In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's office at (310) 618-2780. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. [28CFR35.102-35.104 ADA Title II]

The Planning Commission is an advisory body to the City Council that meets on the first and third Wednesdays of each month at 7:00 p.m. in the Council Chambers. All meetings are open to the public. No new items will be discussed after 11:00 p.m. If there are items remaining, they will be heard at the next regular meeting.

General Plan Amendments, Zone Changes and Variances require a public hearing before the Planning Commission and the City Council. They will automatically be submitted to City Council for hearing approximately 45 days after the Planning Commission hearing.

Actions of the Community Development Director or Planning Commission may be appealed by the applicant, City Council, City Manager, or other interested parties by filing a written notice of appeal along with the required appeal fee with the City Clerk within 15 days of the action.

Staff reports are attached to the agenda and available for review online. Questions or concerns may be directed to Planning & Environmental Manager, Oscar Martinez, at 310.618.5990. Agendas and Minutes are posted on the City of Torrance Home Page www.TorranceCA.Gov.

TORRANCE PLANNING COMMISSION AGENDA SEPTEMBER 15, 2021 REGULAR MEETING 7:00 P.M. COUNCIL CHAMBER AT 3031 TORRANCE BL.

PLANNING COMMISSION MAY TAKE ACTION ON ANY ITEM LISTED ON THE AGENDA

1. CALL MEETING TO ORDER

ROLL CALL: Commission members Anunson, Choi, Kartsonis, Pino, Rudolph, Tsao, Chairman Sheikh

2. FLAG SALUTE:

3. REPORT OF THE COMMUNITY DEVELOPMENT STAFF ON THE POSTING OF THE AGENDA The agenda was posted on the Public Notice Board at 3031 Torrance Bl. and on the City's Website on Thursday, September 9, 2021.

4. ANNOUNCEMENT OF WITHDRAWN, DEFERRED, AND/OR SUPPLEMENTAL ITEMS

5. ORAL COMMUNICATIONS (Limited to a 30 minute period)

This portion of the meeting is reserved for public comment on items on the agenda or on topics of interest to the general public. Under the Ralph M. Brown Act, Commissioners cannot act on items raised during public comment but may respond briefly to statements made or questions posed; request clarification; or refer the item to staff. Speakers under this Public Comment period will have no longer than 3 minutes per speaker. Your phone call to the Commission meeting will be recorded as part of the meeting. By staying on the line and making public comment during the meeting, you are agreeing to have your phone call recorded.

6. CONSENT CALENDAR

Matters listed under the Consent Calendar are considered routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired, that item will be removed by a Commissioner from the Consent Calendar and considered separately.

6A. Approval of Minutes:

7. ADMINISTRATIVE MATTERS

AGENDA ITEM NO. 8A

CASE TYPE AND NUMBER: Conditional Use Permit, CUP21-00012

NAME: Crystofer Wilson (Western Towne Plaza, LLC)

<u>PURPOSE OF APPLICATION</u>: Request for approval of a Conditional Use Permit to allow a take-out food and beverage establishment.

LOCATION: 1730 Sepulveda Boulevard Unit 9

ZONING: C-5 – Conditional Commercial District

ADJACENT ZONING AND LAND USE:

NORTH: R-1 – Single-Family Residential District, Single Family Residences

EAST: City of Los Angeles SOUTH: Railroad Right-Of-Way

WEST: C-5 – Food Distribution Warehouse

GENERAL PLAN DESIGNATION: General Commercial

COMPLIANCE WITH GENERAL PLAN: This site has a General Plan land use designation of General Commercial, which allows a maximum FAR of 0.6. The General Commercial designation is intended to permit a wide range of commercial uses that serve both community and regional needs. Regional shopping centers, professional and medical office projects, corridor commercial districts, food and beverage establishments, entertainment facilities, financial institutions, and automotive sales and repair operations are all permitted uses in the General Commercial areas. The proposed bakery and coffee shop is consistent with the General Commercial land use designation.

EXISTING IMPROVEMENTS AND/OR NATURAL FEATURES: The subject site is currently developed as a commercial plaza, featuring a one-story multi-tenant commercial building, originally built in 1976.

ENVIRONMENTAL FINDINGS: Minor alterations and licensing of existing facilities are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act, Section 15301.

BACKGROUND AND ANALYSIS:

The subject property is located on the south side of Sepulveda Boulevard west of Western Avenue. The site was originally developed as a retail specialty building in 1976. In July of 1974, the Planning Commission approved a Conditional Use Permit (CUP74-36) and in August, the City Council issued the final approval of CUP74-36 allowing the construction of a 22,000 square-foot retail shopping center. The subject space, Unit 9, is located relative to the center of the building. City records show the building has had and/or currently has restaurant uses including yogurt, Korean BBQ, Ramen and Spires.

The applicant is requesting to operate a take-out food and beverage establishment. A Conditional Use Permit is required to allow the use.

The 797 square foot space will feature a front public customer area, food & drink preparation and service area, hallway, and restroom at the rear. The front public customer area will be located approximately 11'-6" from the storefront. The hallway leading to the restroom at the rear of the unit

will be approximately 10 feet wide. The proposed hallway width would allow for tables and seating to be provided for customers to use. The submitted floor plan shows a total number of 3 tables and 12 seats to be provided on site. However, recently adopted parking standards allow takeout food establishments to have the same parking ratio as the retail use that is one parking space per 250 square feet as long as the proposed food establishment provide no more than 9 seats and is less than 2,000 square feet. After discussing with staff, the applicant has agreed to reduce the number of seating on site to 9 which would allow the proposed establishment to utilize the retail parking ratio described above. A condition of approval has been included to that effect. Records indicate that this space was previously used as a dry cleaner which provides the same parking ratio. Based on the current occupancy rates and the types of current business tenants, the shopping center has sufficient parking spaces to accommodate the proposed take-out food and beverage establishment.

According to the Project Narrative (Attachment #3), the product offer will include healthy meal smoothies, energizing teas, protein coffees and protein snacks. Services also include nutrition coaching and use of products sold on site to help customers to lose weight, gain healthy weight and or increase their energy. The business establishment will be staffed with a maximum of four employees at any given time during business hours and the proposed hours of operation are Monday–Saturday, 7am–5pm, close Sundays.

Staff conducted a site visit of the subject property and noted the existing parking striping meets today's standards and in a satisfactory condition. The existing trash enclosure located at the north end of the commercial building has a solid roof structure in compliance with the NPDES requirements. The current on-site landscape areas are well maintained.

The request for the operation of a take-out food and beverage establishment is compatible with the retail plaza and surrounding development and there is no net increase in parking. The project is consistent with the orderly development of the City as provided for in its General Plan, which designates the site as General Commercial. For these reasons, staff recommends approval of the request as conditioned.

The applicant is advised that a partial list of Code requirements has been included as an attachment to the staff report, and is not subject to modification by the Planning Commission.

PROJECT RECOMMENDATION: APPROVAL

FINDINGS OF FACT IN SUPPORT OF APPROVAL OF THE REQUEST:

Findings of fact in support of the subject request are set forth in the attached Resolution.

RECOMMENDED CONDITIONS IF THE PROJECT IS APPROVED:

Recommended conditions of the subject request are included in the attached Resolution.

Peerapol Sure, AICP

Planning Assistant

Respectfully submitted,

Oscar Martinez

Planning and Environmental Manager

Attachments:

Prepared by

1. Resolution

2. Location and Zoning Map

3. Project Narrative

4. Code Requirements

5. Site Plan and Floor Plan (Limited Distribution)

CDD RECOMMENDATIONS – 9/15/21 AGENDA ITEM NO. 8A CASE NO. CUP21-00012

PLANNING COMMISSION RESOLUTION NO. 21-049

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A TAKE-OUT FOOD AND BEVERAGE ESTABLISHMENT ON PROPERTY LOCATED IN THE C-5 ZONE AT 1730 SEPULVEDA BOULEVARD UNIT 9.

CUP21-00012: CRYSTOFER WILSON (WESTERN TOWNE PLAZA, LLC)

WHEREAS, the Planning Commission of the City of Torrance at its meeting of September 15, 2021, conducted a duly noticed public hearing to consider an application for a Conditional Use

Permit filed by Crystofer Wilson to allow a take-out food and beverage establishment on property located in the C-5 Zone at 1730 Sepulveda Boulevard, Unit 9; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 5, Article 1 of the Torrance Municipal Code; and

WHEREAS, minor alterations and licensing of existing facilities are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act, Section 15301; and

WHEREAS, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the property for this Conditional Use Permit is located at 1730 Sepulveda Boulevard, Unit 9.
- b) That the property is described as a Partition Map of The Rancho Los as recorded in Book 15 Page 22 of Maps Record in the Office of the County Recorder of Los Angeles County;
- a) That the proposed take-out food and beverage establishment is conditionally permitted within the C-5 Zone and complies with all applicable provisions of this Division, as conditioned;
- b) That the proposed use will not impair the integrity and character of the C-5 Zone because a take-out food and drink establishment is consistent with the commercial plaza and the surrounding commercial uses in the zone and area;
- c) That the subject site is physically suitable for the type of land use being proposed because the project is located within a commercial plaza with various commercial uses and there is no net increase in parking;
- d) That the proposed use is compatible with the land use presently on the subject property because the commercial plaza features food, retail and service uses and there is no net increase in parking;

- e) That the proposed use will be compatible with existing and proposed future land uses within the C-5 Zone and the general area in which the proposed project is to be located because a take-out food and drink establishment is compatible with other uses permitted within the Zone;
- f) That the proposed use will encourage and be consistent with the orderly development of the City as provided for in its General Plan, which designates the site as General Commercial, as food and beverage establishments are consistent uses with the General Commercial designation and there is no net increase in parking;
- g) That the proposed use will not discourage the appropriate existing or planned future use of surrounding properties or tenancies because a take-out food and drink establishment is compatible with the existing uses and the planned future uses of surrounding properties and there is no net increase in parking;
- h) That there will be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed development is not detrimental to public health and safety;
- i) That there will be adequate provisions for public access to serve the proposed use, because the project shall maintain and not disrupt all existing pedestrian walkways and vehicular access points on Sepulveda Boulevard and Western Avenue;
- j) That the proposed location, size, design, and operating characteristics of the proposed use would not be detrimental to the public interest, health, safety, convenience or welfare, or to the property of person located in the area;
- k) That the proposed use will not produce any or all of the following results:
 - Damage or nuisance from noise, smoke, odor, dust or vibration,
 - Hazard from explosion, contamination or fire,
 - Hazard occasioned by unusual volume or character of traffic or the congregating of large numbers of people or vehicles;

WHEREAS, the Planning Commission by the following roll call vote APPROVED CUP21-00012, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS:

RECUSED: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that CUP21-00012 filed by Crystofer Wilson (Western Towne Plaza, LLC) to allow a take-out food and drink establishment on property located in the C-5 Zone at 1730 Sepulveda Boulevard, Unit 9, is hereby APPROVED subject to the following conditions:

1. That the development and use of the subject space as a take-out food and beverage establishment shall be subject to all conditions imposed in CUP21-00012 and any amendments

thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established or constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;

- 2. That if this Conditional Use Permit is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period of time as provided for in Section 92.27.1;
- 3. That the subject operation shall be limited to take-out with a maximum of 9 seats. Any future request for expansion of service shall be subject to Planning Commission review and approval; (Planning)
- 4. That the applicant shall submit an updated floor plan at the time of plan check and prior to issuance of permits; (Planning)
- 5. That there shall be no outdoor or exterior tables and chairs, seating areas, telephones, newspaper racks/magazine stands, independent speakers/sound system, vending machines, kiosks, storage containers, unattended collection boxes, etc. permitted onsite, for the site. Outdoor storage of equipment/products/inventory shall be prohibited; (Planning)
- 6. That all persons associated with the operation of the use shall be required to park onsite, including customers, clients, employees, deliveries, etc.; (Planning)
- 7. That the business name and address shall be visible from street, and that hours of operation shall be visible at or near the business entrance; (Police/Planning)
- 8. That 4-foot tall address numerals shall be painted on rooftop for aerial identification; (Police/Planning)
- 9. That the applicant shall provide 9" (minimum) contrasting address numerals for non-residential uses; (Environmental)
- 10. That prohibited signage for this use shall include: A-framed or portable signs; bow or flag banners; air-assisted signs; signs attached to light or utility poles, vehicles, trees or other landscape; persons holding signs and temporary signage mounted to the roof of the building; (Environmental)
- 11. That All signs (new, modified or revised) must be approved by the Environmental Division with appeal rights to the Planning Commission, or comply with the previously approved sign program; and (Environmental)
- 12. That the applicant shall install on-site bicycle racks and submit placement plan and bicycle rack detail to the satisfaction of Environmental Division; (Environmental)

	conditions of all other City departments received prior to or during the consideration of by the Planning Commission shall be met.
	Introduced, approved and adopted this 15th day of September 2021.
ATTEST:	Chairman, Torrance Planning Commission
Secretary, To	orrance Planning Commission

STATE OF CALIFORNIA)	
COUNTY OF LOS ANGELES)	SS
CITY OF TORRANCE	

I, OSCAR MARTINEZ, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 15th day of September 2021, by the following roll call vote:

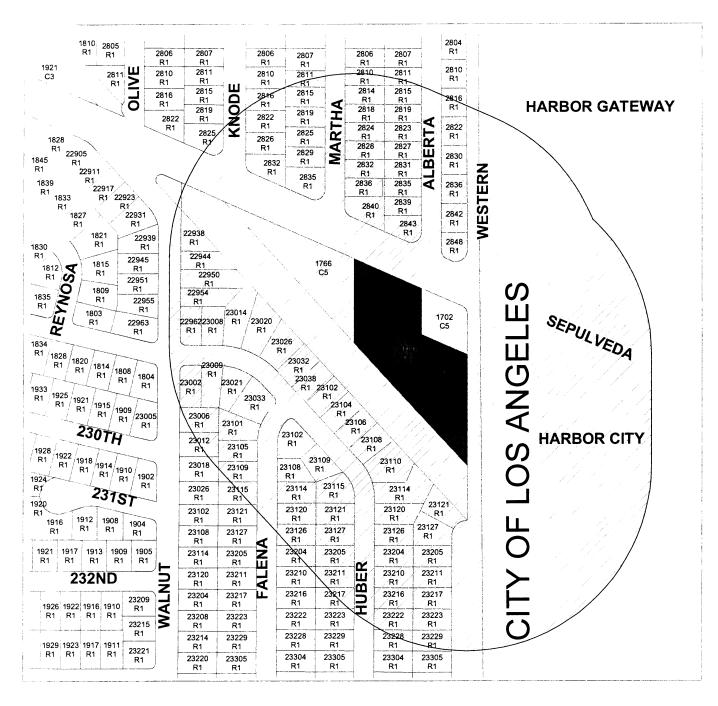
AYES: COMMISSIONERS:

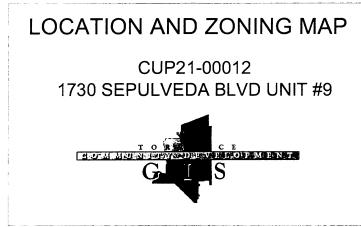
NOES: COMMISSIONERS

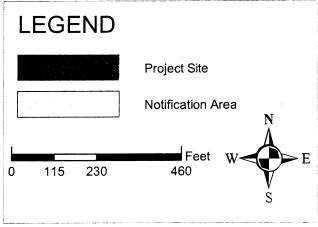
ABSENT: COMMISSIONERS:

RECUSED: COMMISSIONERS:

Secretary, Torrance Planning Commission







Prepared using City of Torrance Community Development Geographic Information System Danny E. Santana, Community Development Director

Charged Up Nutrition Executive Summary

Product & Service

Charged Up Nutrition provides healthy meal smoothies, energizing teas, protein coffees and protein snacks. Perfect for the on-the-go customer as well as anyone looking to live a healthy lifestyle. Charged Up Nutrition also provides nutrition coaching and uses the same nutrition products offered at the shop to help their customers to lose weight, gain healthy weight and/or increase their energy.

Customers

The target audience for Charged Up Nutrition is adults, specifically those looking to get healthy. These can be people who want to lose weight, support their athletic performance, want more energy or simply want a healthy alternative for breakfast or lunch. Majority will be women, men and some kids.

Mission Statement

To offer delicious tasting smoothies and high energy drinks that help people look and feel amazing!

CODE REQUIREMENTS

The following is a partial list of Code requirements applicable to the proposed project. All possible Code requirements are not provided here and the applicant is strongly advised to contact each individual department for further clarification. The Planning Commission may not waive or alter the Code requirements. They are provided herewith for information purposes only.

Building and Safety:

- Comply with 2019 California Codes and Torrance Ordinances.
- Obtain Los Angeles County Health Department approval.

Environmental:

- Lot sweeping, deliveries and trash pick-up are prohibited between 10 P.M. And 7 A.M. per Torrance code(92.30.4)
- The Van Accessible loading area shall be at least 8 feet wide and the words "NO PARKING" shall be painted on the ground within each loading access aisle in white lettering no less than 12 inches high and located so that it is visible to traffic enforcement officials
- Direct lighting away from residential land uses per Torrance code(92.30.5)
- Double-line stripe all parking spaces per Torrance code (93.4.6)
- Screen all roof equipment from public view per Torrance code(92.30.2)

Fire:

• 2A10BC Fire Extinguishers shall be mounted.

AGENDA ITEM 8B

CASE TYPE AND NUMBER: Modification – MOD21-00004

APPLICANT: Chiun-Gwo Simon Hsu

<u>PURPOSE OF APPLICATION</u>: Request for approval of a Modification of previously approved Precise Plan (PP81-26) to allow the construction of a new third-floor balcony to an existing three-story single-family residence, on property located within the Hillside Overlay District in the R-1 Zone.

LOCATION: 4138 Mesa Street

ZONING: R-1 Single Family Residential District / Hillside Overlay District

ADJACENT ZONING AND LAND USE:

NORTH: R-1 Hillside Overlay District, Two-Story Single Family Residence SOUTH: R-1 Hillside Overlay District, Three-Story Single Family Residence

EAST: R-1 Hillside Overlay District, One and Two-Story Single Family Residences WEST: R-1 Hillside Overlay District, One and Two-Story Single Family Residences

GENERAL PLAN DESIGNATION: Low Density Residential

COMPLIANCE WITH GENERAL PLAN: The subject property has a General Plan Land Use Designation of Low Density Residential, allowing up to nine dwelling units per acre. Development in the Low Density Residential land use designation is characterized generally by detached one and two-story single family residences on individual lots forming a cohesive neighborhood. The proposed construction of a third-floor balcony to an existing three-story single-family residence is consistent with the land use designation.

EXISTING IMPROVEMENTS AND/OR NATURAL FEATURES: The subject property contains a three-story single-family residence with an attached semi-subterranean garage constructed in 1974 and features a slope which descends in elevation from the rear yard towards the front yard. In 1981, the Planning Commission approved a Precise Plan of Development (PP81-26) to allow a 705 square foot second story addition.

ENVIRONMENTAL FINDINGS: The proposed construction of a third-floor balcony to an existing three-story single-family residence is Categorically Exempt by the 2021 Guidelines for Implementation of the California Environmental Quality Act, Article 19, Section 15301.

ANALYSIS:

The applicant requests approval of a Modification of a previously approved Precise Plan of Development (PP81-26) to allow a third-floor balcony to an existing three-story single-family residence. The proposed third floor balcony involves new construction above 14' in height and is subject to the development standards of the Hillside Overlay District and the R-1 Zone.

The subject property is situated on a rectangular shaped lot measuring 6,855 square feet in area with the front of the property oriented northeast, on the southwest side of Mesa Street. Properties located on the southwest side of Mesa Street descend in elevation from the rear yard towards the front yard with the building pads of inline residences at approximately the same elevation and lower in elevation than the abutting properties to the rear on Paseo de las Tortugas.

Per Staff's calculations, the proposed front facing third-story balcony measures approximately 57 square feet in area and is accessed from the master bedroom via a new sliding glass door. The third floor plan, shows the balcony dimensions at 13.5' wide by 4.25' deep and features a by 3.5' tall tempered glass railing. The new sliding glass door will measure 6' wide by 6.66' tall. Additionally, the applicant proposes to replace the wood railing on the two existing front facing balconies located at the second floor living room and third floor bedroom with matching tempered glass railing to create a cohesive appearance. Staff notes the balcony is open on three sides, therefore does not increase the total floor area of the existing residence. The applicant is also not proposing changes to the existing height, setbacks or footprint of the residence as part of the subject request. Staff is recommending a condition that the applicant relocate the washer and dryer from the garage as the Torrance Municipal Code requires a minimum 18'x20' interior clear dimensions with no encroachments.

As previously mentioned, the proposed balcony is located on the third-floor along the front façade of the residence. The tempered glass railing for the balcony measures 3.5' from base to top with a maximum elevation height of 25.89' (127.94') as measured from the lowest adjacent grade located at the front (northeast) of the residence (102.05'). The new balcony will provide a 6' side yard setback and a 17' minimum front yard setback. Balconies are an allowed encroachment, up to 4', into the front setback if unenclosed on three sides. Staff notes that there is a slight discrepancy between the third floor plan and the plot plan as the third floor plan shows the balcony extending beyond the existing side of the house and the plot plan shows it flush with the house. A condition of approval is being recommended that balcony shall be flush with the house and not extend beyond the existing setback of 6'.

The Torrance Municipal Code requires a side yard setback of 10% of the lot width of 64' which staff calculates at 6.4' when measured at the midpoint of the lot. Section 91.41.12 allows for a Waiver and Precise Plan (Modification of the Precise Plan in this case) to be processed as a single matter when both are necessary. In the judgment of staff, a Waiver to allow the reduction of the side setback for the balcony meets the criteria for approving a Waiver. Granting this Waiver will not substantially interfere with the orderly development of the City because an existing lower level balcony currently exists at the same setback of 6' and the new balcony will match the current lower level balcony setback, as conditioned. Furthermore, the reduction is not for the purposes of adding floor area and the use as a single-family residence will not change.

The Hillside Overlay District requires the Planning Commission make a series of findings relating to the planning and design of the proposed third floor balcony addition and the potential to have a substantial adverse impact on the view, light, air, and privacy of properties in the vicinity. The applicant has responded to this requirement in the Hillside Ordinance Criteria Response (Attachment 3). The applicant was also required to construct a silhouette of the proposed addition to demonstrate potential impacts (Attachment 4). A licensed engineer has verified the height of the silhouette and staff conducted a field assessment.

During the field assessment, staff attempted to contact seven neighboring property owners. Staff spoke directly to the homeowner of 4202 Mesa Street who did not express concern in regards to potential impacts resulting from the project. The homeowners were not present at the following six addresses, therefore business cards were left: 4126, 4132, 4133, 4137, 4141, and 4144 Mesa Street. The applicant has provided correspondence from neighbors supporting the project (Attachment 6). As of the preparation of this report, Staff has not received correspondence related to the project.

CDD RECOMMENDATION – 09/15/2021 AGENDA ITEM 8B CASE NO. MOD21-00004 In the judgment of staff, the subject request conforms to the planning and design provisions of the Hillside Overlay District, and would not have a substantial adverse impact on the view, light, air, and privacy of other properties in the vicinity. The proposed balcony will provide high quality finishes and conforms to the existing architectural style of the residence that maintains compatibility with surrounding homes in the vicinity. Staff notes that the proposed third-floor balcony is in keeping with the previously approved Precise Plan of Development (PP81-26) as it does not increase the height, FAR and balconies are an allowed encroachment into the front setback. For these reasons, staff recommends approval of the request, as conditioned.

The applicant is advised that Code requirements have been included as an attachment to the staff report and are not subject to modification (Attachment 5).

PROJECT RECOMMENDATION: APPROVAL

FINDINGS OF FACT IN SUPPORT OF APPROVAL OF THE PROJECT:

Findings of fact in support of approval are set forth in the attached Resolution.

RECOMMENDED CONDITIONS, IF PROJECT IS APPROVED:

Recommended conditions are set forth in the attached Resolution.

Prepared by,

Respectfully submitted,

Aaron Whiting

Planning Assistant

an who

Oscar Martinez

(9-cf)

Planning and Environmental Manager

Attachments:

- 1. Planning Commission Resolution
- 2. Location and Zoning Map
- 3. Hillside Ordinance Criteria Response
- 4. Silhouette Certification
- 5. Code Requirements
- 6. Correspondence from the Applicant
- 7. Site Plan, Floor Plans, and Elevations (Limited Distribution)

PLANNING COMMISSION RESOLUTION NO. 21-050

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A MODIFICATION OF A PRECISE PLAN OF DEVELOPMENT (PP81-26) AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A NEW THIRD-FLOOR BALCONY TO AN EXISTING THREE-STORY SINGLE-FAMILY RESIDENCE, ON PROPERTY LOCATED WITHIN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 4138 MESA STREET.

MOD21-00004: CHIUN-GWO SIMON HSU

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on September 15, 2021, to consider an application for a Modification of a Precise Plan of Development (PP81-26) filed by Chiun-Gwo Simon Hsu to allow the construction of a new third-floor balcony to an existing three-story single-family residence, on property located within the Hillside Overlay District in the R-1 Zone at 4138 Mesa Street; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof, all in accordance with the provisions of Division 9, Chapter 1, Article 41 of the Torrance Municipal Code; and

WHEREAS, the proposed construction of a new third-floor balcony to an existing three-story single-family residence is Categorically Exempt by the 2021 Guidelines for Implementation of the California Environmental Quality Act, Article 19, Section 15301; and

WHEREAS, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the property is located at 4138 Mesa Street:
- b) That the property is described as Lot 22 of Tract 30301 as per map recorded in the Office of the Los Angeles County Recorder, State of California:
- c) That the proposed construction of a new third-floor balcony to an existing three-story single-family residence, as conditioned, complies with the objective development standards of the R-1 Zone and is consistent with the Low Density Residential designation of the Land Use Element of the General Plan of the City of Torrance;
- d) That the proposed construction of a new third-floor balcony to an existing three-story single-family residence, as conditioned, will not have a substantial adverse impact upon the view, light, air and privacy of other properties in the vicinity because the proposed third-floor balcony will not increase the height, lot coverage or floor area ratio of the existing residence, as the existing building footprint will remain the same;
- e) That the proposed construction of a new third-floor balcony to an existing three-story single-family residence, as conditioned, has been located, planned, and designed so as to cause the least intrusion on the views, light, air and privacy of other properties in the vicinity because the proposed third-floor balcony will use a clear tempered glass railing to reduce the potential to create a visual impact from the front of the residence and that the existing footprint of the residence will remain the same:

- f) That the design of the proposed third-floor balcony to an existing three-story single-family residence, as conditioned, provides an orderly and attractive development in harmony with other properties in the vicinity because the proposed third-floor balcony features a contemporary architectural style that matches the existing residence and that the wood railing on the existing two front facing balconies will be replaced with tempered glass railing to match and create a cohesive design:
- g) That the design of the proposed third-floor balcony to an existing three-story single-family residence, as conditioned, will not have a harmful impact upon the land values and investment of other properties in the vicinity because the new third-floor balcony will not increase the height or footprint of the existing residence and features a similar architectural style to other residences in the vicinity;
- h) That granting such application, as conditioned, would not be materially detrimental to the public welfare and to other properties in the vicinity because the proposed addition complies with the objective development standards of the R-1 Zone, conforms to the planning and design provisions of the Hillside Overlay District, is consistent with the Low Density Residential designation of the Land Use Element of the General Plan of the City of Torrance, and is in keeping with the previously approved Precise Plan of Development (PP81-26);
- That the proposed construction of a new third-floor balcony to an existing three-story single-family residence, as conditioned, would not cause or result in a substantial adverse cumulative impact on other properties in the vicinity because the proposed addition complies with the objective development standards of the R-1 Zone, conforms to the planning and design provisions of the Hillside Overlay District, is consistent with the Low Density Residential designation of the Land Use Element of the General Plan of the City of Torrance, and is in keeping with the previously approved Precise Plan of Development (PP81-26);
- j) That granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity because the proposed residence complies with all zoning development standards with the exception of the side yard setback for the balcony. The proposed reduction of the side yard setback for the third floor balcony will cause no additional hazards, including traffic or fire hazards, the reduction is not for the purposes of adding floor area, the use as a single-family residence will not change and an existing lower level balcony currently exists at the same setback of 6' and the new balcony will match the current lower level balcony setback; and
- k) That there are unreasonable difficulties resulting from strict enforcement of the side yard setback requirement for the proposed third floor balcony because the substandard setback is a result of the existing location of the residence; and
- That the reduced side yard setback will not be materially detrimental to the public welfare because the proposed third floor balcony meets all other setback requirements and is within the floor area ratio and lot coverage requirements; and
- m) That the reduced side yard setback will not substantially interfere with the orderly development of the City because the use as a single family residence will not change, the proposed structure is in character with the surrounding properties and it will conform to the General Plan land use designation. Additionally, the completed project will comply with all other code requirements for a single family residence; and

WHEREAS, the Planning Commission by the following roll call votes APPROVED MOD21-00004, subject to conditions:

AYES: COMMISSIONERS: NOES: COMMISSIONERS: ABSENT: COMMISSIONERS: ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that MOD21-00004, file by Chiun-Gwo Simon Hsu to allow a Modification of Precise Plan of Development (PP81-26) to allow new third-floor balcony to an existing three-story single-family residence, on property located within the Hillside Overlay District in the R-1 Zone at 4138 Mesa Street, on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

- 1. That the use of the subject property for a single family residence shall be subject to all conditions imposed in Modification 21-00004; and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established or constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
- 2. That if Modification 21-00004 is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Community Development Director for an additional period as provided for in Section 92.27.1;
- 3. That all applicable conditions of Precise Plan of Development 81-26 and subsequent land use entitlements shall be met; (Planning)
- 4. That a copy of Planning Commission Resolution No. 21-050 shall be included on a sheet within the building plan set prior to issuance of the building permit; (Planning)
- 5. That the maximum height of the proposed third-floor balcony at the highest point shall not exceed 25.89' as represented by a survey elevation of 127.94' based on the lowest adjacent grade of 102.05' located at the front (northeast) of the residence, based on a bench mark elevation of 99.58' (located at the northwest corner of the property), as shown on the official survey map on file with the Community Development Department; (Planning)
- 6. That the height of the proposed third-floor balcony shall not exceed 25.89' in height to the top of rail and shall be certified by a licensed surveyor/engineer prior to requesting a final inspection who verifies the top of rail height and design remains consistent with the elevation heights approved by the Planning Commission, as represented by the survey elevation of 127.94' and a lowest adjacent grade of 102.05' located at the front (northeast) of the residence, as shown on the official survey map on file with the Community Development Department; (Planning)
- 7. That the third floor balcony shall be flush with the side of the house and provide a minimum setback of 6'; (Planning)
- 8. That the applicant shall relocate or remove the washer and dryer in the garage so as to not encroach into the required 18'x20' interior clear garage dimensions; (Planning)

- 9. That the silhouette shall remain in place for at least 15 days through the appeal period, but no more than 45 days after the final public hearing to the satisfaction of the Community Development Director; (Planning)
- 10. That within 30 days of the final public hearing, the applicant shall return the City's "Public Notice" sign and stake, provided there is no appeal, to the satisfaction of the Community Development Director; and (Planning)
- 11. That all conditions of all other City departments received prior to or during the consideration of this case by the Planning Commission shall be met.

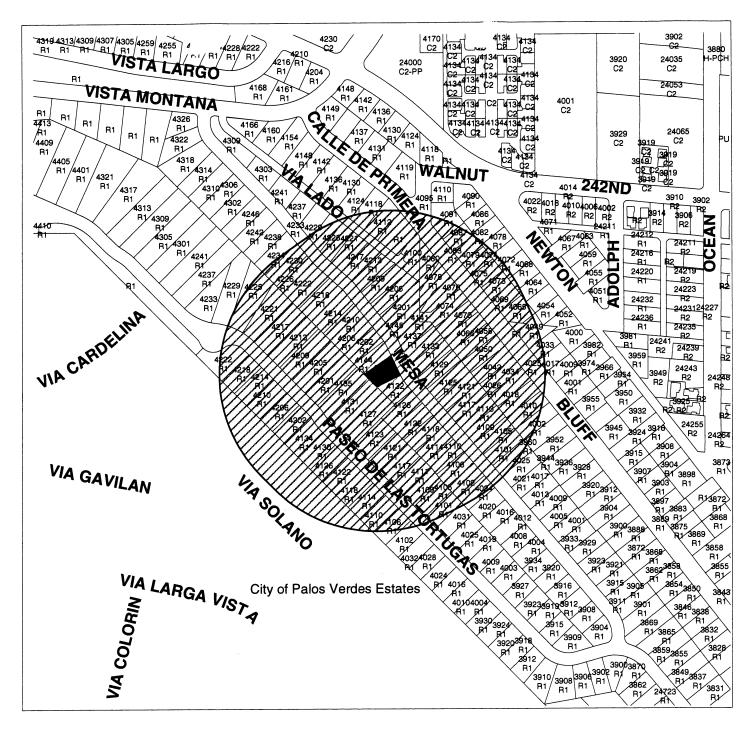
of this case by the Planning Commission sha	iii be met.
Introduced, approved, and adopted this 15th day o	f September 2021.
	Chairman, Torrance Planning Commission
ATTEST:	
Secretary, Torrance Planning Commission	

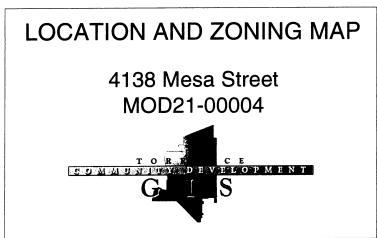
STATE OF CALIFORNIA) COUNTY OF LOS ANGELES) ss CITY OF TORRANCE)

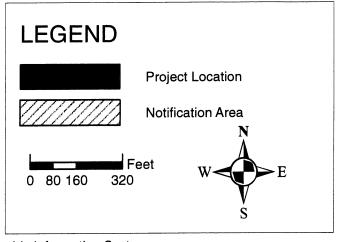
I, OSCAR MARTINEZ, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 15th day of September 2021 by the following roll call vote:

AYES: COMMISSIONERS: NOES: COMMISSIONERS: ABSENT: COMMISSIONERS: ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission







Prepared using City of Torrance Community Development Geographic Information System Danny E. Santana, Community Development Director

CITY OF TORRANCE - COMMUNITY DEVELOPMENT DEPARTMENT

TO BE SUBMITTED WITH HILLSIDE PRECISE PLAN APPLICATION	PRE

GIVE FACTS TO SUBSTANTIATE THE FOLLOWING CRITERIA BY WHICH THE PLANNING COMMISSION MAY GRANT THIS HILLSIDE PRECISE PLAN. IT IS MANDATORY THAT THESE CRITERIA BE MET BEFORE THE CITY MAY LEGALLY GRANT A HILLSIDE PRECISE PLAN: AND, IT IS INCUMBENT UPON THE APPLICANT TO PROVE TO THE SATISFACTION OF THE CITY THAT THE CRITERIA ARE MET: (To be completed by all applicants)

1. Planning and Design (91.41.6)

a. The following facts demonstrate that the proposed development will not have an adverse impact upon the view, light, air and privacy of other properties in the vicinity:

The proposed balcony has no adverse impact to neighbors on the north side of Mesa St as their panoramic view is on the rear side of their properties, opposite of the project. It has no adverse impact to the neighbors on the south side as they will see the same

side view of the subject property before and after the improvement due to an existing balcony of the same size and elevation. It has minimal impact to the neighbor (4144 Mesa St) immediately adjacent to the proposed balcony, which will be mostly above their roof line.

In addition, the project building has a 20 ft setback from the street, 10 ft farther than the neighbor's 10 ft setback. The new balcony will not block the neighbor's side window and be quite far away from the pedestrian sidewalk. The owner obtained signatures from all adjacent

neighbors in supporting the proposed project. The neighbors were able to visualize the new balcony using the existing balcony of the same size and elevation. An example of glass railing balcony at 4230 Mesa St was shown to them (see attachment).

b. The following planning, design and locational considerations will insure that the proposed development will cause the least intrusion on the views, light, air, and privacy of other properties in the vicinity:

The proposed new balcony will be the same size and elevation of the existing 3rd floor balcony. It creates a symmetrical front view.

The side view will look exactly the same before and after the completion of the proposed project. As described above, it poses

no intrusion to the neighbors. It also has sufficient setback from public right-of-way and has no interference with the public.

C.	and attractive development in harmony with other properties in the vicinity:
The	symmetrical size and location of the new balcony was carefully considered to match the existing 3rd floor balcony.
The	proposed tempered glass railing will aesthetically enhance the existing and new balconies and improve the overall
appe	arance of the property.
William Control	
d.	The following aspects of the design insure that the development will not have a harmful impact upon the land values and investment of other properties in the vicinity:
The	aesthetical enhancement of the balconies along with outdoor landscape improvements (not part of this application),
pleas	ses the supporting signatory neighbors who believe the neighborhood land values will benefit from the proposed improvement
e.	Granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity for the following reason (s):
reside	ence with no change to interior living space nor the lot coverage. It does not change the occupancy of the dwelling and
does	not impact local traffic flow.
f.	The proposed development will not cause or result in an adverse cumulative impact on other properties in the vicinity, for the following reasons:
Similar	to the reason above, the proposed project will be an aesthetical enhancement that improves neighborhood appearance
and lan	of values. There is no change to living space, lot coverage, dwelling unit, and traffic pattern. There should have no
adverse	e cumulative impact at all.

3. (To b area d	e com	ATION IN INCREASE IN BUILDING SPACE LOT COVERAGE (91.41.11) pleted by applicant for a Precise Plan that would increase the interior floor building to more that 50% of the area of the lot.)
	a.	Denial of this application would constitute an unreasonable hards hip for the following reason (s):
	Not app	licable. The proposed balcony will not increase the interior floor area.
	v-mittalina inchi	
	b.	Granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity for the following reason (s):
	Not appli	cable
,		,
	С	ITY OF TORRANCE - COMMUNITY DEVELOPMENT DEPARTMENT

01/2004



)9/02

City of Torrance, Community Development Department Danny E. Santana, Director 3031 Torrance Blvd., Torrance, CA 90503 (310) 618–5990 Fax: (310) 618–5829

Height and Location Certification

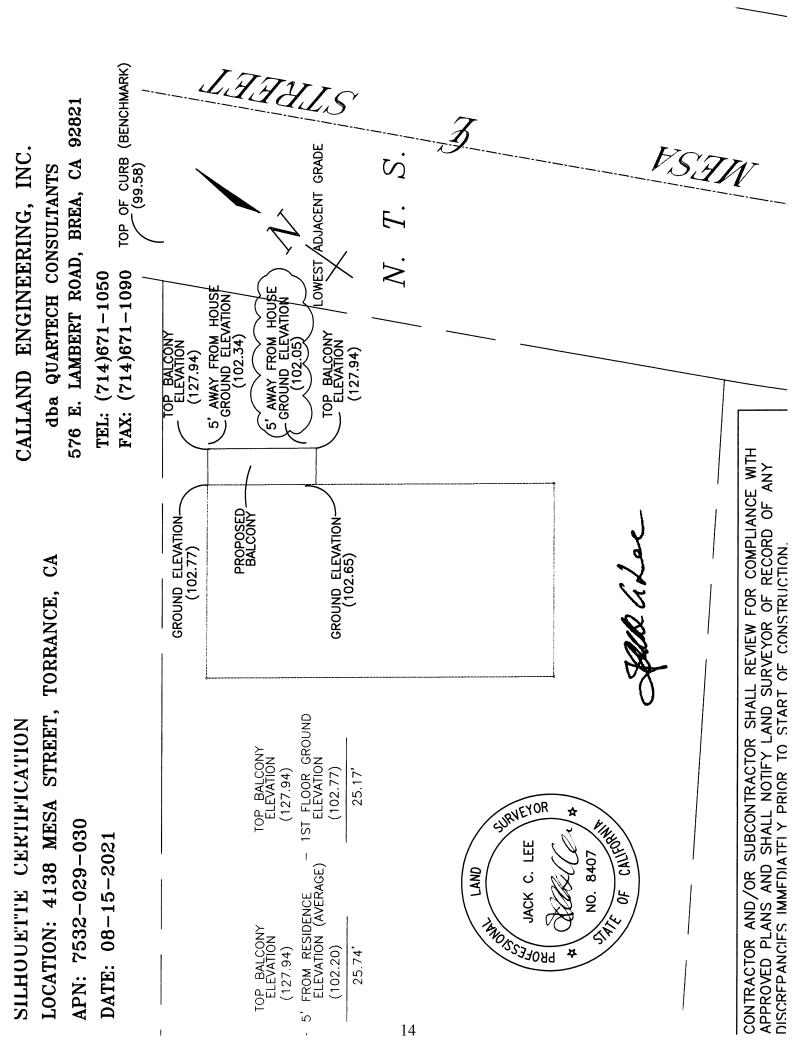
The survey must be performed by a licensed land surveyor or civil engineer and should be accompanied by a map which shows the location of the bench mark and the locations where the measurements were taken.

The map should also show the location of existing and proposed structures.

SILHOUETTE CERTIFICATION		
I have surveyed the silhouette located at4138 Mesa Street, Torrance, Ca(address)		
on <u>08-14-2021</u> (date)	, based on plans submitted	d to the City of Torrance
by <u>H&C Design Group, Inc.</u> (applicant/architect)	on 6-30-2021 (date)	. The survey was taken
from a bench mark located at5' NORTH	OF TOP OF CURB ON DR (address)	IVEWAY
(attached map) which established a base ele-	vation of 99.58'	·
The ridge line/highest point of the balcony v	was determined to have an	elevation of 127.94'
The plans indicate that the elevation should	be <u>127.94'</u>	•
I certify that I have measured the location of pertinent features located on the subject property. Based on the plans submitted to the Community Development Department, I have verified that the silhouette/construction accurately represents the proposed structure in terms of <u>height</u> , <u>building envelope</u> , location on the site, and all setbacks.		
		OFFICIAL STAMP
Jack Lee Name (please print)	LS 8407 LS/RCE#	AND SUPPLIES
Alla alle	714-671-1050	* BB
SIGNATURE	PHONE	OF CALIFORNIA
	08-15-2021 DATE	
Totes:		

13

ATTACHMENT 4



CODE REQUIREMENTS

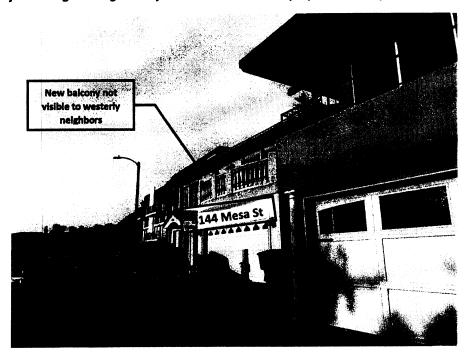
The following is a partial list of Code requirements applicable to the proposed project. Not all possible Code requirements are provided here and the applicant is strongly advised to contact each Department/Division for further clarification. The Planning Commission may not waive or alter Code requirements. They are provided for information purposes only.

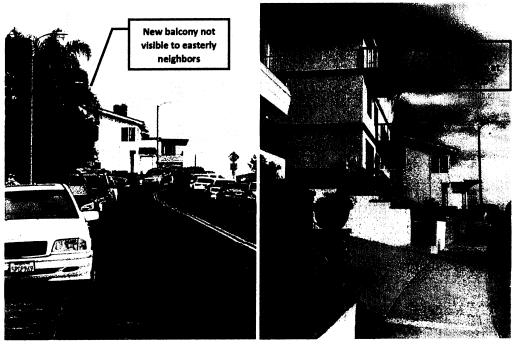
ENGINEERING

- An Encroachment Agreement is required from the Community Development Department for existing planters which encroaches into the 5' wide planting and utility easement behind the existing sidewalk. No agreement is required if encroaching structure is removed from the planting and utility easement. Contact the Engineering Division of the Community Development Department for further information and required forms.
- Install a street tree in the 5' wide planting and utility easement behind the sidewalk every 50' for the width of this lot on Mesa Street (City Code sec. 74.3.2). Contact the Streetscape Division of the Torrance Public Works Department at 310-781-6900 for information on the type and size of tree for your area.

4138 Mesa St Renovation

- Project building has a 20-ft setback from street, adjacent building at 4144 Mesa has a 10-ft setback
- New balcony will be blocked by 4144 Mesa and not visible to westerly neighbors
- New balcony will be blocked by trees and not visible to most easterly neighbors
- New balcony will be visible at close-up
- All adjacent neighbors sign no objection statement to the proposed balcony





AGENDA ITEM NO. 8C

TO:

Members of the Planning Commission

FROM:

Planning Division

SUBJECT:

Conditional Use Permit - CUP21-00007

Planning Commission Review - PCR21-00002

Division of Lot - DIV21-00003

LOCATION:

812 Crenshaw Boulevard

This is a request for approval of a Conditional Use Permit and Planning Commission Review to allow the construction of a new two-unit detached residential condominium development exceeding a Floor Area Ratio of 0.65, in conjunction with a Division of Lot for condominium purposes, on property located within the Torrance Tract Overlay in the R-2 Zone at 812 Crenshaw Boulevard.

Due to unforeseen circumstances, staff requests a continuance to a future hearing. Staff recommends the Planning Commission continue the subject request to a date certain of October 6, 2021.

Preparted by,

Respectfully submitted,

2 Carlos Huizar

Planning Associate

Oscar Martinez

Planning and Environmental Manager

AGENDA ITEM NO. 9A

TO:

Members of the Planning Commission

FROM:

Planning Division

SUBJECT: Waiver – WAV21-00003

Minor Hillside Exemption – MHE21-00049

LOCATION: 5628 Andrus Avenue

On September 1, 2021, a public hearing was conducted for consideration of a Waiver of the required side yard setback, in conjunction with a Minor Hillside Exemption to allow first floor additions to an existing one-story single family residence, on property located within the Hillside Overlay District in the R-1 Zone at 5628 Andrus Avenue.

At that meeting, a motion to approve the Waiver and Minor Hillside Exemption passed by vote of 4-1, with two Commissioners absent. A resolution for the decision was not prepared since staff had recommended approval of the Minor Hillside Exemption but denial without prejudice of the Waiver.

An updated resolution reflecting the Planning Commission's decision to approve the Waiver has been provided for consideration.

Prepared by,

Respectfully submitted,

10-1

Planning Associate

Oscar Martinez

Planning and Environmental Manager

Attachment:

1. Planning Commission Resolution No. 21-045

PLANNING COMMISSION RESOLUTION NO. 21-045

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA APPROVING A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW LESS THAN THE REQUIRED SIDE YARD SETBACK, IN CONJUNCTION WITH FIRST FLOOR ADDITIONS TO AN EXISTING ONE-STORY SINGLE FAMILY RESIDENCE, ON PROPERTY LOCATED WITHIN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 5628 ANDRUS AVENUE

WAV21-00003: RORY MCMENAMIN

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on September 1, 2021, to consider an application for a Waiver filed by Rory McMenamin to allow less than the required side yard setback, in conjunction with first floor additions to an existing one-story single family residence, on property located within the Hillside Overlay District in the R-1 Zone at 5628 Andrus Avenue; and

WHEREAS, due and legal publication of notice was given to owners of property in the vicinity thereof, all in accordance with the provisions of Division 9, Chapter 4, Article 2 of the Torrance Municipal Code; and

WHEREAS, Waivers are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Class 5, Section 15305; and

WHEREAS, The Planning Commission of the City of Torrance does hereby find and determine as follows:

- A) That the property is located at 5628 Andrus Avenue;
- B) That the property is described as Lot 171 of Tract 22228 as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- C) That there are unreasonable difficulties resulting from strict enforcement of the side yard setback requirement because the subject property exhibits substantial physical hardship that limit the applicant's ability to develop the property according to Code, including the lot's topography. The Waiver allows the project to preserve open space;
- D) That approval of the project will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof because the project meets the other development standards of the R-1 Zone, will continue to be compatible with the character of the neighborhood, and does not adversely impact surrounding view, air, light, or privacy;
- E) That approval of the project will not substantially interfere with the orderly development of the City because the development is within Floor Area Ratio, Lot Coverage, and height requirements, and enhances the value of the property and the neighborhood.

WHEREAS, The Planning Commission by the following roll call vote APPROVED WAV21-00003, subject to conditions:

AYES: COMMISSIONERS: KARTSONIS; PINO; RUDOLPH; CHAIRMAN

SHEIKH

NOES: COMMISSIONERS: ANUNSON

ABSENT: COMMISSIONERS: CHOI; TSAO

ABSTAIN: COMMISSIONERS: NONE

NOW, THEREFORE, BE IT RESOLVED that WAV21-00003 filed by Rory McMenamin to allow less than the required side yard setback, in conjunction with first floor additions to an existing one-story single family residence, on property located within the Hillside Overlay District in the R-1 Zone at 5628 Andrus Avenue, on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

- 1. That the use of the subject property for a single-family residence shall be subject to all conditions imposed in WAV21-00003 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established or constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
- 2. That if this Waiver is not used within one year after granting of the permit, it shall expire and become null and void unless extended by the Planning Director for an additional period as provided for in Section 92.29.13;
- 3. That the side addition shall have a 4.25ft side yard setback at its north end, and a 4.42ft side yard setback at its south end, as shown on the approved plans;
- 4. That the applicants shall comply with all conditions of MHE21-00049; and
- 5. That all conditions of all other City departments received prior to or during the consideration of this case by the Planning Commission shall be met.

Introduced, approved and adopted this 15th d	ay of September 2021.
ATTEST:	Chairman, Torrance Planning Commission
Secretary, Torrance Planning Commission	

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss
CITY OF TORRANCE)

I, OSCAR MARTINEZ, Secretary to the Planning Commission of the City of Torrance, California, do hereby certify that the foregoing resolution was duly introduced, approved, and adopted by the Planning Commission of the City of Torrance at a regular meeting of said Commission held on the 15th day of September 2021, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

8. HEARINGS

8A. Consideration of CUP21-00012: CRYSTOFER WILSON (WESTERN TOWNE PLAZA, LLC)

Planning Commission consideration for approval of a Conditional Use Permit to allow a new take-out food and beverage establishment, on property located in the C-5 Zone at 1730 W Sepulveda Boulevard, Unit #9. This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities. (Res. No. 21-049)

8B. Consideration of MOD21-00004: CHIUN-GWO SIMON HSU

Planning Commission consideration for approval of a Modification of a previously approved Precise Plan (PP81-26) to allow the construction of a new third-floor balcony to an existing three-story single-family residence, on property located within the Hillside Overlay District in the R-1 Zone at 4138 Mesa Street. This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities. (Res. No. 21-050)

8C. Consideration of CUP21-00007, PCR21-00002, DIV21-00003: STUDIO SPIRO, INC. (OMDD HOLDINGS, LLC)

Planning Commission consideration for approval of Conditional Use Permit and Planning Commission Review to allow the construction of a new two-unit detached residential condominium development exceeding a Floor Area Ratio of 0.65, in conjunction with a Division of Lot for condominium purposes, on property located within the Torrance Tract Overlay in the R-2 Zone at 812 Crenshaw Boulevard. This project is Categorically Exempt from CEQA per Guidelines Sections 15303 – New Construction and 15315 – Minor Land Divisions. (Res. Nos. 21-051, 21-052, 21-053)

9. **RESOLUTIONS**

9A. Consideration of MHE21-00049, WAV21-00003: RORY MCMENAMIN

Planning Commission consideration of a resolution reflecting their decision to approve a Minor Hillside Exemption to allow first-floor additions built without the benefit of a permit, in conjunction with a Waiver of the side yard setback requirement, on property located within the Hillside Overlay District in the R-1 Zone at 5628 Andrus Avenue. This project is Categorically Exempt from CEQA per Guidelines Sections 15301 – Existing Facilities and 15305 – Minor Alterations. (Res. No. 21-045)

10. COMMISSION AND STAFF ORAL COMMUNICATIONS

11. ADJOURNMENT

11A. Adjournment of Planning Commission Meeting to Wednesday, October 6, 2021, at 7:00 p.m.