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TORRANCE PLANNING COMMISSION – JULY 20, 2016

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At 8:25 p.m., the meeting was adjourned to Wednesday, August 3, 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, July 20, 2016, in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner D'anjou.

3. ROLL CALL/ MOTIONS FOR EXCUSED ABSENCE

Present: Commissioners D'anjou, Polcari, Tsao and Vice Chair Rudolph.

Absent: Commissioner Gibson and Chairperson Watson.

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

MOTION: Commissioner Polcari moved to grant Commissioner Gibson and Chairperson Watson excused absences for this meeting. The motion was seconded by Commissioner D'anjou and passed by unanimous voice vote.

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, July 15, 2016.

5. APPROVAL OF MINUTES

MOTION: Commissioner Polcari moved to approve the June 1 and June 15, 2016 Planning Commission minutes as written. The motion was seconded by Commissioner D'anjou and passed by unanimous roll call vote (absent Commissioner Gibson and Chairperson Watson).

6. REQUESTS FOR POSTPONEMENTS

Planning Manager Lodan reported that the applicant has requested that Agenda Item 12C, PRE16-00006: Jehan Mir, be continued and staff was recommending that it be continued indefinitely with the matter to be re-advertised and re-noticed once a new hearing date has been scheduled.

MOTION: Commissioner Polcari moved to continue Agenda Item 12C indefinitely. The motion was seconded by Commissioner Tsao and passed by unanimous voice vote (absent Commissioner Gibson and Chairperson Watson).

Planning Manager Lodan reported that correspondence has been received (Supplemental #2) requesting that Item 12D, CUP15-00023, CUP15-00024, DVP15-00002, DVP15-00003, DIV16-00002, MOD15-00011 (EAS15-00002): Del Amo Financial Center LP, be continued, however staff was recommending that the hearing go forward and if the Commission believes a continuance is necessary after taking testimony from interested parties, it can be continued at that time.

7. **ORAL COMMUNICATIONS #1** – None.

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Vice Chair Rudolph 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. **MHE15-00094: BRUCE FRYMAN**

Planning Commission consideration of an appeal of a Community Development Director approval of a Minor Hillside Exemption to allow a detached deck in the rear yard of an existing two-story, single-family residence on property located within the Hillside Overlay District in the R-1 Zone at 3019 Windmill Road. This project is Categorically Exempt from CEQA per Guidelines Section 15303 – New Construction.

Recommendation: Approval.

Sr. Planning Associate Santana introduced the request and noted supplemental material consisting of additional correspondence from the appellant David Cornwell received after the agenda item was completed.

Bruce Fryman, applicant, requested that the Commission approve the proposed deck based on information he submitted at the June 1, 2016 hearing, noting that the deck does not interfere with anyone's view.

Commissioner D'anjou asked if Mr. Fryman would agree to increase the deck's setback from the property line shared with the appellant to 10 feet as he had offered in his letter to the appellant dated June 10, 2016 (Supplemental #1).

Mr. Fryman stated that he would be willing to do this, but the appellant rejected this offer.

David Cornwell, appellant, urged that the Commission deny the proposed deck. He contended that the deck violates the Hillside Ordinance because it would intrude on the privacy of his house and backyard; that it was not in harmony with the neighborhood because there are no other decks built over the slope within this development; and that it would reduce the value of his property. He explained that he rejected Mr. Fryman's offer because someone standing on the deck would still be able to look into his house and backyard and he proposed instead that the deck be lowered 4 feet, that the eastern edge of the deck be at least 10 feet from the property line, and that the northeast corner of the deck be cut off at a 45-degree angle to alleviate the

privacy impact. He stated that Mr. Fryman responded to his proposal with a threatening letter, which mentions his inability to go up and down stairs, however, he would have to climb 15 steps inside the house to even get to the backyard since it is on the second level.

Commissioner D'anjou suggested that speculating on what Mr. Fryman can and cannot do was not helpful to this discussion.

Mr. Cornwell responded that he raised this issue because he believes it shows that Mr. Fryman has not been forthright and he wants to preserve his ability to raise this issue on appeal.

Commissioner Polcari noted that he mentioned that he was not in favor of the proposed deck at the June 1 hearing and his opinion has not changed.

Mr. Fryman disputed the claim that he has not been forthright, explaining that he does not go inside the house because it is currently leased and he can access the backyard via a sloping ramp.

In response to Vice Chair Rudolph's inquiry, Mr. Fryman reported that he has never lived in the house and purchased it for his wife's family to live in when they immigrated from China; that that he leased it out in January for a one-year period, with options for renewal; and that he was building this deck in the hope that it would entice his daughter, who is a lawyer working in downtown Los Angeles, to move into the house.

MOTION: Commissioner Polcari moved to close the public hearing. The motion was seconded by Commissioner D'anjou and passed by unanimous voice vote (absent Commissioner Gibson and Chairperson Watson).

Vice Chair Rudolph indicated that he was inclined to deny the deck because it was not in conformance with the surrounding neighborhood and suggested that it was unfortunate that there is no active homeowners association which could have helped resolve this matter.

Commissioner D'anjou noted her disagreement with her colleagues, explaining that in order to deny a project, she feels the privacy impact should be substantial and she does not believe the fact that someone standing on the edge of a deck looking at a certain angle could see into a neighboring property qualifies as such.

MOTION: Commissioner Polcari moved to approve the appeal and deny MHE15-00094 without prejudice. The motion was seconded by Commissioner Tsao and passed by a 3-1 roll call vote, with Commissioner D'anjou dissenting (absent Commissioner Gibson and Chairperson Watson).

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

11. **WAIVERS** – None.

12. **FORMAL HEARINGS**

12A. CUP16-00006: ART ASHAI, AIA (GTT HOLDING CORPORATION)

Planning Commission consideration for approval of a Conditional Use Permit to allow the conversion and remodel of an existing industrial building to medical offices on property located in the M-2 Zone at 2927 Lomita Boulevard. This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities.

Recommendation: Approval.

Sr. Planning Associate Santana introduced the request.

Art Ashai, project architect, briefly described the proposed project, submitting colored renderings to illustrate, and noted that all of the other industrial buildings on this block have already been converted for medical use. He voiced his agreement with the recommended conditions of approval.

Commissioner Polcari asked about the timeline, and Mr. Ashai reported that the project will enter check process within the next few months.

MOTION: Commissioner D’anjou moved to close the public hearing. The motion was seconded by Commissioner Tsao and passed by unanimous voice vote (absent Commissioner Gibson and Chairperson Watson).

Commissioner D’anjou and Commissioner Polcari commented positively on the project.

MOTION: Commissioner Polcari moved to approve CUP16-00006, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner D’anjou and passed by unanimous roll call vote (absent Commissioner Gibson and Chairperson Watson).

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolution No. 16-055.

MOTION: Commissioner Polcari moved to adopt Planning Commission Resolution No. 16-055. The motion was seconded by Commissioner D’anjou and passed by unanimous roll call vote (absent Commissioner Gibson and Chairperson Watson).

12B. CUP16-00007: LEE S. MINSHULL (WEISS FAMILY LIMITED PARTNERSHIP)

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of a wholesale vehicle dealership within an existing industrial building on property located in the H-MP Zone at 3680 Skypark Drive. This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities.

Recommendation: Approval.

Sr. Planning Associate Santana introduced the request.

Vice Chair Rudolph disclosed that he has a business relationship with the applicant and offered to recuse himself from this hearing, and Mr. Minshull indicated that he had no objection to his participation in the hearing.

Lee Minshull, 3680 Skypark Drive, applicant, stated that he would like to open a wholesale vehicle dealership, however he does not expect to devote a lot of his time to it and will likely sell only one or two vehicles a month. He confirmed that he will do no servicing, washing, or repairing of vehicles on this site per the conditions of approval.

In response to Commissioner Polcari's inquiry, Mr. Minshull clarified that he intends to sell classic cars, not regular used vehicles.

MOTION: Commissioner D'anjou moved to close the public hearing. The motion was seconded by Commissioner Tsao and passed by unanimous voice vote (absent Commissioner Gibson and Chairperson Watson).

MOTION: Commissioner Polcari moved to approve CUP16-00007, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner D'anjou and passed by unanimous roll call vote, with Vice Chair Rudolph abstaining (absent Commissioner Gibson and Chairperson Watson).

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolution No. 16-056.

MOTION: Commissioner Polcari moved to adopt Planning Commission Resolution No. 16-056. The motion was seconded by Commissioner D'anjou and passed by unanimous roll call vote, with Vice Chair Rudolph abstaining (absent Commissioner Gibson and Chairperson Watson).

12C. PRE16-00006: JEHAN MIR (RUKHSANA MIR)

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 Hillside Overlay District in the R-1 Zone at 417 Via Anita. This project is Categorically Exempt from CEQA per Guidelines Section 15303 – New Construction.

Item was continued indefinitely.

12D. CUP15-00023, CUP15-00024, DVP15-00002, DVP15-00003, DIV16-00002, MOD15-00011 (EAS15-00002): NADEL RESIDENTIAL & COMMERCIAL, INC. (DEL AMO FINANCIAL CENTER LP)

Planning Commission consideration for adoption of a Mitigated Negative Declaration and for approval of a Conditional Use Permit and Development Permit to allow the construction and operation of a new 47,000 square-foot fitness center, a Conditional Use Permit and Development Permit to allow the construction and operation of a new 10,000 square-foot restaurant with 2,000 square feet of outdoor dining area, a Modification of a previously approved Precise Plan of Development (PP65-38) to allow the new structures, to allow the conversion of the existing professional office building to medical offices, and to allow shared parking and valet service, in conjunction with a Division of Lot to allow a Lot Line Adjustment, at the northeast portion of the Del Amo Financial Center site on property located in the H-DA1 Zone at 21515-21615 Hawthorne Boulevard.

Recommendation: Approval.

Sr. Planning Associate Santana introduced the request and noted supplemental material consisting of modifications to the conditions of approval (Supplemental #1) and correspondence received after the agenda item was completed (Supplemental #2).

Richard Fragapane, representing Muller Company, provided background information about the project, noting that the company purchased the subject property in 2015 and since that time has invested in many upgrades because the property had deteriorated under the previous ownership and there was a lot of deferred maintenance. He briefly described the proposed project, which includes a new fitness center, a new restaurant, and the conversion of an existing five-story office building to medical uses, submitting renderings and plans to illustrate. He reported that the company held a community outreach meeting in April 2016, which was attended by 40-50 people, most of whom were Southwood and Village Court Del Amo homeowners, along with representatives from the Double Tree Hotel and the nearby Torrance Fire Station, and the project was met with a lot of support. He explained that Village Court residents requested that a stop sign be installed at the three-way intersection near their entrance and that egress on Del Amo Circle be limited to right-turn only and both of these items have been incorporated into the plans.

Commissioner Polcari noted that he observed the deterioration firsthand as he drives by the site twice a day going to and from work and appreciates the applicant's efforts to improve it.

Commissioner Tsao commented positively on the project and asked about the timeline.

Mr. Fragapane reported that the company hopes to start construction in the first quarter of 2017 and the new structures will take approximately 14 months to complete.

Richard Greenberg, legal counsel for Del Amo 5, LLC, owner of adjacent parcel at Del Amo Financial Center, noted that his law firm has been a tenant of Del Amo Financial Center since 1981 and he greatly appreciates the applicant's efforts to upgrade the property and that neither he nor his client want to impede the project. He explained, however, that his client has concerns about how the project will interface with Del Amo 5's project with regard to parking, circulation, and the construction of a fire lane as detailed in his letter dated July 20, 2016 (Supplemental #2). He expressed concerns that the applicant will have a parking deficiency if the parking cannot be restriped and reconfigured as discussed in the staff report, which could adversely impact both properties, and suggested that the Commission grant a short continuance so parking and other joint matters could be worked out.

Planning Manager Lodan advised that staff views this as a stand-alone project, which can provide the necessary parking and fire lane access as required, and therefore believes it is ready to move forward this evening.

Mr. Greenberg reported that his client met with the applicant three weeks ago and requested more information and it is their position that these issues need to be dealt with now rather than waiting until later.

Planning Manager Lodan noted that Del Amo 5's project is in the preliminary stages and their application is not considered to be complete.

Mr. Greenberg responded that while the application is not complete, there have been several submittals to staff over the past year and it's very clear what the project will be. He expressed concerns that if parking issues are not addressed before this project goes forward, it will be too late.

In response to Vice Chair Rudolph's inquiry, Mr. Greenberg clarified that the information included along with his letter is a summary of the proposed project, which has not yet been considered by the Planning Commission.

Mr. Fragapane recalled that there have been various proposals over the past several years for projects on the adjacent property, none of which have come to fruition, and voiced his opinion that his client's project should not be held hostage by a project that is in the preliminary stages. He explained that if they are unable to gain the necessary parking spaces by re-striping as proposed, the deficiency would be approximately 50 stalls and this can be easily corrected by downsizing the restaurant. He noted that Pavilion A will be demolished in conjunction with this project because it is obsolete, thereby reducing parking requirements.

In response to Commissioner D'anjou's inquiry, Planning Manager Lodan provided clarification regarding the mitigation measure for Transportation/Traffic Impact, which requires the developer to pay a fair-share contribution for traffic improvements to mitigate the project's impact via Development Impact Fees.

Mr. Greenberg expressed concerns that surface parking at this site is currently be used by car dealers for vehicle storage, which is unsightly.

Mr. Fragapane suggested that the storage of vehicles on the property was not relevant to this discussion. With regard to parking concerns, he noted that parking requirements must be met before building permits for the restaurant can be issued per the conditions of approval.

MOTION: Commissioner Polcari moved to close the public hearing. The motion was seconded by Commissioner D'anjou and passed by unanimous voice vote (absent Commissioner Gibson and Watson).

Commissioner Polcari and Commissioner D'anjou expressed support for the project.

MOTION: Commissioner D'anjou moved to adopt a Mitigated Negative Declaration per EAS15-00002. The motion was seconded by Commissioner Polcari and passed by unanimous roll call vote (absent Commissioner Gibson and Chairperson Watson).

MOTION: Commissioner D'anjou moved to approve CUP15-00023, CUP15-00024, DVP15-00002, DVP15-00003, DIV16-00002, MOD15-00011, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Polcari and passed by unanimous roll call vote (absent Commissioner Gibson and Chairperson Watson).

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolution Nos. 16-058, 16-059, 16-060, 16-061, 16-062 and 16-063.

MOTION: Commissioner D'anjou moved to adopt Planning Commission Resolution Nos. 16-058, 16-059, 16-060, 16-061, 16-062 and 16-063. The motion was seconded by Commissioner Polcari and passed by unanimous roll call vote (absent Commissioner Gibson and Chairperson Watson).

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 June 9, June 17, June 23, and July 1, 2016 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 August 3, 2016 Planning Commission meeting.

18. **ORAL COMMUNICATIONS #2**

Jehan Mir requested that Agenda Item 12C be continued until at least September to allow him time to analyze the opposition the project so he can overcome staff's objections (previously granted under Item 6).

19. **ADJOURNMENT**

At 8:25 p.m., the meeting was adjourned to Wednesday, August 3, 2016 at 7:00 p.m.

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Approved as submitted September 21, 2016 s/ Rebecca Poirier, City Clerk
