

**PUBLIC HEARING**

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

Members of the Council:

**SUBJECT: Community Development – Consider an appeal of the Planning Commission’s Approval of a Precise Plan of Development to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District in the R-1 zone at 161 Paseo de las Delicias.**

**PRE08-00009: Stephen and Judy Ebey**

**Expenditure: None**

**RECOMMENDATION**

Recommendation of the Planning Commission and the Community Development Director that City Council deny the appeal and adopt a Resolution approving a Precise Plan of Development to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District in the R-1 zone at 161 Paseo de las Delicias.

Funding: Not applicable

**BACKGROUND**

The applicants request approval to allow the construction of a new two-story single family residence, on property located within the Hillside Overlay District, in the R-1 Zone. A Precise Plan of Development is required, because the dwelling exceeds a Floor Area Ratio (FAR) of 0.50, contains a roof deck, is proposed as a two-story, and is over 14 feet in height. The matter was first considered by the Planning Commission, on July 2, 2008. During the Public Hearing, three neighbors (149, 153 Paseo de las Delicias, and 114 Via la Soledad), spoke in opposition to the project, citing view and privacy impacts and the inclusion of a roof deck. The applicant requested a continuance in order to meet with the neighbors and revise the plans. A motion for continuance to July 16, 2008 passed by an unanimous vote of 7 - 0. On July 16, 2008, the Planning Commission granted a continuance indefinitely, as the applicant had requested additional time to meet with the neighbors, revise the plans and change the silhouette. After providing revised plans and a new silhouette certification to Staff, the Planning Commission heard the case on August 6, 2008. The Planning Commission Approved the project, with a roll call vote of 5 - 1, absent one Commissioner, with an

added condition that the third parking space in the garage shall be revised as an open/carport space, thereby reducing the FAR to 0.51. Three of the neighbors (145, 149 and 153 Paseo de las Delicias) have appealed the Planning Commission's decision, and cite the roof deck as their main concern, the Appeal Form is included as Attachment D.

### **Prior Hearings and Publications**

A Planning Commission Public Hearing was scheduled for July 2, 2008. On June 18, 2008, the site was posted, and on June 19, 2008, 117 notices were mailed to property owners, within a 500-foot radius and to the Riviera Homeowners Association. On June 26, 2008, a legal advertisement was published in the newspaper. The Planning Commission Public Hearing of July 2, 2008 was continued to July 16, 2008, and therefore, no further noticing was required. At the Planning Commission Public Hearing of July 16, 2008, a continuance was granted indefinitely, at the request of the applicant. A Planning Commission Public Hearing was scheduled for August 6, 2008. On July 25, 2008, the site was posted, and 114 notices were mailed to property owners, within a 500-foot radius and to the Riviera Homeowners Association. On July 28, 2008, a legal advertisement was published in the newspaper. Due to an appeal of the Planning Commission's decision, a City Council Public Hearing was scheduled for October 21, 2008. On October 9, 2008, the site was posted, and a notice of the City Council Public Hearing was mailed to property owners, within a 500-foot radius and to the Riviera Homeowners Association. On October 10, 2008, a legal advertisement was published in the newspaper.

### **Environmental Findings**

New single family residential projects are Categorically Exempted by the 2008 Guidelines for Implementation of the California Environmental Quality Act, Article 19, Section 15303 (a).

### **ANALYSIS**

The subject site is located in an interior parcel, is fairly rectangular in shape, with a width of approximately 60 feet by a length of approximately 119 feet, for a lot area of 7,149 square feet. The existing residence is one story and was constructed circa 1949. The applicant proposes to construct a new two-story single family residence, with an attached three-car garage, and a roof deck. The ridge height of the proposal would be 25 feet 11 ¼ inches in height. The project will total 3,687 square feet, including the 458 square foot garage. The FAR will be 0.51, with a Lot Coverage of 34%. The project complies with the FAR, height and setback development standards of the R-1 Zone.

The Project Summary is included below for your convenience:

<b>PRE08-00009</b>	<b>2nd Revision Approved by PC 08-06-08</b>	<b>1st Revision Proposed 08-06-08</b>	<b>Original Project Proposed 07-02-08</b>
<b>Lot Area =</b>	<b>7,149 sf</b>		
1st Floor =	1,786 sf	1,786 sf	1,729 sf
2nd Floor =	1,443 sf	1,443 sf	1,482 sf
<b>Sub-Total =</b>	<b>3,229 sf</b>	<b>3,229 sf</b>	<b>3,211 sf</b>
Garage =	458 sf	677 sf	688 sf
<b>Total Area =</b>	<b>3,687 sf</b>	<b>3,906 sf</b>	<b>3,899 sf</b>
<b>FAR =</b>	<b>0.51</b>	<b>0.55</b>	<b>0.55</b>
Lot Coverage =	34%	34%	34%
Building Height =	25 ft - 11 1/4 in	25 ft - 11 1/4 in	25 ft - 11 1/4 in

The attached plans (Attachment H) reflect the applicant's first revision, which was proposed at the Planning Commission meeting of August 6, 2008, and do not include the Planning Commission's condition to convert the third parking space in the garage to a carport. Staff recommended approval of the project with the three-car tandem garage, providing a FAR of 0.55. Both the applicants' proposal presented to the Planning Commission and the incorporation of the Planning Commission's condition comply with the R-1 development standards. Furthermore, the roof deck meets the Draft Roof Deck Ordinance development standards.

In the judgment of the Community Development Department, the proposed structure, will not have an adverse impact on the view, light, air or privacy of the surrounding properties. The new residence will not be materially detrimental to the public welfare, because it will either meet or exceed the required front, rear and side yard setbacks. Staff visited the properties at 145, 149 and 153 Paseo de las Delicias, and viewed the silhouette from these homes, and in the judgment of Staff, the potential impact to view does not appear to be adverse. The project is centrally located within the lot and towards the front of the property, and should not adversely impact views towards the southwest, which are hills and vegetation. Based on the location of the home and the positioning of the roof deck, Staff also determined that there is no adverse impact to light, air or privacy.

It was noted in the previous Staff Report, that the property adjacent to the proposed site, at 157 Paseo de las Delicias, was approved by the Planning Commission for a second story addition (PRE07-00009) on August 1, 2007, and that the rear building line of their second story was approved at 42.5 feet from the rear property line, with the balcony at 36 feet from the rear property line. The proposed project will extend two feet two inches beyond 157 Paseo de las Delicias' approved rear second story building line. The original proposal extended approximately 12.5 feet from their approved rear second story building line. While this project has not yet been built, the building plans have been submitted for plan check, and approved by Staff, and the issuance of the

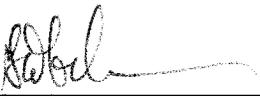
Building Permit is pending the submittal of the color and material samples for the project. For all the reasons listed above, Staff recommends Denial of the appeal and Approval of the project.

**PLANNING COMMISSION RECOMMENDATION**

The Planning Commission reviewed the proposal on August 6, 2008. The applicant gave a brief description of the proposed project/revisions to the Commission. The revised plan included the shifting of the second story toward the street by approximately 10 feet, relocating the second-story balcony, and decreasing the size of the roof deck to address the opposing neighbors' concerns. The neighbor from 145 Paseo de las Delicias spoke against the project, citing impacts to view and privacy, while another neighbor from 114 Via la Soledad urged the Commission to limit the project to a FAR of 0.50. The Planning Commission voted 5 - 1 (absent one Commissioner) to Approve the project with conditions reducing the FAR to 0.51, by removal of one garaged parking space, and converting it to a carport.

Respectfully submitted,

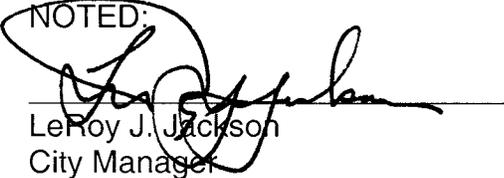
Jeffery W. Gibson  
Community Development Director

By   
Gregg D. Lodan, AICP  
Planning Manager

CONCUR:

  
Jeffery W. Gibson  
Community Development Director

NOTED:

  
LeRoy J. Jackson  
City Manager

Attachments:

- A. Resolution for Approval of Project
- B. Draft Resolution for Denial of Project
- C. Location and Zoning Map
- D. Letter of Appeal
- E. Planning Commission Hearing Minutes Excerpts – 08/06/08, 07/16/08 & 07/02/08
- F. Previous Planning Commission Staff reports, Supplementals, and materials submitted at hearing
- G. Proofs of Publication and Notification
- H. Site Plan, Floor Plan, Elevations, Roof Deck Plan, etc. (Limited Distribution)
- I. Mayor's Script (Limited Distribution)

**RESOLUTION NO. 2008 –**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING AN APPEAL AND APPROVING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A NEW TWO-STORY SINGLE FAMILY RESIDENCE, ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 161 PASEO DE LAS DELICIAS.**

**PRE08-00009: STEPHEN AND JUDY EBEBY**

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**WHEREAS**, new single family residential projects are Categorically Exempted by the 2008 Guidelines for Implementation of the California Environmental Quality Act, Article 19, Section 15303 (a); 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 1, Article 41 of the Torrance Municipal Code; and

**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on July 2, 2008, to consider an application for a Precise Plan of Development filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias; and

**WHEREAS**, the Planning Commission, at its meeting of July 2, 2008, continued PRE08-00009 to July 16, 2008; and

**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on July 16, 2008, to consider an application for a Precise Plan of Development filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias; and

**WHEREAS**, the Planning Commission, at its meeting of July 16, 2008, continued PRE08-00009 indefinitely; and

**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on August 6, 2008, to consider an application for a Precise Plan of Development filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias; and

**WHEREAS**, the Planning Commission, at its meeting of August 6, 2008, Approved PRE08-00009; and

**WHEREAS**, the City Council of the City of Torrance conducted a public hearing on October 21, 2008, to consider an appeal of a Planning Commission's Approval of a Precise Plan of Development filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias; and

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

- a) That the property is located at 161 Paseo de las Delicias Avenue;
- b) That the property is identified as Lot 26 of Block J of Tract 10300;
- c) That the project is in compliance with both the R-1 Zoning and the Low-Density Residential General Plan designation for this site;
- d) That the proposed new residence will not have an adverse impact upon the view, light, air, or privacy of other properties in the vicinity, because the view of the hills are primarily in a southerly direction of the subject property, and the location of the proposed two-story structure does not impair the views of the surrounding properties, and the abutting northerly property has been approved for a two-story addition;
- e) That the proposed new residence will cause the least intrusion on the view, light, air, or privacy of other properties in the vicinity, because the proposed residence has been located, planned and designed towards the center of the property, as to not cause adverse privacy impacts to the surrounding residences and complies with the R-1 standards and will meet and/or exceed all setback requirements;
- f) The design of the residence provides an orderly and attractive development in harmony with other properties in the vicinity, because the design is a contemporary Spanish style that features a stucco finish and tile roof, which provides similar architectural style and exterior materials and finishes consistent with other residences in the vicinity, and has been designed with a front setback, which matches the other homes in the vicinity;
- g) That the design will not have a harmful impact upon the land values and investment of other properties in the vicinity, because the new residence represents a significant improvement of the subject property, which would increase property values, and the exterior will be treated with high-quality finishes equal to those of surrounding residences;

- h) That granting such application would not be materially detrimental to the public welfare or to other properties in the vicinity, because a single family residence is an appropriate use for this property, it will replace a residence built in 1949, and it is in compliance with the R-1 Zone and development standards;
- i) That the proposed residence would not cause or result in an adverse cumulative impact on other properties in the vicinity, because the proposed new construction conforms to the Low-Density Residential Designation of the Land Use Element of the General Plan of the City of Torrance;
- j) That it is not feasible to increase the size of or rearrange the space within the existing building or structure for the purposes intended, except by increasing the height, as the current garage, driveway and turnaround area usurp a large portion of the rear yard, prohibiting enlarging the footprint of the home;
- k) That denial of this request would result in an unreasonable hardship to the applicant, because remodeling the one-story in order to gain more square footage, would still require the relocation of the garage, driveway and curb cut, and the demolition of the home, in order to efficiently utilize the property;
- l) That granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity, because the proposed residence complies with all zoning development standards. The proposed residence will cause no additional hazards, including traffic or fire hazards, that any view or privacy impacts on neighboring properties have been mitigated, and the new structure will be an upgrade from the existing home built in 1949;
- m) That denial of this request would result in an unreasonable hardship to the applicant, because the area above .50 is largely due to the extra tandem garage space proposed for oversized vehicles and supplemental parking beyond the requirements, and is proposed because street parking is limited to only one side of the street and it is a narrow street;
- n) That granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity, because the extra tandem garage space is located on the first floor and does not pose an adverse impact upon the neighboring properties;

**NOW, THEREFORE, BE IT RESOLVED** that PRE08-00009, filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located in the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias, is hereby APPROVED subject to the following conditions:

1. That the use of the subject property for a single-family residence shall be subject to all conditions imposed in Precise Plan of Development 08-00009 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 City Council relied in granting approval;

2. That if this Precise Plan of Development 08-00009 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 a height of 25 feet 11  $\frac{1}{4}$  inches as represented by the survey elevation of 138.93 for the highest ridge point based on a maximum lowest adjacent grade of 112.99 (located at the southeastern perimeter of the building), based on a bench mark elevation of 110.42 located within the public right-of-way along Paseo de las Delicias at the northeasterly corner of the property, as shown on the official survey map on file in the Community Development Department, as conditioned; (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 a survey elevation of 138.93 feet based on the benchmark elevation of 110.42 feet located within the public right-of-way along Paseo de las Delicias at the northeasterly corner of the property, as shown on the survey map on file in the Community Development Department, as conditioned; (Development Review)
5. 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)
6. 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)
7. That color and material samples of the proposed home shall be submitted for review to the Community Development Department prior to obtaining a building permit; (Development Review)
8. That the applicant shall install an automatic roll-up garage door to the satisfaction of the Community Development Director; (Development Review)
9. That the third parking space within the garage shall be removed and converted into a covered carport, thereby reducing the Floor Area Ratio (FAR) to 0.51;

10. That all conditions of all other City departments received prior to or during the consideration of this case by the City Council shall be met.

Introduced, approved and adopted this 21<sup>st</sup> day of October 2008.

\_\_\_\_\_  
MAYOR, of the City of Torrance

ATTEST:

\_\_\_\_\_  
City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By \_\_\_\_\_

**DRAFT RESOLUTION NO. 2008-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A NEW TWO-STORY SINGLE-FAMILY RESIDENCE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 161 PASEO DE LAS DELICIAS.**

**PRE08-00009: STEPHEN AND JUDY EBEBY**

**WHEREAS**, the construction of one new single family residential property is Categorically Exempted by the 2008 Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303 (a); 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 1, Article 41 of the Torrance Municipal Code; and

**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on July 2, 2008, to consider an application for a Precise Plan of Development filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias; and

**WHEREAS**, the Planning Commission, at its meeting of July 2, 2008, continued PRE08-00009 to July 16, 2008; and

**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on July 16, 2008, to consider an application for a Precise Plan of Development filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias; and

**WHEREAS**, the Planning Commission, at its meeting of July 16, 2008, continued PRE08-00009 indefinitely; and

**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on August 6, 2008, to consider an application for a Precise Plan of Development filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias; and

**WHEREAS**, the Planning Commission, at its meeting of August 6, 2008, Approved PRE08-00009; and

**WHEREAS**, the City Council of the City of Torrance conducted a public hearing on October 21, 2008, to consider an appeal of a Planning Commission's Approval of a Precise Plan of Development filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias; and

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

- A. That the property address is 161 Paseo de las Delicias;
- B. That the property is located on Lot 26 of Block J of Tract 10300; and
- C. That the proposed new residence will have an adverse impact upon the view, light, air, or privacy of other properties in the vicinity, because (to be determined by City Council).

**NOW, THEREFORE, BE IT RESOLVED** that PRE08-00009, filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias, on file in the Community Development Department of the City of Torrance, is hereby DENIED WITHOUT PREJUDICE.

Introduced, approved and adopted this 21<sup>st</sup> day of October 2008.

\_\_\_\_\_  
MAYOR, of the City of Torrance

ATTEST:

\_\_\_\_\_  
City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By \_\_\_\_\_



**LOCATION AND ZONING MAP**

161 Paseo de las Delicias  
PRE08-00009

**LEGEND**

- Notification Area
- 161 Paseo de las Delicias

0 50 100 200 Feet

**CITY OF TORRANCE****INTEROFFICE COMMUNICATION****DATE: August 21, 2008**

**TO: Jeffrey Gibson, Community Development**

**FROM: City Clerk's Office**

**SUBJECT: Appeal 2008-14**

Attached is Appeal 2008-14 received in this office on August 21, 2008 from Tricia Johns, 153 Paseo de las Delicias; Steve Gerhardt, 149 Paseo de las Delicias; and Nancy Mansfield-Staudt, 145 Paseo de las Delicias, Torrance, CA 90277. This appeal is of the Planning Commission's approval made on August 6, 2008 regarding PRE08-00009: STEPHEN AND JUDY EBAY located at 161 Paseo de las Delicias, Torrance, CA 90277 citing that the neighbors are mainly concerned about the impact on the privacy, view, and one-upmanship that would erode the character of the traditional hillside neighborhood.

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 AUG 21 PM 5:00

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: PRE08-00009; STEPHEN AND JUDY EBEY  
(Case Number and Name)

Address/Location of Subject Property 161 Paseo de las Delicias  
(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: 8/6/08      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.*

*The neighbors are mainly concerned about the project's roof deck, which amounts to a third story living space that invades our privacy. Further, the allowance of a roof deck in our area (there are currently none) sets a bad precedent that provides → next*

Name of Appellant TRICIA JOHNS, Steve Goehardt, Nancy Mansfield-Staudt

Address of Appellant 153 Paseo de las Delicias, 149 Pd Delicias, 145 Paseo de las Delicias

Telephone Number (310) 373-5297, 310/370-1095, 310/378-5334

Signature [Signatures]

For office use only:  
 Appeal Fee paid \$ 160.00      Date 8/21/08      Received by [Signature]  
 Notice to: Community Development Department:  Planning       Building & Safety  
 City Council     City Manager     City Attorney     Other Department(s) \_\_\_\_\_

a view for the owner, and enhances their home value, but does so at our expense and could lead to oneupmanship that would erode the character of our traditional hillside neighborhood.

Thank you for your consideration

Johns

**9A. PRE08-00009: STEPHEN AND JUDY EBEBY**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story, single-family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias.

**Recommendation**

Approval.

Planning Assistant Yumul introduced the request and noted supplemental material available at the meeting consisting of correspondence received after the agenda item was completed.

Jan Trobaugh, project architect, briefly reviewed the revisions made to the project to address concerns discussed at the July 2 Commission meeting, including shifting the second story toward the street approximately 10 feet, relocating the second-story balcony, and decreasing the size of the roof deck. He explained that while the floor area ratio (FAR) exceeds 0.50, this is primarily due to the third space in the garage, which is necessary because there is limited street parking. He noted that there are 25 existing two-story homes within the notification area and another one has been approved next door but not yet built.

Judy Ebey, 161 Paseo de las Delicias, read her letter dated August 4, 2008 (supplemental material) in which she suggested that some neighbors oppose the project because she and her husband are viewed as intruders who want to change their world, however, they are committed to designing a project that will be a positive addition to the neighborhood with little impact on neighbors. She related her experience that roof decks do not create problems; maintained that those who oppose them have offered no substantive reason; and explained that the roof deck will be used for the quiet enjoyment of the ocean view.

In response to Commissioner Busch's inquiry, Ms. Ebey confirmed that she had met with all neighbors who had expressed concerns about the project and viewed the silhouette from their homes.

In response to Commissioner Busch' inquiry, Planning Manager Lodan advised that the project's FAR with the third parking space in the garage excluded would be 0.51.

Vice-Chair Weideman requested clarification of the response in the application as to why being confined to an FAR of 0.50 would constitute an unreasonable hardship.

Ms. Ebey explained that on-street parking is very limited because it is restricted to one side of the street and a three-car garage will provide one additional off-street parking place for family and friends.

Commissioner Busch expressed concerns about setting a precedent as to what qualifies as a hardship, stating that he did not believe the hardship provision was intended to allow the FAR to be exceeded to provide an additional parking space.

Vice-Chair Weideman noted that the impact on neighbors would be much greater if the second-story addition next door is not built.

Mr. Trobaugh explained that he relied on the Commission's approval of the project next door when designing this project because he presumed when neighbors did not object to a second story and deck with a full view into their backyard, they would not object to a second story and deck that was farther away.

Ruth Vogel, 114 Via la Soledad, urged the Commission to limit the project to an FAR of 0.50. She reported that the City Council recently required a project with a three-car garage to comply with this limit and Council members indicated that 0.50 was going to be the standard and not the starting point. With regard to the roof deck, she noted that a draft roof deck ordinance was scheduled to be considered by the City Council and contended that there was strong opposition citywide to roof decks.

Nancy Staudt, 145 Paseo de las Delicias, voiced objections to the project, stating that it would block a pastoral view of the Palos Verdes hillside. She also voiced objections to the roof deck due to the potential intrusion on privacy and noise impact. She reported that she addressed the lack of street parking by paving part of her front yard to create extra parking.

Mr. Trobaugh stated that project's impact was limited to views of the hillside from neighbors' backyards, which he tried to mitigate as much as possible, and emphasized that it would not impact ocean or city-light views from anyone's home. He related his belief that Ms. Staudt's comments about paving her front yard to provide more parking support the claim of hardship.

Vice-Chair Weideman reported that he could see the silhouette from Mr. Gerhardt's back bedroom (149 Paseo de las Delicias).

Mr. Trobaugh stated that the back bedroom was built in 1990, which makes this an acquired view.

In response to Vice-Chair Weideman's inquiry, Planning Manager Lodan confirmed that Condition No. 9 could be deleted because the elements missing from the original plans (fireplace, kitchen and family room windows) were included in the revised plans.

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

Commissioner Uchima questioned whether there was a clear definition of "hardship" as applies to the Hillside Ordinance.

Deputy City Attorney Whitham advised that hardship is not defined in the Code, therefore, commissioners have the discretion to determine what they consider to be a hardship.

Vice-Chair Weideman indicated that he would not support the project due to concerns about the FAR, the roof deck, and the view impact on neighbors to the north. He conceded that parking is on problem on this street, but related his belief that it was

possible to build a home with a three-car garage without exceeding 0.50 because of the large lot.

Commissioner Skoll commended the applicants and their architect for doing a good job of listening to neighbors' concerns and making adjustments accordingly. He indicated, however, that also believed limiting the FAR to 0.50 would not be a hardship due to the large lot.

Commissioner Gibson stated that she would support the project as proposed because she believes the lack of street parking qualifies as a hardship.

**MOTION:** Commissioner Busch moved for the approval of PRE08-00009, deleting Condition No. 9 and adding a condition requiring that the FAR be reduced to 0.51. The motion was seconded by Commissioner Skoll and failed to pass as reflected in the following roll call vote:

AYES: Commissioners Busch, Skoll and Vice-Chair Weideman.  
NOES: Commissioners Gibson, Horwich and Uchima.  
ABSENT: Chairperson Browning.

The public hearing was reopened so Mr. Trobaugh could comment.

Mr. Trobaugh proposed changing the third parking space in the rear of the garage to a carport by eliminating walls on two sides so there would still be a third secured parking space but it would be excluded from the FAR.

Commissioner Uchima stated that he believed the three-car enclosed garage was justified due to the limited street parking and would support the project as proposed or with the carport.

In response to Commissioner Busch's inquiry, Planning Manager Lodan confirmed that the proposed roof deck complies with standards in the draft roof deck ordinance to be considered by the City Council.

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

**MOTION:** Commissioner Busch moved for the approval of PRE08-00009, deleting Condition No. 9 and adding a condition requiring that the third parking space in the garage shall be open and the FAR reduced to 0.51. The motion was seconded by Commissioner Gibson and passed by a 5-1 roll call vote, with Vice-Chair Weideman dissenting (absent Chairperson Browning).

Planning Assistant Yumul read aloud the number and title of Planning Commission Resolution No. 08-063.

**MOTION:** Commissioner Horwich moved for the approval of Planning Commission Resolution No. 08-063 as amended. The motion was seconded by Commissioner Uchima and passed by unanimous roll call vote (absent Chairperson Browning).

**9A. PRE08-00009: STEPHEN AND JUDY EBAY**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story, single-family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de la Delicias.

Continued indefinitely.

6. **REQUESTS FOR POSTPONEMENT**

Planning Manager Lodan relayed the applicant's request to continue Agenda Item 9A (PRE08-00009: Stephen and Judy Ebey) to August 6, 2008.

A brief discussion ensued, and it was the consensus of the Commission to continue the item indefinitely to ensure that neighbors receive notification of the hearing.

**MOTION:** Commissioner Busch moved to continue Agenda Item 9A indefinitely. The motion was seconded by Commissioner Weideman and passed by unanimous roll call vote (absent Commissioner Uchima).

**11C. PRE08-00009: STEPHEN AND JUDY EBEBY**

Planning Commission consideration for approval of a Precise Plan of Development to allow the construction of a new two-story, single-family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de la Delicias.

**Recommendation**

Approval.

Planning Associate Martinez introduced the request and noted supplemental material available at the meeting consisting of correspondence received after the agenda item was completed.

Jan Trobaugh, project architect, explained that a two-story addition has been approved, but not yet constructed at 157 Paseo de la Delicias, therefore he didn't pay a lot of attention to the impact on homes to the north of the proposed project because he thought any views would already be blocked by this addition. He stated that he was surprised by the opposition from neighbors at 145 Paseo de la Delicias because they did not object to the other addition, which is between them and the proposed project.

Commissioner Weideman asked if Mr. Trobaugh would like to continue the hearing now that he has learned of these concerns. Mr. Trobaugh stated that he would like to hear neighbors' comments before agreeing to a continuance.

Commissioner Browning indicated that he favored a continuance, noting that the staff report mentions that revised plans must be submitted because fireplaces and windows were omitted from the north and south elevations. He suggested that the applicant consider increasing the roof deck's setback to comply with new regulations in the Draft Roof Deck Ordinance.

Mr. Trobaugh commented on the difficulty of designing a project to comply with standards that have not yet been adopted as they could still be changed, noting that the roof deck complies with existing requirements.

Steve Gerhardt, 149 Paseo de la Delicias, noted that he detailed his concerns in the letter included in the supplemental material. He explained that he objects to this project because it extends beyond the addition at 157 Paseo de la Delicias and would obliterate the view from his bedroom. He voiced his opinion that roof decks should not be allowed because they are seldom used and they are an architectural abomination. He reported that he had not met with the applicants or their architect and would welcome an opportunity to do so.

Commissioner Weideman suggested that Mr. Gerhardt might wish to share his perspective on roof decks when the City Council considers the Draft Roof Deck Ordinance, and Sr. Planning Associate Santana offered to add him to the notification list for the public hearing.

Patricia Johns, 153 Paseo de la Delicias, stated that she was opposed to the extension to the rear of the property and the roof deck due to the impact on privacy. She expressed her willingness to work with the applicants and their architect.

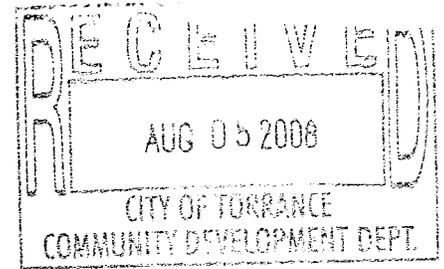
Ruth Vogel, 114 Via la Soledad, voiced her opinion that roof decks do not belong in the Riviera area or possibly anywhere in Torrance. She questioned whether large porches and balconies included in the plans could be enclosed in the future, and Sr. Planning Associate Santana explained that the property owners would have to go through the Community Development Department and obtain approval via the sign-off process or a Precise Plan depending on the size and location of the area to be enclosed.

Mr. Trobaugh requested that the hearing be continued so he could find out exactly how far the addition at 157 Paseo de la Delicias extends into the rear yard and then meet with neighbors.

Commissioner Browning expressed concerns about the roof deck, noting that placing a deck above a second story greatly increases the potential that it will impact the privacy of neighbors.

**MOTION:** Commissioner Gibson moved to continue the hearing to July 16, 2008. The motion was seconded by Commissioner Horwich and passed by unanimous roll call vote.

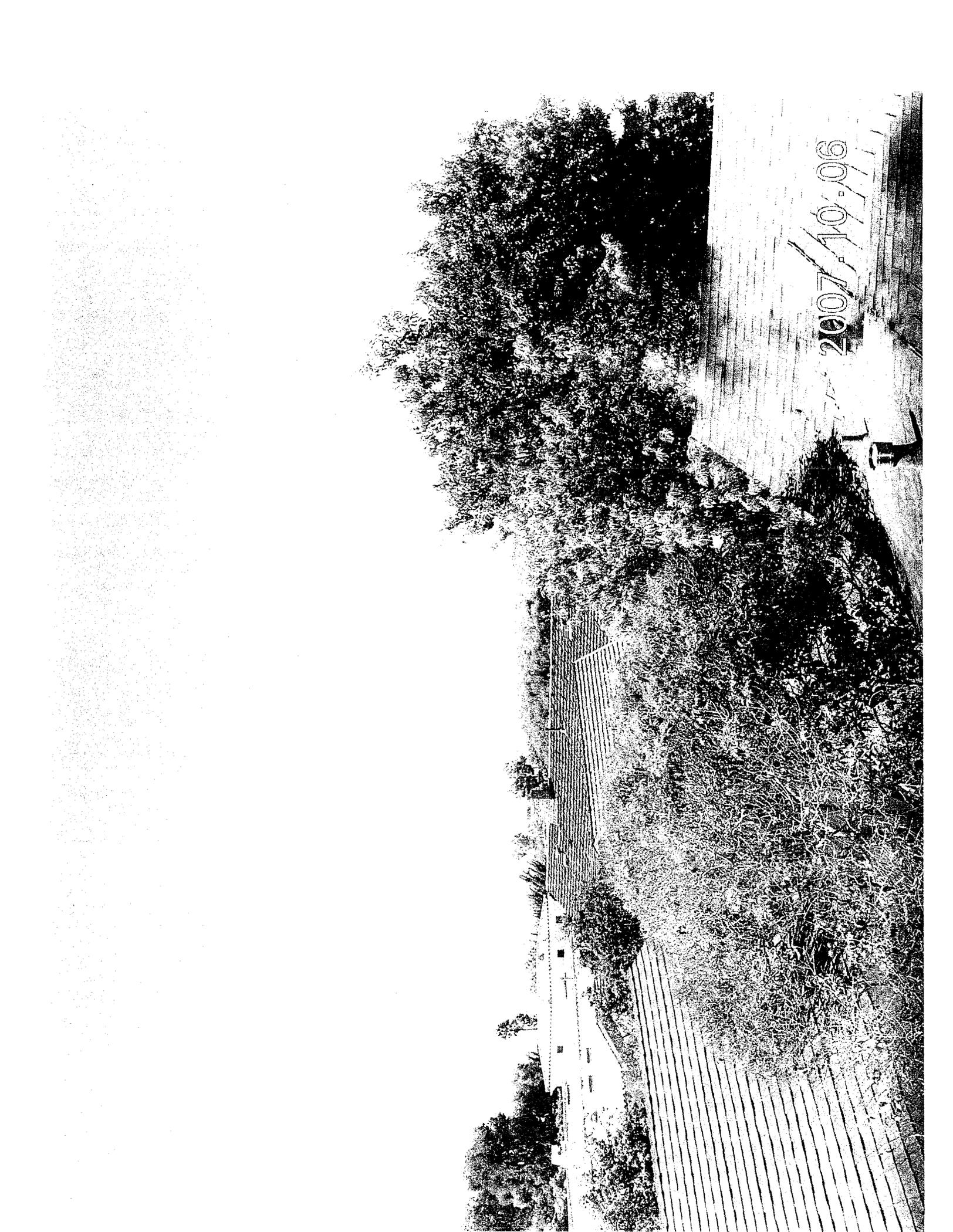
Chairperson Busch noted that there would be no additional notification because the hearing was continued to a date certain.



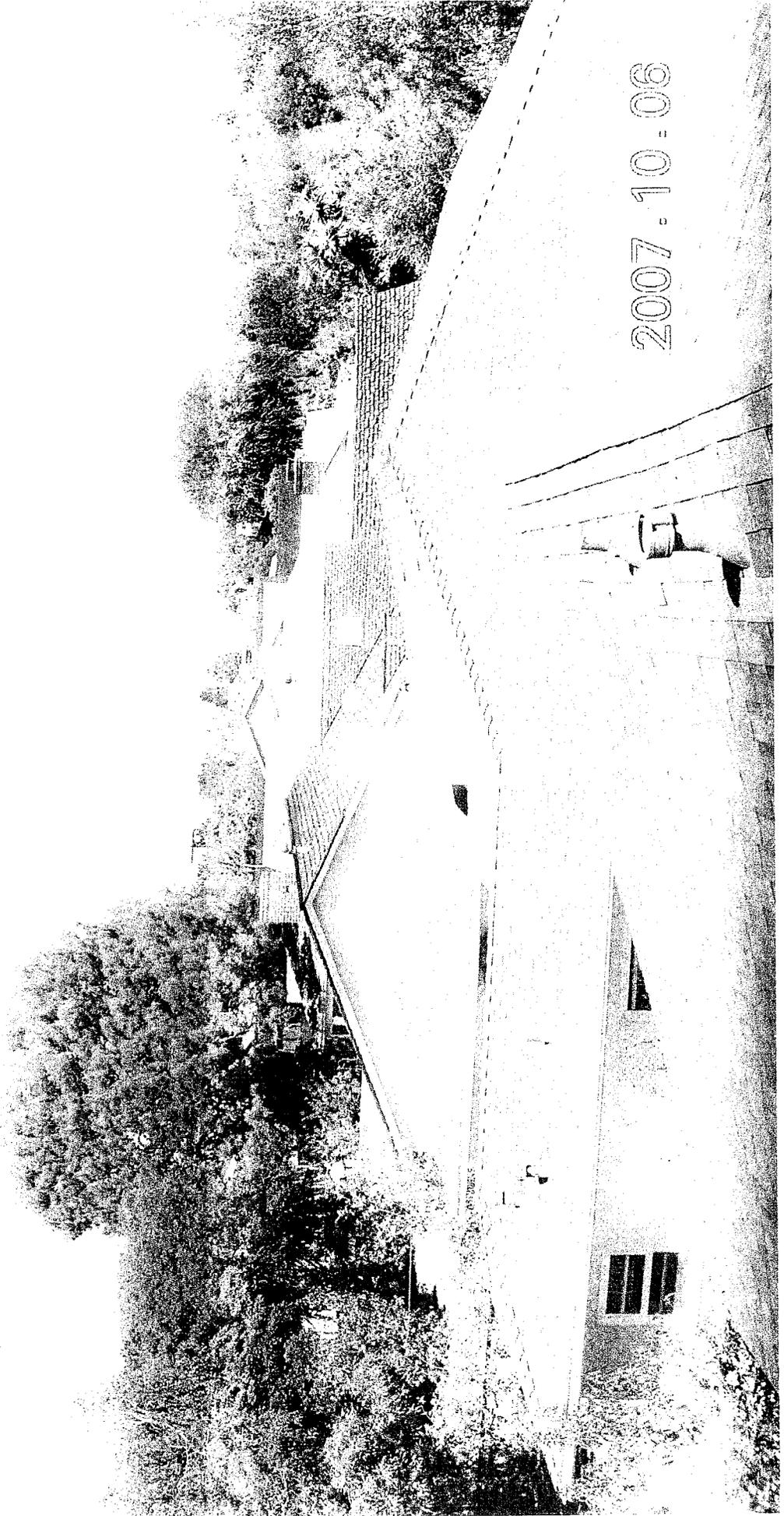
*Community Development  
Greg Lomas*

- Please show to*
- 1. Ray Uchima  
Planning Commission*
  - 2. Richard Browning  
Planning Commission*

2007-10-06



2007-10-06

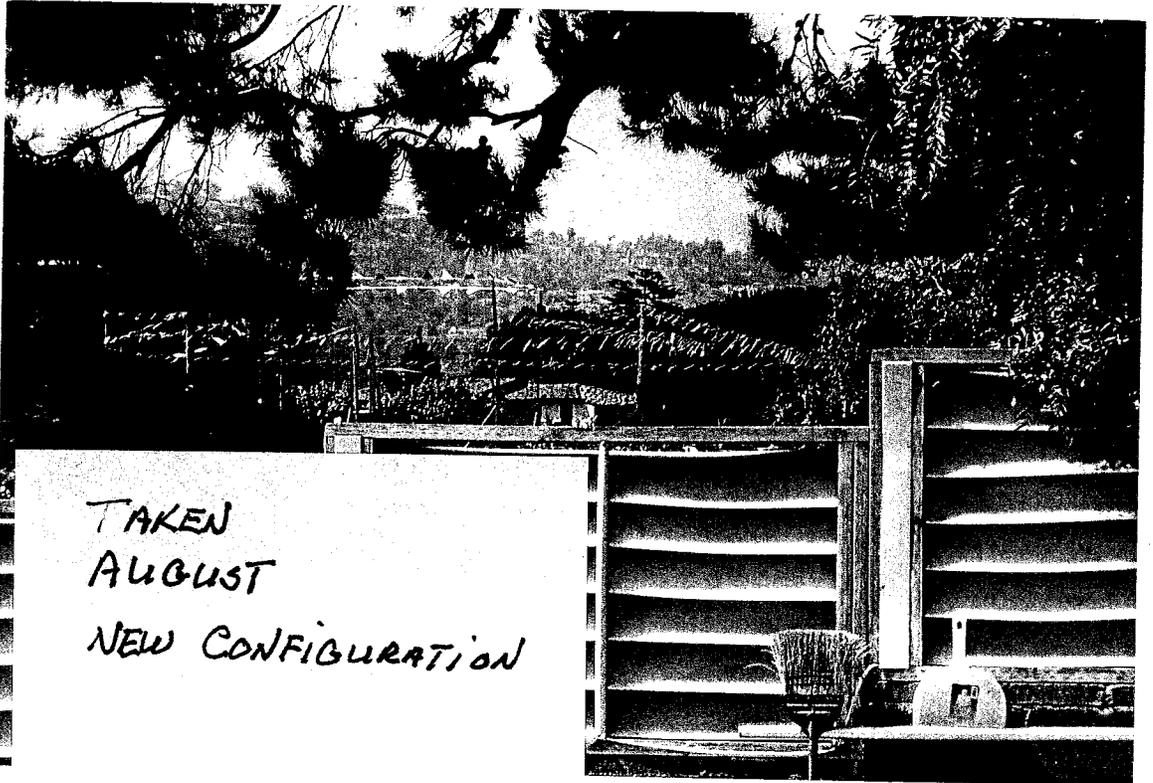




ORIGINAL  
PICTURE  
BEFORE  
1<sup>ST</sup> HEARING



NEW FLAG  
CONFIGURATION



TAKEN  
AUGUST  
NEW CONFIGURATION

**SUPPLEMENTAL #1 TO AGENDA ITEM NO. 9A**

**TO:** Members of the Planning Commission  
**FROM:** Development Review Division  
**SUBJECT:** PRE08-00009  
**LOCATION:** 161 Paseo de las Delicias

This is a request for approval of a Precise Plan of Development to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District.

Attached please find additional correspondence received, after the Staff Report for the above project was completed and distributed.

Staff continues to recommend approval of the project, as proposed.

Prepared by,



Yolanda Gomez  
Planning Associate

Respectfully submitted,



Gregg D. Lodan, AICP  
Planning Manager

Attachment:  
1. Correspondence

## Gomez, Yolanda

---

**From:** Steve Gerhardt [goofoolio@yahoo.com]  
**Sent:** Thursday, July 31, 2008 2:07 PM  
**To:** Gomez, Yolanda  
**Cc:** jimdz@earthlink.net; Pamela Maran; Tricia and Ralph Johns; Lodan, Gregg; Jan Trobaugh  
**Subject:** Re: 161 Paseo de las Delicias

Yolanda,

Sorry to send this after noon, but I got tied up this morning. Thanks!

*Steve Gerhardt*  
(310) 614-0258  
[Goofoolio@yahoo.com](mailto:Goofoolio@yahoo.com)

July 31, 2008

Yolanda Gomez, Planning Associate  
Community Development Department  
City of Torrance  
3031 Torrance Blvd.  
Torrance, CA 90503

PRE08-9, 161 Paseo de las Delicias

Dear Ms. Gomez:

Thank you for taking the time to visit my home yesterday to see for yourself the view impacts that will be caused by the proposed project.

- It is my understanding that the Disney's project approved for 157 Paseo Delicias is likely not to be built with a second story. If this comes to pass, the proposed project at 161 will cause view impacts that will not be blocked by a new second story at 157 Paseo Delicias. This is a substantial impact from this proposal.
- I am most appreciative of the alterations the applicant and their architect have made to the second story of proposed project. This effort improves the design, except as noted below. A condition requiring trimming of the larger trees in the backyard will open up the southerly view would be helpful at least in the short-term, and should be included in the precise plan conditions of approval.
- The roof deck remains my biggest objection in their design. Even with the improvements to the design, the roof deck is an eyesore from every elevation. The house is well-designed, with the significant exception of the rook deck. The roofline is violated by the parapet of the roof deck. This is a horrible precedent to establish in our area. Roof decks should not be allowed within the Hillside Overlay.

If the Hillside Ordinance has any meaning at all, this project as proposed will be approved, without the roof deck, by the Planning Commission on August 6.

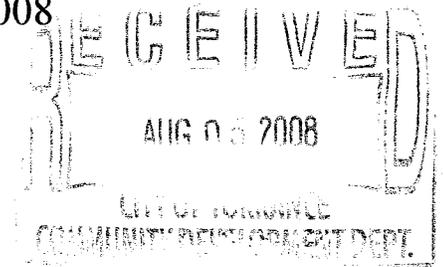
Sincerely,

Steve Gerhardt  
149 Paseo de las Delicias, Redondo Beach, CA 90277

Copy: Pamela Maran, RHA President  
Tricia and Ralph Johns  
Jan Trobaugh, Project Architect

Community Development  
City of Torrance

August 5, 2008



Greg Lodas

We understand a new hearing is scheduled for the property at 161 Paseo de las Delicias regarding a permit to build a new residence.

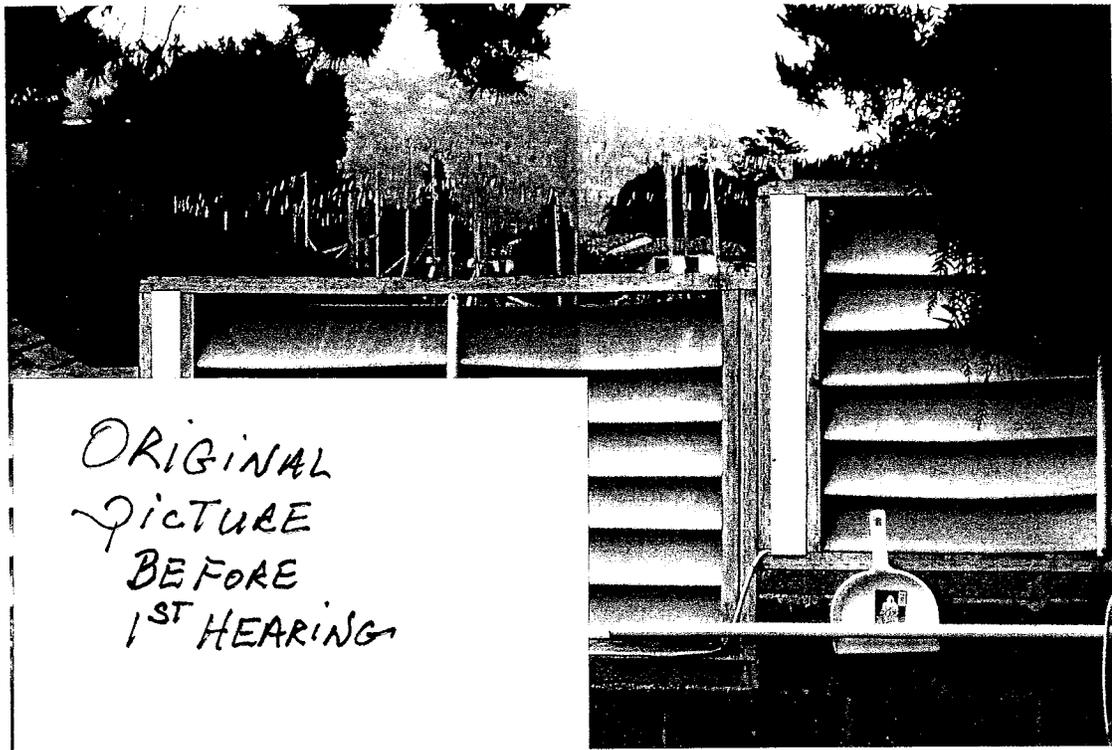
As shown by the pictures enclosed, the changed flag configuration continues to eliminate even more southern view due to higher roof line at midpoint.

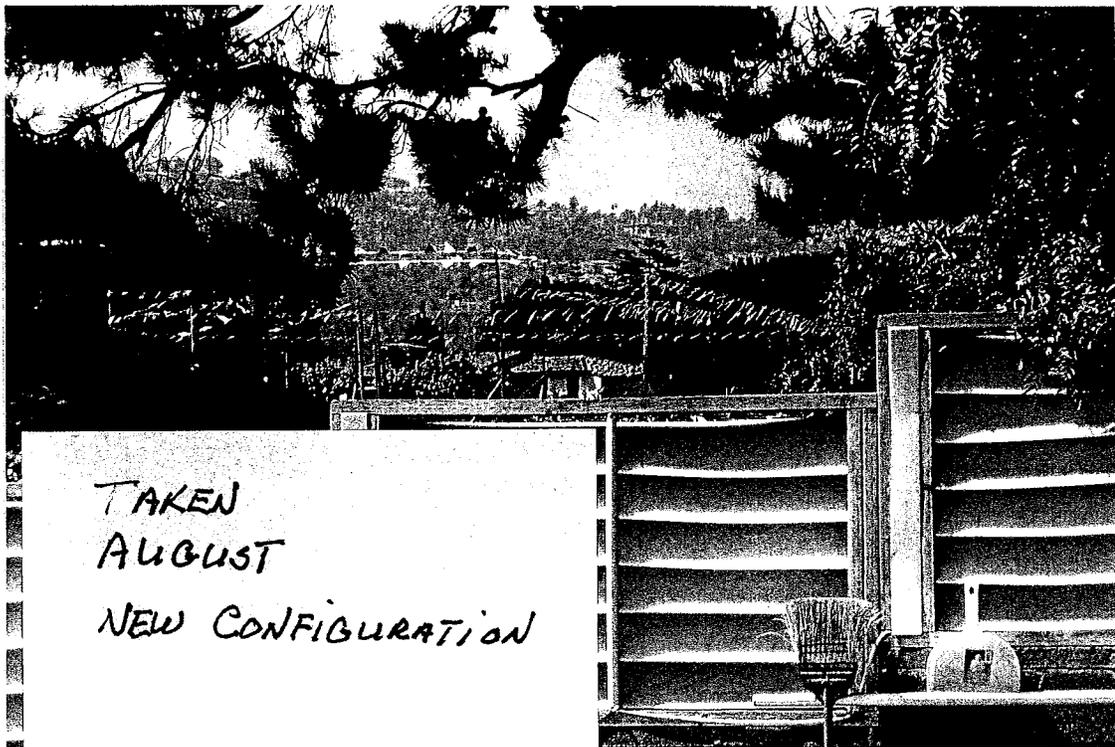
If the City of Torrance continues to approve these types of permits (for 2<sup>nd</sup> story remodels) the residents of our ocean side living with its pleasant views and the cool ocean breezes will both increasingly be blocked by these mansions. The large structures tend to turn a breeze into a rotating mass of stagnant air on the down wind side of the building.

We continue to object to the application for a building permit on this property.

Sincerely,

Nancy Mansfield-Staudt  
John F. Staudt



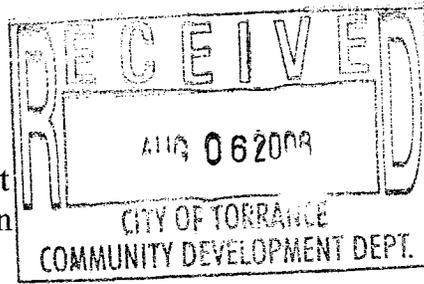


TAKEN  
AUGUST  
NEW CONFIGURATION

Re: Application no. PRE08-00009

August 4, 2008

City of Torrance  
Community Development Department  
Members of the Planning Commission



Dear sirs and madam:

My husband, Steve, and I have lived in Torrance since 1974 when we bought our first home in the Hollywood Riviera. Each of us has dedicated more than 30 years to the families of Torrance as teachers in the Torrance public schools. Steve taught science, math, and P.E. and coached at South and West High, Newton, Calle Mayor, and Richardson Middle Schools. I taught mathematics at South, North, and West High Schools, and Walteria (when it was K-8). We have been an active part of the Torrance community, always working to be good neighbors and a positive influence in the life of our city. Our dream has been to have a warm and inviting home that we can enjoy with our family and friends. Unfortunately, the realization of that dream requires us to go through this process of approval for our plan to build that home.

We recognize that change is difficult for most people. It seems that our proposal for our home represents the unknown for some in the neighborhood that we want to be a part of. In talking to our next-door neighbor (at 157 Paseo de las Delicias) early in our planning process, Lori Disney assured me that the neighbors were fine with the Disney's proposal for a two-story addition to their home. My husband, Steve, attended the planning commission meeting during which that proposal was approved without any objection or discussion. We assumed that the reception of our proposal would be much the same, and we would soon be able to begin our building project. The July 2<sup>nd</sup> meeting changed that assumption. Since that meeting we have met with the neighbors to try to come to an understanding of their objections. In our recent discussion with Mr. Johns (at 153 Paseo de las Delicias) we asked him why he and his wife had approved the Disney's substantial addition that includes a second-story deck that looks directly into the Johns' backyard but were so opposed to our project. He said that it was because the Disneys were good neighbors and friends. This approval process we are involved in currently makes all of us uncomfortable. In Mr. Johns' words, "This process pits neighbor against neighbor." We now regret that we didn't move into our house at 161 Paseo de las Delicias so that we could get to know the neighbors and they could get to know us and see that we want the same thing they want—to be a part of a community of people living and working together in one of the most beautiful places in southern California.

The existing house on our lot is basically a two bedroom, one bath home with a narrow driveway to a rear garage. The house was adequate for Mrs. Adams, our 93-year-old friend who lived there for many years with her husband and, after his death, as a widow. She is gone now and so is the lifestyle that fit that house. We want to build a house that we can live in for the rest of our lives—that will meet our needs, and those of our family, for many years to come. Some of the neighbors seem to see us as intruders who want to change their world. On the contrary, you can read in the letter I wrote to the commission for the July 2<sup>nd</sup> meeting that we put much thought into the design of our home so that it would fit into the style of the Hollywood Riviera, have little impact on parking and privacy, and be a positive addition to our neighborhood. Since our first meeting, we, working with our architect, have revised our plans to address most of the neighbors' objections.

One of the issues raised at the July 2<sup>nd</sup> meeting was our proposed roof deck. Let me address that issue from two different perspectives.

First: Why do some people object to a roof deck? The homes on the block where we purchased our house in 1974 on Calle Mayor were built in the early 50's. Over the years the house next door was remodeled and a roof deck was added. We never had a single complaint or concern with the roof deck throughout the years we lived there with several different owners and/or renters in that house. A house behind ours completed a remodel several years ago that included a large roof deck. Our 90-year-old neighbor who has lived in his house over forty years says that he has never had any problem with either roof deck—either from the standpoint of privacy or noise. My husband and I drove around the Hollywood Riviera this week and found nine houses with roof decks. It was a bit difficult to find them because most of them are situated so that the deck is difficult to see from the street. I have never heard an objection from a neighbor about an existing roof deck. What I have heard from people who oppose the building of roof decks is that “roof decks have no place in the Hollywood Riviera” with no substantive reason for that conclusion.

Secondly: Why do we want to have a roof deck? I told you earlier in this letter that it is our dream to build a special house on our lot—one that we can enjoy for many years. In October of last year we borrowed a ladder and climbed up on the roof of the house at 161 Paseo de las Delicias. When I got to the top I called to Steve, who was holding the ladder, to come up and see. As we looked to the west we saw a lovely expanse of blue ocean. We want to be able to sit on our deck and have a lemonade and watch the sun set into the Pacific. I don't know about you, but I love to look at the ocean. That's all we want to be able to do. I wanted to be able to watch the sunset from the balcony of my master bedroom, too, but I've given that up to provide more setback in the rear of the house to accommodate the neighbors' wishes. I've included a picture I took from the roof that October day looking to the west. Looking at the picture, you can imagine the sun sinking into the Pacific in the distance. I've also included a picture I took that day looking to the north. You will see what I saw—roofs of our neighbors' houses. You can also imagine what we will be looking at to the north when the second story addition at 157 Paseo de las Delicias is complete—the side of their house! If you were standing on our roof deck, which direction would you be looking? Our deck would not bother anyone. It wouldn't cause a disruption to anyone's life. The neighbors' objection to our deck is obviously not lack of privacy. Our deck would be much less intrusive into their backyards than the existing two story houses behind the yards at 153, 149, and 145 Paseo de las Delicias. All of those neighbors bought their houses with existing houses staring down at their backyards. When the approved second story addition is complete between our house and theirs they won't even be able to see our roof deck. If our neighbors could understand how much we would enjoy our quiet time on the roof, and if they knew and loved us as they do those they have known longer, perhaps they wouldn't be opposed to our having a deck. I make pretty good lemonade. Perhaps they'd like to come up and share a glass with us and watch the sun set in the Pacific.



Judy Ebey

161 Paseo de las Delicias (Avenue of Delights) Redondo Beach, CA 90277

Two Story Structures  
in the neighborhood



112

216  
240  
248

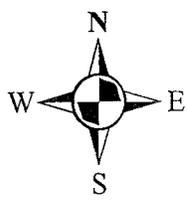
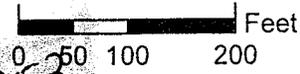
LOCATION AND ZONING MAP

161 Paseo de las Delicias  
PRE08-00009



LEGEND

-  Notification Area
-  161 Paseo de las Delicias



234 125 144  
238 143 156

231  
233  
253

**AGENDA ITEM NO. 9A**

**TO:** Members of the Planning Commission

**FROM:** Development Review Division

**SUBJECT:** Precise Plan (PRE08-00009) / Stephen and Judy Ebey

**LOCATION:** 161 Paseo de las Delicias

On July 2, 2008, the Planning Commission reviewed a proposed plan for the construction of a new two-story single family residence, on property located at 161 Paseo de las Delicias. The case came before the Planning Commission, because the dwelling exceeded a Floor Area Ratio (FAR) of .50, contained a roof deck, was proposed as a two-story dwelling, and the height of the building exceeded 14 feet on property located in the Hillside Overlay District. The proponent was unable to add area to the residence without proposing a two-story, because the current residence is designed with a drive aisle along the north property line, with a swing-in attached two-car garage in the rear of the property. This design usurps much of the rear, side yard area and open space, and prevents the applicant from expanding outwardly. Staff observed the project from a neighbor's home at 145 Paseo de las Delicias, and in Staff's judgment, there was no adverse impact, and therefore, recommended approval of the project, as the proposal met and/or exceeded all development standards.

At the hearing, several neighbors spoke in opposition to the project. They reside north of the proposed site on Paseo de las Delicias. Their concerns included view and privacy impacts, and the roof deck. The applicant requested a continuance in order to allow time to meet with the neighbors and revise the plans. A motion for continuance to July 16, 2008 passed by an unanimous vote of 7 – 0.

On July 9, 2008, the applicant provided Staff a letter requesting a continuance of the July 16, 2008 Planning Commission meeting, to allow additional time to meet with the neighbors, and change the silhouette and plans. At the July 16, 2008 meeting, the Planning Commission granted the continuance indefinitely. After meeting with the neighbors, the applicant provided revised plans on July 24, 2008 (Attachment No. 5), and a new silhouette certification on July 25, 2008 (Attachment No. 4), and requested to be placed on the August 6, 2008 Planning Commission Agenda. Full public noticing was completed.

Based on the revised plans, the architect has proposed to resolve some of the view and privacy impacts, noted by the neighbors at the July 2, 2008 public hearing, by moving the rear portion of the second story forward, relocating the second story balcony, and decreasing the size of the roof deck. The rear portion of the second story was shifted eastwardly towards the street by approximately 10 feet. This will provide a larger unobstructed area in the rear of the property than originally proposed, which should alleviate view impacts. The rear portion of the second story now provides a rear

setback distance of 40 feet 4 inches from the rear property line, the original second story was designed with approximately a 30-foot rear setback. The second story master bedroom balcony, which partially wrapped around the bedroom and projected to the west and south, has been relocated exclusively to the south side of the property and lines up with the rear portion of the building. As the balcony does not extend past the 40 foot 4 inch building setback, privacy concerns from the neighbors to the north have been mitigated. The revised roof deck totals 195 square feet, a 45% reduction in area from the original proposal of 436.25 square feet. The roof deck has also shifted forward towards the street, and now provides a rear setback increase of approximately two feet from its previous location. Additionally, the south side roof deck setback was increased to 16 feet from the property line, the original proposal was a 13.5 foot setback. With the increased setback, the revised roof deck now meets the Draft Roof Deck Ordinance standard, and should alleviate most privacy concerns.

In order to make the revisions, subtle changes were made to the floor plan, although the general design and layout remains the same. On the first floor, the northern portion of the living area was shifted forward easterly towards the street, by approximately five feet. The front porch was reduced in length by approximately 5.5 feet. The second floor, which was directly aligned atop of the first floor at the rear, is now also pushed forward an additional 10 feet, with minor changes to the elevator and stairway leading to the roof deck. Except for these changes, the profile of the structure retains the same general multiple-level pitched roof design, with two fireplace chimneys. Since the changes to the first and second floors and the garage were minor, the proposed FAR remains the same at 0.55. As before, the applicant's proposal will meet and/or exceed the code required front, side and rear yard setback requirements.

During the Planning Commission hearing of July 2, 2008, Staff clarified that the property adjacent to the proposed site, at 157 Paseo de las Delicias was approved by the Planning Commission for a second story addition (PRE07-00009) on August 1, 2007, and that the rear building line of their second story was approved at 42.5 feet from the rear property line, with the balcony at 36 feet from the rear property line. This project has not been built yet. The building plans have been submitted and approved, but the issuance of the Building Permit is pending the submittal of the color and material samples for the project.

Based on the approved plans for 157 Paseo de las Delicias and the revised plans for 161 Paseo de las Delicias, the proposed project will extend two feet two inches beyond 157 Paseo de las Delicias' approved rear second story building line. The original proposal projected 12 feet 6 inches beyond 157 Paseo de las Delicias' rear second story building line. In Staff's judgment, this reduction of 10 feet 4 inches, will alleviate the impact to views. Furthermore, as the rear second story balcony has been relocated to the south side of the building, it will not project beyond the second story 40 foot 4 inch setback in the rear, and not pose a view or privacy impact. The first story rear setback remains the same as the original proposal, at 30 feet from the rear property line, except for the northern portion mentioned above, which is setback at approximately 34 feet 8 inches from the rear property line.

Please note the comparison summary of statistics below:

<b>PRE08-00009</b>	<b>Revised Project</b>	<b>Original Project</b>
<b>Lot Area =</b>	<b>7,149 sf</b>	
1st Floor =	1,786 sf	1,729 sf
2nd Floor =	1,443 sf	1,482 sf
<b>Sub-Total =</b>	<b>3,229 sf</b>	<b>3,211 sf</b>
Two-Car Garage =	677 sf	688 sf
<b>Total Area =</b>	<b>3,906 sf</b>	<b>3,899 sf</b>
<b>F.A.R. =</b>	<b>0.55</b>	<b>0.55</b>
Lot Coverage =	34%	34%
Building Height =	25 ft - 11 1/4 in	25 ft - 11 1/4 in

Subsequent to the Planning Commission meeting of July 2, 2008, Staff observed the revised silhouette from two of the opposing neighbor's rear yards, located at 149 and 153 Paseo de las Delicias. Based on Staff's observation, the revised proposal does not appear to adversely impact the view, light, air and privacy of surrounding properties. The increase of the second story rear yard setback by 10 feet, appears to have mitigated most of the impact to the views of the hill and trees. Additionally, the proposed roof deck should not pose an adverse privacy impact, as the height of the approved two-story project at 157 Paseo de las Delicias should shield most of this structure, once it is constructed, and the proposed reduction of the proposed roof deck's size and location should mitigate the privacy impacts. Staff attempted to contact the other opposing neighbor, at 145 Paseo de las Delicias, but did not receive a response. Staff received correspondence (Attachment 3) from the neighbor at 153 Paseo de las Delicias, opposing the project and citing privacy and view impacts, the second story and mass.

It is Staff's judgment that any previous impacts have been sufficiently mitigated, with the applicant's revisions. The revised plans will provide a home in harmony with other recently remodeled residences, and it will be in character with surrounding residences, because the applicant is continuing to propose a contemporary Spanish style residence, with high quality materials, including stucco, Mission/Spanish roof tiles, with an arched entryway, doorways, windows and recessed areas. The applicant has prepared a plan that complies with the R-1 standards, exceeds the open space and setback requirements, and is within the allowable lot coverage.

In the judgment of Staff, the revised project has been designed to significantly reduce impacts to view and privacy. Therefore, Staff continues to recommend Approval of the project, as revised.

**PROJECT RECOMMENDATION: APPROVAL**

**FINDINGS OF FACT IN SUPPORT OF APPROVAL OF THE PROJECT:**

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

**RECOMMENDED CONDITIONS:**

Recommended conditions of the proposed project are set forth in the attached revised Resolution.

Prepared by,



Yolanda Gomez  
Planning Associate

Respectfully Submitted,



Gregg D. Lodan, AICP  
Planning Manager

**ATTACHMENTS:**

1. Revised Planning Commission Resolution
2. Planning Commission Meeting of 07-02-2008 and 07-16-2008 Staff Report Agenda Items, Supplemental Report, and material submitted during hearing
3. Correspondence
4. Revised Silhouette Certification
5. Revised Site Plan, Floor Plan, & Elevations (Limited Distribution)

**PLANNING COMMISSION RESOLUTION NO. 08-063**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A NEW TWO-STORY SINGLE FAMILY RESIDENCE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT, IN THE R-1 ZONE AT 161 PASEO DE LAS DELICIAS.

**PRE08-00009: STEPHEN AND JUDY EBEBY**

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**WHEREAS**, the construction of one new single family residential property is Categorically Exempted by the 2008 Guidelines for Implementation of the California Environmental Quality Act, Article 19, Section 15303 (a); 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 Planning Commission of the City of Torrance conducted a duly noticed public hearing on July 2, 2008, to consider an application for a Precise Plan of Development filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located in the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias; and

**WHEREAS**, the Planning Commission of the City of Torrance at its meeting of July 2, 2008, continued the public hearing to July 16, 2008; and

**WHEREAS**, the Planning Commission of the City of Torrance at its meeting of July 16, 2008, continued the meeting indefinitely; and

**WHEREAS**, the Planning Commission of the City of Torrance conducted a duly noticed public hearing on August 6, 2008, to consider an application for a Precise Plan of Development filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located in the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias; and

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

- a) That the property is located at 161 Paseo de las Delicias Avenue;
- b) That the property is identified as Lot 26 of Block J of Tract 10300;

- c) That the project is in compliance with both the R-1 Zoning and the Low-Density Residential General Plan designation for this site;
- d) That the proposed new residence will not have an adverse impact upon the view, light, air, or privacy of other properties in the vicinity, because the view of the hills are primarily in a southerly direction of the subject property, and the location of the proposed two-story structure does not impair the views of the surrounding properties, and the abutting northerly property has been approved for a two-story addition;
- e) That the proposed new residence will cause the least intrusion on the view, light, air, or privacy of other properties in the vicinity, because the proposed residence has been located, planned and designed towards the center of the property, as to not cause adverse privacy impacts to the surrounding residences and complies with the R-1 standards and will meet and/or exceed all setback requirements;
- f) The design of the residence provides an orderly and attractive development in harmony with other properties in the vicinity, because the design is a contemporary Spanish style that features a stucco finish and tile roof, which provides similar architectural style and exterior materials and finishes consistent with other residences in the vicinity, and has been designed with a front setback, which matches the other homes in the vicinity;
- g) That the design will not have a harmful impact upon the land values and investment of other properties in the vicinity, because the new residence represents a significant improvement of the subject property, which would increase property values, and the exterior will be treated with high-quality finishes equal to those of surrounding residences;
- h) That granting such application would not be materially detrimental to the public welfare or to other properties in the vicinity, because a single family residence is an appropriate use for this property, it will replace a residence built in 1949, and it is in compliance with the R-1 Zone and development standards;
- i) That the proposed residence would not cause or result in an adverse cumulative impact on other properties in the vicinity, because the proposed new construction conforms to the Low-Density Residential Designation of the Land Use Element of the General Plan of the City of Torrance;
- j) That it is not feasible to increase the size of or rearrange the space within the existing building or structure for the purposes intended, except by increasing the height, as the current garage, driveway and turnaround area usurp a large portion of the rear yard, prohibiting enlarging the footprint of the home;
- k) That denial of this request would result in an unreasonable hardship to the applicant, because remodeling the one-story in order to gain more square footage, would still

require the relocation of the garage, driveway and curb cut, and the demolition of the home, in order to efficiently utilize the property;

- l) That granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity, because the proposed residence complies with all zoning development standards. The proposed residence will cause no additional hazards, including traffic or fire hazards, that any view or privacy impacts on neighboring properties have been mitigated, and the new structure will be an upgrade from the existing home built in 1949;
- m) That denial of this request would result in an unreasonable hardship to the applicant, because the area above .50 is largely due to the extra tandem garage space proposed for oversized vehicles and supplemental parking beyond the requirements, and is proposed because street parking is limited to only one side of the street and it is a narrow street;
- n) That granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity, because the extra tandem garage space is located on the first floor and does not pose an adverse impact upon the neighboring properties;

**WHEREAS**, the Planning Commission by the following roll call votes APPROVED PRE08-00009, subject to conditions:

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

**NOW, THEREFORE, BE IT RESOLVED** that PRE08-00009, filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located in the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias Avenue, on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the use of the subject property for a single-family residence shall be subject to all conditions imposed in Precise Plan of Development 08-00009 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established or constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other

documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;

2. That if this Precise Plan of Development 08-00009 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 a height of 25 feet 11 ¼ inches as represented by the survey elevation of 138.93 for the highest ridge point based on a maximum lowest adjacent grade of 112.99 (located at the southeastern perimeter of the building), based on a bench mark elevation of 110.42 located within the public right-of-way along Paseo de las Delicias at the northeasterly corner of the property, as shown on the official survey map on file in the Community Development Department, as conditioned; (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 a survey elevation of 138.93 feet based on the benchmark elevation of 110.42 feet located within the public right-of-way along Paseo de las Delicias at the northeasterly corner of the property, as shown on the survey map on file in the Community Development Department, as conditioned; (Development Review)
5. 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)
6. 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)
7. That color and material samples of the proposed home shall be submitted for review to the Community Development Department prior to obtaining a building permit; (Development Review)
8. That the applicant shall install an automatic roll-up garage door to the satisfaction of the Community Development Director; (Development Review)
9. That revised elevations showing the missing elements (living room fireplace, kitchen and family room windows) shall be submitted for approval, prior to building permit issuance, to the satisfaction of the Community Development Director; (Development Review)
10. 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 6<sup>th</sup> day of August, 2008.

\_\_\_\_\_  
Chairperson, Torrance Planning Commission

ATTEST:

\_\_\_\_\_  
Secretary, Torrance Planning Commission

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

I, Gregg D. Lodan, 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 6<sup>th</sup> day of August, 2008, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

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Secretary, Torrance Planning Commission

**AGENDA ITEM NO. 11C**

**CASE TYPE & NUMBER:** Precise Plan of Development – PRE08-00009

**NAME:** Stephen and Judy Ebey

**PURPOSE OF APPLICATION:** Request for approval of a Precise Plan of Development to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias.

**LOCATION:** 161 Paseo de las Delicias

**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; One-Story, Single Family Residences

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

**GENERAL PLAN DESIGNATION:** Low-Density Residential

**COMPLIANCE WITH GENERAL PLAN:** The site has a General Plan Land Use Designation of Low Density Residential allowing up to nine dwelling units per acre. The proposed construction of two-story single-family residence on this property is consistent with 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 constructed circa 1949.

**ENVIRONMENTAL FINDINGS:** New single family residential projects are Categorically Exempted by the Guidelines for Implementation of the 2008 California Environmental Quality Act, Article 19, Section 15303 (a).

**BACKGROUND AND ANALYSIS:**

The applicant requests approval to construct a new two-story single family residence with an attached garage. The existing one-story single family residence with attached garage will be demolished. A Precise Plan is required because the property is located within the Hillside Overlay District and the new dwelling will exceed a Floor Area Ratio (FAR) of .50, will be a two-story dwelling, contains a proposed roof deck, and will exceed 14 feet in height.

The subject property is located south of Pacific Coast Highway, on the west side of Paseo de las Delicias, between Via Buena Ventura and Camino del Campo. This area is very lush with vegetation and rolling hills. Paseo de las Delicias slopes upward

significantly between Paseo de Gracia and Via Buena Ventura, and then levels off between Via Buena Ventura and Camino del Campo. The subject site is four homes north of Camino del Campo. On the subject block, the topography of the properties along the west side of Paseo de las Delicias, exhibit the same general characteristics as the proposed lot. These properties slope upwards from the street level towards the front of the homes, and most of the building pads are significantly higher than the street level. Properties along the east side of Paseo de las Delicias feature a building pad that is significantly lower than the street level, these properties are not within the Hillside Overlay District. The properties on both sides of the subject street are one-story residences. The properties to the rear of the proposed site, on Camino de las Colinas, appear to be at the same or slightly higher elevation. The properties on this street are one and two-story residences.

The plans show the maximum height of the proposed two-story residence as 25 feet 11 ¼ inches. The silhouette certification shows the height of the building, which is the railing for the roof deck, as 138.93 feet. While the lowest adjacent grade of the building structure is not called out on the plans, Staff has calculated it as approximately 112.99 feet, based on the surrounding elevation points shown on the silhouette map.

The lot area is 7,149 square feet, with a total proposed floor area of 3,899 square feet, which includes the new attached three-car garage (688 square feet). The FAR is .55 and the Lot Coverage is 34%, at 2,438 square feet. The proposed residence will have a front yard setback of between 20 and 36 feet, the rear yard setback will be over 20 feet, with the northerly and southerly side yard setbacks will be 6 feet 6 inches and 6 feet, respectively. All of the setbacks comply with the Code requirements.

The first floor will consist of an open living room and dining room area, with a kitchen, and an open breakfast nook and family room, half bathroom, bedroom with a full bathroom, an elevator, a stairway, and an attached three-car garage, in a partial tandem configuration. The Torrance Municipal Code (TMC) requires only a two-car garage, yet the applicant has stated that they are creating additional space in order to provide supplementary off-street parking and oversized vehicle storage, as street parking on Paseo de las Delicias is limited to only one side of the street. The garage exceeds the TMC requirements, and nothing in the Code precludes this; additionally, the garage adheres to the development standards for residential parking. Two fireplaces are shown in the living room and family room. The second floor will consist of a master bedroom suite with a large walk-in closet and a balcony/deck and full bathroom, two additional bedrooms, a bathroom, and laundry room. A separate set of stairs are provided on this floor, which lead up to the roof deck. The south elevations have inadvertently left out a first story window near the family room fireplace, and the north elevations are missing the living room fireplace and kitchen window. Staff has provided a recommended condition that a revised plan, including all of these missing elements, shall be provided to Staff, and subject to approval by the Community Development Director, prior to any building permit issuance.

The proposed roof deck is designed with a rectangular area of 19 feet by 20 feet with a smaller landing area, totaling 436.25 square feet. The plans show the area as 391 square feet, which do not include the landing area. While the roof deck is accessed from the inside of the new residence, on the second floor, the majority of the stairway is open to the sky, and two openings are shown on the front and side (south) elevations. Staff notes that the roof deck abides by the current requirements in place. Nevertheless, the majority of the proposed development standards recommended by the Planning Commission in the Draft Roof Deck Ordinance are also met, with the following exception: Side yard: the south side roof deck setback is 13.5 feet, the Draft Ordinance minimum is 10 feet from the required side yard building setback, which is 16 feet. Aside from this exception, the roof deck meets and/or exceeds the Draft Ordinance guidelines, including the other setback requirements, and the roof deck area is less than 50% of the floor area below.

The home features two covered porches/patios on the first floor. The front porch is located in the entry area of the residence, facing the street, and is 356 square feet. The rear patio is accessed from the family room, facing the rear property line, and is 421 square feet. The master bedroom balcony/deck, on the second floor, faces the rear and south side yard, and is 245 square feet. The open space area totals 3,824 square feet, exceeding the minimum requirements of 1/3 of the total lot area, which is 2,383 square feet.

A project summary is provided below for your convenience:

<b>PRE08-00009 • 161 Paseo de las Delicias</b>		
	<b>Proposed Project</b>	<b>Code Requirements</b>
First Floor	1,729 sf	
Second Floor	1,482 sf	
Sub-total	3,211 sf	
Garage	688 sf	
<b>Total Area (Includes Garage)</b>	<b>3,899 sf</b>	
<b>Lot Area</b>	<b>7,149 sf</b>	
<b>FAR (Includes Garage)</b>	<b>0.55</b>	<b>0.60</b>
<b>Lot Coverage</b>	<b>34%</b>	<b>40%</b>
<b>Building Height</b>	<b>25 ft - 11 1/4 in</b>	<b>27 ft</b>
<b>Usable Open Space</b>	<b>3,824 sf</b>	<b>2,383 sf</b>

The Hillside Ordinance requires that the Planning Commission make a series of findings relating to the design of the project and its potential impact on the view, light, air and/or privacy of properties in the vicinity. The applicant has responded to this requirement in the Hillside Ordinance Criteria Response Sheet (Attachment #4). The applicant was

required to construct a silhouette to demonstrate potential impacts (Attachment #5). A licensed engineer has verified the height of the silhouette and Staff made a field inspection.

Staff met with the applicant and architect in order to discuss any neighborhood concerns with this project. The applicant stated that they met with the neighbors at 145 and 157 Paseo de las Delicias; however, they have not been able to meet with any of the other neighbors. According to the applicant, the owner of 165 Paseo de las Delicias does not reside in their home, as it is a rental, and they have not been able to meet with the owner. The home at 157 Paseo de las Delicias was approved by the Planning Commission for a second story addition (PRE07-00009) on August 1, 2007, and according to the applicant they are in favor of this project. However, the neighbor at 145 Paseo de las Delicias has noted concerns with potential view impairments. The applicant met with this neighbor and viewed the silhouette from their back yard swimming pool area, and noted that the view impact of the hills was minimal; nevertheless, they were unable to reach a compromise or agreement. The opposing neighbor submitted a letter to Staff, noting that the project would eliminate their view of the pastoral hills (Attachment #6). And, subsequently, provided a second letter to Staff, noting that they will be out of the state between June 15, 2008 through August 8, 2008, and included a photograph of the silhouette from their back yard. The applicant also submitted a letter to Staff, noting their meeting with the opposing neighbor, and included photographs of the silhouette from the opposing neighbor's back yard.

Staff contacted the neighbor at 145 Paseo de las Delicias, and they allowed Staff to view the silhouette from their back yard, in the company of a relative. This residence is four homes north of the proposed project site. The view from the back yard was primarily of vegetation and homes on hills to the south. Based on Staff observations, a portion of the hill view is obstructed, from the northwesterly corner of the rear yard; however, in Staff's judgment, this portion does not appear to be an adverse impact. Furthermore, the proposal does not appear to adversely impact the view, light, air or privacy, from any location within the residence of 145 Paseo de las Delicias or other properties in the vicinity. Staff made attempts to contact the adjacent properties, on both Paseo de las Delicias and Camino de las Colinas, but received no response. At the time of the preparation of this report, Staff has not received any further contact or written correspondence from concerned neighbors regarding this project.

The applicant's plans propose a FAR which exceeds .50, contain two-stories, a roof deck, and exceed a height of 14 feet, which requires that the Planning Commission make findings for approval. Based on the plans, the applicant is proposing a new two-story residence that will meet and/or exceed the code required front, side, and rear yard setbacks. The applicant's existing home is designed with a drive aisle along the north property line, and a swing-in attached two-car garage in the rear of the property. The current design of the vehicular access and turnaround usurps much of the rear, side yard area, and open space. The applicant states that remodeling the home, would not be feasible without adding a second story. The proposed FAR is greater than .50, largely due to the extra tandem garage space proposed. The proposed FAR is .55 and

is below the maximum FAR of .60 allowed in the R-1 Zone. Without the addition of the 219 square feet of extra (tandem) space in the garage, the FAR would be .51. The architect has attempted to line up the new driveway and curb cut, with the driveway and curb cut of the property directly across the street, to enhance ingress and egress of both the proposed project and the property across the street. Street parking is permitted only on the east side of the street, and as it is a narrow street, several maneuvers are required, at times, to complete a turnaround. When a car is parked across the street of a curb cut, exiting onto the street provides more challenges, especially as the area is extensively landscaped and line of sight is sometimes obstructed by vegetation. The existing curb cut will be removed and replaced with a new curb and gutter. The bulk of the new home is centered in the lot, decreasing any perceived massing away from the frontage. Additionally, Staff believes that any perceived massing has been addressed, with the provision of a variety of roof line heights, the inclusion of the covered porch and patio, and balcony/deck, which provides architectural relief, along with a variety of exterior materials. To provide further articulation of the structure, the east elevations show an arched recessed area in the front second story, near the open stairwell. The roof deck is also centered within the building structure, and designed away from the rear, to decrease any privacy concerns. The Lot Coverage is proposed at 34% and is below 40%, which is the maximum allowed in the R-1 Zone.

The applicant has prepared a plan that complies with the R-1 standards, exceeds the open space requirements, and is within the allowable Lot Coverage. The proposed residence will be in harmony with other recently remodeled residences, and will be in character with the surrounding residences, as it is designed in a contemporary Spanish style, which will incorporate varying heights to break up massing and a covered porch in the front area, a covered patio in the rear, and a second story balcony/deck, which wraps around a portion of the rear and south side yard areas. The applicant is proposing to use high quality materials and design. The exterior finishes include stucco, Mission/Spanish roof tiles, with an arched entryway, doorways, windows and recessed areas. This project, as conditioned, does not appear to cause any adverse impact on the view, light, air or privacy of adjacent properties. For these reasons, Staff recommends Approval of this request, as conditioned.

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

**PROJECT RECOMMENDATION: APPROVAL**

**FINDINGS OF FACT IN SUPPORT OF APPROVAL:** Findings of fact in support of approval for the project are set forth in the attached Resolution.

**RECOMMENDED CONDITIONS, IF PROJECT IS APPROVED:**

Recommended conditions of the proposed project are set forth in the attached Resolution.

Prepared by,



Yolanda Gomez  
Planning Associate

Respectfully submitted,



Gregg D. Lodan, AICP  
Planning Manager

**ATTACHMENTS:**

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

**PLANNING COMMISSION RESOLUTION NO. 08-063**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A PRECISE PLAN OF DEVELOPMENT AS PROVIDED FOR IN DIVISION 9, CHAPTER 1, ARTICLE 41 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A NEW TWO-STORY SINGLE FAMILY RESIDENCE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT, IN THE R-1 ZONE AT 161 PASEO DE LAS DELICIAS.

**PRE08-00009: STEPHEN AND JUDY EBEBY**

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**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on July 2, 2008, to consider an application for a Precise Plan of Development filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located in the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias; 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 construction of one new single family residential property is Categorically Exempted by the 2008 Guidelines for Implementation of the California Environmental Quality Act, Article 19, Section 15303 (a).

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

- a) That the property is located at 161 Paseo de las Delicias Avenue;
- b) That the property is identified as Lot 26 of Block J of Tract 10300;
- c) That the project is in compliance with both the R-1 Zoning and the Low-Density Residential General Plan designation for this site;
- d) That the proposed new residence will not have an adverse impact upon the view, light, air, or privacy of other properties in the vicinity, because the view of the hills are primarily in a southerly direction of the subject property, and the location of the proposed two-story structure does not impair the views of the surrounding properties, and the abutting northerly property has been approved for a two-story addition;

- e) That the proposed new residence will cause the least intrusion on the view, light, air, or privacy of other properties in the vicinity, because the proposed residence has been located, planned and designed towards the center of the property, as to not cause adverse privacy impacts to the surrounding residences and complies with the R-1 standards and will meet and/or exceed all setback requirements;
- f) The design of the residence provides an orderly and attractive development in harmony with other properties in the vicinity, because the design is a contemporary Spanish style that features a stucco finish and tile roof, which provides similar architectural style and exterior materials and finishes consistent with other residences in the vicinity, and has been designed with a front setback, which matches the other homes in the vicinity;
- g) That the design will not have a harmful impact upon the land values and investment of other properties in the vicinity, because the new residence represents a significant improvement of the subject property, which would increase property values, and the exterior will be treated with high-quality finishes equal to those of surrounding residences;
- h) That granting such application would not be materially detrimental to the public welfare or to other properties in the vicinity, because a single family residence is an appropriate use for this property, it will replace a residence built in 1949, and it is in compliance with the R-1 Zone and development standards;
- i) That the proposed residence would not cause or result in an adverse cumulative impact on other properties in the vicinity, because the proposed new construction conforms to the Low-Density Residential Designation of the Land Use Element of the General Plan of the City of Torrance;
- j) That it is not feasible to increase the size of or rearrange the space within the existing building or structure for the purposes intended, except by increasing the height, as the current garage, driveway and turnaround area usurp a large portion of the rear yard, prohibiting enlarging the footprint of the home;
- k) That denial of this request would result in an unreasonable hardship to the applicant, because remodeling the one-story in order to gain more square footage, would still require the relocation of the garage, driveway and curb cut, and the demolition of the home, in order to efficiently utilize the property;
- l) That granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity, because the proposed residence complies with all zoning development standards. The proposed residence will cause no additional hazards, including traffic or fire hazards, that any view or privacy impacts on neighboring properties have been mitigated, and the new structure will be an upgrade from the existing home built in 1949;

- m) That denial of this request would result in an unreasonable hardship to the applicant, because the area above .50 is largely due to the extra tandem garage space proposed for oversized vehicles and supplemental parking beyond the requirements, and is proposed because street parking is limited to only one side of the street and it is a narrow street;
- n) That granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity, because the extra tandem garage space is located on the first floor and does not pose an adverse impact upon the neighboring properties;

**WHEREAS**, the Planning Commission by the following roll call votes APPROVED PRE08-00009, subject to conditions:

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

**NOW, THEREFORE, BE IT RESOLVED** that PRE08-00009, filed by Stephen and Judy Ebey to allow the construction of a new two-story single family residence on property located in the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias Avenue, on file in the Community Development Department of the City of Torrance, is hereby APPROVED subject to the following conditions:

1. That the use of the subject property for a single-family residence shall be subject to all conditions imposed in Precise Plan of Development 08-00009 and any amendments thereto or modifications thereof as may be approved from time to time pursuant to Section 92.28.1 et seq. of the Torrance Municipal Code on file in the office of the Community Development Director of the City of Torrance; and further, that the said use shall be established or constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;
2. That if this Precise Plan of Development 08-00009 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 a height of 25 feet 11 ¼ inches as represented by the survey elevation of

138.93 for the highest ridge point based on a maximum lowest adjacent grade of 112.99 (located at the southeastern perimeter of the building), based on a bench mark elevation of 110.42 located within the public right-of-way along Paseo de las Delicias at the northeasterly corner of the property, as shown on the official survey map on file in the Community Development Department, as conditioned; (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 a survey elevation of 138.93 feet based on the benchmark elevation of 110.42 feet located within the public right-of-way along Paseo de las Delicias at the northeasterly corner of the property, as shown on the survey map on file in the Community Development Department, as conditioned; (Development Review)
5. 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)
6. 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)
7. That color and material samples of the proposed home shall be submitted for review to the Community Development Department prior to obtaining a building permit; (Development Review)
8. That the applicant shall install an automatic roll-up garage door to the satisfaction of the Community Development Director; (Development Review)
9. That revised elevations showing the missing elements (living room fireplace, kitchen and family room windows) shall be submitted for approval, prior to building permit issuance, to the satisfaction of the Community Development Director; (Development Review)
10. 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 2<sup>nd</sup> day of July, 2008.

\_\_\_\_\_  
Chairperson, Torrance Planning Commission

ATTEST:

\_\_\_\_\_  
Secretary, Torrance Planning Commission

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

I, Gregg D. Lodan, 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 2<sup>nd</sup> day of July, 2008, by the following roll call vote:

AYES: COMMISSIONERS:

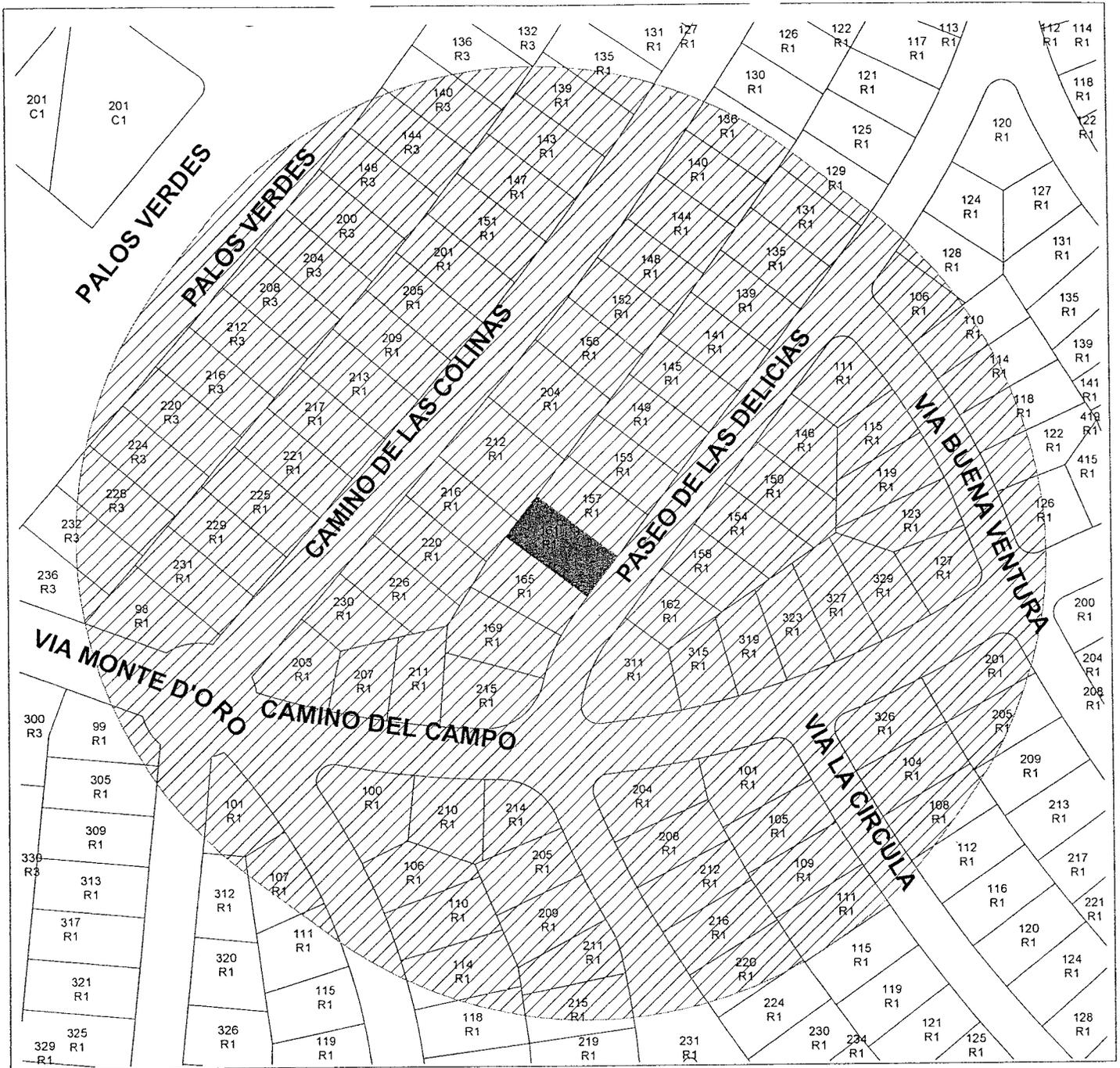
NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

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Secretary, Torrance Planning Commission



# LOCATION AND ZONING MAP

161 Paseo de las Delicias  
PRE08-00009



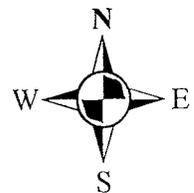
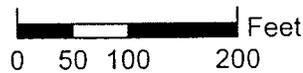
# LEGEND



Notification Area



161 Paseo de las Delicias



## **CODE REQUIREMENTS**

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

### **Building and Safety:**

- Comply with the State Energy Requirements.
- Provide underground utilities.
- Pre-wire each unit for cable television.

### **Engineering – Permits & Records:**

- 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.
- Close abandoned driveway with full height curb to match existing.

### **Environmental:**

- Provide 4" (minimum) contrasting address numerals for residential, condo, etc. uses.
- The property shall be landscaped prior to final inspection (92.21.9).
- The front yard of any property zoned for residential use shall not be more than 50%-paved (92.5.14).

### **Grading:**

- Obtain Grading permit prior to issuance of building permit.
- Submit 2 copies of grading/drainage plan with soil investigations report. Show all existing and proposed grades, structures, required public improvements and any proposed drainage structures.
- All drainage to be directed towards the street.

CITY OF TORRANCE – COMMUNITY DEVELOPMENT DEPARTMENT

TO BE SUBMITTED WITH HILLSIDE PRECISE PLAN APPLICATION PRE 08.00009

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

1. Planning and Design (91.41.6)

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

The proposed single-family residence has increased set backs on all second level areas to reduce any impact on view light air and privacy to other properties.

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

The building is located in the center of the site. All second floor bedroom windows but one are set back 10' or more from any property line to restrict views to other rear yards. There is no view obstruction due to this house.

- c. The following design elements have been employed to provide an orderly and attractive development in harmony with other properties in the vicinity:

The design has offset front set backs to match the set back of existing homes. All second story elements are set back further, this provides for a greater undulation of setbacks. This is on the front, rear and side set backs.

- d. The following aspects of the design insure that the development will not have a harmful impact upon the land values and investment of other properties in the vicinity:

The development of this property is a single family home in the R-1 zone as all surrounding properties are. There will be no negative impact on property values of other properties.

- e. Granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity for the following reason (s):

This Property does not affect the views of any neighboring properties. With the additional setbacks the property consistent with the existing R-1 neighborhood.

- 
- f. The proposed development will not cause or result in an adverse cumulative impact on other properties in the vicinity for the following reasons:

The development is located in the low density R-1 zone and is consistent with the current zoning and general plan. There is no increase in density with the proposed development.

2. LIMITATION IN INCREASES IN HEIGHT (91.41.10) (To be completed by applicant for a Precise Plan that would increase the height of any part of the building to a height greater than that of the existing building)

- a. It is not feasible to increase the size of or rearrange the space within the existing building or structure for the purposes intended except by increasing the height, demonstrated by the following facts:

The existing residence has the garage located in the rear yard; due to the location there is not good access to the rear yard. The existing garage and driveway use a large portion of the lot and prohibit enlarging the footprint.

- b. Denial of this application would constitute an unreasonable hardship for the following reason (s):

The project is a new house due to current layout of the existing residence and garage. To remodel and add to the house would still require a complete tear down and a re-build of 2-stories. The current layout does not provide for quality expansion.

- c. Granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity for the following reason (s):

The proposed residence does not have a view impact on any neighbor. It meets the zoning requirements for the R-1 zone and is consistent with other new and remodeled homes.

3. LIMITATION IN INCREASE IN BUILDING SPACE LOT COVERAGE (91.41.11)  
(To be completed by applicant for a Precise Plan that would increase the interior floor area of the building to more than 50% of the area of the lot.)

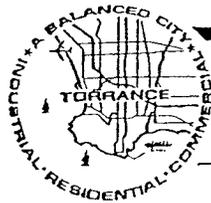
- a. Denial of this application would constitute an unreasonable hardship for the following reason (s):

The increased floor area for this project is for the 3<sup>rd</sup> car of a tandem garage. There are two factors for this. The first is the neighborhood has limited street parking located on one side only. The second is the street restriction of oversize vehicles. This extra space provides an area to park boats, trailers, jet skis, quad runners without using the driveway and not having to pay storage fees.

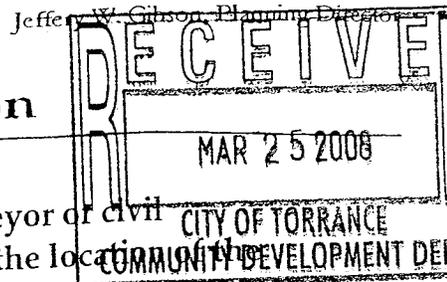
- b. Granting this application would not be materially detrimental to the public welfare and to other properties in the vicinity for the following reason (s):

The area of increase over .5 is located on the first floor and has no impact on other properties.

CITY OF TORRANCE – COMMUNITY DEVELOPMENT DEPARTMENT



City of Torrance, Planning Department  
 3031 Torrance Blvd., Torrance, CA 90503 (310) 618-5990 FAX (310) 618-5829  
**Height and Location Certification**



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

**SILHOUETTE CERTIFICATION**

I have surveyed the silhouette located at 1601 PASADO DE LAS DELICIAS  
 (address)

on 3-24-08, based on plans submitted to the City of Torrance  
 (date)

by EPEY/TROBAUGH on \_\_\_\_\_ The survey was taken  
 (applicant/architect) (date)

from a bench mark located at NORTHEAST CORNER "LAT RCE 30826"  
 (address)

(attach map) which established a base elevation of 110.42'.

The ridge line/highest point of the roof was determined to have an elevation of 138.91'.

The plans indicate that the elevation should be 138.93'.

*I certify that I have measured the location of pertinent features located on the subject property. Based on the plans submitted to the Planning Department, I have verified that the silhouette/construction accurately represents the proposed structure in terms of height, building envelope, location on the site, and all setbacks.*

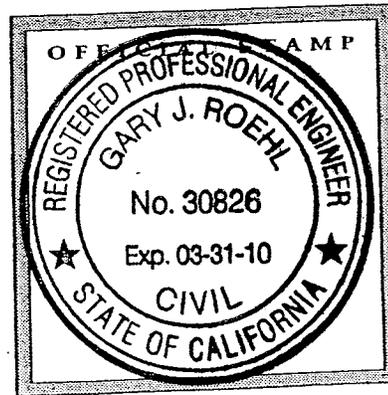
GARY J. ROEHL  
 NAME (please print)

RCE 30826  
 LS/RCE#

[Signature]  
 SIGNATURE

(310) 542-9433  
 PHONE

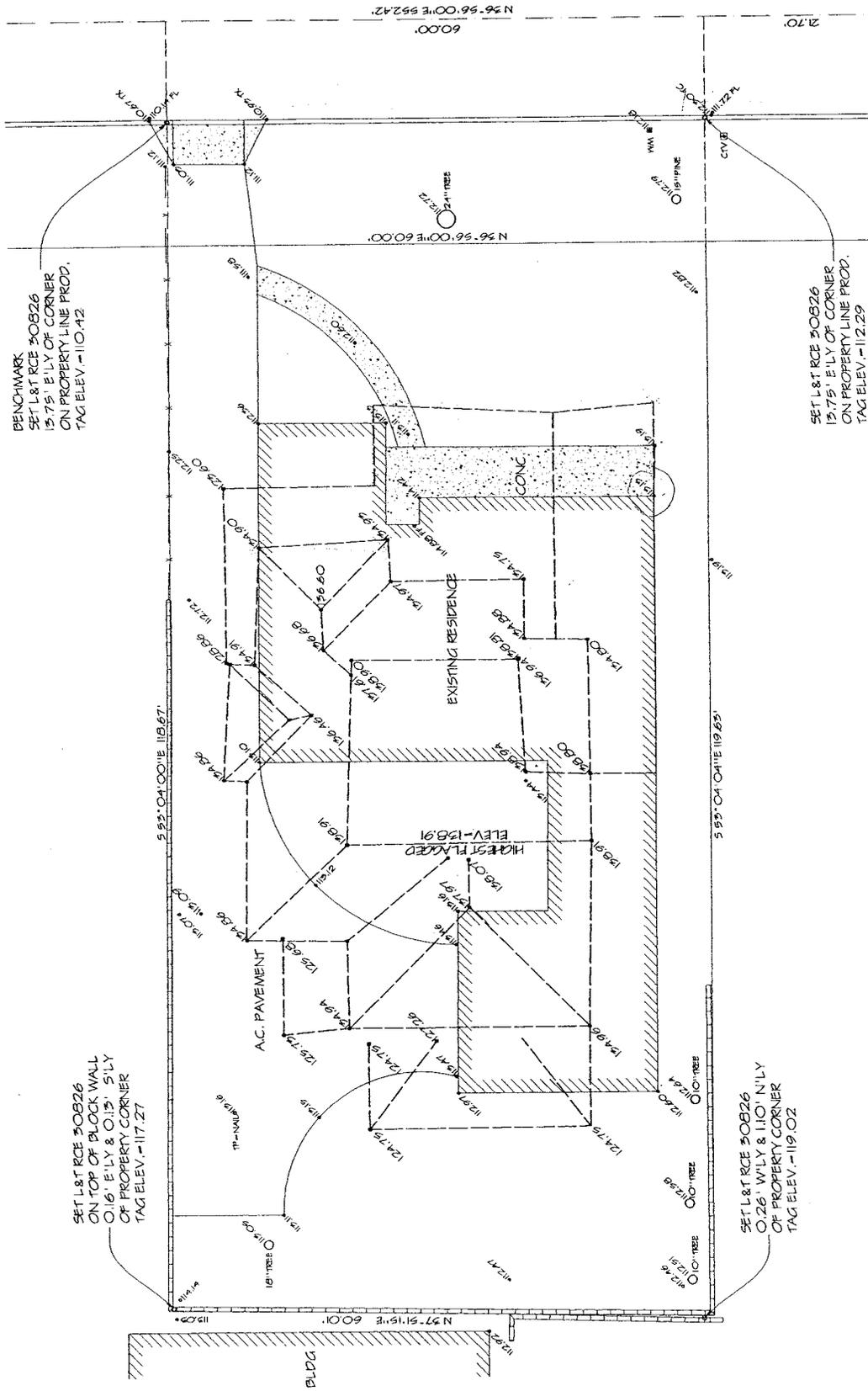
3-25-08  
 DATE



Notes: \_\_\_\_\_

\*07-435

# PASEO DE LAS DELICIAS



BENCHMARK  
 SET L&T RCE 30826  
 13.75' E'LY OF CORNER  
 ON PROPERTY LINE PROD.  
 TAG ELEV. = 110.42

SET L&T RCE 30826  
 13.75' E'LY OF CORNER  
 ON PROPERTY LINE PROD.  
 TAG ELEV. = 112.29

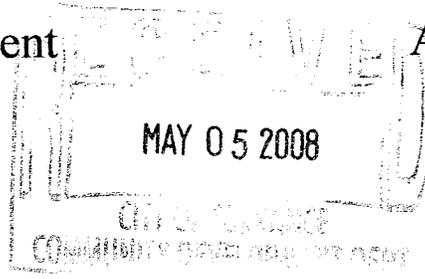
SET L&T RCE 30826  
 ON TOP OF BLOCK WALL  
 0.16' E'LY & 0.13' S'LY  
 OF PROPERTY CORNER  
 TAG ELEV. = 117.27

SET L&T RCE 30826  
 0.26' W'LY & 110' N'LY  
 OF PROPERTY CORNER  
 TAG ELEV. = 119.02

31022

Community Development  
City of Torrance

April 30, 2008



Greg Lodas:

We are submitting our objections to the City for a permit to be issued for any building the shape and size that is indicated by the flags presently displayed on the property located at 161 Paseo de las Delicias, Redondo Beach mailing address in the city of Torrance.

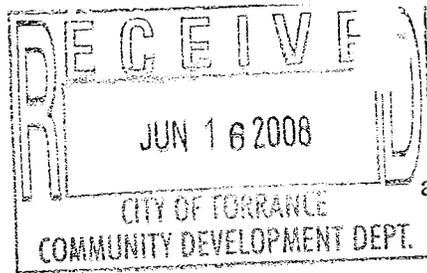
A building the size and shape, as shown by the flags, would eliminate what view we have to the south which now is a pastoral one of the Palos Verdes hills complimentary to the Hollywood Riviera in a setting of trees

If a hearing occurs during May 8 to May 21 we will be unable to attend, as family business requires our traveling out of State. We ask the Commission to reject the application for a building permit or waiver on the property.

Sincerely

*Nancy Mansfield-Staudt*  
*John F. Staudt*

City of Torrance  
Community Development Department  
Review Division



June 12, 2008

application No. PRE08-00009

Dear sirs:

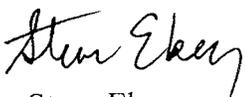
We have lived in Torrance since 1974—26 of those years in the Hollywood Rivera. In designing the home we plan to build at 161 Paseo de las Delicias we were careful to take our neighborhood and our neighbors' welfare into consideration. We chose a Spanish style to fit in with the historic homes in the Hollywood Riviera. We plan to keep the beautiful old trees and situate the house as far back on the lot as we can comfortably go so that the impact of the two-story structure won't appreciably change the look from the street. We have allowed room for parking cars off the street so that when we have guests they will not infringe on the neighbors' space. Our second story is designed so that it won't have that big-box look of so many houses recently built in other parts of Torrance and in the beach cities. We plan to live in this house for the rest of our lives so we want to be sure that our home will be a positive addition to our neighborhood.

We were informed that one of the residents on our street raised an objection to our home as planned. Because we wanted to understand the objection, we spoke to Mrs. Staudt at her home at 145 Paseo de las Delicias on June 11, 2008. From our conversation, it seemed to us that she and her husband are upset with their neighbors next to and behind their house. The next-door neighbor did a one-story addition some years ago (more than 10, I think) that, according to Mrs. Staudt, impacts their view of the hills. Mrs. Staudt said they "signed off" on that addition at the time it was done but now regret it. The neighbor behind has a classic two-story Spanish-style house that was built long before the Staudt's house was built. Mrs. Staudt said that an old man lived there for years and didn't use his upper floor. A family has moved into the house now and the Staudts see it as an intrusion because that family can see into their backyard from their windows on the second floor. The Staudts don't have an awning or patio cover in their backyard, and Mrs. Staudt said that she didn't want to put up window coverings in her house.

I think that the Staudts see us as one more incursion into their space. We want to be good neighbors. We don't want to intrude on anyone, but we don't see our new home as an intrusion. Our house is four houses away from the Staudt's house on the same side of the street. Mrs. Staudt's concern about us looking into their backyard is unfounded since our windows, almost a football field away, will be windows into our master bathroom. They will be covered or obscured for our privacy. There is no grass at all in the backyard of the Staudt's house—just a large swimming pool and concrete walkway around it. If you are standing on the side of the pool near the house or if you are seated on a chair anywhere in the back yard you cannot even see our house. If you are tall enough to look over the fence while standing on the concrete walkway closest to the back wall, you can see the silhouette of our proposed project in the distance. Standing on the far end of the pool you can get a glimpse of our house, but it is, by no means, intrusive. Seated at that same spot, you can't even see the silhouette. There are beautiful mature trees in the back yards of all of the houses between the Staudt's house and ours. The structure of our project does not negatively impact the Staudt's privacy, light, air, the value of their house, or their enjoyment of their pool area.

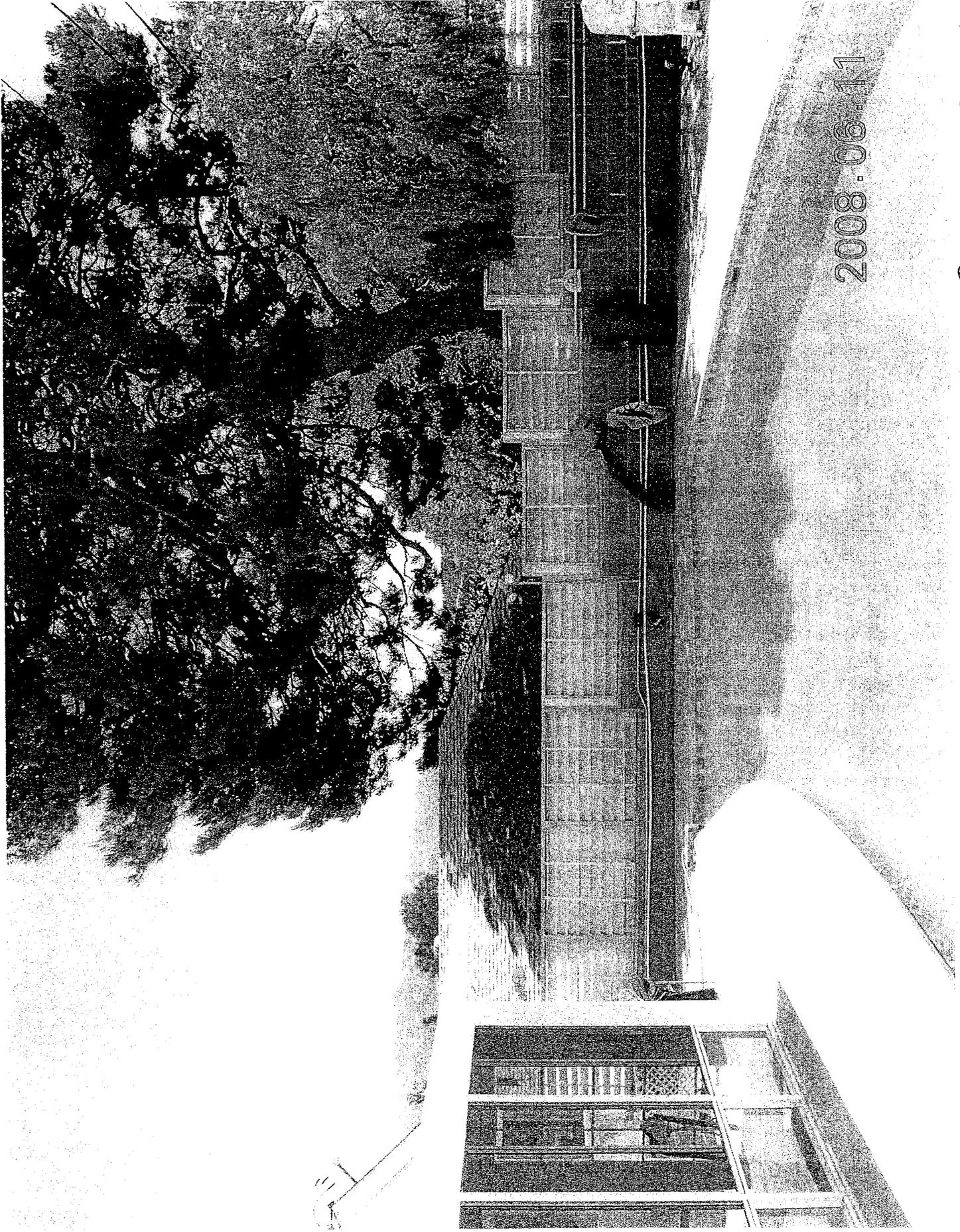
It seems that the Staudts are reacting with negative feelings toward other houses and over-reacting to ours. We would ask you to disallow their objection and approve our project.

Yours truly,

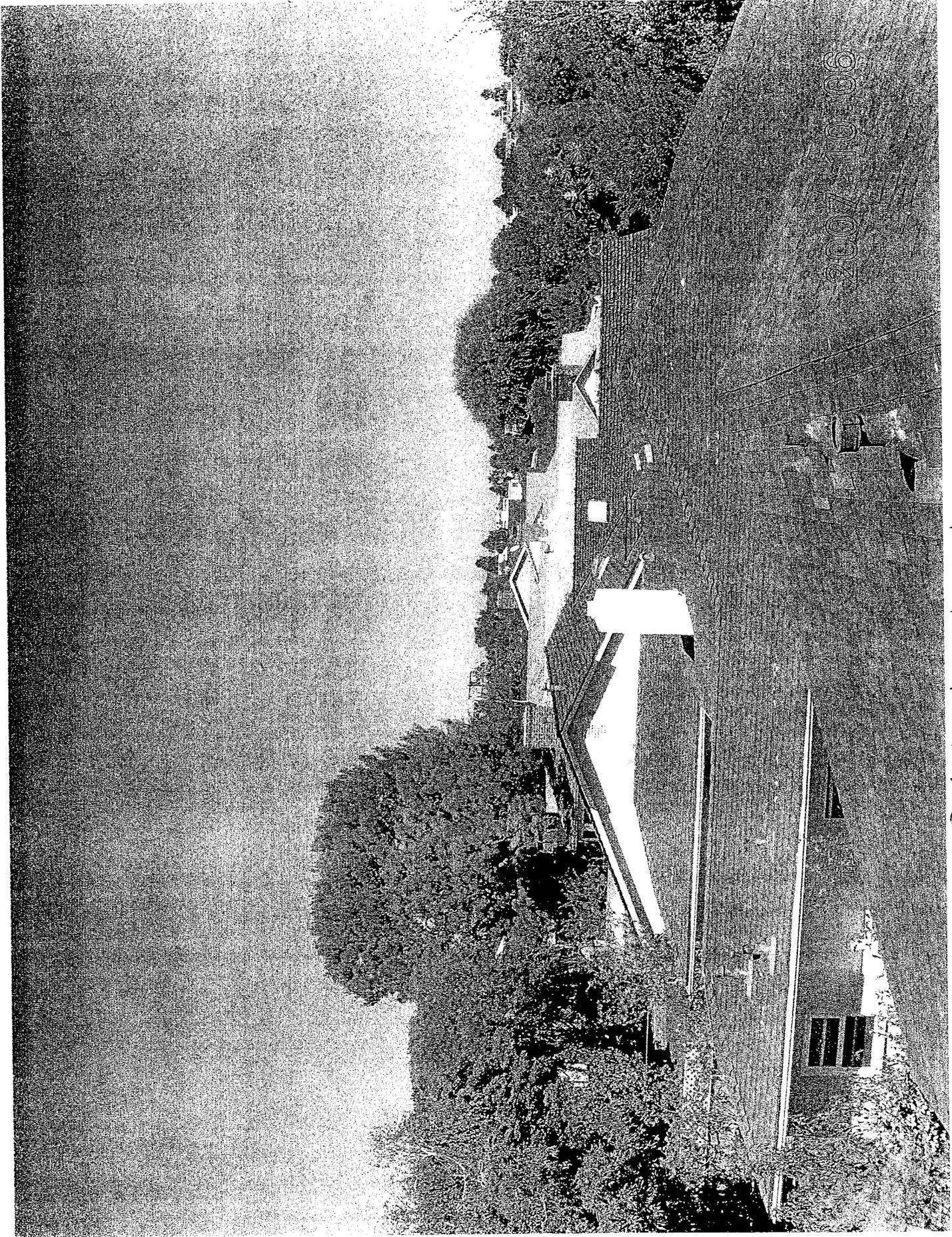
  
Steve Ebey

  
Judy Ebey

See pictures attached taken from the Staudt's backyard. *and from our house toward theirs.*



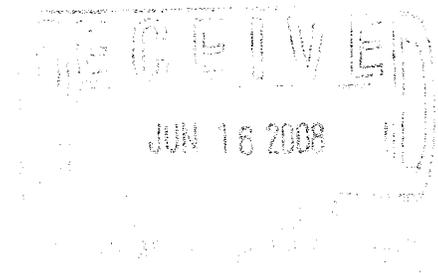
From 145 Paseo de las Delicias toward our house at 161 Paseo de las Delicias



From 161 Paseo de las Delicias toward PCH

Community Development  
City of Torrance

June 11, 2008



Greg Lodal

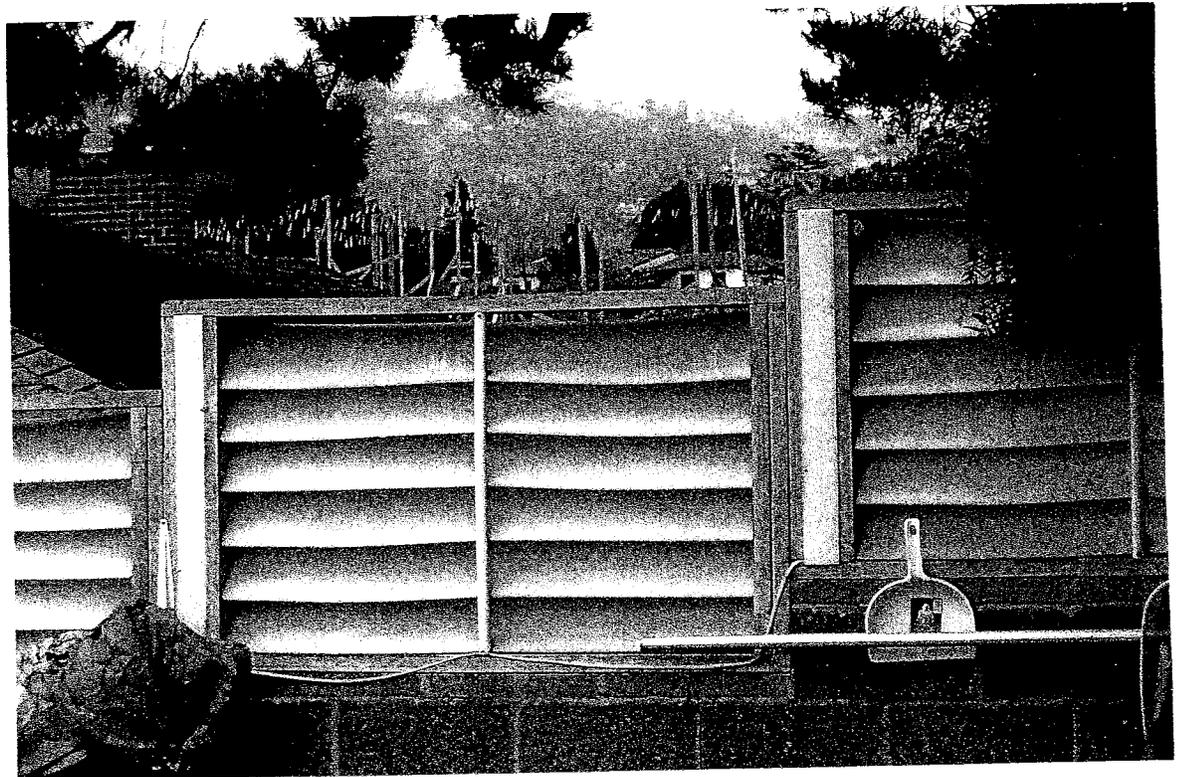
We have not received any notice about the application for a building permit or waiver on the property 161 Paseo de Las Delicias, Redondo Beach mailing address. If a hearing is scheduled during the time June 15 to Aug 8 2008 we will be unable to attend due to business requirements out of State.

We are requesting you to inform us of the status of this application.

Sincerely,  
Nancy Mansfield-Staudt  
John F. Staudt

Nancy and John Staudt  
145 Paseo de Las Delicias  
Redondo Beach, CA 90277

View of flag  
Configuration on  
the proposed application  
161 Paseo de las Delicias  
Redondo Beach, City of Torrance  
from backyard of  
145 Paseo de las Delicias



**SUPPLEMENTAL #1 TO AGENDA ITEM NO. 11C**

**TO:** Members of the Planning Commission  
**FROM:** Development Review Division  
**SUBJECT:** PRE08-00009  
**LOCATION:** 161 Paseo de las Delicias

This is a request for approval of a Precise Plan of Development to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District.

Attached please find additional correspondence received, after the Staff Report for the above project was completed and distributed.

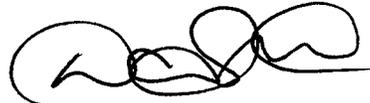
Staff continues to recommend approval of the project, as proposed.

Prepared by,



Yolanda Gomez  
Planning Associate

Respectfully submitted,



for: Gregg D. Lodan, AICP  
Planning Manager

Attachment:  
1. Correspondence

**Santana, Danny**

---

**From:** Joe, Kevin  
**Sent:** Monday, June 30, 2008 5:38 PM  
**To:** Santana, Danny  
**Subject:** FW: PRE08-9 -- 161 Paseo de las Delicias  
**Attachments:** 161 Paseo de las Delicias.doc

I'm not sure if this case has been assigned.

---

**From:** Steve Gerhardt [mailto:goofoolio@yahoo.com]  
**Sent:** Monday, June 30, 2008 5:30 PM  
**To:** Lodan, Gregg  
**Cc:** Joe, Kevin; Pamela Maran; Tricia Johns; archjet@aol.com  
**Subject:** PRE08-9 -- 161 Paseo de las Delicias

Hi Gregg,

Attached please find my letter objecting to the mansion proposed at 161 Paseo de las Delicias. There's a photo of the project from my backyard on the 2nd page.

See you on the 2nd. I'll be speaking on behalf of my neighbor, Nancy Mansfield, who is away, and myself.

Thanks.

*Steve Gerhardt*  
(310) 614-0258  
[Goofoolio@yahoo.com](mailto:Goofoolio@yahoo.com)

June 30, 2008

Gregg Lodan, Planning Manager  
Community Development Department  
City of Torrance  
3031 Torrance Blvd.  
Torrance, CA 90503

PRE08-9, 161 Paseo de las Delicias

Dear Mr. Lodan:

The proposal for 161 Paseo de las Delicias does NOT meet any of the key requirements of Article 41, the Hillside Overlay Zone.

- The project will have an adverse impact on view and privacy. I live three lots to the north and it will block my view of the Palos Verdes ridgeline from my backyard. Please see the attached photo. The loss of privacy to immediately adjacent lots will be severe.
- The project has not been designed to cause the least intrusion on other properties in the vicinity. It extends much further to the rear than any house nearby. It doesn't mitigate ridgeline height by lowering the ground floor, even though the lot is substantially above the street.
- The project violates both the increase in height and building space lot coverage provisions. Unless proof of infeasibility is provided, projects are not allowed to exceed existing height. This provision has been ignored far too many times for other projects. The new lot coverage is primarily extended to the rear, with no reasons given.

I do not have an objection to the house having a second story if that additional story is in keeping with the predominant development pattern in our area. I do object to the house being so massive and extending so far to the rear without stepping back. I object to a deck that is on the second story in the middle of what should be the backyard, and a roof deck that sets a new precedent of intrusive underused perches.

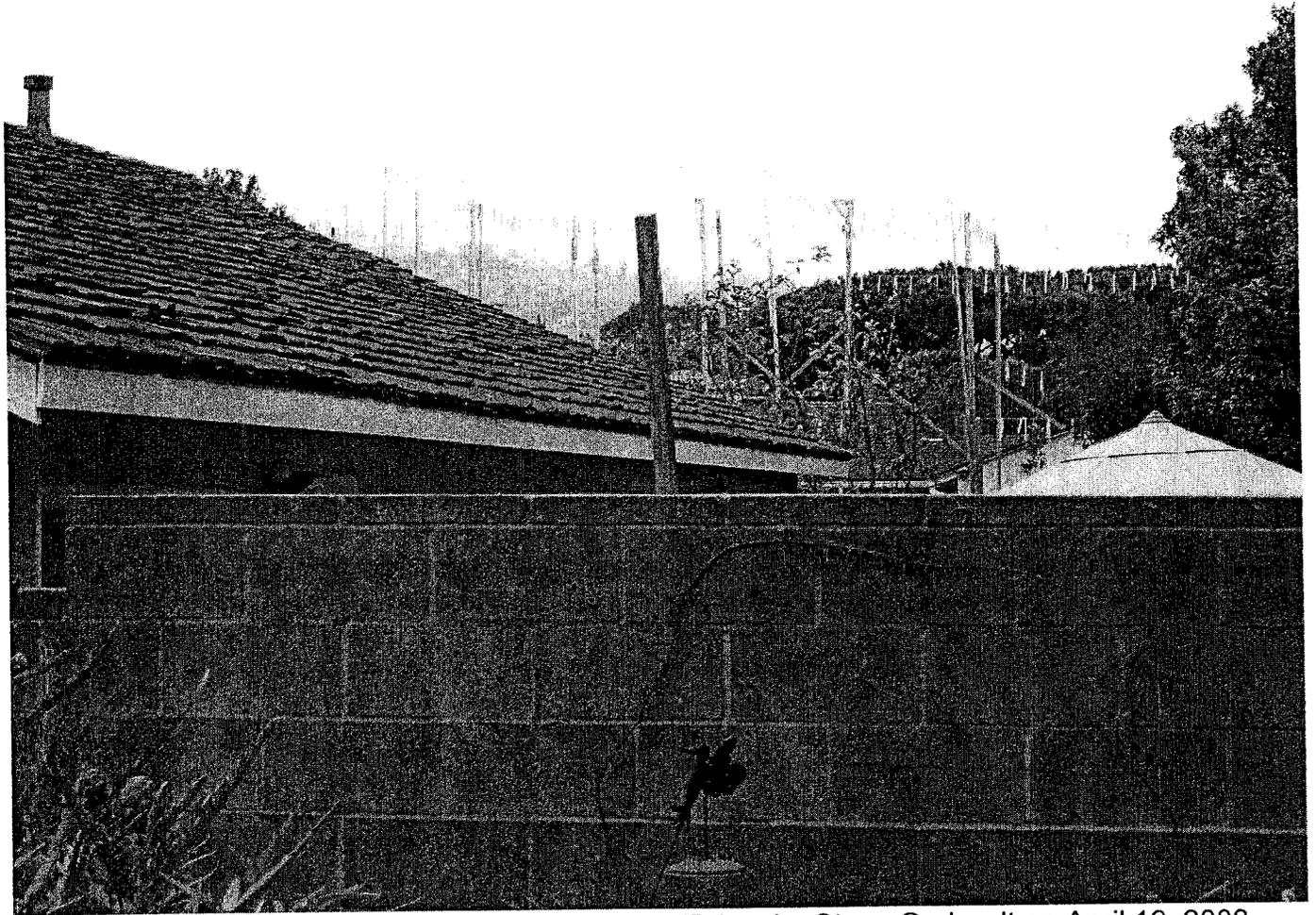
If the Hillside Ordinance has any meaning at all, this project as proposed will be denied on July 2 by the Planning Commission and redesigned to better fit our neighborhood.

Sincerely,

Steve Gerhardt  
149 Paseo de las Delicias, Redondo Beach, CA 90277

Copy: Pamela Maran, RHA President

View from the backyard of 149 Paseo de las Delicias, looking South.



Taken by Steve Gerhardt on April 19, 2008

**AGENDA ITEM 9A**

**TO:** Members of the Planning Commission  
**FROM:** Development Review Division  
**SUBJECT:** Precise Plan of Development 08-00009 / Stephen and Judy Ebey  
**LOCATION:** 161 Paseo de las Delicias

The Planning Commission public hearing of July 2, 2008, was continued to July 16, 2008; however, the applicant provided Staff with a letter requesting a further continuance to the August 6, 2008 Planning Commission meeting, in order to allow time to change the silhouette and meet with the neighbors. The letter is attached for your reference.

Prepared by,



Yolanda Gomez  
Planning Associate

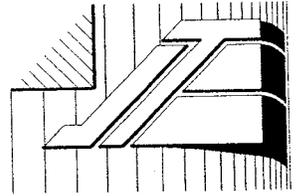
Respectfully submitted,



For: Gregg D. Lodan, AICP  
Planning Manager

**Attachments:**

1. Correspondence from Architect



**JAN TROBAUGH**  
AND ASSOCIATES

2420 CARSON ST.  
SUITE # 225  
TORRANCE, CA. 90501  
310-328-1210  
fax-310-328-6461

July 9, 2008

City of Torrance  
Planning Department

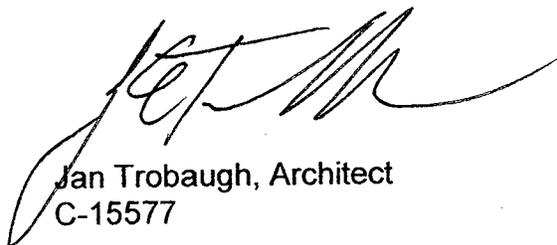
Re: 161 Paseo de las Delicias, PRE08-00009

Dear Sir:

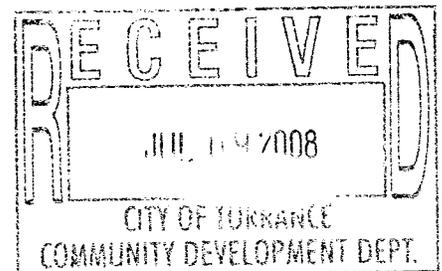
We requested to continue our July 3 meeting to the July 16 meeting of the planning commission to meet with our neighbors and modify the plans and silhouette. Due to scheduling between myself the clients and the neighbors and moving of the silloute we will need addition time.

We are requesting to continue until the August 6, 2008 meeting. Thank you for your consideration in this matter.

Sincerely,



Jan Trobaugh, Architect  
C-15577



## Gomez, Yolanda

---

**From:** Tricia and Ralph Johns [tandrjohns@verizon.net]  
**Sent:** Wednesday, July 30, 2008 9:03 PM  
**To:** Lodan, Gregg; Gomez, Yolanda  
**Cc:** Steve Gerhardt; jimdz@earthlink.net  
**Subject:** 161 Paseo de las Delicias



161 Paseo de las  
Delicias - Jo...

Dear Mr. Lodan and Ms. Gomez,

Thank you for taking the time to visit our home today. Attached please find our objection letter to the proposed development at 161 Paseo de las Delicias. If one of you could email me back to let me know you have received this, I'd appreciate it.

Unfortunately, our family will be on an annual vacation on August 6th and will not be able to attend the Planning Commission personally. We do appreciate your attention to this matter.

Tricia and Ralph Johns and Family

Patricia and Ralph Johns  
153 Paseo de las Delicias  
Redondo Beach, CA 90277

July 30, 2008

Gregg Lodan, Planning Manager  
Yolanda Gomez, Planning Associate  
Community Development Department  
City of Torrance  
3031 Torrance Blvd.  
Torrance, CA 90503

RE: PRE08-9, 161 Paseo de las Delicias

Dear Mr. Lodan and Ms. Gomez:

We are writing this letter to express our opposition to the proposed development at 161 Paseo de las Delicias. Although the plans for 161 Paseo de las Delicias have been altered to locate the back of the second story 10' to the east, our objections are unchanged from our letter of June 30, 2008. Please pass this letter along to the Planning Commissioners.

We are fortunate enough to live in the Hillside overlay district (Article 41 – R-H hillside and local coastal overlay zone) and we are therefore provided certain protections not otherwise enjoyed throughout the City of Torrance. The proposal for 161 Paseo de las Delicias clearly violates several of the conditions of the hillside overlay and is not in keeping with the style of our neighborhood. Furthermore, we have the following specific concerns:

- The proposed project will negatively affect our privacy. We live two lots to the north and the proposed development extends into the rear yard area. The second floor and, most seriously, the roof deck views will remove all sense of privacy from our back yard.
- The proposed project will eliminate our view of the Palos Verdes hillside to the south. The view to the south offers us our only view of any distance scenery and is an asset to our property. We enjoy the view that we have both during the day and after dark.
- All houses on Paseo de las Delicias between Camino del Campo and Via Buena Ventura are one-story houses with generous yard areas. Introducing a mansion-like development into our neighborhood will adversely affect the feel of our area.

We object to this massive development in our neighborhood, and we hope that the Planning Commission will take our objections to heart and deny this project as it is currently planned. We have lived in the Riviera for over 25 years and we do not want to see deterioration in our neighborhood and our quality of life.

Sincerely,

Patricia and Ralph Johns  
310-373-5297

cc: Yolanda Gomez, Planning Department  
Jim and Lori Disney, 157 Paseo de las Delicias  
Steve Gerhardt, 149 Paseo de las Delicias



City of Torrance, Planning Department  
3031 Torrance Blvd., Torrance, CA 90503 (310) 618-5990 FAX (310) 618-5829

# Height and Location Certification

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

## SILHOUETTE CERTIFICATION

I have surveyed the silhouette located at KAL PASADO DE LAS DELICIAS  
(address)

on JULY 24, 2008, based on plans submitted to the City of Torrance  
(date)

by EBEY / TROBAGH on \_\_\_\_\_ The survey was taken  
(applicant/architect) (date)

from a bench mark located at NORTHEAST CORNER LOT RCE 30826  
(address)

(attach map) which established a base elevation of 110.42'.

The ridge line/highest point of the roof was determined to have an elevation of 138.91'.

The plans indicate that the elevation should be 138.93'.

*I certify that I have measured the location of pertinent features located on the subject property. Based on the plans submitted to the Planning Department, I have verified that the silhouette/construction accurately represents the proposed structure in terms of height, building envelope, location on the site, and all setbacks.*

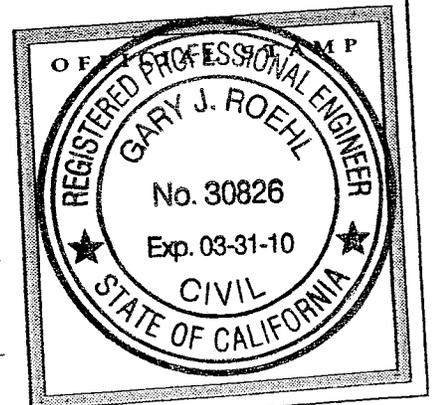
GARY J. ROEHL  
NAME (please print)

[Signature]  
SIGNATURE

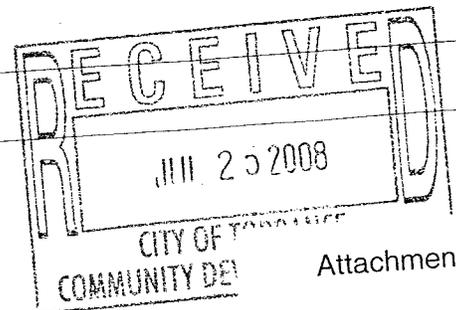
RCE 30826  
LS/RCE#

(310) 542-9433  
PHONE

JULY 25, 2008  
DATE



Notes: \_\_\_\_\_





# Daily Breeze

5215 TORRANCE BLVD \* TORRANCE CALIFORNIA 90503-4077  
(310) 543-6635 \* (310) 540-5511 Ext. 396

## PROOF OF PUBLICATION (201 5.5 C.C.P.)

STATE OF CALIFORNIA

County of Los Angeles,

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of the THE DAILY BREEZE

a newspaper of general circulation, printed and published

in the City of Torrance  
County of Los Angeles, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of County of Los Angeles, State of California, under the date of

June 10, 1974

Case Number SWC7146

that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement there of on the following dates, to-wit

October 10,

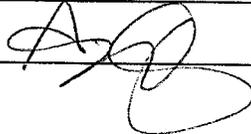
all in the year 2008

the foregoing is true and correct.

Dated at Torrance

California, this 10 October 2008

  
Signature



This space is for the County Clerk's Filing Stamp

RECEIVED

2008 OCT 16 AM 10:29

CITY OF TORRANCE  
CITY CLERK'S OFFICE

Proof of Publication of

DB

**DB 10-74  
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held before the Torrance City Council at 7:00 p.m., October 21, 2008, in the City Council Chambers of City Hall, 3031 Torrance Boulevard, Torrance, California, on the following matter:

**PRE08-00009, Stephen and Judy Ebey: City Council consideration of an appeal of the Planning Commission's Approval of a Precise Plan of Development to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District in the R-1 Zone at 161 Paseo de las Delicias.**

Material can be reviewed in the Community Development Department. All persons interested in the above matter are requested to be present at the hearing or to submit their comments to the City Clerk, City Hall, 3031 Torrance Boulevard, Torrance, CA 90503, prior to the public hearing.

If you challenge the above matter in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Community Development Department or the office of the City Clerk prior to the public hearing, and further, by the terms of Resolution No. 88-19, you may be limited to ninety (90) days in which to commence such legal action pursuant to Section 1094.6 of the Code of Civil Procedure.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Community Development Department at (310) 618-5990. If you need a special hearing device to participate in this meeting, please contact the City Clerk's Office at (310) 618-2870. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting [28 CFR 35.102-35.104 ADA Title III].

For further information, contact the **DEVELOPMENT REVIEW DIVISION** of the Community Development Department at (310) 618-5990.

**SUE HERBERS  
CITY CLERK**

Pub: Oct 10, 2008

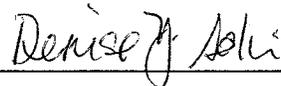
## PROOF OF SERVICE BY MAIL

I, the undersigned, am a resident of the County of Los Angeles, State of California, over the age of eighteen years, and not a party to the within action. I am employed by the City of Torrance, 3031 Torrance Boulevard, Torrance California 90503.

On October 9, 2008, I caused to be mailed 144 copies of the within notification for City Council PRE08-00009: STEPHEN AND JUDY EBEBY to the interested parties in said action by causing true copies thereof to be placed in the United States mail at Torrance California.

I declare under penalty of perjury that the foregoing is true and correct.

Executed October 9, 2008 at Torrance, California.



(signature)

**CITY OF TORRANCE  
Community Development Department  
3031 Torrance Boulevard  
Torrance, CA 90503**

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Publish: October 10, 2008

**SUE HERBERS  
CITY CLERK**

**One hundred forty four (144) notices mailed 10/09/08. da**