

REDACTED

**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, September 21, 2011 in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Gibson.

3. ROLL CALL/ MOTIONS FOR EXCUSED ABSENCE

Present: Commissioners Gibson, Horwich, Polcari, Rizzo, Weideman and Chairperson Skoll.

Absent: Commissioner Uchima.

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

MOTION: Commissioner Weideman moved to grant Commissioner Uchima an excused absence from this meeting. The motion was seconded by Commissioner Polcari and passed by unanimous voice vote.

4. POSTING OF THE AGENDA

Planning Manager Lodan reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Friday, September 16, 2011.

5. APPROVAL OF MINUTES

MOTION: Commissioner Horwich moved for the approval of the July 20, 2011 Planning Commission minutes as submitted. The motion was seconded by Commissioner Gibson and passed by unanimous voice vote (absent Commissioner Uchima).

MOTION: Commissioner Weideman moved for the approval of the August 3, 2011 Planning Commission minutes as submitted. The motion was seconded by Commissioner Gibson and passed by unanimous voice vote (absent Commissioner Uchima).

MOTION: Commissioner Gibson moved for the approval of the August 17, 2011 Planning Commission minutes as submitted. The motion was seconded by Commissioner Weideman and passed by unanimous voice vote, with Commissioner Polcari abstaining (absent Commissioner Uchima).

- 6. **REQUESTS FOR POSTPONEMENTS** – None.
- 7. **ORAL COMMUNICATIONS #1** – None.

*

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

- 8. **TIME EXTENSIONS** – None.
- 9. **CONTINUED HEARINGS** – None.
- 10. **WAIVERS** – None.
- 11. **FORMAL HEARINGS**
- 11A. **PRE11-00011, WAV11-00009:** [REDACTED]

Planning Commission consideration for approval of a Precise Plan of Development to allow first story additions and a new two-car garage to an existing two-story, single-family residence, in conjunction with a Waiver of the rear yard setback requirement, on property located within the Hillside Overlay District in the R-1 Zone at [REDACTED].

Recommendation: Approval.

Planning Assistant Graham introduced the request.

Commissioner Rizzo disclosed that he used to work with the applicant [REDACTED] in his former employment [REDACTED], however, it would not affect his decision on this project.

Deputy City Attorney Sullivan disclosed that he also knows the applicant through work but this would not affect his advice this evening. He noted that he had a brief discussion with [REDACTED] concerning posting requirements due to the nature of the his job; that the posted agenda was subsequently revised based on this discussion; and that he also gave him a brief overview of how the Planning Commission works, but did not discuss the case itself.

Chairperson Skoll noted that the staff report recommends that safety railing details be submitted to staff for approval prior to the issuance of building permits, however, this was not included in the proposed Conditions of Approval. Planning Manager Lodan recommended amending Condition No. 10 to include this requirement.

[REDACTED], applicant, voiced his agreement with the recommended conditions of approval. He explained that he was proposing a one-story addition to avoid impacting the view of his neighbor to the rear and the Waiver was required because it was necessary to encroach into the rear yard setback by approximately two feet in order to add a decent amount of space to the family room and kitchen, along with the new two-car garage. He noted that since the existing one-car garage will be converted to living space, the RV parking in the front driveway will be

relocated to the new driveway on [REDACTED] at the rear of the property where it will be better screened.

Commissioner Weideman expressed support for the project, relating his belief that it met the criteria for granting a Waiver.

MOTION: Commissioner Horwich moved to close the public hearing. The motion was seconded by Commissioner Polcari and passed by unanimous voice vote (absent Commissioner Uchima).

MOTION: Commissioner Weideman moved for the approval of PRE11-00011 and WAV11-00009, as conditioned, including all findings of fact set forth by staff, with the following modification:

Modify

No. 10 That color and material samples of the proposed home, fencing, walls and safety railing details shall be submitted for review to the Community Development Department, prior to the issuance of a Building Permit.

The motion was seconded by Commissioner Polcari and passed by unanimous roll call vote (absent Commissioner Uchima).

Chairperson Skoll commended the applicant for working with his neighbors.

Planning Assistant Graham read aloud the number and title of Planning Commission Resolution Nos. 11-052 and 11-053.

MOTION: Commissioner Weideman moved to adopt Planning Commission Resolution Nos. 11-052 and 11-053 as amended. The motion was seconded by Commissioner Rizzo and passed by unanimous roll call vote (absent Commissioner Uchima).

11B. MOD11-00007, DIV11-00004: TORRANCE RF, LLC

Planning Commission consideration for approval of a Modification of a previously approved Conditional Use Permit (CUP08-00020) to allow revisions to an approved project and to establish a shared use parking agreement, in conjunction with a Division of Lot to allow a Lot Line Adjustment on property located in the C3-PP Zone at 18203 Western Avenue.

Recommendation – Approval.

Planning Assistant Graham introduced the request and noted supplemental material available at the meeting consisting of revised resolutions.

Jonathan Kaji, representing Torrance RF, LLC, applicant, voiced his agreement with the recommended conditions of approval. He explained that the Lot Line Adjustment was necessary to remove an encumbrance so that the applicants can secure a construction loan and move forward with the project.

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

MOTION: Commissioner Polcari moved for the approval of MOD11-00007 and DIV11-00004, 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 Uchima).

Planning Assistant Graham read aloud the number and title of Planning Commission Resolution Nos. 11-054 and 11-055.

MOTION: Commissioner Polcari moved to adopt Planning Commission Resolution Nos. 11-054 and 11-055. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Commissioner Uchima).

11C. CUP11-00019: GARY ZIMMERMAN (DIANE VALINE)

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of a restaurant with the service of beer and wine on property located in the Downtown Redevelopment Project Area Commercial Sector at 1437 Marcelina Avenue.

Recommendation – Approval.

Planning Assistant Graham introduced the request.

Gary Zimmerman, applicant, voiced his agreement with the recommended conditions of approval. He stated that he plans to open a pizzeria serving New York style pizza and sandwiches and believes the new restaurant will contribute to the renaissance of the downtown area.

In response to Commissioner Gibson's inquiry, Mr. Zimmerman reported that the restaurant will be open from 10:00 a.m. to 10:00 p.m., 7 days a week.

Gail Morgan, Madrid Avenue, expressed support for the proposed restaurant, noting that Mr. Zimmerman also owns the World War II store on Marcelina Avenue.

Rodger Barclay, project general contractor, thanked Planning staff for their help and guidance.

Commissioner Weideman reiterated an earlier request that staff provide an informational report to the Planning Commission regarding how many spaces within the Plaza del Prado parking structure have been leased, licensed, rented or sold to businesses in the area.

Planning Associate Kevin Joe agreed to provide those figures, noting that the parking for this restaurant will be in the City-owned lot at Cravens and Marcelina and there are currently no license agreements for spaces in that lot.

Assistant City Attorney Sullivan noted that the parking spaces will remain available for public use because the parking agreements are non-exclusive.

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

MOTION: Commissioner Rizzo moved for the approval of CUP11-00019, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Weideman and passed by unanimous roll call vote (absent Commissioner Uchima).

Planning Assistant Graham read aloud the number and title of Planning Commission Resolution No. 11-056.

MOTION: Commissioner Rizzo moved to adopt Planning Commission Resolution No. 11-056. The motion was seconded by Commissioner Weideman and passed by unanimous roll call vote (absent Commissioner Uchima).

11D. ZON11-00001: CITY OF TORRANCE

Planning Commission consideration of an Ordinance amending portions of the Torrance Municipal Code regulating churches by eliminating the minimum lot size and setback requirements for churches to comply with Federal law and requiring a Conditional Use Permit for churches in the R-3, R-R-3, R-4, C-1 and C-2 Zones.

Planning Manager Lodan reported that this item was brought forward at the direction of the City Attorney to bring the City into compliance with Federal law. He noted that that the following requirements would be deleted:

1. There shall be a required twenty (20) foot front, side and rear yard setback for church property.
2. Construction of a church in a residential area shall not be permitted unless parking facilities and ingress and egress of automobiles does not disturb the residential character.
3. The minimum lot area shall be one (1) acre. The narrowest dimension shall be a minimum of one hundred (100) feet.

Planning Manager Lodan advised that additionally, under the proposed Ordinance amendment, a Conditional Use Permit will be required for church uses in the R-3, R-R-3, R-4, C-1 and C-2 Zones for the sake of consistency since a CUP is already required in the R-1, R-2, A-1, C-3, C-4, C-5, M-1 and M-L Zones.

Voicing support for the Ordinance amendment, Commissioner Weideman recalled that no church has been able to comply with the one acre minimum lot size requirement in the five years he has been on the Commission, so this requirement has been waived. He indicated that he was initially concerned about eliminating No. 2, but was reassured by the explanation in the staff report that surrounding properties would still be protected from potential adverse impacts through the Conditional Use Permit process.

Commissioner Horwich noted his agreement with Commissioner Weideman's remarks, stating that the Commission has consistently ignored No. 1 and 3 and he felt it was time to formally eliminate these requirements.

In response to Commissioner Weideman's inquiry, Assistant City Attorney Sullivan confirmed that the Planning Commission would still have the ability to deny a church if it is deemed not appropriate for the area, however the justification would have to be "use neutral," i.e. a traffic impact associated with the project that makes it unacceptable regardless of whether the project is an office building or a church.

Commissioner Rizzo related his understanding that a city in Orange County is having a problem with a resident who is holding a bible study twice a week that's attracting 50 or more people and creating traffic and noise problems in the neighborhood.

Assistant City Attorney Sullivan advised that this type of activity could be regulated based on the impact it was having on the neighborhood, which would be the same whether it was a church-related activity or a Tupperware party.

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

MOTION: Commissioner Horwich moved to recommend that the City Council adopt an Ordinance amending the Torrance Municipal Code regulating church uses as proposed. The motion was seconded by Commissioner Polcari and passed by unanimous roll call vote (absent Commissioner Uchima).

12. **RESOLUTIONS** - None.

13. **PUBLIC WORKSHOP ITEMS** – None.

14. **MISCELLANEOUS ITEMS** – None.

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

Planning Manager Lodan reported that the City Council approved the parking agreement associated with Agenda Item 11C at the September 20 Council meeting.

16. **TENTATIVE PLANNING COMMISSION CASES**

Planning Manager Lodan reviewed the agenda for the October 5, 2011 Planning Commission meeting.

17. **ORAL COMMUNICATIONS #2**

17A. In response to Commissioner Rizzo's inquiry, Planning Manager Lodan reported that the Walmart project on the former Mervyn's site is in plan check and that building permits are about to be issued for the new In-N-Out Burger on Hawthorne Boulevard.

17B. In response to Chairperson Skoll's inquiry, Planning Manager Lodan reported that Hollywood Suit Outlet will be taking over the former Ken Crane building; that the commercial project at the southeast corner of Hawthorne Boulevard and Pacific Coast Highway is in plan check; and that K-Mart has just given notice that their store on Hawthorne Boulevard will be closing in January and the building will be divided into three tenant spaces.

17C. Chairperson Skoll noted that he attended the ExxonMobil Community Advisory Panel meeting just prior to this meeting which included a discussion of groundwater remediation.

18. ADJOURNMENT

At 7:55 p.m., the meeting was adjourned to Wednesday, October 5, 2011, at 7:00 p.m.

Approved as Submitted November 2, 2011 s/ Sue Herbers, City Clerk
