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TORRANCE PLANNING COMMISSION – MARCH 18, 2015

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At 9:40 p.m., the meeting was adjourned to Wednesday, April 1, 2015 at 7:00 p.m.

March 18, 2015

**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, March 18, 2015, in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Gibson.

3. ROLL CALL/ MOTIONS FOR EXCUSED ABSENCE

Present: Commissioners D'anjou, Gibson, Herring, Skoll, Tsao, Watson and Chairperson Polcari.

Absent: None.

Also Present: Planning Manager Lodan, Planning Associate Kevin Joe, Associate Civil Engineer Symons, Plans Examiner Noh, Fire Prevention Specialist Aleman 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 Friday, March 13, 2015.

5. APPROVAL OF MINUTES

MOTION: Commissioner Herring moved for the approval of the January 7, 2015 minutes as written. The motion was seconded by Commissioner Tsao and passed by unanimous roll call vote.

MOTION: Commissioner Herring moved for the approval of the February 18, 2015 minutes as written. The motion was seconded by Commissioner Tsao and passed by unanimous roll call vote.

6. REQUESTS FOR POSTPONEMENTS – None.

7. ORAL COMMUNICATIONS #1 – None.

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

8. TIME EXTENSIONS- None.

9. SIGN HEARINGS- None.

10. CONTINUED HEARINGS

10A. PCR15-00001: PARAGON LABORATORIES (VICTOR & CLAIRE KAUFMAN FAMILY TRUST)

Planning Commission consideration for approval of a Planning Commission Review to allow operating hours between 10:00 p.m. and 7:00 a.m. at an existing manufacturing facility on property located in the ML (M1-PP) Zone at 20433 Earl Street. This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities.

Recommendation: Approval.

Planning Associate Joe introduced the request.

Richard Kaufman, Paragon Laboratories, applicant, requested that Condition No. 6 be modified to allow the use of in-line noise attenuators as an alternative to building enclosures around roof-top mechanical equipment and that Condition No. 7 be modified to allow sound absorbing foam to be installed in the compressor shed as an alternative to constructing a ten-foot high noise barrier. He provided background information about the company, which produces nutritional supplements. He noted that it is a family-owned business that began in Hermosa Beach in 1971 and moved to Torrance in 1976 and he and his brother currently manage operations. He stated that the company only recently became aware of neighbors' concerns when a complaint was lodged about operating hours and noise and he subsequently hired an acoustical consultant to identify the source of the noise and recommend mitigation measures.

Referring to additional concerns detailed in a letter contained in the staff report (Patrick Kim, dated 2-26-2015), Mr. Kaufman stated that shipping/receiving hours are between 7:00 a.m. and 4:00 p.m., which is well within the hours permitted by Code, however he will ask his staff to review procedures to see if improvements can be made with regard to truck traffic. He reported that the facility has state-of-the-art equipment to control dust and odors and he personally did not detect odors coming from it, but he will look into this concern. With regards to concerns about parking and litter, he explained that employees park on-site and along Earl Street, as do employees from other nearby businesses; that he walks the neighborhood regularly for exercise and has not seen a lot of litter; and that he will discuss these issues with his employees and emphasize the importance of being a good neighbor. He noted that he has requested the operating hours from 6:00 a.m. to 11:00 p.m. because he needs to be able to operate two 8-hour shifts.

In response to Commissioner Tsao's inquiry, Mr. Kaufman reported that the company has approximately 50 employees including both shifts.

Commissioner Gibson expressed concerns that apparently this company has been operating outside of Code permitted hours of operation for some time.

Mr. Kaufman responded that he was unaware of this violation until he received the complaint from the City.

Commissioner Watson related her understanding that there are certain residential streets in Torrance where parking is by permit only to prevent employees from nearby businesses from parking there.

Planning Manager Lodan advised that there is a process by which a street can be designated for permit-only parking, which is handled by the Public Works Department, however, there are only a few streets that have these restrictions.

Commissioner Watson asked about strategies should the business continue to grow.

Mr. Kaufman reported that the company purchased another site off Mariner Avenue in 2010 where their packaging operations are handled and they continue to look for ways to improve operations.

Commissioner D'anjou disclosed that she visited the site at approximately 6:15 a.m. this morning, but did not speak with anyone.

Commissioner Gibson asked about the procedure should the applicant wish to increase operating hours in the future, and Planning Manager Lodan advised that the matter would be brought back before the Commission.

Commissioner Skoll pointed out that Condition No. 5 indicates that the Community Development Director can approve such a request, and Planning Manager Lodan suggested amending the condition to specify that Planning Commission approval is required.

Chairperson Polcari invited public comment.

Patrick Kim, 4204 Michelle Drive, briefly summarized the concerns detailed in his letter, noting that his is the closest residence to the business. He explained that Paragon Laboratories was not solely responsible for all the problems discussed since there are other businesses in this area, but he felt these issues need to be addressed now that the company was asking for extended hours of operation. He reported that he sometimes hears noise coming from the facility until midnight and starting up again at 5:00 a.m. and he had feared that they wanted to operate around the clock due to the way the agenda item was worded.

Commissioner Skoll thanked Mr. Kim for his letter. He noted that Mr. Kaufman has indicated that he intends to address concerns by implementing mitigation measures recommended by the noise consultant, to review operating procedures with his staff to see if the impact on traffic can be reduced, and to ask employees not to park in residential areas. He suggested that the neighborhood could pursue permit-only parking if there continues to be a problem with businesses taking up street parking. He expressed the hope that staff would look into claims that other businesses are operating outside of Code permitted hours of operation.

Planning Manager Lodan advised that Code Enforcement staff will monitor the situation.

Commissioner D'anjou also thanked Mr. Kim for his letter, stating that she believed it was very thoughtful and very fair. She expressed reservations about granting the applicant the privilege of extended hours before Code violations are corrected.

Mr. Kaufman reiterated that he had only recently learned of neighbors' concerns and has every intention of addressing them.

Pointing out that the petition submitted by Mr. Kim was signed by 43 residents, Commissioner Herring questioned whether Mr. Kaufman had considered holding meetings with residents on an on-going basis.

Mr. Kaufman responded that he hopes to get to the point where there are no more complaints from residents and he did not want to promise to do something he did not have the resources for.

Commissioner Tsao stated that while the Commission wants to be supportive of businesses, they are also concerned about residents and suggested the possibility of approving the extended hours for a six-month probationary period to see if the mitigation measures are effective in controlling noise.

Mr. Kaufman reported he was amenable to a probationary period provided that noise levels are measured using objective standards.

Commissioner Gibson noted that the consultant's Noise Assessment acknowledges that the dust-collector's impulsive pressure release generates a "high intensity noise spike" that stands out against ambient noise.

Mr. Kaufman indicated that he was aware of this comment and intends to implement the mitigation measures recommended by the consultant.

Commissioner D'anjou reported that she parked on Michelle Drive when she visited the site and noise from the facility could clearly be heard from that distance. She related her observation that a roll-up door that was left open for no apparent reason, which allowed more noise to travel through the neighborhood, and the noise was magnified because there was no traffic at that time of the morning. She stated that she did not observe any trash or detect any odors, but felt that Mr. Kim's comments speak of a lack of care and concern businesses have for their residential neighbors and expressed the hope that the situation would improve now that they have been made aware of the problems. She indicated that she would support the two additional hours of operation as requested provided that there is a probationary period.

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

A brief discussion ensued regarding whether to continue the hearing or approve the application for a probationary period.

MOTION: Commissioner D'anjou moved to approve PCR15-00001, as conditioned, with all findings of set forth by staff with the following modifications:

Modify

No. 5 That if additional hours of operation will be needed in the future, the applicant shall submit his request in writing to the Planning Commission ~~Community Development Department~~ for review and approval ~~by the Community Development Director~~.

No. 6 That the applicant shall install in-line noise attenuators on the blowers located on the roof or install six-foot high sound attenuating enclosures surrounding all roof-top mechanical equipment (blowers) to reduce the noise level as identified in the submitted acoustical report to the satisfaction of the Community Development Director.

No. 7 That the applicant shall rebuild or modify the compressor shed to reduce noise emissions or install a ten-foot high wall on the parking lot level to the east of the existing shed that houses a large compressor as a noise barrier as identified in the submitted acoustical report to the satisfaction of the Community Development Director.

Add

- That the applicant shall return to the Planning Commission six months after installation of noise attenuation materials to review the effectiveness of mitigation measures.

The motion was seconded by Commissioner Tsao and passed by a 6-1 roll call vote, with Commissioner Gibson dissenting.

Planning Associate Joe read aloud the number and title of Planning Commission Resolution No. 15-016.

MOTION: Commissioner D'anjou moved to adopt Planning Commission Resolution No. 15-016 as amended. The motion was seconded by Commissioner Tsao and passed by unanimous roll call vote.

11. WAIVERS

12. FORMAL HEARINGS

12A. CUP15-00001, DVP15-00001, DIV15-00001, WAV15-00001: KNICKERBOCKER & ASSOCIATES (GALENA REAL PROPERTY LP)

Planning Commission consideration for approval of a Conditional Use Permit and Development Permit to allow the construction of a new mixed-use project, consisting of eight dwelling units and approximately 2,700 square feet of commercial space, in conjunction with a Division of Lot for condominium purposes and a Waiver of the rear setback on property located in the H-WT Zone at 24444 Hawthorne Boulevard. This project is Categorically Exempt from CEQA per Guidelines Section 15332 – In-Fill Development, and Section 15305 – Minor Alterations.

Recommendation: Approval.

Planning Associate Joe introduced the request and noted supplemental material consisting of revised conditions of approval and correspondence received after the agenda items was completed.

Craig Knickerbocker, Knickerbocker & Associates, Rolling Hills Estates, applicant, voiced his agreement with the recommended conditions of approval. He reported that his company is a consulting/project management firm, which was formerly located in Torrance and helped develop several projects in the downtown redevelopment area, and he plans to relocate the business to the commercial portion of this project. He noted that the site was formerly a swim school, but is functionally obsolete and related his belief that the project will encourage new development in the area.

Dan Withee, project architect, noted that he is very familiar with the Walteria area and was involved in a similar project across the street. Using renderings to illustrate, he briefly

described the proposed project, which consists of a two-story commercial building at the front of the site and eight three-story condominium units to the rear, with four units facing north and four units facing south. With regard to the proposed Waiver of the rear setback requirement, he explained that existing detached garages on the adjacent property will provide an ample buffer between the new condominium units and multi-family residences to the east. Urging approval of the project, he pointed out that the FAR (Floor Area Ratio) is under the maximum allowed and open space requirements are exceeded by approximately 75%.

Commissioner Skoll commented positively on the project, noting that his children attended Akai Swim School and he was surprised that the site was large enough to accommodate this development.

Chairperson Polcari voiced his opinion that the project was well-designed.

Commissioner Tsao also commented positively on the design, noting that he drives by the site on an almost daily basis.

Commissioner Watson asked about the adjacent business owner's concerns about residential balconies facing her property (supplemental material – letter from Miriam Landau, owner of 14430 Hawthorne Boulevard).

Mr. Knickerbocker responded that the new building will be approximately 70 feet away from Ms. Landau's building; that there are zero lot lines in this area so a commercial building could be built considerably closer; that it was unlikely that residents will be home during office hours; and that there will be CC&Rs that will not allow laundry to be hung over the railings. He noted that he will be part of the association because his business will be located in the building and he will make sure it's properly maintained.

In response to Commissioner Skoll's inquiry, Mr. Knickerbocker confirmed that he was in agreement with the revisions to conditions (deleting Condition Nos. 3 and 21) contained in supplemental material.

Rick Marshall, representing Miriam Landau owner of 14430 Hawthorne Boulevard, reported that Ms. Landau is opposed to the balconies that face her property because her commercial tenants do not want to be confronted with the private lives or belongings of residents and she was concerned that they would make office space harder to lease and lead to lower rents. He requested that the balconies be eliminated or relocated so they face another direction and that a six-foot high wall be constructed on the north side of the sundeck. He stated that Ms. Landau was also concerned about parking since she had to hire a security guard to prevent swim school customers from parking in her parking lot and she fears that this could become a problem again due to overflow parking from this development.

Commissioner Herring asked staff about Ms. Landau's concern that the project may make office space in her building harder to lease.

Planning Manager Lodan advised that when a property like the abandoned swim school is redeveloped with an attractive new building, the desirability of surrounding buildings along with property values tend to increase. He reported that there are two similar developments in the area, which include balconies that overlook commercial properties, and both have been well received.

Mr. Withee stated that he has designed a lot of similar projects, including one near Hawthorne Boulevard and Newton Street, and he has not heard of any complaints. He reported that the balconies cannot be changed to face another direction, but offered to use an obscure material for the lower portion of the railings. He explained that the balconies are necessary to allow sunlight into the units, which are fairly small.

Mr. Knickerbocker stated that people will be paying a lot of money for the units so he did not want to build something like an apartment building. He pointed out that the project will generate much less traffic than the swim school and it has more parking than the Code requires. He related his belief that Ms. Landau's rents are likely to increase as a result of the project.

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

MOTION: Commissioner Gibson moved to approve CUP15-00001, DVP15-00001, DIV15-00001 and WAV15-00001, as conditioned, including all findings set forth by staff, with the following modification:

Add

- That the applicant shall explore the use of an obscure material for the design of the residential balconies to the satisfaction of the Community Development Director.

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

Planning Associate Joe read aloud the number and title of Planning Commission Resolution Nos. 15-017, 15-018, 15-019 and 15-020.

MOTION: Commissioner Tsao moved to adopt Planning Commission Resolution Nos. 15-017, 15-018, 15-019 and 15-020 as amended. The motion was seconded by Commissioner Herring and passed by unanimous roll call vote.

12B. PRE15-00002: KENT HOLTORF

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story single-family residence with basement level on property located in the R-1 Zone at 5207 Paseo de las Tortugas.

Recommendation: Approval.

Planning Associate Joe introduced the request and noted supplemental material consisting of a list of Code Requirements and correspondence received after the agenda item was completed.

Commissioner D'anjou disclosed that she visited the site, but did not speak with anyone. Commissioner Watson disclosed that she visited 5207, 5201 and 5113 Paseo de las Tortugas, which she was familiar with because she grew up in the neighborhood. Commissioner Skoll disclosed that he visited the site and the properties owned by Linda Babcock (5201 Paseo de las Tortugas) and Sarah Butterfield (5113 Paseo de las Tortugas) and they "bent his ear" however these comments were already included in their letters. Commissioner Gibson disclosed that she drove by the site and around the neighborhood, but did not speak to anyone. Commissioner Herring disclosed that he drove by the site on March 16; that he visited 5201

Paseo de la Tortugas on March 18 in response to the letter from Linda Babcock (supplemental material); that he viewed the flags from the backyard and asked how far her property extends; and that she talked about her concerns about view impact and slope stability. He noted that he also visited 5113 Paseo de las Tortugas and that he did not offer any opinions about the project. Commissioner Tsao disclosed that he visited the site and Ms. Babcock's backyard and she offered her opinion, but he did not make any comment.

Fabio Rigo de Righi, project architect, voiced his agreement with the recommended conditions of approval. He provided an overview of the project, noting that the FAR (floor area ratio) and lot coverage is well below the maximum allowed and the lot is the largest on the block and the only one on this side of the street that does not have a power line easement in the backyard. Referring to renderings, he discussed his efforts to minimize the impact on neighbors, pointing out that the proposed project is only 4'4½" taller than the existing one-story home. He reported that he located the pool and outdoor living area on the opposite side of the property next to the park to address Ms. Babcock's concerns about noise and windows were carefully positioned to mitigate the impact on privacy.

Mr. Rigo de Righi explained that a soils report was prepared by a geologist that indicates that the stability of the slope exceeds requirements and the new structure, which will be constructed on pilings sunk into bedrock, will be less of a surcharge on the slope than the existing structure. Referring to an aerial photograph showing existing trees, he indicated that the property owner would be willing to enter into a long-term tree maintenance agreement if the project is approved. Referring to photographs taken from neighboring properties, he noted that the project cannot be seen from Ms. Babcock's living room because her own house blocks the view in this direction and the view Ms. Butterfield has expressed concerns about losing, is blocked by hedges on her property. He voiced his opinion that the project will enhance views rather than detract from them due to the removal of trees to be done in conjunction with the project.

Commissioner Watson expressed concerns that the site is located next to a heavily used park.

Mr. Rigo de Righi reported that the property owner intends to build a fence as tall as possible to act as a screen and most of the existing trees bordering the west side of property will remain because they are city trees.

Commissioner Watson explained that there is a great deal of concern about slope stability in this area because there was some faulty construction done in the 1970s which created problems.

Commissioner Gibson asked about the claim in Ms. Babcock's letter that the 700 square-foot detached accessory structure will be available for rent.

Mr. Rigo de Righi responded that neither he nor the property owner ever said that and he did not know how she got this impression.

Commissioner Gibson related her understanding that the mission clay tiles proposed for the roof have been outlawed in some areas because they can become projectiles in a fire.

Fire Prevention Specialist Aleman indicated that he was not aware of any such problem.

In response to Commissioner Skoll's inquiry, Plans Examiner Noh confirmed that Building and Safety staff will review the soils report along with the structural plans to make sure that the project will not affect the stability of the hillside.

Commissioner Skoll reported that he observed that the project would block ocean views from both Ms. Babcock's and Ms. Butterfield's backyards, which is contrary to the Hillside Ordinance.

Planning Manager Lodan advised that City planners take into account where the affected views are from, for example views from a living room or a master bedroom are given more weight, and in this case it was felt that the view impact was balanced by the view corridor that will be improved due to tree removal.

Commissioner Skoll stated that he also observed that the project would block ocean breezes, and Planning Manager Lodan reported that staff had a differing opinion.

Sarah Butterfield, 5113 Paseo de las Tortugas, expressed concerns that the proposed project would block her view of the "queen's necklace," noting that the back walls of each home along this block are in line to preserve views and the proposed project disrupts this pattern. She stated that she did not understand how a second story could be approved when her family could not get a new roof approved because it would increase the slope of the roof. She stated that there are sinkholes in this area so slope stability is a valid concern, but she now understands the Engineering Department will take care of this issue. She contended that the proposed project would loom over her backyard and block cooling ocean breezes in the afternoon.

Ann Ferrelli, Newton Street, reported that she only learned of this project a couple of weeks ago and she felt this lack of notification had placed residents on Newton at an unfair disadvantage. She expressed concerns that the proposed project would greatly impact her privacy, as well as others who live on Newton Street. She explained that she has several windows facing the project and the privacy of her front balcony would also be affected. She stated that she was disgusted with the Hillside Ordinance and does not want seven people taking her privacy away with the stroke of a pen and she believes the ordinance is not helping residents and is nothing but job security for the Planning Department.

In response to Commissioner Skoll's inquiry, Planning Manager Lodan confirmed that residents of Newton Street received notice of the hearing. He clarified that the Code requires that notices be sent to property owners within a 300-foot radius of a project, but the City has expanded this to 500 feet.

Linda Babcock, 5201 Paseo de las Tortugas, stated that the trees on the subject property were planted by the previous owner and have been a source of contention for many years. She suggested that the proposed project is a beautiful home, but it was not appropriate for this area due to its size and scale. She expressed concerns that the project would eliminate her view of the queen's necklace, block ocean breezes, and reduce the value of her property, as well as potentially destabilize the hillside.

Commissioner Gibson asked about Ms. Babcock's claim that the applicant intended to rent out the accessory structure/guest house, and Ms. Babcock stated that either the architect or property owner mentioned this and it may have been in jest, but she didn't take it that way.

Kent Holtorf, owner of the subject property, explained that the unique pie-shaped lot presented a challenge in designing the project and he tried very hard to work with neighbors. He related his belief that neighbors' views will be improved by the project due to the removal of trees.

Commissioner Herring asked about Ms. Ferrelli's privacy concerns.

Mr. Holtorf stated that residences on Newton Street are so far away someone would need a telescope to intrude on their privacy, however, he would be willing to plant a hedge or trees at the bottom of the property to address this concern. He clarified that if anything was said about renting out the accessory structure it was definitely a joke.

Mr. Rigo de Righi explained that residents on Newton Street were not included when he mailed invitations to a community outreach meeting in January because he only sent them to residents within a 300-foot radius. Referring to a photograph taken from her property, he disputed Ms. Babcock's claim that the project would eliminate her view of the queen's necklace.

Commissioner Tsao stated that he was concerned about view impact and asked about the possibility of downsizing the house, moving the second-floor office above the guest room, or shifting the kitchen to the location of the outdoor living space.

Mr. Rigo de Righi responded that the office does not impact views and relocating the kitchen was not feasible. He reported that he had offered to shift the rear wing of the house 11 feet toward the park to open up Ms. Babcock's view corridor, but apparently that would not address her concerns. Referring to Commissioner Skoll's comments about view impact, he explained that it's very difficult to preserve view corridors all over the lot so he focused on views from inside houses. He pointed out that the project has a 75-foot rear setback and disputed the idea that it is a mansion.

Commissioner Tsao reiterated his concern about view impact, noting that much of the rear lot is unusable due to the slope and the project takes up almost all of the flat area.

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

Commissioner Watson disclosed that she went to high school with Linda Babcock, but this will not influence her decision.

Commissioner Skoll stated that despite staff's assurances, he remains concerned about the slippage of the hillside based on what happened in the past. He voiced his opinion that the proposed project was a classic case of mansionization in terms of the Hillside Overlay District and while it is a beautiful home, it does not belong there. He related his belief that ocean views should be protected even when they are from backyards and reiterated his concern that the project would block ocean breezes.

Chairperson Polcari agreed that it was a beautiful home, but indicated that he could not support the project due to the impact on neighbors.

Commissioner Herring voiced his opinion that with regard to the Hillside Overlay, it was important to strike a balance between the right of residents to preserve their view, light, air and privacy and the right of property owners to expand their existing home or build a new one.

Indicating that he would support the project, he stated that he thought the owner had done a good job with the design and layout of the project and he believes it will definitely enhance property values in the area. He noted that the owner has attempted to work with neighbors to the east to enhance their views and has offered to enter into a long-term contractual agreement to ensure that trees are maintained in the future.

Commissioner Tsao indicated that he would not support the project as proposed.

Commissioner Watson stated that she believes that this lot can be developed, but there are adjustments that need to be made to the project before she could vote to approve it.

Commissioner D'anjou noted her agreement with Commissioner Herring's remarks regarding the need to balance competing interests. She voiced her opinion that the proposed project was appropriate for this lot, which is unique and extremely large, and related her observation that the view in question is already obscured by trees and fencing.

MOTION: Commissioner Skoll moved to deny PRE15-00002 without prejudice. The motion was seconded by Commissioner Gibson and passed by a 5-2 roll call vote, with Commissioners D'anjou and Herring dissenting.

Planning Manager Lodan reported that staff will bring back a resolution reflecting the Commission's decision for formal adoption at the next meeting.

Assistant City Attorney Sullivan noted that the period to file an appeal does not begin until the resolution is adopted.

13. **RESOLUTIONS**- None.

14. **PUBLIC WORKSHOP ITEMS** – None.

15. **MISCELLANEOUS ITEMS**

15A. **COMMUNITY DEVELOPMENT DIRECTOR WEEKLY SUMMARY REPORTS**

Planning Manager Lodan noted that the Community Development Director Weekly Summary Reports for February 27 and March 5, 2015 were distributed to the Commission.

16. **REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS** – None.

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

Planning Manager Lodan reviewed the agenda for the April 1, 2015 Planning Commission meeting.

18. **ORAL COMMUNICATIONS #2**

18A. Commissioner Gibson requested that Fire Department staff look into whether there is a problem with clay roof tiles becoming projectiles during a fire and report back to her.

18B. Commissioner Skoll noted his disagreement with an email sent to Commissioners by Assistant City Attorney Sullivan that seems to discourage them from making site visits. He voiced his opinion that it was important that Commissioners have the ability to visit project sites so they can make own determination rather than relying on staff's judgment.

Assistant City Attorney Sullivan clarified that he was not telling Commissioners that they could not make site visits, but was cautioning them about the need for more detailed disclosures. He explained that all parties involved in a case have a right to know about any conversation a Commissioner has outside of the public hearing that might influence his or her decision, therefore Commissioners must disclose in detail exactly what was discussed during a site visit.

Commissioner D'anjou agreed that it was important for Commissioners to be able to visit a site so they can draw their own conclusions, but explained that she has found that it's best to inform people that she cannot engage in any conversation and they should discuss their concerns at the Planning Commission meeting.

Commissioner Gibson noted that she does not speak with people when visiting a site per advice she was given by City Attorney Fellows.

Commissioner Watson related her experience that it was best not to engage in conversations on site visits and to make it clear at the outset that you are just there to make observations.

18C. Commissioner D'anjou commented on the closure of the Akai Swim School.

18D. Chairperson commented positively on the meeting and thanked Commissioners for their assistance.

18D. Commissioner Tsao commended staff, legal counsel and Chairperson Polcari for their efforts.

19. ADJOURNMENT

At 9:40 p.m., the meeting was adjourned to Wednesday, April 1, 2015 at 7:00 p.m.

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Approved as submitted April 15, 2015 s/ Rebecca Poirier, City Clerk
