



**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, June 4, 2014 in City Council Chambers at Torrance City Hall.

**2. SALUTE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner Watson.

**3. ROLL CALL/ MOTIONS FOR EXCUSED ABSENCE**

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

Absent: None.

Also Present: Planning Manager Lodan, Planning Associate Martinez, Plans Examiner Noh, Associate Civil Engineer Symons, City Attorney Fellows.

**4. POSTING OF THE AGENDA**

Planning Manager Lodan reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, May 29, 2014.

**5. APPROVAL OF MINUTES - None.**

**6. REQUESTS FOR POSTPONEMENTS – None.**

**7. ORAL COMMUNICATIONS #1 – None.**

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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. CUP14-00009: SAM'S WEST, INC. (SAM'S TORRANCE CA PARTNERSHIP)**

Planning Commission consideration for approval of a Conditional Use Permit to allow instructional tastings of distilled spirits, wine and beer (Type 86) within an existing retail warehouse club on property located in the P-D Zone at 2601 Skypark Drive. This project is categorically exempt from CEQA per Guidelines Section 15301 – Existing Facilities.

**Recommendation:** Approval.

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

Brent McManigal, Gresham-Savage, legal counsel for the applicant, provided background information about the application, explaining that Sam's Club would like to offer periodic instructional tastings of wine, beer and distilled spirits in a cordoned off area within the existing liquor department. He reported that the applicant agrees with all conditions with the exception of Condition No. 7, which requires the property owner to provide a reciprocal access easement for the property to the west, because Sam's Club does not have the authority to grant an easement since it does not own the property and the property owner has indicated that he will not do so. Additionally, he noted that according to *Nolan v. California Coastal Commission*, there must be a reasonable relationship between a condition and the proposed use and the condition must be roughly proportional to the use's impacts, which is not the case with Condition No. 7. He stated that he saw no connection between the limited, temporary conditional use that has been proposed and a permanent easement that would allow an unknown quantity of vehicles to access the property. He further stated that he did not believe the condition was proportionate since Sam's was not proposing to expand or modify business operations and was simply seeking to provide existing customers an opportunity to try products already sold on the premises. He requested that Condition No. 7 be eliminated.

Commissioner Skoll reported that he read Mr. McManigal's letter concerning this issue (agenda item –attachment 3) and agrees that there is no connection between the requested Conditional Use Permit and Condition No. 7 therefore he was in favor of deleting it.

Planning Manager Lodan advised that the condition requiring a reciprocal access easement is a standard condition and staff believes it's fair and reasonable, but understands the applicant's predicament since Sam's Club does not own the property and felt it best to let the Commission decide whether or not to delete the condition.

Commissioner Watson indicated that her concerns about this activity were addressed in the California Department of Alcoholic Beverage Control's Conditions and Rules for Type 86 Instructional Tasting Events (agenda item).

**MOTION:** Commissioner Polcari moved to close the public hearing. The motion was seconded Commissioner Skoll and passed by unanimous voice vote.

**MOTION:** Commissioner Polcari moved to approve CUP14-00009, as conditioned, including all findings set forth by staff, deleting Condition No. 7. The motion was seconded by Commissioner Skoll and passed by unanimous roll call vote.

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution No. 14-024.

**MOTION:** Commissioner Polcari moved to adopt Planning Commission Resolution No. 14-024 as amended. The motion was seconded by Commissioner Skoll and passed by unanimous roll call vote.

11. **WAIVERS** – None.

12. **FORMAL HEARINGS**

**12A. MOD14-00005: JENIFER MURILLO - COSTCO WHOLESALE (AGI PROPERTIES, INC)**

Planning Commission consideration for approval of a Modification of a previously approved Planned Development (PD95-0001) to allow instructional tastings of distilled spirits, wine, and beer (Type 86) within an existing retail warehouse club on property located in the P-D Zone at 2751 Skypark Drive. This project is categorically exempt from CEQA per Guidelines Section 15301 – Existing Facilities.

**Recommendation:** Approval.

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

Jenifer Murillo, Director of Real Estate Development for Costco Wholesale, explained that the company has begun offering tastings at select warehouses because it allows members to taste wine and spirits before they buy them since some are quite expensive. She reported that there are four or five warehouses in Southern California that offer tastings, including Culver City, Westlake Village and Tustin, and they have been very successful. She stated that Costco has the same concern as the previous applicant about Condition No. 6, which requires the granting of a reciprocal access easement. She advised that Costco also does not own the property and it's currently in the process of being sold so an easement cannot be recorded at this time.

Commissioner D'anjou noted that unlike the resolution for Sam's Club, Resolution No. 14-028 does not include a condition requiring that there be no charge for the instructional tastings, and Planning Manager Lodan recommended that such a condition be included for the sake of consistency.

Mr. Murillo confirmed that there is no charge for tastings at Costco and she had no objection to including a condition to that effect.

**MOTION:** Commissioner Polcari moved to close the public hearing. The motion was seconded Commissioner Skoll and passed by unanimous voice vote.

**MOTION:** Commissioner Polcari moved to approve MOD14-00005, as conditioned, including all findings set forth by staff, deleting Condition No. 6 and adding the following condition: That no charge of any sort shall be made for instructional tastings of alcoholic beverages. The motion was seconded by Commissioner D'anjou and passed by unanimous roll call vote.

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution No. 14-028.

**MOTION:** Commissioner Polcari moved to adopt Planning Commission Resolution No. 14-028, as amended. The motion was seconded by Commissioner D'anjou and passed by unanimous roll call vote.

**13. RESOLUTIONS - None.**

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 May 15 and May 23, 2014 were distributed to the Commission.

16. **REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS** – None.

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

Planning Manager Lodan reviewed the agenda for the June 18, 2014 Planning Commission meeting.

18. **ORAL COMMUNICATIONS #2**

18A. Commissioner Gibson congratulated Chairperson Rizzo on being elected to the City Council and commended Commissioner Griffiths for a valiant effort.

18B. Commissioner Skoll requested an excused absence for the June 18 meeting as he and his wife will be taking a long-planned trip to Israel.

Commissioner Polcari, seconded by Commissioner Griffiths, so moved and voice vote reflected unanimous approval.

18C. Commissioner Watson reported that she has seen a lot of donation collection bins around Torrance and asked about the progress in regulating them.

Planning Manager Lodan advised that there is a moratorium on donation collection bins, however unauthorized bins continue to be placed and staff plans to bring something forward on this issue in June or July.

18D. Chairperson Rizzo stated that he enjoyed campaigning with Commissioner Griffiths, who indicated that the feeling was mutual.

18E. Commissioner Gibson thanked City Attorney Fellows for attending the meeting.

19. **ADJOURNMENT**

At 7:35 p.m., the meeting was adjourned to Wednesday, June 18, 2014 at 7:00 p.m.

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Approved as submitted August 6, 2014 s/ Rebecca Poirier, City Clerk
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