

October 16, 2013

**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, October 16, 2013 in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Polcari.

3. ROLL CALL/ MOTIONS FOR EXCUSED ABSENCE

Present: Commissioners D'anjou, Gibson Polcari, and Chairperson Rizzo.

Absent: Commissioners Skoll and Watson (excused).

Also Present: Planning Manager Lodan, Planning Associate Martinez,
Plans Examiner Noh, Associate Civil Engineer Symons,
Sr. Fire Prevention Officer Kazandjian, Assistant City Attorney Sullivan.

MOTION: Commissioner Polcari moved to grant Commissioner Skoll an excused absence from this meeting. The motion was seconded by Commissioner Gibson and passed by unanimous voice vote.

4. POSTING OF THE AGENDA

Planning Manager Lodan reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Friday, October 11, 2013.

5. APPROVAL OF MINUTES – None.

6. REQUESTS FOR POSTPONEMENTS

Planning Manager Lodan reported that the applicant has requested that Agenda Item 10A (CUP13-00017: Justin Medina) be continued to November 20, 2013, however, staff was recommending that the matter be continued indefinitely and the hearing be re-advertised when plans are finalized.

MOTION: Commissioner Polcari moved to continue Agenda Item 10A indefinitely. The motion was seconded by Commissioner Gibson and passed by unanimous voice vote (absent Commissioners Skoll and Watson).

7. ORAL COMMUNICATIONS #1 – None.

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

8. TIME EXTENSIONS – None.

9. **SIGN HEARINGS** – None.

10. **CONTINUED HEARINGS**

10A. **CUP13-00017: JUSTIN MEDINA (H&A PROPERTIES, LP)**

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of a hookah smoking lounge serving non-alcoholic beverages, in conjunction with a joint-use parking agreement on property located in the H-NT Zone at 17240 Hawthorne Boulevard. This project is Categorically Exempt from CEQA per Guidelines Section 15301e(1) – Existing Facilities.

Continued indefinitely.

11. **WAIVERS** – None.

12. **FORMAL HEARINGS**

12A. **CUP13-00019: AVIS RENT-A-CAR SYSTEM, LLC (SEARS HOLDINGS MANAGEMENT CORP)**

Planning Commission consideration for approval of a Conditional Use Permit to allow vehicle rentals as an incidental use to an existing automobile service operation on property located in the H-DA1 Zone at 22100 Hawthorne Boulevard. This project is Categorically Exempt from CEQA per Guidelines Section 15301e(1) – Existing Facilities.

Recommendation: Approval.

Planning Associate Martinez introduced the request.

Don Pierce, representing Avis Rent-A-Car System, reported that the company has partnered with Sears to provide auto rentals at their service facilities as a convenience for customers. He pointed out that there is ample parking at the proposed location so this operation will not impact the shopping center and noted that Avis's small existing facility in Torrance will be shut down when this one becomes operational. He stated that he had no objections to the recommended conditions of approval, however, the City was seeking an easement for a sidewalk, which must be granted by Sears.

Associate Civil Engineer Symons explained that there is a gap in the sidewalk along the south side of the property, therefore, the City was requesting that Sears grant an easement so this can be corrected.

Planning Manager Lodan clarified that Sears does not have to construct the sidewalk, only grant an easement for it.

Mr. Pierce stated that he saw no reason why Sears would not grant the easement because it would be beneficial to have a sidewalk and his only concern was that it might delay the project.

Commissioner Polcari asked how many vehicles would be parked on-site at any given time, and Mr. Pierce estimated that there would be 5-10 vehicles. He explained that the company's goal is to have an 80-90% utilization rate because if cars are sitting in the parking lot they are not making money.

In response to Chairperson Rizzo's inquiry, Mr. Pierce confirmed that Sears was aware of the request for a sidewalk easement.

MOTION: Commissioner Polcari moved to close the public hearing. The motion was seconded by Commissioner Gibson and passed by unanimous voice vote (absent Commissioners Skoll and Watson).

MOTION: Commissioner Polcari moved for the approval of CUP13-00019, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner D'anjou and passed by unanimous roll call vote (absent Commissioners Skoll and Watson).

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution No. 13-036.

MOTION: Commissioner Polcari moved to adopt Planning Commission Resolution No. 13-036. The motion was seconded by Commissioner D'anjou and passed by unanimous roll call vote (absent Commissioners Skoll and Watson).

12B. PRE13-00007: CAMPBELL NIMICK

Planning Commission consideration for approval of a Precise Plan of Development to allow first and second-story additions to an existing one-story, single-family residence on property located within the Hillside Overlay District in the R-1 Zone at 136 Camino de las Colinas. This project is Categorically Exempt from CEQA per Guideline Section 15301(e) – Existing Facilities.

Recommendation- Approval.

Planning Associate Martinez introduced the request.

Chairman Rizzo disclosed that he drove by the location and viewed the silhouette and his observations along with the evidence presented this evening would be the basis for his decision.

Campbell Nimick, 310 Calle de Arboles, applicant/property owner, reported that his home was built in 1954 and has never been remodeled; that he would like to add a second story of approximately 800 square feet for a new master bedroom suite; and that the second story was necessary because he would like to maintain some green space for his growing family. He explained that the second-story was situated to minimize impact on neighbors and window placement was carefully considered to preserve privacy. He stated that neighbors support the project and would like to see the property upgraded as it will increase everyone's property values.

Chairperson Rizzo invited public comment, and as no one came forward the public hearing was closed.

MOTION: Commissioner Polcari moved to close the public hearing. The motion was seconded by Commissioner Gibson and passed by unanimous voice vote (absent Commissioners Skoll and Watson).

MOTION: Commissioner Polcari moved for the approval of PRE13-00007, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote (absent Commissioners Skoll and Watson).

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution No. 13-037.

MOTION: Commissioner Polcari moved to adopt Planning Commission Resolution No. 13-037. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote (absent Commissioners Skoll and Watson).

12C. PRE13-00004: KELLY HAMM (YUKIMO HAYASHIDA)

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story single-family residence on property located within the Hillside Overlay District in the R-1 Zone at 310 Calle de Arboles. This project is Categorically Exempt from CEQA per Guidelines Section 15303(a) – New Construction of Small Structures.

Recommendation: Approval.

Planning Associate Martinez introduced the request and noted supplemental material available at the meeting consisting of correspondence received after the agenda item was completed.

Commissioner D'anjou disclosed that she viewed the subject property and attempted to view the silhouette from inside the home at 314 Calle de Arboles but no one was available. Chairperson Rizzo disclosed that he drove by the location earlier today and viewed the silhouette. Commissioner Gibson disclosed that she also drove by the subject property and observed the silhouette earlier today.

Kelly Hamm, project architect, reported that he has met with neighbors and worked closely with staff to try to address concerns about the project; that he has revised the design three times, which has resulted in a front yard setback that greatly exceeds requirements; and that he believes this has eliminated any view impact to neighbors. Additionally, he noted that the contemporary design features a flat roof and open eaves, which allows for more light and ventilation to the easterly neighbor. He stated there are 8 two-story homes in the neighborhood with similar FARs (floor area ratio) and lot coverage and a few with a similar contemporary design. He voiced objections to Condition No. 10, which requires the rear balcony to be eliminated, explaining that since the living area is on the second floor, he would like to maintain some connection with the backyard. He suggested the possibility of downsizing the balcony and containing it within the second-floor corridor.

Planning Manager Lodan indicated that staff was open to exploring this option since recessing the balcony into the rear façade would reduce privacy impact to neighbors on either side.

Mr. Hamm asked to confer with his client on this issue, and Chairperson Rizzo recommended that he do so during the public comment portion of the hearing.

Chairperson Rizzo invited public comment.

Ruth Vogel, 114 Via Soledad, voiced objections to the project due to the impact on the neighbor at 314 Calle de Arboles, who has lived in her home for over 50 years. She stated that she viewed the silhouette from inside and outside this home and observed that the proposed project would obstruct views from the west side of the home, block sunlight and intrude on privacy. She also objected to the project's FAR (floor area ratio) of 0.58, relating her belief that the applicant has not demonstrated "unreasonable hardship," which is necessary in the Hillside Overlay to exceed 0.50. She contended that the project would reduce the value of the property at 314 Calle de Arboles as much as \$100,000, noting her background as a former realtor specializing in the Riviera area for over 25 years. She explained that this area was designed with terraced home sites specifically to preserve the view, light, air and privacy of each homeowner and the proposed project is contrary to this plan.

Kay White, 645 Via Los Miradores, stated that she shares the concerns of Judy Brunetti, president of Riviera Homeowners Association, as detailed in her letter dated October 13, 2013 (supplemental material). She indicated that she particularly objected to the project's FAR and all of the balconies, which are not compatible with the neighborhood. She suggested that the silhouette must be viewed from inside the home at 314 Calle de Arboles to appreciate the full impact.

John Salas, 425 Via Malaga, stated that the proposed project is the only two-story home in the area that infringes on the view of the uphill neighbor and expressed concerns about the impact on Ms. Terre's property value should the project be approved.

Jody Aronson, 2545 Via La Selva, Palos Verdes Estates, stated that the project would significantly impact her property, estimating that she would lose approximately 50% of her ocean view and questioned why she was not notified of this hearing.

Mike (Mathilde) Terre, 314 Calle de Arboles, stated that her view, light, air and privacy will be obliterated by the proposed two-story structure, noting that she has lived in her home for 59 years. She also expressed concerns about the impact on her property value and urged the Commission to deny the project.

Steve Terre, Mike Terre's son, stated that he appreciates that the project has been scaled back, however, it would still obstruct his mother's view and block sunlight and airflow to her property. He reported that according to his observation of the silhouette, the sun will sink from view 30 minutes earlier at his mother's house if the project goes forward.

Returning to the podium, Mr. Hamm thanked Ms. Terre for allowing him to view the silhouette from her home and reviewed that various modifications that were made to address the impact on her property.

Commissioner Polcari acknowledged Mr. Hamm's efforts to try to mitigate the impact on Ms. Terre's property, but indicated that he was not comfortable approving the project as proposed.

Commissioner Gibson stated that she believed Mr. Hamm had made a heroic effort to appease neighbors, but she hoped that something more could be done to allow more light and air to Ms. Terre's front bedroom.

Mr. Soto, owner of the subject property, stated that he intends to live in the house for a long time and does not want to cause problems in the neighborhood, noting that he recently stopped a break-in across the street when visiting the property.

Referring to the plans, Commissioner D'anjou pointed out that there is a small section of the new home that juts out and blocks the view from a window on the west side of Ms. Terre's home and suggested that Mr. Hamm consider scaling this back to mitigate the impact.

Mr. Hamm stated that he was willing to continue working with neighbors and make revisions for the fourth time, but hoped Commissioners realized how many adjustments have already been made before even getting to this stage.

Chairperson Rizzo voiced his opinion that the proposed project should be downsized so the FAR is closer to 0.50 in order to lessen the impact on air, light, views and privacy of surrounding neighbors.

Mr. Hamm stated that he will work to bring this number down, but explained that one of the reasons the FAR is high is because the garage is included in the calculation and stairways are counted twice.

Ms. Gibson encouraged Mr. Hamm to work with Ms. Terre and her son, and Mr. Hamm expressed his willingness to do so.

MOTION: Commissioner Polcari moved to continue the hearing on PRE13-00004 indefinitely. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote (absent Commissioners Skoll and Watson).

The Commission briefly recessed from 8:05 to 8:15 p.m.

12D. CUP13-00018: DEAN REUTER (WU-TIEN CHARLES TSAI)

Planning Commission consideration for approval of a conditional Use Permit to allow the construction and operation of an automobile tire installation facility and 10,000 square-foot warehouse building on property located within the former Industrial Project Area in the M-2 Zone at 1752 Border Avenue. The project is Categorically Exempt from CEQA per Guidelines Section 15332 – In-fill Development.

Recommendation: Approval.

Planning Associate Martinez introduced the request.

Dean Reuter, Reuter & Reuter, project architect, voiced his agreement with the recommended conditions of approval. He briefly described the proposed project, which consists of a tire store, warehouse and office. He noted that the building is constantly being defaced with graffiti and this should stop once the site is occupied. He reported that Torrance police and fire departments have been invited to conduct training exercises in the building prior to demolition.

Dale Gereaux, 1740 Border Avenue, stated that he supports the project, but was concerned about drainage. He explained that there were problems with flooding in the past until a French drain was installed on the subject property and questioned whether this drain will be retained.

Plans Examiner Noh advised that the Code requires that projects be designed with appropriate drainage so they do not affect adjacent properties and the plans will be reviewed during the Plan Check process to confirm this.

Jeff Mitchell, Torrance Auto Repair, requested confirmation that this will be a tire installation business and not another auto repair, since there is a concentration of this type of business in the area.

Planning Manager Lodan advised that the application is for a tire installation facility, which is different than an auto repair shop, and Planning Commission approval would be required for the operation of an auto repair shop at this location.

Mr. Reuter confirmed that the applicant will be operating a tire installation business and offered his assurance that the site will have adequate drainage so adjacent neighbors will not be affected by run-off.

MOTION: Commissioner Polcari moved to close the public hearing. The motion was seconded by Commissioner Gibson and passed by unanimous voice vote (absent Commissioners Skoll and Watson).

MOTION: Commissioner Polcari moved for the approval of CUP13-00018, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote (absent Commissioners Skoll and Watson).

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution No. 13-040.

MOTION: Commissioner Polcari moved to adopt Planning Commission Resolution No. 13-040. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote (absent Commissioners Skoll and Watson).

12E. CUP13-00015: DEAN REUTER (MARCO PROPERTIES INC)

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of a restaurant with service of alcoholic beverages and an outdoor seating area, in conjunction with a joint use parking and off-site parking arrangement on property located within the former Industrial Project Area in the M-1 Zone and P-1 Zone at 1103-1111 Van Ness Avenue. This project is Categorical Exempt from CEQA per Guideline Section 15301(e) – Existing Facilities.

CUP13-00021: DEAN REUTER (MARCO PROPERTIES INC)

Planning Commission consideration for approval of a Conditional Use Permit to allow retail sales in an existing light industrial building on property located within the former Industrial Project Area in the M-1 Zone and P-1 Zone at 1103-1111 Van Ness Avenue. This project is Categorical Exempt from CEQA per Guideline Section 15301(e) – Existing Facilities.

Recommendation: Denial without prejudice of CUP13-00015
Approval of CUP13-00021

Planning Associate Martinez introduced the request.

Chairperson Rizzo disclosed that he drove by the location and walked around the property.

Dean Reuter, Reuter & Reuter, project architect, reported that staff's recommendation that the proposed restaurant (CUP13-00015) be denied had taken him by surprise because he was under the impression that the off-site parking agreement, which provides the necessary parking within 200 feet of the restaurant, was acceptable. He stated the applicant has arranged for a valet parking service, but would prefer not to go that route due to the \$500 per month expense. He expressed concerns that the staff recommendation was based on whim rather than rules and regulations and urged approval of the project as proposed.

Commissioner D'anjou disputed the idea that City staff conducts business on a whim.

Planning Manager Lodan stated that staff has been very clear about their concerns about the parking from the beginning. He advised that the recommendation for denial was based on the fact that a large number of the required spaces would be off-site as well as the distance from restaurant since off-site parking is typically required to be within 150 feet.

Chairperson Rizzo asked about the possibility of entering into a parking agreement with the business across the alley or the nearby Moose Lodge.

Mr. Reuter explained that the parking across the alley was not available on Sundays and the Moose Lodge has no excess parking so the applicant had to look further down the street and he was told that off-site parking within 400 feet was acceptable.

Commissioner Gibson asked for suggestions regarding the parking situation.

Planning Manager Lodan stated that if the Commission was inclined to approve the restaurant, he would recommend that employees be required to park in the off-site lot. He suggested that valet parking would also help maximize usage of the off-site lot, however, it would have to be carefully designed so that it does not interfere with the driveway, create a backup onto the street, or disturb residential neighbors.

Chairperson Rizzo invited public comment.

Michael Shafer, chef and owner of The Depot and BFD restaurants, stated that he opened The Depot 22 years ago and he always encourages new restaurants to locate in downtown Torrance because his goal is to make it a destination. He explained that the proposed restaurant is not a bar, but rather a high-end restaurant similar to The Depot, but on a smaller scale and there will not be a big turnover of customers throughout the evening because people who pay this much for a meal will want to enjoy a leisurely dining experience. He noted that in other downtown areas where there is a concentration of restaurants and limited parking, such as the City of Orange, Los Feliz and San Luis Obispo, people understand that they might have to walk a few blocks to dine at a particular restaurant. He reported that there is almost no traffic after 6:00 p.m. on this stretch of Van Ness and stressed the need to bring people into the downtown area for the benefit of all businesses.

Al Avoian, 907 Van Ness, stated that he supports the project as long as it meets parking requirements per City Code.

Voicing support for the project, Commissioner Polcari noted his agreement with Mr. Shafer's remarks concerning the need for more upscale restaurants in downtown Torrance to make it a destination. He pointed out that this will also generate tax revenue for the City.

Commissioner Gibson stated that she believes this project can work, but would like some direction from staff.

Planning Manager Lodan advised that staff would feel more comfortable if the applicant was able to secure parking across the street on Sartori for overflow during the week even if it is not available on Sunday. He suggested the possibility that valet parking could be implemented at some point in the future once the restaurant becomes established.

Commissioner D'anjou suggested that most customers of an upscale restaurant probably would not object to paying for valet service.

Chairperson Rizzo stated that the only way he could support the project would be if valet parking is implemented immediately due to the limited parking in this area and he felt that customers would expect valet service at this type of restaurant.

Mr. Reuter agreed to a condition requiring the restaurant to provide valet service.

Mr. Reuter voiced his agreement with the recommended conditions of approval for CUP13-00021, and briefly described the proposed project, which consists of an apparel store featuring merchandise made in the USA, along with offices and warehouse.

MOTION: Commissioner Polcari moved to close the public hearing. The motion was seconded by Commissioner D'anjou and passed by unanimous voice vote (absent Commissioners Skoll and Watson).

MOTION: Commissioner Polcari moved to approve CUP13-00021, as conditioned, including all findings of fact set forth by staff, with the following addition:

Add

No. 25 That valet parking service shall be provided upon the opening to the restaurant.

The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote (absent Commissioners Skoll and Watson).

Chairperson Rizzo recommended that the applicant work with staff on the valet parking route so it does not impact neighbors.

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

MOTION: Commissioner Polcari moved for the approval of PRE13-00021, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner D'anjou and passed by unanimous roll call vote (absent Commissioners Skoll and Watson).

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution No. 13-041.

MOTION: Commissioner Polcari moved to adopt Planning Commission Resolution No. 13-041. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote (absent Commissioners Skoll and Watson).

13. RESOLUTIONS

13A. CUP13-00007: ANGEL BINS (SIMON PROPERTY GROUP)

Planning Commission adoption of resolution reflecting their decision to deny a Conditional Use Permit to allow the installation and operation of donation bins on properties located in the H-DA1 Zone at 3520 and 3525 Carson Street, 21741 Del Amo Circle East, and 3635 Fashion Way.

Planning Manager Lodan reported that the resolution reflects the Commission's action at the September 18, 2013 Planning Commission meeting.

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution No. 13-014.

MOTION: Commissioner Polcari moved to adopt Planning Commission Resolution No. 13-014. The motion was seconded by Commissioner D'anjou and passed by unanimous roll call vote (absent Commissioners Skoll and Watson).

14. PUBLIC WORKSHOP ITEMS – None.

15. MISCELLANEOUS ITEMS

15A. COMMUNITY DEVELOPMENT DIRECTOR WEEKLY SUMMARY REPORTS

Planning Manager Lodan noted that the Community Development Director Weekly Summary Reports for September 13, September 19, September 27, and October 3, 2013 were distributed to the Commission.

16. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS

Planning Manager Lodan reported that on October 1, the City Council adopted an urgency ordinance placing a moratorium on donation collection bins so staff can explore the best way to regulate them.

17. LIST OF TENTATIVE PLANNING COMMISSION CASES

Planning Manager Lodan reviewed the agenda for the November 6, 2013 Planning Commission meeting.

18. ORAL COMMUNICATIONS #2

18A. Andy Bradford, Cal State Long Beach student, reported that he is studying Land Use/Planning and found the meeting very instructive in terms of converting principles into actual practice.

18B. Commissioner Polcari recommended that the meeting be adjourned in memory of former Planning Commissioner Harvey Horwich, who passed away on October 2.

Commissioners offered remembrances of Harvey Horwich, noting that he was a true gentleman who will be greatly missed.

19. ADJOURNMENT

At 9:18 p.m., the meeting was adjourned to Wednesday, November 6, 2013 at 7:00 p.m.

***Adjourned in Memory of
Harvey Horwich***

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Approved as submitted November 6, 2013 s/ Sue Herbers, City Clerk
