

ORDINANCE NO. 1698

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA APPROVING AND ADOPTING A MODIFICATION TO THE GARDENA VILLAGE SPECIFIC PLAN #2-99 AMENDING THE RESIDENTIAL ZONING REGULATIONS FOR LOT 1 OF TENTATIVE PARCEL MAP #63655, AND REMOVING LOT 2 OF TENTATIVE PARCEL MAP 63655 FROM THE TERMS OF THE GARDENA VILLAGE SPECIFIC PLAN FOR PROPERTY LOCATED AT NORTHEAST CORNER OF ARTESIA BOULEVARD AND WESTERN AVENUE.

WHEREAS, Gardena Village LLC (Ed Miller) has filed an application relative to the 5.65 acre parcel of land located at the northeast corner of Western Avenue and Artesia Boulevard (also known as Lot 6 of Vesting Tentative Tract Map #52273) for the following land use entitlements:

- Tentative Parcel Map #63655 to subdivide Lot 6 of Vesting Tentative Tract Map #52273 into two (2) lots of which Lot 1 will be developed with a 55-unit residential condominium development and Lot 2 will be developed with a commercial use.
- Gardena Village Specific Plan #2-99 (MOD) to allow a 55-unit residential condominium development on Lot 1 of Tentative Parcel Map #63655, in lieu of 59 units, and remove 0.49 acres (Lot 2 of Tentative Parcel Map #63655) from the Gardena Village Specific Plan area.
- General Plan Amendment #1-07 to amend the land use designation of Lot 2 of Tentative Parcel Map #63655 from Medium Density Residential to General Commercial
- Zone Change #1-07 to change the zoning designation of Lot 2 of Tentative Parcel Map #63655 from Gardena Village Specific Plan Zone to C-3 (General Commercial)
- Site Plan Review #1-07 to review the proposed commercial development of Lot 2 of Tentative Parcel Map #63655.

The purpose of these entitlements is to modify the approved Gardena Village Specific Plan #2-99 to allow development of a 55-unit residential condominium

development in lieu of 59 units and split Lot 6 of Vesting Tentative Tract Map #52273, whereby the 55-unit residential development would be in the newly-created Lot 1 of Tentative Parcel Map #63655, and a proposed 4,770± square foot commercial use in the other newly-created Lot 2 of Tentative Parcel Map #63655, hereinafter referred to as the "Project"; and

WHEREAS, the Planning and Environmental Quality Commission ("Commission") considered the Project at a duly noticed hearing on September 18, 2007 and adopted Memorandum #7-07 recommending the City Council approve Gardena Village Specific Plan #2-99 (MOD); and

WHEREAS, the City Council considered the Mitigated Negative Declaration and Mitigation Monitoring Program (EA #6-07) for the Project of which Site Plan review #1-07 is a part, at a duly noticed public hearing on October 23, 2007, at which time all interested parties were given an opportunity to address the City Council; and

WHEREAS, prior to adopting this ordinance, the City Council adopted Resolution No. 5000 adopting the Mitigated Negative Declaration (EA #6-07) and Mitigation Monitoring Program for the Project of which Gardena Village Specific Plan #2-99 (MOD) is a part; and

WHEREAS, prior to adopting this ordinance, the City Council adopted Resolution No. 5001 approving Tentative Parcel Map #63655.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GARDENA DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The Gardena Village Specific Plan, as modified, consists of the development standards and regulations incorporating conditions of approval and mitigation measures for the 55-unit residential condominium project on Lot 1 of Tentative Parcel Map #63655. Lot 2 of Tentative Parcel Map #63655 is not included in the modified Gardena Village Specific Plan. The modified Gardena Village Specific Plan is hereby adopted consisting of the Specific Plan document dated September 10, 2007 attached hereto as Exhibit A. Said modified Plan includes certain specified changes that are highlighted in the Plan. For any development standard or regulation not specifically covered by the Specific Plan, the requirements applicable to the R-2 zone and other

zoning standards set forth in Title 18 shall apply by default. The specific plan is binding on the applicant and all successors in interest.

SECTION 2. In adopting the modified Gardena Village Specific Plan, the City Council makes the following findings:

- A. The Specific Plan meets all requirements set forth in Government Code Section 65450 et seq., including consistency with the General Plan.
- B. The Specific Plan contains all the information required by Chapter 18.39 of the Gardena Municipal Code.
- C. Adoption of the Specific Plan provides for a better quality and more affordable development than would be available through conventional zoning because the project provides traditional single-family residential living amenities in a condominium development.
- D. Based upon the data and conclusions set forth in the Initial Study and Fiscal Impact Analysis:
 - a. The development will create additional demand for recreational facilities. A parkland fee in lieu of dedication is reasonably related to and will be used to meet that additional demand and the fee is roughly proportional to the costs of providing those recreational facilities.
 - b. The development will create additional demand for fire, police, recreation, public works and general services, the costs of which does not at this time exceed the tax and other revenues attributable to the development. The service mitigation fee is reasonably related to and will be used to pay for the provision of those services and the fee is roughly proportional to the unfunded costs of providing those services.

SECTION 3. Severability. If any provision or clause of this ordinance or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other ordinance provisions or clauses or applications therefor which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this ordinance are declared to be severable.

SECTION 4. Effective Date. This ordinance shall not become effective or be in force until thirty (30) days from and after the date of its adoption, and shall be published at least once in full in the Gardena Valley News, a newspaper of general circulation published in the City of Gardena, within 15 days after its adoption.

SECTION 5. Certification. The City Clerk shall certify the passage of this ordinance and shall cause the same to be published as required by law.

Attachment: Exhibit A – Gardena Village Specific Plan #2-99 (MOD), dated
September 10, 2007 *

*** ATTACHMENT IS ON FILE IN THE CITY CLERK’S OFFICE**

Passed, approved and adopted this _13th_ day of _November_ 2007.

_____/s/ PAUL K. TANAKA
Mayor of the City of Gardena, California

ATTEST

_____/s/ MARIA ELENA MARQUEZ
Maria Elena Marquez, City Clerk

APPROVED AS TO FORM

_____/s/ EDWARD LEE
Edward Lee, City Attorney