

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

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:00 p.m. on Wednesday, April 6, 2011 in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Sr. Planning Associate Santana.

3. ROLL CALL

Present: Commissioners Polcari, Rizzo, Weideman, Skoll and Chairperson Horwich.

Absent: Commissioners Gibson and Uchima.

Also Present: Sr. Planning Associate Santana, Planning Associate Martinez, Plans Examiner Noh, Associate Civil Engineer Symons, Sr. Fire Prevention Specialist Kazandjian and Assistant City Attorney Sullivan.

Chairperson Horwich relayed Commissioner Uchima's request for an excused absence due to an illness in the family and noted that Commissioner Gibson was already granted an excused absence at the last meeting.

MOTION: Commissioner Weideman moved to grant Commissioner Uchima an excused absence. The motion was seconded by Commissioner Polcari and passed by unanimous voice vote.

4. POSTING OF THE AGENDA

Sr. Planning Associate Santana reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Friday, April 1, 2011.

5. APPROVAL OF MINUTES – None.

6. REQUESTS FOR POSTPONEMENTS – None.

7. ORAL COMMUNICATIONS # 1 – None.

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Chairperson Horwich 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

Agenda Item 9B was considered out of order at this time.

9B. CUP10-00020: ELEVEN INTERNATIONAL USA, INC (2675 SKYPARK DRIVE, LLC)

Planning Commission consideration for approval of a Conditional Use Permit to allow a wholesale automobile dealership operation at an existing warehouse on property located in the M-2 Zone at 2675 Skypark Drive, #103.

Recommendation: Approval.

Planning Associate Martinez introduced the request.

Masahiro Kusumi, representing Eleven International USA, voiced his agreement with the recommended conditions of approval. He explained that the company currently operates a seat/seat cover business at this location and plans to expand the business to include the buying and re-selling of used vehicles.

In response to Commissioner Weideman's inquiry, Mr. Kusumi confirmed that he understood that vehicle repairs were prohibited on the site per Condition No. 6.

MOTION: Commissioner Weideman moved to close the public hearing. The motion was seconded by Commissioner Skoll and passed by unanimous voice vote (absent Commissioners Gibson and Uchima).

MOTION: Commissioner Polcari moved to approve CUP10-00020, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Weideman and passed by unanimous roll call vote (absent Commissioners Gibson and Uchima).

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution No. 11-003.

MOTION: Commissioner Skoll moved to adopt Planning Commission Resolution No. 11-003. The motion was seconded by Commissioner Weideman and passed by unanimous roll call vote (absent Commissioners Gibson and Uchima).

9A. CUP11-00003, DVP11-00002, DIV11-00001: EL POLLO LOCO STORE 6094 (SMBD INVESTMENTS LLP)

Planning Commission consideration for approval of a Conditional Use Permit and a Development Permit to allow the construction and operation of a new drive-through restaurant with patio seating, in conjunction with a Division of Lot to allow a Lot Line Adjustment between two existing parcels, on property located in the H-NT Zone at 4373 182nd Street and 18120 Hawthorne Boulevard.

Recommendation: Approval.

Planning Associate Martinez introduced the request and noted supplemental material available at the meeting consisting of two revised conditions of approval and correspondence received after the agenda item was completed.

Brad Podosin, representing El Polo Loco Store 6094, voiced his agreement with the recommended conditions of approval. He reported that the restaurant has operated across the street for 30 years, but recently lost its lease and now plans to build a new restaurant on this site. He briefly described the proposed project, noting that four driveways servicing the site will be closed (1 on Hawthorne Boulevard/3 on 182nd Street) and a new driveway will be constructed on 182nd Street that complies with current standards. He stated that the new restaurant's queuing lane will be able to stack 12 vehicles as opposed to 5 at the current location and the restaurant will be equipped with a state-of-the-art filter that decreases exhaust by 50% to address concerns about food odors. He pointed out that the traffic study estimates that the fast food restaurant will generate 1335 trips per day, while the service station that formerly occupied the site generated 2023.

Joseph Kenyon, 182nd Street, voiced objections to the proposed project. He stated that residents already have a problem with odors and noise from the Coco's restaurant next door to this site and the fast food restaurant will only add to the problem. He requested a closing time no later than 10:00 p.m. if the project is approved, to minimize the impact on neighbors. He asked that the roof be redesigned to hide the equipment since his third-floor master bedroom will overlook it. He expressed concerns about the location of the dumpster, which faces his unit, and about the possibility that discarded chicken bones could attract rodents. He also expressed concerns that the new driveway on 182nd Street was too close to the driveway into his complex, noting that El Pollo Loco customers who mistakenly enter the wrong driveway would have to back out into traffic.

Commissioner Weideman noted that there is a similar situation on Skypark where the driveway into Costco and the business park to the east are fairly close together and asked about the distance between them. Associate Civil Engineer Symons estimated that those driveways are approximately 30 feet apart.

Theresa Olson, 182nd Street, expressed concerns that vehicles waiting to turn left into the El Pollo Loco driveway on 182nd Street would cause traffic to back up on.

Commissioner Weideman questioned whether this occurred when there was a gas station on this site since the traffic study indicates that it generated much more traffic than El Pollo Loco is expected to generate. Ms. Olson responded that customers of the gas station could make a U-turn at the Hawthorne Blvd. /182nd intersection and enter the site using the driveway on Hawthorne Boulevard.

Robert Rudolph, president of North Torrance Homeowners Association, reported that the HOA supported the Chick-fil-A across the street because unlike El Pollo Loco, the company shared their plans with residents far in advance of the public hearing and was very responsive to their concerns. He contended that there's no need for another chicken restaurant on this corner, noting that there are three other El Pollo Loco restaurants in Torrance and the surrounding area, including one at Artesia and Crenshaw which is only 5-10 minutes away. He stated that it's a myth that the restaurant would provide more revenue for Torrance because someone who wants fast

food will just go to another nearby restaurant if this one is not built and in any case, sales tax revenue from the restaurant would amount to only about \$10,000 per year while adjacent residents stand to lose more than that due to loss of property value. He stated that it was also a myth that the project would bring jobs to Torrance, noting that the architectural firm is located in Santa Monica and the general contractor is located in Orange County and doubted that many of the restaurant's employees would live in Torrance.

Mr. Rudolph stated that according to the December 2, 2009 Planning Commission minutes (supplemental material), the Hawthorne Boulevard Corridor Specific Plan does not allow drive-through restaurants in the Waltheria area due to the small lots, and suggested that using this rationale, the proposed project should be denied because it requires a lot line adjustment in order to fit on this lot. He stated that while the traffic generated per day for El Pollo Loco is less than for the gas station it is actually more when calculated on an hourly basis because the gas station was open 24 hours a day and the restaurant will be open only about half that time. He maintained that the impact will be greater because the traffic will be funneled through two driveways instead of five. He expressed concerns about the financial viability of El Pollo Loco since the company has posted losses three years in a row, including a loss of \$39 million in 2010, and doubted that Chick-fil-A would have invested \$2 million to build a restaurant across the street if the company had known about this project.

Returning to the podium, Mr. Podosin stated that the company did not contact neighbors earlier in the process because in building 50 restaurants in other communities, they have never had to do this. He explained that once they learned neighbors were upset, they put the public hearing on hold and made an effort to address their concerns. Referring to Mr. Rudolph's comments, he clarified that the Lot Line Adjustment simply squares off an irregularly shaped lot and does not substantially add to its size; reported that a Torrance firm, Denn Engineering, was hired as civil engineer for the project; and noted that standard trip generation estimates were used for the traffic study and they are somewhat high, since unlike many other fast food restaurants, El Pollo Loco does not serve breakfast.

Chairperson Horwich asked if the restaurant is company-owned or a franchise and Mr. Podosin reported that it is company-owned and it's one of the most successful so the company would like to rebuild at this location.

In response to Commissioner Weideman's inquiry, Sr. Planning Associate Santana stated that staff did not include a recommendation concerning the hours of operation, but was not opposed to a condition restricting them. He reported that Chick-fil-A's hours are 6:00 a.m. to 10:00 p.m. Monday through Thursday, 6:00 a.m. to 11:00 p.m. Friday and Saturday, and the company has a policy of closing on Sundays. He confirmed that the applicant will be required to construct a trash enclosure (Condition No. 31) and bins will have lids to deter rodents.

Commissioner Weideman stated that he favored including a condition limiting the hours of operation to approximately the same times as the Chick-fil-A across the street and also favored shifting the driveway on 182nd Street further away from driveway for the residential development to the east because based on his experience with the Costco driveway on Skypark, having the driveways so close together could create problems.

Sr. Planning Associate Santana advised that the size of the planter adjacent to the driveway could be enlarged by 10 feet to increase the distance between the driveways to 26 feet.

Mr. Podosin noted that the driveway is currently right on the property line so the applicant's proposal to shift it 16 feet to the west was an improvement over existing conditions.

In response to Commissioner Skoll's inquiry, Sr. Planning Associate Santana confirmed that the project was consistent with site's General Plan land use designation and zoning. He explained that drive-through restaurants are not allowed in the Waltheria Sub-district of the Hawthorne Boulevard Corridor Specific Plan Zone because lots tend to be very small, however, they are allowed in the North Torrance, Promenade and Meadow Park Sub-districts where the average lot is considerably larger. He clarified that the Lot Line Adjustment does not materially affect the project and was being done at staff's request to correct a flag-lot type situation. He noted that while the Coco's site and the subject property are currently owned by the same entity, that may not always be the case so a condition has been included requiring a cross access agreement to facilitate on-site circulation. He stated that while he understood residents' concerns about reducing the number of driveways into the site, staff believes this will benefit the area by improving the flow of traffic.

Noting that one of the speakers mentioned that El Pollo Loco already has restaurants in Torrance and the surrounding area, Chairperson Horwich stated that he strongly supports the ability of people who are risking their own money to decide where to locate their businesses. He further stated that he was not in favor of limiting competition and would not want to hinder this restaurant just because there's another chicken restaurant across the street. He related his belief that the idea that employees of a business in Torrance should live in Torrance was unrealistic.

MOTION: Commissioner Weideman moved to close the public hearing. The motion was seconded by Commissioner Skoll and passed by unanimous roll call vote (absent Commissioners Gibson and Uchima).

Commissioner Skoll stated that he thoroughly reviewed the supplemental material and thought residents had raised some legitimate concerns, however, after listening to the testimony and staff's response, he had concluded that the applicant had done everything possible to mitigate concerns therefore he would be voting in favor of the project.

MOTION: Commissioner Skoll moved to approve CUP11-00003, DVP11-00002 and DIV11-00001, as conditioned, including all findings of fact set forth by staff with the following modifications:

Add

- That the hours of operation shall be 9:00 a.m. to 10:00 p.m. Monday through Thursday and 9:00 a.m. to 11:00 p.m. Friday, Saturday and Sunday.
- That the applicant shall modify the design of the southeasterly landscaped planter to provide a minimum planter width of 26 feet.

The motion was seconded by Commissioner Rizzo and passed by unanimous roll call vote (absent Commissioners Gibson and Uchima).

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution No. 11-017.

MOTION: Commissioner Skoll moved to adopt Planning Commission Resolution No. 11-017 as amended. The motion was seconded by Commissioner Rizzo and passed by unanimous voice vote (absent Commissioners Gibson and Uchima).

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution No. 11-018.

MOTION: Commissioner Skoll moved to adopt Planning Commission Resolution No. 11-018. The motion was seconded by Commissioner Rizzo and passed by unanimous voice vote (absent Commissioners Gibson and Uchima).

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution No. 11-019.

MOTION: Commissioner Skoll moved to adopt Planning Commission Resolution No. 11-019. The motion was seconded by Commissioner Rizzo and passed by unanimous voice vote (absent Commissioners Gibson and Uchima).

Chairperson Horwich noted that the Commission's decision could be appealed to the City Council.

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

Sr. Planning Associate Santana reported that the City Council considered the proposed addition of a carwash to the service station located at 190th Street and Entradero last evening and ultimately voted to deny the project.

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

Sr. Planning Associate Santana reviewed the agenda for the April 20, 2011 Planning Commission meeting.

17. ORAL COMMUNICATIONS #2

17A. Sr. Planning Associate Santana reported that Planning Manager Lodan was unable to attend tonight's meeting due to illness.

17B. Noting that in supplemental material for Agenda Item 9A, a resident cited comments from the December 2, 2009 Planning Commission minutes concerning a proposal for an In-N-Out Burger restaurant at another location, Commissioner Weideman explained that he considers each application on an individual basis and does not view any decision he makes as precedent setting, therefore, he did not find this material to be useful.

Commissioner Skoll and Commissioner Polcari noted their agreement with Commissioner Weideman's comments.

17C. Chairperson Horwich commended Sr. Planning Associate Santana for being well-prepared for the meeting.

17D. Chairperson Horwich announced that a Special Olympics field day will be held on Saturday, April 9, at Wilson Park beginning at 9:00 a.m. and the public is welcome.

18. ADJOURNMENT

At 8:18 p.m., the meeting was adjourned to Wednesday, April 20, 2011 at 7:00 p.m.

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| Approved as Submitted May 4, 2011 s/ Sue Herbers, City Clerk |
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