

**ORDINANCE NO. 1706**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDENA, CALIFORNIA CHANGING THE ZONING DESIGNATION OF THE PROPERTY LOCATED AT 1733 AND 1737 154<sup>TH</sup> STREET AND 15406-15420 WESTERN AVENUE FROM P and R-1 to C-3.**

**WHEREAS**, Simon Choi (Bebe Plaza LLC) has filed an application relative to the 1.4 acre parcel of land located at 1733 and 1737 154th Street and 15406-15420 Western Avenue for the following land use entitlements:

- General Plan Amendment #3-07 to amend the land use designation of a portion of the project site from Low Density Residential to General Commercial
- Zone Change #3-07 to change the zoning designation of the project site from P and R-1 to C-3
- Site Plan Review #8-07 to review the proposed development pursuant to Chapter 18.44 of the Gardena Municipal Code

The purpose of these entitlements is to allow development of a two-story 30,000 square foot retail/commercial center project, hereinafter referred to as the "Project"; and

**WHEREAS**, An Initial Study and Mitigated Negative Declaration (MND) have been prepared for the project to evaluate the potential for adverse environmental impacts in compliance with the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The MND was made available for public review and comments during a minimum 20-day period commencing April 15 to May 6, 2008. In accordance with Section 21092.3 of the Public Resources Code, the Availability of Environmental Documentation was posted in the office of the Los Angeles County Clerk. In accordance with Section 15074.1 of the CEQA Guidelines, the Substitution of Mitigation Measures in a Proposed Mitigated Negative Declaration, mitigation measures were replaced with new measures that are equivalent or more effective in mitigating or avoiding potential significant effects and that it in itself will not cause any potentially significant effect on the environment.

**WHEREAS**, The Planning and Environmental Quality Commission ("Commission") considered the MND and Mitigation Monitoring Program (MMP) for the Project at a duly noticed

public hearing on May 6, 2008, at which time all interested parties were given an opportunity to address the Commission; and

**WHEREAS**, the Commission recommends the City Council (“Council”) adopt the MND and MMP for General Plan Amendment #3-07, Zone Change #3-07, and Site Plan Review #8-07; and

**WHEREAS**, the Commission considered the Project at a duly noticed hearing on May 6, 2008 and adopted Memorandum #2-08 recommending the Council approve Zone Change #3-07; and

**WHEREAS**, the Council considered the Mitigated Negative Declaration and Mitigation Monitoring Program (EA #18-07) for the Project of which Zone Change #3-07 is a part, at a duly noticed public hearing on July 8, 2008, at which time all interested parties were given an opportunity to address the Council; and

**WHEREAS**, prior to adopting this ordinance, the Council adopted Resolution No. 5035 adopting the Mitigated Negative Declaration (EA #18-07) and Mitigation Monitoring Program for the Project of which Zone Change #3-07 is a part; and

**WHEREAS**, prior to adopting this Ordinance, the Council adopted Resolution No. 5036, approving General Plan Amendment #3-07.

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

**SECTION 1.** Zone Change #3-07, changing the zoning on property located at 1733 and 1737 154th Street and 15406-15420 Western Avenue, shown on Exhibit A, from P and R-1 to C-3 is hereby approved.

**SECTION 2.** With regard to Zone Change #3-07, the Council does hereby find as follows:

- A. The rezoning of the property will permit development of a commercial use.
- B. The proposed zone change will be consistent with the proposed General Commercial designation of the Land Use Element of the General Plan and is

compatible with the objective of promoting the development of high quality commercial development and encouraging the development of viable attractive neighborhoods free from blight and deterioration.

**SECTION 3.** The Official Zoning Map of the City shall be amended to reflect the Zone Change approved in Section 1 above.

**SECTION 4. 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 5. 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 6. 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 – Zone Change #3-07, map

Passed, approved and adopted this \_\_\_\_\_ day of September, 2008.

\_\_\_\_\_  
Mayor of the City of Gardena, California

ATTEST

\_\_\_\_\_  
Maria Elena Marquez, City Clerk

APPROVED AS TO FORM

\_\_\_\_\_  
Edward Lee, City Attorney