

Council Meeting of
January 13, 2009

SUPPLEMENTAL #1 TO ITEM 13A

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

Members of the Council:

**SUBJECT: SUPPLEMENTAL #1 TO COUNCIL AGENDA ITEM 13A
EAS08-00003, CUP08-00015, DIV08-00006, DVP08-00002, & WAV08-
00005: CBB ARCHITECTS (RAJU CHHABRIA)**

The attached correspondence was received after the item was completed

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. Correspondence

Mikelson & Mikelson, LLP

Attorneys at Law

21515 Hawthorne Boulevard, Suite 840
Torrance, California 90503-6542
Phone: (310) 543-9379 FAX: (310) 543-9394

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2009 JAN 12 PM 2:41

CITY OF TORRANCE
CITY CLERK'S OFFICE

Larry D. Mikelson
Ian A. Mikelson

January 12, 2009

Torrance City Council Members

RE: **Proposed Plan: 3720 PCH, LLC**
Appeal to the City Council of Planning Commission Approval of a Negative Declaration and Approval of a Conditional Use Permit: CUP08-00015, DIV08-00006, DVP08-00002, EAS08-00003 & WAV08-00005: C.B. ARCHITECTS (RAJU CHHABRIA)
City Council - Public Hearing on the appeal of the approval of the above-referenced project January 13, 2009, 7:00 p.m., in the council chambers at City Hall, located at 3031 Torrance Boulevard, Torrance, California.

Dear Council Members:

I reside at 24233 Park Street, Torrance, California and am an appellant in the above-referenced matter. The appeal is as to the issuance by the Planning Commission of a Negative Declaration as to the above-referenced project, ("Project" or "Proposed Project") which apparently means that the Commissioners saw no significant negative impact from this project on the residents of Ward and Park Streets.

At the Planning Commission hearing prior to the issuance of the Negative Declaration on November 19th, I appeared along with approximately twenty of my neighbors on Park and Ward Streets to voice our disapproval of the Project without some protections against its **OBVIOUS** negative impact on our neighborhoods and the quality of our lives and safety of our children and grandchildren. The source of this Negative Impact is the increase in traffic and parking to our already overburdened situation that this Project will clearly generate.

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Our suggestions included:

1. That Park Street, at 242nd Street be made a cul de sac, with a sloping center section on either side to allow emergency vehicles to pass over the median to and from Park Street without difficulty;
2. That one side of Park Street be lined for diagonal parking; (Park is over 51 feet wide in the primarily affected block, between 242nd and 244th Streets) and
3. Alternatively to the cul de sac, that “speed humps” (such as those along Via Valmonte, in Palos Verdes Estates) be installed on Park, Ward, and the alleys behind each of them to discourage through traffic and hold speeds down.

Having heard and uniformly and sympathetically voiced their concerns about our objections at said meeting the Planning Commissioners continued the application process to allow the Proponents to meet with us and to come up with some way to alleviate our concerns. Such a meeting was held with the Proponents both sides reasonably discussing their views and needs. At the conclusion of the meeting the Proponents agreed that they could live with the requested actions of the neighborhood and both sides agreed to work with each other to urge the City’s actions to meet the needs of the Proponents and the neighbors.

At the next Planning Commission meeting of November 19, 2008, the Proponents praised their own efforts to work with the community but described the agreement in terms that made it sound like I was trying to bully them into pressing the City into allowing the changes that I and my neighbors were requesting. The Commissioners praised the applicant heartily for trying to work with the neighbors of Park Street and Ward Street, but in so doing ***failed to implement a single one of our requests to counteract the obvious negative impact of the Project on our surrounding residential neighborhoods.***

The Staff Report recommending the Negative Declaration at the prior meeting noted that a study had indicated that there would be approximately 1000 additional trips on Hawthorne Boulevard and Pacific Coast Highway generated by the Proposed Project. There was no mention of how Park and Ward Streets would be affected. Staff confirmed in session that they had done no analysis of this impact.

The Staff Report for the meeting of November 19, 2008, at page three, took the following position:

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“Staff, under the direction of the Transportation Planning Division and with the concurrence of Caltrans, continues to assert that the project results in **no significant undesirable traffic impacts.** At the meeting, various traffic mitigation options including closing off or restricting access to nearby residential streets, and controlling traffic through permits, speed bumps, or signage were suggested by members of the public. Transportation Planning has taken these into consideration and concluded, **based upon the available data** that the project as proposed still merits a Negative Declaration.”

Moreover, elsewhere in the Report, the Environmental Checklist Form for the Project, issued by the Community Development Department indicated, at items 15(a) & (f), that the Project would impose “Less than Significant Impact” as to an increase in traffic in the area; and would have “No Impact” regarding parking in the area.

I visited Planning Department prior to the hearing of the 19th to obtain a copy of the latest Staff Report and discovered the above-referenced notation. Recalling that a similar statement had been made in the previous Staff Report, I asked the Department to provide me with the “studies” that had been done ***this time around*** to substantiate such a position being taken. ***SHOCKINGLY*** I was advised by Mr. Yumul that ***no studies had been accomplished as to the traffic impact or parking impact on Park and Ward Streets since the last Planning Commission hearing or ever!*** Obviously, the Staff did not have the interest to make such studies, clearly indicating the emphasis of the Planning Commission getting this Project approved regardless of the impact on the neighboring residents.

This conclusion was underscored at the Hearing of the 19th where these issues were minimized by the Staff Report, as noted, and by the Planning Commissioners in their haste to issue the Negative Declaration amid their effusive praises to the Proponents for their “efforts to work with the community”! Thus, with no basis whatsoever, the City Planning Department and Commission determined that this Project would have no significant negative impact on the residential neighborhoods to the South of its proposed location.

The conclusions of the Planning Department Staff, adopted by the Planning Commission are patently absurd! The studies which it held supportive of approximately 1000 newly generated daily trips along Hawthorne and PCH, are completely ignored when assessing the same trip generation traffic along Park and Ward Streets. In point of fact, employees and customers of the Proposed Project who wish to enter the Project from the East traveling West along PCH will have no alternative but to do so down Park or Ward Streets.

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Further, those employees and patrons exiting the Project and desiring to go South or West, also will have no reasonable option but to travel Park and Ward Streets. A rough and I believe conservative estimate of the numbers of patrons and employees falling into these categories would be 40% which of course equals ***400 TRIPS DOWN PARK AND WARD, WITH EMPLOYEES MAKING THE TRIP TWICE!***

Further, this ***20,300 square foot*** commercial project provides ***124 parking places***. I'm no expert but if there are over 1000 trips per day generated by this project, *not counting employees, THAT IS SIMPLY NOT SUFFICIENT PARKING!* Presently Park Street already suffers from a severe parking shortage. This situation is a source of constant friction between the neighbors and has bred complaints, neighbor against neighbor, to the parking enforcement department because of cars left parked too long, say when a family goes on vacation, and has resulted in vandalism and near physical violence.

The situation is worsened in that many people drive to the area to catch the bus at the stop on 242nd Street which is filled with the parked cars of such folks along both sides of 242nd Street and overflows up Park Street every work day morning until the evening. The Project would take away the parking that these people now use on 242nd Street. Thus dispossessed they will simply move to Park Street.

Parking along Park and Ward already exceeds maximum capacity relative to the residents, and it is clear that this Project will substantially add to the parking problem by introducing:

- (1) uncontrolled employee parking from the project (until 11:00 p.m. which are the operating hours for the Project) ;
- (2) overflow parking from the project;
- (3) parking areas removed along 242nd Street for the Rapid Transit commuters, who will be forced to park on Park and Ward Streets.

Various Suggestions Have Been Proposed:

A. Traffic:

- (1) **Make Park and Ward Streets Cul de Sacs:** It seems that the only way to

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prevent significant negative impact from traffic is to make Cul de Sacs of Park and Ward Streets. This would also increase the property values of the residents, as opposed to the decrease that we could expect with a high volume of traffic from this Project without this implementation. (Ask any realtor.) An objection was raised that emergency vehicles would need to get through. That could be resolved by making the middle of the Cul de Sac a driveway-like slope with small shrubs in the middle or just grass. Then any emergency vehicle could simply drive through if they had to.

(2) **Speed Humps:** Speed humps would slow the traffic on Park and Ward, which is a huge safety issue, especially for the many children on the street. These should also be placed in the alleys on each side of Park and Ward to dissuade use by thru traffic vehicles entering and leaving the project. This would be intensified if Park were a Cul de Sac.

B. **Parking:** We are all intensely aware of the severe parking problem on Park and Ward Streets. The problem is particularly intense for Park Street because many people who work along Hawthorne Boulevard already park on Park Street and walk to work. Further, as referenced above, so do the mass transit users.

(1) **Diagonal Parking:** Even if Park were made into a Cul de Sac, people would still park there and walk to the Project. Thus the most reasonable answer is to increase the available parking, while requiring the management of the eventual Project to force their employees to park on site. My personal measurements indicated that putting diagonal parking on one side of Park Street would nearly double the parking available on that side. (A recent Traffic Commission study by Mr. Ted Seeman's department indicated that only 13 spaces would be gained. While I dispute the accuracy of this study, even 13 spaces would be a help.) Park is approximately 51 feet wide so it is clearly wide enough to accommodate parallel parking on one side and diagonal parking on the other.

(2) **Permit Parking:** Resident Permit Parking has also been suggested but it would place a burden on the homeowners to police their own parking stickers/hanging tags. This would also be problematic if gatherings of friends were to congregate at a particular home or homes, in terms of having enough "guest" tags. Further, there is the issue of unexpected guests. Finally, the increased cost of policing the parking would be detractor to the City, and imagine the number of calls the Police would be getting about improper parking.

In conclusion, I urge you to reverse the Negative Declaration issued by the Planning Commission unless effective measures are implemented to minimize the clear negative

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impact of this Project on the residential neighborhoods. You are our last resort. At the Planning Commission hearing of the 19th, Mr. Ted Seeman and the City Attorney's office opined that this project should not be burdened with the "**PREEXISTING PROBLEMS OF THE RESIDENTIAL NEIGHBORHOODS**"! The Planning Commission jumped all over this position and soulfully directed we residents to the Traffic Commission. Dutifully we have appeared before that Commission and requested relief. We were told that the Commission could not "speculate" about the impact of the Proposed Project. After stressing to us how difficult their jobs were, how public spirited they were and *how much more difficult it is to undue a decision than to simply not make one*, they sent us packing with the "heartfelt" suggestion that we, come back before them after the Project has been completed and it's horrors have become EXTANT FACT. Hence we have a perfect "**Catch 22**" the Planning Commission will not help us because we have an existing problem which they cannot consider when considering a "Negative Declaration" as to the Proposed Project! The Traffic Commission tells us that they cannot help us because they cannot "speculate" about the effect of the Proposed Project on our current situation which we're getting along with! It would be laughable if it were not so pathetic! Perhaps one of our children or grandchildren being run down on Park Street by an employee or patron of the Proposed Project will suddenly clarify the issue.

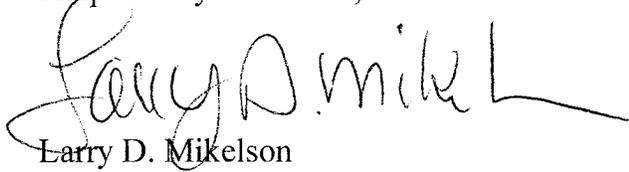
In fairness I should not leave you with the impression that everyone agrees with me. They do not. Some object to the cul de sac and others think permit parking would be helpful. In fact one of our Park Street neighbors, Mr. Roger Stickney, who spoke at the recent Traffic Commission meeting (January 5, 2009) as a self-described expert in parking issues, traffic issues, and planning issues advised doing nothing for the residential areas but instead to focus on Hawthorne Boulevard and PCH. Mr. Stickney advised me, (in a previous conversation) and the Traffic Commission that people should simply use their garages. My objection was that with storage issues considered only one car could be placed in even a two car garage. Mr. Stickney opined that people who have more than one car should move away from Park and Ward Streets. Mr. Stickney further holds that in his expert opinion, (and contrary to the information which I could find on Al Gore's internet) that diagonal parking is dangerous, speed humps are dangerous, and cul de sacs increase crime. He states that he does not drive because of a medical condition and therefore walks the area constantly and therefore knows whereof he speaks. But for the traffic routing on Hawthorne and PCH, he is quite happy with the prospect of the Project in that it will do away with the existing Jack-In-The-Box hamburger stand at the Southeast corner of Hawthorne Boulevard and Pacific

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Coast Highway, which seems to be a particular thorn in his side and constitutes the most serious problem that the area faces, with the possible exception of people with more than one car.

Thank you for your time and consideration.

Respectfully submitted,



Larry D. Mikelson

Private Citizen Comments to Proposed Plan: 3720 PCH, LLC

RECEIVED

Herbers, Sue

From: Figueroa, Pat [Pat.Figueroa@mto.com]
Sent: Tuesday, January 13, 2009 1:01 PM
To: Herbers, Sue
Subject: Private Citizen Comments to Proposed Plan: 3720 PCH, LLC
Attachments: DOC001.PDF; DOC001.PDF

2009 JAN 13 PM 1:14

CITY OF TORONTO
CITY CLERK'S OFFICE

<<DOC001.PDF>> <<DOC001.PDF>>

Please confirm receipt.

Thank you.

Dated: January 2009

To: City of Torrance City Council

cc: The Clerk of the City of Torrance
Torrance, California

Re: Opposition to Proposed Diagonal Parking on Park Street

I oppose diagonal parking on Park Street.

Dated: 1/10/09

Name: Julie Root
Address: 24217 Park St.
Torrance, California 90505

Comments: parking on Park Street is a huge problem. Diagonal parking would make our street look trashy. We need another solution.

I oppose diagonal parking on Park Street.

Dated: 1/10/09

Name: Dennis Park
Address: 24242 Park St.
Torrance, California 90505

Comments: Increasing the number of spaces doesn't seem a solution to the safety concerns for increased traffic & congestion. I'd like to see permit parking as an alternative. I'd also like to see speed bumps to help detect unsafe drivers.

Dated: _____

Name: _____
Address: _____
Torrance, California 90505

Comments: _____

Dated: January 2009

To: City of Torrance City Council

cc: The Clerk of the City of Torrance
Torrance, California

Re: Opposition to Proposed Diagonal Parking on Park Street

I oppose diagonal parking on Park Street.

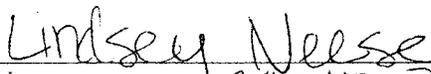
Dated: 1-10-09


Name: Dessa Craig
Address: 24245 Park St
Torrance, California 90505

Comments: I would like a cult-te-sac on the
end of park or speed bumps

I oppose diagonal parking on Park Street.

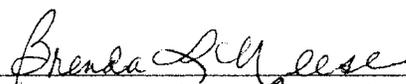
Dated: 1-10-09


Name: Lindsey Neese
Address: 224217 Park
street.
Torrance, California 90505

Comments: No diagonal parking! I do not want my
street to become a parking lot.

I oppose diagonal parking on Park Street.

Dated: 1-10-09


Name: Brenda Neese
Address: 24217 Park St
Torrance, California 90505

Comments: Against diagonal parking! Don't want
to give non-residence a chance to fill up our
street. Already a problem. We have no driveway
on this street.

Date: January 12, 2009

To: Torrance City Council

From: Michael A. Higuera, homeowner

Address: 24255 Park Street, Torrance, CA 90505

Re: Proposed Plan: 3720 PCH, LLC
 Appeal of Planning Commission Approval of a Negative Declaration and Approval of a
 Conditional Use Permit: CUP08-00015, DIV08-00006, DVP08-00002, EAS08-00003 &
WAV08-00005: C.B. ARCHITECTS (RAJU CHHABRIA)
 Planning Commission Hearing Date: November 19, 2008;

Dear City Councilmember:

As a resident of the area immediately to the South and Southeast of the proposed 20,300 square foot, combination retail / office development ("Project") proposed by 3720 PCH, LLC (Raju Chhabria, et al.) ("Proponents") I would like to voice my opposition to the approval of this project without measures to minimize the obvious and serious negative impact on my / our neighborhood and its residents.

The Negative Declaration by the Planning Commission on November 19, 2008, was issued without any evaluation of the clear negative impact of this Project on the traffic in our residential area to the South of the Project, or as to the horrific parking burden that will be placed on our already overtaxed parking situation.

My objections are as follows: The residents of Park St. have
enough vehicles to fill all available parking spaces on Park St.
There is not any extra parking capacity on Park St. for patrons
and employees of the Project. However, I believe that ~~they~~^{some of them}
will park here. This will certainly inconvenience residents of
Park St. who will sometimes have to park elsewhere, such as
one or more blocks away from their homes. There will also certainly
be an increase in traffic flow in both directions on Park St.
and with that, an increase in the number of vehicles exceeding
the speed limits.

The following actions would minimize the negative impact of the Project on our neighborhoods and I urge you to implement them if you intend to affirm the decision of the Planning Commission on this Project. Without them, the Project will be devastating to our neighborhood and significantly endanger the children who reside there.

1. I am not sure what actions would minimize the
2. negative impact of the Project on this neighborhood.
3. I don't see how a cul-de-sac on Park St. will prevent
4. employees/patrons of the Project from parking on Park St.
5. Diagonal parking would actually allow more employees/
6. patrons of the Project to Park on Park St., thus increasing
7. traffic and congestion on Park St. I think permit parking
would be a pain in the neck for all concerned.

I urge you to either couple the above items with an approval of the Planning

Commission's Negative Declaration and decision re the CUP for the Project, or to reverse said
position and disallow the Project.

Signed: Mike Hejnera

1/12/09