

August 18, 2010

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

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:02 p.m. on Wednesday, August 18, 2010 in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Uchima.

3. ROLL CALL

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

Absent: None.

Also Present: Planning Manager Lodan, Planning Associate Martinez, Plans Examiner Noh, Associate Civil Engineer Symons, Fire Marshal Kazandjian 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, August 12, 2010.

5. APPROVAL OF MINUTES

MOTION: Commissioner Browning moved for the approval of July 7, 2010 Planning Commission minutes, as submitted. The motion was seconded by Commissioner Skoll and passed by unanimous roll call vote

MOTION: Commissioner Browning moved for the approval of July 21, 2010 Planning Commission minutes, as submitted. The motion was seconded by Commissioner Skoll and passed by unanimous roll call vote, with Commissioner Gibson abstaining.

6. REQUESTS FOR POSTPONEMENTS

Planning Manager Lodan relayed the applicant's request to continue Agenda Item 11B, CUP10-00011 (Cole Vocational Services – Torrance) to September 15, 2010.

MOTION: Commissioner Browning moved to continue Agenda Item 11B to September 15, 2010. The motion was seconded by Commissioner Uchima and passed by unanimous voice vote.

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**

9A. **CUP09-00005, VAR09-00002, WAV09-00006 (EAS09-00002): ION CRETU/ SAINTS ARCHANGELS MICHAEL & GABRIEL ROMANIAN ORTHODOX CHURCH**

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of an auxiliary building above the parking lot of the existing church facility, a Variance to allow less than the required lot size and parking requirements, and a Waiver of the side and rear setback requirements on property located in the R-2 Zone at 4102 Hickman Drive.

Recommendation

Denial without prejudice.

Darian Raoac and Fabio Righi, Domani Architects, reviewed revisions that were made to project since it was originally considered on August 5, 2009, which include reconfiguring the parking lot, relocating the Sunday school room to the ground floor, adding handicapped-accessible restrooms, and enhancing the architectural design to be more compatible with the existing church.

Chairperson Horwich noted that included in the staff report was a list of recommended conditions should the project be approved.

Ion Cretu, representing Saints Archangels Michael & Gabriel Romanian Orthodox Church, voiced his agreement with the recommended conditions of approval, but related his understanding that Condition No. 25, which requires the planting of one tree for every 50 feet of street frontage, was not applicable due to the narrow parkway.

At Commissioner Skoll's request, Mr. Raoac explained the church's proposal to provide valet parking for church services so that a tandem parking arrangement can be used thereby increasing the on-site parking to 18 spaces.

Mr. Cretu expressed confidence that the parking would be adequate since only 25-35 people attend Sunday services many of whom are elderly and do not drive.

Commissioner Browning noted that according to the testimony at the last hearing, parishioners share a meal following church services, and questioned whether health department approval would be required since Condition No. 15 states that no food shall be prepared in the addition unless the approval of the L.A. County Health Department is obtained.

Plans Examiner Noh clarified that health department approval is required only if the facilities include a full kitchen, and Mr. Cretu reported that the plans do not include a

full kitchen. Commissioner Browning suggested that Condition No. 15 be modified for purposes of clarity.

Commissioner Skoll questioned whether the Fire Department was satisfied that accessibility problems have been addressed and elderly churchgoers would not be put at risk.

Fire Marshal Kazandjian advised that this property has always had accessibility problems therefore the Fire Department has included several requirements to provide an extra level of fire protection in case access is delayed, including requiring the building to be equipped with a sprinkler system.

Carmen Corbei, 4026 Hickman Drive, expressed support for the project, noting that she has attended the church for many years and has never observed any parking problems.

Ecaterina Chirica, Parish Council president, noted that the church has functioned in its present location for 16 years without any traffic or parking problems and neighbors have complimented the church's appearance. She explained that the addition will provide needed space for meal-sharing after the service, which currently takes place outdoors. She stated that churchgoers support the City's economy by shopping at the Del Amo mall after services.

Noting that she and her husband attend the church, Lisa Knight, 2131 W. 236th Place, emphasized that church gatherings are small and well-organized and that the proposed addition will not add to the volume of churchgoers.

Mihaela Stroe, Garden Grove, related her belief that the requirements for granting a Waiver and a Variance were met because there are practical difficulties associated with this site that do not allow for compliance with current standards; the project will not be materially detrimental to the public welfare or other properties in the vicinity since it will not increase the number of attendees or change the way the church operates; and it will not interfere with the orderly development of the City and will only be an asset to the community.

Returning to the podium, Mr. Righi urged approval of the project. He noted that the church has done a lot to improve this property since taking ownership and while the parking situation is not ideal, it is an improvement over existing conditions since cars have to be moved to accommodate after-service functions held in the parking lot.

Voicing support for the project, Commissioner Weideman stated that he believed the scale of the project fits with the surrounding residential neighborhood and that the church is a cultural asset to the community. With regard to the proposed Waiver and Variance, he noted that a church has been located on this site for over 50 years and the new parking arrangement would be an improvement over the existing situation.

Indicating that he would also support the project, Commissioner Browning related his belief that the applicant had worked with staff to come up with the best project for this particular site and the positive aspects outweigh the negative.

Noting that it has been more than a year since this project was originally considered, Commissioner Busch commended the applicant for hiring professional architects and working through the process with staff. He also commended Planning Associate Yolanda Gomez for the well-written staff report.

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

MOTION: Commissioner Busch moved for the approval of CUP09-00005 and WAV09-00006 as conditioned, including all findings of fact set forth by staff, with the following modification:

Modify

No. 15 That if a full kitchen is provided, the applicant shall obtain the necessary Los Angeles Health Department approvals.

The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

MOTION: Commissioner Busch moved to recommend that the City Council approve VAR09-00002. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Planning Manager Lodan noted that Resolutions reflecting the Commission's action would be brought back for approval at the next meeting.

9B. PRE10-00004: CBB ARCHITECTS (STEVE PAULSEN)

Planning Commission consideration for approval of a Precise Plan of Development to allow first and second-story additions to an existing two-story, single-family residence on property located within the Hillside Overlay District in the R-1 Zone at 140 Via Los Miradores.

Recommendation

Approval.

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

Commissioner Weideman noted that an email sent by Ann Baker to Planning staff (supplemental material) was also addressed to him and he wanted to clarify that this was the result of an email he sent to Ms. Baker asking when he could visit her property and he had had no other conversations with her.

Charles Belak-Berger, project architect, reported that he had met with both of the parties who expressed concerns about the project at last meeting. With regard to Barbara Schulz, who owns the property at 136 Via Los Miradores, he stated that she was concerned that the project's foundation would surcharge her retaining wall and he

explained to her that this was not the case and he offered his assurance that drainage issues on her property would not be exacerbated by the new construction. He stated that the other issue of concern involves the mature avocado tree on the subject property, which Dr. Schulz would like to have removed to open up a view corridor, however, Ann Baker, who lives at 435 Via Linda Vista, would like the tree to remain in place to protect her privacy. He expressed the applicant's willingness to work with both of them to resolve this matter, possibly by removing the avocado tree and replacing it with something smaller.

Commissioner Weideman noted that Dr. Schulz's letter dated August 11, 2010 (supplemental material) states that Mr. Belak-Berger had offered to elevate the two windows by the fireplace to remedy privacy concerns. Mr. Belak-Berger responded that he would work with staff to resolve this matter to the satisfaction of the parties involved.

Commissioner Busch noted that the supplemental material also includes a letter from Kirt and Patti Strawn, 135 Via Los Miradores, requesting that the ridgeline of the roof be lowered to mitigate the view impact. Mr. Belak-Berger stated that he would be glad to work with staff on this matter but doubted that anything could be done because the roof is almost flat with only a 2-in-12 pitch and lowering the structure any further into the ground could result in major drainage issues.

Commissioner Busch asked about staff's assessment of the view impact at 135 Via Los Miradores. Planning Manager Lodan advised that staff did not observe a significant view impact because the affected view was from the driveway and front yard next to the public right-of-way.

Chairperson Horwich expressed concerns that Mr. Belak-Berger had sidestepped the issues by saying that he would work with staff rather than agreeing to any changes.

Mr. Belak-Berger stated that he would rather not deal with the height of the project at this hearing, but was willing to increase the sill height of the windows next to the fireplace or even eliminate them. He explained that due to the low pitch of the roof, there was no room for an attic so he had included a below-ground storage area adjacent to the garage, which increases the project's FAR (floor area ratio) above the recommended 0.50 threshold, and requested that the Commission consider allowing this area to remain.

Kirt Strawn, 135 Via Los Miradores, reported that the applicant has been very good about sharing his plans, however, he still had some concerns about the project. He stated that he would like the peak of the roof to be lowered to be the same height as the rest of the roof; that he did not want tall trees to be planted that could block his view; that he was concerned about the height and the size of chimney due to potential view impact; and that he would prefer something more appealing than just a hot mopped flat roof over the garage since his house will look down on it.

Commissioner Gibson questioned whether Mr. Strawn was present at the August 4 meeting when this case was originally considered, and Mr. Strawn responded he was unable to attend that meeting.

Asked by Commissioner Uchima to characterize the view loss, Mr. Strawn described it as a little speck of ocean view in between palm trees.

Patti Strawn, 135 Via Los Miradores, noted that she sent an email to Planning staff detailing her concerns about the project prior to the August 4 meeting. She contended that the peaked roof should be eliminated because its only purpose is to allow light into the house via a row of windows and the same thing could be accomplished by installing skylights in a flat roof without impacting the views.

Commissioner Uchima questioned whether the view loss was from the house or the driveway, and Ms. Strawn reported that there is view loss from the house, but the impacted ocean view is from the driveway.

Debra Geary, 125 Via Los Miradores, expressed support for the Strawns' claim of view loss, relating her observation that their entire view of the valley would be obstructed by the project.

Steve Paulsen, 140 Via Los Miradores, applicant, stated that he has done everything possible to try to address neighbors' concerns; that it was impossible to build on this site without impacting someone; and that he would like to move forward with the project because the house in its current condition is uninhabitable. He reported that he was able to appease both neighbors who had expressed concerns at the prior meeting as evidenced by their absence this evening.

In response to Commissioner Busch's inquiry, Planning Manager Lodan advised that staff did not believe the project would have a significant impact on the view, light, air or privacy of neighbors.

Commissioner Weideman related his understanding that there is a type of fireplace that does not require a chimney.

Planning Manager Lodan explained that a direct-vent fireplace does not require a chimney, however there is a provision in the Hillside Ordinance that allows one chimney by right as long as it is minimum sized.

Commissioner Weideman encouraged the applicant to look into using this type of fireplace as a show of good faith.

Mr. Belak-Berger agreed to use a direct-vent fireplace. He explained that he did not want to use skylights because clerestory windows are more appealing and skylights leak and are hard to clean, but offered to reduce the height of the structure one more foot as a compromise. He expressed frustration that he has worked to resolve neighbors' concerns, but new people keep coming forward.

At the Commission's request, Planning Manager Lodan offered appropriate wording for revising conditions to reflect the height reduction and the modification of windows earlier discussed.

Commissioner Busch stated that he believed the applicant and his architect had made a good faith effort to address neighbors' concerns and he would support the project with the revised conditions.

Returning to the podium, Mr. Strawn reiterated that even though he and his wife did not attend the August 4 meeting, they sent an email detailing their concerns. He asked about the possibility of specifying the color of the roof.

Planning Manager Lodan advised that staff typically does not become involved in color selection for residential projects.

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

MOTION: Commissioner Weideman moved for the approval of PRE10-00004, as conditioned, including all findings of fact set forth by staff, with the following modifications:

Modify

No. 3 That the maximum height of the residence at the highest point of the roof shall not exceed a height of ~~24.00'~~ 23.00' as represented by the elevation of ~~110.73'~~ 109.73' and a lowest adjacent grade of 86.73' based on a bench mark elevation of 99.35"...

No. 4 That the height of the structure shall be certified by a licensed surveyor/engineer prior to requesting a framing or roof-sheathing inspection and shall not exceed ~~24.00'~~ 23.00' based on the elevation of ~~110.73'~~ 109.73'...

Add

- That the windows next to the fireplace shall have a minimum sill height of 5'6".

The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote with Commissioner Browning abstaining.

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution No. 10-040.

MOTION: Commissioner Weideman moved for the adoption of Planning Commission Resolution No. 10-040 as amended. The motion was seconded by Commissioner Skoll and passed by unanimous roll call vote with Commissioner Browning abstaining.

The Commission briefly recessed from 8:25 p.m. to 8:35 p.m.

10. **WAIVERS** – None.

11. **FORMAL HEARINGS**

11A. **MOD10-00007: PAUL BOGHOSSIAN (CHURCH OF CHRIST THE KING LUTHERAN CHURCH)**

Planning Commission consideration for approval of a Modification of a previously approved Conditional Use Permit (CUP75-19) to allow the installation of a modular classroom on property located in the A-1/R-2 Zone at 2706 182nd Street.

Recommendation

Approval.

Planning Associate Martinez introduced the request.

John Kim, Studio B Design Group, project architect, briefly described the proposed project, explaining that the new classroom will be used for junior high bible study. Referring to the conditions of approval, he reported that the applicant was concerned about Condition No. 3, which requires a landscape plan to be submitted to the Community Development Department prior to issuance of any building permits and implemented prior to occupancy, because the church is on a tight budget and the condition does not specify exactly what is involved.

Reverend Dale Kramland, pastor of Church of Christ the King Lutheran Church, questioned whether Planning staff had actually visited the site to assess the condition of the landscaping.

Planning Manager Lodan reported that the Planner assigned to the case was very familiar with the site and specifically included this condition. He advised that the landscape plan would not have to be prepared by a landscape architect; that staff was mainly concerned about areas visible to the public; and that Planning staff would be glad to work with the applicant to ensure that any improvements to the landscaping are cost effective.

Reverend Kramland related his belief that the site was already attractively landscaped and interfaces well with the surrounding neighborhood, noting that the church employs a gardener who attends to the grounds on a regular basis.

A brief discussion ensued, and Reverend Kramland indicated his preference to continue the hearing so he could gain a better understanding of exactly what would be required with regard to landscaping.

MOTION: Commissioner Weideman moved to continue the hearing to September 15, 2010. The motion was seconded by Commissioner Busch and passed by a 6-1 vote, with Commissioner Gibson dissenting.

Chairperson Horwich announced that the hearing would not be re-advertised because it was continued to a date certain.

11B. CUP10-00011: COLE VOCATIONAL SERVICES – TORRANCE

Planning Commission consideration for approval of a Conditional Use Permit to allow an Adult Daycare Facility on property located in the H-NT Zone at 4236 Artesia Boulevard.

Continued to September 15, 2010.

12. **RESOLUTIONS** – None.

13. **PUBLIC WORKSHOP ITEMS** – None.

14. **MISCELLANEOUS ITEMS** – None.

15. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS

Planning Manager Lodan reported that at the August 17 City Council meeting, Councilwoman Rhilinger requested under orals that at item be brought forward at the next meeting that would allow the Council to vote on whether to reconsider its action on the project at 22221 Warmside Avenue (PRE08-00011).

16. LIST OF TENTATIVE PLANNING COMMISSION CASES

Planning Manager Lodan noted that the meeting of September 1, 2010 has been cancelled and reviewed the tentative agenda for the September 15, 2010 Planning Commission meeting.

17. ORAL COMMUNICATIONS #2

17A. Commissioner Skoll noted that according to the *Commissioner Guide* the Commission's annual report should be based on the City's fiscal year and the report should be signed by the chairman of the commission.

Planning Manager Lodan suggested that information from the first half of 2010 be added to the 2009 report and forwarded to the City Council so the Commission would be on track for future reports.

17B. Commissioner Busch noted that he had mentioned to Planning Manager Lodan that Target has expanded its hours of operation until 11:00 p.m. but the lights in the parking lot shut off earlier leaving it extremely dark.

Planning Manager Lodan reported that he has relayed this information to Environmental Division staff and will also notify the Police Department to ensure that there is enough light for safety purposes.

17C. Noting the recent spate of cases involving churches, Commissioner Busch stated that he thought the Commission was "blessed" to have Planning Manager Lodan provide his expertise on Planning matters.

17D. Commissioner Browning stated that he was very disturbed when he visited Del Amo shopping center last week and observed that the farmer's market that was approved by the Commission on July 21 was not complying with the requirement that a barrier of vehicles be maintained around the perimeter of the market for safety purposes. He reported that there were several large gaps in the barrier which provided a direct line of travel into booths despite the operator's assurance to the Commission that he would personally see to it that the barrier was maintained. He related his belief that this was an insult to the Commission and to safety personnel who devised the condition and asked that the matter be brought back to the Commission for reconsideration.

Commissioner Weideman related his understanding that a motion for reconsideration must be made within 15 days of the approval, and Commissioner Browning recalled that the timeframe was changed to accommodate those times when meetings are held more than two weeks apart.

Assistant City Attorney Sullivan requested a few minutes to research this matter.

Commissioner Uchima related his understanding that this was an enforcement issue that should be addressed by staff and Planning Manager Lodan advised that is typically the way something like this would be handled.

Chairperson Horwich stated that it appeared that the operator was flaunting the condition and requested that staff look into this matter and report back at the September 15 meeting.

Commissioner Busch expressed concerns that something could happen in the meantime.

Fire Marshal Kazandjian advised that an inspector from the Fire Department will be sent out to investigate the next time the market is held and if it is determined that there is an imminent hazard, the problem will have to be immediately corrected or the market will be shut down. He noted that the public is the Fire Department's eyes and ears and that any complaint that is made will be investigated and the complainant can remain anonymous.

Assistant City Attorney Sullivan advised that the Commission could make a motion to reconsider because the timeframe for doing so had not expired.

Commissioner Browning indicated that having the Fire Department investigate the matter was acceptable as he just wanted to ensure that the public is protected.

17E. Referring to the midyear major projects report, Commissioner Weideman noted that the report provides empirical evidence to support his feeling that there has been a significant slowdown in the number of Planning cases, with only 10 major projects in the last six months as compared to 18 between July and December 2009.

17F. Chairperson Horwich reported that the landscaping at the northwest corner of Henrietta and Torrance Boulevard is in terrible condition and asked that staff look into this matter.

17G. Commissioner Gibson reported that she has complained to management that emergency exit signs at the AMC theaters in Rolling Hills Plaza are not properly illuminated, but nothing has been done and requested that the Fire Department look into this matter.

18. ADJOURNMENT

At 9:13 p.m., the meeting was adjourned to Wednesday, September 15, 2010 at 7:00 p.m.

Approved as Submitted September 15, 2010 s/ Sue Herbers, City Clerk
