

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

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:00 p.m. on Wednesday, July 6, 2011 in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Horwich.

3. ROLL CALL/ MOTIONS FOR EXCUSED ABSENCE

Present: Commissioners Gibson, Horwich, Polcari, Rizzo, Uchima, Weideman and Chairperson Skoll.

Absent: None.

Also Present: Planning Manager Lodan, Planning Assistant Yumul, Plans Examiner Noh, Associate Civil Engineer Symons, and Assistant City Attorney Sullivan.

4. POSTING OF THE AGENDA

Planning Manager Lodan reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, June 30, 2011.

5. APPROVAL OF MINUTES

MOTION: Commissioner Polcari moved for the approval of the June 1, 2011 Planning Commission minutes as submitted. The motion was seconded by Commissioner Horwich and passed by unanimous voice vote.

MOTION: Commissioner Horwich moved for the approval of the June 15, 2011 Planning Commission minutes as submitted. The motion was seconded by Commissioner Rizzo and passed by unanimous voice vote.

6. REQUESTS FOR POSTPONEMENTS

Planning Manager Lodan relayed the request to continue Agenda Item 9B (ZON10-00001: City of Torrance) indefinitely, noting that the matter will be re-noticed once a new hearing date has been scheduled.

MOTION: Commissioner Polcari moved to continue Agenda Item 9B indefinitely. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

7. ORAL COMMUNICATIONS #1 – None.

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

8. **TIME EXTENSIONS** – None.

9. **CONTINUED HEARINGS**

9A. **PRE11-00006, WAV11-00005: TOMARO ARCHITECTS (MEGUMI MATSUDA)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new one-story, single-family residence with semi-subterranean garage and basement, in conjunction with a Waiver of the rear yard setback requirement on property located within the Hillside Overlay District in the R-1 Zone at 524 Paseo de las Estrellas.

Recommendation: Approval.

Planning Assistant Yumul introduced the request.

Louie Tomaro, Tomaro Architects, stated that the project has been revised three or four times to address the concerns of neighbors; that it now maintains the ridge height of the existing structure; and that the project will actually open up view corridors for neighbors because the existing gable roof on the west side of the house will be replaced with a hip roof. He noted that the fireplace in the master bedroom will be eliminated and the chimney of the remaining fireplace in the great room will be at the minimum height allowed by Code. He voiced his agreement with the recommended conditions of approval.

Commissioner Weideman related his belief that the architect's response to Item 3a in the Precise Plan Application was specious.

Scott Yanke, 435 Calle de Castellana, stated that his only remaining concern about the project was the chimney and asked if it could be silhouetted so he could better determine the view impact.

Planning Manager Lodan advised that the Hillside Ordinance allows one minimum-sized chimney by right, therefore chimneys are not required to be silhouetted.

Responding to questions from the Commission, Plans Examiner Noh clarified that the Code requires chimneys to be at least 2 feet above the roofline within a 10-foot radius of the chimney.

Mr. Yanke requested that chimney be minimum-sized in all dimensions, not just height.

Mike Materman, 444 Via Los Miradores, reported that most of his concerns were taken care of by the elimination of the fireplace in the master bedroom and questioned whether there would be anything else protruding above the roofline, such as a satellite dish.

Planning Manager Lodan explained that the City only regulates large commercial-style satellite dishes, which require a special permit.

Mr. Materman asked if the Commission could limit the type and/or height of vegetation to be planted in conjunction with the project.

Planning Manager Lodan advised that the Hillside Ordinance does not regulate vegetation; that staff strongly discourages the Commission from veering into this area; and that staff encourages applicants and neighbors to work together to resolve any concerns involving landscaping.

Mr. Materman noted that there is a large public sewer line adjacent to the subject property, and Associate Civil Engineer Symons confirmed that any underground facilities/ utilities will be located before any digging takes place.

Associate Civil Engineer Symons disclosed that he knows the previous speaker because their children attend the same school, but he has not discussed this project with him.

Bob Hoffman, Via Sevilla, commended the architect for keeping the roofline as low as possible. He recommended that limits be placed on what can protrude above the roofline because even inches will make a difference in terms of view in this case. He stated that just because the Hillside Overlay does not address vegetation does not mean that the Commission cannot address this issue and voiced his opinion that a landscaping plan should be submitted for approval.

Commissioner Skoll related his understanding that applicants are required to submit landscape plans, and Planning Manager Lodan advised that landscape plans are typically only required for commercial or multi-unit residential projects.

Returning to the podium, Mr. Tomaro confirmed that the fireplace in the master bedroom will be eliminated per Condition No. 10 and that the chimney for the fireplace in the great room will be reduced to minimum height per Condition No. 11. With regard to Item 3A in the Precise Plan application, he stated that he had meant to say that the proposed one-story project is consistent and harmonious with the neighborhood.

Noting that several letters in the agenda item were addressed to Community Development Director Jeff Gibson, Commissioner Gibson wanted to clarify that she is not related to him.

In response to Commissioner Gibson's inquiry, Plans Examiner Noh advised that crawlspace beneath the master bedroom and family room may not be used for storage per the Building Code.

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

MOTION: Commissioner Uchima moved for the approval of PRE11-00006 and WAV11-00005 as conditioned, including all findings of fact set forth by staff, with the following modification:

Modify

No. 11 That the chimney in the family room/patio area shall be reduced to the minimum height and size allowed per the Building Code to the satisfaction of the Community Development Director.

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

Planning Assistant Yumul read aloud the number and title of Planning Commission Resolution Nos. 11-040 and 11-041.

MOTION: Commissioner Uchima moved for the adoption of Planning Commission Resolution Nos. 11-040 and 11-041 as amended. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

9B. ZON10-00001: CITY OF TORRANCE

Planning Commission consideration of an Ordinance amending portions of the Torrance Municipal Code to regulate the location of massage establishments.

Item was continued indefinitely.

10. WAIVERS – None.

11. FORMAL HEARINGS

11A. MOD11-00005, WAV11-00007: JAN TROBAUGH (DEAN THOMAS)

Planning Commission consideration for approval of a Modification of a previously approved Conditional Use Permit (CUP07-00005) to allow the reconfiguration of a 12-unit condominium project in conjunction with a Waiver to allow less than the required distance between buildings on property located in the R-3 Zone at 3525 Maricopa Street,

Recommendation – Denial without prejudice.

Planning Assistant Yumul introduced the request.

Bart Hornstein, project manager, reported that a 12-unit condominium project was approved for this site approximately 3 years ago, but the project has had to be redesigned due to economic conditions and the difficulty of obtaining financing for construction projects. He noted that there are two major changes: 1) the project will be built on-grade instead of semi-subterranean, and 2) the units will be detached. He explained that building on-grade allows for a more reliable sewer/storm drain system since it eliminates the need for sumps; it is less disruptive to the neighborhood because trucks won't be hauling soil from the site; and it significantly reduces construction costs thereby making the project financially feasible at current housing prices. He further explained that detaching the units allows for more private yard space, lowers homeowner's association fees because the HOA is only responsible for maintaining common areas, and provides more financing options for homebuyers since FHA will loan

on only 50% of the units in an attached condominium project, but will loan on 100% of detached units as they are treated the same as single-family homes.

Noting that a Waiver was being requested because there is only 6 feet between buildings instead of the required 10 feet, Mr. Hornstein suggested that the 10-foot requirement was likely put in place to provide adequate separation for large multi-unit buildings since this type patio home was not envisioned when the Code was adopted. He related his experience that a 6-foot separation was not uncommon for condominium developments with detached units. He noted that staff was recommending that 116 square feet be eliminated from the project to reduce the FAR (floor area ratio) from 0.72 to 0.71, which is the same as originally approved, however, the increase in the FAR is necessary to accommodate interior stairways that were exterior in the original design. He voiced his opinion that the redesigned project was a win/win solution because it makes the project financially feasible for the developer while preserving the character of the community.

Commissioner Weideman noted that Mr. Hornstein failed to mention that the project will now be three stories as opposed to the previously approved project, which was semi-subterranean and appeared to be two stories when viewed from Maricopa.

Mr. Hornstein related his belief that the height was appropriate for this area, noting that it's right across the street from a high-rise building.

Commissioner Rizzo expressed concerns that the redesigned project eliminates the extra parking space per unit that was included in the original project and could therefore impact neighborhood parking.

Mr. Hornstein responded that the project still complies with Code requirements for parking (3 parking spaces per unit plus 3 guest parking spaces).

Commissioner Uchima requested clarification of staff's position on this project.

Planning Manager Lodan advised that staff typically does not recommend approval of a Waiver unless the applicant is unable to meet requirements due to constraints inherent to the lot, such as size, shape or topography, however the Commission has more latitude and may consider things such as the financial aspects of a project. With regard to the FAR, he explained that staff included the condition requiring the FAR to be reduced to match the earlier approved project since this was a concern in the past, but staff was not opposed to approving the revised project as submitted because 116 square feet is a relatively negligible amount.

Commissioner Uchima asked if the project would be required to have more fire suppression features due to the 6-foot separation between units.

Planning Manager Lodan reported that the 10-foot separation requirement was meant to address the bulk of a project, not safety concerns because R-3 zoning was envisioned for multi-unit buildings, not single-family style homes.

Mr. Hornstein noted that the units will have fire sprinklers.

Commissioner Uchima asked about Mr. Hornstein's claim that eliminating the semi-subterranean garage would reduce the impact on neighbors during construction and provide for a more reliable drainage system.

Planning Manager Lodan conceded that the revised design includes features that would make the project much easier and less expensive to build and maintain.

In response to Commissioner Uchima's inquiry, Mr. Hornstein reported that selling price for the units is expected to be approximately \$550,000 as opposed to almost \$700,000 when the previous project was approved.

Ruby Resnick, 3520 Maricopa Street, questioned whether the project's driveway would be on Maricopa or Emerald and expressed concerns about the project's impact on parking and traffic.

Planning Manager Lodan advised that the driveway for the project would be on Maricopa as the lot does not go through to Emerald.

Chairperson Skoll stated that he understood Ms. Resnick's concern about parking and hoped that residents would park on-site.

Assistant City Attorney Sullivan reviewed the criteria for granting a Waiver per Torrance Municipal Code §94.2.4.

Returning to the podium, Mr. Hornstein reported that he was aware of several projects with detached units that are only six feet apart and there have been no problems with fire safety.

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

Commissioner Weideman pointed out that a condition was included on the previously approved project requiring 3½ feet of red curbing on either side of the fire hydrant, but it was not included in the recommended list of conditions for this project.

Planning Manager Lodan advised that the Fire Department reviewed the project and did not recommend that condition and suggested that the condition might have been included before because the units were not equipped with fire sprinklers.

Noting that he was on the Commission when the previous project was approved, Commissioner Weideman stated that he was concerned about the reduction in on-site parking since this is a very congested area and he had reservations about approving the Waiver because he was not sure the hardship requirement had been met.

Indicating that he also had reservations about the Waiver, Commissioner Rizzo stated that in order to provide the required 10-foot setback, the project would have to be downsized creating financial hardship for the developer, however, this has to be weighed against the potential hardship the project could create in this neighborhood.

Commissioner Horwich stated that he was not sure the question of financial hardship should be considered by this commission; that he was more inclined to worry about the physical arrangement of the buildings; and that he did not believe the proposed 6-foot separation was appropriate.

Commissioner Uchima asked if there were other developments in Torrance with a 6-foot separation between buildings.

Planning Manager Lodan advised that a 6-foot separation has been allowed on property zoned for Planned Developments, which has a 5-acre minimum lot size. He reported that a workshop was conducted several years ago in order to develop appropriate zoning/building standards for this type of detached patio home product, but the project was put on hold while staff was involved in the General Plan update and it will likely be resumed in conjunction with the Municipal Code update.

Commissioner Uchima stated that he was inclined to agree that building on-grade was preferable from a drainage standpoint and believed that detached units would be more desirable because they look like single-family homes. With regard to the issue of hardship, he suggested that the fact that the project will provide workforce housing could be considered justification for the less than required separation between buildings. He questioned whether the City was still subject to the Regional Housing Needs Assessment (RHNA) mandate.

Planning Manager Lodan confirmed that the RHNA mandate was still in effect, whereby the City must make provisions for a certain number of units over a certain number of years. Assistant City Attorney Sullivan clarified that the City is not required to build the housing and only has to provide the opportunity for it. He doubted that homes in the \$500,000 range would qualify as workforce housing.

Commissioner Uchima noted that providing reasonably priced housing is an important component in attracting businesses to Torrance and very few new units have been built recently due to the decline in the housing market.

Commissioner Gibson stated that she liked the project as revised and doubted that an additional four feet between the buildings would make any difference in terms of the impact on the neighborhood.

Chairperson Skoll indicated that he was initially concerned about the 6-foot separation between the buildings, but would now support the project after hearing tonight's discussion. He suggested that by approving the project, the Commission would be sending a message to the City Council that perhaps zoning/building standards need to be revisited.

Expressing support for the project, Commissioner Uchima stated that he was mainly concerned about the spread of fire from one unit to another and would like all available fire suppression features to be incorporated into the project.

Plans Examiner Noh noted that in addition to fire sprinklers, hard-wired smoke detectors and carbon monoxide detectors will be required.

MOTION: Commissioner Gibson moved for the approval of MOD11-00005 and WAV11-00007, as conditioned, including all findings of fact set forth by staff, with the following modifications:

Delete

No. 4 That the applicant shall reduce the square footage of the project by 116 square feet to the satisfaction of the Community Development Director.

No. 15 That the Floor Area Ratio shall be allowed to exceed 0.6 to a maximum of 0.71.

The motion was seconded by Commissioner Uchima and passed by a 5-2 roll call vote with Commissioners Horwich and Weideman dissenting.

Commenting on his vote, Commissioner Horwich noted that the staff report states, "The General Plan provides that the City shall approve only that development which is consistent in scale, mass and character with structures in the surrounding area," and in his opinion, the proposed project did not meet this requirement.

Planning Manager Lodan reported that resolutions reflecting the Commission's action would be brought back for approval at a later date.

12. **WAIVERS** – None.

13. **PUBLIC WORKSHOP ITEMS** – None.

14. **MISCELLANEOUS ITEMS** – None.

15. **REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS** – None.

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

Planning Manager Lodan reviewed the agenda for the July 20, 2011 Planning Commission meeting.

17. **ORAL COMMUNICATIONS #2**

17A. Assistant City Attorney Sullivan reported that Sr. Planning Associate Danny Santana was currently at the hospital awaiting the birth of his child.

17B. Chairperson Skoll wished Commissioner Gibson a happy birthday.

17C. Commissioner Rizzo stated that he hoped everyone had an enjoyable 4th of July weekend.

17D. Commissioner Horwich commended Chairperson Skoll for running an efficient meeting.

17E. Commissioner Weideman commended Sr. Planning Associate Santana for his presentation at the All American City competition in Kansas City, relating his observation that he was the only one who spoke without notes.

17F. Commissioner Uchima also wished Commissioner Gibson a happy birthday and commended Chairperson Skoll for doing a great job of chairing the meeting.

17G. Chairperson Skoll asked about rumors that Farells' Ice Cream Parlor will be coming to Torrance, and Planning Manager Lodan reported that no plans have been submitted.

18. ADJOURNMENT

At 8:20 p.m., the meeting was adjourned to Wednesday, July 20, 2011 at 7:00 p.m.

Approved as Amended August 3, 2011 s/ Sue Herbers, City Clerk
