

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

The Planning Commission serves as an advisor to the City Council and conducts public hearings on matters related to land use and development. Meetings are held monthly on the first and/or third Wednesday at 6:30pm. A limited number of meeting agenda copies will be made available during the Planning Commission meeting at the back of the Council Chamber room. Minutes are available after they are approved by the Planning Commission. Direct questions or concerns to the Planning Division at (310) 618-5990 prior to submission to the Planning Commission. Parties will be notified if the complaint is included on a subsequent agenda.

Members of the public may provide comments related to any items on the meeting agenda. Oral comments are limited to one minute per speaker for items on the agenda and limited to one minute per speaker for items not on the agenda. Everyone interested in speaking on an agenda item will be heard at the meeting. Speakers are asked to come forward to the podium, speak clearly, and provide their name and address for the record. Meetings are audio recorded. Language translation services are not available. If presenting handout material to the Planning Commission, please provide 10 color copies to staff before speaking.

Written comments may be submitted via email to PlanningCommission@TorranceCA.Gov. Written comments may also be delivered by mail or submitted in-person to the Permit Center (Planning Counter) in the Community Development Department located at the above referenced address, open 8:00am to 5:00pm, Monday through Thursday, open alternate Fridays. Comments must include in the subject line "Public Comment" and the record number and project address. Comments must be pertinent to the agenda item and must not include personal remarks. All personal signatures, personal addresses, personal telephone numbers and personal email addresses must be omitted or will be redacted. Repetitive comments and/or duplicate copies of petitions and flyers are neither necessary nor helpful.

Comments that are submitted no later than 5:00pm on Tuesday, the day before the Planning Commission meeting will be included as a supplemental agenda item and will be posted on the City of Torrance webpage. A copy of the supplemental agenda item will be available at the back of the Council Chamber room. Comments that are submitted in writing after 5:00pm on Tuesday, the day before the Planning Commission meeting will be filed with the public record.

**TORRANCE PLANNING COMMISSION AGENDA
MAY 15, 2024
REGULAR MEETING
6:30 P.M. IN LEROY J. JACKSON COUNCIL CHAMBER
AT 3031 TORRANCE BOULEVARD**

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

1. CALL MEETING TO ORDER

ROLL CALL: Commissioners Anunson, Choi, Riggs, Rudolph, Turner, Yeh, and
Chairman Kartsonis

2. FLAG SALUTE

3. REPORT OF STAFF ON THE POSTING OF THE AGENDA

The agenda was posted on the Public Notice Board at 3031 Torrance Boulevard and on the City of Torrance webpage on Friday, May 10, 2024.

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

5. ORAL COMMUNICATIONS

This portion of the meeting is limited up to a 15-minute period and is reserved for public comments on items listed on the Consent Calendar or that are not listed on the agenda. Under the Ralph M. Brown Act, the Planning Commission 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. Those members of the public wishing to speak are asked to come forward to the microphone and state their name for the record. All speakers are limited to 1 minute per speaker. If presenting handout material to Commission, please provide 10 color copies to staff before speaking.

6. CONSENT CALENDAR

Items 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: March 20, 2024
April 17, 2024**

7. ADMINISTRATIVE MATTERS

8. HEARINGS

8A. Community Development – Conduct a Public Hearing to Consider Approval of CUP23-00035: SONY HONDA MOBILITY OF AMERICA INC (TMT SOUTH BAY BUSINESS PARK, INC)

Recommendation of the Community Development Director that Planning Commission conduct a public hearing to consider approval of a Conditional Use Permit to allow a new licensed vehicle dealer for general office, warehousing, and storage in support of online vehicle sale activities, on property located in the M-2 Zone at 2908 Oregon Court, Unit H1. This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities. (Res. No. 24-026)

8B. Community Development – Conduct a Public Hearing to Consider Approval of CUP23-00036: ROY RIVERA (SIMON PROPERTY GROUP)

Recommendation of the Community Development Director that Planning Commission conduct a public hearing to consider approval of a Conditional Use Permit to allow the operation of an indoor commercial recreation facility at the Del Amo Fashion Center, on property located in the H-DA1 Zone 3525 Carson Street Unit #161. This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities. (Res. No. 24-027)

8C. Community Development – Conduct a Public Hearing to Consider Approval of VAR22-00001: RUKHSANA MIR

Recommendation of the Community Development Director that Planning Commission conduct a public hearing to consider a Variance to exempt a proposed new two-story, single-family residence from enforcement of Article 41, Chapter 1, Division 9, of the Torrance Municipal Code, Hillside and Local Coastal Overlay Zone, on property located within the Hillside Overlay in the R-1 Zone at 417 Via Anita. This project is Statutorily Exempt from CEQA per Guidelines Section 15270 – Projects Which Are Disapproved.

8D. Community Development – Conduct a Public Hearing to Consider Approval of CUP23-00032: RICHARD CAPELLINO (DEL AMO THREE)

Recommendation of the Community Development Director that Planning Commission conduct a public hearing to consider approval of a Conditional Use Permit to allow the operation of a retail taproom in conjunction with a brewery in the existing building, on properties located in the M-2 Zone at 1954 Del Amo Boulevard and 340 Van Ness Avenue (APNs 7352-013-025, 7352-014-051). This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities. (Res. No. 24-028)

8E. Community Development – Conduct a Public Hearing to Consider Approval of CUP24-00006: AMERICAN HONDA MOTOR CO. INC.

Recommendation of the Community Development Director that Planning Commission conduct a public hearing to consider approval of a Conditional Use Permit to allow recurring outdoor company and community events to be conducted on the Honda campus on property located in the M-2 Zone at 1919 Torrance Boulevard. This project is Categorical Exempt from CEQA per Guidelines Section 15301 – Existing Facilities. (Res. No. 24-029)

8F. Community Development – Conduct a Public Hearing to Consider Approval of CUP22-00007, WAV22-00006: BRAD C. LEE (CALIFORNIA WATER SERVICE)

Recommendation of the Community Development Director that Planning Commission conduct a public hearing to consider approval of a Conditional Use Permit to allow the reconstruction of California Water Service facility (Hermosa/Redondo Station 24), in conjunction with a Waiver of a side yard setback and fence height limit, on property located in the R-1 Zone at 510 Calle De Arboles. This project is Categorical Exempt from CEQA per Guidelines Sections 15302 – Replacement or Reconstruction and 15305 Minor Alterations. (Res. Nos. 24-030, 24-031)

9. RESOLUTIONS

10. COMMISSION ORAL COMMUNICATIONS

11. ADJOURNMENT

Adjournment of Planning Commission meeting to Wednesday, June 19, 2024, at 6:30 p.m. in the Council Chamber.



AGENDA ITEM NO. 8A

DATE: May 15, 2024

TO: Planning Commission

FROM: Luis Velazquez, Planning Associate
Leo Oorts, Planning Manager

SUBJECT: 2908 Oregon Court, Unit H-1 (APN: 7352-009-029)
Conditional Use Permit (CUP23-00035)

Consideration of a Conditional Use Permit to allow the operation of a new licensed vehicle dealer for general office, warehousing, and storage in support of online vehicle sale activities, on property located in the M-2 Zone at 2908 Oregon Court, Unit H-1 (APN: 7532-009-029).

RECOMMENDATION

Recommendation of the Community Development Director that Planning Commission conduct a public hearing and consider adoption of Resolution No. 24-026 for approval of a Conditional Use Permit to allow the operation of a new licensed vehicle dealer for general office, warehousing, and storage in support of online vehicle sale activities, on property located in the M-2 Zone at 2908 Oregon Court, Unit H-1 (APN: 7532-009-029) and determine a Categorical Exemption for the project in accordance with Guidelines for Implementation of the California Environmental Quality Act (CEQA); Article 19, Section 15301 (Existing Facilities).

EXECUTIVE SUMMARY

The project applicant, Sony Honda Mobility of America Inc. (TMT South Bay Business Park, Inc.), requests approval by the Planning Commission to allow the operation of a new licensed vehicle dealer for general office, warehousing, and storage in support of online vehicle sale activities, on property located in the M-2 Zone at 2908 Oregon Court, Unit H-1 (APN: 7532-009-029).

The development standards of the M-2 Zone (Heavy Manufacturing District) as well as the development standards of Article 3, Chapter 5, Division 9 (Conditional Uses and Development Standards) are applicable to the project, and therefore require discretionary review and approval of the following entitlement:

- Conditional Use Permit (CUP) to allow the operation of an automobile on-line sales agency.

Staff has thoroughly reviewed the project and determined the project is consistent with the Light Industrial land use designation and complies with the objective development standards of the M-2 Zone and does not require further environmental review. The balance of this report provides an overview of the project.

DISCUSSION

Environmental Determination

Minor alterations to an existing structure or building involving no expansion of the building, are Categorical Exempt by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15301 (Existing Facilities).

General Plan Land Use Designation

The project site has a General Plan land use designation of Light Industrial (I-LT), which allows a maximum FAR of 0.6. Development in the I-LT land use designation is characterized by a wide range of industrial uses including manufacturing, assembly, wholesale, warehouse/distribution, research and development, professional offices, medical offices, and ancillary commercial uses. The proposed automobile on-line sales agency is consistent with the Light Industrial Designation.

Zoning Designation and Adjacent Land Uses

The project site is designated as M-2 Zone (Heavy Manufacturing District) and bounded by three parcels that share the same zoning designation and developed with similar land uses to the south, east and west (Attachment 2).

NORTH:	M-2	Heavy Manufacturing	Business Park
SOUTH:	M-2	Heavy Manufacturing	Light Industrial Building
EAST:	M-2	Heavy Manufacturing	Business Park
WEST:	M-2	Heavy Manufacturing	Light Industrial Building

Project Site

The subject site is located on a 95,032 square foot parcel located on the southern side of Oregon Court, originally developed with three office/manufacturing/warehouse buildings in 1974. In 1982, the Planning Commission approved CUP82-10 to allow the conversion of industrial office buildings to industrial office condominiums, although these approvals were not implemented.

The proposed automobile on-line sales agency will occupy a 2,200 square foot tenant space located within the business park. The space is located in the northeast corner of the parcel labeled as “Building H”. No changes to the exterior of the building or site layout are proposed. Access to the site is provided from driveways along Oregon Court with parking areas located to the perimeter of the business park. A site visit was conducted by staff on April 4, 2024, during which it was observed that the property is well-maintained and in good repair.

Floor Plan

The proposed first floor comprises of an open warehouse area spanning 1,200 square feet, complemented by a reception area situated at the front of the premises. On the second floor, dedicated office space is provided to accommodate administrative functions and support operational requirements.

Business Operation

The proposed automobile on-line sales agency intends to implement an exclusive online sales model. The premises will be dedicated to serve employee operations only and no in-person sales or customers will arrive onsite. This site will be utilized to store up to four vehicles at a time and no vehicle maintenance nor repair services will occur onsite. Typical office hours are 9:00 am to 6:00 pm Monday through Friday. More information about the business is shared in the Business Narrative (Attachment 4).

Parking Requirements

Per Torrance Municipal Code 93.2.33, for each lot or parcel of land used for a warehouse and storage building, there shall be provided 1 space for each 1,500 square feet of floor area, plus 1 space for each 250 square feet of office area. The business park, at time of development, provided a total of 471 integrated parking spaces for the entire complex. There are no proposed modifications or any expansion of floor area to the tenant space that would necessitate additional parking. As the project does not involve additional area, no changes to parking are required at this time.

CONCLUSION

In the judgment of staff, the proposed automobile on-line sales agency, as conditioned, is compatible with the business park and surrounding area. The request is consistent with the General Commercial land use designation, which is intended to permit a wide range of industrial uses including manufacturing, assembly, wholesale, warehouse/distribution, research and development, professional offices, medical offices, and ancillary commercial uses. The request also complies with the development standards of the M-2 Zone, as well as the development standards of Article 3, Chapter 5, Division 9.

Staff recommends approval of the project, as conditioned.

FINDINGS OF FACT AND CONDITIONS OF APPROVAL

Staff has prepared draft findings and conditions of approval for consideration by the Planning Commission that are listed in the attached Resolution (Attachment 1).

CODE REQUIREMENTS

Staff has prepared a partial list of requirements from the Torrance Municipal Code, California Building Code, California Fire Code, et al., that are pertinent to the project (Attachment 3). Not all requirements are provided, and the applicant is strongly advised to contact each individual Department/Division for more information. The requirements are not subject to modification and the Planning Commission cannot waive or alter the requirements.

PUBLIC NOTICE

In accordance with the Torrance Municipal Code, notices of the public hearing were made no less than 10 calendar days before the Planning Commission meeting. Notices were also posted at the project site and were mailed on May 2, 2024, to the registered owner of properties located within a 500' radius of the exterior boundaries of the project site. Notices were also published in the local newspaper (The Daily Breeze) and posted on the City of Torrance webpage.

RIGHT OF APPEAL

In accordance with Torrance Municipal Code Section 96.2.5, decisions made by the Planning Commission may be appealed to the City Council within 15 calendar days of adoption of the Resolutions. For more information, please contact the City Clerk's Office by telephone at (310) 618-2870 or email at CityClerk@TorranceCA.Gov.

PROJECT PLANS

The project plans and all related documents are readily available for public review at the Permit Center (Planning Counter) located at City Hall, 3031 Torrance Boulevard, Torrance CA 90503, during normal business hours open 8:00am to 5:00pm, Monday through Thursday, open alternate Fridays. Appointments are available by contacting the Planning Division at (310) 618-5990.

ATTACHMENTS

1. Resolution Nos. 24-026
2. Location and Zoning Map
3. Code Requirements
4. Business Narrative
5. Project Plans (Limited Distribution)

STAFF CONTACT

Luis Velazquez, Planning Associate

LVelazquez@TorranceCA.gov

Leo Oorts, Planning Manager

LOorts@TorranceCA.gov

ITEM 8A

ATTACHMENT 1

RESOLUTION NO 24-026

PLANNING COMMISSION RESOLUTION NO. 24-026

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 THE OPERATION OF A NEW LICENSED VEHICLE DEALER FOR GENERAL OFFICE, WAREHOUSING, AND STORAGE IN SUPPORT OF ONLINE VEHICLE SALE ACTIVITIES, ON PROPERTY LOCATED IN THE M-2 ZONE AT 2908 OREGON COURT, UNIT H-1.

**CUP23-00035: SONY HONDA MOBILITY OF AMERICA INC.
(TMT SOUTH BAY BUSINESS PARK, INC.)**

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on May 15, 2024, to consider an application filed by Sony Honda Mobility of America Inc. (TMT South Bay Business Park, Inc.) for a Conditional Use Permit to allow the operation of a new licensed vehicle dealer for general office, warehousing, and storage in support of online vehicle sale activities, on property located in the M-2 Zone at 2908 Oregon Court, Unit H-1; 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, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the property under consideration is located at 2908 Oregon Court, Unit H-1;
- b) That the property is described as "TR=PARCEL MAP AS PER BK 158 P 94-95 OF P M LOT 3" per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That minor alteration of existing facilities involving negligible expansion of use beyond that previously existing are Categorically Exempt by the Guidelines for Implementation of the California Environmental Quality Act, Section 15301 (Existing Facilities);
- d) That the proposed operation of an online automobile agency is conditionally permitted within the M-2 Zone and complies with all of the applicable provisions of this Division, as conditioned;
- e) That the proposed use will not impair the integrity and character of the M-2 Zone because automobile sales agencies are conditionally permitted and are consistent with surrounding industrial uses in the zone and area;
- f) That the subject site is physically suitable for the proposed use because the facility will occupy an industrial tenant space on property developed as an industrial park, located within an industrial corridor;

- g) That the proposed project is compatible with the land use presently on the subject property because the facility will not interfere with the existing uses in adjacent spaces, in terms of parking and access;
- h) That the proposed operation of an online automobile sales agency will be compatible with existing and future uses within the area because there is a mix of uses including industrial, offices, and warehousing, on surrounding properties;
- i) That the proposed use will encourage and be consistent with the orderly development of the City as provided for in the General Plan Light Industrial designation and the M-2 Zoning designation as the operation of an online automobile sales agency is conditionally permitted in the Zone and is consistent with the General Plan;
- j) That the proposed use will not discourage the appropriate existing or planned future uses of the surrounding property because the proposed online automobile sales agency is compatible with the existing uses and the planned future uses of the surrounding properties;
- k) That there will be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use is not detrimental to the public health and safety;
- l) That there will be adequate provisions for public access to serve the proposed use, because the project shall maintain all existing pedestrian walkways and vehicular access points;
- m) That the 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 persons located in the area;
- n) The proposed project 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; and

WHEREAS, the Planning Commission by the following roll call votes APPROVED CUP23-00035, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS:

RECUSED: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that CUP23-00035, filed by Sony Honda Mobility of America Inc. (TMT South Bay Business Park, Inc.) to allow the operation of a new licensed vehicle dealer for general office, warehousing, and storage in support of online vehicle sale activities, on property located in the M-2 Zone at 2908 Oregon Court, Unit H-1, on file in the Community Development of the city of Torrance, is hereby APPROVED subject to the following conditions:

1. That the use of the subject property for an indoor commercial recreation facility shall be subject to all conditions imposed in Conditional Use Permit 23-00035; 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 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 as provided for in Section 92.27.1;
3. That a copy of Planning Commission Resolution No. 24-026 shall appear on the building plans associated with the tenant improvements to facilitate coordination and effective implementation of the conditions of approval; (Planning)
4. That all vehicle loading, unloading and storage shall be performed exclusively onsite and not in the public right of way; (Planning)
5. That there shall be no outdoor or exterior telephones, speakers/sound system, unattended collection boxes, vending machines, kiosks, storage containers, etc. permitted onsite. Outdoor storage of vehicles/equipment/parts/tires/products/inventory shall be prohibited; (Planning)
6. 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 Planning; (Planning)
7. That there shall be video surveillance of business entry points and parking lot and the installation of an alarm system; (Police)
8. That the business name and address shall be visible from the street; (Police)
9. That there shall be non-glare security lighting installed for the parking lot; (Police)
10. That roof top numbers shall be installed in order to assist law enforcement and emergency personnel locate the property. The numbers shall measure a minimum 4' in height, 2' in width, spaced 12" apart, be parallel to the street and be a non-reflective color that contrasts with the color of the roof; (Police)
11. That the applicant shall obtain a sign permit for any new areas of signage to be displayed on the façade, the outward walls, on the ground, and that all signs (new, modified or revised) shall conform to the approved sign program and be approved by the Environmental Division with appeal rights to the Planning Commission; (Environmental)
12. That address numbers shall be installed on the building and measure at a minimum 9 inches in height and be a color that contrasts with the color of the façade; (Environmental)

- 13. That the applicant shall install on-site bicycle racks and submit placement plan and bicycle rack detail to the satisfaction of the Environmental Division; (Environmental)
- 14. That prohibited signage for this use shall include: freestanding or A-frame signs; signs attached to light or utility poles and trees; inflatable signs; air assisted signs; signs attached/mounted to the roof of the building; persons holding signs or twirlers; electronically moveable signs; electronically changing signs; bow/flag/feather banners; or any other temporary signage that violates Torrance Municipal Code requirements for temporary signs. Permits for banners must be obtained before use Directional signs and parking signage are allowable; (Environmental)
- 15. 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 day of May 2024.

ATTEST:

Secretary, Torrance Planning Commission

Chairperson, Torrance Planning Commission

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

I, LEO OORTS, 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 May 2024, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

RECUSED: COMMISSIONERS:

Secretary, Torrance Planning Commission

ITEM 8A
ATTACHMENT 2
LOCATION AND ZONING MAP





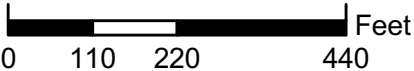
LOCATION AND ZONING MAP


CUP23-00035
2908 OREGON COURT



LEGEND

-  Notification Area
-  2908 Oregon Ct





ITEM 8A
ATTACHMENT 3
CODE REQUIREMENTS

CODE REQUIREMENTS

The following is a partial list of Code requirements applicable to the proposed project. Not all Code requirements are provided 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 for information purposes only.

ENGINEERING

1. Provide evidence of reciprocal cross access easement for ingress and egress for the shared driveway located at the east end of the property on Oregon Ct. with adjacent property.
2. Provide recorded easement for the existing 12" AC water main within the property.
3. Install street trees in the City parkway every 50' for the width of this lot on Oregon Ct. (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.

PUBLIC WORKS

4. Plant street trees within the City Easement. 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.

ENVIRONMENTAL

5. 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.
6. Double-line stripe all parking spaces (93.4.6).
7. Screen all roof equipment from public view (92.30.2).

ITEM 8A
ATTACHMENT 4
BUSINESS NARRATIVE

Business Narrative:

Sony Honda Mobility of America Inc. ("SHMA") is the product of a joint venture by Sony Group Corp. and Honda Motor Corp. to jointly develop electric vehicles under the brand name Afeela. SHMA intends to implement an online vehicle sales model and to use 2908 Oregon Court as office space for such operations. SHMA does not intend to serve customers at 2908 Oregon Court; rather, SHMA intends to use the space for the back-office operations necessary for an online vehicle sale model (such as marketing, sales, service and financing operations). SHMA also anticipates that it would store 0 to 4 of its prototype electric vehicles and/or demo vehicles being used for product development purposes at 2908 Oregon Court at any given point in time.

SHMA currently has 28 employees spread across two office locations in the Los Angeles area – 2908 Oregon Court and at the Sony Pictures lot in Culver City. It is anticipated that on any given day, approximately 0 to 8 employees would be working at 2908 Oregon Court. Note that for any employees working at 2908 Oregon Court in excess of the allotted parking spaces, SHMA employees can utilize street parking and/or the garage within SHMA's unit to the extent it is not being used for the storage of electric vehicles. SHMA's typical office hours are 9 am to 6 pm Monday through Friday.

Parking:

Note that under SHMA's lease, it is allocated six unassigned parking spaces with its unit (H1) at the complex. The unit has approximately 1200 square feet of office space and 1000 square feet of warehouse and storage space. As noted above, the unit also has warehouse and storage space that can be used for additional parking to the extent not being used for SHMA's prototypes and/or demo vehicles.

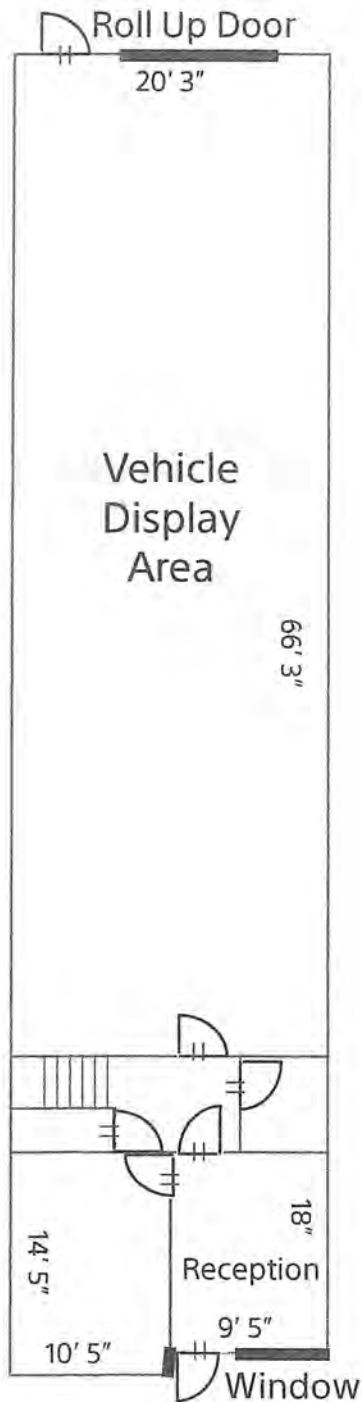
ITEM 8A

ATTACHMENT 5

PROJECT PLANS (LIMITED DISTRIBUTION)

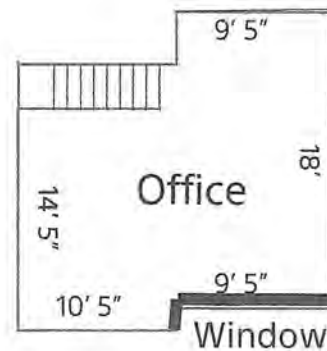
Sony Honda Mobility of America Inc.

2908 Oregon Ct, Unit H-1, Torrance, CA 90503



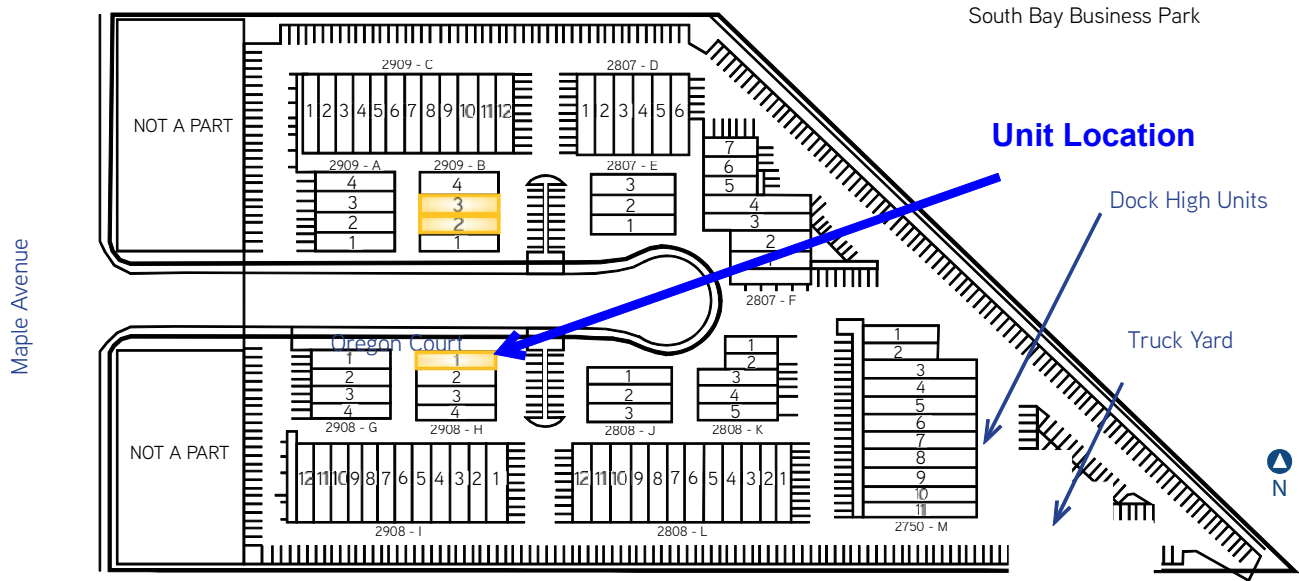
Floor Plan: 1st Floor

Floor Plan: 2nd Floor



South Bay Business Park

2750-2909 OREGON COURT • TORRANCE, CA 90503



Location	Unit	Total Size	Lease Rate	Comments
2908	H1	2,200 SF	\$1.35 PSF	1,000 Sqft Office

AGENDA ITEM NO. 8B

DATE: May 15, 2024

TO: Planning Commission

FROM: Luis Velazquez, Planning Associate
Leo Oorts, Planning Manager

SUBJECT: 3525 Carson Street, Unit 161
Conditional Use Permit (CUP23-00036)

Consideration of a Conditional Use Permit to allow the operation of an indoor commercial recreation facility at the Del Amo Fashion Center, on property located in the H-DA1 Zone.

RECOMMENDATION

Recommendation of the Community Development Director that Planning Commission conduct a public hearing and consider adoption of Resolution No. 24-027 for approval a Conditional Use Permit to allow the operation of an indoor commercial recreation facility at the Del Amo Fashion Center, on property located in the H-DA1 Zone at 3525 Carson Street Unit 161, and determine a Categorical Exemption for the project in accordance with Guidelines for Implementation of the California Environmental Quality Act (CEQA); Article 19, Section 15301 (Existing Facilities).

EXECUTIVE SUMMARY

The project applicant, Roy Rivera (Simon Property Group), requests approval by the Planning Commission to allow the operation of an indoor commercial recreation facility at the Del Amo Fashion Center, on property located in the H-DA1 Zone at 3525 Carson Street Unit 161.

The development standards of the H-DA1 Zone are applicable to this project, and therefore require discretionary review and approval of the following entitlements:

- Conditional Use Permit (CUP) to allow the operation of an indoor commercial recreation facility.

Staff has thoroughly reviewed the project and determined the project is consistent with the Commercial Center land use designation and complies with the objective development standards of the H-DA1 Zone, and does not require further environmental review. The balance of this report provides an overview of the project.

DISCUSSION

Environmental Determination

Minor alterations to an existing structure or building involving no expansion of the building, is Categorical Exempt by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Sections 15301 (Existing Facilities).

General Plan Land Use Designation

The project site has a General Plan land use designation of Commercial Center (C-CTR), which allows a maximum FAR of 1.0. Development in the Commercial Center land use designation is characterized generally by a concentration of diverse or intense commercial uses. The proposed indoor commercial recreation facility operation is consistent with the Commercial Center designation.

Zoning Designation and Adjacent Land Uses

The project site is designated as H-DA1 Zone (Hawthorne Blvd Corridor Specific Plan, Del Amo Business Sub-District One) and bounded by multiple parcels that share the same zoning designation and developed with similar land uses.

NORTH:	H-DA1	Del Amo Business Sub-District One	Shopping Center
SOUTH:	H-DA1	Del Amo Business Sub-District One	Shopping Center
EAST:	H-DA1	Del Amo Business Sub-District One	Parking Lot
WEST:	H-DA1	Del Amo Business Sub-District One	Shopping Center

Project Site

The site is currently developed as the Del Amo Fashion Center, a regional shopping center. The site’s topography is relatively flat and encompasses approximately 136 acres. The Del Amo Fashion Center is comprised of approximately 2.6 million square feet of gross leasable floor area, with an enclosed common area of approximately 440,000 square feet. The proposed tenant space is located south of Fashion Way on the north side of the Del Amo Fashion Center. The buildout area of the tenant space is 4,760 square feet near Outback Steakhouse and Lazy Dog Restaurant & Bar. There are no outstanding natural features on the site.

Façade Improvements

The proposed indoor recreation facility features several façade enhancements, including new signage, vinyl graphics, black storefront windows, and updated sliding doors. Staff notes that issues will arise with the Police Department due to the proposed dark window treatment. Staff has added a condition of approval that the applicant to continue working with the Police Department to resolve these outstanding issues. Importantly, no additional openings will be introduced along the façade.

Floor Plan

The subject tenant space is located towards the north end of the mall in the open-air lifestyle center between the Outback Steak House and Lazy Dog Restaurant & Bar. The space measures 4,760 square feet and the proposed layout features a lobby and restroom facilities at the front of the building and multiple escape rooms with different themes in the remaining portion of the space. The escape rooms range in size from 308 square feet up to 498 square feet and can accommodate up to 12 guests per session depending on the game size. Plans indicate a safety plan and path of travel leading to the exits in case of an emergency. Staff notes the tenant improvement plan and egress will be reviewed by the Building & Safety Division at the time of plan check prior to building permit issuance.

Business Operation

The proposed indoor recreation facility offers interactive entertainment experiences to guests that includes solving intellectual and tactile challenges. More information about the business is shared in the Project Narrative (Attachment 4).

The proposed hours of operation are 8:00am – 2:00am , 7 days a week. The operating hours will be shortened to 10:00 am – 11:00 pm on weekdays or in seasons of less demand as needed. Staff notes that nearby establishments close at or before midnight and has added a condition to modify the hours of operation to align with existing establishments. Per the Project Narrative, the applicants anticipate a customer volume of 100-350 guests daily and spend approximately 1 hour and 15 minutes at the venue. The target demographic for the establishment encompasses individuals ages 13 and older, although there is a requirement that participants ages 14 and under be accompanied by a paying adult that is 18 or older. Furthermore, participants under 18 must have an adult sign their waiver. There will be two shifts per day with six to ten employees on each shift. No food will be prepared nor served on the premises.

CONCLUSION

The proposed use provides another attraction for mall customers and is compatible with the existing uses within Del Amo Fashion Center, which features a wide variety of commercial uses and services, including retail, restaurants, as well as arcade and entertainment operations. Lastly, the project is consistent with the orderly development of the City as provided for in its General Plan, which designates the site as Commercial Center. For these reasons, staff recommends approval of the request as conditioned.

As of the preparation of this report, no written correspondence has been received pertaining to the project.

FINDINGS OF FACT AND CONDITIONS OF APPROVAL

Staff has prepared draft findings and conditions of approval for consideration by the Planning Commission that are listed in the attached Resolution (Attachment 1).

CODE REQUIREMENTS

Staff has prepared a partial list of requirements from the Torrance Municipal Code, California Building Code, California Fire Code, et al., that are pertinent to the project (Attachment 3). Not all requirements are provided, and the applicant is strongly advised to contact each individual Department/Division for more information. The requirements are not subject to modification and the Planning Commission cannot waive or alter the requirements.

PUBLIC NOTICE

In accordance with the Torrance Municipal Code, notices of the public hearing were made no less than 10 calendar days before the Planning Commission meeting. Notices were also posted at the project site and were mailed on May 2, 2024, to the registered owner of properties located within a 500' radius of the exterior boundaries of the project site. Notices were also published in the local newspaper (The Daily Breeze) and posted on the City of Torrance webpage.

RIGHT OF APPEAL

In accordance with Torrance Municipal Code Section 96.2.5, decisions made by the Planning Commission may be appealed to the City Council within 15 calendar days of adoption of the Resolutions. For more information, please contact the City Clerk's Office by telephone at (310) 618-2870 or email at CityClerk@TorranceCA.Gov.

PROJECT PLANS

The project plans and all related documents are readily available for public review at the Permit Center (Planning Counter) located at City Hall, 3031 Torrance Boulevard, Torrance CA 90503, during normal business hours open 8:00am to 5:00pm, Monday through Thursday, open alternate Fridays. Appointments are available by contacting the Planning Division at (310) 618-5990.

ATTACHMENTS

1. Resolution No. 24-027
2. Location and Zoning Map
3. Code Requirements
4. Business Narrative
5. Project Plans (Limited Distribution)

STAFF CONTACT

Luis Velazquez, Planning Associate
LVelazquez@TorranceCA.gov

Leo Oorts, Planning Manager
LOorts@TorranceCA.gov

ITEM 8B
ATTACHMENT 1
RESOLUTION NO 24-027

PLANNING COMMISSION RESOLUTION NO. 24-027

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 THE OPERATION OF AN INDOOR COMMERCIAL RECREATION FACILITY AT THE DEL AMO FASHION CENTER, ON PROPERTY LOCATED IN THE H-DA1 ZONE AT 3525 CARSON STREET UNIT 161.

CUP23-00036: ROY RIVERA (SIMON PROPERTY GROUP)

WHEREAS, the Planning Commission of the City of Torrance conducted a public hearing on May 15, 2024, to consider an application for a Conditional Use Permit filed by Roy Rivera (Simon Property Group) to allow the operation of an indoor commercial recreation facility at the Del Amo Fashion Center, on property located in the H-DA1 Zone at 3525 Carson Street, Unit 161; 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, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the property under consideration is located at 3525 Carson Street, #161;
- b) That the property is described as the portion of 1021.5-acre tract of land out of Rancho San Pedro allotted to Susana Dominguez, per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That minor alteration of existing facilities involving negligible expansion of use beyond that previously existing are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act (CEQA); Article 19, Section 15301 (Existing Facilities);
- d) That the proposed indoor commercial recreation facility is conditionally permitted within the H-DA1 Zone and complies with all of the applicable provisions of this Division, as conditioned;
- e) That the proposed use will not impair the integrity and character of the H-DA1 Zone because indoor commercial recreation facilities and entertainment uses are consistent with the shopping center and surrounding commercial uses in the zone and area;
- f) That the subject site is physically suitable for the proposed use because the Del Amo District is identified in the Torrance General Plan as the center of shopping and commercial services in the City;
- g) That the proposed project is compatible with the land use presently on the subject property because the shopping center features a variety of service, retail, and restaurant uses, as well as other arcade and entertainment operations;
- h) That the proposed use will be compatible with existing and proposed future land uses within the H-DA1 Zone and the general area in which the proposed project is to be located because the indoor commercial recreation facility will be compatible with the other uses permitted within the Zone, and will not change the existing shopping center uses;

- i) 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 Commercial Center, as indoor commercial recreation facilities are consistent uses with the Commercial Center designation;
- j) That the proposed use will not discourage the appropriate existing or planned future uses of the surrounding property because the proposed indoor commercial recreation facility is compatible with the existing uses and the planned future uses of the surrounding property;
- k) That there will be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use is not detrimental to the public health and safety;
- l) That there will be adequate provisions for public access to serve the proposed use, because the project shall maintain all existing pedestrian walkways and vehicular access points;
- m) That the 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 persons located in the area;
- n) The proposed project 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; and

WHEREAS, the Planning Commission by the following roll call votes APPROVED CUP23-00036, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS

ABSENT: COMMISSIONERS:

RECUSED: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that CUP23-00036, filed by Roy Rivera (Simon Property Group) to allow the operation of an indoor commercial recreation facility at the Del Amo Fashion Center, on property located in the H-DA1 Zone at 3525 Carson Street #161, on file in the Community Development of the city of Torrance, is hereby APPROVED subject to the following conditions:

1. That the use of the subject property for an indoor commercial recreation facility shall be subject to all conditions imposed in Conditional Use Permit 24-00036; 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 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 as provided for in section 92.27.1;

3. That a copy of Planning Commission Resolution No. 24-027 shall appear on the building plans associated with the tenant improvements to facilitate coordination and effective implementation of the conditions of approval; (Planning)
4. 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 Planning; (Planning)
5. That modifications to the approved layout shall be subject to the review of the Planning Manager, and the applicants shall first verify with the Planning Division prior to implementing any modifications; (Planning)
6. That the applicant shall continue to work with the Police Department to ensure that the windows are to the satisfaction of the Police Chief; (Planning)
7. That applicant secure appropriate regulatory licensing for business; (Police)
8. That there shall be video surveillance of business entrance, cash handling areas, and entrances to business areas housing high valuable equipment or controlled substances That the applicants shall install surveillance cameras to monitor entry/exits, cash handling areas (as applicable), offices housing store assets, and parking lot. Security cameras shall be maintained in proper working order at all times and recordings shall be made available to Police upon request. Surveillance footage shall be stored for no less than 60 days; (Police)
9. That the business name shall be clearly visible along the storefront entrance; (Police)
10. That public access shall be controlled through a single point of entry via check-in/check-out system for youth-oriented businesses serving a client base under the age of 18; (Police)
11. That the applicant shall obtain a sign permit for any new areas of signage to be displayed on the façade, the outward walls, on the ground, and that all signs (new, modified or revised) shall conform to the approved sign program and be approved by the Environmental Division with appeal rights to the Planning Commission; and (Environmental)
12. 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 day of May 2024.

Chairperson, Torrance Planning Commission

ATTEST:

Secretary, Torrance Planning Commission

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

I, LEO OORTS, 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 May 2024, by the following roll call vote:

AYES: COMMISSIONERS:

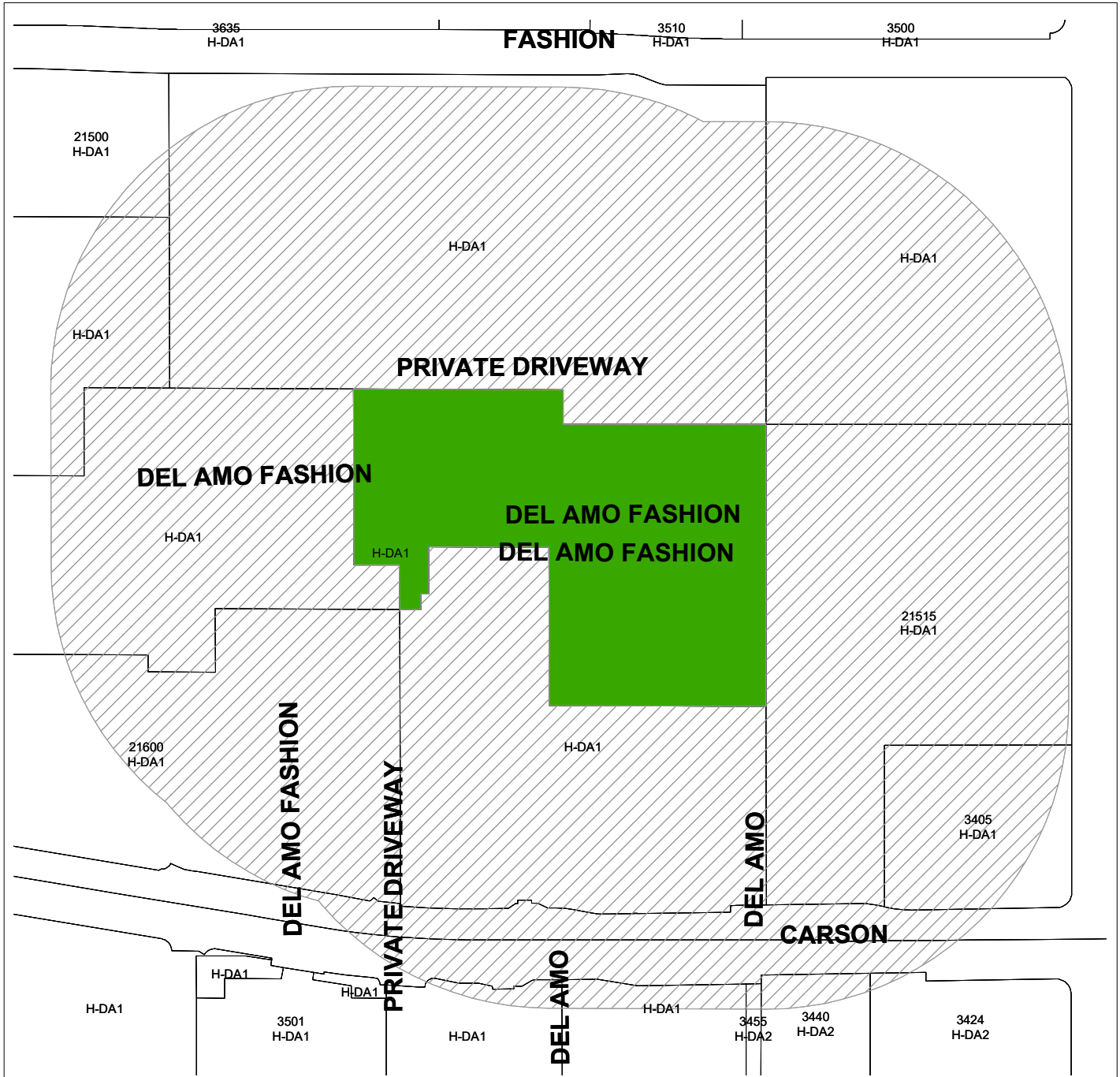
NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

RECUSED: COMMISSIONERS:

Secretary, Torrance Planning Commission

ITEM 8B
ATTACHMENT 2
LOCATION AND ZONING MAP



LOCATION AND ZONING MAP

CUP23-00036
3525 Carson St. Suite 161



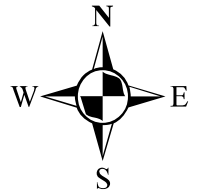
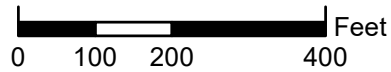
LEGEND



Notification Area



3525 Carson St. Suite 161



ITEM 8B
ATTACHMENT 3
CODE REQUIREMENTS

CODE REQUIREMENTS

The following is a partial list of Code requirements applicable to the proposed project. Not all Code requirements are provided 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 for information purposes only.

BUILDING AND SAFETY

1. Comply with 2022 California Codes and Torrance Ordinances

ITEM 8B
ATTACHMENT 4
BUSINESS NARRATIVE

To Whom it may concern,

The Escape Game (TEG) is a premium experiential entertainment company with 43 (and growing) US retail locations and employing over 1200 talented team members members, who will serve TEG's 6 millionth guest in 2023. Nashville, TN is home to TEG's headquarters and creative adventure factory, where TEG's team designs and manufactures its experiences in-house.

TEG's core business is creating and delivering thrilling, gamified, interactive entertainment experiences to guests. TEG's experiences cast its beloved guests as heroes in story-driven missions, such as Ruins: The Forbidden Treasure, The Heist, and Prison Break, which take place in highly immersive, multi-room sets. Guests get the opportunity to "win" each mission by working together to solve intellectual and tactile challenges within a 60-minute timeframe. On occasion, TEG creates custom experiences for select clients, such as Disney, PwC, and Amazon Studios, each being repeat clients. These experiences are commonly known in the industry as "escape rooms". The basic idea is that single or combined groups of up to 12 players (depending on game size) are put together in a themed room and given a backstory and objective. A 60 minute countdown timer then begins and the team begins searching the room for clues, puzzles, artifacts that they will work together to solve in order to progress in the game story and ultimately work towards solving the overall game objective. Games often include secret doors, hidden rooms and other surprises leading to a much more expansive experience than initially meets the eye. If the team completes and solves all game objectives before the timer runs out they win the game! If time runs out before the game is complete a game guide will enter the room to talk them through how far they got and what they had left. While the team plays the game, a game guide monitors the teams progress from a separate control room using a series of cameras and a live audio feed. The game guide is able to produce clues on in-game screens for the team playing if they need/request help along the way. The game guide can also speak to the team during the game through a microphone system if needed and is also able to control all game components remotely from a digital touchscreen.

TEG locations are open 7 days a week, from approximately 8am-2am. Games are offered based on a set schedule of times that can be booked in advance (similar to movie times). In general each game is available every 90 minutes, allowing for 60 minutes of game play, 10-15 minutes of before/after game briefing and debriefing and 15 minutes to prepare the room for the next team play. Preparing for the next group involves the game guide cleaning and resetting all items, doors and components in the game rooms for the next group to play and can take between 5-15 minutes depending on which game is being reset. TEG locations can have anywhere between 3-11 separate games depending on facility size. Each available game typically starts in 15 minute staggered increments allowing for games to be available for guests to begin at all points throughout the day but ensuring that we don't have chaos in our lobbies from multiple teams all trying to start at the same exact time.

Teams fill out a waiver upon arrival and wait in our lobby until their assigned game guide comes to greet them and walk them back to the entrance to their game experience. The game guide brings the team into the room, goes over rules and basic game play elements and plays a mission video for the team to watch while returning to the control room to monitor the rest of the team's experience remotely. Our operating hours are sometimes shortened to 10am-11pm on weekdays or in seasons of less guest demand. We define ourselves as a nights, weekends, and holidays business. We are only closed on Christmas Day and Thanksgiving Day. While we are open late, our operation is respectful of surrounding businesses, and there would be no impact to other businesses in terms of noise or other disturbances.

We run two shifts per day (AM and PM) and typically have 6-10 team members in our store on each shift. We serve approximately 100-350 guests daily, and each guest spends around an hour and 15 minutes at our venue. Saturdays are our busiest days, followed by Fridays and Sundays. As the proposed establishment's use is consistent with the draw of surrounding uses, we see there will be negligible impact to the traffic in the area. This is especially in part to the fact that the establishment will also be utilized by those visiting other establishments within the mall. Thus, the overlap further establishes a negligible impact.

Marshall McCamey
Architecture/Construction
marshall@theescapegame.com
214-679-3407

ITEM 8B

ATTACHMENT 5

PROJECT PLANS (LIMITED DISTRIBUTION)



THE ESCAPE GAME
**Del Amo
 Fashion Center**

Unit 161
 3525 W Carson St
 Torrance, CA 90503

PROJECT DIRECTORY

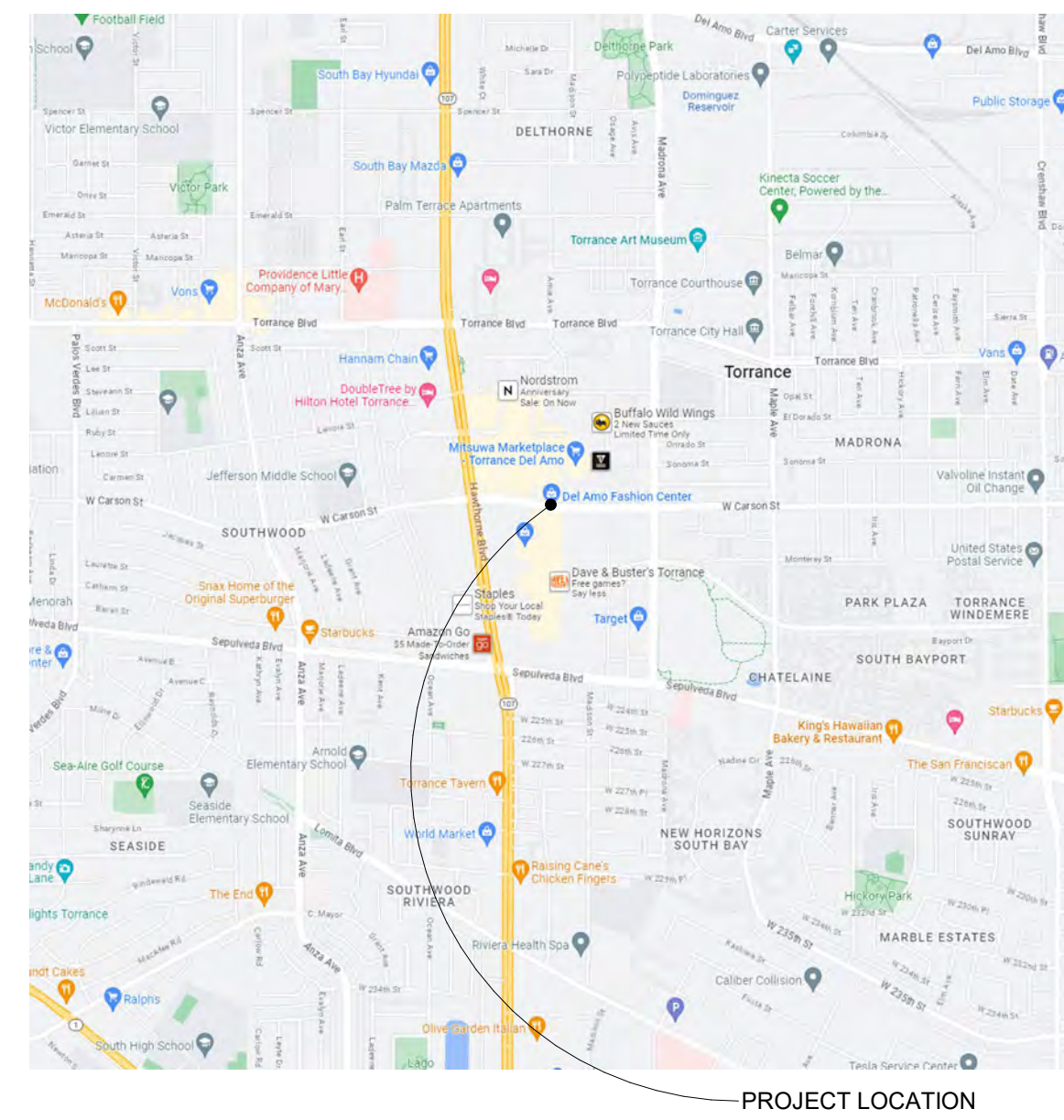
Client: The Escape Game
 Marshall Mccamey
 508 E Iris Drive
 Nashville, TN 37204
 214-679-3607
 marshall@theescapegame.com

Architect of Record: Steve Maher - Principal
 Joseph Kim - PM
 MJM Architects
 2948 Sidco Drive
 Nashville, TN 37204
 615-244-8170
 j.kim@mjmarch.com

MEP Consultant of Record: Benchmark Group, Inc
 Brent Watkins
 1805 N 2nd Street
 Rogers, AR 72756
 479-636-5004
 bkw@teamofchoice.com

Landlord (Del Amo): Simon Property Group
 Tenant Coordinator
 Michelle Nielsen
 225 West Washington Street
 Indianapolis, IN 46204
 michelle.nielsen@simon.com
 619-951-8134
 Property Management Office
 310-542-8525

VICINITY MAP



PROJECT INFORMATION

Applicable Codes:
 2022 California Building Code
 2022 California Mechanical Code
 2022 California Electrical Code
 2022 California Plumbing Code
 2022 California Fire Code
 2022 California Existing Building Code
 2022 California Green Building Standards Code (CalGreen)

Scope Of Work:
 Leasable Area: 4,760 SF
 Tenant Improvement to Existing Building

 Demolition Of Existing Interior Partition and Ceiling
 Demolition Of Existing Mechanical Ducts
 Install New Partitions, Ceilings, and Finishes
 Install New Mechanical Ducts
 Install New Electrical and Lighting Fixtures
 Install New Plumbing and Fixtures
 No Structural Work Required

Under Separate Permit (Deferred Submittals):
 Signage And Storefront
 Fire Alarm Systems
 Fire Sprinkler System

Construction Type: Type II-B; Fully Sprinklered
Existing Occupancy Type: Assembly - Group A-2
Proposed Occupancy Type: Assembly - Group A-3
 Special Amusement Building

SHEET INDEX

REVISION	REVISION DATE	SHEET	SHEET TITLE
01 General			
Revision 1	04/19/24	G001	Cover
Revision 1	04/19/24	G002	General Information
		G003	CalGreen 1
		G004	CalGreen 2
		G005	CalGreen 3
		G006	Site Plan
Revision 1	04/19/24	G008	Life Safety & Code Summary
		G009	ADA
		G010	ADA
02 Architectural			
		A101	Demo Plan
		A102	Overall Floor Plan
		A103	Overall RCP
		A110	FF & E Plan
Revision 1	04/19/24	A201	Storefront - Plan & Elevations
Revision 1	04/19/24	A202	Lobby - Plans & Elevations
		A203	Break Rm & RR - Plans & Elevations
Revision 1	04/19/24	A204	BOH - Plans & Elevations
Revision 1	04/19/24	A211	Cosmic Crisis - Plans & Elevations
		A212	Prison Break - Plans & Elevations
Revision 1	04/19/24	A213	Playground - Plans & Elevations
Revision 1	04/19/24	A214	Gold Rush - Plans & Elevations
Revision 1	04/19/24	A215	Timeliner - Plans & Elevations
		A216	The Depths - Plans & Elevations
Revision 1	04/19/24	A301	Schedules & Details
Revision 1	04/19/24	A302	Details
Revision 1	04/19/24	A303	Details
03 Electrical			
		E001	ELECTRICAL COVER SHEET
		E002	TITLE 24 COMPLIANCE
		E003	TITLE 24 COMPLIANCE
Revision 1	04/19/24	E100	ELECTRICAL LIGHTING PLAN
		E200	ELECTRICAL POWER PLAN
		E300	ELECTRICAL LOW VOLTAGE PLAN
		E400	ELECTRICAL SCHEDULES
Revision 1	04/19/24	E500	FIRE ALARM PLAN
04 Mechanical			
Revision 1	04/19/24	M001	MECHANICAL COVER SHEET
		M002	TITLE 24 COMPLIANCE
		M100	MECHANICAL SCHEDULES
Revision 1	04/19/24	M101	MECHANICAL DETAILS
Revision 1	04/19/24	M200	HVAC FLOOR PLANS
		M300	REFLECTED CEILING PLAN
05 Plumbing			
Revision 1	04/19/24	P100	PLUMBING SCHEDULES AND DETAILS
Revision 1	04/19/24	P200	PLUMBING PLANS
		P202	PLUMBING RISERS
		P203	TITLE 24 COMPLIANCE
06 Structural			
Revision 1	04/19/24	S1	GENERAL NOTES
Revision 1	04/19/24	S2	ROOF FRAMING PLAN



ARCHITECTURE 2498 Sidco Dr.
 INTERIORS Nashville, TN 37204
 GRAPHICS 615.244.8170
 www.njmarch.com



THE ESCAPE GAME
 508 E Iris Drive
 Nashville, TN 37204

**Del Amo Fashion
 Center**
 Unit 161
 3525 W Carson St
 Torrance, CA 90503

Permit Set
09/22/23
 23232

No.	Description	Date
1	Revision 1	04/19/24

This drawing and the design shown is the property of the architect. The reproduction, copying or use of this drawing without their written consent is prohibited and any infringement will be subject to legal action.

Cover

G001

GENERAL NOTES

- A. ALL WALL STUDS TO BE 12'-6" AFF UNLESS OTHERWISE NOTED.
- B. BRACE THE PARTIAL HEIGHT WALLS TO FULL HEIGHT WALLS AT 6'-0" MAX. OC.
- C. ALL INTERIOR WALLS TO BE 20g 3-5/8" METAL STUD UNLESS OTHERWISE NOTED.
- D. SEE DETAILS SHEET FOR TYPICAL BRACING AND ROUGH OPENING DETAILS.
- E. ALL DIMENSIONS IN PLAN ARE TO FACE OF STUD OR FACE OF EXISTING WALL SURFACE UNLESS NOTED OTHERWISE.
- F. GAME SPACE DIMENSIONS ARE TO BE PRIORITISED THAN HALLWAYS OR BOH SPACES.
- G. ANY VARIANCE TO THE GAME SPACE DIMENSIONS ARE TO BE NOTIFIED TO TEG.

WALL TREATMENTS

- W1 5/8" Gypsum Board
- W2 1/2" FRT Plywood Sheathing
- W3 1/4" Gypsum Board Over 1/2" FRT Plywood Sheathing
- W4 Exposed Studs

- A. All wall treatments are to terminate 6" above the ceiling, 12'-6" TYP.
- B. Where no new stud walls are indicated, install wall treatment direct to the existing substrate.
- C. Provide level 4 finish on gypsum board walls UNO.
- D. See interior elevations for additional finishes and paints. An additional level of finish is to be provided for these areas.
- E. FRT plywood is to comply with allowable material regulations.



THE ESCAPE GAME

508 E Iris Drive
Nashville, TN 37204

Del Amo Fashion Center

Unit 161
3525 W Carson St
Torrance, CA 90503

Permit Set

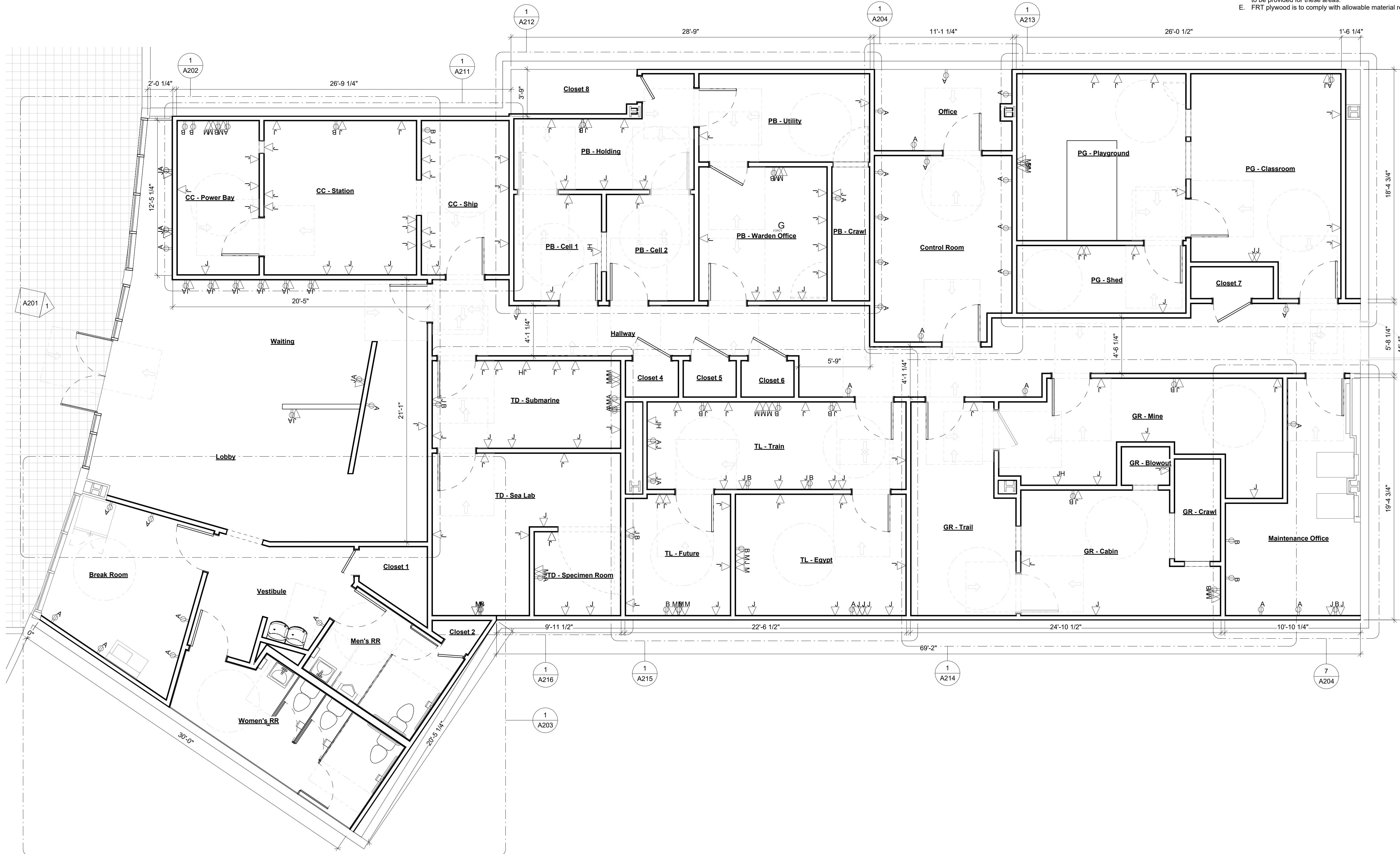
09/22/23
23232

No.	Description	Date

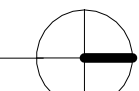
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Overall Floor Plan

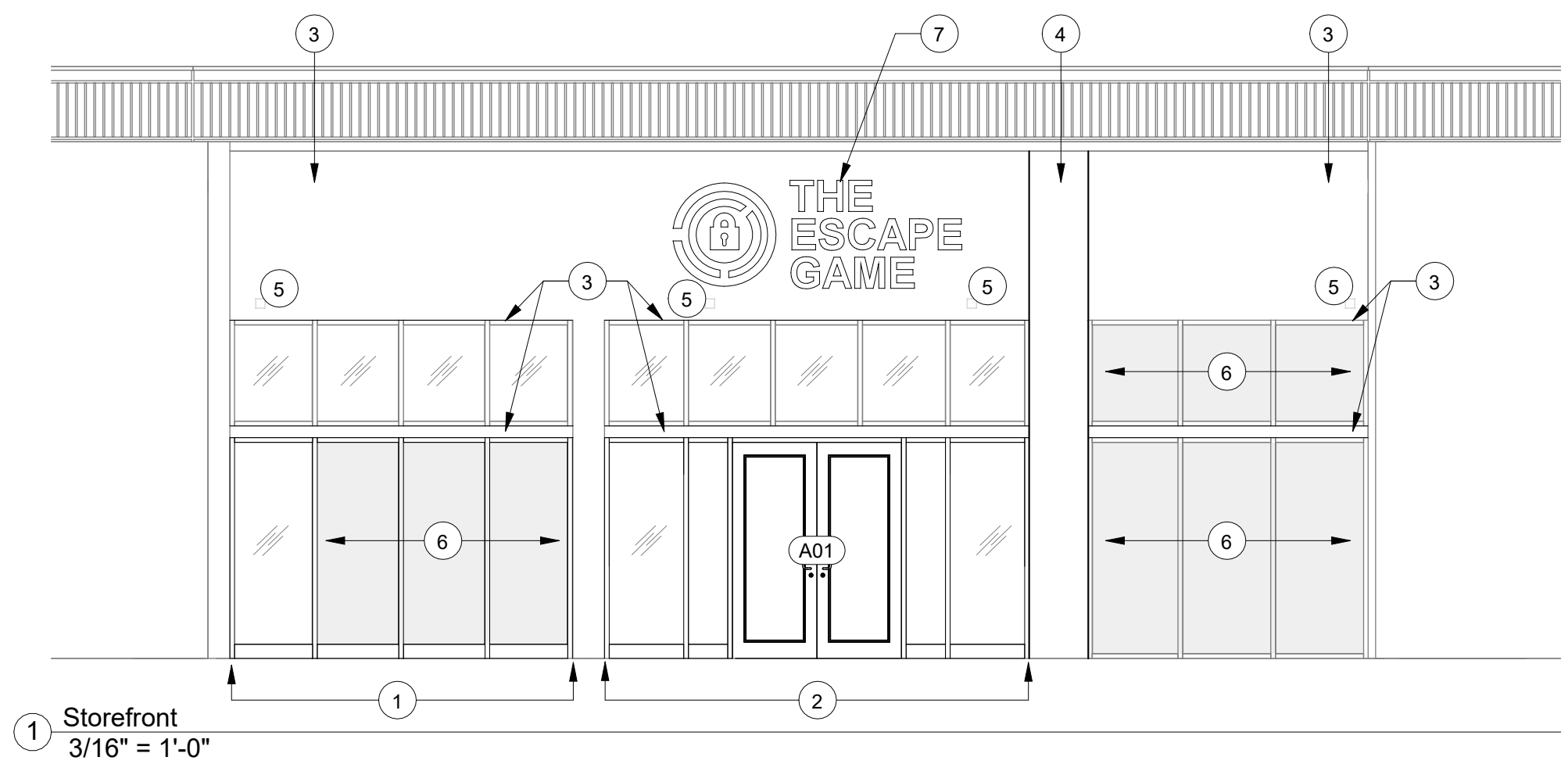
A102



1 Overall Floor Plan
1/4" = 1'-0"



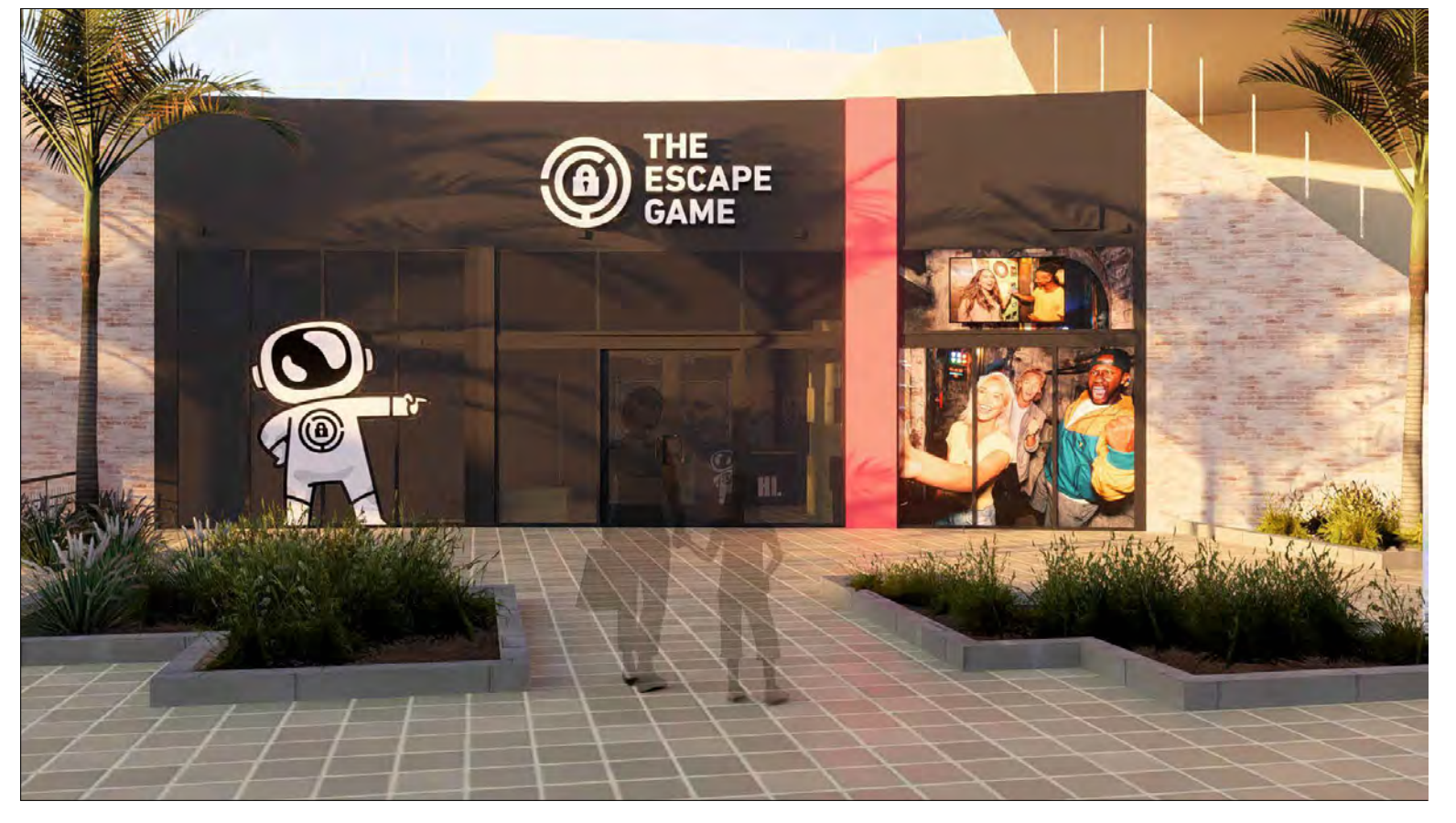
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1 Storefront
3/16" = 1'-0"

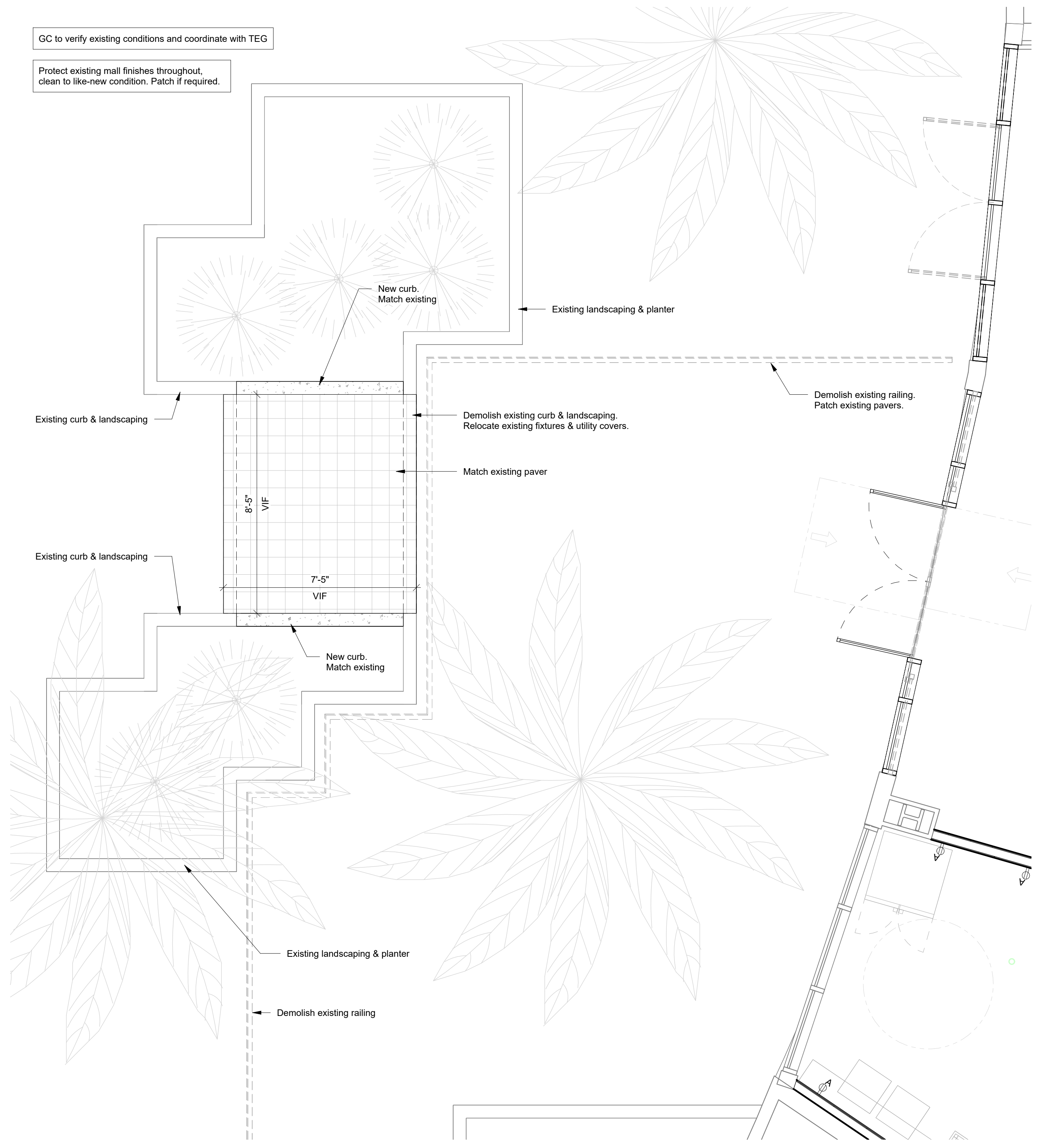
- 4 Exterior signage requires separate approval and a separate permit
- GC to verify existing conditions and coordinate with TEG
- Keyed Notes**
1. New Black Storefront with 6" base. Remove existing door. (By GC)
 2. New Black Storefront & Door with 6" Base. Remove existing sliding door. (By GC)
 3. Paint SW 6258 Tricorn Black (By GC)
 4. Paint SW 6859 Feverish Pink (By GC)
 5. Remove and cap existing electrical (By GC)
 6. Proposed Vinyl Graphic (By Signage Vendor)
 7. Illuminated Sign (By Signage Vendor)

Colored renderings are for visual reference only



GC to verify existing conditions and coordinate with TEG

Protect existing mall finishes throughout, clean to like-new condition. Patch if required.



2 Landscape Plan
3/8" = 1'-0"



THE ESCAPE GAME
508 E Iris Drive
Nashville, TN 37204

Del Amo Fashion Center
Unit 161
3525 W Carson St
Torrance, CA 90503

Permit Set
09/22/23
23232

No.	Description	Date
1	Revision 1	04/19/24

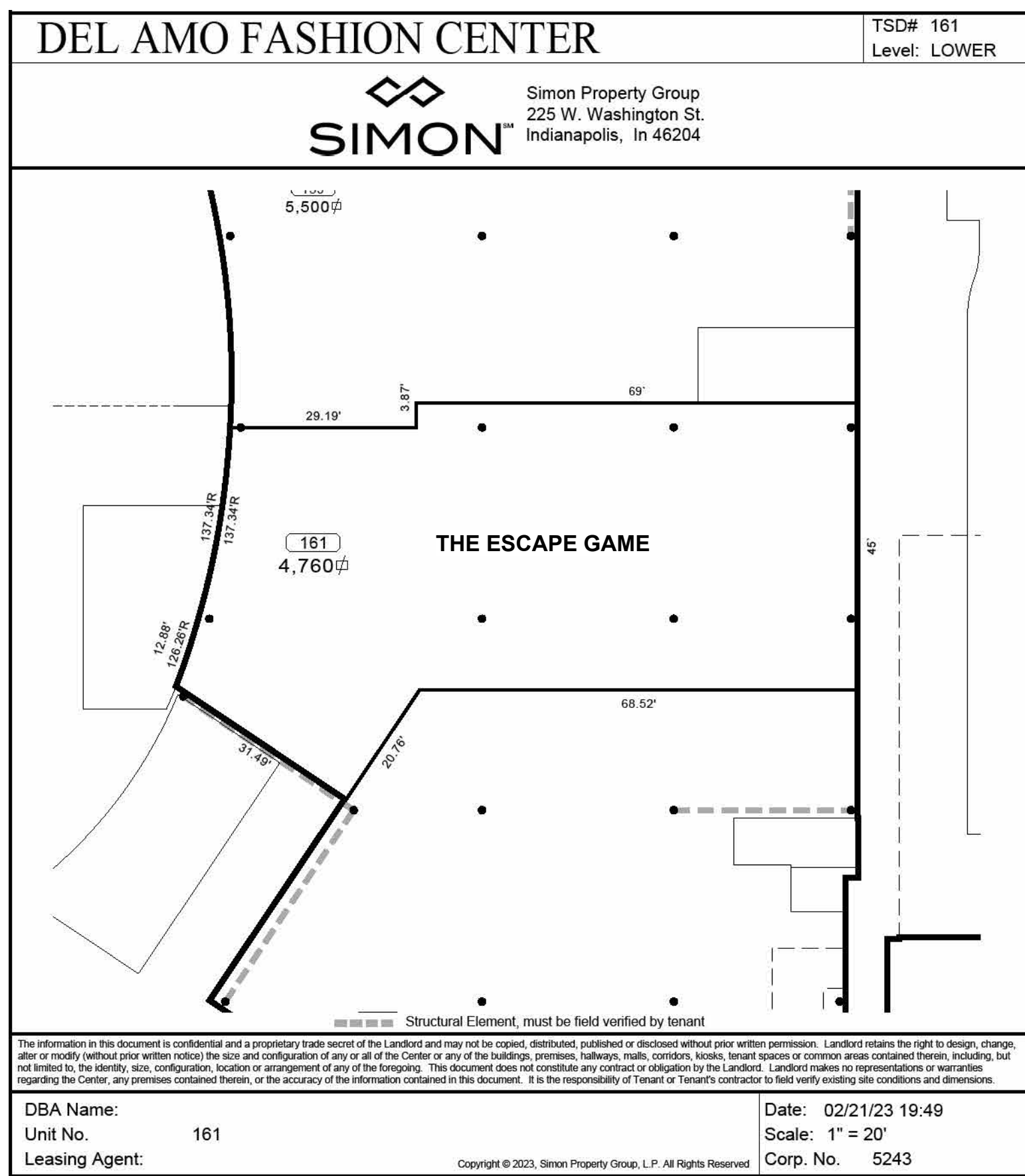
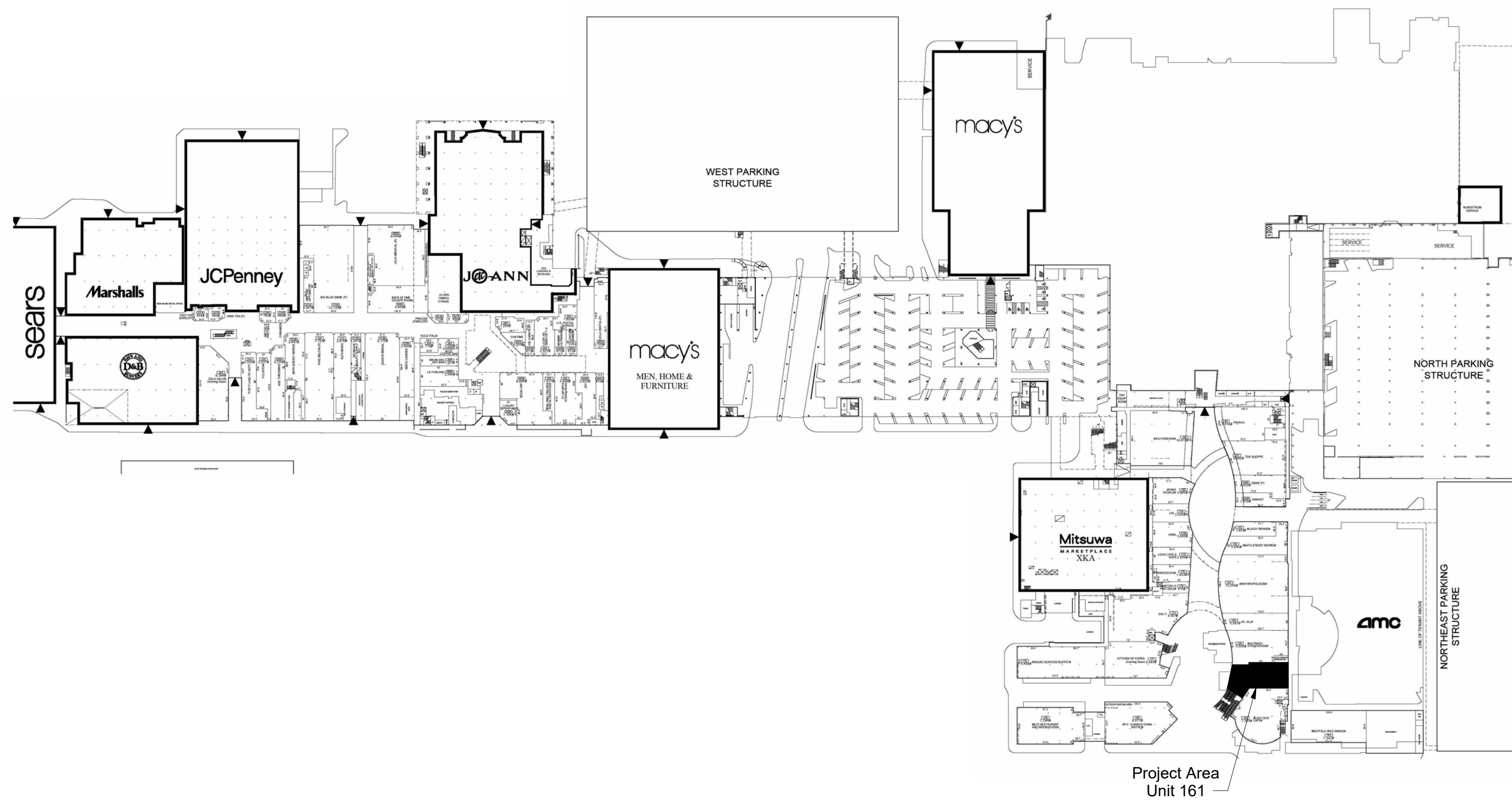
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Storefront - Plan & Elevations

A201

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SITE PLAN - FOR REFERENCE ONLY



ARCHITECTURE
PLANNING
INTERIORS
GRAPHICS

2498 Sidco Dr.
Nashville, TN 37204
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THE ESCAPE GAME

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Site Plan

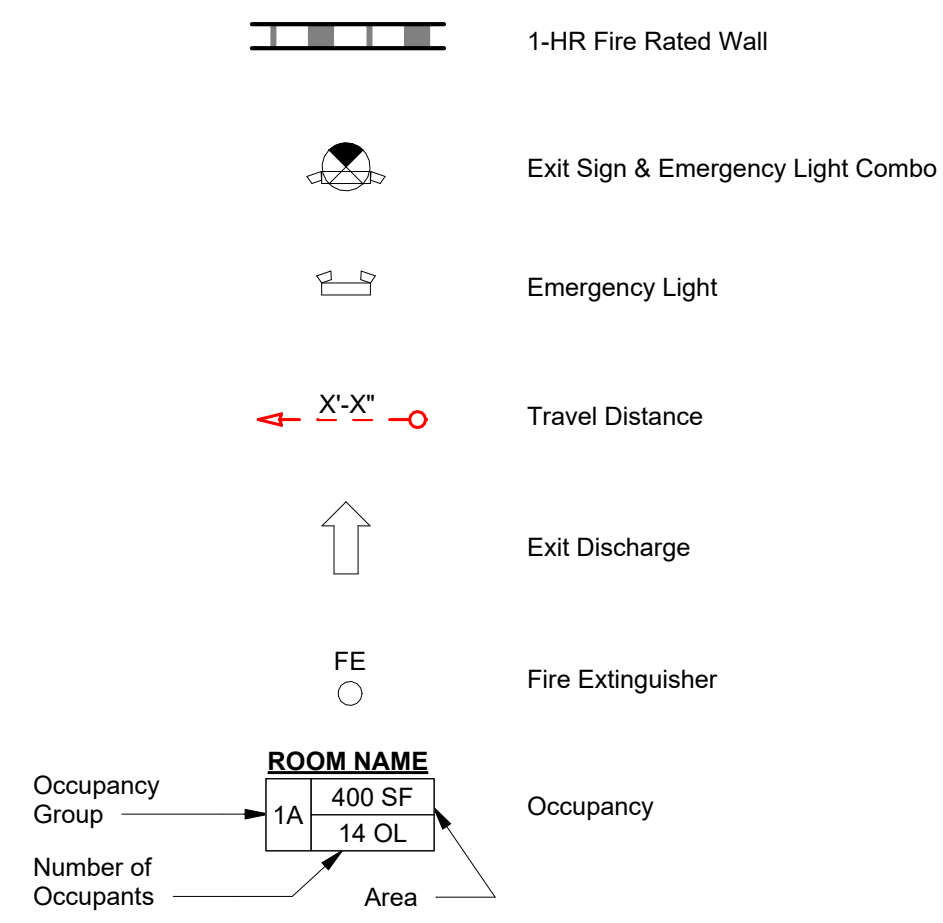
G006

ARCHITECTS
SEAL
CONSULTANT
OWNER
LOCATION
DATE
REVISIONS
APPROVAL
SHEET

LIFE SAFETY NOTES

- All egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.
- See electrical drawing for life safety & emergency lighting.
- See electrical drawing for fire alarm, horn, strobe, and smoke detectors.
- Fire protection design to be submitted during construction by the general contractor in the form of shop drawings for jurisdiction approval.
- Final fire extinguisher locations to be confirmed by local fire marshal & tenant during walk through.
- Fire extinguisher size and placement for class "A" hazards:
 - 11,250 SF max. Floor area for each fire extinguisher
 - 75' MAX. Travel distance to an extinguisher
 - 1,500 SF per unit of type "A"
 - Minimum rated extinguisher - 2A10B.C
- Fire extinguisher size and placement for class "B" hazards:
 - Ordinary (moderate) hazard - size 10B extinguisher rating requires 30'-0" MAX. Travel distance to the extinguisher.
 - Size 20B extinguisher rating requires 50'-0" MAX. Travel distance to extinguisher.
- Fire extinguisher size and placement for class "C" hazards:
 - Required where energized electrical equipment can be encountered that would require a non-conducting extinguishing medium.
- Information based on fire code requirements and NFPA 10 for an ordinary (moderate) hazard occupancy.
- Locations and quantities of fire extinguishers, as proposed, are based on NFPA 10. Verify and coordinate final quantities, locations and installation with local jurisdiction.
- All fire extinguishers shall have a gross weight not to exceed 40 lbs and are to be mounted on mounting brackets so that top of unit is no more than 4'-0" AFF.
- Mount fire extinguishers on side of column or wall outside of main path of travel.
- Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.

LIFE SAFETY LEGEND



CODE SUMMARY

Classification of Work: Tenant Improvement to Existing Building

Zoning: Mixed Use Retail Center

Building: Single Story Uncovered Mall

Construction Type: Type II-B Fully Sprinklered

Area of Work: 4,922 SF

Existing Occupancy Type: Assembly - Group A-2

Proposed Occupancy Type: Assembly - Group A-3
Special Amusement Building

Tenant Demising Wall (402.4.2.1):
1 HR. Fire-resistance (Existing walls)

Multiple Function Occupant Load (1004.3):
Where an area under consideration contains multiple functions having different occupant load factors, the design occupant load for such areas shall be based on the floor area of each function calculated independently.

Floor Area Allowance Per Occupant (TABLE 1004.5):

1A - Assembly (Gallery/Museum)	30 SF Net
2A - Assembly (Unconcentrated)	15 SF Net
M - Mercantile	60 SF Gross
B - Business Areas	150 SF Gross

*Actual number of occupants. Actual > Calculated (1004.8)

Occupancy Load (TABLE 1004.5):
110 Persons (See Life Safety Plan)

Number of Required Exits (1006.2.1):
(2) Required; (2) Provided

Arrangement of Exits (1007.1.1):
Where two exits, exit access stairways, exit access stairways or ramps, or any combination thereof, are required from any portion of the exit access, they shall be placed a distance apart equal to not less than one-third of the length of the maximum overall diagonal dimension of the building or area to be served measured in a straight line between them. (For sprinklered buildings)

Egress Width (1005.3.2):
110 x 0.2 = 22.0' Required; 68.0' Provided

Travel Distance (1017.2):
250' Maximum (For sprinklered buildings); Actual 73'-8"

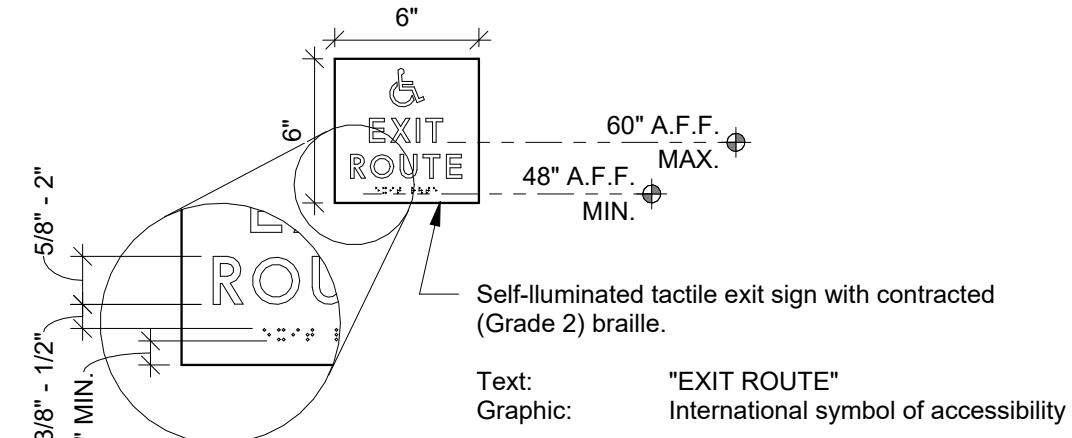
Common Path of Travel (TABLE 1006.2.1):
75' Maximum; Actual 33'-0"

Required Number of Plumbing Fixtures (CPC 422.1):
Male: (1) WC, (1) Urinal, (1) Lavatory
Female: (3) WC, (1) Lavatory
(1) Drinking Fountains
(1) Service Sink

Provided Number of Plumbing Fixtures:
Male: (1) WC, (1) Urinal, (1) Lavatory
Female: (3) WC, (1) Lavatory
(2) Drinking Fountains
(1) Service Sink

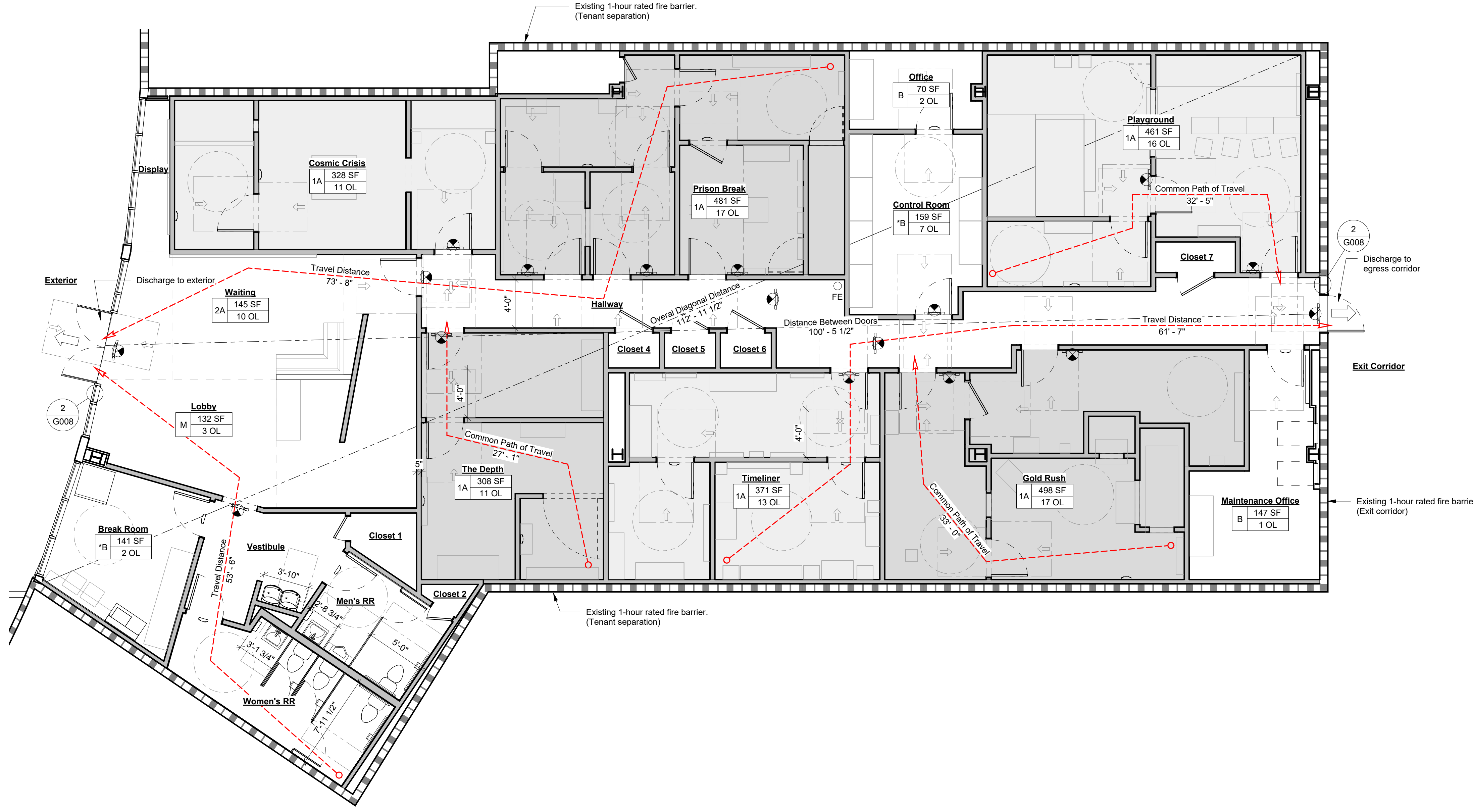
Other Life Safety Considerations:
Corridor Width: 44" Minimum (1020.2)
Dead End Corridor: 20' Maximum (1020.4)
Door Clear Width: 32" Minimum (1010.1.1)
Stair Clear Width: 48" Minimum Between Handrails (1009.3.2)
36" Minimum (Occupant Load <50) (1011.2)

Interior Finish (TABLE 803.9):
The use of foam plastics shall be in accordance with Section 802.7 and shall not be used as interior finish except as provided in Section 803.4 and shall not be used as interior trim except as provided in Section 806.5 or Section 2604.2.



Tactile exit signs shall be 1/16" thick clear photopolymer panel with 1/32" raised tactile copy and grade 2 California braille. The sign is to be mounted to glass with a clear isotactic adhesive sheet that covers the entire back sign plate. A 3"x5" 3m frosted vinyl patch (dusted crystal 7725-314) shall be mounted to the exterior of the glass storefront to conceal the adhesive sheet and sign panel.

2 TACTILE "EXIT ROUTE" SIGN
1 1/2" = 1'-0"



1 Life Safety Plan
3/16" = 1'-0"

SPECIAL AMUSEMENT BUILDINGS

411.1 General
Special amusement buildings having an occupant load of 50 or more shall comply with the requirements for the appropriate Group A occupancy and Sections 411.1 through 411.7. Special amusement buildings having an occupant load of less than 50 shall comply with the requirements for a Group B occupancy and Sections 411.1 through 411.7.

Exception: Special amusement buildings or portions thereof that are without walls or a roof and constructed to prevent the accumulation of smoke need not comply with this section.

411.2 Automatic Sprinkler System
Buildings containing special amusement areas shall be equipped throughout with an automatic sprinkler system in accordance with Section 903.3.1.1. Where the special amusement area is temporary, less than 180 days, the sprinkler water supply shall be of an approved temporary means determined by the authority having jurisdiction.

Exception: Automatic sprinklers are not required where the total floor area of a temporary special amusement area, less than 180 days, is less than 1,000 square feet (93 m²) and the exit access travel distance from any point in the special amusement area to an exit is less than 50 feet (15.240 mm).

411.3 fire alarm system
Buildings containing special amusement areas shall be equipped with an automatic smoke detection system in accordance with Section 907.2.11.

411.4 Emergency Voice/Alarm Communications System
An emergency voice/alarm communications system shall be provided in accordance with Sections 907.2.11 and 907.5.2.2. It is permitted to serve as a public address system and shall be audible throughout the entire special amusement area.

411.5 Puzzle Room Exiting
Puzzle room exiting shall comply with one of the following:
 1. Exiting in accordance with Chapter 10.
 2. An alternative design approved by authority having jurisdiction.
 3. Exits shall be open and readily available upon activation by the automatic fire alarm system, automatic sprinkler system, and a manual control at a constantly attended location.

411.6 Exit Marking
Exit signs shall be installed at the required exit or exit access doorways serving special amusement areas in accordance with this section and Section 1013. Approved directional exit markings shall be provided. Where mirrors, mazes or other designs are utilized that disguise the path of egress travel such that they are not apparent, approved and listed low-level exit signs that comply with Section 1013.5, and directional path markings listed in accordance with UL 1994, shall be provided and located not more than 8 inches (203 mm) above the walking surface and on or near the path of egress travel. Such markings shall become visible in an emergency. The directional exit marking shall be activated by the automatic smoke detection system and the automatic sprinkler system in accordance with Section 907.2.11.

411.6.1 Photoluminescent Exit Signs
Where photoluminescent exit signs are installed, activating light source and viewing distance shall be in accordance with the listing and markings of the signs.

411.7 Interior Finish
The interior finish in special amusement areas shall be Class A in accordance with Section 803.1.



ARCHITECTURE PLANNING INTERIORS GRAPHICS

2498 Sidco Dr. Nashville, TN 37204
615.244.8170
www.njmarch.com



THE ESCAPE GAME
508 E Iris Drive
Nashville, TN 37204

Del Amo Fashion Center
Unit 161
3525 W Carson St
Torrance, CA 90503

Permit Set
09/22/23
23232

No.	Description	Date
1	Revision 1	04/19/24

REVISIONS

APPROVAL

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Life Safety & Code Summary

G008

ARCHITECTS
SEAL
CONSULTANT
OWNER
LOCATION
DATE
REVISIONS
APPROVAL
SHEET

AGENDA ITEM NO. 8C

DATE: May 15, 2024
TO: Planning Commission
FROM: Soc Angelo Yumul, Planning Associate
Leo Oorts, Planning Manager
SUBJECT: 417 Via Anita (APN 7512-027-018)
Variance (VAR22-00001)

Consideration of a Variance to exempt a proposed new two-story, single-family residence from enforcement of Article 41, Chapter 1, Division 9, of the Torrance Municipal Code, Hillside and Local Coastal Overlay Zone. The proposed new residence would be located at 417 Via Anita (the “Property”), within the Hillside Overlay in the R-1 Zone.

RECOMMENDATION

Recommendation of the Community Development Director that Planning Commission conduct a public hearing and consider a recommendation to the City Council for denial of a Variance to exempt a proposed new two-story, single-family residence from enforcement of Article 41, Chapter 1, Division 9, of the Torrance Municipal Code, Hillside and Local Coastal Overlay Zone, on property located within the Hillside Overlay in the R-1 Zone at 417 Via Anita (APN 7512-027-018), and determine a Statutory Exemption for the Variance request in accordance with Guidelines for Implementation of the California Environmental Quality Act (CEQA); Article 18, Section 15270 (Projects Which Are Disapproved).

Should the Planning Commission determine the request satisfies the criteria for approving a Variance, and decide for a recommendation to the City Council for approval, the Community Development Director recommends that Planning Commission determine a Categorical Exemption for a single-family residence in accordance with Guidelines for Implementation of the California Environmental Quality Act (CEQA); Article 19, Section 15303 (New Construction).

EXECUTIVE SUMMARY

The project applicant, Rukhsana Mir, requests consideration by the Planning Commission to exempt a proposed new two-story, single-family residence from enforcement of Article 41, Chapter 1, Division 9, of the Torrance Municipal Code, Hillside and Local Coastal Overlay Zone, on property located within the Hillside Overlay in the R-1 Zone at 417 Via Anita (APN 7512-027-018).

The development standards of the R-1 Zone (Single Family Residential District), as well as the planning and design provisions of the Hillside Overlay are applicable to the project, and therefore exemption from enforcement of Article 41, Chapter 1, Division 9, of the Torrance Municipal Code, Hillside and Local Coastal Overlay Zone, requires approval of the following entitlements:

- Variance (VAR) to exempt enforcement of Code.

Staff has thoroughly reviewed the request and determined the request does not satisfy the criteria for granting a Variance and does not require further environmental review, and therefore staff recommends the Planning Commission make a recommendation to the City Council for denial of the request. The balance of this report provides an overview of the request.

Staff notes that the attached project plans serve as a conceptual project for example purposes only. The specific details and merits of the plans are not subject to review under the Variance request.

DISCUSSION

Environmental Determination

Projects which a public agency rejects or disapproves are Statutorily Exempt by the Guidelines for Implementation of the California Environmental Quality Act; Article 18, Section 15270 (Projects Which Are Disapproved).

Should the Variance request be considered for approval, new construction of a single-family residence in a residential zone is Categorically Exempt by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303 (New Construction).

General Plan Land Use Designation

The Property (417 Via Anita) has a General Plan land use designation of Low Density Residential (R-LO), which allows up to nine dwelling units per acre. Development in the R-LO land use designation is characterized generally by detached one and two-story single-family residences on individual lots forming a cohesive neighborhood. A single-family residence is consistent with the R-LO land use designation.

Zoning Designation and Adjacent Land Uses

The Property (417 Via Anita) is designated as R-1 Zone (Single Family Residential District) and bounded by four parcels that share the same zoning designation and Hillside Overlay, and are developed with similar land uses to the north, east and west (Attachment 1).

NORTH: R-1 / R-H One-Story Single Family Residences
SOUTH: R-1 / R-H One-Story Single Family Residences
EAST: R-1 / R-H One-Story Single Family Residence
WEST: R-1 / R-H One-Story Single Family Residence

Project Site

The Property (417 Via Anita) currently contains a one-story single-family residence with an attached two-car garage, originally constructed in 1954. The property is bordered on the east and west by one-story residences, with several two-story residences located nearby that were built prior to adoption of the Hillside Overlay.

The Property (417 Via Anita) is situated on a trapezoidal shaped lot measuring 7,357 square feet in area, which exceeds the minimum lot area and minimum dimensions required in the R-1 Zone. The lot is situated along a hillside bluff and slopes slightly upward from the front yard toward the rear yard before descending at the edge of the bluff. The existing building pad sits slightly above the adjacent sidewalk at the junction of Via Anita and Via La Soledad.

Prior Precise Plan Applications

In 2006, a development application was filed by Rukhsana Mir to obtain a Precise Plan of Development (Record No. PRE06-00037) to allow the construction of a new two-story, single-family residence on the Property, located within the Hillside Overlay in the R-1 Zone, at 417 Via Anita. In 2007, the Planning Commission considered and denied PRE06-00037. An appeal was filed by the applicant, and the matter was considered by the City Council in 2008, at which time the appeal was denied and the denial of PRE06-00037 was upheld.

In 2016, a development application was filed by Rukhsana Mir to obtain a Precise Plan of Development (Record No. PRE16-00006) to allow the construction of a new two-story, single-family residence on the Property, located within the Hillside Overlay in the R-1 Zone, at 417 Via Anita. In 2017, the Planning Commission considered and denied PRE16-00006. An appeal was filed by the applicant, and the matter was considered by the City Council in 2017, at which time the appeal was denied and the denial of PRE16-00006 was upheld.

The Lawsuit

In May of 2020, Rukhsana Mir and Jehan Mir (the purported purchaser of the Property) filed a Complaint against the City in the U.S. District Court for the Central District of California, relating to the aforementioned decisions. The Complaint contended, among other things, that the previous Precise Plan applications were denied on grounds of racial discrimination, and that the denials violated the federal Fair Housing Act and the California Fair Employment and Housing Act, among other statutes. In addition, the plaintiff raised various claims challenging the constitutionality of the City's Hillside Overlay Ordinance's review process, as applied to the proposed project.

In response to the Complaint, the City filed a motion to dismiss, which was granted by the Court. With respect to the claims challenging application of the City's Hillside Overlay Ordinance's review process, the Court ruled that the plaintiffs' claims were not ripe, as they had failed to obtain a "final decision" from the City on the applications, such as by seeking a Variance, as required under *Williamson County Regional Planning Commission v. Hamilton Bank of Johnson City*, 473 U.S. 172, 193 (1985). Based on that ruling, in January of 2021, the Court stayed those claims to allow the plaintiffs time to seek such a Variance. All other claims in the case were dismissed at that time.

In April of 2023, the Court dismissed the remaining claims in the case, without prejudice, on ground that the plaintiffs had failed to diligently seek a final decision by the City in the intervening two years, such as by diligently pursuing a Variance.

The Variance Application

The subject application for a Variance was submitted by Rukhsana Mir on August 8, 2022. Correspondence related to the application and application status can be found in Attachment 2.

On September 7, 2022, the City notified the applicant that the application was incomplete for failing to include the following items and/or information, among other items: (1) Any specification or description of the specific provision(s) of the Torrance Zoning Code and/or Torrance Hillside Overlay Ordinance from which the applicant seeks a variance; (2) A description of the special circumstances applicable to the property that would cause a strict application of the City's zoning requirements to deprive the property of the privileges enjoyed by other properties in the vicinity under identical zoning classifications (Gov. Code sec. 65906); and (3) Any proposed plans or drawings for the project.

In response, the applicant submitted a letter on April 6, 2023, referencing the August 8, 2022 submittal documents, questioning the need for plans, and requesting that the previous plans be used.

On May 1, 2023, the City notified the application was incomplete for failing to include the following items: (1) Submit 40 copies of proposed project plans for the project: Site Plan, Floor Plans, Elevations, Roof Plan, Etc.

In response, the applicant submitted a letter on May 12, 2023, requesting that previous plans be used or a copy of previous plans be provided.

On June 7, 2023, the City notified the applicant that the City did not retain the previous plans and that a Public Records Request was the appropriate avenue to request copies of records. Further, a Revised Status of Application, dated June 7, 2023, was attached.

In response, the applicant submitted a letter on June 27, 2023, providing an update that a Records Request was submitted, with the intent to obtain the requested 40 sets of plans. The applicant also questioned the need for plans.

The applicant submitted plans on August 8, 2023, and on August 18, 2023, the City notified the applicant that the application was deemed complete.

In light of the lawsuit situation, the application review as well as the preparation of the staff report has been coordinated with the City Attorney's Office for review by outside counsel.

Analysis

The applicant, Rukhsana Mir, is requesting a Variance for the proposed project to be exempt from the Hillside Overlay and its development standards, design review criteria, and limitations.

In 1977, the City Council adopted the Hillside Overlay to provide development standards, design-review criteria, and limitations for hillside and coastal development. The Hillside Overlay recognizes that there are development difficulties due to topography of the area, and the need for development-review criteria to prevent adverse impacts upon the view, light, air, and privacy of other properties in the vicinity. Since its adoption, the Hillside Overlay has evolved from general guidelines into a formal development review and permitting process.

Projects within the Hillside Overlay require discretionary review to determine whether the project has the potential to result in adverse impacts or result in significant public controversy. Various factors are taken into consideration when evaluating potential Hillside Overlay impacts, such as the project height, massing, and layout, field observations, existing site conditions, and silhouette placement.

Not all impacts are considered substantially adverse. In litigation related to the Hillside Overlay, *Youngern v. City of Torrance*, the Court ruled that the only reasonable interpretation of “adverse impact” is a “substantial impact,” for otherwise the regulations would preclude all development. That decision further noted that every development has an impact to the view, light, air, and privacy of surrounding properties, and finally, that front yards are within the public realm and do not enjoy a reasonable expectation of privacy.

As stated earlier, the Property (417 Via Anita) is situated on a trapezoidal shaped lot measuring 7,357 square feet in area, with the rear property line wider than the front, and the west side property line longer than the east side. The lot is situated along a hillside bluff, with the rear descending at the edge of the bluff. The parcel is oriented toward the south and is located along the north side of Via Anita at the junction with Via La Soledad. Via Anita descends from east to west, and Via La Soledad descends from south to north. These downward slopes begin east and south of the Property (417 Via Anita), with residences along Via Soledad and Via Alameda at a higher elevation, and continue north and west of the Property (417 Via Anita), with residences along Via Pasqual at a lower elevation. The building pad of the adjacent one-story residence to the west sits slightly below the Property (417 Via Anita), as opposed to the adjacent one-story residence to the east, which sits slightly above the Property (417 Via Anita). The nearby residences along Via Anita and Via La Soledad are predominately one-story structures with a number of two-story structures located intermittently nearby.

Considering the physical characteristics of the Property (417 Via Anita) and surrounding properties, the topography of the area is consistent with the original intent of the Hillside Overlay; in that there are development difficulties due to topography, and there is need for development-review criteria to prevent adverse impacts to other properties in the vicinity. The Property (417 Via Anita) is situated in an area and manner that may create the potential for substantial adverse impacts to neighboring properties when development is proposed.

In the judgment of staff, a Variance from the entire Hillside Overlay does not satisfy the criteria for approving a Variance, as the Hillside Overlay was specifically implemented for areas with unique topography, for which the Property (417 Via Anita) qualifies.

Criteria for Granting a Variance

In accordance with Article 1, Chapter 4, Division 9 of the Torrance Municipal Code, the Planning Commission shall recommend that the City Council approve or deny an application for a Variance based on the following criteria:

- a) There are practical difficulties or unnecessary hardships resulting from the strict enforcement of this Division.
- b) If it will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof.

- c) If it will not substantially interfere with the orderly development of the City as provided for in the Official Land Use Plan.

In addition, under State law, a Variance may be granted “only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives such property of privileges enjoyed by other property in the vicinity and under identical zoning classification.” (Gov. Code § 65906.)

Here, the basis for the applicant’s request for a Variance is that, according to the applicant, its project will *not* result in any adverse impacts to the views, light, air, or privacy of any of the surrounding properties, and any claims of such impacts by the surrounding neighbors are allegedly false.

Staff notes that this is not a basis for granting a Variance from the review criteria established by the Hillside Overlay process. The applicant has failed to point to any special circumstances of the property (such as size, shape, topography, location, or surroundings) that would justify exempting it from the Hillside Overlay process, or any practical difficulties or unnecessary hardships that would result from strict application of that process. Instead, the positions advanced by the applicant are merely an argument that, in applying those criteria to the project, no adverse impacts on the surrounding properties should be found. However, that is not a determination that is made through the granting of a Variance, but instead through the review of the project under the normal Hillside Overlay process. During that process, the applicant is free to present evidence and argument as to why a finding of no adverse impacts should be made.

Staff notes that the Hillside Overlay review process was purposefully considered and devised to allow for greater discretionary control over developments in the subject area, with additional design-review criteria, and with the intent to prevent adverse impacts to surrounding view, light, air, and privacy. In light of these purposes, granting the requested Variance will be materially detrimental to the public welfare and to the properties located in the vicinity thereof because, without additional design-review criteria and limitations established by the Hillside Overlay, a project on the Property (417 Via Anita) can potentially have significant adverse impacts to surrounding view, light, air, and privacy. For example, a proposed project that complies with the underlying R-1 Zone can potentially build to the maximum allowable height of 27 feet, and to the maximum allowable floor area of 4,414 square feet. Depending on how that height and mass is designed and laid out, the project can have significant adverse impacts to nearby properties. Relatedly, the project can propose balconies and roof decks which can have even more adverse impacts.

Furthermore, granting of the requested Variance will substantially interfere with the orderly development of the City. Doing so would create a singular scenario for the Property (417 Via Anita) that deviates from the neighborhood and surrounding area, which would be dissimilar, inconsistent, and not only incompatible, but contrary to the intent of the Hillside Overlay. Under State law, any granting of a Variance “shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and zone in which such property is situated.” Here, exempting the proposed project from the entire Hillside Overlay process, on the alleged ground that no adverse impacts would result from the project, would constitute a grant of special privileges that is inconsistent with the limitations on other properties in the vicinity.

The Hillside Overlay and its review process does not preclude the development of a two-story single-family residence. The proposed project would simply have to be designed to cause the least intrusion and be the least impactful to surrounding properties. Most recently, PRE23-00009 was approved on February 21, 2024 to allow a new two-story, single-family residence at 202 Paseo de Suenos. In another example, PRE22-00016 was approved on March 1, 2023 to allow a new two-story, single-family residence at 5446 Linda Dive. And yet another example, PRE22-00012 was approved on November 16, 2022 to allow a new two-story, single-family residence at 425 Paseo de la Playa.

In addition to the above examples, staff notes that recent changes in State law allow the Property (417 Via Anita) to be developed and improved with additional structures in the form of Accessory Dwelling Units, Two Unit Projects, and Urban Lot Splits, which are not subject to the discretionary review process

of the Hillside Overlay. Therefore, granting of the Variance is not necessary for allowing the Property (417 Via Anita) to be developed and improved upon.

For these reasons, staff recommends denial of the Variance request.

Variances are brought to the City Council for decision and may be granted by the City Council. The Planning Commission can only make a recommendation for approval or denial, and not a final determination. As such, a Planning Commission Resolution has not been prepared. Should the Planning Commission recommend approval for the City Council's consideration of the Variance, staff will include conditions of approval to ensure a quality project.

CONCLUSION

In the judgment of staff, the request for a Variance to exempt a proposed new two-story, single-family residence from enforcement of Article 41, Chapter 1, Division 9, of the Torrance Municipal Code, Hillside and Local Coastal Overlay Zone, does not satisfy the criteria for approving a Variance. As outlined over the course of this report, the applicant has not established any practical difficulties or unnecessary hardships that would result from strict application of the Hillside Overlay process, that granting the Variance will be materially detrimental to the public welfare and to the properties located in the vicinity thereof, and that granting the Variance will substantially interfere with the orderly development of the City.

Staff recommends the Planning Commission make a recommendation for denial to the City Council.

PUBLIC NOTICE

In accordance with the Torrance Municipal Code, notices of the public hearing were made no less than 10 calendar days before the Planning Commission meeting. Notices were also posted at the project site and were mailed on May 2, 2024, to the registered owner of properties located within a 500' radius of the exterior boundaries of the project site. Notices were also published in the local newspaper (The Daily Breeze) and posted on the City of Torrance webpage.

PROJECT PLANS

The project plans and all related documents are readily available for public review at the Permit Center (Planning Counter) located at City Hall, 3031 Torrance Boulevard, Torrance CA 90503, during normal business hours open 8:00am to 5:00pm, Monday through Thursday, open alternate Fridays. Appointments are available by contacting the Planning Division at (310) 618-5990.

The project plans serve as a conceptual project for example purposes only. The specific details and merits of the plans are not subject to review under the Variance request.

ATTACHMENTS

1. Location and Zoning Map
2. Application Related Correspondence
3. Variance Substantiation
4. Correspondence
5. Project Plans (Limited Distribution)

STAFF CONTACT

Soc Angelo Yumul, Planning Associate
SYumul@TorranceCA.gov

Leo Oorts, Planning Manager
LOorts@TorranceCA.gov

ITEM 8C

ATTACHMENT 1

LOCATION AND ZONING MAP



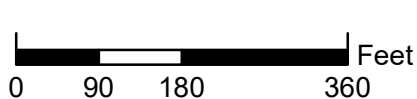
LOCATION AND ZONING MAP

VAR22-00001
417 Via Anita



LEGEND

- Notification Area
- 417 Via Anita



ITEM 8C
ATTACHMENT 2
APPLICATION RELATED

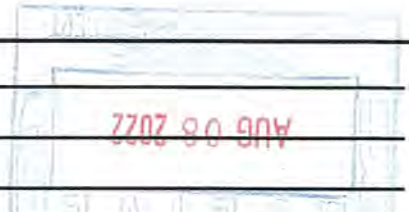


DEVELOPMENT APPLICATION

Please print or type

NAME OF APPLICANT RUKHSANA MIR	ADDRESS 18 BARBARA LANE, FARMINGDALE,	CITY, STATE & ZIP CODE N.Y. 11735
STREET ADDRESS OR LOCATION OF PROPERTY 417 VIA ANITA, REDONDO BEACH, CA 90277		

PROPOSED USE OF PROPERTY AND PURPOSE OF APPLICATION(S): _____
 SINGLE FAMILY RESIDENCE



PROPERTY OWNER	APPLICANT'S REPRESENTATIVE (OTHER THAN OWNER)
I, the undersigned, understand I am responsible with complying with the provisions of the Torrance Municipal Code for, and any conditions of approval related to, the entitlements I am applying for.	
PRINT NAME OF PROPERTY OWNER RUKHSANA MIR	PRINT NAME OF APPLICANT'S REPRESENTATIVE JEHAN ZEB MIR
ADDRESS 417 VIA ANITA	ADDRESS 417 VIA ANITA
(CITY, STATE & ZIP CODE) REDONDO BEACH, CA 90277	(CITY, STATE & ZIP CODE) REDONDO BEACH, CA 90277
PHONE 516-473-7727	PHONE 516-473-7727
EMAIL	EMAIL jmir58@hotmail.com
SIGNATURE OF PROPERTY OWNER <i>Rukhsana Mir</i>	SIGNATURE OF APPLICANT'S REPRESENTATIVE <i>Jehan Zeb Mir 8/8/22</i>

FOR CITY USE ONLY – DO NOT WRITE BELOW THIS LINE

ZONE	OVERLAYS	COUNTY ASSESSORS INFORMATION			LEGAL DESCRIPTION			ESCROW NO.
		BOOK	PAGE	PARCEL NO.	LOT	BLOCK NO.	TRACT	

CHECK TYPE OF PERMIT(S) REQUESTED (APPLICABLE):

<input type="checkbox"/> Administrative Action	<input type="checkbox"/> Fence Height Exception	<input type="checkbox"/> Planning Commission Review	<input type="checkbox"/> Waiver
<input type="checkbox"/> Conditional Use Permit	<input type="checkbox"/> General Plan Amendment	<input type="checkbox"/> Precise Plan	<input type="checkbox"/> Zone Change
<input type="checkbox"/> Development Permit	<input type="checkbox"/> Minor Development	<input type="checkbox"/> Tentative Tract	<input type="checkbox"/> _____
<input type="checkbox"/> Division of Lot	<input type="checkbox"/> Modification	<input checked="" type="checkbox"/> Variance	<input type="checkbox"/> _____

Environmental Assessment Submitted on..... Date: _____ <input type="checkbox"/> Negative Declaration..... Date: _____ <input type="checkbox"/> EIR Adopted..... Date: _____	Categorically Exempt per CEQA Section: _____ Signature: _____ Date: _____
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DATE _____ BY _____

CASE NO(S) VAR22-00001



VAR 22-00001

City of Torrance, Community Development Department Michelle G. Ramirez, Director
3031 Torrance Blvd., Torrance, CA 90503, Phone (310) 618-5990 Fax (310) 618-5829

DEVELOPMENT APPLICATION

TO ALL APPLICANTS FOR ZONE CHANGE, VARIANCE, CONDITIONAL USE PERMIT, PRECISE PLAN, WAIVER, SUBDIVISION, GENERAL PLAN AMENDMENT, VALIDATION PERMIT, DEVELOPMENT PERMIT, PLANNING COMMISSION REVIEW AND MODIFICATION REQUESTS UNDER DIVISION 9, OF THE TORRANCE MUNICIPAL CODE.

The employees of the Community Development Department will give every possible assistance to anyone who desires to avail themselves of the remedies provided by the Code in special zoning problems involving any of the procedures mentioned.

Such assistance, however, must not be interpreted as encouragement to the applicant, and **THE APPLICANT MUST UNDERSTAND THAT IN ALL CASES, THE BURDEN OF PROOF IS UPON THEM TO MAKE THE SHOWING NECESSARY** before any of the described petitions can be granted, and that there is no guarantee expressed or implied that any application will be granted by whatever agency, or individual, that has authority in the matter.

The applicant must also understand that each matter must be carefully investigated and that after the investigation has been made, or the public hearing has been held, the staff's recommendation or decision may be contrary to the position taken in the preliminary discussions.

The staff is not permitted to assist the applicant or any opponents to an application in preparing arguments for or against the request.

I have read the foregoing and understand that **I HAVE THE BURDEN OF PROOF** in the matter arising under the application made by me:

4-27-22

DATE

Rukhsana Mir

APPLICANT

Have you or an agent on your behalf, made or offered, or were you solicited for a political campaign contribution or contributions totaling more than \$250.00 in the past 12 months to be used by a member of the Commission, or for a political candidate designated by a commissioner?

YES

NO

4-27-22

DATE

Rukhsana Mir

APPLICANT



VAR22-00001

City of Torrance, Community Development Department Michelle G. Ramirez, Director

3031 Torrance Blvd., Torrance, CA 90503, Phone (310) 618-5990 Fax (310) 618-5829

COMPLIANCE STATEMENT

PURSUANT TO §65850.2 OF THE CALIFORNIA GOVERNMENT CODE

Please complete the following:

PROJECT ADDRESS 417 VIA ANITA		AND/OR PARCEL NUMBER
CITY REDONDO BEACH	STATE CA	ZIP CODE 90277

The owner or authorized agent shall indicate that the development project under review "will" or "will not" handle, use or store hazardous materials or emit **hazardous air emission*** by placing a "X" in the appropriate option below.

STATEMENT I

I verify that my project ___ will/ will not handle, store, or use hazardous materials as defined in Article 1 or Chapter 6.95 of the California Health and Safety Code, or emit **HAZARDOUS AIR EMISSIONS.***

The owner or authorized agent shall certify that regulated substances at or greater than the amounts specified in Article 2 of Chapter 6.95 of Division 20 of the California Health and Safety Code "will" or "will not" be handled, used or stored and/or that the project will or will not contain a source or modified source with **hazardous air emissions*** by placing a "X" in the appropriate option below.

STATEMENT II

I certify that my project ___ will/ will not have more than a threshold quantity of a regulated substance in a process or contain a source or modified source of **HAZARDOUS AIR EMISSIONS.***

If you answer in the affirmative to **STATEMENT I** above, you may proceed with the development process. However, you will be required to **have the Torrance Fire Department Hazardous Materials Division verify that you have** complied with the requirements of Article I or Chapter 6.95 or the Health and Safety Code.

If you answer in the affirmative to **STATEMENT II** above, you may **NOT** proceed further in the planning process until you have contacted the Torrance Fire Department Hazardous Materials Division and received a Notice of Requirements to Comply With, or determination of exemption from the Requirement for a Risk Management Plan.

If you answer in the affirmative to either **STATEMENT I** or **II** you must receive verification from the Torrance Fire Department that you have met or are meeting the applicable requirements of Section 25505 and Article 2 of Chapter 6.95 of Division 20 of the Health and Safety Code before you will be given a final Certificate of Occupancy or its equivalent.

Rukhsana Mir

AUTHORIZED AGENT/OWNER

4-27-22

DATE

***Hazardous air emissions** mean emissions into the ambient air of air contaminants which have been identified as a toxic air contaminant by the State Air Resources Board or by the air pollution control officer for the jurisdiction in which the project is located. As determined by the air pollution control officer, hazardous air emissions also means emissions into the ambient air of any substance identified in subdivision (a) to (f), inclusive, of Section 44321 of the Health and Safety Code.

JEHAN ZEB Mir, MD

Cardiovascular & Thoracic Surgery

417 Via Anita

Redondo Beach, CA 90277

(310) 373-4029

August 8, 2022.

HAND DELIVERED

Planning Commission

City of Torrance

3031 Torrance Boulevard

Torrance, CA 90503

Re: APPLICATION FOR VARIANCE

TO HILLSIDE OVERLAY ORDINANCE. (ARTICLE 41)

To Properties at 413; 421 Via Anita ad 214; 218 Via Pasqual

In Support of Building Permit at 417 Via Anita, Redondo Beach, 90277.

To The Honorable Members of the Planning Commission,

I, Jehan Mir as representative of the Applicant and Property Owner Rukhsana Mir submits the following memorandum in support of Application for Variance.

The City Council denied building permit for construction of two-story single-family residence at 417 Via Anita, because morning and evening natural lights would be affected at residences located at 413 ad 421 Via Anita respectively and that privacy would be impacted at 214: 218 Via Pasqual.

There is no substantial evidence whatsoever supporting each ground for the denial of building permit. The only reasonable alternative to City Council making unjust findings is to grant Variance to Hillside Ordinance to relieve from unnecessary hardships.

Therefore, Rukhsana Mir respectfully applies for Variance to Hillside Ordinance. (Article 41) on the grounds that practical difficulties and unnecessary hardships result from the strict enforcement of the provisions of this Division relating to the use of land.

Variance will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity, since the building plans comply with the City building Code and there is no substantial interference with morning or evening natural lights of neighboring properties at 413 and 421 Via Anita respectively. Furthermore, there is no privacy intrusion at all at 214 and 218 Via Pasqual, Redondo Beach, 90277, because these properties never had privacy, as viewed from the subject property. Besides, the growth of trees and foliage in between the properties completely hides these properties at Via Pasqual from the subject property from any level.

These were the sole basic reasons for which the building permit was denied by the City Council. Consequently, it will not substantially interfere with the orderly development of the city.

Applicant incorporates by reference the revised building plans submitted to the Community Development Department and acknowledged on November 8, 2017, (**Exhibit Page. 363, Exhibits Pages 1628-1635**) and the entire record of 2006 and 2016 Applications for Precise Plan of Development at the subject property.

In the Application for Precise Plans of Development of the property, the Planning Department Staff, Planning Commission, and the City Council found that the building

plans comply with the city building code (Article 4 R-1 SINGLE FAMILY RESIDENTIAL DISTRICT), hence no dimensional variance is requested or required.

The practical difficulties are caused by neighbors who objected without substantial grounds of any interference with the light and privacy due to the proposed development, as stated above. In fact, there is no interference at all to any of the properties located within 300 feet of the subject property as required by the Hillside Overlay Ordinance. This has caused unnecessary hardships to the property owner and his family and deprived them of the full use and enjoyment of their property for the past 16 years.

I

STATEMENT OF FACTS

1. In 2001, the Property Owner brought the subject property from Jehan Zeb Mir. with the intention to add a second story because 1400 square feet subject property was too small to tend to the needs of the family of six which included elderly mother with severe arthritis needing to move from the cold climate in N.Y. to warmer Southern California.
2. The subject property is located at 417 Via Anita where Via Soledad takes off southward, after its interruption caused by properties built on Via Pasqual and Via Anita.
3. When Jehan Mir sold the property to Rukhsana Mir, he represented to Rukhsana Mir as a Condition of Sale that she would be able to obtain a building permit to add second story to the property without interfering with light, air, view, privacy of any of the relevant neighboring properties, as follows:
4. **Neighborhood Properties North of the Subject Property at 206, 210, 214, 218 Via Pasqual.**

Dianne and James Connley live at 206 Via Pasqual. Scott Mathew lived at 210 Via Pasqual. He sold his property in 2018. Pat Mraz and Janet Mellon live at

214 Via Pasqual, Scott Davis lives at 218 Via Pasqual. All these properties are located on the hill 100-300 feet north and 50 feet below the level of the subject property.

From the roof of the subject property 218 Via Pasqual is not visible, only part of the roof of the 214 Via Pasqual is barely visible. The 206, 210 Via Pasqual properties are far, and nothing is visible. No other property located at Via Pasqual had any issue with the proposed development.

5. In 1977, the City Planning Commission in granting Second Story building permit to Burritt Hill at 409 Via Anita, second house west to Owner's property made a finding that there was enough set back, which made any objections raised by residents at Via Pasqual located to the North and at a lower level of 30 feet due to hill side slope irrelevant and granted building permit.
6. The doctrine of 'issue preclusion' applies to any issues raised by residents at 214 and 218 Via Pasqual particularly for any interference with privacy. The subject property has greater set back and is at a higher level in addition to intervening trees which obscure these properties at 214, 218 Via Pasqual. Nothing is visible of any part of these properties from the subject property's roof, the site of proposed second story.
7. Furthermore, these two properties at 214, 218 Via Pasqual have no privacy, without the trees because as resident Pat Mraz at 214 Via Pasqual, admitted at the May 2017 hearing before the Planning Commission, that standing at the periphery of the subject property, one could get full view of the backyards of the two properties at 214 and 218 Via Pasqual. In other words, if these neighbors have no privacy to begin with, they could not be expected to claim privacy after the addition of second story.

The City Council incorrectly denied building permit for intrusion of privacy to properties located at 214 and 218 Via Pasqual by proposed construction and

caused practical difficulties, expense and hardships to family of moderate means. Therefore, grant of variance would be just and proper.

8. Neighborhood Properties at 413, 409, 405 Via Anita:

(West of the Subject Property)

The properties located to the west of subject property are located at 413, 409, 405 Via Anita did not have claims of any interference with light, air, view and privacy because of proposed building plans, except Mary Abner at 413 Via Anita who alleged interference with morning light which is not a substantial reason and is incorrect.

Mary Abner sold her property at 413 Via Anita in 2019. There is no longer any valid complaint of interference with morning light from her.

However, in 2006, Mary Abner supported Property Owner's 2006 Application for Building Permit.

Regarding 2016 Application for building permit, Abner never once wrote any letter to Planning Commission or City Council or appeared at the hearings to oppose building permit in 2016/ 2017.

Abner like the current owner always had her shades down on the bathroom and bedroom small or medium size windows on the east, apparently for privacy reasons. However, there is plenty of light coming in from windows on the north The existing building at 417 Via Anita is only six feet away and second story could not interfere with morning light any more than the existing single story.

Furthermore, during summer sun rises from the northeasterly direction and subject property is not in line to block any morning direct sunlight. During winter, sun rises from the south-easterly direction, the single-story subject like other properties to the east on Via Anita block direct sun rise, therefore addition of second story could not cause any additional effect. However, once the sun rises further and crosses between the subject property and 413 Via

Anita, there is plenty of direct sunlight. Nonetheless, there is always plenty of indirect sunlight.

9. Burritt E. Hill resided at 409 Via Anita before he passed on in 2019. To the west of Hill's property, Andrew Balk lives at 405 Via Anita. Neither Hill nor Balk's property is visible from the subject property. None of them had or presented any issues concerning light, view, or privacy, affecting their properties.
10. The City Council denied building permit because morning light at 413 Via Anita where Mary Abner once resided was affected. However, as stated above, there is no longer a valid claim of interference with morning light by Mary Abner since she sold the property in 2019. No variance is needed or required for this property.
11. **Neighborhood Properties on the South of the Subject Property at 400, 404 , 405 and 408 Via La Soledad:**

On the south side, the two properties diagonally across the intersection, located at 400 and 404, 405 Via La-Soledad are also too far across to block any view, light, air, or privacy. The properties located at 400 and 404 Via La Soledad have no view.
12. Elizabeth Nadalin lives at 400 Via La Soledad. Barbara Laird and Michael Duarte live at 404 Via La Soledad. James Pickard lives at 405 Via La Soledad.
13. The property located at 408 Via La Soledad was originally a single-story building. When parcels were originally sold in 1954, the 408 Via La Soledad was sold as **non-view property** at a significantly lower price than the property at 417 Via Anita, which was rated as 'view property' and paid \$ 10,000 more than non-view properties for the view.
14. In 1963, a second story was added at 408 Via La Soledad. This was before the Hillside Overlay Ordinance was enacted in 1977. **(Exhibit Pages 70-73)**

The second story project was not subject to any objections or criticism by neighbors. There are several two- story residences located half a block away from the subject property on Via Monte Doro which are outside the Hillside Overlay district. These property owners under the City Code have no standing to object to any development in the area within the Hillside Overlay district for lack of reciprocity. Similarly, the property at 408 Via La Soledad was not subject to Hillside Overlay Ordinance, its owner Kathie Baldwin lacked standing to object to any development at 417 Via Anita, under the Hillside Overlay ordinance, particularly the view properties.

15. A large old tree located on adjacent property at 404 Via La Soledad, occupied by Laird and Duarte completely blocked the view from one of the three windows on the north on Baldwin's second story at 408 Via La Soledad facing towards the subject property.
16. Since 1963, neither prior owner nor Baldwin made any attempt to request Laird and Duarte or prior owners to cut the tree, so that Baldwin could have additional view from the front window on the northern side. Baldwin did have views from the second story from other two windows located on the same northern side, behind or easterly to the front window. The views from these two back windows were not blocked by proposed second story on the subject property.
17. Baldwin also had unobstructed frontal ocean view from the windows on the second story facing west and view through the window on the southern side of her property of hills on the Palos Verdes peninsula.
18. Kathy Baldwin lived there till September 2013 when she sold the property to current resident Graham Bragg.
19. The remainder of the properties on Via La Soledad were too far and did not have anything to do with or had any issues with the proposed second story on the subject property.

20. Consequently, the City Council did not deny building permit for any issues related to any properties located at the Via La Soledad.

21. **The Neighborhood Property East of the Subject Property at 421 Via Anita**

Just to the east of the subject property is the property currently owned by Thomas Fallo located at 421 Via Anita. He incredibly complained that his afternoon light would be affected by the proposed construction.

22. The proposed second story rising straight up at the existing structure on the subject property could not possibly obstruct any afternoon light, any more than the present single story. Besides there are other issues which make this insubstantial issue totally frivolous as fully discussed below.

23. The remainder of the properties located at 425, 429 and 433 Via Anita to the east of the subject property similarly did not have any issues with privacy, light, air, and view due to the proposed construction. These properties could not be seen from the subject property at all as they were blocked by property at 421 Via Anita.

24. It should be noted that the property at 433 Via Anita is located at the end of the street at its corner with Via Monte Doro, where the boundary for Hillside Overlay Ordinance ends. This property is owned by George Buck.

25. Consequently, the City Council denied building permit for interference with afternoon light at 421 Via Anita and for no other reason.

2006 Application For Precise Plans of Development

26. In 2003, Property owner started work on the building plans for a second story. Due to the age of the property, it only made economic sense to demolish and build a new single-family residence by adding a story. To spend several hundred thousand dollars to rebuild the same existing house with 1400 square feet area, would cause major economic losses because the price of the property would not increase. The price is based on per square

feet area. Besides, the neighborhood is old and decaying and needs revamping by addition of new constructions.

27. On November 9, 2006, Property Owner's representative Mike Bihn submitted the Application, for building plans, followed by engineering and biologic surveys and silhouette certification, at considerable cost.
28. Oscar Graham, Planning Assistant made field inspections. He informed neighbors that only way the application could be denied was to cut the tree on the front lawn on the property occupied by Laird and Duarte at 404 Via La Soledad. That would provide view to Kathie Baldwin. through her second story front window on north facing subject property.
29. Laird and Duarte exactly did just that prior to the hearing before Planning Commission. This provided view to Baldwin from the front, northerly window through the part of the proposed second story at the subject property.
30. The Planning Department recommended that even though the building plans complied with the municipal code, yet in self-contradiction stated that the proposed building was massive and did not fit into the neighborhood. That Baldwin's view from the second story northerly window was impacted by the proposed second story at the subject property. **(Exhibit Pages 48-54)**
31. Commissioner Faulk spent one afternoon at the residence of Elizabeth Nadlin at 400 Via La Soledad, diagonally across from subject property but never cared to visit the subject property to determine true facts.
32. On November 29, 2007, Mir submitted written arguments why the building permit should be granted. **(Exhibit, Pages 60-123, Exhibits A-G)**
33. On December 5, 2007, the Planning Commission upon motion made by Commissioner Faulk, denied without prejudice the Precise Plans of Development. **(Exhibit Pages 42-45)**

34. The Planning Commission paid no attention to Applicant's statements that the tree on the property owned by Laird and Duarte blocked the view but was cut down just prior to the hearing to provide view to Baldwin. That even though building plans followed the municipal code, in contradistinction, the building was massive. **(Exhibit, Page 49)**
35. On October 7, 2008, Mir submitted arguments and Exhibits, in support of the Appeal. **(Exhibit Pages 176-303)**
36. On October 16, 2008, the City Council denied appeal on the grounds that the proposed residence will impact the view for 408 Via La Soledad. (Baldwin) The proposed plans provide attractive development as the exterior designs are of high quality. The mass and bulk not harmony with neighborhood properties and would negatively impact the residence to the south. (Baldwin) **(Exhibit Pages 312-316)**

In 2013, Baldwin Sells the Property at 408 Via La Soledad:

37. On August 13, 2013, during Open House at 408 Via Soledad, photographs were taken from the second story front window on the north, showed that due to the growth of trees over 8-year period on the front lawn at the subject property, the roof, or the site for the proposed second story at the subject property was not visible at all. In other words, the grounds for denial of Precise Plans of Development at the subject property in 2008 no longer existed. **(Exhibit Page 331, 803, 804)**
38. In September 2013, Baldwin sold property to the current owner Graham Bragg.

The 2016 Application for Precise Plans of Development:

39. On March 14, 2016, Property Owner Rukhsana Mir filed Developmental Application for Precise Plans at 417 Via Anita. Redondo Beach, CA 90277. **(Exhibit, Pages 321-338, 364, 375-376, 715-723)**

40. Jehan Mir represented Property Owner Rukhsana Mir. He wrote letters to immediate neighbors requesting to meet and confer how their properties were adversely affected by the Precise Plans. No responses were provided. **(Exhibit Pages, 321, 384, 554-621)**
41. Thomas Fallo, next door neighbor at 421 Via Anita, Redondo Beach obtained signatures from people walking around in the street on his Petition opposing development, disregarding if they were neighbors or were personally affected by the proposed construction. **(Exhibit Pages: 700-707)**
42. Mir sent letters to signatories asking to explain how they were personally adversely impacted when their properties were several blocks away from the subject property and were not even within the Hillside, Overlay District or to have any standing to object. No responses were received, and telephone calls were NOT returned.
43. On Japanese speaking neighbor stated though her daughter that a person resembling Tom Fallo obtained her signature on a paper by representing that the Petition was in support of the project when in fact it turned out it was against the approval for the project. **(Exhibit Pages 384,554-621, 703)**
44. On May 17, 2017, Mir provided Planning Commission the evidence of photographs showing that the proposed precise plans of development did not interfere with view, privacy, light, or air of any of the properties in the neighborhood and were in conformity with other properties in the area. **(Exhibit, Pages: 408-621; 622-635, 645-653)**
45. The Planning staff provided Report to Planning Commission providing that Precise Plans of Development complied with municipal building code, as follows:
- Project Summary (sf=square feet)
Lot Area 7,357 sf
Proposed Building Height: 26' 6"

Two-Story Building Height Limit: 27'
Proposed Garage: 414.67 sf
Proposed Volume Areas: 351 sf
Proposed Basement Area: 1,468.92 sf (Excluded from FAR)
Proposed First Floor Area: 1,849.04 sf
Proposed Second Floor Area: 1,757.98 sf
Proposed Floor Area Ratio: 0.59 (4,372.69 sf)
Maximum Floor Area Ratio: 0.60 (4,414.20 sf)
Proposed Lot Coverage: 30.7% (2,263.71 sf)
Maximum Lot Coverage: 40% (2,942.80 sf)
Proposed Useable Open Space: 52% (3,821 sf)
Required Useable Open Space: 33% (2,452 sf)
Proposed Front Yard Paving: 31% (365 sf)
Maximum Front Yard Paving: 50% (590 sf)

(Exhibit Pages: 661-668)

Hearing Before Planning Commission:

46. On May 17, 2017, City Planning Commission conducted public hearing and in 5-2 decision denied building permit. The report stated that single family residence was not designed to cause least intrusion on the light and privacy of other properties in the vicinity. The height was uncharacteristic and will have harmful impact on land values due to interference with light on adjacent properties and privacy of properties on lower level on Via Pasqual. As a result, it would be materially detrimental to public welfare and adverse cumulative effect on other properties in the vicinity. That Mir should consider instead a subterranean design as was suggested by Thomas Fallo. **(Exhibits Pages 765-769)**
47. The Report did not provide any specific facts upon which such vague ambiguous conclusions were based. There was no mention of how and what

properties were adversely impacted. Mir had provided photographic proof that there was no evidence supporting such conclusions. **(Exhibit, Pages 708-715, 740-747) (770-778) (809-811)**

48. On May 19, 2017, Mir filed Notice of Appeal on the grounds of prejudicial abuse of discretion. The Decision not supported by findings and findings not supported by evidence. **(Exhibit, Page 347-350)**

Hearing Before City Council:

49. On December 19, 2017, City Council conducted public hearing. City Council member. City Council member Herring asked Mir if he had considered subterranean design as recommended by the Planning Commission. (Exhibits Pages

Mir stated that Planning Commission did in the alternative recommended subterranean design, without any such recommendation by Staff or without engineering and a geological survey about land stability, soil analysis and feasibility of the project. That was impracticable because properties were built on a sandy hill, and digging a 40 x 62 feet hole in the backyard would destabilize the sandy hill and all the properties in the area would cave in. Besides, it would create a dungeon and a pool during rains due to water pouring in from the surrounding areas. It would impact privacy of Applicant's and other pouring in from the surrounding properties at 214, 218 Via Pasqual. **(Exhibit Pages: 339, 363, 787, 812-824)**

50. On January 11, 2018, City Council in resolution denied building permit on the grounds that light at 413, 421 Via Anita and privacy at 214 and 218 Via Pasqual will be impacted. The design of the proposed residence is unattractive, (previous findings were that design was attractive) not in harmony with other properties in the area. The mass and size are uncharacteristic and will have harmful impact on land values at other properties in the area. Granting of request to increase interior floor area (FAR) of more than 50% of the lot will

have adverse impact on light at 413, 421 Via Anita and privacy at 214, 218 Via Pasqual. (**Exhibit Pages: 825-833**)

Evening Light Issue at 421 Via Anita, by Property Owner Thomas Fallo.

51. Thomas Fallo' is not a credible person at all. His oral testimony at the City Council hearing on December 19, 2017, in support of denial of the building plans nowhere complained that any light on his property would be adversely affected by the proposed residence. Instead, he complained about the trees in the backyard of the subject property so that he could have view at the expense of Mir's privacy interests protected under the U.S. Constitution.
52. Thomas Fallo falsely testified that trees on the subject property blocked view of the Hollywood Sign when in fact the Hollywood Sign is located on the north and the subject property is located to the west of his property.
53. Fallo had stopped people walking around in the street to sign his Petition against the proposed construction of second story, no matter where these individuals lived or whether they had any standing to object. (**Exhibit Pages 700-707**)
54. When these persons were contacted by Mir in writing to show how their properties were personally affected by light view and privacy by the proposed construction of second story, they did not want to do anything with it and never contacted Mir or showed up at the City Council public hearing to oppose the proposed plans. (**Exhibit Pages: 384-387; 554-621**)
55. Mir provided letter before the City Council hearing from Japanese speaking neighbors Reia Nagasako and Tommomi Nagasako residing at 436 Via La Soledad, that Fallo had obtained signature on his Petition from Tommomi Nagasako by misrepresenting that Petition was in favor of the Construction Project at the subject property when in fact it was just the opposite. (**Exhibit Page 391, 703**)
56. Fallo in bad faith had complained about interference in the afternoon light due to proposed construction through window on the front of his property facing

Via Anita to the south. Mir stated that claim was frivolous and harassing. Mir provided photographs showing that the only windows on the front of property facing south on Via Anita which Fallo could possibly complain about interference with light was completely covered with huge plants. (**Exhibit Pages 421-428**)

57. Furthermore, the City Code provides for light and not direct Sunlight. There was no evidence that any light was substantially affected within that single room. There is another same size window in the same room which opens toward west in the front entry porch covered by roof. Fallo back side and west of the property has large windows which provide abundant light throughout the day and the residence. (**Exhibit Page 98**)

58. The Fallo's claim of interference with afternoon light is false because in the afternoon, the sun sets behind tall trees on 405 Via La Soledad, owned by James Pickard. Mir presented photograph showing shadows from trees and subject property already descending on the 421 Via Anita at 3:04 p.m. (**Exhibit Page 107**) The tree on the front lawn of the subject property and the subject property itself like other properties to the west of the subject property also prevented direct sunlight in the afternoon. The sun sets west, and the window faced south. That it would be impossible to expect any direct sunlight once the sun crosses the window. There is hardly any property which has direct sunlight to the interior and if it does so to any room, it is only fleeting or minimal. Since Fallo's claim, assuming to be correct concerns only afternoon light, it is facially not legally substantial.

Morning Light Issue at 413 Via Anita, Prior Property Owner Mary Abner

59. Mary Abner is an 80-year-old widow, was the next- door neighbor at 413 Via Anita to the west of the subject property. Her deceased husband when he was alive always encouraged building of a second story.

60. In 2007, Mary Abner supported Mir's Application for precise plans of development along with 40 other neighbors. (**Exhibit Pages 288-291**)

61. The planning staff Leo Oorts in his report stated that Mary Abner complained about interference with morning light through one of her several windows on the east of her property due to proposed construction. It appears that this morning and evening light mantra is the brainchild of Leo Oorts, just as staffer Graham was the architect of the plan to cut the tree on Laird's property at 404 Via La Soledad to provide view to Baldwin at 408 Via La Soledad.
62. Mary Abner did not write any letters to the planning commission or city council objecting or made an appearance at the public hearing before the planning commission or the city council to complain about interference with the morning light.
63. Mir produced photographs showing that Mary Abner always kept her 2- windows to the east covered by shades. (**Exhibit Page: 432-435, 807**) T
64. That the sun rises in the northeast direction and proposed construction of second story was not in the way of direct sunlight which vanishes within an hour due to rapid sunrise. That there is a 6.0' tall retaining wall between two properties and the proposed second story could not interfere with direct sunlight any more than the existing subject property which is only ten feet away. Mary Abner had another window in the same room facing north providing plenty of light, but she kept this window always covered by shades.
65. Regardless, like Fallo, since interference with direct light was allegedly only though one window which was covered with shade all the time and that occurred only in the early hour of the morning, there was no substantial interference with light otherwise no one would ever be able to build even a single- story residence anywhere in the area.
66. Jehan Mir, residing at the subject property believes that Mary Abner allowed Torrance Police to enter her property through the side door on the west of her property to go across her backyard to scale the wall and to make repeated unlawful entries into Mir's residence. Furthermore, Mir believes that cameras were installed on Abner's property to surveil the subject property, Mir, and any

visitor's movements. There has been previously litigation by Jehan Mir against Torrance Police Department for unlawful entries.

67. In 2018, Mary Abner sold the property at 413 Via Anita. Since there is no complainant, the issue of interference with morning light is moot.
68. The current owner also always keeps shades her window at all times and she has also provided access to her property to Torrance Police like Abner to enter Jehan Mir's residence at the subject property. The police intruders have damaged plants, trees in the backyard of subject property.

The Privacy Issue Regarding Privacy at 214 and 218 Via Pasqual.

Via Pasqual is located north of Via Anita at a level 35 -40 feet below. The slope of Via Anita rises towards east, thus subject property is at about 40 feet higher than the properties at 210-214 Via Pasqual. There is also a set back of the subject property from these two properties of more than 120 feet.

69. Mir presented photographic evidence from the roof of the subject property that only the roof of properties at 210-214 Pasqual was barely visible and nothing was visible at all of the property at 218 Via Pasqual due to dense growth of trees. **(Exhibit Pages 454-459)**
70. During hearing before Planning Commission on May 17, 2017, upon questioning by Commissioner Marshal, Melon residing at 214 Via Pasqual admitted that if a person was standing near the edge of the subject property, one could look inside her backyard and around. In other words, privacy would not be affected any differently if second story was built at the subject property.
71. Mir presented evidence that in 1977 when second story building permit was granted 2-doors down west of subject property at 409 Via Anita, residents on Via Pasqual raised the issue of privacy.
72. The planning Commission found that due to height of Via Anita and set back, there was no interference with privacy of properties located on Via Pasqual which included 214, 218 Via Pasqual. The subject property as stated above is

located at much higher level than at 409 Via Anita. The doctrine of ‘issue preclusion’ applies. **(Exhibit, pages 90-94)**

73. The property at 218 Via Pasqual is not visible at all from the subject property due to dense trees and heavy growth of vegetations on that property, as stated above. **(Exhibit Pages 123, 456-459)** These trees are located on property at 218 Via Pasqual and its owner Scott Davis controls his privacy. He cannot turn around and complain about intrusion of property. Any objections on the grounds of intrusion of privacy are frivolous, harassing and in bad faith.
74. There are four 2-story houses in the immediate vicinity of 417 Via Anita, located at 409 Via Anita; 408 Via La Soledad; 417 Via La Soledad; 433 Via La Soledad. There are hundreds of two story properties in the immediate neighborhood of Upper Hollywood Rivera greater in mass than subject property. **(Exhibit Pages 834-1627)**
75. The photographs of these two-story residences show that the proposed precise plans of development are in conformity with the character of neighborhood.
- Floor Area to Lot Area Ratio. (FAR)**
76. The Planning Department and the Planning Commission in 2007 and 2017 found that Floor Area to Lot Area Ratio (FAR) was 0.59 and was within the maximum allowed. (0.6). This is consistent with City Code **91.4.11(a)** **(Exhibit page 195)**

Property owner needed the space since 6 individuals would be living there including an elderly mother of property owner. That justified maximum FAR allowed within the city code.

The city has granted FAR of 0.59. on numerous occasions
(Exhibit Pages 195-286)

77. However, the FAR determination improperly included 170 square feet of volume area, 61 square feet of patio and 396 square feet of garage. A total of **627 square feet**, is improperly included in FAR determination. This is not

consistent with the California Government Code § 65917.2 defining FAR as follows:

"**Floor area ratio**" means the ratio of **gross building area** of the eligible housing development, excluding structured parking areas, proposed for the project divided by the net lot area. For purposes of this paragraph, "gross building area" means the sum of **all finished areas of all floors of a building included within the outside faces of its exterior walls.**" **(Emphasis added)**

The volume area, patio and garage are not included. The garage is specifically excluded as a structured parking area differing from the finished area of floor from FAR determination.

Finished Floor Area as required under gross building area is **the total floor area (total living area) of a home** (main and wings) less any built-in garage area and any Bi-level unfinished lower-level area.

Finished Floor Area means **square-footage with enclosed walls, floors, or ceilings of materials** generally accepted for interior residential construction (e.g., windows, drywall/sheet rock, insulated walls, carpet, etc.) and/or any building that is climate controlled.

The City Code **91.2. 82, excludes patios**. The garage is not habitable and does not have finished floors like within the habitable area of the house. The garage is not an accessory building like guest house, servant quarters, horse stable or storage cabin. This should not have been included in FAR determination. If volume area, patio and garage are excluded, the FAR drops to 0.5.

78. The City Council affirmed the vague, ambiguous findings of the Planning Commission however, it circumscribed the two specific grounds for denial of the precise plans of development, as stated above.

- (i) the light of properties at 413 and 421 Via Anita was impacted.
- (ii) the privacy of properties at 214 and 218 Via Pasqual was affected. That granting the request to increase the interior floor area more than 50% will

be materially detrimental to light of other properties at 413 and 421 Via Anita and privacy of 210 and 214 Via Pasqual. (**Exhibit Page 831-833**)

79. As stated above light of other properties at 413 and 421 Via Anita and the privacy of properties 214 218 Via Pasqual is not affected by the proposed residence, therefore increase in FAR will not be detrimental to other properties.

II

PROPERTY OWNER'S COMPLAINT IN THE U.S. DISTRICT COURT:

80. On January 3, 2020, Property Owner filed Complaint against the City, Officials and Neighbors, in the U.S. District Court, Central District of California. (*Rukhsana Mir v City of Torrance*, 20-cv-82- (SVW) (SKx) for denial of equal protection of the laws under 42 USC § 1983, §1985 and related Claims.

Exhaustion of Administrative Remedies:

81. The city contended before the Court that R. Mir had not exhausted 'administrative remedies because she had not applied for 'Variance'.

82. R. Mir opposed on the ground that administrative remedies were exhausted by a final decision by the City Council on all issues raised by the City; the neighbors in their correspondence and at the public hearing and responded by R. Mir. That no variance was required because 'building plans' complied with the city building code including 'Hillside Overlay Ordinance and nothing different to city building code could be presented or considered by the city.

83. The proposed residence did not interfere with light, view, and privacy of any of the properties in the neighborhood and supported with photographic evidence.

In an action or proceeding challenging local zoning and planning decisions made at a public hearing, "the issues raised shall be limited to those raised in the public hearing

or in written correspondence delivered to the public agency prior to, or at, the public hearing." (Gov. Code, § 65009, subd. (b)(1); Park Area Neighbors v. Town of Fairfax (1994) 29 Cal.App.4th 1442, 1447-1448.)

"The purpose of the exhaustion doctrine is to ensure public agencies are given the opportunity to decide matters within their expertise, respond to objections, and correct any errors before the courts intervene." (Bridges v. Mt. San Jacinto Community College Dist. (2017) 14 Cal.App.5th 104, 115 (*Bridges*).

Plaintiffs bear the burden of demonstrating that the issues raised in the judicial proceeding were first raised at the administrative level. (*Id.* at p. 116.) Plaintiffs exhaust their administrative remedies if they fairly apprise the city of their concerns about the project. (Santa Clarita Organization for Planning the Environment v. City of Santa Clarita (2011) 197 Cal.App.4th 1042, 1052.)

However, Exhaustion of administrative remedies is a legal question (Defend Our Waterfront v. State Lands Com. (2015) 240 Cal.App.4th 570, 580, Since the District Court has decided this legal issue, the issue of Variance must be decided by the Planning Commission. The Court stayed the matter till R. Mir's Request for Variance is decided by the city.

84. Therefore, the Property Owner respectfully requests Variance to Hillside Overlay Ordinance on the ground that strict facial enforcement of the ordinance has caused unnecessary hardships. The issue of morning or afternoon light is insubstantial. However, the project does not cause any morning or afternoon light interference to properties at 413 and 421 Via Anita and does not intrude upon privacy at properties located at 214 and 218 Via Pasqual.

That FAR ratio of 0.59 is within the maximum allowed (0.60). Therefore, no variance is needed as a matter of law. However, FAR of 0.59 is justified for

because six persons including an elderly woman would be residing there to avoid overcrowding and congestion.

Since morning or evening light at two properties on Via Anita and privacy of two other properties on Via Pasqual is not substantially affected, the FAR of 0.59 is appropriate and immaterial to alleged light and privacy issues. Furthermore, increasing floor area by 600 feet cannot possibly have any adverse impact on the alleged light and privacy issues.

Furthermore, FAR of 0.59 determined by the Planning Department is not consistent with city building code 91.2.82, and California Government Code. §65917.2(a). Once corrected, the FAR falls to 0.50. There are numerous instances where City has granted building permits for FAR to 0.60. (**Exhibit Pages, 195-286**)

III

NO AREA VARIANCE IS REQUIRED WHERE DIMENSIONS ARE WITHIN THE ALLOWABLE RESIDENTIAL LIMITS

The City Planning Department, the Planning Commission and the City Council found in 2006 and 2016, in R. Mir's Applications for precise plans of development, that the proposed building dimensions are within the allowable limits including FAR ratio of 0.59, therefore no dimensional variance is required or needed.

"We reject appellants' argument because respondents complied with the requirements of the municipal code, which did not require the issuance of a variance." **Clear Light Ventures, Inc. v. City of Palo Alto**, H043407, at *13 (Cal. Ct. App. Mar. 27, 2019)

"[A] variance is a permit to build a structure or engage in an activity that would not otherwise be allowed under the zoning ordinance" (**Neighbors in**

Support of Appropriate Land Use v. County of Tuolumne (2007) 157 Cal.App.4th 997, 1007.)” *Clear Light Ventures, Inc. v. City of Palo Alto*, H043407, at *14 (Cal. Ct. App. Mar. 27, 2019).

City ordinance allows building of second story within the R-1, Single Family Residential District.

IV

MINOR VARIANCE UNDER THE HILLSIDE OVERLAY ORDINANCE CAN RELIEVE PRACTICAL DIFFICULTIES AND UNNECESSARY HARDSHIPS CAUSED BY NEIGHBORS

The Planning Commission denied the Precise Plans of Development and instead recommended a subterranean plan upon a absurd suggestion by Thomas Fallo., without such a prior recommendation from the City Planning Staff, without soil analysis, engineering, and geological survey. That would create practical difficulties to dig out a 40 x 62 feet hole in the backyard destabilizing sandy hill with high likelihood of properties caving in. This would turn property into dungeon and a cesspool during rainy season with rainwater draining down the hill and affecting privacy of the subject property and Via Pasqual properties.

The City Council member during appeal inquired if Mir had considered a subterranean plan. Clearly there are practical difficulties and unnecessary hardships. The Planning Commission is requested to grant variance on the following issues. **(Exhibits Pages 820-824)**

A variance sanctions a deviation from the standard set by the general zoning ordinance. Any variance granted must be in harmony with the general purpose and intent of the zoning laws [*Zakessian v. City of Sausalito* (1972) 28 Cal. App. 3d 794, 801, 105 Cal. Rptr. 105].

Variations are to be granted only when, because of special circumstances applicable to the property, including size, shape, topography, location or surroundings, the strict application of the zoning ordinance deprives the property of privileges enjoyed by other property in the vicinity and under identical zoning classification [Gov. Code § 65906].

Unnecessary hardship clearly occurs when the circumstances of a particular parcel of land place its owner at a disadvantage vis-a-vis other landowners in the zoning district [*Zakessian v. City of Sausalito* (1972) 28 Cal. App. 3d 794, 799–800, 105 Cal. Rptr. 105]. Only that type of hardship that inheres in the particular property is recognized, such as inability to use it for purposes of its existing zoning due to the prevailing uses of surrounding property. A variance for undue hardship is grounded in conditions peculiar to the particular lot as distinguished from other property in the use district [*Minney v. City of Azusa* (1958) 164 Cal. App. 2d 12, 31, 330 P.2d 255, appeal dismissed, 359 U.S. 436, 79 S. Ct. 941, 3 L. Ed. 2d 932 (1959)]

Building the same 1400 square foot house at the same location would not make any economic sense, for inability to house six individuals and without recouping the investment because price is based on per square foot of the property.

Conditions that simply render a complying structure less profitable than anticipated is a ground for granting variance. Lack of reasonable return on the investment if the building complied with the code requirements is a ground for granting variance [*Broadway, Laguna etc. Assn. v. Board of Permit Appeals* (1967) 66 Cal. 2d 767, 775–776, 59 Cal. Rptr. 146, 427 P.2d 810; see *Hamilton v. Board of Supervisors* (1969) 269 Cal. App. 2d 64, 68–70, 75 Cal. Rptr. 106].

The Precise Plans of Development were denied by the City Council under the Hillside Overlay Ordinance (Article 41) for two main reasons, interference with light and privacy at neighboring properties.

The law requires that such claims of interference of morning, evening light and privacy should be supported by substantial evidence. The substantial evidence is defined as evidence, which is reasonable, relevant, credible and of solid value which is not the case here as follows:

(a) **Morning Evening Light at 413 and 421 Via Anita**

(i) the alleged interference with evening light at 421 Via Anita through one of the front windows facing south on Via Anita at the next-door property owned by Thomas Fallo.

(ii) for alleged interference with morning light at 413 Via Anita through one window located on the east side of property.

The neighbors' claims of interference with morning and evening light through one of the several windows on their properties on Via Anita and claims are not substantial or true as stated above. **(Exhibit A, B)**

(b) Privacy at 214, 218 Via Pasqual. **(Exhibit C)**

V

THERE IS NO INTERFERENCE WITH EVEVING LIGHT THROUGH ONE WINDOW FACING SOUTH AT THE 421 VIA ANITA BY THE PROPOSED SECOND STORY RESIDENCE

Any adverse impact on 'light' must be substantial in order to be credible. Under the Code, light means just natural light and not direct sunlight. Thomas Fallo is the owner of the property at 421 Via Anita. He complained that his evening light was impacted by the proposed residence. It appears that Fallo is unreasonably misconstruing light to be direct sunlight. There are hardly any properties where sun shines directly and if, it does, at all, it is of fleeting nature due to sun rapidly moving. No building permit could be granted if direct sunlight is considered as a factor.

Fallo's claim is simply not credible and unsupported by substantial evidence.

He fraudulently obtained signatures on his Petition Opposing Precise Plans of Development from a non-English speaking, Japanese neighbor Reia Nagasako and Tommomi Nagasako residing at 436 Via La Soledad, that the Petition was in favor of the construction project at the subject property when in fact it was for the opposite. (**Exhibit Page 391, 703**)

He falsely testified at the City Council hearing that the trees on the subject property to the west of his property blocked the view of the Hollywood Sign which in on the north side. He did not once complain at the hearing that his afternoon light would be interfered with.

He did not present any evidence what windows in what room and how, what light was impacted? He presented no evidence how much natural light was already available in the interior of his house from all other windows, doors and from electrical lighting. He did not state how much natural light was actually needed to do laundry.

The large windows on the east, south of his residence are not exposed to the proposed residence at all. Besides, he has abundant light from all these windows and doors. The entire backside of his residence to the north and west have glass door panels from top to the floor.

There is only one window in Fallo's front room which is on the eastern side of the entry porch. This room has two windows. One window opens into the porch covered by roof; therefore, this window is not exposed to direct sunlight. The other window faces Via Anita and is covered by huge plant. The sunlight is available throughout the day. He knew that he had large plants covering the windows on the front facing Via Anita on the south, yet he had complained to city staff that light through those windows would be impacted by proposed construction.

Mir produced photographs at the hearing showing that the front window was completely covered up by a huge plant. Therefore, the claim was frivolous, harassing and in bad

faith. Fallo has a laundry room window at the western part on the front. Nonetheless, this window was also almost completely covered by large plant. This window is too close to the 6-foot wall 5 feet away at the property line and to the present single story-residence to be affected by the proposed second story. Besides, there is abundant light coming in from the second porch window and from the glass wall on the back side (north) and west side of the residence. (**Exhibit A**)

The staff report did not mention any facts that light would be ‘**substantially** impacted’.. In fact. Fallo had the burden to show that it would be totally dark in the laundry room and the front room, due to proposed construction which is nothing but an absurd claim.

VI

THERE IS NO INTERFERENCE WITH MORNING LIGHT THROUGH ONE WINDOW ON THE EAST AT 413 VIA ANITA

Mar Abner sold the property at 413 Via Anita in 2019. There is no longer a complainant. This is a moot issue.

Abner supported Mir’s 2006 Application for Precise Plans of Development.

In 2016/ 2017, Application process, Abner never wrote a letter to Planning Commission or City Council or appeared at the hearings to provide any reasons how the morning light would be needed or interfered with. Why did she have her always covered by shades.

The Claim is frivolous and insubstantial on its face. The Sun rises in summer from northeastern to the property, thus subject property or its proposed second story would not be in the way of direct sunlight. During the winter, Sun rises from the east of the 413Via Anita and the single-story subject property like other properties on the east would be in the path of direct sunlight, nonetheless, there is abundant light from the north. Regardless, Claim was incredible and in bad faith,. The bedroom has large widow to the north. Mir produced at the hearing photographs of Abner’s shade

covered windows. The current owner also keeps her windows on the east always shaded. (**Exhibit B**)

VII

THERE IS NO EVIDENCE THAT PROPERTIES AT 214, 218 VIA PASQUAL EVER HAD PRIVACY WHICH IS NOW PROTECTED BY GROWTH OF TREES AND DENSE FOLIAGE BETWEEN THE PROPERTIES

There is no evidence at all that proposed plans of development will intrude upon the privacy of properties located at 214 and 218 Via Pasqual. These properties have no privacy as it is without any development. One can stand near the border of the subject property and have full view of the backyards as admitted at the Planning Commission hearing by Pat Mraz, residing at 214 Via Pasqual. There are huge, dense trees in between these two properties and the subject property providing no view of these properties from any level at the subject property at all, including roof where proposed second story is to be constructed. The attached photographs belie the claims of interference with the privacy. (**Exhibit C**)

Nonetheless, a minor variance should relieve Applicant the practical difficulties and unnecessary hardships from the strict enforcement of this Division, caused by frivolous claims of interference with light and privacy.

Granting of variance will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof. It will not interfere with the orderly development of the city, as provided for in the Official Land Use Plan. The building plans comply with the city building code and Hillside Overlay Ordinance and other properties in the neighborhood. (Division 9, Article 4- Single Family Residential District)

VIII

THE PRECISE PLANS OF DEVELOPMENT CONFORM TO OTHER PROPERTIES IN THE AREA

There are hundreds of 2-story single family residences within the Hillside Overlay District. The Photographs of the neighborhood properties overwhelmingly show that precise plans of development are in harmony with other neighborhood properties in the area. In fact, there are properties far greater in size, structure, and mass than the proposed subject property. (Exhibits. Pages 834-1627; 1628)

It is a ministerial act by Clerk to grant building permit where plans of development conform to the city building code. It is irrational and prejudicial to call precise plans of development as massive, huge where the plans conform to the city building code.

“Any subjective comments or assertion by neighbors or anyone else about the size and mass of the property considering that the design complies with the Code as reported by the Planning Department is unlawful. (*Friend of Westwood v City of L.A* (2nd Appellate District) 191 Cal. App. 3d 259; 235 Cal. Rptr. 788; 1987 Cal. App. LEXIS 1601.

IX

CONCLUSION

It is respectfully requested that variance is granted to Hillside Overlay Ordinance to allow construction of the Precise Plans of Development.

Fallo’s objection of loss of evening natural light is insubstantial, false because there is never loss of indirect(natural) light at any time throughout the day. The Hillside Overlay Ordinance nowhere guarantees direct sunlight at all hours to all properties. Fallo knew when his complaint about interference with natural light was not real because huge plants almost completely covered the front windows. Any interference with direct sunlight by construction of second story would not be any different than

caused by trees and the existing single story subject property which cast shadows as early as 3:00 p.m. as shown by the photograph on record.

Abner sold her property at 413 Via Anita. There is no complainant. The issue is moot. Nonetheless, the Claim of loss of morning natural light is insubstantial, false, frivolous and in bad faith. Abner always covered her windows with shades.

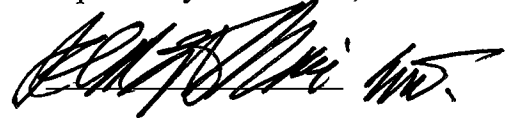
There is no evidence whatsoever that privacy would be impacted at 214 and 218 Via Pasqual. These properties are open to full view from the subject property and have no privacy to begin with. Addition of second story at the subject property would not cause to lose any privacy which never existed in the first place. However, due to growth of trees, dense foliage in between these properties nothing was visible at all and the issue of loss of privacy is false, frivolous and in bad faith.

FIR of 0.59 is proper within the city code's allowable limit of 0.6, as determined by City Staff and is not relevant or material to nonexistent light and privacy issues at 413, 421 Via Anita and 214, 218 Via Pasqual respectively.

It is respectfully requested that variance is granted to permit precise plans of development for the construction of two-story, single-family residence at the site of the subject property. **(Exhibit, Pages 1628-1635)**

August 8, 2022

Respectfully Submitted,



Jehan Zeb Mir, MD

Attachment: Development Application

Exhibits A, B, C

List of Exhibits

CD with Exhibits

Check for \$ 12,235.00 for Application fee, including Notification Fee.

**CITY OF TORRANCE COMMUNITY DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW DIVISION**

STATUS OF APPLICATION

APPLICATION NO. VAR22-00001

DATE: September 7, 2022

APPLICANT: Rukhsana Mir

 417 Via Anita

 Redondo Beach, CA 90277

PROPERTY OWNER: _____

PROJECT ADDRESS: 417 Via Anita

Your application for a development project as referenced above has been ACCEPTED for processing and you will be notified regarding public hearings and/or disposition of your case.

Your application for a development project as referenced above is INCOMPLETE due to missing requirements. The missing requirements are listed on the attached form, and must be supplied before your application is considered complete and can be processed. For further information, please call the Planning Division of the Community Development Department at (310) 618-5990.

The missing requirements necessary to complete your development application, as shown on the attached form, must be submitted within thirty (30) days of the above date or your application will be considered withdrawn. A partial reimbursement of filing fees will be sent to the applicant as listed above upon request.

All missing requirements have been received, and the effective filing date of your application is _____.

Rukhsana Mir
417 Via Anita
Redondo Beach, CA 90277

September 7, 202

APPLICATION NO. VAR22-00001

PROJECT ADDRESS: 417 Via Anita

PROPERTY OWNER:

ZONE: R-1 - Hillside Overlay

PROJECT DESCRIPTION: Request for approval of an unspecified variance.

APPLICATION STATUS: Complete

Your application for a variance fails to include the following items and/or information, among other items:

1. Any specification or description of the specific provision(s) of the Torrance Zoning Code and/or Torrance Hillside Overlay Ordinance from which the applicant seeks a variance;
2. A description of the special circumstances applicable to the property that would cause a strict application of the City's zoning requirements to deprive the property of the privileges enjoyed by other properties in the vicinity under identical zoning classifications (Gov. Code sec. 65906); and
3. Any proposed plans or drawings for the project

JEHAN ZEB Mir, MD

Cardiovascular & Thoracic Surgery

417 Via Anita

Redondo Beach, CA 90277

(310) 373-4029

April 6, 2023

City of Torrance

Community Development Department

Development Review Division

3031 Torrance Boulevard

Torrance, CA 90503

Re: VAR22-00001

Application for Variance,

417 Via Anita

Redondo Beach, CA 90277

Dear Sir /Madam,

This is in response to your letter dated September 7, 2022, sent to me by email from attorney Mark Austin. (attached)

I am responding as duly appointed representative of the Property Owner at 417 Via Anita, Redondo Beach, CA 90277.



PLEASE note that we had addressed in detail all the questions you asked in your letter in our August 8, 2022, 28-page Memorandum, with 1635 pages of Exhibits, to the City Planning Commission attached to the Application for Variance.

Your attorney raised the issue of variance in the pending litigation in the US District Court. We opposed it on the ground that variance is not required if the building plans comply with the city building code. “[A] variance is a permit to build a structure or engage in an activity that would not otherwise be allowed under the zoning ordinance” (*Neighbors in Support of Appropriate Land Use v. County of Tuolumne* (2007) 157 Cal.App.4th 997, 1007.)” *Clear Light Ventures, Inc. v. City of Palo Alto*, H043407, at *14 (Cal. Ct. App. Mar. 27, 2019).

The City Code allows building of two-story buildings within the Hillside Overlay area and the photographs attached as Exhibits to the Application show hundreds of two story buildings in the Hillside Overlay area.

There is no evidence that there is any substantial interference by proposed construction of second story at 417 Via Anita with the natural light, view, and privacy of the two relevant properties at 413, 421 Via Anita on either side of the subject property at 417 Via Anita and any substantial interference with privacy at properties located downhill at 214, 218 Via Pasqual due to vegetations. These properties do not have any privacy right now without the addition of second story, if one is standing at the edge of the property at 417 Via Anita, as was admitted by resident at 214 Via Pasqual at the hearing before planning commission.

However, the Court decided that Variance Request should be acted upon before there is finality of City of Decision and Claims can be considered ripe. The Court stayed till there is final decision by the city.

Briefly, variance is being requested on Torrance Zoning Code and / Torrance Hillside Ordinance upon which the City Council denied the last Application for Building Permit on January 11, 2018, namely Hillside Ordinance. (attached)

The practical difficulties were discussed in the August 8, 2022, letter. The lot size and location of the subject property are such that the only way to increase the square footage of the dwelling is to add second story.

We stated in our August 8, 2022, letter that Application for Variance is not a new development application and no new building plans were required. However, under paragraph 3, of your September 7, 2022 letter, you invited any proposed plans or drawing for the project.

In 2019, The property owner had requested her Architect, before he submitted amended plans to correct errors, to modify the windows and replace them with glass panel to provide more interior light, view, and a modern look. However, the Architect could not do it probably due to time constraints.

The property owner wanted to avail the opportunity under paragraph 3 of your September 7, 2022, letter to submit building plans showing changes as described above without changing the basic building plans. However, the Architect had retired in 2019. Several area Architects were contacted. They all informed us that a building permit would be required unless there was only an increase in the height of the windows and not the width. They requested to obtain master file for building plans from the original Architect to make changes. The original Architect did not respond or provide master copy of original building plans.

Due to the practical difficulties involved, we will not request any changes to previous building plans submitted in 2019, at this time.

It is respectfully requested that Application for Variance is placed before the Planning Commission / City Council at the next regularly scheduled meeting.

Respectfully Submitted,



Jehan Zeb Mir. MD

Attachments: e-mail from attorney with attached September 7, 2022, Letter. From
City Development Department.
Decision City Council dated January 11, 3019.

CITY OF TORRANCE COMMUNITY DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW DIVISION

REVISED STATUS OF APPLICATION

APPLICATION NO. VAR22-00001

DATE: May 1, 2023

APPLICANT: Rukhsana Mir

417 Via Anita

Redondo Beach, CA 90277

PROPERTY OWNER:

PROJECT ADDRESS: 417 Via Anita

Your application for a development project as referenced above has been ACCEPTED for processing and you will be notified regarding public hearings and/or disposition of your case.

Your application for a development project as referenced above is INCOMPLETE due to missing requirements. The missing requirements are listed on the attached form, and must be supplied before your application is considered complete and can be processed. For further information, please call the Planning Division of the Community Development Department at (310) 618-5990.

The missing requirements necessary to complete your development application, as shown on the attached form, must be submitted within thirty (30) days of the above date or your application will be considered withdrawn. A partial reimbursement of filing fees will be sent to the applicant as listed above upon request.

All missing requirements have been received, and the effective filing date of your application is _____.

Rukhsana Mir
417 Via Anita
Redondo Beach, CA 90277

May 1, 2023

APPLICATION NO. VAR22-00001

PROJECT ADDRESS: 417 Via Anita

PROPERTY OWNER:

ZONE: R-1 - Hillside Overlay

PROJECT DESCRIPTION: Request for approval of a variance of the Hillside Overlay.

APPLICATION STATUS: Incomplete

Your application for a variance fails to include the following items and/or information, among other items:

1. Submit 40 copies of proposed project plans for the project: Site Plan, Floor Plan, Elevations, Roof Plan, Etc.

Jehan Zeb Mir, MD
417 Via Anita
Redondo Beach, CA 90277
(310) 373-4029

May 11, 2023

Community Development Department
City of Torrance (310) 328-5310
3031 Torrance Blvd.
Torrance, CA 90503



Re: Application no. VAR22-00001

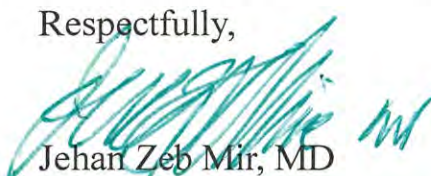
Project Address; 417 Via Anita, Redondo Beach, CA 90277

Dear Sir / Madam,

I am in receipt of your letter dated May 1, 2023. You requested 40 copies of proposed building plans. Please note that the proposed building plans are no different than the building plans we previously submitted in fall of 2017, in support of the building permit, which was denied on January 11, 2018, by the City Council. We submitted 24 paper copies of the building plans in support of application at that time.

Please provide us with a copy of the building plans on a disc or on paper we last submitted on October 19, 2017, as acknowledged by Danny Santana in his letter dated November 8, 2017. You should have those building plans in your records. We need a copy so that there is no confusion when we provide you with 16 additional or 40 more copies of the same building plans. Thanks

Respectfully,


Jehan Zeb Mir, MD

Jehan Zeb Mir, MD
417 Via Anita
Redondo Beach, CA 90277
(310) 373-4029

May 11, 2023

Community Development Department
City of Torrance (310) 328-5310
3031 Torrance Blvd.
Torrance, CA 90503



Re: Application no. VAR22-00001

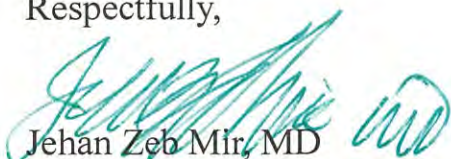
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Please provide us with a copy of the building plans on a disc or on paper we last submitted on October 19, 2017, as acknowledged by Danny Santana in his letter dated November 8, 2017. You should have those building plans in your records. We need a copy so that there is no confusion when we provide you with 16 additional or 40 more copies of the same building plans. Thanks

Respectfully,


Jehan Zeb Mir, MD



CITY OF
TORRANCE

COMMUNITY DEVELOPMENT DEPARTMENT

MICHELLE G. RAMIREZ
COMMUNITY DEVELOPMENT
DIRECTOR

June 7, 2023

Jehan Zeb Mir, MD
417 Via Anita
Redondo Beach, CA 90277

RE: VAR22-00001 – 417 Via Anita

Mr. Mir,

This letter is in response to your request to use proposed building plans from a previously submitted in fall of 2017. Please note that the City of Torrance no longer has 24 copies of plans from a previously submitted application.

If you would like to request copies of records, a Public Records Request (PRA) through the City Clerk's Office is the appropriate avenue for retrieval of prior records and plans. In your request, please indicate that it also includes a Plans Retrieval Request.

The City Clerk's Office may be contacted at 310-618-2870 or via the City of Torrance's website at www.TorranceCA.gov/government/city-clerk.

Attached you will find a Revised Status of Application dated June 7, 2023. Should you have any questions, please do not hesitate to contact me.

Sincerely,
MICHELLE G. RAMIREZ
COMMUNITY DEVELOPMENT DIRECTOR

By 

Oscar Martinez
Planning and Environmental Manager

Enclosures

CITY OF TORRANCE COMMUNITY DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW DIVISION

REVISED STATUS OF APPLICATION

APPLICATION NO. VAR22-00001

DATE: June 7, 2023

APPLICANT: Rukhsana Mir

417 Via Anita

Redondo Beach, CA 90277

PROPERTY OWNER:

PROJECT ADDRESS: 417 Via Anita

Your application for a development project as referenced above has been ACCEPTED for processing and you will be notified regarding public hearings and/or disposition of your case.

Your application for a development project as referenced above is INCOMPLETE due to missing requirements. The missing requirements are listed on the attached form, and must be supplied before your application is considered complete and can be processed. For further information, please call the Planning Division of the Community Development Department at (310) 618-5990.

The missing requirements necessary to complete your development application, as shown on the attached form, must be submitted within thirty (30) days of the above date or your application will be considered withdrawn. A partial reimbursement of filing fees will be sent to the applicant as listed above upon request.

All missing requirements have been received, and the effective filing date of your application is _____.

Rukhsana Mir
417 Via Anita
Redondo Beach, CA 90277

June 7, 2023

APPLICATION NO. VAR22-00001

PROJECT ADDRESS: 417 Via Anita

PROPERTY OWNER:

ZONE: R-1 - Hillside Overlay

PROJECT DESCRIPTION: Request for approval of a variance of the Hillside Overlay.

APPLICATION STATUS: Incomplete

Your application for a variance fails to include the following items and/or information, among other items:

1. Submit 40 copies of proposed project plans for the project: Site Plan, Floor Plan, Elevations, Roof Plan, Etc.

JEHAN ZEB Mir, MD
Cardiovascular & Thoracic Surgery
417 Via Anita
Redondo Beach, CA 90277
(310) 373-4029

June 27, 2023

City Development Department
City of Torrance
3031 Torrance Boulevard
Torrance, CA 90503

Re: Application for Variance

PRE16-00006 Jehan Mir (RUKHSANA MIR)

417 Via Anita
Redondo Beach, CA 90277

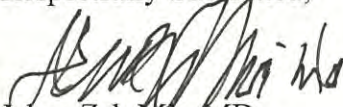
Dear Sir /Madam,

We have requested the Records Department the Building Plans previously submitted on **October 19, 2017**, to the City Development Department, so that we can reproduce 40 copies of the same building plans as you requested in support of Application for Variance. There are 5 pages of building plans submitted by the Development Department to the Planning Commission and the City Council on Appeal. Would you like 40 copies of these 5 pages or if there is anything else which is required?

However, we do not understand the need for building plans where the variance is requested under the Hillside Overlay Ordinance. The City denied application for interference with privacy on properties located on 214, 218 Via Pasqual, Redondo Beach, CA 90277, and morning light at 421 Via Anita, Redondo Beach 90277, The building plans are not at issue. (See attached report)

Please send us any future correspondence by e-mail (jmir58@hotmail.com) and by U.S. Mail, since we have problems with the mail delivery.

Respectfully Submitted,


Jehan Zeb Mir, MD

Attachment: C.C.D. Recommendations 7/20/2016

CC./ City Records Department



AGENDA ITEM NO. 12C

CASE TYPE AND NUMBER: Precise Plan of Development – PRE16-00006

NAME: Jehan Mir (Rukhsana Mir)

PURPOSE OF APPLICATION: Request for approval of a Precise Plan of Development to allow a new two-story single-family residence with an attached two-car garage and a basement level on property located within the Hillside Overlay District in the R-1 Zone.

LOCATION: 417 Via Anita

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

ADJACENT ZONING AND LAND USE:

NORTH: R-1 Hillside Overlay District, One-Story Single-Family Residences

SOUTH: R-1 Hillside Overlay District, One-Story Single-Family Residences

EAST: R-1 Hillside Overlay District, One-Story Single-Family Residence

WEST: R-1 Hillside Overlay District, One-Story Single-Family Residence

GENERAL PLAN DESIGNATION: Low-Density Residential

COMPLIANCE WITH GENERAL PLAN: The site has a General Plan Land Use Designation of Low Density Residential allowing up to nine dwelling units per acre. The proposed new two-story single-family residence on this property is consistent with the Low-Density Residential designation.

EXISTING IMPROVEMENTS AND/OR NATURAL FEATURES: The subject property contains a one-story single-family residence with an attached two-car garage. The proposed residence is bordered by one-story residences with several two-story residences located nearby that were built prior to the Hillside Overlay District. The lot is situated along a hillside bluff and slopes slightly upward from the front yard area toward the rear yard area before descending at the edge of the bluff. The existing building pad sits slightly above the adjacent sidewalk at the junction of Via Anita and Via La Soledad.

ENVIRONMENTAL FINDINGS: The proposed new two-story single-family residence in a residential zone and urbanized area is Categorically Exempt by the 2016 Guidelines for Implementation of the California Environmental Quality Act, Article 19, Section 15303.

BACKGROUND AND ANALYSIS: The existing residence was originally constructed in 1954. On December 5, 2007, the Planning Commission considered and denied Precise Plan of Development 06-00037 to allow a new 4,372 square foot two-story single-family residence with an attached two-car garage and a basement level. An appeal was filed by the applicant and the matter was considered by the City Council on October 7, 2008, at which the appeal was denied and the Commission's denial was upheld. The applicant, Jehan Mir, is now requesting approval of a Precise Plan to allow a new 4,372 square foot two-story single-family residence with an attached two-car garage and a basement level. Although the current proposal is nearly identical to the previously denied residence with matching floor plans and architectural design, the current project is being assessed on its own merits based on current field conditions. A Precise Plan is required because the property is located within the Hillside Overlay District and involves new construction above 14' in height.

The lot is 7,357 square feet in area and semi-rectangular in shape, with the rear property line greater in width than the front property line, and a westerly side property line greater in length than the easterly side property line. The parcel is oriented toward the south and is located along the north side of Via Anita at the junction with Via La Soledad. Via Anita descends from east to west and Via La Soledad descends from south to north. These downward slopes begin east and south of the subject property with residence along Via Soledad and Via Alameda at a higher elevation, and continue north and west of the subject property with residences along Via Pasqual at a lower elevation. The building pad of the adjacent one-story residence to the west sits slightly below the subject property, as opposed to the adjacent one-story residence to the east, which sits slightly above the subject property. The nearby residences along Via

During the field inspection staff attempted to contact the neighboring properties along Via Anita, Via La Soledad, and Via Pasqual (Attachment 6). Staff met with several property owners that indicated objections to the proposed residence. The property owners at 413 and 421 Via Anita have indicated a loss of blue sky over the subject residence and a natural light impairment caused by the mass and height of the proposed residence. When viewed from the driveway at 413 Via Anita (west), the silhouette representing the proposed residence would obstruct morning sunlight. When viewed from the front office room window at 421 Via Anita (east), the silhouette would obstruct afternoon sunlight. The property owner at 408 Via La Soledad indicated a view impairment caused by the height of the proposed residence. The home at 408 Via La Soledad was originally constructed as a one-story residence in 1954, and a two-story addition was completed in 1963. When viewed from the second-story master bedroom and front living room, the silhouette obstructs view of city lights and mountains. The property owners at 210, 214, and 222 Via Pasqual have indicated a privacy impairment caused by the height and design of the proposed residence with a rear second-story balcony. Residences along Via Pasqual are situated at a lower elevation to the residences on Via Anita.

Staff determines the subject request will result in adverse impacts on view, light, air, and privacy on surrounding properties. While the proposed residence does meet the R-1 development standards, the mass and height does not appear to be compatible with the character of the neighborhood, nor in harmony with recent development in the surrounding area. The proposed residence is bordered by one-story residences with several two-story residences located nearby that were built prior to the Hillside Overlay District. As proposed, the new residence will obstruct natural light and view corridors of properties within the immediate area. Recent development in the surrounding area is characterized by one and two-story residences that incorporate low-pitch roofs, low building heights, and limited mass and bulkiness to minimize the potential of adverse impacts onto neighboring properties. In the judgment of staff, a new residence can be designed and planned in such a manner as to cause the least intrusion on privacy, natural light, and views impacts to neighbors. For these reasons, staff recommends denial without prejudice of this request.

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

PROJECT RECOMMENDATION: DENIAL WITHOUT PREJUDICE

FINDINGS OF FACT IN SUPPORT OF DENIAL OF THE PRECISE PLAN:

Findings of fact in support of denial of the Precise Plan are set forth in the attached Resolution.

RECOMMENDED CONDITIONS, IF PROJECT IS APPROVED:

Recommended conditions of the proposed project have not been set forth in the attached Resolution as the recommendation is for denial.

Prepared by,



Leo Oorts
Planning Assistant

Respectfully submitted,



Gregg D. Lodan, AICP
Planning Manager

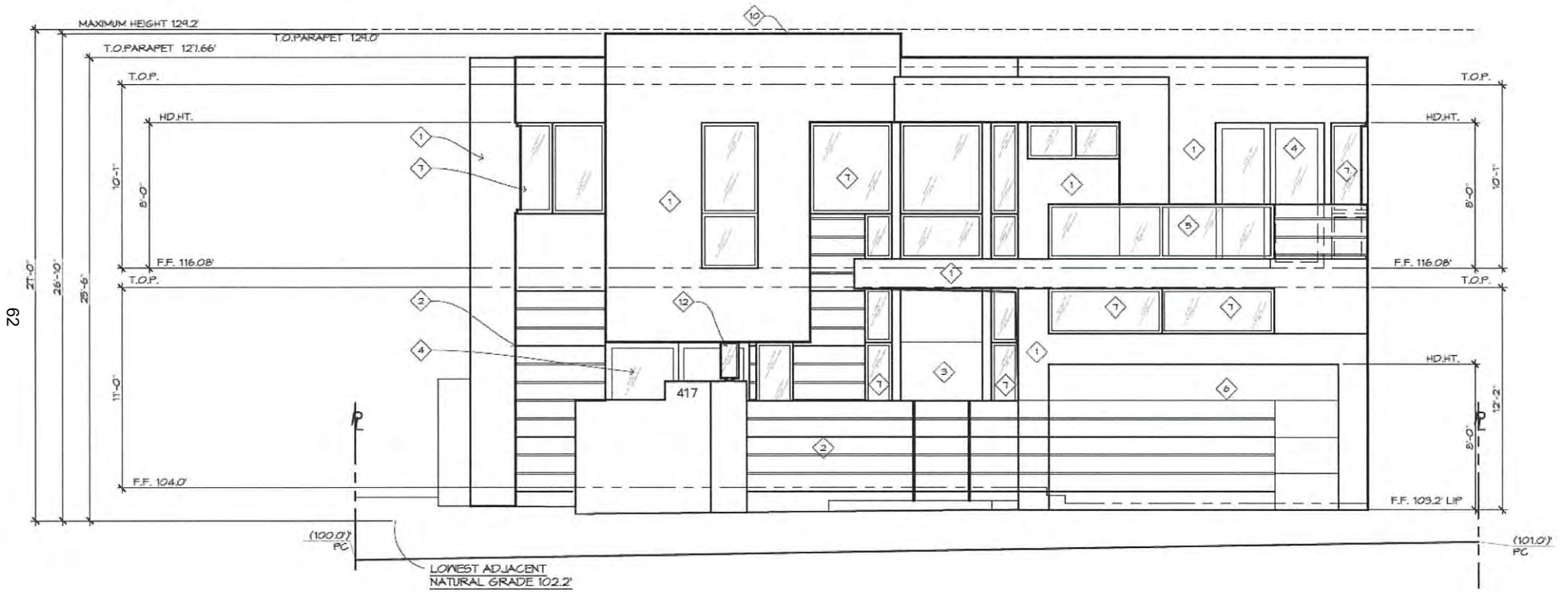
Attachments:

1. Planning Commission Resolution
2. Recommended Conditions (If Approved)
3. Location and Zoning Map
4. Hillside Ordinance Criteria Response
5. Silhouette Certification
6. Correspondence Received
7. Code Requirements
8. Site Plan, Floor Plans, Roof Plan, Elevations

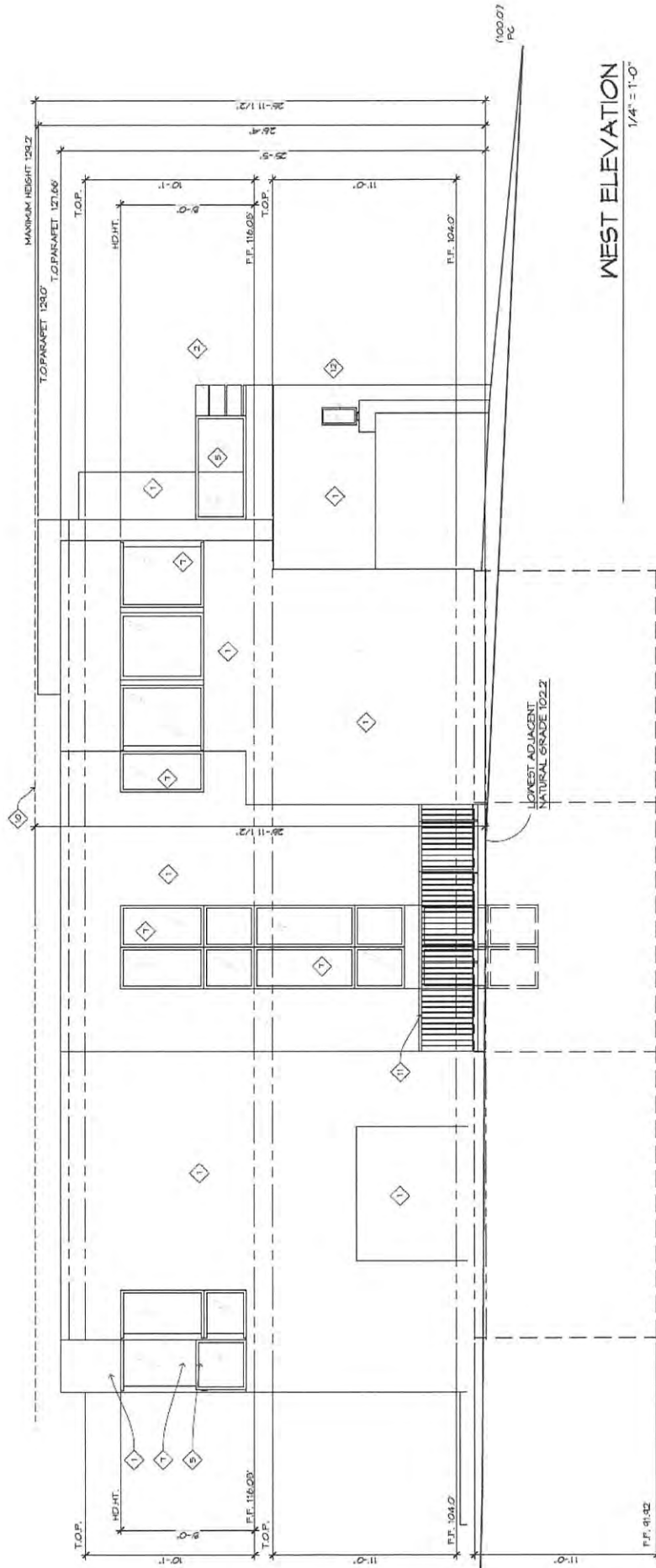
PRE16-00006

417 Via Anita

Jehan Mir (Rukhsana Mir)

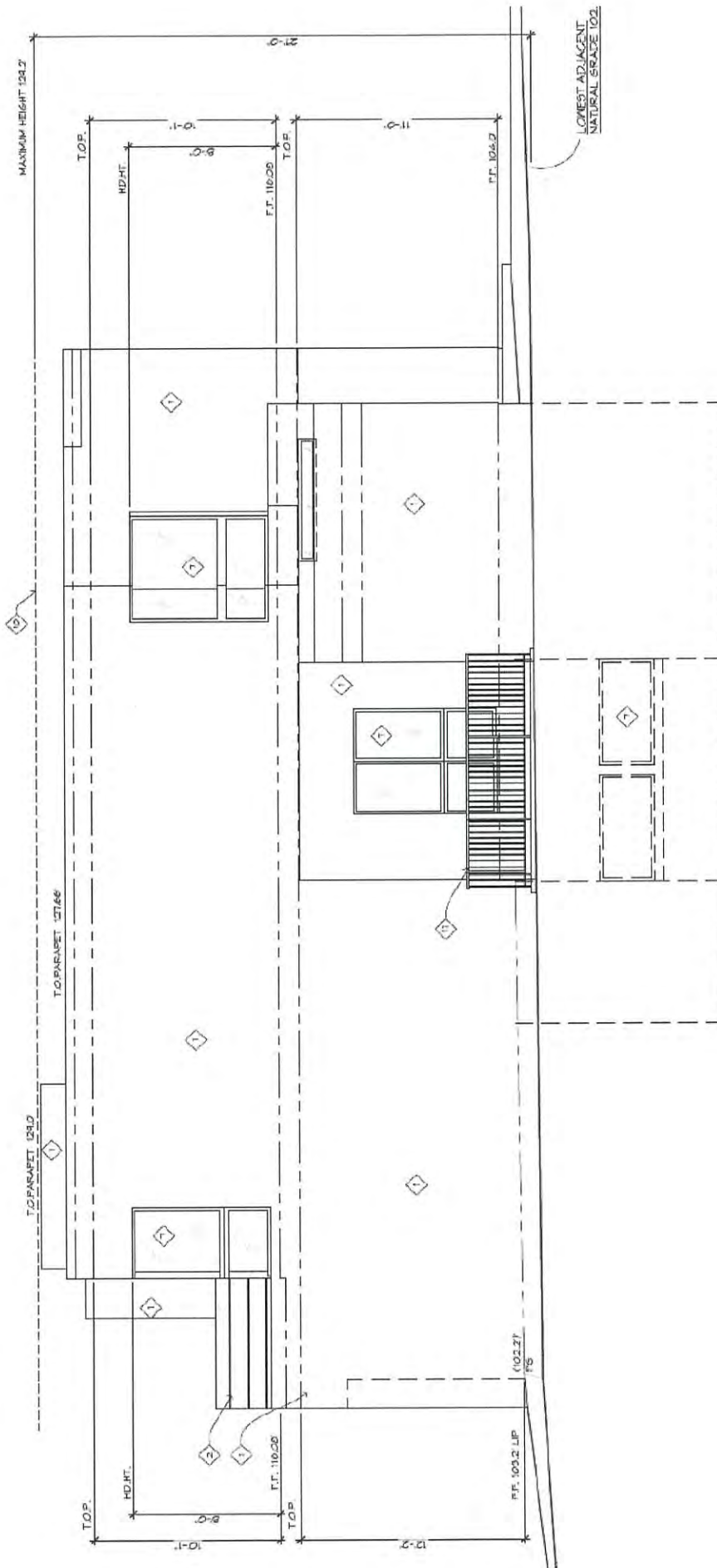


South Elevation



WEST ELEVATION
1/4" = 1'-0"

West Elevation



East Elevation

CITY OF TORRANCE COMMUNITY DEVELOPMENT DEPARTMENT
DEVELOPMENT REVIEW DIVISION

REVISED STATUS OF APPLICATION

APPLICATION NO. VAR22-00001

DATE: August 18, 2023

APPLICANT: Rukhsana Mir

 417 Via Anita

 Redondo Beach, CA 90277

PROPERTY OWNER: _____

PROJECT ADDRESS: 417 Via Anita

Your application for a development project as referenced above has been ACCEPTED for processing and you will be notified regarding public hearings and/or disposition of your case.

Your application for a development project as referenced above is INCOMPLETE due to missing requirements. The missing requirements are listed on the attached form, and must be supplied before your application is considered complete and can be processed. For further information, please call the Planning Division of the Community Development Department at (310) 618-5990.

The missing requirements necessary to complete your development application, as shown on the attached form, must be submitted within thirty (30) days of the above date or your application will be considered withdrawn. A partial reimbursement of filing fees will be sent to the applicant as listed above upon request.

All missing requirements have been received, and the effective filing date of your application is August 18, 2023 .

Rukhsana Mir
417 Via Anita
Redondo Beach, CA 90277

August 18, 2023

APPLICATION NO. VAR22-00001

PROJECT ADDRESS: 417 Via Anita

PROPERTY OWNER:

ZONE: R-1 - Hillside Overlay

PROJECT DESCRIPTION: Request for approval of a variance of the Hillside Overlay.

APPLICATION STATUS: Complete

ITEM 8C
ATTACHMENT 3
VARIANCE SUBSTANTIATION

VARIANCE PRECISE PLANS OF DEVELOPMENT APPLICATION

TO BE SUBMITTED WITH VARIANCE APPLICATION

Var 22 - 00001

APPLICANT

RUKHSAANA MIR
417 Via Anita

GIVE FACTS TO SUBSTANTIATE THE FOLLOWING CRITERIA BY WHICH THE CITY COUNCIL MAY GRANT THIS VARIANCE. IT IS MANDATORY THAT THESE CRITERIA BE MET BEFORE THE CITY MAY LEGALLY GRANT ANY VARIANCE, AND IT IS INCUMBANT UPON THE APPLICANT TO PROVE TO THE SATISFACTION OF THE CITY THAT THE CRITERIA ARE MET:

1. There are practical difficulties or unnecessary hardships resulting from the strict enforcement of this ordinance: THE PLANNING COMMISSION upon the suggestion by neighbor Tom Falls, recommended further research than what was recommended. Similarity soil analysis, proper engineering. This was evidence all the problems due to sandy nature of the hillside soil. The problem difficulty was caused by neighbor for raising false claim of interference with morning afternoon picture light & privacy of 214 and 218 Via Pasquel

2. It will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof: There are 800 properties in the upper Hollywood area which are 2-story and greater in first floor. Three are expected to be torn as many in the remainder of Hollywood district. The claim of interference with light privacy and false claim in bad faith.

3. It will not substantially interfere with the orderly development of the City as provided for the Official Land Use Plan. The Precise Plans of development comply with the city building code. There could be no interference with official land use plan.

PLEASE SEE LETTER DATED AUGUST 8, 2022 FOR DETAILS.



ITEM 8C
ATTACHMENT 4
CORRESPONDENCE

Yumul, Soc Angelo

From: Patricia Mraz <[REDACTED]>
Sent: Sunday, May 05, 2024 1:20 PM
To: Planning Commission
Subject: Re: Proposed Construction and variance exemption at 417 Via Anita

You don't often get email from patricia.mraz@verizon.net. [Learn why this is important](#)

We are in receipt of the city notice regarding a variance request from our neighbor at 417 Via Anita. I live at [REDACTED] with Janet Mellott. Because flags have not been erected it is difficult to determine if there has been any change to the submitted plans from previous requests. If the current plan remains the same as those submitted and denied in 2007, 2008, 2016 and 2017 and adjustments have not been made to comply with the overlay ordinance we both continue to strongly oppose the planned construction at 417 Via Anita.

This property is behind our home and the proposed structure is in violation of the Hillside Overlay for not only us but many of our neighbors. As you know this same owner had submitted plans for a similar structure which has been previously denied. Since that time he has planted large overgrown trees in hopes to mitigate the previous objections and Hillside Overlay violations. As presented previously this proposed structure remains in violation as follows:

OBJECTIONS TO PROPOSED CONSTRUCTION AT 417 VIA ANITA:

- **Privacy** – 2nd story addition looks into our bedroom, family room & entire backyard.
- **Light** – During the winter this addition would block sun to our yard due to the low cast of the afternoon sun.
- **Neighborhood assimilation** – the proposed construction is a huge 2 story home taking most of the lot exceeding 50% of the area. It doesn't fit in with other smaller single story homes in the area.
- **Precedent** – By allowing the proposed construction this sets a precedent, changing the entire character of the neighborhood & negating the very intent of the Hillside Overlay ordinance

Thank you and we appreciate your consideration in this matter,

Pat Mraz and Janet Mellott

[REDACTED]

Redondo Beach, CA 90277

AGENDA ITEM NO. 8D

DATE: May 15, 2024

TO: Planning Commission

FROM: Leo Oorts, Planning Manager

SUBJECT: 1954 Del Amo Boulevard and 340 Van Ness Avenue (APN 7352-013-025, 7352-014-051) Conditional Use Permit (CUP23-00032)

Consideration of a Conditional Use Permit to allow the operation of a retail taproom in conjunction with a brewery in the existing building, on properties located in the M-2 Zone at 1954 Del Amo Boulevard and 340 Van Ness Avenue (APNs 7352-013-025, 7352-014-051).

RECOMMENDATION

Recommendation of the Community Development Director that Planning Commission conduct a public hearing and consider adoption of Resolution No. 24-028 for approval of a Conditional Use Permit to allow the operation of a retail taproom in conjunction with a brewery in the existing building, on properties located in the M-2 Zone at 1954 Del Amo Boulevard and 340 Van Ness Avenue (APNs 7352-013-025, 7352-014-051), and determine a Categorical Exemption for the project in accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA); Article 19, Sections 15301 (Existing Facilities).

EXECUTIVE SUMMARY

The project applicant, Richard Capellino (Del Amo Three), requests approval by the Planning Commission to allow the operation of a retail taproom in conjunction with a brewery in the existing building, on property located in the M-2 Zone at 1954 Del Amo Boulevard and 340 Van Ness Avenue (APNs 7352-013-025, 7352-014-051).

The development standards of the M-2 Zone (Heavy Manufacturing District) as well as the development standards of Article 3, Chapter 5, Division 9 (Conditional Uses and Development Standards) are applicable to the project, and therefore require discretionary review and approval of the following entitlement:

- Conditional Use Permit (CUP) to allow the operation of a retail taproom in conjunction with a brewery.

Staff has thoroughly reviewed the project and determined the project is consistent with the Light Industrial land use designation and complies with the objective development standards of the M-2 Zone and does not require further environmental review. Staff recommends approval of the project, as conditioned. The balance of this report provides an overview of the project.

DISCUSSION

Environmental Determination

Minor alterations to an existing structure or building involving no expansion of the building are Categorical Exempt by the Guidelines for Implementation of the California Environmental Quality Act (CEQA); Article 19, Section 15301 (Existing Facilities).

General Plan Land Use Designation

The project site has a General Plan land use designation of Light Industrial (I-LT), which allows a wide range of industrial uses where manufacturing or assembly is primarily limited to enclosed buildings, professional and medical office, research and development, warehouse, and wholesale uses. The maximum Floor Area Ratio (FAR) is 0.6 for development within the I-LT land use designation.

The proposed retail taproom in conjunction with a brewery is conditionally permitted and is deemed consistent with the Light Industrial land use designation as a secondary use to the primary function of the brewery. Recommended conditions of approval will ensure the taproom is consistent with other industrial uses permitted within the Light Industrial land use designation and so that the taproom does not have the potential to impact surrounding businesses.

Zoning Designation and Adjacent Land Uses

The project site is designated as M-2 Zone (Heavy Manufacturing District) and bounded by two parcels that share the same zoning designation and developed with similar land uses to the east and west, as well as the adjacent parcel to the south that remains undeveloped, and those parcels that are developed to the north across Del Amo Boulevard (Attachment 2). Staff notes the operation of a brewery is permitted by right in the M-2 Zone; however, the retail taproom is a conditionally permitted use.

NORTH: M-2 Light Industrial Buildings
SOUTH: M-2 Undeveloped Private Property
EAST: M-2 Light Industrial Buildings
WEST: M-2 Light Industrial Buildings

Project Site

The proposed retail taproom and brewery is located within an existing building on the south side of Del Amo Boulevard, between Van Ness Avenue and Gramercy Place. The site is developed with an industrial building and onsite parking and is surrounded by industrial properties and uses including manufacturing and auto restoration, as well as other nearby breweries with taprooms. The industrial building was constructed in 1980 and measures 18' tall and 4,535 square feet in building floor area and features four tenant spaces (A-D) each with a roll up door and loading area.

Access to the site is provided via an existing driveway on Del Amo Boulevard and a new pedestrian ramp with handrails that will connect the building entry and sidewalk. The site is proposed to be restriped to yield a total of 18 parking spaces (1 accessible, 1 compact, 16 standard) that are located along the drive aisle and additional spaces at the rear of the building. Staff notes the existing wall along the rear property line will be removed to extend the drive aisle and allow additional parking spaces onto the adjacent parcel, which is under the same property ownership. No cross access is proposed between the adjacent parcels to the east and west.

As a condition of approval, staff recommends the surface material for the extended drive aisle and additional parking spaces shall match the existing concrete surface alongside the building, and that such area at the rear of the building shall be enclosed along the perimeter with decorative fencing, have adequate site lighting, and have wheel stops for every parking space to the satisfaction of the Community Development Director.

Building Floor Plan

The proposed retail taproom and brewery occupies the entire building and features a new main entry door that will be accessible from the sidewalk and parking area, as well as additional entry points alongside the building. The floor plan includes a brewery production area, the taproom and serving area, a merchandise area, restrooms, and loading and storage rooms, including a cold box and mezzanine storage. No food preparation, kitchen, nor outdoor seating areas are proposed. The taproom serving area measures approximately 1,181 square feet (26% of total building floor area) and is situated adjacent to the existing roll up doors, which is similar to other nearby breweries with taprooms.

As a condition of approval, staff recommends that the applicant continue to work with staff on developing a revised floor plan that shows removable fencing or similar installation along the roll up doors that are immediate to the taproom serving area to prevent encroachment into the drive aisle and that such plan shall be submitted to the Planning Division for approval prior to issuance of the tenant improvement building permits.

Business Operation

The proposed retail taproom and brewery offers customers a taproom experience with an open view of the brewery production area, beverages served by staff, snack foods, and merchandise available for purchase, which is similar to other nearby breweries with taprooms. Additional services include food trucks and hosting special events. The business will have 6 employees and the proposed hours of operation for the retail taproom are 11:00am to 9:00pm, Wednesday through Sunday, with the potential for expanding to daily operation. Staff notes the proposed business hours for the retail taproom are also comparable to other nearby breweries with taprooms. More information about the business is shared in the project narrative (Attachment 4).

As a condition of approval, staff recommends that the applicant continue to work with staff on developing a revised site plan and parking layout to accommodate a food truck onsite and that such plan shall be submitted to the Planning Division for approval prior to issuance of the tenant improvement building permits. Staff has also added conditions related to the food truck service and special events hosting. In addition, staff recommends that future expansion of the business hours for the retail taproom must be submitted to the Planning Division for review by the Community Development Director.

Parking Requirements

The parking requirement for the proposed retail taproom and brewery was calculated using a blended parking ratio that requires 18 parking spaces. The blended ratio includes a food establishment rate of 1 parking space for every 100 square feet (1:100) of taproom area, a retail rate of 1 parking space for every 250 square feet (1:250) of retail area, a manufacturing rate of 1 parking space for every 400 square feet (1:400) of production area, and a storage rate of 1 parking space for every 1,500 square feet (1:1,500) of storage area.

As previously noted, the site is proposed to be restriped to yield a total of 18 parking spaces (1 accessible, 1 compact, 16 standard) that are located along the main drive aisle and additional spaces at the rear of the building. Staff will continue to work with the applicant on developing a revised site plan and parking layout to accommodate a food truck onsite in compliance with commercial parking standards.

Field Assessment

Staff conducted a field assessment at the project site and observed that it was generally maintained and in good repair. However, staff observed the existing landscape area along the street frontage would be removed as a result of the new pedestrian ramp with handrails that will connect the building entry and sidewalk. As a condition of approval, staff recommends the applicant construct a landscape planter area alongside the new pedestrian ramp and building frontage and install drought tolerant vegetation and a water efficient irrigation system to the satisfaction of the Community Development Director.

CONCLUSION

In the judgement of staff, the proposed retail taproom and brewery, as conditioned, is compatible with the industrial and commercial uses in the surrounding area and is comparable to other near breweries with taprooms. The proposed retail taproom and brewery will provide adequate parking onsite and will feature a new pedestrian ramp with handrails that will connect the building entry and sidewalk. The proposed retail taproom and brewery is consistent with the orderly development of the City as provided for in the General Plan, which designates this site as Light Industrial. Therefore, staff recommends approval of the subject request, as conditioned.

As of the preparation of this report, staff has received one letter of support (Attachment 5).

FINDINGS OF FACT AND CONDITIONS OF APPROVAL

Staff has prepared draft findings and conditions of approval for consideration by the Planning Commission that are listed in the attached Resolution (Attachment 1).

CODE REQUIREMENTS

Staff has prepared a partial list of requirements from the Torrance Municipal Code, California Building Code, California Fire Code, et al., that are pertinent to the project (Attachment 3). Not all requirements are provided, and the applicant is strongly advised to contact each individual Department/Division for more information. The requirements are not subject to modification and the Planning Commission cannot waive or alter the requirements.

PUBLIC NOTICE

In accordance with the Torrance Municipal Code, notices of the public hearing were made no less than 10 calendar days before the Planning Commission meeting. Notices were also posted at the project site and were mailed on May 2, 2024, to the registered owner of properties located within a 500' radius of the exterior boundaries of the project site. Notices were also published in the local newspaper (The Daily Breeze) and posted on the City of Torrance webpage.

RIGHT OF APPEAL

In accordance with Torrance Municipal Code Section 96.2.5, decisions made by the Planning Commission may be appealed to the City Council within 15 calendar days of adoption of the Resolutions. For more information, please contact the City Clerk's Office by telephone at (310) 618-2870 or email at CityClerk@TorranceCA.Gov.

PROJECT PLANS

The project plans and all related documents are readily available for public review at the Permit Center (Planning Counter) located at City Hall, 3031 Torrance Boulevard, Torrance CA 90503, during normal business hours open 8:00am to 5:00pm, Monday through Thursday, open alternate Fridays. Appointments are available by contacting the Planning Division at (310) 618-5990.

ATTACHMENTS

1. Resolution No. 24-028
2. Location and Zoning Map
3. Code Requirements
4. Project Narrative
5. Correspondence
6. Project Plans (Limited Distribution)

STAFF CONTACT

Leo Oorts, Planning Manager
LOorts@TorranceCA.gov

ITEM 8D

ATTACHMENT 1

RESOLUTION NO. 24-028

PLANNING COMMISSION RESOLUTION NO. 24-028

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 THE OPERATION OF A RETAIL TAPROOM IN CONJUNCTION WITH A BREWERY IN THE EXISTING BUILDING, ON PROPERTY LOCATED IN THE M-2 ZONE AT 1954 DEL AMO BOULEVARD AND 340 VAN NESS AVENUE (APN 7352-013-025, 7352-014-051).

CUP23-00032: RICHARD CAPELLINO (DEL AMO THREE)

WHEREAS, the Planning Commission of the City of Torrance conducted a duly noticed public hearing on May 15, 2024 to consider an application filed by Richard Capellino (Del Amo Three) for approval a Conditional Use Permit to allow the operation of a retail taproom in conjunction with a brewery in the existing building, on property located in the M-2 Zone at 1954 Del Amo Boulevard and 340 Van Ness Avenue (APNs 7352-013-025, 7352-014-051); 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, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the properties are located at 1954 Del Amo Boulevard and 340 Van Ness Avenue (APNs 7352-013-025, 7352-014-051);
- b) That the properties are described as “*TR=32886 LOT 14” and “TR=1427*THAT POR LYING W OF GRAMERCY PL” as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That minor alterations to an existing structure or building involving no expansion of the building are Categorically Exempt by the Guidelines for Implementation of the California Environmental Quality Act (CEQA); Article 19, Section 15301 (Existing Facilities);
- d) That the proposed operation of a retail taproom in conjunction with a brewery is conditionally permitted within the Heavy Manufacturing District (M-2 Zone) and complies with the provisions of the Torrance Municipal Code;
- e) That the proposed operation of a retail taproom in conjunction with a brewery, as conditioned, will not impair the integrity and character of the Heavy Manufacturing District (M-2 Zone) because a retail taproom in conjunction with a brewery is conditionally permitted and the propose use is compatible with the surrounding uses;
- f) That the subject site is physically suitable for the proposed operation of a retail taproom in conjunction with a brewery, as conditioned, because the retail taproom is situated within an existing light industrial building and already served by all necessary utilities and public services;
- g) That the proposed operation of a retail taproom in conjunction with a brewery, as conditioned, will be compatible with existing and proposed future land uses within the Heavy Manufacturing District (M-2 Zone) and the general area in which the brewery is located because the site is surrounded by urban uses that consists a mixture of light industrial manufacturing, auto

restoration, and other nearby breweries with taprooms. In addition, there are no residential uses, churches, schools, hospitals, or public playgrounds located near to the proposed retail taproom and brewery;

- h) That the proposed operation of a retail taproom in conjunction with a brewery, as conditioned, will encourage and be consistent with the orderly development of the City as provided for in the General Plan because the proposed use is located within the Light Industrial land use designation, which is intended to permit a wide range of industrial uses that serve both the local and regional community including breweries with retail taprooms;
- i) That the proposed operation of a retail taproom in conjunction with a brewery, as conditioned, will not discourage the appropriate existing or planned future use of surrounding property and tenancies because the proposed use furthers the goals of the General Plan, complies with all applicable development standards, and is compatible with current development trends in the surrounding vicinity;
- j) That there will be adequate provisions for water, sanitation, and public utilities and services to ensure the proposed operation of a retail taproom in conjunction with a brewery, as conditioned, is not detrimental to public health and safety;
- k) That there will be adequate provisions for public access to serve the proposed operation of a retail taproom in conjunction with a brewery, as conditioned, because a new pedestrian ramp with handrails will connect the building entry and sidewalk;
- l) That the location, size, design, and operating characteristics of the proposed operation of a retail taproom in conjunction with a brewery, as conditioned, will not be detrimental to the public interest, health, safety, convenience or welfare, or to the property of persons located in the area because the proposed use has been thoroughly reviewed and found to be in compliance with the development standards of the M-2 Zone and is consistent with the Light Industrial land use designation. In addition, there are no residential uses, churches, schools, hospitals, or public playgrounds located near to the proposed retail taproom and brewery; and
- m) That the proposed operation of a retail taproom in conjunction with a brewery, as conditioned, 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 CUP23-00032, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that CUP23-00032 filed by Richard Capellino (Del Amo Three) for approval a Conditional Use Permit to allow the operation of a retail taproom in conjunction with a brewery, on property located in the M-2 Zone at 1954 Del Amo Boulevard and 340 Van Ness Avenue (APNs 7352-013-025, 7352-014-051), on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That use of the subject property for the operation of a retail taproom in conjunction with a brewery shall be subject to all conditions imposed in Conditional Use Permit 23-00032; 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 Conditional Use Permit 23-00032 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 a copy of Planning Commission Resolution No. 24-028 shall appear on the building plans associated with the building tenant improvements to facilitate coordination and effective implementation of the conditions of approval;
4. That bicycle racks shall be provided onsite and that a placement plan and bicycle rack detail shall be provided to the satisfaction of the Environmental Division; (Environmental)
5. That the applicant shall obtain a sign permit for any new areas of signage to be displayed on the façade, the outward walls, on the ground, and that all signs (new, modified or revised) shall conform to the approved sign program and be approved by the Environmental Division with appeal rights to the Planning Commission; (Environmental)
6. That prohibited signs for all users in this development shall include: A-frame or sidewalk signs; bow or flag banners; air assisted and inflatable signs; signs attached to light, utility poles, trees, or vehicles; persons holding signs; and temporary signage mounted on the roof of the building; (Environmental)
7. That address numbers shall be installed on the building and measure at a minimum 9" in height and be a color that contrasts with the color of the façade; (Environmental)
8. That address numerals shall be installed on the rooftop in order to assist law enforcement and other emergency personnel locate the property. The rooftop numbers should be painted or mounted flat onto the roof and measure 4 feet and 2 feet wide, spaced 12 inches apart, be parallel to the street, and be a non-reflective color that contrasts with the color of the roof; (Environmental)
9. That the existing trash enclosure shall be equipped with a solid metal barrier roof covering to prevent rainwater intrusion to meet current NPDES requirements; (Environmental)
10. That the existing driveway along Del Amo Boulevard shall be reconstructed to a commercial radius type driveway and line up with the onsite drive aisle, 25 feet wide with depressed back of walk; (Engineering)

11. That if a double check detector assembly (DCDA) is required, it shall be located above ground on private property near the public right-of-way and shall be screened from public view with approved plant material. Final location of said facilities and landscape screening shall be incorporated into water, fire and landscape plan for review prior to the tenant improvement building permit issuance. Landscape screening shall provide access to water and fire department at all times and be maintained diligently to the satisfaction of the Fire Marshal; (Engineering)
12. That all connections for water service shall be made to the stub outs provided (unless stub outs are undersized). If existing stub outs are not used, they shall be abandoned at the main; (Engineering)
13. That permission to allow the taproom with retail sales of beer described herein shall be granted explicitly in conjunction with the operation of a brewery; (Planning)
14. That onsite consumption of beer shall only occur within the building and that the taproom shall not exceed the serving area (26% of total building floor area) shown on the project plans on file with the Community Development Department; (Planning)
15. That only beverages (beer) produced and packaged onsite shall be available for consumption and that the tasting and sales of external products shall be prohibited; (Planning)
16. That the surface material for the extended drive aisle and additional parking spaces shall match the existing concrete surface alongside the building, and that no permanent structures shall be constructed onto the adjacent parcel. The area at the rear of the building shall be enclosed with decorative fencing along the perimeter to prevent cross access between the adjacent parcels to the east and west, shall have adequate site lighting, and shall have wheel stops for every parking space to the satisfaction of the Community Development Director; (Planning)
17. That the taproom serving area shall be accessed only from the interior of the building through the main entry door and shall not be accessible through the roll up doors to pedestrian traffic outside of the building. The applicant shall continue to work with staff on developing a revised floor plan that shows removable fencing or similar installation along the roll up doors that are immediate to the taproom serving area to prevent encroachment into the drive aisle and that such plan shall be submitted to the Planning Division for approval prior to issuance of the tenant improvement building permits; (Planning)
18. That the applicant shall continue to work with staff on developing a revised site plan and parking layout to accommodate a food truck onsite and that such plan shall be submitted to the Planning Division for approval prior to issuance of the tenant improvement building permits; (Planning)
19. That a new pedestrian ramp with handrails shall be constructed to connect the building entry and sidewalk and that a landscape planter area shall be constructed alongside the new pedestrian ramp and building frontage and installed with drought tolerant vegetation and a water efficient irrigation system to the satisfaction of the Community Development Director; (Planning)
20. That all brewing, production, and storage activities shall occur within the building; (Planning)
21. That all open space, landscape areas, and outdoor areas shall be at all times maintained, repaired, and kept free of trash, litter, debris, graffiti and vandalism; (Planning)
22. That no vending machines, publication racks, telephones, kiosks, donation bins and similar items shall be permitted outside of the building; (Planning)

23. That no exterior security bars applied to windows and building entrances shall be permitted outside of the building; (Planning)
24. That any use of sound amplifying equipment shall comply with the provisions for amplified sound as listed in Division 3, Chapter 3, Article 4, and Division 4, Chapter 6, Article 5 of the Torrance Municipal Code; (Planning)
25. That any form of live entertainment shall be prohibited unless approved by the Planning Commission or License Review Board in accordance with the provisions for live entertainment as listed in Division 3, Chapter 5, Article 5 of the Torrance Municipal Code, or as part of a Temporary Event Permit approved by the Community Development Director; (Planning)
26. That any sale or service of food or beverages for onsite consumption in outdoor areas shall comply with the provisions listed in Division 3, Chapter 5, Article of the Torrance Municipal Code; (Planning)
27. That the hours of operation for the retail taproom shall not exceed 11:00am to 9:00pm, Wednesday through Sunday, without prior approval from the Community Development Director; (Planning)
28. That only one mobile food vendor, caterer, food truck or similar food service shall be allowed onsite during business hours; (Planning)
29. That all contracted food service vendors shall have all required City and County business licenses and inspections in good standing; (Planning)
30. That the brewery operator shall obtain approval of a business license through the City of Torrance License Review Board prior to commencing operations; (Planning)
31. That the brewery operator shall obtain the appropriate alcohol license for the business model and shall comply with the conditions and regulations of the California Department of Alcohol Beverage Control (ABC); (Police)
32. 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 Planning Manager; and
33. 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 day of May 2024.

ATTEST:

Secretary, Torrance Planning Commission

Chairperson, Torrance Planning Commission

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

I, LEO OORTS, 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 May 2024, by the following roll call vote:

AYES: COMMISSIONERS:

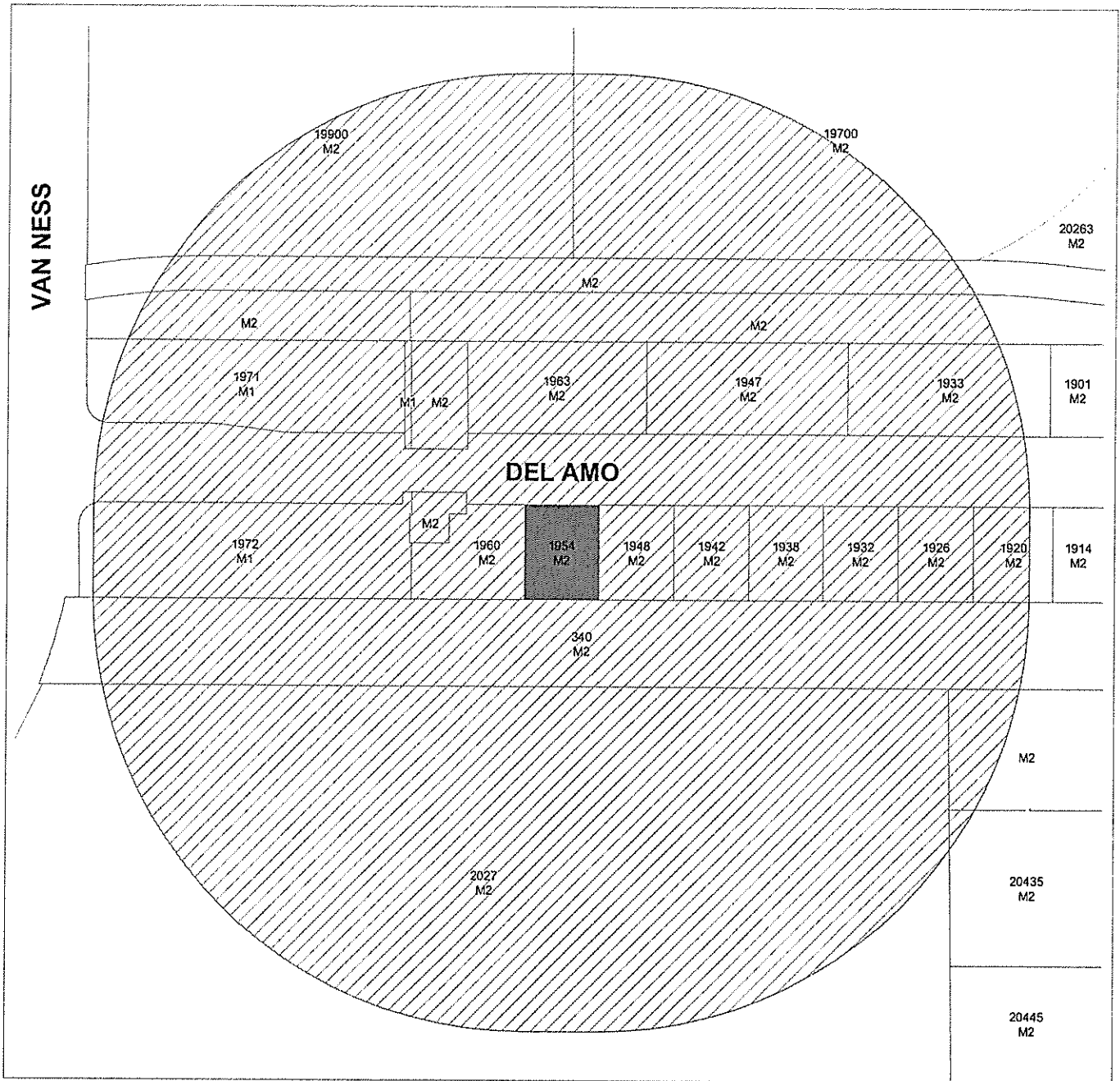
NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

ITEM 8D
ATTACHMENT 2
LOCATION AND ZONING MAP



LOCATION AND ZONING MAP

CUP23-00032
1954 Del Amo Blvd

LEGEND

- Notification Area
- 1954 Del Amo Blvd

0 75 150 300 Feet

Prepared using City of Torrance Community Development Geographic Information System
Michelle G. Ramirez, Community Development Director

ITEM 8D
ATTACHMENT 3
CODE REQUIREMENTS

CODE REQUIREMENTS

The following is a partial list of Code requirements applicable to the proposed project. Not all Code requirements are provided 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 for information purposes only.

BUILDING & SAFETY

1. Comply with the 2022 CBC, CEC, CPC & CGBC.
2. Provide a compliant handicap path of travel from the public right-of-way to primary entrance directly from the street.
3. Provide a compliance handicap parking space along with a compliant path to building.
4. Provide compliance plumbing fixtures required by 2022 CPC, Table 422.1.

ENGINEERING

5. A Construction and Excavation Permit (C&E Permit) is required from the Community Development Department, Engineering Permits and Records Division, for any work in the public right-of-way on Del Amo Boulevard. (TMC Sec. 74.6.2)
6. Replace grinded, lifted, and cracked sidewalk along the project frontage on Del Amo Boulevard per City of Torrance standards.

ITEM 8D
ATTACHMENT 4
PROJECT NARRATIVE

HopSaint @ the Ditch
1954 Del Amo Blvd
Torrance, Ca 90501

Operating plans

HopSaint is currently using the space for Storage, cold storage and office space. We run our distribution from the warehouse and we store ingredients for our brewing process onsite. We intend to use the space for production as we expand our operation. We also intend to use the space for a tasting room to provide our customers with a tap room experience. Our plan is to operate not unlike other breweries & taprooms within walking distance from our location. We intend to sell Merchandise /Beer/Snacks we produce from our restaurant/Non Alcoholic beverages and anything else typical of a taproom . We would also intend to host a few special events a year for anniversary/special releases, etc...

We are looking at 7 a day a week operation, however, at the onset we plan on opening Wednesday thru Sunday from 11am until 9 pm. As we operate we can make adjustments to days of the week business permitting. There will be no more than 6 employees working at any given time. On a typical day there may be 1 to 2 office workers and 1 to 2 tap room workers. Upon installing small brewery equipment there will be an additional 2 brewery workers intermittently.

Patrons will be able view our entire operation from the tap room.

We also intend to use some food trucks and possibly our own vessel for patrons to have another food option not unlike any other taproom / brewery in the area. However, we will be using vendors not seen in this area before. We will use our connections from the restaurants across the southland who provide this service for something unique to HopSaint @ the Ditch!

Thank you,
The HopSaint Crew

ITEM 8D
ATTACHMENT 5
CORRESPONDANCE

Oorts, Leo

From: Beer Guy [REDACTED]
Sent: Sunday, April 28, 2024 12:30 PM
To: Planning Commission
Cc: sr@hopsaint.com
Subject: Letter in SUPPORT of CUP 23-00032
Attachments: HopSaint-CUP2.pdf

You don't often get email from 1craftbeerguy@gmail.com. [Learn why this is important](#)

Please find attached my letter in support of HopSaint Brewing Company's CUP 23-00032 application.

Thank you.

Lloyd Brown

<https://CraftBeerGuy.com>

www.GotBaddog.com

Cell: [REDACTED]

Honorable Body,

Before sitting down to write this I did a little research, specifically how many Planning Commission members know me, or have heard me speak/write before. As there are a couple that were not seated the last time I sent in a letter of support for a Conditional Use Permit, and the rest have only heard for me once a year-and-a-half ago, I will start at the beginning with an introduction.

My name is Lloyd Brown and my family moved to Torrance in 1965, and I have owned my Torrance home since 1985. I graduated from Seaside Elementary in 1967 and Bishop Montgomery in 1971. My past includes being involved with Cub Scout Pack 948 as a den leader, a coach for several AYSO seasons, a Torrance Little League coach and umpire and I have been honored by the Edison School PTA for my volunteer work with them.

Currently I am the writer/owner of CraftBeerGuy.com, and I am an unashamed advocate for local craft breweries.

I am writing this letter in support of granting HopSaint Brewing Company's request for their Conditional Use Permit, CUP23-00032.

Part of the reason for the extended introduction is because between 2012 and 2015 it seemed that I was writing to you, or speaking before you every few months. Torrance west of Western, between Torrance Boulevard and Del Amo earned the moniker of "The Beermuda Triangle." Torrance definitely became a tourist destination for fans of American Craft Beer. Back then, the Planning Commission expected my appearance.

Our last two mayors, Scotto and Furey, in their State of the City addresses, both mentioned craft beer and how it has become the newest growth industry in Torrance. Hopefully you have seen past articles going around the mainstream press discussing the millions of dollars and thousands of jobs craft beer has brought to Torrance. Having traveled the country seeking new craft breweries, I am happy to report that California has some of the best, with Torrance being the home to the best. Craft beer has done well in Torrance.

The current HopSaint Brewing Company brewpub (restaurant) in Torrance is a hit; even if you do not drink beer. If you have not tried their food you owe it to yourself to change that; Steve Roberts goes the extra mile by hitting up farmer's markets to supply his kitchen with fresh ingredients. If you do drink beer, hopefully you have tried some of Brian Brewer's beers; I have been enjoying Brian's brews since 2012 and he is one of the best brewers in the state.

While this CUP application does not include a restaurant, that is okay; HopSaint has a reputation that extends far beyond Torrance. Within the last two weeks I was speaking with a gentleman that told me he could not wait for the new tasting room to open because he drives up from the OC and the Del Amo location is freeway close and it would save him so much time. So I guess this letter has at least two of us in favor of granting this Conditional Use Permit.

I chat with many craft beer fans on a weekly basis; they are chomping at the bit for the new HopSaint Brewing Company tasting room to open; we have also started calling that portion of Del Amo, Del Amo Brewlevard.

As a longtime homeowner, voter, tax payer and craft beer fan I encourage this Planning Commission to bring more jobs to Torrance by approving HopSaint Brewing Company's Conditional Use Permit, CUP23-00032, as applied for.

Sincerely,

Lloyd Brown

Regina Avenue, Torrance, CA 90504

ITEM 8D
ATTACHMENT 6
PROJECT PLANS

HOPSAINT BREWERY
1954 DEL AMO BLVD
TORRANCE, CA 90501

NUMBER	DATE	REVISION BY	DESCRIPTION
1	2/29/2024		
2	3/19/2024		

TENANT:
HOPSAINT BREWERY
1954 DEL AMO BLVD.
TORRANCE, CA 90501

OWNER:
CAPELLINO AND ASSOCIATES
1108 SARTORI AVE. SUITE 210
TORRANCE, CA 90501

SITE PLAN

DATE:

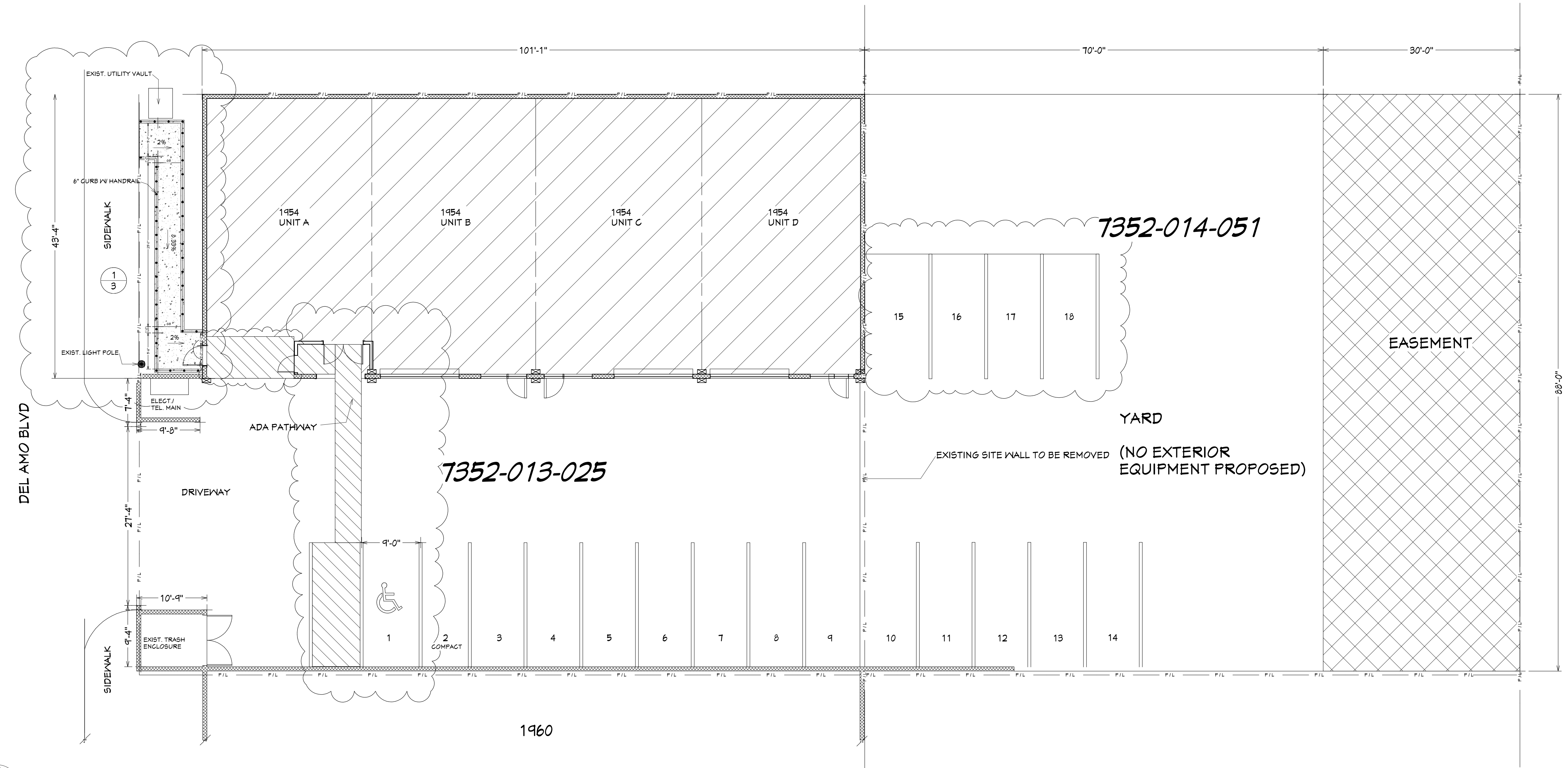
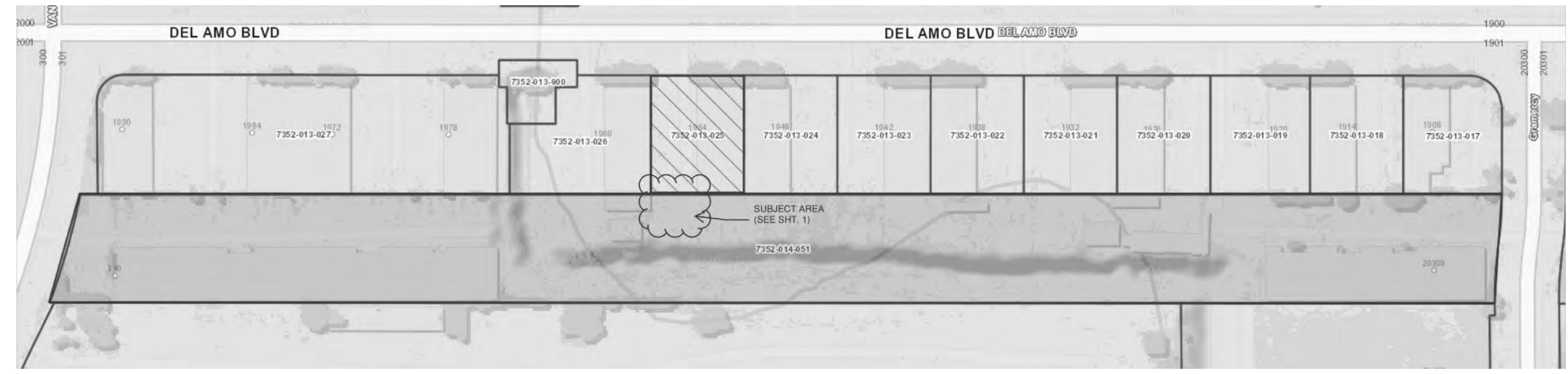
3/18/2024

SCALE:

1/8"

SHEET:

1



REVISION TABLE	NUMBER	DATE	REVISOR	DESCRIPTION
	1	2/29/2024		
	2	3/19/2024		

TENANT:
 HOPSAINT BREWERY
 1954 DEL AMO BLVD.
 TORRANCE, CA 90501

OWNER:
 CAPELLINO AND ASSOCIATES
 1108 SARTORI AVE. SUITE 210
 TORRANCE, CA 90501

FUTURE SITE PLAN

DATE:

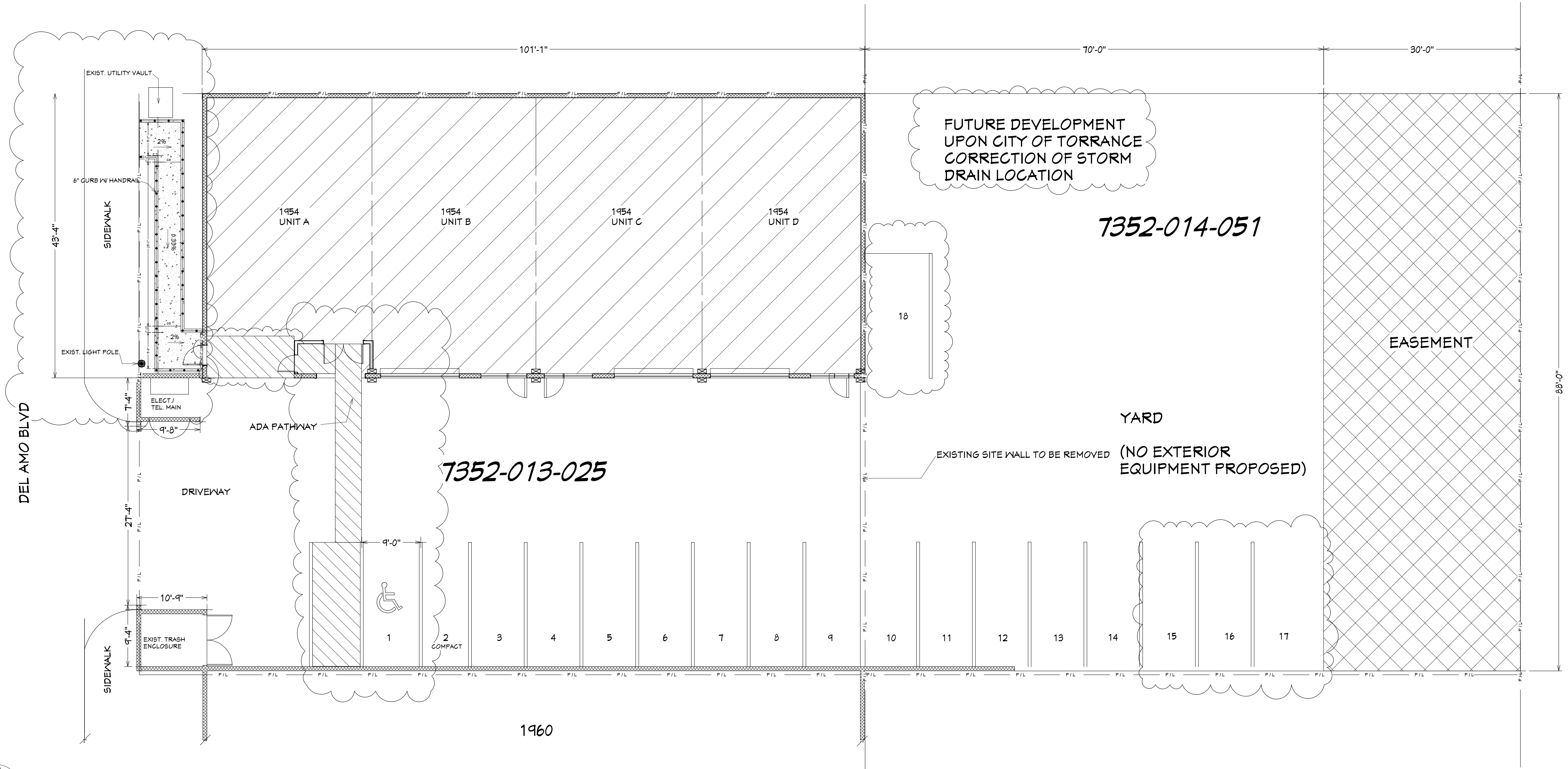
3/18/2024

SCALE:

1/8"

SHEET:

2



REVISION TABLE	NUMBER	DATE	REVISION BY	DESCRIPTION
	1	2/29/2024		
	2	3/19/2024		

TENANT:
 HOPSANT BREWERY
 1954 DEL AMO BLVD.
 TORRANCE, CA 90501

OWNER:
 CAPELLINO AND ASSOCIATES
 1108 SARTORI AVE. SUITE 210
 TORRANCE, CA 90501

EXISTING ELEVATIONS

DATE:

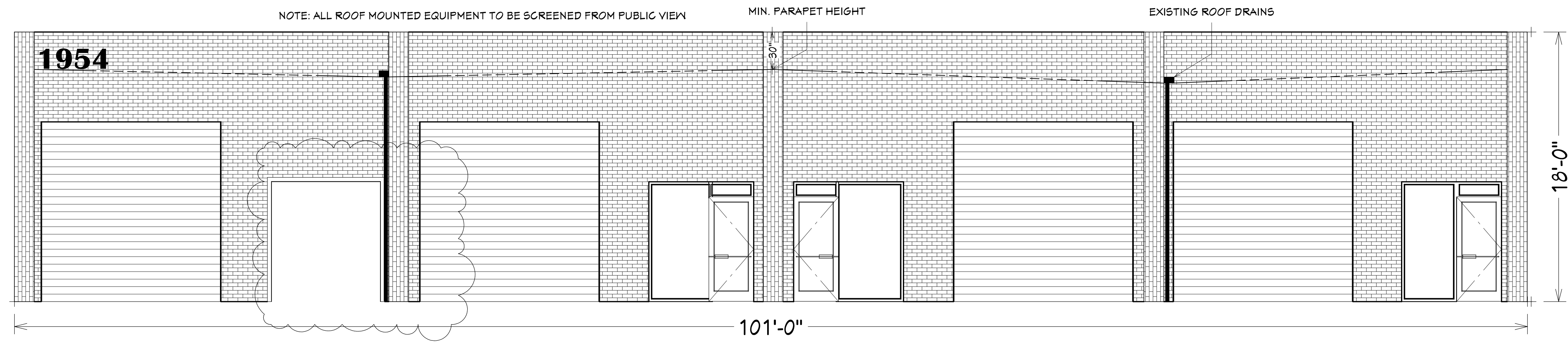
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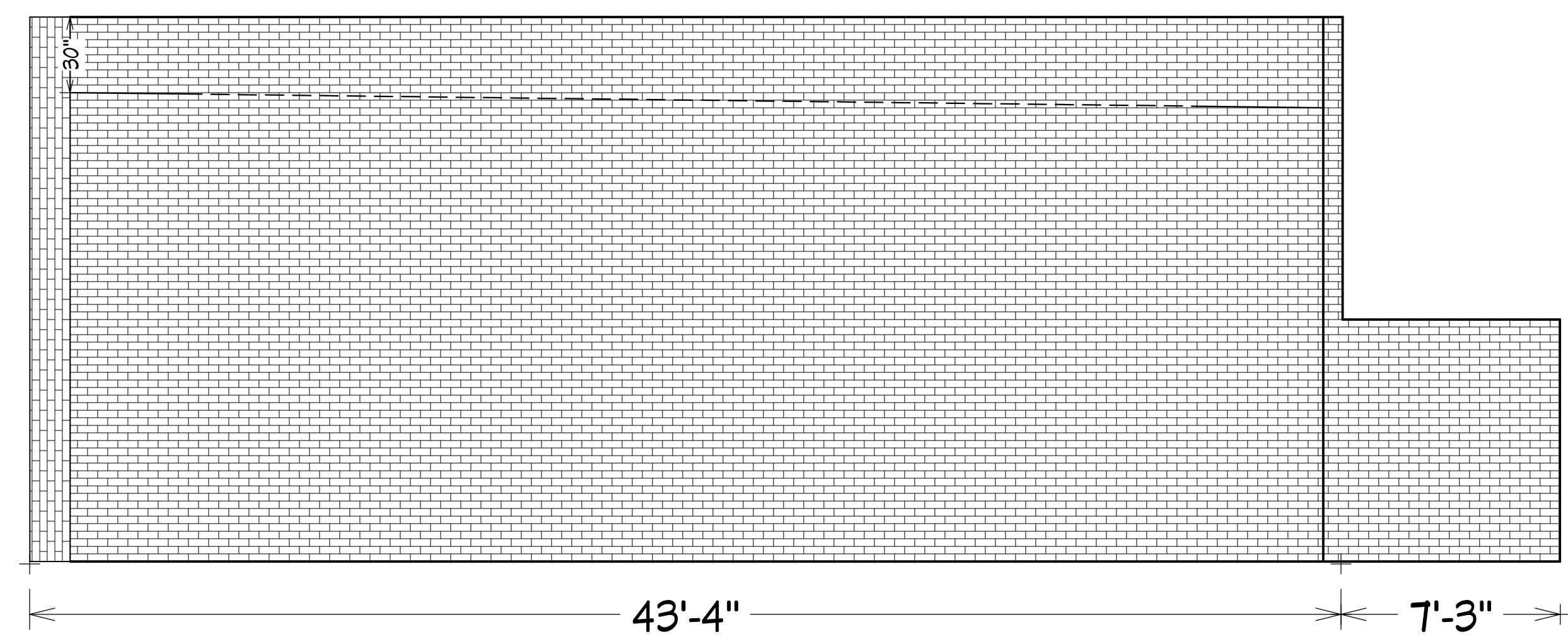
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SHEET:

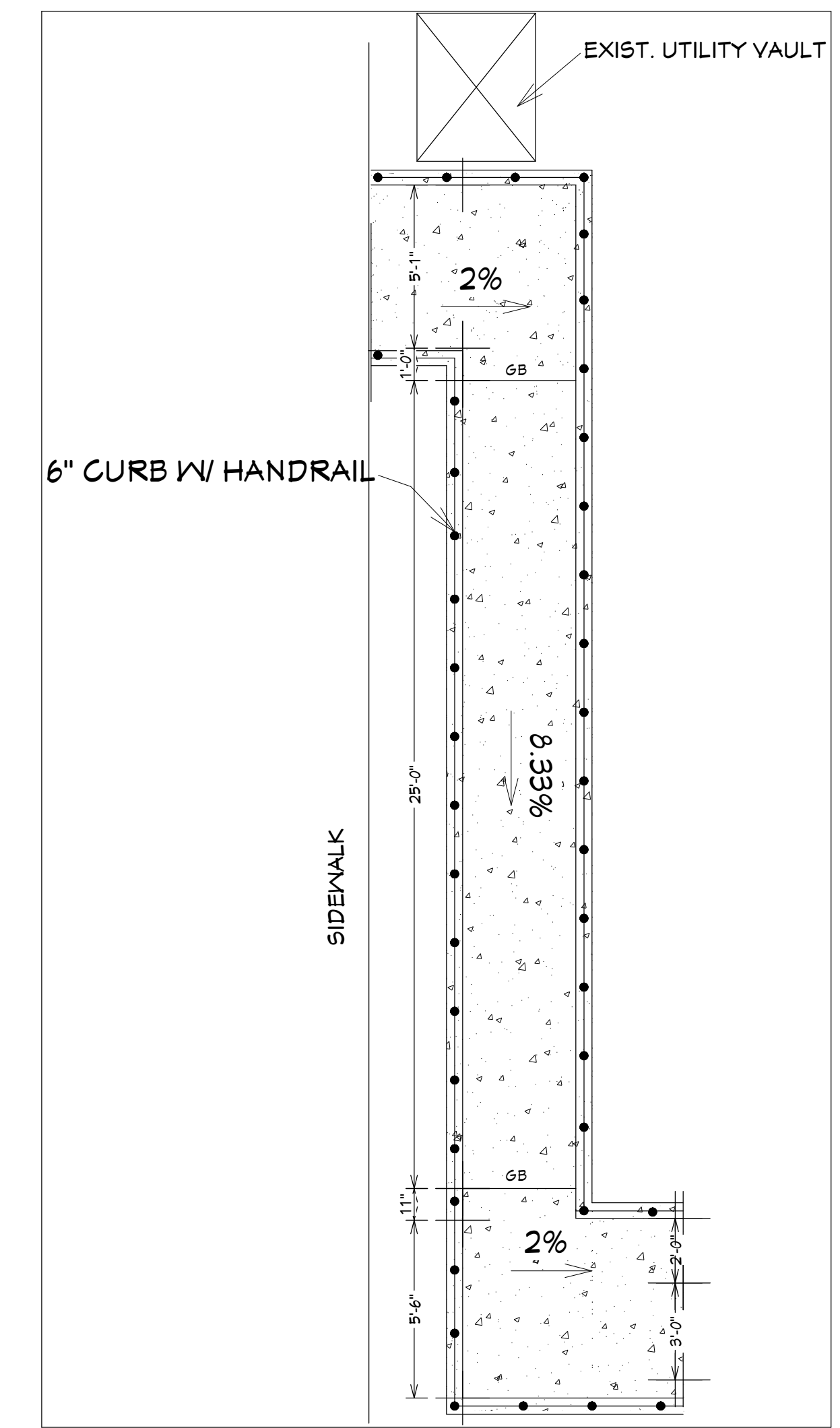
3



WEST ELEVATION



NORTH ELEVATION



Detail 1

REVISION TABLE	NUMBER	DATE	DESCRIPTION
	1	2/29/2024	
	2	3/19/2024	

TENANT:
HOPSANT BREWERY
1954 DEL AMO BLVD.
TORRANCE, CA 90501

OWNER:
CAPELLINO AND ASSOCIATES
1108 SARTORI AVE. SUITE 210
TORRANCE, CA 90501

FLOOR PLAN

DATE:

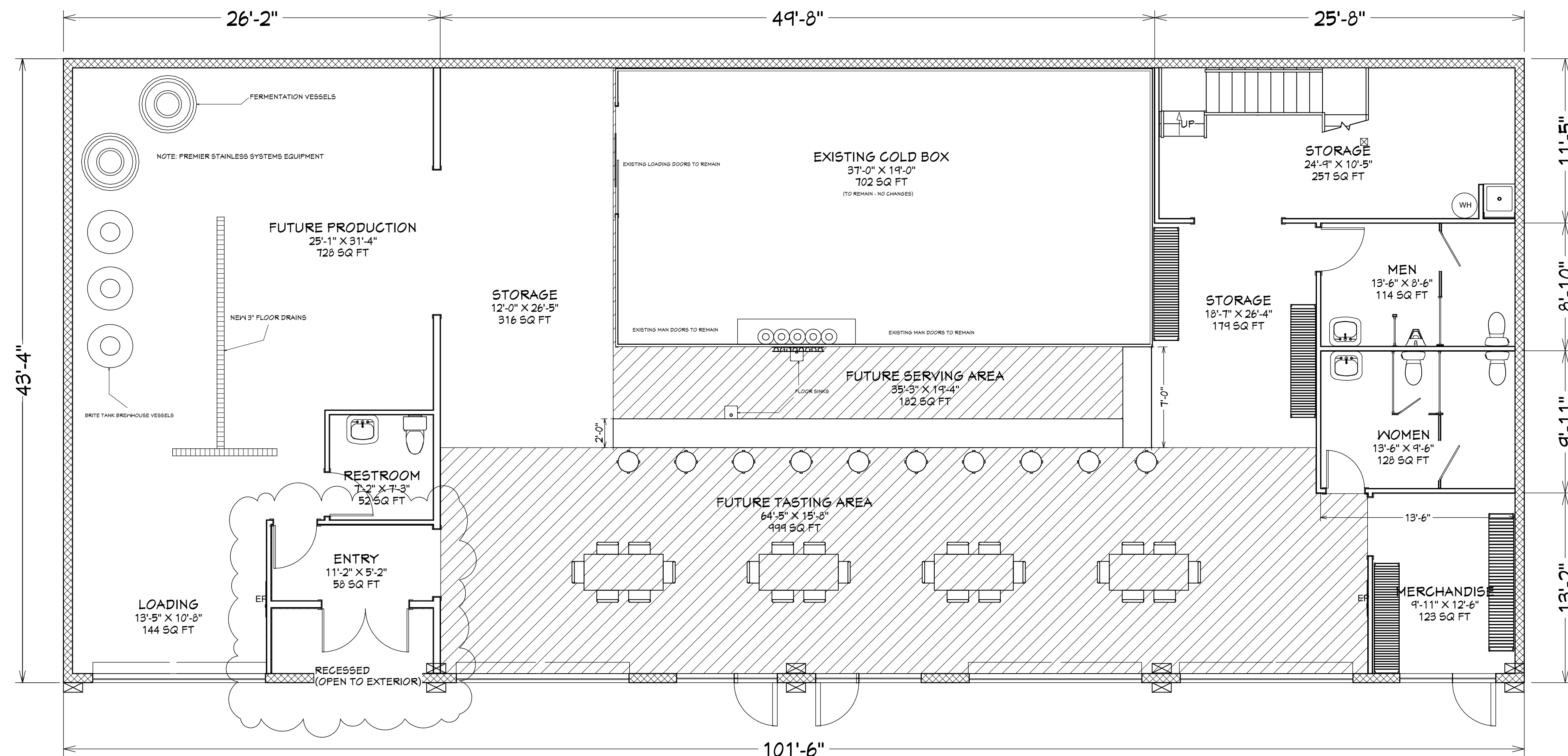
3/18/2024

SCALE:

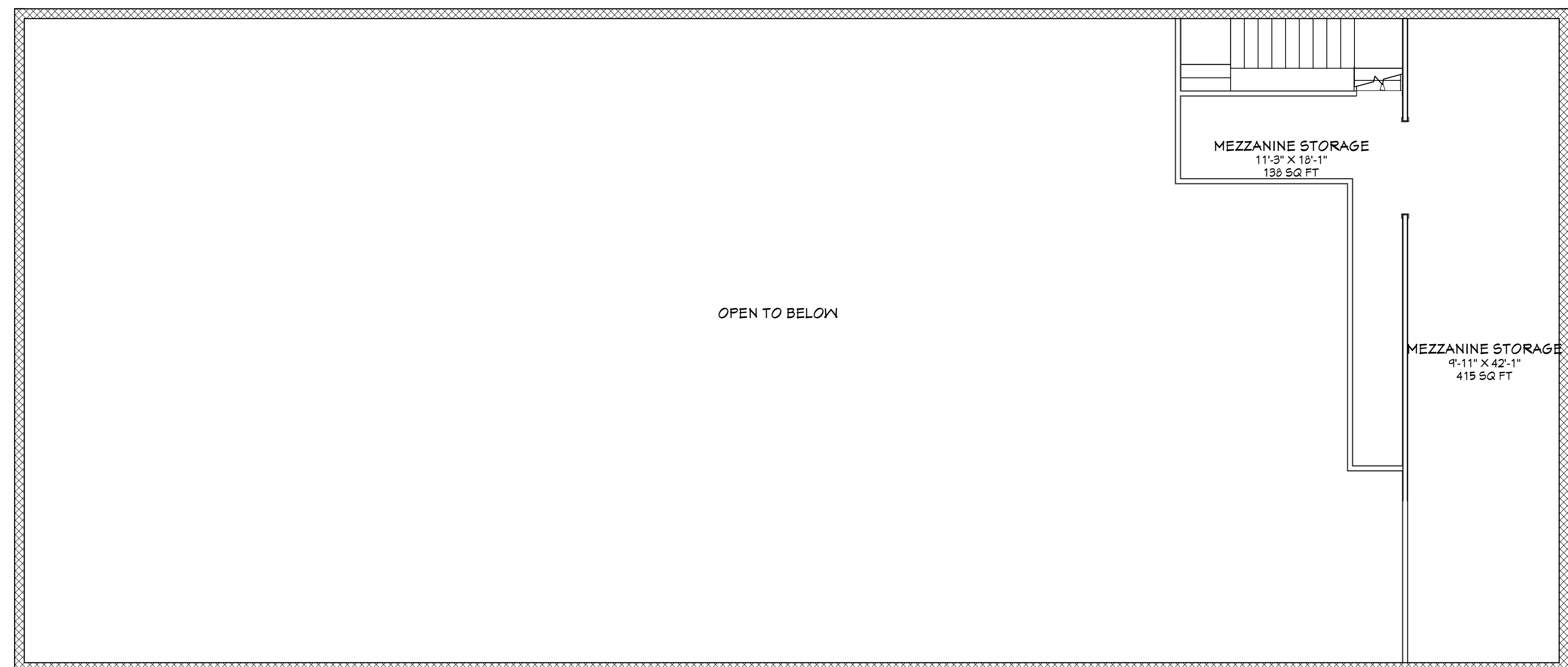
3/16"

SHEET:

4



1st Floor



2nd Floor

PARKING ANALYSIS

AREA	S.F.	PARKING RATIO	REQUIRED STALLS
FUTURE PRODUCTION	728	1/400	1.82
ENTRY	58	1/100	0.58
STORAGE	752	1/1500	0.5
COLD BOX	702	1/1500	0.47
FUTURE SERVING AREA	182	1/100	1.82
FUTURE TASTING AREA	999	1/100	9.99
LOADING	144	1/400	0.36
RESTROOM UNIT A	52	1/400	0.13
MENS RESTROOM UNIT D	114	1/400	0.29
WOMENS RESTROOM UNIT D	128	1/400	0.32
MERCHANDISE	123	1/250	0.49
MEZZANINE STORAGE	553	1/1500	0.37
TOTAL PARKING REQUIRED	4535		17.14
TOTAL PARKING PROVIDED			18

AGENDA ITEM NO. 8E

DATE: May 15, 2024

TO: Planning Commission

FROM: Kevin Joe, Planning Associate
Leo Oorts, Planning Manager

SUBJECT: 1919 Torrance Boulevard (APN 7352-022-002)
Conditional Use Permit (CUP24-00006)

Consideration of a Conditional Use Permit to allow recurring, outdoor company and community events to be conducted on the Honda campus on property located in the M-2 Zone at 1919 Torrance Boulevard (APN 7352-022-002).

RECOMMENDATION

Recommendation of the Community Development Director that Planning Commission conduct a public hearing and consider adoption of Resolution No. 24-029 for approval of a Conditional Use Permit to allow recurring, outdoor company and community events to be conducted on the Honda campus on property located in the M-2 Zone at 1919 Torrance Boulevard (APN 7352-022-002), and determine a Categorical Exemption for the project in accordance with the Guidelines for Implementation of the California Environmental Quality Act (CEQA); Article 19, Section 15301 (Existing Facilities).

EXECUTIVE SUMMARY

The project applicant, American Honda Motor Co. Inc., requests approval by the Planning Commission to allow recurring, outdoor company and community events to be conducted on the Honda campus on property located in the M-2 Zone at 1919 Torrance Boulevard (APN 7352-022-002).

The development standards of the M-2 Zone (Heavy Manufacturing District) as well as the development standards of Article 3, Chapter 5, Division 9 (Conditional Uses and Development Standards) are applicable to the project, and therefore require discretionary review and approval of the following entitlements:

- Conditional Use Permit (CUP) to allow recurring outdoor events in the M-2 Zone.

Staff has thoroughly reviewed the project and determined the project is consistent with the Industrial Business Park (I-BP) land use designation and complies with the objective development standards of the M-2 Zone and does not require further environmental review. The balance of this report provides an overview of the project.

DISCUSSION

Environmental Determination

Minor alterations to an existing structure or building involving no expansion of the building are Categorical Exempt by the Guidelines for Implementation of the California Environmental Quality Act (CEQA); Article 19, Section 15301 (Existing Facilities).

General Plan Land Use Designation

The project site has a General Plan land use designation of Business Park, which is characterized by business, professional and medical office, research and design, and light industrial uses. This designation is implemented by the PD Planned Development District.

The existing corporate headquarters campus is consistent with the Business Park designation. The proposed recurring, outdoor company and community events are conditionally permitted within the M-2 Zone and are compatible with the existing campus.

Zoning Designation and Adjacent Land Uses

The project site is designated as M-2 Zone (Heavy Manufacturing District) (Attachment 2). Given its size, the campus is surrounded by numerous different zoning designations, summarized below.

NORTH:	M-2	Light Manufacturing
SOUTH:	DT	Downtown Torrance District / Restaurant
	C-1 PP	Retail Commercial District, Precise Plan Overlay / Multi-Family Residences
EAST:	M-2	Warehousing, Light Industrial, and Office Buildings
WEST:	M-2	Light and Heavy Manufacturing
	R-3	Limited Multi-Family Residential District / Single-Family Residences
	R-MF	Downtown Residential Multiple-Family Residential District / Multi-Family Residences
	M-1	Light Manufacturing District / Light Industrial, Warehousing, Automobile Repair, Restaurant

Project Site

The subject site consists of a 100-acre irregular shaped parcel bounded by Harpers Way to the north, Torrance Boulevard to the south, multiple industrial properties to the east, and Van Ness Avenue to the west. The site is developed as the corporate headquarters of the American Honda Motor Corporation, established in 1989, and currently developed with 12 buildings used for administrative offices, research and design, manufacturing, and warehousing.

Background and Analysis

The purpose of the request is to allow recurring, outdoor company and company-sponsored community events to be conducted at various locations on the American Honda Motor Corporation campus. This Conditional Use Permit request will cover three community events (Honda Campus All-Star Challenge, Student Run LA/Ride for Kids, and American Honda Collection Hall: Cars, Bikes and Coffee) and three company events (Associate Appreciation Lunch, Children’s Halloween Party, and National Honda Circle). An event summary with a description of each event, when and where they occur, and the estimated attendance, was provided by the applicant and attached to the staff report (Attachment 4).

In 2015, an Administrative Planning Permit (ADM15-00029) allowed recurring, outdoor company-sponsored community and company events conducted on the Honda campus. The events included Evening Under the Stars, For Our Children Food & Wine Festival, Student Run LA/Ride for Kids, Honda Campus All Star Challenge Lunch, Associate Appreciation Lunch, Children’s Halloween Party and National Honda Circle. This Administrative Permit served as a master permit for these events and replaced the need for applying for separate Temporary Parking Lot Event Permits for each event each year. The permit applied to event activities conducted on-site on the tennis courts, baseball field, patio courtyard area, or within portions of the parking lot, and did not cover activities conducted off-site or within the public right-of-way. Events conducted in the public right-of-way were subject to the approval of a Special Event Permit that is reviewed separately by the City Manager’s Office. The aforementioned events, with the exception of the Evening Under the Stars and For Our Children Food & Wine Festival events, will continue to be conducted under the Conditional Use Permit.

The previously approved Administrative Permit covered Honda Campus All Star Challenge, Student Run LA/Ride for Kids, Associate Appreciation Lunch, Children’s Halloween Party, and National Honda Circle, would also be covered under this Conditional Use Permit. These events are held over one or two days, limited to company employees or targeted audiences.

The Cars, Bikes and Coffee is a new event that was inaugurated in 2023, will occur every other month, and open to the general public. The Cars, Bikes, and Coffee that were held this past October, December, February, and April were approved under a Temporary Parking Lot Event Permit. The inaugural event in

October drew thousands of attendees over a short period of time, which resulted in traffic impacts and vehicles queuing on surrounding streets. Due to the size, nature, and frequency of this event, and potential impacts that this event may create, a Conditional Use Permit review was determined to be warranted.

In the past, the Planning Commission has approved Conditional Use Permits and Modifications to allow recurring, temporary outdoor operations, seasonal sales, and events to occur in parking lots or vacant lots where the set up remains the same each time. The Conditional Use Permit and Modification replaced the need to process separate Temporary Parking Lot Event Permit applications for each event, which relieves the application burden on City staff, while providing standardized conditions of approval.

Event Plans

A summary of the six recurring events covered under this Conditional Use Permit is provided below, and detailed event descriptions are attached (Attachment 4). A location map and plans for each event are also attached (Attachment 5). The events will be conducted within the parking lot, the baseball field, outdoor courtyard areas, or inside a building. The location and setup vary depending on the event and may include the erection of tents, canopies and stages, tables and seating, food trucks and vendors, and temporary restroom facilities. Events serving food and beverages will be catered by the food truck vendors, which participating vendors will be required to have a City Business License, and the on-site commissary. Tents, canopies, and stages that are erected and/or use of power generators will be required to obtain a Safety Inspection Permit each time any of these items are used. The use of amplified sound will be required to obtain an amplified sound permit.

Event Name	Description	Campus Location (Outdoor Activities)	Estimated Attendance
Honda Campus All-Star Challenge	Academic competition for historically black colleges & universities. April-weekday	Building 400 courtyard area	400-500, public
Student Run LA/Ride for Kids	Charity ride for Pediatric Brain Tumor Foundation followed by 5K fun run for at risk middle & high student. April or May-weekend	Baseball field	300, public
American Honda Collection: Cars, Bikes, and Coffee	Vehicle and motorcycle public car show. Every other month- 3 rd Saturday	Multiple parking lots	3,000, public
Associate Appreciation Lunch	Luncheon for current & former Honda associates milestones & achievements., June-weekday	Parking lot	2,000, private
Children’s Halloween Party	Carnival games & activities for children of Honda associates. October-weekday	Baseball field, park lot	2,000, private
National Honda Circle	Convention for National Honda Circle delegates & executives. 2 days November-weekday	Baseball field, parking lot	650, private

To help prevent vehicles entering the campus from queuing on surrounding streets, conditions of approval have been included for directional signage to be provided, requiring personnel to monitor and direct traffic, and requiring multiple points of ingress.

CONCLUSION

Staff does not object to this request to allow recurring outdoor events, as conditioned, because the location of these events combined with the size of campus will help mitigate and buffer potential impacts to campus operations and neighboring properties. The largest community event (in terms of attendees

and activity area, is the Cars, Bikes and Coffee event) will take place on Saturdays, and thus less likely to affect and impact campus business operations.

As of the preparation of this report, no written correspondence has been received pertaining to the request.

FINDINGS OF FACT AND CONDITIONS OF APPROVAL

Staff has prepared draft findings and conditions of approval for consideration by the Planning Commission that are listed in the attached Resolution (Attachment 1).

CODE REQUIREMENTS

Staff has prepared a partial list of requirements from the Torrance Municipal Code, California Building Code, California Fire Code, et al., that are pertinent to the project (Attachment 3). Not all requirements are provided, and the applicant is strongly advised to contact each individual Department/Division for more information. The requirements are not subject to modification and the Planning Commission cannot waive or alter the requirements.

PUBLIC NOTICE

In accordance with the Torrance Municipal Code, notices of the public hearing were made no less than 10 calendar days before the Planning Commission meeting. Notices were also posted at the project site and were mailed on May 2, 2024, to the registered owner of properties located within a 500' radius of the exterior boundaries of the project site. Notices were also published in the local newspaper (The Daily Breeze) and posted on the City of Torrance webpage.

RIGHT OF APPEAL

In accordance with Torrance Municipal Code Section 96.2.5, decisions made by the Planning Commission may be appealed to the City Council within 15 calendar days of adoption of the Resolutions. For more information, please contact the City Clerk's Office by telephone at (310) 618-2870 or email at CityClerk@TorranceCA.Gov.

PROJECT PLANS

The project plans and all related documents are readily available for public review at the Permit Center (Planning Counter) located at City Hall, 3031 Torrance Boulevard, Torrance CA 90503, during normal business hours open 8:00am to 5:00pm, Monday through Thursday, open alternate Fridays. Appointments are available by contacting the Planning Division at (310) 618-5990.

ATTACHMENTS

1. Resolution No. 24-029
2. Location and Zoning Map
3. Code Requirements
4. Event Summary
5. Event Plans

STAFF CONTACT

Kevin Joe, Planning Associate
KJoe@TorranceCA.gov

Leo Oorts, Planning Manager
LOorts@TorranceCA.gov

ITEM 8E
ATTACHMENT 1
RESOLUTION NO. 24-029

PLANNING COMMISSION RESOLUTION NO. 24-029

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 RECURRING, OUTDOOR COMPANY AND COMMUNITY EVENTS TO BE CONDUCTED ON THE HONDA CAMPUS ON PROPERTY LOCATED IN THE M-2 ZONE AT 1919 TORRANCE BOULEVARD (APN 7352-022-002).

CUP24-00006: AMERICAN HONDA MOTOR CO. INC.

WHEREAS, the, the Planning Commission of the City of Torrance conducted a duly noticed public hearing on May 15, 2024, to consider an application filed by American Honda Motor Co. Inc. for a Conditional Use Permit (CUP24-00006) to allow recurring, outdoor company and community events to be conducted on the Honda campus on property located in the M-2 Zone at 1919 Torrance Boulevard (APN 7352-022-002); 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, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the property is located at 1919 Torrance Boulevard (APN 7352-022-002);
- b) That the property is described as PM 344-30-39 (APN 7352-022-002) per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That minor alterations to existing facilities are Categorical Exempt by the 2024 Guidelines for Implementation of the California Environmental Quality Act, Article 19, Section 15301;
- d) That the operation of corporate headquarters with recurring, outdoor company and community events is conditionally permitted within the M-2 Zone, and complies with the provisions of the Torrance Municipal Code;
- e) That the proposed recurring, outdoor company and community events, as conditioned, will not impair the integrity and character of the M-2 Zone because the temporary outdoor events are ancillary to the primary use of the campus;
- f) That the subject site is physically suitable for the proposed recurring, outdoor company and community events, as conditioned, because the campus provides adequate parking for event attendees and campus employees;
- g) That the proposed recurring, outdoor company and community events, as conditioned, will be compatible with existing and proposed future land uses within the M-2 Zone and the general area in which it is located because only a limited number of events will be conducted each year;
- h) That the proposed recurring, outdoor company and community events, as conditioned, will encourage and be consistent with the orderly development of the City as provided in the General Plan because the events are temporary and will not require any permanent physical changes or alterations to the property;

- i) That the proposed recurring, outdoor company and community events, as conditioned, will not discourage the appropriate existing or planned future use of surrounding property and tenancies because the outdoor events are temporary and will not interfere with long term operations of the campus;
- j) That there are adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed recurring, outdoor company and community events will not be detrimental to public health and safety because the campus is situated in an urban area and is already served by all necessary utilities and public services, and will not extend any roads or other infrastructure;
- k) That there are adequate provisions for public access to serve the proposed recurring, outdoor company and community events because vehicular, pedestrian, and public transit access are provided along Torrance Boulevard, Van Ness Avenue and Harpers Way;
- l) That the location, size, design and operating characteristics of the proposed recurring outdoor company and community events, as conditioned, would not be detrimental to the public interest, health, safety, convenience or welfare, or to the property of persons located in the area because the events will be subject to Building and Safety Division and Fire Department standards and inspections; and
- m) That the proposed recurring, outdoor company and community events, as conditioned, 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** CUP24-00006, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that CUP24-00006 filed by American Honda Motor Co. Inc. to allow recurring, outdoor company and community events to be conducted on the Honda campus on property located in the M-2 Zone at 1919 Torrance Boulevard (APN 7352-022-002), on file in the Community Development Department of the City of Torrance, is hereby **APPROVED** subject to the following conditions:

1. That use of the subject property for recurring, outdoor company and community events shall be subject to all conditions imposed in Conditional Use Permit 24-00006; 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 Conditional Use Permit 24-00006 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 a copy of Planning Commission Resolution No. 24-029, shall be included with all permit applications related to the subject recurring, outdoor company and community events, to facilitate coordination and effective implementation of the conditions of approval; (Planning)
4. That only one outdoor event shall be conducted on the campus at a single time; (Planning)
5. That the Cars, Bike, and Coffee event shall be limited to six events per calendar year; (Planning)
6. That event staff/parking attendants shall continuously monitor vehicular traffic flow into the campus. Multiple ingress points shall be made available for guests and exhibitors entering the campus to ensure that vehicular traffic does not queue on to public streets, and parking attendants shall be stationed at all ingress points and deployed within the parking lot to direct traffic flow; (Planning)
7. That on-site restroom facilities shall be provided for event guests; (Planning)
8. That separate approval of a Special Event Permit shall be obtained from the City Manager's Office for event activities conducted in the public right-of-way; (Planning)
9. That access to secure bicycle parking shall be provided for guests; (Planning)
10. That the blocking of any handicap access or parking spaces shall be prohibited; (Environmental)
11. That displays shall not block vehicular or pedestrian circulation; (Environmental)
12. That containers for the collection of trash and recyclables shall be provided for events serving food; (Environmental)
13. That illegal signs, A-frames, bow banners, sign holders/twirlers, etc. shall not be permitted; (Environmental)
14. That all event activities shall be contained within noted areas of event plans; (Environmental)
15. That encroachment into the public right-of-way, fire lane, or drive aisles/parking areas, other than areas shown on the event plans, shall not be permitted; (Environmental)
16. That all power generators and speakers shall be placed or oriented away from neighboring residential uses; (Environmental)
17. That the site shall be cleaned up and trash and debris removed within the time specified on the application or 48 hours after the conclusion of the event and returned to its previous state held prior to the event; (Environmental)
18. That the applicant shall be responsible for any charges for Police presence for these events; (Police)
19. That protective vehicle barricades or placement of hard barriers (K-rails) shall be installed around event areas located within a parking lot to shield seating and pedestrian areas exposed to vehicular traffic; (Planning/Police)
20. That high visibility vests shall be worn for staff working the outdoor events; (Police)

21. That event directional signage shall be placed on private property and not within the public right-of-way (street, sidewalk, parkway); (Public Works)
22. That approved covers to protect electrical cables and cords on ground in public areas shall be installed; (Building)
23. That modifications or alterations to the conditions of approval and event plans shall be subject to the approval of the Community Development Director; and (Planning)
24. 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 day of May 2024.

ATTEST:

Secretary, Torrance Planning Commission

Chairman, Torrance Planning Commission

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

I, LEO OORTS, 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 May 2024, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

ITEM 8E

ATTACHMENT 2

LOCATION AND ZONING MAP

ITEM 8E
ATTACHMENT 3
CODE REQUIREMENTS

CODE REQUIREMENTS

The following is a partial list of Code requirements applicable to the proposed project. Not all Code requirements are provided 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 for information purposes only.

BUILDING AND SAFETY

1. Obtain Safety Inspection Permit for the installation of tents and canopies larger than 10 feet by 12 feet and stages.
2. Obtain electrical permit of use of power generators.
3. Maintain ADA handicap accessibility throughout event areas.

BUSINESS LICENSE

4. Obtain Amplified Sound Permit from the Finance Department Business Revenue Division for use of amplified sound.

ENVIRONMENTAL

5. Obtain a Banner Permit if banners are to be used.
6. Generators shall comply with the Torrance Municipal Code pertaining to noise.
7. Events shall comply with City Noise Ordinance.

FIRE

8. Fire lanes, fire hydrants or fire department connections shall not be blocked.
9. Tents or canopies larger than 400 square feet, including tents or canopies totaling 400 square feet or larger that are closer than 10 feet from each other, shall be flame retardant.
10. Maintain emergency exits and provide fire extinguishers for tents and canopies.

PLANNING

11. Food truck vendors shall have a City Business License.
12. A maximum of 10 mobile food vendors may participate per event.
13. Mobile food vendor operations shall be a minimum of 100 feet from property zone or used for residential purposes.
14. Food truck hours of operation shall be limited to 9:00 am to 10:00 pm.

POLICE

15. Vehicles on the public street are subject to the California Vehicle Code and Torrance Municipal Code.

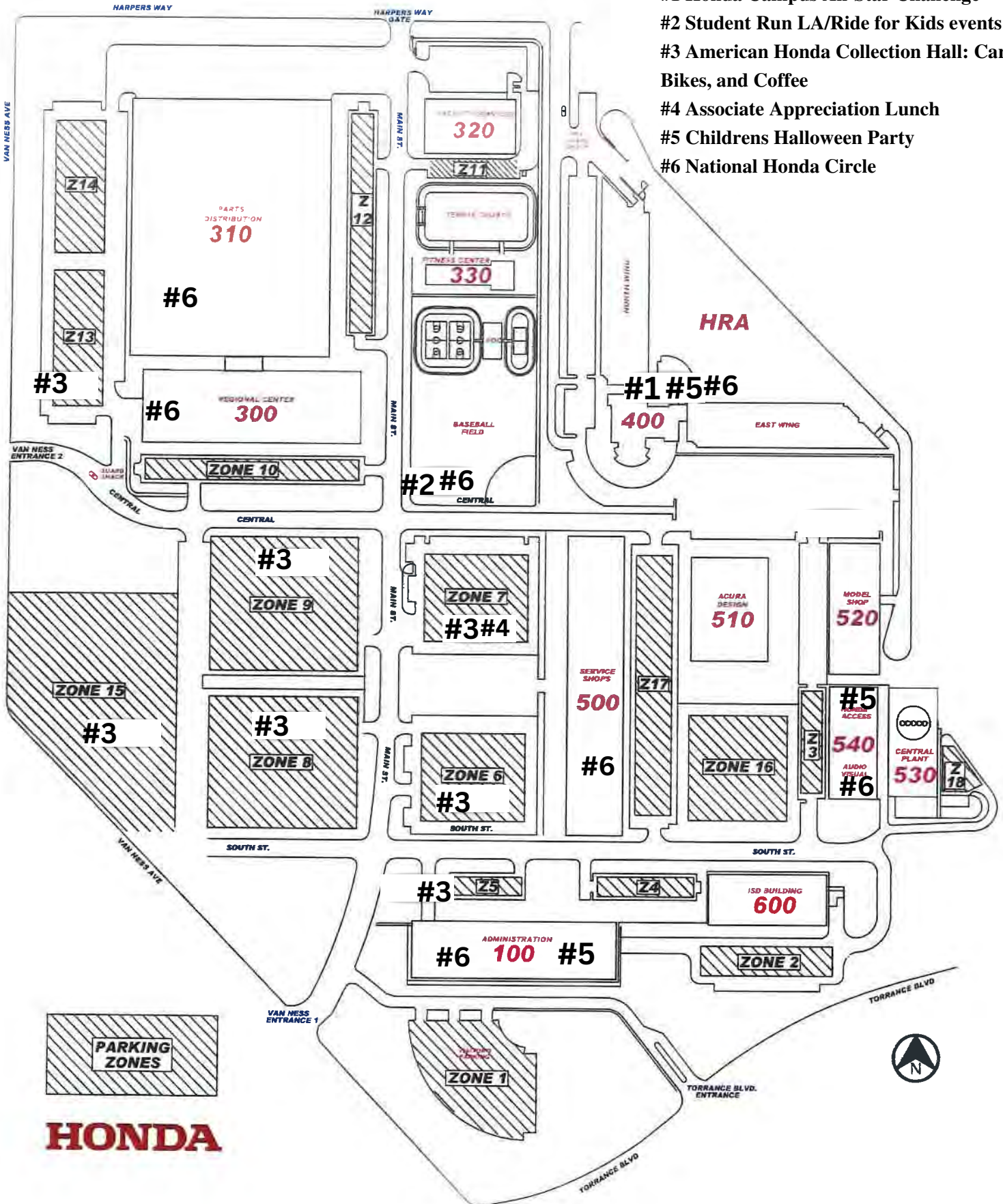
ITEM 8E
ATTACHMENT 4
EVENT SUMMARY

Community Events					
Event Name	Map #	Description	Month / Hours / Week or Weekend?	Campus Location/Map	Attendance # Estimate / Public or Private
Honda Campus All-Star Challenge	1	HCASC connects the nation's best and brightest HBCU students and provides an opportunity to expand their scope of knowledge, learn teamwork and sportsmanship, and develop a bond with their fellow competitors. The program highlights students' academic talents and ability to answer questions about history, science, literature, religion, the arts and pop culture. Winners are awarded \$400,000 in institutional grants.	April / Business hours: 9-5pm / Weekday	Building 400 / Refer to map #1 from revised app	Approx 400-500/ Open to public, it is also broadcasted online, no invite required
Student Run LA/Ride for Kids events	2	An event sponsored and hosted by Honda in which motorcyclist take to the streets of Torrance and Palos Verdes benefiting the Pediatric Brain Tumor Foundation. After the event, Honda hosts graduating high school seniors from the Student Run LA (SRLA) program for a 5k fun run. SRLA is a mentoring program that helps at-risk middle and high school students set goals, particularly finishing the 26-mile marathon.	April or May / 7:30am - 3:00pm Weekend /	Baseball field / Refer to map #2 from revised app	Approx 300 / Public No Invite required
American Honda Collection Hall: Cars, Bikes, and Coffee	3	Show off your own interesting vehicle or motorcycle while enjoying the company of other enthusiasts at this family-friendly event held at American Honda's headquarters,	Bi-monthly every 3rd Saturday of each month (7:30am - 1:00pm) <i>*Except June it will be second Saturday each year given the Long Beach Grand Prix</i>	Building 100 & Parking lot zones: 6 - 9, 13, 15 and 23 Map # 3A and 3B	Approx 3,000 people but expected to dwindle. / Public event no invite required
Company Events					
Event Name	Map #	Description	Month / Hours / Week or Weekend?	Campus Location/Map	Attendance # Estimate / Public or Private
Associate Appreciation Lunch	4	Lunch to celebrate current and former Honda associates milestones and achievements	June / 12:00pm - 1:00pm/ Weekday	Lot zone #7 / Refer to Map #4	Approx 2,000 Associates Private only for current and former Honda Associates
Childrens Halloween Party	5	Halloween celebration for both current and former Honda associates and their children. Will include various activities for associates.	October / 5:00pm - 8:00pm Weekday	Building 100, 400, 540/ Refer to map #5	Approx 2,000 Associates Private only for current and former Honda Associates
National Honda Circle	6	NHC Delegates & Executives from around the world will attend this convention. Approximately 500 people will be onsite for this global event.	November 5 and 6/ 7:00am - 6:00pm / Weekday	Building 100, 300, 310, 400, 500, 540 & Softball Field Refer to Map #6A and 6B	Approx: 650 people Private Event for invited guests only

ITEM 8E
ATTACHMENT 5
EVENT PLANS

AMERICAN HONDA MOTOR CO. INC. TORRANCE CAMPUS

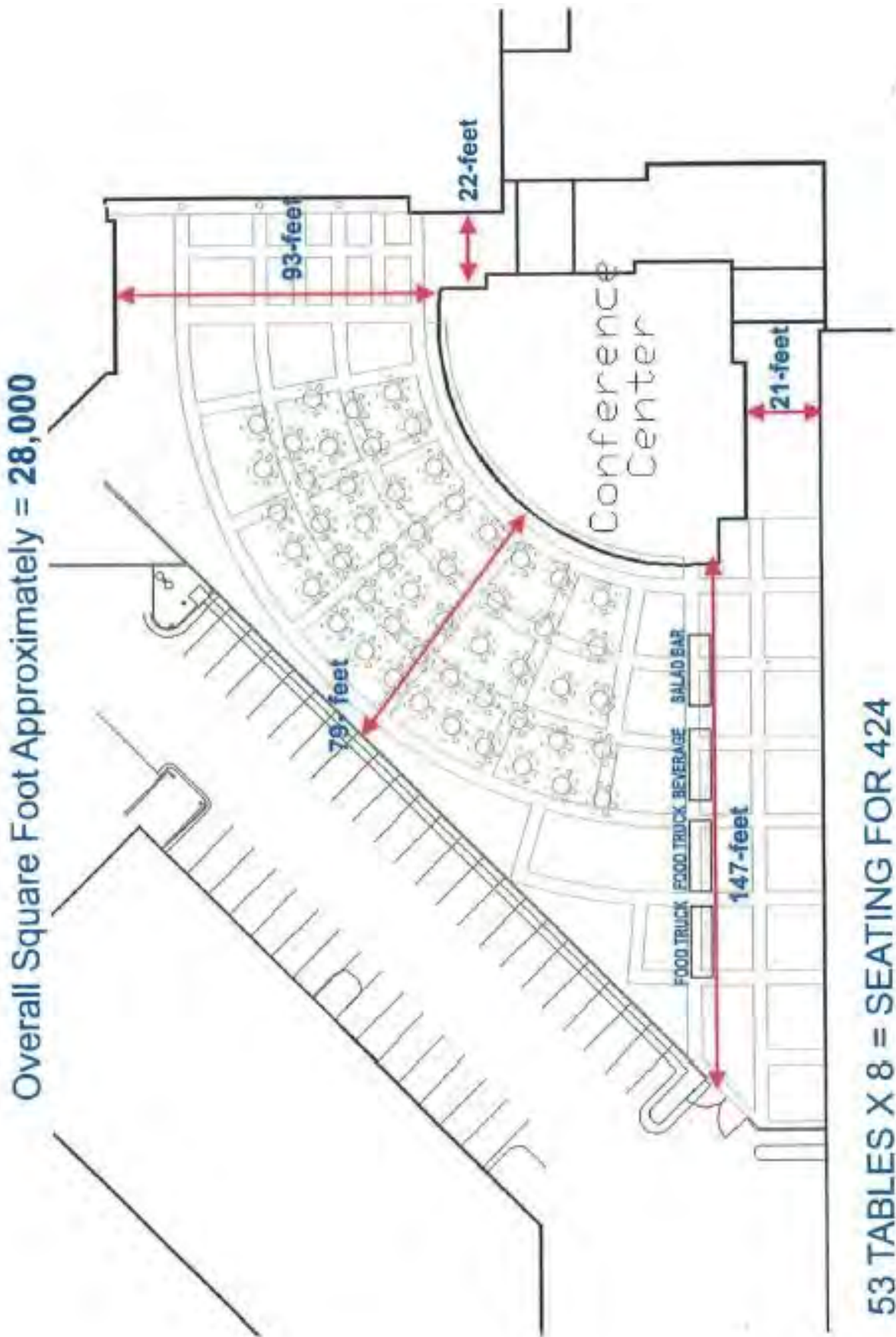
- #1 Honda Campus All-Star Challenge
- #2 Student Run LA/Ride for Kids events
- #3 American Honda Collection Hall: Cars, Bikes, and Coffee
- #4 Associate Appreciation Lunch
- #5 Childrens Halloween Party
- #6 National Honda Circle



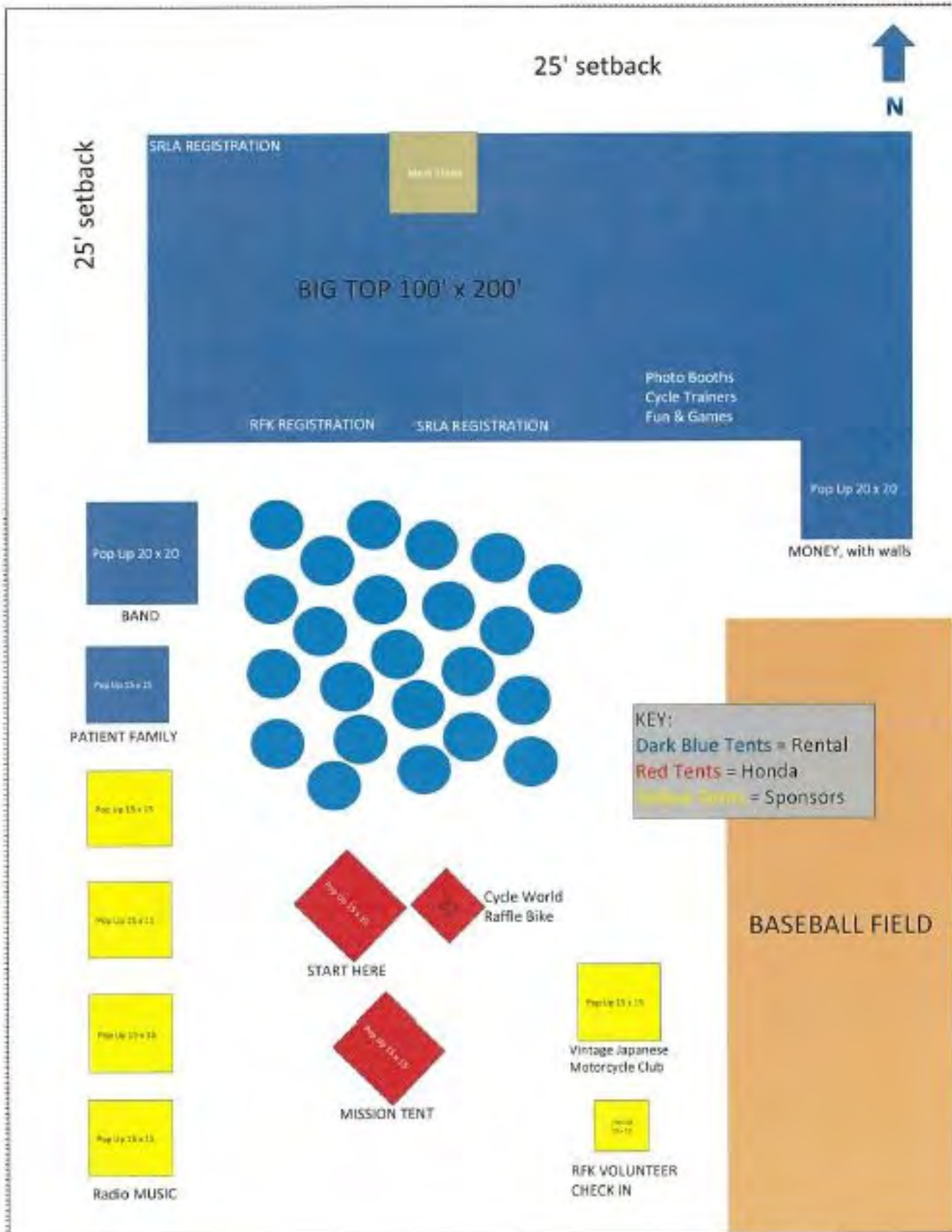
HONDA

Map #1

HCASC APRIL

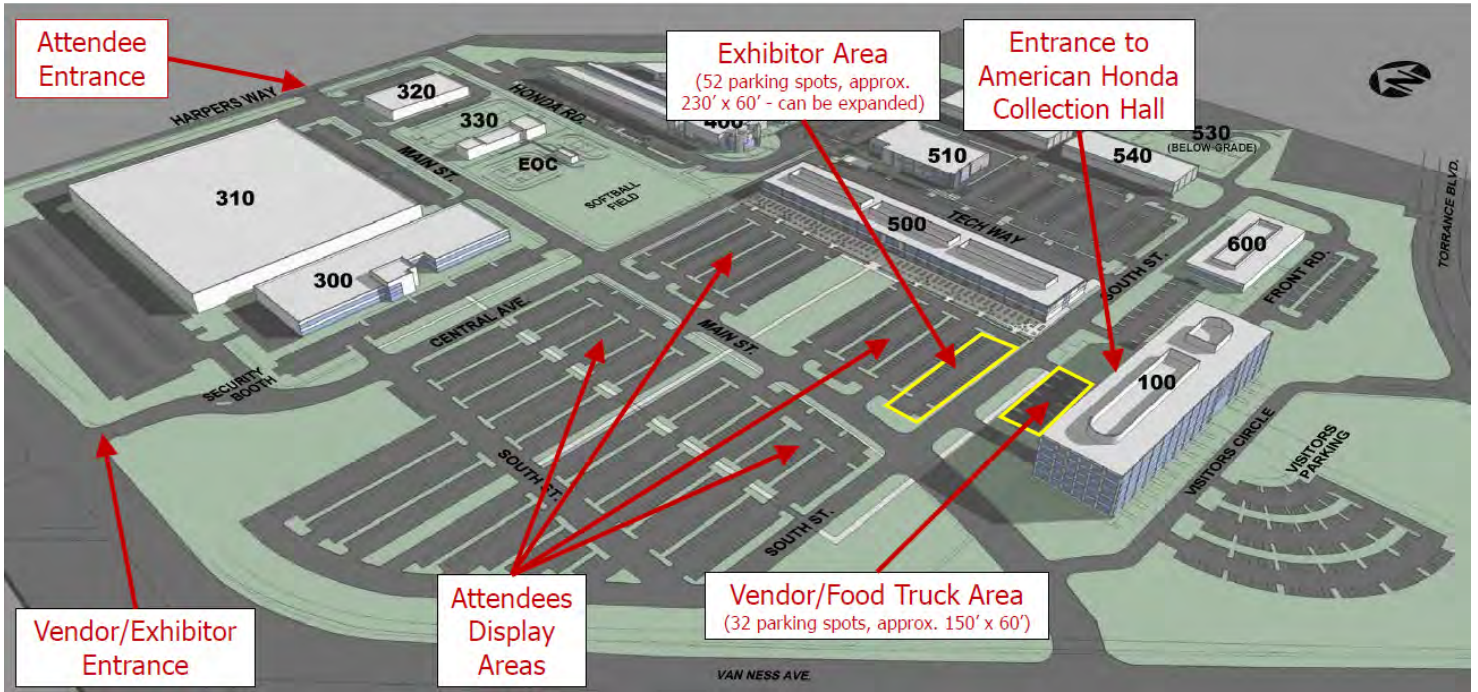


LA Ride for Kids / SRLA APRIL MAY

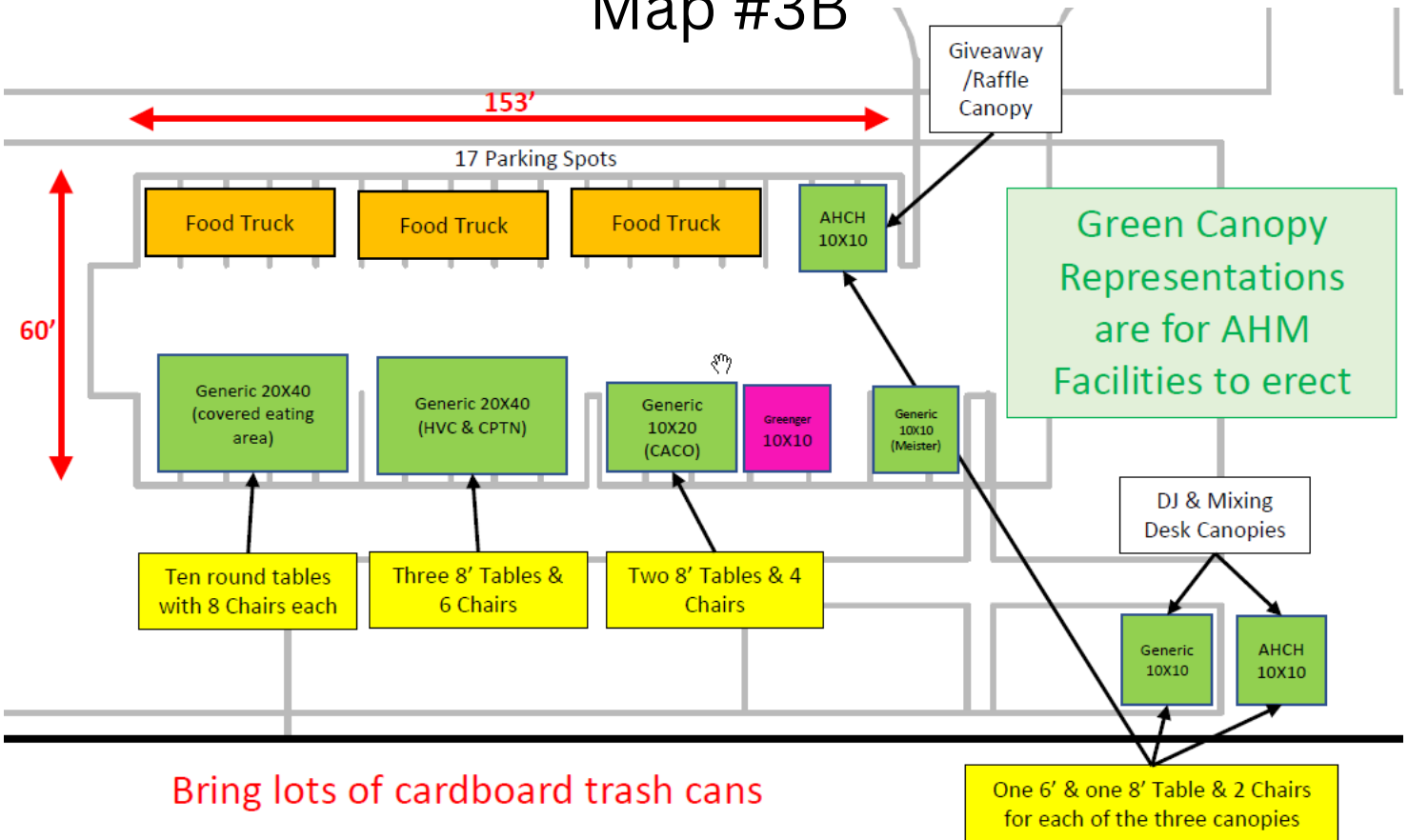


Map #3A

Cars, Bikes & Coffee Event Layout (American Honda Campus is 101 Acres)



Map #3B



Map #4

Employee Appreciation Luncheon



20' x 20' (2) Canopies

20' x 40' (2) Canopies

PU (2) Pop-up 10' x 10'

Provide hard barrier (vehicles) to cordoned off food truck area



Children's Halloween Party

HOWL-O-WEEN



Building 100 Lobby

Registration

Donation Drop off and Raffle

Pumpkin Carving Display and Voting

Magic Show 10:15 a.m. - 10:45 a.m.

Marionette Show 11:15 a.m. - 11:45 a.m.

Marionette Show 12:15 p.m. - 12:45 p.m.

Magic Show 1:30 p.m. - 2:00 p.m.



Building 100 South St.

Parking Lot and Cafeteria

Dining Area

Food Trucks/ Vendors

Popcorn Station



Baseball Field

Adrenaline Rush Extreme-

Obstacle Course/Maze

Caricature Artists

Carnival Games

Euro Bungee

Face Painters

First Aid Station

Inflatable Double Lane Slide

Inflatable Rock Climbing Wall

Popcorn Station



Studio 540

Arts & Crafts

Bumper Cars

Photo Station



Trackless Train

The train will run from

the front of Building 500 to

100 then 540

- **What:** 2024 NH Circle World Convention Event Layout
- **Date:** Tuesday, 11/5/24 & Wednesday, 11/6/24
- **Time:** 7:00am – 6:00pm (Final timing TBD)
- **Who:** NHC Delegates & Executives from around the world will attend this convention. Approximately 500 people will be onsite for this global event.

24

1 Large Tent (Size TBD)
 Approx. 500 ppl.
 50 – 60 Table Rounds to seat 10/table
 500 Chairs
 Stage
 2 Projection Screens
 Video/Sound Equipment

1 - 3 Small Tents (TBD)
 Food Service

13 Porta-potties w/handwash sinks

Delegate Drop Off/Pick-up
 (Buses will line up here and then move after passengers disembark)

Honda Product Display
 (TBD)

Delegate Pick-up
 (We may have some buses line up here in the afternoon for delegate pick-up)

Attendee Entrance
 (Will use 7 – 10 54 passenger motorcoaches)



NH Circle Map #6A

NH Circle Map #6B



AGENDA ITEM NO. 8F

DATE: May 15, 2024

TO: Planning Commission

FROM: Peerapol Suree, AICP Planning Associate
Leo Oorts, Planning Manager

SUBJECT: 510 Calle de Arboles (APN 7513-024-002)
Conditional Use Permit (CUP22-00007)
Waiver (WAV22-00006)

Consideration of a Conditional Use Permit to allow the reconstruction of California Water Service facility (Hermosa/Redondo Station 24), in conjunction with a Waiver of a side yard setback and fence height limit, on property located in the R-1 Zone at 510 Calle de Arboles (APN 7513-024-002).

RECOMMENDATION

Recommendation of the Community Development Director that Planning Commission conduct a public hearing and consider adoption of Resolution Nos. 24-030 and 24-031 to approve a Conditional Use Permit to allow the reconstruction of California Water Service facility (Hermosa/Redondo Station 24), in conjunction with a Waiver of a side yard setback and fence height limit, on property located in the R-1 Zone at 510 Calle de Arboles (APN 7513-024-002), and determine a Categorical Exemption for the project in accordance with Guidelines for Implementation of the California Environmental Quality Act (CEQA); Article 19, Sections 15302 (Replacement or Reconstruction) and 15305 (Minor Alterations).

EXECUTIVE SUMMARY

The project applicant, Brad C. Lee (California Water Service), requests approval by the Planning Commission to allow the reconstruction of California Water Service facility (Hermosa/Redondo Station 24), on property located in the R-1 Zone at 510 Calle de Arboles (APN 7513-024-002). The purpose of the reconstruction project is to replace aging infrastructure that was built in the 1940's and 1950's.

The development standards of the R-1 Zone (Single Family Residential District) and the Torrance Municipal Code (TMC) are applicable to the project, and therefore require discretionary review and approval of the following entitlements:

- Conditional Use Permit (CUP) to allow the reconstruction of a public utility in the R-1 Zone; and
- Waiver (WAV) to allow less than the required east side yard setback and to exceed the fence height limit.

Staff has thoroughly reviewed the project and determined the project is consistent with the Low Density Residential (R-LO) land use designation and complies with the objective development standards to the extent possible, and does not require further environmental review. The balance of this report provides an overview of the project.

DISCUSSION

Environmental Determination

Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity is Categorical Exempt by the 2024 Guidelines for Implementation of California Environmental Quality Act, Article 19, Section 15302 (Replacement or Reconstruction). Waivers are Categorical Exempt by the 2024 Guidelines for implementation of the California Environmental Quality Act; Article 19, Section 15305 (Minor Alterations).

General Plan Land Use Designation

The project site has a General Plan land use designation of Low Density Residential (R-LO) and bounded by parcels that share the same residential land use designation to the north, east, and west. To the rear/south, is the City of Palos Verdes Estates. Public utilities or utilities operated by mutual agencies consisting of water wells, electrical substations, gas metering stations, telephone exchanges, power boosters or conversion plants, with the necessary buildings, apparatus or appurtenances incidental thereto, are conditionally permitted in all zones except that no such permit is required in the M-1 and M-2 Zone.

NORTH: R-LO Low Density Residential
SOUTH: City of Palos Verdes Estates
EAST: R-LO Low Density Residential
WEST: R-LO Low Density Residential

Zoning Designation and Adjacent Land Uses

The project site is designated as R-1 Zone (Single Family Residential District) (Attachment 2). The parcels on either side and to the north, across Calle de Arboles, share the same zoning designation and are developed as single family residences. To the rear/south, is the City of Palos Verdes Estates.

NORTH: R-1 Single family Residences
SOUTH: City of Palos Verdes Estates
EAST: R-1 Single family Residence
WEST: R-1 Single family Residence

Project Site

The project site is located on the south side of Calle de Arboles, between Via Alameda and Calle de Andalucia, and surrounded by residential uses. The subject property measures approximately 14,404 square feet (120' by 120') and is currently developed with California Water Service facility (Hermosa/Redondo Station 24), originally constructed in 1948. The rear property line runs parallel to the southern City boundary abutting the City of Palos Verdes Estates. Access is currently provided via a pedestrian pathway from Calle de Arboles, and through a dirt road at the rear of the property.

Over the years, building permits have been issued to construct additional infrastructure and appurtenances necessary for the operation and distribution of water to Torrance customers as well as customers from adjacent communities. Currently, the project site is developed with four storage reservoirs, three with 100,000-gallon storage capacity, another with 50,000-gallon storage capacity, and two pressure tanks each with 4,500-gallon storage capacity, totaling 359,000 gallons of water storage capacity. The reservoirs are situated approximately 28' to 54' away from the front property line and measure approximately 16' to 18' tall and approximately 26' to 34' in diameter. The site also contains other associated infrastructure and apparatus incidental to the operation of the water service.

The facility perimeter is secured with an existing 7' to 7.5' high concrete block wall along the front and side property lines and a wrought iron fence along the rear and side property lines. The front block wall is situated approximately 25' to 33' from the front property line, whereas the side block wall and wrought iron fence are situated along the side property lines. The front yard area is currently landscaped with natural turf, large trees, shrubbery along the wall, and one meandering pedestrian walkway leading up to the front wrought iron entry gate.

Scope of Work

The project involves the demolition of four wooden reservoirs to make room for two new steel reservoirs, and the replacement of pump houses, pump vaults, pressure tanks, electric vaults and electrical equipment and walls. The project will utilize new construction materials and modern structural engineering as well as more energy efficient equipment and apparatus that will improve safety and efficiency in storing and distributing water to customers. The overall storage capacity will be reduced by 18,000 gallons from 359,000 down to 341,000 gallons of water.

The two new reservoirs will be constructed with structural steel with the capacity to store up to 170,000 gallons of water each and will measure 40' in diameter and 22.3' in height measured from adjacent natural grade to top of the reservoir. The two new reservoirs will be situated 38' and 59' away from the front property line and 40' and 20' away from the rear property line, respectively, and set 15' apart and each 14' away from the side property lines. Additionally, the two existing pressure tanks situated horizontally along the eastern portion of the property each with 4,500-gallon storage capacity will be replaced with one 1,000-gallon pressure/surge tank placed vertically approximately 6' tall behind the front block wall.

The proposed material for the new reservoirs, as referenced above, will be of steel and as such it is highly reflective to sun light. In order to address the potential unintentional glaring, staff has added two conditions of approval to minimize the potential glaring. The proposed new reservoirs must be painted with matte or non-gloss coatings or paints. Second, the choice of paint colors shall be of earth or neutral tones similar to that of the existing color.

A new 17' by 27' pump house will be constructed with concrete masonry unit (CMU) and gable roof, replacing the two existing smaller pump houses. The height of the new pump house will be 12' high and it will be located at the north easterly portion of the property approximately 7' behind the new front yard block wall. Immediately to the west of the new pump house, a new generator will be located with a new 12' tall CMU sound wall immediately to the south.

A new vehicular driveway is also proposed along the front yard area to allow access into the property from Calle de Arboles. The existing concrete walkway will be removed and reconstructed with a straight path as opposed to meandering. A new 8' high block wall will be constructed to replace the existing block wall along the front yard and along portions of the side yards. The new front yard block wall will be situated 20' from the front property line with a 3' wide pedestrian gate on the east side of the wall and a 15' wide vehicular gate near the west side. A new front driveway and vehicular gate will allow service vehicles and personnel to access the facility from Calle de Arboles.

Due to the proposed repositioning of the two new reservoirs, new pump house locations, and a new front yard block wall, the project applicant is requesting a Waiver for the side yard setback along the east property line and for the maximum fence height along the front yard and portions of side yards. Per Code, the required side yard setback is 10% of lot width or 12' for the subject site. The requested Waiver is to allow the proposed pump house to encroach approximately 1'-4" into the required side yard setback. If granted, the proposed pump house will be situated approximately 10'-8" from the east property line. The purpose for this side yard Waiver request is to allow a service vehicle the ability to circulate internally.

With respect to the proposed block wall, the project applicant is proposing to build a new 8' high block wall replacing the existing 7' to 7.5' high block wall across the front and along portions of the side property lines. The new block wall will be situated 20' from the front property line. The Code allows a maximum height of 6' for residential zones.

Cal Water has submitted a Noise Impact Study as part of the preliminary review. The study covers both the short-term construction and long-term operation noise levels associated with the service facility. The Study concludes that the project would not result in any significant noise and vibration impacts associated with the temporary construction and long-term operations. As reported, for the short-term construction, the project will be utilizing temporary sound barrier walls during the construction phase and will adhere to construction hours per the Torrance Municipal Code. With respect to the long-term operation noise, the project will be utilizing both CMU walls and the equipment placement to minimize any potential noise impact associated with the operation. The pump equipment will be housed entirely within a CMU building atop with gable roof. The facility's electrical generator will be situated immediately west of the CMU pump building. Additionally, a u-shape CMU sound wall will be constructed to the south. The pump house and the generator will be located to the north/east corner of the parcel approximately 8 feet behind the new 8-foot CMU wall along the front yard. The placement of equipment behind CMU walls are designed to minimize noise levels. However, to ensure the operation noise levels will not disturb neighboring properties, staff is recommending a condition requiring the applicant to submit a follow-up noise report within 30 days of the project's completion and the facility is in full operation.

Criteria for Granting a Waiver

The Planning Commission may grant a Waiver of development standards relating to front, rear, and side yard requirements, court requirements, building/structure heights, and distances between buildings. The criteria for granting a Waiver are specified in Section 94.2.4 of the Torrance Municipal Code, which states:

A waiver may be granted if, in the judgment of the Planning Commission or the City Council:

- a. Unreasonable difficulties will result from the strict enforcement of this Division;
- b. It will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof; and
- c. It will not substantially interfere with the orderly development of the City as provided for in this Division.

In the judgement of staff, the request for a Waiver of the side yard setback and maximum fence height requirements is deemed appropriate due to the existing nature and operation of the site for public utilities. Strict enforcement of the setback would result in unreasonable difficulties as it restricts internal service vehicle circulation, thus impacting operations. Strict enforcement of the fence height limit would result in unreasonable difficulties related to security concerns such as trespassing. Furthermore, the site already has an existing over-height fence. Granting of the Waiver will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof, as the Waiver allows for better operations and service, along with greater safety and security. Lastly, granting of the Waiver will not substantially interfere with the orderly development of the City. The project modernizes an aging public utilities facility, thus improving an essential service and contributing the orderly development of the City.

CONCLUSION

In the judgment of staff, the project is consistent with the Torrance Municipal Code, which allows public utilities in the R-1 Zone subject to a Conditional Use Permit, and the General Plan Land Use goal to achieve a high quality of life through a balanced mix of attractive residential neighborhoods with high-quality public services. Lastly, the project to reconstruct critical infrastructure would improve safety and efficiency in storing and distributing essential water supply to the communities within the Station 24 service area. For these reasons, staff recommends approval of the request, subject to conditions.

As of the preparation of this report, no written correspondence has been received pertaining to the project.

FINDINGS OF FACT AND CONDITIONS OF APPROVAL

Staff has prepared draft findings and conditions of approval for consideration by the Planning Commission that are listed in the attached Resolutions (Attachment 1).

CODE REQUIREMENTS

Staff has prepared a partial list of requirements from the Torrance Municipal Code, California Building Code, California Fire Code, et al., that are pertinent to the project (Attachment 3). Not all requirements are provided, and the applicant is strongly advised to contact each individual Department/Division for more information. The requirements are not subject to modification and the Planning Commission cannot waive or alter the requirements.

PUBLIC NOTICE

In accordance with the Torrance Municipal Code, notices of the public hearing were made no less than 10 calendar days before the Planning Commission meeting. Notices were also posted at the project site and were mailed on May 2, 2024, to the registered owner of properties located within a 500' radius of the exterior boundaries of the project site. Notices were also published in the local newspaper (The Daily Breeze) and posted on the City of Torrance webpage.

RIGHT OF APPEAL

In accordance with Torrance Municipal Code, decisions made by the Planning Commission may be appealed to the City Council within 15 calendar days of adoption of the Resolutions. For more information, please contact the City Clerk's Office by telephone at (310) 618-2870 or email at CityClerk@TorranceCA.Gov.

PROJECT PLANS

The project plans and all related documents are readily available for public review at the Permit Center (Planning Counter) located at City Hall, 3031 Torrance Boulevard, Torrance CA 90503, during normal business hours open 8:00am to 5:00pm, Monday through Thursday, open alternate Fridays. Appointments are available by contacting the Planning Division at (310) 618-5990.

ATTACHMENTS

1. Resolution Nos. 24-030 and 24-031
2. Location and Zoning Map
3. Code Requirements
4. Project Plans (Limited Distribution)

STAFF CONTACT

Peerapol Suree, AICP Planning Associate
PSuree@TorranceCA.gov

Leo Oorts, Planning Manager
LOorts@TorranceCA.gov

ITEM 8F

ATTACHMENT 1

RESOLUTION NOs. 24-030 & 24-031

PLANNING COMMISSION RESOLUTION NO. 24-030

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 THE RECONSTRUCTION OF CALIFORNIA WATER SERVICE FACILITY (HERMOSA/REDONDO STATION 24), IN CONJUNCTION WITH A WAIVER OF THE SIDE YARD SETBACK REQUIREMENT AND FENCE HEIGHT LIMIT, ON PROPERTY LOCATED IN THE R-1 ZONE AT 510 CALLE DE ARBOLES (APN 7513-024-002).

CUP22-00007: BRAD C. LEE (CALIFORNIA WATER SERVICE)

WHEREAS, the Planning Commission of the City of Torrance conducted a duly noticed public hearing on May 15, 2024, to consider an application filed by Brad C. Lee (California Water Service) for a Conditional Use Permit (CUP22-00007) to allow the reconstruction of California Water Service facility (Hermosa/Redondo Station 24), in conjunction with a Waiver (WAV22-00006) of the side yard setback requirement and fence height limit, on property located in the R-1 Zone at 510 Calle de Arboles (APN 7513-024-002); 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, the Planning Commission of the City of Torrance does hereby find and determine as follows:

- a) That the property is located at 510 Calle de Arboles (APN 7513-024-002);
- b) That the property is described as TRACT # 10306 LOTS 2 AND LOT 3 BLK G per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity is Categorically exempt by the 2024 Guidelines for Implementation of the California Environmental Quality Act, Article 19, Section 15302 (Replacement or Reconstruction);
- d) That the proposed reconstruction of California Water Service facility is conditionally permitted within the Single Family Residential District (R-1 Zone);
- e) That the proposed reconstruction of California Water Service facility, as conditioned, will not impair the integrity and character of the Single Family Residential District (R-1 Zone) as the proposed project is conditionally permitted and complies with the applicable standards of the said zone;
- f) That the subject site is physically suitable for the proposed project because the project is the reconstruction of an existing facility and will comply with applicable development standards;
- g) That the proposed reconstruction of California Water Service facility, as conditioned, will be compatible with existing and proposed future land uses within the Single Family Residential District (R-1 Zone) and the general area because the project is a continuation of an existing, longstanding public utility use;

- h) That the proposed reconstruction of California Water Service facility will encourage and be consistent with the orderly development of the City as provided for in the General Plan because the proposed project will meet the goal of achieving a high quality of life through a balanced mix of attractive residential neighborhoods, high-quality public services and economically viable and attractive commercial and industrial areas;
- i) That the proposed reconstruction of California Water Service facility will not discourage the appropriate existing or planned future use of surrounding property because the modernized public utility facility will further the goals of the General Plan and complies with applicable development standards;
- j) That there will be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed reconstruction of California Water Service facility is not detrimental to public health and safety;
- k) That there will be adequate provisions for public access to serve the proposed reconstruction of California Water Service facility because a pedestrian access is provided along the north property line in addition to a new vehicular access;
- l) That the location, size, design, and operating characteristics of the proposed reconstruction of California Water Service facility would not be detrimental to the public interest, health, safety, convenience or welfare, or to the property of persons located in the area because the proposed facility reconstruction will comply with development standards and will improve safety & efficiency of the public utility operation;
- m) That the proposed reconstruction of California Water Service facility 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** CUP22-00007, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that CUP22-00007 filed by Brad C. Lee (California Water Service) to allow the reconstruction of California Water Service facility (Hermosa/Redondo Station 24), in conjunction with a Waiver of the side yard setback requirement and fence height limit, on property located in the R-1 Zone at 510 Calle de Arboles (APN 7313-024-002), on file in the Community Development Department of the City of Torrance, is hereby **APPROVED** subject to the following conditions:

1. That use of the subject property as a public utilities facility shall be subject to all conditions imposed in Conditional Use Permit 22-00007; 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 Conditional Use Permit 22-00007 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 a copy of the signed Planning Commission Resolutions shall appear on the development plans, to facilitate coordination and effective implementation of the conditions of approval; (Planning)
4. That the height of the proposed reservoirs shall not exceed 22.3 feet as shown on the project plans on file in the Community Development Department; (Planning)
5. That the new reservoirs shall be covered with matte or non-gloss coatings and/or paints; (Planning)
6. That the paint colors shall be of earth or neutral tones to the satisfaction of the Planning Manager; (Planning)
7. That a landscape plan shall be submitted to the Community Development Department for review and approval subject to the satisfaction of the Planning Manager prior to the issuance of any building permits and shall be implemented prior to the finalization of the building permits. The plan shall utilize drought resistant/xeriscaping plant materials and shall provide state-of-the-art water saving irrigation system and/or drip irrigation for larger shrubs and trees. If more than 500 square feet is irrigated, the project shall comply with the current State Water Efficient Landscape Ordinance; (Planning)
8. That a follow-up noise report shall be submitted within 30 days after the project's completion and the facility is in full operation to the satisfaction of the Planning Manager and the Environmental Division to ensure that the operation noise levels comply with the Torrance Municipal Code and will not disturb neighboring properties and that if pump and generator noise violates Torrance Municipal Code, a noise attenuation study will be required to show attenuation measures; (Planning/Environmental)
9. That a separate site plan with existing water main to be abandoned in public right of way shall be provided to the Community Development Department, Engineering Division for review and approval prior to abandonment; (Engineering)
10. That a four-inch (4") Cast Iron or Schedule 80 PVC pipe shall be used per SPPWC curb drain standard 150-2; (Engineering)
11. That restoration of the construction site shall be to the satisfaction of the Public Works Inspector; (Engineering)

- 12. That all pipe bedding shall be per CWS Standard and all trenching shall be backfilled per City of Torrance Standard T-116-2 in Public Right of Way; (Engineering)
- 13. 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 day of May 2024.

ATTEST:

Secretary, Torrance Planning Commission

Chairman, Torrance Planning Commission

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

I, LEO OORTS, 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 May 2024, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

PLANNING COMMISSION RESOLUTION NO. 24-031

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 OF A SIDE YARD SETBACK REQUIREMENT AND FENCE HEIGHT LIMIT, IN CONJUNCTION WITH THE RECONSTRUCTION OF EXISTING CALIFORNIA WATER SERVICE FACILITY, ON PROPERTY LOCATED IN THE R-1 ZONE AT 510 CALLE DE ARBOLES (APN 7513-024-002).

WAV22-00006: BRAD C. LEE (CALIFORNIA WATER SERVICE)

WHEREAS, the Planning Commission of the City of Torrance conducted a duly noticed public hearing on May 15, 2024, to consider an application filed by Brad C. Lee (California Water Service) for a Waiver (WAV22-00006) of a side yard setback requirement and fence height limit, in conjunction with a Conditional Use Permit (CUP22-00007) to allow the reconstruction of an existing California Water Service facility, on property located in the R-1 Zone at 510 Calle de Arboles (APN 7513-024-002); 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 4, Article 2 of the Torrance Municipal Code; and

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

- a) That the property is located at 510 Calle de Arboles (APN 7513-024-002);
- b) That the property is described as TRACT # 10306 LOTS 2 AND LOT 3 BLK G per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That Waivers are Categorically exempt by the 2024 Guidelines for Implementation of the California Environmental Quality Act, Article 19, Section 15305 (Minor Alterations);
- d) That the proposed reconstruction of California Water Service facility is conditionally permitted within the Single Family Residential District (R-1 Zone);
- e) That the proposed reconstruction of California Water Service facility, as conditioned, will not impair the integrity and character of the Single Family Residential District (R-1 Zone) as the proposed project is conditionally permitted and complies with the applicable standards of the said zone;
- f) That there are unreasonable difficulties resulting from the strict enforcement of the side yard setback requirement because of the potential inability for onsite accessibility, as it restricts internal service vehicle circulation, thus impacting operations. Strict enforcement of the fence height limit would result in unreasonable difficulties related to safety and security concerns such as trespassing;
- g) That the proposed reconstruction of California Water Service facility will not be materially detrimental to the public because the proposed pump house will provide a 10' 8" along the east side yard setback and the proposed perimeter fence will not exceed 8' in height; and

h) That the approval of a Waiver for the proposed side yard setback and fence height will not substantially interfere with the orderly development of the City because the plan conforms to all other applicable development standards, and the Waiver allows the modernization of an aging public utilities facility, thus improving an essential service;

WHEREAS, the Planning Commission by the following roll call vote **APPROVED** WAV22-00006, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

NOW, THEREFORE, BE IT RESOLVED that Waiver (WAV22-00006) of a side yard setback requirement and fence height limit, in conjunction with a Conditional Use Permit (CUP22-00007) to allow the reconstruction of an existing California Water Service facility, on property located in the R-1 Zone at 510 Calle de Arboles (APN 7513-024-002), on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That use of the subject property as a public utilities facility shall be subject to all conditions imposed in Waiver 22-00006; 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 Waiver 22-00006 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 the proposed pump house shall not encroach more than 1' 4" into the required 12' 0" along the east side yard setback area; (Planning)
4. That the new concrete masonry unit (CMU) block wall across the front yard area and along the side property lines shall not exceed 8' in height measuring from the lowest adjacent grade to the top of fence; (Planning)
5. That all Conditions and Code requirements of Conditional Use Permit 22-00007 shall be met; and
6. 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 day of May 2024.

ATTEST:

Secretary, Torrance Planning Commission

Chairperson, Torrance Planning Commission

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

I, LEO OORTS, 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 May 2024, by the following roll call vote:

AYES: COMMISSIONERS:

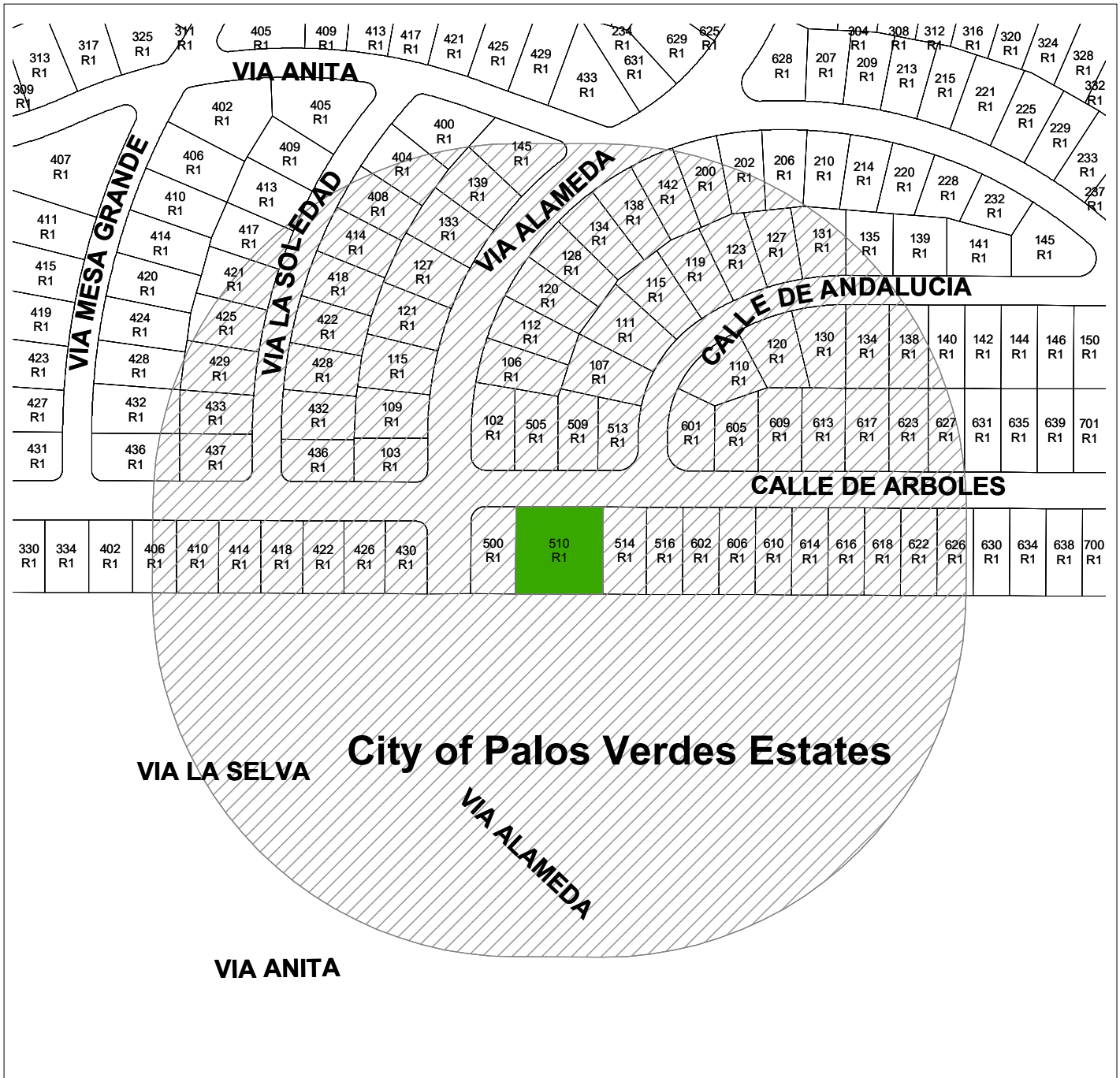
NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

Secretary, Torrance Planning Commission

ITEM 8F
ATTACHMENT 2
LOCATION AND ZONING MAP



LOCATION AND ZONING MAP

CUP22-00007, WAV22-00006
510 Calle de Arboles



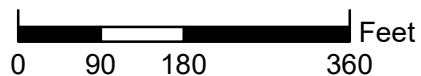
LEGEND



Notification Area



510 Calle de Arboles



ITEM 8F
ATTACHMENT 3
CODE REQUIREMENTS

CODE REQUIREMENTS

The following is a partial list of Code requirements applicable to the proposed project. Not all Code requirements are provided 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 for information purposes only.

BUILDING AND SAFETY

1. Complete building plan-check package with complete structural analysis to be submitted for review and permit.

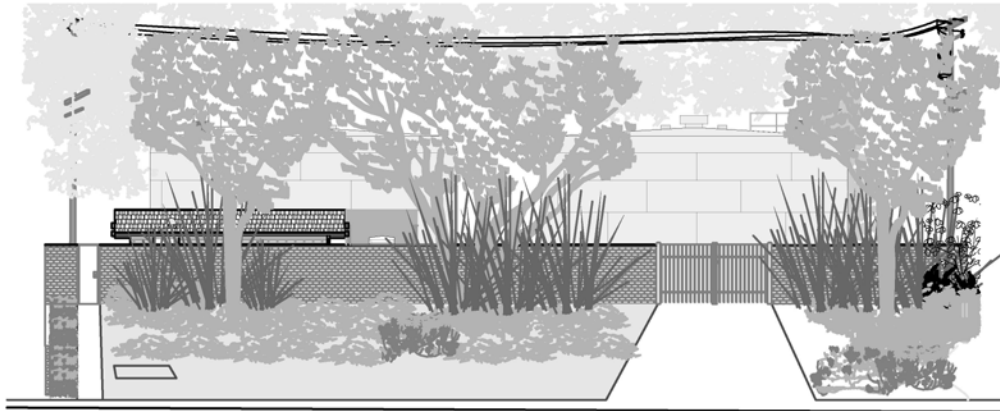
GRADING

2. The applicant shall apply for a grading permit and provide precise grading plan prepared by a Registered Civil Engineer for approval by the Building and Safety Division.
3. The applicant shall submit a detailed geotechnical report prepared by a registered design professional.
4. All drainage shall be sloped 2% away from all parts of building structures along impervious surface and 5% away along pervious surface, in conformance with California Building Code.
5. Drainage plans shall incorporate appropriate post-construction best management practices (BMPs) into the design of the project and must be prepared and approved prior to issuance of any grading permit per TMC 411.1.050.
6. Per TMC 410.1.070 the owner/owner's agent shall submit erosion control plan to Building and Safety review and approval from Building Official.
7. Cover sheet of construction document shall include area (acres) of disturbed soil, disturbed soil 1 acre or more required the owner to file a Notice of Intent with the Division of Water Quality of State Water Resources Control Board and prepare a SWPPP per TMC 410.1.070.
8. All undocumented fill shall be removed.
9. Retaining wall proposed to accommodate the cuts and fills shall obtain separate building permit from Building and Safety Division per CBC 105, TMC 81.2.47 (J101.3.1) and TMC 81.2.49(J103)
10. All lots shall have a minimum grade of 1%. The lot shall be graded to drain to the street per TMC 81.2.51(J107.6)
11. Ponding of water shall not be permitted to occur on pavement, concrete or in landscape areas per 81.2.52).

ENGINEERING

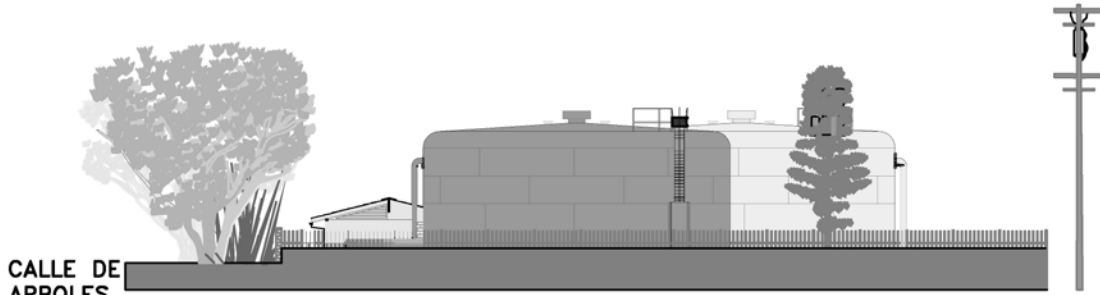
12. A Construction and Excavation Permit (C&E Permit) is required from the Community Development Department, Engineering Permits and Records Division, for any work in the public right-of-way on Sepulveda Boulevard (74.6.2).
The proposed driveway apron on Calle de Arboles shall be maximum 16' wide and shall be constructed per City of Torrance Standard.

ITEM 8F
ATTACHMENT 4
PROJECT PLANS



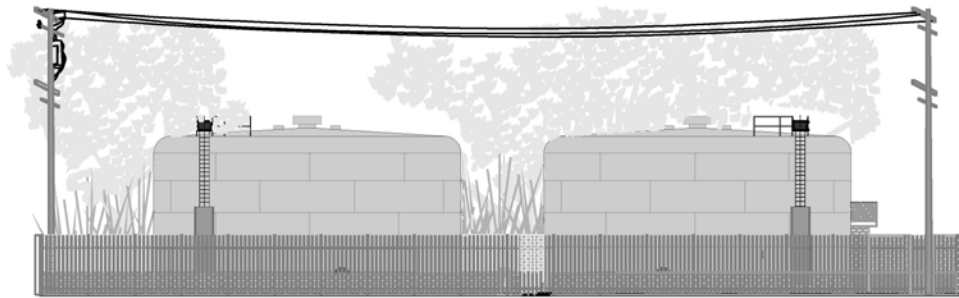
CALLE DE ARBOLES

NORTH ELEVATION VIEW

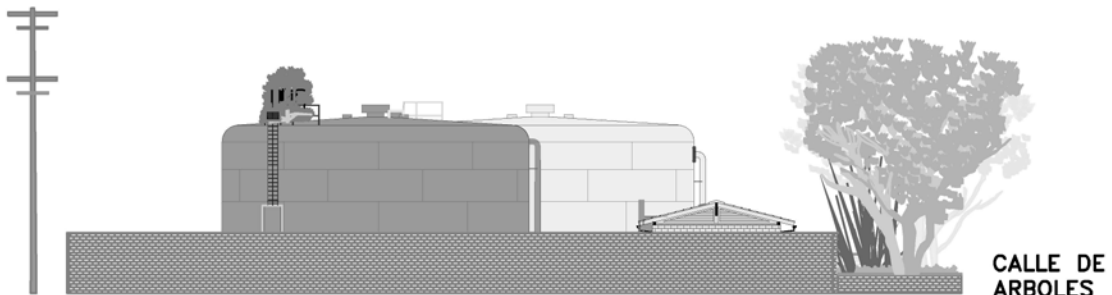


CALLE DE ARBOLES

WEST ELEVATION VIEW



SOUTH ELEVATION VIEW

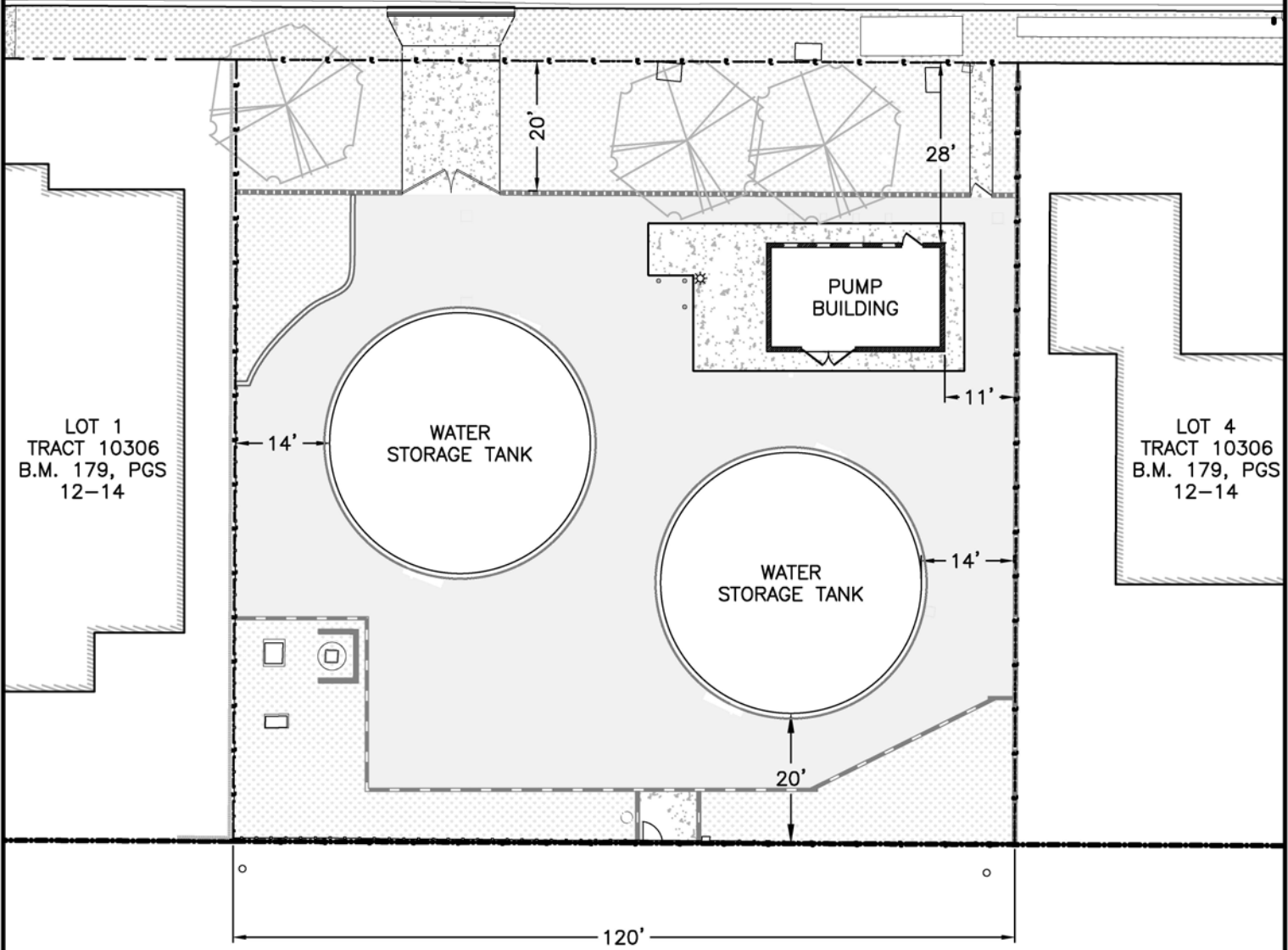


CALLE DE ARBOLES

EAST ELEVATION VIEW

510 CALLE DE ARBOLES
PROPOSED SITE PLAN

CALLE DE ARBOLES



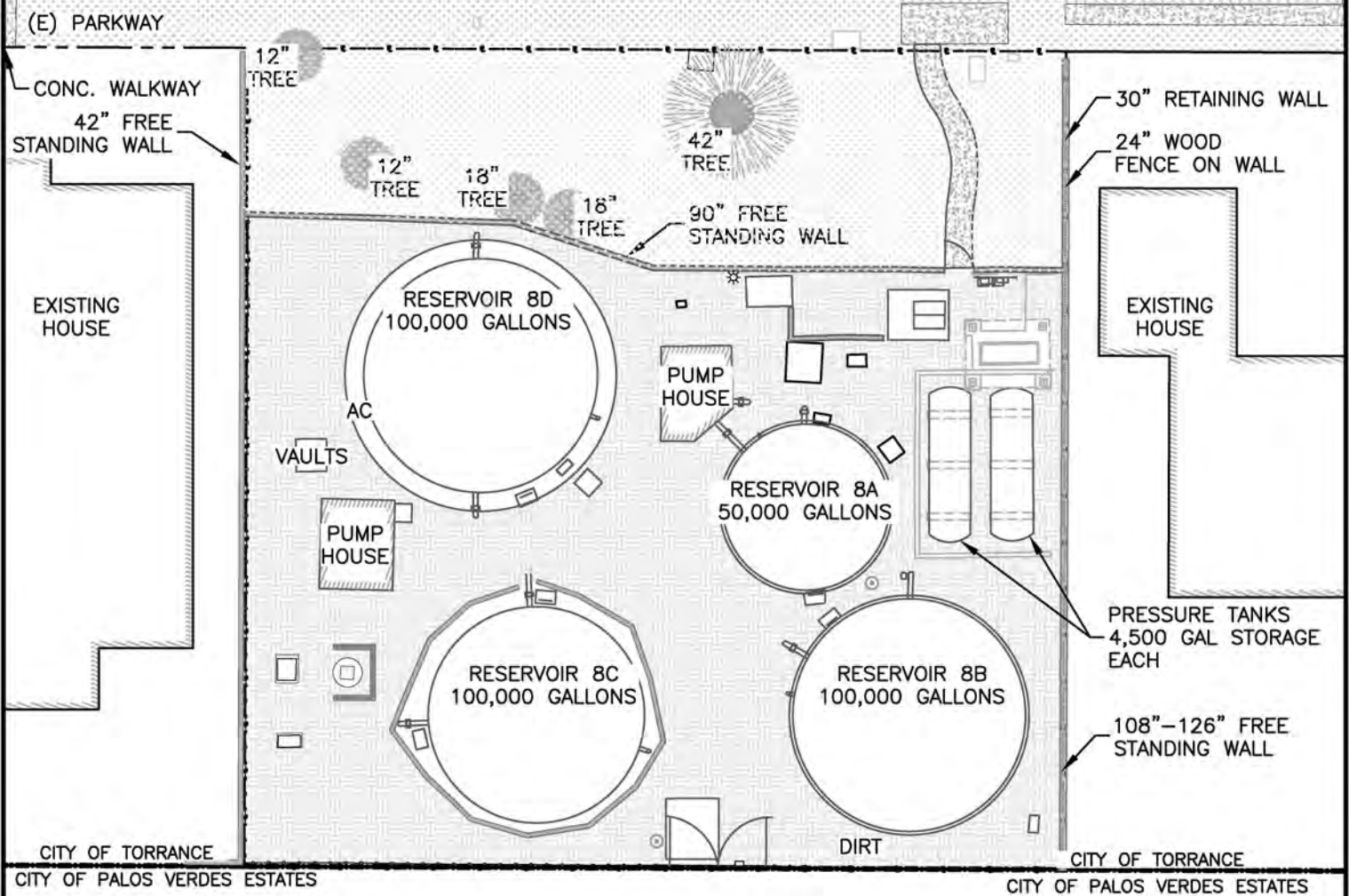
LOT 1
TRACT 10306
B.M. 179, PGS
12-14

LOT 4
TRACT 10306
B.M. 179, PGS
12-14



**510 CALLE DE ARBOLES
PROPOSED SITE PLAN**

CALLE DE ARBOLES



**510 CALLE DE ARBOLES
EXISTING SITE PLAN**