

**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, February 2, 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**

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

Absent: None.

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

Chairperson Horwich welcomed newly appointed Commissioners Polcari and Rizzo to the Commission.

**4. POSTING OF THE AGENDA**

Planning Manager Lodan reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, January 27, 2011.

**5. APPROVAL OF MINUTES – None.**

**6. REQUESTS FOR POSTPONEMENTS**

Planning Manager Lodan advised that the applicant for Agenda Item 9A (CUP09-00004, PRE09-00010: Itani/Baddour) has requested that the project be withdrawn.

Commissioner Weideman asked about what appears to be a new silhouette on the property. Planning Manager Lodan reported that the applicant had silhouetted a re-designed project but subsequently decided to withdraw the application. He confirmed that the applicant has been informed that the flags should be taken down immediately.

**7. ORAL COMMUNICATIONS #1 – None.**

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

8. **TIME EXTENSIONS** – None.

9A. **CUP09-00027, DVP09-00004, PRE09-00010: RIAD ITANI (GHASSAN BADDOUR)**

Planning Commission consideration for approval of a Conditional Use Permit, Development Permit and Precise Plan of Development to allow the construction of a new mixed-use office and residential project with access via an easement with the adjacent property to the north, on property located within the Hillside Overlay District in the HBCSP-WT Zone on the east side of Hawthorne Boulevard, north of Rolling Hills Road (APN: 7547-004-040 and a portion of APN: 7547-0004-041).

Project was withdrawn by the applicant.

9B. **MOD10-00009: NATIONAL SPORTS GRILL**

Planning Commission consideration for approval of a Modification of a previously approved Conditional Use Permit (CUP93-00029) to allow live entertainment, dancing and the ability to charge an entrance/cover fee for events on property located in the C-3 Zone at 3210 Sepulveda Boulevard.

**Recommendation:** Denial without prejudice.

Planning Associate Martinez introduced the request.

Commissioner Weideman disclosed that Irma Maggio, a New Horizons resident who attended the last hearing, had contacted him this morning to report on an event that took place in the National Sports Grill parking lot on January 20.

Commissioner Gibson announced that she was absent from the December 15, 2010 Planning Commission meeting when this matter was originally considered, but had listened to the tapes from the meeting and was prepared to participate in this hearing.

Commissioner Polcari and Commissioner Rizzo indicated that they had also reviewed the record from the December 15 meeting and were prepared to participate in the hearing.

Commissioner Skoll noted that the Alcoholic Beverage Control (ABC) license for National Sports Grill included in the agenda material expired on August 31, 2007. Planning Manager Lodan explained that a copy of the wrong license was included and confirmed that the restaurant's ABC license is up to date.

Planning Manager Lodan explained that this matter was continued at the December 15 meeting so the applicant could work out a plan with staff and the police department to hold public events with live entertainment on a trial basis, however, it was subsequently learned that this type of event could not be held without first modifying the ABC license and this requires the approval of the proposed Modification.

Mike Ayaz, attorney for the applicant, reported that since the December 15 hearing, a meeting was held with residents of New Horizons to discuss their concerns

and the applicant proposed a variety of solutions, including implementing valet parking, closing off the rear portion of the parking lot to create a buffer zone and contracting with a reputable security firm. He stated that some of neighbors' suggestions were unrealistic, i.e. hiring a drug-sniffing dog, but the applicant is willing to do everything possible to address their concerns. He related his understanding that staff's recommendation for denial was based on the Police Department's concerns about the number of calls for service at this location, however, he believes the valet parking and other proposed conditions will go a long way toward alleviating their concerns. He suggested that while the staff report lists 20 incidents requiring police response from January 2010-January 2011, two involved vehicles stolen from the lot and others were not directly attributable to the operation.

Commissioner Skoll asked if the applicant had met with residents of Pacific Village, and Mr. Ayaz responded that they were not able to get in touch with the gentleman from Pacific Village who spoke at the last hearing. He expressed confidence that residents' concerns would be addressed by the proposed parking plan.

Using a diagram to illustrate, Mr. Ayaz reviewed the proposed parking plan, which would block off a portion of the parking lot to create a buffer for nearby residences. He explained that one entrance will be closed off and everyone will be funneled through the main driveway; that security will monitor all entrances and no walkups will be allowed; and that valet service will provided for free or a very nominal charge.

Commissioner Skoll asked if the Fire Department had concerns about closing off an entrance. Sr. Fire Prevention Specialist Kazandjian advised that the applicant would be required to submit a plan for the valet service and a temporary permit would be issued, after which the Fire Department would visit the site during a busy time to ensure that adequate access is maintained.

Rick Blake, attorney for the applicant, reported that the applicant had worked out a tentative agreement with the Police Department to hold events on a trial basis for a four-week period, but later learned that public events with dancing could not be held at this location due to conditions included on the ABC License. He explained that the conditions were imposed at the request of the police department and they can only be removed if the proposed Modification is approved. He stated that changing the ABC License is a 60-90 day process, after which the applicant would begin holding events on a temporary basis with the understanding that City departments could place whatever restrictions they deem necessary until they are comfortable with the operation.

Police Lieutenant Mike Jezulin stated that the Police Department remains opposed to this Modification because they feel it would have an extremely negative impact on the quality of life for residents who live in and around the area, particularly those who live in New Horizons and Pacific Village. He related his belief that changing this restaurant/sports bar into a nightclub would lead to an increase in criminal activity and violent situations and strain resources. He noted that he supplied a list of incidents that have occurred over the past 12 months requiring police response and they include several fights with injuries. He suggested that the National Sports Grill needs to show a sustained performance with regard to their current operation before adding anything else.

Conard Van Zee, representing Pacific Village, voiced objections to the proposed modification. He reported that residents are already subjected to loud noise from vehicles and brawls in the parking lot and adding live entertainment would only make things worse.

Gerry Johnson, chairman of New Horizons HOA board, submitted a petition in opposition to the proposed Modification. She reported that representatives of the National Sports Grill met with residents, however, they are not convinced that valet parking will take care of parking lot disturbances.

Carl Cewinski, New Horizons, urged denial of this application. He expressed concerns that late-night customers leaving the restaurant will use Nadine Circle as a drag strip; that customers with "hot cars" will not want to use the valet service and will park instead in nearby parking lots and on Nadine Circle; and that inebriated customers will urinate in public. He reported that the previous owners of the business were more responsive to neighbors and even installed new parking lot lighting to address their concerns. He submitted a National Sports Grill ad from the *Pennysaver* offering a 2-for-1 cover charge, relating his understanding that the sports bar is not allowed to charge a cover fee.

Responding to audience members comments, Mr. Blake clarified that the improved parking lot lighting was installed by the current owners and that the 2-for-1 offer is for a pay-for-view event for which cover charges are allowed. He noted that the restaurant has ample restrooms and doubted that public urination would become a problem. He contended that the quality of life would actually improve for nearby residents due to the buffer that would be created in the parking lot and the added security. He reported that the restaurant/sports bar has hosted at least 8 private events with up to 250 people since the last hearing and there have been no problems with parking or noise. He suggested that if the applicant is not allowed to expand the operation, the city will be left with a vacant building that produces no tax revenue and more people will be out of work.

Commissioner Rizzo recalled that there was a noise problem when the restaurant first opened and one of the solutions at that time was to cordon off the back of the parking lot.

Mr. Ayaz suggested that the difference this time is that the parking restrictions would be a condition of approval and not a temporary solution. He noted that the applicant would be willing to agree to a condition stating that sound from inside the premises shall not be audible outside.

Commissioner Rizzo asked if a noise study had been done. Mr. Ayaz explained that the applicant was waiting until the approval process was further along before doing the study because of the expense involved.

Commissioner Uchima questioned whether there are any nightclubs in Torrance similar to the proposed operation, and Lieutenant Jezulin reported that he was not aware of any, however, he is familiar with the problems associated with them from discussions with police officers from other areas.

Commissioner Uchima asked about intoxication-related car accidents involving customers of the National Sports Grill. Lieutenant Jezulin explained that this would be very difficult to track because such accidents could happen several blocks or even miles away, but he had no doubt that DUI incidents would increase with approval of the Modification. He reported that there have been incidents where customers have been arrested for being drunk in the parking lot; that customers have had to be escorted out of the business for creating a disturbance; and that there was also a disturbance involving rowdy passengers on a party bus that was stopped after leaving the restaurant.

Commissioner Skoll noted his agreement with Lieutenant Jezulin's remarks that the applicant must "show sustained performance" before advancing to the next stage and questioned whether the Police Department would support the application if the restaurant/sports bar is able to do so.

Lieutenant Jezulin stressed the need for the applicant to demonstrate that they can control the situation based on their existing permit because that appears not to be the case and related his belief that implementing valet parking was a step in the right direction.

Chairperson Horwich indicated he was personally opposed to paid parking in Torrance in any form and felt it was a quality of life issue.

Commissioner Gibson pointed out that according to the list of incidents requiring police response, the victim of an assault on January 15, 2011 told the police that he drank 10-15 glasses of beer, which would seem to indicate that he had been over-served.

Lieutenant Jezulin explained that whether or not the victim was intoxicated would depend on the time period during which the alcohol was consumed.

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

Commissioner Weideman stated that while he was not against dancing, live entertainment or nightclubs in the right situation, he did not believe this was the right situation and therefore would vote to deny this application without prejudice.

Indicating that he would also vote to deny the application without prejudice, Commissioner Skoll encouraged the applicant to heed Lieutenant Jezulin's remarks.

**MOTION:** Commissioner Weideman moved to deny MOD10-00009 without prejudice. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution No. 10-073.

**MOTION:** Commissioner Weideman moved to adopt Resolution No. 10-073. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

The Commission briefly recessed from 8:22 p.m. to 8:32 p.m.

10. **WAIVERS** – None.

11. **FORMAL HEARINGS**

11A. **CUP10-00020: ELEVEN INTERNATIONAL USA, INC (2675 SKYPARK DRIVE, LLC)**

Planning Commission consideration for approval of a Conditional Use Permit to allow a wholesale automobile dealership operation at an existing warehouse on property located in the M-2 Zone at 2675 Skypark Drive #103.

No representative present, continued to February 16, 2011.

11B. **CUP10-00019, DVP10-00003, WAV10-00010: KERR PROJECT SERVICES (FRESH & EASY PROPERTY CO, LLC)**

Planning Commission consideration for approval of a Conditional Use Permit and Development Permit to allow the construction and operation of a commercial center composed of a sit-down restaurant and grocery store in conjunction with a Waiver of the street setback requirement on property located in the H-DA2 Zone at 21815 Hawthorne Boulevard.

**Recommendation:** Approval.

Planning Associate Martinez introduced the request and noted supplemental material available at the meeting consisting of revised code requirements and conditions of approval.

Don Ikeler, development manager for Chick-fil-A, voiced his agreement with the recommended conditions of approval as revised, noting that Chick-fil-A and Fresh & Easy will be co-locating on this property.

Commissioner Skoll questioned why Coco's was leaving this location, and Mr. Ikeler related his understanding that Coco's did not have enough business to make it viable.

In response to Commissioner Uchima's inquiry, Mr. Ikeler provided clarification regarding the on-site circulation.

Donna Spreitzer, Ocean Avenue, stated that she had been concerned about noise from late night/early morning deliveries, gardeners, and trash pick-up, however she noticed that staff has included a condition of approval to address these concerns so she no longer had any objections to the project.

In response to Commissioner Skoll's inquiry, Mr. Ikeler discussed how "green building" elements were incorporated into the Chick-fil-A building, including a monitoring system that shuts off lighting and the HVAC system when the building is not occupied.

Linda Haynes, representing Fresh & Easy Markets, reported that the Fresh & Easy Market building will be LEED (Leadership in Energy and Environmental Design) certified and the parking lot will include parking spaces for hybrid vehicles.

In response to Commissioner Gibson's inquiry, Ms. Haynes confirmed that grocery carts will have locking devices that prevent them from being taken off-site.

**MOTION:** Commissioner Weideman moved to close the public hearing the motion was seconded by Commissioner Uchima and passed by unanimous voice vote.

**MOTION:** Commissioner Weideman moved for the approval of CUP10-00019, DVP10-00003 and WAV10-00010, including all findings of fact set forth by staff and the revised conditions in the supplemental material. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote.

Planning Associate Martinez read aloud the number and title of Planning Commission Resolution Nos. 11-004, 11-005 and 11-006.

**MOTION:** Commissioner Weideman moved to adopt Resolution Nos. 11-004, 11-005 and 11-006 as amended. The motion was seconded by Commissioner Skoll and passed by unanimous roll call vote.

12. **RESOLUTIONS** – None.

13. **PUBLIC WORKSHOP ITEMS** – None.

14. **MISCELLANEOUS ITEMS** – None.

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

Planning Manager Lodan noted the Commissioner Polcari and Commissioner Rizzo were appointed at the City Council meeting the previous evening and welcomed them to the Commission.

16. **TENTATIVE PLANNING COMMISSION CASES**

Planning Manager Lodan reviewed the agenda for the February 16, 2011 Planning Commission meeting.

17. **ORAL COMMUNICATIONS #2**

17A. Assistant City Attorney Sullivan congratulated Planning Associate Oscar Martinez on his recent marriage.

17B. Commissioners welcomed Mr. Polcari and Mr. Rizzo to the Commission and echoed congratulations to Planning Associate Martinez.

17C. Commissioner Skoll encouraged the new commissioners to become familiar with the information that will be presented to them by staff, noting that he has been on the Commission for three years and has learned something new at every meeting.

**17D.** Commissioner Weideman stated that while he did not always agree with former Commissioners Busch and Browning, they were always well prepared for meetings and he appreciated their public service to the City of Torrance.

**17E.** Chairperson Horwich welcomed Mr. Polcari and Mr. Rizzo and requested that staff supply them with a copy of the Commission's ethics policy.

**18. ADJOURNMENT**

At 8:56 p.m., the meeting was adjourned to Wednesday, February 16, 2011 at 7:00 p.m.

Approved as Submitted March 16, 2011 s/ Sue Herbers, City Clerk
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