

October 18, 2006

**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, October 18, 2006, in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Browning.

3. ROLL CALL

Present: Commissioners Browning, Busch, Gibson, Horwich, Uchima and Chairperson Faulk.

Absent: None.

Also Present: Planning Manager Lodan, Sr. Planning Associate Santana, Building Regulations Administrator Segovia, Plans Examiner Noh, Associate Civil Engineer Symons, Fire Marshal Kazandjian, Fire Marshal Carter and Deputy City Attorney Whitham.

4. REPORT ON POSTING OF THE AGENDA

Planning Manager Lodan confirmed that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on 10/12/06.

5. APPROVAL OF MINUTES

MOTION: Commissioner Browning moved for the approval of the September 20, 2006 Planning Commission minutes as submitted. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

6. REQUESTS FOR POSTPONEMENT

Planning Manager Lodan relayed requests to continue Agenda Items 10A (MOD06-00007: 7-Eleven Inc.) and 10B (CUP06-00018, CUP05-000027: Fancher Development) to November 1, 2006.

MOTION: Commissioner Browning, seconded by Commissioner Uchima, moved to continue Agenda Item 10A to November 1, 2006; voice vote reflected unanimous approval.

MOTION: Commissioner Gibson, seconded by Commissioner Busch, moved to continue Agenda Item 10A to November 1, 2006; voice vote reflected unanimous approval.

Planning Manager Lodan announced that the hearing on Item 10A would be re-advertised because there was notification error and that the hearing on Item 10B would not be re-advertised as it was continued to a date certain.

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

7. TIME EXTENSIONS

7A. MIS06-00262: MOMIN LODGE

Planning Commission consideration for approval of a two-year Time Extension of a previously approved Division of Lot (DIV04-00003) to allow the merger of two parcels into one on property located in the M-2 Zone at 1918 Artesia Boulevard.

Recommendation

Approval.

Sr. Planning Associate Santana introduced the request.

Siraj Hasanalli, representing the applicant, voiced his agreement with the recommended conditions of approval.

MOTION: Commissioner Busch moved for the approval of MIS06-00262, 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.

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolution No. 06-117.

MOTION: Commissioner Busch moved for the adoption of Planning Commission Resolution No. 06-117. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

7B. MIS06-00261: SROUR & ASSOCIATES

Planning Commission consideration for approval of a two-year Time Extension of a previously approved Division of Lot (DIV04-00016) for condominium purposes on property located in the R-2 Zone at 18324 and 18326 Mansel Avenue.

Sr. Planning Associate Santana introduced the request.

No representative of the applicant was present.

In response to Commissioner Busch's inquiry, Planning Manager Lodan reported that the time extension was necessary due to a delay in the processing of the Final Tract Map in the L.A. County Recorder's office.

MOTION: Commissioner Browning moved for the approval of MIS06-00261, 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.

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolution No. 06-118.

MOTION: Commissioner Busch moved for the adoption of Planning Commission Resolution No. 06-118. The motion was seconded by Commissioner Browning and passed by unanimous roll call vote.

8. **CONTINUED HEARINGS** – None.

9. **WAIVERS** – None.

10. **FORMAL HEARINGS**

10A. **MOD06-00007: 7-ELEVEN (LISA CAMPOS)**

Planning Commission consideration for approval of a Modification of previously approved entitlements including a Conditional Use Permit (CUP96-00035) and a Precise Plan of Development (PRE96-00024) to allow the conversion of an existing Walgreen's Express building to a 7-Eleven convenience store on property located in the C2-PP Zone at 2205 Sepulveda Boulevard.

Continued to November 1, 2006.

10B. **CUP06-00018: FRANCHER DEVELOPMENT (NINA RAEY)**

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of an indoor commercial recreation center/ health club in conjunction with interior tenant improvements and minor exterior changes to an existing commercial building on property located in the Hawthorne Boulevard Corridor Specific Plan North Torrance Sub-District at 4240 Redondo Beach Boulevard, Suite A.

Continued to November 1, 2006.

10C. **PCR06-00007, DIV06-00015: AYUMANA SPA (CALWAH DEVELOPMENT CORPORATION)**

Planning Commission consideration for approval of a Planning Commission Review to allow the construction and development of a day spa in conjunction with a Division of Lot to merge two lots into one on property located within the Hillside Overlay District in the C-2 Zone at 2500 Pacific Coast Highway.

Recommendation

Approval.

Sr. Planning Associate Santana introduced the request and noted supplemental material available at the meeting consisting of revised resolutions.

Terry Gebhard, representing the applicant, voiced his agreement with the recommended conditions of approval.

Gwen Parker, 25819 Hillworth Avenue, Lomita, expressed concerns that red curbing on the west side of Hillworth had disappeared and “do not block intersection” signage was incorrectly placed when the car wash to the east of the subject property was remodeled. She stated that she is not opposed to the project but wants to make sure that the line-of-sight for traffic on Hillworth is not obscured by new landscaping; that exterior lighting doesn’t impact residential neighbors; and that mature Italian cypress trees along the block wall will be retained as a buffer. She suggested that parking spaces along Hillworth be designated for employees and noted that a portion of the parking lot (southern 40 feet) is located in the City of Lomita and zoned residential.

Planning Manager Lodan reported that staff contacted City of Lomita planners, who indicated that they had no objection to the project, but wanted to alert the applicant that any modifications to the parking lot area must be approved by Lomita. He offered to have staff look into the red curbing and signage issues mentioned by Ms. Parker. He advised that the applicant will be required to submit landscaping and lighting plans (Condition Nos. 6 and 7), which staff will review to ensure that lighting doesn’t spill over into nearby residences and landscaping doesn’t interfere with the line-of-site for traffic and confirmed that mature trees will be retained wherever feasible.

Commissioner Browning indicated that he favored adding 2 handicapped parking spaces, and Mr. Gebhard stated that he had no objection to such a condition because as currently configured the parking exceeds Code requirements.

Commissioner Gibson asked about the spa’s hours of operation. As Mr. Gebhard did not have this information, this item was deferred until later in the meeting when the owner of the spa was expected to be present.

10D. MOD06-00003 (CUP04-00043, PRE04-00037, DVP04-00007),WAV06-00007: SUNRISE SENIOR LIVING (CHERYL VARGO/SUBTEC)

Planning Commission consideration for approval of a Modification of previously approved entitlements, including a Conditional Use Permit (CUP04-00043), Precise Plan of Development (PRE04-00037), and a Development Permit (DVP04-00007), to allow modifications to the building height and placement and a Waiver to allow retaining walls that are more than five feet in height in conjunction with the construction of an assisted living facility located on property in the Hillside Overlay District of the Hawthorne Boulevard Corridor Specific Plan WALTERIA Sub-district at 25535 Hawthorne Boulevard.

Recommendation

Approval.

Sr. Planning Associate Santana introduced the request and noted supplemental material available at the meeting consisting of correspondence received subsequent to the completion of the agenda item.

Commissioner Browning disclosed that he does not live within 500 feet of the proposed project and he is not a member of the Country Hills Homeowners Association, however, he did attend the CHHA meeting on October 3, 2006 to get a better understanding of community views. He also disclosed that he had visited the Sunrise facility in Hermosa Beach and would report on his findings. He offered his assurance that he had no bias or predisposition regarding this matter and had not made a decision on the project.

Commissioner Horwich stated that while he was absent from the August 2, 2006 meeting when these modifications were originally considered, he listened to the audiotapes from that meeting and read the minutes and believes he is qualified to participate in this hearing.

Roger Green, Development Officer for Sunrise Senior Living, noted that computer generated graphics were prepared and environmental studies were submitted to address unanswered questions from the August 2, 2006 hearing. He reported that the overall height of the project has been reduced from 65 feet to 59 feet as a result of comments at that meeting.

In a PowerPoint presentation, Mr. Green provided background information about the project. He explained that there is a great need for senior housing as the number of people 65 years of age or older is projected to double by the year 2030 and that Sunrise believes the subject parcel is an ideal location for this facility because it is convenient to residential uses, yet located in a commercial area among similar sized buildings. He discussed Planning Commission and City Council action on the previously approved project.

Referring to renderings, Mr. Green briefly reviewed the proposed modifications, which include increasing the height of the building by 5 feet, shifting it closer to Hawthorne Boulevard, and changing from a single retaining wall to a double-wall system. He noted that the modifications were necessary due to the unstable condition of the slope that was discovered during preparations for grading.

Mr. Green reported that Sunrise representatives met with Country Hills Homeowners Association and the Coalition of Torrance Homeowner Associations before the project was originally approved and neither was opposed to the project, therefore, their objections to the modifications at the August 2 hearing had taken them by surprise. He stated that that both organizations have refused to meet with Sunrise to discuss the modifications; that Sunrise invited 600 nearby residents to an open house on October 7 to discuss the project, but only 15 people showed up; and that a direct mailing to Country Hills residents and coalition members yielded a number of support cards and positive comments. He submitted a community outreach package consisting of support

cards/letters and a petition signed by 53 residents in favor of the project. He related his belief that most of the people who signed petitions opposed to the project have been misinformed.

Mr. Green shared computer generated renderings of the project from various vantage points, noting that only a small portion of the building will have the minimum setback of 35 feet and the average front setback will be approximately 70 feet. He explained that shrubs and trees will be planted to screen retaining walls.

In response to Commissioner Browning's inquiry, Mr. Green reported that a portion of the retaining walls will be on Parcel 2, which is owned by Tom Fitzpatrick, and that Sunrise has agreed to install and maintain the walls and landscaping in this area.

Commissioner Browning noted that only eight of the support cards submitted were signed by residents of Torrance.

In response to Commissioner Browning's inquiry, Mr. Green confirmed that the comment cards were preprinted with a checkmark indicating support of the project and that those who signed the cards were informed that they would be made part of the public record of this meeting.

Commissioner Busch expressed disappointment that the number of handicapped parking spaces has not been increased despite the fact he mentioned at the previous hearing that this was a serious concern due to the likelihood that residents will have spouses and/or friends who are elderly and need handicapped parking.

Commissioner Browning expressed concerns that the large drain to the rear of the property could become clogged with debris causing the garage to become flooded.

Dennis Pascua, DKS Associates, transportation consultant for Sunrise Senior Living, provided information regarding trip generation, parking requirements, and sight distance analysis.

Commissioner Busch noted that there was a traffic fatality at the intersection of Rolling Hills Road and Crenshaw Boulevard last week.

Commissioner Busch asked staff to comment on the letter from DKS Associates dated May 9, 2005, in which the applicant disagreed with Transportation Planning Division's recommended condition requiring that the main driveway be widened from 34 feet to 40 feet, maintaining that the existing driveway was adequate for the volume of traffic generated by the proposed project.

Planning Manager Lodan related his understanding that after reviewing the comments from DKS, Transportation Planning staff agreed that the dedication of the right-turn lane would offset the need to widen the driveway, therefore this condition was eliminated.

Associate Civil Engineer Symons clarified that an easement will be reserved for the southbound right-turn lane, but it is not required to be constructed until Parcel 2 is developed.

In response to Commissioner Gibson's inquiry, Mr. Green stated that he knew of no plans to develop Parcel 2 at this time.

The Commission briefly entertained the idea of requiring the right-turn lane to be constructed in conjunction with the proposed project.

Mr. Green explained that the project includes the construction of a tapered approach lane for the driveway to facilitate the movement of traffic into the site and this alternative was agreed to by Transportation Planning staff.

Commissioner Browning asked about preparations for off-site parking as required by Condition No. 14. Mr. Green advised that a tentative agreement has been reached with the office building across the street, but the agreement has not been finalized.

Resuming his PowerPoint presentation, Mr. Green noted that Sunrise has drafted a very thorough plan detailing emergency procedures; that residents will be protected by state-of-the-art fire and emergency systems; and that the fire department has reviewed the site plan and it meets all safety requirements.

Eric Noel, representing Kleinfelder, geotechnical consultant for Sunrise Senior Living, reported that an old landslide was discovered during a soils investigation, which most likely was caused when the toe of the slope was overly steepened during site preparation for a past development. He discussed plans to stabilize the slope by removing the slide mass and replacing it with stronger/heavier imported soil.

Mr. Noel explained that a review of the nearby landslide on Carolwood Lane revealed that although the slope was compromised of diatomaceous earth similar to the subject parcel, there were contributing factors – including adverse bedrock conditions, a steeper slope, and very shallow groundwater – that will not be an issue in this case.

With regard to public safety, Mr. Noel noted that grading contractors are closely monitored by the AQMD (Air Quality Management District) and must follow standard dust control procedures – including moistening and covering truckloads of excavated soil, and washing tires of trucks as they exit to avoid tracking dirt onto the roadway – or risk being fined.

Referring to drilling logs dated July 13, 2004, Commissioner Busch asked about the hydrocarbon-impacted soil and the friable, steeply dipping bedrock encountered during borings.

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Mr. Noel advised that the bedrock was typical of the area and that the hydrocarbon-impacted soil was likely due to underground storage tanks from the gas station that previously occupied the site.

Commissioner Busch asked Mr. Noel to comment on a report from the L.A. County Sanitation District, dated June 8, 2005, which mentions that the site has been identified as having contaminated groundwater; that it is undergoing remediation and contains groundwater monitoring wells; and that the project's potential incompatibility with this activity should be thoroughly evaluated.

Mr. Noel recalled that the Sanitation District originally misidentified the site as being part of the landfill and subsequently issued a letter confirming that there are no groundwater monitoring wells on the subject property.

Referring to Kleinfelder's soils investigation report dated February 20, 2006 (revised April 19, 2006), Commissioner Busch asked about the advisory under "Additional Services," which recommends that additional borings be conducted to confirm the margins of the slide and the geological structure used in the analysis and further recommends that a Kleinfelder representative be present to observe soil removal/replacement/compaction operations because unforeseen geotechnical conditions could be encountered, which may require additional studies, consultations, and design revisions.

Mr. Noel advised that this is standard language recommending that a Kleinfelder representative be present to confirm that soil conditions are as anticipated and to deal with any unexpected complications.

Mr. Green noted that it is Sunrise's standard practice to have a soils engineer on-site during any earth moving operation.

In response to Commissioner Busch's inquiry, Mr. Noel confirmed that SCAQMD Rule 403 – which allows no visible dust beyond the property line, no visible dust from motorized vehicles on the site, and no track-out beyond 25 feet of an active operation, will be actively enforced.

In response to Commissioner Busch's inquiry, Mr. Noel confirmed that recommendations in Kleinfelder's preliminary geotechnical investigation report, dated October 26, 2004, concerning the collection and disposal of groundwater during trenching operations will be followed. He further confirmed that a Kleinfelder representative will be on-site during all earth moving activities to observe soil conditions and recommend appropriate changes in design or construction procedures if conditions differ from those described in the report. He clarified that the disclaimer regarding moisture protection for the concrete slab simply indicates that the system employed to retard moisture penetration for the garage floor might not be adequate for moisture-sensitive flooring like tile and carpeting.

Commissioner Browning questioned when unstable soil was first discovered on the site. Mr. Noel advised that the instability of the slope was discovered during a soils investigation for the retaining walls on September 19, 2005.

Commissioner Browning asked about the mention of unstable soil in the October 26, 2004 Kleinfelder report. Mr. Noel explained that compressible clay soil was discovered during borings on the flat portion of the site, which could cause settling in a building of this size, therefore, the report recommends that it be founded on bedrock.

The Commission recessed from 8:40 p.m. to 8:50 p.m.

In response to questions from the Commission, Mr. Green provided clarification regarding the height and location of retaining walls.

Noting that some in the community have called for the preparation of an Environmental Impact Report (EIR), Mr. Green explained that the City determines what level of environmental review is required; that the highest level of review is an EIR; that staff prepared the Environmental Checklist and determined that a Negative Declaration was appropriate in this case; and that Sunrise consultants prepared a number of technical reports on traffic, air quality, noise, and soil conditions, as a supplement to this document.

Mr. Green stressed the need for assisted living facilities due to the growing senior population and maintained that the proposed modifications would have no impact on the neighborhood and actually make for a better project.

Commissioner Browning questioned the claim that the project would have no impact on the neighborhood, noting the impact of large trucks transporting soil to and from the site in this already congested area.

Andrew Nickerson, representing Psomas, civil engineer for the project, provided clarification regarding the volume of soil to be imported and exported and suggested the possibility of limiting the hours during which soil could be transported to avoid peak-hour traffic.

Planning Manager Lodan advised that it is standard procedure for the Transportation Division to review grading plans and routes and times for the transportation of soil to minimize the impact.

After a show of hands of those who wished to speak, Chairperson Faulk, with the concurrence of the Commission, requested that speakers limit their comments to four minutes.

Susan Zimmerman, 5008 Milne Drive, voiced support for the proposed project, commenting on the lack of assisted living facilities in the area.

Sue Soldoff, 3414 Coolheights Drive, Rancho Palos Verdes, reported on positive experiences she had at Sunrise facilities in West Hills and Hermosa Beach and related her observation that ingress/egress is fairly easy at both facilities despite the fact that they are both located on busy streets away from signalized intersections.

Commissioner Horwich reported that he visited the Sunrise facility in Hermosa Beach; that it was immaculate and everyone seemed friendly and well-cared for; and that it was the type of facility he would like to see in Torrance.

Commissioner Browning agreed with Commissioner Horwich's assessment of the Hermosa Beach facility and indicated that his only concerns about the project were related to its location.

Patrick Furey, representing the Coalition of Torrance Homeowners Associations, stated that the coalition supports Country Hills Homeowners Association's decision to oppose the modifications as its members are the ones most affected by the project and the coalition declined Sunrise's invitation to discuss the modifications because it would

serve no purpose. Noting that the original project was met with no opposition, he asked if it was possible to build it as originally approved or whether cost was the driving factor in the proposed modifications. He questioned the delay in bringing the modifications before the Commission when the landslide was discovered in September 2005 and also questioned why Sunrise decided to complete the purchase of the property before modifications have been approved. He expressed concerns that Sunrise would continue to request modifications as the project progresses.

David Henseler, President of Country Hills Homeowners Association, called attention to the petition submitted in opposition to the proposed modifications, which was signed by 229 Country Hills residents, 37 Torrance residents outside of Country Hills, and 15 residents of other nearby cities. He disputed findings in the Environmental Checklist, which indicate that the project would have less than significant impact on aesthetics, traffic and air quality. He noted that approximately 190 truckloads of soil will be transferred to and from the site, but no information has been provided regarding particulate matter and diesel exhaust that will be discharged into the atmosphere along a route that will pass by schools. He pointed out that the Health Risk Assessment determined that there was no significant risk involving the intrusion of toxic vapors into the subject building, however, this finding is not applicable to the garage, walkways and gardens because these areas were not surveyed. He contended that that studies provided by the applicant were inadequate and urged that an Environmental Impact Report (EIR) be required so that all potential impacts on the environment are fully disclosed.

Barbara Gregoire, 3007 Carolwood Lane, stated that she suffers from multiple sclerosis and may wish to live in the Sunrise facility at some point in the future, but favors having an independent Environmental Impact Report prepared to ensure its safety. She noted that she has visited other Sunrise assisted living facilities and would be pleased to have one near her home.

Ron Goldman, 3004 Oakwood Lane, expressed concerns that Country Hills residents would be impacted by noise from ventilation equipment.

Tim Cummings, 408 Calle de Felipe, Torrance firefighter, questioned whether the driveway would be able to accommodate fire and rescue equipment, relating his experience that driveways at other assisted living facilities are frequently blocked by taxis, shuttle buses and delivery trucks. He expressed concerns that a fire truck leaving the site would have to pull out into traffic on a blind curve without benefit of a traffic signal. He also expressed concerns about the stability of the hillside, citing past mudslides.

Robert Thompson, President of Madrona Homeowners Association, reported that his organization supports Country Hill HOA's decision to oppose the Modification; contended that the City made a mistake by approving the project in the first place; and urged the Commission not to make another mistake by approving the proposed Modification. He stated that the coalition has decided not to meet with developers because their remarks have been taken out of context.

Glen Major 3206 Carolwood Lane, expressed concerns about the impact on traffic should the structure be converted into a hotel or office building in the future. He reported that the Hillside Overlay Ordinance limits the growth of commercial space when

it's redeveloped to 50% over the existing square footage and the proposed building exceeds this limit by 66,000 square feet or 330%. He urged the Commission to consider the long-range impact of this project.

Roberta Weaver, Rancho Palos Verdes, stated that she strongly supports the project and believes that such a facility is greatly needed to provide housing for seniors who can no longer live in their homes but want to stay in the area.

Herbert Herold, 3209 Singingwood Drive, suggested that a bus lane be constructed on Hawthorne Boulevard for safety reasons and to improve the flow of traffic. He expressed concerns about the stability of the hillside and about the possibility that the site has been contaminated with toxic waste.

Marion Gray, 2537 Nearcliff, voiced support for the project, commenting on the need to provide housing for aging baby boomers. She suggested that the opposition from Country Hills residents probably stems from the landslide they suffered in that area, but Sunrise should not be penalized for another developer's mistake.

Thomas Macmillan, 2928 Briarwood Drive, expressed concerns that the project would turn Rolling Hills Road into a major thoroughfare.

Pamela Moran, 5501 Via del Valle, stated that she was concerned about the project's non-compliance with height and square-footage limits and about the adequacy of the parking and felt that enough questions have been raised with regard to environmental safety that an EIR was warranted.

Carolyn Harrington, Rolling Hills Estates, voiced support for the project, citing the benefits of being able to keep elderly relatives nearby so they can participate in family activities. She reported that she lives very close to two assisted living facilities and they are not a problem in any way.

Kimberli Straub, 716 Deep Valley Drive, reported that she had great difficulty finding an assisted living facility for her father 16 years ago and eventually moved him to a Sunrise facility in the high desert, where he received extremely good care, and she is now facing this same dilemma with her mother as there are very few assisted living facilities in the South Bay and most are full.

Deanna Mandish, 3804 W. 181st Street, noted that she is a Sunrise employee and has two family members living in Sunrise facilities, but was speaking on her own behalf because she strongly supports this project. Responding to concerns about the adequacy of parking, she reported that there are generally 18-20 employees on-site during peak hours, which are between 11:00 a.m. and 3:00 p.m.; that many employees carpool or are dropped off at work; and that shift changes occur at 6:00 a.m., 2:00 p.m., and 10:00 p.m. She explained that residents can have visitors anytime they wish and related her experience that there are typically 2 to 3 family members in the building at any given time unless there is a special event. She stated that there is a tremendous need for the quality care Sunrise provides and urged approval of the project.

Leonard Williams, 3328 Candlewood Road, stated that he is not against the project as originally proposed and does not dispute that Sunrise operates wonderful

facilities, however, he is opposed to the modifications that would move the building closer to Hawthorne Boulevard and increase its height. He expressed concerns that overflow parking would impact his street, which has already been threatened with curtailed mail deliveries due to congested parking.

Returning to the podium, Mr. Cummings reported on a landslide that occurred on Mesa Street despite retaining walls approved by the City, noting that the fire department had the responsibility of removing the mud. He explained that paramedic runs to the Pacific Inn assisted living facility have been increasing because residents who were ambulatory when they first moved in have become bedridden, but don't want to move to a convalescent home. He pointed out that twice as many parking spaces as employees are needed at shift changes. He expressed concerns that residents with Alzheimer's may wander away from the facility. He questioned whether the approval of the original plan was voided after the soil instability was discovered.

Cheryl Vargo, representing the applicant, emphasized that the modifications only involve shifting the building 10 feet closer to Hawthorne Boulevard and raising its height 5 feet and that everything else remains as originally approved. She noted that the project requires no Variances and does not exceed height restrictions in the underlying zone.

Responding to comments from the audience, Mr. Green wanted to clarify that the shuttle van will have a designated parking space so it will not block the driveway; that residents with Alzheimer's will live in a secure environment on the 4th floor; and that the building cannot be converted into a hotel or office building without Planning Commission approval. With regard to soil remediation, he advised that Shell Oil, the operator of the gas station formerly on the site, has begun to remediate the soil under a work plan approved by the Torrance Fire Department.

Chairperson Faulk questioned whether it was possible to build the project as it was originally approved.

Mr. Green stated that the original plans did not include the grading of the hillside, which must be done to stabilize the slope; that any reduction in height of the building would require an increase in the height of retaining walls; and that the applicant felt that the proposed Modification was the best solution.

Mr. Noel explained that the option of building a wall to hold the landslide in place, rather than removing the slide and re-grading the slope was considered, however, tie-backs that extend beyond the property line would be needed, which would require the acquisition of off-site easements.

MOTION: Councilmember Horwich moved to close the public hearing. The motion was seconded by Commissioner Busch and passed by unanimous roll call vote.

Commissioner Browning expressed concerns about the safety of firefighters and residents of the Sunrise facility, should Butcher Hill catch fire as it has in the past. He noted that the area where the building will be located becomes engulfed in smoke whenever there is a fire on Butcher Hill, and firefighters would be left with the task of fighting the fire and at the same time, assisting with the evacuation of 103 elderly

residents. He stated that while he believes Sunrise is an excellent company, he could not support this project because of where it's located.

Chairperson Faulk asked staff to comment on fire department-related issues.

Fire Marshal Carter reported that the main driveway is 200 feet long and the secondary driveway is 110 feet long and they meet Code requirements with regard to access for emergency vehicles. He noted that L.A. County Fire Department responds to fires on Butcher Hill along with Torrance Fire Department due to the split boundary, which makes it possible to mobilize a tremendous amount of resources in a short time. He explained that residents of the facility would probably not be evacuated in the event of a fire on Butcher Hill because it's usually best to shelter in place and the type of fuel currently on the hill would burn off fairly quickly. He advised that fire would become less of an issue with the new landscaping.

Commissioner Browning clarified that rather than fire, he was more concerned about smoke, noting that it is not uncommon for doors that are supposed to remain closed to be propped open thereby allowing smoke to enter a building, which could be disastrous in a facility like this.

In response to Commissioner Uchima's inquiry regarding the feasibility of building the project as originally proposed, Building Regulations Administrator Segovia advised that it is generally not the best practice to construct a building adjacent to a slope that has moved without removing, replacing, and compacting the soil and re-grading the slope.

Referring to letters previously submitted, Commissioner Horwich noted that several residents of Country Hills have claimed to be impacted by the project, however, the two he visited would not let him into their homes to observe the impact. He indicated that he did not believe increasing the height of the building by 5 feet would make any difference to residents of Country Hills and doubted that someone's privacy could be impacted from a roofline 150 yards away. He stated that having reviewed the traffic studies, he was convinced that the project would have no noticeable impact on traffic except during construction, which is a temporary, unavoidable nuisance.

With regard to concerns about the FAR, Commissioner Horwich indicated that he did not feel it was excessive and agreed with former Councilmember Lieu's assessment, that this is a unique project and comparing it to a residential project is comparing apples to oranges. He noted that the project is expected to generate 4-6 emergency calls per month, which should not overburden the fire department or paramedics.

Referring to concerns about pedestrian traffic, Commissioner Horwich pointed out that the project is located at a signalized intersection and residents and/or those who supervise them should be able to judge whether or not they are able to safely cross. With regard to parking, he indicated that he would support conditions requiring three additional handicapped parking spaces and requiring arrangements for overflow parking to be finalized prior to issuance of the Certification of Occupancy. He stated that his only real concern was the stability of the slope, and he was not qualified to make a judgment on this issue.

Commissioner Browning stated that he did not see how the Commission could ignore the petition signed by 281 people calling for an Environmental Impact Report to be prepared.

Commissioner Gibson commended Sunrise for their diligence in providing the Commission with information. She stated that she thought it was a great project, but in the wrong place, therefore she could not support it. She expressed concerns about potential problems involving groundwater, landslides, contaminated soil and traffic hazards both during construction and afterwards. She was also concerned that Torrance will bear all the liability should something go wrong, even though the site is barely within its boundary.

Commissioner Busch indicated that he favors having a Sunrise assisted living facility in Torrance but has grave concerns about the environmental impact of this project and offered the following motion:

MOTION: Commissioner Busch moved to require the preparation of an Environmental Impact Report, based on the finding that the proposed project may have a significant effect on the environment, with the project to be brought back to the Commission for further review upon completion of the EIR. The motion was seconded by Commissioner Browning.

A brief discussion ensued regarding the scope of the EIR.

Planning Manager Lodan advised that, having reviewed all the material submitted, staff concluded that an Environmental Impact Report was not warranted because any environmental impacts would be appropriately mitigated by the City's standard operating procedures, AQMD regulations, and requirements of other government agencies responsible for the oversight of the project.

Chairperson Faulk called for a vote on the motion, and the motion passed by a 4-2 roll call vote with Commissioner Horwich and Chairperson Faulk dissenting.

Planning Manager Lodan noted that the applicant has the option of appealing the Commission's decision to the City Council or preparing an EIR.

Chairperson Faulk thanked the audience for their cooperation.

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

10C. PCR06-00007, DIV06-00015: AYUMANA SPA (CALWAH DEVELOPMENT CORPORATION)

Responding to questions from the Commission, Marylou Fernando, owner of Ayumana Spa, reported that the spa's hours of operation will be 9:00 a.m. to 9:00 p.m., Monday through Saturday, and 11:00 a.m. to 7:00 p.m. on Sunday. She indicated that this is the first spa that she has owned and a consultant has been hired to manage the operation. She agreed to a condition requiring two additional handicapped parking spaces for a total of four.

In response to Chairperson Faulk's inquiry, Planning Manager Lodan confirmed that the application has been reviewed by the Police Department and noted that any massage technician will have to be licensed by the City, which requires the approval of the License Review Board.

Chairperson Faulk asked how the facility would compare to the Burke Williams facility on Crenshaw and Pacific Coast Highway. Ms. Fernando explained that an emphasis will be placed on the healing benefits of massage.

Rod Gantis, interior designer for the project, reported that the spa will have the same ambience and offer the same services as found in a five-star hotel and the experience will be more like visiting a resort versus a day spa like Burke Williams.

In response to Commissioner Browning's inquiry, Ms. Fernando confirmed that the operation will be similar to the DuBunne day spa.

MOTION: Councilmember Busch moved to close the public hearing. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

MOTION: Commissioner Busch moved for the approval of PCR06-00007 and DIV06-00015, as conditioned, including all findings of fact set forth by staff, with the following modifications:

Add

- That the hours of operation shall be 9:00 a.m. to 9:00 p.m., Monday through Saturday, and 11:00 a.m. to 7:00 p.m. on Sunday.
- That four handicapped parking spaces shall be provided.

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

Sr. Planning Associate Santana read aloud the number and title of Planning Commission Resolution Nos. 06-122 and 06-123.

MOTION: Commissioner Busch moved for the adoption of Planning Commission Resolution Nos. 06-122 and 06-123 as amended. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

11. **RESOLUTIONS** – None.

12. **PUBLIC WORKSHOP ITEMS** – None.

13. **MISCELLANEOUS ITEMS** – None.

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

Planning Manager Lodan reported that the City Council approved the Nordel project on Newton Street at the October 10 Council meeting.

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

Planning Manager Lodan reviewed the agenda for the Planning Commission meeting of November 1, 2006.

16. ORAL COMMUNICATIONS

16A. Chairperson Faulk commended City staff for being well prepared for this meeting and answering questions clearly and concisely.

16B. Commissioner Uchima commended Chairperson Faulk for doing a great job of conducting the meeting.

16C. Commissioner Browning thanked Mr. Santana for spending a considerable amount of time answering his questions before and after work hours.

16D. Planning Manager Lodan announced that Mr. Santana has been promoted to Senior Planning Associate.

16E. Commissioner Browning asked that staff check on the status of projects at 3121 and 3203 Carolwood, which were started without benefit of permit.

16F. Commissioner Busch commended Chairperson Faulk for a well-run meeting and expressed appreciation to City staff for their input.

16G. Fire Marshal Carter thanked Commissioner Browning for calling attention to the problem of fire doors being propped open.

17. ADJOURNMENT

At 11:15 p.m., the meeting was adjourned to Wednesday, November 1, 2006 at 7:00 p.m.

Approved as Submitted December 20, 2006 s/ Sue Herbers, City Clerk
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