

Honorable Mayor and Members  
of the City Council  
City Hall  
Torrance California  
Members of the Council:

**Subject: Community Development – City Council consideration of an appeal of a Planning Commission denial of a Precise Plan of Development to allow first and second story additions to an existing two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 602 Paseo de la Playa.**

**PRE07-00030: James Meyer (Michael Guzman)**

### **RECOMMENDATION**

Recommendation of the Planning Commission that the City Council deny the appeal and adopt a RESOLUTION denying a Precise Plan of Development to allow first and second story additions to an existing two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 602 Paseo de la Playa.

Recommendation of the Community Development Director that the City Council uphold the appeal and adopt a RESOLUTION approving a Precise Plan of Development to allow first and second story additions to an existing two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 602 Paseo de la Playa.

**Funding:** Not applicable

### **BACKGROUND**

The subject property is located on east side of Paseo de la Playa, south of Calle de Sirenas and west of Camino de Encanto. The surrounding area is a mixture of one- and two-story homes. The applicants request approval to allow first and second story additions to an existing two-story single family residence in the Hillside Overlay District. This request, originally filed as PRE07-00013, was first heard at the Planning Commission Meeting on August 15, 2007 and was then continued to September 5, 2007 to revise the project to reduce the floor area ratio and address neighbor concerns. At that meeting, a motion for denial without prejudice passed by a vote of 5-2. The project was then further revised and resubmitted as PRE07-00030. On January 16, 2008 the Planning Commission denied the request by a vote of 6-1. On January 29, 2008 the applicants appealed the decision citing the proposed design complies with the Hillside Overlay Ordinance.

### **Prior Hearings and Publications**

A Planning Commission Public Hearing was scheduled for January 16<sup>th</sup>, 2008. On January 3, 2008, 85 notices were mailed to property owners within a 500 foot radius. On May 2, 2008, 83 notices of the City Council Public Hearing were mailed to property owners within a 500-foot radius. A notice of public hearing was posted at the site and a legal advertisement was published in the newspaper on May 2, 2008.

### **Environmental Findings**

Additions to single family residential properties are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15301 (e).

## **ANALYSIS**

The applicants are requesting approval of a Precise Plan of Development to allow first and second story additions to an existing two-story single family residence. A Precise Plan is required because the property is located within the Hillside Overlay District and the new construction is over 14 feet in height.

The original proposed residence (PRE07-00013) measured 4,314 square feet, had a Floor Area Ratio (FAR) of 0.58 and lot coverage of 37.2%. The plan required a side yard setback Waiver, and had three balconies. Rather than appeal the Planning Commission's denial of this plan, the applicants chose to redesign the project and submitted a new development proposal (PRE07-00030).

The current proposed residence will measure 3,693 square feet in floor area. The project meets or exceeds all setback requirements. It provides a front yard average setback of more than 20 feet, a south side yard setback of 7.5 feet, a north side yard setback of 6 feet, and a rear yard setback of more than 25 feet. The first floor will feature a master bedroom suite, three bedrooms, three bathrooms, a foyer, laundry room, and a garage. The second floor will feature a kitchen with pantry, dining room, living room, and study. There is one balcony at the northwest corner facing the street that is accessible from the dining room. The new residence will be 23.36 feet in height from the lowest adjacent grade of 110.64 to the highest ridge of 135.0, slightly lower than existing. The FAR is .50 and the Lot Coverage is 34%.

The statistical information for the project based on staff calculations is provided below:

### **Statistical Information**

◆ Lot Area	7,380 square feet
◆ New Residence	3,274 square feet
◆ New Garage	420 square feet
◆ Total Floor Area (Including Garage)	3,693 square feet
◆ Floor Area Ratio	0.50
◆ Lot Coverage	34%
◆ Height	23.36 feet

Staff has made various field observations of the proposed residence and based on the silhouette, the proposal does not pose significant impacts. The revisions to the project have been made to mitigate the most impacted neighbors. Previous concerns with light and privacy have been addressed with the reduction of building area at the northeast corner. Previous concerns with bulk and size have also been addressed, making the project more pedestrian-scaled and less imposing by reducing square footage and FAR.

Staff has determined that while the revised project may impact some view, they are not adverse or significant in nature, and the project will not detract from the totality of the available view. The view corridors from the southeast towards the silhouette are already obscured by landscaping and other structures. Although small pockets of blue water view will be impacted, the overall ocean view will not be significantly affected.

The proposed design features a modern design with treated wood siding, smooth coat stucco, painted metal fascias and coping, steel railings, and flat roofs. The project proposes to incorporate natural, recycled, recyclable, and energy efficient materials, as well as other environmentally friendly and sustainable building concepts such as natural lighting and ventilation, radiant heating and cooling, solar panels, and a green roof.

The proposed residence is compatible with other homes as it is a two-story single family residence. The project has been designed to be in harmony and in scale with the street. The use has not changed and is appropriate for this neighborhood. The plan calls for high quality finishes and architectural treatments, and incorporates green building techniques. This project, as conditioned, does not appear to cause any significant intrusion on the view, air, light, or privacy of adjacent properties. For these reasons, Staff recommends approval of this request.

### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission reviewed the project request on January 16, 2008. The applicant began by summarizing the various revisions made to the project to address concerns brought up in earlier hearings for the initial version of the project. He explained how the changes have mitigated impacts and how the project is compatible with the neighborhood. A number of members of public expressed opposition to the project citing various concerns including view and privacy impacts, harmony and compatibility, and concern with the green roof. There were also numerous members of the public who voiced support for the project stating that the project meets the requirements and has minimal impacts, adds diversity to the neighborhood, and that the project is forward-thinking. Several Commissioners expressed difficulty with the project and commended the applicants for their efforts. A Commissioner commented on the widespread opposition based on a petition. Another Commissioner voiced concerns with view, privacy, and the balcony. One Commissioner noted the project's environmentally friendly design. Another Commissioner stated that impacts were not addressed. A motion to deny the project without prejudice was seconded and passed, with a vote of 6-1.

Respectfully submitted,

Jeffery W. Gibson  
Community Development Director

CONCUR:

  
\_\_\_\_\_  
Jeffery W. Gibson  
Community Development Director

By   
\_\_\_\_\_  
Gregg D. Lodan, AICP  
Planning Manager

NOTED:

  
\_\_\_\_\_  
LeRoy J. Jackson  
City Manager

- Attachments:
- A. Resolution
  - B. List of Recommended Conditions
  - C. Location and Zoning Map
  - D. Letter of Appeal
  - E. Planning Commission hearing Minutes Excerpts 1/16/08
  - F. Previous Planning Commission Staff Report and Material (Limited Distribution)
  - G. Proofs of Publication and Notification
  - H. Plot Plan, Floor Plan and Exterior Elevations (Limited Distribution)
  - I. Mayor's Script (Limited Distribution)



**RESOLUTION NO. 2008-**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW FIRST AND SECOND STORY ADDITIONS TO AN EXISTING TWO-STORY FAMILY RESIDENCE ON PROPERTY LOCATED WITHIN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 602 PASEO DE LA PLAYA.

**PRE07-00016: JAMES MEYER (MICHAEL GUZMAN)**

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**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on January 16th, 2008, to consider an application for a Precise Plan of Development to allow the first and second story additions to an existing two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 602 Paseo de la Playa; and

**WHEREAS**, On January 29th, 2008, Michael Guzman filed an appeal for consideration of the Planning Commission's denial of the request to allow first and second story additions to an existing two-story single family residence on property located within the Hillside Overlay District at 602 Paseo de la Playa; and

**WHEREAS**, On May 13, 2008, the City Council of the City of Torrance conducted a public hearing and denied a request filed by Michael Guzman for consideration of an appeal of the Planning Commission's denial of a Precise Plan of Development to allow first and second story additions to an existing two-story single family residence on property located within the Hillside Overlay District at 602 Paseo de la Playa; and

**WHEREAS**, Additions to single family residential properties are Categorically Exempted by the Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15301 (e); 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 6, Article 2 of the Torrance Municipal Code; and

**WHEREAS**, the City Council of the City of Torrance does hereby find and determine as follows:

- a) That the property is located at 602 Paseo de la Playa;
- b) That the property is described as Lot 133 of Tract 18379as per map recorded in the Office of the Los Angeles County Recorder, State of California;
- c) That the proposed development will have an adverse impact upon the view, light, air and privacy of other properties in the vicinity;

- d) That the proposed development has not been located, planned and designed so as to cause the least intrusion on the views, light, air, and privacy of other properties in the vicinity;
- e) That the design does not provide an orderly and attractive development in harmony with other properties in the vicinity;
- f) That the design will have a harmful impact upon the land values and investment of other properties in the vicinity;
- g) That granting such application would be materially detrimental to the public welfare and to other properties in the vicinity;
- h) That the proposed development will cause or result in an adverse cumulative impact on other properties in the vicinity;
- i) That it is feasible to increase the size of or rearrange the space within the existing building or structure for the purposes intended without increasing the height;
- j) That denial of this request to increase the height would not constitute an unreasonable hardship to the applicants; and
- k) That granting this application will be materially detrimental to the public welfare and to other properties in the vicinity;

**NOW, THEREFORE, BE IT RESOLVED** that PRE07-00030, filed by James Meyer (Michael Guzman) to allow first and second story additions to an existing two story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 602 Paseo de la Playa, on file in the Community Development Department of the City of Torrance, is hereby DENIED.

Introduced, approved and adopted this 13th day of May 2008.

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MAYOR, of the City of Torrance

ATTEST:

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City Clerk of the City of Torrance

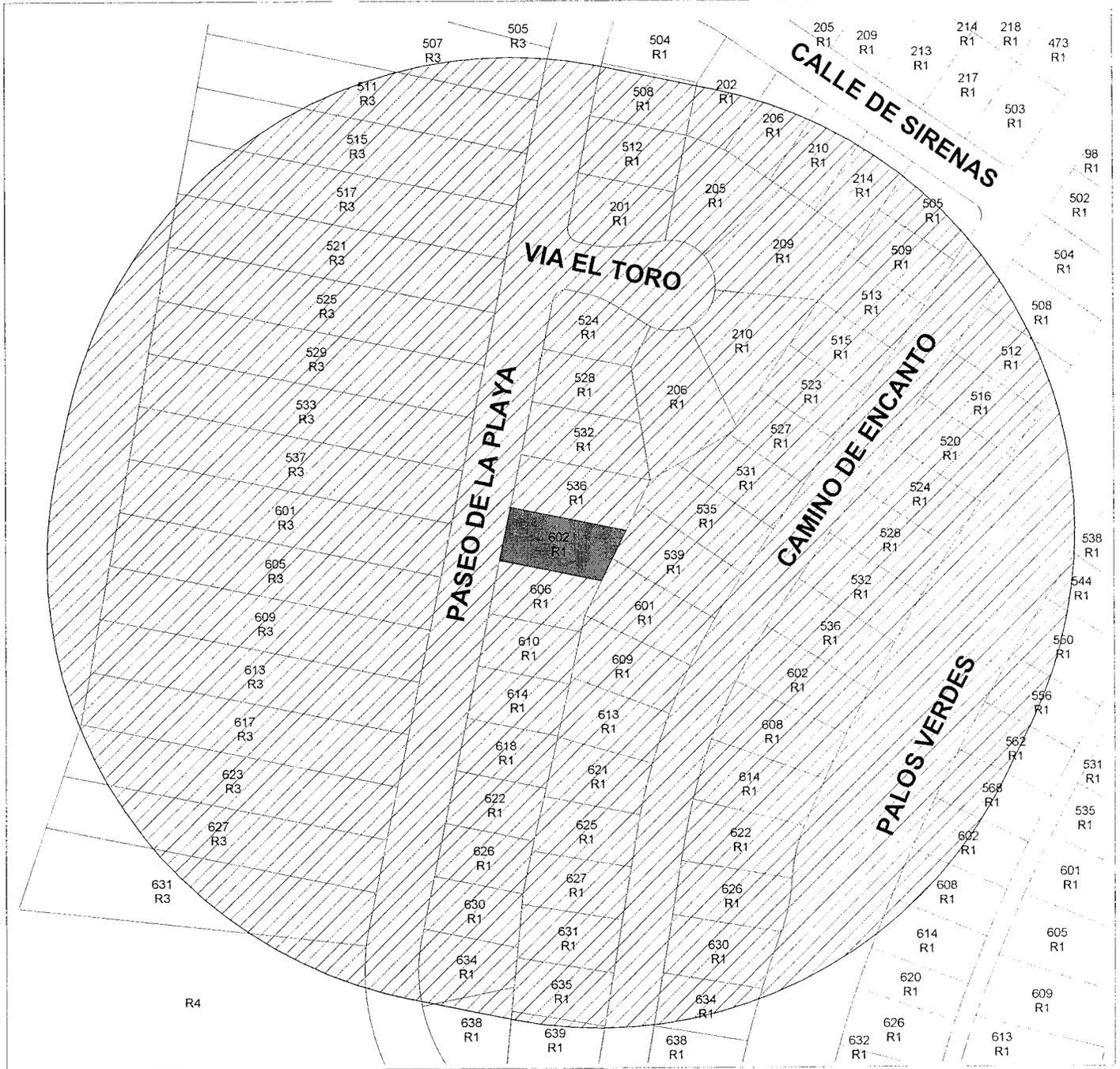
APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By \_\_\_\_\_

**RECOMMENDED CONDITIONS, IF APPROVED:**

1. That the use of the subject property for a single-family residence shall be subject to all conditions imposed in Precise Plan of Development 07-00030 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; (Development Review)
2. That if this Precise Plan of Development 07-00030 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 maximum height of the residence at the highest point of the roof shall not exceed 23.36 feet as represented by the survey elevation of 133.88, based on a bench mark elevation of 109.64 located at L&T RCE 30826 off the northwesterly property corner on Paseo de la Playa and the lowest adjacent corner (110.64) as shown on the official survey map on file in the Community Development Department; (Development Review)
4. That the height of the structure shall be certified by a licensed surveyor/engineer prior to requesting a framing or roof-sheathing inspection and shall not exceed 23.36 feet based on a bench mark elevation of 110.64 located at L&T RCE 30826 off the northwesterly property corner on Paseo de la Playa as shown on the survey map on file in the Community Development Department; (Development Review)
5. That the silhouette shall remain in place for at least 15 days through the appeal period, but no more than 45 days after the final public hearing to the satisfaction of the Community Development Director; (Development Review)
6. That within 30 days of the final public hearing, the applicant shall remove the City's "Public Notice" sign to the satisfaction of the Community Development Director; (Development Review)
7. That color and material samples of the proposed home be submitted for review to the Community Development Department; (Development Review)
8. That the rooftop solar panels be flat mounted as shown on the plans, and not angled or raised; (Development Review)
9. That automatic electric roll-up garage doors shall be installed; (Development Review)
10. That the applicant shall provide four inch minimum contrasting address numerals for residential, condo, etc. uses; (Environmental)
11. That the applicant shall delete portion of proposed CMU wall in public parkway or obtain an encroachment permit for any proposed structures/walls in the public right of way prior to issuance of Grading Permit; (Permits and Mapping)
12. That all conditions of all other City departments received prior to or during the consideration of this case shall be met.

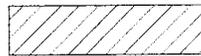


### LOCATION AND ZONING MAP

602 Paseo de la Playa  
PRE07-00030



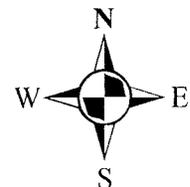
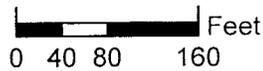
### LEGEND



Notification Area



602 Paseo de la Playa



**CITY OF TORRANCE****INTEROFFICE COMMUNICATION****DATE: January 29, 2008**

**TO: Jeffrey Gibson, Community Development**  
**FROM: City Clerk's Office**  
**SUBJECT: Appeal 2008-05**

Attached is Appeal 2008-05 received in this office on January 29, 2008 from Michael Guzman, 602 Paseo de la Playa, Torrance, CA 90277. This appeal is of Planning Commission's denial made on January 16, 2008 regarding PRE07-00030: JAMES MEYER (MICHAEL GUZMAN) located at 602 Paseo de la Playa, Torrance, CA 90277 citing proposed design complies with Hillside Overlay Ordinance.

The appeal fee of \$160.00, paid by check, was accepted by the City Clerk.

**SECTION 11.5.3. PROCEDURE AFTER FILING.**

- a) Upon receipt of the notice of appeal, and the appeal fee, the City Clerk shall notify the concerned City officials, bodies or departments that an appeal has been filed and shall transmit a copy of the appeal documents to such officials, bodies or departments.
- b) The concerned City officials, bodies or departments shall prepare the necessary reports for the City Council, provide public notices, posting, mailing or advertising in the same manner as provided for the original hearing or decision making process, request the appeal be placed on the agenda for hearing before the City Council within thirty (30) days of receipt of the said notice of appeal, and notify the applicant in writing of the time, date and place of the hearing not less than five (5) days before the Council hearing.



Sue Herbers  
City Clerk

cc: City Council  
Building and Safety



CITY OF TORRANCE RECEIVED

APPEAL FORM 2008 JAN 29 PM 4:00

AN APPEAL TO:

- City Council
- Planning Commission
- \_\_\_\_\_

RETURN TO:

CITY OF TORRANCE  
CITY CLERK'S OFFICE  
Office of the City Clerk  
3031 Torrance Boulevard  
Torrance CA 90509-2970  
310/618-2870

RE: PRE 07-00030  
(Case Number and Name)

Address/Location of Subject Property 602 Paseo De La Playa  
(If applicable)

Decision of:

- |   |   |
|---|---|
| <input type="checkbox"/> Administrative Hearing Board                           | <input type="checkbox"/> License Review Board           |
| <input type="checkbox"/> Airport Commission                                     | <input checked="" type="checkbox"/> Planning Commission |
| <input type="checkbox"/> Civil Service Commission                               | <input type="checkbox"/> Community Development Director |
| <input type="checkbox"/> Environmental Quality & Energy Conservation Commission | <input type="checkbox"/> Special Development Permit     |
|   | <input type="checkbox"/> Other _____                    |

Date of decision: 1/16/08      Appealing:    APPROVAL    DENIAL

Reason for Appeal: *Be as detailed as necessary. Additional information can be presented at the hearing. Attach pages as required with additional information and/or signatures.*

Proposed design complies with Hillside Overlay Ordinance

Name of Appellant Michael Gorman

Address of Appellant 602 Paseo De La Playa

Telephone Number (310) 962-8556

Signature [Signature]

Appeal Fee paid \$ <u>160.00</u>	For office use only: Date <u>1/29/08</u>	Received by <u>[Signature]</u>
<b>Notice to:</b> Community Development Department: <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> Building & Safety <input checked="" type="checkbox"/> City Council <input type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Other Department(s) _____		

**EXCERPT OF MINUTES**

√ Minutes Approved  
 Minutes Subject to Approval

January 16, 2008

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

**1. CALL TO ORDER**

The Torrance Planning Commission convened in a regular session at 7:02 p.m. on Wednesday, January 16, 2008 in the Council Chambers at Torrance City Hall.

**3. ROLL CALL**

Present: Commissioners Browning, Gibson, Horwich, Skoll, Uchima, Weideman and Chairperson Busch.

Absent: None.

Also Present: Planning Manager Lodan, Planning Assistant Yumul, Plans Examiner Noh, Associate Civil Engineer Symons, Fire Marshal Kazandjian and Deputy City Attorney Whitham.

**11. FORMAL HEARINGS**

**11D. PRE07-00030: JAMES MEYER (MICHAEL GUZMAN)**

Planning Commission consideration for approval of a Precise Plan of Development to allow first and second-story additions to an existing two-story, single-family residence on property located within the Hillside Overlay District in the R-1 Zone at 602 Paseo de la Playa.

**Recommendation**

Approval.

Planning Assistant Yumul introduced the request and noted supplemental material available at the meeting.

Michael Guzman, 602 Paseo de la Playa, applicant, voiced his agreement with the recommended conditions of approval. He explained that he wanted to raise his children in the same neighborhood where he grew up so he purchased this property, which has a large lot and an existing second story, because it appeared that it could be expanded without adversely impacting neighbors. He stated that he was extremely disappointed when the Commission voted to deny the previous project he submitted in August 2007, and he subsequently redesigned the project to address concerns about the size of the project and the impact on neighbors to the north (Youngerns – 536 Paseo de la Playa).

Mr. Guzman stated that he was surprised to receive copies of letters of objection from neighbors and the petition in the supplemental material because with the exception of Ruth Vogel, no one had mentioned any concerns about the revised project. He contended that neighbors have been misinformed about the project as evidenced by statements in their letters and urged commissioners not to be swayed by the number of people who have expressed opposition and to judge the project on its own merits.

Mr. Guzman contrasted the proposed project with the earlier plans, noting that 250 square feet have been eliminated and the northeast corner has been pulled in 21 feet, which is 8 feet less than existing, to alleviate any potential concerns about the impact on the air, light and privacy of the Youngerns. He reported that two of the three balconies have been eliminated, leaving only one that faces the street, and the green roof no longer has any connection to the second floor and can only be accessed by a ladder. He emphasized that the green roof is simply a roofing system, which provides superior insulation, and it is not a roof garden. He related his belief that the project would have only minimal impact on the view at 621 Camino de Encanto (Blowers/Miltimore) and contended that photographs submitted by this neighbor were taken with a zoom lens and grossly exaggerate the impact.

Mr. Guzman disputed the claim that the project was out of character with the neighborhood, noting that he submitted photographs showing that there is a diversity of architectural styles, including a number of houses with front-facing decks.

Commissioner Browning commented on the lengthy staff report and stated that he did not find the photographs submitted by Mr. Guzman to be helpful because there were no addresses and no indication when these homes were approved.

Mr. Guzman explained that he was just trying to show that there are distinctive homes throughout the neighborhood and there is no one signature look in terms of architectural design.

Commissioner Gibson stated that she appreciated Mr. Guzman's photographs because they provide an overview of the neighborhood. She suggested that people were having a problem with the green roof because it's new technology, but noted that the City of Torrance is encouraging people to protect the environment and giving awards for "going green."

Commissioner Skoll asked about the letter from Venable LLP (supplemental material), which claims that the Planning Commission was precluded from considering this project because the Youngerns have filed an appeal.

Deputy City Attorney Whitham advised that the City Clerk was directed to reject the appeal because the Planning Commission has not made a decision on this project so there is no decision to appeal. She noted that the letter also claims that the Commission may not consider the project because there is a one-year waiting period after a project has been denied, however, the project was denied without prejudice, in which case there is no waiting period. She explained that even if a project is denied with prejudice, the waiting period is only six months and it does not apply to a substantially changed project, which staff believes this is.

Roberta Blowers, 621 Camino de Encanto, voiced objections to the proposed project due to the impact on her view, contending that the revised project would have a

greater impact than the original project. She suggested that there are other options for expanding this home without adversely impacting views and expressed concerns that the green roof was actually a rooftop garden that should have a barrier or railing for safety.

Diane Miltimore, 621 Camino de Encanto, reported that the applicant never informed neighbors he was planning to submit a new design and never requested any input from them. She noted that the petition in opposition to the project was signed by 90% of neighbors within the notification area and voiced her opinion that the new design would adversely impact more properties than the original project.

Vahik Gregorian, 625 Camino de Encanto, voiced objections to the project, stating that the new silhouette blocks a large portion of his ocean view.

Cynthia Constantino, 513 Camino de Encanto, questioned Mr. Guzman's motives, reporting that he recently sold his house on her block for over \$1 million.

Chairperson Busch noted that the sale of Mr. Guzman's previous home was not relevant to this hearing.

Marjorie Hill, 539 Camino de Encanto, contended that the proposed project does not comply with the Hillside Ordinance because it was not in harmony with other homes in the neighborhood.

Robert Hill, 539 Camino de Encanto, expressed concerns about the cumulative impact of allowing second stories to be expanded, relating his understanding that the intent of the Hillside Ordinance was to confine remodels to the same size and mass as existing second stories. He requested clarification as to whether the green roof was actually a deck.

Planning Manager Lodan explained that the green roof is simply an insulating system that reduces the need for heating and cooling and it is not a deck.

Matthew Kadlick, 606 Paseo de la Playa, maintained that the proposed project would affect his light, air and privacy even more than the original plans. He reported that he is involved in a property line dispute with Mr. Guzman, which would result in further financial hardship because he would lose three feet of his property and have to relocate several plants and trees along with the irrigation system.

In response to Commissioner Weideman's inquiry, Deputy City Attorney Whitham confirmed that the Planning Commission has no jurisdiction over property line disputes.

Richard Maddox, 627 Camino de Encanto, voiced objections to the project due to its contemporary design, relating his belief that it looks more like an office building than a home and its trendy architecture would not stand the test of time.

Tim Youngern 536 Paseo de la Playa, stated that the adverse impacts to his property are substantially the same with the revised plans; suggested that the extra square footage the applicant desires could be added to the first floor; and contended that the proposed home was not in harmony with the neighborhood due to its size, modern architecture, and large rooftop deck. He expressed concerns that the 228

square-foot deck will be used as an outdoor living area as it can accommodate 20 people; that it will appear even more imposing with patio furniture; and that it will be a source of noise. He questioned whether there are any guidelines regarding the maintenance of green roofs and pointed out that it could easily be converted to deck by changing full-sized windows on both sides of the fireplace to French doors.

Commissioner Weideman asked if Mr. Guzman had met with the Youngerns regarding the redesign of the project as the Commission had asked. Mr. Youngern reported that he had not met with Mr. Guzman since the September 2007 hearing.

Voicing support for the project, Glen Voycey, 608 Camino de Encanto, reported that Mr. Guzman reviewed the plans with him and his wife three times and while the silhouette is visible from their house, it has negligible effect on their view. He stated that he was drawn to live in this area because of the diversity of the homes and appreciates that it is not a "Stepford" neighborhood. He indicated that he favors front-facing balconies because they put more eyes on the street.

A resident at 639 Camino de Encanto (name inaudible/no speaker card) also voiced support for the project, stating that Mr. Guzman went out of his way to show him the plans. He noted that roofs of any kind are not designed to be walked on or used as a deck.

The Commission recessed from 9:55 p.m. to 10:10 p.m.

Ruth Vogel, 114 Via La Soledad, stated that she is not directly impacted by the project but was present to show her support for the Hillside Ordinance. She reported that there is widespread support for the ordinance and people want it to be strictly enforced. She related her understanding that the applicant has the burden of proving that the proposed project will not have an adverse impact on neighbors, not the other way around, and expressed concerns that allowing an existing second story to be expanded would set a bad precedent because, to her knowledge, this has not been allowed. Noting that the Commission is currently considering new regulations for rooftop decks, she voiced her opinion that roof gardens should be included in this process. She called for the Commission to deny the project to protect the integrity of the Hillside Ordinance.

Jim Miller, 521 Paseo de la Playa, reported that Mr. Guzman thoroughly reviewed the plans with him and he fully supports the project. He stated that he likes the fact that young people are moving into the neighborhood and upgrading properties.

Jim Delurgio, 209 Via El Toro, expressed support for the project, noting that it conforms to all building standards and Code requirements. He stated that Mr. Guzman spent over an hour with him reviewing the plans, and he believed the new home would be a significant improvement over the existing structure.

Dean Spittle, 609 Camino de Encanto, stated his ocean view has gradually been eroded and the proposed project would take away half of what little view he has left. He related his belief that it was unfair for someone who already has a spectacular ocean view to take other people's view away.

Albert Ortiz, 620 Palos Verdes Boulevard, voiced objections to the proposed project, stating that while he is not directly affected he believes it would have a

significant and far-reaching impact on his neighbors. He contended that the project was massive and imposing and out of harmony with the neighborhood.

Daniel Meyer, 132 Via La Circula, stated that he fully supports the project, relating his belief that it would benefit the community as well as the environment. He suggested that this type of forward-thinking project is the type of project the City should be encouraging, not discriminating against.

Deloris Becker, 214 Calle de Sirenas, reported that she signed the petition in opposition to the project, but subsequently reviewed the plans with Mr. Guzman and observed that it would have no real impact on neighbors. Voicing support for the project, she stated that she believed a significant effort had been made to accommodate neighbors and thought that the project would be an asset to the community.

Eduardo Guzman, 33 Sixth Street, San Pedro, wanted to clarify that the reason his son (Michael Guzman) had not spoken with the Youngerns was because their attorney had forbidden him to do so. He reported that his son has tried to speak with all of his neighbors, but his attempts have been rebuffed. He contended that the main objections to the project as discussed at the last hearing – the size of the project and the impact on the Youngerns' property – have been addressed, noting that staff has determined that the project would not adversely impact neighbors.

Returning to the podium, Michael Guzman noted that included in the agenda item were copies of letters he had sent to the Youngerns' attorney and every individual who had expressed concerns about the project, inviting them to discuss the revised plans but no one took advantage of his offer. He reported that Mr. Kadlick was initially in favor of the project, but withdrew his support after the property line dispute erupted. He stated that he visited both Mr. Spittle's and Ms. Hill's homes and observed that the view is already completely obscured by trees. He related his belief that each project should be considered on its own merits, therefore concerns about setting a precedent and creating a domino effect were unfounded. With regard to claims that the project was not in harmony with the neighborhood, he pointed out that Camino de Encanto and Paseo de la Playa were quite different in character, with Paseo de la Playa having enormous mansions with different and distinctive architectural styles.

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

Commissioner Weideman stated that he found this to be a very difficult case and was awaiting comments from his fellow commissioners before making a decision. He commended Mr. Guzman for bringing the FAR down to 0.50 and for eliminating two balconies and access to the green roof, which had been a concern to him. He related his observation that the project still looks imposing when viewed from the Youngerns' backyard.

Commissioner Browning voiced his opinion that the widespread opposition to the project as evidenced by the petition was indicative of the effect it would have on this neighborhood.

Commissioner Uchima commended Mr. Guzman for revising the project, but indicated that he still had the following concerns about the project: 1) the impact on Dr. Blowers' property – he reported that he observed a substantial view impact equal to

the view blockage shown on the photographs she submitted and he could not support the project based on that impact alone; 2) the impact on the Youngerns' property – he stated that he observed that large second-story windows would intrude on their privacy; and 3) the size of the proposed deck – he explained that he was puzzled as to the purpose of the deck and why it has to be so large.

Commissioner Skoll noted that he was only appointed to the Commission the previous evening and had spent a considerable amount of time since reviewing the 200+-page agenda item, but obviously did not have the prior knowledge others have of this case. He stated that he wanted hear more discussion before making a decision, however, he liked the fact the project was designed to be environmentally friendly as he believes this is something the City needs to promote.

In response to Chairperson Busch's inquiry, Deputy City Attorney Whitham confirmed that it was not necessary for Commissioner Skoll to know all the details of previous hearings because this was a brand new proposal.

Commissioner Horwich stated that he continues to have concerns about the impact on the Youngerns and he was not sure they could be addressed within the confines of the current plans.

Commissioner Weideman questioned whether the City's building code addresses the issue of green roofs.

Planning Manager Lodan related his understanding that this would be the first green roof in Torrance. Plans Examiner Noh reported that there are no regulations that specifically address a green roof and it would be subject to the same building codes as any other roof.

**MOTION:** Commissioner Browning moved to deny PRE07-00030 without prejudice. The motion was seconded by Commissioner Uchima, and discussion briefly continued.

Commissioner Weideman stated that he would vote to deny the project predicated on the impact on view, light and privacy.

Commissioner Skoll indicated that he would also support the motion because Mr. Guzman would then have an opportunity to appeal the decision to the City Council.

Chairperson Busch called for the vote, and the motion passed by a 6-1 roll call vote, with Commissioner Gibson dissenting.

Chairperson Busch noted that a resolution reflecting the Commission's action would be returned for approval at the next meeting.

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