

**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, February 7, 2007, 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**

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

Absent: None.

Also Present: Planning Manager Lodan, Planning Associate Hurd-Ravich, Planning Assistant Yumul, Fire Marshal Kazandjian, Plans Examiner Noh, Deputy City Attorney Whitham, and Associate Civil Engineer Symons.

**4. POSTING OF THE AGENDA**

Planning Manager Lodan reported on the posting of the agenda.

**5. APPROVAL OF MINUTES**

**MOTION:** Commissioner Browning moved for the approval of the December 20, 2006 Planning Commission minutes as submitted. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote, with Commissioner Gibson abstaining.

**MOTION:** Commissioner Weideman moved for the approval of the January 17, 2007 Planning Commission minutes as submitted. The motion was seconded by Commissioner Busch and passed by unanimous roll call vote, with Commissioner Uchima abstaining.

**6. REQUESTS FOR POSTPONEMENT**

Planning Manager Lodan reported that the owners of 468 Calle de Castellana have requested that Item 10E be continued because they would like additional time to review the project, however, the applicant has requested that the hearing go forward.

In response to Commissioner Busch's inquiry, Planning Manager Lodan confirmed that notification of the hearing was mailed to the property owner in question as required.

**MOTION:** Commissioner Busch moved to deny the request for a continuance. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

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

7. **TIME EXTENSIONS** – None.

8. **CONTINUED HEARINGS**

8A. **CUP06-00017, TTM062882: SUBTEC-CHERYL VARGO (PAULA OLIVER, WILLIAM AND PATSY OLIVER)**

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a six condominium units in conjunction with a vesting Tentative Tract Map for a two-lot parcel map for condominium purposes on property located in the R-3 Zone at 922 and 924 Sartori Avenue.

**Recommendation**

Approval.

Planning Associate Hurd-Ravich introduced the request and noted supplemental material available at the meeting consisting of correspondence received after the agenda item was prepared.

Cheryl Vargo, representing the applicant, voiced her agreement with the recommended conditions of approval. Referring to material distributed to the Commission, she noted that the site currently consists of three 30-foot wide lots with a four-unit apartment building straddling Lots 24 and 25 and a single-family home on Lot 23. She explained that lots would be reconfigured into two 45-foot lots with three units on each lot; that the lots would be united by the Tentative Tract Map creating a six-unit project with one homeowners association; and that it was done this way because insurance rates for the builder are significantly lower for projects with 4 units or less.

Ms. Vargo briefly described the proposed project, noting that it meets or exceeds all requirements; that it was designed with Craftsman-style architecture to complement the Old Torrance neighborhood; and that the two-bedroom units would provide much needed entry-level housing.

In response to Commissioner Browning's inquiry, Ms. Vargo provided clarification regarding the existing lot configuration, explaining that while the lots are legally three separate lots, Lots 24 and 25 are tied together as one tax parcel in county records.

Mary Ann Reis, 1333 Engracia Avenue, expressed concerns about the project's impact on traffic due to the replacement of 5 units with 12.

Chairperson Faulk clarified that there would be a total of six units, one more than currently on the site.

Commissioner Browning expressed concerns about the project's impact on the infrastructure, including water and sewer systems and the electrical grid. He pointed out that the new units will be larger and will have more bathrooms and more water-consuming features, such as dishwashers and ice-makers, than the existing units and that larger water heaters will be needed thereby increasing natural gas consumption.

Planning Manager Lodan noted that Edison was notified about the project and has not raised any concerns and that the Engineering Department has reviewed the water issue and has not identified any problems with regard to waste water or water service.

Commissioner Browning stated that he was concerned about the impact of this project, as well as future projects, if building continues at this pace, particularly with regard to traffic and parking, and he believed even one additional car was too many given the current situation. He indicated that he would not object to a project that does not change the existing lot configuration and complies with all development standards.

Ms. Vargo noted that these small lots could not be created according to today's standards and the City clearly envisioned that lots in this area would be combined when properties recycle because an R-3 project could not be built on a single lot of this size. She suggested that the new units may not consume any more resources than the existing units because new construction is better insulated and the units will feature water-conserving toilets/shower heads and energy-efficient appliances, as well as drought-resistant landscaping with sprinklers on timers to prevent run-off.

With regard to parking, Ms. Vargo noted that there are currently only 4 on-site parking spaces because the garage under the single-family residence was converted into living/storage space some time ago and related her belief that the proposed project would actually relieve the parking situation by providing 14 parking spaces. She noted that the project does not require a curb cut so no street parking will be lost and doubted that one additional unit would have a significant impact on traffic.

Ms. Vargo reported that the developer must do studies to confirm that sewer capacity and power lines are adequate for the project and upgrade them if necessary and the City also levies Development Impact Fees, to be used for infrastructure improvements, along with fees for parks and schools.

Commissioner Browning reiterated his position that traffic and parking problems need to be addressed before any more units are added in this area.

Commissioner Busch questioned whether Edison has ever raised concerns about a proposed project, and Planning Manager Lodan was not aware of a case where this has occurred.

In response to questions from the Commission, Planning Manager Lodan provided clarification regarding Development Impact Fees, explaining that within the last year, the City Council has established Development Impact Fees for utility

undergrounding, transportation facilities, storm drains, sewers, and police and fire facilities and that fees for schools and parks have been in place for some time.

Commissioner Horwich asked the representative from the Building and Safety Department if, in his opinion, the project would have a potential impact on utilities that would not be mitigated by the Development Impact Fees, and Plans Examiner Noh answered in the affirmative.

Ms. Vargo asked for clarification regarding Plans Examiner Noh's response to Commissioner Horwich's question.

Plans Examiner Noh explained that it was only his personal opinion.

Civil Engineer Symons advised that sewer systems are typically sized for the anticipated zoning, which is R-3 in this case, so it is likely that there is sufficient capacity.

Deputy City Attorney Whitham noted that Resolution No. 07-011 includes a finding stating that, "There will be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed six-unit development is not detrimental to public health and safety."

Planning Manager Lodan reported that the Permits and Mapping Division of the Community Development Department, which is charged with reviewing projects with regard to sewers, storm drains, and water supply, did not identify any capacity issues associated with the project.

A brief discussion ensued regarding the adequacy of Development Impact Fees. Planning Manager Lodan related his understanding that the fees are approximately \$3,000 per unit.

Ms. Vargo noted that there are fees in addition to Development Impact Fees, including fees paid to the county and fees associated with building permits.

**MOTION:** Commissioner Busch moved to close the public hearing. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

**MOTION:** Commissioner Horwich moved for the approval of CUP06-00017 and TTM062822, 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 Browning and Busch dissenting.

Commenting on his vote, Commissioner Uchima reported that he visited the site and observed that this block is in desperate need of revitalization with many dilapidated buildings, including those on the subject property and the apartment building next door. He related his belief that the energy and water consumption for the new units would be similar to the existing units due to new regulations that require energy efficient features and water conservation measures. With regard to density, he noted that the two-bedroom starter homes would likely be occupied by only one or two people. He explained that he was not present at the original hearing, however, he listened to the tapes from the meeting in which Don Barnard, representing Save Historic Old Torrance, voiced support for the project and indicated that the existing buildings, constructed in

1945 and 1951, would probably not be considered contributing structures should a historical preservation overlay zone be established.

Commissioner Weideman stated that he had reassessed the issues on which he based his original vote and having reexamined the project, he was able to support it with a clear conscience.

Planning Associate Hurd-Ravich read aloud the number and title of Planning Commission Resolution Nos. 07-011 and 07-012.

**MOTION:** Commissioner Horwich moved for the adoption of Resolution Nos. 07-011 and 07-012. The motion was seconded by Commissioner Uchima and passed by a 6-1 roll call vote, with Commissioner Busch dissenting.

**9. WAIVERS**

**9A. WAV06-00024: JOHNNY NELVILLE**

Planning Commission consideration for approval of a Waiver to allow the height of retaining walls to exceed the maximum height limit on property located in the R-1 Zone at 5513 Halison Street.

**Recommendation**

Approval.

Planning Associate Hurd-Ravich introduced the request.

Johnny Neville, 5513 Halison Street, voiced his agreement with the recommended conditions of approval and explained that the higher retaining walls would provide more usable space in his backyard.

Commissioner Browning commended staff for recognizing that the stairs accessing Entradero Park should be eliminated.

**MOTION:** Commissioner Weideman moved for the approval of WAV06-00024, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Busch and passed by unanimous roll call vote.

Planning Associate Hurd-Ravich read aloud the number and title of Planning Commission Resolution No. 07-013.

**MOTION:** Commissioner Browning moved for the adoption of Resolution No. 07-013. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

**9B. WAV06-00026: MARK AND DEBBIE MOOREFIELD**

Planning Commission consideration for approval of a Waiver to allow less than the required rear yard setback in conjunction with the construction of a new two-story residence and to allow a block wall extension to exceed the maximum height requirements on property located in the R-1 Zone at 4807 Mayor Drive.

**Recommendation**

Approval.

Planning Associate Hurd-Ravich introduced the request.

Mark Moorefield, 4807 Mayor Drive, voiced his agreement with the recommended conditions of approval. He explained that the Waiver would allow him to construct a two-story home on the same footprint as the existing home and extending the block wall would provide more room for his kids to play.

**MOTION:** Commissioner Busch moved for the approval of WAV06-00026, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

Planning Associate Hurd-Ravich read aloud the number and title of Planning Commission Resolution No. 07-014.

**MOTION:** Commissioner Gibson moved for the adoption of Resolution No. 07-014. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

**10. FORMAL HEARINGS**

**10A. MOD06-00008: MUOI LE**

Planning Commission consideration for approval of a Modification of two previously approved entitlements, including a Conditional Use Permit (CUP91-40) and a Modification (MOD05-00009) to allow on-site service and consumption of beer and wine in an existing restaurant on property located in the C1-PP Zone at 2515 Carson Street.

**Recommendation**

Approval.

Planning Associate Hurd-Ravich introduced the request.

Muoi Le, applicant, voiced his agreement with the recommended conditions of approval. He reported that the restaurant's hours of operation are 9:00 a.m. to 9:00 p.m., seven days a week.

Commissioner Busch noted that according to the staff report, the applicant has failed to comply with some of the conditions imposed on previously approved entitlements. Planning Manager Lodan advised that that applicant has agreed to take care of these items and staff will monitor to ensure that they are completed.

In response to Commissioner Busch's inquiry, Planning Manager Lodan reported that the Police Department reviewed the application and did not suggest any additional conditions. He confirmed that the approval is for on-site consumption of beer and wine only.

**MOTION:** Commissioner Uchima moved to close the public hearing. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

**MOTION:** Commissioner Busch moved for the approval of MOD06-00008, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

Planning Associate Hurd-Ravich read aloud the number and title of Planning Commission Resolution No. 07-015.

**MOTION:** Commissioner Busch moved for the adoption of Resolution No. 07-015. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

The Commission recessed from 8:20 p.m. to 8:32 p.m.

**10B. CUP06-00019, DIV06-00017: MIKE CHAMBERLAIN (PITA PROPERTIES)**

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a four-unit condominium project in conjunction with a Division of Lot for condominium purposes on property located in the R-3 Zone at 1903 W. 222<sup>nd</sup> Street.

**Recommendation**

Approval.

Planning Associate Hurd-Ravich introduced the request and noted supplemental material available at the meeting consisting of revised code requirements and correspondence received after the agenda item was completed.

Mike Chamberlain, project architect, voiced his agreement with the recommended conditions of approval. He briefly described the proposed project, noting that it was designed to blend with the neighborhood and that the proposed number of units is the same as existing units.

In response to Commissioner Uchima, Mr. Chamberlain confirmed that he was also involved in the project at 1911 Cabrillo, which has a similar design.

Commissioner Browning relating his understanding that curb cuts are frowned on in this area due to the loss of street parking.

Planning Manager Lodan explained that while there is growing concern about curb cuts, there is no other way to access the required parking without curb cuts in this case. He reported that staff was recommending that the project be redesigned so that instead of having one large curb cut on Cabrillo, there would be two smaller curb cuts, with one on Cabrillo and one on 222<sup>nd</sup> Street.

Commissioner Weideman noted that the reconfiguration of the driveway is also necessary in order to comply with the 50% minimum landscape requirement for the front yard.

Raymie McCoy, 1918 W. 220<sup>th</sup> Street, voiced objections to the project, stating that this is the fourth project of this kind in the area and the small narrow streets cannot accommodate the increase in traffic. He contended that the project would be out of place because houses in the vicinity are mainly single-story and that there was no reason to tear down the existing units because they are in good condition.

Barbara Baker, 2122 Cabrillo Avenue, stated that she supports the project and believes it will increase the value of properties in the area, but suggested that a stop sign be installed at the intersection of Cabrillo and 222<sup>nd</sup> Street for safety reasons.

Planning Manager Lodan indicated that he would forward Ms. Baker's suggestion to the Transportation Planning Division for review.

Don Barnard, president of Save Historic Old Torrance (SHOT), urged the Commission to deny the project. He reported that the subject property was very well maintained until it changed hands approximately one year ago and he feared that SHOT has sent the wrong message to developers by supporting some of Mr. Chamberlain's past projects. He noted that "Old Torrance Founded 1912" signs will soon be installed in this area and expressed concerns about having so many new developments at a major entry point. He contended that the existing one-story units with garages off the alley contribute to the charm of the neighborhood, while the proposed two-story condominium project would drastically change its character. He stated that he has rarely seen "for rent" signs on the subject property, so clearly there is a demand for this type of rental, but "for sale" signs are very common on nearby condominium complexes. He suggested that commissioners should not feel any obligation to accommodate developers who buy properties with the sole intention of tearing them down.

Raul Ramirez, 1641 Cota Avenue, owner of the subject property, reported that he has owned the property since 1981 and the existing one-bedroom units are a nightmare to rent and maintain, noting that the outdated plumbing is in constant need of repair. He explained that he cannot remodel or enlarge the units because the current code requires two-car garages, therefore, the only thing he can do is tear them down. He pointed out that the project will provide 9 parking spaces, which is 5 spaces more than the existing parking, and doubted that there would be any impact on traffic because the small two-bedroom units would likely be occupied by only one or two people.

Mr. Ramirez stated that he did not believe there was anything historic about the existing building constructed in 1949, which has a plain stucco exterior, a composition shingle roof, and wrought iron bars on the window and doors that make it look like a jail. Referring to photographs of the subject property and a condominium development similar to the one proposed, he contended that this project would be a vast improvement.

In response to Commissioner Busch's inquiry, Planning Manager Lodan confirmed that the applicant would be required to submit a Tenant Relocation Plan.

Mary Ann Reis, 1333 Engracia Avenue, urged denial of the project, stating that the existing units need only a little fixing up and there are already too many condominiums in the neighborhood.

Bonnie Mae Barnard, SHOT, provided a summary of her letter (supplemental material) detailing her contention that the California Environmental Quality Act (CEQA) requires that an Environmental Impact Report be prepared prior to the approval of this project or any project that could materially affect the area's historic integrity because an expert opinion has been submitted stating that Old Torrance is potentially eligible for listing on the National Register of Historic Places, as well as the California Register of Historic Places. She stated that although the existing structure was constructed after WWII and was not part of the City's original housing stock, it blends with the neighborhood because it is within the normal height and range of buildings that surround it. She explained that SHOT supported a similar project on Cabrillo because it was situated between two apartment buildings, but this site is surrounded by a charming old neighborhood where the new two-story building would be out of place.

Commissioner Horwich questioned whether it was legal counsel's opinion that an EIR was required.

Deputy City Attorney Whitham advised that if commissioners believe that substantial evidence has been presented to support the claim that this site is a historic resource, they would then direct staff to prepare an initial assessment to determine what level of environmental review is required.

Commissioner Horwich asked if Ms. Barnard considers this structure to be a historic building.

Ms. Barnard responded that the Secretary of the Interior's guidelines indicate that a building must be over 50 years old to be historic, so the subject building qualifies in this respect, and suggested the possibility that structures built between 1912 and 1950 might eventually be deemed historic in this area. She stated that even buildings that are not historic can be contributing structures, and that she believed the historic resources surrounding it would be adversely impacted if this building is lost.

Commenting on Ms. Barnard's response, Commissioner Horwich stated that it seems that if Ms. Barnard likes a structure, in her opinion it's historic, and if she doesn't, it's not.

Janet Payne, 1318 Engracia Avenue, noted her involvement in historic preservation for over 25 years. She stated that the Commission will be faced with constant debate on this issue until the City establishes a historic preservation overlay zone and sets up clear guidelines for development. She stressed the need for a historic preservation officer on City staff and a survey to determine exactly which structures are historic and which are not. She expressed concerns that developers were being given mixed messages when a faux Craftsman building is approved on one corner, while another one down the street is denied. She indicated that she was not taking a position on this project because she felt a property owner has a right to develop his property in accordance with current zoning standards and should not be forced to maintain something that has become a "money pit," but on the other hand she doubted that this large of a structure was appropriate for the area.

Commissioner Gibson questioned how long Ms. Payne thought it would be until the area is formally designated as historic.

Ms. Payne responded that it will not happen until the people who believe in historic preservation are able to persuade the City Council to do so.

Returning to the podium, Mr. Chamberlain pointed out that the site is zoned for the project being proposed and voiced his opinion that it would only enhance the area.

**MOTION:** Commissioner Busch moved to close the public hearing. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

Indicating that he would not support the project, Commissioner Browning stated that he was opposed to any new curb cuts due to the loss of street parking and he also felt backing out onto 222<sup>nd</sup> Street would be a safety hazard. He noted that the Commission has considered 20 condominium units at the past two meetings, a total that could reach 400 by the end of the year, and expressed concerns about the cumulative impact this kind of development could have on traffic, the infrastructure and the environment. He related his belief that continuing to approve these projects would be to ignore the will of the voters, who sent a strong message in the June 2006 election.

Noting that he visited the site and walked the neighborhood, Commissioner Weideman stated that he would not support the project because he believed the two-story project was out of character with the predominantly one-story neighborhood and because he was opposed to allowing the new curb cuts.

**MOTION:** Commissioner Busch moved to deny CUP06-00019 and DIV06-00017 without prejudice. The motion was seconded by Commissioner Browning and failed to pass as reflected in the following roll call vote:

AYES: Commissioners Browning, Busch and Weideman.

NOES: Commissioners Gibson, Horwich, Uchima and Chairperson Faulk.

**MOTION:** Commissioner Gibson moved for the approval of CUP06-00019 and DIV06-00017, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Horwich and passed as reflected in the following roll call vote:

AYES: Commissioners Gibson, Horwich, Uchima and Chairperson Faulk.

NOES: Browning, Busch and Weideman.

Planning Associate Hurd-Ravich read aloud the number and title of Planning Commission Resolution Nos. 07-016 and 07-017.

**MOTION:** Commissioner Horwich moved for the adoption of Resolution Nos. 07-016 and 07-017. The motion was seconded by Commissioner Uchima and passed as reflected in the following roll call vote:

AYES: Commissioners Gibson, Horwich, Uchima and Chairperson Faulk.

NOES: Browning, Busch and Weideman.

Commissioner Horwich stated that he appreciated Ms. Payne's comments because they demonstrate the dilemma Commissioners face with this type of project when trying to find a balance between a property owner's rights and the neighborhood's rights in the absence of clear guidelines and expressed frustration that the City Council has failed to do anything to clarify the situation.

Commenting on his vote, Chairperson Faulk stated that he saw no way he could vote against a project that for all practical purposes meets all requirements thereby denying this property owner the right to develop his property.

**10C. PRE06-00033: GHASSAN ELMEL (BIZHAN KHALEELI)**

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 in the Hillside Overlay District in the R-1 Zone at 5312 Doris Way.

**Recommendation**

Approval.

Planning Associate Hurd-Ravich introduced the request and noted supplemental material available at the meeting consisting of correspondence received after the completion of the agenda item.

Bizhan Khaleeli, project architect, voiced his agreement with the recommended conditions of approval.

Commissioner Uchima noted that the letter from Tai Luk, 5320 Doris Way (supplemental material), states that the owner of the subject property has agreed to use obscure glass for the upstairs bedrooms facing his home.

Mr. Khaleeli proposed using obscure glass for the lower half of the window only because he felt obscuring the entire window would be a hardship for those who occupy the bedrooms.

Commissioner Browning asked about the possibility of obscuring east-facing windows. Mr. Khaleeli stated that he did not believe windows on the first level would be an issue because they would be facing a six-foot high fence and agreed to obscure the lower portion of second story windows, except for bathroom windows which would be completely obscured.

Commissioner Browning noted that obscuring the lower portion of a window does little to protect privacy because a person of average height would still be able to look out the window into neighboring properties.

Commissioner Gibson recalled that obscuring only the lower half of a window has been used in the past to address privacy issues and indicated that she had no objection to doing so in this case.

Claire Shanahan, 5304 Doris Way, stated that she has several concerns about the proposed project, which is triple the size of the existing structure, adds a second story, and would be 7-8 feet closer to her home. She reported that the silhouette appears to be only 8 feet from her home, which violates the required 5-foot side yard setback, and maintained that the silhouette does not show the full impact of the project because some of the planks are lying on tree branches. She contended that the proposed project would intrude on the privacy of living areas and her son's bedroom, interfere with her ocean view, and block cooling breezes. She related her understanding that the six-foot fence Mr. Khaleeli mentioned would not be allowed according to the Hillside Ordinance.

Commissioner Browning noted that Ms. Shanahan's lot is at a lower elevation than the subject property and expressed concerns that the privacy impact from the rear deck would be multiplied due to this difference in elevation.

Mercedes Houghtaling, 5324 Doris Way, voiced concerns about the project's impact on the stability of the hillside, as well as the impact on immediate neighbors.

Tai Luk, 5320 Doris Way, stated that he supports the project, as long as second-floor windows facing his home are constructed of obscure glass, noting that the property owner assured him that this would be taken care of.

Ms. Shanahan related her understanding that the property owner is a developer, who has no intention of living in the new home.

Returning to the podium, Mr. Khaleeli reported that his client was willing to use obscure glass for east and west-facing windows on the second floor and to reduce the depth of the rear deck to 4 or 5 feet.

**MOTION:** Commissioner Busch moved to close the public hearing. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

Chairperson Faulk related his preference to continue the hearing so commissioners could take another look at the project in light of concerns raised at this meeting, and it was the consensus of the Commission to do so.

**MOTION:** Commissioner Busch moved to continue the hearing to February 21, 2007. The motion was seconded by Commissioner Weideman and passed by unanimous roll call vote.

Commissioner Busch recommended that the applicant and his architect meet with neighbors to try to resolve their concerns.

**10D. PRE06-00034: JENNIFER HOTRUM (FABIAN BUENAVENTURA)**

Planning Commission consideration for approval of a Precise Plan of Development to allow a second-story addition to an existing one-story, single-family residence with an attached garage on property located in the Hillside Overlay District in the R-1 Zone at 4806 Bindewald Road.

**Recommendation**

Approval.

Fabian Buenaventura, project architect, voiced his agreement with the recommended conditions of approval.

Commissioner Browning questioned whether Mr. Buenaventura was aware of the .50 Floor Area Ratio limitation in the Hillside Overlay area.

Mr. Buenaventura responded that the FAR is very close to this number and while he could reduce it to .50, he believed the project would look much better as submitted.

**MOTION:** Commissioner Weideman moved to close the public hearing. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

Commissioner Uchima stated that he reviewed the plans and visited the site and felt comfortable approving the project as submitted.

**MOTION:** Commissioner Uchima moved for the approval of PRE06-00034, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Weideman and passed by unanimous roll call vote.

Planning Associate Hurd-Ravich read aloud the number and title of Planning Commission Resolution No. 07-019.

**MOTION:** Commissioner Busch moved for the adoption of Resolution No. 07-019. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

The Commission recessed from 10:00 p.m. to 10:10 p.m.

**10E. PRE06-00035: DAVID BOYD (MIKE REID)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second-story additions to an existing two-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 808 Calle Miramar.

**Recommendation**

Approval.

Planning Assistant Hurd-Ravich introduced the request and noted supplemental material available at the meeting consisting of a silhouette re-certification and correspondence received after the completion of the agenda item.

David Boyd, project architect, voiced his agreement with the recommended conditions of approval. He explained that the property was purchased with the intention of remodeling the existing dilapidated structure and pointed out that the project is below

the lot coverage, FAR and height maximums allowed by the Hillside Overlay Ordinance. He reported that the south side of the project was lowered to conform to the height of the existing ridgeline after neighbors expressed concerns about the original silhouette and noted that two letters of support were submitted this evening. He stated that he went to surrounding properties and did not observe any view impairment and Planning staff came to the same conclusion.

Cavin Shorter, 203 Camino del Campo, stated that his parents own the property at 468 Calle de Castellana; that they just learned of this hearing the previous Saturday; and that they are requesting a continuance so they can have more time to review the project. He related his understanding that the final plans were not submitted to Planning staff until February 6 and expressed concerns about construction at 4725 Paseo de las Tortugas that turned out to be three feet taller than approved plans.

In response to Commissioner Browning's inquiry, Planning Manager Lodan reported that notice of the hearing was sent to Mr. Shorter's parents on January 26, 2007, that a sign was posted on the property, and that the hearing was advertised in the newspaper in conformance with requirements.

Commissioner Uchima asked about Mr. Shorter's claim that the plans were not finalized until February 6.

Planning Manager Lodan explained that several neighbors had questioned the accuracy of the silhouette; that staff directed the applicant to remove any portions related to prior plans and have it re-certified; and that this re-certification was received on February 6 and included in the supplemental material. He confirmed that the silhouette viewed by Commissioner Uchima earlier in the day accurately reflects the plans.

Commissioner Uchima asked Mr. Shorter to characterize the view loss his parents would suffer.

Mr. Shorter stated that the issue is notification, not view loss, and disputed the claim that a sign was posted on the property. He reported that his parents did not receive the letter notifying them of this hearing until Saturday, February 3, because they were on vacation and they subsequently had to fly to Boston on Sunday, February 4, therefore they had not had adequate time to review the project.

Commissioner Uchima noted that he had personally observed a sign on the property, and Commissioner Weideman indicated that he saw a sign posted on the Calle Miramar side of the property.

In response to Commissioner Weideman's inquiry, Planning Manager Lodan confirmed that the silhouette viewed on February 3 accurately reflects the project as proposed.

Commissioner Browning noted that he drives by the site on a regular basis and the silhouette has been up for several months.

Mr. Shorter reported that he sent a letter to the Planning Department inquiring about the project in September 2006, but no information was available at that time.

Asked to comment on the letter from Charles and Katherine Shorter's attorney, Deputy City Attorney Whitham stated that she believed the requirements of due process have been met from a legal standpoint, noting that the City's notification process exceeds Government Code requirements and Mr. Shorter acknowledged that his parents had received the mailed notice.

Commissioners questioned the need to continue the matter when there appears to be no impact on Mr. Shorter's parents' property.

Mr. Shorter stated that he was simply trying to protect his parents' interest and while he personally had no objections to the project, he was not authorized to speak for his parents, as far as the impact on their property.

Commissioner Gibson asked if Mr. Shorter's parents live on the property, and he responded that it has been rented on a short-term basis since his father was transferred to Washington, D.C., but they plan to live there when he retires.

Chris Fitzpatrick, 459 Calle Castellana, reported that 468 Calle Castellana has been rented for some time and it has been the source of numerous problems as evidenced by records in the City Attorney's office.

Chairperson Faulk requested that Mr. Fitzpatrick confine his remarks to the proposed project.

Mr. Fitzpatrick stated that he lives next door to the subject property; that the applicant modified the project to protect his view; and that he is now very happy with the project and hopes it goes forward.

Referring to Condition No. 7, which requires that the silhouette be removed within 30 days of the final public hearing, Commissioner Browning suggested that this condition be reworded in the future to make clear that the Planning Commission hearing is not always the final public hearing and the silhouette must remain in place at least until the time to file an appeal has run out.

Commissioner Browning commended the architect for designing a project that complies with the Hillside Ordinance.

Commissioner Horwich questioned whether demolition work was currently going on at the subject property, and Mr. Boyd stated that he thought it was mainly clean-up work, but he wasn't sure.

**MOTION:** Commissioner Busch moved to close the public hearing. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

Commissioner Busch requested that Building and Safety staff make sure that no un-permitted work is taking place at the subject property.

Voicing support for the project, Commissioner Busch stated that he thought it was a well-designed project that falls well within the guidelines of the Hillside Ordinance.

**MOTION:** Commissioner Browning moved for the approval of PRE06-00035, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Busch and passed by unanimous roll call vote.

Commissioner Horwich noted that Mr. Shorter's parents would still have an opportunity to review the project during the next two weeks and file an appeal for a nominal cost if they have concerns.

Planning Associate Hurd-Ravich read aloud the number and title of Planning Commission Resolution No. 07-020.

**MOTION:** Commissioner Browning moved for the adoption of Resolution No. 07-020. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

11. **RESOLUTIONS** – None.

12. **PUBLIC WORKSHOP ITEMS** – None.

13. **MISCELLANEOUS ITEMS** – None.

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

Planning Manager Lodan reported that the City Council voted unanimously to deny the appeal and approve the project at 4604 Vanderhill Road (PRE06-00026) at the February 6 Council meeting.

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

Planning Manager Lodan reviewed the agenda for the Planning Commission meeting of February 21, 2007.

16. **ORAL COMMUNICATIONS**

**16A.** Bonnie Mae Barnard, Save Historic Old Torrance, reported that she has requested information regarding previous entitlements for 1808 Gramercy Avenue prior to the next Commission meeting at which an application for this property will be considered and expressed concerns that she might not receive the information in time because the City Clerk's office is shorthanded due to illness.

Planning Manager Lodan advised that Community Development Department staff would attempt to provide Ms. Barnard with the requested information.

Commissioner Browning stated that he would recommend a continuance if Ms. Barnard cannot obtain the requested information at least 48 hours before the hearing.

**16B.** Responding to Commissioner Horwich's comments during the hearing on Agenda Item 10B, Bonnie Mae Barnard, wanted to clarify that she does not decide whether to support or oppose the demolition of a building based on whether or not she

likes it but rather the condition of the building and the impact on the surrounding neighborhood.

**16C.** Ms. Barnard invited commissioners to attend SHOT's Extravaganza at The Depot restaurant on Sunday, March 4.

**16D.** Ramie McCoy, 220<sup>th</sup> Street, expressed his disappointment over the Commission's decision regarding Agenda Item 10B, stating that he thought the days of "rubber stamping" staff's recommendations had ended.

**16E.** Chairperson Faulk stated that in an effort to run the most efficient meeting and best serve the public, he would like to suggest that if commissioners have questions prior to the meeting, that they contact staff and ask their questions in advance for the following reasons:

- 1) It would speed up the meeting and eliminate confusion for both staff and the public in attendance;
- 2) It would allow staff to give the most accurate and well researched answers; and
- 3) It would ensure that the public gets the best and most accurate information.

He explained that he was making this suggestion based on almost 40 years of municipal government experience – observing and serving as staff to city councils, commissions, boards and committees, as well as sitting on commissions and committees.

**16F.** Commissioner Uchima noted his agreement with Chairperson Faulk's suggestion.

**16F.** Commissioner Uchima thanked commissioners for sending flowers when his mother passed away and to Commissioner Gibson for selecting the flowers and Chairperson Faulk for attending the services. He also thanked staff for the card and kind words.

**16G.** Commissioner Weideman thanked staff for arranging for him to attend a Planning seminar at UCLA. He stated that the course prodded him to review Torrance's 1992 General Plan and he noticed that the need to codify the historic downtown area was mentioned in the land use element. He expressed the hope that this issue will be addressed in the General Plan update currently underway.

**16H.** Referring to a recent article in the *Daily Breeze*, Commissioner Browning commended the Fire Department for closing down a local establishment due to safety violations.

**16I.** Commissioner Browning noted that he agreed with the concept of majority rule and did not have a problem with the fact that he was in the minority on some of the votes this evening.

**16J.** Commissioner Gibson wished everyone a happy Valentine's Day.

**16K.** Commissioner Busch congratulated Planning Associate Hurd-Ravich on her marriage.

**16L.** Commissioner Busch took issue with Mr. McCoy's remarks about "rubber stamping," noting that it was not uncommon for commissioners to have differing opinions about projects.

**16M.** Commissioner Busch noted that the City Council and some commissions have designated a period at the beginning of meetings for orals so that people who wish to speak on a topic not on the agenda do not have to sit through lengthy meetings and proposed that the Planning Commission institute this practice.

It was the consensus of the Commission to do so, and Chairperson Faulk directed staff to add it to the agenda.

**17. ADJOURNMENT**

At 11:05 p.m., the meeting was adjourned to Wednesday, February 21, 2007, at 7:00 p.m.

Approved as Amended March 7, 2007 s/ Sue Herbers, City Clerk
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