

Council Meeting of  
April 14, 2009

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

**PUBLIC HEARING**

Members of the Council:

**SUBJECT: Community Development - Consider an appeal of a Planning Commission denial without prejudice of a Precise Plan of Development to allow the construction of a new two-story residence in conjunction with a Waiver to exceed the maximum height of the residence and retaining walls and a Division of Lot for a Lot Line Adjustment on properties located in the Hillside Overlay District of the R-1 Zone at 23719 Susana Avenue and APN#7531-016-050.**

**PRE08-00029, WAV08-00013 AND DIV08-00011 IGOR NASTASKIN**

**Expenditure: None**

**RECOMMENDATION**

Recommendation of the Community Development Director and the Planning Commission that the City Council deny the appeal and take the following action on property located at 23719 Susana Avenue and APN#7531-016-050:

1. Deny the appeal
2. Adopt Resolutions denying:
  - A Precise Plan of Development;
  - A Waiver; and
  - A Division of Lot Permit

**Funding: Not applicable**

**BACKGROUND**

The property in question includes a lot located at 23719 Susana Avenue which is currently developed with a single family residence built in 1954. The second lot involved in the request is a 1-foot deep lot running along the Via El Chico right-of-way designated as APN#7531-016-050. On December 3, 2008, the Planning Commission heard the matter and denied the Division of Lot for the Lot Line adjustment without prejudice by a vote of 4-3 and the Precise Plan of Development and Waiver by a vote of 6-1. On December 10, 2008, the applicant filed an appeal with the City Clerk.

**Prior Hearings and Publications**

A Planning Commission Hearing was scheduled for December 3, 2008. On November 20, 2008, 97 notices were mailed to adjacent property owners. A notice of public review period was published in the newspaper on November 21, 2008. A City Council Hearing was scheduled for April 14, 2009. On April 3, 2009, 126 notices were mailed to adjacent property owners and Homeowner Associations in the City, the site was posted and a legal advertisement was published in the newspaper.

### **Environmental Findings**

The construction of a single family residence in a residential zone is Categorically Exempted by the 2009 Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303 (a).

### **ANALYSIS**

The parcel at 23719 Susana Avenue is currently 17,585 square feet in area and APN#7531-016-050 is approximately 55 square feet. The applicant is proposing a Lot Line Adjustment to enlarge the existing 55 square foot parcel to 10,312 square feet (Parcel 2) for the purposes of developing a new two-story single family residence. The existing 17,585 square foot parcel will be reduced to 7,328 square feet (Parcel 1). The Code requires that R-1 lots provide a minimum depth of 80 feet and a minimum area of 6,000 square feet or the mean average size of lots within the zone and general plan designation within a 300 foot distance. Staff calculates the mean average of surrounding properties to be 11,223.90 square feet. Both "Parcel 1" and "Parcel 2" do not meet that mean average. In regards to the lot depth, "Parcel 1" will meet the minimum requirements and "Parcel 2" will not. The resulting lot depth for "Parcel 2" is approximately 67 feet when measured from the middle of the lot which is less than the 80-foot lot depth requirement.

The existing residence at 23719 Susana Avenue will remain and the new rear yard setback will be 21 feet 9½ inches which exceeds the code required 20 foot average and meets all other R-1 development standards. The proposed new residence on APN#7531-016-050 will take access from Via El Chico and will contain a living room, dining room, kitchen, study, master suite, and two powder rooms on the upper floor. Three bedrooms, a family room, two bathrooms and a powder room are located on the lower floor. The highest ridge of the new residence will have an overall maximum height of 38'-10½" when measured from the base of the proposed building retaining walls, which is the lowest adjacent grade, to the highest point of the roof over the garage.

The resulting FAR and lot coverage on "Parcel 1" is 24% which is within code for a one story residence. The resulting FAR and lot coverage on "Parcel 2" are also within code at 0.43 and 26% respectively. Staff notes that the applicant has made changes to the proposal since being seen by the Planning Commission. Those changes include increasing "Parcel 2" by 131 square feet, increasing the residence by 124 square feet, reducing the height of the residence above the living area by 1-foot, increasing the east side setback from 18.6 feet to 29.3 feet, increasing the west side setback from 14.4 feet to 15.15 feet, reducing balcony areas in the rear of the residence, reducing windows along the east elevation and providing more of an angle on the east and west wings to address privacy concerns from the neighbors. The silhouette has also been revised and certified (Attachment C) to reflect the new changes to the project. Although the residence has increased in square footage, the FAR has remained as the lot area of "Parcel 2" has also increased.

A project summary for "Parcel 2" is provided below which includes the previous proposal:

<b>Statistical Information</b>	<b>Original Proposal</b>	<b>Revised Proposal</b>
◆ Lot Area	10,181 square feet	10,312 square feet
◆ Lower Level Living	1,429 square feet	1,754 square feet
◆ Upper Level Living	2,439 square feet	2,238 square feet
◆ Total Living	3,868 square feet	3,992 square feet
◆ Garage	462 square feet	410 square feet
◆ Total Floor Area (Inc. Garage)	4,330 square feet	4,402 square feet
◆ Floor Area Ratio	0.43	0.43
◆ Lot Coverage	28%	26%

Staff has viewed the silhouette from neighboring property owners at 23711, 23714, 23715 and 23720 Susana Avenue and 459 and 464 Via El Chico. The property owners on Susana are concerned with impacts to privacy and light as they are at a lower elevation. Although the applicant has made changes to alleviate some privacy concerns, in the judgment of staff there remains a potential for adverse privacy impacts to 23715, 23719 and 23720 Susana Avenue from the proposed residence and lawn terrace along the eastern portion of the lot. The property owners at 459 and 464 Via El Chico have expressed concern with view impacts from the proposed residence.

As noted previously, the applicant is requesting a Waiver to exceed the maximum height for a two story residence and for a retaining wall over 5 feet in height. The proposal requests the height of the residence be 38'-10½" when measured from the lowest adjacent grade in the rear to the topmost portion of the second story residence. The height measurement includes two retaining walls in the rear, one of which is 5 feet and the other which is 5 feet 10 inches. A portion of a wall would be retaining as much 10 feet along the east property line for a lawn terrace. Although there are unique issues with the site, staff cannot support the Waiver and Precise Plan requests as the proposed lot adjustment results in both lots not meeting the minimum standards required by code and the potential for adverse privacy impacts to properties along Susana Avenue.

#### **PLANNING COMMISSION RECOMMENDATION**

The Planning Commission reviewed the proposal at the December 3, 2008 hearing. The project applicant discussed the project and explained that he knew of the opposition to his proposal. Various neighbors spoke out against the project citing concerns with slope stability, privacy, views and scale. Some neighbors spoke in favor of the project for reasons such as increasing the value of the surrounding neighborhood and that the proposed project would have less of a privacy impact than the existing homes to the west. A Commissioner indicated his concerns with privacy to the neighbor to the east and view impacts to neighbors to the west and southwest. Another Commissioner related his observation of the scale and that it would tower over residences on Susana. The applicant reported that a geology study was completed to verify the stability of the soil and that it would improve the stability of the slope. The public hearing was closed and discussion followed. A Commissioner indicated that the

proposal was within the FAR and that the propose lots were greater than 6,000 square feet. A Couple of commissioners indicated impacts to views and privacy. A motion was made to deny DIV08-00011 and passed 4-3 with Commissioner's Busch, Horwich and Skoll dissenting. Motions to deny PRE08-00029 and WAV08-00013 passed 6-1 with Commissioner Horwich dissenting. Should the Council consider approval of the subject request, a set of recommended conditions is included as Attachment H.

Respectfully submitted,

Jeffery W. Gibson  
Community Development Director

CONCUR:

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

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

NOTED:

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

- Attachments:
- A. Resolutions
  - B. Location and Zoning Map
  - C. Silhouette Certification
  - D. Letter of Appeal
  - E. Planning Commission hearing Minute Excerpts from 11/19/08
  - F. Previous Planning Commission Staff Reports and Supplemental
  - G. Proofs of Publication and Notification
  - H. Recommended Conditions if Approved
  - I. Correspondence
  - J. Plot Plan and Elevations (Limited Distribution)
  - K. Mayor's Script (Limited Distribution)

**RESOLUTION NO. 2009**

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 A NEW TWO-STORY SINGLE FAMILY RESIDENCE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT APN#7531-016-050.

**PRE08-00029: IGOR NASTASKIN**

**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on December 3, 2008, to consider an application for a Precise Plan of Development filed by Igor Nastaskin to allow a new two-story single-family residence on property located in the Hillside Overlay District in the R-1 Zone at APN#7531-016-050; and

**WHEREAS**, the Planning Commission of the City of Torrance denied without prejudice the Precise Plan request; and

**WHEREAS**, the City Council of the City of Torrance conducted a public hearing on April 14, 2009, to consider an appeal of a Planning Commission Denial without Prejudice for a Precise Plan of Development filed by Igor Nastaskin to allow a new two-story single-family residence on property located in the Hillside Overlay District in the R-1 Zone at APN#7531-016-050; 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**, infill developments under five acres are categorically exempted by the Guidelines for Implementation of the California Environmental Quality Act; Section 15332; and

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

- a) That the properties are located at APN#7531-016-050; and
- b) That the property is identified as Lot 33, Tract 30035 as per map recorded in Parcel Map Book 7531, Page 016 and Parcel 050 in the Office of the County recorder County of Los Angeles, State of California; and
- c) That the proposed development may have an adverse impact upon the view, light, air or privacy of other properties in the vicinity as the project would tower over the residences on Susana Avenue; and
- d) That the development has not been planned or designed so as to cause the least intrusion on views, light, air or privacy of other properties in the vicinity as neighbors have expressed opposition to the proposal indicating the rear elevation windows and

doors create sight lines into the homes and yards of surrounding properties and impacts the views of the properties to the south and west on Via El Chico; and

- e) That granting the application would be materially detrimental to the public welfare and to other properties in the vicinity because the proposed residence may result in adverse privacy impairments to properties on Susana Avenue and view impairments to properties on Via El Chico because the rear elevation windows and doors create sight lines into the homes and yards of surrounding properties and impacts the views of the properties to the south and west on Via El Chico;

**NOW, THEREFORE, BE IT RESOLVED** that PRE08-00029, filed by Igor Nastaskin to allow a new two-story single-family residence on property located in the Hillside Overlay District in the R-1 Zone at APN#7531-016-050, is hereby denied without prejudice.

Introduced, approved and adopted this 14<sup>th</sup> day of April, 2009.

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MAYOR, of the City of Torrance

ATTEST:

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City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By \_\_\_\_\_

**RESOLUTION NO. 2009**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA DENYING WITHOUT PREJUDICE A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A TWO STORY RESIDENCE TO EXCEED THE MAXIMUM HEIGHT LIMIT AND TO ALLOW A RETAINING WALL OVER FIVE FEET IN HEIGHT ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT APN#7531-016-050.

**WAV08-00013: IGOR NASTASKIN**

**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on December 3, 2008 to consider an application for a Waiver filed by Igor Nastaskin to allow a new two-story single-family residence to exceed the maximum height limit and for a retaining wall over five feet in height on property located in the Hillside Overlay District in the R-1 Zone at APN#7531-016-050; and

**WHEREAS**, the Planning Commission of the City of Torrance denied without prejudice the Waiver request; and

**WHEREAS**, the City Council of the City of Torrance conducted a public hearing on April 14, 2009 to consider an application for a Waiver filed by Igor Nastaskin to allow a new two-story single-family residence to exceed the maximum height limit and for a retaining wall over five feet in height on property located in the Hillside Overlay District in the R-1 Zone at APN#7531-016-050; and

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

**WHEREAS**, infill developments under five acres are categorically exempted by the Guidelines for Implementation of the California Environmental Quality Act; Section 15332; and

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

- a) That the property is located at APN#7531-016-050; and
- b) That the property is identified as Lot 33, Tract 30035 as per map recorded in Parcel Map Book 7531, Page 016 and Parcel 050 in the Office of the County recorder County of Los Angeles, State of California; and
- c) The project is not in compliance with both the R-1 Zoning and the Low Density General Plan designation for this site; and
- d) That the increased building height and increased retaining wall heights will be materially detrimental to the public welfare because it causes impacts on privacy of surrounding properties on Susana Avenue;

**NOW, THEREFORE, BE IT RESOLVED** that WAV08-00013 filed by Igor Nastaskin to allow a new two-story single-family residence to exceed the maximum height limit and for a retaining wall over five feet in height on properties located in the Hillside Overlay District in the R-1 Zone at 23719 Susana Avenue and APN#7531-016-050, is denied without prejudice.

Introduced, approved and adopted this 14<sup>th</sup> day of April, 2009.

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MAYOR, of the City of Torrance

ATTEST:

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City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By \_\_\_\_\_

**RESOLUTION NO. 2008**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A DIVISION OF LOT PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 29 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A LOT LINE ADJUSTMENT BETWEEN TWO LOTS TO CONSTRUCT A NEW TWO-STORY SINGLE-FAMILY RESIDENCE ON PROPERTIES LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 23719 SUSANA AVENUE AND APN#7531-016-050.

**DIV08-00011: IGOR NASTASKIN**

**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on December 3, 2008 to consider an application for a Division of Lot filed by Igor Nastaskin to allow a Lot Line Adjustment between two lots to construct a new two-story single-family residence on properties located in the Hillside Overlay District in the R-1 Zone at 23719 Susana Avenue and APN#7531-016-050; and

**WHEREAS**, the Planning Commission of the City of Torrance denied without prejudice the Division of Lot request; and

**WHEREAS**, the City Council of the City of Torrance conducted a public hearing on December 3, 2008 to consider an application for a Division of Lot filed by Igor Nastaskin to allow a Lot Line Adjustment between two lots to construct a new two-story single-family residence on properties located in the Hillside Overlay District in the R-1 Zone at 23719 Susana Avenue and APN#7531-016-050; and

**WHEREAS**, minor Lot Line Adjustments are categorically exempt by Guidelines for Implementation of the California Environmental Quality Act; Section 15305; and

**WHEREAS**, the above described conforms to the Land Use Element of the General Plan of the City of Torrance; and

**WHEREAS**, due and legal publication of notice was given to owners of property within a 500 foot radius and due and legal hearings have been held, all in accordance with the provisions of Division 9, Chapter 6, Article 2 of the Torrance Municipal Code; and

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

- a) That the properties are located at 23719 Susana Avenue and APN#7531-016-050; and
- b) That the property is identified as Lot 174, Tract 18249 as per map recorded in Parcel Map Book 7531, Page 016 and Parcel 019 in the Office of the County recorder County of Los Angeles, State of California and as Lot 33, Tract 30035 as per map recorded in Parcel Map Book 7531, Page 016 and Parcel 050 in the Office of the County recorder County of Los Angeles, State of California; and

- c) That the granting of the exception may be materially detrimental to the public welfare or injurious to the property or improvements in the immediate vicinity because the resulting lots do not meet the Code required average minimum lot size in terms of area and lot depth; and
- d) That the granting of an exception may be contrary to the objectives of Section 92.29.31 of the Torrance Municipal Code because the resulting lots do not meet the Code required average minimum lot sizes; and
- e) That the granting of the exception will take one nonconforming lot and one conforming lot to create two nonconforming lots;

**NOW, THEREFORE, BE IT RESOLVED** that DIV08-00011, filed by Igor Nastaskin to allow a Lot Line Adjustment to construct a new two-story single-family residence on properties located in the Hillside Overlay District in the R-1 Zone at 23719 Susana Avenue and APN#7531-016-050 on file in the Community Development Department of the City of Torrance, is hereby denied without prejudice.

Introduced, approved and adopted this 14<sup>th</sup> day of April, 2009.

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MAYOR, of the City of Torrance

ATTEST:

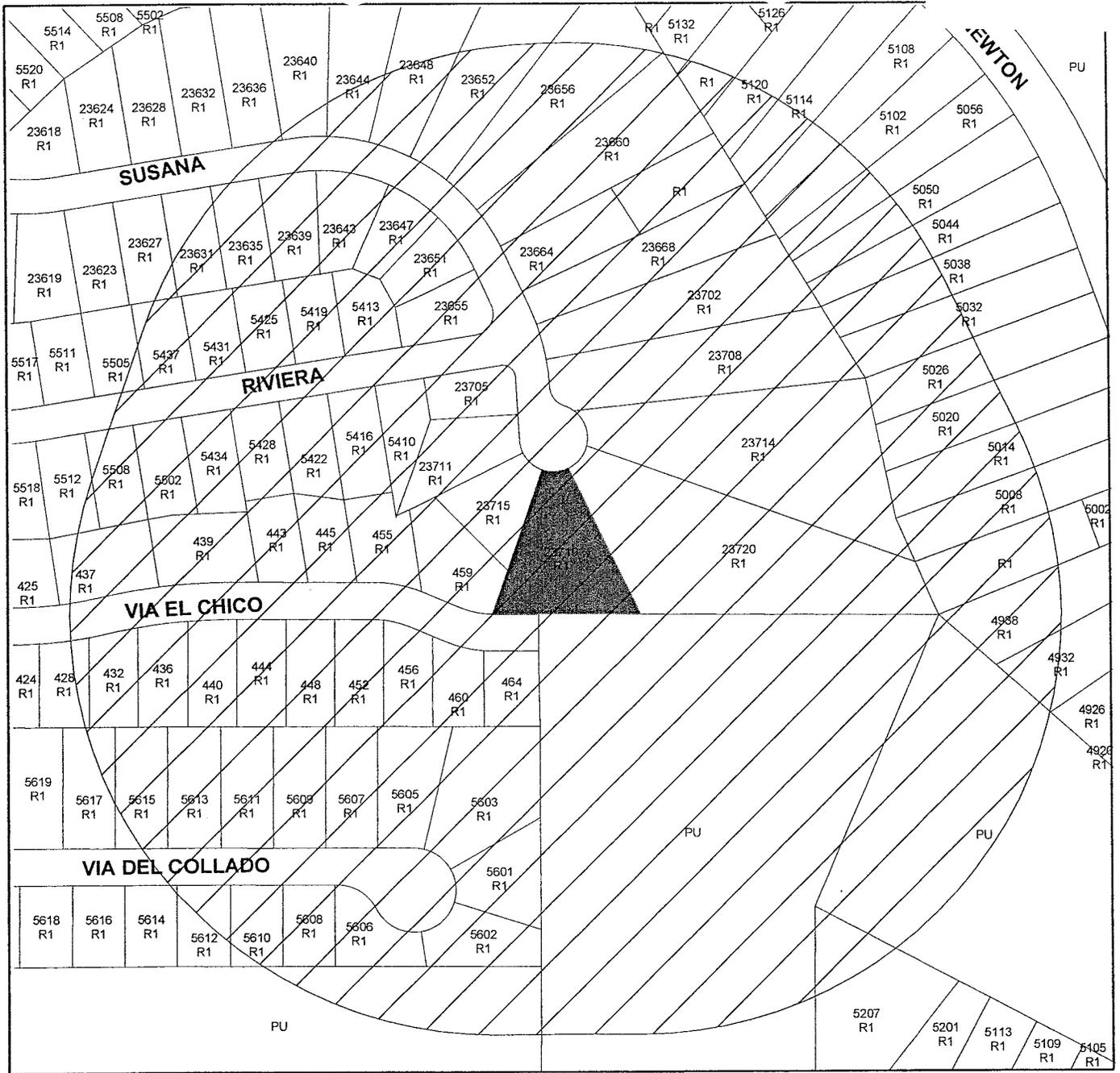
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City Clerk of the City of Torrance

APPROVED AS TO FORM:

JOHN FELLOWS III, City Attorney

By \_\_\_\_\_



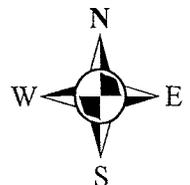
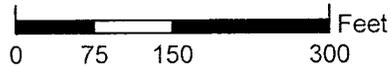
### LOCATION AND ZONING MAP

23719 Susana  
 PRE08-00029, WAV08-00013  
 & DIV08-00011

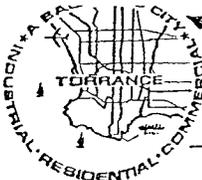


### LEGEND

-  Notification Area
-  23719 Susana







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

ATTACHMENT C

APR 01 2009

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 23719 SUSANA AVENUE  
 (address)

on 3/31/09, based on plans submitted to the City of Torrance  
 (date)

by NASTASKIN / BRAUN on \_\_\_\_\_ The survey was taken  
 (applicant/architect) (date)

from a bench mark located at L&T TIE ON TOP OF CURB  
 (address)

(attach map) which established a base elevation of 245.33'

The ridge line/highest point of the roof was determined to have an elevation of 255.00'

The plans indicate that the elevation should be 254.87'

*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

MARCH 31, 2009  
 DATE



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

07-515



**CITY OF TORRANCE**  
**INTEROFFICE COMMUNICATION**

**DATE: December 10, 2008**

**TO: Jeffrey Gibson, Community Development**

**FROM: City Clerk's Office**

**SUBJECT: Appeal 2008-21**

Attached is Appeal 2008-21 received in this office on December 10, 2008 from Igor Nastaskin, 601 Calle de Arboles, Redondo Beach, CA 90277. This appeal is of the Planning Commission's denial on December 3, 2008 regarding PRE08-00029, WAV08-00013, DIV08-00011: IGOR NASTASKIN located at 23719 Susana Avenue, Torrance, CA 90503 citing the appeal will include modification of the project incorporating the commission's suggestions and introduction of some information not available to commission before.

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



# CITY OF TORRANCE

RECEIVED

## APPEAL FORM

2008 DEC 10 PM 3:03

### 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: PME08-00029, WAV08-00013, DIV08-00011  
 (Case Number and Name)

Address/Location of Subject Property 23719 SUSANA, TORR.  
 (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: 12/3/08

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.*

DO NOT AGREE WITH THE PLANNING COMMISSION DECISION  
THE APPEAL WILL INCLUDE MODIFICATION OF THE  
PROJECT INCORPORATING THE COMMISSION'S SUGGESTIONS  
AND INTRODUCTION  
OF SOME INFORMATION NOT AVAILABLE TO COMMISSION BEFORE

Name of Appellant IGOR NASTASKIN

Address of Appellant 601 CALLE DE ARBOLES, RB, 90277

Telephone Number (310) 892-6016

Signature [Signature]

Appeal Fee paid \$ <u>160.00</u>	For office use only: Date <u>12/10/08</u>	Received by <u>[Signature]</u>
<b>Notice to:</b> Community Development Department: <input checked="" type="checkbox"/> Planning <input checked="" type="checkbox"/> Building & Safety <input checked="" type="checkbox"/> City Council <input type="checkbox"/> City Manager <input type="checkbox"/> City Attorney <input type="checkbox"/> Other Department(s)		

**EXCERPT OF MINUTES**

√ **Minutes Approved**  
 ~~Minutes Subject to Approval~~

**December 3, 2008**

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

**1. CALL TO ORDER**

The Torrance Planning Commission convened in a regular session at 7:02 p.m. on Wednesday, December 3, 2008 in the Council Chambers at Torrance City Hall.

**3. ROLL CALL**

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

Absent: None.

Also Present: Planning Manager Lodan, Planning Associate Gomez, Plans Examiner Noh, Associate Civil Engineer Symons, Deputy City Attorney Whitham, Deputy City Attorney Sullivan and Fire Marshal Hastings.

**11. FORMAL HEARINGS**

**11B. PRE08-00029, WAV08-00013, DIV08-00011: IGOR NASTASKIN**

Planning Commission consideration for approval of a Precise Plan of Development to allow a new two-story, single-family residence in conjunction with a Waiver to exceed the maximum height and to allow a retaining wall over five feet in height, and a Division of Lot for a lot line adjustment on properties located in the R-1 Zone at 23719 Susana Avenue and APN 7531-016-050.

**Recommendation**

Denial without prejudice.

Planning Associate Gomez introduced the request and noted supplemental material consisting of correspondence received after the agenda item was completed.

Igor Nastaskin, 601 Calle de Arboles, applicant, stated that he is a long-term Torrance resident, with three children in Torrance schools, and he is actively involved in the community. He reported that he and his wife purchased the subject property in October 2007 despite its run-down condition because they recognized its potential. He explained that the lot has two distinct topographies, a flat portion of approximately 7,500 square feet that is developed with a single-story house and a sloped portion of approximately 10,000 square feet on which they hope to build their dream home. He noted that the new house would have direct driveway access from Via El Chico so dividing the lot would not create a flag lot.

Mr. Nastaskin reported that he has made every effort to share the plans with neighbors on both Susana and Via El Chico and even paid for an artist to create computer-generated renderings, but was told by immediate neighbors on Susana that they were adamantly opposed to anything being built on this land. Referring to his letter to Darren Donaldson (agenda material – page 40), he detailed how concerns about view and privacy were addressed in the design of the project. He contended that no ocean or city views would be impaired and that privacy would actually be improved.

Mr. Nastaskin noted that the cul-de-sac on Via El Chico where his lot is located has long been a problem for residents because teenagers congregate there to drink and smoke pot; that residents have called police to report disturbances 10 times in the last year; and that a young man even tried to cut down his silhouette in the middle of the night due to concerns that the project would interfere with his ability to hang out there with his buddies.

Mr. Nastaskin explained that TMC §92.29.31 requires that when lots are split, the resulting lots must equal or exceed the average size of lots within a 300-foot radius, which in this case is 11,294 square feet. He voiced his opinion that the proposed Division of Lot meets the criteria for granting an exception because a few unusually large lots on the east side of Susana skew the average and the majority of lots on the west side of Susana are between 6,000-7,000 square feet. He urged approval of the project as proposed.

Commissioner Weideman indicated that he was mainly concerned about the impact on privacy for the neighbor to the east and the impact on views for neighbors to the west and southwest and suggested that Mr. Nastaskin address these issues when he returns to the podium after public comment.

Chairperson Browning related his observation that the proposed structure looks massive and would tower over residences on Susana. He noted that Mr. Nastaskin has claimed that the project would not impact neighbors' privacy, however, there are three decks totaling 94 linear feet, 9 double glass doors and 9 double windows on the rear of the house, all of which would look down into properties on Susana.

Peter Dabbieri, 439 Via El Chico, requested that the height of vegetation be limited to 4 feet on Via El Chico and 12 feet on the rest of the property if the project is approved in order to preserve view corridors.

Alan Phillips, 320 Via El Chico, stated that several people have been allowed to split lots on the north side of Via El Chico and he believed the applicant should have the same opportunity. He suggested that it was unrealistic to expect complete privacy in the Hillside area, noting that neighbors behind him look down into his property and he looks down into properties below.

In response to Chairperson Browning's inquiry, Mr. Phillips indicated that he could not see the project's silhouette from his home.

Ann Ferelli, 5014 Newton Street, expressed concerns that the project may affect the stability of the hillside and cause slippage on Newton Street. She related her belief that the vandalism on Via El Chico is related to the adjacent park and that building this home would not stop it.

Linda Russell, 464 Via El Chico, voiced objections to the project, stating that it would completely block the view from her husband's office on the first floor and partially block the view from the second floor. She reported that she made 8 of the 10 calls to police about teenagers loitering in the cul-de-sac and it is not a big problem.

John Groblewski, 459 Via El Chico, stated that the proposed project would block his views of Long Beach and Torrance airports and that there were also potential light and privacy impacts. He noting that he recently purchased in this area because of the protection the Hillside Ordinance affords.

In response to Chairperson Browning's inquiry, Mr. Groblewski confirmed that he can see into properties on Susana from his balcony.

Michael Cotton, 120 Via La Circula, voiced support for the project. He stated that he believed Mr. Nastaskin and his family are an asset to the community; that he felt Mr. Nastaskin has made an exceptional effort to meet with his neighbors and address their concerns; and that he thought this was a reasonable project, which would be an improvement to the neighborhood and eliminate a vacant lot that has been the source of problems.

Milton McKinnon, 5406 Calle de Ricardo, noted that anything built on Via El Chico will tower over homes on Susana due to the difference in elevation and contended that the proposed project would have much less impact on privacy than the massive home two houses to the west. He related his understanding that no construction can begin until the City is satisfied that it will not affect the stability of the hillside.

Mike Dean, 23652 Susana, stated that while he is not affected by the project, he supports it because he believes it will enhance the value of his home, which is similar in size.

Ruth Vogel, 114 Via la Soledad, voiced objections to the proposed Waiver, relating her belief that Waivers should be granted only in cases of extreme hardship. She asked about the small narrow lot (APN #7531-016-050) to be incorporated into the parcel via the Lot Line Adjustment.

Planning Manager Lodan advised that the 1' x 55' lot appears to be a "blocker lot" meant to prevent the adjacent lot from taking access on Via El Chico.

Marshall Stewart, 261 Via Linda Vista, expressed support for the project, stating that he thought the applicant had done a marvelous job of designing it.

Commissioner Uchima noted that several people who have spoken do not live within the notification area and suggested focusing on people who are personally affected by the project due to the lateness of the hour.

Paul Keach, 23702 Susana, stated that he is opposed to the project and believes it is out of character with the neighborhood.

Mardi Watkins, 23628 Susana, voiced support for the project.

Barbara Pfahler, 23711 Susana, recalled that there was a landslide on Riviera Avenue when Via El Chico was extended; reported that she has also had mud come down into her backyard from the slope above several times; and related her belief that the subject property is not stable.

In response to Commissioner Busch's inquiry, Plans Examiner Noh advised that should the project be approved, the applicant would be required to provide a soil investigation report and an engineering geology report to ensure that the project will not affect the stability of the hillside and these reports must be submitted prior to the issuance of any building permits.

Harry Homsher, 23711 Susana, stated that he did not believe the subject lot was ever intended to have two houses on it and he no longer speaks to Mr. Nastaskin because they disagree on this issue. He echoed concerns about the stability of the hillside, reporting that a neighbor to the rear left her sprinklers on too long causing mud to slide into his yard.

Darren Donaldson, 23720 Susana, contended that the proposed project would greatly impact his privacy and decrease the value of his property and related his belief that the subject lot was never intended to be split.

Sam Charry, 23714 Susana, stated that he enjoys the uniqueness and the openness of his property and he would have no more privacy if the proposed project is approved.

Allen Hillger, 445 Via El Chico, indicated that he was opposed to the proposed project.

Chairperson Browning questioned whether Mr. Hillger had originally supported the project. Mr. Hillger explained that he had thought the project was low enough to preserve views until the silhouette was erected, but subsequently realized that six properties would have their views impaired.

Paula Bozeman, 445 Via El Chico, noted that she formerly lived in Manhattan Beach but moved due to mansionization and expressed concerns that the same thing could happen in this area. She reported that she and her husband were given misinformation about the project and had believed the impact would be minimal until the silhouette was erected and it became clear that the project was a monstrosity.

Sally Taylor, 23664 Susana, stated that she purchased in this area because of its bucolic nature and she believes the proposed project would destroy the whole look of the neighborhood.

Carolyn Cameron, 23655 Susana, voiced objections to the project, reporting that it would block views from her master bedroom and kitchen. She noted that teenagers also congregate on her block, but she does not bother calling the police.

Chairperson Browning noted that residents at 456, 460, 464, 455, and 459 Via El Chico, as well as residents at 23711, 23715, 23720, 23714, 23708 and 23702 Susana do not support the project and urged the Commission not to ignore these residents who live immediately adjacent to the project.

Returning to the podium, Mr. Nastaskin reported that he hired a geotechnical firm, Western Lab, to do a thorough investigation of the slope's stability and the report indicates that the project would actually enhance the stability of the hillside because extensive foundation work and a drainage system would be required, which would shore up the hillside and take water off the slope. He disputed the claim that the project was too large, noting that there are similarly sized homes in the immediate area. With

regard to view impact, he explained that trees would be removed in conjunction with the project thereby improving views on Via El Chico. Regarding privacy impact, he reported that Mr. Donaldson's property is the most impacted and there's already a direct view into his property from the subject property, as well as from other properties, and the project cannot take away privacy when none exists.

Commissioner Busch questioned whether staff was aware that Mr. Nastaskin had had a geological report prepared. Mr. Nastaskin stated that he informed Planning Associate Santana about the report and was told that it was not necessary to submit the report for inclusion in the agenda material because this was not a technical hearing.

Commissioner Busch indicated that he was not swayed by claims that there were other homes that have a greater impact on surrounding properties than the proposed project, noting that he was not on the Commission when they were approved and some of them may have been approved before the adoption of the Hillside Ordinance. Referring to the Precise Plan application Item 3(b), he stated that he did not agree with the applicant's response, "The new residence will increase property values as evidenced by the overwhelming support of the residences on Via El Chico," because as Chairperson Browning pointed out, residents directly affected by the project do not support it.

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

Commissioner Weideman stated that he would vote against the Division of Lot having learned that the very narrow lot (APN#7531-016-050) was probably designed to prevent people from building at this location, therefore, he did not even have to consider the Precise Plan and his concerns about view and privacy impacts.

Commissioner Horwich noted that the question has been raised as to whether or not the applicant is a developer, but he wanted to make clear that his decision was based solely on the merits of the project. He pointed out that the two lots that would be created by the Division of Lot – 7459 square feet for Parcel 1 and 10181 square feet for Parcel 2 – are well above the minimum for R-1 lots (6,000 square feet) and as large as many in the area. He disputed the claim that the proposed house was massive, noting that the FAR of 0.43 is well under the maximum allowed. He related his belief that the Via El Chico cul-de-sac is an attractive nuisance and while developing the subject lot may not solve all the problems, it would help mitigate them. He stated that he didn't see how anything could be built on this site without impacting the view from the downstairs office of the neighbor across the street and reported that he visited one residence on Susana and their only concern was slope stability, which according to Mr. Nastaskin is not an issue. He suggested that the applicant consider eliminating one or both of the decks that look down onto Susana in order to eliminate any potential privacy issues.

Commissioner Uchima stated that he looked at the project from Mr. Donaldson's perspective, as well as from up above on Via El Chico and observed that there would be an impact on privacy due to the many windows along the rear of the house, therefore, he could not support the project as proposed.

Commissioner Skoll stated that he thought the project was attractive but also observed privacy issues.

Chairperson Browning noted that the applicant has had an opportunity to hear about concerns and may be able to make some changes to make the project work.

**MOTION:** Commissioner Uchima moved to deny DIV08-00011 without prejudice. The motion was seconded by Chairperson Browning and passed by a 4-3 roll call vote, with Commissioners Busch, Horwich and Skoll dissenting.

**MOTION:** Commissioner Busch moved to deny PRE08-00029 without prejudice. The motion was seconded by Commissioner Uchima and passed by a 6-1 roll call vote, with Commissioner Horwich dissenting.

**MOTION:** Commissioner Busch moved to deny WAV08-00013 without prejudice. The motion was seconded by Commissioner Uchima and passed by a 6-1 roll call vote, with Commissioner Horwich dissenting.

Planning Associate Gomez read aloud the number and title of Planning Commission Resolution Nos. 08-120, 08-121 and 08-122.

**MOTION:** Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 08-120. The motion was seconded by Chairperson Browning and passed by unanimous roll call vote.

**MOTION:** Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 08-121. The motion was seconded by Commissioner Busch and passed by unanimous roll call vote.

**MOTION:** Commissioner Uchima moved for the adoption of Planning Commission Resolution No. 08-122. The motion was seconded by Commissioner Gibson and passed by a 6-1 roll call vote, with Commissioner Busch dissenting.

###

**AGENDA ITEM NO. 11B**

**CASE TYPE & NUMBER:** Precise Plan of Development – PRE08-00029  
 Waiver – WAV08-00013  
 Division of Lot – DIV08-00011

**NAME:** Igor Nastaskin

**PURPOSE OF APPLICATION:** A request for approval of a Precise Plan of Development to allow the construction of a new two-story residence in conjunction with a Waiver to exceed the maximum height of the residence and a retaining wall and a Division of Lot for a Lot Line Adjustment on properties located in the Hillside Overlay District of the R-1 Zone at 23719 Susana Avenue and APN#7531-016-050.

**LOCATION:** 23719 Susana Avenue and APN#7531-016-050

**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/P-U Hillside Overlay District, Three Story Single Family Residences,  
 Los Arboles Park

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

WEST: R-1 Hillside Overlay District, One and Three 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 a new two-story residence on this property is consistent with Low Density Residential designation.

**ENVIRONMENTAL FINDINGS:** The construction of a single family residence in a residential zone is Categorically Exempted by the 2008 Guidelines for Implementation of the California Environmental Quality Act; Article 19, Section 15303 (a).

**EXISTING IMPROVEMENTS AND /OR NATURAL FEATURES:** The existing lot (APN#7531-016-019) located on Susana Avenue is triangularly shaped and has a steep upward slope towards Via El Chico. The subject property is developed with an existing single-story single family residence with an attached garage originally constructed in 1954. The existing lot located on Via El Chico (APN#7531-016-050) is one foot in depth by approximately 55 feet long.

**BACKGROUND AND ANALYSIS:**

The applicant requests approval for the a Division of Lot is required for the Lot Line Adjustment between 23719 Susana Avenue and APN#7531-016-050 to allow the construction of a new two-story residence. A Precise Plan is required because the property is located within the Hillside Overlay District and the new residence is two-

stories and over 14 feet in height. A Waiver is required to exceed the maximum height limit for a two-story residence and the retaining wall over five feet high.

The 23719 Susana Avenue lot is currently 17,585 square feet in area and APN#7531-016-050 is approximately 55 square feet. The applicant is proposing a Lot Line Adjustment to enlarge the existing 55 square foot parcel to 10,181 square feet (Parcel 2) for the purposes of developing a new two-story single family residence. The existing 17,585 square foot parcel will be reduced to 7,459 square feet (Parcel 1). The Code requires that lots provide a minimum depth of 80 feet and a minimum area of 6,000 square feet or the mean average size of lots within the same zone and general plan designation within a 300 foot distance, whichever is larger. Staff calculates the mean average of surrounding properties to be 11,223.90 square feet. Both "Parcel 1" and "Parcel 2" do not meet that mean average. In regards to the lot depth, "Parcel 1" will meet the minimum requirements and "Parcel 2" will not. The resulting lot depth for "Parcel 2" is approximately 66.5 feet when measured from the middle of the lot which is less than the 80-foot lot depth requirement.

The existing residence at 23719 Susana Avenue will remain and the new rear yard setback will be 25 which exceeds the code required 20 foot average. The proposed new residence on APN#7531-016-050 will front onto Via El Chico and will contain a living room, dining room, kitchen, study, master suite, bedroom, two bathrooms and powder room on the upper floor. Two bedrooms, a family room, bathroom and powder room are located on the lower floor. The highest ridge of the new residence will have an overall maximum height of 39'-4½" when measured from the base of the proposed retaining walls to the highest point of the roof over the 2<sup>nd</sup> story. Staff is measuring from the base of the retaining walls as they are tied in with the support of the structure. When measured from the top of the retaining walls, the residence measures a total height of 27 feet.

The resulting FAR and lot coverage on "Parcel 1" is 23% which is within code for a one story residence. The resulting FAR and lot coverage on "Parcel 2" are also within code at 0.43 and 28% respectively. A project summary for "Parcel 2" is provided below:

#### Statistical Information

◆ Proposed Lot Area	10,181 square feet	
◆ Upper Floor Living Area	2,439 square feet	
◆ Lower Floor Living Area	1,429 square feet	
◆ Garage	462 square feet	
◆ Total Living	3,868 square feet	
◆ Total Floor Area (Inc. Gar/Laundry)	4,330 square feet	
◆ Proposed Floor Area Ratio	0.43	
◆ Maximum Floor Area Allowed	6,108 square feet	@ 0.6
◆ Proposed Lot Coverage	28%	
◆ Maximum Lot Coverage Allowed	40%	

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 #6). A licensed engineer has verified the height of the silhouette and staff made a field inspection.

Based on staff observations, the properties to the south appear to have views to the north but are not impacted by the proposed additions as they are at a higher elevation and the ground levels of the residences are used for garages. The front of the proposed residence along Via El Chico maintains a one-story elevation. Properties to the north do not have views over the proposed residence as they are at a much lower elevation. The properties to the northeast have city light views to the east but are not impacted as the proposed residence is to the southwest. Properties to the west appear to have views over the residence but do not appear to be impacted. Staff made an attempt to assess view impacts but was not able to gain access to the residence directly to the west at 459 Via El Chico. Staff has been in contact with neighbors at 23711, 23714, 23715 and 23720 Susana Avenue who are concerned with impacts to privacy and light as they are at a lower elevation and the plans indicate a deck on the lower level and living/dining, bedrooms and a deck on the upper level. Staff has also been in contact with the property owner at 464 Via El Chico who claims to have view impacts from a ground level office area. The neighbors on Susana Avenue have also expressed concerns over the topography and stability of the slope. Staff notes that the project will be subject to the California Building Code and will be required to provide a soil investigation report for the grading and drainage activities. That report must include slope stability calculations and will be subject to those standards if approved. Staff has also received correspondence objecting to the proposed project (Attachment #8).

As noted previously, the applicant is requesting a Waiver to exceed the maximum height for a two story residence and for a retaining wall over 5 feet in height. The proposal requests the height of the residence be 39'-4½" when measured from the lowest adjacent grade in the rear to the topmost portion of the second story residence. The height measurement includes two retaining walls in the rear, one of which is 5 feet and the other which is 7 feet. The existing topography and lot placement is common to properties located on the north side of Via El Chico. Although staff feels that there are unique issues with the site, staff cannot support the Waiver and Precise Plan requests as the proposed lots do not meet the minimum standards required by code and potential for adverse privacy impacts to properties along Susana Avenue.

In reviewing the history of the proposal, staff notes that the applicant went to great lengths to contact the neighbors that are potentially affected. The applicant has provided letters to neighbors that have been contacted (Attachment #9) and has also put a rendering of the proposal with contact information at the site. The applicant has also circulated a petition to surrounding neighbors that support the project (Attachment #10). The applicant has stated that the neighboring property at 464 Via El Chico originally supported the project but now has objections to it.

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

**PROJECT RECOMMENDATION:** DENIAL WITHOUT PREJUDICE

**FINDINGS OF FACT IN SUPPORT OF DENIAL OF THE PRECISE PLAN, WAIVER AND DIVISION OF LOT:**

Findings of fact in support of denial of the Precise Plan, Waiver and Division of Lot are set forth in the attached Resolutions.

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

Should the Commission consider approval of the subject requests, a list of recommended conditions for the project is set forth in Attachment #3.

Prepared By,



Oscar Martinez  
Planning Associate

Respectfully submitted,



Gregg Lodan, AICP  
Planning Manager

**ATTACHMENTS:**

1. Resolutions
2. Location and Zoning Map
3. Recommended Conditions if Approved
4. Hillside Ordinance Criteria Response
5. Waiver Substantiation
6. Silhouette Verification
7. Code Requirements
8. Correspondence
9. Correspondence from Applicant
10. Petition from Applicant
11. Color Photographs from Applicant (Limited Distribution)
12. Site Plan, Floor Plans, & Elevations

**PLANNING COMMISSION RESOLUTION NO. 08-120**

A RESOLUTION OF THE PLANNING COMMISSION 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 A NEW TWO-STORY SINGLE FAMILY RESIDENCE ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT APN#7531-016-050.

**PRE08-00029: IGOR NASTASKIN**

**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on December 3, 2008, to consider an application for a Precise Plan of Development filed by Igor Nastaskin to allow a new two-story single-family residence on property located in the Hillside Overlay District in the R-1 Zone at APN#7531-016-050; 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**, infill developments under five acres are categorically exempted by the Guidelines for Implementation of the California Environmental Quality Act; Section 15332; and

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

- a) That the properties are located at APN#7531-016-050; and
- b) That the property is identified as Lot 33, Tract 30035 as per map recorded in Parcel Map Book 7531, Page 016 and Parcel 050 in the Office of the County recorder County of Los Angeles, State of California; and
- c) That granting the application would be materially detrimental to the public welfare and to other properties in the vicinity because the proposed residence will result in adverse privacy impairments to properties on Susana Avenue; and

**WHEREAS**, the Planning Commission by the following roll call votes DENIED WITHOUT PREJUDICE PRE08-00029:

AYES:                      COMMISSIONERS:

NOES:                      COMMISSIONERS

ABSENT:                      COMMISSIONERS:

ABSTAIN:                      COMMISSIONERS:

**NOW, THEREFORE, BE IT RESOLVED** that PRE07-00029, filed by Igor Nastaskin to allow a new two-story single-family residence on property located in the Hillside Overlay District in the R-1 Zone at APN#7531-016-050, is hereby DENIED WITHOUT PREJUDICE:

Introduced, approved and adopted this 3<sup>rd</sup> day of December, 2008.

\_\_\_\_\_  
Chairman, Torrance Planning Commission

ATTEST:

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

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

I, Gregg 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 3<sup>rd</sup> day of December, 2008, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

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Secretary, Torrance Planning Commission



**PLANNING COMMISSION RESOLUTION NO. 08-121**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA DENYING WITHOUT PREJUDICE A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A TWO STORY RESIDENCE TO EXCEED THE MAXIMUM HEIGHT LIMIT AND TO ALLOW A RETAINING WALL OVER FIVE FEET IN HEIGHT ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT APN#7531-016-050.

**WAV08-00013: IGOR NASTASKIN**

**WHEREAS**, the Planning Commission of the City of Torrance conducted a public hearing on December 3, 2008 to consider an application for a Waiver filed by Igor Nastaskin to allow a new two-story single-family residence to exceed the maximum height limit and for a retaining wall over five feet in height on property located in the Hillside Overlay District in the R-1 Zone at APN#7531-016-050; and

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

**WHEREAS**, infill developments under five acres are categorically exempted by the Guidelines for Implementation of the California Environmental Quality Act; Section 15332; and

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

- a) That the property is located at APN#7531-016-050; and
- b) That the property is identified as Lot 33, Tract 30035 as per map recorded in Parcel Map Book 7531, Page 016 and Parcel 050 in the Office of the County recorder County of Los Angeles, State of California; and
- c) The project is not in compliance with both the R-1 Zoning and the Low Density General Plan designation for this site; and
- d) That the increased building height and increased retaining wall height will be materially detrimental to the public welfare because it causes significant impacts on privacy of surrounding properties on Susana Avenue; and

**WHEREAS**, The Planning Commission by the following roll call vote DENIED WITHOUT PREJUDICE WAV08-00013:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

**NOW, THEREFORE, BE IT RESOLVED** that WAV08-00013 filed by Igor Nastaskin to allow a new two-story single-family residence to exceed the maximum height limit and for a retaining wall over five feet in height on properties located in the Hillside Overlay District in the R-1 Zone at 23719 Susana Avenue and APN#7531-016-050, is DENIED WITHOUT PREJUDICE:

Introduced, approved and adopted this 3<sup>rd</sup> day of December 2008.

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Chairman, Torrance Planning Commission

ATTEST:

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Secretary, Torrance Planning Commission

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

I, Gregg 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 3<sup>rd</sup> day of December, 2008, by the following roll call vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

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Secretary, Torrance Planning Commission



**PLANNING COMMISSION RESOLUTION NO. 08-122**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TORRANCE, CALIFORNIA, DENYING WITHOUT PREJUDICE A DIVISION OF LOT AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 29 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A LOT LINE ADJUSTMENT BETWEEN TWO LOTS TO CONSTRUCT A NEW TWO-STORY SINGLE-FAMILY RESIDENCE ON PROPERTIES LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 23719 SUSANA AVENUE AND APN#7531-016-050.

**DIV08-00011: IGOR NASTASKIN**

**WHEREAS**, the Planning Commission at its meeting of December 3, 2008, considered DIV08-00011 filed by Igor Nastaskin to allow a Lot Line Adjustment between two lots to construct a new two-story single-family residence on properties located in the Hillside Overlay District in the R-1 Zone at 23719 Susana Avenue and APN#7531-016-050; and

**WHEREAS**, minor Lot Line Adjustments are categorically exempt by Guidelines for Implementation of the California Environmental Quality Act; Section 15305; and

**WHEREAS**, the above described conforms to the Land Use Element of the General Plan of the City of Torrance; and

**WHEREAS**, due and legal publication of notice was given to owners of property within a 500 foot radius 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 does hereby find and determine as follows:

- a) That the properties are located at 23719 Susana Avenue and APN#7531-016-050; and
- b) That the property is identified as Lot 174, Tract 18249 as per map recorded in Parcel Map Book 7531, Page 016 and Parcel 019 in the Office of the County recorder County of Los Angeles, State of California and as Lot 33, Tract 30035 as per map recorded in Parcel Map Book 7531, Page 016 and Parcel 050 in the Office of the County recorder County of Los Angeles, State of California; and
- c) That the granting of the exception may be materially detrimental to the public welfare or injurious to the property or improvements in the immediate vicinity because the resulting lots do not meet the Code required averaged minimum lot size in terms of area and lot depth;
- d) That the granting of an exception may be contrary to the objectives of Section 92.29.31 of the Torrance Municipal Code because the resulting lot for APN#7531-016-050 does not meet the Code required averaged minimum lot size; and

**WHEREAS**, the Planning Commission by the following roll call vote APPROVED DIV08-00011, subject to conditions:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSENT: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

**NOW, THEREFORE, BE IT RESOLVED** that DIV08-00011, filed by Igor Nastaskin to allow a Lot Line Adjustment to construct a new two-story single-family residence on properties located in the Hillside Overlay District in the R-1 Zone at 23719 Susana Avenue and APN#7531-016-050 on file in the Community Development Department of the City of Torrance, is hereby DENIED WITHOUT PREJUDICE:

Introduced, approved and adopted this 3<sup>rd</sup> day of December 2008.

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Chairman, Torrance Planning Commission

ATTEST:

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Secretary, Torrance Planning Commission

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

I, GREGG 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 3<sup>rd</sup> day of December, 2008, by the following roll call vote:

AYES:           COMMISSIONERS:

NOES:           COMMISSIONERS:

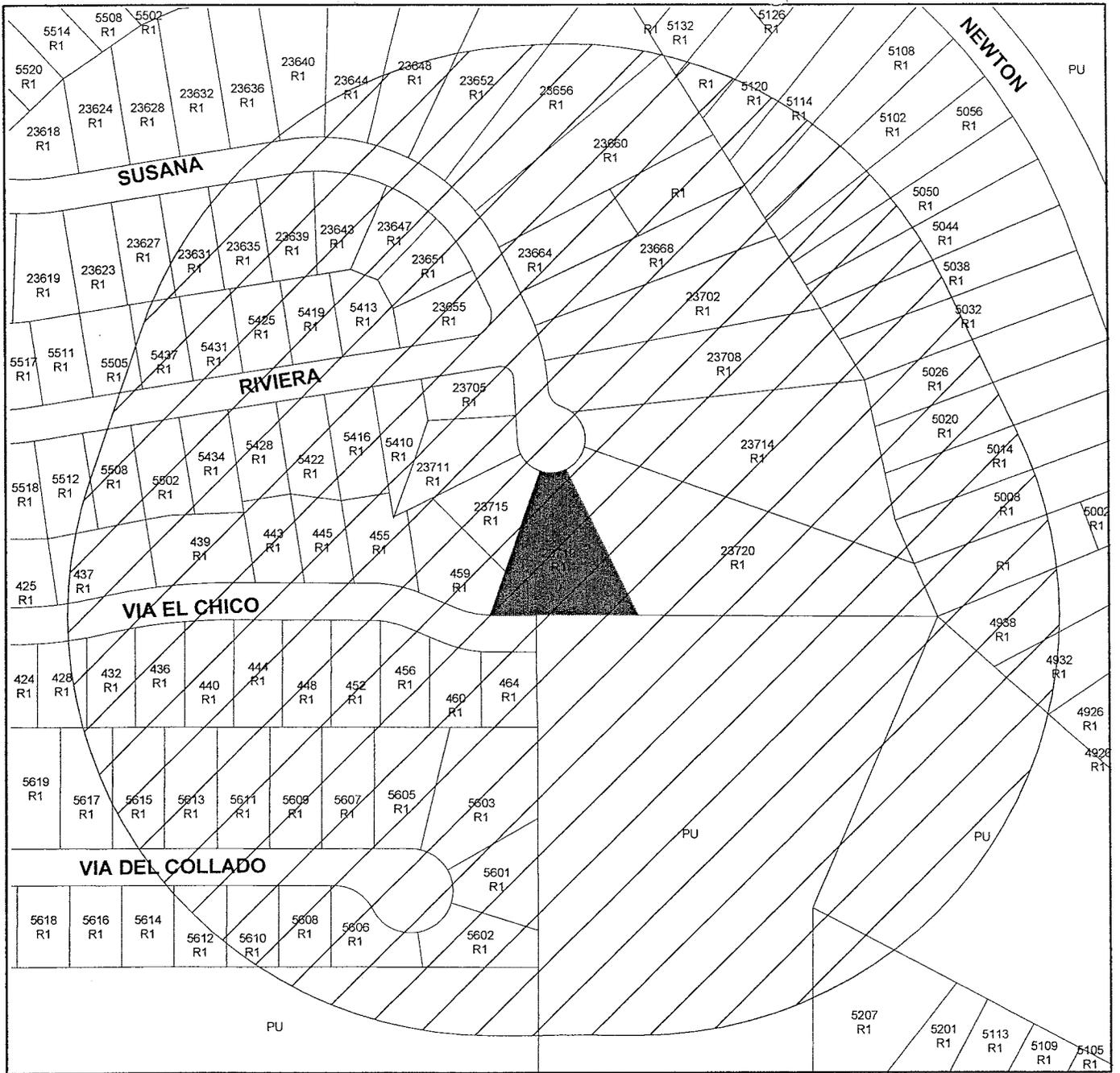
ABSENT:        COMMISSIONERS:

ABSTAIN:       COMMISSIONERS:

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Secretary, Torrance Planning Commission



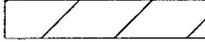


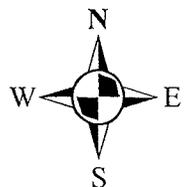
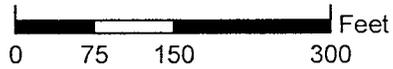
### LOCATION AND ZONING MAP

23719 Susana  
 PRE08-00029, WAV08-00013  
 & DIV08-00011



### LEGEND

-  Notification Area
-  23719 Susana





**RECOMMENDED CONDITIONS IF APPROVED:**

PRE08-00029

1. That the use of the subject property for a two-story single-family residence shall be subject to all conditions imposed in Precise Plan of Development 08-00029 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 08-00029 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 39 feet 4½ inches as represented by the elevation of 254.87 and a lowest adjacent grade of 215.87 based on a bench mark elevation of 245.33 located on top of curb along Via El Chico as shown on the official survey map on file in the Community Development Department; (Development Review)
4. That the height of the structure shall be certified by a licensed surveyor/engineer prior to requesting a framing or roof-sheathing inspection and shall not exceed 39 feet 4½ inches as represented by the elevation of 254.87 and a lowest adjacent grade of 215.87 based on a bench mark elevation of 245.33 located on top of curb along Via El Chico as shown on the official survey map on file in the Community Development Department; (Development Review)
5. That exterior color and material samples shall be submitted to the Community Development Department for approval prior to the issuance of any building permits; (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 automatic garage roll-up doors shall be provided; (Development Review)
8. That separate sewer laterals shall be provided for each building. Private sewer easement required over proposed north lot for the benefit of the south lot; (Engineering)
9. That the proposed driveway on Via El Chico shall only begin to slope downward north of the proposed front property line of Parcel 2 after required street dedication. Driveway apron ridge elevation at front property line to be 9" minimum above street flowline elevation; (Engineering)

WAV08-00013

1. That the use of the subject property for a two-story single-family residence shall be subject to all conditions imposed in Waiver 08-00011 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 constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;

2. That if this Waiver 08-00011 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 39 feet 4½ inches as represented by the elevation of 254.87 and a lowest adjacent grade of 215.87 based on a bench mark elevation of 245.33 located on top of curb along Via El Chico as shown on the official survey map on file in the Community Development Department; (Development Review)
4. That the maximum height of the northernmost retaining wall in the rear shall not exceed 7 feet in height to the satisfaction of the Community Development Director; (Development Review)

#### DIV08-00011

1. That the use of the subject property for a two-story single-family residence shall be subject to all conditions imposed in Division of Lot 08-00011 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 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 Division of Lot is not used within two years 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 92.29.13; (Development Review)
3. That the minimum lot depth for each parcel shall be at least 80 feet to the satisfaction of the Community Development Director; (Development Review)
4. That the applicant shall submit a revised sketch and legal description of existing and proposed parcels (before and after lot line adjustment), stamped and signed by a licensed Civil Engineer or Surveyor, to the Engineering Division of the Community Development Department to include with Certificate of Compliance document. (Proposed legal description of Parcel 2 submitted with application does not include Lot 33, Tract No. 30035.); (Engineering)

## CITY OF TORRANCE – COMMUNITY DEVELOPMENT DEPARTMENT

TO BE SUBMITTED WITH HILLSIDE PRECISE PALN APPLICATION PRE \_\_\_\_\_

GIVE FACTS TO SUBSTANTIATE THE FOLLOWING CRITERIA BY WHICH THE PLANNING COMMISSION MAY GRANT THIS HILLSIDE PRECISE PLAN. IT IS MANDATORY THAT THESE CRITERIA BE MET BEFORE THE CITY MAY LEGALLY GRANT A HILLSIDE PRECISE PLAN: AND, IT IS INCUMBANT 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 the other properties in the vicinity:
    - 1) *I took special care to design a house that is set as low as possible off of Via El Chico. We designed the garage roof to be almost flat and the roof line for the rest of the house to have as low of a pitch as possible, so as not impact the neighbors' views. We also will cut down many of the trees that currently block their views. I have spent considerable time with the architect to make sure that not only does the neighbor on Susana (23720 Susana- Mr. Donaldson) not suffer any privacy impairment, but that his privacy actually be improved. We would accomplish this in the following way.*
      - a. *The house is separated from his property by a side yard/back yard (i.e. at least 18 ft from the end of the proposed residence to the property line)*
      - b. *I will plant tall/appropriate vegetation along the entire perimeter of our joint boundary so that I cannot see into his backyard and he cannot see into mine. The privacy vegetation will also extend to Via El Chico so that teenagers, who frequent the Via El Chico cul-de-sac and can currently clearly see into his entire backyard (and even part of what I believe is his master bedroom), will not be able to do so.*
      - c. *My master bedroom is angled away from his property. There are no windows on eye-level for anyone to look down into his property. Instead, there are two high windows, above eye level, that are primarily positioned for sun light. Also, on that side of the home is a master walk-in closet that has no windows and the master bathroom, that has the main window facing south (away from his property)*
  - 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 house was designed to have only one story off of Via El Chico instead of two. This was done in order to keep the overall look and feel of the*

*residence as a one story residence and to make sure that the residences immediately to the back and to the west on Via El Chico do not have their views negatively affected. The master bedroom is also angled away from the 23720 Susana residence below to avoid any windows looking into that residence. Because the proposed residence sits on a higher elevation than the properties on Susana avenue, none of their views are affected.*

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

*The proposed Spanish-style residence is designed to have a very elegant feel and be reminiscent of the early Spanish houses in the Riviera. The residence is designed to look like a one-level house off of Via El Chico with the second story below it. Appropriate vegetation will be added to create a very attractive addition to the cul-de-sac that will enhance other neighbors' privacy and yet not impact anyone's views.*

- 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:

*Currently, the lot, where the proposed residence is suggested, has overgrown trees and vegetation as well as a very unattractive chain link fence around the entire perimeter of this very large property and all the way down to Susana. Because the property is perceived to be either a vacant lot or a city-owned park, there have been many teenagers/others that congregate at the end of the cul-de-sac for drinking, smoking pot, graffiti and loitering. This has been going on for years. Approximately 5 years ago, the residents on Via El Chico succeeded in having the City install a gate on the Park entrance, which is immediately to the South of the proposed residence, in order to deal with the problems above. This has reduced the problems, but has not eliminated them. The new proposed house should significantly limit this type of neighborhood nuisance activities, as those activities will be in full view of the proposed residence. That fact combined with a very attractive residence should improve the values on the street. The values of properties on Susana street should also*

*be enhanced, as this new residence will look very attractive from that cul-de-sac. The privacy of the neighbor on 23720 Susana (Mr. Donaldson) will also be enhanced (See comments on 1a).*

- 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):

*The proposed new residence would provide an attractive and orderly completion of the houses on the Via El Chico street. Where as now, there is an empty lot with overgrown vegetation, unattractive chain-link fence, in it's place would be a beautiful and elegant Spanish-style house which will fit well on that cul-de-sac and will result in less traffic and loitering in that area.*

- 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 new residence will increase property values and is appropriate for the neighborhood. This is evidenced by the overwhelming support of the residences on Via El Chico who have signed my petition in support of the project.*

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 purpose intended except by increasing the height, demonstrated by the following facts:

*There is currently no structure where the proposed residence is requested. The project proposed involves the lot line adjustment of the two properties that are owned by the applicant. The first lot is APN # 7531-016-019 located on 23719 Susana. That lot has an existing single level house of approximately 1,400 sq ft and is situated on a 17,640 sq ft lot, which is comprised of flat area of approximately 7,100 sq ft on the uphill sloping back of the property which is approximately 10,500 sq ft. The second parcel, owned by the applicant, abuts the property on 23719 Susana and fronts Via El Chico street (APN # 7531-016-050). The size of that legal lot is 55 sq ft.*

*The applicant would like to do the lot line adjustment that increases the lot that fronts Via El Chico to approximately 10,181 sq ft and construct a Spanish style house that will be approximately 3,868 sq ft (of living area) with an FAR of 0.42. The lot on the Susana property will be approximately 7,459 sq ft and with an existing 1,400 sq ft house that would represent an FAR of 0.24. The address and access to the proposed new residence will be from Via El Chico and that property will be consistent with the two story homes that are on that street. The property will have the first floor off the street (i.e. Via El Chico) with the second floor below it.*

*Please see ADDENDUM TO THE HILLSIDE PRESCISE PLAN APPLICATION PRE \_\_\_\_ for specifics on this project.*

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

*The applicant already owns two legal lots and a denial of his request for a lot line adjustment and a proposed residence (which will meet all the set-back requirements and be significantly under the allowable FAR of .50) would represent undue hardship in that it will prevent the applicant from fully enjoying his properties. It will also perpetuate the existing problem of teenage drinking, smoking pot, graffiti and loitering and will result in continuing trespassing on the applicant property as is evidenced by holes cut in the applicant's chain link fence off of Via El Chico and numerous beer and glass bottles, and trash that are currently found at the upper portion of the applicant property.*

- 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 new residence will increase property values and is appropriate for the neighborhood. This is evidenced by the overwhelming support of the residences on Via El Chico who have signed my petition in support of the project.*

3. LIIMITATION IN INCREASE IN BUUILDING 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 applicant already owns two legal lots and a denial of his request for a lot line adjustment and a proposed residence (which will meet all the set-back requirements and be significantly under the allowable FAR of .50) would represent undue hardship in that it will prevent the applicant from fully enjoying his properties. It will also perpetuate the existing problem of teenage drinking, smoking pot, graffiti and loitering and will result in continuing trespassing on the applicant property as is evidenced by holes cut in the applicant's chain link fence off of Via El Chico and numerous beer and glass bottles, and trash that are currently found at the upper portion of the applicant property.*

- 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 new residence will increase property values and is appropriate for the neighborhood. This is evidenced by the overwhelming support of the residences on Via El Chico who have signed my petition in support of the project.*

## ADDENDUM TO THE HILLSIDE PRECISE PLAN APPLICATION PRE \_\_\_\_\_

The project proposed involves the lot line adjustment of the two properties that are owned by the applicant. The first lot is APN # 7531-016-019 located on 23719 Susana. That lot has an existing single level house of approximately 1,400 sq ft and is situated on a 17,640 sq ft lot, which is comprised of flat area of approximately 7,100 sq ft on the uphill sloping back of the property which is approximately 10,500 sq ft. The second parcel, owned by the applicant, abuts the property on 23719 Susana and fronts Via El Chico street (APN # 7531-016-050). The size of that legal lot is 55 sq ft.

The applicant would like to do the lot line adjustment that increases the lot that fronts Via El Chico to approximately 10,181 sq ft and construct a Spanish style house that will be approximately 3,868 sq ft (of living area) with an FAR of .42. The lot on the Susana property will be approximately 7,459 sq ft and with an existing 1,400 sq ft house that would represent an FAR of 0.24. The address and access to the proposed new residence will be from Via El Chico and that property will be consistent with the two story homes that are on that street. The property will have the first floor off the street (i.e. Via El Chico) with the second floor below it.

The combined two properties owned by the applicant represent one of the most unique properties in the Riviera as it is believed to be the only property in that area that has a significant lot size (i.e. 17,640 sq ft) and most importantly has direct access from two separate streets (one to existing house on Susana and the second one from Via El Chico to the new proposed residence).

Furthermore, the cul-de-sac area of Via El Chico has been known to be a problem for the residents on Via El Chico due to teenagers/others congregating there for drinking, smoking pot, graffiti and loitering. The applicant discussed his plans with most of the residents on Via El Chico (starting with the 300 block of the street) and the overwhelming response from the residents was to support this project, as some of the benefits that it will bring are: 1) lower traffic on the street, as the new proposed residence will most likely be a significant disincentive to the people congregating on the cul-de-sac, since they will no longer have the privacy to loiter there and 2) enhance neighborhood values as the residence will be very attractive and will be in harmony with the existing houses. Because of the design and the location of the property (i.e. being at the end of the cul-de-sac), the project will have very minimal impact on views to any of the residences. The applicant also discussed this project with the majority of residents on the Susana street (i.e. starting with where Susana meets Calle Mayor) and has found significant support from majority of the residents, although a number of residents immediately on the Susana cul-de-sac are against this project.

In 1989, the city adopted an Ordinance #3266 (adopted on 5/2/89), which added paragraph 92.29.31. This ordinance dealt with minimum requirements for lot splits, which previously had been 6,000 sq ft minimum per lot. The language of the paragraph 92.29.31 introduced a new requirement that the resultant lot splits also equal or exceed the average of the lots in the 300 ft radius from the subject property. The impetus for this ordinance was a proposal, at that time, from a property owner in the Christmas Lights area on 23002 Doris Way, who wanted to subdivide his large lot into two smaller lots. All neighbors came out to oppose this project as it would have changed the character of that neighborhood, as many lots there are over 12,000 sq ft and therefore, such subdivision would have created a potential for many smaller lots if those owners wanted to sub-divide them, not in character with that very special area. The main intent of that ordinance was to preserve a special character of a particular neighborhood. That ordinance, however, also incorporated a provision for exceptions to such standards upon finding of the following:

- 1) "That the strict application of any standard prescribed by this Chapter would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of this Chapter"
- 2) "That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property in the City being subdivided or re-subdivided"
- 3) "That the granting of the exception will not be materially detrimental to the public welfare nor injurious to the property or improvements in the immediate vicinity"
- 4) "That the granting of the exception will not be contrary to the objectives of this Chapter"

Although the applicant combined two properties are very large (over 17,500 sq ft), there are some immediately adjacent properties that are unnaturally large for the area and whose inclusion creates a mathematical calculation of 11,223 sq ft per lot that the applicant believes is inconsistent with properties in that area and with properties in the Riviera. As an example, the property to the east (i.e. 23720 Susana,) has a lot of over 49,000 sq ft, the next property, (i.e. 23714 Susana) has a lot of over 46,000 sq ft, etc. If one contrasts that with properties on the West side of Susana and the Riviera Way, majority of which are in the 6,000 to 7,000 sq ft lot range, the disparity in size becomes very clear and shows that that the Susana neighborhood does not have the same unique characteristics that the properties in the Christmas Lights area have. Furthermore, most of the land of these enormous lot properties is not usable. Per the Planning Department Calculations (see 9/4/2007 e-mail from Soc Angelo Yumul), if 6 of these large properties (i.e. 23660, 23668, 23702, 23708, 23714, 23720) were to be excluded from the average calculation, the resultant lots after the lot line adjustment will only be 7,525 sq ft per lot. Since the access and the address of the new proposed property would be off of Via El Chico, the applicant believes that it is prudent to compare the new lot to those on that street (See Attachment A). That would make the resultant 10,181 sq ft lot the second largest on that street, and is consistent with the Ordinance intent of not creating a "postage stamp" lots. The Attachment B, also demonstrates that the FAR of .42 would also be consistent with FARs of other properties on that street.

Prepared by applicant:

Ignacio Masferrer

Date:

9/23/08

List of Properties on Via El Chico (" 300 to 454) 52 properties

Address	Lot size	Living Sqr	# of Stories
1 445 Via El Chico	5,841	2952	2
2 304 Via El Chico	5,850	1931	2
3 320 Via El Chico	5,850	2034	1
4 308 Via El Chico	5,870	1447	2
5 316 Via El Chico	5,900	3420	2
6 460 Via El Chico	5,946	4000	3
7 443 Via El Chico	5,950	2510	3
8 428 Via El Chico	5,959	2508	3
9 336 Via El Chico	5,995	2385	2
10 340 Via El Chico	5,995	2490	2
11 344 Via El Chico	5,995	2200	2
12 348 Via El Chico	5,995	2739	2
13 313 Via El Chico	6,000	2260	2
14 312 Via El Chico	6,020	1426	2
15 420 Via El Chico	6,029	2620	3
16 324 Via El Chico	6,090	2115	2
17 464 Via El Chico	6,097	3016	3
18 424 Via El Chico	6,100	2136	3
19 411 Via El Chico	6,130	3286	2
20 309 Via El Chico	6,150	2166	2
21 328 Via El Chico	6,245	2125	2
22 425 Via El Chico	6,260	3721	3
23 317 Via El Chico	6,290	2272	2
24 332 Via El Chico	6,370	2024	2
25 419 Via El Chico	6,380	2478	2
26 321 Via El Chico	6,500	2465	2
27 327 Via El Chico	6,500	2350	2
28 432 Via El Chico	6,538	2938	3
29 416 Via El Chico	6,756	2800	3
30 331 Via El Chico	6,796	1947	2
31 335 Via El Chico	6,799	2531	2
32 301 Via El Chico	6,800	1398	1
33 300 Via El Chico	6,810	2026	2
34 352 Via El Chico	6,842	2389	2
35 456 Via El Chico	6,878	3053	3
36 436 Via El Chico	7,148	2968	3
37 339 Via El Chico	7,303	3200	2
38 404 Via El Chico	7,340	2408	3
39 455 Via El Chico	7,375	2661	2
40 440 Via El Chico	7,410	3016	3
41 452 Via El Chico	7,410	1916	3
42 444 Via El Chico	7,424	2049	3
43 448 Via El Chico	7,424	3016	3
44 343 Via El Chico	7,808	2105	2
45 412 Via El Chico	7,889	2618	3
46 347 Via El Chico	8,312	2224	2
47 408 Via El Chico	9,339	2408	3
48 459 Via El Chico	9,583	3865	3
49 439 Via El Chico	9,665	6000	3
50 437 Via El Chico	9,718	5126	3
51 400 Via El Chico	10,049	2908	3
52 351 Via El Chico	10,770	2574	2
<b>Total</b>	<b>360,493</b>		

ATTACHMENT A  
 (PART OF:  
 "ADDENDUM TO THE  
 HILLSIDE PRECISE PLAN  
 APPLICATION" PRE)

Average lot size on the street 6,933

Ranking of all properties on Via El Chico		
	# of properties	%
Properties between 5,000 and 6,000	13	25.0%
Properties between 6,001 and 7,000	22	42.3%
Properties between 7,001 and 8,000	10	19.2%
Properties between 8,001 and 9000	1	1.9%
Properties between 9,001 and 10,000	4	7.7%
Properties between 10,000 and 11,000	2	3.8%
Total	52	100.0%

Under the current proposal of a 10,181 sq ft lot on Via El Chico, that would already make the resultant lot as the second largest lot on the street, and without disturbing the usability of the current lot on 23719 Susana If the resultant lots would be 11,224 sq ft, as the strict adherence to the Ordinance #3266 would dictate, that would make that lot as the biggest lot on the street. I don't believe that's what the Ordinance #3266 intended to accomplish.

List of Properties on Via El Chico (300 to 454) 52 properties

Address	Lot Size	Living Sqr	# of Stories	Calculated FAR (assumes 400 sqr ft for garage)
1 301 Via El Chico	6,800	1398	1	0.26
2 312 Via El Chico	6,020	1426	2	0.30
3 308 Via El Chico	5,870	1447	2	0.31
4 452 Via El Chico	7,410	1916	3	0.31
5 304 Via El Chico	5,850	1931	2	0.40
6 331 Via El Chico	6,796	1947	2	0.35
7 332 Via El Chico	6,370	2024	2	0.38
8 300 Via El Chico	6,810	2026	2	0.36
9 320 Via El Chico	5,850	2034	1	0.42
10 444 Via El Chico	7,424	2049	3	0.33
11 343 Via El Chico	7,808	2105	2	0.32
12 324 Via El Chico	6,090	2115	2	0.41
13 328 Via El Chico	6,245	2125	2	0.40
14 424 Via El Chico	6,100	2136	3	0.42
15 309 Via El Chico	6,150	2166	2	0.42
16 344 Via El Chico	5,995	2200	2	0.43
17 347 Via El Chico	8,312	2224	2	0.32
18 313 Via El Chico	6,000	2260	2	0.44
19 317 Via El Chico	6,290	2272	2	0.42
20 327 Via El Chico	6,500	2350	2	0.42
21 336 Via El Chico	5,995	2385	2	0.46
22 352 Via El Chico	6,842	2389	2	0.41
23 404 Via El Chico	7,340	2408	3	0.38
24 408 Via El Chico	9,339	2408	3	0.30
25 321 Via El Chico	6,500	2465	2	0.44
26 419 Via El Chico	6,380	2478		0.45
27 340 Via El Chico	5,995	2490	2	0.48
28 428 Via El Chico	5,959	2508	3	0.49
29 443 Via El Chico	5,950	2510	3	0.49
30 335 Via El Chico	6,799	2531	2	0.43
31 351 Via El Chico	10,770	2574	2	0.28
32 412 Via El Chico	7,889	2618	3	0.38
33 420 Via El Chico	6,029	2620	3	0.50
34 455 Via El Chico	7,375	2661	2	0.42
35 348 Via El Chico	5,995	2739		0.52
36 416 Via El Chico	6,756	2800	3	0.47
37 400 Via El Chico	10,049	2908	3	0.33
38 432 Via El Chico	6,538	2938	3	0.51
39 445 Via El Chico	5,841	2952	2	0.57
40 436 Via El Chico	7,148	2968	3	0.47
41 464 Via El Chico	6,097	3016	3	0.56
42 440 Via El Chico	7,410	3016	3	0.46
43 448 Via El Chico	7,424	3016	3	0.46
44 456 Via El Chico	6,878	3053	3	0.50
45 339 Via El Chico	7,303	3200	2	0.49
46 411 Via El Chico	6,130	3286		0.60
47 316 Via El Chico	5,900	3420	2	0.65
48 425 Via El Chico	6,260	3721	3	0.66
49 459 Via El Chico	9,583	3865	3	0.45
50 460 Via El Chico	5,946	4000	3	0.74
51 437 Via El Chico	9,718	5126	3	0.57
52 439 Via El Chico	9,665	6000	3	0.66
<b>Total</b>	<b>360,493</b>			

ATTACHMENT B  
(PART OF:  
"ADDENDUM TO THE  
HILLSIDE PARCELS PLAN  
APPLICATION" PRE

Average lot size on the street 6,933

Ranking of all properties on Via El Chico (Living Area)		
	# of properties	%
Properties between 1,000 and 2,000	6	11.5%
Properties between 2,001 and 2,499	21	40.4%
Properties between 2,500 and 2,999	13	25.0%
Properties between 3,000 and 3999	9	17.3%
Properties between 4,000 to 4999	1	1.9%
Properties between 5,000 and 5,999	1	1.9%
Properties between 5,000 and 5,999	1	1.9%
<b>Total</b>	<b>52</b>	<b>100.0%</b>

CITY OF TORRANCE – PLANNING DEPARTMENT

WAV \_\_\_\_\_ - \_\_\_\_\_

To be submitted with Waiver application.

GIVE FACTS TO SUBSTANTIATE THE FOLLOWING CRITERIA BY WHICH THE PLANNING COMMISSION MAY GRANT THIS WAIVER:

1. There are practical difficulties or unnecessary hardships resulting from the strict enforcement of this Division:

*The proposed residence is located on significantly downward sloping terrain. The applicant request two waivers: 1) Height waiver off the back of the property to be 39 ft at the highest point vs an allowable 27 ft and 2) Retaining wall waiver for the second retaining wall off the back of his property to be 7 ft in over a relatively short span vs a standard 5 ft. The city has traditionally approved these type of requests due to the special topographies of such severely sloping developments. Most of the homes on the west side of Via El Chico street greatly exceed the 27 ft height limit off the back of their properties due the specific topography. Several years ago, the city approved a similar request for a property on 4133 Mesa, which had a very similar terrain.*

2. It will not be materially detrimental to the public welfare or to the property of other persons located in the vicinity thereof:

*The design of the actual house will not exceed 27 ft and the only reason these waivers are required is due to the two adjacent retaining walls off of the back of the proposed development, one being a standard 5 ft and the second one ranging from 1 to 7 ft (this is due to the terrain where that second retaining wall will be located). The retaining walls, in addition to their functional value, will provide for a more attractive development, as they reduce the mass of the residence and provide areas for planting of appropriate vegetation/landscaping which will further enhance the appearance of the residence and enhance the privacy between the neighboring residences. These waivers are also requested so that we can fully conform to the development standards for front, back and side setbacks.*

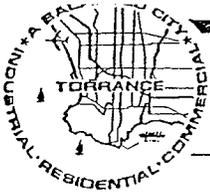
- 3. It will not substantially interfere with the orderly development of the City as provided for in this Division:

*The city has traditionally approved these requests due to the special topographies of such severely sloping developments. Most of the homes on the west side of Via El Chico street greatly exceed the 27 ft height limit off the back of their properties due the specific topography. Several years ago, the city approved a similar request for a property on 4133 Mesa, which had a very similar terrain.*

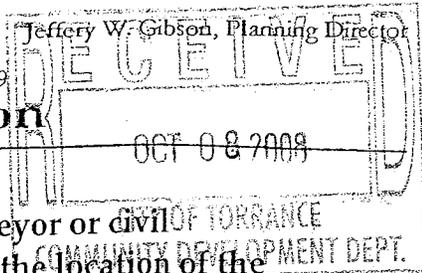
ADJACENT PROPERTY OWNERS: (To be completed by the Planning Department)

	Name	Address
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____





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 23719 SUSANA AVENUE  
 (address)

(VIA EL CHICO) on 10/6/08, based on plans submitted to the City of Torrance  
 (date)

by NASTASKIN / BRAUN on \_\_\_\_\_, The survey was taken  
 (applicant/architect) (date)

from a bench mark located at L&T TIE (NO TAG) ON TOP OF CURB  
 (address)

(attach map) which established a base elevation of 245.33'

The ridge line/highest point of the roof was determined to have an elevation of 255.00'

The plans indicate that the elevation should be 254.87'

*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.*

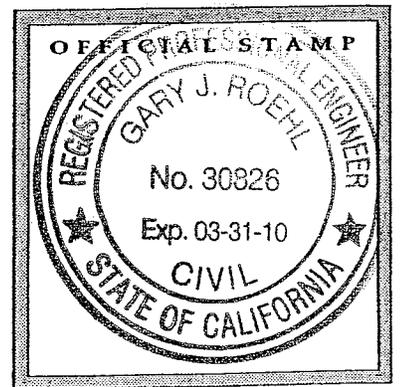
GARY J. ROEHL  
 NAME (please print)

RCE 30826  
 LS/RCE#

*Gary J. Roehl*  
 SIGNATURE

(310) 542-9433  
 PHONE

10/8/08  
 DATE



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

07-515



## 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.
- Provide separate utilities to each unit.

### Environmental:

- The property shall be landscaped prior to final inspection (92.21.9)
- Provide 4" (minimum) contrasting address numerals for residential, condo, etc. uses
- Provide dust and vector control measures to the satisfaction of the Environmental Division prior to obtaining a grading permit (48.1.1-10, 42.3.1-11 and 45.10.1)
- Not more than 50% of front yard should be paved

### Engineering Division:

- 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.
- Replace sections of broken, lifted and grinded sidewalk along property frontage on Susana Avenue per City of Torrance Standards.
- Install a new public sidewalk and driveway approach along property frontage on Via El Chico per City of Torrance Standards.
- A dedication of property for the purpose of street and highway improvements is required as follows: The southerly 1 foot of property (approx. 55sf) along parcel frontage on Via El Chico. Required dedication shall be submitted to the Engineering Division of the Community Development Department prior to issuance of building permits.
- That a certificate of compliance shall be submitted by the developer, approved by the city, and recorded with the County Recorder's office prior to issuance of building/grading permits.
- All physical improvements which are conditions of this planning case must be completed prior to occupancy.

### Environmental Division:

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

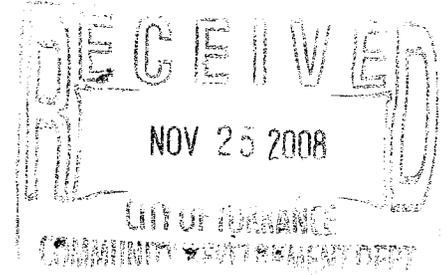
### Grading Division:

- Obtain Grading Permit prior to issuance of building permit.

- Submit 2 copies of grading/drainage plan with soil investigation report. Show all existing and proposed grades, structures, required public improvements and any proposed drainage structures. Soil report to include slope stability calculations.
- All drainage to be collected on site and discharged through pipe to Susana.
- Provide Engineering Geology Report.

November 23, 2008

Community Development Department  
City Hall  
3031 Torrance Boulevard  
Torrance, California 90503



**ATT: Jeffery W. Gibson, Community Development Director**

**RE: PRE08-00029, WAV08-00013, & DIV08-00011: Petition of Igor Nastaskin**

I am writing in opposition to the above referenced matter, which is to be considered by the Planning Commission on December 3, 2008, for the following reasons:

1. The requested land use change violates the Hillside Ordinance in that it will adversely affect the surrounding established residents by negatively impacting their light, view or privacy depending on where they are situated in relation to 23719 Susana Avenue.
2. The part of lot APN 7531-016-050 proposed for development may be far too steep to safely hold that proposed development. And since it is directly below and adjacent to a part of the Public Use property that was specifically purchased by the City of Torrance to prevent further development of that unstable hillside the public interest demands the utmost caution in this case.

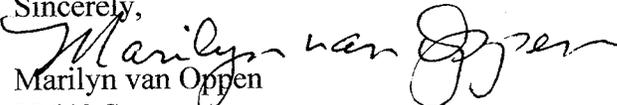
Some of the Planning Commissioners must remember that 20 some years ago a landslide on this same hillside forced the demolition of at least three residences, one of which belonged to former Mayor Albert Isen. That landslide cost the City of Torrance dearly when it lost the lawsuit initiated by the homeowner above the landslide.

The fact that the proponent will own both the current lot and the lot he hopes to have you create for him should not enter into consideration of this serious planning matter because there is and will be no guarantee that one or the other, or both, will not change ownership in the future.

Nothing destroys the character and feeling of a neighborhood faster than small single family houses being overpowered and dwarfed by new increased-size development shoe-horned in on under-sized lots.

In addition, I object to the minimal time notification given to property owners who have an interest in this land-use matter. My notification was date-stamped 11/20/2008 barely 14 days before the hearing date. It shows a publication date of November 21, 2008 and was delivered to my address November 22, 2008.

Sincerely,

  
Marilyn van Oppen  
23648 Susana Avenue  
Torrance, California 90505

NOV 25 2008  
CITY OF TORONTO  
COMMUNITY DEVELOPMENT DEPT



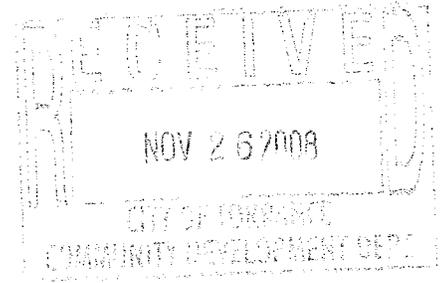
SUBMITTED BY 23715 SUSANA AVE.

OCTOBER 28, 2008

To: The City of Torrance Planning Department

From: Area Homeowners and Darren Donaldson

Re: Development of the lot at 23719 Susana Ave



As the owner of the property nearest to the proposed above-referenced Development, I write this letter to express my and my neighbors grave Concerns Regarding the proposed development. Based on the Hillside Overlay District definitions and descriptions, there are several reasons why we are opposed to this development.

First, these lots were not intended to be split. Mr Nastaskin purchased the home At 23719 Susana Ave knowing this. Being the Developer he is, Igor found a loop hole. Mr Nastaskin was able to acquire a small parcel adjacent to Via El Chico giving him access to the street. The original parcel does not have access and was not intended for a Development of a second home. There would not even talk of a development if it not for this very reason.

Second, the proposed development completely undermines our privacy. Just one glance from rather my backyard or any vantage point on my street is enough to strike one with the overwhelming immensity of the silhouetted structure that represents the house that Mr Nastaskin intends to build. In fact, the residence of this area and their visitors have often wondered if the proposed development is a condominium complex rather than a single family residence. With all the decks and windows wrapping around the proposed structure, we will lose all of our rear and side yard privacy. The privacy issue is of particular importance to me and my neighbors. This is one of the primary reasons I moved to this locations.

Third, the proposed development will adversely impact the dynamics of light experienced by the properties surrounding the proposed development. Specifically, all of these properties will lose a great deal of afternoon light. We are also concerned about how much artificial light will

be generated by the proposed structure and the resulting impact on the peaceful ambience of the area.

Fourth, although my view of the city will not be affected from my side yard, the proposed structure will impair the views from my back and west side yard areas. This area of Torrance is unique in its abundance of open areas as there are few open tracts of land left of this size in any of the mature residential neighborhoods of our city. The proposed structure will do away with the openness of this area.

Fifth, the proposed house is excessively large for the area, the average size house in this part of Torrance is approximately 2,000 square feet. The proposed structure is designed to be twice that size! As you know, many communities around the country are taking measures to eliminate or significantly reduce the prospect of "mcmansions" ruining the quality and character of their neighborhoods. It is abundantly clear that Mr. Nastaskin is building for maximum profit without regard for the community standards. The uniqueness of our properties is what adds special charm to this area. The proposed house would undoubtedly cause a diminishment in the value of our home and surrounding properties.

Thank you for your consideration. We appreciate your immediate attention to this urgent matter. Please do not hesitate to contact us if you have any questions or comments.

The following neighbors and residents of this area are opposed to the proposed structure as reflected in the current silhouette standing at 23719 Susanna Ave.

address	owners name	date
<u>23711 Susanna Ave</u>	<u>Barbara Pfahler</u>	<u>10-28-08</u>
<u>73711 Susanna Ave</u>	<u>Harry L. Homsher</u>	<u>10/28/08</u>
<u>23714 SUSANNA AVE.</u>	<u>SAM &amp; SHEMIRANI CHARRY</u>	<u>10/28/08</u>
<u>23708 Susanna Ave</u>	<u>Luzanne M. Stephens</u>	<u>10-28-08</u>
<u>23658 Susanna Ave</u>	<u>Barbara E. Lennan</u>	<u>10/30/08</u>
<u>23702 SUSANNA AV</u>	<u>Paul C. Keenan</u>	<u>10/30/08</u>
<u>23651 SUSANNA AVE</u>	<u>Beth A</u>	<u>11/1/08</u>
<u>23651 SUSANNA AVE</u>	<u>DWATO</u>	<u>11/1/08</u>
<u>23715 South Susanna</u>	<u>Hope G. Saint</u>	<u>11/1/08</u>
<u>23664 SUSANNA AVE</u>	<u>Chandra R. Jay</u>	<u>11/1/08</u>
<u>23664 Susanna Ave</u>	<u>Dele Fayot</u>	
<u>23665 SUSANNA AVE</u>	<u>John D. ...</u>	
<u>5419 Riverway</u>	<u>Frank Hansen</u>	<u>11-8-08</u>
<u>5419 Riverway</u>	<u>Shirley Hansen</u>	
<u>5425 Riverway</u>	<u>Kathleen Jagout</u>	
<u>5413 Riverway</u>	<u>Shirley Day</u>	
<u>23648 Susanna Ave</u>	<u>Marilyn van Oppen</u>	
<u>23720 SUSANNA AVE</u>	<u>[Signature]</u>	<u>11-10-08</u>
<u>23720 Susanna Ave</u>	<u>Mary N. Deo</u>	<u>11-10-08</u>
<u>23640 Susanna</u>	<u>Scott Sharpless</u>	<u>11/10/08</u>
<u>23632 Susanna Avenue</u>	<u>Anthony Barry</u>	<u>11/10/08</u>

Joan Carter 23631 Susana Ter 90505

Rocky Russell 464 VIA EL CHICO Redondel Beach  
90277

Linda Ramee 464 Via El Chico Redondo Beach  
90277

Andy P 460 Via El Chico Torrance 90277

Paula Bergman 445 Via EL CHICO Redondo  
Bch 90277

Allen Hillger 445 VIA EL CHICO  
R.B. 90277

Marty Harris 411 VIA EL CHICO, RB  
90277

Cindy Scott 455 VIA EL CHICO RB 90277



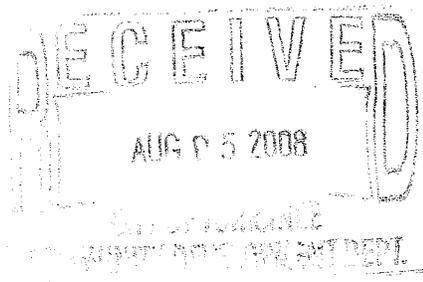
Hi Danny,

I've had some difficulties meeting with these neighbors about my project, so I thought I'd keep you in the loop regarding my communications with them.

Thanks

/Gor Nastaster  
8/1/08

P.S. I'm attaching 6 letters that I sent to the various 6 neighbors on Susana



08/01/2008

Darren Donaldson  
23720 Susana Ave  
Torrance, CA 90505

Dear Darren,

I want to follow up on my prior meeting with you and Evan Braun, my architect, regarding my proposed Spanish-style house on Via El Chico. Just to reiterate, I am very aware of and appreciate the neighbors' concerns over view, air, light and privacy. It is for this reason that I hired Evan to design a house that would have the least possible intrusion for you. Let me address these concerns one at a time.

- 1) Views - I took special care to design a house that is set as low as possible off Via El Chico. We designed the garage roof to be flat and the roof line for the rest of the house to have as low of a pitch as possible, so as not impact the neighbors' views. We also will cut down many of the trees that currently block their views. All of the immediate neighbors on Via El Chico (as well as the majority of neighbors further down on Via El Chico) like the design of the house and overwhelmingly support this project. I pledge to you that there will be no ocean or city view impairment to any of the houses on Susana.
- 2) Privacy – I understand that you are concerned with how the new house will affect your privacy. I have spent considerable time with Evan to make sure that not only do you not suffer any privacy impairment, but that your privacy is actually improved. We would accomplish this in the following way.
  - a. The house is separated from your property by a side yard/back yard
  - b. I will plant tall/appropriate vegetation along the entire perimeter of our joint boundary so that I cannot see into your backyard and you cannot see into mine. The privacy vegetation will also extend to Via El Chico so that teenagers who frequent the Via El Chico cul-de-sac and can currently clearly see into your entire backyard (and even part of what I believe is your master bedroom), will not be able to do so.
  - c. My master bedroom is angled away from your property. There are no windows on eye-level for anyone to look down into your property. Instead, there are two high windows, above eye level, that are primarily positioned for sun light. Also, on that side of the home is a master walk-in closet that has no windows and the master bathroom, that has the main window facing south ( away from your property)
- 3) Light and Air - Darren, you mentioned to me that you prefer not to look into my property and see “a structure” and that you did not like looking at the Anderson's

house on Via El Chico ( 459 Via El Chico). I believe that the Spanish-style home that Evan designed would be significantly more attractive than the Anderson's current house, and the landscaping that would be planted (and I don't mind making it a condition to my project approval) will only enhance your enjoyment of your property. Please keep in mind that you have one of the largest lots in the Riviera and that your view is oriented to the East (away from my property) and in essence is unobstructed, and will continue to enjoy plenty of light and air.

Other:

You also voiced a concern that you were not comfortable with having "a developer" move in on the area. Let me again state to you what I mentioned before.

My wife and I live in a two story house in the Riviera where all of our bedrooms are on the second level. We have three teenagers (17, 15, 13) and certainly enjoy the size of our current house, but not the going up and down of stairs. I worked with Evan to design the proposed home so that we may live on the main level (hence we have two bedrooms and an office on that level, as well as the kitchen and living room), while allowing us to have rooms for our kids on the lower level. We intend to live in the Via El Chico house and rent our currently remodeled house at 23719 Susana until the point when our kids are ready to start a family, and this will become one of their homes. I am sure you can appreciate this as from what I understand, you and your father own homes on the same street. This provides us with the unique opportunity to have our dream house and our children (and hopefully grandchildren) close by.

In conclusion, Darren, I know that you enjoy a great reputation in the neighborhood and have done wonderful things for many of the neighbors that live on the street. I met a number of these neighbors and they told me so. Some of these neighbors with whom I met, and who are your friends, told me that they like my project, but the only reason they cannot support it is because you don't support it. I appreciate their loyalty and dedication to you. I've also met with over 50 neighbors on Via El Chico, Riviera Way and Susana streets who do support this project, as they feel it will enhance the neighborhood, and is good for property values. I do not claim that I can please every single person that I meet, but I do believe that I conduct myself fairly and am a responsible member in the community and as you, enjoy a good reputation in the Riviera.

Darren, I hope that you will reconsider your opposition to our dream home. I hope that if you still have concerns that I have not adequately addressed in this letter or in our prior conversations that you will give me the opportunity to meet with you at your earliest convenience. Please call me at (310) 892-6016 or e-mail me at [inastaskin2@socal.rr.com](mailto:inastaskin2@socal.rr.com). I look forward to hearing from you.

Sincerely,

  
Igor Nastaskin

08/01/2008

Mr. and Mrs. Saint  
23715 Susana Ave  
Torrance, CA 90505

Dear Mr. and Mrs. Saint,

I'm sorry that I did not get a chance to show you in detail my proposed Spanish-style house on Via El Chico. When I saw Mrs. Saint on July 29, she told me she would be against my project due to privacy concerns. I still hope we can get together at your convenience so that you can be fully informed regarding this project. I would like to take this opportunity to cover a few things in this letter.

I am very aware of and fully appreciate the neighbors', and especially your specific concerns, over view, air, light and privacy. It is for that reason that I hired my architect (Evan Braun) to design a house that would have the least possible intrusion for you and the neighbors. Let me address these concerns one at a time.

- 1) Views - I took special care to design a house that is set as low as possible off Via El Chico. We designed the garage roof to be flat and the roof line for the rest of the house to have as low of a pitch as possible, so as not to impact the neighbors' views. We also will cut down many of the trees that currently block their views. All of the immediate neighbors off of Via El Chico (as well as the majority of neighbors further down on Via El Chico) like the design of the house and overwhelmingly support this project. I pledge to you that there will be no ocean or city view impairment to any of the houses on Susana.
- 2) Privacy – I understand that my direct neighbors (Darren Donaldson, immediately to the east of my house), and your residence, (immediately to the west), have privacy concerns. If you would allow me to show you my plans – or if you can visit my property – I believe your concerns will be put at ease. As an example of my response to Darren on the issue of privacy, I have spent considerable time with Evan to make sure that not only does Darren's house not suffer any privacy impairment, but that his privacy is actually improved. We would accomplish this in the following way.
  - a. The house is separated from Darren's property by a side yard/back yard
  - b. I will plant tall/appropriate vegetation along the entire perimeter of our joint boundary so that I cannot see into his backyard and he cannot see into mine. The privacy vegetation will also extend to Via El Chico so that teenagers who frequent the Via El Chico cul-de-sac and can currently clearly see into Darren's entire backyard (and even part of what I believe is his master bedroom), will not be able to do so.

- c. My master bedroom is angled away from Darren's property. There are no windows on eye-level for anyone to look down into his property. Instead, there are two high windows above eye level that are primarily positioned for sun light. Also, on that side of the home is a master walk-in closet that has no windows and the master bathroom, that has the main window facing south (away from Darren's property).

As far as your residence is concerned, I stood on various portions of my property (including as close as I could to your property from the hillside portion of my property) and I still could not see into your backyard, due to the lush vegetation, primarily on your property, and vegetation on my property. The only thing that I mainly could see was the roof of your house. I would like to invite you to meet with me at my property so that you can see this for yourself.

3) The size of my property - The proposed size of my house is a little over 3,800 sq ft, which is in keeping with the homes currently on Via El Chico. For example, the house immediately to the west of my property is close to 3,900 sq ft, the house behind my proposed house is 3,000 sq ft and the house next to that house is 4,000 sq ft.

Some neighbors stated that they don't want "a developer to move in on the area." Let me explain our intentions. My wife and I live in a two story house in the Riviera where all of our bedrooms are on the second level. We have three teenagers (17, 15, 13) and certainly enjoy the size of our current house, but not the going up and down of stairs. I worked with my architect to design the proposed home so that we may live on the main level (hence we have two bedrooms and an office on that level, as well as the kitchen and living room), while allowing us to have rooms for our kids on the lower level. We intend to live in the Via El Chico house and rent our currently remodeled house at 23719 Susana until the point when our kids are ready to start a family, and this will become one of their homes. I'm sure you can appreciate our desire to live so close to our children (and hopefully grandchildren) when they are grown.

I've met with over 50 neighbors on Via El Chico, Riviera Way and Susana streets who support this project, as they feel it will enhance the neighborhood, and is good for property values. I do not claim that I can please every single person that I meet, but I do believe that I conduct myself fairly and am a responsible member in the community, and enjoy a good reputation in the Riviera.

In conclusion, I hope that you will reconsider your opposition to our dream home. I hope that if you still have concerns that I have not adequately addressed in this letter, that you will give me the opportunity to meet with you at your earliest convenience. Please call me at (310) 892-6016, or e-mail me at [inastaskin2@socal.rr.com](mailto:inastaskin2@socal.rr.com). I look forward to hearing from you.

Sincerely,

Igor Nastaskin



08/01/2008

Mr. and Mrs. Taylor  
23664 Susana Ave  
Torrance, CA 90505

Dear Mr. and Mrs. Taylor,

I'm sorry that I did not get a chance to show you in detail my proposed Spanish-style house on Via El Chico. When I stopped by your house on July 11, my timing was not good for you, and I hoped that you would call me at the number I gave you. I still hope we can get together at your convenience so that you can be fully informed regarding this project. I would like to take this opportunity to cover a few things in this letter.

I am very aware of and fully appreciate the neighbors' concerns over view, air, light and privacy. It is for that reason that I hired my architect (Evan Braun) to design a house that would have the least possible intrusion for you and other neighbors. Let me address these concerns one at a time.

- 1) Views - I took special care to design a house that is set as low as possible off Via El Chico. We designed the garage roof to be flat and the roof line for the rest of the house to have as low of a pitch as possible, so as not to impact the neighbors' views. We also will cut down many of the trees that currently block their views. All of the immediate neighbors off of Via El Chico (as well as the majority of neighbors further down on Via El Chico) like the design of the house and overwhelmingly support this project. I pledge to you that there will be no ocean or city view impairment to any of the houses on Susana.
- 2) Privacy - I understand that some neighbors (such as Darren Donaldson, immediately to the east of my house and Fred and Hope Saint, immediately to the west), may have privacy concerns that I will address directly with them. However, none of the other neighbors on Susana are affected. As an example of my response to Darren on the issue of privacy, I have spent considerable time with Evan to make sure that not only does his house not suffer any privacy impairment, but his privacy is actually improved. We would accomplish this in the following way.
  - a. The house is separated from Darren's property by a side yard/back yard
  - b. I will plant tall/appropriate vegetation along the entire perimeter of our joint boundary so that I cannot see into his backyard and he cannot see into mine. The privacy vegetation will also extend to Via El Chico so that teenagers who frequent the Via El Chico cul-de-sac and can currently clearly see into Darren's entire backyard (and even part of what I believe is his master bedroom), will not be able to do so.

- c. My master bedroom is angled away from Darren's property. There are no windows on eye-level for anyone to look down into his property. Instead, there are two high windows above eye level, that are primarily positioned for sun light. Also, on that side of the home is a master walk-in closet that has no windows and the master bathroom, that has the main window facing south (away from Darren's property).

As far as Fred and Hope Saint's house is concerned, I stood on various portions of my property (including as close as I could to their property from the hillside portion of my property) and I still could not see into their backyard, due to the lush vegetation, primarily on their property, and vegetation on my property. The only thing that I mainly could see was the roof of their house.

3) The size of my property - The proposed size of my house is a little over 3,800 sq ft, which is in keeping with the homes currently on Via El Chico. For example, the house immediately to the west of my property is close to 3,900 sq ft, the house behind my proposed house is 3,000 sq ft and the house next to that house is 4,000 sq ft.

Some neighbors stated that they don't want "a developer to move in on the area." Let me explain our intentions. My wife and I live in a two story house in the Riviera where all of our bedrooms are on the second level. We have three teenagers (17, 15, 13) and certainly enjoy the size of our current house, but not the going up and down of stairs. I worked with my architect to design the proposed home so that we may live on the main level (hence we have two bedrooms and an office on that level, as well as the kitchen and living room), while allowing us to have rooms for our kids on the lower level. We intend to live in the Via El Chico house and rent our currently remodeled house at 23719 Susana until the point when our kids are ready to start a family, and this will become one of their homes. I'm sure you can appreciate our desire to live so close to our children (and hopefully grandchildren) when they are grown.

I've met with over 50 neighbors on Via El Chico, Riviera Way and Susana streets who support this project, as they feel it will enhance the neighborhood, and is good for property values. I do not claim that I can please every single person that I meet, but I do believe that I conduct myself fairly and am a responsible member in the community, and enjoy a good reputation in the Riviera.

In conclusion, I hope that you will reconsider what I sensed is your opposition to our dream home. I hope that if you still have concerns that I have not adequately addressed in this letter, that you will give me the opportunity to meet with you at your earliest convenience. Please call me at (310) 892-6016, or e-mail me at [inastaskin2@socal.rr.com](mailto:inastaskin2@socal.rr.com). I look forward to hearing from you.

Sincerely,

  
Igor Nastaskin

08/01/2008

Mr. and Mrs. Keach  
23702 Susana  
Torrance, CA 90505

Dear Mr. and Mrs. Keach,

I'm sorry that I did not get a chance to show you in detail my proposed Spanish-style house on Via El Chico. When I stopped by your house on July 11, my timing was not good for you, and I hoped that you would call me at the number I gave you. I still hope we can get together at your convenience so that you can be fully informed regarding this project. I would like to take this opportunity to cover a few things in this letter.

I am very aware of and fully appreciate the neighbors' concerns over view, air, light and privacy. It is for that reason that I hired my architect (Evan Braun) to design a house that would have the least possible intrusion for you and other neighbors. Let me address these concerns one at a time.

- 1) Views - I took special care to design a house that is set as low as possible off Via El Chico. We designed the garage roof to be flat and the roof line for the rest of the house to have as low of a pitch as possible, so as not to impact the neighbors' views. We also will cut down many of the trees that currently block their views. All of the immediate neighbors off of Via El Chico (as well as the majority of neighbors further down on Via El Chico) like the design of the house and overwhelmingly support this project. I pledge to you that there will be no ocean or city view impairment to any of the houses on Susana.
- 2) Privacy – I understand that some neighbors (such as Darren Donaldson, immediately to the east of my house and Fred and Hope Saint, immediately to the west), may have privacy concerns that I will address directly with them. However, none of the other neighbors on Susana are affected. As an example of my response to Darren on the issue of privacy, I have spent considerable time with Evan to make sure that not only does his house not suffer any privacy impairment, but his privacy is actually improved. We would accomplish this in the following way.
  - a. The house is separated from Darren's property by a side yard/back yard
  - b. I will plant tall/appropriate vegetation along the entire perimeter of our joint boundary so that I cannot see into his backyard and he cannot see into mine. The privacy vegetation will also extend to Via El Chico so that teenagers who frequent the Via El Chico cul-de-sac and can currently clearly see into Darren's entire backyard (and even part of what I believe is his master bedroom), will not be able to do so.

- c. My master bedroom is angled away from Darren's property. There are no windows on eye-level for anyone to look down into his property. Instead, there are two high windows above eye level that are primarily positioned for sun light. Also, on that side of the home is a master walk-in closet that has no windows and the master bathroom that has the main window facing south (away from Darren's property.)

As far as Fred and Hope Saint's house is concerned, I stood on various portions of my property (including as close as I could to their property from the hillside portion of my property) and I still could not see into their backyard, due to the lush vegetation, primarily on their property, and vegetation on my property. The only thing that I mainly could see was the roof of their house.

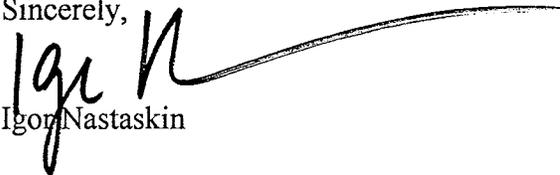
3) The size of my property - The proposed size of my house is a little over 3,800 sq ft., which is in keeping with the homes currently on Via El Chico. For example, the house immediately to the west of my property is close to 3,900 sq ft, the house behind my proposed house is 3,000 sq ft and the house next to that house is 4,000 sq ft.

Some neighbors stated that they don't want "a developer to move in on the area." Let me explain our intentions. My wife and I live in a two story house in the Riviera where all of our bedrooms are on the second level. We have three teenagers (17, 15, 13) and certainly enjoy the size of our current house, but not the going up and down of stairs. I worked with my architect to design the proposed home so that we may live on the main level (hence we have two bedrooms and an office on that level, as well as the kitchen and living room), while allowing us to have rooms for our kids on the lower level. We intend to live in the Via El Chico house and rent our currently remodeled house at 23719 Susana until the point when our kids are ready to start a family, and this will become one of their homes. I'm sure you can appreciate our desire to live so close to our children (and hopefully grandchildren) when they are grown.

I've met with over 50 neighbors on Via El Chico, Riviera Way and Susana streets who support this project, as they feel it will enhance the neighborhood, and is good for property values. I do not claim that I can please every single person that I meet, but I do believe that I conduct myself fairly and am a responsible member in the community, and enjoy a good reputation in the Riviera.

In conclusion, I hope that you will reconsider what I sensed is your opposition to our dream home. I hope that if you still have concerns that I have not adequately addressed in this letter, that you will give me the opportunity to meet with you at your earliest convenience. Please call me at (310) 892-6016, or e-mail me at [inastaskin2@socal.rr.com](mailto:inastaskin2@socal.rr.com). I look forward to hearing from you.

Sincerely,

  
Igor Nastaskin

08/01/2008

Mr. and Mrs. Pfahler  
23711 Susana Ave  
Torrance, CA 90505

Dear Mr. and Mrs. Pfahler,

I'm sorry that I did not get a chance to show you in detail my proposed Spanish-style house on Via El Chico when I saw Mr. Pfahler several weeks ago. I understand that you are strongly opposed to this project due to privacy and hillside concerns. I still hope we can get together at your convenience so that you can be fully informed regarding this project. I would like to take this opportunity to cover a few things, including your immediate concerns.

I am very aware of and fully appreciate the neighbors', and especially your specific concerns, over view, air, light and privacy. It is for that reason that I hired my architect (Evan Braun) to design a house that would have the least possible intrusion for you and the neighbors. Let me address these concerns one at a time.

- 1) Views - I took special care to design a house that is set as low as possible off Via El Chico. We designed the garage roof to be flat and the roof line for the rest of the house to have as low of a pitch as possible, so as not to impact the neighbors' views. We also will cut down many of the trees that currently block the neighbors' views. All of the immediate neighbors off of Via El Chico (as well as the majority of neighbors further down on Via El Chico) like the design of the house and overwhelmingly support this project. I pledge to you that there will be no ocean or city view impairment to any of the houses on Susana.
- 2) Privacy - I understand that some neighbors (such as Darren Donaldson, immediately to the east of my house and Fred and Hope Saint, immediately to the west), may have privacy concerns that I will address directly with them. However, none of the other neighbors on Susana are affected. As an example of my response to Darren on the issue of privacy, I have spent considerable time with Evan to make sure that not only does his house not suffer any privacy impairment, but that his privacy is actually improved. We would accomplish this in the following way.
  - a. The house is separated from Darren's property by a side yard/back yard
  - b. I will plant tall/appropriate vegetation along the entire perimeter of our joint boundary so that I cannot see into his backyard and he cannot see into mine. The privacy vegetation will also extend to Via El Chico so that teenagers who frequent the Via El Chico cul-de-sac and can currently

clearly see into Darren's entire backyard (and even part of what I believe is his master bedroom), will not be able to do so.

- c. My master bedroom is angled away from Darren's property. There are no windows on eye-level for anyone to look down into his property. Instead, there are two high windows above eye level that are primarily positioned for sun light. Also, on that side of the home is a master walk-in closet that has no windows and the master bathroom that has the main window facing south (away from Darren's property.)

As far as Fred and Hope Saint's house is concerned, I stood on various portions of my property (including as close as I could to their property from the hillside portion of my property) and I still could not see into their backyard, due to the lush vegetation, primarily on their property, and vegetation on my property. The only thing that I mainly could see was the roof of their house.

- 3) The size of my property - The proposed size of my house is a little over 3,800 sq ft., which is in keeping with the homes currently on Via El Chico. For example, the house immediately to the west of my property is close to 3,900 sq ft, the house behind my proposed house is 3,000 sq ft and the house next to that house is 4,000 sq ft.
- 4) Stability of the Hill - I hired a professional geo-technical firm (Western Lab) to do a thorough analysis of the property to determine what impact, if any, my new proposed construction would have on the stability of the hill. The results came out very positive. In fact, the report stated that the structure would actually enhance the stability of the hill, as I would be required to do extensive foundation work, which would include caissons. Currently, that hill has numerous trees and ice plant, which tend to soak in all the water. Because the hillside portion of the property does not have any drainage system, all the water is absorbed into the hill, potentially making it more unstable. The new house would have a new drainage system that would take that water off the hill and thus would actually make that area safer.
- 5) When we briefly discussed this subject last year and you voiced these concerns to me, I pledged to you at that time, (and this is before I did the geo-technical analysis) that if there are geological issues with building a structure there, I will not build this home. I have no intention of building my family's personal residence on a hill that is not safe, and that is why I hired professionals for an expert and objective analysis. If you would like to see this report or talk to the professionals that did the analysis, I would be more than happy to arrange this.

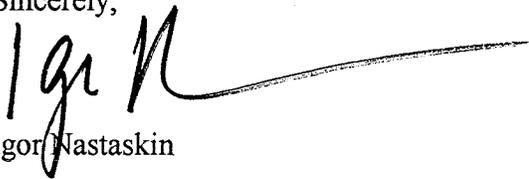
Some neighbors stated that they don't want "a developer to move in on the area." Let me explain our intentions. My wife and I live in a two story house in the Riviera where all of our bedrooms are on the second level. We have three teenagers (17, 15, 13) and certainly enjoy the size of our current house, but not the going up and down of stairs. I worked with my architect to design the proposed home so that we may live on the main level (hence we have two bedrooms and an office on that level, as well as the kitchen and

living room), while allowing us to have rooms for our kids on the lower level. We intend to live in the Via El Chico house and rent our currently remodeled house at 23719 Susana until the point when our kids are ready to start a family, and this will become one of their homes. I'm sure you can appreciate our desire to live so close to our children (and hopefully grandchildren) when they are grown.

I've met with over 50 neighbors on Via El Chico, Riviera Way and Susana streets who support this project, as they feel it will enhance the neighborhood, and is good for property values. I do not claim that I can please every single person that I meet, but I do believe that I conduct myself fairly and am a responsible member in the community, and enjoy a good reputation in the Riviera.

In conclusion, I hope that you will reconsider your opposition to our dream home. I hope that if you still have concerns that I have not adequately addressed in this letter, that you will give me the opportunity to meet with you at your earliest convenience. Please call me at (310) 892-6016, or e-mail me at [inastaskin2@socal.rr.com](mailto:inastaskin2@socal.rr.com). I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink, appearing to read "Igor N", with a long horizontal flourish extending to the right.

Igor Nastaskin



08/01/2008

Mr. and Mrs. Charry  
23714 Susana Ave  
Torrance, CA 90505

Dear Mr. and Mrs. Charry,

I'm sorry that I did not get a chance to show you in detail my proposed Spanish-style house on Via El Chico. When I stopped by your house on July 1, my timing was not good for you. You told to me at that time that the whole neighborhood would be against me on this project and gave me your advice to not waste my time or money. I appreciate your concerns. I still hope we can get together at your convenience so that you can be fully informed regarding this project. I would like to take this opportunity to cover a few things in this letter.

I am very aware of and fully appreciate the neighbors' concerns over view, air, light and privacy. It is for that reason that I hired my architect (Evan Braun) to design a house that would have the least possible intrusion for you and the neighbors. Let me address these concerns one at a time.

- 1) Views - I took special care to design a house that is set as low as possible off Via El Chico. We designed the garage roof to be flat and the roof line for the rest of the house to have as low of a pitch as possible, so as not to impact neighbors' views. We also will cut down many of the trees that currently block the neighbors' views. All of the immediate neighbors off of Via El Chico (as well as the majority of neighbors further down on Via El Chico) like the design of the house and overwhelmingly support this project. I pledge to you that there will be no ocean or city view impairment to any of the houses on Susana.
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As far as Fred and Hope Saint's house is concerned, I stood on various portions of my property (including as close as I could to their property from the hillside portion of my property) and I still could not see into their backyard, due to the lush vegetation, primarily on their property, and vegetation on my property. The only thing that I mainly could see was the roof of their house.

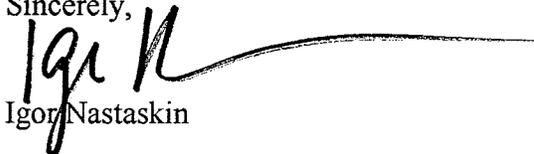
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Some neighbors stated that they don't want "a developer to move in on the area." Let me explain our intentions. My wife and I live in a two story house in the Riviera where all of our bedrooms are on the second level. We have three teenagers (17, 15, 13) and certainly enjoy the size of our current house, but not the going up and down of stairs. I worked with my architect to design the proposed home so that we may live on the main level (hence we have two bedrooms and an office on that level, as well as the kitchen and living room), while allowing us to have rooms for our kids on the lower level. We intend to live in the Via El Chico house and rent our currently remodeled house at 23719 Susana until the point when our kids are ready to start a family, and this will become one of their homes. I'm sure you can appreciate our desire to live so close to our children (and hopefully grandchildren) when they are grown.

I've met with over 50 neighbors on Via El Chico, Riviera Way and Susana streets who support this project, as they feel it will enhance the neighborhood, and is good for property values. I do not claim that I can please every single person that I meet, but I do believe that I conduct myself fairly and am a responsible member in the community, and enjoy a good reputation in the Riviera.

In conclusion, I hope that you will reconsider your opposition to our dream home. I hope that if you still have concerns that I have not adequately addressed in this letter, that you will give me the opportunity to meet with you at your earliest convenience. Please call me at (310) 892-6016, or e-mail me at [inastaskin2@socal.rr.com](mailto:inastaskin2@socal.rr.com) . I look forward to hearing from you.

Sincerely,

  
Igor Nastaskin

**Martinez, Oscar**

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**From:** Igor Nastaskin [inastaskin2@socal.rr.com]  
**Sent:** Wednesday, November 19, 2008 11:46 AM  
**To:** Martinez, Oscar  
**Cc:** Lodan, Gregg

Hi Oscar

I want to ask you to forward this e-mail to the Planning Commissioners regarding my project on Via El Chico. I'd like to request to meet with each one of the members of the Planning Commission at the site on Via El Chico, so that I can better explain to them about my project and give them an opportunity to walk the property. My reasons for this request are the following:

- 1) This project involves several different issues, which may be difficult to cover in a short period of time (i.e. 15 minutes of my presentation)
- 2) Recently, I've had vandalism to the flags/board by someone who is opposed to the property (partial destruction of flags and boards), as such I locked the one gate from Via El Chico to better secure it. Thus, a commissioner who might want to go on the property may not be able to do so. The house on 23719 Susana, which I own, is currently rented, thus I would have to accompany anyone who wants to walk the property anyway.
- 3) Since the commissioners receive the package approximately 10 days before the scheduled meeting, it may not give the commissioners enough time to become fully aware of all the issues involved.

I appreciate your help in facilitating this request. The commissioners can reach me directly at (310) 892-6016, I can also be reached by e-mail at [inastaskin2@socal.rr.com](mailto:inastaskin2@socal.rr.com), although would prefer a phone call.

Thank you.

Igor Nastaskin

(310) 892-6016



TO: OSCAR MARTINEZ (REDEVELOPMENT  
Dept

FROM: IGOR NASTASKIN

SUBJECT: VIA EL CUECO PROJECT.

Date: 11/20/08

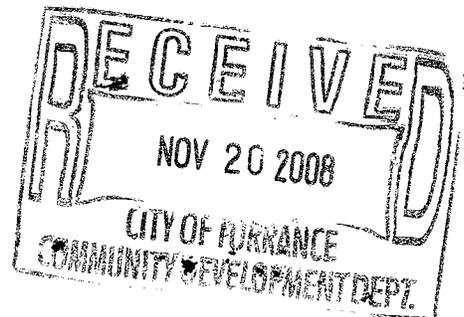
Total pages - 8 (incl. cover)

Hi OSCAR,  
Attached is the petition in support of  
my project. Please note that Randy  
Russell on 464 Via El Cueco since then  
withdrew his support.

Thanks

Igor

(310) 892-6016



To: The City of Torrance Planning Commission

Subject: Proposed Lot Split of 23719 Susana Ave and Construction of a New Spanish House (with access from Via El Chico)

We have met with the owner Igor Nastaskin and reviewed the pictures and design of the proposed new construction project (at the end of Via El Chico), and are in full support of this project. We feel that this project will enhance the neighborhood, increase our property value and is appropriate for the neighborhood.

Name: WILLIAM & DORIS FOREST Address: 452 VIA EL CHICO Tel. # (310) 373-2942 Date: 7-7-08

Name: William & Doris Forest Address: " " Tel. # " " Date: " "

Name: DONNA DYVIC Address: 443 Via El Chico Tel. # (310) 375-0110 Date: 7-7-08

Name: ALLEN WILCOX Address: 445 VIA EL CHICO Tel. # " " Date: 7/6/08

Name: Richard May Address: 444 VIA EL CHICO Tel. # 310-750-0679 Date: 7/6/08

Name: KANDY RUSSELL Address: 464 VIA EL CHICO Tel. # 313-291-86 Date: 7-7-08

Name: DAVID GOULDING Address: 352 VIA EL CHICO Tel. # (310) 465-1448 Date: 7-7-08

Name: Jillie Nestola & Rodney Nestola Address: 351 Via El Chico Tel. # 310 373 9569 Date: 7-7-08

Name: Helen Dennis Address: 347 Via El Chico Tel. # 310-315-2121 Date: 7-6-08

Helen Dennis

To: The City of Torrance Planning Commission

Subject: Proposed Lot Split of 23719 Susana Ave and Construction of a New Spanish House (with access from Via El Chico)

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Name: [Signature]  
MICHAEL D. DEAN  
Address: 23452 Susana Tel. # 310.791.3909 Date: 07/03/08

Name: Denise Dean  
Address: 23452 Susana Ave Tel. # 310.791.3909 Date: 07/03/08

Name: [Signature]  
ADDRESS: 23452 SUSANA  
Name: Robert D. Williams  
Address: 109 Via Sevilla Tel. # 310-378-7102 Date: 07/05/08

Name: Scott Mlesnke  
Address: 23443 Susana Ave Tel. # 310-375-6748 Date: 07/05/08

Name: Damon Rubin  
Address: 348 Via El Chico Tel. # 310-378-3440 Date: 7/10/08  
Address: Redondo Beach Tel. # 310-378-2064

Name: [Signature]  
Address: 23639 Susana Ave Tel. # 310-378-9554 Date: 7/05/08

Name: [Signature]  
Address: 23627 Susana Ave Tel. # 310-378-4499 Date: 7/05/08

Name: [Signature]  
Address: 23604 Susana Ave Tel. # 310-373-4499 Date: 7/05/08

To: The City of Torrance Planning Commission

Subject: Proposed Lot Split of 23719 Susana Ave and Construction of a New Spanish House (with access from Via El Chico)

We have met with the owner Igor Nastaskin and reviewed the pictures and design of the proposed new construction project (at the end of Via El Chico), and are in full support of this project. We feel that this project will enhance the neighborhood, increase our property value and is appropriate for the neighborhood.

Name: CLINTON S. EULL #  
Address: 5615 Via Del Valle  
Tel. # 310 978 5554  
Date: 7/1/08

Name: MICHAEL ORRIS  
Address: 23668 SUSANA AVE  
Tel. # 310 373 6200  
Date: 7/2/08

Name: John. K...  
Address: 23704 SUSANA AVE  
Tel. # 323 999-XXXX  
Date: 7/7/08

Name: Sheila M...  
Address: 415 Via El Chico  
Tel. # 310-8636  
Date: 7/10/08

Name: Kinda Campbell  
Address: 23644 Susana  
Tel. # 310  
Date: 7/11/08

Name: John Huber  
Address: 23607 S Susana  
Tel. # 310 922 5288  
Date: 7/11/08

Name: Barbara Davis  
Address: 23615 Susana  
Tel. # 310 9422  
Date: 7-11-08

Name: ROBERTA PHILBRICK  
Address: 23623 Susana  
Tel. # 310 5140  
Date: 7-11-08

Name: Anthony Berry  
Address: 23632 SUSANA AVE  
Tel. # 310 378 6817  
Date: 7-11-08

To: The City of Torrance Planning Commission

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Name: Mandi Watkins <sup>510</sup> Address: 23628 Susana Ave Tel. # 375-1550 Date: 7-11-08

Name: Pat Sharpus Address: 5532 Calle Mirador Tel. # 375-5047 Date: 7-11-08

Name: Ariana Fajate-Lee Address: 23614 Susana Ave Tel. # 310-378-5707 Date: 7/10/08

Name: THELMA FRELAND Address: 5416 RIVERA WAY Tel. # 310-375-8437 Date: 7-12-08

Name: Pat Sharpus Address: 23044 Susana Tel. # 310-378-7757 Date: 7-12-08

Name: Donna Bobb Address: 22618 Susana Ave Tel. # 310-373-2953 Date: 7-12-08

Name: LORRY GREENBARTH Address: 309 Via El Chico Tel. # 310-373-7267 Date: 7-13-08

Name: Wendy W. Alford Address: 300 Via El Chico Tel. # 310-378-6388 Date: 7-13-08

Name: Thomas McCARTHY Address: 490 VIA EL CHICO Tel. # 310-373-1191 Date: 7/13/2008

To: The City of Torrance Planning Commission

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Name: R. C. WARBLEN Woods Address: 4448 Via El Chico Tel. # 310-251-5688 Date: 7/13/08

Name: Alan Hafeza Address: 412 Via El Chico Tel. # 310-573-4743 Date: 7/13/08

Name: Mrs & Pat JENKINSON Address: 425 Via El Chico Tel. # 310-791-5767 Date: 7/13/08

Name: ~~POSSIBLE~~ STAN B. CAGOT Address: 3200 B. CAGOT Tel. # 310-338-0212 Date: 7/13/08

Name: MALE DONALD Address: 328 Via El Chico Tel. # 310-375-3035 Date: 7/13/08

Name: Richard Tardaguila Address: 313 Via El Chico Tel. # 310-375-7615 Date: 7-13-08

Name: Ann Tardaguila Address: 11 Tel. # 11 Date: 11

Name: Steve Troyer Address: 304 Via El Chico Tel. # 310-264-8449 Date: 7/13/08

Name: Alan R. Miller Address: 320 Via El Chico Tel. # 310-729-5991 Date: 7-17-08

Name: ALAN MILLER Address: 320 Via El Chico Tel. # 310-729-5991 Date: 7-17-08

To: The City of Torrance Planning Commission

Subject: Proposed Lot Split of 23719 Susana Ave and Construction of a New Spanish House (with access from Via El Chico)

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Name: Julia Skanok Address: 23603 Susana Ave Tel. # 310 375-6210 Date: 7-14-08

Name: THAI HA Address: 437 Via El Chico Tel. # (310) 325-4210 Date: 7/15/08

Name: Johnny Papan Address: 5611 Via del Sol Tel. # (310) 375-1950 Date: 7/17/08

Name: Kelli Anderson Address: 23611 Susana Ave Tel. # 310-375-1619 Date: 7/17/08

Name: DANA M. LAORDE Address: 23656 Susana Ave Tel. # 310 373 2466 Date: 7.18.08

Name: Ridard Barkley Address: 428 Via El Chico Tel. # 310-373-6095 Date: 7/20/08

Name: Jagreet Nareel Address: 344 Via El Chico Tel. # 310 375-1718 Date: 7/20/08

Name: Jill Kral Address: 401 Via El Chico Tel. # 310-791-8526 Date: 7/23/08

Name: Aleah Jean Mannings Address: 4087 Via El Chico Tel. # (310) 375-7530 Date: 7/24/08

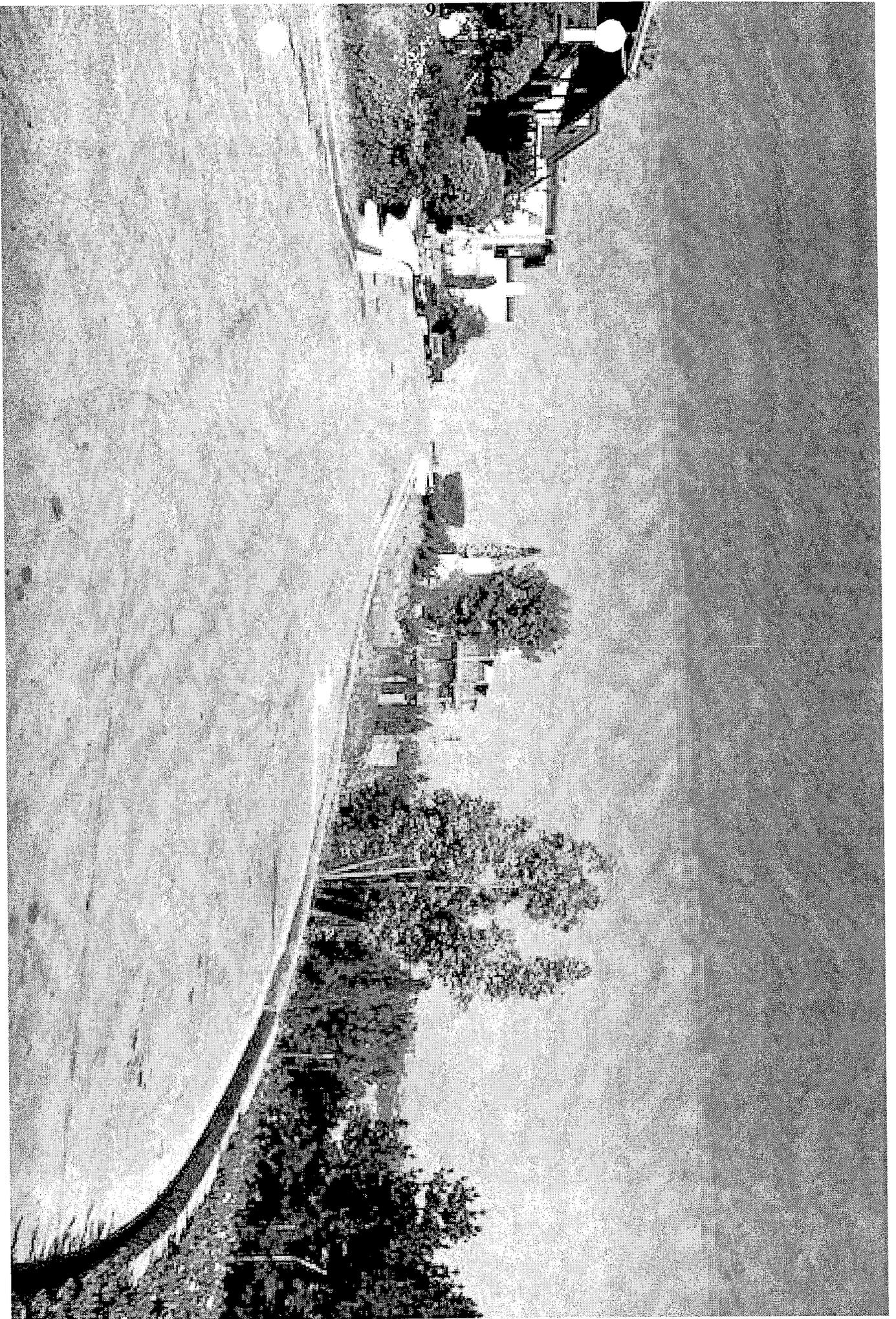
*Aleah Jean Mannings*

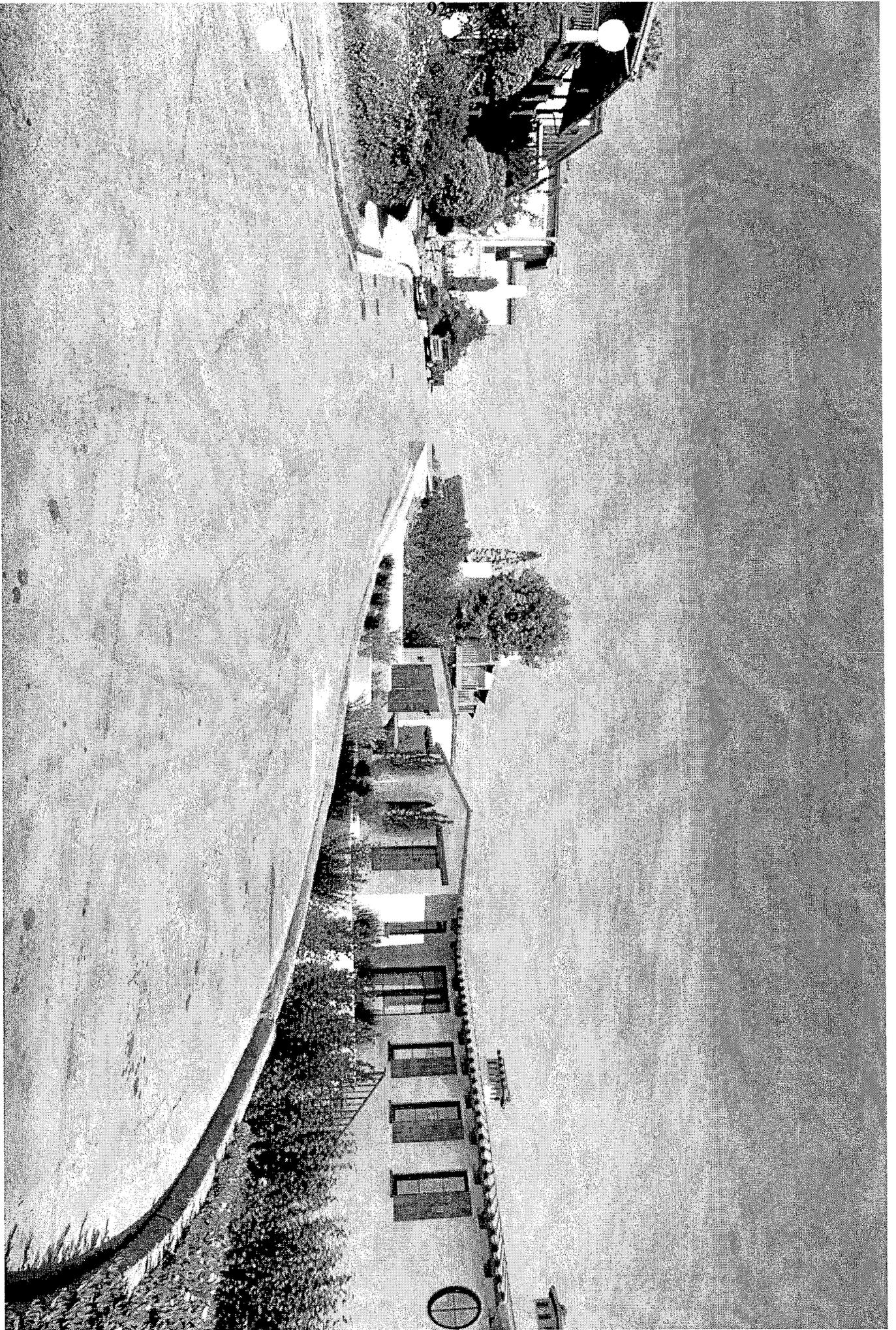
To: The City of Torrance Planning Commission

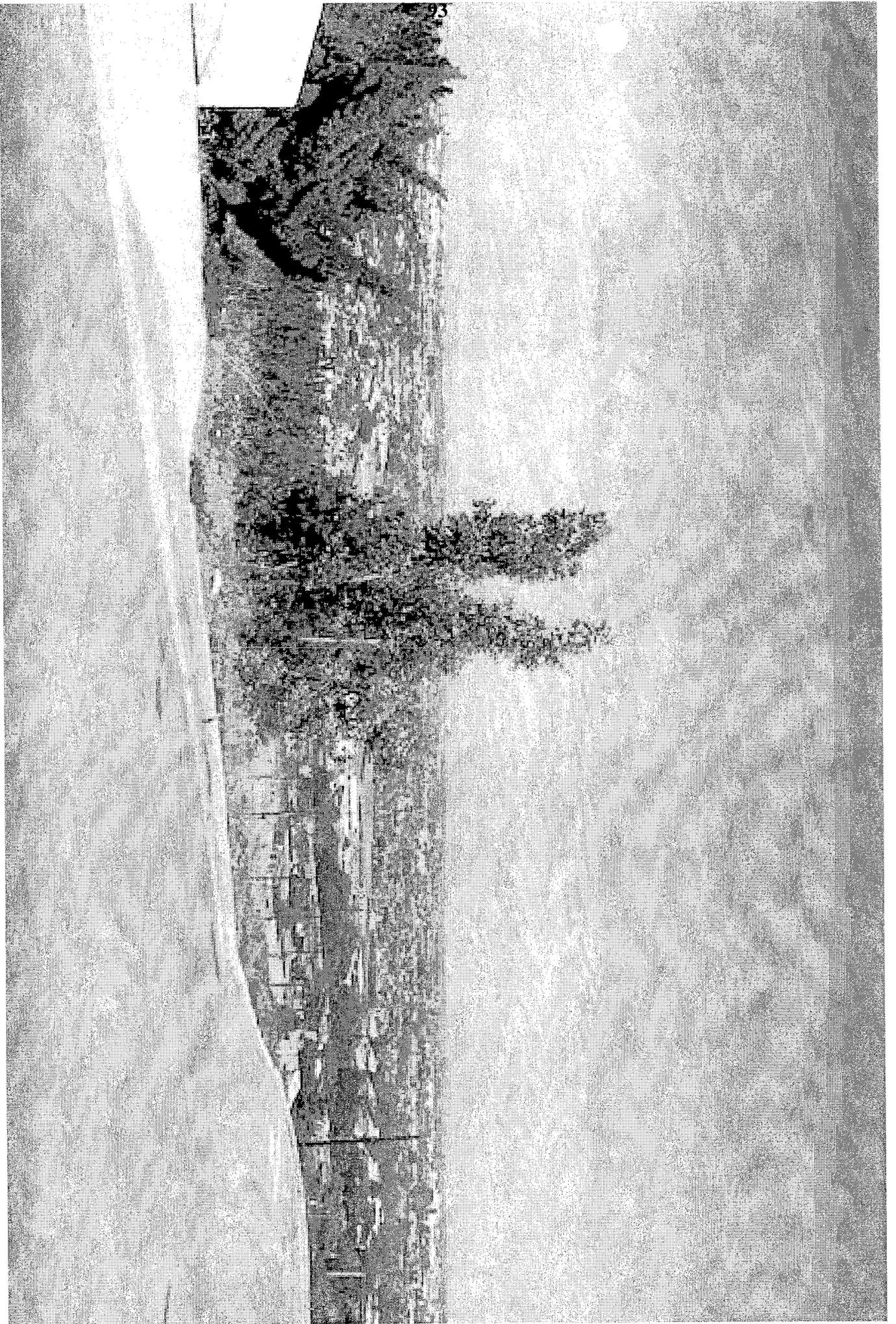
Subject: Proposed Lot Split of 23719 Susana Ave and Construction of a New Spanish House (with access from Via El Chico)

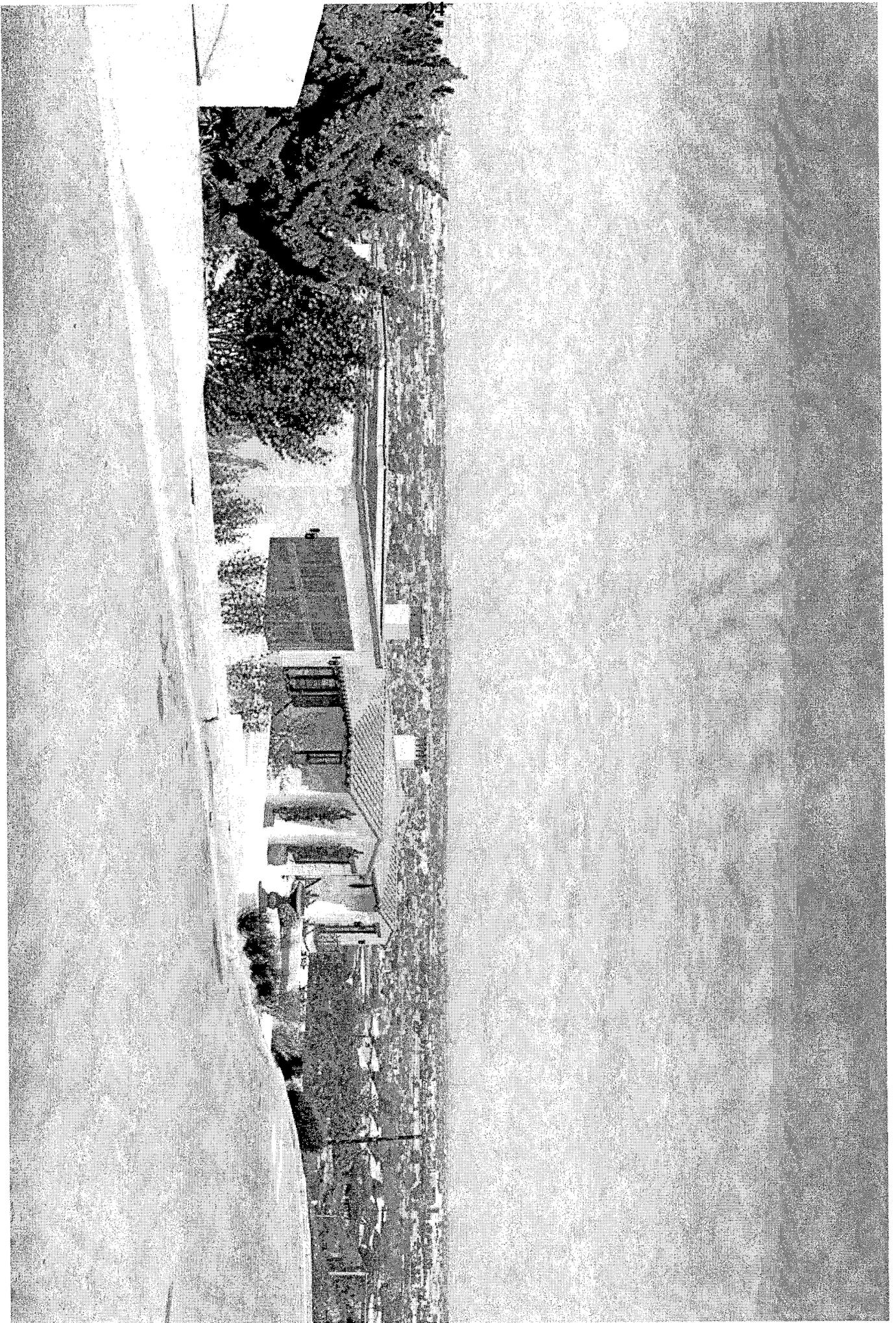
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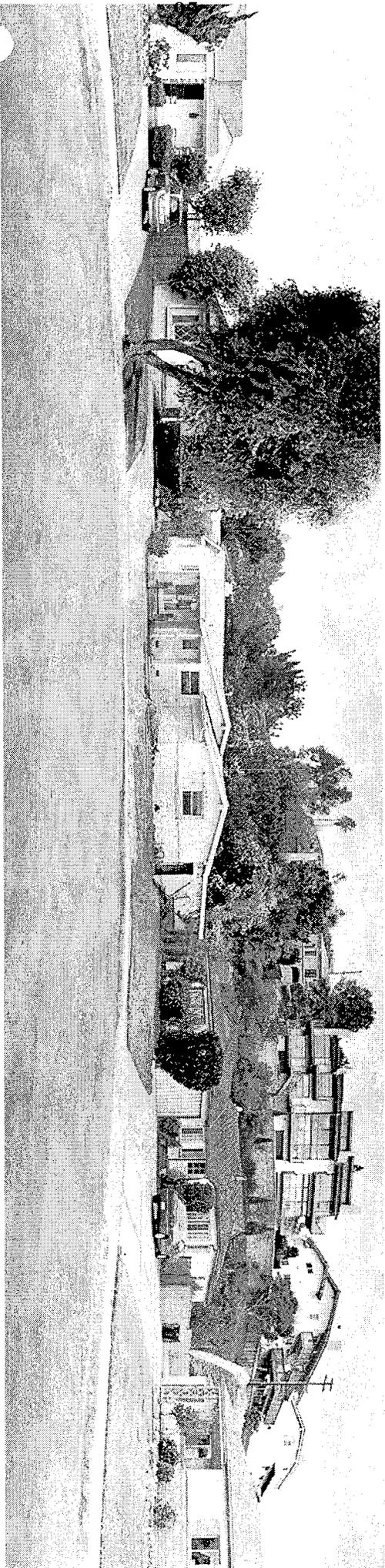
- Name: Martine Herreria Address: 411 VIA EL CHICO Tel. # 310-293-1882 Date: 7/24/08
- Name: Alan Burkhardt Address: 5601 Via Del Colliado Tel. # 310-991-8045 Date: 7/24/08
- Name: Robert Burkhardt Address: 5613 VIA DEL COLLIADO Tel. # 310-982-8945 Date: 7/24/08
- Name: Wesley Freeman Address: 5607 VIA DEL COLLIADO Tel. # 310-378-7335 Date: 7/26/08
- Name: Gregory Strickel Address: 5603 VIA DEL COLLIADO Tel. # 310-375-5468 Date: 7/26/08
- Name: Michael McLean Address: 400 VIA EL CHICO Tel. # 310-378-7920 Date: 7/31/08
- Name: Paula (Carmel) B. Jones Address: 400 VIA EL CHICO Tel. # 310-791-7219 Date: 8/2/08
- Name: ORVIN SHOFER Address: 324 VIA ELMHURST Tel. # 310-443-2614 Date: 8/4/08
- Name: [Signature] Address: 120 Via La Gracia Tel. # 310-791-1985 Date: 8-4-08

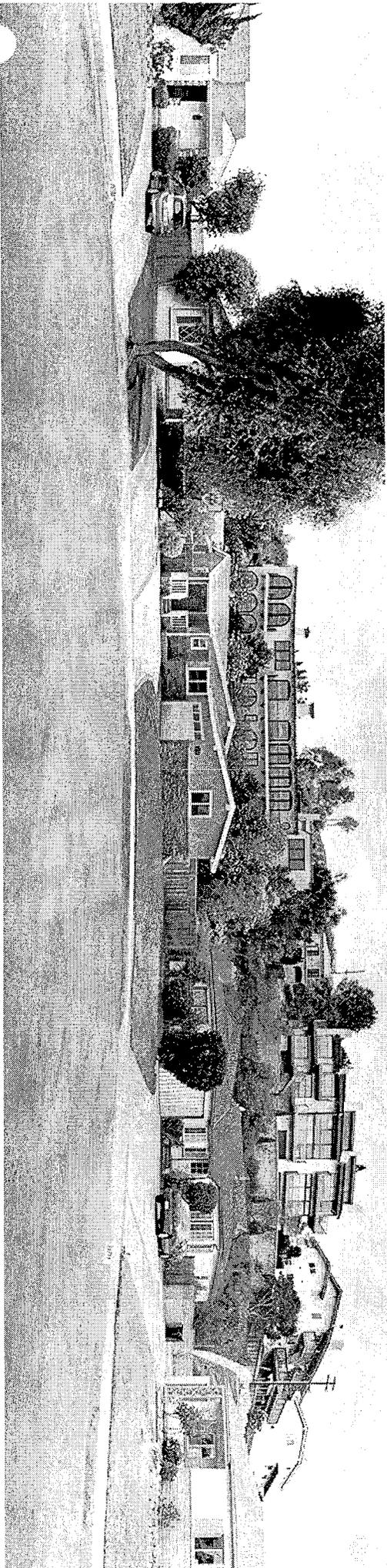










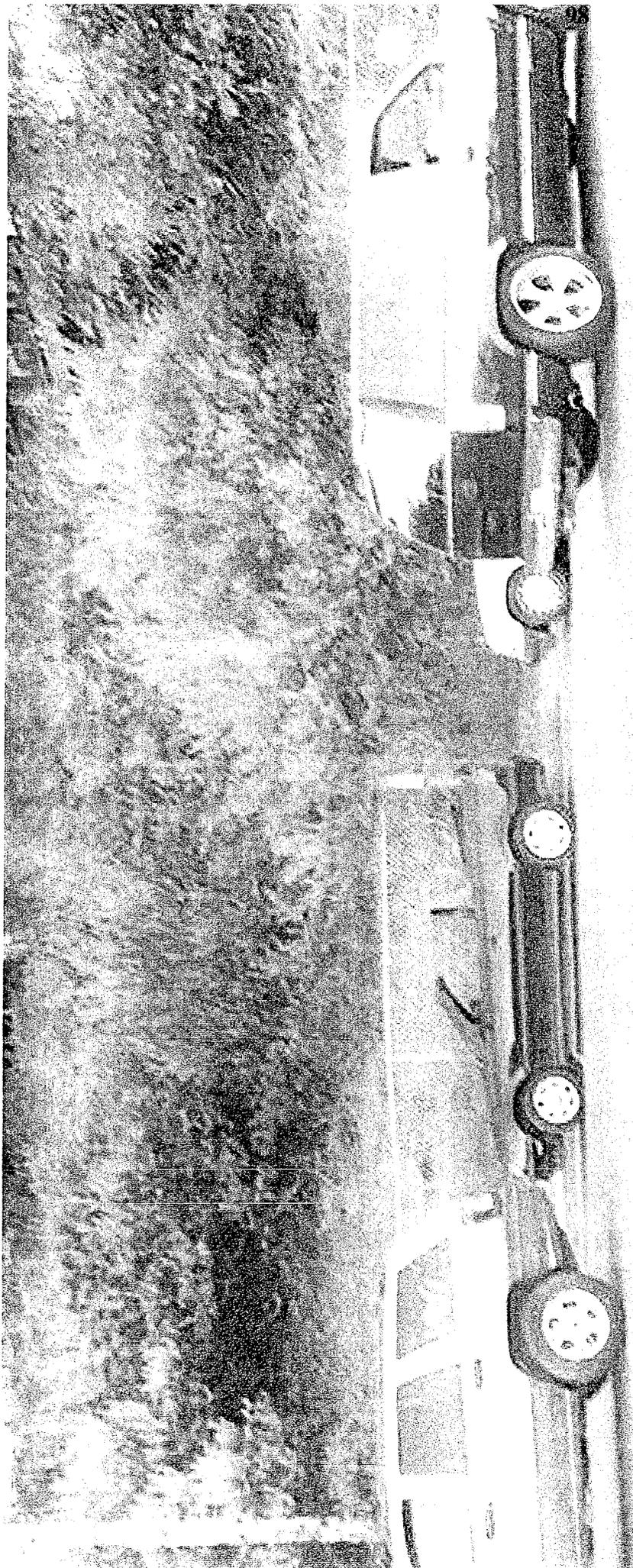


107 - 0700

Schedule of Incidents (Police Reports calls) on Via El Chico

1/1/2007	2 Car Loads of Juveniles loitering in Cul De Sac and Drinking and Smoking
8/17/2007 (10:19pm)	There are several juveniles and vehicles at the end of the cul de sac Caller believes that the juveniles are "smoking" but wouldn't say what
8/18/2007 (8:20pm)	Numerous Juveniles driving recklessly in the area
7/26/2008	Marijuana found at the cul-de-sac on Via El Chico last night
11/8/2007 12:19am	Caller states the residence directly across from hers should be vacant When she returned home approx 5 days ago she observed a light on in a bedroom window and heard front door close. Did not observe anyone. Caller states that the owner of the residence died and nobody should be present
5/5/2008 (1:24pm)	Vandalism Report. Graffiti on the block wall on the W/S of the house Culprit located and graffiti washed off prior to my arrival: r/p non desirous
5/19/2008 (8:11pm)	Large group of juveniles at dead end of El Chico drinking and yelling. Associated vehilces are while in color, one is an SUV
5/30/2008 (6:05pm)	Loud music coming from a grey pick-up and blue Hyundai parked at the end of the street
6/21/2008 (9:09pm)	415 Subjs hanging out at the end of the cul-de-sac being loud
6/26/2008 (10:30PM)	Older 2 door Blue Toyota or Mazda with subjects smoking marijuana inside in the cul-de-sac
7/6/2008 (5:26pm)	Around 10 subjects have illegally parked 5 vehicles in the middle of the Cul-de-sac street and are being extremely 415. The subjects have climbed the locked fence into the lower level of Rocketship park. The gate is now standing open and RP thinks that the subjects have possibly broken the lock off.
7/14/2008 (8:58pm)	Called states several subjects are loitering at the dead end of Via El Chico, yelling and causing a disturbance. There are 3-4 vehicles involved and the subjects have been at the location for the past 90 minutes
7/26/2008 (9:02pm)	Numerous 415 Juveniles at the end of the cul de sac. No vehicle or subject description
10/8/2008 (8:30pm)	Subject reported that the night before, according to the neighbor some young man was found at the property after midnight hacking away at the flags and 2x 4s boards. When the neighbor confronted him, he said that he did not want a house built there because it will interfere with his friends hanging out there

415 - means "Loud/Disturbance"



TRENAGBAS CARS AT THE  
END OF VIA EL CHICO CUL-DE-SAC  
10/10/08



VIA EL CHICO CUL-DE-SAC  
10/10/08



TRASK AT  
VIA EL CHICO  
Bill DeSAC



ONE OF THREE USED CONDOMS  
FOUND AT VIA EL CHICO  
CIVIL-DE-SAC ON 11/25/08

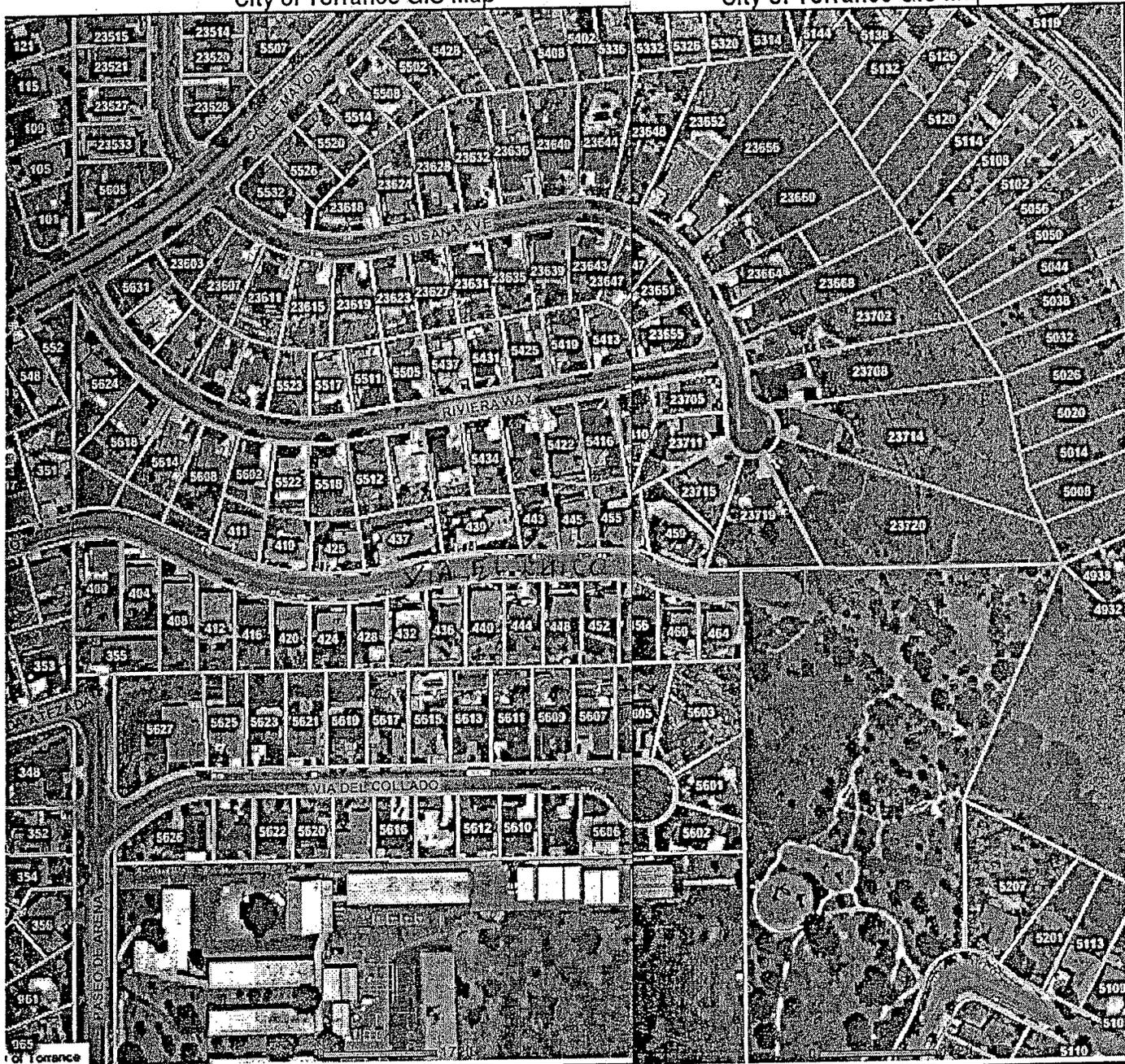


DRUGS FOUND AT  
VIA EC CIVICO CUM-DE-SAC  
ON 7/25/08



City of Torrance GIS Map

City of Torrance GIS Map



are approximate, not to be used for establishing absolute or relative positions.

THIS IS A PLOT PLAN OF THE PROPERTIES SURROUNDING 23719 SUSANA (SUBJECT PROPERTY). AS CAN BE SEEN, THE PROPERTIES TO THE EAST OF SUBJECT PROPERTY ARE UNUSUALLY LARGE & DO NOT REPRESENT THE AVERAGE LOTS IN THAT NEIGHBORHOOD.

AS AN EXAMPLE:

- 1) 23720 SUSANA — 49,266 (sq ft)
- 2) 23714 ✓ — 46,740 (sq ft)
- 3) 23708 ✓ — 23,997 (sq ft)
- 4) 23702 ✓ — 23,679 (sq ft)

for Printing

This PLOT PLAN OF "MUS LIGHTS AREA IN TORRANCE RELATES TO 1989 PASSED ORDINANCE (# 3866) RE LOT SPLITS. AS CAN BE SEEN HERE, FOR THE MOST PART THE LOTS ARE VERY SIMILAR IN THIS NEIGHBORHOOD

City of Torrance

City of Torrance GIS Map



copyright (C) 1994-2008 City of Torrance

lines and photos are approximate, not to be used for est

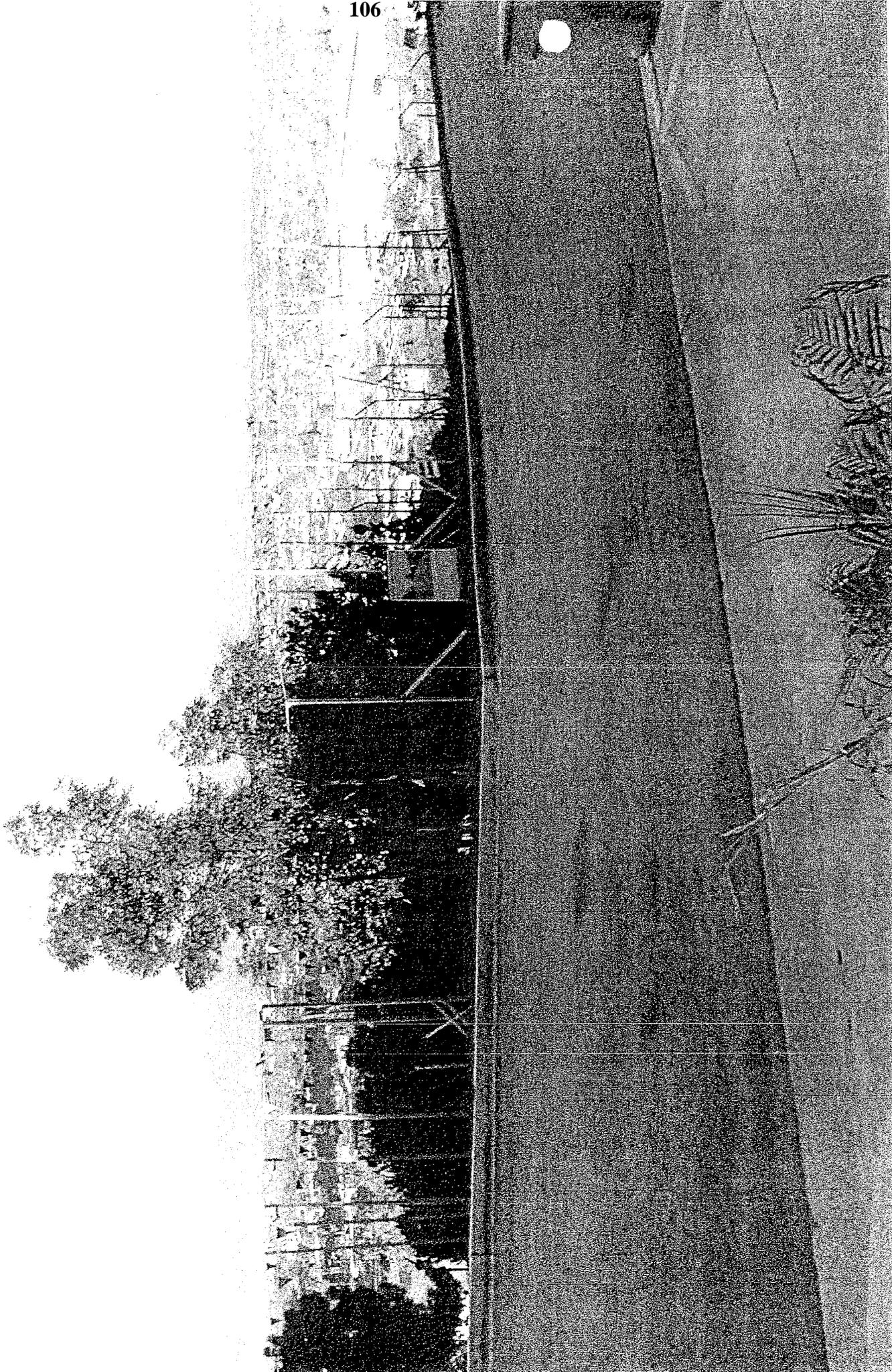
approximate, not to be used for establishing absolute or relative positions.

AS AN EXAMPLE ONLY, THE FOLLOWING ARE SOME OF THE LOTS ON VARIOUS STREETS:

- 1) 5410 REESE - 10,220 SQ FT (73 x 140)
- 2) 5406 SHARYNNE LANE - 10,650 SQ FT
- 3) 5338 CAROL - 11,480 SQ FT

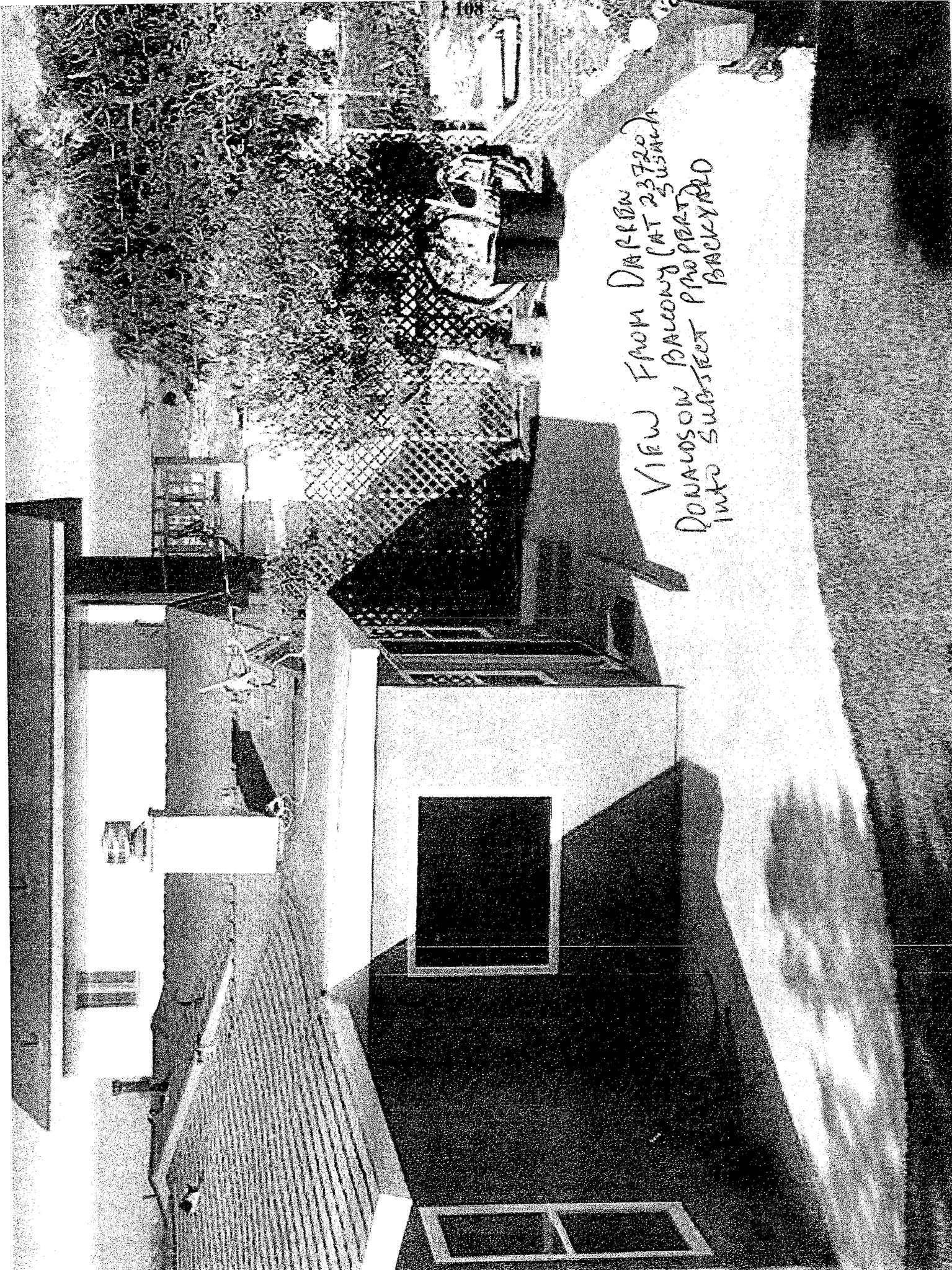
- 1) 5410 REESE
- 2) 5406 SHARYNNE
- 3) 5338 CAROL

A VIEW FROM THE SIDEWALK  
(i.e. GARAGE LEVEL) OF 464 VIA EL CHICO



View of 2375 SUSANA  
(Fuel Saver Home) From  
SUBJECT PROPERTY  
BACKWARD

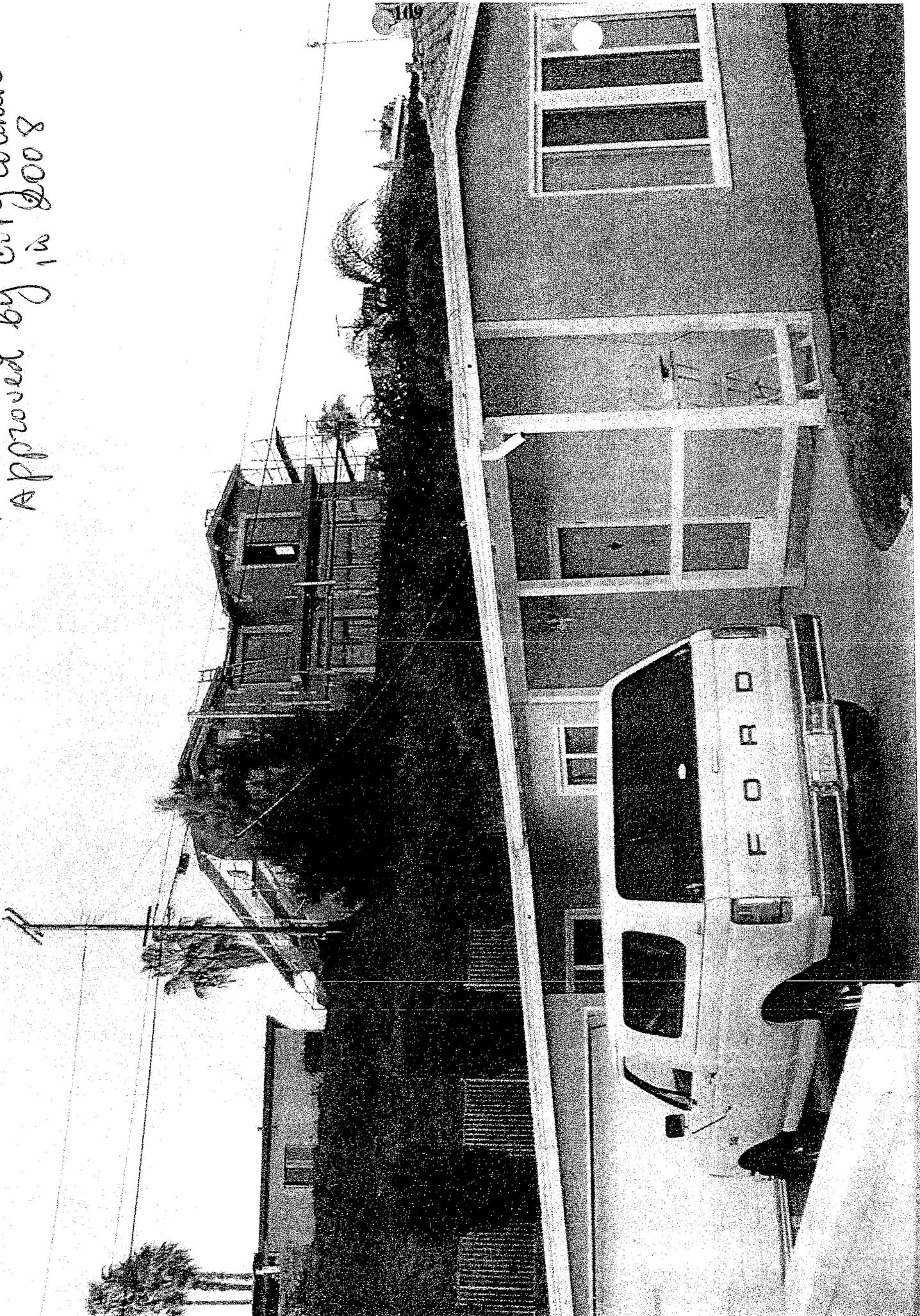




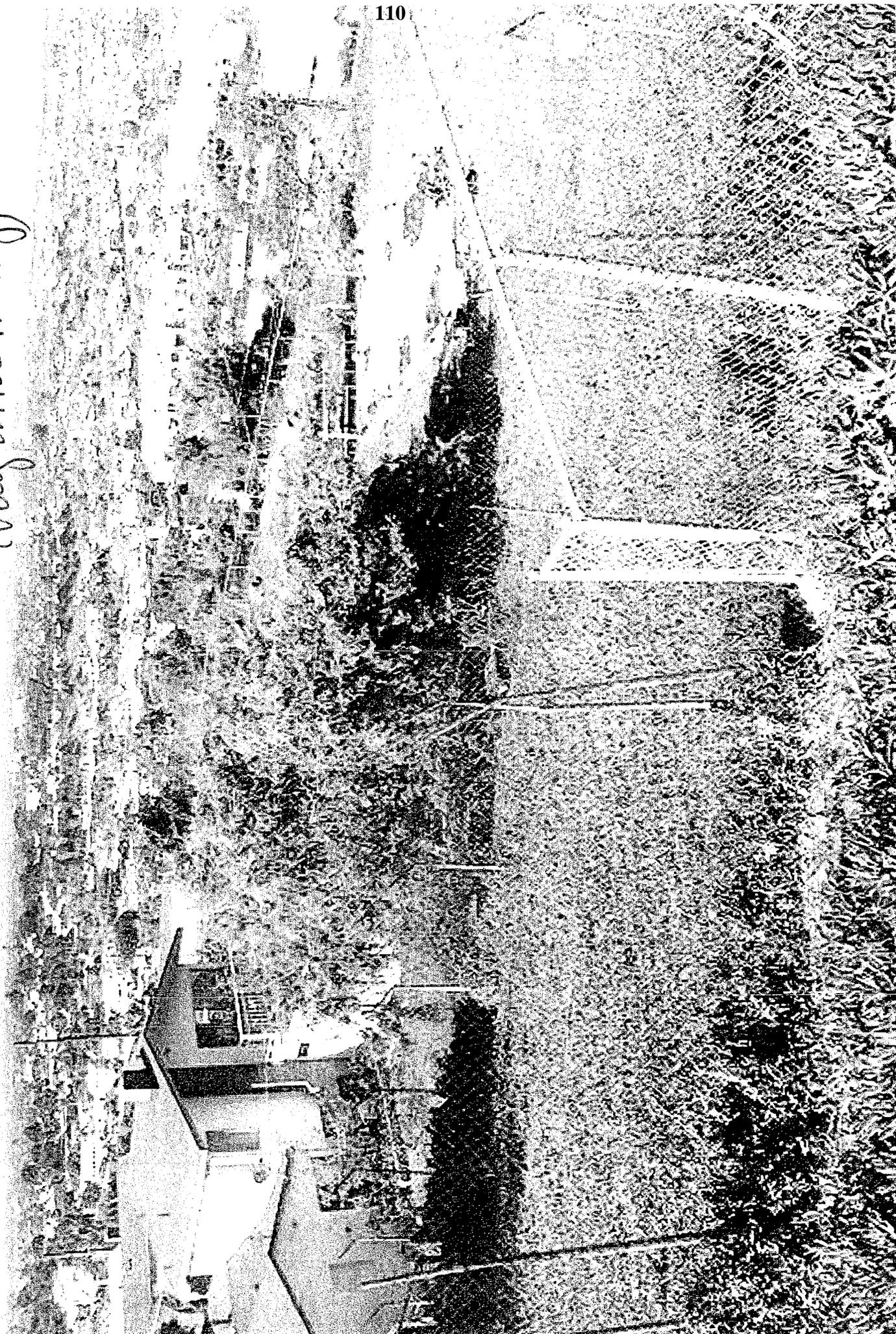
VIEW FROM DAREN  
DONALDSON BALCONY (AT 23720  
355th)  
INTO SUBJECT PROPERTY  
BACKYARD

108

A 2 story home on 5144 Zakow  
Approved by City Council  
in 2008



View of 23720 Susana (Donna-Dson House)  
from public area of Vin EC Chico Cill-De-Sac  
(Very little privacy)



**SUPPLEMENTAL #1 TO AGENDA ITEM 11B**

**TO:** Members of the Planning Commission

**FROM:** Development Review Division

**SUBJECT:** PRE08-00029, WAV08-00013 & DIV08-00011 IGOR NASTASKIN

**LOCATION:** 23719 Susana Ave & APN#7531-016-050

The attached correspondence was received subsequent to the preparation of the agenda item.

Staff continues to recommend denial without prejudice of the project.

Prepared by,



Oscar Martinez  
Planning Associate

Respectfully submitted,



Gregg D. Lodan, AICP  
Planning Manager

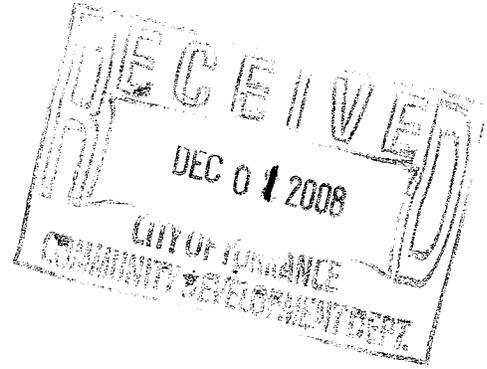
**ATTACHMENTS**

1. Correspondence

GREGG

November 28, 2008

Richard I. May  
444 Via el Chico  
Redondo Beach, CA 90277



Jeffrey Gibson, Community Development Director  
Community Development Department  
City Hall  
3031 Torrance Blvd.  
Torrance, CA 90503

Re: Proposed End of Via el Chico Building Project

Dear Mr. Gibson:

My family has lived in Hollywood Riviera since 1981. We originally rented a home on 303 Calle de Anadlucia in 1981, and in 1984 purchased a home at 800 Calle de Arboles. In 2000 we purchased a home at 444 Via el Chico.

During the almost 30 years we have lived in Hollywood Riviera, we've seen our children graduate from Riviera Elementary, Richardson Middle and South High Schools. My wife, Marcie has had the good fortune to work as a teacher with at-risk students at South High.

The lot for Mr. Nastaskin's proposed project is relatively open and sits at the bottom of Rocketship Park. Unfortunately, due to the view and openness of the cul-de-sac, it can sometimes attract a nuisance element. I believe Mr. Nastskin's proposed home at the end of our street would be a positive presence in this area.

Marcie and I support the project proposed by Mr. Nastaskin at the end of Via el Chico. The design is ascetically pleasing and really cleans up the end of our street. We look forward to having Mr. Nastaskin and his family as a neighbors on Via el Chico, and believe this project will help to make the area less prone to crime.

Sincerely,

Richard I. May

23715 S Susana Avenue  
 Torrance CA 90505-5435  
 Home Phone 310.378.4580  
 November.29.2008

Mr Jeffery W Gibson  
 Community Development Director  
 Community Development Department  
 3031 Torrance Blvd.  
 Torrance CA 90503-2970



RE:PRE08-00029, WAV08-00013 & DIV08-00011

Dear Sir:

We are presenting our complaint for denial in reference to above case in connection with the planned development to consider allowing a new two story single family residence at 23719 Susana Avenue. Our property at 23715 Susana Avenue is directly adjacent on the west side to the planned development subject 2 story residence above of 23719 Susana Avenue.

We wish to fight for our objections relating to the planned development based on the following safety and peaceful living conditions:

1. We are currently entering the rainy season, which is subject to creating mudslides and erosion to the steeply sloping hillside from the removal of vegetation and trees that would support the steeply sloping area of the subject 2 story residential planned development above 23719 Susana Avenue. After 26 years of residing at our property at 23715 Susana Avenue we have experienced encounters with mudslides and erosion from property directly above and behind our residence on the steeply sloping hillside above and behind our residence during heavy and prolonged blanketed rainy downpours, which potentially puts our property and lives in the path of severe destruction and including the possible loss of life/lives and/or bodily injuries.
2. The storm drain line from the property behind and above our property at 23715 Susana Avenue runs along the fence line between our property and 23719 Susana Avenue continues to be a cause of flooding buildup submerging the cul de sac of Susana Avenue during heavy rainy downpour creating debris and sediments to also collect at the cul de sac that stresses the capacity of the cul de sac to clear itself. Therefore, an additional drain storm line by the additional runoff would inundate the cul de sac with an enormous volume of flood water.
3. If the land area within and above the hillside overlay at 23719 Susana Avenue is divided for a lot line adjustment to make room for the 2 story residencial planned development; will there be enough land area for the front and back to meet the requirement of existing codes or ordinances?
4. In the event of an earthquake, eminent endangerment to lives and destruction of property is evident by the precarious location of the 2 story planned development to our homes surrounding the subject property directly below it.
5. The impact of constructing the 2 story planned development with the increase of people, vehicles, garbage, and noise pollution would be creating more urban sprawl than the existing neighborhood would be able to sustain a peaceful living conditions.

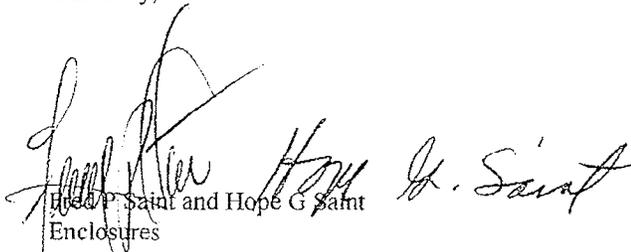
6. We will lose comfort of our privacy from having the 2 story planned development looking from above down into our living room as evidence by the attached photos taken from inside and outside our living room.
7. We will lose essential benefit of the early 1/2 day sunshine most prominently during the winter season when it is freezing if the 2 story planned development would pose as home heating obstruction.

We earnestly hope that the above objections will merit your kind approval when deciding denial of the proposed 2 story planned development above 23719 Susana Avenue.

Lastly, we will be unable to attend the hearing on December.03.2008, because we are the caregivers of our son who is scheduled for periodic medical treatment that requires our attention.

Thank You Kindly for your support, patience, and compassion.

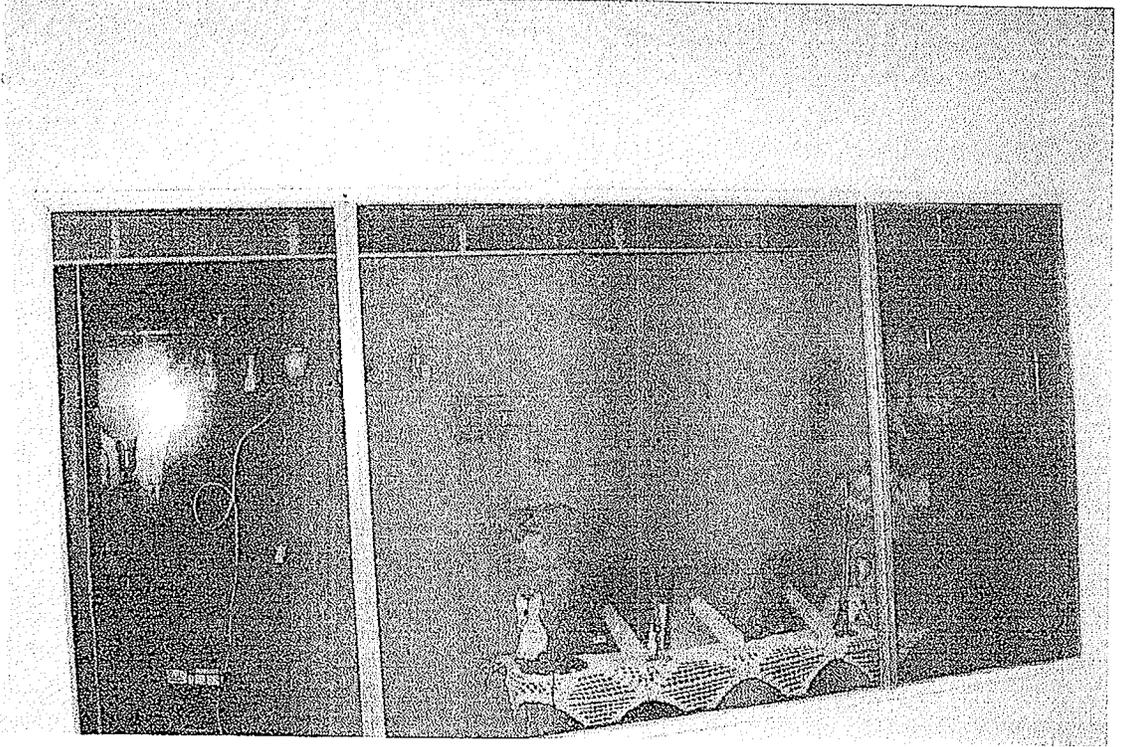
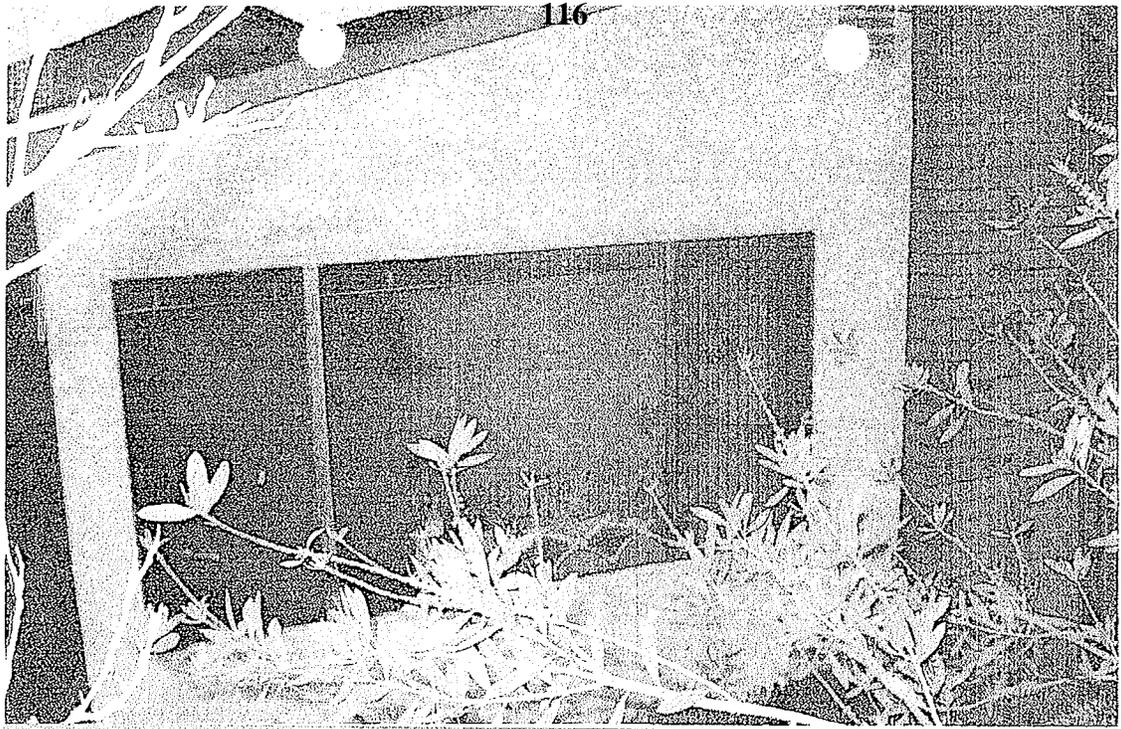
Sincerely,



Hope P. Saint and Hope G. Saint  
Enclosures

FAX 310.618.5829 ATTENTION: Jeffery W Gibson: Community Development Director





**Martinez, Oscar**

---

**From:** John Groblewski [jgroblewski@gmail.com]  
**Sent:** Wednesday, December 03, 2008 1:32 PM  
**To:** Martinez, Oscar  
**Subject:** 23719 Susanna Ave Project

To Whom It May Concern,

I live at 459 Via El Chico directly west of Igor's project. After careful and considerable deliberation, I must state for the record that I am opposed to the project. This structure would significantly decrease my views toward Long Beach and Torrance from both my first and second floor. Also, I feel that I would have a significant loss of privacy. I hope to be present at the meeting this evening. If you have any questions please feel free to contact me at 310-346-6667.

Respectfully,

John Groblewski

**Martinez, Oscar**

---

**From:** Igor Nastaskin [inastaskin2@socal.rr.com]  
**Sent:** Wednesday, December 03, 2008 2:09 PM  
**To:** Martinez, Oscar  
**Subject:** FW: Information regarding the project on Via El Chico  
**Attachments:** igor project.doc

Hi Oscar,

Just wanted to make sure that you received this letter from Alan Hafeza, who resides on Via El Chico. Alan said that he mailed this letter to Danny Santana on 11/30/08.

Thanks.

Igor

---

**From:** ahafeza@verizon.net [mailto:ahafeza@verizon.net]  
**Sent:** Sunday, November 30, 2008 4:15 PM  
**To:** Igor Nastaskin  
**Subject:** RE: Information regarding the project on Via El Chico

Hi Igor,  
Here's what I sent...  
alan

On Wed, Nov 26, 2008 at 7:05 PM, Igor Nastaskin wrote:

Hi Alan,

I appreciate your support.

You can address your note/letter to

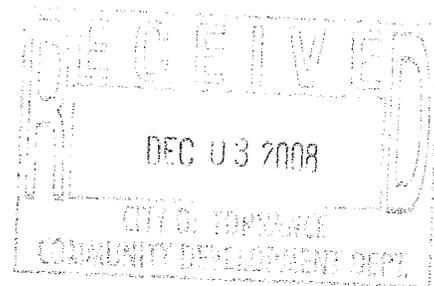
Danny Santana, Community Redevelopment  
City of Torrance  
3031 Torrance blvd  
Torrance , CA 90503

Subject: Project at the end of Via El Chico (petitioner: Igor Nastaskin)

Thank you very much.

Igor.  
(310) 892-6016

**Alan Hafeza**  
412 Via El Chico  
Redondo Beach, CA 90277  
310-373-4743



Danny Santana, Community Redevelopment  
City of Torrance  
3031 Torrance blvd  
Torrance, CA 90503

Subject: Project at the end of Via El Chico (petitioner: Igor Nastaskin)

Dear Mr. Santana,  
I'm writing to express support to Mr. Igor Nastaskin's project on our street, Via El Chico. I had planned to be in the city hearing to voice my support, unfortunately, I have to be away on business travel during that time.

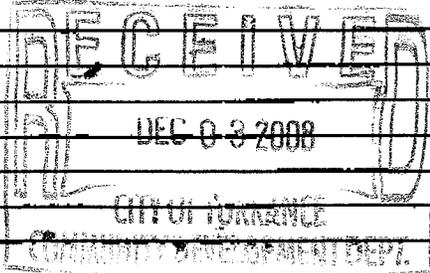
This project will improve the aesthetics and security at the Via El Chico cul-de-sac, where the lack of development attracts loitering, and in some cases criminal element. I also believe this project will beautify the area and improve the values of our homes on the street.

The plans I reviewed indicate there is little-to-no impact to the views and to the immediate neighbors, which is critical for my support.

Please don't hesitate to call or contact me if I can be of any help,

Regards,  
alan

Alan Hafeza

NAME	CONTINUATION	Page
DATE	12/3/08	
TO: TORRANCE PLANNING/REDEVELOPMENT		
ATTN: OSCAR MARTINEZ		
RE: CRE 08-0029 PRIVATE DEVELOPMENT ON VIA EL CHICO CUL DE SAC FOR IGOR NASTASIN		
I TRIED TO FAX A NOTE RE THIS TO THE PLANNING COMMISSION LAST WEEK. APPARENTLY IT DIDN'T GO THROUGH.		
MY WIFE AND I LIVE AT 448 VIA EL CHICO AND BELIEVE THIS PROJECT WOULD BE GOOD FOR OUR STREET AND AREA.		
UNFORTUNATELY, THE CUL DE SAC ATTRACTS LOITERERS AND VANDALS WHO HAVE SPRAY PAINTED CITY SIGNS AND DAMAGED SOME OF THE FENCING.		
I ENCOURAGE THE COMMISSION TO APPROVE THIS PROJECT FOR THE PRIVATE RESIDENCE.		
SINCERELY,		
RONALD C. WOODS, MD <i>R. Woods, MD</i>		
		

**Martinez, Oscar**

---

**From:** Santana, Danny  
**Sent:** Wednesday, December 03, 2008 4:31 PM  
**To:** Martinez, Oscar  
**Subject:** FW: Support for Igor Nastaskin Home

-----Original Message-----

From: Scott Nordhaus [mailto:snordhaus@gmail.com]  
Sent: Wednesday, December 03, 2008 3:58 PM  
To: Santana, Danny  
Cc: Igor Nastaskin  
Subject: Support for Igor Nastaskin Home

Mr. Santana;

My name is Scott Nordhaus and I have been a resident on Susana Ave in Torrance for the past 7 years and have seen many changes to the neighborhood on Susana Ave, Riviera Way and Via El Chico. When Mr. Nastaskin showed me his plans for Via El Chico I was very excited that another beautiful home would be well situated in our community - increasing the property values of all the homes in the neighborhood.

I certainly understand that some residents may be concerned about change in our little community but I truly feel that this design of home and how it fits within the existing community will be an asset. It is certainly my goal to be at the meeting this evening but in case I'm not I wanted to voice my support for this home being allowed to be built.

Please feel free to contact me if you have any questions.

Regards,

Scott Nordhaus  
snordhaus@cexchange.com  
310-375-1231 o | 310-701-9397 m  
www.cexchange.com



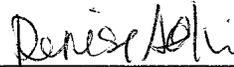
**PROOF OF SERVICE BY MAIL**

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 April 3, 2009, I caused to be mailed 126 copies of the within notification for City Council PRE08-00029, WAV08-00013 AND DIV08-00011: IGOR NASTASKIN 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 April 3, 2009 at Torrance, California.



---

(signature)

# 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

April 3,

all in the year 2009

the foregoing is true and correct.

Dated at Torrance

California, this 3 April 2009

  
Signature

This space is for the County Clerk's Filing Stamp

RECEIVED

2009 APR -8 AM 10:59

CITY OF TORRANCE  
CITY CLERK'S OFFICE

Proof of Publication of

DB

DB 4-17

### 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., April 14, 2009 in the City Council Chambers of City Hall, 3031 Torrance Boulevard, Torrance, California, on the following matter:

**PRE08-00029, WAV08-00013 AND DIV08-00011, IGOR NASTASKIN:** City Council consideration of an appeal of a Planning Commission denial of a Precise Plan of Development to allow the construction of a new two-story residence in conjunction with a Waiver to exceed the maximum height of the residence and a retaining wall and a Division of Lot for a Lot Line Adjustment on properties located in the Hillside Overlay District of the R-1 Zone at 23719 Susana Avenue and APN#7531-016-050.

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 II].

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

**SUE HERBERS**  
CITY CLERK

Pub: April 03, 2009

**RECOMMENDED CONDITIONS IF APPROVED:**

PRE08-00029

1. That the use of the subject property for a two-story single-family residence shall be subject to all conditions imposed in Precise Plan of Development 08-00029 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 08-00029 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 38 feet 10½ inches as represented by the elevation of 254.87 and a lowest adjacent grade of 216.0 based on a bench mark elevation of 245.33 located on top of curb along Via El Chico as shown on the official survey map on file in the Community Development Department; (Development Review)
4. That the height of the structure shall be certified by a licensed surveyor/engineer prior to requesting a framing or roof-sheathing inspection and shall not exceed 38 feet 10½ inches as represented by the elevation of 254.87 and a lowest adjacent grade of 216.0 based on a bench mark elevation of 245.33 located on top of curb along Via El Chico as shown on the official survey map on file in the Community Development Department; (Development Review)
5. That exterior color and material samples shall be submitted to the Community Development Department for approval prior to the issuance of any building permits; (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 automatic garage roll-up doors shall be provided; (Development Review)
8. That separate sewer laterals shall be provided for each building. Private sewer easement required over proposed north lot for the benefit of the south lot; (Engineering)
9. That the proposed driveway on Via El Chico shall only begin to slope downward north of the proposed front property line of Parcel 2 after required street dedication. Driveway apron ridge elevation at front property line to be 9" minimum above street flowline elevation; (Engineering)

WAV08-00013

1. That the use of the subject property for a two-story single-family residence shall be subject to all conditions imposed in Waiver 08-00011 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 constructed and shall be maintained in conformance with such maps, plans, specifications, drawings, applications or other documents presented by the applicant to the Community Development Department and upon which the Planning Commission relied in granting approval;

2. That if this Waiver 08-00011 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 38 feet 10½ inches as represented by the elevation of 254.87 and a lowest adjacent grade of 216.0 based on a bench mark elevation of 245.33 located on top of curb along Via El Chico as shown on the official survey map on file in the Community Development Department; (Development Review)
4. That the maximum height of the northernmost retaining wall in the rear shall not exceed 7 feet in height to the satisfaction of the Community Development Director; (Development Review)
5. That the maximum height of the lawn terrace retaining wall shall not exceed 10 feet in height to the satisfaction of the Community Development Director; (Development Review)

#### DIV08-00011

1. That the use of the subject property for a two-story single-family residence shall be subject to all conditions imposed in Division of Lot 08-00011 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 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 Division of Lot is not used within two years 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 92.29.13; (Development Review)
3. That the minimum lot depth for each parcel shall be at least 80 feet to the satisfaction of the Community Development Director; (Development Review)
4. That the applicant shall submit a revised sketch and legal description of existing and proposed parcels (before and after lot line adjustment), stamped and signed by a licensed Civil Engineer or Surveyor, to the Engineering Division of the Community Development Department to include with Certificate of Compliance document. (Proposed legal description of Parcel 2 submitted with application does not include Lot 33, Tract No. 30035.); (Engineering)

## 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.
- Provide separate utilities to each unit.

### Environmental:

- The property shall be landscaped prior to final inspection (92.21.9)
- Provide 4" (minimum) contrasting address numerals for residential, condo, etc. uses
- Provide dust and vector control measures to the satisfaction of the Environmental Division prior to obtaining a grading permit (48.1.1-10, 42.3.1-11 and 45.10.1)
- Not more than 50% of front yard should be paved

### Engineering Division:

- 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.
- Replace sections of broken, lifted and grinded sidewalk along property frontage on Susana Avenue per City of Torrance Standards.
- Install a new public sidewalk and driveway approach along property frontage on Via El Chico per City of Torrance Standards.
- A dedication of property for the purpose of street and highway improvements is required as follows: The southerly 1 foot of property (approx. 55sf) along parcel frontage on Via El Chico. Required dedication shall be submitted to the Engineering Division of the Community Development Department prior to issuance of building permits.
- That a certificate of compliance shall be submitted by the developer, approved by the city, and recorded with the County Recorder's office prior to issuance of building/grading permits.
- All physical improvements which are conditions of this planning case must be completed prior to occupancy.

### Environmental Division:

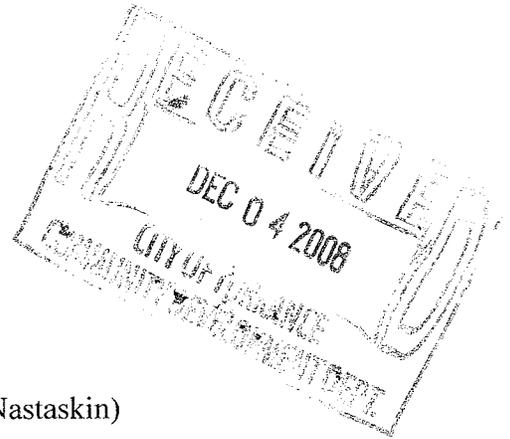
- The front yard of any property zoned for residential use shall not be more than 50%-paved (92.5.14).
- The property shall be landscaped prior to final inspection (92.21.9).
- Provide 4" (minimum) contrasting address numerals for residential, condo, etc. uses.

### Grading Division:

- Obtain Grading Permit prior to issuance of building permit.

- Submit 2 copies of grading/drainage plan with soil investigation report. Show all existing and proposed grades, structures, required public improvements and any proposed drainage structures. Soil report to include slope stability calculations.
- All drainage to be collected on site and discharged through pipe to Susana.
- Provide Engineering Geology Report.

**Alan Hafeza**  
412 Via El Chico  
Redondo Beach, CA 90277  
310-373-4743



Danny Santana, Community Redevelopment  
City of Torrance  
3031 Torrance blvd  
Torrance, CA 90503

Subject: Project at the end of Via El Chico (petitioner: Igor Nastaskin)

Dear Mr. Santana,

I'm writing to express support to Mr. Igor Nastaskin's project on our street, Via El Chico. I had planned to be in the city hearing to voice my support, unfortunately, I have to be away on business travel during that time.

This project will improve the aesthetics and security at the Via El Chico cul-de-sac. where the lack of development attracts loitering, and in some cases criminal element. I also believe this project will beautify the area and improve the values of our homes on the street.

The plans I reviewed indicate there is little-to-no impact to the views and to the immediate neighbors, which is critical for my support.

Please don't hesitate to call or contact me if I can be of any help,

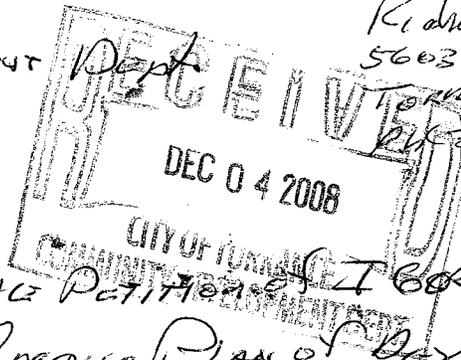
Regards,  
alan

Alan Hafeza

Handwritten signature of Alan Hafeza in cursive script.

City of Torrance  
 Community Development Dept  
 City Hall  
 3031 Torrance Blvd  
 Torrance CA 90503

11/30/08  
 Richard & Donna Nielsen  
 5603 Via Del Colado  
 Torrance, CA 90505  
 (310) 3787900



Re: Comments on THE Petition of I BOR NASTASKIN  
 for approval of a Precise Plan of Development  
 AT 23719 Susana Ave.

WE LIVE AT 5603 VIA DEL COLADO AND WILL HAVE  
 STRAIGHT VIEW ON THIS DEVELOPMENT, WHICH WILL ALSO  
 ENTER ON VIA DEL CHICO. In the past, those that  
 live on CHICO HAVE PLANTED TREES WHICH BLOCK  
 OUR VIEW. THUS, IT IS VITAL THAT THE FOLLOWING  
 RESTRICTION BE A PART OF THE APPROVAL OF THIS  
 PROJECT:

NO VEGETATION SHALL BE ALLOWED TO  
 GROW HIGHER THAN TEN FEET ABOVE THE  
 HIGHEST PART OF THE STRUCTURE. If it does  
 grow higher, the neighbors out for the City  
 will be allowed to enter on the property  
 after 30 days notice, and top such  
 vegetation to below the above restriction.

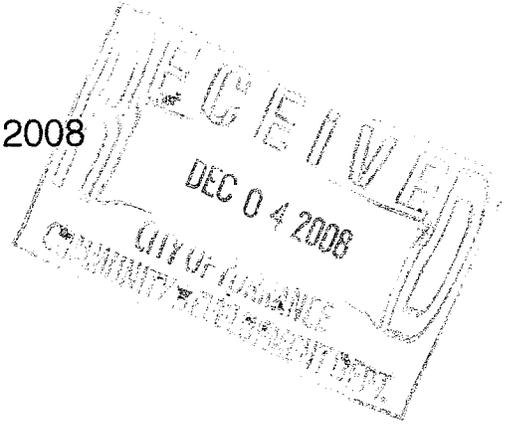
The present owner has indicated he has no  
 plans for planting high trees. In fact, he plans  
 on removal of some trees, thus, this would be  
 more for future owners. WE HAVE SPENT  
 hundreds of dollars for topping some of the  
 present trees.

WE HAVE REVIEWED THE plans and believe  
 the structure will be a great addition to the area.

Sincerely,

Richard M. Nielsen  
 Donna Nielsen

November 30, 2008



Jeffery Gibson  
Director. Community Development Dept.  
City Hall  
3031 Torrance Blvd.  
Torrance. Ca. 90503

Dear Sir,

We live at 452 Via El Chico, across from the property that Igor Nataskin is planning to build and is in question. We have seen the plans and the pictures of the house to be on the lot. We see no problem with building the house that has been proposed as long as the City has approved it.

Please accept our approval of the proposed building.

Thank You,

*William B Forrest*

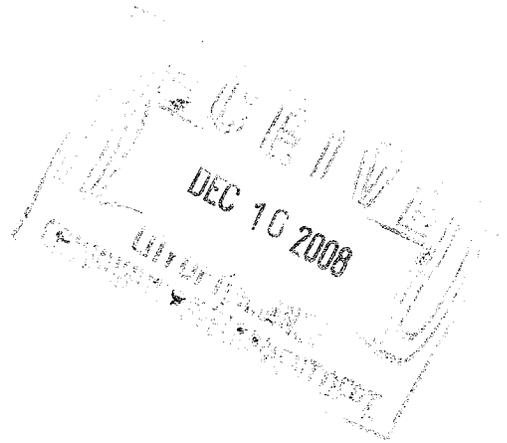
William B. Forrest & Doris Forrest  
(310) 373-2942

Dear Jeffery,

My name is Richard Barkley and my wife and I have lived at 420 Via El Chico since 1974. We have both reviewed Igor Nastaskin's proposal to build a new house at the end of Via El Chico. We walk our dog down the that cul-de-sac every day and have looked at the pictures and the stake profile. We both believe that this project would be a benefit to the neighborhood and would beautify what is now a fairly ugly area. It is our understanding that Igor's project does not require any variances from the hillside ordinance. Assuming that is true, we support the approval of his plan.

Thank you,

Richard and Linda Barkley





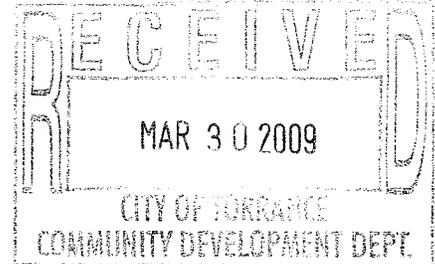
# Western Laboratories

Geotechnical Engineering

March 30, 2009

Work Order 07-4189

**MR. IGOR NASTASKIN**  
601 Calle De Arboles  
Redondo Beach, California 90277



**Subject: Slope Stability Analysis Summary**  
**Proposed Lot-Split, Parcel 2**  
**23719 Susana Avenue**  
**Torrance, California**

Dear Sir:

At your request, the following information provides the results of our stability analysis performed on the ascending slope located in the rear yard of the subject property.

The existing slope was checked for long-term stability using Bishop's Modified Method of Analysis, with the results summarized in the table below:

Cross Section	Mode of Failure	Failure Condition	Factor of Safety	
			Static	Pseudostatic
B-B'	Circular	Overall Search	1.71	1.31

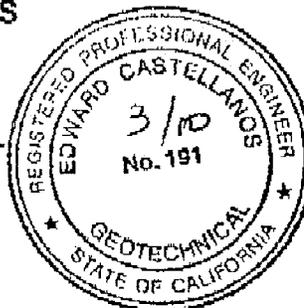
The resulting factors of safety exceed the minimum agency-required safety factor of 1.5 for static conditions and 1.1 for pseudostatic conditions. Therefore, the slope is considered to be grossly stable from a geotechnical engineering standpoint.

This summary letter should be considered as part of our Addendum to Geotechnical Feasibility Report, dated March 16, 2009, Work Order 07-4189.

Respectfully submitted,

**WESTERN LABORATORIES**

  
Edward Castellanos  
GE 191



April 7, 2009

To Whom It May Concern:

I am the current owner and resident of 459 Via El Chico Redondo Beach, Ca. I am against the Igor Nastaskin's project on Susanna/ Via El Chico for the following reasons.

1. My eastern views would be significantly decreased from my 1<sup>st</sup> and 2<sup>nd</sup> floor.
2. There would be a decrease in light from the east if this house were built.
3. Igor is asking for several variances including merging lots. I believe this is a bad precedent to set.
4. I believe the original intent of the 1 foot lot on Via El Chico is to prevent a house from being built in this spot.
5. Igor is responsible for assuring the stability of the slope on his property regardless if he builds a second house on the property.
6. Any issues with underage drinking in the cul de sac are police issues and will not be solved by building a house.

Please uphold the decision of the planning commission and do not undermine their prior decision. I have reviewed the outline that is currently erected and I am opposed to this project. I believe that my property value, views and privacy will be adversely affected.

Sincerely,

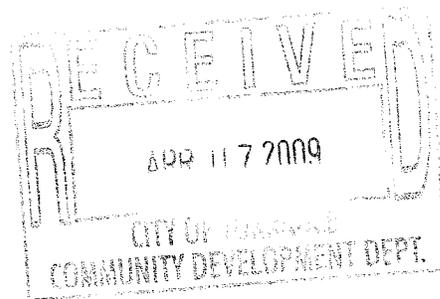
John Groblewski

459 Via El Chico

Redondo Beach, Ca

[jgroblewski@gmail.com](mailto:jgroblewski@gmail.com)

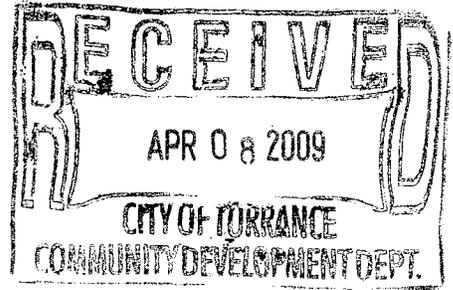
310 346 6667



MARILYN VAN OPPEN – 23648 SUSANA AVENUE – TORRANCE CA 90505

April 6, 2009

Community Development Department  
City Hall  
3031 Torrance Boulevard  
Torrance, California 90503



**ATT: DEVELOPMENT REVIEW DIVISION**

**RE: PRE08-00029, WAV08-00013 AND DIV08-00011, Igor Nastaskin**

I am writing in opposition to the above referenced matter, which is to be considered by the Torrance City Council at 7:00 p.m., April 14, 2009, for the following reasons:

1. The requested land use change violates the Hillside Ordinance in that it will adversely affect the surrounding established residents by negatively impacting their light, view and privacy.
2. The part of lot APN 7531-016-050 proposed for development may be far too steep to safely hold that proposed development. And since it is directly below and adjacent to a part of the Public Use property that was specifically purchased by the City of Torrance to prevent further development of that unstable hillside the public interest demands the utmost caution in this case.

In considering this matter I hope that the members of the City Council will keep in mind that 20 some years ago a landslide on this same hillside forced the demolition of at least three residences, one of which belonged to former Mayor Albert Isen. That landslide cost the City of Torrance dearly when it lost the lawsuit initiated by the homeowner above the landslide.

The fact that the proponent will own both the current lot and the lot he hopes to have you create for him should not enter into consideration of this serious planning matter because there is and will be no guarantee that one or the other, or both, will not change ownership in the future.

Lastly, I hope that the members of the council will keep in mind that nothing destroys the character and feeling of a neighborhood faster than small single family houses being overpowered and dwarfed by new increased-size development shoe-horned in on under-sized lots.

Sincerely,

Marilyn van Oppen  
23648 Susana Avenue  
Torrance, California 90505

**Martinez, Oscar**

---

**From:** Igor Nastaskin [inastaskin2@socal.rr.com]  
**Sent:** Thursday, April 09, 2009 12:33 AM  
**To:** Santana, Danny; Martinez, Oscar  
**Cc:** 'Suzy Nastaskin'  
**Subject:** Igor's Presentation at the 12/3/08 Planning Commission Hearing  
**Attachments:** 12-3-08 Final Igor Planning Commission Presentation.doc

Hi Danny and Oscar,

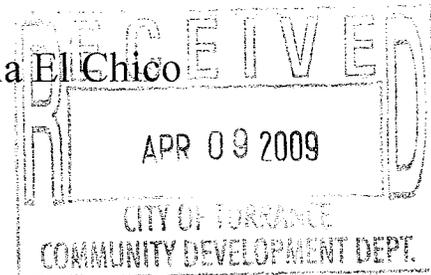
I'd like you to include the attached speech that I gave at the 12/3/08 Planning Commission Hearing as part of your package for the City Council Appeals Hearing on 4/14/09.

This speech represents 90% of what I actually said at the 12/3/08 meeting. Since I needed an extra 5 minutes to deliver this speech, but was not given that time, I hope that the City Council members would find value in reading it prior to the 4/14/09 date and thus be familiar with my position. Thus I can be more efficient with my time at the hearing and not have to repeat this speech.

Thanks

Igor

## Igor's 12/3/08 Planning Commission Speech on Via El Chico Project



Good Evening, Mr. Chairman, Planning Commissioners,

My name is Igor Nastaskin and I reside at 601 Calle De Arboles in Torrance and am also the owner of the property at 23719 Susana. Mr. Chairman, before I begin I wanted to ask the commission if I can get an extra 5 or so minutes to present my case as there are a number of complex issues that I want to make sure are properly addressed.

I am a long time resident of Torrance, my wife grew up here and went to Riviera, Richardson, and South High. We have three kids, all of whom are going to the same schools. We are actively involved in the community. As an example, I am a member of the Riviera Sportsman's Club and a captain for the American Cancer Society Relay for Life Event. Three years ago, I kick-started the Character Counts program at Riviera Elementary and annually finance the majority of its costs. My daughter Isabelle, who is a senior at South High, helped start a Study-Buddy program at Riviera Elementary, where local high school kids tutor students. Another words,..... I care about my community.

I want to explain a little bit about this project. Back in October, 2007, my wife and I purchased the property on Susana. At the time, the property was completely run down, and was probably the worst house on the street. The reason we decided to purchase the property, despite its horrible condition, is that we envisioned building our dream home there. The property has incredible potential and is one of the most unique properties in the Riviera. Let me explain why.

It is located on a very large over 17,000 sq ft lot that essentially has two distinct topographies. The first portion of the lot has an existing single level house and is situated on a flat area. The second portion of the lot is on the uphill sloping back of the property and approximates 10,000 sq ft. We understood that the Susana cul-de-sac had primarily one story houses so we decided, at great expense, to completely rehabilitate the existing home, as a one-story residence.

We currently live in a large two story house, which we appreciate for its size. However, all the bedrooms are located upstairs and it becomes somewhat difficult, especially as we get older, to go up-and-down the stairs all day long. When we found the Susana property, we recognized that it gave us a potential to design our new home on the higher elevation, that would incorporate the size that we needed and most importantly having the main bedrooms on the first level. In addition, the house would have some ocean and city views, as well as a usable backyard with Southern exposure. Most importantly, because this house would be located at the end of the Via El Chico cul-de-sac, it would not interfere with anyone's ocean or city views and

would have direct driveway access from Via El Chico. (another words: it would not be a flag property).

As I often follow the Planning Commission and City Council Meeting, pertaining to the Hillside issues, I am keenly aware and appreciate neighbors' concerns over view, air, light and privacy. For this reason, I hired my architect Evan Braun, who has done a number of beautiful projects in the Riviera, to design our new home that would have the least possible intrusion to the neighbors. After we came up with our preliminary design, I shared it early on with the community at large to get their thoughts on it. I've seen it in the past how project applicants fail to notify their neighbors and how problems and issues arise because of that. I wanted to do this right. I decided that since my proposed residence is at the end of Via El Chico, but also affects Susana that I would personally meet with every single resident on Susana (starting at Calle Mayor) and every resident on Via El Chico starting with a 300 block, and show them pictures and designs of my plans. In July of this year, I spent approximately 1.5 months going up and down those streets and meeting with the neighbors. If the neighbors were not home, I would come back again. If they were not home then, I would try again and again. At the end of this exercise, out of a total of 90 residences (approx 55 on Chico and 33 on Susana), I was able to meet with roughly 90 % of people, discussing the project and answering any of their questions or concerns. To make it easier for the residents to envision this property I even hired a computer artist, to create lifelike renderings of the property from a number of angles. Furthermore, I approached several well respected residents in the community to get their thoughts on this project.

What I found out is that the majority of the people that I met with, thought that this was a great project and even signed a petition in support of it (I've included a petition list with over 60 households in support of this project.) As far as I know, very few of those people that signed the petition changed their minds.

I also approached my immediate neighbors on Susana and told them about my plans. They told me right there and then that they are against anything being built in that area and that they would oppose it. I offered to sit down with them and explain exactly what I was proposing and at least have them be more familiar with the details of the project before they reach their conclusions. However, I was not successful in getting them to have a dialogue with me despite several tries. I then decided to send each of them letters explaining the project and again try one more time to have a meeting. (the copies of each letter are attached in your package). I did not get any call backs.

I'd like to read you one such letter which I wrote to Darren Donaldson, who is my immediate neighbor to the east on Susana, as I think it addresses many of the issues that would be discussed tonight.

Dated 08/01/2008

Dear Darren,

I want to follow up on my prior meeting with you and Evan Braun, my architect, regarding my proposed Spanish-style house on Via El Chico. Just to reiterate, I am very aware of and appreciate the neighbors' concerns over view, air, light and privacy. It is for this reason that I hired Evan to design a house that would have the least possible intrusion for you. Let me address these concerns one at a time.

- 1) Views - I took special care to design a house that is set as low as possible off Via El Chico. We designed the garage roof to be flat and the roof line for the rest of the house to have as low of a pitch as possible, so as not to impact the neighbors' views. We also will cut down many of the trees that currently block their views. All of the immediate neighbors on Via El Chico (as well as the majority of neighbors further down on Via El Chico) like the design of the house and overwhelmingly support this project. I pledge to you that there will be no ocean or city view impairment to any of the houses on Susana.
- 2) Privacy – I understand that you are concerned with how the new house will affect your privacy. I have spent considerable time with Evan to make sure that not only do you not suffer any privacy impairment, but that your privacy is actually improved. We would accomplish this in the following way.
  - a. The house is separated from your property by a side yard/back yard
  - b. I will plant tall/appropriate vegetation along the entire perimeter of our joint boundary so that I cannot see into your backyard and you cannot see into mine. The privacy vegetation will also extend to Via El Chico so that teenagers who frequent the Via El Chico cul-de-sac and can currently clearly see into your entire backyard (and even part of what I believe is your master bedroom), will not be able to do so.
  - c. My master bedroom is angled away from your property. There are no windows on eye-level for anyone to look down into your property. Instead, there are two high windows, above eye level, that are primarily positioned for sun light. Also, on that side of the home is a master walk-in closet that has no windows and the master bathroom, that has the main window facing south ( away from your property)
- 3) Light and Air - Darren, you mentioned to me that you prefer not to look into my property and see “a structure” and that you did not like looking at the house at 459 Via El Chico. I believe that the Spanish-style home that Evan designed would be significantly attractive, and the landscaping that would be planted will only

enhance your enjoyment of your property. Please keep in mind that you have one of the largest lots in the Riviera and that your view is oriented to the East (away from my property) and in essence is unobstructed, and will continue to enjoy plenty of light and air.

Other:

You also voiced a concern that you were not comfortable with having “a developer” move in on the area. Let me again state to you what I mentioned before.

My wife and I live in a two story house in the Riviera where all of our bedrooms are on the second level. We have three teenagers and certainly enjoy the size of our current home, but not the going up and down of stairs. I worked with Evan to design the proposed home so that we may live on the main level (hence we have two bedrooms and an office on that level, as well as the kitchen and living room), while allowing us to have rooms for our kids on the lower level. We intend to live in the Via El Chico house and rent our currently remodeled house on Susana until the point when our kids are ready to start a family, and this will become one of their homes. This provides us with the unique opportunity to have our dream house and have our children (and hopefully grandchildren) close by.

Darren, I hope that you will reconsider your opposition to our dream home. I hope that if you still have concerns that I have not adequately addressed in this letter or in our prior conversations that you will give me the opportunity to meet with you at your earliest convenience. ....And then I give my contact information.

Again, ..... I did not get any calls.

Another neighbor, at 23711 Susana, also voiced his opposition, by saying that if I build the house there, it will destabilize the hill. I told him, that if I find out that it is not safe to build the house there, I will not build it. After all, I would not want to jeopardize my family or my neighbors. At great expense, I hired local geo-technical firm (Western Labs) to do a thorough examination of the site. Well, I have the report here, and not only were the results positive, but the report mentioned that having a structure there will actually make the hill stronger. By having a properly engineered house that will conform to current building standards (meaning, required caissons, and proper drainage system and so forth) the hill will actually be more stable.

Now let me add couple of things here.

The proposed project involves doing a lot line adjustment of the two legal parcels that we own. The second parcel is a tiny lot that fronts Via El Chico and was purchased by us at approximately the same time as the purchase of Susana. That second parcel enables us to have direct driveway access to the proposed property from Via El Chico, without having to create a flag lot. The new property's FAR is only 0.43, much lower than the standard 0.50. The existing home will have an FAR of only 0.24. The address and access to the

proposed new residence will be from Via El Chico and that property will be consistent with the two story homes that are on that street. The property will have the first floor off the street (i.e. Via El Chico) with the second floor below it.

Now I'd like to address another important issue.

The cul-de-sac area on Via El Chico has long been a big problem for the residents on that street due to teenagers congregating there for drinking, smoking pot, graffiti, loitering, and other things. In the package, I've attached some of the pictures that show, loitering on my property and in the area. For example, someone apparently cut out two large holes in my chain link fence and thus was able to get on to my property. I also checked with the Torrance Police Department and so far this year, there have been 10 reported calls from residents, presumably at the cul-de-sac, reporting disturbances at that location. I also personally reported to the police that I found drug paraphernalia including a plastic bag with marijuana in July of this year. On 10/8/08, a perturbing incident occurred, where several days after I put up my silouhettes someone tried to cut them down with a machete in the middle of the night. When the neighbor confronted the man about what he was doing there, the young man said that he did not want to see a house built there as it would interfere with his views and that it would also interfere with him and his buddies hanging out there. Most recently, just on 11/25/08, when I stopped by the property, I found 4 empty beer bottles (right there in the middle of the street), smoked cigarettes and three used condoms (again,.... right there in the middle of the street). I included those pictures in your package as well.

I discussed my plans with most of the residents on Via El Chico and as I mentioned, the overwhelming response from the residents was to support this project, as some of the benefits that it will bring would be: 1) lower traffic on the street, as the new proposed residence will most likely be a significant dis-incentive to the people congregating on the cul-de-sac, since they will no longer have the privacy to loiter there and 2) enhance neighborhood values as the residence will be very attractive and will be in harmony with the existing homes. Because of the design and the location of the property (i.e. being at the end of the cul-de-sac), the project will have very minimal impact on views to any of the residences. I also attached a spreadsheet that shows the sizes of the houses on Via El Chico along with their lot sizes and calculated FARs. To the best of my knowledge, there are eleven houses on the street that are 3,000 or more sq ft, most of them are towards the end of my cul-de-sac. For example, there is a house on the street that is 6,000 sq ft, another house that is over 5,100 sq ft, and the house that is right next to my proposed house that is approximately 3,900 sq ft, so the proposed size of my house (at 3,869 sq ft) and the FAR of only 0.43 is very consistent with that street.

Now I'd like to take a moment to talk about the lot split.

In 1989, the city adopted an Ordinance #3266, which added paragraph 92.29.31. This ordinance dealt with minimum requirements for lot splits, which previously had been 6,000 sq ft minimum per lot. The language of this paragraph introduced a new requirement that the resultant lot splits also equal or exceed the average of the lots in the 300 ft radius from the subject property. The impetus for this ordinance was a proposal, at that time, from a property owner in the Christmas Lights area on Doris Way, who wanted to subdivide his large lot into two smaller lots. All the neighbors came out to oppose this project as it would have changed the character of that neighborhood, since many lots there are over 12,000 sq ft and therefore, such sub-division would have created a potential for many smaller lots if those owners wanted to sub-divide them. This would not have been in character with that very special area, where lots average 10 to 11,000 sq ft (I included a plot map of that area in your package). The main intent of that ordinance was to preserve a special character of a particular neighborhood. That ordinance, **however**, also incorporated a provision for exceptions to such standards upon finding of the following:

- 1) "That the strict application of any standard prescribed by this Chapter would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of this Chapter" *(I believe that the general purpose of this chapter was to prevent postage stamp lots. You can confirm that interpretation with your Legal counsel)*
- 2) "That there are exceptional circumstances or conditions applicable to the property involved or to the intended use or development of the property in the City being subdivided or re-subdivided"
- 3) "That the granting of the exception will not be materially detrimental to the public welfare nor injurious to the property or improvements in the immediate vicinity"
- 4) "That the granting of the exception will not be contrary to the objectives of this Chapter"

Now....Although my combined two properties are very large (over 17,500 sq ft), there are some immediately adjacent properties that are unnaturally large for the area and whose inclusion creates a mathematical calculation of 11,223 sq ft per lot that I believe is inconsistent with properties in that area and with properties in the Riviera. As an example, the property to the east of me (i.e. 23720 Susana,) has a lot of over 49,000 sq ft, the next property, (i.e. 23714 Susana) has a lot of over 46,000 sq ft, etc. If one compares that with properties on the West side of Susana and Riviera Way, the majority of which are in the 6 to 7,000 sq ft lot range, the disparity in size becomes very clear and shows that that the Susana neighborhood does not have the same homogenous characteristics that the properties in the Christmas Lights area have. (Again, I attached a plot map of that area in the package). Furthermore, most of the land of these enormous lot properties is not usable. Per the Planning Department's own calculations (see 9/4/2007 e-mail from Soc Angelo Yumul), if 6 of these large properties (i.e. 23660, 23668, 23702, 23708, 23714, 23720) were excluded from the average calculation, the resultant lots after the lot line adjustment drops to only 7,525 sq ft - per lot. Since the driveway access and the address of the new proposed property would be off of Via El Chico, I believe that it is prudent to compare the new lot to those on that street

(See my Attachment A in the package). That would make my resultant over 10,000 sq ft lot, the second largest on that street, and I believe that would be consistent with the Ordinance intent of **creating** only appropriate lots. The Attachment B in the package, also demonstrates that the FAR of .43 would also be consistent with FARs of other properties on that street.

I feel I have taken the extra steps to accommodate both my surrounding neighbors and the natural lay of the land in designing this home. I've also been diligent about attempting to have a dialogue with every party involved to address any issues or concerns.

So in conclusion,..... I ask that you carefully take into consideration not just the rights of the neighbors, but also the rights of property owners, like myself, who would like to improve their own properties.

The Riviera is where I live and where I work. This is the community I call home, and this is the home where I hope my family can live and enjoy the rest of our lives. I sincerely hope you will vote in favor of this project.

Thank you very much.