

**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, April 20, 2011 in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Skoll.

3. ROLL CALL

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

Absent: None.

Also Present: Planning Manager Lodan, Planning Assistant Yumul, Plans Examiner Noh, Associate Civil Engineer Symons, and Assistant City Attorney Sullivan.

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, April 15, 2011.

5. APPROVAL OF MINUTES

MOTION: Commissioner Polcari moved for the approval of the March 16, 2011 minutes as submitted. The motion was seconded by Commissioner Gibson and passed by unanimous voice vote.

6. REQUESTS FOR POSTPONEMENTS – None.

7. ORAL COMMUNICATIONS # 1 – None.

*

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.

9. CONTINUED HEARINGS

9A. CUP10-00007: PATRICIA WICK (CHICKEN MAISON)

Planning Commission consideration for approval of a Conditional Use Permit to allow the expansion of an existing restaurant in conjunction with a request for a beer and wine license on property located in the C-2 Zone at 3901 Pacific Coast Highway, Suite D.

Recommendation: Approval.

Planning Assistant Yumul introduced the request.

Nagy Bakhoun, Obelisk Architects, project architect, voiced his agreement with the recommended conditions of approval and briefly described project. He explained that the parking layout was redesigned to meet parking requirements for the proposed expansion of Chicken Maison restaurant and to allow for the legalization of a bar and patio area that was previously added to Café Roma without benefit of a permit. He noted that the property owner has requested that an unpermitted shed be removed from Café Roma, but this has yet to be done.

Chairperson Horwich suggested that Condition No. 11, which states that the applicant shall obtain building permits and demolish the unpermitted storage shed at Suite A, be reworded for purposes of clarity. Commissioner Rizzo noted that Conditions Nos. 14 and 15 are duplicates.

George Postik, Torrance, reported that he has operated a shoe repair shop in this shopping center for 25 years; that his lease ran out three years ago and the landlord has refused to give him a new one; and that his rent has been significantly increased. He related his belief that he was being treated unfairly by his landlord.

Assistant City Attorney Sullivan disclosed that his family is a customer of Mr. Postik's shoe repair shop, however, this would not affect his legal advice.

In response to Commissioner Uchima's inquiry, Planning Manager Lodan related his understanding that Mr. Postik's repair shop would be eliminated to allow for the expansion of Chicken Maison.

Hratch Postik, son of George Postik, stated that there are few shoe repair businesses in the South Bay and the loss of his father's business would negatively impact the community because it would leave only two in Torrance and none in this particular area. He voiced objections to the landlord's unethical and unjust treatment of his father, explaining that his father was willing to pay the market rate for this space. He reported that his father is 76 years old but continues to work because it is his passion and he loves interacting with customers and noted that he was able to put three children through college on the income from his shop.

Tony Nahabedian, owner of Deli Roma, 3901 Pacific Coast Highway, voiced objections to the proposed expansion of Chicken Maison. Referring to written material submitted for the record, he contended that several parking spaces do not meet City standards in terms of size and backup space; that driveway throating does not comply

with Code requirements; and that emergency access was inadequate. He reported that motorists frequently cut through the parking lot because U-turns are not allowed at Pacific Coast Highway and Ocean, which creates circulation and safety issues, and there are many traffic accidents at this intersection. He expressed concerns that the Chicken Maison expansion would greatly impact his business as well as other businesses in the center due to the lack of sufficient parking for their customers. He explained that he formerly operated a Mexican take-out restaurant in the tenant space now occupied by Chicken Maison, but had to sell it when he was unable to add seating. He suggested that Chicken Maison should move to a larger shopping center if it has outgrown this location rather than disrupting the businesses of other tenants.

In response to Commissioner Skoll's inquiry, Planning Manager Lodan reported that the Development Review Division, the Transportation Planning Division and the Fire Department all reviewed the proposed parking layout and confirmed that it was in compliance with City requirements. He noted that the layout might have to be adjusted during the plan check process to deal with existing conditions not evident from the plans.

Commissioner Skoll indicated that he had reservations about approving the project due to the potential eviction of Mr. Postik's shoe repair business. Planning Manager Lodan advised that this issue was not within the Commission's purview.

In response to Commissioner Rizzo's inquiry, Planning Manager Lodan reported that signage would be installed to delineate the one-way parking lane and confirmed that there would be adequate space for motorists to turn around on the west side of the parking lot.

Commissioner Rizzo noted that according to the minutes from the June 16, 2010 meeting, the property owner intends to require that employees park behind the center, however, there are 28 employees (per count provided by Mr. Nahabedian) and only 17 spaces, which means that the other 11 will have to park in front or on nearby streets thereby impacting the neighborhood.

Chairperson Horwich related his understanding that Chicken Maison would be required to have two restrooms with this expansion. Plans Examiner Noh advised that the Code requires two restrooms when there is seating for more than 16 people and confirmed that this would be addressed during the plan check process.

Chairperson Horwich voiced his opinion that the situation at this center was murky. He commented that while he feels badly that a long-term tenant like Mr. Postik might be forced out, he personally would have pestered the landlord for a new lease rather than continuing on without one for three years and that he thought Mr. Nahabedian had lost some of his credence since he has added two structures to his restaurant without obtaining permits.

Mr. Nahabedian apologized for the unpermitted structures and indicated that he was working with staff to rectify the situation.

Justin Bower, Redondo Beach, stated that he was greatly disturbed by the idea that Mr. Postik could lose his repair shop because he is a true craftsman who should be celebrated for his passion and his drive.

Al West, Redondo Beach, contended that this small strip mall cannot sustain any more growth, noting that he used to live in the apartment complex directly to the north. He stated that the area is already heavily congested and enlarging the Chicken Maison restaurant would make a bad situation even worse. He pointed out that the Commission had asked at the June 16, 2010 meeting that the center's square footage be verified by an independent third party, however it appears that the figures were provided by someone who was hired by the applicant.

Commissioner Weideman asked if the square footage had been verified and Planning Manager Lodan advised that the applicant hired a licensed land surveying/engineering firm to measure the property.

Assistant City Attorney Sullivan disclosed that he knows Mr. West as a fellow attorney.

Returning to the podium, Mr. Bakhoun explained that the new layout increases the number of parking spaces from 53 to 58 and the site would exceed parking requirements if the unpermitted construction at Café Roma was removed rather than legalized. He reported that the new parking arrangement was designed with the assistance of staff after exploring several parking scenarios and he believes it is a significant improvement over current conditions. He noted that most of the time parking is not a problem as the center only gets crowded between noon and 2:00 p.m. With regard to the shoe repair shop, he suggested that Mr. Postik could make arrangements with the cleaners to allow customers to drop off shoes for repairs or he could rent a new space at this center or another nearby center. He offered his assurance that if two restrooms are required, they will be provided.

Chairperson Horwich requested clarification of the applicant, and Mr. Bakhoun advised that it was a joint application by Chicken Maison and the owner of the center Patricia Wick.

Chairperson Horwich asked if the shoe repair shop would be allowed to remain should this project be denied.

Tammy Wick Reyes, representing the applicant Patricia Wick, indicated that the shoe repair shop would not be offered a new lease. She explained that her grandmother who owned the center passed away and there is now a mortgage on it and there's need to bring the center up to market rate so that its income covers its expenses.

Asked about employee parking, Mr. Bakhoun stated that he did not review the employee count provided by Mr. Nahabedian, however, City parking requirements are in the form of a ratio and the project complies with this ratio.

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

Commissioner Weideman indicated that he hadn't made up his mind but had reservations about approving this project. He cited Commissioner Uchima's comments at the June 16, 2010 hearing that this center was apparently designed for take-out restaurants only and adding seating could greatly impact parking because patrons would be lingering over meals rather than picking up food and leaving.

Commissioner Skoll stated that he was inclined to deny the project without prejudice because he believes the unpermitted construction needs to be taken care of first before anything else is added to the center.

Commissioner Rizzo voiced his opinion that this application should be brought back for consideration after the center has been cleaned up and brought into compliance.

MOTION: Commissioner Skoll moved to deny CUP10-00007 without prejudice. The motion was seconded by Commissioner Polcari and passed by unanimous roll call vote.

Planning Manager Lodan noted that a Resolution reflecting the Commission's action would be brought back for approval at a later date.

Chairperson Horwich informed the applicant about the right to appeal the Commission's decision to the City Council.

10. **WAIVERS**

10A. **WAV11-00004: TOYOTA OF TORRANCE/ JOSEPH MARCA (CITY OF TORRANCE)**

Planning Commission consideration for approval of a Waiver to allow exterior light standards to exceed the 15-foot maximum height for an automobile dealership on property located in the C-3 Zone at 2909 Pacific Coast Highway.

Recommendation: Approval.

Planning Assistant Yumul introduced the request.

Mark Sachs, representing DCH Auto Group, reported that the company is constructing a new Toyota dealership, including a new showroom which was designed to be energy efficient with minimal impact on the environment and it will be LEED (Leadership in Energy and Environmental Design) certified. Requesting approval of the Waiver, he explained that the Code currently limits light standards for automobile dealerships to a maximum height of 15 feet to prevent light spillover, however it is possible to attain the same protection from spillover with taller light standards through the use of newer technology and fewer poles and light heads are needed to provide the same coverage thereby greatly reducing electricity costs. He noted that the auto dealership will be the first to use LED lighting in L.A. County.

Responding to questions from the Commission, Mr. Sachs reported that lights will be aimed inward to the property and spillover will be less than one foot candle and that there will be no banners installed at the dealership.

Commissioner Rizzo noted that Redondo Union High installed this type of lighting when athletic fields were remodeled and it is very effective with almost no spillover.

MOTION: Commissioner Rizzo moved for the approval of WAV11-00004, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote.

Planning Assistant Yumul read aloud the number and title of Planning Commission Resolution No. 11-023.

MOTION: Commissioner Rizzo moved to adopt Resolution No. 11-023. The motion was seconded by Commissioner Polcari and passed by unanimous roll call vote.

*

The Commission briefly recessed from 8:25 p.m. to 8:35 p.m.

11. **FORMAL HEARINGS**

11A. **CUP11-00006: KIMMANH TRAN**

Planning Commission consideration for approval of a Conditional Use Permit to allow a two-unit multifamily residential project in a commercial zone on property located in the C-2 Zone at 3973 171st Street.

Recommendation: Approval.

Planning Assistant Yumul introduced the request.

Kimmanh Tran, 171st Street, applicant, briefly described the proposed project. She reported that a two-car garage will be added to the existing front unit and a second unit will be built in the back with an oversize two-car garage, noting that with the large driveway and the garages, 10 or 11 vehicles could be parked on-site. She voiced her agreement with the conditions of approval, with the exception of Condition No. 6, which requires Unit 1 to be upgraded to match the stucco and roofing of Unit 2 prior to Final. She stated that she only has enough money to complete Unit 2 and intends to apply for a line of credit after it is finished to pay for the upgrading of Unit 1.

Planning Manager Lodan advised that staff generally likes to have both units upgraded at the same time, but it was within the Commission's purview to eliminate Condition No. 6 if Commissioners feel it was too onerous. He noted that the applicant will be required to construct the two-car garage for Unit 1 per Condition No. 5.

A brief discussion ensued, and it was the consensus of the Commission to eliminate Condition No. 6.

In response to Chairperson Horwich's inquiry, Ms. Tran confirmed that she currently lives on the property.

Kazuo Suehiro, Cordary Avenue, expressed concerns that the new unit will add to parking problems since Ms. Tran's family already has 4 or 5 cars, 2 of which are parked on the street. He requested that large trees in the front yard of the subject property be retained because they help buffer noise from the freeway and removing them could weaken the fence between the two properties.

Ms. Tran reiterated that there will be more than enough on-site parking so street parking will not be impacted by the project. With regard to the trees, she explained that the large tree in the front yard is affecting the existing house's foundation so she's in the process of cutting it down and the other tree adjacent to Mr. Suehiro's property must be removed to make room for the new driveway. Additionally, she noted that the trees block sunlight from her house causing mold to grow.

Commissioner Weideman reported that he walks by the subject property two or three times a week and has observed that roots from the tree in the front yard are damaging the sidewalk.

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

MOTION: Commissioner Skoll moved for the approval of CUP11-00006, as conditioned, including all findings of fact set forth by staff, eliminating Condition No. 6. The motion was seconded by Commissioner Polcari and passed by unanimous roll call vote.

Planning Assistant Yumul read aloud the number and title of Planning Commission Resolution No. 11-025.

MOTION: Commissioner Skoll moved to adopt Resolution No. 11-025 as amended. The motion was seconded by Commissioner Polcari and passed by unanimous roll call vote.

Chairperson Horwich noted that he had asked if Ms. Tran resides on the property because in some cases, applicants are required to pay for tenant relocation.

11B. PRE11-00001: ANDY CHANG

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story, single-family residence in the R-1 Zone at 5120 Zakon Road.

Recommendation: Approval.

Planning Assistant Yumul introduced the request.

The project architect (name inaudible/no speaker card) voiced his agreement with the recommended conditions of approval.

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

Commissioner Uchima stated that he would support the project based on staff's recommendation and the absence of any opposition.

MOTION: Commissioner Uchima moved for the approval of PRE11-00001, 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.

Planning Assistant Yumul read aloud the number and title of Planning Commission Resolution No. 11-024.

MOTION: Commissioner Uchima moved to adopt Resolution No. 11-024. The motion was seconded by Commissioner Weideman 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** – None.
- 16. **LIST OF TENTATIVE PLANNING COMMISSION CASES**

Planning Manager Lodan reviewed the agenda for the May 4, 2011 Planning Commission meeting.

17. **ORAL COMMUNICATIONS #2**

17A. Planning Commissioner Uchima requested an excused absence from the May 4 Planning Commission meeting.

Commissioner Weideman, seconded by Commissioner Polcari, so moved and voice vote reflected unanimous approval.

17B. Chairperson Horwich commented on his recent experience with the bureaucracy at the Department of Motor Vehicles when getting his license renewed.

18. **ADJOURNMENT**

At 9:00 p.m., the meeting was adjourned to Wednesday, May 4, 2011 at 7:00 p.m.

Approved as Submitted May 18, 2011 s/ Sue Herbers, City Clerk
