

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

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:02 p.m. on Wednesday, September 7, 2005, 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

Present: Commissioners Drevno, Guyton, Horwich, LaBouff, Muratsuchi and Vice-Chair Faulk.

Absent: Chairperson Uchima. (excused)

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

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 Muratsuchi moved for the approval of the July 20, 2005 Planning Commission minutes as submitted. The motion was seconded by Commissioner Horwich; voice vote reflected unanimous approval (absent Chairperson Uchima).

6. REQUESTS FOR POSTPONEMENT

Planning Manager Isomoto requested that Agenda Item 10A (PRE05-00023, WAV05-00013: Les Arneson) be continued to September 21, 2005.

MOTION: Commissioner Guyton, seconded by Commissioner Horwich, moved to continue Agenda Item 10A to September 21, 2005; voice vote reflected unanimous approval (absent Chairperson Uchima).

Planning Manager Isomoto announced that the hearing would not re-advertised because it was continued to a date certain and noted that the missing sign on the property would be replaced.

Vice Chair 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. **PRE04-00035: DOUG AND EMILY GALLOWAY (LANE BUILDING DESIGNS)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story, single-family residence with an attached four-car garage on property located in the Hillside Overlay District in the R-1 Zone at 936 Calle Miramar.

Recommendation

Approval.

Planning Assistant Hurd introduced the request and noted supplemental material available at the meeting consisting of an additional condition of approval.

Doug and Emily Galloway, applicants, voiced their agreement with the recommended conditions of approval.

Ms. Galloway reported that considerable time and expense has gone into revising the project and expressed the hope that they would soon be able to begin construction. She noted that they have agreed to modify landscaping to address concerns of neighbors.

Gary Lane, project architect, discussed the revisions made to mitigate the impact on neighbors, including moving back the garage, lowering the roof, reducing the size of the roof deck and eliminating the exterior stairs. He stated that the applicants decided to retain the four-car garage even though it pushed the Floor Area Ratio above .50 because the semi-subterranean garage does not contribute to the project's bulk and the additional parking is necessary due to the limited parking on this street.

Mayumi Yamamoto, representing her parents, the owners of the property at 940 Calle Miramar, reported that they still object to the project because it would block 70% of the view from their living room, intrude on their privacy, and reduce the value of their property. She requested that the project be moved further back from the street and that the roof deck be eliminated.

Jeannie Tudda, 420 Calle de Castellana, voiced support for the project, stating that the property is currently an eyesore and a safety hazard and its upgrading will increase property values.

Kelly Evans, 933 Calle Miramar, also voiced support for the project, stating that the removal of trees to be done in conjunction with this project will benefit views.

Carolyn Peterson, 236 Calle Miramar, stated that while she is not personally impacted by the proposed project, she was concerned about the precedent it would set.

Vice Chair Faulk explained that the Commission considers each project on an individual basis.

Linda Black, 937 Calle Miramar, voiced support for the project and the four-car garage, explaining that the additional parking would be helpful because parking is limited to one side of the street.

Connie Smith, 325 Via Colusa, stated that she was still concerned about the project's impact on her privacy due to the large window that will look directly into her bedroom. She reported that she was originally told that the window in question was a bedroom window, but was now even more concerned having learned that it is a family room window. She questioned the need for a four-car garage, noting that the shortage of parking was not mentioned at the previous hearing.

Farrah Saab, 337 Via Colusa, expressed concerns about the roof deck's impact on privacy and maintained that the project would detract from the charm of the neighborhood.

Returning to the podium, Ms. Galloway indicated that she was very disappointed and frustrated that the Yamamotos were still objecting to the project because she and her husband met with them to discuss their concerns and spent all summer trying to address them. She expressed her willingness to eliminate the roof deck to address privacy concerns; noted that the window Ms. Smith is concerned about is approximately 100 feet away; and reported that as many trees as possible will be kept to enhance privacy. She maintained that the four-car garage would be beneficial for the neighborhood as it would free up street parking.

Responding to questions from the Commission, Ms. Galloway confirmed that the overgrown shrubbery between her property and the Yamamotos' property will be removed; that the four-car garage is in a tandem arrangement and will look like a two-car garage from the street; and that the front of garage will be aligned with the Yamamotos' living room in order to protect their view.

Commissioner Muratsuchi suggested that living space could be reduced to achieve an FAR of .50 if the Galloways believe a four-car garage is necessary.

Mr. Galloway indicated that he would eliminate the four-car garage rather than reducing the living space.

Commissioner Muratsuchi stated that, as there had been no demonstration that being confined to a Floor Area Ratio (FAR) of .50 would constitute an unreasonable hardship, he would not support the project as proposed.

Mr. Lane explained that he originally designed the project with a two-car garage and it was enlarged as an afterthought because the building envelope allowed for the additional garage space, which is all below grade and dug into the hillside. He voiced his opinion that the elimination of the roof deck would address any remaining concerns about privacy and that reducing the size of the garage made no sense as it would have no impact on the appearance of the project.

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

Voicing support for the project, Commissioner Guyton stated that he originally objected to the four-car garage but was persuaded that it would be beneficial for the neighborhood due to the limited parking on this street and that he believed the Galloways had made every effort to accommodate the Yamamotos' view by moving the garage back and agreeing to remove shrubbery currently blocking their view. He noted that a large tree approximately three houses away already blocks a significant portion of the Yamamotos' ocean view.

Commissioner Horwich indicated that he would also support the project with the four-car garage, noting that the Commission has the discretion to approve projects with an FAR in excess .50 and while the application fails to adequately address this issue, the staff report supports a finding of hardship.

Commissioner Drevno voiced support for the project with the elimination of the roof deck, stating that she believed the four-car garage was needed due to the limited street parking and noted that there was no issue of compatibility because it would look the same as a two-car garage.

Commissioner Muratsuchi stated that he would not support the project because he saw no reason why the applicants could not reduce the living area to achieve an FAR of .50 if they wish to have a four-car garage. He noted that TMC § 91.41.11 requires a demonstration that denial of the application would constitute an unreasonable hardship for the applicant, not the neighborhood.

MOTION: Commissioner Horwich moved for the approval of PRE04-00035, as conditioned, including all findings of fact set forth by staff, with the following modifications:

Add

- That the roof deck shall be eliminated.
- That the windows in the master bath be treated or composed of materials that will ensure privacy to the satisfaction of the Community Development Director. (per supplemental material)

The motion was seconded by Commissioner Guyton and passed by a 5-1 roll call vote, with Commissioner Muratsuchi dissenting (absent Chairperson Uchima).

Vice Chair Faulk stated that he was originally opposed to the four-car garage but decided to support it in this case due to the uniqueness of this particular site.

Planning Assistant Hurd read aloud the number and title of Resolution No. 05-075.

MOTION: Commissioner Drevno moved for the adoption of Resolution No. 05-075 as amended. The motion was seconded by Commissioner Horwich and passed by 5-1 roll call vote, with Commissioner Muratsuchi dissenting (absent Chairperson Uchima).

9. **WAIVERS** – None.

10. **FORMAL HEARINGS**

10A. **PRE05-00023, WAV05-00013: LES ARNESON**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a second-story addition to an existing one-story, single-family residence in conjunction with a Waiver of the required side and front-facing garage setbacks on property located in the Hillside Overlay District in the R-1 Zone at 207 Via Anita.

Continued to September 21, 2005.

10B. **DIV05-00012: BHARAT PATEL**

Planning Commission consideration for approval of a Division of Lot to allow one lot to be subdivided into four lots on property located in the R-1 Zone at 2245 W. 233rd Street.

Recommendation

Denial.

Planning Assistant Hurd introduced the request and noted supplemental material available at the meeting.

Bharat Patel, applicant, reported that he was proposing to subdivide a 17,489 square-foot lot into four parcels of approximately 4,300 square feet which, while less than the minimum for R-1 lots, would be consistent with several other lots in the area. He explained that lots of this size would accommodate moderately sized, more affordably priced homes as opposed to the huge homes that could be built on this site if divided into only two lots. As an alternative, he suggested a three-lot subdivision, which could be created simply by merging the two lots facing either 233rd or 232nd Street into one.

Commissioner Horwich indicated that he was not in favor of either the four or the three-lot subdivision proposed by the applicant, but would consider a subdivision of three equal sized lots if the applicant would like to submit a revised proposal.

David Graham, 2223 W. 233rd Street, voiced objections to the proposed subdivision, stating that it would increase density and exacerbate parking problems in the neighborhood. He conceded that there are similarly sized lots in this area, but noted that they were created several years ago.

Junoh Suh, 2227 W. 233rd Street, indicated that he was opposed to the subdivision of this lot because it would eliminate street parking and bring more people and noise to the neighborhood.

Jeff Miller, 2325 W. 233rd Street, voiced his opposition to dividing this parcel into four lots because the smaller lots would not be consistent with current development in

this area. He noted that he moved from Lomita to escape the problems caused by over-development.

Mr. Cano, 2230 W. 233rd Street, voiced objections to the proposed subdivision, citing the impact on parking.

Maria Gunderson, 2342 W. 233rd Street, stated that she was opposed to splitting this parcel into lots that do not conform to the rest of the neighborhood.

Mr. Patel reported that he lives in this neighborhood and agrees that parking is a problem, but noted that this lot will not remain vacant so there will be some impact. He voiced his opinion that the smaller homes that would result from splitting the parcel into four lots would be better for the neighborhood than the mansion-sized homes that would result from a two-lot split.

A brief discussion ensued, and Commissioners indicated that they favored a two-lot subdivision. Planning Manager Isomoto confirmed that the Commission could approve a two-lot subdivision at this meeting without revised drawings.

Mr. Patel indicated that he would not agree to a two-lot subdivision.

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

MOTION: Commissioner Guyton moved for the approval of DIV05-00012, as conditioned, including all findings of fact, with the following modification:

Add

- That the parcel shall be divided into two lots.

The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Chairperson Uchima).

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

10C. CUP05-00020, DIV05-00009: MENILOS SARIDAKIS (CHARLES BELAK-BERGER)

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a two-unit attached condominium project and a Division of Lot for condominium purposes on property located in the R-3 Zone at 1008 Arlington Avenue.

Recommendation

Approval.

Planning Assistant Hurd introduced the request.

Charles Belak-Berger, project architect, voiced his agreement with the recommended conditions of approval and noted that he intends to revise the exterior to incorporate Craftsman-style design elements.

Liz Fobes, 1731 Andreo Avenue, noted that she is a member of the Torrance Historical Society but was speaking on her own behalf. She stated that she was opposed to the proposed project for the following reasons: 1) The City Council agreed to a voluntary moratorium on the approval of any exceptions to the General Plan, including Conditional Use Permits, until the General Plan update currently underway has been completed; 2) Contrary to the staff report, the project is not categorically exempted by CEQA (California Environmental Quality Act) Guidelines because it is located within the boundaries of historic Torrance and the impact on historical and cultural resources must be considered; and 3) The razing of this historic bungalow would continue the tear-down epidemic. She noted that the same objections hold true for the project to be considered under Agenda Item 10D.

Stephanie Albers, 1012 Arlington Avenue, voiced objections to the project, stating that the proposed condominiums were out of character with the neighborhood and would loom over her house, taking away her privacy and blocking the view from her porch. She maintained that the project would also exacerbate existing parking problems and the perimeter wall would destroy her garden.

Dave Kauschenberger, 1012 Arlington Avenue, indicated that he was strongly opposed to the proposed project and expressed concerns about being exposed to noise and pollution from vehicles due to the close proximity of the garages to his house.

Heinz Kallenberger, 1004 Arlington Avenue, reported on problems associated with the condominium development being built behind him and questioned why it was ever approved. He voiced objections to the proposed project, maintaining that it would add to overcrowded conditions in Torrance and exacerbate parking problems in this neighborhood. He asked that an eight-foot high perimeter wall be erected if the project goes forward.

Bonnie Mae Barnard, Vice President of Save Historical Old Torrance (SHOT), stated that it was unfair that those who live in the Hillside Overlay District have their privacy protected, while those who live in the rest of Torrance have no such protection and called for the Commission to address this inconsistency.

Ms. Barnard contended that approving the proposed Conditional Use Permit would violate the moratorium enacted by the City Council and suggested that data is needed on the cumulative impact of projects already approved before increasing density in Torrance. She voiced objections to replacing the existing Craftsman home with a project that has a Craftsman-style appearance, but lacks the same quality materials. She cited a letter from Gordon Olschlager, an architect experienced in historic preservation, offering his expert opinion that the area in which this project is located is an excellent candidate for the creation of an historic district and potentially qualifies for listing on the California Register of Historic Resources due to the high degree of retention of historic structures and its association with the renowned Olmsted design firm. She then cited a legal opinion from Susan Brandt-Hawley, an attorney experienced in preservation law, indicating that properties that have been determined by an expert to be eligible for listing on the California Register of Historic Resources are considered

historic and an Environmental Impact Report must be prepared before demolition of structures can take place.

Commissioner Horwich noted his agreement with Ms. Barnard's comments regarding the unfairness of protecting the privacy of residents in the Hillside Overlay District without affording residents in other areas that same protection.

In response to Commissioner Horwich's inquiry, Planning Manager Isomoto confirmed that the proposed project was not subject to the moratorium because it applies only to Zone Changes and General Plan Amendments, neither of which was being requested in this case.

Responding to questions from the Commission, Deputy City Attorney Whitham advised that it was staff's opinion that the project is exempted by CEQA Guidelines, noting that while CEQA does protect resources recognized as historic, the subject property has not been recognized as such. She provided clarification of the City Council's action on historic preservation, explaining that the Council designated the area of the original Torrance Tract as "Old Torrance Founded 1912" and directed staff to develop voluntary architectural guidelines and to draft an ordinance that would allow residents to participate in a voluntary property tax abatement program.

Keith MacLyman, 1016 Arlington Avenue, echoed concerns about parking problems in this area and noted his agreement with his neighbors' comments.

Mr. Belak-Berger stated that he has great reverence for historical buildings and is familiar with Mr. Olmsted, but related his understanding that the building in question was neither designed nor blessed by him and would not qualify as historic. He vowed to work with staff to come up with an appropriate design using quality materials. He noted that the site is zoned R-3, not R-1, and maintained that the City's stringent parking requirements were designed to address the increased density. He urged approval of the project, which would provide additional moderately priced housing.

Commissioner Faulk asked about other condominium projects on this block of Arlington, and Mr. Belak-Berger recalled that there are no condominiums on this particular block.

Ms. Ormond, 1020 Arlington, voiced objections to the project and to condominiums in general, which leave no place for children to play except alleys and streets.

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

Commissioner Muratsuchi indicated that he would be inclined to support a project that complies with all requirements even though he shares concerns about increasing density in Torrance because he believes that people who follow the rules should be allowed to build on their property as they see fit. He stated, however, that because the applicant was requesting approval of a Division of Lot along with the Conditional Use Permit, which is a privilege, not a right, the increase in density could be considered, therefore, he would be voting against the proposal based on his concerns about this issue.

MOTION: Commissioner Muratsuchi moved to deny CUP05-00020 and DIV05-00009. The motion was seconded by Commissioner Guyton, and discussion briefly continued.

Commissioner Horwich stated that he is very much in favor of condominiums because they provide entry-level housing for people who could otherwise not enjoy the benefits of homeownership. He noted that the Division on Lot is for the purposes of ownership only; that it involves no physical division of the lot; and that it's impossible to distinguish an apartment building from a condominium building simply by looking at it. He offered the following substitute motion:

MOTION: Commissioner Horwich moved for the approval of CUP05-00020 and DIV05-00009, as conditioned, including all findings of fact set forth by staff. The motion died for lack of a second.

Vice Chair Faulk called for a vote on the original motion, and the motion passed by a 5-1 roll call vote, with Commissioner Horwich dissenting (absent Chairperson Uchima).

Commenting on his vote, Commissioner Guyton stated that he did not believe the proposed project was consistent with existing homes in this neighborhood and he would like to see the integrity of this unique street maintained. He cited the building at 917 Portola as an example of a two-unit building that better conforms to the neighborhood.

Commissioner Faulk explained that he asked Mr. Belak-Berger about other condominiums on this block because he wanted to highlight the fact that there are none and this project would take away this conformity. He indicated that he was also concerned about the impact the condominium project directly behind this site has had on this neighborhood and that also factored into his decision. He noted his agreement with Commissioner Horwich's remarks regarding the opportunity condominiums provide for first-time homebuyers.

Planning Manager Isomoto noted that resolutions reflecting the Commission's action would be brought back for approval at the next meeting.

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The Commission recessed from 9:15 p.m. to 9:25 p.m.

10D. CUP05-00022, DIV05-00010: ROBERT TREMAN (K.T. ZIEGLER)

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a two-unit detached condominium project and a Division of Lot for condominium purposes on property located in the R-3 Zone at 815 Portola Avenue.

Recommendation

Approval.

Planning Assistant Hurd introduced the request.

Robert Treman, project architect, voiced his agreement with the recommended conditions of approval. He briefly described the proposed project, noting that it exceeds open space requirements, that the buildings are below the height limit, and that the Floor Area Ratio (FAR) is well under the FAR permitted in the R-2 Zone. Additionally, he noted that roofline was staggered and one-story elements were included along the sides and facing the street so the project would fit in with the neighborhood and not loom over adjacent properties. With regard to the architecture, he commented on his efforts to mimic the style of the existing neighborhood through the use of appropriate materials and detailing.

Vice Chair Faulk suggested that since some audience members' comments would be substantially the same as in the previous item, they could simply give their name and address and their previous comments would be incorporated into the minutes.

Liz Fobes, 1731 Andreo Avenue, indicated that her comments would be slightly different from the previous item. She stated that while she now understands that this project is not subject to the moratorium enacted by the City Council, she still felt approving it would violate the spirit of the moratorium. She noted that differing legal opinions have been presented as to whether an Environmental Impact Report is required before the demolition of an existing structure can take place and this issue may ultimately have to be decided by the courts. She stated that the City Council took "baby steps" in adopting a voluntary historic preservation program, however, in doing so they recognized the value of Torrance's historic resources and the fact that they belong to the entire city and should be preserved for future generations. She urged denial of the project because it would lead to the demolition of one of the most beautiful bungalows on this block.

Jerry Fresquez, 715 Pacific Lane, voiced his opposition to the proposed project due to the impact on parking. Submitting photographs to illustrate, he explained that none of the houses on his block have garages or driveways so residents must find space in the surrounding neighborhood to park.

Lila Carmon, 819 Portola Avenue, stated that the proposed project would take away her privacy and make it impossible for her to open her windows or enjoy her backyard. Noting that both she and her son work nights, she expressed concerns that noise from construction would make it impossible to sleep during daytime hours. She reported on parking problems in the neighborhood and noted that her request to put in a driveway was denied because it would have taken away street parking. She also expressed concerns that vibration from bulldozers could damage her house and that construction would necessitate the removal of a large magnolia tree that borders her property.

Susan Colagiovanni, 823 Portola Avenue, voiced objections to the proposed project because it would detract from the character of the neighborhood and take away street parking due to the driveway cut. She expressed concerns about the loss of the large magnolia tree.

Steve Lavey, 823 Portola Avenue, stated that the historic nature of this neighborhood is very valuable to residents, whether or not it is legally validated. He acknowledged that the property is zoned R-2, which allows for the building of two units,

but expressed concerns that permitting lots to be divided for condominiums could damage the neighborhood's historic character.

Commissioner Horwich asked if Mr. Lavey could distinguish between rental units and condominium units in the area. Mr. Lavey related his understanding that the term "condominium" reflects a form of ownership and not the structure of a building and indicated that he favored smaller units on this site regardless of the form of ownership.

Nina McCoy, 1918 W. 220th Street, related her understanding that although the property owner has a right to build two units on this property, the applicant has added a special request to subdivide the lot so the units could be sold separately. She voiced her opinion that this subdivision should not be allowed because City guidelines indicate that these lots were intended to remain under single ownership, while allowing the addition of a rental unit. She disputed the idea that these condominiums would be affordable for first-time homebuyers.

Deputy City Attorney Whitham clarified that the proposed Division of Lot is not a special request from a legal perspective. She explained that there is a mechanism in California law and the Torrance Municipal Code, which allows for the subdivision of land, and this property meets the requirements for subdivision.

In response to Commissioner Horwich's inquiry, Planning Manager Isomoto confirmed that the property owner could tear down the existing house and built two rental units on this property without Commission approval as long as all requirements were met.

Samantha Evans, 811 Portola Avenue, urged the Commission to deny the project, explaining that houses in this area are very small and close together and adding two large condominiums next door would drastically impact her privacy. She also expressed concerns about the loss of the large magnolia tree and the project's impact on parking.

Adding to her earlier remarks, Deputy City Whitham noted that the applicant was also requesting approval of a Conditional Use Permit, which provides the Commission with the discretion to consider the integrity and character of the surrounding neighborhood and whether the site is physically suited for the type of land use being proposed.

Bonnie Mae Barnard, Save Historical Old Torrance, asked that her comments from the previous item be incorporated into the minutes.

Ms. Barnard contended that approving the proposed Conditional Use Permit would violate the moratorium enacted by the City Council and suggested that data is needed on the cumulative impact of projects already approved before increasing density in Torrance. She voiced objections to replacing the existing Craftsman home with a project that has only a Craftsman-style appearance, but lacks the same quality materials. She cited a letter from Gordon Olschlager, an architect experienced in historic preservation, offering his expert opinion that the area in which this project is located is an excellent candidate for the creation of an historic district and potentially qualifies for listing on the California Register of Historic Resources due to the high degree of retention of historic structures and its association with the renowned Olmsted

design firm. She then cited a legal opinion from Susan Brandt-Hawley, an attorney experienced in preservation law, indicating that properties that have been determined by an expert to be eligible for listing on the California Register of Historic Resources are considered historic and an Environmental Impact Report must be prepared before demolition of structures can take place.

Ms. Barnard added that many people who are opposed to the project decided not to come to tonight's meeting because they have become discouraged due to past decisions and feel that their opinions have been disregarded. She urged the Commission to protect the charm and character of this historic neighborhood by denying the project.

Ted Ziegler, representing the owner of the subject property, requested clarification of the approval process should the Division of Lot be eliminated. Planning Manager Isomoto advised that a separate permit for the curb cut would have to be obtained for the new driveway and then the applicant could apply for building permits as long as all requirements were met.

Lila Carmon asked who would be responsible if her house starts cracking due to the new construction. Building Regulations Administrator Segovia advised that Building and Safety staff would follow up should Ms. Carmon report such damage and offer advice, but it is a civil matter that would have to be resolved by Ms. Carmon and the developer.

Returning to the podium, Mr. Treman conceded that there is a lack of parking in this neighborhood but pointed out that the project includes ample on-site parking and the garages include storage areas so that there will be room to park vehicles. With regard to the magnolia tree, he stated that he does not like to get rid of trees unless absolutely necessary and promised that the project would be nicely landscaped. He voiced his opinion that the project fits in well with the neighborhood considering that it is an R-2 project.

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

Commissioner Muratsuchi thanked Deputy City Attorney Whitham for her clarification. He explained that preserving the integrity and character of this neighborhood was an important consideration and the overriding factor in his decision to vote against the proposed Conditional Use Permit.

MOTION: Commissioner Muratsuchi moved to deny CUP05-00022 and DIV05-00010. The motion was seconded by Commissioner Guyton and passed by a 5-0 roll call vote, with Commissioner Horwich abstaining (absent Chairperson Uchima).

Commissioner Horwich stated that he believes condominiums are good for the City and strongly felt that the Commission was imposing on the property owner's rights, since this property is zoned R-2 and the project complies with R-2 requirements, but rather than imposing his personal philosophy, he thought it best to abstain from the vote.

Planning Manager Isomoto noted that resolutions reflecting the Commission's action would be returned for the Commission's approval at the next meeting.

Agenda Item 11A was considered out of order at this time.

11A. CUP05-00019, TTM61985, VAR05-00001: MICHAEL MULLIGAN DEVELOPMENT (MICHAEL BIHN)

Planning Commission consideration of resolutions denying without prejudice a Conditional Use Permit to allow the construction of a seven-unit residential condominium project, a Tentative Tract Map for condominium purposes, and a Variation to the Downtown Redevelopment Project Standards to allow residential units on the first floor on property located in the Downtown Redevelopment Project Area in the Commercial Sector at 1620 Gramercy Avenue.

Planning Assistant Hurd read aloud the number and title of Planning Commission Resolution Nos. 05-114 and 05-115.

MOTION: Commissioner Muratsuchi moved for the adoption of Resolution Nos. 05-114 and 05-115. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

10E. EAS03-00013, GPA03-00010: CITY OF TORRANCE

Planning Commission consideration of a Mitigated Negative Declaration and a City initiated General Plan Amendment from Business Park to Medium Density Residential on properties located in the M2 Zone at 2255, 2275, 2295, 2303, 2341, 2349, 2351 and 2357 Jefferson Street.

ZON04-00006, ZON04-00007, MOD04-00012, MOD04-00013, MOD04-00020, MOD04-00021, TTM61850, TTM61463, DIV04-00019: STANDARD PACIFIC HOMES

Planning Commission consideration for approval of Zone Changes from M2 (Heavy Industrial) to PD (Planned Development), Modifications of a previously approved Conditional Use Permit (CUP03-00034) and Planned Development Permit (PD03-00002) to allow the construction of a 33-unit townhome development and 86-unit condominium development, Vesting Tentative Tract Maps for condominium purposes, and a Division of Lot to allow a Lot Line Adjustment for properties located at 2303 and 2349 Jefferson Street.

Recommendation

Approval.

Planning Assistant Hurd introduced the request.

Commissioner LaBouff announced that he was abstaining from consideration of this item because he was out of town over the Labor Day weekend and did not have a chance to review the written material or visit the site.

Planning Manager Isomoto noted documents provided to Commissioners in addition to the staff report, including air quality assessment, noise and traffic studies. She advised that the proposed General Plan Amendment was originally initiated by the

City approximately two years ago following the approval of the Standard Pacific residential project on adjacent property in order to provide for a more cohesive development of the area in the future, but the Commission decided to postpone the matter indefinitely until it could be considered in conjunction with a specific project. She explained that Standard Pacific was proposing to construct a 33-unit townhome project and an 86-unit condominium building on land currently occupied by two heavy industrial uses and consolidate these projects with the already approved residential project north and west of the site. She stressed that applications for the Zone Changes were filed before the moratorium on Zone Changes and General Plan Amendments went into effect.

Tom Paradise, representing Standard Pacific Homes, voiced his agreement with the recommended conditions approval. Referring to renderings, he provided background information about the previously approved project, the Village on Oak. He reported that the City encouraged the conversion of this area from industrial uses to medium density housing due to its proximity to schools, churches, retail uses and Wilson Park. He noted that special conditions were imposed on the project in order to buffer residents from nearby heavy industrial uses, including the building of a 25-foot sound wall and the retrofitting of industrial equipment to reduce noise. He explained that his company subsequently reached an agreement to acquire the adjacent industrial land and they were proposing to construct Phase 2 of the Village on Oak on this land, thereby resolving compatibility issues.

Referring to renderings, Mr. Paradise briefly described the proposed project. He pointed out that the project is consistent with other medium density housing in the area and that a residential development was much more compatible with the park across the street than the existing heavy industrial uses. He stated that the project would benefit the City by replacing economically obsolete uses and by cleaning up industrial contamination. He noted that the application for this project was filed well before the moratorium was enacted by the City Council and explained that it was not feasible to wait until the General Plan update has been completed because the Commonwealth Aluminum plant has already been vacant for 14 months and Martin Brass Foundry has reached a point where they must either commit to signing new contracts or halt production.

Mark Armbruster, representing Cypress Land Company, the owner of the Commonwealth Aluminum property, provided background information about the site. He explained that the company opposed the residential project on the adjacent property because of concerns about compatibility; that they entered into discussions with Standard Pacific because they felt the new development would cause nothing but problems for their tenant, Commonwealth Aluminum; and that Commonwealth's lease subsequently expired and an agreement was reached to sell the land to Standard Pacific. He suggested that this project was simply a continuation of the project already approved and denying it would compromise the integrity of the neighborhood by leaving an island of heavy industrial uses in the middle of a residential community.

Tom Brewer, representing a coalition of Torrance homeowners associations, stated that the proposed project was evidence of the domino effect that occurs when residential projects are allowed to encroach on industrial land and another example of "zone busting." He voiced objections to allowing another 100 units in this area, which has some of the most congested intersections in the City, and questioned whether the

City's aging infrastructure could handle all these new homes. He related his understanding that the project's Floor Area Ratio (FAR) is unprecedented in Torrance. He expressed frustration that only two weeks ago at a General Plan Workshop, different options for this parcel were discussed and the public was given the impression that nothing had been decided when in fact the proposed General Plan Amendment and Zone Changes were already in the works.

Commissioner Guyton stated that he did not believe a foundry was compatible with residential development because of the noise and odors associated with this type of operation, and questioned what alternative use the coalition envisioned for this site should this project not be approved.

Mr. Brewer explained that traffic is a major concern of residents, therefore, they are strongly opposed to any project that would increase density and if that means heavy industrial uses remain at this location, then that is what residents want.

Commissioner Guyton asked about plans to widen Jefferson Street. Planning Manager Isomoto advised that there are a lot of issues that need to be resolved before such a project could go forward, however, the City is still actively pursuing this idea.

Noting that he formerly owned a foundry, Commissioner Guyton explained that foundries are being forced out of business due to changes in Workers' Compensation regulations and it was very unlikely that the foundry will continue to operate at this location for very long. He noted that foundries operate on long-term contracts, with terms from 2-5 years, so he understood why it was not feasible for the foundry to wait until the General Plan update has been completed to decide the fate of this company.

Commissioner Horwich stated that at the General Plan Workshop, this area was identified as an area in transition; that one of the alternatives presented was very similar to the proposed project; and that he believed it would be a step forward to allow it to proceed.

Newton Young, representing Southwood/Sunray Homeowners Association, expressed concerns about traffic congestion in this area and contended that Torrance is a built-out city that cannot accommodate any more people. He disputed the idea that the proposed project was medium-density, maintaining that the only place one would find higher density housing was on the East Coast or in Hong Kong and Southeast Asia. He disputed the findings in the Initial Study that the project would have less than a significant impact on fire and police protection, schools, parks and other public facilities, relating his understanding that the Environment impact Report (EIR) on which the Initial Study was based is 13-14 years old.

Roland Martin, the owner of Martin Brass Foundry, reported that a lot of things have changed in the two years since the adjacent residential project was approved; that stricter regulations, the high cost of energy, and foreign competition have taken a toll on the industry; and that he felt it could be an opportune time for him to close the business and retire. He suggested that the flow of traffic could be improved if the signal at Jefferson and Crenshaw was re-timed to allow more vehicles to make a left turn onto Crenshaw because this would help eliminate the backup on Jefferson, particularly on days when there is a Farmers Market.

Commissioner Muratsuchi asked if there was anything that could be done to save the foundry. Mr. Martin responded that he did not believe the foundry would be able to co-exist with the new residences for any length of time.

Chong Noh, Plaza del Amo, voiced support for the project, stating that he did not believe housing and industry could successfully co-exist and the clean-up of this site would benefit the City.

Sandi Monda, Talisman Street, noted that this property currently has a Business Park land use designation and suggested that this type of land use was a viable option that should be considered for this site. She stated residents like her, who have invested a lot of time and energy in attending General Plan Workshops are disheartened and disappointed that the City would propose a General Plan Amendment for this parcel only two weeks after they were asked to provide input on possible alternatives for this site. She pointed out that the General Plan EIR used for this project was prepared 13 years ago and voiced her opinion that no General Plan Amendments or Zone Changes should be considered until the General Plan Update has been completed.

Returning to the podium, Mr. Armbruster stressed that the Commonwealth Aluminum property will not remain vacant should this project be denied and it will still generate traffic. He noted that the developer will be required to pay fees to mitigate the impact on traffic if the project goes forward, but no such fees will apply if the property is leased for industrial use.

Mr. Paradise reported that not a single homeowner protested the adjacent residential development when it was approved two years ago and his company has been proceeding in good faith since that time to try to acquire adjacent properties to address compatibility issues. He suggested that residents should not have been surprised by this proposal because the City first initiated the General Plan Amendment two years ago and he personally met with representatives of the coalition.

With regard to the infrastructure, Mr. Paradise reported that the project includes improvements to ensure that sewer lines and storm drains will have adequate capacity. He noted that a traffic study was conducted which indicated that the project would not have a significant impact on traffic because it would replace industrial uses that currently generate a substantial amount of traffic. He explained that traffic congestion is primarily driven by retail, not residential development. He advised that the City is vigorously exploring the possibility of widening Jefferson Street, which would greatly improve the flow of traffic in this area, and his company was committed to doing their part to help the City realize this improvement. He urged approval of the project, maintaining that it would be best for the area.

Commissioner Guyton suggested that the company consider reallocating money they would have spent on the 25-foot high sound wall for Jefferson Street improvements, and Mr. Paradise indicated that his company was open to this idea.

Referring to the condominium project's FAR of 1.71, Commissioner Muratsuchi questioned the need for such a high Floor Area Ratio, noting that the previously approved senior condominium project has an FAR of 1.18. Mr. Paradise explained that there are a lot of expenses associated with the demolition and remediation of the site and the higher FAR is necessary to make the project financially viable.

In response to Commissioner Muratsuchi's inquiry, Planning Manager Isomoto confirmed that there have been other projects recently approved with an FAR in this range.

Referring to claims that the EIR on which the Initial Study was based is 13 years old, Commissioner Horwich noted that reports/studies submitted to the Commission are much more recent.

Planning Manager Isomoto advised that current studies/reports were provided to supplement the 1992 General Plan EIR referenced in the staff report and the Initial Study was based on all of this information.

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

Commissioner Guyton stated that it creates a huge problem when homes are built next to a foundry because foundries emit a strong resinous odor and a constant high-pitched noise and neighbors start to complain almost immediately. He noted that there is also a potential for fire as furnaces operate at extremely high heat. He indicated that he probably would not have supported the adjacent residential project, however, since it has already been approved, he felt the Commission had no other choice than to approve the proposed project to address compatibility issues.

Commissioner Muratsuchi noted that he was one of two Commissioners who voted against the earlier project because of concerns about compatibility and the impact on traffic. He voiced his opinion that approving the proposed General Plan Amendment and Zone Changes would make a mockery of the General Plan update process and betray homeowners groups and others who have participated in good faith to help define a vision for Torrance's future. He pointed out that the only reason given for not waiting for the update process to be completed was one of economics and maintained that the interests of residents outweigh the financial interests of Martin Brass Foundry and Cypress Land Company. He stated that the City Council made a promise to the people of Torrance that no General Plan Amendments or Zone Changes would be approved until the General Plan update has been completed and he believed approving this project goes against that promise.

Vice-Chair Faulk reported that he was the other "no" vote when the earlier project was considered, primarily because he was concerned about the trend in Torrance to rezone viable commercial property for residential developments and noted that a recent study revealed that occupancy rates for commercial property in the South Bay area are at an all-time high. He stated that the descent down the slippery slope began with the approval of the earlier project, making it likely that this project will ultimately be approved, however, he could not support it because he felt doing so would send the wrong message to residents and damage the integrity of the General Plan update process.

Commissioner Drevno stated that she wanted to honor the integrity of the General Plan update process and therefore would be voting "no" on the project.

Commissioner Horwich noted his disagreement with the speaker who characterized this project as a high-density development. He stated that there was no doubt in his mind that the foundry and Commonwealth Aluminum no longer belong in this area and that the proposed residential project would be more compatible with the surrounding neighborhood and that he believed the timing was right, as there was an opportunity to move forward without anyone suffering any economic damage. He noted that General Plans are not cast in concrete and amendments will still be necessary even after the update has been completed because it's impossible to foresee what changes the future will bring.

MOTION: Commissioner Horwich moved to recommend that the City Council adopt a Mitigated Negative Declaration. The motion was seconded by Commissioner Guyton and failed to pass as reflected in the following roll call vote:

AYES: Commissioners Guyton and Horwich.
NOES: Commissioners Drevno, Faulk and Muratsuchi.
ABSTAIN: Commissioner LaBouff.
ABSENT: Chairperson Uchima.

MOTION: Commissioner Muratsuchi moved to recommend that the City Council deny GPA03-00010, ZON04-00006 and ZON04-00007. The motion was seconded by Commissioner Faulk and passed as reflected in the following roll call vote:

AYES: Commissioners Drevno, Faulk and Muratsuchi.
NOES: Commissioners Guyton and Horwich.
ABSTAIN: Commissioner LaBouff.
ABSENT: Chairperson Uchima.

MOTION: Commissioner Muratsuchi moved to deny MOD04-00012, MOD04-00013, MOD04-00020, MOD04-00021, TTM61850, TTM61463 and DIV04-00019. The motion was seconded by Commissioner Drevno and passed as reflected in the following roll call vote:

AYES: Commissioners Drevno, Faulk and Muratsuchi.
NOES: Commissioners Guyton and Horwich.
ABSTAIN: Commissioner LaBouff.
ABSENT: Chairperson Uchima.

Planning Manager Isomoto noted that resolutions reflecting the Commission's action would be brought back for approval at the next meeting.

Commissioner LaBouff returned to the dais.

11. RESOLUTIONS

11A. CUP05-00019, TTM61985, VAR05-00001: MICHAEL MULLIGAN DEVELOPMENT (MICHAEL BIHN)

Considered out of order, see page 13.

12. PUBLIC WORKSHOP ITEMS – None.

13. **MISCELLANEOUS ITEMS** – None.

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

Planning Manager Isomoto reviewed recent City Council action on Planning matters, noting that the Anastasi self-storage project was approved with the addition of more recreation vehicle storage.

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

Planning Manager Isomoto reviewed the agenda for the Planning Commission meeting of September 21, 2005.

16. **ORAL COMMUNICATIONS**

16A. Planning Manager Isomoto reviewed the revised schedule for General Plan workshops.

16B. Commissioner Horwich reported that he was having difficulty hearing audience members' comments and asked that staff look into what could be done to improve the public address system.

16C. Commissioner Guyton announced an ice cream social at Sur La Brea Park on September 17, 2005, to kick-off Mr. Muratsuchi's campaign for the Torrance school board.

17. **ADJOURNMENT**

At 11:57 p.m., the meeting was adjourned to Wednesday, September 14, 2005, for a General Plan Workshop.

Approved as Written November 2, 2005 s/ Sue Herbers, City Clerk
