

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

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:08 p.m. on Wednesday, April 20, 2005, 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 Drevno, Faulk, Guyton, Horwich, LaBouff, Uchima and Chairperson Muratsuchi.

Absent: None.

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

4. POSTING OF THE AGENDA

MOTION: Commissioner Faulk, seconded by Commissioner Horwich, 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 POSTPONEMENT

Planning Manager Isomoto relayed the applicant's request to continue Item 9D, PRE05-00008, WAV05-00004: Dennis Eveland, to May 4, 2005.

MOTION: Commissioner Drevno, seconded by Commissioner Uchima, moved to continue Item 9D to May 4, 2005; 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.

Item 12A was considered out of order at this time.

12A. MIS05-00057: CRAVENS BUILDING LLC

Planning Commission consideration for approval of a Time Extension for a previously approved Tentative Tract Map (TTM54171) in conjunction with a previously approved 20-unit condominium development on property located in the R-3 Zone at 1021 Cravens Avenue.

Recommendation

Approval.

Planning Assistant Hurd introduced the request.

Elizabeth Srour, representing the applicant, explained that the project is currently under construction and additional time is needed for the recording of the final tract map due to the backlog in the L.A. County Recorder's office.

MOTION: Commissioner Horwich moved for the approval of MIS05-00057. The motion was seconded by Commissioner Drevno and passed by unanimous roll call vote.

Planning Assistant Hurd read aloud the number and title of Planning Commission Resolution No. 05-044.

MOTION: Commissioner Drevno moved for the adoption of Planning Commission Resolution No. 05-044. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

7. CONTINUED HEARINGS

7A. CUP05-00006: CJC DESIGN INC. (FRED COHEN)

Planning Commission consideration for approval of a Conditional Use Permit to allow the sale of beer and wine for off-premises consumption at an existing gasoline service station in conjunction with the conversion of the existing building to a food mart, with a take-out only fast-food sales component, a 600 square-foot addition and remodeling of existing service canopies in the C-2 Zone on property located at 3975 W. 190th Street.

Recommendation

Approval.

Planning Assistant Hurd introduced the request and noted supplemental material available at the meeting consisting of public correspondence submitted after the agenda item was prepared.

Commissioner Guyton announced that he was abstaining from consideration of this item because he was not present at the previous hearing and exited the dais.

Fred Cohen, CJC Design, stated that most of the outstanding issues have been resolved, however, the applicant still objects to Condition No. 21 (requiring the closure of the southern driveway on Prairie Avenue) because it will create extreme difficulty for fuel truck ingress/egress. He requested modification of Condition No. 6 (limiting food mart operating hours to 6:00 a.m. to 11:00 p.m., Sunday through Thursday, and 6:00 a.m. to 12:00 a.m., Friday and Saturday) to allow a 24-hour operation the same as similar establishments in the area. He indicated that all of the other conditions were acceptable.

Patrick Furey, representing Northwest Torrance Homeowners Association, stated that his organization strongly objects to allowing the sale of beer and wine at this location because it is adjacent to single-family homes and directly across from the largest park in Torrance. He expressed concerns that even though the consumption of alcohol is illegal at the park, having a store that sells beer and wine this close would be too much of a temptation.

Dianne Toia, Roselle Avenue, voiced objections to the proposal to allow a food mart, a fast food outlet, and the sale of beer and wine at this location due to the impact on her privacy and potential security issues. She reported that she has investigated similar establishments in the area, including a 7-Eleven and an AM/PM Mini-Mart, and they are not as close to residences as this site. She requested that the height of wall between her property and the business be increased to 12-feet if the project is approved to mitigate the impact on her privacy, to deter robbers from hopping the fence, and to stop customers from throwing trash into her yard.

Robert Lopin, Roselle Avenue, stated that he did not believe installing a three-foot planter with trees and shrubs would be effective in shielding his home from propane fumes and noted that the previous owner landscaped the site with large palm trees, but they are now all dead. He explained that a significant amount of propane gas is released during transfer from the tank to a customer's container and he cannot leave his window open because once in the house, the gas is very difficult to get rid of.

Commissioner Faulk suggested limiting the hours propane may be sold as a possible mitigation. Mr. Lopin voiced his opinion that such a limitation would not be effective because propane could still get into his house during the hours propane sales are allowed.

Peggy Weber, Roselle Avenue, voiced objections to the proposed project, maintaining that it would expose her to vandalism and noise. She explained that other gas stations selling beer and wine are not as close to single-family residences and requested that the applicant be required to increase the height of the property-line wall and install double-paned windows in adjacent residences should the project be approved.

Helen Doyle, Yukon Avenue, stated that the sale of alcohol is not appropriate at this location, which is close to a park and a middle school, and expressed concerns that a fast food outlet would bring more traffic to this already congested intersection.

Fred Casstevens, Felbar Avenue, voiced objections to the sale of alcohol at this location, relating his observation that despite the prohibition, people still bring alcohol into the nearby park.

A resident who lives on 188th Street (name inaudible, no speaker card) indicated that she was strongly opposed to the sale of beer and wine at this location, noting past problems with alcohol consumption at the nearby park that required intervention by the police department.

Gerald Marholz, Gerkin Avenue, related his understanding that water and air must be provided free of charge at service stations; reported that a lot of service stations have coin-operated machines for air and water; and asked about enforcement of this requirement.

Planning Manager Isomoto advised that enforcement is on a complaint basis and recommended that anyone charged for air and water report it to the City's Environmental Division.

Clarence Osterhues, Gerkin Street, expressed concerns that the proposed project will exacerbate traffic problems in the area and generate a lot of noise.

Addressing audience members' comments, Mr. Cohen expressed confidence that the landscaped planter, which will include fragrant plants such as citrus trees and jasmine, will be effective in eliminating any odor from the propane tank. He suggested that the landscaping would also discourage anyone from hopping over the walls and offered his assurance that the applicant would not allow the consumption of alcohol on the premises.

Commissioner Horwich questioned whether the fast food operation would generate sufficient income to warrant the elimination of the propane tank.

Mr. Cohen stated that he could not predict whether or not the fast food operation will be successful and that the cost of this project necessitates that all income-generating operations be retained.

Commissioner Horwich questioned whether fumes would escape from a correctly operated, well-maintained propane tank.

Fire Marshal Carter explained that problems typically occur when tanks are filled to capacity causing gas to escape through safety vents and suggested that filling tanks only 75-80% full should eliminate most of the off-gassing.

In response to Commissioner Fauk's inquiry, Mr. Cohen confirmed that the existing gas station is a 24-hour operation and indicated that the type of fast food operation has not yet been determined, but the applicant envisions a Subway or Starbuck's-type operation.

Commissioner Fauk stated that he did not believe the fast food operation would significantly add to traffic because he felt it would mainly draw from customers who have already stopped to get gas. He suggested including a condition requiring the posting of a sign stating that water and compressed air are free.

Joe Judge, owner of the gas station, explained that it's already posted on the machines that air and water are free and that he goes beyond what's required by providing them free to everyone, not just customers. Planning Manager Isomoto later

clarified that while the State requires that these facilities be provided free of charge to customers, the City requires that they be provided for public use at no charge.

Commissioner Faulk proposed limiting the sale of propane to between the hours of 12:00 p.m. and 6:00 p.m. Mr. Judge explained that there is a demand for propane at all hours of the day as it is used by business trucks/machinery, as well as by people using portable barbeque grills at the park.

In response to Commissioner Drevno's inquiry, Fire Marshal Carter reported that the Code requires propane tanks to be re-certified every 10 years, however, conditions were included requiring the propane tank and hose assemblies to be re-qualified for use and re-certified annually (Condition Nos. 22 and 23).

Chairperson Muratsuchi questioned what percentage of the station's revenue is derived from the sale of propane. Mr. Judge stated that he was not sure, but reported that the business was on the verge of going bankrupt because he closed the automotive repair shop and he was losing money on the sale of gasoline at this time.

Noting that there are R-1 properties immediately to the north and to the east, Chairperson Muratsuchi suggested that there has to be compromise on both sides when there are conflicting land uses and indicated that he was inclined to eliminate the sale of propane due to the impact on adjacent residents.

Mr. Judge expressed concerns that he was being penalized for upgrading the facility and trying to run a cleaner and quieter operation and commented on the ever-increasing burden of regulations, permits and fees associated with operating a gas station.

Commissioner LaBouff stated that he would not support the sale of beer and wine due to the site's proximity to the park.

Mr. Judge noted that there is a liquor store within walking distance of the park and voiced objections to being deprived of the same opportunity to sell beer and wine that other businesses in the vicinity enjoy.

In response to Commissioner Drevno's inquiry, Mr. Judge reported that he has owned the business for approximately 7 months.

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

Chairperson Muratsuchi voiced his opinion that beer and wine should not be sold next to single-family residences; reiterated his position the sale of propane was incompatible with adjacent land uses due to noxious fumes; and indicated that he was inclined to deny the entire application without prejudice.

In response to Commissioner Uchima's inquiry, Planning Manager Isomoto confirmed that a liquor store could be built on this site and no Conditional Use Permit would be required, explaining that an additional level of review is required in this case because the primary use is a gas station.

Commissioner Horwich stated that while he favored the elimination of the sale of propane, he was not opposed to allowing the sale of beer and wine because there are other outlets at which alcohol can be purchased in close proximity and he did not believe prohibiting it at this location would stop anyone who is intent on bringing it to the park.

Commissioner Drevno indicated that she had been inclined to wait and see if re-certification of the propane tank would correct the problem, but felt that it might be better to approve the sale of beer and wine and eliminate the sale of propane because that seems to be the greatest concern of nearby residents.

MOTION: Commissioner Horwich moved for the approval of CUP05-0006, as conditioned, including all findings of fact set forth by staff with the following modifications:

Add

- That the propane tank shall be removed from the premises.

The motion was seconded by Commissioner Drevno and failed to pass as reflected in the following roll call vote:

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

Commissioner Fauk voiced his opinion that allowing the sale of beer and wine so close to the park would create an attractive nuisance.

MOTION: Commissioner Fauk moved for the approval of CUP05-00006, as conditioned, including all findings of fact set forth by staff, with the following modifications:

Add

- That the sale of beer and wine shall be prohibited.
- That the sale of propane shall be limited to between the hours of 11:00 a.m. and 6:00 p.m.
- That it shall be clearly posted that compressed air and water are free.

The motion was seconded by Commissioner Horwich and passed as reflected in the following roll call vote:

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

Planning Assistant Hurd read aloud the number and title of Planning Commission Resolution No. 05-034.

MOTION: Commissioner Faulk moved for the adoption of Planning Commission Resolution No. 05-034 as amended. The motion was seconded by Commissioner Uchima and passed as reflected in the following roll call vote:

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

Commissioner Guyton returned to the dais.

8. WAIVERS

None.

9. FORMAL HEARINGS

Agenda Items 9A and 9B were considered together

9A. TTM54013R: PE VENTURES LLC (SUBTEC/CHERYL VARGO)

Planning Commission consideration for approval of a Tentative Tract Map for condominium purposes for a 13-unit residential development on property located in the Downtown Redevelopment Project Area, Commercial Sector at 1226 Engracia Avenue.

9B. TTM54014R: PE VENTURES LLC (SUBTEC/CHERYL VARGO)

Planning Commission consideration for approval of a Tentative Tract Map for condominium purposes for an 11-unit residential mixed-use development on property located in the Downtown Redevelopment Project Area, Commercial Sector at 1321 Post Avenue.

Recommendation

Approval.

Planning Assistant Hurd introduced the request.

Cheryl Vargo, representing the applicant, reported that both of these projects were approved in November 2002 and are currently under construction but the final tract maps were not recorded with the Los Angeles County Recorder prior to their expiration, therefore, the applicant was requesting reinstatement of the Tentative Tract Maps so the process can be completed.

Liz Fobes, Engracia Avenue, questioned whether the projects were designed to be compatible with the historic downtown area.

Deputy City Attorney Whitham clarified that tonight's action deals strictly with the Tentative Tract Maps, which divide the lots for ownership purposes, explaining that design issues were addressed when the Conditional Use Permits were approved in November of 2002.

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

MOTION: Commissioner Faulk moved for the approval of TTM54013R and TTM54014R, 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.

Planning Assistant Hurd read aloud the number and title of Planning Commission Resolution Nos. 05-039 and 05-040.

MOTION: Commissioner Uchima moved for the adoption of Planning Commission Resolution Nos. 05-039 and 05-040. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

9C. DIV04-00024: HASSAN ITANI

Planning Commission consideration for approval of a Division of lot to allow one, single-family residential lot to be divided into two lots as a flag lot subdivision on property located in the R-1 Zone at 2704 W. 167th Street.

Recommendation

Approval.

Planning Assistant Hurd introduced the request and noted supplemental material available at the meeting consisting of a revised resolution containing an additional condition of approval and correspondence received after the agenda item was prepared.

Hassan Itani, applicant, voiced his agreement with the recommended conditions of approval, including the additional condition in the supplemental material.

James Gillis, representing the owners of the property at 2708 167th Street, voiced objections to the project because the increased density would compound traffic and parking problems; maintained that the flag lot configuration was not consistent with the neighborhood; and noted that there are significant drainage problems in this area, which could be exacerbated by the project.

Chairperson Muratsuchi noted that the condition in the supplemental material requires that all drainage be directed toward the street and specifies that the development shall not contribute to the sump condition along the south property line. Mr. Gillis indicated that he was satisfied that the proposed condition should take care of the problem.

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

Responding to questions from the Commission, Planning Manager Isomoto clarified that the property was not being rezoned; that the newly created lots would remain R-1; and that staff determined that the proposed lot sizes were consistent with other R-1 lots in the area.

MOTION: Commissioner Horwich moved for the approval of DIV04-00024, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Guyton and passed by unanimous roll call vote.

Commenting on his vote, Commissioner Faulk stated that he was initially concerned about setting a precedent due to the absence of other flag lots in this area, however, his concerns were alleviated after he visited the site and saw the size of the lot and its location at the end of a cul-de-sac, which he felt made it more appropriate for the flag-lot configuration.

Planning Assistant Hurd read aloud the number and title of Planning Commission Resolution No. 05-041.

MOTION: Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 05-041. The motion was seconded by Commissioner LaBouff and passed by unanimous roll call vote.

9D. PRE05-00008, WAV05-00004: DENNIS M. EVELAND (LOUIE TOMARO)

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of first and second-story additions to an existing three-story, single-family residence in conjunction with a height Waiver to allow the residence to exceed the maximum building height requirement on property located in the R-1 Zone in the Hillside Overlay District at 3805 Paseo de las Tortugas.

Continued to May 4, 2005.

10. RESOLUTIONS

None.

11. PUBLIC WORKSHOP ITEMS

None.

12. MISCELLANEOUS ITEMS

12A. MIS05-00057: CRAVENS BUILDING LLC

Considered out of order, see page 1.

13. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS

Planning Manager Isomoto reviewed recent City Council action on Planning matters, noting that the Shea Homes development near Del Amo Financial Center was unanimously denied at the April 19 City Council meeting after a lengthy public hearing.

14. LIST OF TENTATIVE PLANNING COMMISSION CASES

Planning Manager Isomoto reviewed the agenda for the May 4, 2005 Planning Commission meeting.

15. ORAL COMMUNICATIONS

15A. Planning Manager Isomoto noted upcoming meetings related to the General Plan update.

15B. Commissioners and City staff introduced themselves and welcomed Rod Guyton to the Commission.

Commissioner Guyton introduced himself, noting that he previously served on the Community Services Commission and the Parks and Recreation Commission and that he is a business owner who has lived in Torrance for over 40 years.

15C. Planning Manager Isomoto stated that she was pleased Commissioner Horwich has recovered from his recent illness, and Commissioner Horwich thanked everyone for their well-wishes.

15D. Commissioner Faulk commented positively on a new two-unit condominium project on Cabrillo Street south of Plaza de Amo, suggesting that it is an excellent example of a project that enhanced the neighborhood by replacing an eyesore with very nice Craftsman-style units

15E. Commissioner Horwich noted that a Special Olympics field day is scheduled for Saturday, May 14, at West High and invited anyone who wishes to assist to come to the football field before 9:00 a.m., promising that it will be a very rewarding experience.

15F. Commissioner Uchima requested an excused absence from the May 4 Commission meeting. Chairperson Muratsuchi, seconded by Commissioner Faulk, so moved; voice vote reflected unanimous approval.

15G. Commissioner Drevno reported that the Planners Institute conference in Pasadena was very interesting and informative and thanked the City for sending her. She stated that she was impressed by the Paseo Colorado mixed-use development, which was across the street from where the conference was held, and suggested that Torrance residents would be more receptive to the mixed-use concept if they had an opportunity to visit well-planned developments like this.

15H. Chairperson Muratsuchi also thanked the City for sending him to the Planners Institute conference. He stated that he was inspired by the variety of ideas presented and found the concept of form-based codes of particular interest. He explained that form-based codes provide photographs/illustrations of how a City wants to look in the future, sending a clear message to developers of what is expected.

15I. Chairperson Muratsuchi shared information from Bea Virobik documenting the requests she has had at the Bartlett Senior Center for affordable senior housing. He stressed the need for affordable rental units rather than \$400,000-500,000 condominiums.

15J. In response to Chairperson Muratsuchi's inquiry, Planning Manager Isomoto advised that it was not true that the senior housing component of the project on Torrance Boulevard near Madrona was eliminated. Building Regulations Administrator Segovia reported that building permits for the senior housing project were issued on April 19.

15K. Commissioner Uchima asked about the possibility of linking Del Amo Financial Center to Del Amo Fashion Center with a pedestrian pathway, commenting on the need to make the City more pedestrian-friendly to combat traffic congestion. Planning Manager Isomoto stated that staff supports this concept, but the expense involved has been a major obstacle.

15L. Noting that he serves on the Board of the Southwood Riviera Homeowners Association, Commissioner Guyton stated that he disagrees with those who want to stop all development because he feels this is an unrealistic goal. He commented on the difficulty of convincing people that retail uses generate more traffic than residential uses even when they are presented with traffic studies showing that this is true.

16. ADJOURNMENT

At 9:33 p.m., the meeting was adjourned to Wednesday, May 4, 2005, at 7:00 a.m.

Approved as Written June 15, 2005 s/ Sue Herbers, City Clerk
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