

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

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:04 p.m. on Wednesday, October 6, 2004, in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Uchima.

3. ROLL CALL

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

Absent: None.

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

4. POSTING OF THE AGENDA

MOTION: Commissioner Fauk, seconded by Commissioner Uchima, 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

Gary Butcher, representing Western G.B. Contracting, requested that Agenda Item 9D (CUP04-00029 and DIV04-00018) be continued to November 3, 2004, so that discrepancies in the plans could be corrected.

MOTION: Commissioner Horwich, seconded by Commissioner Fauk, moved to continue Agenda Item 9D to November 3, 2003; voice vote reflected unanimous approval.

Chairperson Muratsuchi announced that the hearing would not be re-advertised because it was continued to a date certain.

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

7. **CONTINUED HEARINGS**

7A. **PRE04-00018, WAV04-00014: ROBERT TREMAN (MARK AND AMIE ARGENTO)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a second-story addition to an existing two-story, single-family residence and a Waiver to allow a reduction of the side yard setback requirement on property located in the Hillside Overlay District in the R-1 Zone at 22503 Redbeam Avenue.

Recommendation

Approval.

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

Robert Treman, project architect, noted that the hearing on this matter was continued so that Commissioners could view the project from the Martel residence at 22504 Warmside Avenue and indicated that the applicants had decided not to modify the project's design because they do not believe it significantly impacts the Martels' view.

Mark Argento, 22503 Redbeam Avenue, applicant, stated that he felt he had done due diligence in discussing his plans with neighbors and was surprised when Mr. Martel objected to the project at the September 15 hearing. He explained that he discussed potential compromises with Planning Department staff, but decided to retain the current design after learning that the Martels were objecting to the entire project and would not be satisfied with subtle changes. He contended that the project would obstruct less than 10% of the Martels overall view and, with regard to the issue of lowering the Martels' property value, he suggested that the slight view obstruction would be outweighed by having a nice new home in the neighborhood. He conceded that the Floor Area Ratio was slightly over .50, but noted that it is in line with other homes in the neighborhood as there are 14 homes on Redbeam and Warmside that exceed this guideline. He reported that he purchased another home to live in during the construction and this delay has caused a lot of stress and financial hardship.

Louis Martel, 22504 Warmside Avenue, noted that he detailed his objections to the project in his letter included in the staff report. He stated that the view obstruction is much greater than Mr. Argento has suggested and estimated that the project would take away 60-70% of the view from the affected windows. He maintained that neighbors who submitted letters in support of the project do not have views that are affected by it. He related his understanding that the plans call for very high vaulted ceilings on the upper floor; expressed his willingness to compromise; and indicated that he had offered alternatives in his letter.

Commissioner Horwich stated that he found some of the suggestions in Mr. Martel's letter unreasonable, such as the suggestion that the Argentos move to a larger house.

Lawrence Schmidt, 22433 Redbeam Avenue, voiced support for the proposed project, stating that while it will block the view from his kitchen window, he understood when he purchased his home, that it did not include a view easement over his neighbor's property. He noted that his view was partially blocked when the former owner of the Argentos' home installed solar panels, however, he did not recall that any hearings were held.

Planning Manager Isomoto advised that, typically, the installation of solar panels would require either a neighborhood sign-off or a public hearing depending on the size and location of the panels. Mr. Schmidt suggested that the panels might have been installed without benefit of permit.

Mr. Martel called attention to a statement in a letter submitted by Mr. Schmidt in which he states that several years ago, he was told by City officials at a party that the City has no right to deny anyone an opportunity to improve their home in the Hillside Overlay District if the only issue is someone else's view.

Deputy City Attorney Whitham advised that the statement is not accurate because view impairment is one of the elements to be considered when deciding Hillside cases.

Edward Glynn, 22502 Redbeam Avenue, stated that he totally supports the project even though his view will be affected because he believes it is important for neighborhoods to continue to improve rather than stagnate. Noting that he has a two-story home, he suggested it was unfair to deny someone else the same opportunity.

Tricia Nash, 22432 Redbeam Avenue, voiced support for the project, noting the many remodels that have taken place and citing the improvement to the neighborhood.

Julie Hall, 22420 Redbeam Avenue, stated that she fully supports the project and believes it will be a beautiful addition to the neighborhood. She noted that the project's FAR is consistent with other remodels in the area.

Returning to the podium, Mr. Treman explained that when he designs a remodel, his goal is to have the home look as if it was built from scratch. He pointed out that the existing footprint was not expanded; that the front, rear and southern side yard setbacks exceed requirements; and that plans call for standard 8-foot ceilings on both the first and second floors and a modest 4-in-12 pitched roof.

Commissioner Botello asked about the vaulted ceilings and the massing of the roof, Mr. Treman explained that vaulted ceilings do not increase a building's height, they merely eliminate ceiling joists, exposing the roof structure and voiced his opinion that the project's classic Spanish design lends itself to the simple, straight-across roofline proposed.

In response to Commissioner Botello's inquiry, Mr. Treman reported that lowering the roof's pitch to 3 in 12 would reduce the height by approximately 17 inches.

Commissioner Botello indicated that he would not support the project as proposed because there were things that could be done to make the project less intrusive, such as changing the roofline.

Commissioner Horwich stated that he thought Mr. Martel was sincere when he expressed his willingness to compromise and questioned whether Mr. Treman had any suggestions.

Mr. Treman stated that changing to a hip roof would lessen the impact on Mr. Martel's view

Noting that unless there is a showing of unreasonable hardship, projects are limited to an FAR of .50 in the Hillside Overlay area, Chairperson Muratsuchi stated that he did not believe the fact that the Argentos plan to have three children and want space for their growing family constitutes an unreasonable hardship. He stressed the importance of enforcing the objective criteria in the Hillside Ordinance.

Mr. Treman related his understanding that the Commission has approved countless homes in the Hillside Overlay area with FARs between .50 and .60 and questioned the change in the application of the rules.

In response to Commission Uchima's inquiry, Planning Assistant Santana provided clarification regarding the calculation of the FAR for this project.

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

Commissioner Botello expressed his preference that the hearing be continued so the applicant and his neighbor could attempt to reach a compromise.

At the applicant's request, the public hearing was reopened.

Mr. Argento explained that it was not possible to provide the space his family requires on the ground floor and noted that there is no way to avoid impacting someone when building a two-story home. He indicated, however, that he was willing to compromise and change to a hip roof.

Commissioner Horwich asked about the impact of changing to a hip roof. Mr. Treman advised that it would significantly reduce the length of the ridge.

Commissioner Drevno voiced her opinion that the project's impact on the Martels' view was very slight, noting that they have wonderful views to the south and to the west and large windows to take advantage of these views. She indicated that she would support the project as proposed.

Commissioner Uchima suggested that the Commission take a brief recess or proceed with the next item so that Mr. Treman would have an opportunity to discuss the impact of the change in the roof's design with Mr. Martel.

Commenting on the project's FAR, Commissioner Uchima stated that according to information provided by staff, approximately 66% of remodeled homes in the vicinity have FARs that exceed .50; that in driving through the area, there was no discernible difference between these properties and the subject property and no apparent physical characteristics that would constitute a hardship; and that he thought it would be unfair to

deny this project based on an FAR which is consistent with other remodels in the neighborhood. Indicating that he would support the project as proposed, he noted that while the Code sets a guideline of .50, it does allow for some leeway.

Commissioner Botello expressed concerns that by continuing to approve projects that exceed guidelines, the exception was becoming the rule.

Noting his agreement with Commissioner Uchima's comments, Commissioner Horwich stated that it would be impossible to distinguish from the street whether the project's FAR was .50 or .54 and that he did not believe it would have any impact on the neighborhood. He voiced his opinion that the Code was deliberately worded to allow some discretion in this area and indicated that he would support the project with the modification of the roofline.

Commissioner LaBouff voiced support for the project as submitted, stating that he did not believe it would have a substantial impact on views.

The Commission deferred action while the applicant discussed the change in the roofline with Mr. Martel.

8. WAIVERS

None.

9. FORMAL HEARINGS

9A. TTM61575: ELLIOTT JONES (FRED BOETTCHER)

Planning Commission consideration for approval of a Tentative tract Map for condominium purposes to allow the construction of 16 condominium units on property located in the R-1 Zone at 2253 241st Street and in the City of Lomita.

Recommendation

Approval.

Planning Assistant Santana introduced the request and noted supplemental material consisting of a letter from a neighbor expressing concerns about the project's impact on parking.

Fred Boettcher, representing the applicant, explained that 90% of the project is in the City of Lomita and the only portion in the City of Torrance is the parking area and landscaping. With regard to parking, he explained that there will be a total of 72 parking spaces, 4 for each unit and 8 spaces for guest parking, and the project will significantly improve the current parking situation.

In response to Chairperson Muratsuchi's inquiry, Planning Manager Isomoto advised that the parking provided exceeds the City's parking requirements by 20 spaces.

Andrew Pellicciotti, 2235 241st Street, stated that he strongly supports the project and urged the Commission to approve it.

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

MOTION: Commissioner Horwich moved for the approval of TTM61575 as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

Planning Assistant Santana read aloud the number and title of Planning Commission Resolution No. 04-113.

MOTION: Commissioner Faulk moved for the adoption of Resolution No. 04-113. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

The Commission resumed discussion of Agenda Item 7A.

7A. PRE04-00018, WAV04-00014: ROBERT TREMAN (MARK AND AMIE ARGENTO)

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a second-story addition to an existing two-story, single-family residence and a Waiver to allow a reduction of the side yard setback requirement on property located in the Hillside Overlay District in the R-1 Zone at 22503 Redbeam Avenue.

Mr. Treman reported that the Argentos had agreed to change to a hip roof, which will reduce the north/south ridgeline from 45 feet to approximately 10 feet, thereby mitigating the project's impact on Mr. Martel's view.

Mr. Martel confirmed the compromise.

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

MOTION: Commissioner Horwich moved for the approval of PRE04-00018 and WAV04-00014, as conditioned, including all findings of fact, with the following modification:

Add

- That the roof shall be redesigned as a hip roof, decreasing the north/south ridgeline from 45 feet to approximately 10 feet to the satisfaction of the Community Development Director.

The motion was seconded by Commissioner Uchima and passed by a 6-1 roll call vote, with Chairperson Muratsuchi dissenting.

Commenting on his vote, Chairperson Muratsuchi stated that he felt approving projects with Floor Area Ratios in excess of .50 was unfair to those who have followed the rules.

Planning Assistant Santana read aloud the number and title of Planning Commission Resolution Nos. 04-108 and 04-109.

MOTION: Commissioner Horwich moved for the adoption of Resolution Nos. 04-108 and 04-109 as amended. The motion was seconded by Commissioner Uchima and passed by a 6-1 roll call vote, with Chairperson Muratsuchi dissenting.

Commending Mr. Martel and the Argentos for reaching a compromise, Commissioner Botello stated that he shared Chairperson Muratsuchi's concern about the project's Floor Area Ratio, but recognized that both sides had made concessions and wanted to support that compromise.

9B. PRE04-00024, WAV04-00020: GARY HILTON (JACKY SBAROUNIS/JMS)

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a second dwelling unit and a Waiver to allow a reduction of the rear setback requirement on property located in the R-2 PP Zone at 1632 Date Avenue.

Recommendation

Approval.

Planning Assistant Santana introduced the request.

Jacky Sbarounis, project architect, voiced her agreement with the recommended conditions of approval with the exception of Condition No. 5, requiring that the first-floor bathroom be modified to be a powder room only. She explained that Mr. Hilton plans to live in the two-story back unit and the downstairs bathroom was designed to be handicapped-accessible in the event he becomes disabled at some point in the future. She offered to have Mr. Hilton sign a letter stating that he will be the sole resident of the back unit and that it will never be divided into two units.

Planning Manager Isomoto indicated that staff would be willing to delete the condition with a letter from Mr. Hilton stating that the back unit shall not be divided into two units and rented separately.

Commissioner Faulk stated that he could see why the design raised a red flag with staff and that he favored retaining the condition.

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

Chairperson Muratsuchi asked Commissioner Faulk to explain his concerns.

Commissioner Faulk stated that while he did not question the applicant's sincerity, the way the unit is designed makes it too easy to divide it into two units; that he was not satisfied that a letter was sufficient to prevent a future owner from converting it into two units without permits; and that he believed the proposed condition would eliminate this possibility.

Commissioner Botello indicated that he shared Commissioner Faulk's concern and questioned the need for the door leading into the den, which essentially creates a separate unit.

The public hearing was reopened so the applicant could respond.

Ms. Sbarounis stated that the door was simply to close the den off from the entry.

Gary Hilton, applicant, explained that his only purpose for including a full bathroom on the lower level was so that he would be able to take a shower if he becomes disabled and cannot climb the stairs to the second floor.

In response to Commissioner Horwich's inquiry, Planning Manager Isomoto confirmed that there are no kitchen facilities on the lower level, but pointed out that there is a washer and dryer and sink area at the rear of the garage.

Commissioner Horwich asked about the possibility of installing a bathtub or shower in the future if the need arises. Planning Manager Isomoto advised that the applicant would have to request that Condition No. 5 be modified in order to do so.

Mr. Hilton related his understanding that the City would not allow him to install a tub or shower at a later date because it would involve jack hammering through the foundation. He requested that he be allowed to include an orifice in the foundation to facilitate the installation of a tub or shower in the future.

Building Regulations Administrator Segovia advised that bathrooms are added to existing homes all the time and while it would involve some retrofitting, there are no structural issues that would preclude the addition of a tub or shower.

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

MOTION: Commissioner Faulk moved for the approval of PRE04-00024 and WAV04-00020, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Horwich and passed by a 6-1 roll call vote, with Chairperson Muratsuchi dissenting.

Planning Assistant Santana read aloud the number and title of Planning Commission Resolution Nos. 04-114 and 04-115.

MOTION: Commissioner Faulk moved for the adoption of Resolution Nos. 04-114 and 04-115. The motion was seconded by Commissioner Horwich and passed by a 6-1 roll call vote, with Chairperson Muratsuchi dissenting.

9C. CUP04-00028, DIV04-00017: FRANCISCO CAMPOS

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a two-unit condominium development and a Division of Lot for condominium purposes on property located in the R-2 Zone at 18312 Grevillea Avenue.

Recommendation

Approval.

Planning Associate Santana introduced the request.

Francisco Campos, project designer, voiced his agreement with the recommended conditions of approval.

Commissioner Faulk asked about the "For Sale" sign on the property.

Jennifer Chung, owner of the subject property, explained that she is in real estate and the sign is for advertising purposes.

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

MOTION: Commissioner Uchima moved for the approval of CUP04-00028 and DIV04-00017, 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.

Commissioner Faulk commended staff for including conditions requiring block walls around the perimeter and between yards and for requiring vine pockets along the retaining walls.

Planning Assistant Santana read aloud the number and title of Planning Commission Resolution Nos. 04-116 and 04-117.

MOTION: Commissioner Uchima moved for the adoption of Resolution Nos. 04-116 and 04-117. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

9D. CUP04-00029, DIV04-00018: WESTERN GB CONTRACTING

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a three-unit condominium development and a Division of Lot for condominium purposes on property located in the R-3 Zone at 1020 Cravens Avenue.

Continued to November 3, 2004, see page 1.

9E. CUP04-00033: AP-ESCONDIDO / THE ABBEY COMPANY (REAL PROPERTY RESOURCES, INC.)

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of medical offices within an existing industrial/office building on property located in the M-2 Zone at 23600-23610 Telo Avenue.

Recommendation

Approval.

Planning Assistant Santana introduced the request.

Mark Hereford, representing the Abbey Company, voiced his agreement with the recommended conditions of approval.

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

MOTION: Commissioner Uchima moved for the approval of CUP04-00033, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

Planning Assistant Santana read aloud the number and title of Planning Commission Resolution No. 04-120.

MOTION: Commissioner Uchima moved for the adoption of Resolution No. 04-120. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote.

10. RESOLUTIONS

None.

11. PUBLIC WORKSHOP ITEMS

None.

12. MISCELLANEOUS ITEMS

12A. MIS04-00273: TOYOTA MOTOR SALES (RICHARD MOORE)

Planning Commission consideration for approval of a Time Extension of a previously approved Tentative Tract Map (TTM53319) on property located in the M-2 Zone at 19801-19851 Western Avenue.

Recommendation

Approval.

Planning Assistant Santana introduced the request.

Brian Choi, representing the applicant, indicated that he was available to answer questions.

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

MOTION: Commissioner Horwich moved for the approval of MIS04-00273, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

Planning Assistant Santana read aloud the number and title of Planning Commission Resolution No. 04-121.

MOTION: Commissioner Horwich moved for the adoption of Resolution No. 04-121. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

13. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS

Planning Manager Isomoto reviewed recent City Council on action matters. She reported that on September 21, the Council approved an ordinance regulating the location of wireless communication towers and on October 5, the Council adopted a resolution establishing a temporary moratorium on Zone Changes and General Plan Amendments until the General Plan update has been completed. She noted that the Council also directed staff to study the feasibility of limiting the FAR to .6 in multiple-family zones and lowering the maximum FAR in Del Amo Sub-districts DA-1 and DA-2 from 1.0 to .6; to bring forward a recommendation to expand the notification area from 300 to 500 feet and include all homeowners groups in the notification process; and to submit a Development Impact Fee Study for consideration.

14. LIST OF TENTATIVE PLANNING COMMISSION CASES

Planning Manager Isomoto reviewed the agenda for the Planning Commission meeting of October 20, 2004.

15. ORAL COMMUNICATIONS

15A. Bonnie Mae Barnard, Save Historical Old Torrance, invited Commissioners to attend a celebration of Torrance Bakery's 20th anniversary on Thursday, October 7, from 4:00 to 7:00 p.m., and announced the Torrance Historical Society's Home Tour on October 9 and 10, from 11:00 a.m. to 4:00 p.m.

15B Ms. Barnard invited Commissioners to attend an "I Remember Night" on October 13 at Foster Freeze in downtown Torrance, celebrating their 56 years at this location. She noted that anyone who shares a memory about Foster Freeze would receive a complimentary ice cream cone.

15C. Judy Weber, Border Avenue resident, thanked Commissioners who had stressed the importance of adhering to Floor Area Ratio guidelines and expressed the hope that no exceptions would be granted pending the update of the General Plan.

15D. Commissioner Botello questioned whether there had been any recurrence of problems concerning parking or the care of animals at the Cottone Pumpkin Patch, which was administratively approved.

Building Regulations Administrator Segovia stated that he was not aware of any complaints about parking, and Planning Manager Isomoto reported that the approval included a condition that the animals be inspected by a veterinarian on a regular basis to ensure that they are properly cared for.

115E. Chairperson Muratsuchi indicated that he might miss the October 20 Commission meeting due to an out of town trial and requested an excused absence.

18. ADJOURNMENT

At 9:30 p.m., the meeting was adjourned to Wednesday, October 20, 2004, at 7:00 p.m.

Approved as Written December 1, 2004 s/ Sue Herbers, City Clerk
