

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

**1. CALL TO ORDER**

The Torrance Planning Commission convened in a regular session at 7:02 p.m. on Wednesday, March 2, 2005, in City Council Chambers at Torrance City Hall.

**2. SALUTE TO THE FLAG**

The Pledge of Allegiance was led by Commissioner Faulk.

**3. ROLL CALL**

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

Absent: Commissioner Drevno (excused).

Also Present: Sr. Planning Associate Lodan, Planning Assistant Naughton, Fire Marshal Carter, Acting Planning Manager Chun, Building Regulations Administrator Segovia, Associate Civil Engineer Symons and Deputy City Attorney Whitham.

Sr. Planning Associate Lodan relayed Commissioner Drevno's request for an excused absence.

**MOTION:** Commissioner Uchima, seconded by Commissioner Faulk, moved to grant Commissioner Drevno an excused absence from this meeting; voice vote reflected unanimous approval.

**4. POSTING OF THE AGENDA**

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

**MOTION:** Commissioner Horwich moved for the approval of the January 5, 2005 Planning Commission minutes as submitted. The motion was seconded by Commissioner Faulk, and voice vote reflected unanimous approval.

**MOTION:** Commissioner Horwich moved for the approval of the January 19, 2005 Planning Commission minutes as submitted. The motion was seconded by Commissioner Botello, and voice vote reflected unanimous approval, with Commissioner Uchima abstaining.

6. **REQUESTS FOR POSTPONEMENTS**

None.

\*

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. **CUP05-00001, DVP05-00001: MILETICH-JONES LAND CO.**

Planning Commission consideration for approval of a Conditional Use Permit and a Development Permit to allow construction and operation of a new building containing one coffee shop/eating establishment and one retail food market on property located in the Hawthorne Boulevard Corridor Specific Plan Zone – Promenade Sub-District at 20301 Hawthorne Boulevard.

**Recommendation**

Approval.

Planning Assistant Naughton introduced the request.

Jim Dilamarter, representing Miletich-Jones Land Co., stated that his company intends to build a “trophy” building on this corner; thanked Planning Associate Crecy and Planning Assistant Naughton for their assistance in designing the layout of the project; and voiced his agreement with the recommended conditions of approval.

In response to Mr. Dilamarter's inquiry, Associate Civil Engineer Symons provided clarification regarding Code requirements.

Commissioner Faulk asked about hours of operation, and Mr. Dilamarter indicated that tenants have not been finalized.

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

**MOTION:** Commissioner Botello moved for the approval of CUP05-00001 and DVP05-00001, 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).

Planning Assistant Naughton read aloud the number and title of Planning Commission Resolution Nos. 05-025 and 05-026.

**MOTION:** Commissioner Uchima moved for the adoption of Planning Commission Resolution Nos. 05-025 and 05-026. The motion was seconded by Commissioner Botello and passed by unanimous roll call vote (absent Commissioner Drevno).

**7B. PRE04-00034: RODIN ASSOCIATES (BILL AND IZUMI WALKER)**

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 Hillside Overlay District on property located in the R-1 Zone at 2711 Highcliff Drive.

**Recommendation**

Approval.

Commissioner Botello announced that he was abstaining from consideration of this item because he was not present at the original hearing and exited the dais.

Planning Assistant Naughton introduced the request.

Jerry Rodin, project architect, noted that this item was continued because Al Rosenthal, 2613 Highcliff Drive, raised concerns about the project's impact on his view. He stated that he was not able to gain access to Mr. Rosenthal's property, however, he did take photographs around the site, which demonstrate, contrary to Mr. Rosenthal's statements, that the Getty Museum is not even in the view corridor for this property. He reported that the deck from which Mr. Rosenthal claimed his view would be impacted was constructed in November of 2000.

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

**MOTION:** Commissioner Faulk moved for the approval of PRE04-00034, 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, with Commissioner Botello abstaining (absent Commissioner Drevno).

Planning Assistant Naughton read aloud the number and title of Planning Commission Resolution No. 05-023.

**MOTION:** Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 05-023. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote, with Commissioner Botello abstaining (absent Commissioner Drevno).

Commenting on his vote, Chairperson Muratsuchi stated that he visited Mr. Rosenthal's property and did not believe the impact on his view was significant enough to infringe on the Walkers' right to build on their property.

Commissioner Botello returned to the dais.

**8. WAIVERS**

None.

**9. FORMAL HEARINGS**  
**9A. PRE04-00033: SHADI SHENASI (ALLEN SHENASI)**

Planning Commission consideration for approval of a Precise Plan of Development to allow a new two-story, single-family residence in the Hillside Overlay District on property located in the R-1 Zone at 5238 Bindewald Road.

**Recommendation**

Approval.

Planning Assistant Naughton introduced the request.

Shadi and Allen Shenasi, applicants, voiced their agreement with the recommended conditions of approval.

Hatsuko Nokes, owner of the property at 5242 Bindewald Road, expressed concerns that second-story windows and a balcony in the proposed residence would have a view into the backyard of her property and possibly part of the house. She indicated that she was also concerned about the project's blocking light to the property and the stability of the hillside.

Chairperson Muratsuchi suggested that the hearing be continued to allow commissioners an opportunity to view the project from Ms. Nokes' property.

Commissioner Botello proposed deferring this matter until later in the meeting so the applicants could meet with Ms. Nokes to see if her concerns could be resolved without resorting to a continuance.

Chairperson Muratsuchi asked if anyone else wished to comment on the project.

James Mone, 5237 Bindewald Road, questioned whether the applicants intend to occupy the new residence.

Chairperson Muratsuchi explained that the issue of whether or not the applicants plan to live in the residence was not relevant as the Planning Commission's review of a project is limited to land-use issues.

Mario Obejas, 5265 Bindewald, reported that neighbors were concerned about renters because of the history of this property and related his understanding that Mr. Shenasi was building the home for his daughter. He voiced support for the project and noted that he had a soils report prepared for his property, which indicated that the hillside is stable.

Building Regulations Administrator Segovia advised that a soils report must be submitted and an investigation of the site completed prior to the issuance of building permits to ensure that all Code standards are met.

This item was deferred until later in the meeting.

**9B. PRE04-00036: DAVID BOYD (DEAN AND COLEEN MANERS)**

Planning Commission consideration for approval of a Precise Plan of Development to allow a second-story addition to an existing single-family residence in the Hillside Overlay District on property located in the R-1 Zone at 223 Paseo de las Delicias.

**Recommendation**

Approval.

Sr. Planning Associate Lodan introduced the request.

David Boyd, project architect, briefly described the proposed project and voiced his agreement with the recommended conditions of approval. He reported that the property owners have spoken with neighbors and they support the project, however, the neighbor to the south had concerns about the deck blocking his view, therefore, they have agreed to cut the deck back approximately 7 feet.

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

**MOTION:** Commissioner Horwich moved for the approval of PRE04-00036, as conditioned, including all findings of fact set forth by staff, with the following modification:

**Add**

- That the deck on the south side of the property shall be decreased in size by approximately 7 feet to the satisfaction of the Community Development Director.

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

Planning Assistant Naughton read aloud the number and title of Planning Commission Resolution No. 05-028.

**MOTION:** Commissioner Horwich moved for the adoption of Planning Commission Resolution No. 05-028 as amended. The motion was seconded by Commissioner Faulk and passed by unanimous roll call vote (absent Commissioner Drevno).

**9C. CUP05-00004, DIV05-00002: K.T. ZIEGLER (ROBERT TREMAN)**

Planning Commission consideration for approval of a Conditional Use Permit and a Division of Lot to allow a two-unit detached condominium development on property located in the R-3 Zone at 1304 Portola Avenue.

**Recommendation**

Approval.

Sr. Planning Associate Lodan introduced the request.

Robert Treman, project architect, voiced his agreement with the recommended conditions of approval.

Bonnie Mae Barnard, Save Historic Old Torrance, reported that the proposed project is located in a historic neighborhood; disputed staff's finding that the project is categorically exempt from the California Environmental Quality Act (CEQA); and urged the Commission to require the preparation of an Environmental Impact Report (EIR). She explained that the 20 properties on this block were developed between 1915 and 1935; that 6 of the properties have already been adulterated; and that the demolition of the existing structure on this site could have a significant negative impact on the remaining properties. She noted that a historic architect has determined that this neighborhood is part of an area that could qualify for the National Historic Register.

Noting that the project complies with all development standards, Chairperson Muratsuchi questioned the basis for denying it.

Ms. Barnard maintained that the Conditional Use Permit and Division of Lot should be denied because the impact on this historic neighborhood was not addressed.

Commissioner Botello voiced his opinion that the fact that the proposal would divide the lot in half, thereby changing the original design set out for the City was basis for denial.

Sr. Planning Associate Lodan advised that the proposed Division of Lot for condominium purposes creates two airspace parcels, but the underlying lot remains one parcel. Responding to questions from the Commission, he confirmed that this project could be built without Commission approval if the units were rental units instead of condominiums.

Commissioner Horwich noted his agreement with staff's assessment that the project is categorically exempt according to CEQA guidelines. He pointed out that it's impossible to distinguish whether units are condominiums or rentals simply by looking at them and voiced his opinion that condominiums are desirable because of the opportunity they provide for homeownership. He stated that while he empathizes with Ms. Barnard, he was reluctant to vote against a development that meets all standards and conforms to the architecture in the neighborhood based on the possibility that the area might qualify for historical status at some point in the future.

Ms. Barnard contended that the project only appears to be categorically exempt because staff did not take into account historic resources. She stated that the demolition of this structure would impact property values because it can be demonstrated that property values have dramatically increased in every area that has been declared historic by local governments.

Commissioner Uchima noted his agreement with Commissioner Horwich's remarks. He stated that a property owner has a right to develop his/her property in accordance with current zoning and regulations and he could not deny a project based on a potential historic district that has not been enacted.

Ms. Barnard stated that she was not asking that the project be denied, only that an EIR be required that considers historic resources on this street and in this area.

Deputy City Attorney Whitham advised that although there is a section of CEQA that addresses historic resources, since this particular structure has not been designated as a historic resource or recognized as such in any way, it would be premature to require it to comply with that section of CEQA.

In response to Commissioner Botello's inquiry, Deputy City Attorney Whitham reviewed the findings necessary for the approval of a Conditional Use Permit.

Mary Ann Reis, Engracia Avenue resident, stated that it would be a crime to tear down the existing structure and echoed Ms. Barnard's call for the preparation of an EIR.

Greg Robinson, Arlington Avenue resident, noted that his house was built in 1922 and that he loves the ambience of the neighborhood. He suggested that the lack of historical status was due to the City's ignorance and commented on the potential for fixing up older homes while maintaining their character and integrity. He contended that the splitting of the lot and increased density would have an adverse impact on the neighborhood by adding to parking and traffic problems and suggested that condominiums create an anti-social atmosphere.

Brenda Cope, Portola Avenue resident, reported that condominiums were built next door to her last year that have taken away her privacy and view of the sky. She voiced support for the preservation of the existing structure, contending that the proposed development would not benefit anyone other than the developer.

Don Barnard, Gramercy Avenue resident, urged the Commission to deny the project because the proposed development would change the character of the neighborhood.

Returning to the podium, Mr. Treman reported that he worked very hard to design a project that would complement the neighborhood. He noted that it is a mixed area with a lot of wonderful old houses, however, the house in question is not in the greatest condition. He disputed the idea that condominiums would adversely impact the neighborhood, suggesting that it was quite possible that two very nice families will move into the condominiums and interact with neighbors. With regard to density, he noted that the exact same project could be built without Commission approval if the units were not condominiums.

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

Noting that in order to approve a Conditional Use Permit, the Commission must make a finding that the proposed use will not impair the integrity and character of the neighborhood, Commissioner Botello indicated that he believed the project would interfere with the integrity of the neighborhood because this street was laid out by a famous architect to have single lots from Portola to the alley, with no driveways on Portola. He stated that he understood that only airspace was being divided, but pointed out that the newly created parcels would have separate addresses and property tax bills.

Chairperson Muratsuchi agreed, noting that one of the findings necessary for the Division of Lot states that the subdivision will be compatible with the existing neighborhood (Resolution No. 05-030, Item D). He stated that while the property owner has the right to develop the property with two or three units, the request to divide the lot goes a step further and he was hard-pressed to see how that would be compatible with the existing neighborhood.

Deputy City Attorney Whitham provided clarification regarding the necessary findings for approval of a Division of Lot, explaining that the applicable Code section, TMC §92.29.2, states that the Planning Commission must find the Division of Lot to be consistent with the City's General or Specific Plans.

At the Commission's request, Deputy City Attorney again reviewed findings necessary to approve a Conditional Use Permit, including that the proposed use is compatible with existing and proposed future land uses within the zoning district and that the proposed use will not impair the integrity and character of the zoning district in which it is to be located.

Commissioner Faulk commented on ongoing efforts to preserve historic structures in downtown Torrance and expressed the hope that this matter will be resolved. With regard to the compatibility issue, he stated that this Commission and previous Planning Commissions have approved condominium developments on this street and denying this project on that basis would be tantamount to placing a moratorium on condominiums in this part of downtown Torrance, which he was not prepared to do. He noted his disagreement with the argument that condominium owners were less likely to interact with neighbors. He stated that some of the condominium projects approved on this street have enhanced the neighborhood and others have been disappointing, including one he had a part in approving that did not meet his expectations, however, he was comfortable with the findings and would support the project as proposed.

Referring to Condition No. 6, requiring a landscape plan to be submitted utilizing drought resistant/xeriscape plant materials, Commissioner Faulk stated that he did not favor requiring xeriscape landscaping if it is a limiting factor in having nicely landscaped projects.

Commissioner LaBouff stated that he visited the site and the people with whom he spoke never mentioned the historical aspect of this property and that he would support the approval of projects that comply with development standards until it has been demonstrated that this is a historical area.

Sr. Planning Associate Lodan advised that the condominium project to which Commissioner Faulk referred has not had its final inspection and enhancement to the landscaping may still be required.

Chairperson Muratsuchi stated that he was not trying to establish a moratorium on condominiums, however, when considering whether this specific project is a step forward for this neighborhood or a step backward, he concluded that it would not be in the neighborhood's best interests and in that sense, was incompatible.

**MOTION:** Commissioner Botello moved to deny CUP05-00004 and DIV05-00002. The motion was seconded by Chairperson Muratsuchi and failed to pass as reflected in the following roll call vote:

AYES: Commissioner Botello and Chairperson Muratsuchi.  
NOES: Commissioners Faulk, Horwich, LaBouff and Uchima.  
ABSENT: Commissioner Drevno.

**MOTION:** Commissioner Faulk moved for the approval of CUP05-00004 and DIV05-00002, as conditioned, including all findings of fact set forth by staff. The motion was seconded by Commissioner Uchima and passed as reflected in the following roll call vote:

AYES: Commissioner Faulk, Horwich, LaBouff and Uchima.  
NOES: Commissioner Botello and Chairperson Muratsuchi.  
ABSENT: Commissioner Drevno.

Commissioner Horwich noted that he asked two years ago that the City Council take definitive action on the historic preservation issue but unfortunately that has not happened. He stated that he was dismayed and disturbed by comments that condominiums completely change neighborhoods and that they are anti-social.

Planning Assistant Naughton read aloud the number and title of Planning Commission Resolution Nos. 05-029 and 05-030.

**MOTION:** Commissioner Faulk moved for the adoption of Planning Commission Resolution Nos. 05-029 and 05-030. The motion was seconded by Commissioner Horwich and passed as reflected in the following roll call vote:

AYES: Commissioner Faulk, Horwich, LaBouff and Uchima.  
NOES: Commissioner Botello and Chairperson Muratsuchi.  
ABSENT: Commissioner Drevno.

The Commission recessed from 8:56 p.m. to 9:12 p.m., after which they resumed discussion of Item 9A.

**9A. PRE04-00033: SHADI SHENASI (ALLEN SHENASI)**

Mr. Shenasi reported that he was not able to resolve Ms. Nokes' concerns and agreed to continue the hearing to March 16, 2005.

**MOTION:** Commissioner Faulk moved to continue the hearing on PRE04-00033 to March 16, 2005. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Commissioner Drevno).

Chairperson Muratsuchi announced that the hearing would not be re-advertised because it was continued to a date certain.

**9D. SDP04-00015: ALISA ROSS**

Planning Commission consideration of an appeal of a Community Development Director approval of a Special Development Permit for the operation of a performance art studio (liturgical dance and musical theater), where dance, drama and voice classes will be provided to minors, along with ancillary retail located in the Downtown Redevelopment Project Area, Commercial Sector at 2005-2007 W. Carson Street.

**Recommendation**

Approval.

Acting Planning Manager Chun introduced the request.

Alisa Ross, Creative Expressions Academy, briefly discussed her proposal to operate a studio offering dance, drama and voice classes at this location. Referring to letters of complaint from neighbors regarding noise and traffic, she stated that she had no intention of allowing music to emanate out into the neighborhood and offered her assurance that she would inform parents about appropriate locations to drop off and pick up their children. She noted that she has had discussions with the businesses in the vicinity about the possibility of leasing 15 parking spaces. She provided background information about her experience, noting her former employment with the YMCA.

Joe Drenek, owner of the subject property, explained that the building has been used as a dance studio since 1961; that he purchased it in 1990 when it was occupied by Club 2005, a dance studio for adults; that this tenant caused problems for neighbors, which he became aware of only when they stopped paying the rent; and that the building has been vacant for the last 2½ years. He noted that in the 40+ years this building has housed a dance studio, Club 2005 was the only one that generated any complaints.

Tammy Morehart, 1695 Gramercy Avenue, stated that residents in the area have three concerns: 1) excessive noise from the dance studio, particularly in the summertime when doors are left open; 2) the lack of sufficient parking; and 3) students' safety as they travel to and from public parking on congested streets and alleyways, especially at night. She urged denial of the project because the property cannot accommodate this level of activity. She submitted photographs demonstrating the lack of parking and indicated that the dance studio's use of percussion instruments was of particular concern because they would reverberate throughout the neighborhood.

Russell Patera, Ms. Morehart's boyfriend, stated that he experienced the problems, along with Ms. Morehart, when Club 2005 occupied this location and maintained that benefit of the proposed studio was not worth the risk. He suggested that since this dance school will be catering to children, a safe loading and unloading zone is essential.

Ms. Ross explained that she has already investigated soundproofing materials should it become necessary to buffer the noise and that she was prepared to use taped music if the conga drums create a problem. She reported that she was initially concerned about the parking, but nearby businesses have expressed their willingness to allow her to use some of their parking and noted that there is public parking a block away. She indicated that she would caution all students/parents about traffic safety.

Commissioner Horwich stated that he felt student safety was less of an issue because it will still be daylight when the last class begins.

Responding to questions from the Commission, Mr. Drenk provided clarification regarding the location of windows/doors and the configuration of the rooms in the building and confirmed that it is air-conditioned.

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

Commissioner Botello recalled that the problem with Club 2005 was that it was operating more like a nightclub than a dance studio.

Building Regulations Administrator Segovia advised that that Club 2005 went way beyond the original approval and that there were problems with the on-site service of alcohol and overcrowding.

Chairperson Muratsuchi stated that he noticed that the building has a solid brick wall with no windows facing Ms. Morehart's property and that he was struck by the general noise level from Carson Street when he visited the site. Voicing support for the project, he stated any business at this location will impact residents, however, he thought the performance studio was a good compromise and that the programs offered would add diversity to the community.

**MOTION:** Commissioner Botello moved to deny the appeal and approve SDP04-00015, as conditioned. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Commissioner Drevno).

Commissioner Faulk stated that he did not believe the studio would have a negative impact on the area and felt it should be given a chance. He voiced his opinion that staff had done a good job of trying to mitigate the impact on neighbors by imposing a number of conditions, which will provide recourse should the studio become a nuisance.

Planning Assistant Naughton read aloud the number and title of Planning Commission Resolution No. 05-031.

**MOTION:** Commissioner Botello moved for the adoption of Planning Commission Resolution No. 05-031. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote (absent Commissioner Drevno).

**10. RESOLUTIONS**

None.

**11. PUBLIC WORKSHOP ITEMS**

Sr. Planning Associate Lodan and Acting Planning Manager Chun provided information about the upcoming General Plan Workshop

**12. MISCELLANEOUS ITEMS**

None.

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

None.

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

Sr. Planning Associate Lodan reviewed the agenda for the March 16, 2005 Planning Commission meeting.

**15. ORAL COMMUNICATIONS**

**15A.** Commissioner Horwich invited everyone to attend the Special Olympics kick-off dinner on Friday, March 4.

**15B.** Commissioner Horwich stated that he was proud that the Planning Commission has adopted a Code of Ethics in view of recent City Council meetings at which the integrity and political neutrality of at least one of the City's commissions has been challenged. He asked that a copy of the Code of Ethics be made available at all Planning Commission meetings along with the staff report.

Commissioners Fauk and Botello concurred with this request.

**16. ADJOURNMENT**

At 10:12 p.m., the meeting was adjourned to Wednesday, March 16, 2005, at 7:00 p.m.

Approved as Written May 4, 2005 s/ Sue Herbers, City Clerk
--