

**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, July 21, 2010 in the Council Chambers at Torrance City Hall.

**2. SALUTE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner Skoll.

**3. ROLL CALL**

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

Absent: Commissioner Gibson.

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

**MOTION:** Commissioner Browning moved to grant Commissioner Gibson an excused absence from this meeting. The motion was seconded by Commissioner Weideman 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 Thursday, July 15, 2010.

**5. APPROVAL OF MINUTES**

**MOTION:** Commissioner Browning moved for the approval of June 16, 2010 Planning Commission minutes, as submitted. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote, with Commissioner Busch abstaining (absent Commissioner Gibson).

**6. REQUESTS FOR POSTPONEMENTS**

Planning Manager Lodan relayed staff's request to continue Agenda Item 10B, WAV10-00006: Theodore Borges, indefinitely.

**MOTION:** Commissioner Browning moved to continue Agenda Item 10B indefinitely. The motion was seconded by Commissioner Busch and passed by unanimous roll call vote (absent Commissioner Gibson).

**7. ORAL COMMUNICATIONS #1 – None.**

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Chairperson Horwich 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** – None.

10. **WAIVERS**

10A. **WAV10-00004: LISA TROMBLEY**

Planning Commission consideration for approval of a Waiver to allow less than the required rear and side yard setbacks in conjunction with second-story addition to an existing one-story, single-family residence on property located in the R-2 Zone at 1720 Watson Avenue.

**Recommendation**

Approval.

Planning Assistant Graham introduced the request.

Albert Trombley, 1720 Watson Avenue, applicant, voiced his agreement with the recommended conditions of approval. He explained that his family has outgrown their one-story home and adding a second-story is the only practical way to add space due to the irregularly shaped lot. He noted that an effort was made to retain the original proportion and style of the house so it will blend with the neighborhood.

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

Commissioner Busch asked about the lot's substandard size, and Planning Manager Lodan advised that the property was developed before the current minimum lot size standard of 6,000 square feet was adopted and such lots are not uncommon in older sections of Torrance.

Commissioner Busch expressed support for the project.

**MOTION:** Commissioner Busch moved for the approval of WAV10-00004, 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 Gibson).

Planning Assistant Graham read aloud the number and title of Planning Commission Resolution No. 10-041.

**MOTION:** Commissioner Busch moved for the adoption of Planning Commission Resolution No. 10-041. The motion was seconded by Commissioner Skoll and passed by unanimous voice vote (absent Commissioner Gibson).

**10B. WAV10-00006: THEODORE A. BORGES**

Planning Commission consideration for approval of a Waiver to allow the construction of over-height walls along the side and rear property lines on property located in the R-1 Zone at 19205 Ronald Avenue.

Continued indefinitely.

**11. FORMAL HEARINGS**

**11A. CUP10-00003: DANA NICKLESS (ELENA BUTORAL)**

Planning Commission consideration for approval of a Conditional Use Permit to allow a permanent, recurring outdoor market event in a parking lot on property located in the HBCSP-DA1 Zone at 3525 Carson Street (APN 7366-019-122).

**Recommendation**

Approval.

Planning Assistant Graham introduced the request.

Dana Nickless, applicant, voiced his agreement with the recommended conditions of approval. He explained that the outdoor market operates like a farmer's market, however, it is not certified, and that it began last year and has raised over \$10,000 for the Torrance school system, an amount he expects will be exceeded this year. He briefly described the activities at the market, which include free arts and crafts for children and entertainment by local artists.

Commissioner Browning questioned why this item was brought to the Commission, since the outdoor market was approved administratively in the past.

Planning Manager Lodan advised that the market was initially approved on a trial basis via a temporary permit, which must be renewed every six months, and since it has been operating successfully for over a year, staff felt a Conditional Use Permit would be more appropriate.

Commissioner Browning requested clarification of Condition No. 4, which states that there shall be no food vending/catering trucks as part of the event.

Planning Manager Lodan explained that staff did not intend to ban the sale of food at food booths, only catering trucks that travel to various locations selling food, which have become increasingly popular.

Assistant City Attorney Sullivan recommended placing a hyphen between the words "food" and "vending" to clarify the intent of the condition.

In response to Commissioner Browning's inquiry, Mr. Nickless confirmed that the market has adequate water and sanitation facilities and provided clarification regarding the hours of operation. He explained that approval was being requested to operate on

Wednesdays, Fridays, Saturdays and Sundays, but the market currently operates on Saturdays only.

Commissioner Browning expressed concerns about the proposal to create a safety barrier around the perimeter of the market using employees' vehicles, noting that an employee might have to leave due to an emergency creating a breach in the barrier. He indicated his preference for something more permanent such as a concrete barrier.

In response to Commissioner Browning's inquiry, Planning Manager Lodan provided clarification regarding Condition No. 9, which prohibits certain types of signage, explaining that the prohibition of banners concerns off-site banners and not banners on booths at the market.

Responding to Commissioner Browning's inquiry, Mr. Nickless confirmed that the market would not interfere with handicapped parking for the mall or emergency vehicle access. With regard to the requirement that electrical cables be taped or bridged to prevent a tripping hazard, he explained it is not necessary to run electrical cords over walkways because generators are used to provide power.

Commissioner Busch asked about the entertainment, and Mr. Nickless reported that high school bands and local artists are invited to perform on the stage to provide background music for the market. He noted that they are careful not to disturb guests of nearby hotels and the hotels have his phone number in case they have any concerns.

Commissioner Busch requested that staff report back to the Commission on "no parking" signs that periodically appear in the parking lot.

At Commissioner Busch's request, City Attorney Sullivan discussed the difference between a farmers market on public property versus private property with regard to free speech rights. He explained that mall management has the ability to put reasonable restrictions on such activities and permission must be obtained via an application process. Mr. Nickless indicated that he was aware of this policy and helps to enforce it.

In response to Commissioner Busch's inquiry, Fire Marshal Kazandjian confirmed that the Fire Department believes that using vehicles to form a safety perimeter around the market would provide sufficient protection. He explained that this method has been used at other venues, such as the outdoor market in downtown Torrance, and while concrete barriers are also effective, they can be cost prohibitive.

Commissioner Weideman noted that vehicles were used to block off streets in downtown Torrance for the recent "Rock Around the Block" event at the Torrance Historical Museum. He reported that he has visited this farmer's market on more than one occasion and observed no problems.

Commissioner Browning pointed out that Rock Around the Block is a once-a-year event and related his belief that since this farmer's market was seeking approval on an ongoing basis, a more permanent safety barrier for the perimeter was warranted.

Commissioner Busch asked about the cost of erecting a concrete barrier, and Commissioner Browning estimated that a permanent concrete barrier would cost between \$50,000 and \$70,000.

Asked about other farmers markets, Mr. Nickless reported that he has observed various approaches to securing the perimeter from a police-manned barricade at Santa Monica to nothing at all at the Playa Vista farmers market, which is held in a parking lot.

A brief discussion ensued regarding the feasibility of a concrete barrier. Mr. Nickless stated that he did not believe mall management would approve of a permanent concrete barrier; indicated that the added expense would be a deal-breaker for the market; and expressed confidence that the vehicular barrier as proposed by the Fire Department would provide sufficient protection.

Commissioner Browning suggested the possibility of continuing the hearing so the applicant could discuss the issue of the concrete barrier with mall management.

Voicing support for the project as proposed, Commissioner Uchima stated while it was possible that a vehicle could breach the safety perimeter, he felt it was highly unlikely and saw no reason to become overly alarmed about this issue. He noted that the market has already been operating at this location for over a year without incident.

Commissioner Skoll noted his agreement with Commissioner Uchima's remarks.

Commissioner Weideman asked about perimeter security at the certified farmers market held at Wilson Park on Wednesdays and Saturdays. Assistant City Attorney Sullivan related his understanding that vendors' trucks line the backside of the market and City vehicles are used at the entrance.

Commissioner Weideman indicated that he would support the project as proposed.

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

**MOTION:** Commissioner Uchima moved for the approval of CUP10-00003, as conditioned, including all findings of fact set forth by staff, amending Condition No. 4 for purposes of clarity by adding a hyphen between the words "food" and "vending." The motion was seconded by Commissioner Skoll and passed by a 4-0 roll call vote, with Commissioners Browning and Busch abstaining (absent Commissioner Gibson).

Planning Assistant Graham read aloud the number and title of Planning Commission Resolution No. 10-043.

**MOTION:** Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 10-043 as amended. The motion was seconded by Commissioner Weideman and passed by unanimous voice vote (absent Commissioner Gibson).

The Commission briefly recessed from 8:00 p.m. to 8:10 p.m.

**11B. MOD10-00006: ANTHONY MASSARO (KING'S HARBOR CHURCH)**

Planning Commission consideration for approval of a Modification of a previously approved Conditional Use Permit (CUP87-58) to allow the conversion of existing light industrial space to a church use, in conjunction with parking lot and exterior renovations to an existing church on property located in the M-2 Zone at 23915 Garnier Street.

**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.

Anthony Massaro, project architect, briefly described the proposed project, which would add classrooms, offices and lounge areas for the existing church, noting that the expansion was previously approved in 2005 (MOD05-00002), but the entitlement expired. He voiced his agreement with the recommended conditions of approval with the exception of Condition No. 3, which prohibits the proposed outdoor playground and patio. He explained that the church would like to create an outdoor plaza to provide a more pleasant atmosphere for people to congregate since the church is located within an industrial building. He stated that staff is concerned that the outdoor area would require the elimination of 16 parking spaces, however, there would still be enough on-site parking for weekday activities and the church has reciprocal parking agreements with nearby businesses that provide more than enough parking during peak periods on the weekend.

Commissioner Busch noted that a letter was received from Dr. John Kuno, CEO of QuinStar Technology, Inc., 24085 Garnier Street, objecting to the proposed expansion of the church, citing problems with parishioners who park in their lot and block their driveway.

Responding to questions from the Commission, Planning Manager Lodan reported that there were no complaints on file from QuinStar concerning the church's operation and confirmed that the church complies with parking requirements through the use of shared parking agreements with Alcoa and Pacific Sales.

Shawn Marks, representing King's Harbor Church, provided clarification regarding the off-site parking agreements. He noted that church currently has an agreement with QuinStar to allow the church to use their parking on Saturday nights.

Commissioner Busch requested that Assistant City Attorney Sullivan review the parking agreements.

Helen Kim Bass, business manager of QuinStar, voiced objections to the proposed expansion (Dr. John Kuno, CEO of QuinStar, was also present at the podium, but did not speak). She stated that QuinStar, which is a privately held defense subcontractor, has tried to accommodate King's Harbor Church and another church across the street by allowing them to use their parking, but can no longer do so because

the company has experienced rapid growth and needs all of its parking. Additionally, she explained there are liability issues since the company uses chemicals that are highly explosive, therefore the company has sent letters to both churches terminating their parking agreements. She doubted that Alcoa and Pacific Sales understand the ramifications of allowing the church to use their parking lots because even though the church has liability insurance, the property owner is legally responsible should any injury or damage occur in the parking lot. She stated that if the project does go forward, the company would insist that the church pay for a fence to separate the two properties for safety and convenience.

Commissioner Busch asked about chemicals stored at QuinStar, and Fire Marshal Kazandjian indicated that he did not have that information available and could not assess the danger without further investigation.

Commissioner Busch indicated that he favored continuing the hearing so the Fire Department could look into the storage of chemicals at QuinStar and the City Attorney's office could review the parking leases.

A brief discussion ensued, and it was the consensus of the Commission to continue the hearing so that the applicant could meet with QuinStar in order to try to resolve the company's concerns and additional information could be provided by staff.

Chris Cannon, senior pastor at King's Harbor Church, expressed his willingness to meet with QuinStar and agreed to continue the hearing to August 4, 2010.

Mr. Massaro wanted to clarify that the project does not involve an increase in the parking requirement because it is based on the assembly area and the size of this area is actually being reduced in conjunction with the project.

**MOTION:** Commissioner Busch moved to continue the hearing to August 4, 2010. The motion was seconded by Commissioner Weideman and passed by unanimous roll call vote (absent Commissioner Gibson).

**11C. CUP10-00009: TORRANCE TOWNE CENTER ASSOCIATES LLC (CITY OF TORRANCE)**

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of a gym/day spa on property located in the PD Zone at 2755 Pacific Coast Highway.

**Recommendation**

Approval.

Keith Palmer, Bryant, Palmer, Soto, Inc., project architects, voiced his agreement with the recommended conditions of approval. He noted that this tenant space formerly housed a boating store and was being remodeled as a women's gym and day spa.

Commissioner Browning disclosed that he had a brief conversation with a representative of the gym/day spa earlier in the evening; that he mentioned that the City

has strict regulations concerning establishments that offer massages; and that this conversation would have no bearing on his decision.

Karen Wischman, representing the gym/day spa, confirmed that she was aware of restrictions on day spas, noting that she has assigned a staff member to thoroughly review them to ensure compliance before the spa opens.

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

**MOTION:** Commissioner Weideman moved for the approval of CUP10-00009 as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote (absent Commissioner Gibson).

Planning Assistant Graham read aloud the number and title of Planning Commission Resolution No. 10-045.

**MOTION:** Commissioner Browning moved for the adoption of Planning Commission Resolution No. 10-045. The motion was seconded by Commissioner Weideman and passed by unanimous voice vote (absent Commissioner Gibson).

12. **RESOLUTIONS** – None.

13. **PUBLIC WORKSHOP ITEMS** – None.

14. **MISCELLANEOUS ITEMS**

14A. **SIGNAGE INFORMATION**

With the aid of slides, Deputy Community Development Director Cessna provided a brief overview of the City's policies on signage to prepare the Planning Commission for taking over the responsibility of approving signs that cannot be approved administratively.

14B. **ANNUAL REPORT DRAFT**

Commissioners offered the following correction to the draft 2009 Planning Commission Annual Report, page 2, paragraph 2, re the General Plan Update: "The Planning Commission also held three General Plan Workshops...prior to forwarding a ~~consensus~~ the matter to the City Council for further review. They also requested that the date appeals were filed be eliminated from the report for the sake of consistency.

**MOTION:** Councilmember Busch moved to approve the 2009 Annual Report as amended and to forward it to the City Council. The motion was seconded by Commissioner Skoll and passed by unanimous roll call vote (absent Commissioner Gibson).

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

Planning Manager Lodan reported that at the July 20 City Council meeting, the Council authorized the City's participation in the CDBG federal grant program, which will provide \$1.2 million in funding for a wide range of City programs; that the Council also authorized participation in the LA County Energy Program, which provides a funding mechanism for energy improvement projects; and that the Council approved the project at 209 Via El Toro, adding several conditions, including a condition restricting vegetation.

Assistant City Attorney Sullivan noted that City Attorney's staff expressed concerns about the condition involving vegetation since the Hillside Ordinance does not address this topic.

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

Planning Manager Lodan reviewed the agenda for the August 4, 2010 Planning Commission meeting.

**17. ORAL COMMUNICATIONS #2**

**17A.** Planning Manager Lodan introduced Laura Inkhouse, who is working as a summer intern in the Community Development Department.

**17B.** Commissioner Skoll commented that he enjoyed tonight's meeting and always learns something new.

**17C.** Commissioner Busch asked when the City Council would be considering the Roof Deck Ordinance, and Planning Manager Lodan reported that staff was awaiting direction from the Council on this matter.

**17D.** Chairperson Horwich related his belief that regulating vegetation and/or a tree ordinance should be avoided because it would be a monumental task to enforce such restrictions.

**18. ADJOURNMENT**

At 9:45 p.m., the meeting was adjourned to Wednesday, August 4, 2010 at 7:00 p.m.

Approved as Submitted August 18, 2010 s/ Sue Herbers, City Clerk
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