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TORRANCE PLANNING COMMISSION – JUNE 15, 2016

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At 9:17 p.m., the meeting was adjourned to Wednesday, July 20, 2016 at 7:00 p.m.

**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, June 15, 2016, in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Herring.

3. ROLL CALL/ MOTIONS FOR EXCUSED ABSENCE

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

Absent: None.

Also Present: Planning Manager Lodan, Planning Associate Gomez, Plans Examiner Noh, Sr. Fire Prevention Officer Kazandjian, Associate Civil Engineer Symons 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, June 9, 2016.

5. APPROVAL OF MINUTES

MOTION: Commissioner Polcari moved to approve the May 18, 2016 Planning Commission minutes as written. The motion was seconded by Commissioner Rudolph and passed by unanimous roll call vote.

6. REQUESTS FOR POSTPONEMENTS – None.

7. ORAL COMMUNICATIONS #1 – None.

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Chairperson D'anjou 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. PRE15-00009: TOMARO DESIGN GROUP (ROBERTO DIGENOVA)

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story, single-family residence on property located

within the Hillside Overlay District in the R-1 Zone at 202 Via Anita. This project is Categorically Exempt from CEQA per Guidelines Section 15303 – New Construction.

Recommendation: Approval.

Planning Associate Gomez introduced the request and noted supplemental material consisting of correspondence received after the agenda item was completed.

Louie Tomaro, project architect, submitted an information packet, including 3-D renderings of the project. He reviewed revisions made to the project since the March 16, 2016 Planning Commission hearing, including lowering the overall height of the structure, eliminating the rooftop deck and reconfiguring bedrooms. He explained that rather than a two-story house, the project is actually a one-story house with a basement, noting that 1100 square feet of living space is below grade. He pointed out that the project's ridge height is two feet below the height of the existing structure and this along with the removal of trees will improve views for neighbors.

Commissioner Polcari and Commissioner Gibson disclosed that they had each driven by the site but did not speak with anyone; Commissioner Tsao disclosed that he drove by the site twice; and Commissioner Rudolph disclosed that he went inside 206 Via Anita to look at the view impact but did not discuss the project. Commissioner Watson noted that she lived next door to the subject property as a child.

Jean Norton, 307 Via San Sebastian, submitted a survey of the square footage of residences within the notification area to support her claim that the size of the project was not consistent with the area. She maintained that the project would block ocean views, intrude on neighbors' privacy, reduce light and air to adjacent properties and decrease property values. She reported that there is a problem with water seepage in the area due to an underground stream and expressed concerns that building subterranean will exacerbate the problem.

Plans Examiner Noh advised that the applicant will be required to submit a grading plan, which will be reviewed by the Grading Division during the plan check process to ensure that proper drainage is maintained, and if anything, drainage will be improved.

Jerry Zamora, 402 Via San Sebastian, contended that the proposed house was too large and that it would change the character of the neighborhood, referring to written material submitted for the record. He noted that there are larger homes in the area, but they were built before the Hillside Ordinance.

Kimberly Chen, representing her parents, the owners of 206 Via Anita, stated that the revisions opened up a small portion of her parents' view, but the house has been extended an additional two feet into the front yard, which blocks even more of their view. She related her belief that the proposed house was too large for the area.

Mian Zheng, 206 Via Anita, expressed concerns that the proposed project would block ocean, sunset and city-light views from her sunroom and kitchen, explaining that she spends much of her time in the kitchen and greatly enjoys the view.

Janice Rohn, 322 Via San Sebastian, voiced objections to the proposed "McMansion." She expressed concerns that approving it would set a precedent and related her belief that it was important to prevent the Riviera area from becoming another Manhattan Beach.

John Stefan, realtor with Berkshire Hathaway, offered his professional opinion that the project could cause 206 Via Anita to lose hundreds of thousands of dollars in value due to view loss and submitted information in support of this claim.

Jeanine Speros, 416 Via San Sebastian, reported that she visited 206 Via Anita and observed that the proposed project would block ocean views from this residence. She expressed concerns that the driveway for the subterranean garage exits on Paseo de los Reyes and called for a traffic study to be performed before this is allowed. She contended that the project was too large and approving it would set a dangerous precedent affecting the entire Riviera area.

Judy Brunetti, Riviera Homeowners Association, stated that despite revisions, the proposed house is still very large and it has a large office and a movie theater that could be scaled down. Noting that she visited the Chens at 206 Via Anita, she related her observation that most of the view impact is caused by the two-foot extension at the front of the proposed house. She noted that there is a block wall topped with Plexiglas separating 206 Via Anita from the subject property, which was designed to allow the Chens an ocean view, but overgrown oleander bushes on the applicant's property have completely obscured this view. She urged that the project be downsized and that a feasibility study be conducted concerning the relocation of the driveway.

Maria Ommer, 124 Via Anita, expressed concerns about the proposed project's impact on her privacy.

Roger Tashima, 403 Via San Sebastian, stated that he was opposed to any project that exceeds the height of the existing roof due to the precedent it would set. He noted, however, that he was confused about this project because it is listed as a two-story, but the silhouette does not appear to exceed the height of the existing roof.

Rosemary Tashima, 403 Via San Sebastian, noted her agreement with her husband's remarks.

Mike Farrell, 508 Paseo de los Reyes, reported that he met with the property owner following the last hearing and his concerns about privacy impact were resolved with the elimination of the rooftop deck.

Robert DiGenova, owner of the subject property, reported that he started this process over a year ago and purposely selected an architect with experience in the Hillside area and he and his family moved out of the house seven months ago because it had become almost uninhabitable. He noted that his lot is significantly larger than the average lot in this area so it can accommodate a larger house and explained that the proposed driveway is on the same street as the existing driveway so there's no need for any kind of study. He stated that he has done everything possible to try to make neighbors happy, but feels like he is doing all the compromising.

Lisa DiGenova, owner of the subject property, discussed their efforts to design a house that would beautify this corner lot and maintain the character of the neighborhood. She conceded that vegetation has become overgrown, but explained that they are currently making two house payments and can't afford to have a gardener come on a regular basis. She stated that she believes the project's impact has been mitigated, noting that going subterranean significantly adds to the cost, but they were willing to do this to accommodate neighbors.

In response to Commissioner Gibson's inquiry, Ms. DiGenova reported that they are currently renting a home on Hickory Avenue in Torrance

Commissioner Polcari commented positively on the project, relating his belief that it does not look like a McMansion and that it would be a great improvement over the existing house.

Commissioner Herring expressed concerns about the view impact to the neighbor to the east (206 Via Anita).

Ms. DiGenova responded that they modified the plans at least 3 times to try to address this impact and she felt the fact that they are improving the view for the Chens in other areas should be considered.

Mr. DiGenova pointed out that the new structure will be two feet lower than the existing house, which will open up views and allow more light for the neighbor to the east.

Lynn Soares, 509 Calle Miramar, stated that she was there to support the DiGenovas and believes the project would have very little impact on views.

Noting that it's impossible to develop a property without having some kind of impact, Mr. Tomaro related his belief that the project was consistent with the Hillside Ordinance. Responding to audience members' comments, he reported that three trees will be removed in conjunction with the project, which will open up Ms. Norton's ocean view; that her property drains into the subject property; and that any drainage issues will be addressed during the plan check process. He disputed that claim that the house was overly large, pointing out that the visible portion of the structure will look the same as a 2800 square-foot house with a garage. He explained that the location of the new driveway is far safer than the existing driveway. Urging approval of the project, he maintained that the slight view impairment was more than made up for by the views that will be improved.

Commissioner Rudolph expressed concerns about the view impact at 206 Via Anita and asked if the height in the area of the master bedroom could be reduced to mitigate this impact.

Mr. Tomaro indicated that it might be possible to lower the height in this area by 2 inches.

Planning Manager Lodan noted that Condition No. 7 requires this corner of the residence to be shifted back approximately 2 feet to restore the view corridor for 206 Via Anita.

Mr. Tomaro stated that he was reluctant to agree to this condition because the south side of the project has already been cut back by 5 feet, but would do so to gain approval.

Commissioner Tsao stated that he liked the design of the project, but could not support it because of view blockage and because he thought it was still a little too large.

Chairperson D'anjou voiced support for the project, noting that several speakers expressed concerns about setting a precedent, however the Precise Plan process was designed so that each project in the Hillside area is thoroughly reviewed by both staff and the Planning Commission to ensure compliance with the Hillside Ordinance.

After Planning Manager Lodan confirmed that the current silhouette does not reflect the changes required by Condition No. 7, Commissioner Rudolph indicated that he was more inclined to support the project because he thought this would probably address his concerns.

Commissioner Gibson stated that she was also comfortable with this solution.

Voicing support for the project, Commissioner Watson related her belief that the project's mid-century modern design was very appropriate for the area.

Commissioner Herring indicated that he could not support the project because he thought it was too large and he is concerned about mansionization.

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

MOTION: Commissioner Polcari moved to approve PRE15-00009, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Gibson and passed by a 5-2 roll call vote, with Commissioners Herring and Tsao dissenting.

Planning Associate Gomez read aloud the number and title of Planning Commission Resolution No. 16-028.

MOTION: Commissioner Polcari moved to adopt Planning Commission Resolution No. 16-028. The motion was seconded by Commissioner Gibson and passed by a 5-2 roll call vote, with Commissioners Herring and Tsao dissenting.

10B. MOD15-00012 (EAS16-00002): DAVID KELLY (TORRANCE MINI PARTNERS)

Planning Commission consideration for adoption of a Negative Declaration and for approval of a Modification of a previously approved Conditional Use Permit (CUP96-00002) and a Precise Plan of Development (PRE96-00003) to allow an expansion of an existing self-storage facility on property located in the M1-PP Zone at 23711 Crenshaw Boulevard.

Recommendation: Approval.

Planning Associate Gomez introduced the request.

David Kelly, Torrance Mini Partners, provided background information about the project, explaining that they originally received approval for 167,700 square feet in 1996, but only approximately 106,000 was built and they were now requesting approval of 2 two-story buildings, which will replace the majority of RV parking stalls, and the future addition of a one-story building, which will bring the total square footage to 188,144. He voiced his agreement with the recommended conditions of approval.

Responding to questions from the Commission, Mr. Kelly reported that there are currently approximately 900 storage units; that renters may access their units between 9:00 a.m. – 10:00 p.m. by entering their PIN code on a keypad; that they currently have an occupancy rate of 89-90%; and that the size of units varies from 25 to 300 square feet. With regard to the timeline for the project, he explained that it will take 30-45 days to complete engineering drawings and then construction will take 8-9 months.

Commissioner Watson questioned whether storage will be offered for specialized items like artwork, wines or exotic cars, and Mr. Kelly stated that they only offer conventional self-storage.

Commissioner Gibson asked about security, and Mr. Kelly reported that there is someone in the office during business hours and a manager lives on-site in an apartment.

In response to Commissioner Gibson's inquiry, Assistant City Attorney Sullivan advised that it's common for self-storage facilities to have residential quarters.

Commissioner Rudolph questioned the need for this action.

Mr. Kelly explained that the original entitlement was not for two-story buildings and the 20,000 square-foot one-story building to be constructed in the future takes the total square footage beyond what was originally approved. He stated that he could not give a timeframe for the construction of the one-story building because it is under review as the company continues to do market analyses.

In response to Commissioner Rudolph's inquiry, Planning Manager Lodan confirmed that the City has approved phased developments in the past, which allow a portion of the project to be built in the future at an unspecified date.

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

MOTION: Commissioner Polcari moved to approve a Negative Declaration per EAS16-00002. The motion was seconded by Commissioner Gibson and passed by unanimous vote.

MOTION: Commissioner Polcari moved to approve MOD15-00012, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Planning Associate Gomez read aloud the number and title of Planning Commission Resolution No. 16-003.

MOTION: Commissioner Polcari moved to adopt Planning Commission Resolution No. 16-003. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

11. **WAIVERS** – None.

12. **FORMAL HEARINGS**

12A. **PRE16-00008, WAV16-00007: SHAWN QUESTA (JOHN BENGHERNO)**

Planning Commission consideration for approval of a Precise Plan of Development to allow additions and renovations to an existing two-story, single-family residence, including the demolition of the existing garage and basement, in conjunction with a Waiver of the maximum building height and side yard setback requirements, on property located within the Hillside Overlay in the R-1 Zone at 330 Via Colusa. This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities and 15305 – Minor Alterations.

Recommendation: Approval

Planning Associate Gomez introduced the request.

Commissioners Polcari, Gibson, Tsao and Watson disclosed that they each had driven by the subject property but did not speak with anyone.

Shawn Questa, project designer, voiced his agreement with the recommended conditions of approval and briefly described the proposed project. He explained that the Waiver of the side yard setback requirement is necessary so that the addition can maintain the existing five-foot setback on the western side of the property, which does not comply with current requirements, and the Waiver of the maximum building height is necessary because while addition does not exceed the height of the existing ridgeline, the overall height is increased as a result of the new lower adjacent grade.

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

MOTION: Commissioner Herring moved to approve PRE16-00008 and WAV16-00007, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Planning Associate Gomez read aloud the number and title of Planning Commission Resolution Nos. 15-053 and 16-054.

MOTION: Commissioner Herring moved to adopt Planning Commission Resolution Nos. 16-053 and 16-054. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Agenda Item 15C was considered out of order at this time.

15C. CONFERENCE WITH LEGAL COUNSEL ANTICIPATED LITIGATION - Significant exposure to litigation pursuant to Government Code Section 54956.9(d)(2).

One case: The denial MHE15-00071 by the Planning Commission on May 18, 2016 after the approval of MHE15-00071 by the Planning Commission on January 20, 2016.

At 8:36 p.m., the Planning Commission recessed to closed session to discuss the above listed item with Assistant City Attorney Sullivan.

The Planning Commission reconvened in open session at 8:57 p.m.

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Agenda Item 15D was considered out of order at this time.

15D. MHE15-00071: JOHN ERNST

Planning Commission consideration of a request to reconsider their decision to deny without prejudice a Minor Hillside Exemption to allow as as-built rooftop air conditioner unit on property located within the Hillside Overlay District in the R-1 Zone at 112 Via Colusa.

Phillip Toomey, representing John Ernst, applicant, noted that he submitted his arguments for reconsideration of this decision at the June 1, 2016 meeting.

Maro Matthews, 109 Paseo de Granada, urged the Commission not to reconsider their decision to deny MHE15-00071, relating his belief that it was the correct decision. Referring to written comments submitted for the record, he contended that the applicant was not entitled to have the matter reconsidered because he misrepresented the replacement air conditioner as being like-for-like when it's four times the size of the original unit and therefore has "unclean

hands.” He stated that it’s only logical that the unit has more tonnage because the original unit was installed 45 years ago when the house had much less square footage to cool.

MOTION: Commissioner Polcari moved to reconsider the decision to deny MHE15-00071. The motion was seconded by Commissioner Watson and passed by unanimous roll call vote.

Planning Manager Lodan announced that this matter will be scheduled for the July 20 or August 3, 2016 meeting and the hearing will be re-noticed and re-advertised.

13. **RESOLUTIONS** – None.

14. **PUBLIC WORKSHOP ITEMS** – None.

15. **MISCELLANEOUS ITEMS**

15A. **PLANNING COMMISSION ELECTIONS**

Commissioner Watson was elected as Chairperson and Commissioner Rudolph was elected as Vice Chair for FY2016-2017 by unanimous ballot.

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

Planning Manager Lodan noted that the Community Development Director Weekly Summary Reports for May 26, and June 3, 2016 were distributed to the Commission.

16. **REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS**

Planning Manager Lodan reported that the City Council considered an Ordinance prohibiting short-term rentals at the June 14 Council meeting and ultimately decided to send it back to staff for further review.

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

Planning Manager Lodan reviewed the agenda for the July 20, 2016 Planning Commission meeting.

18. **ORAL COMMUNICATIONS #2**

Commissioners congratulated Commissioner Herring on being elected to the City Council and commended Chairperson D’anjou for doing an excellent job serving as chair for the past year.

19. **ADJOURNMENT**

At 9:17 p.m., the meeting was adjourned to Wednesday, July 20, 2016 at 7:00 p.m.

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Approved as submitted July 20, 2016 s/ Rebecca Poirier, City Clerk
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