

**MINUTES OF A REGULAR MEETING OF  
THE TORRANCE PLANNING COMMISSION**

**1. CALL TO ORDER**

The Torrance Planning Commission convened in a regular session at 7:01 p.m. on Wednesday, March 17, 2010 in the Council Chambers at Torrance City Hall.

**2. SALUTE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner Horwich.

**3. ROLL CALL**

Present: Commissioners Browning, Busch, Gibson, Horwich, Skoll, Uchima and Chairperson Weideman.

Absent: None.

Also Present: Planning Manager Lodan, Sr. Planning Associate Santana, Transportation Planning Manager Semaan, Fire Marshal Kazandjian, Plans Examiner Noh and Assistant City Attorney Sullivan.

**4. POSTING OF THE AGENDA**

Planning Manager Lodan reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, March 11, 2010.

**5. APPROVAL OF MINUTES**

**MOTION:** Commissioner Horwich moved for the approval of the January 20, 2010 Planning Commission minutes, as submitted. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote, with Commissioner Gibson abstaining.

**6. REQUESTS FOR POSTPONEMENTS – None.**

**7. ORAL COMMUNICATIONS #1 – None.**

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Chairman Weideman reviewed the policies and procedures of the Planning Commission, including the right to appeal decisions to the City Council.

**8. TIME EXTENSIONS – None.**

**9. CONTINUED HEARINGS – None.**

**10. WAIVERS – None.**

**11. FORMAL HEARINGS**

**11A. CUP07-00016, DIV07-00020, EAS07-00003, FEIR (SCH#2007121119)**

## **ROCK-LOMITA LLC**

Planning Commission consideration of certain findings and determinations related to the adoption of a Statement of Overriding Considerations and a Mitigation Monitoring Program associated with the certification of a Final Environmental Impact Report, and approval of a Conditional Use Permit to allow the phased construction of a business park composed of a series of structures exceeding 15,000 square feet and to allow the proposed uses of professional office and medical in-out patient care services, in conjunction with a Tentative Parcel Map to allow the subdivision of the site into three new lots and for condominium purposes on property located in the M-2 Zone at 2740 Lomita Boulevard (APN#7277-009-017, between Garnier Street and Crenshaw Boulevard.

### **Recommendation**

Approval.

Sr. Planning Associate Santana introduced the request and noted supplemental material available at the meeting consisting of a revised resolution and correspondence received after the agenda item was completed. He noted that in order to approve the project, the Commission must first certify the Final Environmental Impact Report (FEIR) and adopt a Statement of Overriding Considerations.

It was the consensus of the Commission to consider the FEIR prior to considering the actual project.

Commissioner Busch questioned whether a project has been approved based on a Statement of Overriding Considerations within the last 10 years.

Planning Manager Lodan explained that Statements of Overriding Considerations are only associated with projects that have an EIR and the last project he could recall that required an EIR was the Crossroads shopping center approximately 17 years ago. He reported that a Statement of Overriding Considerations was adopted in that case and the project was ultimately approved by the City Council because a Zone Change was involved.

Commissioner Browning asked if the traffic impact from the Robinson Helicopter expansion was included in the traffic study for the FEIR.

Planning Manager Lodan explained that with regard to an EIR, the list of related projects to be included in the analysis is determined when the application is filed and the Robinson expansion was not included because it came after the environmental assessment process for this project had begun.

Commissioner Browning expressed concerns about the omission of this information, relating his belief that the Robinson project would have a considerable impact on traffic and add to the congestion in the area.

Commissioner Skoll noted that the EIR mentions a start date for the project of September 2009 and asked about the new timeline.

Sr. Planning Associate Santana advised that September 2009 was the anticipated start date when the draft EIR was prepared and the applicant now expects to begin Phase I of the project within the next 2-3 years and Phase II, 1-2 years after that depending on market conditions.

Commissioner Skoll asked how much the developer will be required to pay for traffic mitigation measures.

Chairperson Weideman noted that Condition #48 of Resolution No. 10-018 was modified (per supplemental material) to include the total of Transportation Mitigation Measure Fees and that amount is \$550,000.

Sr. Planning Associate Santana reported that the Transportation Planning Division projected the costs of traffic mitigation measures in the City of Torrance to be approximately \$84,000, however the developer has offered to provide more than six times that amount. He noted that in addition to the \$550,000, the developer must also pay Development Impact Fees for transportation based on the project's usage and square footage and this amounts to \$120,000 and the developer must also pay to mitigate the project's impact on intersections in other jurisdictions, including the City of Lomita.

Commissioner Busch requested clarification regarding the "Statement of Overriding Considerations."

Sr. Planning Associate Santana offered the definition per 2010 CEQA guidelines, "Document in which specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the FEIR."

Commissioner Busch noted for the record that 22 intersections were identified as being impacted by the project, several of which are not in the City of Torrance; that the impact can be fully mitigated at only 7 of the affected intersections; and that significant unavoidable impacts are expected at the 15 remaining intersections, with 14 of them operating at unacceptable levels.

Commissioner Busch reported that Caltrans has recommended that construction-related truck trips on freeways/state highways be limited to off-peak commute periods and that the platooning of trucks should be avoided and asked how this recommendation would be implemented.

Sr. Planning Associate Santana advised that haul routes must be approved by the Community Development Department to ensure that construction-related trucks do not disrupt traffic.

Commissioner Busch asked if the City had received comments regarding this project from neighboring cities.

Sr. Planning Associate Santana reported that comments were received concerning the draft EIR; that the City responded to these comments; and that no additional comments were received regarding the final EIR.

Commissioner Busch asked if the medical office project on Lomita Boulevard was included in the traffic analysis.

Sr. Planning Associate Santana advised that the medical office project was submitted after the environmental review process for this project had already begun. He explained that applicants are not required to revise environmental findings every time a new project is brought forward as this could be considered an undue burden.

Commissioner Browning expressed concerns that Commissioners had not had adequate time to review the 12 pages of supplemental material they received just prior to the meeting. He related his belief that additional information was needed regarding the traffic impact of the Robinson Helicopter project and the Torrance Memorial project before proceeding with this hearing.

Chairperson Weideman noted that the supplemental material consists of a revised resolution with three modified conditions and a single-page letter from the Southeast Torrance Homeowners Association in support of the project.

Sr. Planning Associate Santana reviewed the three revised conditions contained in the supplemental material, noting that the rest of the 65 conditions remain unchanged.

Commissioner Skoll pointed out that Condition No. 33 states that all signs shall be approved by the Environmental Division, with appeal rights to the Torrance Environmental Quality and Energy Conservation Commission, however, this responsibility is being shifted to the Planning Commission.

Planning Manager Lodan advised that the TEQECC was listed because an ordinance must be adopted before the Planning Commission takes over this duty.

Assistant City Attorney Sullivan suggested that the condition be modified to state the TEQECC "or successor commission."

Commissioner Browning expressed concerns that Commissioners were not provided with the report on soil contamination, noting that there has already been movement of soil at the site.

Mark Cousineau, hazard management consultant, reported that soil was brought in that had become available at other construction sites, and this was done with staff's approval. He explained that the Soil Management Plan approved by the Department of Toxic Substances Control (DTSC) was implemented; that it involved the sampling of all imported soil to confirm that it met DTSC's criteria; and that there was a geologist on-site to monitor the soil during the grading process in case contamination was encountered, but this did not occur.

Commissioner Browning pointed out that the staff report mentions the presence of contaminated soil and asked about the possibility that the imported soil had been mixed with contaminated soil.

Mr. Cousineau explained that there is only one area on the site that is impacted by contaminated soil; that the contamination is shallow to a depth of 7 feet; and that the area was cordoned off during the grading process and no activity has taken place there. He advised that there was no known contamination in the area where the grading took place; that the soil was monitored and field tested during the grading process to confirm

this; and that there was a contingency plan in place in case contaminated soil was discovered, but absolutely no evidence of contaminated soil was found. He reported that extensive testing of the soil has been done at the site and the area that has been identified as having contamination is a “no entry” area.

In response to Commissioner Busch’s inquiry, Joe Faust, Austin-Faust Associates, traffic consultant for the project, provided clarification regarding the traffic study. He stated that he was not positive but believed that neither the Robinson Helicopter expansion nor the Torrance Memorial project were among the cumulative projects included in the traffic analysis. He explained that 22 of the 42 intersections studied were determined to be significantly impacted by the project; that mitigation was feasible at 7 of the intersections; and that mitigations at the remaining intersections were not feasible because they involved such things as acquiring right-of-way and tearing down existing buildings to widen an intersection. He confirmed that the fact that Lomita Boulevard is used by ambulances going Code 3 to the hospital was factored into the study.

Planning Manager Lodan clarified that while the traffic impact of the Robinson Helicopter expansion and the Torrance Memorial project was not factored into the traffic analysis for this project, the impact of the proposed project was factored into the traffic analysis for both of those projects.

Responding to questions from the Commission, Mr. Faust discussed the A through F scale used to measure traffic congestion at intersections, with A being the best and F being the worst. He explained that intersections with a level of service (LOS) of A through D are judged to be operating at an acceptable level; that an LOS of D means that vehicles are able to clear the intersection in one traffic signal cycle except for rare occasions when a second cycle is needed; that all the intersections studied had an LOS of D, E or F; and that even with mitigation measures, none of the intersections will have an LOS better than D.

In response to Commissioner Gibson’s inquiry, Mr. Cousineau clarified that NOx (Nitrogen Oxides) emissions are traffic related emissions from vehicle exhaust and they are not associated with contaminated soil.

In response to Commissioner Browning’s inquiry, Mr. Faust confirmed that traffic at the intersection of Lomita Boulevard and Crenshaw Boulevard would be significantly impacted by this project even after mitigation measures have been implemented and that the intersection of Crenshaw Boulevard and Pacific Coast Highway would also be substantially affected.

Commissioner Busch asked about the possibility that the intersection of Skypark Drive and Hawthorne Boulevard would be impacted by the project due to people trying to avoid the traffic on Lomita Boulevard.

Transportation Planning Manager Semaan reported that while the potential exists, the traffic study determined that the project would not have a significant impact on traffic at this intersection.

In response to Commissioner Busch’s inquiry, Transportation Planning Manager Semaan confirmed that signal timing is among the measures used to mitigate traffic impact.

Chairperson Weideman invited comments from the public.

John Bailey, president of Southeast Torrance Homeowners Association (SETHA), stated that according to the FEIR nothing can be done to mitigate the traffic impact at the intersection of Crenshaw and Lomita Boulevard, however he believed traffic flow could be improved by extending the right-turn lane on the west side of Crenshaw all the way to the Plaza Golf shop. He suggested looking into the possibility of acquiring property from Conoco Phillips so this could be accomplished.

Planning Manager Semaan reported that staff has had discussions with the property owner and potential property owners in the past regarding the City's interest in the dedication of property along the west side of Crenshaw for street improvements, however, they were not approached in conjunction with this particular project.

Commissioner Skoll asked if there was anything the homeowners association had wanted, but didn't get in terms of this project

Mr. Bailey explained that they were disappointed that no bus stop was identified for either the north or south side of Lomita Boulevard in the area of the project because they felt this was something that should have been incorporated into the plans in keeping with the City's goal of encouraging the use of public transit.

Commissioner Browning asked if SETHA is the HOA most affected by the project.

Mr. Bailey reported that SETHA is the closest active HOA and they have been working with the developer since November 2007. He stated that HOA members were looking for the best project for this site and the project that would bring the most benefits to Torrance and they believe that is what they got.

Commissioner Browning asked about his opinion of the bottleneck at the intersection of Crenshaw and Lomita Boulevard. Mr. Bailey noted that the bottleneck is in the City of Lomita and recalled that Lomita sued the City of Torrance for \$3 million when the Crossroads shopping center was developed, but spent the money it was awarded on improving downtown Lomita instead of widening the road.

Commissioner Browning asked if Mr. Bailey had spoken to any Lomita residents, and Mr. Bailey reported that five Lomita residents attended SETHA's last meeting when the project was reviewed and none of them expressed any objections.

Elaine Kong, 22920 Wade Avenue, questioned the need for this project, relating her observation that there are several vacant medical buildings in Torrance and medical offices will also be built in conjunction with the Torrance Memorial expansion. Noting that her property is adjacent to Crenshaw Boulevard, she contended that the proposed project would affect her quality of life because the increase in traffic will cause more pollution from vehicle exhaust to come into her backyard. She reported that there is no active homeowners association in her area and her neighbors have not protested the project because they have given up. She voiced her opinion that the project goes against the General Plan because it will cause some intersections to fall below a "D" LOS (level of service). She questioned whether there was going to be a Phase III to the project since the site is being divided into three lots.

Sr. Planning Associate Santana clarified that the project will have only two phases and the site was divided into three parcels for purposes of financing.

Commissioner Busch indicated that Ms. Kong's opinion carried a lot of weight for him because of her proximity to the project.

In response to Commissioner Busch's inquiry, Sr. Planning Associate Santana reported that the proposed project would generate more traffic than an industrial use due to the medical office component.

Commissioner Skoll asked about the height of Ms. Kong's rear wall, and Ms. Kong responded that it is 6-7 feet high and she would have liked to build a taller wall, but it is not permitted.

Commissioner Skoll indicated that he favored allowing residents along Crenshaw to increase the height of their walls if this project goes forward.

Assistant City Attorney Sullivan advised that a resident can apply for a fence height waiver and such waivers have been approved in the past.

**MOTION:** Commissioner Browning moved to continue the hearing on the FEIR until such time as additional information can be provided concerning issues discussed at this meeting, including the traffic impact of the Robinson Helicopter expansion and the Torrance Memorial project. The motion was seconded by Commissioner Busch and discussion continued.

Commissioner Uchima announced that he was prepared to make a decision on the FEIR this evening. He noted that any new project will have impacts; stressed the need to balance those impacts against a project's benefits, including job creation and tax revenues; and voiced his opinion that the proposed project's economic benefits to the community outweigh the potential liabilities. He stated that it has already been determined that the project's impact on certain intersections cannot be mitigated so he saw no value in waiting for additional information to be provided on the Robinson Helicopter expansion and the Torrance Memorial project. Relating his understanding that Walmart looked at this site, he pointed out that a shopping center would generate substantially more traffic than the proposed business park.

Planning Manager Lodan noted that the project is consistent with both the existing and proposed General Plan designation for this site and the project's FAR (floor area ratio) of 0.34 is much lower than the 0.60 allowed.

Commissioner Uchima offered the following substitute motion.

**MOTION:** Commissioner Uchima moved to certify the FIER and to adopt a Statement of Overriding Considerations. The motion was seconded by Commissioner Horwich, and discussion continued.

Commissioner Horwich expressed support for the substitute motion and voiced his opinion that it was in the overriding interest of the City to move forward with the project.

Commissioner Busch related his understanding that the economic benefits of the project should not be discussed when focusing on the Environmental Impact Report. He

indicated that he favored having the Traffic Commission review the EIR and report back to the Commission.

Planning Manager Lodan explained that this topic came up when the City Council was considering the restructuring of City commissions and the Council indicated that they wanted the EIR for this project to go directly to the Planning Commission.

Sr. Planning Associate Santana clarified that social, economic, and technological elements are all part of the Statement of Overriding Considerations so these issues may be discussed when considering the EIR.

Commissioner Busch stated that he believed there were significant economic benefits associated with this project, however, he still needed to overcome in his mind that the FEIR met the criteria for certification.

Commissioner Browning asked that consideration be given to amending the motion to include the "Reduced Intensity Alternative" detailed in the CEQA Findings and Statement of Facts, which would reduce the size of the project by 10%, thereby lessening the traffic impact.

Planning Manager Lodan advised that the Reduced Intensity Alternative was included in the CEQA Findings and Statement of Facts for purposes of analysis and that any discussion concerning the downsizing of the project should be reserved until the project itself is discussed.

A brief discussion ensued, and Assistant City Attorney Sullivan requested a recess to verify that discussion of downsizing the project should be delayed until after the Commission has taken action on the FEIR.

The Commission recessed from 8:45 p.m. to 9:05 p.m.

Assistant City Attorney Sullivan advised that according to CEQA guidelines, an EIR is required to include a discussion of various project alternatives, however, the appropriate time to discuss actual modifications to the project is when the project itself is considered.

Commissioner Uchima, echoed by Commissioner Horwich, indicated that he did not concur with Commissioner's Browning's suggestion to amend the substitute motion to include the Reduced Density Alternative.

Chairperson Weideman expressed support for certifying the FEIR and adopting the Statement of Overriding Considerations, relating his belief that the project would benefit the community.

Commissioner Uchima restated his substitute motion.

**MOTION:** Commissioner Uchima moved to certify the Final Environmental Impact Report and to adopt a Statement of Overriding Considerations. The motion was seconded by Commissioner Horwich, and passed by a 5-2 roll call vote, with Commissioners Browning and Busch dissenting.

Commissioner Browning stated that he could not vote to approve the FEIR because he felt the traffic situation had not been adequately addressed.

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolution No. 10-020.

**MOTION:** Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 10-020. The motion was seconded by Commissioner Gibson and passed by a 5-2 roll call vote, with Commissioners Browning and Busch dissenting.

Mark Foster, representing Rock-Lomita LLC, provided background information about the Rockefeller Group. He noted that the company has been in business 80 years and has developed such properties as the Embarcadero Center in San Francisco and Rockefeller Center in New York.

With the aid of slides, Dale Malcolm, Withee-Malcolm Architects, project architect, briefly described the proposed project, which consists of 18 buildings to be developed in two phases. He explained that the buildings were designed to accommodate various uses, including professional office, medical office and light industrial; that the project will be accessed from a new signalized intersection on Lomita Boulevard; that the FAR and lot coverage are well below a typical business park; that there is ample parking, with approximately 1½ times the required number of handicapped parking spaces; and that “green building” elements have been incorporated into the project.

Returning to the podium, Mr. Foster discussed the project’s benefits to the City of Torrance, including the remediation of a contaminated site and the creation of over 100 construction jobs and 1300 permanent high paying jobs. He reported that some companies in Torrance have expressed an interest in relocating their headquarters to this site and one of his objectives is to focus on existing Torrance businesses.

Commissioner Busch asked about the possibility of downsizing the project. Mr. Foster explained that the market has changed significantly since the project was designed and it would not be viable financially with any further reduction in its size.

Commissioner Busch noted that the concept of medical office condominiums is relatively new and asked about feedback from doctors on buying versus renting.

Mr. Foster reported that South Bay area doctors’ groups have been receptive to the proposed project and to the idea medical office condominiums, however, there are some constraints in terms of financing. He noted that medical office space is one sector in commercial real estate that remains fairly vibrant and related his belief that this project will be well received because there is very little Class A, first generation office space available.

In response to Commissioner Busch’s inquiry, Mr. Malcolm provided clarification regarding the location of handicapped parking. He confirmed that there would be no charge for parking; that purchasers of office condominiums will not be able to buy parking spaces; and that the entire parking lot will be available for everyone’s use and spaces will not be assigned to specific tenants.

Commissioner Busch indicated that he favored adding a condition specifying that there shall be no charge for parking and prohibiting restrictions on parking places.

Commissioner Browning questioned the claim that the project will create 1300 high paying permanent jobs in Torrance since Mr. Foster mentioned that the focus would be on attracting existing Torrance businesses. He expressed concerns that the city will be left with more vacant buildings should Torrance businesses relocate in the new business park and suggested that it might be more lucrative to remodel existing buildings. He asked if the developer has looked into whether there is a need for more medical office space since so much has been approved in the last year or so.

Mr. Foster responded that his company is very cognizant of the issues raised by Commissioner Browning and very aware of market conditions.

Chairperson Weideman asked how the effects of construction would be mitigated for the preschool to the west of the project, and Mr. Malcolm reported that a temporary wall will be constructed along the west property line to block dust and noise.

Chairperson Weideman expressed concerns that drive aisle through the center of the property could become a cut-through for Costco traffic.

Mr. Malcolm reported that the applicant was requested by staff to make provisions for cross-access easements for the adjacent Sam's Club and Costco properties (Condition No. 45), but connection with these properties will only occur if Sam's Club and/or Costco agree to the reciprocal easement. He explained that the purpose of the easements is to allow people to travel to and from these businesses without having to drive on City streets thereby reducing the traffic impact.

Chairperson Weideman questioned whether there was a way to accommodate a bus stop without interrupting the flow of traffic, and Mr. Malcolm stated that he believed there would be room for a bus stop on the south side of Lomita Boulevard near a pedestrian path leading into the project.

Chairperson Weideman asked if the City plans to waive any Development Impact Fees as was done for the Miyako Hotel, and Planning Manager Lodan indicated that there were no plans to do so.

In response to Chairperson Weideman's inquiry, Mr. Foster reported that the percentage of offices that will be leased and owned will depend on market conditions.

Commissioner Skoll urged that a bus stop be considered at this location. He expressed concerns that allowing the cross access to Costco could create safety issues because patients walking to and from medical appointments would be competing with Costco traffic. He reported that some doctors have mentioned to him that they like the idea of the project but have long-term lease agreements that would prevent them from relocating.

Responding to Commissioner Skoll's inquiry, Mr. Malcolm confirmed that there would be access to the project from the existing roadway that leads to Costco along the west side of the property.

Commissioner Browning related his belief that the access to Costco will cause problems because shoppers will park on the subject property if they can't find parking at Costco.

Mr. Foster expressed confidence that the project's CC&R's would include restrictions to prevent Costco customers from parking on the site and noted that speed bumps could be installed to slow traffic should there be a safety issue.

Commissioner Browning stated that he thought it was a good project but was having a problem supporting it because he was concerned that it might not be in the best interests of residents and other business owners in Torrance.

In response to Commissioner Busch's inquiry, Planning Manager Lodan confirmed that the Commission could eliminate the requirement that a cross access easement be provided for the Costco property but recommended against it. He noted that the easement was designed so that it does not provide direct access to Costco from the project's main drive aisle so it's not a convenient way to get there from Lomita Boulevard.

Commissioner Busch suggested that it would benefit the community if several physicians from the same HMO had offices within the project so patients would not have to travel to another location when they receive a referral.

In response to Commissioner Busch's inquiry, Sr. Planning Associate Santana confirmed that the project could accommodate all types of professionals. He clarified that while the rear two buildings are envisioned for light industrial use, they could be used for professional office space because parking requirements were calculated to permit this use and the traffic study was also based on this more intensive use.

Commissioner Busch related his belief that there will be a demand for space in this project and asked about the estimated completion date.

Mr. Foster reported that the completion date is totally dependant on how quickly buildings can be sold or leased.

Commissioner Uchima asked if solar electricity was among the green building elements to be incorporated into the project.

Mr. Malcolm reported that at the present time solar energy is not economically feasible because the pay back period is too long to justify the large initial expense. Additionally, he noted that the buildings are fairly small and there's not much room for solar panels on the roof once all the necessary equipment has been installed.

In response to Commissioner Gibson's inquiry, Mr. Malcolm confirmed that there would be security lighting throughout the property.

Commissioner Browning suggested that the developer might want to check into the market for indoor soccer and volleyball facilities with regard to the rear buildings because they seem to be growing in popularity.

Chairperson Weideman invited public comment.

John Bailey, president of Southeast Homeowners Association, reported that members of the HOA support the project and believe it is the best project for this site in terms of both the neighborhood and the City of Torrance. He explained that traffic has always been the major concern of nearby residents and the proposed project would generate much less traffic than other uses that have been considered, which include a

high-density residential development and a new Home Depot store. He noted that the Teledyne facility that formerly occupied this site had much more square footage than the proposed project.

Commissioner Busch commented on the valuable input provided by the homeowners association and commended Mr. Bailey and SETHA for their efforts with regard to this project.

Returning to the podium, Mr. Foster thanked the Commission for the opportunity to present the project.

**MOTION:** Commissioner Horwich moved to close the public hearing. The motion was seconded by Commissioner Gibson and passed by unanimous voice vote.

Commissioner Browning stated that he believed it was a good project and might have been inclined to support it at an earlier or later time, but could not support it at this time due to existing vacant buildings in Torrance and the project's the impact on traffic.

**MOTION:** Commissioner Skoll moved for the approval of CUP07-00016 and DIV07-00020, as conditioned, including all findings of fact set forth by staff, with the following modification:

**Modify**

No. 26 That there shall be no paid parking restrictions without the prior approval of the Planning Commission and parking spaces shall not be sold or restricted for an individual tenant or owner's use.

The motion was seconded by Commissioner Gibson and passed by a 5-2 roll call vote, with Commissioners Browning and Busch dissenting.

Commissioner Uchima commended the applicant for taking the risk of developing this site and providing new space for businesses. He noted that for the seven years he has been on the Commission, the emphasis has been on residential development and there have been few projects that have expanded the City's employment base.

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolutions No. 10-018 and 10-019.

**MOTION:** Commissioner Browning moved for the adoption of Planning Commission Resolution Nos. 10-018 and 10-019 as amended. The motion was seconded by Chairperson Weideman and passed by a 6-1 roll call vote, with Commissioner Browning dissenting.

12. **RESOLUTIONS** – None.
13. **PUBLIC WORKSHOP ITEMS** – None.
14. **MISCELLANEOUS ITEMS** – None.
15. **REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS** – None.

**16. LIST OF TENTATIVE PLANNING COMMISSION CASES**

Planning Manager Lodan reviewed the agenda for the April 7, 2010 Planning Commission meeting.

**17. ORAL COMMUNICATIONS #2**

**17A.** Commissioner Busch asked about the update to the Zoning Code; and Planning Manager Lodan reported that the update will take place after the General Plan update has been completed and no timeline has been set.

**17B.** Commissioner Skoll noted that Commissioners have been advised that it's not within the Commission's purview to discuss the financial viability of a project, but related his belief that someone in the City should do so in order to prevent situations like the partially completed project on Hawthorne Boulevard.

Assistant City Attorney Sullivan reported that it is not the City's role to look into the financial viability of a project. He pointed out that the developer of the project on Hawthorne Boulevard was a publicly-traded corporation at the time of the application and there was no sign of financial problems.

**17C.** Commissioner Skoll voiced his opinion that when a project that has been denied by the Planning Commission undergoes major revisions before the appeal is heard by the City Council, the project should be returned to the Commission for review.

Planning Manager Lodan reported that in the past, City Councils were reluctant to take action on projects unless they were exactly the same as what was considered by the Planning Commission, however, recent Council Councils have been more open to allowing an applicant to submit a revised plans in the hopes that progress can be made in resolving concerns about the project.

**17D.** Commissioner Skoll asked when new public hearing notification signs would be put in use, and Planning Manager Lodan reported that staff was still trying to exhaust the existing supply of signs.

**17E.** Commissioner Skoll mentioned Chairperson Weideman's earlier request to see a copy of the Commission's budget.

Planning Manager Lodan explained that there is no separate Planning Commission budget, only line items in the Development Review Division budget for such things as for support services and commissioner training and travel. He offered to provide a copy of the budget for Chairperson Weideman's review.

**17F.** In response to Chairperson Weideman's inquiry, Planning Manager Lodan advised that staff was in the process of preparing past annual reports for the Commission.

**17G.** Commissioner Skoll noted that he attended a meeting in Redondo Beach regarding the formation of a commissioners' forum, however, there was only a general discussion and nothing was concluded.

**17H.** Commissioner Browning related his understanding that staff was monitoring the construction site at Hawthorne Boulevard and Rolling Hills Road due to heavy rains and reported that he observed two cracks approximately four feet wide earlier in the day. Planning Manager Lodan offered to relay this information to Building and Safety.

**17I.** Commissioner Browning requested that staff obtain the City Attorney's opinion regarding the revision of projects prior to City Council appeal hearings. He also requested information as to why Edison power poles were exempt from the Hillside review process.

**17J.** Commissioner Horwich stated that he was uneasy about some of the discussion at tonight's meeting concerning the Rockefeller project and related his belief that issues such as marketing, financing, potential tenants and alternate locations were not within the Commission's purview.

**17K.** Commissioner Horwich noted that he would be attending a Planning seminar in Monterey next week and requested an opportunity to provide a report on the conference at a future meeting.

**17L.** Commissioner Uchima commended Chairperson Weideman for doing a good job of conducting the meeting.

**18. ADJOURNMENT**

At 10:37 p.m., the meeting was adjourned to Wednesday, April 7, 2010 at 7:00 p.m.

Approved as Submitted May 5, 2010 s/ Sue Herbers, City Clerk
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