

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

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:04 p.m. on Wednesday, January 21, 2004, in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Muratsuchi.

3. ROLL CALL

Present: Commissioners Botello, Faulk, Horwich, LaBouff, Muratsuchi, Uchima and Chairperson Drevno.

Absent: None.

Also Present: Sr. Planning Associate Lodan, Planning Assistant Kevin Joe, Deputy City Attorney Sullivan, Fire Marshal Carter, Associate Civil Engineer Symons and Building Regulations Administrator Segovia.

4. POSTING OF THE AGENDA

MOTION: Commissioner Horwich, seconded by Commissioner Muratsuchi, moved to accept and file the report of the secretary on the posting of the agenda for this meeting; voice vote reflected unanimous approval.

5. APPROVAL OF MINUTES

MOTION: Commissioner Horwich moved for the approval of the November 5 and November 19, 2003 Planning Commission minutes as submitted. The motion was seconded by Commissioner Muratsuchi and passed by unanimous roll call vote, with Commissioner Botello abstaining on the November 5 minutes.

6. REQUESTS FOR POSTPONEMENTS

None.

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

7. CONTINUED HEARINGS

7A. CUP03-00038: ROLLING HILLS PLAZA (SHANE LAMB)

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of a valet service for an existing shopping center on property located in the PD Zone at 25375 Crenshaw Boulevard.

Recommendation

Approval.

Planning Assistant Kevin Joe introduced the request.

Shane Lamb, applicant, submitted letters from supporters and Rolling Hills Plaza management. He reported that he has been discussing a validation system with tenants to help defray the cost of the valet parking and expects to have something in place in the near future. He voiced his agreement with the recommended conditions of approval and expressed his willingness to reconfigure/relocate the operation to staff's satisfaction. He stated that suggestions from Commissioners had been very helpful and he believed his valet service had improved as a result of going through the Conditional Use Permit process.

Noting that the parking plan appears to be the same one originally submitted, Commissioner Uchima stated his main concern was the loss of convenient parking and indicated that he would be more supportive of the operation if it was moved to the other side of the plaza and utilized the parking structure

Mr. Lamb stated that, at the suggestion of the Planning staff, he was waiting to draw up a new site plan until after tonight's meeting because there could be additional concerns that need to be addressed.

Commissioner Muratsuchi indicated that he would be inclined to support the proposal if the reception area was relocated, however, he could not make a decision without seeing a site plan.

Commissioner Botello echoed concerns about the lack of a site plan and asked if the applicant would like a continuance.

Commissioner Horwich noted that the information submitted by Mr. Lamb indicates that a validation system was going to be started immediately.

Mr. Lamb explained that starting this weekend, he intends to offer a rate of \$3 to customers who present a receipt from one of the center's restaurants to demonstrate the service's value, but it would likely take at least 90 days to implement a validation system.

Mr. Lamb agreed to a continuance, stating that he would return with a detailed plan and would attempt to get a validation system in place.

MOTION: Commissioner Uchima, seconded by Commissioner LaBouff, moved to close the public hearing; voice vote reflected unanimous approval.

MOTION: Commissioner Uchima moved to continue the hearing on CUP03-00038 to February 18, 2004. The motion was seconded by Commissioner LaBouff and passed by unanimous roll call vote.

Offering direction to the applicant, Commissioners expressed their preference that the reception area be moved to the south side of the plaza; that the parking structure be utilized for storing vehicles; and that a validation system be implemented.

8. WAIVERS

8A. WAV03-00023: JAN TROBAUGH

Planning Commission consideration for approval of a Waiver to allow a reduction in the front yard setback requirement in conjunction with the construction of a new single-family residence on property located in the R-1 Zone at 23748 Cabrillo Avenue.

Recommendation

Approval.

Planning Assistant Kevin Joe introduced the request and noted supplemental material available at the meeting consisting of additional Code requirements.

Jan Trobaugh, 2420 Carson Street, applicant voiced his agreement with the recommended conditions of approval. Referring to the supplemental material, he requested that he be allowed to retain the existing sidewalk on 238th Street instead of reconstructing it because it would necessitate the tearing down an existing block wall.

Commissioner Horwich noted that the reconstruction of the sidewalk is a Code requirement and therefore not subject to modification by the Commission.

MOTION: Commissioner Botello, seconded by Commissioner Horwich, moved to close the public hearing; voice vote reflected unanimous approval.

MOTION: Commissioner Botello moved for the approval of WAV03-00023, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

Planning Assistant Joe read aloud the number and title of Planning Commission Resolution No 04-006.

MOTION: Commissioner Muratsuchi moved for the adoption of Planning Commission Resolution No. 04-006. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

8B. WAV03-00025: JIM WOOD

Planning Commission consideration for approval of a Waiver to allow a reduction of the side yard setback requirement in conjunction with the construction of a

one-story addition connecting an exiting detached garage to an existing single-family residence on property located in the R-2 Zone at 18522 Amie Avenue.

Recommendation

Approval.

Planning Assistant Kevin Joe introduced the request.

Ron Mahkorn, representing the applicant, voiced his agreement with the recommended conditions of approval.

MOTION: Commissioner Botello, seconded by Commissioner Horwich, moved to close the public hearing; voice vote reflected unanimous approval.

MOTION: Commissioner Uchima moved for the approval of WAV03-00025, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Botello and passed by unanimous roll call vote.

Planning Assistant Joe read aloud the number and title of Planning Commission Resolution No 04-007.

MOTION: Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 04-007. The motion was seconded by Commissioner Botello and passed by unanimous roll call vote.

9. FORMAL HEARINGS

9A. DIV03-00022: PARK/GIBBS DEVELOPMENT (SUBTEC/CHERYL VARGO)

Planning Commission consideration for approval of a Division of Lot to allow a lot line adjustment to reconfigure two existing parcels to correspond with the boundaries of a previously approved senior housing condominium and townhome development on property located in the R-3 Zone at 2708 Cabrillo Avenue.

Recommendation

Approval.

Planning Assistant Joe introduced the request and note supplemental material available at the meeting consisting of additional Code requirements.

Kurt Gibbs, representing Park/Gibbs Development, voiced his agreement with the recommended conditions of approval.

In response to Commissioner Botello's inquiry, Mr. Gibbs reported that his company was moving forward with the senior portion of the project and plans to begin construction by summer.

MOTION: Commissioner Horwich, seconded by Commissioner Uchima, moved to close the public hearing; voice vote reflected unanimous approval.

MOTION: Commissioner Muratsuchi moved for the approval of DIV03-00022, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

Planning Assistant Joe read aloud the number and title of Planning Commission Resolution No 04-008.

MOTION: Commissioner Muratsuchi moved for the adoption of Planning Commission Resolution No. 04-008. The motion was seconded by Commissioner LaBouff and passed by unanimous roll call vote.

9B. PRE03-00035: STEVE DUCKWORTH

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second-story additions to an existing single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 22329 Redbeam Avenue.

Recommendation

Approval.

Planning Assistant Joe introduce the request.

Steven Duckworth, 22329 Redbeam Avenue, voiced his agreement with the recommended conditions of approval. He briefly described the proposed project and noted that he grew up in this neighborhood and would like to raise his children there.

Commissioner Botello asked about the need for the roof deck. Mr. Duckworth explained that he hoped to take advantage of the view; that it is a very small deck nestled into the roofline; and that it would not be visible from the street.

In response to Commissioner Faulk's inquiry, Will Basilio, project architect, provided clarification regarding the height of the parapet wall surrounding the deck and Building Regulations Administrator Segovia confirmed that it meets Code requirements.

MOTION: Commissioner Botello, seconded by Commissioner Muratsuchi, moved to close the public hearing; voice vote reflected unanimous approval.

MOTION: Commissioner Uchima moved for the approval of PRE03-00035, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

Planning Assistant Joe read aloud the number and title of Planning Commission Resolution No 04-009.

MOTION: Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 04-009. The motion was seconded by Commissioner LaBouff and passed by unanimous roll call vote.

9C. PRE03-00025: LOUIS SKELTON (BRIAN AND SANDRA KELLER)

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a new two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 5531 Laurette Street.

Recommendation

Approval.

Planning Assistant Joe introduced the request.

Louis Skelton, 2537-D Pacific Coast Highway, #168, voiced his agreement with the recommended conditions of approval, with the exception of Condition No. 7, requiring the master bedroom and bathroom windows along the southern elevation to be translucent glass. He stated that he had no objection to using translucent glass for the bathroom window, but proposed raising the sill height and using transparent glass for the bedroom window, submitting a drawing to illustrate.

In response to Commissioner Botello's inquiry, Mr. Skelton provided clarification regarding the location of the wall on the Kellers' property, which is the subject of dispute.

Brian Keller, 5531 Laurette Street, stated that the project was designed to minimize the impact on neighbors and has their overwhelming support. He expressed the hope that the project would be approved this evening, noting that the approval process has been lengthy and he is currently living between two homes. He commented on his affection for the neighborhood, noting that his children attend the same schools he attended.

Fred Hoopes, 5529 Laurette Street, voiced support for the proposed project, stating that he thought it would enhance the community and increase property values.

Mark Allen, 5530 Laurette Street, stated that he had no objections to the project, however, in conjunction with the project, the applicant was proposing to relocate a brick wall from its existing position to the property line, which is only 15 inches from his garage, thereby eliminating access to his backyard and pool equipment. He reported that the wall has been in place for approximately 40 to 45 years; noted that he has filed a lawsuit asking for a prescriptive easement; and urged the Commission to defer action until this matter has been resolved.

Commissioner Muratsuchi expressed concerns about making a decision on this project while legal action is pending, noting that the Hillside Ordinance requires that the Commission consider a project's impact on surrounding properties.

Deputy City Attorney Sullivan stated that it was staff's opinion that the Commission could take action on the project because the property line is not in dispute.

Sr. Planning Associate Lodan clarified that two surveys have confirmed the location of the property line on which the project is based and the discrepancy over the wall has no bearing on the Commission's decision.

Commissioner Botello stated that the issue is whether the Allens will continue to have use of the area to the north of their property line, which is currently part of their driveway and provides access to their backyard; that the Commission would be deciding this issue if they allow the project to go forward and the wall to be relocated; and that he believed the Commission should defer to the courts.

Commissioner Horwich noted that legal issues can take years to resolve and indicated that he did not favor delaying action because it would constitute a hardship for the applicant.

Mr. Allen requested that the Commission postpone action so that he could see if a compromise could be reached.

Commissioners briefly discussed possible compromises, including rotating the plans to increase the southerly setback or relocating the wall to accommodate access to the Allens' backyard.

Mr. Skelton noted that he already rotated the plans 5 degrees to provide a greater setback at the rear of the house in response to the Allens' concerns and that building regulations require a minimum three-foot clearance for side yards to provide access for the Fire Department.

Mr. Keller stated that when he discovered the problem with the wall, he offered to cut a gate into the wall on the other side of the Allens' home, which would provide convenient access to their backyard and pool, at his own expense and that he was still willing to do so. He indicated that he deliberately positioned the new residence toward the south side of his property so as not to infringe on the privacy of the neighbors to the north or block their sunlight. He reported that there are no permits for the wall in question so it will have to come down, but expressed his willingness to delay building a new wall. He explained that he waited three weeks for the Allens to complete their property line survey and then they immediately filed a lawsuit instead of trying to negotiate a compromise. Urging approval of the project, he noted that it complies with all requirements as the property currently sits and estimated that it could take two years for legal issues to be resolved.

Responding to questions from the Commission, Sr. Planning Associate Lodan confirmed that the project meets all setback requirements and no Waiver would be needed to retain the existing wall. Building Regulations Administrator Segovia clarified that the minimum three-foot access can be provided on either side of the house so the existing wall could remain.

Scott Houtz, 3403 Newton Street, legal counsel for the Allens, stated that should his clients be granted a prescriptive easement, anything built on the easement would have to be removed.

Mr. Skelton advised that a portion of the existing wall would have to be removed to facilitate construction, however, the applicant would agree to delay rebuilding the wall until such time as legal issues have been resolved.

Russel Tyner, Houston/Tyner Architects, 13444 Bali Way, Marina del Rey, representing the Allens, suggested that the house be shifted to the north because there is a side yard setback in excess of nine feet on that side.

Mark Davis, 5526 Laurette Street, voiced his opinion that it would be very detrimental to the Allens should the wall be moved.

Dorothy Thompson, 22114 Redbeam Avenue, reported that she recently completed a two-story remodel in accordance with the Hillside Overlay; maintained that having to reconstruct the driveway and rebuild the wall would put a tremendous financial burden on the Allens; and reported that she did not give permission for the photo of her residence to be included in the staff report (page 67).

In response to Commissioner Uchima's inquiry, Mr. Skelton stated that it was not feasible to shift the house to the north because it would greatly impact sunlight to the property to the north.

MOTION: Commissioner Botello, seconded by Commissioner Horwich, moved to close the public hearing; voice vote reflected unanimous approval.

Commissioner Uchima voiced support for the project, noting that the project meets all requirements and the dispute over the location of the new wall was not within the Commission's purview.

MOTION: Commissioner Uchima moved for the approval of PRE03-00025, as conditioned, including all findings of fact set forth by staff, with the following modifications:

Modify

No. 7 That the second-floor master bathroom window shall be translucent glass and the sill height of the master bedroom window on the southern elevation shall be increased to the satisfaction of the Community Development Director.

Add

- That the existing wall on the southern side of the property shall remain except for the portion needed to facilitate construction until legal issues are resolved.

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

Commissioner Faulk commented that he believed accommodations could have been made by both parties to arrive at an easy compromise and it was unfortunate that this did not happen.

Commissioner Horwich stated that he saw no reason to delay the project since the project itself would not negatively impact the Allens, and Commissioner Botello indicated that his concern was that the fence remain in place until legal issues are resolved.

Planning Assistant Joe read aloud the number and title of Planning Commission Resolution No 04-010.

MOTION: Commissioner Faulk moved for the adoption of Planning Commission Resolution No. 04-010 as amended. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

The Commission recessed from 9:10 p.m. to 9:27 p.m.

9D. CUP03-00052, DIV03-00021: GILBERT CHENG

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a two-unit condominium development and a Division of Lot for condominium purposes on property located in the R-2 Zone at 1019 Portola Avenue.

Recommendation

Approval.

Planning Assistant Joe introduced the request.

Gilbert Cheng, applicant, briefly described the proposed project and voiced his agreement with the recommended conditions of approval.

MOTION: Commissioner Uchima, seconded by Commissioner Horwich, moved to close the public hearing; voice vote reflected unanimous approval.

MOTION: Commissioner Horwich moved for the approval of CUP03-00052 and DIV03-00021, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

Planning Assistant Joe read aloud the number and title of Planning Commission Resolution Nos. 04-011 and 04-012.

MOTION: Commissioner Muratsuchi moved for the adoption of Planning Commission Resolution Nos. 04-011 and 04-012. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

10. RESOLUTIONS

None.

11. PUBLIC WORKSHOP ITEMS

None.

12. MISCELLANEOUS ITEMS

None.

13. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS

None.

14. LIST OF TENTATIVE PLANNING COMMISSION CASES

Sr. Planning Associate Lodan reviewed the agenda for the Planning Commission meeting of February 4, 2004.

15. ORAL COMMUNICATIONS

15A. Fire Marshal Carter reported that, in response to a fire that occurred approximately 18 months ago in a residential care home that resulted in the death of three people, he and Assistant Fire Marshal Gebel have had discussions with Assemblyman Nakano about sponsoring legislation, which would require sprinklers in residential care homes. He commented on the proliferation of these homes in Torrance; noted that the home in question met all existing requirements; and suggested that the tragedy could have been averted if it had been equipped with sprinklers. He estimated that it would cost between \$6,000 and \$7,000 to install sprinklers in a home, with some of the cost being offset by income tax deductions and reductions in insurance premiums.

15B. Commissioner Botello asked how the residential growth in the City was impacting the Fire Department. Fire Marshal Carter reported that there has been an increasing demand on services, especially with regard to senior housing, and that there are currently no plans to increase staffing due to the current financial situation.

15C. Sr. Planning Associate Lodan reported that a scoping session was being held this evening for the proposed Lomita Boulevard residential project adjacent to Costco to solicit input from various public agencies and the surrounding neighborhood. He noted that the discussion would include the impact on police and fire services and confirmed that this issue would be a component of the Environmental Impact Report, as well as the project's economic impact.

15D. Commissioner Botello congratulated Commissioner Faulk and Commissioner Horwich on their reappointment.

15E. Commissioner Faulk requested an excused absence from the February 4 meeting. Commissioner Horwich, seconded by Commissioner Botello, so moved; voice vote reflected unanimous approval.

15F. Commissioner Horwich commented on Agenda Item 7A, the proposal to allow valet parking at Rolling Hills Plaza, stating that he was inclined to deny the permit if the applicant has not moved forward with a validation system.

15G. Commissioner Horwich encouraged commissioners to attend the Planners Institute conference in Monterey, noting that he attended in the past and found the material presented to be excellent.

15H. Commissioner Uchima reported that he and his wife have been undergoing training for the Community Alert Response Team (CERT), which prepares community members to assist in the event of an emergency, and that he thought it was a very valuable program. He commended Tad Friedman for doing an excellent job of running the program.

15I. Responding to questions from the Commission, Sr. Planning Associate Lodan updated the Commission on plans to renovate the north end of Del Amo Fashion Center and a proposed residential project near Del Amo Financial Center.

15J. Deputy City Attorney Sullivan relayed greetings from Deputy City Attorney Heather Whitham, who gave birth to daughter Sierra in November.

16. ADJOURNMENT

At 10:01 p.m., the meeting was adjourned to Wednesday, February 4, 2004, at 7:00 p.m.

Approved as Written February 18, 2004 s/ Sue Herbers, City Clerk
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