

**INDEX**  
**TORRANCE CITY COUNCIL – DECEMBER 20, 2016**

| <b><u>SUBJECT</u></b>   | <b><u>PAGE</u></b> |
|---|--------------------|
| <b><u>OPENING CEREMONIES</u></b>  |                    |
| 1. Call to Order/Roll Call  | 1                  |
| 2. Flag Salute/Invocation   | 1                  |
| 3. Affidavit of Posting/Waive Further Reading   | 1                  |
| 4. Withdrawn, Deferred or Supplemental Items  | 1                  |
| 5. Council Committee Meetings and Announcements   | 2                  |
| 6. <b><u>COMMUNITY MATTERS</u></b>  |                    |
| 6A. Resolution No. 2016-107 re Greg Wines   | 2                  |
| 6B. Resolution No. 2016-108 re Olyguer Del Rosario  | 2                  |
| 7. <b><u>ORAL COMMUNICATIONS</u></b>  | 2                  |
| 8. <b><u>CONSENT CALENDAR</u></b>   |                    |
| 8A. First Amendment to Citywide Still Photography Contract  | 2                  |
| 8B. Acceptance/Appropriation of Friends of the Torrance Library Donations   | 2, 3               |
| 8C. 2017 Grant Funding for Non-Profit Social Service Agencies   | 3                  |
| 8D. Transfer of Forfeiture Funds for MEOC Vehicle and Equipment   | 3                  |
| 8E. Contracts re Digital Signage  | 3, 4               |
| 9. <b><u>ADMINISTRATIVE MATTERS</u></b>   |                    |
| 9A. Sale of Property at 4319 230 <sup>th</sup> Place and La Paloma Park   | 5, 14              |
| 9B. Setting of Date for Employee Termination Appeal   | 4-5                |
| 9C. Resolution re Certain Full Time Salaried and Hourly Employees   | 5                  |
| 9D. Resolution re Prairie Avenue Bridge Rehabilitation Project  | 5                  |
| 9E. Contract for Public Safety Radio System   | 5                  |
| 9F. Approval of 2017 Priority Projects  | 6                  |
| 10. <b><u>HEARINGS</u></b>  |                    |
| 10A. CUP16-00005, DIV16-00004, WAV16-00009, ZON16-00002:<br>20411 Earl Street – Anastasi Development              | 6-9                |
| 10B. MOD14-00013: 24777 Crenshaw Blvd. – South Bay Lexus  | 9-13               |
| 10C. DIV16-00012, GPA16-00003, ZON16-00004, EAS16-00006:<br>La Paloma Park and Surrounding Residential Properties | 14                 |
| 11. <b><u>APPEALS</u></b>   | 15                 |
| 12. <b><u>SECOND READING ORDINANCES</u></b>   | 15                 |
| 13. <b><u>ORAL COMMUNICATIONS #2</u></b>  | 15                 |
| 14. <b><u>CLOSED SESSION</u></b>  | 1, 15              |
| 15. <b><u>ADJOURNMENT</u></b>   | 15                 |

At 11:45 p.m., the City Council adjourned to Tuesday, January 10, 2017 at 5:30 p.m. for a closed session, with regular business commencing at 7:00 p.m. in the Council Chamber. Tuesday, December 27, 2016 and Tuesday, January 3, 2017 will be Council dark nights.

**MINUTES OF A REGULAR MEETING  
OF THE TORRANCE CITY COUNCIL**

**1. CALL TO ORDER**

The Torrance City Council convened in a regular meeting at 5:30 p.m. on Tuesday, December 20, 2016 in the Council Chamber at Torrance City Hall.

**ROLL CALL**

Present: Councilmembers Ashcraft, Goodrich\*, Griffiths, Herring, Rizzo, Weideman and Mayor Furey.

\*Councilmember Goodrich joined the meeting at 5:45 p.m.

Absent: None.

Present: City Manager Jackson, Assistant City Manager Giordano, City Attorney Fellows, Deputy City Clerk Parker and other staff representatives.

\*

Agenda Item 14 was considered out of order at this time.

**14. CLOSED SESSION**

The City Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 14A) Real Property – Conference with Real Property Negotiator, and 14B) Conference with Legal Counsel – Existing Litigation, pursuant to California Government Code §54956.8 and §54956.9(d)(1).

The City Council reconvened at 7:00 p.m. No formal action was taken on any matter considered in closed session.

**2. FLAG SALUTE/ INVOCATION**

The flag salute was led by Councilmember Griffiths.

The non-sectarian invocation was given by Rabbi Gary Spero.

**3. REPORT OF CITY CLERK ON POSTING OF THE AGENDA/ MOTION TO WAIVE FURTHER READING**

City Clerk Poirier reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard and on the City's website on Thursday, December 15, 2016.

**MOTION:** Councilmember Ashcraft moved that after the City Clerk has read aloud the number and title to any resolution or ordinance on the meeting agenda, the further reading thereof shall be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

**4. WITHDRAWN, DEFERRED OR SUPPLEMENTAL ITEMS**

No item was withdrawn or deferred; supplemental material was available for Items 8C, 10A and 10B.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

Mayor Furey asked that tonight's City Council meeting be adjourned in memory of City employee Jeremy Torres.

Councilmember Weideman asked that tonight's City Council meeting be adjourned in memory of Helen Ball, longtime volunteer with the Friends of the Torrance Library.

Councilmember Herring announced that the City's annual Hometown Heroes Military Recognition Program is accepting applications for banners to be displayed during the annual Armed Forces Day Parade and additional information is available by visiting [www.torranceca.gov](http://www.torranceca.gov) and searching for "Hometown Heroes" or by contacting the City Manager's Office at 310-618-5880.

Mayor Furey announced that the Torrance Education Foundation will host a New Year's Eve Celebration on Saturday, December 31, 2016 at the Double Tree Hotel in Torrance from 8:00 p.m. until the early hours of 2017, with additional information available at [www.torranceeducationfoundation.org](http://www.torranceeducationfoundation.org).

**6. COMMUNITY MATTERS**

**6A. RESOLUTION NO. 2016-107 RE GREG WINES**

Resolution No. 2016-107 honoring Greg Wines of the Public Works Department upon his retirement from the City of Torrance after thirty-two years of service. (For adoption only).

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2016-107. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

**6B. RESOLUTION NO. 2016-108 RE OLYGUER DEL ROSARIO**

Resolution No. 2016-108 honoring Olyguer Del Rosario of the Community Development Department upon his retirement from the City of Torrance after twenty-two years of service. (For adoption only).

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2016-108. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

**7. ORAL COMMUNICATIONS #1**

The following 4 people spoke: Julie Stoll, Jamie Cohen-Maza, Mark Stephenson, and Beverly Findley.

**8. CONSENT CALENDAR**

**8A. FIRST AMENDMENT TO CITYWIDE STILL PHOTOGRAPHY CONTRACT**

Recommendation of the City Manager that City Council approve a first amendment with Fukushima Photography of Garden Grove, CA (C2015-141) to extend contract expiration date to October 31, 2017.

**8B. ACCEPTANCE/APPROPRIATION OF FRIENDS OF THE TORRANCE LIBRARY DONATIONS**

Considered separately, see page 3.

**8C. 2017 GRANT FUNDING FOR NON-PROFIT SOCIAL SERVICES AGENCIES**

Considered separately, see below.

**8D. TRANSFER OF ASSET FORFEITURE FUNDS FOR MOBILE EMERGENCY OPERATIONS CENTER VEHICLE AND EQUIPMENT**

Recommendation of the Police Chief that City Council approve a transfer of \$55,094.06 from the Installation of Audio Visual Equipment in Three Meeting Rooms (FEAP 935) to support the Mobile Emergency Operations Center (MEOC) vehicle with City infrastructure and ancillary equipment.

**8E. CONTRACTS RE DIGITAL SIGNAGE AT WILSON PARK, CIVIC CENTER AND MCMASTER PARK**

Considered under Administrative Matters, see page 4.

**MOTION:** Councilmember Rizzo moved for the approval of Consent Calendar Items 8A and 8D. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

Consent Calendar Items 8B and 8C were considered separately at this time.

**8B. ACCEPTANCE/APPROPRIATION OF FRIENDS OF THE TORRANCE LIBRARY DONATIONS**

Recommendation of the Community Services Director that City Council:

- 1) Accept and appropriate a \$25,740 donation for the Summer Reading Program; and
- 2) Accept and appropriate a \$14,694 donation for Youth Services Activities from the Friends of the Torrance Library.

Councilmember Griffiths thanked the Friends of the Torrance Library for their generous donations and dedicated support of the library.

**MOTION:** Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

**8C. 2017 GRANT FUNDING FOR NON-PROFIT SOCIAL SERVICES**

Recommendation of the Parks and Recreation Commission and the Community Services Director that City Council approve grant funding for six (6) non-profit Social Services Agencies in the amount of \$20,000 from January 17, 2017 to December 31, 2017.

Mark Stephenson voiced his opinion that providing funding for charities was not an effective use of taxpayer resources and contended that charitable funding must be limited to orphans, the elderly, veterans, indigents, and the needy population per the California Constitution Article XIII, Section 3, Subsections 1 through 6.

In response to Councilmember Goodrich's inquiry, Community Services Director Jones confirmed that all of the agencies receiving grant funding provide support to people within the City of Torrance.

**MOTION:** Councilmember Rizzo moved to concur with the staff recommendation. The motion was seconded by Councilmember Ashcraft and passed by 7-0 vote.

**9. ADMINISTRATIVE MATTERS**

Consent Calendar Item 8E was considered at this time.

**8E. CONTRACTS RE DIGITAL SIGNAGE AT WILSON PARK, CIVIC CENTER AND MCMASTER PARK**

Recommendation of the City Manager that City Council:

- 1) Appropriate \$66,047.47 from the Cable TV Fund balance; and
- 2) Award contract services agreement with San Pedro Sign Company of San Pedro, CA (RFP B2016-48) in the amount of \$62,193 with a 5% contingency of \$3,109.65 for the fabrication and installation of a new digital sign at Wilson Park from January 3, 2017 to June 30, 2017; and
- 3) Award contract services agreement with San Pedro Sign Company of San Pedro, CA (RFP B2016-48) in the amount of \$59,115.33 with a 5% contingency of \$2,955.77 for the fabrication and installation of a new digital sign at Civic Center from January 3, 2017 to June 30, 2017; and
- 4) Award contract services agreement with San Pedro Sign Company of San Pedro, CA (RFP B2016-48) in the amount of \$14,978.78 with a 5% contingency of \$748.94 for the relocation and installation of an existing digital sign from Civic Center to McMaster Park from January 3, 2017 to June 30, 2017.

Cable & Community Relations Manager Smith reviewed the staff recommendation.

Councilmember Griffiths expressed concerns about the resolution and reliability of the Civic Center sign, which is to be moved to McMaster Park.

Cable & Community Relations Manager Smith reported that the new signs will be made by a different manufacturer and installed by a different sign company and confirmed that the Civic Center sign will be repaired before being moved to the new location

Roberto Diaz, representing Daktronics, sign manufacturer, provided information about the resolution of the new signs and the warranty.

Responding to questions from the Council, Cable & Community Relations Manager Smith reported that the content displayed on all the signs will be similar with some site specific information; explained that the new signs will have web-based software allowing them to be programmed via a computer or mobile device while the existing sign must be connected to the City's network; confirmed that the signs will be used to relay emergency information; and discussed potential locations for the sign at McMaster Park to optimize visibility.

**MOTION:** Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

**9A. SALE OF PROPERTY AT 4319 230TH STREET AND LA PALOMA PARK**

Considered out of order, see page 14.

**9B. SETTING OF DATE FOR EMPLOYEE TERMINATION APPEAL**

Recommendation of the City Manager that City Council set a hearing date of Tuesday, February 7, 2017 to conduct the hearing on the appeal of the Civil Service Commission decision sustaining the termination of an Administrative Assistant.

Civil Service Manager Lee reviewed the staff recommendation.

**MOTION:** Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

**9C. RESOLUTION RE CERTAIN FULL TIME SALARIED AND HOURLY EMPLOYEES**

Recommendation of the City Manager that City Council adopt a Resolution amending the Certain Full Time Salaried and Hourly Employees Resolution No. 2014-60 by changing the compensation provision to add while so assigned training pay in Human Resources.

Assistant to the City Manager Chaparyan reviewed the staff recommendation.

Mark Stephenson recommended that the City provide an actuarial cost for any employee contract change that affects compensable retirement amounts so the true cost will be apparent.

**MOTION:** Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2016-109. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

**9D. RESOLUTION RE PRAIRIE AVENUE BRIDGE REHABILITATION GRANT FUNDING**

Recommendation of the Public Works Director that City Council:

- 1) Adopt a Resolution approving Program Supplement No. 015-F to Administering Agency-State Agreement for Federal-Aid Projects No. 07-5249F15 with the State of California for the Prairie Avenue Bridge Rehabilitation, I-148; BHLS-5249(026); and
- 2) Approve an appropriation of federal grant funds in the amount of \$399,270 to the Prairie Avenue Bridge Rehabilitation, I-148 for a new not to exceed project costs of \$953,042.

Project Manager Moon reviewed the staff recommendation.

**MOTION:** Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2016-110. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

**9E. CONTRACT FOR PUBLIC SAFETY RADIO SYSTEM**

Recommendation of the Police Chief and Communications and Technology Director that City Council award a contract services agreement to Motorola, Inc. of Schaumburg, IL in the amount of \$901,372.03 with a 5% contingency of \$45,068.61 for the purchase and installation of radio equipment from December 20, 2016 to May 31, 2017.

Communications Manager Gallo reviewed the staff recommendation.

**MOTION:** Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

**9F. APPROVAL OF 2017 PRIORITY PROJECTS**

Recommendation of the Federal Legislative Advocacy Committee that City Council concur and approve the 2017 Priority Projects.

Mayor Furey, chair of the Federal Legislative Advocacy Committee, reviewed the 2017 Priority Projects: 1) North Torrance Well Field; 2) Van Ness Well Field; 3) Recycled Water Pipelines; 4) I-405 at 182<sup>nd</sup> Street/Crenshaw Boulevard Operational Improvements; 5) Regional Public Safety Training Facility; 6) Rubber Wheel “Red Car” Trolley Circulator; and 7) Emergency Operations Center Equipment and Computer Needs.

In response to Councilmember Ashcraft’s inquiry, Mayor Furey clarified that the projects list is not prioritized and the City will be seeking funding opportunities for all of these projects.

**MOTION:** Councilmember Ashcraft moved to concur with the committee recommendation. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

**10. HEARINGS**

**10A. CUP16-00005, DIV16-00004, WAV16-00009, ZON16-00002: 20411 EARL STREET – ANASTASI DEVELOPMENT**

Recommendation of the Planning Commission that City Council deny the appeal and take the following action on property located in the ML (M1-PP) Zone at 20411 Earl Street:

- 1) Adopt Resolutions denying a Conditional Use Permit, Division of Lot, Waiver and Zone Change. -OR-

Recommendation of the Community Development Director that City Council grant the appeal and take the following action on property located in the ML (M1-PP) Zone at 20411 Earl Street:

- 1) Adopt Resolutions approving a Conditional Use Permit, Division of Lot, and Waiver; and
- 2) Adopt an Ordinance approving a Zone Change from ML (M1-PP) (Limited Manufacturing: Light Manufacturing Precise Plan Overlay) to R-3 (Limited Multiple Family Residential); and
- 3) Approve an Ordinance Summary for publication.

Mayor Furey announced that this was the time and place for a public hearing on this matter. City Clerk Poirier confirmed that the hearing was properly advertised.

With the aid of slides, Planning Manager Lodan briefly reviewed the proposed 21-unit residential development and shared photographs taken from various vantage points in the neighborhood. He reported that the Planning Commission originally considered the project on August 3, 2016 and the hearing was continued so the project could be revised and the Commission subsequently voted to deny the project on September 21, 2016 by a vote of 5-2.

Mayor Furey disclosed that he met with the applicant before the project was considered by the Planning Commission and met again before this hearing and that he visited the project site, but did not speak with anyone. Councilmember Rizzo disclosed that he met with the applicant to review the plans approximately one month ago and walked the site along Earl Street. Councilmember Weideman disclosed that he met with the applicant, visited the project site and walked the neighborhood. Councilmember Ashcraft disclosed that she met with Mr. Anastasi and walked the site, but did not speak with anyone. Councilmember Griffiths disclosed that he met

with the applicant to review the plans. Councilmember Goodrich disclosed that he had met with the applicant and Councilmember Herring disclosed that he had also met with the applicant.

Scott Anastasi, representing Anastasi Development, applicant, provided background information about the proposed project and highlighted revisions made in response to concerns discussed at the first Planning Commission hearing, including reducing the number of units from 25 to 21. He noted that some residents requested a further reduction in the number of units due to concerns about existing conditions in the neighborhood involving traffic, parking and safety, however, staff has determined that the project will have little or no impact on these issues so reducing the number of units would do nothing to address these concerns.

Using slides to illustrate, Randy Morris, project architect, reviewed efforts to minimize the impact on residences to north of the project, including reducing the height of the units and lowering the grade. He expressed confidence that the project would not impact street parking in this neighborhood since adequate parking is provided on-site, noting that three more street parking spaces will be created with the closing off of two existing driveways. He explained that the Waiver is necessary to allow windows in garages to provide some natural light but they can be eliminated if the Council would prefer.

Councilmember Ashcraft indicated that she would only support the project if there were fewer units and more open space.

Councilmember Weideman requested clarification regarding the proposed Zone Change from Light Manufacturing to Multiple Family Residential, and Planning Manager Lodan advised that the Zone Change would bring the site into conformance with its General Plan Designation, which is Low Medium Residential.

Mayor Furey noted that approximately half of the site is currently tennis courts so the City would not be losing a large industrial use.

Councilmember Herring echoed concerns about the density of the project, and Mr. Anastasi expressed his willingness to reduce the number of units in order to gain approval.

Councilmember Ashcraft related her understanding that schools in this area are overcrowded.

Mr. Anastasi reported that it will be disclosed to prospective buyers that there's a possibility that their children may not be able to attend the closest school.

Mayor Furey invited public comment.

Patrick Kim voiced objections to the project, maintaining that it was not compatible with the adjacent single-family residential community and would devalue their homes. He expressed concerns that residents are being subjected to noise and pollution from nearby industrial uses and about the lack of a continuous sidewalk along Earl Street where students walk to school. He submitted written material for the record.

Jeannie Fuller recommended that the project be downsized to better fit with the area. She noted that residents of this development could have children in different elementary schools due to overcrowding and reported that traffic on Earl Street can become gridlocked with school traffic.



Irma Chiota expressed concerns that this project would have a snowball effect and encourage similar residential developments thereby adding to traffic and parking problems and school overcrowding. She reported that the project is located on a particularly dangerous section of Earl Street because there is a hill, which impairs visibility.

Bob Chiota reported that the developer made little effort to share the project with neighbors and made only a token reduction in the number of units in response to their concerns. He questioned the timing of this hearing since several of the affected neighbors are out of town. He urged the Council to uphold the Commission's denial of the project.

Gisela Spees voiced concerns about traffic congestion in this area and about the loss of the tennis courts, which provide recreational opportunities for children in the summer.

Randy Morris explained that the project's driveway was specifically located at the top of the hill on Earl Street so those entering/exiting would be able to see in both directions.

In response to Councilmember Weideman's inquiry, Planning Manager Lodan advised that the condition discussed by the Planning Commission limiting the height of vegetation to preserve sight lines on Earl Street was not included in the Resolution and would have to be added.

Councilmember Weideman noted that if the project goes forward, the developer will be required to build a sidewalk along the frontage of the property so school children will not be walking in dirt/mud at least for this section of Earl Street:

Councilmember Ashcraft explained that while she supports the concept of a residential development at this location and thought it would be an improvement to the neighborhood, she could not support one of this size.

Voicing support for the project, Councilmember Goodrich related his belief that a residential development would have a net quieting effect due to the elimination of traffic and noise associated with the existing tennis courts and light industrial use and that the applicant had mitigated concerns by reducing the number of units, addressing privacy impact, and making the project more visually appealing and less obstructive to views.

Councilmember Herring agreed that a residential development would be an improvement for the community in general, but felt that the project as proposed was too dense for the area.

Councilmember Griffiths indicated that he could not support the project with the density proposed because it could potentially add 42 children to local schools thereby exacerbating the overcrowding problem, a problem for which there's been no remediation, and he was not confident that prospective buyers would be properly made aware of this issue.

Mayor Furey explained that developers must pay Development Impact Fees for schools, which the school district can use however they see fit; that any child who lives within the Torrance Unified School District is guaranteed admittance into a school, although it may not be the one nearest their home; and that whether or not the developer discloses this information is not within the City's control. With regard to density, he noted that the project has an FAR (floor area ratio) of 0.60, which complies with the City's requirements, as does the parking provided. He pointed out that residential uses generate less traffic than commercial and industrial uses.

Councilmember Rizzo noted that eliminating an industrial use will help reduce truck traffic, which has been cited as a concern by residents, and the project meets or exceeds all of the City's development standards. With regard to privacy concerns, he suggested the possibility of increasing sill heights or using opaque glass for second-floor windows facing residences on Michelle Drive.

Walter Gonzales stated that while the project conforms to R-3 standards, he believes this is too dense for this site and proposed that the project be developed to R-2 standards as a compromise.

Laurie Tom clarified that the industrial portion of the site is currently vacant and therefore not generating any traffic.

Gerald Chutes related his belief that the project would impact street parking in the neighborhood despite claims to the contrary.

Mr. Anastasi reported that 20 units would be allowed per R-2 standards and that the sill height of second-floor windows facing Michelle Drive have already been raised.

Councilmember Rizzo asked about eliminating one unit, and Mr. Anastasi agreed to do so if allowed to maintain an FAR of 0.60 by enlarging some of the remaining units and offered to add another guest parking space.

**MOTION:** Councilmember Goodrich moved to close the public hearing. The motion was seconded by Councilmember Weideman and passed by 7-0 vote.

**MOTION:** Councilmember Rizzo moved to grant the appeal to approve the project with additional conditions to reduce the number of units to 20, raise second-floor windowsill heights on the north elevation, restrict the height of landscaping on the frontage to minimize view impacts, and add one additional parking space. The motion was seconded by Goodrich and passed as reflected in the following vote:

YES: Councilmembers Goodrich, Rizzo and Weideman and Mayor Furey

NOES: Councilmembers Ashcraft, Griffiths and Herring

Planning Manager Lodan noted that Resolutions reflecting the Council's action will be brought back for approval at a later date.

The City Council recessed from 9:18 p.m. to 9:30 p.m.

**10B. MOD14-00013: 24777 CRENSHAW BOULEVARD – SOUTH BAY LEXUS**  
**(CITY OF TORRANCE)**

Recommendation of the Planning Commission and Community Development Director that City Council:

- 1) Deny the appeal and approve a Modification on property located at 24777 Crenshaw Boulevard to allow the operation of an automobile dealership in conjunction with the existing automobile service center, and to allow renovations and expansions to the existing building and site, on property in the M-2 Zone. This project is Categorically Exempt from CEQA per Guidelines Section 15301 – Existing Facilities; and
- 2) Adopt a Resolution denying the appeal.

Mayor Furey announced that this was the time and place for a public hearing on this matter. City Clerk Poirier confirmed that the hearing was properly advertised.

Councilmember Herring announced that he was abstaining from consideration of this item because he was on the Planning Commission at the time this project was originally considered and exited the dais.

Councilmember Rizzo announced that he was recusing himself from consideration of this item because one of the attorneys who represented South Bay Lexus in this matter is the daughter of a colleague he worked with for several years on the Torrance Police Department and exited the dais.

With the aid of slides, Planning Manager Lodan briefly reviewed the proposed project, which would expand an existing auto service center to include an auto dealership, and shared photographs taken from various vantage points in the area. He reported that the Planning Commission approved the project by a vote of 5-1 on May 20, 2015; that the project was subsequently reviewed by the Los Angeles Airport Land Use Commission (ALUC) on February 3, 2016 and ALUC determined that the project was inconsistent with the Airport Land Use Plan (ALUP); that the project was subsequently revised changing the area within the Runway Protection Zone (RPZ) from a display lot to an inventory lot with no public access; and that ALUC reviewed the revised project on August 31, 2016 and found that as conditioned, it was consistent with the ALUP by unanimous vote.

Councilmember Griffiths asked who would be responsible for enforcing the conditions.

Assistant City Attorney Sullivan advised that the conditions, which are included in the Conditional Use Permit, would be enforced by the City and the CUP could be revoked if the applicant fails to comply with them.

Councilmember Weideman, Councilmember Goodrich, Councilmember Ashcraft, Councilmember Griffiths, and Mayor Furey disclosed that they had met with both the appellant and the applicant, with Councilmember Weideman and Mayor Furey noting that they had met with them numerous times.

Jim Gates, vice president of Torrance Airport Association, appellant, reported that TAA has been fighting plans to encroach on the RPZ at Torrance Airport for 20 years and this information is chronicled on its website. He noted that the Torrance Airport Commission voted unanimously to deny this project.

Using slides to illustrate, Anne O'Brien on behalf of the appellant, contended that the proposed vehicle inventory lot would pose a safety risk for pilots, expose the City to financial liability, and cause pilots to shift their flight path further east thereby creating more noise for Lomita residents. She reported that a large drainage pipe/purification system to transport rain water runoff is scheduled to be installed under the airport in the area of the subject property and urged the City not to tie up this strategic piece of land for a relatively small amount of lease money. She suggested that there are other options for the dealership to expand, including building a storage garage on their property at approximately \$70 per square foot. She disputed claims that the dealership will leave Torrance if this application is not approved.

Mr. Gates explained that the majority of accidents that occur in the landing area happen in the RPZ and an obstacle-free area is essential in a forced landing. He discussed potential

options for expanding the dealership without encroaching into the RPZ thereby maintaining pilots' safety and eliminating liability issues. He reported that Caltrans Aeronautics Division has recommended against this project in three separate communications and 150 members of the aviation community have voiced their opposition to this plan. He urged the Council to listen to the experts and put safety ahead of profits by upholding the appeal.

Steven Jamison, legal counsel for South Bay Lexus, applicant, reported that the FAA (Federal Aviation Administration) determined that the project presented no hazard to air navigation and disputed the claim that the Aeronautics Division of Caltrans was opposed to the project. He contended that revisions have addressed the appellant's basis for appeal since the revised project includes no lighting, no poles and no trees in the RPZ area and no customers or sales people may enter the inventory lot, noting that the lot will be graded down 6 feet so the top of the vehicles will be at approximately the same height as the existing mound of dirt. He pointed out that the Resolution contains 54 conditions to mitigate the project's impact, including Nos. 29 to 36 that specifically address the appellant's concerns. He maintained that the issue of whether or not there are alternatives was not pertinent to this hearing, because the Council's decision was confined to determining if the proposed project is an appropriate land use for this site. Urging denial of the appeal, he stated that this was not a matter of weighing safety issues versus the profitability of a business because all concerns have been addressed.

Councilmember Goodrich asked if the applicant had explored the possibility of building a parking garage.

Larry Tidball, Stantec Architecture, project architect, reported that building a parking structure is substantially more expensive than the appellant has suggested and at approximately \$150 per square foot, it was not financially feasible if there are any other options.

Councilmember Goodrich questioned if factoring in such things as lease fees, depreciation and other tax advantages, and the increase in resale value would change this assessment.

Jerry Heuer, South Bay Lexus, wanted to make clear that the dealership has no intention of leaving Torrance. He explained that having to build a parking structure would make the project less viable and he would prefer not to do so at this time because he hopes the dealership will continue to grow and he can expand it to include a parking garage in the future. He reported that there are already obstacles in the flight path in this area, including an 18-foot tall building next to the proposed inventory lot and 50-foot palm trees that will be removed in conjunction with the project. He related his belief that there was not one iota of risk associated with this project for either pilots or the City, emphasizing that he would not endanger lives for the sake of building a parking lot.

Responding to questions from the Council, Community Development Director Gibson provided clarification regarding the height of the existing mound of dirt on this site and how it would be graded. Planning Manager Lodan clarified that the Airport Commission voted to deny the original project before it was revised.

Councilmember Goodrich pointed out that how high a mound of dirt is does not matter when a pilot is using it as an emergency landing spot and a mound of dirt is preferable to a parking lot full of cars.

Mayor Furey invited public comment.

Cliff Tatum noted that he's an experienced pilot and flight instructor and emphasized the importance of maintaining an obstacle-free Runway Protection Zone for pilot safety.

Tom LaGrelus echoed concerns about the proposed encroachment into the RPZ, noting that the existing mound of dirt provides a safe place for a pilot to set down an aircraft in an emergency and such a landing would be catastrophic with a parking lot full of cars.

Kurt Robinson, president of Robinson Helicopter, urged the Council to protect airport land and reserve it for uses that benefit the airport and/or the community that it serves. He related his belief that locating an inventory lot in this area will create more noise for residents because pilots will try to avoid flying over it.

Al Gibbs, pilot and member of Civil Air Patrol, expressed concerns about the danger posed to pilots by locating a vehicle storage lot in the RPZ.

Bill Tymczyszyn, former commercial pilot, urged that the RPZ be protected as it provides an extra margin of safety, noting that the sides of the runways are not as critical as the ends of the runways. He also expressed concerns about putting Lexus employees who might be in the inventory lot at risk.

Laurice Churchill related her belief that the RPZ should be reserved for what it was designed for which is aviation safety.

Mr. Gates clarified that the FAA does not approve land uses, but simply looks at the height of objects to determine if they require red warning lights. He urged the City and Lexus to explore alternatives that put safety first. He stated that he would like to see all existing buildings, trees and other collision hazards in the RPZ removed and this will be the TAA's next project.

Responding to questions from the Council, Planning Manager Lodan confirmed that an existing building (Building B) on this site and the parking lot to the south are within the RPZ and additionally, there are number of structures around the airport that are within the RPZ, including hangars.

Assistant City Attorney Sullivan provided clarification regarding the jurisdiction of the FAA, Caltrans Aeronautics Division and ALUC with regard to this project. He confirmed that ALUC determined that an inventory lot with no public access was an allowable use within the RPZ.

**MOTION:** Councilmember Goodrich moved to close the public hearing. The motion was seconded by Councilmember Weideman and passed by 5-0 vote, with Councilmembers Herring and Rizzo recused.

Councilmember Weideman stated that he believes maintaining the RPZ for purposes of safety trumps all of the economic benefits of this project, therefore he would vote to uphold the appeal and deny the project.

Councilmember Goodrich voiced his opinion that just because there are existing structures within the RPZ does not mean more should be allowed because any encroachment into the RPZ lessens the chances of a survivable accident. He clarified that ALUC is an advisory body, just like the Torrance Airport Commission which voted to deny the project. He explained that he could not support the project because he did not want to add to existing conflicts between non airport-related uses and airport users and he's concerned about the whittling away of airport land and

fears there eventually will be no airport if it continues. He cited guidelines in the California Airport Land Use Planning Handbook which state that parking lots are not ideal in RPZs, that undeveloped land in RPZs should be kept clear of objects per FAA standards, and that the FAA encourages airport ownership of the RPZ because that's where the risk is greatest. He further explained that he did not want the the burden of knowing his decision might have put someone in danger and he did not think the City could bear the liability. He pledged to work with South Bay Lexus to help find an alternative plan that will meet the dealership's needs.

Councilmember Ashcraft stated that she is also concerned about safety and recognizes that anything in the RPZ could be dangerous, but related her observation that an airplane that goes down in this area is going to hit the existing building and while Mr. Gates mentioned that he would like the building to be removed, it's unlikely to happen. She noted that the Airport Commission reviewed the original project before it was revised.

Councilmember Griffiths agreed that safety was the first and foremost concern, but noted that there are allowable uses in the RPZ. He reported that he had spoken with several pilots and their greatest concern about the original project was that lighting and light poles would affect their ability to navigate into the airport, which was the basis for the appeal, and Lexus worked hard to mitigate these issues. He expressed concerns that additional elements were now being added that were not really defined in the appeal. He asked about the possibility of excavating and building a parking structure underneath the mound of dirt as a possible compromise.000

Community Development Director Gibson advised that such a project would present significant challenges in terms of the building code and would be more expensive than building a regular parking structure.

Mayor Furey indicated that he was also troubled by the fact that the appeal was made on specific grounds, which have been addressed, and now new concerns were being raised. He suggested that it might have been better if opponents had specified from the beginning that they did not want anything in the RPZ. He related his understanding that it costs \$35,000 per space to build a parking structure as opposed to about \$1,000 per space for ground level parking.

Councilmember Goodrich voiced his opinion that the only relevant fact was that this project would decrease the amount of safety at the airport.

**MOTION:** Councilmember Griffiths moved to deny the appeal and approve the project. The motion was seconded by Councilmember Ashcraft and passed as reflected in the following vote:

YES: Councilmembers Ashcraft and Griffiths and Mayor Furey  
NOES: Councilmembers Goodrich and Weideman  
RECUSED: Councilmembers Herring and Rizzo

**MOTION:** Councilmember Griffiths moved to adopt Resolution No. 2016-90. The motion was seconded by Councilmember Ashcraft and passed as reflected in the following vote:

YES: Councilmembers Ashcraft and Griffiths and Mayor Furey  
NOES: Councilmembers Goodrich and Weideman  
RECUSED: Councilmembers Herring and Rizzo

The Council recessed from 11:14 p.m. and reconvened at 11:21 p.m. with all members present.

**10C. DIV16-00012, GPA16-00003, ZON16-00004, EAS16-00006: LA PALOMA PARK AND 4319 230TH STREET**

Recommendation of the Planning Commission and Community Development Director that City Council take action on the property located in the R-1 Zone at La Paloma Park and surrounding single family residential partials:

- 1) Adopt a Mitigated Negative Declaration for EAS16-00006; and
- 2) Adopt a Resolution denying the appeal and approving a Division of Lot and general Plan Amendment; and
- 3) Adopt an Ordinance approving a Zone Change from R-1 (Single-Family Residential District) to P-U (Public Use District); and
- 4) Approve an Ordinance Summary for publication.

Mayor Furey announced that this was the time and place for a public hearing on this matter. City Clerk Poirier confirmed that the hearing was properly advertised.

With the aid of slides, Planning Manager Lodan reviewed the staff recommendation and shared photographs taken from various vantage points in the neighborhood.

Steven Collins reported that he recently learned that his property is among those that encroach on La Paloma Park and expressed concerns about possible ramifications.

Assistant City Manager Giordano advised that staff will be meeting with the residents involved in January to explain their options.

**MOTION:** Councilmember Weideman moved to close the public hearing. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2016-114. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

**MOTION:** Councilmember Weideman moved to adopt Resolution No. 2016-115. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

**MOTION:** Councilmember Weideman moved to adopt Ordinance No. 3808 and include and Ordinance Summary for publication. The motion was seconded by Councilmember Herring and passed by 7-0 vote.

Agenda Item 9A was considered out of order at this time.

**9A. SALE OF PROPERTY AT 4319 230TH STREET AND LA PALOMA PARK**

Recommendation of the City Manager that City Council:

- 1) Approve the sale of encroached property to the resident at a value of \$20.00 per square foot at 4319 230th Street, and
- 2) Approve the sale of additional park property to resident at a value of \$20.00 per square foot, plus expenses.


Management Associate Megerdichian reviewed the staff recommendation.

**MOTION:** Councilmember Ashcraft moved to concur with the staff recommendation. The motion was seconded by Councilmember Goodrich and passed by 7-0 vote.

11. **APPEALS** – None scheduled.
12. **SECOND READING ORDINANCES** – None Scheduled.
13. **ORAL COMMUNICATIONS #2**  
Councilmembers and Mayor Furey extended holiday greetings.
14. **CLOSED SESSION**  
Considered earlier in the meeting, see page 1.
15. **ADJOURNMENT**

At 11:45 p.m., the City Council adjourned to Tuesday, January 10, 2017 at 5:30 p.m. for a closed session, with regular business commencing at 7:00 p.m. in the Council Chamber. Tuesday, December 27, 2016 and Tuesday, January 3, 2017 will be Council dark nights.

Attest:



Rebecca Poirier  
City Clerk of the City of Torrance

  
\_\_\_\_\_  
Mayor of the City of Torrance

Approved on January 24, 2017