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TORRANCE PLANNING COMMISSION – OCTOBER 21, 2015

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At 9:10 p.m., the meeting was adjourned to Wednesday, November 4, 2015 at 7:00 p.m.

**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 21, 2015, in City Council Chambers at Torrance City Hall.

2. SALUTE TO THE FLAG

The Pledge of Allegiance was led by Commissioner Polcari.

3. ROLL CALL/ MOTIONS FOR EXCUSED ABSENCE

Present: Commissioners Gibson, Herring, Polcari, Skoll, Tsao, Watson and Chairperson D'anjou.

Absent: None.

Also Present: Planning Manager Lodan, Planning Assistant Lang, Plans Examiner Noh, Associate Civil Engineer Symons, 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, October 15, 2015.

5. APPROVAL OF MINUTES – None.

6. REQUESTS FOR POSTPONEMENTS – None.

7. ORAL COMMUNICATIONS #1

7A. Lloyd Brown, Torrance, related his understanding that the intention of recent Planning Commission action was to allow expanded hours for food trucks at brewery tasting rooms, but in speaking with brewery owners he has learned that that is not the case.

Planning Manager Lodan clarified that the Planning Commission's action gave staff the ability to extend tasting room hours administratively, but the food truck issue was not addressed and suggested that Mr. Brown contact staff for further information.

Mr. Brown reported that Strand Brewing Co. will be holding the ribbon cutting ceremony for its new location tomorrow at 3:00 p.m. and invited Commissioners to attend.

7B. Mike Bahe, Village Palos Verdes, expressed concerns that trees can only be trimmed at certain times of year and overgrown trees could obscure a project's silhouette during the interim.

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

8. **TIME EXTENSIONS**- None.
9. **SIGN HEARINGS**- None.
10. **CONTINUED HEARINGS** – None.
11. **WAIVERS** – None.
12. **FORMAL HEARINGS**
- 12A. **CUP15-00021: JOSEPH SHEALY/ JOHN PANGILINAN**

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of take-out only boba, shaved ice, juice and drink establishment on property located in the C-3 Zone at 2370 Crenshaw Boulevard, #J. This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities.

Recommendation: Approval.

Planning Assistant Lang introduced the request.

Commissioner Herring disclosed that he had visited some of the businesses in the shopping center where the business will be located, but did not speak with anyone.

John Pangilinan, Monterey Park, applicant, voiced his agreement with the recommended conditions of approval. He briefly described the proposed project, noting that Boba Time has other locations in Los Angeles and Orange counties.

In response to Commissioner Tsao's inquiry, Mr. Pangilinan reported that the hours of operation will be 8:00 a.m. to 10:00 p.m., seven days a week.

Commissioner Herring related his experience that this is a busy shopping center with limited parking.

Planning Manager Lodan advised that staff believes that parking is adequate for this use because it is take-out only.

Commissioner Gibson asked about restroom facilities, and Mr. Pangilinan reported that there is a restroom for employees only and this complies with Health Department requirements.

In response to Commissioner Polcari's inquiry about the project's timeline, Mr. Pangilinan reported that they hope to be open by February 2016.

MOTION: Commissioner Polcari moved to close the public hearing. The motion was seconded by Commissioner Watson and passed by unanimous voice vote.

MOTION: Commissioner Polcari moved to approve CUP15-00021, as conditioned, including all findings of fact. The motion was seconded by Councilmember Tsao and passed by unanimous roll call vote.

Planning Assistant Lang read aloud the number and title of Planning Commission Resolution No. 15-075.

MOTION: Commissioner Polcari moved to adopt Planning Commission Resolution No. 15-075. The motion was seconded by Commissioner Herring and passed by unanimous roll call vote.

12B. CUP15-00020: JEFF JAMILE/ MR. J'S ACADEMY (FARZAD RASTEGAR)

Planning Commission consideration for approval of a Conditional Use Permit to allow the operation of a private school within an existing commercial building on property located in the H-MP Zone at 22760 Hawthorne Boulevard, #106. This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities.

Recommendation: Approval.

Planning Assistant Lang introduced the request.

Assistant City Attorney Sullivan disclosed that the applicant Jeff Jamile tutored his son in math approximately 2-3 years ago, that he also knows him through soccer, and he believes that his wife went to school with him.

Associate Civil Engineer Symons disclosed that he also knows Mr. Jamile through his children playing soccer and volleyball.

Jeff Jamile, applicant, wanted to clarify that there will be no scientific experiments on site since the facility is listed as a “science educational facility” in Condition No. 1 and requested clarification regarding Condition No. 9, which requires the applicant to provide an additional 2 feet of public storm drain easement.

Associate Civil Engineer Symons advised that the additional 2 feet is necessary to bring the existing 10-foot easement up to current standards and the easement must be granted by the owner of the property.

Mr. Jamile voiced his agreement with the conditions of approval. He briefly described the proposed project, which is a small private academy for 4th to 8th grade students offering customized education geared to their learning styles. He reported that the school’s hours of operation will be from 8:00 a.m. to 5:00 p.m. Monday through Friday; that the official school day will be from 8:30 a.m. to 2:30 p.m.; and that the extra hours in the afternoon will be dedicated to working with students on an individual basis, meeting with parents, grading school work, and field trips, which will take place on Friday afternoons.

Responding to questions from the Commission, Mr. Jamile confirmed that the school will be accredited and provided additional information about the school’s routine. He explained that students will bring their own lunches and the lunch period will be combined with P.E. and held in the park, with transportation provided by parent volunteers. He related his belief that there will be adequate recreational facilities for students even though there is no on-site playground since there are several parks within a five-mile radius as well as the beach. He noted that he has verified that his business insurance will cover the liability for this off-site activity and all the appropriate paperwork, such as permission slips and waivers, will be completed. He reported that students will stay at the school on rainy days and play board games or similar activities in order to provide a break from computer work. He explained that scholarships will not be offered initially because he needs to focus on getting the school established, but they may be offered at a later date, possibly by creating a non-profit organization, which would make grant funding

available. He reported that he will be the only teacher and will be using on-line curriculum supplemented by his own curriculum developed during his many years as a teacher. He indicated that he was open to having a one-on-one aide if a student with special needs requires one.

Commissioner Watson expressed support for the project, suggesting that the applicant was creating a newer version on the one-room schoolhouse.

In response to Commissioner Tsao's inquiry, Mr. Jamile reviewed on-site circulation, explaining that parents will enter on Hawthorne Boulevard near Kids Concepts, drop their children off at the rear of the building where he will be waiting for them and then exit by Lazy Boy furniture store.

Chairperson D'anjou asked if students will be expected to adhere to a five-days-a-week school schedule or if they will be allowed to work from home.

Mr. Jamile explained that the program is designed to be flexible, but students will be expected to attend during regular school hours unless there is a specific reason for their absence.

Chairperson D'anjou commended Mr. Jamile for the unique idea, but expressed concerns that the facility was unusually small for students to be confined there for several hours a day and asked if students will be transported to the park on an everyday basis.

Mr. Jamile indicated that this is his intention, but noted that the facility is within a 5-10 minute walk to Lago Seco Park if for some reason transportation is not available. He suggested that there are also other indoor options available if El Niño causes a rainy winter as predicted, such as trampolines at Sky High Sports.

Chairperson D'anjou recommended that Mr. Jamile verify that any parent who transports children also has insurance coverage.

Responding to questions from the Commission, Mr. Jamile confirmed that any parent who is transporting children will be subject to a background check by a reputable agency and will be required to produce a valid drivers' license.

MOTION: Commissioner Polcari moved to close the public hearing. The motion was seconded by Commissioner Watson and passed by unanimous voice vote.

MOTION: Commissioner Polcari moved to approve CUP15-00020, as conditioned, including all findings of fact. The motion was seconded by Councilmember Gibson and passed by unanimous roll call vote.

Planning Assistant Lang read aloud the number and title of Planning Commission Resolution No. 15-076.

MOTION: Commissioner Polcari moved to adopt Planning Commission Resolution No. 15-076. The motion was seconded by Commissioner Gibson and passed by unanimous roll call vote

12C. PRE15-00017: DAVID STUDDS (CYRUS SHARGH)

Planning Commission consideration for approval of a Precise Plan of Development to allow first and second-story additions to an existing one-story, single-family residence on property located within the Hillside Overlay District in the R-1 Zone at 423 Camino de Encanto. This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities.

Recommendation: Approval.

Planning Assistant Lang introduced the request and noted supplemental material consisting of correspondence received after the agenda item was completed.

Commissioner Watson, Commissioner Tsao and Commissioner Gibson disclosed that they had driven by the subject property.

Cyrus Shargh, 423 Camino de Encanto, applicant, voiced his agreement with the conditions of approval. He reported that he purchased the property in 1994 because he loves the neighborhood and its proximity to the beach and waited to remodel the house until he married, which he did in 2013 and they are now in the process of adopting a child. He stated that the project was carefully designed to minimize the impact on neighbors' privacy and views, but after the silhouette was erected neighbors at 424 Camino de Encanto expressed concerns about view loss. He explained that the view in question is from the second story of their 3,700 foot two-story home built in 2007; that their only solution was to completely eliminate the second story; and that the southerly wall of the second story was pulled in five feet and foliage was trimmed to further mitigate the impact even though they indicated they would not compromise. He related his belief that the photos these neighbors submitted were misleading because they do not show the totality of their view. He noted that the neighbors at 427 Camino de Encanto also had concerns about privacy and noise, which he was able to resolve to their satisfaction per the agreement included in the staff report.

David Studds, project designer/builder, briefly described the proposed project. He explained that the second floor was necessary because the existing pool limits what can be added at the rear of the house; that the second story was kept as small as possible and most of the square footage is on the first floor; and that every effort was made to keep the roofline as low as possible.

Jim Wimmer, board member of Village Palos Verdes HOA, reported that the complex consists of 180 townhomes, 80% of which have ocean views, and urged the Commission to reject any proposals for second stories on Camino de Encanto due to the impact on their view corridors.

Mike Bahe, Village Palos Verdes, expressed concerns about the incremental loss of ocean views in his complex due to additions and trees, submitting photos from 1978 to illustrate. He called for the hearing to be postponed until trees blocking the silhouette from view have been trimmed.

Ted Coene, 420 Camino de Encanto, stated that contrary to information submitted by Mr. Shargh, he did not give the project his approval and believes the modern design does not fit with the neighborhood.

Dean Case, Village Palos Verdes, expressed concerns about the project's impact on views and property values within this complex.

The Commission briefly recessed from 8:10 – 8:15 p.m.

Tom Tanaka, Village Palos Verdes, voiced objections to the proposed project, maintaining that it would block his white water view and lower his and other residents' property values.

Lynn Fernandez, Village Palos Verdes, reported that she is a realtor who has sold many units in this complex and the quality of the view is the determining factor in a unit's price. She explained that when the complex was built, units had to be dug into the hillside to protect the views of people who live behind on Calle Mayor and she believes people who wish to expand their homes on Camino de Encanto should have to do the same thing to protect views in Village Palos Verdes.

Kay White, Via Los Miradores, urged Commissioners to review the meaning and intent of the Hillside Ordinance because of ongoing concerns about the way it is being enforced in terms of view loss, bulk, incompatibility and FAR (floor area ratio).

Mike Lytle, 424 Camino de Encanto, asserted that the project would severely impact his view; that depending on the room and location within the room, the view loss would be between 50% and 100%; and that the value of his home would be reduced by a minimum of 10% or \$200,000, as estimated by an unbiased real estate agent. He noted that he has agreed to trim his trees to improve views at Village Palos Verdes.

Jerry McBride, 406 Camino de Encanto, voiced support for the project, relating his belief that the remodeling of 1950's era homes in the neighborhood will increase everyone's property values. He pointed out that the project has a very low profile, with a maximum height of just over 20 feet, which is only 6 feet taller than a one-story home. He disputed the claim that the project was incompatible with the neighborhood, noting that the home's design is similar to townhomes at Village Palos Verdes.

In response to Commissioner Skoll's inquiry, Planning Manager Lodan provided clarification regarding the height of the proposed project and the existing house.

Commissioner Skoll asked about the validity of claims of view loss at Village Palos Verdes, and Planning Manager Lodan reported that staff just learned of the concerns this evening and therefore had not visited the condominiums to evaluate the view loss.

Mary Boroski, Village Palos Verdes, related her observation that the proposed project is much taller than other homes on the west side of Camino de Encanto and expressed concerns that approving it will lead property owners on the east side to increase the height of their homes to regain their views. She maintained that the project would obstruct ocean views at Village Palos Verdes including Unit 412 whose owner was unable to attend tonight's meeting so she was speaking on her behalf. She related her belief that the Hillside Ordinance was being ignored.

Jill Tomkiewicz, Village Palos Verdes, expressed concerns that this charming beach community was being turned into a mini Manhattan Beach and that view blocking trees were being replaced with permanent structures. She related her belief that it was unfair for the

applicants to obtain a view at her and other condominium owners' expense; disputed the claim that the remodeled home would increase their property values; and urged the Commission to protect all view corridors at her complex.

Deana Lytle, 424 Camino de Encanto, called for the project to be redesigned so it does not substantially reduce the value of her property. She reported that residents on the west side of Camino de Encanto were very protective of their views when property below them was developed and insisted that the homes not exceed a certain height and related her belief that her view should be afforded the same protection.

Returning to the podium, Mr. Shargh suggested that it was unfair for the Lytles to oppose his project based on a view that was acquired when a second story was added to their home a few years ago. He disputed the claim that the project would impact views at Village Palos Verdes, noting that no one has submitted any photos to support this claim. He wanted to clarify that Mr. Coene told him that he thought the project was well thought out and raised no objections when he spoke with him. Urging approval of the project, he maintained that it would have minimal impact.

Commissioner Skoll indicated that he could not make a decision on the project at this time and would prefer to wait until he visits the condominiums of those who have claimed view obstruction so he could personally see the impact.

Chairperson D'anjou stated that she believed the applicants had done a good job on the project and was inclined to approve it. She questioned whether Mr. Shargh was amenable to a continuance.

Mr. Shargh responded that he thought Commissioners recognized that everything possible has been done to minimize the project's impact and would prefer to have the case decided this evening.

MOTION: Commissioner Herring moved to close the public hearing. The motion was seconded by Commissioner Polcari and passed by unanimous voice vote.

A brief discussion ensued, and Commissioner Polcari and Commissioner Tsao indicated that they agreed with Commissioner Skoll and favored a continuance so they could personally view the impact.

Assistant City Attorney Sullivan confirmed that the hearing could be continued if Commissioners felt they needed more information before making a decision even though the applicant had requested that the case be decided tonight.

MOTION: Commissioner Herring moved to reopen the hearing and continue it to November 18, 2015. The motion was seconded by Commissioner Polcari and passed by unanimous vote.

Chairperson D'anjou announced that the hearing would not be re-advertised because it was continued to a date certain. She relayed staff's request that the Village Palos Verdes HOA serve as an intermediary and provide a list of condominiums that are directly affected by the project with contact information so Commissioners could arrange to visit them.

13. RESOLUTIONS – None.

14. **PUBLIC WORKSHOP ITEMS** – None.

15. **MISCELLANEOUS ITEMS**

15A. **COMMUNITY DEVELOPMENT DIRECTOR WEEKLY SUMMARY REPORTS**

Planning Manager Lodan noted that the Community Development Director Weekly Summary Reports for October 4, and October 9, 2015 were distributed to the Commission.

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

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

Planning Manager Lodan reviewed the agenda for the November 4, 2015 Planning Commission meeting.

18. **ORAL COMMUNICATIONS #2**

18A. Responding to Commissioner Gibson's inquiry, Assistant City Attorney Sullivan provided clarification regarding rules for granting an excused absence. He advised that the Commission may grant excused absences unless the number of absences exceeds 25% of meetings in a 12-month period, in which case the City Council must approve an excused absence.

18B. Commissioner Tsao stated that he was pleased the new Costco was finally moving forward and commented positively on the grand opening of Del Amo Fashion Center last weekend.

19. **ADJOURNMENT**

At 9:10 p.m., the meeting was adjourned to Wednesday, November 4, 2015 at 7:00 p.m.

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Approved as amended November 18, 2015 s/ Rebecca Poirier, City Clerk
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