

August 17, 2005

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

1. CALL TO ORDER

The Torrance Planning Commission convened in a regular session at 7:03 p.m. on Wednesday, August 17, 2005, in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Faulk.

3. ROLL CALL

Present: Commissioners Drevno, Faulk, Guyton, Horwich, LaBouff, Muratsuchi and Chairperson Uchima.

Absent: None.

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

4. POSTING OF THE AGENDA

MOTION: Commissioner Faulk, seconded by Commissioner Muratsuchi, 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

MOTION: Commissioner Muratsuchi moved for the approval of the July 6, 2005 Planning Commission minutes as submitted. The motion was seconded by Commissioner Drevno and passed by unanimous roll call vote (with Commissioner Faulk abstaining).

6. REQUESTS FOR POSTPONEMENT

Planning Manager Isomoto relayed requests to continue Agenda Item 8A (PRE05-00016: Fradkin-Martz Cornerstone Realty, LLC) indefinitely and Agenda Item 8B (PRE04-00035: Doug and Emily Galloway) to September 7, 2005.

MOTION: Commissioner Horwich, seconded by Commissioner Guyton, moved to continue Agenda Item 8A indefinitely; voice vote reflected unanimous approval.

MOTION: Commissioner Muratsuchi, seconded by Commissioner Horwich, moved to continue Agenda Item 8B to September 7, 2005; voice vote reflected unanimous approval.

Planning Manager Isomoto announced that the hearing on Agenda Item 8B would not re-advertised because it was continued to a date certain.

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

7. **TIME EXTENSIONS** – None.

8. **CONTINUED HEARINGS**

8A. **PRE05-00016: FRADKIN-MARTZ CORNERSTONE REALTY, LLC. PETER PALDINO, PALDINO ARCHITECTS)**

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 in the Hillside Overlay District in the R-1 Zone at 406 Paseo de la Playa.

Continued indefinitely.

8B. **PRE04-00035: DOUG AND EMILY GALLOWAY (LANE BUILDING DESIGNS)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story, single-family residence with an attached four-car garage on property located in the Hillside Overlay District in the R-1 Zone at 936 Calle Miramar.

Continued to September 7, 2005.

9. **WAIVERS** – None.

10. **FORMAL HEARINGS**

10A. **PRE05-00019: JIMMY AND HEATHER WAKIMOTO (GREG SCHNEIDER)**

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 in the Hillside Overlay District in the R-1 Zone at 406 Paseo de la Playa.

Recommendation

Approval.

Planning Assistant Naughton introduced the request and noted supplemental material available at the meeting consisting of correspondence received after the staff report was prepared.

Greg Schneider, project architect, voiced his agreement with the recommended conditions of approval.

John Bauman, 4722 Via Corona, stated that he does not object to the new two-story residence but was concerned about the impact on his privacy. He requested that the balcony be relocated to the north side of the family room and that windows on the south side of the second story and the east side of the family room be dual-paned and fixed.

In response to Commissioner Muratsuchi's inquiry, Mr. Bauman indicated that he had not had an opportunity to discuss the project with the Wakimotos or their architect.

Mr. Schneider reported that he only learned of Mr. Bauman's concerns earlier this afternoon. He noted that the second floor is approximately 15 feet away from the southern property line at its closest point and clarified that the family room window on the south elevation has a sill height of 8 feet and the other second-story windows on this side will be constructed of translucent glass. He explained that the balcony on the front on the home is mainly for aesthetics and most entertaining will take place on the opposite side of the house where there is a deck and a view.

Referring to supplemental material, Commissioner Muratsuchi noted that neighbors at 4709 and 4705 Paseo de las Tortugas sent letters claiming that their view would be obstructed by the proposed project.

Submitting photographs to illustrate, Mr. Schneider reported that these properties are several houses away around a curve with a mass of trees between them and the subject property and that he visited both properties and observed no view obstruction.

Planning Manager Isomoto suggested that Mr. Bauman review the plans with Mr. Schneider because she believed privacy concerns have been addressed by the design and placement of the windows, and it was the consensus of the Commission to defer this item until later in the meeting.

10B. PRE05-00017: CLYDE AND KAREN PAULSON (ROBERT GARSTEIN)

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 on property located in the Hillside Overlay District in the R-1 Zone at 25940 Richville Drive.

Recommendation

Approval.

Planning Manager Isomoto introduced the request.

Robert Gartstein, project architect, reported that he has been working on this project for two years and the initial design was revised and reduced in size to mitigate the impact on views. He voiced his agreement with the recommended conditions of approval.

Anthony Green, 26028 Crest Road, voiced support for the project, stating that the applicants have been working with him to mitigate the view impact.

In response to Commissioner Guyton's inquiry, Mr. Green confirmed that trees that were blocking his view have been removed and reported that the applicants have offered to trim or remove anything else that is obstructing his view.

John Paulson, representing Clyde and Karen Paulson, reported that the applicants have met with their neighbors and done everything possible to ensure that the project would not negatively impact them.

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

MOTION: Commissioner Muratsuchi moved for the approval of PRE05-00017, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner LaBouff and passed by unanimous roll call vote.

Planning Manager Isomoto read aloud the number and title of Planning Commission Resolution No. 05-110.

MOTION: Commissioner Drevno moved for the adoption of Resolution No. 05-110. The motion was seconded by Commissioner LaBouff and passed by unanimous roll call vote.

**10C. CUP05-00024, DIV05-00011, PRE05-00022: 239 CALLE MIRAMAR LP/
2004-2005 INCOME FUND, C/O NORMAN LEBEAU (ELIZABETH SROUR)**

Planning Commission consideration for approval of a Conditional Use Permit, a Division of Lot, and a Precise Plan of Development to allow the construction of two detached condominium units on property located in the Hillside Overlay District in the R-3 Zone at 239 Calle Miramar.

Recommendation

Approval.

Planning Manager Isomoto introduced the request.

Nagy Bakhoun, Obelisk Architects, voiced his agreement with the recommended conditions of approval. He briefly described the proposed project, noting that it complies with R-2 standards, even though the property is zoned R-3; that the FAR is .60, which is less than the .65 allowed in the R-2 Zone; and that it exceeds open space requirements. He stated that an effort was made to maintain view corridors of surrounding buildings, some of which are three stories and significantly taller than the proposed project, and that impacts on privacy were mitigated by window placement.

Commissioner Muratsuchi noted that in order to exceed an FAR of .50 in the Hillside Overlay District, TMC Section 91.41.11 requires that an applicant demonstrate that being confined to this limit would constitute an unreasonable hardship and questioned what the hardship is in this case.

Elizabeth Srour, Srour Associates, voiced her opinion that it would be unreasonable to confine this project to an FAR of .50 because surrounding neighbors enjoy a much more intense use of their property, noting that most of the developments in the immediate area have an FAR close to .70 or higher. She noted that the height is within the height plane established by surrounding buildings and that up to 5 units could be built on a parcel of this size according to the lot's R-3 zoning. She stated that she believed the FAR limit should be considered in conjunction with other goals set forth in the Hillside Ordinance, such as protection of views and privacy, and that the benefits of this well-designed project justified the higher FAR.

In response to Commission Guyton's inquiry, Deputy City Attorney Whitham confirmed that even though the TMC section referred to by Commissioner Muratsuchi mentions only remodels, it also applies to new construction.

Jim Gallagher, owner of property at 234 Calle Miramar, voiced support for the project, stating that he believes it would benefit the area.

Referring to the staff report, Mr. Bakhoun noted that the average FAR on Calle Miramar, between Via Riviera and Paseo de la Playa, is .71 and contended that reducing the project's FAR to .50 would constitute an unreasonable hardship because it is already below what is permitted in the R-2 zone.

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

Voicing support for the project, Chairperson Uchima stated that when considering a project's FAR, he also considers the surrounding neighborhood and the scale of the silhouette and he felt the proposed project was very compatible with the neighborhood and appropriate for this site.

Commissioner Guyton indicated that he also supported the project, stating that he believed the configuration of the lot presents a hardship and he thought the developer had gone to great lengths to try to conform to FAR guidelines as much as possible.

Commissioner Faulk stated that the project's design, including the orientation of the buildings, the rooflines, and the moderate size of the units, was very compatible with the neighborhood, therefore, he would support it.

Commissioner Muratsuchi indicated that he would not support the project because the applicant had not demonstrated that being confined to an FAR of .50 would constitute an unreasonable hardship. He stated that he believed it was important to enforce this section of the Code or applicants would continue to disregard it.

MOTION: Commissioner Horwich moved for the approval of CUP05-00024, DIV05-00011 and PRE05-00022, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Guyton and passed by a 6-1, with Commissioner Muratsuchi dissenting.

Planning Assistant Naughton read aloud the number and title of Planning Commission Resolution Nos. 05-111, 05-112 and 05-113.

MOTION: Commissioner Drevno moved for the adoption of Resolution Nos. 05-111, 05-112 and 05-113. The motion was seconded by Commissioner LaBouff and passed by a 6-1 roll call vote, with Commissioner Muratsuchi dissenting.

The Commission resumed consideration of Item 10A at this time.

10A. PRE05-00019: JIMMY AND HEATHER WAKIMOTO (GREG SCHNEIDER)

Mr. Schneider reported that he reviewed the plans with Mr. Bauman and he no longer had any objection to the project as long as the window on the east side of the family room is stationary.

MOTION: Commissioner Muratsuchi moved for the approval of PRE05-00019, as conditioned, including all findings of fact set forth by staff, with the following modification:

Add

- That the window on the east side of the family room shall be fixed and translucent.

The motion was seconded by Commissioner Guyton and passed by unanimous roll call vote.

Planning Assistant Naughton read aloud the number and title of Planning Commission Resolution No. 05-109.

MOTION: Commissioner Guyton moved for the adoption of Resolution No. 05-109 as amended. The motion was seconded by Commissioner Muratsuchi and passed by unanimous roll call vote.

10D. CUP05-00019, TTM61985, VAR05-00001: MICHAEL MULLIGAN DEVELOPMENT (MICHAEL BIHN)

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a seven-unit residential condominium project, a Tentative Tract Map for condominium purposes, and a Variation to the Downtown Redevelopment Project Standards to allow residential units on the first floor on property located in the Downtown Redevelopment Project Area in the Commercial Sector at 1620 Gramercy Avenue.

Recommendation

Approval.

Planning Assistant Naughton introduced the request and noted supplemental material available at the meeting consisting of additional Code requirements.

Michael Bihn, representing Michael Mulligan Development, voiced his agreement with the recommended conditions of approval. He stated that the proposed project would replace blighted buildings with condominiums and help revitalize the area by bringing customers to downtown businesses.

Debbie Hays, Post Avenue, urged the Commission to reject the Variation that would allow residential units on the first floor of the project. She stated that mixed-use developments are the key to the successful redevelopment of the downtown area; that the goal has been to draw people into this unique pocket of Torrance with inviting retail establishments; and that the City will lose its tax base if residential units continue to replace retail uses. Noting the current emphasis on creating walkable communities, she reported that the South Bay Cities Council of Governments has commissioned a firm to research what types of businesses or activities would encourage more frequent trips to the downtown area. She related her understanding that Foster's Freeze's lease will soon expire and suggested that this would be an ideal street level tenant.

Janet Payne, Engracia Avenue, agreed that something needs to be done with this property, however, she did not believe the proposed project was the best solution. She indicated her preference for commercial uses on the first floor and an architectural style more in keeping with the Irving J. Gill buildings on the other corners of this triangular-shaped block. She stressed the need for affordable senior rental units in the area, noting its proximity to the Bartlett Center, banks, restaurants and small grocery stores, and maintained that upscale condominiums are a problem in the downtown area because residents do not understand the consequences of living in an urban area.

Mary Ann Reis, Engracia Avenue, voiced objections to allowing residential units on the first floor in a commercial area.

Mr. Cohen, owner of the commercial property at 1624 and 1628 Cravens, stated that he liked the project and believed it would be good for downtown Torrance.

Raymie McCoy, representing Save Historic Old Torrance, reported that his organization was opposed to the proposed project because of the impact on parking and already overcrowded schools. He contended that the building's pastel stucco exterior was out of character with the neighborhood.

Nina McCoy, 220th Street, indicated that she was opposed to the project and agreed with the comments of Ms. Payne and Ms. Hays. She stated that downtown Torrance qualifies for the National Registry of Historic Places and maintained that an Environmental Impact Report should be prepared before any project is approved in this area.

At Commissioner Muratsuchi's request, Sr. Planning Associate Chun reported on the status of the City's historic preservation program. She explained that the City Council recently took the following action: 1) Designated the original Torrance Tract as "Old Torrance Founded 1912"; 2) Adopted an ordinance to enable residents in the area to participate in the Mills Act property tax abatement program; and 3) Directed staff to prepare voluntary architectural design guidelines. She noted that staff is working with the Historical Society to develop the guidelines and it will be at least 3-4 months before they are finalized.

Responding to audience members' comments, Mr. Bihn reported that Mr. Mulligan originally considered a mixed-used project on this site, however, he decided on a residential project because of the difficulty he has had leasing retail space in a mixed-use project on Post Avenue. He indicated that the applicant was willing to modify the project's architectural style, but noted that most buildings in the central core of the

downtown area are stucco-clad and more contemporary in design, as opposed to the Craftsman-style bungalows in the residential areas and that the Irving J. Gill buildings mentioned by Ms. Payne are quite boxy and built out to the lot lines.

Commenting on the lack of affordable senior housing in Torrance, Commissioner Guyton stated that the subject property seems ideal for senior housing and questioned whether this option was considered.

Mr. Bihn explained that most affordable senior housing projects are developed by non-profit organizations that specialize in this type of development and they do not make economic sense unless there is a large infusion of government money.

A brief discussion ensued regarding funding for affordable senior housing. Commissioner Muratsuchi noted that he sits on the Board of a non-profit development corporation, and Planning Manager Isomoto indicated that staff would welcome an opportunity to discuss senior housing with this organization.

Commissioner Muratsuchi questioned why a retail use would not "pencil out." Mr. Bihn reported that there is very little demand for retail space in the downtown area, consequently rents are quite low and developers cannot recoup building costs.

Commissioner Muratsuchi noted that because there is a great demand to develop residential projects, other cities have been able to negotiate with developers to provide something other than just market-rate housing.

Mr. Bihn indicated that the applicant would entertain a deal with the Redevelopment Agency, but related his understanding that there are no funds available for investing in retail development because there are other more pressing needs.

Commissioner Guyton suggested that newer buildings might command higher rents and expressed an interest in learning what rents are for newer versus older commercial buildings. He reiterated concerns about the lack of affordable senior housing, stating that he feared that developers will continue to build market-rate condominiums rather than taking the steps necessary to obtain government funding to build senior housing unless the City insists on it.

Mr. Bihn explained that obtaining funding for senior housing is a very complex process, which involves stacks of paperwork, various government approvals, and intricate financing, and it's very difficult to make a senior project work, not only in Torrance, but anywhere in California.

Returning to the podium, Mr. Cohen reported that he has owned the commercial property at 1628 Cravens for 15 years and it has been very difficult to rent and a financial drain. He noted that he looked into the possibility of building affordable senior housing, but learned that it takes a large piece of property and a high-rise building in order to make it work financially. He related his experience that the downtown area is not conducive to commercial development except for a few streets like El Prado, which enjoy a good amount of traffic.

Commissioner Muratsuchi questioned whether commercial development might be more viable in the future. Mr. Cohen stated that he did not believe there was any

potential for this block due to the lack of pedestrian and vehicular traffic, reporting that businesses have repeatedly failed at this location, with Foster's Freeze being the only draw, and he has been unable to rent his building at \$.05 per square foot.

Returning to the podium, Ms. Payne noted that a General Plan Workshop is scheduled for next week and voiced her opinion that it would be foolish to approve this project before the General Plan update has been completed. She stated that it will continue to be hard for any business to be successful until something is done with the Brighton Hotel and that a comprehensive plan for entire area is needed.

Commissioner Muratsuchi suggested that the proposed \$500,000 condominiums could create market forces that would make it more feasible for the owner of the Brighton to tear it down and improve the property.

Ms. Payne stated that the Brighton and the Colonial were built to last and she favored their renovation, noting that funds are available through the National Trust for Historic Preservation and Main Street programs. She reiterated her position that no decision should be made on this property until the General Plan update has been completed.

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

Referring to the agenda material, Commissioner Horwich commented that he strongly resents the insult to City staff contained in the letter from the owner of The Crest, 1625 Cabrillo Avenue.

Commissioner Guyton stated that he found Mr. Cohen's remarks to be very helpful, but was inclined to wait until the architectural design guidelines have been established before approving this project.

Commissioner Drevno agreed that Mr. Cohen's comments had great merit, but indicated that she was inclined to wait until the General Plan Update has been completed because the Commission would then have a more solid basis for making a decision.

In response to Commissioner Muratsuchi's inquiry, Planning Manager Isomoto clarified that the moratorium currently in effect concerns Zone Changes and General Plan Amendments and the proposed Variation to Downtown Redevelopment Standards is not subject to the moratorium.

Commissioner Faulk commented that he found this to be a particularly difficult decision because of the condition of this triangle, which could almost be considered blighted. He suggested that the City might have to take a more aggressive approach to find a developer who is willing to do a comprehensive development in this area. He stated that while not technically a Zone Change, he felt the proposed Variation was tantamount to a Zone Change and he has been very consistent in his opposition to the conversion of commercial property for residential development. He noted that it was likely that there would be problems with having condominiums immediately adjacent to The Crest, which has live music, and indicated that his first choice for this parcel would be to have it remain commercial. He voiced his opinion that there was currently a nice

balance of commercial and residential uses in the downtown area and it was not a good time to tip the balance when the City was in the process of reviewing the General Plan.

Commissioner Faulk noted the owner of the subject property has done nothing to make it appealing and has allowed it to become quite rundown, which could be the reason it is no longer commercially viable. He reported that this tactic has been used by industrial property owners, who then argue that their land is no longer viable for industrial use, when in fact, according to a recent article in the *Daily Breeze*, the occupancy rate for industrial property in Torrance has never been higher.

MOTION: Commissioner Muratsuchi moved to recommend that the City Council deny VAR05-00001. The motion was seconded by Commissioner Drevno and voting was interrupted as discussion continued.

Noting that the residential development on the former site of the Pussycat Theater was delayed 6 months while awaiting the completion of due process but was eventually approved as originally proposed, Commissioner Horwich stated that he believed the same thing will happen in this case and a residential project will ultimately be approved for this site.

Chairperson Uchima stated that this was a very difficult case because he found Mr. Cohen's testimony compelling and the proposed residential project would add to the customer base for downtown businesses and it might also influence other property owners in the area to upgrade their properties. On the other hand, he felt there was a potential that the entire triangular-shaped block could be redeveloped at which time a mixed-use project on this site could become a viable option.

Commissioner Guyton stated that he understood the challenges of operating a business in the downtown area and the only reason he was voting against the project was because he wanted to wait for the architectural design guidelines to be completed.

Voting resumed, and the motion passed by a 5-2 roll call vote, with Commissioners Horwich and LaBouff dissenting.

MOTION: Commissioner Muratsuchi moved to deny CUP05-00019 and TTM61985 without prejudice. The motion was seconded by Commissioner Faulk and passed by a 5-2 roll call vote, with Commissioners Horwich and LaBouff dissenting.

Planning Manager Isomoto noted that Resolutions reflecting the Commission's action would be brought back for approval at the next meeting.

11. **RESOLUTIONS** – None.
12. **PUBLIC WORKSHOP ITEMS** – None.
13. **MISCELLANEOUS ITEMS** – None.

14. REVIEW OF CITY COUNCIL ACTION ON PLANNING MATTERS

Planning Manager Isomoto reviewed City Council action on Planning matters, noting that the Van Lingen project on Bindewald Road was unanimously approved at the August 16 Council meeting.

15. LIST OF TENTATIVE PLANNING COMMISSION CASES

Planning Manager Isomoto reviewed the agenda for the Planning Commission meeting of September 7, 2005.

16. ORAL COMMUNICATIONS

16A. Planning Manager Isomoto reviewed the schedule for General Plan Workshops, and relayed Commissioner LaBouff's request for an excused absence for the August 24 workshop.

Commissioner Horwich, seconded by Commissioner Guyton, so moved; voice vote reflected unanimous approval.

16B. Commissioner Faulk requested an excused absence for the October 5 Commission meeting.

Commissioner Muratsuchi, seconded by Commissioner Drevno, so moved; voice vote reflected unanimous approval.

16C. Commissioner Faulk asked if anyone had a copy of the article in the *Daily Breeze* concerning the low vacancy rate for industrial property in Torrance, and Chairperson Uchima indicated that he had saved the article and would share it with the Commission.

17. ADJOURNMENT

At 9:25 p.m., the meeting was adjourned to Wednesday, August 24, 2005 at 7:00 p.m. for a General Plan Workshop.

Approved as Written November 2, 2005 s/ Sue Herbers, City Clerk
