

**MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL**

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular session at 6:00 p.m. on Tuesday, February 24, 2004 in City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Lieu, McIntyre, Mauno, Nowatka, Scotto, Witkowsky, and Mayor Walker.

Absent: None.

Also Present: City Manager Jackson, City Attorney Fellows, City Clerk Herbers, and other staff representatives.

Mayor Walker announced that subsequent to the posting of the agenda, City staff received a counter-proposal regarding the ground lease of City property located at 24751 Crenshaw Boulevard to South Bay Lexus and that, because time is of the essence, the City Manager believes that immediate instruction to the City's Real Property Negotiator is necessary. The negotiating parties are LeRoy J. Jackson and William Adkins.

In order to take action on a matter not on the agenda, the California Government Code requires a determination by a two-thirds vote that immediate action is necessary and that the need to take action arose subsequent to the posting of the agenda.

MOTION: Councilmember Scotto, seconded by Councilmember McIntyre, moved to add the item to the agenda pursuant to Government Code Section 54956.8; the motion passed by unanimous roll call vote.

Agenda Item 17 was considered out of order at this time.

17. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on the above-mentioned item and agenda matters listed under 17a) Conference with Labor Negotiator, and 17b) Conference with Legal Counsel – Existing Litigation, pursuant to California Government Code Sections 54957.6 and 54956.9(a).

The Council reconvened in Council Chambers at 7:04 p.m.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Witkowsky.

Councilmember Lieu gave the non-sectarian invocation for the meeting.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember McIntyre moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Lieu, and passed by unanimous roll call vote.

MOTION: Councilmember McIntyre 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 Lieu and passed by unanimous roll call vote.

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Nowatka announced that the Stage II Theatre ribbon cutting ceremony would be held March 2nd and that the official grand opening would be held March 5th with a performance by the Torrance Theatre Company performing the Best of Broadway.

Mayor Walker recognized the attendance of former Daily Breeze editor Jean Adelsman and USC journalism students.

City Clerk Herbers stated that touch screen voting was available at the Redondo Beach city library through February 27th and invited voters to review the current Ink-a-Vote system in the City Clerk's office.

City Clerk Herbers reported that the County Registrar was urgently looking for poll workers for the March 2nd election. She noted that fliers were available in the front lobby or additional information could be obtained through the City Clerk's office or the LA County Registrar at 800.815.2666 Option 7.

Councilmember Lieu recognized the Torrance Area Chamber of Commerce Leadership Torrance group attending the meeting

Mayor Walker asked that the meeting be adjourned in memory of Donald Minor, retired Torrance Fire Fighter, who passed away on February 18, 2004.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2004-19 RE JOSE "JOE" D. QUINONES

RESOLUTION NO. 2004-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING JOSE "JOE" D. QUINONES UPON HIS RETIREMENT AFTER FORTY-FIVE YEARS OF SERVICE

MOTION: Councilmember Lieu moved for the adoption of Resolution No. 2004-19. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

Mayor Walker presented the resolution to Joe Quinones, who accepted with appreciation. Mr. Quinones noted the various positions he has held during his 45 years with the City and thanked his supervisors and co-workers. He stated that the most memorable moment in his life was representing Torrance as an Olympic torch runner for the 1984 Olympics held in Los Angeles and thanked former Mayor Jim Armstrong for helping him raise the money to do this.

6B. RESOLUTION NO. 2004-20 RE POLICE OFFICER HORACE MARK SIMS

RESOLUTION NO. 2004-20

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING POLICE OFFICER HORACE MARK SIMS UPON HIS RETIREMENT AFTER THIRTY YEARS OF SERVICE

MOTION: Councilmember Lieu moved for the adoption of Resolution No. 2004-20. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

To be presented at a later date.

6C. COMMISSION APPOINTMENTS

Recommendation

Recommendation of the **City Clerk** that City Council review applications and make an appointment to the fill the unscheduled vacancy on the Community Services Commission and that the City Clerk administer the Oath of Office to that commissioner if present at the meeting.

The City Council appointed Tom Hazell to the Community Services Commission with City Clerk Herbers to administer the oath of office at a later date.

7. CONSENT CALENDAR

7A. APPROVAL OF MINUTES – JANUARY 20, AND JANUARY 27, 2004

7B. AUTHORIZATION FOR SALE OF SURPLUS VEHICLES

Recommendation

Recommendation of the **General Services Director, Public Works Director, and Transit Director** that City Council authorize the sale of one (1) surplus/obsolete vehicle to Torrance Unified School District and authorize Ken Porter Auction to facilitate the sale of twenty-four (24) surplus/obsolete vehicles.

7C. LIBRARY COMMISSION REQUEST TO HOLD MEETINGS AT BRANCH LIBRARIES

Recommendation

Recommendation of the **Library Commission** that City Council approve of the Commission convening five regularly-scheduled meetings at the branch libraries rather than at the Katy Geissert Civic Center Library to encourage greater public participation.

7D. INVESTMENT REPORT FOR JANUARY 2004

Recommendation

Recommendation of the **City Treasurer** that City Council accept and file the monthly investment report for the month of January 2004.

7E. CONTRACT AMENDMENT RE IMPLEMENTATION OF WORK MANAGEMENT SYSTEM (WMS)

Recommendation

Recommendation of the **Information Technology Director** that City Council authorize an amendment to extend the contract expiration date with KeyCurve Corporation (C2002-228) from December 30, 2003 to March 30, 2004.

7F. CONSULTING SERVICES AGREEMENT RE DEVELOPMENT IMPACT FEE JUSTIFICATION STUDY

Recommendation

Recommendation of the **Community Development Director** that City Council approve an expenditure not to exceed \$45,000 and execute a consulting services agreement with David Taussig & Associates, Inc., to prepare a Development Impact Fee Justification Study.

7G. AWARD OF CONTRACT FOR DESIGN OF CITY HALL SECOND FLOOR RENOVATIONS

Recommendation

Recommendation of the **General Services Director** that City Council award a contract to William Loyd Jones Architect Inc. in the amount of \$63,350 for architectural design for the renovation of the second floor City Hall.

7H. PURCHASE ORDER RE PICNIC TABLES FOR WILSON PARK

Recommendation

Recommendation of the **Parks and Recreation Director** that City Council authorize a purchase order with Dave Bang Associates from Tustin, CA for an amount not to exceed \$59,020.07, to furnish picnic tables at Wilson Park.

Considered out of order, see pages 5-6.

7I. PURCHASE ORDER FOR SHELVING AT CIVIC CENTER LIBRARY

Recommendation

Recommendation of the **City Librarian** that City Council award a purchase order for \$148,604.82 to Yamada Enterprises of Huntington Beach, CA for new shelving for the upper level of the Katy Geissert Civic Center Library.

7J. ACCEPTANCE/APPROPRIATION OF NATIONAL EMERGENCY GRANT FUNDS

Recommendation

Recommendation of the **Human Resources Director** that City Council accept and appropriate a Department of Labor (DOL) Transportation National Emergency Grant (NEG) of \$750,000 from the State of California to the Workforce Development Division budget. Acceptance of these funds will provide assets of \$750,000 for the 2003-2004 Human Resources Workforce Development Division (HR/WDD) budget. All monies are provided through Federal Department of Labor (DOL) funds. Use of this contract is contingent upon receipt of adequate DOL funds.

7K. PERPETUAL EASEMENT AND RIGHT-OF-WAY FOR STORM DRAIN LINE AT COLUMBIA PARK

Recommendation

Recommendation of the **City Manager** that City Council authorize the Mayor to execute and the City Clerk to attest to an easement deed allowing Carole B. Winn and Paul Dennis Bachmann, Trustees of the Bachmann Irrevocable Trust, dated March 18, 1987 and GRL Partnership, a California limited partnership, its successors and/or assigns: a perpetual easement and right-of-way for, and the right to construct, operate, maintain, repair and use, or to reconstruct, a storm water drain line, accepting storm water, under and across that certain real property situated in the City of Torrance, County of Los Angeles known as "Columbia Park" for a fee of \$27,338.80.

MOTION: Councilmember Mauno moved for the approval of Consent Calendar Items 7A through 7G and 7I through 7K. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

Consent Calendar Item 7H was considered out of order at this time.

7H. PURCHASE ORDER RE PICNIC TABLES FOR WILSON PARK

Recommendation

Recommendation of the **Parks and Recreation Director** that City Council authorize a purchase order with Dave Bang Associates from Tustin, CA for an amount not to exceed \$59,020.07, to furnish picnic tables at Wilson Park.

In response to Councilmember Witkowsky's inquiry, Park Services Administrator Wilson confirmed that the picnic tables being purchased would be constructed of a new product made of recycled materials, which has a longer life and requires less maintenance than wood.

MOTION: Councilmember Witkowsky moved to concur with the staff recommendation. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

8. COMMUNITY SERVICES

8A. AUTHORIZATION TO APPLY FOR BLOCK GRANT FUNDS RE SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR, AND COASTAL PROTECTION BOND ACT OF 2000

Recommendation

Recommendation of the **Parks and Recreation Director** that City Council adopt a Resolution authorizing the City to apply for Block Grant funds made available through the Roberti-Z'berg-Harris Urban Open Space and Recreation Program under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Bond Act of 2000.

Parks and Recreation Director Barnett noted supplemental material available at the meeting consisting of responses to questions that had arisen on this item.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous vote.

RESOLUTION NO. 2004-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING THE CITY TO APPLY FOR GRANT FUNDS FOR THE ROBERTI-Z'BERG-HARRIS URBAN OPEN SPACE AND RECREATION PROGRAM UNDER THE SAFE NEIGHBORHOOD PARKS, CLEAN WATER, CLEAN AIR, AND COASTAL PROTECTION BOND ACT OF 2000

MOTION: Councilmember Lieu moved for the adoption of Resolution No. 2004-22. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

9. PLANNING AND ECONOMIC DEVELOPMENT

9A. PURCHASE OF LARGE FORMAT ENGINEERING PRINTER AND SCANNER

Recommendation

Recommendation of the **Community Development Department** that City Council authorize the purchase of a TDS 400 Engineering printer and scanner from the OCE Company in the amount of \$34,624.

Community Development Director Gibson reported that the reorganization of the Community Development and Public Works Departments has necessitated the purchase of a second printer and scanner.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

11. ADMINISTRATIVE MATTERS

11A. STATE OF LOCAL EMERGENCY RE CAROLWOOD LANE AND SINGINGWOOD DRIVE

Recommendation

Recommendation of the **City Manager** and the **City Attorney** that City Council continue the state of local emergency, proclaimed March 2, 2001 for properties located on Carolwood Lane and Singingwood Drive.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

11B. DISPOSITION OF THREE RETIRED SURPLUS FIRE ENGINES

Recommendation

Recommendation of the **Fire Chief** that City Council approve a Resolution authorizing title transfer of retired surplus fire engines to the El Camino College Fire Academy, and to the fire departments of Cabo San Lucas, Mexico, and Beaver, Utah. One fire engine will be donated to each of the three agencies.

Fire Chief Bongard requested that the Council authorize the transfer of three surplus engines to El Camino College; Beaver, Utah; and Cabo San Lucas, Mexico. He explained that one of Torrance's fire fighters, who has assisted with training for the Cabo San Lucas Fire Department, suggested donating one of the surplus fire engines because the city is growing rapidly and has only one fire engine.

MOTION: Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

RESOLUTION NO. 2004-23

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AUTHORIZING TITLE TRANSFER OF THREE RETIRED SURPLUS FIRE ENGINES TO THE EL CAMINO COMMUNITY COLLEGE DISTRICT, BEAVER FIRE DISTRICT #1, BEAVER, UTAH, AND CABO SAN LUCAS FIRE DEPARTMENT, MEXICO

MOTION: Councilmember Lieu moved for the adoption of Resolution No. 2004-24. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

12. HEARINGS

Agenda Item 12B was considered out of order at this time.

12B. CITIZENS OPTIONS FOR PUBLIC SAFETY (COPS) GRANT FUNDING

Recommendation

Recommendation of the **Chief of Police** that City Council convene a public hearing concerning Assembly Bill 3229, Citizens Options for Public Safety (COPS) grant funding; receive input from staff on programs of interest to the Chief of Police and Council as well as the public on the use of the grant funds; and at the close of the hearing, appropriate \$215,103 to the recommended projects.

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

Police Sergeant Stark reviewed the proposal to allocate COPS grant funding to the following projects: North Torrance Public Community Center - \$30,700; Victim Assistance - \$50,000; Dispute Resolution - \$15,000; Professional Consultants - \$20,000; Staff Assistants - \$59,400; MP5s - \$14,503; Tasers - \$9,500; Parking Enforcement Cameras - \$8,000; and Community Relations - \$8,000.

As no one came forward to speak, the public hearing was closed.

MOTION: Councilmember Scotto moved to close the public hearing. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

MOTION: Councilmember Scotto moved to concur with the staff recommendation to appropriate \$215,103 to the recommended projects. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

12A. CUP03-00047, TTM54205: ELITE HOMES (CHERYL VARGO)

Recommendation

Recommendation of the **Planning Commission** that City Council deny the appeal and deny without prejudice a Conditional Use Permit (CUP03-00047) to allow the construction of an eight-unit condominium development and a Tentative Tract Map (TTM54205) for condominium purposes and to allow the consolidation of three parcels into one parcel on property located in the R-3 Zone at 739 and 745 Border Avenue and 809 Arlington Avenue.

The **Community Development Director** recommends that City Council approve the appeal and adopt Resolutions to approve CUP03-00047 and TTM54205 as conditioned. **CUP03-00047, TTM54205: ELITE HOMES (SUBTEC/CHERYL VARGO)**

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

With the aid of slides, Planning Manager Isomoto discussed the zoning of surrounding properties, reviewed the site plan and elevations for the project, and briefly described the eight-unit attached condominium development. She noted that, in accordance with the Council's direction, the project's exterior has been modified to Craftsman-style architecture more in keeping with the neighborhood; that tandem parking has been eliminated and all parking spaces are side-by-side; that the project's Floor Area Ratio (FAR) was reduced by eliminating one unit; and that the applicant was no longer requesting the vacation of the public right-of-way. She reported that the Planning Commission voted to deny the project without prejudice by a vote of 5-2.

Referring to renderings, Cheryl Vargo, representing Elite Homes, detailed the revisions to the project's exterior to make it more compatible with the neighborhood. She reported that nearby residents favored a six-unit detached project, however, the lot was too small to accommodate such a project and it would have required curb cuts, thereby reducing street parking. She voiced her opinion that the applicant had complied with the Council's direction and arrived at a good compromise and requested approval of the project as submitted.

Ernie Nash, 735 Border Avenue, related his understanding that Ms. Vargo was not licensed to do business in Torrance. Urging denial of the project, he stated that the applicant has resisted the Council's direction to bring the FAR down to .60 in compliance with the Code. He voiced his opinion that the project should be limited to R-2 standards, which would allow only six, two-story units. He commented on parking problems in the neighborhood caused by condominiums across the street on Arlington Avenue.

Planning Manager Isomoto clarified that an R-3 project may have an FAR in excess of .60 with the approval of a Conditional Use Permit, which is one the entitlements being considered at this hearing.

Sharon Imel, a Border Avenue resident, voiced support for the project, commenting on the ample parking provided. She suggested that parking problems would not be so severe if her fellow residents emptied their garages so that they could be used for parking cars.

Alan Steven, 723 Border Avenue, requested denial of the project, stating that it was too tall and overwhelming for the neighborhood.

Geoffrey Partain, 650 Border Avenue, urged that the project be restricted to R-2 standards to preserve the character of old Torrance. He expressed concerns about the project's impact on traffic and parking and the safety of neighborhood children.

Judy Weber, 716 Border Avenue, stated that the proposed revisions to the exterior merely change the façade and do not reflect true Craftsman-style architecture; that the vast majority of neighbors oppose the project; that the buildings are too tall and too large; that the project's configuration was not conducive to interaction with this close-knit neighborhood; and that the area was not designed for apartments or condominiums.

Mayor Walker asked Ms. Weber's opinion of the box-like structure one house away from the proposed project. Ms. Weber stated that the structure qualifies for the historical registry because it was built in the 1950s; conceded that it was out of character with the rest of the neighborhood; and urged denial of this project to avoid further compromising the neighborhood.

Glenn Simmons, 736 Border Avenue, stated that he generally favored the project, but objected to its size, maintaining that the FAR should be reduced to .60.

Brenda Kulp, 1221 Portola Avenue, voiced her opinion that large ugly condominiums detract from the charming homes in this area and that it was time to stop building them and move to preserve the neighborhood's historic appearance.

Bonnie Mae Barnard, 2028 Gramercy Avenue, representing Save Historical Old Torrance, expressed concerns about over-development in the downtown area. Referring to a chart of condominium projects compiled from information on the City's website, she reported that 34 condominium projects/1718 units were approved in 2003, and that of these, 15 projects/728 units were in the 90501 zip code, or 44%.

Ms. Barnard read a letter from Gordon Olschlager, Nakada Associates Inc., 523 West Sixth Street, Suite 1200, Los Angeles, stating that the area is an excellent candidate for the creation of a historic district due to its high degree of retention of original historic structures and its association with a national design figure; and recommending that action on this project be delayed to determine if there are viable alternatives to the proposal that would respect the historic integrity of the neighborhood.

Ms. Barnard also read a letter from Susan Brandt-Hawley, which maintained that an Environmental Impact Report must be prepared before considering this project in view of the significant environmental impacts which may occur in this potential historic district.

Ms. Barnard contended that the proposed project does not conform to the neighborhood and requested denial of the two apartment-type buildings. She urged the Council to consider the collective rights of the property owners of this very unique area of old Torrance, which she characterized as the City's birth certificate, and asked that a moratorium be imposed on the demolition of structures until a subcommittee has a chance to evaluate the feasibility of establishing a historical district.

Don Barnard, 2028 Gramercy Avenue, representing Save Historical Old Torrance, reported that his organization was focused on stopping development which is out of character with the historical nature of downtown Torrance. He requested denial of the proposed project because the design and scale was not appropriate for the neighborhood.

A resident of Andreo Street (name inaudible/no speaker card) expressed concerns about over-development in Torrance, stating that he moved from Manhattan Beach to escape this problem and voiced objections to condominiums/apartments being built in the area.

Mayor Walker noted that the subject parcel is zoned R-3.

Returning to the podium, Ms. Vargo pointed out that reducing the FAR would not decrease the height of the project or increase parking, which seem to be the primary objections to the project. She noted that the condominium project across the street was built to different development standards and, unlike this project, does not provide three parking spaces for each three-bedroom unit. She maintained that the proposed project was preferable to developing the lots separately to R-2 standards because that would involve three 24-foot wide buildings with garages facing the street, which is not consistent with Craftsman-style architecture, as well as three curb cuts that would take away street parking.

Councilmember Scotto indicated that he favored eliminating one of the two-bedroom units in the northerly building (Building 1) and shifting the building back approximately 10 feet, which would reduce the FAR, provide a greater setback on Border, and allow for additional parking in the rear.

Ms. Vargo indicated that her client would agree to this revision in order to gain approval of the project.

Councilmember Witkowsky asked about parking on Arlington, and Planning Manager Isomoto advised that there is street parking on both sides of Arlington.

In response to Councilmember Lieu's inquiry, Ms. Vargo reported that the applicant did not consult with neighbors before purchasing the property.

MOTION: Councilmember Scotto, seconded by Councilmember McIntyre, moved to close the public hearing; the motion passed by unanimous roll call vote.

MOTION: Councilmember Scotto moved for the approval of CUP03-00047 and TTM54205, adding a condition that one two-bedroom unit in Building 1 be eliminated; that the building be shifted to the west approximately 10 feet; and that additional parking be provided to the rear of the building to the satisfaction of the Community Development Director. Discussion continued.

Mayor Walker stated that he voted against the earlier project because he felt the applicant had gone too far by requesting the vacation of the public right-of-way in order to build a ninth unit, however, he believed the revised project would be a good neighbor to the downtown area. He further stated that eliminating one unit would not make a significant difference in the appearance of the project and the only result would be that one less family would be living in Torrance.

With regard to the historic preservation issue, Mayor Walker stated that there are spectacular homes on almost every block in the downtown area that merit preserving, but the majority of homes no longer have any historical significance. He indicated that he favored exploring ways to assist those who wish to preserve their property, such as implementing the Mills Act, rather than imposing restrictions on property owners who wish to utilize their property, which would create a neighbor-against-neighbor situation, noting that in most cases, property is the most valuable investment people have. He voiced his opinion that attempting to preserve the 1950's box-like structure on this block simply because of its age was an affront to common sense.

Mayor Walker stated that he was puzzled as to why the Planning Commission voted to approve the previous project with a FAR of almost .90 and rejected the revised proposal with fewer units and an FAR of .70.

Councilmember McIntyre stated that she believed compelling arguments had been presented by both sides. She complimented the developer for presenting a much more aesthetically pleasing project than the earlier one, but indicated that she shared neighbors' concerns about the mass and scale of the project; therefore, she could not support it.

Indicating that he also could not support the project, Councilmember Nowatka stated that eliminating one of the two-bedroom units would not address neighbors' concerns because they would still be left with the massive southerly building. He noted that the minutes from the Planning Commission meeting reflect that they denied the revised project because they believed they were carrying out the Council's wishes.

Councilmember Lieu stated that he could not support this project and felt the fundamental problem was that the developer joined three lots together when neighbors had a reasonable expectation that this would not happen. He voiced his opinion that the project's size and scale would be out of place in the neighborhood.

Councilmember Witkowsky stated that she thought the applicant had done a lot to address neighbors' concerns and that she did not believe parking would be a problem because the project has much more parking as compared to other developments in the area. Commenting on concerns that new residents would not interact with neighbors on Border, she noted that since the advent of automatic garage door openers, it is not uncommon for people to drive directly into their garages without speaking to their neighbors so this would not be unique to this development.

Councilmember Witkowsky indicated that she supported those who want to preserve their historic homes and would like to explore what could be done to help them, however, she did not favor placing restrictions on entire blocks because it could adversely impact the value of property. Voicing support for the project, she commented on the need for entry-level housing in Torrance.

Noting that he was on the Planning Commission when the condominium project across the street on Arlington and Van Ness was approved, Councilmember Mauno explained that it replaced blighted structures in the Downtown Redevelopment Project Area across the from the City's largest employer, American Honda, therefore, a higher density was allowed. He commented on the beneficial aspects of encouraging redevelopment and noted that the structures that formerly occupied this site were not historic and some had transients living in them. He stated that he viewed this project as a bookend to the Arlington/Van Ness project; that he felt the higher density was appropriate for this location; and that he thought the project's design was aesthetically pleasing and compatible with the area. He indicated that he was comfortable with the number of units as presented and doubted that eliminating one unit would make a significant difference. He noted that he objected to the earlier project due to the tandem parking and that aspect has been eliminated.

Councilmember Mauno seconded Councilmember Scotto's motion.

Mayor Walker noted that the fact that small lots on this block are zoned R-3 even though an individual lot could not accommodate an R-3 project, reflects the fact that City planners from a long time ago felt it would be beneficial for lots to be combined for the building of R-3 residential projects and that the people who buy these properties also recognize this potential.

Councilmember Witkowsky offered the following substitute motion:

MOTION: Councilmember Witkowsky moved to concur with the Community Development Director's recommendation to approve the appeal and to approve CUP03-00047 and TTM54205. The motion was seconded by Mayor Walker and failed to pass as reflected in the following roll call vote:

AYES: Councilmember Witkowsky.
NOES: Councilmembers Lieu, Mauno, McIntyre, Nowatka, Scotto and Mayor Walker.

Mayor Walker called for a vote on the original motion.

MOTION: Councilmember Scotto moved to approve the appeal and to approve CUP03-00047 and TTM54205, adding a condition that one two-bedroom unit in Building 1 be eliminated; that the building be shifted to the west approximately 10 feet; and that additional parking be provided to the rear of the building to the satisfaction of the Community Development Director. The motion passed as reflected in the following roll call vote:

AYES: Councilmembers Mauno, Scotto, Witkowsky and Mayor Walker.
NOES: Councilmembers Lieu, McIntyre and Nowatka.

City Attorney Fellows advised that all references to an eight-unit condominium project in Resolution Nos. 2004-24 and 2004-25 would be changed to a seven-unit condominium project.

RESOLUTION NO. 2004-24

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT TO ALLOW THE CONSTRUCTION OF A SEVEN-UNIT CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED IN THE R-3 ZONE AT 739 AND 745 BORDER AVENUE AND 809 ARLINGTON AVENUE

CUP03-00047: ELITE HOMES (SUBTEC/CHERYL VARGO)

MOTION: Councilmember Scotto moved for the adoption of Resolution No. 2004-24 as amended. The motion was seconded by Councilmember Witkowsky and passed as reflected in the following roll call vote:

AYES: Councilmembers Mauno, Scotto, Witkowsky and Mayor Walker.
NOES: Councilmembers Lieu, McIntyre and Nowatka.

RESOLUTION NO. 2004-25

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A TENTATIVE TRACT MAP TO ALLOW THE SUBDIVISION FOR CONDOMINIUM PURPOSES AND THE CONSOLIDATION OF THREE PARCELS INTO ONE PARCEL ON PROPERTY LOCATED IN THE R-3 ZONE AT 739 AND 745 BORDER AVENUE AND 809 ARLINGTON AVENUE

TTM54205: ELITE HOMES (SUBTEC/CHERYL VARGO)

MOTION: Councilmember Scotto moved for the adoption of Resolution No. 2004-25 as amended. The motion was seconded by Councilmember Witkowsky and passed as reflected in the following roll call vote:

AYES: Councilmembers Mauno, Scotto, Witkowsky and Mayor Walker.
NOES: Councilmembers Lieu, McIntyre and Nowatka.

The Council recessed from 9:15 to 9:30 p.m.

12C. EAS03-00014, GPA03-00011, ZON03-00010, CUP03-00044, DIV03-00016, WAV03-00019: CETECH ENGINEERING/ CITY OF TORRANCE

Recommendation

Recommendation of the **Planning Commission** that City Council deny the appeal and take the following actions on property located at 3673 and 3675 Newton Street:

- 1) Adopt a Negative Declaration;
- 2) Adopt an Ordinance approving a Zone Change from C-2 (General Commercial) to R-2 (Two Family Residential);
- 3) Adopt Resolutions approving:
 - A General Plan Amendment from Local Commercial to Low-Medium Density Residential (9-18 dwelling units/acre);
 - A Conditional Use Permit to allow the construction of a two unit condominium development with a Floor Area Ratio above .65;
 - A Division of Lot to merge two parcels into one parcel, for condominium purposes and to allow the abandonment of 125 square feet of public right-of-way along Newton Street;
- 4) Adopt a Resolution denying a height Waiver; and
- 5) Approve an Ordinance Summary for publication.

The **Community Development Director** recommends that City Council take the actions listed above as well as expand the Zone Change and General Plan Amendment to the parcels on either side of the project at 3671 and 3685 Newton Street by taking the additional actions shown below. (The Planning Commission did not recommend expanding the area to these additional parcels.)

- 1) Adopt an Ordinance approving a Zone Change from C-2 to R-2.
- 2) Adopt a Resolution approving a General Plan Amendment from Local Commercial to Low-Medium Density Residential; and
- 3) Approve an **Ordinance Summary** for publication.

**EAS03-00014, GPA03-00011, ZON03-00010, CUP03-00044, DIV03-00016, WAV03-00019:
THOMAS YUGE (CETECH ENGINEERING) & THE CITY OF TORRANCE**

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

With the aid of slides, Planning Manager Isomoto discussed the General Plan designation and zoning of surrounding properties and briefly described the proposed two-unit condominium project. She noted that staff expanded the General Plan Amendment and Zone Change to include the parcels on either side of the project site to create a more uniform land use pattern along the northern side of this block of Newton Street. She reported that the Planning Commission recommended adoption of a Negative Declaration and approval of the General Plan Amendment and Zone Change for the project site, excluding the adjacent parcels, and voted to approve the project, denying the height Waiver.

Responding to questions from the Council, Planning Manager Isomoto provided clarification regarding the proposed General Plan Amendment and Zone Change for the adjacent parcels. She explained that the existing uses, a tax office and a church, would not be impacted and would remain legal non-conforming uses; that the size of these lots was not conducive to commercial development; and that the lots would be more valuable zoned for residential development if recent trends continue. She confirmed that the church could be rebuilt if damaged by fire as long as application was made within 90 days.

Reverend Robert Currier, First Baptist Church of Waltheria, stated that the church would like to retain the existing zoning/General Plan designation of its property located at 3685 Newton Street because it would allow for more options in the future should the property change hands.

At Mayor Walker's request, Community Development Director Gibson discussed the potential benefits of reclassifying the church's property.

Reverend Currier stated that he would feel more comfortable retaining the current zoning and reiterated his request that the Council deny the Zone Change/General Plan Amendment for the church's property.

Commissioner Scotto stated that he thought Reverend Currier's concerns were valid, noting that the church or subsequent owner could apply to have the property rezoned for residential development in the future, however, it probably would be very difficult to have the zoning changed back to commercial if this Zone Change/General Plan Amendment is approved.

Thomas Yuge, project manager for Cetech Engineering, stated that he agreed with staff's recommendations with the exception of the condition calling for a revised design (No. 9). He explained that the project was designed to promote the use of the front yard and interaction with neighbors and that he had no objections to adding architectural embellishments to make the project more compatible with the neighborhood but did not want to alter the fundamental design.

Planning Manager Isomoto stated that Mr. Yuge made a good case for retaining the existing design at the Planning Commission meeting and that staff would work with him on the addition of embellishments, noting that the condition indicates that the revisions are to be done to the satisfaction of the Community Development Department. She advised that staff believed the project could be designed within the 27-foot height limitation and was recommending denial of the height Waiver.

MOTION: Councilmember Scotto moved to close the public hearing. The motion was seconded by Councilmember McIntyre and passed by unanimous roll call vote.

MOTION: Councilmember Scotto moved to deny the appeal and approve the Conditional Use Permit and Division of Lot; to deny the height Waiver; to approve the Zone Change and the General Plan Amendment for the project site and 3671 Newton Street; and to deny the Zone Change and General Plan Amendment for 3685 Newton Street. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

MOTION: Councilmember Scotto moved to adopt a Negative Declaration. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

Community Development Director Gibson noted that the ordinance and the resolutions would be amended to reflect the Council's action and brought back for approval at the March 16, 2004 meeting.

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The Redevelopment Agency met from 10:20 p.m. to 10:25 p.m.

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Per the guidelines received in Conference with the Labor Negotiator in closed session held earlier in the meeting, City Manager Jackson asked for action to increase the City Manager's severance package authority for certain executive employees from 9 months to 12 months of pay and healthcare coverage from 18 months to 24 months to address the deletion of department head positions related to the consolidation of departments. Councilmember Scotto, seconded by Councilmember Witkowsky, so moved; motion was approved by a unanimous roll call vote.

16. ORAL COMMUNICATIONS

16A. Fire Chief Bongard announced that the Torrance Fire Fighters Association would be holding their 32nd annual Spaghetti dinner March 13 at the Torrance Recreation Center with all proceeds benefiting the Alisa Ann Ruch California Burn Foundation.

16B. Councilmember Lieu stated that according to the FBI and the Federal Trade Commission, identity theft is the fastest rising crime and asked, with the concurrence of Council, that the City of Torrance website include a link to the FTC's website on protecting against identity theft.

Police Chief Herren reported that the Torrance Police Department website does include a link to the FTC's site along with seven other links to various agencies with information on identity theft.

16C. At Councilmember Lieu's request, Police Chief Herren reported on the community meeting held at Torrance High School on February 11 regarding police issues northwest of Sepulveda and Western. He noted that there were 125 to 150 attendees; that topics included community policing and crime prevention; and that it was an excellent open forum.

16D. Councilmember Lieu commented on his attendance at a meeting where Superintendent of Public Education Jack O'Connell spoke of his plans to help California schools including the South Bay, noting that he is a strong proponent of local control.

16E. Councilmember Lieu noted his attendance at a public safety conference hosted by the Independent Cities Association and commended Police Chief Herren for his part in this event.

16F. Councilmember Mauno stated that he attended the Torrance Cultural Arts Center Foundation's first Speaker Series program featuring guest speaker Yolanda King, daughter of Martin Luther King, which he greatly enjoyed, and noted future speakers George Takai and Dennis Prager.

16G. Councilmember Mauno echoed comments regarding the Independent Cities Association conference and praised Police Chief Herren for his efforts. He stated that he was impressed with the interoperability between the various agencies and challenged the Police and Fire Chiefs to look into this issue as it relates to having a central command to facilitate communications during an emergency.

16H. Councilmember McIntyre commended Police Chief Herren on an excellent presentation at the public safety meeting, stating that all present came back with a better understanding. She mentioned a Santa Barbara newspaper article about a local councilman who had been attacked by a pit bull.

16I. Councilmember McIntyre announced the Torrance Council of PTAs College Fair to be held at West High School on February 28 with representatives from approximately 100 colleges and universities expected to be in attendance.

16J. Councilmember Nowatka announced the first in a series of four staged readings at the Torrance Cultural Arts Center Stage II Theater beginning February 25.

16K. Councilmember Nowatka noted that the vending machine contract stated that the City would receive 100 cases of beverages and asked, with the concurrence of Council, that they be reserved for Armed Forces Parade participants.

16L. Councilmember Nowatka also announced that a special encore presentation of "Historic Torrance 1911-2003" would air on Torrance Citicable 3 on Wednesday, February 25, and Tuesday, March 9.

16M. Councilmember Scotto echoed comments regarding the Speaker Series, stating that tickets could be purchased for \$30 by calling the box office at 781-7171, and commended Toyota for underwriting the series with a \$100,000 donation.

16N. Councilmember Scotto encouraged everyone to vote in the March 2nd election and to vote no on Proposition 56.

16O. Councilmember Witkowsky stated that at the February 10 Council meeting, she requested that the City consider an additional donation of \$30,000 to the Torrance Rose Float Association and staff agreed to explore options for funding and report back to the Council. She asked, with the concurrence of Council, that the report be presented to the Rose Float Committee in order to expedite the decision-making process before their May 1st deadline to approve a new contract.

16P. Councilmember Witkowsky commended the police and fire departments for their efficient and well-organized response to a hit-and-run accident she witnessed, in which a truck drove through a storefront in Downtown Torrance. She noted that the fire department responded to a call made to 911 in 3 minutes and secured the business and the police department subsequently caught the driver.

16O. Councilmember Witkowsky echoed comments regarding the ICA meeting.

16P. David Henseler, resident, submitted a petition in opposition of the proposed golf course on the closed Palos Verdes landfill, expressing concerns about disturbance of the soil and toxic waste issues.

17. **EXECUTIVE SESSION**

Considered earlier, see page 1. Formal action was taken on Conference with Labor Negotiator, see page 16.

18. **ADJOURNMENT**

At 10:24 p.m., the meeting was adjourned to Tuesday, March 16, 2004, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers. **Tuesday, March 2, 2004 and Tuesday, March 9, 2004 will be Council dark nights.**

Adjourned in Memory of Donald Minor

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers, CMC
City Clerk of the City of Torrance

Approved on April 27, 2004