

**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, November 18, 2009 in the Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Sr. Planning Associate Santana.

3. ROLL CALL

Present: Commissioners Browning, Busch, Gibson, Horwich, Skoll, and Chairperson Weideman.

Absent: Commissioner Uchima (excused).

Also Present: Sr. Planning Associate Santana, Planning Assistant Graham, Civil Engineer Symons, Fire Marshal Kazandjian, Plans Examiner Noh and Assistant City Attorney Sullivan.

4. POSTING OF THE AGENDA

Sr. Planning Associate Santana reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Friday, November 13, 2009.

5. APPROVAL OF MINUTES

Chairperson Weideman offered a correction to the September 16, 2009 Planning Commission minutes.

MOTION: Commissioner Browning moved for the approval of the September 16, 2009 Planning Commission minutes as corrected. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Commissioner Uchima).

MOTION: Commissioner Gibson moved for the approval of the October 7, 2009 Planning Commission minutes as submitted. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote, with Commissioner Browning abstaining (absent Commissioner Uchima).

6. REQUESTS FOR POSTPONEMENTS - None.

7. ORAL COMMUNICATIONS #1

7A. Newt Young, Southwood/Sunray Homeowners Association, explained that a cell phone tower has been proposed at 2540 Sepulveda Boulevard, which is right next to

Happy Face Preschool, and the preschool's owner is concerned that the proximity of the cell tower will put her out of business. He noted that the application was originally considered at the November 10 Telecommunications Committee meeting and subsequently continued to December 8 due to protests from neighbors and he suspected that cell tower's approval would have been a "slam dunk" had neighbors not shown up. He reported that he appeared at last night's City Council meeting to request that the responsibility for approving cell phone towers be shifted from the Telecommunications Committee to the Planning Commission because residents feel the Commission will be more responsive to their concerns and community outreach will be more effective. He expressed an interest in knowing exactly how many cell towers are in Torrance and where they are located.

Commissioner Busch noted that he was present at last night's Council meeting and related his understanding that the Council directed staff to take action on this issue.

Assistant City Attorney Sullivan offered to review the videotapes from the meeting and report back to the Commission. He advised that currently appeals of the Telecommunications Committee's decisions are heard by the Planning Commission and the Planning Commission's decision may be appealed to the City Council.

John Bailey, president of Southeast Torrance Homeowners Association, stated that his HOA also has concerns about cell phone towers. He explained that T-Mobile has proposed increasing the height of an existing cell phone tower in southeast Torrance from 52 feet to 62 feet, which is permissible because the tower is located in the C-3 Zone and apparently there are no height limits. He requested that the Planning Commission take on the responsibility of reviewing cell tower applications, noting that the Telecommunications Committee is comprised of three City employees appointed by the City Manager, with no requirement that they be Torrance residents. He related his belief that having applications reviewed by the seven residents on the Planning Commission would allow for more community involvement. He noted that in June 2009, the L.A. County Board of Supervisors voted unanimously to repeal the Telecommunications Act of 1966 which infringed on the authority of local governments to regulate cell phone towers, and in October 2009, Palos Verdes Estates won a Ninth Circuit Court of Appeal's case in which visual blight was cited in rejecting plans for two cell phone towers.

A brief discussion ensued, and Commissioners expressed an interest in exploring the possibility of taking on the task of reviewing cell phone tower applications.

Assistant City Attorney Sullivan recommended that Commissioners direct staff to prepare an information item to be placed on a future agenda. He noted that any action on the Commission's part would be in the form of a recommendation to the City Council because the current procedure for review of cell phone tower applications is prescribed by ordinance.

Hearing no objections, Chairperson Weideman directed staff to prepare an information item on this topic.

Commissioner Skoll requested that staff provide information about federal, state, county and city regulations concerning cell phone towers when the matter is brought back and he also requested information about radio frequency (RF) radiation.

7B. Michael Randles, 3220 Sepulveda Boulevard, noting that he was representing 15 owners in the Madrona Medical and Professional Center, expressed concerns about the parking situation at the center. He explained that at certain times, the parking lot is filled to capacity despite the fact that 8,000 square feet of office space remains unsold and many businesses are in their infancy. He related his belief that the developer is in violation of the Conditional Use Permit because there are fewer parking spaces than the 169 spaces required for a ratio of 79% medical/21% professional offices, which was how the project was approved, and called for the Commission to require that the ratio be recalculated. Additionally, he reported that there are currently 19 compact parking spaces, but according to Code, the maximum allowed is 16. He reported that the center is already 70% medical offices with another 6,000 square feet in escrow, and it will create serious problems for the other owners if the appropriate ratio of medical/professional offices is not adhered to. He requested that the Commission place this item on a future agenda for discussion.

Commissioner Busch indicated that he favored having staff investigate this matter and bring an information item back to the Commission, including a copy of the Conditional Use Permit and any subsequent modifications.

Commissioner Browning related his preference that the matter be brought back as an action item to avoid unnecessary delay if it turns out that there is violation of the CUP and action needs to be taken.

Sr. Planning Associate Santana explained that action items must include a recommendation and staff will not be able to determine whether action is warranted until the matter is investigated.

Assistant City Attorney Sullivan advised that the Brown Act requires that advance notice be given regarding the purpose of a hearing so staff cannot advertise a formal hearing/action item until they know what action is being considered.

Commissioner Gibson, echoed by Commissioner Horwich, indicated that she favored having the matter brought back as an information item, after which a formal hearing can be scheduled if it is determined that action is necessary.

Commissioner Busch asked about scheduling, and Sr. Planning Associate Santana reported that an information item could be presented at the December 2 Planning Commission meeting, but not an action item because notices of formal hearings on that date have already been mailed.

MOTION: Commissioner Browning moved to direct staff to bring back an action item on this matter as soon as possible. The motion was seconded by Commissioner Skoll and failed to pass as reflected in the following vote:

AYES: Commissioners Browning, Busch and Skoll
NOES: Commissioners Gibson, Horwich and Chairperson Weideman
ABSENT: Commissioner Uchima

Chairperson Weideman questioned whether Commission action was needed in order to enforce the terms of a Conditional Use Permit.

Sr. Planning Associate Santana advised that Planning Commission action is not required because the Community Development Director has the authority to take action to see that corrective measures are taken if a development is found to be in violation of building permit requirements and/or conditions contained in a CUP. He noted that some of the owners who brought this matter to the Commission's attention have already appeared before the City Council and met with the Community Development Director and the City Attorney, so staff is well aware of their concerns.

MOTION: Commissioner Gibson moved to direct staff to bring back an information item on this matter as soon as possible. The motion was seconded by Commissioner Horwich and failed to pass as reflected in the following roll call vote:

AYES: Commissioners Gibson, Horwich and Chairperson Weideman
NOES: Commissioners Browning, Busch and Skoll
ABSENT: Commissioner Uchima

There was discussion of a compromise, and Commissioner Horwich offered the following motion:

MOTION: Commissioner Horwich directed staff to look into this matter and bring it back to the Commission in whatever form they determine is appropriate either as an action item or an information item. The motion was seconded by Commissioner Skoll and discussion continued.

Commissioner Browning stated that he didn't want to prolong this matter because he felt the parties involved were entitled to a decision and requested that a date be included in the motion.

Commissioner Horwich amended his motion as follows:

MOTION: Commissioner Horwich directed staff to look into this matter and bring it back to the Commission in whatever form they determine is appropriate either as an action item or an information item no later than December 16, 2009. The motion was seconded by Commissioner Browning and passed by a 5-0 roll call vote, with Commissioner Busch abstaining (absent Commissioner Uchima).

*

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

8. **TIME EXTENSIONS** – None.

9. **CONTINUED HEARINGS**

9A. **PRE09-00004: OBELISK ARCHITECTS (MR. & MRS. ANDERSON)**

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 122 Calle de Arboles.

Recommendation

Approval.

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

Chairperson Weideman asked staff to comment on the letter from the law offices of Beck & Browning, dated November 17, 2009 (supplemental material).

Assistant City Attorney Sullivan advised that the law firm represents clients in Palos Verdes Estates and claims that the Hillside Ordinance applies to their properties because the ordinance states that a project shall not have an adverse impact on the views, light, air and privacy of other properties in the "vicinity," however, the Torrance Municipal Code does not apply to any property outside Torrance's boundaries. Additionally, he explained that even within Torrance's boundaries, the Hillside Ordinance is not applicable to properties outside the Hillside Overlay because it has always been the City's position that those who are not subject to the overlay's burdens are not subject to its benefits.

Commissioner Busch questioned whether neighboring cities have similar ordinances. Assistant City Attorney Sullivan stated that some cities do have scenic overlays, but they would only apply to their residents, not Torrance residents.

Commissioner Browning noted that he is not familiar with the law firm Beck & Browning and is not related to anyone involved. He indicated that he favored a good neighbor policy whereby views are protected as much as possible regardless of whether or not the properties are within the Hillside Overlay.

Nagy Bakhoun, Obelisk Architects, project architect, voiced his agreement with the recommended conditions of approval. He briefly described the proposed project, noting that the design was constrained by the small and severely sloping lot and the existing swimming pool, which the owners would like to retain. He stated that the project will take care of an existing mold problem and "green" building materials will be incorporated into the new home. He reported that Palos Verdes Estates' building regulations provide for a compatibility review, but there are no provisions for view protection and suggested that the views in question would be termed "acquired views" according to Torrance guidelines because they are from second floors.

Commissioner Busch noted that the project's FAR is 0.55 and in order to exceed 0.50, an applicant must demonstrate that being confined to this limit would constitute an unreasonable hardship.

Mr. Bakhoun stated that the home itself is under 3,000 square feet, which is a modest-sized home for the Riviera; that much of the excess square footage is in the garage, which is 10% larger than a typical two-car garage; and that there are larger homes than the one proposed on this block.

Commissioner Busch asked about the feasibility of reducing the FAR to 0.50. Mr. Bakhoum stated that it would be very difficult given the needs of the family and the size of the lot.

Commissioner Skoll noted that the FAR could be reduced by downsizing the garage. Mr. Bakhoum explained that he made the garage larger to allow for storage because people rarely park two cars in garages that are minimum sized and he felt it would be counterproductive to eliminate the extra storage space.

Commissioner Browning pointed out that even discounting the extra square footage in the garage and the stairway, which is double counted, the project's FAR would still be over 0.50.

John Bauer, 202 Calle de Arboles, reported that he will lose a view from an area in his attic if this project is approved, however, he was not objecting because he knows the Anderson family and did not want to stand in the way of their remodel. He expressed concerns that his privacy would be impacted in the future if property owners on either side of him are allowed to add a second story.

Commissioner Browning questioned whether the proposed project would impact Mr. Bauer's privacy and Mr. Bauer stated that it would not.

Commissioner Skoll asked if Mr. Bauer had read the staff report, which mentions that the attic area was not approved as living space, and Mr. Bauer responded that he had not had an opportunity to read the staff report.

Kathy Mallon, 2517 Via La Selva, Palos Verdes Estates, conceded that she had no legal standing with regard to the City's view ordinance, but requested that the Commission consider the project's impact on her view because it is her only view of the ocean and its loss would mean a \$150,000 reduction in her property value.

Responding to Commissioner Browning's inquiry, Ms. Mallon confirmed that she has a two-story home.

In response to Commissioner Busch's inquiry, Sr. Planning Associate Santana reported that staff has never received any communication from a Planning Department in Palos Verdes concerning this type of situation and to his knowledge, there has never been a case where the situation was reversed with a Torrance homeowner protesting a project in Palos Verdes due to view blockage.

Jack Bradshaw, 2505 Via La Selva, Palos Verdes Estates, expressed concerns that the project would block his view and reduce the value of his home.

Marion Bradshaw, 2505 Via La Selva, reported that the proposed project would cause her to lose 50% of the view from her second story.

Commissioner Busch asked about the definition of the word "hardship" as pertains to the Hillside Ordinance.

Assistant City Attorney Sullivan advised that hardship is not defined in the Hillside Ordinance therefore its meaning is subjective and there are a wide variety of

things that may be considered in making a determination, including the nature of the lot, topography, and family size.

Marcia Good, 2501 Via La Selva, stated that the proposed second story will completely obliterate her view of the coastline and decrease the value of her property. She noted that she previously submitted a letter detailing her concerns and her attorney Robert Beck submitted photographs showing the view loss.

In response to Commissioner Browning's inquiry, Ms. Good confirmed that she added on to her home to obtain an ocean view.

John Anderson, 122 Calle de Arboles, owner of the subject property, reported that he explored the possibility of a single-story addition, but it was not feasible due to the size and nature of the lot and the existing pool, and building a second story is the only way to add any meaningful space. He explained that the project was carefully designed to protect the views and privacy of immediate neighbors and the entire second story was set back to minimize the impact. He conceded that neighbors behind in Palos Verdes Estates would be impacted by the project, but doubted that paring off square footage to reach an FAR of 0.50 would result in significant improvement. He stated that he would like to be able to house both of his cars in the garage and stressed the need for additional space to store bikes, surfboards and other equipment.

Commissioner Skoll asked if it would be possible to downsize the project in order to bring the FAR down to 0.50.

Mr. Anderson stated that he would have to defer to his architect, however, he would prefer to eliminate storage space from the garage as opposed to living space.

Commissioner Busch indicated that he was not convinced that being confined to an FAR of 0.50 would be an unreasonable hardship therefore he could not support the project as proposed.

Mr. Anderson explained that he has three children and the house was designed to be able to grow with them and he believed every square foot was important. He stated that the size of the project was consistent with other homes in the area and he felt that 2900 square feet of living space for a family of five was about right.

Chairperson Weideman related his belief that Mr. Anderson had done a very good job of working with his neighbors to the east and also with the Bauers, who live two doors away. He questioned whether he had spoken with neighbors to the south in Palos Verdes Estates and Mr. Anderson indicated that he had not.

Commissioner Browning indicated that while he was concerned about the square footage, he liked the fact that the second story was set back to make it appear less massive, which has been a common complaint in the Riviera, and he was inclined to support the project.

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

Commissioner Skoll clarified that he only mentioned the information in the staff report about Mr. Bauer's property because he wanted to make him aware of it.

Commissioner Skoll, referring to letter from Robert Beck, asked about the attorney's interpretation that the word "vicinity" as used in the Hillside Ordinance includes properties in Palos Verdes Estates.

Assistant City Attorney Sullivan advised that the City Attorney's interpretation is that the Torrance Municipal Code does not expand beyond the City of Torrance's boundaries.

Commissioner Gibson stated that based on the testimony and the information provided by staff, she would support the project as proposed.

MOTION: Commissioner Gibson moved for the approval of PRE09-00004, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Skoll and passed by a 5-1 roll call vote, with Commissioner Busch dissenting (absent Commissioner Uchima).

Planning Assistant Graham read aloud the number and title of Planning Commission Resolution No. 09-050.

MOTION: Chairperson Weideman moved for the adoption of Planning Commission Resolution No. 09-050. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Commissioner Uchima).

The Planning Commission briefly recessed from 9:05 p.m. to 9:15 p.m.

10. **WAIVERS** – None

11. **FORMAL HEARINGS**

11A. **CUP09-00012, DIV09-00002: CHARLES BELAK-BERGER (RACHID FADEL)**

Planning Commission consideration for approval of a Conditional Use Permit to allow the conversion of an existing two-unit apartment building into two condominium units in conjunction with a Division of Lot for condominium purposes on property located in the R-3 Zone at 1008-1010 Arlington Avenue.

Recommendation

Approval.

Planning Assistant Graham introduced the request.

Sr. Planning Associate Santana reported that this project was originally proposed as condominium units; that the Planning Commission denied it due to concerns about lack of conformity with the neighborhood, overcrowding, and the loss of parking; that this decision was appealed to the City Council on October 25, 2005 and the applicant was directed to redesign the project; and that the applicant decided not to pursue a Conditional Use Permit to allow for condominium ownership and built the project as

apartments instead. He explained that the project is subject to R-2 development standards, even though the lot is zoned R-3, because it is developed with only two units and it complies with these standards.

Charles Belak-Berger, project architect, stated that he never understood why the project was denied because it meets or exceeds all requirements. He explained that an investor has taken over the project since the initial title holder declared bankruptcy; that he would like to market it so he can recoup some of his losses; and that his financial commitment was made based on a two-unit condominium development. He reported that there have been problems with renters and the property hasn't been maintained as well as it should be and related his belief that the community would better served by having the units owner-occupied.

In response to Commissioner Busch's inquiry, Mr. Belak-Berger reported that the units have been vacant for the last four months and estimated that the front unit would sell for \$400,000 – 450,00 and the rear unit approximately \$300,000.

Commissioner Browning noted that he visited the site and observed that the width of the garage door on the rear unit does not comply with minimum requirements. He expressed concerns that there may be other deficiencies.

Mr. Belak-Berger stated that he did not believe there were any other issues, but expressed the applicant's willingness to correct any problems.

Commissioner Browning asked what has changed since 2005 that would cause the Commission to reverse its decision to deny the project.

Mr. Belak-Berger reiterated his position that there was no real reason to deny the project in the first place.

Commissioner Busch noted that he and several other Commissioners were not on the Commission in 2005 and related his preference that this hearing be continued so that staff could provide the staff report and minutes from the Planning Commission meeting at which this project was discussed so he could have a better understanding of the rationale for not approving it. He indicated that he was not necessarily opposed to the conversion, but needed more information.

Chairperson Weideman invited public comment.

Heinz Kallenberger, 1006 Arlington Avenue, recalled that the proposal denied by the Planning Commission was for two detached units with a curb cut on Arlington, which is not permitted. He expressed concerns that there is only one guest parking place for this project.

Ms. Kallenberger, 1006 Arlington Avenue, related her understanding that the perimeter fencing was supposed to be made of cement blocks, not wood.

Mr. Belak-Berger explained that the project was revised after being denied and the curb cut was eliminated, making more street parking available.

It was the consensus of the Commission to continue the hearing to December 16, 2009. Commissioner Busch requested that minutes from the October 25, 2005 City Council meeting also be provided when the matter is returned.

MOTION: Commissioner Busch moved to continue the hearing to December 16, 2009. The motion was seconded by Chairperson Weideman and passed by unanimous roll call vote (absent Commissioner Uchima).

11B. CUP09-00020: CARPENTER CENTER, LLC (JOHN LEE)

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of an ice cream and yogurt shop with seating area in conjunction with the re-stripping of an existing parking lot on property located in the C3-PP Zone at 2814 Sepulveda Boulevard.

Recommendation

Approval.

Planning Assistant Graham introduced the request.

John Lee, owner of the subject property, voiced his agreement with the recommended conditions of approval. He related his belief that the ice cream/yogurt shop would enhance the center.

Commissioner Busch noted that when staff visited the site Avis Rent-a-Car was washing cars in the parking lot in violation of their Conditional Use Permit and asked if that has been corrected.

Mr. Lee stated that he has verbally warned Avis numerous times that car washing is not permitted and the property manager has sent a warning letter so this will not occur in the future.

In response to Commissioner Busch's inquiry, Mr. Lee confirmed that he plans to upgrade the trash enclosure to comply with City standards. He explained that he had planned to renovate the center, but the project had to be postponed due to financial issues and he hopes to be able to complete the renovation in the spring or summer of next year.

Sr. Planning Associate Santana noted that the City's Code Enforcement staff will be monitoring this location to ensure that there is no on-site washing of vehicles.

Commissioner Horwich stated that apparently Mr. Lee has been aware for some time that Avis has been washing cars in the parking lot and questioned why something has not been done before.

Mr. Lee explained that he is often out of town and has not been able to properly monitor the center, therefore he has hired a property management company so there will be better oversight.

Commissioner Horwich reported that he visited the center last Saturday and observed that there was no parking available for people trying to give blood at the Red

Cross and expressed concerns that Avis has been allowed to reserve more parking spaces than the company was allotted thereby contributing to this problem.

Commissioner Skoll echoed Commissioner Horwich's concerns, noting that according to the staff report, Avis's Conditional Use Permit (CUP91-42) specifically prohibits on-site car washing and limits the number vehicles stored to twelve.

Mr. Lee promised to see that these violations are quickly corrected.

Commissioner Busch questioned whether un-permitted car washing is occurring at other places in the City. Sr. Planning Associate Santana reported that the City has an NPDES Inspector who regularly visits commercial and industrial properties to try to prevent it.

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

Commissioner Horwich commented that while yogurt is a popular item, the applicant was setting up competition between two of his tenants because the shop on the corner also sells yogurt.

MOTION: Commissioner Busch moved for the approval of CUP09-00020, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Skoll and passed by unanimous roll call vote (absent Commissioner Uchima).

Planning Assistant Graham read aloud the number and title of Planning Commission Resolution No. 09-058.

MOTION: Chairperson Weideman moved for the adoption of Planning Commission Resolution No. 09-058. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Commissioner Uchima).

11C. CUP09-00016: MEHDI BEHMARD

Planning Commission consideration for approval of a Conditional Use Permit to allow the retail sale of beer and wine for off-site consumption at an existing service station on property located in the C-2 Zone at 4928 Torrance Boulevard.

Recommendation

Approval.

Planning Assistant Graham introduced the request.

Mehdi Behmard, applicant, reported that he has obtained the approval of the ABC (California Department of Alcoholic Beverage Control) to sell beer and wine at the gas station, but City approval is also required.

Chairperson Weideman asked about the training of staff to ensure that alcohol is not sold to minors or after hours.

Mr. Behnard reported that BP (British Petroleum) provides training for all staff, which consists of 7 weeks of training for managers and 2 weeks of training for cashiers, and they are thoroughly trained with regard to restrictions on the sale of alcohol.

In response to Commissioner Busch's inquiry, Mr. Behnard confirmed that the station is equipped with video cameras. He noted that the cameras can be monitored remotely and are recorded on DVR and the recordings can be kept for more than 30 days.

In response to Commissioner Gibson's inquiry, Mr. Behnard reported that he took ownership of the station in July 2009.

Commissioner Gibson expressed the hope that Mr. Behnard's staff would be vigilant in not selling alcohol to minors since there is a high school a few blocks away.

Mr. Behnard reported that he has 12 other businesses in Los Angeles County, including one in Gardena, that sell beer and wine and he has never been cited for any violation.

Chairperson Weideman recalled that in the past, conditions have been imposed prohibiting the sale of single-serving alcoholic beverages.

Sr. Planning Associate Santana reported that on the advice of the City Attorney, such conditions have been removed because they are pre-empted by the ABC.

Assistant City Attorney Sullivan clarified that while the City has control over locations where alcohol is sold and drinking in public, the ABC is the primary authority on the sale of alcohol.

Commissioner Browning questioned whether security cameras meet the requirements of the Torrance Police Department.

Sr. Planning Associate Santana advised that the Police Department didn't comment on the project and staff did not ascertain the state of the equipment. He noted that there is a condition requiring that security cameras be maintained in proper working order at all times (Condition No. 5), which could be modified to require that video surveillance information be made available to the Police Department.

MOTION: Commissioner Horwich moved to close the public hearing. The motion was seconded by Commissioner Busch and passed by unanimous roll call vote (absent Commissioner Uchima).

MOTION: Commissioner Busch moved for the approval of CUP09-00016, as conditioned, including all findings of fact set forth by staff, modifying Condition No. 5 to require that video surveillance information be made available to the Police Department. The motion was seconded by Chairperson Weideman and passed by unanimous roll call vote (absent Commissioner Uchima).

Planning Assistant Graham read aloud the number and title of Planning Commission Resolution No. 09-059.

MOTION: Commissioner Busch moved for the adoption of Planning Commission Resolution No. 09-059, as amended. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Commissioner Uchima).

12. **RESOLUTIONS** – None.

13. **PUBLIC WORKSHOP ITEMS** – None.

14. **MISCELLANEOUS ITEMS** – None.

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

Sr. Planning Associate Santana reported that the City Council considered the draft General Plan on November 10 and subsequently requested more information about focus areas and rescheduled the public hearings to December 15, 2009 and January 19, 2010.

Following a brief discussion, Commissioner Browning agreed to represent the Commission at the December 15 hearing and Chairperson Weideman agreed to represent the Commission at the January 19 hearing.

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

Sr. Planning Associate Santana reviewed the agenda for the December 2, 2009 Planning Commission meeting.

17. **ORAL COMMUNICATIONS #2**

17A. Commissioner Gibson, echoed by Commissioner Horwich, congratulated Assistant City Attorney Sullivan on his well deserved promotion.

17B. Commissioner Horwich wished everyone a happy Thanksgiving.

17C. Commissioner Skoll noted that it has been suggested that the Planning Commission take over the responsibility of approving signs from the Environmental Quality and Energy Conservation Commission and indicated that he was not in favor of this change. He explained that he formerly served on the Environmental Quality and Energy Conservation Commission and reviewing applications for signs was very time consuming and related his belief that the Planning Commission cannot afford to spend time dealing with signs.

17D. Commissioner Busch stated that he supports the idea of the Planning Commission taking over the approval of signs as he felt the Environmental Quality and Energy Conservation Commission has other issues to focus on such as green building and energy conservation.

17E. Chairperson Weideman questioned whether the Housing Element of the General Plan has been certified by the State, and Sr. Planning Associate Santana offered to check with the Housing Division.

17F. Chairperson Weideman noted that according to the Commissioner Handbook, each commission is charged with submitting an annual report to the City Council, however, he has not seen one in the three years he has been on this commission. He also expressed an interest in reviewing the Commission's budget.

18. ADJOURNMENT

At 10:22 p.m., the meeting was adjourned to Wednesday, December 2, 2009 at 7:00 p.m.

Approved as Submitted January 21, 2010 s/ Sue Herbers, City Clerk
