildings inside the tract.
4. A 3-story building will be the highest structure around, possibly taller than the commercial buildings on Carson Street. This will **NOT** conform to the existing neighborhood.
5. The owner wants to have a unit that is 6,100 square feet! That is a mansion, clearly way beyond the character of this neighborhood. Based on his prior history of what he has done to the property, I strongly suspect his goal is to subdivide that into at least 4 additional units for income. The proposed 4-car garage will not be able to service this.

I urge you to assist us in keeping our neighborhood consistent with single residences per lot. Thank you for your assistance.

Sincerely,  
Susan P. Nielsen  
310-989-6408

1/13/2009

**Montgomery, Tyler**

---

**From:** GGalla4324@aol.com  
**Sent:** Tuesday, January 13, 2009 9:28 PM  
**To:** Montgomery, Tyler  
**Subject:** oppose 21630 Berendo project  
**Follow Up Flag:** Follow up  
**Flag Status:** Red

Mr. Montgomery my name is Greg and I live in this neighborhood where this project is being proposed and I want it to be known that I complete oppose this project this is a neighborhood of single family homes and we would like it to stay this way there is no benefit to allow this project to move forward any more, this building will look out of place and be an eye sore if allowed not to mention the cause of more parking congestion issues we already have due to the hospital across the street, please take this in to consideration when making your decision.  
reference: project no.:R2006-03795-(2)

Greg Gallagher  
1066 w 213th St.  
Torrance, Ca: 90502  
310 320-6534

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**A Good Credit Score is 700 or Above. See yours in just 2 easy steps!**

1/14/2009

**Montgomery, Tyler**

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**From:** Steven L. Wilson [g4hydro@pacbell.net]

**Sent:** Wednesday, January 14, 2009 2:06 PM

**To:** Montgomery, Tyler

**Subject:** 21603 berendo

i am totally opposed to the planned apartment building, as this area is already to congested, with harbor general hospital and all the traffic that brings. it will also drive down property values. thank you steve wilson

1/14/2009

**Montgomery, Tyler**

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**From:** Linda Wilson [wilsoli@pacbell.net]  
**Sent:** Wednesday, January 14, 2009 2:35 PM  
**To:** Montgomery, Tyler  
**Subject:** apartments at berendo ave

regarding the apartment building proposed for 21603 berendo ave. reference: project no. R2006003795-(2) & conditional use permit case no. T200300329-(2) i object to its construction, as it will bring down property values more than its already fallen, and its too congested in this area as it is. thank you, linda wilson

1/14/2009



## Montgomery, Tyler

---

**From:** Steven Nelson [nelsonsc@pacbell.net]  
**Sent:** Wednesday, January 14, 2009 6:53 PM  
**To:** Montgomery, Tyler  
**Subject:** Oppose 3 story apartment building at 21603 Brendo, Torrance, Ca. 90502  
**Follow Up Flag:** Follow up  
**Flag Status:** Red

Project # R2006-03795-(2),  
Conditional Use Permit Case # T200600329-(2)

Dear Mr. Montgomery,

My name is Steven Nelson. My family and I reside at 21418 Broadwell Ave. Torrance, Ca. 90502. Broadwell is located next to Brendo, so the rezoning of the neighborhood, and building of an apartment building in our area is disturbing to myself and my neighbors. We live in a very nice residential area, where hard working middle class families are able to live in single family dwellings. If developers are allowed to build apartment buildings in the residential area our neighborhood will lose its identity, and who knows where that will lead. Will other developers buy up homes to build other apartments? Will the county use Eminent Domain to evict the residence so commercial developer can transform our neighborhood into a commercial development? Please allow our neighborhood to keep its status, and identity as a residential area. Today (1/14/2009) was the first day I heard of the project while the hearing is set for January 20th 2009. Many of us feel the county was withholding the news of the development so there would be no organized opposition to the project. I hope this is not the case because the government is supposed to look out for the interests of all the citizens and not just the special interest group that are only seeking to profit from special projects. This project is not in the interest of the neighborhood, or the community you serve.

Please say NO to the development of Project # R2006-03795-(2), Conditional Use Permit Case # T200600329-(2).

Thank you,

Steven Nelson

21418 Broadwell Ave. Torrance, Ca. 90502  
310-533-8698 Home  
310-528-2042 Cell

1/15/2009

1/15

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:

21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

	Signature	Name (Print)	Street Address (Print)	City, State, ZIP	Date
1		MARIAN J. HUBBARD	21528 Meyler St	Torrance, CA 90502	12/28/08
2		CYNTHIA S. HUBBARD	21528 Meyler St	Torrance, CA 90502	12/28/08
3		DONALD L. HUBBARD	21528 MEYLER	Torrance, CA 90502	12/28/08
4		Christianne H. Tabellaris	21534 Meyler	Torrance, CA 90502	12/24/08
5		JOSÉ C. SICILIA	21507 MEYLER ST.	Torrance, CA 90502	12/28/08
6		Juana A. Sicilia	21507 meyer st	Torrance, CA 90502	12/28
7		Karen Fynaardt	21503 Meyler St	Torrance, CA 90502	12/28
8		Jeff Skiles	21504 Meyler St	Torrance, CA 90502	12/28
9		Andrew Fynaardt	21503 Meyler St	Torrance, CA 90502	12/28
10		STEPHEN FYNAARDT	21503 Meyler St	Torrance, CA 90502	12/28
11		HORACIO CAPULONG	21478 Meyler St	Torrance, CA 90502	12/28
12		ANNABELLE CAPULONG	21478 Meyler St	Torrance, CA 90502	12/28

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:

21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

2/15

	Signature	Name (Print)	Street Address (Print)	City, State, ZIP	Date
1		MAO SONG WANG	21434 MEYER ST	Torrance, CA 90502	12/14/08
2		ANTONIO F. UGALDEDE	21428 MEYER ST	Torrance, CA 90502	12/28/08
3		UFA ANTONIO	21420 MEYER ST	Torrance, CA 90502	12/20/08
4		T. LUKE ANTONIO	21450 MEYER ST.	Torrance, CA 90502	12/28/08
5		LOURDES SCHAFER	21418 MEYER ST.	Torrance, CA 90502	12/28/08
6		EVA VACCAMPUNGO	21422 MEYER ST	Torrance, CA 90502	12/28/08
7		MICHAEL ALMARAZ	21402 MEYER ST	Torrance, CA 90502	12/28/08
8		MARTHA GUTIERREZ	21411 BUDLONG AVE	Torrance, CA 90502	12/28/08
9		ROBERT SONG	2150A BUDLONG	Torrance, CA 90502	12/28/08
10		TOMOMI HONMA	2150B BUDLONG	Torrance, CA 90502	12/28/08
11		JUNE HONMA	21508 BUDLONG	Torrance, CA 90502	12/28/08
12		JACKIE CITEON	21605 BUDLONG	Torrance, CA 90502	12/28/08

3/15

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:  
 21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)  
 Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State, Zip	Date
<i>Maria Escobar</i>	MARIE ESCOBAR	2013 Buddlong	Torrance, CA 90502	12/28
<i>Ann Bayek</i>	WILMA BAYEK	21425 Buddlong	Torrance, CA 90502	12/28
<i>Holly Jensen</i>	HOLLY JENSEN	21419 Buddlong	Torrance, CA 90502	12/28
<i>Rick Parker</i>	RICK PARKER	21415 Buddlong	Torrance, CA 90502	12/28
<i>Alan Lee</i>	ALAN LEE	21401 Buddlong Ave	Torrance, CA 90502	12/28
<i>Joey Sandoval</i>	JOEY SANDOVAL	1123 Desford Street	Torrance, CA 90502	2/28
<i>Epi Hernandez</i>	EPI HERNANDEZ	1119 DESFORD	Torrance, CA 90502	2/28
<i>Nancy Sandoval</i>	NANCY SANDOVAL	1123 Desford St	Torrance, CA 90502	
<i>Pedro Varquez</i>	Pedro Varquez	1129 213th St	Torrance, CA 90502	
<i>Maria Varquez</i>	Maria Varquez	1129 213th St.	Torrance, CA 90502	
<i>C. Hamm</i>	C. HAMM	1127 W. DESFORD	Torrance, CA 90502	
<i>MAY LAY</i>	MAY LAY	1116 W. 213th St.	Torrance, CA 90502	12/28

4/15

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:

21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State, Zip	Date
	Mitsuko Takeda	2167th ST 1106w	Torrance, CA 90502	12/28/08
	ORESTES VALENZUELA	21524 Meyler St.	Torrance, CA 90502	12/28/08
	ESTRELLA VALENZUELA	" "	Torrance, CA 90502	12/29/08
	JAMES NAGY	21525 MEYLER ST	Torrance, CA 90502	12/28/08
	BEATRIZ FELICIANO	21514 MEYLER ST	Torrance, CA 90502	12/28/08
	MARCELA FELICIANO	21514 MEYLER ST	Torrance, CA 90502	12/28/08
	Agustina Videla	21514 MEYLER ST	Torrance, CA 90502	12/28/08
	CHERRY LEGASPI	1124 W. 214TH ST.	Torrance, CA 90502	12/28/08
	PETER WILSON	21004 BERENDO AVE	Torrance, CA 90502	12/28/08
	MARIA MURI	21524 Broadwell	Torrance, CA 90502	12/28/08
	GRACE LOPEZ	21500 Broadwell	Torrance, CA 90502	12/28/08
	ELENITA CATAMISAN	21501 Broadwell Ave	Torrance, CA 90502	12/28/08

5 /15

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:

21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State, Zip	Date
<i>John W Hardin</i>	John W Hardin	21502 Berendo	Torrance, CA 90502	12/28/08
<i>Sharon Kumar</i>	SHARON KUMAR	21430 Berendo	Torrance, CA 90502	12/28
<i>Narciso D. Espinosa</i>	NARCISO D. ESPINOSA	2173 Berendo	Torrance, CA 90502	12/28
<i>Amythyl Saberton</i>	Amythyl Saberton	01513 Berendo	Torrance, CA 90502	12/28
<i>Terry J. Walter</i>	TERRY J. WALTER	21665 1/2 Berendo	Torrance, CA 90502	12/28
<i>Mick Medina</i>	MICK MEDINA	1110 W. 216th St.	Torrance, CA 90502	12/28
<i>Min Medina</i>	MIN MEDINA	1110 W. 216th St.	Torrance, CA 90502	12-28
<i>Zeny Medina</i>	ZENY MEDINA	213 W. 216th St.	Torrance, CA 90502	12-28
<i>Garry Pietro</i>	GARRY PIETRO	21531 Meyler St.	Torrance, CA 90502	12-28
<i>Barbara Pietro</i>	Barbara Pietro	21531 Maylar St.	Torrance, CA 90502	12-28
<i>Jacklen Stiles</i>	JACKLEN STILES	21504 Meyler St.	Torrance, CA 90502	12-28-08
<i>Greg Stiles</i>	GREG STILES	21504 Meyler St.	Torrance, CA 90502	12/28/08

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:  
 21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

6/15

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Signature	Name (Print)	Street Address (Print)	City, State, Zip	Date
	CHRIS CHURCH	1102 W. 216TH ST	Torrance, CA 90502	1-3-09
	Nicole Church	1102 W. 216TH ST	Torrance, CA 90502	1-3-09
	Liza Ramirez	21523 S. D. LONG	Torrance, CA 90502	
	DANIEL BASMAYOR	21424 BUDLONG AVE	Torrance, CA 90502	1-07-09
	JOSELITA BASMAYOR	21424 Budlong	Torrance, CA 90502	1/3/09
	FRANCIS E PAPPA		Torrance, CA 90502	
	Erwin Kuzon	21513 MEYLER ST	Torrance, CA 90502	1/3/09
	CRISTINA LADU	21573 Berendo	Torrance, CA 90502	1/1/09
	JOSE VENEGAS	21505 Berendo	Torrance, CA 90502	1/1/09
	Ruth TORRES	21501 Berendo Ave.	Torrance, CA 90502	1/1/09
	C Rogre	21423 Berendo	Torrance, CA 90502	1/1/09
	TAI H. TRINH	21325 Berendo Ave.	Torrance, CA 90502	1/04/09

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:

21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

7/5

Signature	Name (Print)	Street Address (Print)	City, State, Zip	Date
<i>Judy Marshall</i>	Judy Marshall	31408 Meyer St	Torrance, CA 90502	12/24/08
<i>Charles Marshall</i>	Charles Marshall	21408 Meyer St	Torrance, CA 90502	12/29/08
<i>Steven Johnson</i>	Steven Johnson	1203 Desford	Torrance, CA 90502	12/29/08
<i>Oneida Gagnon</i>	Oneida Gagnon	1203 Desford	Torrance, CA 90502	12/29/08
<i>Kathy Fields</i>	Kathy Fields	1254 Desford St	Torrance, CA 90502	12/31/08
<i>Crystal Church</i>	Crystal Church	4005 Alondra Ave. West Covina	Torrance, CA 90502	1/31/08
<i>Rebecca Reyes</i>	Rebecca Reyes	21609 Berendo	Torrance, CA 90502	1-4-11
<i>Rey Reyes</i>	Rey Reyes	11 11	Torrance, CA 90502	4-09
<i>Cielo S. Arcinas</i>	CIELO S. ARCINAS	2157 Berendo Ave.	Torrance, CA 90502	
<i>Ariana P. Arcinas</i>	ARIANA P. ARCINAS	2157 Berendo Ave	Torrance, CA 90502	
<i>John Russo</i>	JOHN R. RUSSO	21424 BERENDO AVE	Torrance, CA 90502	1-4-09
<i>Rossana Deane</i>	Rossana Deane	21474 Kiriwin	Torrance, CA 90502	

cc: Tina...



8/15

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:  
21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State, ZIP	Date
	THANH TRAN	21408 Berendo Ave	Torrance, CA 90502	1/4/09
	TAMMY VO	21408 Berendo Ave	Torrance, CA 90502	1/4/09
	WILLIAM YANO	21403 BERENDO	Torrance, CA 90502	1/4/09
	Michael Bartha	21324 Berendo	Torrance, CA 90502	1/4
	Robert Bartha	21324 Berendo	Torrance, CA 90502	1/4
	Kathrine Bartha	21324 Berendo	Torrance, CA 90502	1/4
	JUDY MATHES	10324 W 213 <sup>th</sup> ST	Torrance, CA 90502	1/4
	FUNDIE PEREZ	1037 W 213 <sup>th</sup> ST	Torrance, CA 90502	1/4/09
	Gregory Pacheco	1077 W 213 <sup>th</sup> ST	Torrance, CA 90502	1/4/09
	Clareika Ho	21323 W 213 <sup>th</sup> ST	Torrance, CA 90502	1/4/09
	MARIKO YAMADA	1222 LEVINSON ST	Torrance, CA 90502	1/4/09
	LOUVEN N. DE GUZMAN	21414	Torrance, CA 90502	

UNDER ADOLESCENCE

9/15

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:  
 21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State, ZIP	Date
	Darla Shrum	21315 Berendo Ave	Torrance, CA 90502	1/4/09
	Edgar Shrum	21315 Berendo Ave	Torrance, CA 90502	1/4/09
	NORMAN KERECHUK	10206 W. 213TH ST	Torrance, CA 90502	1/4/09
	Rebecca Kerechuk	10206 W 213TH ST Torrance	Torrance, CA 90502	1/4/09
	Greg Gallagher	10666 W 213TH ST Torrance, CA 90502	Torrance, CA 90502	1/4/09
	John Patton	10663 W. 213TH ST TORRANCE, CA 90502	Torrance, CA 90502	1/4/09
	KAREN PATTON	10663 W 213TH ST	Torrance, CA 90502	1/4/09
	Sarah Sampson	21306 Meylar	Torrance, CA 90502	1/4/09
	Dawn Klichik	21313 Meylar	Torrance, CA 90502	1/4/09
	Deanna Miller	21319 Meylar	Torrance, CA 90502	1/4/09
	Jewell Summers	21325 Meylar	Torrance, CA 90502	1/4/09

10/11

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:  
21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State, Zip	Date
	Esteliana Salas	21306 Budlong Ave	Torrance, CA 90502	1/4/09
	Mayra Trujillo	21312 Budlong Ave	Torrance, CA 90502	1/4/08
	Roberta Eledge	21318 Budlong	Torrance, CA 90502	1/4/09
	JUAN NELSON	1427 Baldwin	Torrance, CA 90502	1/4/09
	RICHARD A. NELSON	" "	Torrance, CA 90502	1/4/09
	DION CONLON	21333 JAFFREY AV	Torrance, CA 90502	1/4/09
	Natalia M. de Guzman	21414 Normale	Torrance, CA 90502	1/4/09
	Jane S. Oshiro	1288 RITNER ST	Torrance, CA 90502	1/4/08-09
	Powell Hondo	1273 Ritner St	Torrance, CA 90502	1/4/08-09
	MILA B. SEVILLA	1253 RITNER ST.	Torrance, CA 90502	1/4/08-09
	PABLO BITANGA	1253 RITNER ST.	Torrance, CA 90502	1/4/08-09
	JUAN A. PULIDO	1244 Ritner St	Torrance, CA 90502	1/4/08-09

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:

21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State, Zip	Date
	Jonathan Ligaspi	1124 W 216 ST.	Torrance, CA 90502	1/10/09
	PHILIP LAU	1116 W. 216 ST.	Torrance, CA 90502	1/10/09
	JOSEPHINE GONZALEZ	21427 MEYLEY ST	Torrance, CA 90502	1/10/09
	YOSHIHIRO KUME	431 W DESFORD ST	Torrance, CA 90502	1/10/09
	RAMIRO CARGU	1209 DESFORD ST	Torrance, CA 90502	1/10/09
	KAREN UEMURA	1277 W. DESFORD ST.	Torrance, CA 90502	1/11/09
	RONALD UEMURA	1227 W. DESFORD ST	Torrance, CA 90502	1/11/09
	THOMAS S. BEERS	1237 W. DESFORD ST	Torrance, CA 90502	1/11/09
	LINDA WILSON	1247 DESFORD ST	Torrance, CA 90502	1/11/09
	Steve Wilson	1247 DESFORD ST.	Torrance, CA 90502	1/11/09
	EDUARDO FRAGA	1251 W DESFORD ST	Torrance, CA 90502	1/11/09
	GISELA FRAGA	1251 W DESFORD ST	Torrance, CA 90502	1/11/09

12/15  
 We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:  
 21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)  
 Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State, Zip	Date
	RONALD KEGLER	1109 Desford	Torrance, CA 90502	1-11-09
	Desephine Ray	1202 Desford	Torrance, CA 90502	1-11-09
	Carlos Arango	1122 Desford	Torrance, CA 90502	1-11-09
	LERMA SHATT	1218 Desford	Torrance, CA 90502	1/11/09
	SHARI MONTANO	1218 Desford	Torrance, CA 90502	1/11/09
	Sayegosa, Paul	1224 Desford St	Torrance, CA 90502	1/11/09
	Cohen, Cynthia	1234 Desford St	Torrance, CA 90502	1-11-09
	FUMIE SAYEGOSA	1224 Desford St	Torrance, CA 90502	1-11-09
	CAROL QUIRK	1228 Desford St	Torrance, CA 90502	1-11-09
	TUAN TRINH	1238 Desford St	Torrance, CA 90502	1-11-09
	Mary J. Mayers	1244 Desford	Torrance, CA 90502	1-11-09
	Donald R. Magers	1244 Desford	Torrance, CA 90502	1/11/09

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:  
21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State, Zip	Date
	Justin Acampado	1261 Desford St.	Torrance, CA 90502	01-11-09
	Mabel Acampado	1261 Desford St	Torrance, CA 90502	1/11/09
	JOVEN FONTANILLA	1213 DESTORD ST	Torrance, CA 90502	1/11/09
	Henry E Gibson	1272 West Desford St	Torrance, CA 90502	1/11/09
	Renate Gibson	1272 West Desford St.	Torrance, CA 90502	1/11/09
	ANGIE MARTINEZ	1266 Desford St	Torrance, CA 90502	1/11/09
	Joyce Thompson	1260 Desford St.	Torrance, CA 90502	1/11/09
	ALVETA FIELDS	1254 Desford St	Torrance, CA 90502	1/11/09
	Refugio Padilla	21413 Marigold Ave	Torrance, CA 90502	1/11/09
	SHELL MITU	1207 RATHER ST.	Torrance, CA 90502	1/11-09
	Sho Nishimoto	21419 Marigold	Torrance, CA 90502	1-11-09
	Guillermina Diaz	1219 Libner St	Torrance, CA 90502	1/11/09

14/15

We, the undersigned, are **OPPOSED** to the proposed 3-story multi-family duplex proposed for:  
21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600379-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State, Zip	Date
	Shawn Talbott	1229 Ritner St. Torrance 90502	Torrance, CA 90502	1/11/09
	Lauri Talbott	1229 Ritner St. Torrance 90502	Torrance, CA 90502	1/11/09
	ROBERT TITUS	1237 RITNER ST Torrance, CA	Torrance, CA 90502	1/11/09
	Michael E. Payne	1249 RITNER ST Torrance	Torrance, CA 90502	1/11/09
	Patricia Hulthee	1269 RITNER TORRANCE	Torrance, CA 90502	1/11/09
	OLIVIA HONDO	1273 Ritner St 1284 RITNER ST TORRANCE	Torrance, CA 90502	1/11/09
	ROBERTO SALAZAR	1274 RITNER ST	Torrance, CA 90502	1/11/09
	GOODOT WISO	1253 RITNER ST	Torrance, CA 90502	1/11/09
	MARY S HISHIDO	1250 RITNER	Torrance, CA 90502	1/11/09
	Joseph Rodriguez	1240 RITNER	Torrance, CA 90502	1/11/09
	Adriana Ocampo	1234 RITNER ST.	Torrance, CA 90502	1/11/09

15/15

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:

21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State, ZIP	Date
	SABRINA MORGAN	21406 MARIGOLD AVENUE	Torrance, CA 90502	1/11/09
	MITCH MORGAN	21406 MARIGOLD AVENUE	Torrance, CA 90502	01/11/09
	John Yang	21416 Marigold Ave	Torrance, CA 90502	1/11/09
	DAWN OKAMURA	1206 RITNER ST.	Torrance, CA 90502	1/11/09
	David Sutton	1210 Ritner	Torrance, CA 90502	1/11/09
	Natasha C. Sutton	1210 Ritner St	Torrance, CA 90502	1/11/09
	ERNEST H. SCOTT	1113 DESTORD	Torrance, CA 90502	1/11/09
	ANTHONY FERGUSON	21424 MEYLER ST	Torrance, CA 90502	1/11/09
	DEBORAH FERGUSON	21424 MEYLER ST	Torrance, CA 90502	1/11/09
			Torrance, CA 90502	
			Torrance, CA 90502	
			Torrance, CA 90502	
			Torrance, CA 90502	



1/2

Fax'd 1/14

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:

21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

	Signature	Name (Print)	Street Address (Print)	City, State, Zip	Date
1		JAMIE YOSHIDA	1073 W. 213TH ST TORRANCE CA	Torrance, CA 90502	1/4/09
2		MARK CARYZA	1087 W 213TH ST TORRANCE CA	Torrance, CA 90502	1-4-09
3		Debbie Totah	1057 W. 213TH ST. TORRANCE, CA 90502	Torrance, CA 90502	1/4/09
4		GARY R. WISE	1073 W. 213TH ST. TORRANCE, CA 90502	Torrance, CA 90502	1/4/09
5		CARRIE HUANG	1067 W. 213TH ST. TORRANCE, CA 90502	Torrance, CA 90502	1/4/09
6		Chris Gallagher	1066 W. 213TH ST TORRANCE CA 90502	Torrance, CA 90502	1/4/09
7		Clyde Sommers	21325 Mylor Torrance	Torrance, CA 90502	1-4-09
8		Constance Allen	124 Levinson St	Torrance, CA 90502	1-4-09
9		Brian Carl	1119 W 213th St	Torrance, CA 90502	1-4-09
10		HELEN J. FISETTE	21337 Payne Ave	Torrance, CA 90502	1-5-09
11		MELVYN B FISETTE	20337 Payne Ave	Torrance, CA 90502	1-5-09
12		Carol M. Sommers	21325 Mylor St	Torrance, CA 90502	1/13/09

Taxo 113 1/4

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:  
 21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)  
 Conditional Use Permit Case T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

PROPERTY VALUES

Signature	Name (Print)	Street Address (Print)	City, State	Date	Reasons
1 <i>Norma Gold</i>	NORMA GOLD	21402 BERENDO	Torrance, CA 90502	1/14	EYE SCORE
2 <i>Milton Gold</i>	MILTON GOLD	21402 BERENDO	Torrance, CA 90502	1/14	R.I.F.F. RAFF
3 <i>Charles Guse</i>	Charles GUSE	21406 BROADWELL	Torrance, CA 90502	1/14	UNCOM. PATABLES
4 <i>Donna Buse</i>	Donna BUSE	21406 BROADWELL AVE	Torrance, CA 90502	1/14	MIXED MATCHED MAY BIDS
5 <i>Philip Kong</i>	Philip KONG	21402 Broadwell Ave	Torrance, CA 90502	1/14	not good for the neighborhood
6 <i>Walter Taji</i>	Walter TAJI	2152 Broadwell Ave	Torrance, CA 90502	1/14	"
7 <i>Arthur Villanueva</i>	ARTHUR VILLANUEVA	21308 BROADWELL AVE	Torrance, CA 90502	1/14	"
8 <i>Walter Riley</i>	WALTER RILEY	1004 W 213 ST	Torrance, CA 90502	1/14	"
9 <i>Madeline Riley</i>	Madeline RILEY	1004 W 213 ST	Torrance, CA 90502	1/14	"
10 <i>Al Orlin</i>	Al ORLIN	21279 S. Double	Torrance, CA 90502	1/14	Too close to site
11 <i>Francine Orlin</i>	Francine ORLIN	21279 S. Double	Torrance, CA 90502	1/14	Too much traffic onto bus stop
12 <i>Kenneth L. Munson</i>	Kenneth L. MUNSON	21212 S. Broadwell Ave	Torrance, CA 90502	1/14	Uncom. for table

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We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:

21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State	2009 Date	Reasons
	DOROTHY SWITZER	2167 DORSET AVE	Torrance, CA 90502	1/14	BAR BAR
	OREN FISKOCULU	914 W. CLARION DR	Torrance, CA 90502	1/14	Does not match with neighborhood
	Paulette Fistikody	914 Clarion Dr.	Torrance, CA 90502	1/14	Area is single-story level
	MARY E. GILBERT	906 CLARION DR	Torrance, CA 90502	1/14	" "
	GILDA GIORI	21270 Double Ave	Torrance, CA 90502	1/14	" "
	ROBERT J. FLEMING	21329 JAFFROCK AVE.	Torrance, CA 90502	1/14	" "
	Raymond Isa	1202 W Clarion Dr Torrance	Torrance, CA 90502	1/14	Enough already
	Eleanor Isa	1202 W. Clarion Dr Torrance	Torrance, CA 90502	1/14	Keep it to single homes
	R. Winter	20913 Double ave	Torrance, CA 90502	1/14	only single
	J. Rickman	959 W. 215th St	Torrance, CA 90502	1/14	" "
	CHARLES R. BRADFORD	1003 W 213th St	Torrance, CA 90502	1/14	" "
	RONALD LUESAY	1007 W. 213	Torrance, CA 90502	1/14	HIGH TRAILER TRASH

case no -14

We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:

21603 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State	Date	Reasons
	Sabrina Dumlao	1013 W. 213 <sup>th</sup> St.	Torrance, CA 90502	1/14/09	Area is single story
	Catalino Dumlao	1013 W. 213 <sup>th</sup> St	Torrance, CA 90502	1/14/09	4
	Louis Harley	1018 W. 213 <sup>th</sup> St	Torrance, CA 90502	1-14-09	Two much cogastion
	Helen Harley	1018 W. 218 <sup>th</sup> St	Torrance, CA 90502	1/14/09	too much traffic
	Rodrick Lacson	2125 Broadwell	Torrance, CA 90502	1/14/09	not a cogastion
	Anita Lacson	2125 Broadwell	Torrance, CA 90502	1/14/09	not a cogastion
	Aimee Salumbido	2126 Broadwell	Torrance, CA 90502	1/14/09	not a cogastion
	Steven Nelson	21418 Broadwell	Torrance, CA 90502	1/14/09	NOT a cogastion in area
	Elisha Nelson	21418 Broadwell	Torrance, CA 90502	1/14/09	will break neighborhood
	Andrew Nelson	21418 Broadwell	Torrance, CA 90502	1/14/09	will break neighborhood
	Candy Gonzalez	21425 Broadwell	Torrance, CA 90502	1/14/09	with break neighborhood
	Cliff Williams	2125 Broadwell	Torrance, CA 90502	1/14/09	parking cogastion
	Cliff Williams	2125 Broadwell	Torrance, CA 90502	1/14/09	sum of De Koff 2007



2/2  
 Fax  
 1/14

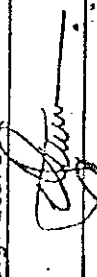


We, the undersigned, are **OPPOSED** to the proposed 3 story multi-family duplex proposed for:

21503 Berendo Ave. Torrance, CA 90502

Project No. R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

We are also **OPPOSED** to a 2 story multi-family duplex at the same address

Signature	Name (Print)	Street Address (Print)	City, State, Zip	Date
	PETER O. ALISON	21506 BERENDO AVE. TORRANCE CA 90502	Torrance, CA 90502	1/13/09
	Peter Divelbiss	21444 Berendo Ave Torrance CA 90502	Torrance, CA 90502	1/17/09
	MARIA DIVELBISS	21444 Berendo Ave TORRANCE CA 90502	Torrance, CA 90502	
			Torrance, CA 90502	
			Torrance, CA 90502	
			Torrance, CA 90502	
			Torrance, CA 90502	
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			Torrance, CA 90502	
			Torrance, CA 90502	



Los Angeles County  
Department of Regional Planning

Planning for the Challenges Ahead



Jon Sanabria  
Acting Director of Planning

January 21, 2009

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Consuelo Chaneco  
325 W. 220<sup>th</sup> Street  
Carson, CA 90745

Regarding: **Project Number R2006-03795-(2)**  
**Conditional Use Permit Permit 200600329-(2)**  
Duplex at 21603 Berendo Avenue, West Carson

Dear Applicant:

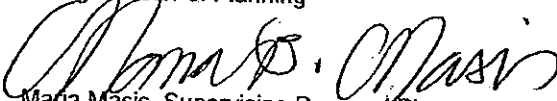
Hearing Officer Gina Natoli, by her action of January 20, 2009, DENIED the above described Conditional Use Permit. The attached documents contain the Hearing Officer's findings relating to the denial.

The applicant or any other interested person may appeal the Hearing Officer's decision to the Regional Planning Commission at the office of the commission secretary, Room 1350, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. Please contact the commission secretary for the appeal procedures and fee at (213) 974-6409. **The appeal period for this project will end at 5:00 p.m. on February 4, 2008.** Any appeal must be delivered in person to the commission secretary by this time. If no appeal is filed during the specified period, the Hearing Officer's action is final.

For further information on appeal procedures or any other matter pertaining to these approvals, please contact Tyler Montgomery in the Zoning Permits Section II at (213) 974-6435.

Sincerely,

DEPARTMENT OF REGIONAL PLANNING  
Jon Sanabria  
Acting Director of Planning

  
Maria Masis, Supervising Regional Planner  
Zoning Permits II Section

Enclosures: Findings

C: BOS, Commission Services, DPW (Building and Safety), Zoning Enforcement, Testifiers

MM:TM

**HEARING OFFICER'S FINDINGS AND ORDER:**

**REQUEST:** Pursuant to the provisions of Section 22.56, Part 1 of the Los Angeles County Code, a Conditional use Permit to authorize the construction and maintenance of a two-family residence in a C-3 (Unlimited Commercial) zone, within the Carson Zoned District of Los Angeles County.

**PROCEEDINGS BEFORE THE HEARING OFFICER:**  
January 20, 2009 Public Hearing

A duly noticed public hearing was held on January 20, 2009. The applicant, Ms. Salud F. Rivera, and the applicant's representative, Ms. Consuelo Chaneco, were sworn in and testified in favor of the project. Two area residents, Ms. Chris Tabellario and Mr. Donald Mibbard, were sworn in and testified in opposition to the project, stating that the project was out-of-character with the surrounding neighborhood. Hearing Officer Gina Natoli subsequently closed the public hearing and denied the project.

Findings

1. The applicant, Salud F. Rivera, requested a Conditional Use Permit (CUP) to authorize the construction and maintenance of a two-family residence (duplex) in a C-3 (Unlimited Commercial) zone, within the Carson Zoned District of Los Angeles County.
2. The subject property contains a single-family residence, a carport, and a garage, and is located at 21603 Berendo Avenue. The site is within the community of West Carson in the Carson Zoned District of unincorporated Los Angeles County.
3. The project site is zoned C-3 (Unlimited Commercial).
4. The subject property is approximately 4,800 square feet and is relatively level. The existing single-story, single-family residence is located on the southern portion of the property. There is also an unpermitted secondary dwelling unit attached to the residence on the western portion of the property, which would be demolished. Access to the facility would be from the east via Berendo Avenue. The area is relatively urbanized and is surrounded by commercial and residential uses in all directions.
5. Surrounding properties are zoned as follows:
  - North: R-1 (Single-family Residence)
  - South: C-3 (Unlimited Commercial)
  - East: R-1 (Single-family Residence); C-3 (Unlimited Commercial)
  - West: R-1 (Single-family Residence)
6. The surrounding land uses consists of the following:



North: Single-family residences,  
East: Single-family residences, Multi-family residences  
South: Apartment buildings, Commercial services  
West: Single-family residences

7. The Department of Regional Planning has determined that the project qualifies for a Class 3 Categorical Exemption (small structures) under the California Environmental Quality Act (CEQA) reporting requirements.
8. A total of 137 public hearing notices were mailed out to property owners located within the 500-foot radius of the subject property on December 9, 2008, regarding the subject proposal. The notice was published in the *Daily Breeze* and in *La Opinion* on December 13, 2008. Case-related materials were sent on December 9, 2008 to the Carson Regional Library. The public hearing notice was posted at the project site at least 30 days prior to the public hearing.
9. Staff received phone calls from four (4) area residents and letters from 10 area resident regarding the project. All residents opposed the project for a variety of reasons. The 35-foot height of the structure was described as out of character for the surrounding neighborhood, which consists mostly of low-rise residential buildings. Adjacent residents also felt that the structure would be an invasion of their privacy, as it incorporates several windows that look directly into two rear yards. Also cited as a concern was the multi-family use of the proposed structure, which some residents felt would attract a more transient population to the neighborhood.
10. Staff consulted with both the Department of Public Works and the County Fire Department regarding the project proposal. Public Works recommended approval of the project, as they had no requests for additional street improvements or dedications. County Fire initially put a hold on the project, pending a fire flow test and verification of the distance from the nearest fire hydrant. This hold was lifted and the project cleared for public hearing.
11. The proposed project would meet all applicable development standards for the zone and the General Plan Land Use category.
12. The site is immediately adjacent to several single-family residences, most of which are one story in height.
13. The development standards listed in the County Code for C-3 zoning indicate two-family residences are permitted upon issuance of a Conditional Use Permit.
14. The County Code requires a minimum of two (2) covered and one (1) uncovered off-street parking spaces. This requirement is consistent with the site plan submitted by the applicant, which depicts four (4) covered parking spaces.

15. The property would not be appropriately utilized as the proposed residential use rather than an allowed commercial use.
16. The proposed three-story duplex is not of a similar character to surrounding residential uses. It is likely that the proposed height, density, and usage of the project at this location would adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding area. It likely would be materially detrimental to the use, enjoyment, and valuation of residential properties in the immediate vicinity by blocking light, eliminating views, and inhibiting privacy. It is also likely that the proposed third story would be employed for non-permitted uses at a future date.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES:

- A. The proposed use is not consistent with the adopted general plan for the area;
- B. The requested use at the proposed locations will adversely affect the health, peace, comfort, or welfare of persons residing and working in the surrounding areas, be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site, and could jeopardize, endanger, or otherwise constitute a menace to the public health, safety and general welfare;

THEREFORE, the information submitted by the applicant and presented at the public hearing does not substantiate the required findings for conditional use permits as set forth in Sections 22.56.090, Title 22, of the Los Angeles County Code (Zoning Ordinance).

HEARING OFFICER ACTION:

1. In view of the findings of facts presented above, Conditional Use Permit Case No. 200600329-(2) is **DENIED**.
- c: Each Commissioner, Zoning Enforcement, Building and Safety

March 7, 2009

MAR - 9 2009

To: The Regional Planning Committee.

Regarding: Project # R2006-03795-(2)

Conditional Use Permit Case No. T200600329-(2)

Proposed three-story duplex for 21603 Berendo Ave. Torrance, CA 90502

This letter is in opposition to the proposed three-story duplex for 21603 Berendo Ave.

My name is Chris Tabellario. I live at 21534 Meyler St., which is in the west direction of the proposed building. My backyard is abutted to 21603 Berendo Ave. Since our yards are abutted to one another, I am intensely affected by this proposed duplex. Please note, a portion of this proposed building will practically be in my back yard, a mere 18" away from the property line, as it is being built on top of an existing building.

The proposed three-story building will greatly affect my feelings of personal Safety, Well-Being, and the Comfort, I currently enjoy from my home. It will also decrease the Value of my home. In addition, I have serious concerns about the ultimate use of this proposed three-story duplex.

I will feel as though I will be living next to an observation tower. My home and yard will easily be seen from the windows on the south and west side of this building. This is very disconcerting knowing someone may be watching at anytime. My everyday life and daily activities will be profoundly affected in a negative fashion. Because I am in such close proximity to this proposed building, it will cause me to change, drastically, my way of living everyday.

#### **Personal Safety & Security**

Personal safety and security is of the utmost major concern. I am deeply concerned about my personal safety and security of living in such close proximity to a multistory building. A building where there will be tenants, generally a transient type of people. A building so tall, that seeing into my yard and parts of my home will be easy should anyone choose to and difficult not to given the close proximity. Tenants will be able to observe and gauge my daily routine and activities. And worse, know when I am NOT home. This is not a Safe or Secure feeling to have when you leave for work, run errands or are gone for an extended period of time such as a vacation.

This proposed building will take away the peace of mind and security I have had for the 20+ years I have lived in my home. It is very disconcerting knowing someone could be watching, regardless of the reason, innocent or not.

#### **Comfort, Well-being & Personal Welfare**

In my home there are rooms I tend to use frequently. Unfortunately these are rooms that will be able to be seen from this building. I will no longer feel comfortable utilizing these rooms. Because I enjoy the sunlight coming through the windows, I do not close the window coverings during the day. The prospect of keeping the shutters closed on the north and east side of the house to avoid being observed, is depressing and will keep the house in semi-darkness, which I despise.

This proposed building will not allow me to be comfortable or have peace of my mind in my own home or yard. I will no longer enjoy being in my back yard putting around, knowing

someone could be watching overhead. Outside parties & BBQs will easily be seen and heard. How will my guests feel knowing they could look up and see someone looking down upon them?

The physical effect this building will have on my yard and possibly my home is one of greatly reduced sunlight, and an increase in shade. I do not tolerate being cold and find the prospect of my yard and home being in shade extremely gloomy. This building will block my view of trees and the sky. Looking at the back of a building is depressing. My whole well-being will be negatively affected due to being literally overshadowed from this building. How depressing to look out of a window or look up from the yard and see only this building.

#### **Valuation**

Having a multistory, multifamily building, only 18" away from the property line, will cause my property value to plummet. A building with tenants has a very negative appeal to people, especially one in such close proximity. My property value will substantially decrease from its current value, in addition to making my home very difficult to sell.

My plan was to retire in the next decade, sell my house for the equity, and move up to Northern California. This proposed multi-story, multifamily building would **destroy** my decades of planning by significantly decreasing my property value. This building will not allow me to retire, as I want to. This proposed building will **DEVASTATE** my dreams of retirement.

#### **Other Concerns**

What is the true purpose of having this three-story duplex? There has been mention of a loft for storage, on the site plans it was cited there would be a place for music, dancing, and a future bar, and it was mentioned on the Staff Analysis report, (January 2009, page 5/7), the possibility of future rental units. It is very disconcerting to know that if this building is built, the true purpose may not be revealed for sometime and we, the neighbors, will be stuck with end result.

It is a known fact the owner has rented out the unpermitted portion of the current residence. She currently rents out the residence or portions there of. My concern is this proposed duplex will grow from a duplex to an apartment complex given the size of the proposed building and the history of the owner to rent out the existing residence, legally or not.

This proposal for a multi-story/multifamily building is detrimental and will adversely affect my everyday life, my safety and security, my well-being, as well as decrease the value of my home. I do not accept that it will remain a duplex, but will eventually become an income generating property negatively affecting myself, other neighbors, and the surrounding neighborhoods.

I will accept a single story family residence on this property.

Sincerely,



Chris Tabellario  
21534 Meyler Street  
Torrance, CA 90502

**Montgomery, Tyler**

---

**From:** RACHEL GRAJEDA [lehcar\_59@yahoo.com]  
**Sent:** Saturday, February 28, 2009 5:54 PM  
**To:** Montgomery, Tyler  
**Subject:** PROJECT No. R2006-03795-(2)

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

REGARDING PROJECT NO. R2006-03795-(2)  
CONDITIONAL USE PERMIT CASE NO: T200600329-(2)  
PERMIT PROPOSAL FOR A 3 STORY DUPLEX FOR 21603 BERENDO AVE\

Dear Mr. Montgomery,

My Family has been a resident of Berendo Ave. for over 45 years, I now own the home I was raised in after my parents passed away, many of my neighbors have also lived on this street for 20+ years. Berendo has always been a quiet residential street with friendly neighbors. Lately there has been undesirable people loitering around the above address. we get alot of vagrants and shady people hanging around the area of 21603 address. This part of the street has lately become a bad part of Berendo, there is alot of traffic and cars parked in this area, some houses have chickens, and there has become increasing speeding cars coming through our street which have children playing outdoors.

The addition of a 3-story building will further increase the traffic and cars parked on the street. We already have a liquor store, chinese food restraurant and dental building on this corner and we do not need more traffic and loss of peace on this street.

I fear this quiet little street is becoming more and more dangerous to live. I also read a flyer that says there is going to be an elevator with plans of having a dance area and bar to be added later.

Please consider my request and the request of my neighbors to deny the permit to construct this 3 story building on Berendo Ave.

Thank you for your time and consideration

Rachel Berendo Ave. Resident.

# Form Letter (x67)

To: The L.A. County Regional Planning Committee

Regarding: Project No.: R2006-03795-(2) Conditional Permit No: 20060329-(2)  
Proposed three story duplex at 21603 Berendo Ave. Torrance, CA 90502

A three-story building is not in keeping with our neighborhood or the surrounding neighborhood. There are no three story residential buildings. Our neighborhood and surrounding neighborhoods are made up of mostly single story homes and some two-story homes. A three-story would most definitely be out of character and very much stand out.

In addition I am opposed to the proposed 3-story duplex for the following reasons from the "Burden of Proof": (Please  applicable reasons)

A. 1. The proposed 3-story duplex in the neighborhood will adversely affect my/our:  
 health  peace  comfort  welfare

A. 2. The proposed 3-story duplex will be materially detrimental to the use of my residence:  
 enjoyment  value

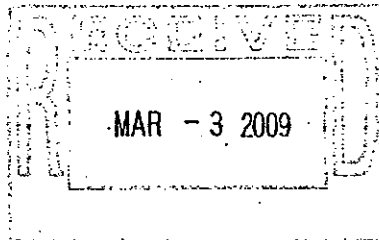
A. 3. I view the proposed 3-story duplex as a menace to our neighborhood and/or residence in the form of:  
 public health  safety  general welfare

C.1. I do not agree that Berendo Ave. is adequate to handle the increase in traffic or parking a three story duplex will create as Berendo is already a busy thoroughfare to Carson street, a major city street.

Other concerns:

I am concerned about the loss of privacy of our home and yard this 3-story building will bring.

I am concerned about the safety and security of my self, family and residence, as it is viewable from this 3- story building.



Sincerely,

  
Signature

2-28-09  
Date

Name (Print)

21517 MEYLER ST.  
Address (Print)

Torrance, CA 90502

Contact info. (optional)

# ANNOUNCEMENT


THIS IS TO ANNOUNCE TO MY NEIGHBORS AND OTHERS, THAT I AM PLANNING TO BUILD ONE UNIT RESIDENCE ; OWNER OCCUPIED TO BE ATTACHED TO ONE EXISTING UNIT TO MAKE A DUPLEX IN MY PROPERTY LOCATED IN A COMMERCIAL ZONE , "COMMERCIAL UNLIMITED " C-3 , WHICH I OWNED SINCE 1981.

I DECIDED TO BUILD MY HOME INSTEAD OF CONSTRUCTING A COMMERCIAL BUILDING AS ZONED TO MAINTAIN THE PEACEFUL RESIDENTIAL ATMOSPHERE IN THE AREA.

THE CHARACTER OF THE RESIDENCE IS A TYPICAL CONSERVATIVE AMERICAN – MEDITERRANEAN DESIGN SIMILAR TO MOST RESIDENTIAL UNITS IN THE AREA.

PLEASE BE INFORMED THAT UNLIMITED COMMERCIAL ZONE – C3 HAVE MORE PRIVILEGES THAN A RESIDENTIAL ZONE R1 OR R2. ANY RESIDENTIAL ZONE ( ALL OF YOU LOCATED IN THE RESIDENTIAL ZONE) CAN BUILD UP TO A HEIGHT OF 35 FEET IF YOU WISH.

THANK YOU FOR YOUR SUPPORT.



SALUD F. RIVERA  
PROPERTY OWNER  
21603 Berendo Ave. Torrance Ca. 90502

WE, the undersign approved to the proposed **THREE STOREY DUPLEX**.  
 Located at 21603 Berendo Avenue, Torrance Ca. 90502

PROJECT NO. R2006-03795-(2)  
 CONDITIONAL USE PERMIT NO. T200600329-(2)

The proposed project is only **ONE UNIT RESIDENCE** to make a **DUPLEX**.  
 Located at a **COMMERCIAL ZONE - UNLIMITED COMMERCIAL - C3**  
**(NOT RESIDENTIAL ZONE -R1)**

NAMES	SIGNATURES	ADDRESSES	DATE
① Salud Rivera	<i>[Signature]</i>	21603 Berendo Ave.	02/29/09
② Concepcion Chavez	<i>[Signature]</i>	325 W 280th St, Carson Ca 90745	02/29/2009
③ Elaine Molina	<i>[Signature]</i>	21016 PONTIAC AVE CARSON 90748	3-15-09
④ Conception Vasquez	<i>[Signature]</i>	22325 S. Main St, Sp. 212, Carson	3/5/09
⑤ Robert Turk	<i>[Signature]</i>	21603 Berendo Ave Torrance CA	3/5/09
⑥ Tim Seto	<i>[Signature]</i>	21609 BERENDO AVE TORRANCE CA.	3/5/09
⑦ Chris Scott	<i>[Signature]</i>	1110w. 185th St Gardena CA 90248	3/5/09
⑧ David Sheet	<i>[Signature]</i>	1213 w 186th St Gardena CA 90248	3/5/09
⑨ Honey Francisco	<i>[Signature]</i>	21603 1/2 Berendo Ave Torrance CA 90502	3/5/09
⑩ Romel Francisco	<i>[Signature]</i>	21607 1/2 Berendo Ave Torrance CA 90502	3/5/09
⑪ Danny Pulak	<i>[Signature]</i>	1511 S. PCH. RONDON	3/5/09
⑫ [Name]	<i>[Signature]</i>	788 Ocean Dr.	7-6-09
⑬ DAVID AURET	<i>[Signature]</i>	21603 BERENDO AVE. TORRANCE	3-7-09
⑭ Alfonso Atayala	<i>[Signature]</i>	21602 Berendo Ave Torrance	3/8/09
⑮ TITO BAYONA	<i>[Signature]</i>	261 E DOMINGUEZ ST. CARSON, CA 90749.	3-8-09
⑯ ERNAN BAYONA	<i>[Signature]</i>	2654 La Vaca Dr, 90810	3-8-09



WE, the undersign approved to the proposed **THREE STOREY DUPLEX**  
 Located at 21603 Berendo Avenue, Torrance Ca. 90502

PROJECT NO. R2006-03795-(2)  
 CONDITIONAL USE PERMIT NO. T200600329-(2)

The proposed project is only **ONE UNIT RESIDENCE** to make a **DUPLEX**.  
 Located at a **COMMERCIAL ZONE - UNLIMITED COMMERCIAL - C3**  
**(NOT RESIDENTIAL ZONE -R1)**

NAMES	SIGNATURES	ADDRESSES	DATE
① MEL BATAZAR		2740 BERENDO ST. CARSON CA 90803	3-8-09
② FRANCIS CAJAL		10245 W. COIN DC TORRANCE CA 90503	3-8-09
③ ANTONIO ASUNCION		336 E. 288TH ST CARSON, CA 90745	3-8-09
④ LAZARO B. LEON		10681 DUGLAS ST EL MONTE CA 91731	03-09-09
⑤ GINA PARRA-MAGALLAN		2015 W. CARSON ST. TORRANCE, CA. 90503	3-11-09
⑥ CATHY RAYMOND		8440 MADISON AVE TORRANCE, CA. 90503	3-11-09
⑦ RAMEL F. FRANCISCO		21607 1/2 BERENDO AVE TORRANCE CA 90502	3-11-09
⑧ HERMINIO CHAVEZ		325 W. 220TH ST. CARSON CA. 90745	3-14-09
⑨ OLIVER CHANELO		22041 FIGUEROA ST. CARSON CA 90745	3/15/09
⑩ JASON MUTIC		702 E. 222ND ST CARSON CA 90745	3/15/09
⑪ DOMINIE CHANELO		325 W 220th St. Carson Ca. 90745.	3/15/09



WE, the undersign, approved to the proposed **THREE STOREY DUPLEX**.  
 Located at 21603 Berendo Avenue, Torrance Ca. 90502

PROJECT NO. R2006-03795-(2)  
 CONDITIONAL USE PERMIT NO. T200600329-(2)

The proposed project is only **ONE UNIT RESIDENCE** to make a **DUPLEX**.  
 Located at a **COMMERCIAL ZONE - UNLIMITED COMMERCIAL - C3**  
**(NOT RESIDENTIAL ZONE -R1)**

NAMES	SIGNATURES	ADDRESSES	DATE
① Nancy Gonzalez	<i>[Signature]</i>	1055 MAIN ST AVE #114 LB, CA 90813	3/15/09
② Dannelyn Sarasin	<i>[Signature]</i>	3334 Baltic Ave. Long Beach Ca 90810	3.15.09
③ Alejandra Chavez	<i>[Signature]</i>	707 MAINE Ave #1 LBC 90813	03.15.09
④ Michael Zerrudo	<i>[Signature]</i>	2855 WEBSTER Ave, LBC 90810	03/15/09
⑤ Araceli Venegas	<i>[Signature]</i>	760 W. Lomita blvd. Sp. 92	03/16/09
⑥ Sarah Bueza			
⑦ Ricardo Bixzada			
⑧ Ricardo Rodriguez			
⑨ Leonardo Rodriguez			
⑩ Isadora Rodriguez			
⑪ <i>[Signature]</i>		22305 S. Vermont Ave Torrance	3/16/09
⑫ Barbara Sun	<i>[Signature]</i>	1001 W. Carson St. Torrance CA 90502	3/16/09



① Rebecca Reyes

21609 Bernardo Ave Torrance,

Reyes

② Cristóbal Reyes

21609 Bernardo Ave Torrance,

CA 905

CA 905

WE, the undersign approved to the proposed **THREE STOREY DUPLEX**.  
 Located at 21603 Berendo Avenue, Torrance Ca. 90502

PROJECT NO. R2006-03795-(2)  
 CONDITIONAL USE PERMIT NO. T200600329-(2)

The proposed project is only **ONE UNIT RESIDENCE** to make a **DUPLEX**.  
 Located at a **COMMERCIAL ZONE - UNLIMITED COMMERCIAL - C3**  
**(NOT RESIDENTIAL ZONE -R1)**

NAMES	SIGNATURES	ADDRESSES	DATE
CONSTANCE ALLEN		1124 Levinson St.	3-11-09
PEDRO VAZQUEZ		1129 W 213th St	
MARCIAL JIMENEZ		21520 Berendo Ave	
Hannah Tran		21408 Berendo Ave	
Luz Ruygoza		21309 Berendo Ave	
GEORGE MONTES		21718 BERENDO RD	
Eileen Alary		21501 BERENDO AVE	
Celso Cortes		2161212 Berendo Ave TORR. CA	
MARC INFANTANI		216121 BERENDO AVE TORR. CALIF	
JUSTIN RUMBURG		21614 Berendo Ave TORR. CA.	
V. FARIAS		1015 W. CARSON ST TORR. CA	3/18/2009
Jose Venegas		21505 BERENDO AV TORRANCE CA	3/14/09

WE, the undersign approved to the proposed **THREE SIOCKET DUPLEX**  
 Located at 21603 Berendo Avenue, Torrance Ca. 90502

PROJECT NO. R2006-03795-(2)  
 CONDITIONAL USE PERMIT NO. T200600329-(2)

The proposed project is only **ONE UNIT RESIDENCE** to make a **DUPLEX**.  
 Located at a **COMMERCIAL ZONE - UNLIMITED COMMERCIAL - C3**  
**(NOT RESIDENTIAL ZONE -R1)**

NAMES	SIGNATURES	ADDRESSES	DATE
Alipheo Gonzales	<i>Alexandro Jimenez</i>	1259 W 213 St. Torrance 90502	3-11-09
Chlene Oberholt	<i>James Garlock</i>	1253 W 213 St Torrance	3-11-09
James Garlock	<i>James Garlock</i>	1708 W 213 St Torrance	3-11-09
Larry Ahe	<i>Larry Ahe</i>	1127 W 213 St Torrance 90502	3-11-09
Linda Morin	<i>Linda Morin</i>	1139 W 213 St Torrance CA 90502	3-11-09
Richard PATERA	<i>Richard PATERA</i>	1123 W. CARSON. St. TORRANCE	3-11-09
JANA WITKOWSKI	<i>JANA WITKOWSKI</i>	1101 W Carson St	3-11-09
Candy	<i>Candy</i>	1013 W. CARSON ST.	3-11-09
William Rook	<i>William Rook</i>	2170 S. Vin St #101 Torrance CA	3-11-09
Stanley Clark	<i>Stanley Clark</i>		



Los Angeles County Department of Regional Planning  
 320 West Temple Street, Los Angeles, California 90012  
 Telephone (213) 974-6443

PROJECT NO. R2006-03795-(2)

CONDITIONAL USE PERMIT CASE NO. 200600329

RPC MEETING DATE April 1, 2009	CONTINUED TO May 20, 2009
AGENDA ITEM	
PUBLIC HEARING DATE	

APPLICANT Salud F. Rivera		OWNER Salud F. Rivera		REPRESENTATIVE Consuelo Chaneco	
REQUEST <i>Conditional Use Permit:</i> To authorize the construction of a three-story duplex in a C-3 (Unlimited Commercial) zone.					
LOCATION/ADDRESS 21603 Berendo Avenue, Torrance, within the Carson Zoned District of Los Angeles County			ZONED DISTRICT Carson		
ACCESS Berendo Avenue, between West Carson Street and West 213 <sup>th</sup> Street			COMMUNITY West Carson		
			EXISTING ZONING C-3 (Unlimited Commercial)		
SIZE 4,800 square feet	EXISTING LAND USE Single-family residence		SHAPE Rectangular	TOPOGRAPHY Level	
SURROUNDING LAND USES & ZONING North: Single-family residences—R-1 (Single-family Residence)			East: Single-family residences—R-1 (Single-family Residence); C-3 (Unlimited Commercial)		
South: Apartment building—C-3 (Unlimited Commercial)			West: Single-family residences—R-1 (Single-family Residence)		
GENERAL PLAN Countywide Land Use Plan	DESIGNATION C (Commercial)		MAXIMUM DENSITY N/A	CONSISTENCY See Staff Analysis	
ENVIRONMENTAL STATUS Class 3 Categorical Exemption – Small Structures					
DESCRIPTION OF SITE PLAN The applicant, Salud F. Rivera, is requesting a Conditional Use Permit to construct a three-story duplex. One unit would have an area of 1,250 square feet, and a second unit would have an area of 3,500 square feet, not including a 2,600 square-foot loft area. The footprint of the proposed structure would occupy approximately 55 percent of the lot area, and 17 percent of the lot area would be landscaped. The maximum height of the proposed structure is 35 feet. Four (4) covered parking spaces would be provided on-site.					
KEY ISSUES <ul style="list-style-type: none"> <li>Satisfaction of Section 22.56.040 of Title 22 of the Los Angeles County Code Conditional Use Permit Burden of Proof requirements.</li> </ul>					

TO BE COMPLETED ONLY ON CASES TO BE HEARD BY THE BOARD OF SUPERVISORS

STAFF CONTACT PERSON Tyler Montgomery, Zoning Permits II					
RPC HEARING DATE(S) 04/01/09; 05/20/09		RPC ACTION DATE 05/20/09		RPC RECOMMENDATION Approval	
MEMBERS VOTING AYE Bellamy, Rew, Valadez, Helsley, Modugno		MEMBERS VOTING NO None		MEMBERS ABSTAINING None	
STAFF RECOMMENDATION (PRIOR TO HEARING) Approval					
SPEAKERS* (O) 2 (F) 3		PETITIONS (O) 193 (F) 69		LETTERS (O) 74 (F) 0	

\*(O) = Opponents (F) = In Favor