

**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, August 7, 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 Gibson, Polcari, Watson and Chairperson Rizzo.

Absent: Commissioners D'anjou (excused) and Skoll (excused).

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

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, August 2, 2013.

5. APPROVAL OF MINUTES – None.

6. REQUESTS FOR POSTPONEMENTS – None.

7. ORAL COMMUNICATIONS #1

7A. Kurt Weideman thanked his fellow Commissioners for serving with him, noting that he greatly enjoyed his seven years on the Commission. He commended Commissioners for their fair and unbiased decision-making and City staff for the outstanding support they provide to the Commission.

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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. MOD13-00001: HOME DEPOT (CA TORRANCE CROSSROADS, INC.)

Planning Commission consideration for approval of a Modification of a previously unapproved Planned Development (PD90-2) to allow truck rentals as an ancillary use to the existing Home Depot store on property located in the PD Zone at 24451 Crenshaw Boulevard.

Recommendation: Approval.

Planning Associate Martinez introduced the request.

Catherine Otis, representing Home Depot, voiced her agreement with the recommended conditions of approval. She noted that a placard detailing operational restrictions is being prepared and will be posted in the manager's office to ensure compliance.

Responding to questions from the Commission, Planning Manager Lodan clarified that the rental of Penske box trucks is already taking place at Home Depot and this item was being brought forward as a result of Code Enforcement action. He noted that Home Depot also rents pick-up trucks so that customers can transport their purchases, but this is considered an incidental use to the retail store and therefore, does not require a separate permit.

In response to Chairperson Rizzo's inquiry, Ms. Otis reported that the area where the trucks will be parked has been relocated to the parking area northwest of the building at staff's recommendation and they will no longer be parked in front of the store.

Commissioner Rizzo expressed concerns about the proposed display area near the contractor's entrance because this area can become congested particularly on weekends when there are workshops.

Eric Robello, operations manager for Torrance Home Depot, advised that there are no plans to display goods in this area at this time, and Ms. Otis explained that this was included in the application in case the store decides to use this display area in the future. Mr. Robello confirmed that if bulk items such as crushed rock and decomposed granite are displayed, they will be in bags.

Responding to questions from the Commission, Ms. Otis provided clarification regarding the truck rental operation, noting that there will be no more than five rental trucks on-site at any time and the maximum truck length will be 26 feet. She reported that Penske, which is located in Commerce, will be providing the trucks; that a truck will only be delivered to Home Depot after a contract has been executed; and that the trucks will be picked up after the rental in a timely fashion. She noted that this service is being offered at Home Depot stores across the country and there have been no issues with the 7 or 8 stores she has handled within the last year.

Ms. Otis related her understanding that staff has agreed to reword Condition No. 9, which requires that a walled cart enclosure be provided at the front of the store

Planning Manager Lodan advised that staff was not aware that such an enclosure already exists and would like to amend the condition to state that the enclosure shall be inspected and repaired, if necessary, to the satisfaction to the Community Development Director.

Chairperson Rizzo invited public comment.

Jose Sanchez, Gardena, reported that he was recently at the Torrance Home Depot and one of his children was almost run over by an auto transporter and he wanted to make sure that children are not endangered by this type of activity.

William Shaw, Torrance, echoed concerns about children's safety in the parking lot due to large vehicle traffic.

Commissioner Polcari indicated that he was inclined to approve the proposed Modification because the rental trucks will be relocated to the rear of the store where children were not likely to be running around.

Commissioner Gibson expressed concerns that she didn't know enough about the proposal to vote on it, and Commissioner Watson indicated that she also had unanswered questions.

In response to Chairperson Rizzo's inquiry, Ms. Otis confirmed that Home Depot does not rent auto transporters.

Planning Manager Lodan recommended that Condition No. 4 be amended to state that no semis, tractor trailers or trailers shall be rented or stored on-site.

Chairperson Rizzo noted that there appears to be a loading door at the northwest corner of the building and asked about the possibility of using this door for loading merchandise into rental trucks rather than having the trucks drive around to the loading zone in front of the store.

Ms. Otis stated that this would be possible for large orders. She noted that in addition to picking up merchandise, people also rent the trucks for moving.

Commissioner Watson related her observation that there are occasions when trucks back up at the contractors' pick-up area and impede the flow of traffic in the parking lot and asked about the possibility of having Home Depot staff available for traffic control during busy times.

Ms. Otis responded that management is aware of this problem and they are doing their best to address it, but it was not feasible to have an employee direct traffic. She offered to repaint/restripe the loading area to better delineate it.

Commissioner Watson suggested that consideration be given to loading all merchandise into rental trucks from the northwest loading door.

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

MOTION: Commissioner Polcari moved to approve MOD13-00001 with amendments to Condition Nos. 4, 5 and 9 as recommended by staff. The motion died for lack of a second.

Commissioner Gibson questioned whether neighbors received notice of this hearing. Planning Manager Lodan advised that the City is required to provide notice to properties within 300 feet and the notice area was expanded to include all properties within 500 feet.

Discussion continued, and Commissioners indicated that they favored continuing the hearing to allow the applicant to work with staff on improving traffic flow, utilizing the northwest loading door for rental trucks, and adding crosswalks and signage to address safety issues.

The public hearing was reopened so Ms. Otis could comment.

Ms. Otis expressed confidence that relocating the parking area for the rental trucks to the rear of the building will take care of most of the concerns. She pointed out that this is a busy shopping center with a lot of truck traffic unrelated to Home Depot and while the applicant was willing to do everything possible to improve parking lot safety, including installing signage, there are common areas that are under the control of the landlord.

Chairperson Rizzo recommended that the applicant look into the possibility of utilizing the loading door at the northwest corner of the building as the pick-up area for construction materials to alleviate congestion in front of the store.

Mr. Robello explained that existing red zones are hindering loading and the front of the store would be more orderly if there was an unencumbered 40-foot loading zone. He further explained that the northwest loading door is in a secure area and is typically locked, however, he could look into staffing this area during the busiest times so it could be utilized for loading large orders.

Ms. Otis noted that the Commission's concerns do not appear to be related to the proposed outdoor display or seasonal sales areas and requested that these items be approved.

Assistant City Attorney Sullivan recommended that the entire case be brought back for approval rather than taking a piecemeal approach.

MOTION: Commissioner Polcari moved to continue the hearing to August 21, 2013. The motion was seconded by Commissioner Watson and passed by unanimous roll call vote (absent Commissioners D'anjou and Skoll).

11. **WAIVERS** – None.

12. **FORMAL HEARINGS**

12A. **PRE13-00005, WAV13-00005: NUNE NITSIOTIS (MICHAEL SHAYA)**

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, in conjunction with a setback Waiver on property located within the R-1 Zone at 127 Via Sego.

Recommendation: Approval.

Planning Associate Martinez introduced the request.

Nune Nitsiotis, project designer, briefly described the proposed project, noting that the second story was positioned to minimize the impact on neighbors' views and privacy. He explained that a 5-foot setback was being proposed for the south side of the addition, which is consistent with the existing setback on this side, instead of the required 6 feet, therefore a Waiver is necessary. He reported that the neighbors who are most affected have expressed no opposition to the project.

Chairperson Rizzo asked if Mr. Nitsiotis had read the recommended conditions of approval, and he indicated that he had not. The Commission briefly recessed from 8:00 p.m. to 8:10 p.m. so he could do so.

Mr. Nitsiotis voiced his agreement with the recommended conditions of approval.

Commissioner Watson asked if the home is a mid-century Eichler design since there are rumored to be a few in the area, and Mr. Nitsiotis reported that it is not.

Rodney and Julie Nesbit, 351 Via El Chico, expressed concerns that the proposed project would take away their peek-a-boo view of Santa Monica and the ocean, submitting photographs to illustrate. Mr. Nesbit added that he believes the problem could be resolved with minor modifications and felt that the impact on their property was simply overlooked.

Planning Manager Lodan advised that if the Nesbits would have notified staff, they would have visited their property, noting that staff did not observe any view impact from the locations they reviewed.

Chairperson Rizzo asked if modifications could be made to address the view impact.

After reviewing the photographs, Mr. Nitsiotis stated that he wasn't sure what portion of the addition was affecting the Nesbits' view; pointed out that most of the photos appeared to have been taken with a telephoto lens; and suggested that it was up to the Commission to decide if the view impact was significant and provide him with direction.

A brief discussion ensued, and it was the consensus of the Commission to defer this item until later in the meeting so Mr. Nitsiotis and his client could meet with the Nesbits to see if this matter could be resolved.

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 July 11 and July 19, 2013 were distributed to the Commission.

15B. **LUS13-00001: CITY OF TORRANCE (DONATION COLLECTION BINS)**

Land Use Study to analyze donation collection bins within the City.

Planning Manager Lodan provided a brief summary of the information item on donation collection bins, which was requested by the Commission as result of issues raised during the hearing on the Angel Bins application. He advised that upon review, staff determined that donation collection bins are consistent with the definition of "small collection facilities" per TMC §95.3.42, which regulates recycling facilities, and staff believes the current method of processing applications for them is the best method. He noted that the agenda item also includes a list of bin sites in Torrance compiled by Code Enforcement staff; information about pending State legislation (SB-450), which creates a process that would allow local jurisdictions

to abate/remove unpermitted bins; and a survey of how other cities handle the regulation of donation collection bins. He reported that Code Enforcement action has resulted in the removal of a few unpermitted bins that the property owner either didn't know about or want and another property owner intends to go through the CUP process to obtain a permit for a bin.

Chairperson Rizzo invited public comment.

Janet McCarthy, president/CEO of Goodwill SOLAC (Southern Los Angeles County), reported that Torrance has two storefront locations, which generated approximately \$1 million last year and processed approximately 2 million pounds of material, which otherwise might have ended up in landfills. She noted that a new store will be opening in the Southwood Village center at Palos Verdes Boulevard and Sepulveda that will feature a completely modern look reflecting Goodwill's award-winning re-imaging campaign.

Ms. McCarthy provided background information about Goodwill, a non-profit organization which uses funds generated from donated goods to provide job training and other services to help people in need become productive members of society. She noted that in 2012, Goodwill provided career training for more than 6.7 million people nationwide and more than 216,000 people obtained meaningful employment as a result of Goodwill programs. She stated that unattended collection bins are threatening Goodwill's ability to provide these valuable services and causing immeasurable costs to the cities where they are located due to the problems they create. She explained that unattended bins are operated by for-profit companies that often attempt to entice communities by offering charitable contributions that are only a small fraction of their profits; that they are blight magnets routinely riddled by graffiti and surrounded by refuse; and that many of these bins are run by companies and/or individuals that are impossible to contact with no accountability to the cities where they are located or charities they claim to support. She reported that Goodwill SOLAC is in the midst a county-wide campaign to combat the epidemic of unattended bins and will be collaborating with South Bay Cities and Gateway Cities Council of Governments, as well as L.A. County Supervisors on this issue. She requested that the Commission direct City staff to draft an ordinance prohibiting unattended bins to be forwarded to the City Council for consideration.

Chairperson Rizzo voiced his opinion that no further action was needed since the regulation of donation collection bins is covered under the existing Torrance Municipal Code section governing recycling facilities and pending State legislation will provide another tool for dealing with unpermitted bins. He noted that a Conditional Use Permit is required for donation collection bins in Torrance and any bin without a permit can be removed via Code Enforcement action. He recommended that Code Requirements reference California Welfare and Institutions Code §150 when CUP applications for these bins are brought forward in the future. He thanked staff for the informative report.

Commissioner Watson noted her agreement with Chairperson Rizzo's comments.

Discussion of Item 12A resumed at this time.

12A. PRE13-00005, WAV13-00005: NUNE NITSIOTIS (MICHAEL SHAYA)

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, in conjunction with a setback Waiver on property located within the R-1 Zone at 127 Via Sego.

Mr. Nitsiotis stated that it appears from the photographs that addressing the Nesbits' view impact would mean eliminating a large portion of the second floor because their small

sliver of view is toward the center of the structure. He noted that there would not even be a view if the eucalyptus trees had not been trimmed and requested direction from the Commission.

Chairperson Rizzo recommended that the hearing be continued to allow staff to assess the view impact and provide an opportunity for the applicant and his architect to meet with the Nesbits to try to resolve their concerns.

MOTION: Commissioner Polcari moved to continue the hearing to September 18, 2013. The motion was seconded by Commissioner Gibson and passed by unanimous vote (absent Commissioners D'anjou and Skoll).

Commissioner Gibson encouraged the Nesbits to be proactive.

16. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS

Planning Manager Lodan reported that the City Council approved a one-year extension for the Downtown Torrance Marketplace at the August 6 City Council meeting.

17. LIST OF TENTATIVE PLANNING COMMISSION CASES

Planning Manager Lodan reviewed the agenda for the August 21, 2013 Commission meeting and noted that there will be no Commission meeting on September 4 due to the Labor Day holiday.

18. ORAL COMMUNICATIONS #2

18A. Referring to Agenda Item 12A, Mary Gillett, Torrance, noted that the Nesbits live some distance away from the project they claim is impacting their view and expressed concerns that this type of complaint could hinder development in the Hillside area.

18B. Commissioner Polcari requested an excused absence for the August 21, 2013 meeting.

Commissioner Watson, seconded by Commissioner Gibson, so moved, and voice vote reflected unanimous approval.

18C. Commissioner Watson reported that the Torrance Historical Museum will be open late on Thursdays through the end of August to accommodate people visiting the Downtown Torrance Marketplace.

19. ADJOURNMENT

At 8:50 p.m., the meeting was adjourned to Wednesday, August 21, 2013 at 7:00 p.m.

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Approved as Submitted September 18, 2013 s/ Sue Herbers, City Clerk
