

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

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:03 p.m. on Wednesday, May 19, 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, Horwich, LaBouff, Muratsuchi, Uchima and Chairperson Drevno.

Absent: Commissioner Faulk. (excused)

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

4. POSTING OF THE AGENDA

MOTION: Commissioner Muratsuchi, seconded by Commissioner Horwich, 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

None.

6. REQUESTS FOR POSTPONEMENTS

Planning Manager Isomoto relayed the applicant's request to postpone Agenda Item 7A (PRE04-00006, WAV04-00006: Tad and Marnie Davis) to June 2, 2004.

MOTION: Commissioner Muratsuchi moved to continue Agenda Item 7A to June 2, 2004. The motion was seconded by Commissioner Botello and passed by unanimous roll call vote (absent Commissioner Faulk).

Planning Manager Isomoto announced that the hearing would not be re-advertised because it was continued to a date certain.

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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. PRE04-00006, WAV04-00006: TAD AND MARNIE DAVIS (LANE BUILDING DESIGNS)

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second story additions and a Waiver to allow a reduction of the side-yard setback requirement for an existing one-story, single-family residence on property located in the Hillside Overlay District in the R-1 Zone at 116 Paseo de Granada.

Continued to June 2, 2004.

8. WAIVERS

8A. WAV04-00010: MARK AND CASIE DUVALL (J.K. PERTTULA)

Planning Commission consideration for approval of a Waiver to allow a reduction of the side-yard setback requirement in conjunction with the construction of first and second-story additions to an existing single-family residence on property located in the Small Lot, Low-Medium Overlay in the R-2 Zone at 1962 222nd Street.

Recommendation

Approval.

Planning Assistant Kevin Joe introduced the request.

Mark Duvall, 1962 222nd Street, voiced his agreement with the recommended conditions of approval. He explained that he would like to enlarge his home to accommodate his growing family and to beautify the structure and make it more compatible with the neighborhood.

MOTION: Commissioner Botello moved for the approval of WAV04-00010, 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 (absent Commissioner Faulk).

Planning Assistant Joe read aloud the number and title of Planning Commission Resolution No. 04-052.

MOTION: Commissioner Botello moved for the adoption of Planning Commission Resolution No. 04-052. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Commissioner Faulk).

9. FORMAL HEARINGS

9A. DIV04-00008: SCOTT MATKINS

Planning Commission consideration for approval of a Division of Lot to allow one parcel to be subdivided into two parcels on property located in the M-2 Zone at 4300 190th Street.

Recommendation

Approval.

Planning Associate Kevin Joe introduced the request.

Kevin Staley, representing the applicant, voiced his agreement with the recommended conditions of approval.

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

MOTION: Commissioner Muratsuchi moved for the approval of DIV04-00008, 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 (absent Commissioner Faulk).

Planning Assistant Joe read aloud the number and title of Planning Commission Resolution No. 04-053.

MOTION: Commissioner Muratsuchi moved for the adoption of Planning Commission Resolution No. 04-053. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Commissioner Faulk).

9B. CUP04-00011, PRE04-00007: BISHOP MONTGOMERY HIGH SCHOOL

Planning Commission consideration for approval of a Conditional Use Permit and a Precise Plan of Development to allow the construction of a practice facility for an existing high school on property located in the A-1 Zone in the Hillside Overlay District at 5430 Torrance Boulevard.

Recommendation

Approval.

Planning Assistant Kevin Joe introduced the request and noted supplemental material available at the meeting consisting of correspondence received after the staff report was prepared.

Bill Burch, project architect, voiced his agreement with the recommended conditions of approval.

Joan Dyer, 1200 Opal Street, #20, urged the Commission to reject the project, stating that the proposed practice facility would block her view of the Palos Verdes

hillside, Long Beach harbor, and the Vincent Thomas bridge; detract from the quiet enjoyment of her home; and reduce the value of her property.

Richard Dyer, 1200 Opal Street, #20, stated that he strongly objects to the proposed project because it would cause a loss of views, increased pedestrian traffic, increased vehicular traffic, increased noise, and a reduction in the value of adjacent homes. Submitting photographs to illustrate, he maintained that the value of all 32 units at the Peppertree Village would be negatively affected, with some losing as much as \$50,000 in value. He proposed that the practice facility be built on the lower level of the school's property and reduced in size. He asked about the height of the existing gym; requested clarification of height restrictions in the Hillside Overlay Ordinance; and invited Commissioners to view the silhouette from his home.

William Seaman, 1200 Opal Street, #18, disputed the contention in the staff report that the project would not impact views of surrounding properties, submitting photographs taken from his and neighboring units to illustrate. He questioned whether the applicant had met flagging requirements, reporting that a second row of flags was added to the silhouette on May 18. He maintained that the applicant was not forthcoming about future plans for the campus, noting that the school's website mentioned plans for an on-campus theater and outdoor amphitheater, and questioned why a kitchen would be included in a practice facility. He contended that the City of Torrance and the County of Los Angeles would be indirectly subsidizing a religious school should the project be approved because the value of units in Peppertree Village would decrease thereby reducing property tax revenues. He related his understanding that the facility would not be air-conditioned, meaning that doors will be left open causing residents to be inundated by noise.

Lawrence Finan, 1200 Opal Street, #25, questioned whether an Environmental Impact Report was required for a project of this size.

Planning Manager Isomoto advised that additions to existing schools that do not increase student capacity by more than 25% or ten classrooms are categorically exempted according to CEQA (California Environmental Quality Act) guidelines.

Mr. Finan voiced his objection to the proposed project due to the impact on views.

Tim Mathews, 21321 Howard Avenue, expressed concerns that the project would generate additional traffic and requested that Bishop Montgomery's back gates leading to Mildred Avenue and Howard Avenue remain locked as required by a previously granted Conditional Use Permit.

Richy Agajanian, 1200 Opal Street, #15, stated that he moved into his home within the last three months and that he would have not purchased in this complex if he had known about this project. He reported that an appraiser estimated that the view loss would decrease the value of his property between 10 and 20 percent.

Willis Delperdang, 21333 Mildred Avenue, provided background information about Bishop Montgomery's relationship with the adjacent neighborhood and past problems with cut-through traffic. He stressed the importance of retaining the

requirement that the gates at Mildred Avenue remain locked and requested that a condition to this effect be included as part of the approval of this project.

Louis Gallina, 21413 Mildred Avenue, expressed concerns about the project's impact on school parking.

Judy Jackson, 1200 Opal Street, #11, reported that she is being greatly bothered by noise and asked about limits on decibel levels. Building Regulations Administrator Segovia offered to have staff contact Ms. Jackson with this information.

Jerry Jonas, 21405 Howard Avenue, stated that he was concerned about the elimination of parking in conjunction with this project and suggested that the money would be better spent on building an overpass from the parking lot on the north side of Torrance Boulevard to the campus so that students would not have to cross this busy street.

Al Dressler, 1200 Opal Street, #26, voiced concerns about the project's impact on the value of his home.

Andy Reed, 1200 Opal Street, #23, stated that the proposed building would completely dominate his view. He related his understanding that the school elected not to build the gym on the lower level of the campus because it would be too expensive, but maintained that the expense pales in comparison to what residents would lose due to the decrease in their property values.

Karen Mintzias, 1200 Opal Street, #32, maintained that the project would adversely impact the value of her home even though she was not directly affected. Noting that the school's enrollment has decreased in recent years, she suggested that the new facility was unnecessary because the school has been able to get along without it for all these years.

In response to Commissioner Horwich's inquiry, Mr. Burch indicated that the applicant had no objection to a condition requiring gates leading to Mildred Avenue and Howard Avenue to remain for emergency use only.

With regard to the silhouette, Mr. Burch explained that in response to concerns about the height of the project, the school had decided forego a tournament-height facility, which resulted in a five-foot height reduction, and a second row of flags was added the previous day to reflect this reduction. He submitted photographs showing the improvement to the Dyers' view and noted that the building is approximately 180 feet away from their property line.

A brief discussion ensued, and it was the consensus of the Commission to continue the hearing so that Commissioners could evaluate the project's impact on the Peppertree Village complex.

MOTION: Commissioner Horwich moved to continue the hearing to June 2, 2004. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote (absent Commissioner Faulk).

Planning Manager Isomoto announced that the hearing would not be re-advertised because it was continued to a date certain.

The Commission recessed from 8:11 p.m. to 8:25 p.m.

9C. CUP04-00013, PRE04-00008, DIV04-00010: THOMAS FITZPATRICK (CHARLES BELAK-BERGER)

Planning Commission consideration for approval of a Conditional Use Permit and Precise Plan of Development to allow the construction of a two-unit condominium development and a Division of Lot for condominium purposes on property located in the R-1 PP Zone at 3511 Newton Street,

Recommendation

Approval.

Planning Assistant Kevin Joe introduced the request and noted supplemental material available at the meeting consisting of correspondence from Teresa Rankin received after the agenda item was prepared.

Thomas Fitzpatrick, applicant, voiced his agreement with the recommended conditions of approval.

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

MOTION: Commissioner Muratsuchi moved for the approval of CUP04-00013, PRE04-00008 AND DIV04-00010, 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 (absent Commissioner Faulk).

Planning Assistant Joe read aloud the number and title of Planning Commission Resolution Nos. 04-056, 04-057 and 04-058.

MOTION: Commissioner Muratsuchi moved for the adoption of Planning Commission Resolution Nos. 04-056, 04-057 and 04-058. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Commissioner Faulk).

Commissioner Horwich noted that Ms. Rankin, in her letter (supplemental material), objects to changing the parcel's R-2 designation, however, no Zone Change was being requested and the project complies with R-2 standards.

9D. PRE04-00001: RALPH MALAFRONTA (MANUAL GEORGE)

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 22508 Susana Avenue.

Recommendation

Approval.

Planning Assistant Kevin Joe introduced the request and noted supplemental material available at the meeting consisting of a revised resolution.

Ralph Malafronte, applicant, voiced his agreement with the recommended conditions of approval. He explained that he recently married and needs to enlarge his home to accommodate his and his wife's five children and that he has been involved in the community for a long time and wishes to stay in Torrance.

Gregory Waligorski, 22505 Shadycroft Avenue, voiced his opposition to the proposed project, stating that it would adversely affect his privacy, view, air and light and that its design was out of harmony with the neighborhood. He noted that he and his wife submitted a letter, dated April 3, 2004, in which they detail the project's noncompliance with the Hillside Overlay Ordinance along with photographs and drawings to support their claims. He contended that the applicant failed to satisfy the hardship provision of TMC 91.41.11, which is required for a project with a Floor Area Ratio (FAR) in excess of .50, and that approval of the application would amount to unequal treatment.

Displaying photographs to illustrate, Cleve Hildebrand, 22435 Shadycroft Avenue, stated that the project would adversely impact the views from southern windows in his kitchen, den and master bedroom. He questioned how many children would actually be living in the home. He maintained that the project, which includes cathedral ceilings, was not designed to cause the least intrusion on surrounding properties and that it would decrease the value of his home. He expressed concerns that should the project be approved, it would lead to the mansionization of this block.

Bruce Carter, 2511 Shadycroft Avenue, reported that he was strongly opposed to the project, stating that it would invade his privacy and take away an hour of sunlight from his property. He contended that the applicant could double the size of his house without going up and related his understanding that all of Mr. and Mrs. Malafronte's children are grown.

Beate Baltés, 22505 Shadycroft Avenue, stated that she and her husband purchased in this neighborhood because they were confident that the Hillside Overlay Ordinance would protect their quality of life and contended that the proposed project would limit sunshine to their property and almost completely destroy the view. She submitted a summary of a meeting with the applicant.

Manuel George, project architect, reported that he has been working in the Hillside area for 15 years and understands the need to be sensitive to view, light and privacy issues. He indicated that the applicant was willing to reduce the slope of the roof and lower the foundation a couple of feet to mitigate the impact on neighboring properties. He explained that all of the bedrooms are needed to accommodate the applicants' children and that it would be impossible to provide the necessary space within the footprint of a single story.

Indicating that he would not support the project, Commissioner Botello stated that it appeared from Mr. George's immediate offer to lower the height of the structure that

the applicant chose to propose a project of maximum size in order to save room for compromise. He voiced his opinion that the project was not in compliance with the Hillside Overlay Ordinance due to ceiling heights, the pitch of the roof, the Floor Area Ratio and the fact that the lot is level with nothing to preclude expansion to the rear. He expressed disappointment that the applicant had not attempted to reach a compromise with neighbors before bringing the project to the Commission.

Commissioner Uchima related his observation that the rear windows as proposed would look directly into several neighbors' homes and suggested the possibility of reducing the pitch of the roof and changing to a hip design in order to mitigate the impact on neighbors.

Commissioner Muratsuchi echoed Commissioner Botello's comments, stating that the applicant appeared to be playing games. He voiced his opinion that the personal circumstances listed in the application to justify an FAR in excess of .50 did not satisfy the hardship provision of 91.41.11. He stated that he was particularly concerned about the impact on the Waligorski/Baltes property and urged the applicant work with neighbors to arrive at a compromise.

Commissioner Horwich noted that the number of people living in the house would have no bearing on his decision. He expressed his opinion that the project "pushes the envelope" and indicated his preference for a continuance.

Chairperson Drevno stated that she was not concerned about the number of bedrooms but was concerned about the project's mass.

Mrs. Malafronte explained that the architect was prepared to make concessions because at a meeting six weeks ago, neighbors indicated that only a one-story house would be acceptable, and since that time, he has been trying to figure out what could be done to lower the project's height.

Commissioner LaBouff related his understanding that the project does not violate any provisions of the Torrance Municipal Code. Planning Manager Isomoto advised that the project complies with all setback requirements; that its height, at 26 feet 8 inches, is within the 27-foot maximum; and that the .60 FAR is allowed with certain findings by the Commission.

Commissioner Uchima expressed his preference that the hearing be continued.

Mr. George stated that he was concerned that neighbors would be opposed to anything other than a one-story home.

Commissioner Uchima indicated that he was not opposed to a two-story home as long as it meets the guidelines set out in the Hillside Overlay Ordinance.

Mr. Malafronte agreed to continue the hearing to July 21, 2004.

MOTION: Commissioner Horwich moved to continue the hearing to July 21, 2004. The motion was seconded by Commissioner Muratsuchi and passed by unanimous roll call vote (absent Commissioner Faulk).

Commissioner Horwich noted that the hearing would not be re-advertised because it was continued to a date certain.

9E. CUP04-00007, PRE04-00005, DVP04-00001, TTM60560: WITHEE MALCOLM ARCHITECTS (DAN WITHEE)

Planning Commission consideration for approval of a Conditional Use Permit, Precise Plan of Development and a Development Permit to allow the construction of a mixed-use development consisting of a commercial office and restaurant building and 14 residential condominium units and a Tentative Tract Map for the subdivision of one lot into two lots and for condominium purposes on property located in the Hillside Overlay District in the Hawthorne Boulevard Corridor Specific Plan, Walteria Sub-district at 25410 Hawthorne Boulevard.

Recommendation

Approval.

Planning Assistant Kevin Joe introduced the request and noted supplemental material available at the meeting consisting of correspondence from the Los Angeles County Sanitation District and a revised Resolution No. 04-061.

Dan Withee, project architect, voiced his agreement with the recommended conditions of approval, but referring to Condition No. 15 (requiring the removal/elimination of existing street light and pole on north side of property), he explained that it might not be possible to remove the Edison pole. He briefly described the proposed project, explaining that the Walteria Sub-district is ideally suited for a mixed-use development due to its proximity to shops and restaurants, however, it has lagged behind other areas of the City in terms of redevelopment and revitalization.

Commissioner Botello asked if there would be storage above parking spaces in the garage. Noting that storage space is provided in the units under the stairs, Mr. Withee stated that he could add over-the-hood storage units in the garage but preferred not to because they are usually not maintained and quickly become shabby looking.

In response to Commissioner Uchima's inquiry, Mr. Withee provided clarification regarding on-site circulation.

Voicing support for the project, Commissioner Muratsuchi stated that he believed the proposed project was an effective use of this lot and that he hoped to see more of this type of development along the City's major arterials.

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 CUP04-00007, DVP04-00001, PRE04-00005 and TTM60560, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Muratsuchi and passed by unanimous roll call vote (absent Commissioner Faulk).

Planning Assistant Joe read aloud the number and title of Planning Commission Resolution Nos. 04-060, 04-061, 04-062 and 04-063.

MOTION: Commissioner Muratsuchi moved for the adoption of Planning Commission Resolution Nos. 04-060, 04-061, 04-062 and 04-063. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote (absent Commissioner Faulk).

Commending the architect for his efforts, Commissioner Botello stated that he liked the fact that the project includes two-bedroom units, which are in high demand for young couples seeking entry level housing, and he also liked the street-level parking, which is more inviting to the public than a subterranean garage.

10. RESOLUTIONS

None.

11. PUBLIC WORKSHOP ITEMS

None.

12. MISCELLANEOUS ITEMS

12A. PLANNING COMMISSION ANNUAL REPORT FOR 2003

MOTION: Commissioner Horwich moved to approve the Planning Commission 2003 Annual Report and to forward it to the City Council for review. The motion was seconded by Commissioner Muratsuchi and passed by unanimous roll call vote (absent Commissioner Faulk).

13. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS

Planning Manager Isomoto reviewed recent City Council action on Planning Matters, noting that the Variance for the second unit on the R-1 property at the corner of Fern and Sonoma Avenue was unanimously approved at the May 11 Council meeting along with a waiver of fees.

14. LIST OF TENTATIVE PLANNING COMMISSION CASES

Planning Manager Isomoto reviewed the agenda for the Planning Commission meeting of June 2, 2004.

15. ORAL COMMUNICATIONS

15A. Planning Manager Isomoto announced that a public scoping session would be held on June 9 to discuss the Environmental Impact Report for the proposed renovation and residential project at Del Amo Fashion Center.

15B. Commissioner Botello extended well wishes to Dick Perkins, who was recently hospitalized.

15C. Commissioner Botello requested that information be included in the staff report regarding the impact on police/fire services and utilities when large residential projects are brought forward.

15D. Commissioner Horwich requested information about RHNA (Regional Housing Needs Assessment) numbers for the City of Torrance, relating his understanding that the City has already met housing goals through 2005.

15E. Commissioner Horwich stated that he was saddened to learn of the passing of Dr. Arnold Plank, noting the former superintendent's contribution to Torrance schools, and extended condolences to Dr. Plank's family.

15F. Commissioner Muratsuchi asked about the status of the Commission's request that an item be brought forward to discuss the feasibility of creating a historic preservation district in downtown Torrance.

Planning Manager Isomoto reported that a City Council subcommittee held a meeting to discuss the Mills Act, at which time the creation of a historic overlay zone was brought up, and staff was directed to return to the subcommittee with additional information, therefore staff had delayed bringing anything forward to the Commission.

Commissioner Muratsuchi requested that the Commission be provided with a copy of the report given to the subcommittee.

15G. Commissioner Muratsuchi requested that a representative of the Torrance Unified School District be present to provide information about the impact on schools when large residential projects are considered.

15H. In response to Commissioner Uchima's inquiry, Planning Manager Isomoto reported on the status of the renovation of the north end of Del Amo Fashion Center.

15I. Commissioner Botello commented positively on the mixed-use project on Hawthorne Boulevard (Item 9E).

16. ADJOURNMENT

At 10:09 p.m., the meeting was adjourned to Wednesday, June 2, 2004, at 7:00 p.m.

Approved as Written July 7, 2004 s/ Sue Herbers, City Clerk
