

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

**1. CALL TO ORDER**

The Torrance Planning Commission convened in a regular session at 7:05 p.m. on Wednesday, November 3, 2004, in City Council Chambers at Torrance City Hall.

**2. SALUTE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner LaBouff.

**3. ROLL CALL**

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

Absent: Commissioner Drevno (excused).

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

**4. POSTING OF THE AGENDA**

**MOTION:** Commissioner Horwich, seconded by Commissioner Botello, 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**

Commissioner Botello noted a scrivener's error in the September 15, 2004 Planning Commission minutes.

**MOTION:** Commissioner Uchima moved for the approval of the September 15, 2004 Planning Commission minutes as corrected. The motion was seconded by Commissioner Faulk, and passed by unanimous roll call vote, with Commissioner Horwich abstaining (absent Commissioner Drevno).

**6. REQUESTS FOR POSTPONEMENTS**

Planning Manager Isomoto relayed the applicant's request to continue Agenda Item 7A (PRE04-00022: Michelle Gainer) to December 1, 2004 and Agenda Item 9C (PRE04-00025, WAV04-00021: Evan Braun) to November 17, 2004.

**MOTION:** Commissioner Uchima, seconded by Commissioner Horwich, moved to continue Agenda Item 7A to December 1, 2004; voice vote reflected unanimous approval (absent Commissioner Drevno).

**MOTION:** Commissioner Botello, seconded by Commissioner Horwich, moved to continue Agenda Item 9C to November 17, 2004; voice vote reflected unanimous approval (absent Commissioner Drevno).

Chairperson Muratsuchi announced that the hearings would not be re-advertised because they were continued to a date certain.

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

**7. CONTINUED HEARINGS**

**7A. PRE04-00022: MICHELLE GAINER (JEFFR AND KRISTY SMITH)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of 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 2703 Ridgeland Road.

Continued to December 1, 2004.

**7B. CUP04-00029, DIV04-00018: WESTERN GB CONTRACTING**

Planning Commission consideration for approval of a Conditional Use Permit to allow the construction of a three-unit condominium development and a Division of Lot for condominium purposes on property located in the R-3 Zone at 1020 Cravens Avenue.

**Recommendation**

Denial.

Planning Associate Crecy introduced the request.

Jeff Smith, Chester Smith Associates, 22850 Crenshaw Boulevard, #204, project architect, briefly described the proposed project, explaining that the triangular-shape lot made it very difficult to design due to the 20-foot setback required on two sides of the property. He expressed disappointment that staff was recommending denial, pointing out that the projects meets or exceeds R-3 Zone standards. With regard to staff's recommendation that the curb cut be eliminated, he reported that the curb cut has already approved by the Engineering Department. He maintained that the project's three-story design was consistent with other new developments in the area and noted that the proposed height, at 29 feet 6 inches, is lower than the 35 feet allowed in the R-3 Zone.

**MOTION:** Commissioner Botello, seconded by Commissioner Uchima, moved to close the public hearing; voice vote reflected unanimous approval.

Chairperson Muratsuchi asked about staff's recommendation that the units be oriented toward the street. Planning Manager Isomoto explained that staff would like the

units to have more of a presence on Cravens Avenue, possibly by incorporating a front porch or some other form of “eyes on the street,” and to have the only access to the project off the alley and not on Cravens.

**MOTION:** Commissioner Botello moved to deny CUP04-00029 AND DIV04-00018 without prejudice. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote (absent Commissioner Drevno).

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 04-118 and 04-119.

**MOTION:** Commissioner Botello moved for the adoption of Planning Commission Resolution Nos. 04-118 and 04-119. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote (absent Commissioner Drevno).

Newton Young, representing Southwood/Sunray Homeowners Association, requested, and was provided, clarification of the Commission’s action.

**8. WAIVERS**

None.

**9. FORMAL HEARINGS**

**9A. PCR04-00004, WAV04-00024: ARNOLD FOSTER (BURKE LARGE)**

Planning Commission consideration for approval of a Planning Commission Review to allow the construction of a second dwelling unit resulting in a Floor Area Ratio above 0.5 and a Waiver to allow a reduction of the side-yard setback requirement on property located in the R-2 Small Lot, Low-Medium Overlay Zone at 1807 Andreo Avenue.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Burke Large, owner of the subject property, stated that when he decided to develop his property, his goal was to design a project consistent with the character of the neighborhood and to stay within the requirements of the Small Lot, Low-Medium Overlay Zone. He indicated, however, that there were two areas where he was not able to do so: 1) The side-yard setback requirement – He explained that he would like to retain the existing single-car garage, which has only a one-foot setback, so that all the necessary parking can be provided across the back of the property thereby eliminating the need for a curb cut on Andreo; and 2) The Floor Area Ratio requirement – He explained that reducing the FAR to 0.50 would require having an exterior stairway, but an enclosed stairway is more attractive and more functional as it allows for additional storage in the garage.

Mr. Large requested approval of the project as submitted, noting that the proposed second unit will match his residence, which was built in 1912.

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

Responding to questions from the Commission, Planning Manager Isomoto provided clarification regarding the requirements of the Small Lot, Low-Medium Overlay Zone. She noted that staff encourages enclosed stairways.

Deputy City Attorney Whitham advised that in order to approve a project in the Small Lot Overlay Zone with an FAR in excess of 0.5, the Commission must make a finding that the project will not be materially detrimental to the public welfare and to other properties in the vicinity.

Commissioner Horwich stated that, having visited the neighborhood and observed several two-story homes on the front of lots, he could easily make a finding that the proposed two-story addition at the rear would not be materially detrimental to other properties in the vicinity.

**MOTION:** Commissioner Horwich moved for the approval of PCR04-00004 and WAV04-00024, 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 (absent Commissioner Drevno).

Commissioner Faulk commended the applicant for the design of the project, noting that Mr. Large has done a wonderful job of restoring his residence.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 04-127 and 04-128.

**MOTION:** Commissioner Horwich moved for the adoption of Planning Commission Resolution Nos. 04-127 and 04-128. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote (absent Commissioner Drevno).

**9B. PRE04-00019: JON FEICHT**

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 439 Camino de Encanto.

**Recommendation**

Approval.

Planning Associate Crecy introduced the request.

Jon and Kathleen Feicht, owners of the subject property, briefly described the proposed project, noting that the split-level house was designed to take advantage of the sloping lot, and voiced their agreement with the recommended conditions of approval.

**MOTION:** Commissioner Botello, seconded by Commissioner Faulk, moved to close the public hearing; voice vote reflected unanimous approval.

**MOTION:** Commissioner Botello moved for the approval of PRE04-00019, 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 (absent Commissioner Drevno).

Commissioner Faulk commended the architect for providing very complete plans and voiced his opinion that the home will be an attractive addition to the neighborhood.

Commissioner Botello echoed Commissioner Faulk's comments.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution No. 04-129.

**MOTION:** Commissioner Botello moved for the adoption of Planning Commission Resolution No. 04-129. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote (absent Commissioner Drevno).

**9C. PRE04-00025, WAV04-00021: EVAN BRAUN (LOUIE AND LYNDASAMPEDRO)**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a one-story addition to an existing single-family residence and a Waiver to allow a reduction of the front setback requirement on property located in the Hillside Overlay District in the R-1 Zone at 431 Camino de Encanto.

Continued to November 17, 2004.

**9D. EAS04-00007, GPA04-00003, ZON04-00005, CUP04-00030, TTM061511, MOD04-00015: JCC HOMES (RICHARD GOULD)**

Planning Commission consideration for adoption of a Mitigated Negative Declaration and approval of a General Plan Amendment from General Commercial to Low-Medium Density Residential, a Zone Change from Hawthorne Boulevard Corridor Specific Plan, North Torrance Sub-District, to R-3 Limited Multiple-Family Residential, a Conditional Use Permit to allow construction of a 24-unit condominium development, a Tentative Tract Map for condominium purposes, and a Modification of a previously approved Conditional Use Permit (CUP02-00013) on property located at 4343 190<sup>th</sup> Street.

**Recommendation**

Denial.

Planning Associate Crecy introduced the request and noted supplemental material available at the meeting consisting of letters in support of the project.

Kurt Nelson, representing the applicant, JCC Homes, 3480 Torrance Boulevard, #300, submitted copies of minor revisions to the plans. He stated that the first phase of this development, Park Place, which is to the east of the proposed project, was very successful despite concerns about its location and sold out very quickly. He disagreed with staff's assessment that the site was unsuitable for residential development, explaining that Columbia Park, which is to the north of the site, has proved to be a good neighbor and the nearest neighbor to the west is a Halloween store.

Mr. Nelson maintained that the only real issue, which became apparent during a recent meeting with Park Place homeowners, is the shortage of parking in the first phase and explained that the developer was proposing to eliminate 2 of the 24 units to provide additional parking for both phases. He stated that he has always found Torrance's parking requirements to be adequate, but homeowners in the first phase seem to have an unusual number of vehicles. He disclosed that a principal of JCC Homes owns a home in the Park Place development and is on the Board of Directors.

Mr. Nelson stated that under the existing zoning, over 50 units could be built on this site with the inclusion of a commercial component, however, JCC Homes believes a residential development like Park Place is more suitable. He noted that JCC Homes specializes in building detached residences with private yards that are as close to R-1 developments as possible.

Gerald Marcil, representing JCC Homes, reported that North Torrance Homeowners Association, after considering the benefits, has taken a position not to oppose the development, which is rare for a homeowners group given the current political climate. He noted that the project's impact on traffic is six times less than the potential use and slightly less than the existing use and that it will be much more aesthetically pleasing than the auto repair facility currently on this site.

In response to Commissioner Uchima's inquiry, Mr. Marcil stated that he was not aware of any problems residents have had related to the large radio antenna or Columbia Park although he was probably not the best one to comment on these issues.

Commissioner Uchima questioned whether there have been any problems with traffic exiting from the Park Place development going eastbound on 190<sup>th</sup> Street during morning rush hours. Planning Manager Isomoto stated that she had not heard of any specific complaints, however, traffic accidents would have been reported to the police department and she did not have that information.

Mr. Marcil noted that the proposed project includes the elimination of two driveways on 190<sup>th</sup> Street for the auto repair facility, which should improve traffic safety.

Commissioner Botello expressed concerns that the Commission had no details regarding how the elimination of two units would affect the project beyond the fact that it would allow for 7 additional parking spaces.

Mr. Marcil reported that the 22 remaining units would be slightly enlarged so the project's FAR of 0.6 would remain the same.

Mr. Nelson explained that the decision to eliminate two units was made within the last few days and there was no time to revise the plans.

Commissioner Botello suggested the possibility of granting a continuance so the plans could be revised and brought back to the Commission. Mr. Nelson indicated that he preferred to go forward with the hearing.

Planning Manager Isomoto indicated that staff was also concerned about not having an opportunity to assess the impact of the revisions, noting that it was impossible to determine whether the project complies with open space and minimum street width requirements without having new plans that specify dimensions.

In response to Commissioner Horwich, Planning Manager Isomoto confirmed that the site's current General Plan designation does not allow for stand-alone residential developments.

Mr. Nelson reiterated his position that the proposed residential development was appropriate for this site. Noting the strong demand for housing in Torrance, he stressed the need to be creative to find housing sites due to the small amount of vacant land zoned for residential development. Commenting on the current political climate and the opposition to development in general, he pointed out that the proposed project is significantly less intense than what could be built under the parcel's existing zoning.

Mr. Nelson offered his assurance that the revised project would comply with all conditions and requirements imposed by City departments.

Commissioner Horwich commented that while there may be political considerations that factor into decisions at the City Council level, that is not the case with the Planning Commission.

Voicing support for the project, Commissioner Uchima stated that he voted against the first phase of the project, primarily because of concerns about its compatibility with surrounding uses, however, he was impressed when he visited Park Place and believes it makes sense to add a second phase. He noted that the auto repair facility currently on the site is an eyesore.

Commissioner Botello stated that he felt the Commission was being disregarded because when the project is submitted to the City Council, members will have a complete set of revised plans, which could look much different than what the Commission is being asked to approve.

Mr. Marcil advised that the applicant was only proposing to eliminate two units to create more parking and there would be no major revisions to the project.

Richard Gould, project architect, explained that Units 12 and 13 would be eliminated and Units 7 through 11 and 14 through 18 would be slightly enlarged in width with the distance between them to remain the same. He noted that the units would be increased from approximately 2500 square feet to 2800 square feet.

In response to Commissioner Horwich's inquiry, Mr. Nelson confirmed that Doug Austin, who signed a letter in support of the project on behalf of the Board of Directors of Park Place, is a principal of JCC Homes.

Responding to Commissioner Horwich, Deputy City Attorney Whitham advised that the fact that a principal of JCC Homes was a signatory on a letter in support of the project did not constitute a conflict of interest, but noted that the Commission may take this into consideration when deciding what weight to give to the letter.

Newton Young, representing a coalition of Torrance homeowner associations, urged denial of the proposed project in accordance with staff's recommendation and in the spirit of the moratorium on Zone Changes and General Plan Amendments recently enacted by the City Council.

Commissioner Uchima questioned whether the coalition was aware when they decided to oppose the project that the site could be developed with a higher density mixed-use development under its current zoning/General Plan designation.

Mr. Young indicated that the coalition's position was based on the Council's decision to impose a moratorium and not on the merits of the project.

Mr. Marcil pointed out that the proposed project was "grandfathered in" and not subject to the moratorium.

Mr. Young stated that despite the fact the project has been grandfathered, the City Council indicated that no Zone Changes or General Plan Amendments would be tolerated pending the revision of the General Plan.

Chairperson Muratsuchi questioned whether a Commissioner could vote to deny the project based on the spirit of the moratorium despite the fact this project was supposed to be grandfathered.

Deputy City Attorney Whitham advised that this project is exempt from the moratorium on Zone Changes and General Plan Amendments because it was in the Planning process before the moratorium was enacted and the Commission may not deny it outright without giving it proper consideration. She noted, however, that Commissioners may vote to deny the project based on their agreement with the City Council's conclusion that more study is needed before approving any Zone Changes or General Plan Amendments.

Douglas Rank, 4925 W. 190<sup>th</sup> Street, a resident and member of the Board of Directors of Park Place, urged approval of the project. He stated that homeowners are very happy with the development and believe the proximity to Columbia Park is a great asset.

In response to Commissioner Uchima's inquiry, Mr. Rank reported that he has not experienced any problems related to nearby industrial uses and the only issue has been the lack of parking.

Veronica Rank, 4295 W. 190<sup>th</sup> Street, stated that she strongly supports the proposed project and believes the Park Place development has greatly enhanced the area. She reported that she and one other homeowner initially experienced interference from the nearby radio tower, but the problem was taken care of after a special filter was installed.

Asked about parking problems, Ms. Rank indicated that the problems occur mainly on weekends when guests come to visit.

Fire Marshal Carter reported that there have been problems at this complex with illegally parked vehicles blocking fire lanes and noted that curbs were painted red and signs were posted so that vehicles could be cited by the police department.

Commissioner LaBouff related his understanding that guests could park in the Columbia Park parking lot.

Commissioner Botello suggested the possibility of requiring condominium developments to paint curbs red and post signs so that the City would be able to enforce parking restrictions on private property.

Doug Austin, 4243 W. 190<sup>th</sup> Street, stated that homeowners in the first phase of the development have an unusual number of vehicles, which is why the additional parking has been proposed for the second phase of the development. He reported that the blocking of fire lanes is no longer a problem, explaining that it was only a matter of enforcing the rules.

Returning to the podium, Mr. Young stated that while he appreciated the fact that Park Place residents support the proposed development, the coalition continues to oppose the project because it violates the spirit of the moratorium.

Garfield Lee, 4299 W. 190<sup>th</sup> Street, expressed support for the project, noting that he has a bedroom facing the auto repair facility and believes having another residential project next door would be beneficial.

In response to Chairperson Muratsuchi's inquiry, Mr. Lee stated that living in close proximity to industrial uses has not caused any problems.

Barbara Hong Li, 4291 W. 190<sup>th</sup> Street, stated that she supports the proposed project and reported that she is very pleased with her home in the Park Place development. She indicated that the parking problems are mainly due to visitors and expressed confidence that the additional parking spaces proposed by the developer would take care of the problem.

In response to Chairperson Muratsuchi's inquiry, Ms. Li indicated that she has experienced no problems due to the development's proximity to industrial uses and noted that her family greatly enjoys going to the park on weekends.

Malay Chatterji, 4265 W. 190<sup>th</sup> Street, reported that she greatly enjoys living in the Park Place development and looks forward to the second phase. She stated that there was initially some confusion over the parking, but the problems have been sorted out, noting that parking is available at Columbia Park.

Alex Wong, 4285 W. 190<sup>th</sup> Street, stated that he believed the additional parking spaces proposed by the developer would drastically improve the parking situation and that the second phase would make the development more aesthetically pleasing.

Richard Yamasaki, 4289 W. 190<sup>th</sup> Street, stated that the Park Place development has greatly enhanced the area and a second phase would add to the improvement. He explained that the parking problems are caused because there is no street parking outside the complex and parking at Columbia Park is prohibited after 10:00 p.m.

Voicing support for the project, Robert Chan, 4247 W. 190<sup>th</sup> Street, reported that he purchased his home in November of 2003 and believes the adjacent park has enhanced the living environment. He stated that he has experienced some problems with noise due to his unit's location next to 190<sup>th</sup> Street, but the developer has been very helpful in addressing the problem.

Responding to questions from the Commissioner, Mr. Chan explained that his noise problems are mainly related to commuter traffic on 190<sup>th</sup> Street, not nearby businesses, and the developer has responded by installing windows with better soundproofing, which has helped, but not completely solved the problem.

Scott Vuong, 4259 W. 190<sup>th</sup> Street, stated that his home in Park Place is his second JCC home and he has found the developer to be very accommodating. He expressed support for the second phase of the development, voicing his opinion that getting rid of the auto repair facility would be an improvement and increase property values in the vicinity.

Returning to the podium, Newton Young, suggested that the Commission's decision would set a precedent for vested projects now in the pipeline and urged denial of the project so that developers would have a clear understanding that they will have to wait until the General Plan update has been completed before any Zone Changes or General Plan Amendments are granted.

**MOTION:** Commissioner Botello, seconded by Commissioner Fauk, moved to close the public hearing; voice vote reflected unanimous approval.

Commissioner Fauk stated that he opposed the first phase of this development based on a number of factors, which are well documented in the minutes of that meeting, and his position has not changed because the situation is basically the same. Noting that his decision was not based on any political considerations, he suggested that if anyone looks at the history of the Planning Commission, they will find that while Commissioners may disagree, they base their decisions on what they feel is in the best interest of the community. He commented on the need to maintain a balance between commercial, industrial and residential properties in Torrance and noted his agreement with staff's assessment that a residential project was inappropriate at this location because it would border one of the largest industrial districts in the City and be adjacent to incompatible uses that could potentially adversely impact future residents. He stated that he was pleased to learn that residents of Park Place are happy living next to Columbia Park because, in general, locations next to parks where a lot of sports activities take place are not considered desirable locations for residential uses.

Commissioner Botello noted that the subject property was formerly an auto dealership and it could be a viable location for such an operation in the future due to its proximity to Penske Cadillac and the new BMW dealership on Hawthorne Boulevard. He pointed out that auto dealerships generate income for the City and successful dealerships often require additional space because as sales increase, they need larger repair facilities, as well as space for inventory and used autos taken in trade. He cited a recent case where a Lexus dealership on Pacific Coast Highway sought to expand to a location on Hawthorne Boulevard. Additionally, he stated that he was opposed to the project because he agreed with staff that it was not compatible with existing and future uses of surrounding properties and not consistent with the orderly development of the City. He was also concerned that the Commission had no details about the revised plans and how the additional parking spaces would be allocated.

Commissioner Uchima stated that he considers each project on its own merits and believes this project makes sense. He voiced his opinion that the project does not violate the spirit of the moratorium enacted by the City Council because the site is already zoned for residential development as part of a mixed-use commercial/residential project, which would be much more intense and have a greater impact on traffic and noise. He suggested that this site would never have become available if it was a desirable location for an auto dealership. He pointed out that there is a definite demand for single-family type homes, such as the ones proposed, and a shortage of land on which to build them and explained that while he was concerned when the first phase was considered about its proximity to industrial uses, he had not heard any compelling testimony that surrounding uses have caused any problems.

Chairperson Muratsuchi thanked the residents of Park Place for their testimony. With regard to comments about political considerations, he stated that although he would not want politics to undermine the integrity of the Commission's decisions, he was concerned that labeling a decision political was inherently pejorative. He explained that while his decision was not based on or bound by the resolution adopted by the City Council, a coalition of Torrance homeowners have made it clear that they believe there should be no Zone Changes or General Plan Amendments until the General Plan has been updated and, in his opinion, the underlying merits of the resolution justify the denial of this proposal and to do otherwise would disregard all the people who have spoken out.

Commissioner LaBouff stated that he agreed with staff's conclusion that the project should be denied and he had heard no testimony that convinced him to the contrary.

Commissioner Horwich commented on the developer's excellent reputation, but indicated that he would not support the proposed project.

**MOTION:** Commissioner Horwich moved to recommend that the City Council adopt a Mitigated Negative Declaration. The motion was seconded by Commissioner Faulk and passed by a 5-1 roll call vote, with Commissioner Botello dissenting (absent Commissioner Drevno).

Commenting on his vote, Commissioner Botello noted that there was testimony from a resident of Park Place that the noise attenuation in his unit was inadequate even after replacement windows with better soundproofing were installed, therefore, he did not believe proposed mitigation measures were sufficient.

**MOTION:** Commissioner Horwich moved to recommend that the City Council deny GPA04-00003 and ZON04-00005. The motion was seconded by Commissioner Faulk and passed by 5-1 roll call vote, with Commissioner Uchima dissenting (absent Commissioner Drevno).

**MOTION:** Commissioner Faulk moved for the denial of CUP04-00030, TTM061511, and MOD04-00015. The motion was seconded by Commissioner Horwich and passed by a 5-1 roll call vote, with Commissioner Uchima dissenting (absent Commissioner Drevno).

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution Nos. 04-132, 04-133 and 04-134.

**MOTION:** Commissioner Horwich moved for the adoption of Planning Commission Resolution Nos. 04-132, 04-133 and 04-134. The motion was seconded by Commissioner Faulk and passed by a 5-1 roll call vote, with Commissioner Uchima dissenting (absent Commissioner Drevno).

## **10. RESOLUTIONS**

### **10A. CUP04-00037: SOUTHERN OREGON DEVELOPMENT, LLC (KEVIN MURRAY)**

Planning Commission consideration of a resolution denying a Conditional Use Permit to allow the construction and operation of a drive-through coffee establishment (kiosk) on property located in the Industrial Redevelopment Project Area/ M-1 Zone at 22625 S. Western Avenue.

Planning Associate Crecy read aloud the number and title of Planning Commission Resolution No. 04-126.

**MOTION:** Commissioner Botello moved for the adoption of Planning Commission Resolution No. 04-126. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote, with Commissioner Faulk and Chairperson Muratsuchi abstaining (absent Commissioner Drevno).

## **11. PUBLIC WORKSHOP ITEMS**

None.

## **12. MISCELLANEOUS ITEMS**

None.

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

Planning Manager Isomoto reviewed recent City Council action on Planning matters, noting that the Malafronte project on Susana Avenue was denied without prejudice at the October 26 Council meeting. She reported that the Council also approved changes to the notification procedure for Planning hearings, enlarging the notification area and requiring the notification of all homeowners associations.

Chairperson Muratsuchi requested that the League of Women Voters be added to the notification list.

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

Planning Manager Isomoto reviewed the agenda for the Planning Commission meeting of November 17, 2004. She noted that the contract for the General Plan update has been approved and an item will be included on an upcoming agenda to decide procedures for the Planning Commission's review.

**15. ORAL COMMUNICATIONS FROM THE PUBLIC**

**15A.** Commissioner Botello suggested that the City may wish to revisit parking standards for condominium projects in view of the testimony given regarding the shortage of parking at the Park Place development (Agenda Item 9D).

**15B.** Commissioner Botello expressed concerns about testimony that noise attenuation in the Park Place development was inadequate and questioned whether JCC Homes was in compliance with the conditions imposed on the project.

Planning Manager Isomoto explained that the City requires that noise be attenuated to 45 dB(A) inside residential units, however, that might not have been enough to satisfy this particular homeowner and he was apparently able to convince the developer to replace his windows.

Building Regulations Administrator Segovia advised that developers are required to submit an acoustical report as part of the plan review process; that the report is thoroughly reviewed to ensure compliance with noise standards; and that Building and Safety staff conduct field inspections to verify compliance with Code requirements before final approval is issued. Noting that sometimes a homeowner can be more sensitive to noise, he stated that the fact that only 1 out of 31 homeowners has complained about noise would seem to indicate that Code requirements were met.

**15C.** Commissioner Faulk thanked everyone for the flowers and well-wishes during his recent hospitalization.

**15D.** Commissioner Uchima asked about a letter sent to the Commission by a resident. Planning Manager Isomoto advised that letter writer and his neighbor are currently involved in the City's mediation process to try to resolve their dispute and the matter was not within the Commission's purview.

**15E.** Chairperson Muratsuchi stated that he was initially disappointed when the discussion item on the League of Women Voters' report did not appear on tonight's agenda, however, he was convinced that the issues discussed in the report would be better addressed during workshops held in conjunction with the update of the General Plan.

**15F.** Planning Manager Isomoto announced that Danny Santana and Kevin Joe have been promoted to Planning Associate and two new Planning Assistants will be hired to fill their positions.

**15G.** Planning Manager Isomoto reported that an item on Development Impact Fees will be on the agenda in January.

**16. ADJOURNMENT**

At 9:45 p.m., the meeting was adjourned to Wednesday, November 17, 2004 at 7:00 p.m.

Approved as Written January 5, 2005 s/ Sue Herbers, City Clerk
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