

**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 7:05 p.m. on Tuesday, January 15, 2001, in City Council Chambers at Torrance City Hall.

**ROLL CALL**

Present: Councilmembers Cribbs, Nowatka, Scotto, Walker, Witkowsky, and Mayor Hardison.

Absent: Councilmember Messerlian.

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

**2. FLAG SALUTE/INVOCATION**

The Pledge of Allegiance was led by Councilmember Scotto.

Pastor Chris Wright, Abundant Life Church of God, gave the invocation for the meeting.

**3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING**

**MOTION:** Councilmember Cribbs 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 Nowatka, and hearing no objections, Mayor Hardison so ordered (absent Councilmember Messerlian).

**MOTION:** Councilmember Cribbs 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 Nowatka, and hearing no objections, Mayor Hardison so ordered (absent Councilmember Messerlian).

**4. WITHDRAWN OR DEFERRED ITEMS**

City Manager Jackson announced that a request had been received from Torrance Municipal Employees, Local 1117, AFSCME, to remove Item 7e from the Consent Calendar and consider it separately, and to withdraw Item 11a.

**5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

City Clerk Herbers announced that appointments for various advisory commissions would be made at the January 22, 2002 City Council meeting.

City Clerk Herbers announced a candidate forum sponsored by the Old Torrance Neighborhood Association at the Bartlett Center, 1318 Cravens, on Wednesday, January 16, at 7:30 p.m.

City Clerk Herbers invited staff and the public to view the works of Torrance Artist Guild member Paul Blieden on display for the month of January in the City Clerk's Office.

City Clerk Herbers announced that on Sunday, January 20<sup>th</sup>, at 2:00 p.m., the Torrance Historical Society would show the CBS Documentary on Torrance's hometown hero, Louis Zamperini free of charge.

Mayor Hardison announced that memorial services for former Mayor Jim Armstrong would be held on Friday, February 1, at 2:00 p.m. in the James Armstrong Theater of the Cultural Arts Center, 3330 Civic Center Drive.

**6. COMMUNITY MATTERS**

**6a. PROCLAMATION RE SAATCHI AND SAATCHI**

Mayor Hardison presented a proclamation commending Saatchi and Saatchi for their outstanding symbol of patriotism that has not only helped all of us in this community to cope with the tragic events of September 11<sup>th</sup>, but also helped us recognize how proud we are to be Americans. The proclamation was accepted by Saatchi and Saatchi CEO Scott Gilbert; Lorraine Kramer; Nancy Rinearson; and David Minkin.

**6b. PROCLAMATION RE "CALIFORNIA SCHOOL BOARD RECOGNITION MONTH"**

Mayor Hardison presented a proclamation declaring the month of January 2002 as "California School Board Recognition Month" in the City of Torrance, encouraging all residents to participate in the activities being held in conjunction with this observance, and specifically to recognize the efforts of the Torrance Unified School District board members. The proclamation was accepted by Gary Kuwahara, President; Heidi Ashcraft; Joseph Bonanno; Maureen O'Donnell; and Beth Wilson.

**7. CONSENT CALENDAR**

**7a. APPROVAL OF MINUTES – December 4, 2001**

**7b. STATE OF CALIFORNIA ANNUAL SELF-INSURANCE ASSESSMENT**

**Recommendation**

Recommendation of the **Human Resources Director** that City Council approve the payment of the FY 2000-2001 Self-Insurance Assessment in the amount of \$26,220.11 to the State of California Self-Insurance Plans.

**7c. ACCEPTANCE OF DONATION OF TOYOTA TUNDRA**

**Recommendation**

Recommendation of the **Fire Chief** that City Council:

- 1) Accept a donation of one Toyota Tundra valued at \$28,000 from Toyota Motor Sales, U.S.A., Inc. to be selected by the Donor. It will be used by the Fire Department as a utility vehicle and a brush strike team response vehicle; and
- 2) Approve an agreement with Toyota Motor Sales, U.S.A., Inc. with regard to the donation.

**7d. REJECTION OF BIDS FOR 1-5 RESIDENTIAL STREETS REHABILITATION (PHASE 1 — DOWNTOWN TORRANCE)**

**Recommendation**

Recommendation of the **Engineering Director** that City Council reject all bids received on December 6, 2001 for the Construction of I-5 Residential Streets Rehabilitation Phase 1 – Downtown Torrance. (B2001-42)

**7e. APPROVAL OF THE CITY'S LOSS ALLOCATION AND INCENTIVE PROGRAM FOR FY 2001-02**

Considered separately, see below.

**MOTION:** Councilmember Witkowsky moved for the approval of Consent Calendar Items 7a through 7d. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote (absent Councilmember Messerlian).

Referring to Item 7c, Fire Chief Bongard expressed his appreciation to Toyota Motor Sales, U.S.A. for the donation of the Toyota Tundra. He commented on the company's long history of being a benefactor to the City, particularly in the area of public safety, and noted their involvement in the Community Emergency Response Team (CERT) program. He reported that the vehicle will be used as a utility vehicle and a brush team response vehicle.

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

**7e. APPROVAL OF THE CITY'S LOSS ALLOCATION AND INCENTIVE PROGRAM FOR FY 2001-02**

**Recommendation**

Recommendation of the **Human Resources Director** that City Council approve the Loss Allocation and Safety Incentive Program for Liability and Workers' Compensation for Fiscal Year 2001-2002, with the following changes:

- 1) Utilize the existing Loss Allocation and Incentive Program allocations and methodology for the first half of Fiscal Year 2001-2002, compile results, and distribute awards in March 2002;
- 2) Approve the departmental allocations and funding for the second half of Fiscal Year 2001-2002 as stated in Attachment E (1-3); and
- 3) Approve the revised plan methodology as described in the Analysis Section that modifies allocations and establishes a ceiling on awards for the second half of Fiscal Year 2001-2002.

At Councilmember Scotto's request, Risk Manager Sellers provided clarification regarding the modifications proposed for the Loss Allocation and Incentive Program for the second half of FY 2001-02. He stated that after reviewing the program, it became apparent that some office departments had disproportionately high allocations as compared to field departments, therefore, an increase in the allocations for field departments, primarily in workers' compensation, was being recommended. With regard to distribution of awards, he explained that staff was recommending that there be no limit on awards for the first half of 2001-02; that there be a \$200 limit for the second half of 2001-02; and that, in the future, there be a \$400 annual limit.

Councilmember Scotto expressed the hope that, in the future, any changes in the guidelines would be established before the fiscal year starts rather than midterm. Mr. Sellers indicated that the guidelines would be revisited before the end of the fiscal year.

Mayor Hardison questioned whether the amount budgeted for the program would remain the same. Mr. Sellers advised that the amount budgeted for workers' compensation would be increased, due to higher allocations for field departments, and the amount budgeted for liability would be slightly decreased.

Mayor Hardison stated that while she had no objections to fine tuning the program, she did not want the Council to lose sight of the fact that the goal of the program was to bring costs down and cautioned that shifting allocations from departments with few claims to those with higher claims could be counterproductive. She expressed the hope that in future years, the expense to the City will be go down and there would be a move away from the mentality that workers' compensations costs are automatically expected to increase.

In response to Councilmember Witkowsky's inquiry, Risk Manager Sellers explained the methodology used to ensure that the program is fair to employees in positions at greater risk for injury.

Councilmember Witkowsky asked about the reason for AFSCME's request to consider this item separately. City Manager Jackson advised that AFSCME mistakenly believed that this item included a major modification to the Transit Department's allocation, however, that matter will be brought back to the Council at a later date.

Councilmember Scotto commented that he was bothered that departments were penalized for their past history and felt it made more sense to take into account only those losses which have occurred since the incentive program began.

Councilmember Cribbs questioned whether the Transit program could be designed to award individual drivers rather than the entire department, noting that some drivers have many claims, while others drive year after year without any problems. City Manager Jackson advised that although drivers can be rewarded for perfect attendance, it would be very difficult to devise a program that would target individuals without violating the law, especially with regard to workers' compensation, because employees may not be penalized for filing a claim. He noted that the Transit Department is developing a Workplace Safety and Attendance Program which will offer a new approach to these issues.

Indicating that she favored having no cap on monetary awards, Councilmember Cribbs commented on the importance of having rewards large enough to motivate employees to take advantage of training and safety procedures that will keep them off the injured list.

Mayor Hardison noted that the program has been successful in reducing the number of claims for both liability and workers' compensation.

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

**11. ADMINISTRATIVE MATTERS**

**11a. RE-ESTABLISHMENT OF POSITION OF ENVIRONMENTAL AIDE**

**Recommendation**

Recommendation of the **Human Resources Director** that City Council re-establish the position of Environmental Aide and implement a Salary Range for the position.

Mayor Hardison noted that AFSCME had requested that this item be withdrawn, however, they do not represent this classification.

One-Stop Career Center Supervisor Vitkus advised that the proposed resolution would bring the Home Improvement Program trainee position of Environmental Aide into compliance with the minimum wage law.

**RESOLUTION NO. 2002-02**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE  
AMENDING RESOLUTION NO. 2000-110 SETTING FORTH CHANGES  
REGARDING HOURS, WAGES, AND WORKING CONDITIONS FOR  
CERTAIN PART-TIME HOURLY EMPLOYEES

**MOTION:** Councilmember Nowatka moved for the adoption of Resolution No. 2002-02. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote (absent Councilmember Messerlian).

**11b. CONTINUATION OF STATE OF LOCAL EMERGENCY**

**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 Drive and Singingwood Drive.

Building and Safety Director Isomoto reported that the hillside did not experience any changes over the holiday season, however, staff was concerned about the lack of progress and will be contacting the homeowners' consultants to address this issue.

In response to Mayor Hardison, Mr. Isomoto provided information regarding the number of homes that have been vacated.

**MOTION:** Councilmember Scotto moved to concur with the staff recommendation. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote (absent Councilmember Messerlian).

11c. **SUPPLEMENTAL TO TLEA—AFSCME LOCAL 1117 MEMORANDUM OF UNDERSTANDING**

**Recommendation**

Recommendation of the **City Manager** that City Council adopt a supplement Memorandum of Understanding for the Torrance Library Association – AFSCME Local 1117 making certain modification to the Sunday hours language.

Assistant to the City Manager Keane noted that staff had made a request to hold this item for one week, earlier in the day, because they wanted to settle a grievance filed by AFSCME, however, they have since decided to handle the grievance separately and were requesting approval of the supplemental Memorandum of Understanding.

**RESOLUTION NO. 2002-03**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE  
AMENDING RESOLUTION NO. 2000-143 SETTING FORTH HOURS,  
WAGES AND WORKING CONDITIONS FOR EMPLOYEES  
REPRESENTED BY THE TORRANCE LIBRARY EMPLOYEES  
ASSOCIATION – AFSCME LOCAL 1117

**MOTION:** Councilmember Nowatka moved for the adoption of Resolution No. 2002-03. The motion was seconded by Councilmember Cribbs and passed by unanimous roll call vote (absent Councilmember Messerlian).

11d. **CONSIDERATION OF COUNCIL DARK NIGHTS**

**Recommendation**

Recommendation of the **City Manager** that City Council consider Tuesday, January 29 and February 12, 2002, as Council Dark nights.

Councilmember Witkowsky suggested that the Council also consider going dark on election night, Tuesday, March 5, 2002.

**MOTION:** Councilmember Witkowsky moved to concur with the staff recommendation, adding election night, March 5, 2002 as a dark night. The motion was seconded by Councilmember Scotto; and hearing no objection, Mayor Hardison so ordered (absent Councilmember Messerlian).

**11e. VETERAN'S MEMORIAL CONTRACTOR SELECTION**

**Recommendation**

Recommendation of the **City Manager** for the City Council to consider the following options regarding the construction and dedication of the Veteran's Memorial:

- 1) Review budget and direct staff to develop an enabling Resolution to authorize use of City forces to construct the Veteran's Memorial project.
- 2) Reconsider the bids submitted under bid number B2001-44 and award the contract for the construction of the Veteran's Memorial project to Zondiros Corp. of Torrance in the amount of \$161,960.
- 3) Review options submitted at the January 8, 2002 City Council meeting regarding the staging of the development of the Veteran's Memorial project.

Selection of Option 1 or 2 will require an appropriation of \$115,000 from unallocated carry-over.

Councilmember Scotto, Chair of the Ad Hoc Veteran's Memorial Committee, reported that after reviewing construction bids and considering the possibility of using City staff to construct the memorial, the Committee came to the conclusion that it would cost at least as much or more for City staff to construct the project. Therefore, the Committee was recommending that the Council reconsider the bids submitted and award the contract for construction to Zondiros Corp.

**MOTION:** Councilmember Scotto moved to reconsider the Council's previous action to reject all bids and direct staff to develop a budget based on the utilization of City forces. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote (absent Councilmember Messerlian).

**MOTION:** Councilmember Scotto moved to award the bid (B2001-44) to Zondiros Corporation in the amount of \$161,960 and to appropriate \$115,000 of year end carry-over funds to the project. The motion was seconded by Councilmember Walker and passed by unanimous roll call vote (absent Councilmember Messerlian).

**12. HEARINGS**

**12a. CUP01-00030: MCDONALD'S CORPORATION/CARLOS MADRIGAL**

**Recommendation**

Recommendation of the **Planning Director** that City Council adopt a Resolution approving Conditional Use Permit (CUP01-00030) to allow the construction of a fast food restaurant with drive-through service on property located in the C-3 zone at 18145 Crenshaw Boulevard.

CUP01-00030: McDONALD'S CORPORATION/CARLOS MADRIGAL

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

With the aid of slides, Planning Manager Isomoto briefly described the project and discussed traffic circulation and the zoning of surrounding properties. She noted that the Planning Commission did not reach a consensus on this request and advised that the Planning Director was recommending approval of the project.

Councilmember Nowatka noted that not too long ago, the Council declined to spend money to clean up this site even though it has been blighted for a number of years.

Responding to questions from Councilmembers, Planning Manager Isomoto provided clarification regarding the location of drive-through speakers, the positioning of the building on the site, and the location of the trash enclosure.

Mayor Hardison noted that phone calls were received from Cliff Heise and Irene Brooks in support of the project.

Ms. Jeanné Kemp, Community Affairs Manager for McDonald's Corporation, 21300 Victory Boulevard, Suite 900, Woodland Hills, reported that the company was unsuccessful in a previous attempt to develop a McDonald's at this location but since that time, they were able to acquire the entire corner and design a more effective layout. She stated that the company was proposing to build a traditional McDonald's with a drive-through and that it was expected to attract people from the surrounding neighborhood and motorists traveling along Crenshaw Boulevard and 182<sup>nd</sup> Street. She noted that the company had worked very closely with Planning staff to design the best possible project and reported on community outreach efforts. She explained that the company was very interested in accommodating nearby residential neighbors and has offered to build an 8 to 10-foot wall/fence along the west property line and install a landscaped berm along the north side to shield residents on 181<sup>st</sup> Street from customers' headlights. She commented on the company's strict policies to ensure that the site is kept free of graffiti and trash.

In response to Mayor Hardison's inquiry about deliveries, Ms. Kemp reported that, depending on volume, the restaurant would have two to three deliveries a week of food items/supplies, as well as trash pick-ups, and that those deliveries could be staggered so that they do not occur during the peak hours of 7:00 a.m. to 8:30 a.m. and 11:15 a.m. to 1:00 p.m. She noted that McDonald's restaurants are now equipped with trash compactors to cut down on the volume of trash.

Responding to Councilmember Cribbs' inquiry, Mr. Carlos Madrigal, Project Manager for McDonald's Corporation, reported on measures taken to ensure that food odors are contained within the restaurant. Addressing concerns about the drive-through speakers, he explained that the drive-through speaker area will be enclosed in a Plexiglass canopy, similar to a bus shelter, to shield noise from surrounding neighbors. He noted that the speakers could be relocated a little further away from residences to the west.

Mr. Ti Chang, 1875 W. Redondo Beach Blvd., McDonald's owner/operator, stated that he has had many years of experience operating McDonald's restaurants in the South Bay area; that he was committed to keeping residential neighbors happy; and that he was confident that he could handle any situation that might arise at this location. He reported that the proposed restaurant is projected to have volume slightly under the



location he operates across from El Camino College and emphasized that it would not be a “destination” location with a play area.

Mayor Hardison asked about the timing of deliveries, and Mr. Chang stated that he would work around whatever limitations the Council chose to set.

In response to Councilmember Scotto’s inquiry, Mr. Chang advised that the company has standard operating hours of 5:00 a.m. to 11:00 p.m., Sunday through Thursday, and 5:00 a.m. to midnight, Friday and Saturday, but indicated that those hours were flexible. He explained that the restaurant would not open at 5:00 a.m. unless there was demand to warrant it and that he was willing to comply with whatever time limits the Council sets.

Noting that residents have raised concerns about this project’s impact on traffic at this busy intersection, Councilmember Cribbs questioned whether any studies on traffic issues were done by the Planning Department. She commented on the possibility that customers may choose to ignore right turn only signs and attempt to make left turns out of the driveways.

Planning Manager Isomoto advised that the Transportation Planning Division reviewed the project and came to the conclusion that it would not significantly increase traffic in the area, but rather capture existing traffic. She noted that they recommended restricting both driveways to right turn only to address safety concerns, although there was no way to guarantee that people will abide by these restrictions. She indicated that the Burger King across the street has similar turning restrictions.

Commenting on traffic jams caused by Burger King delivery trucks, Councilmember Cribbs stated that this project appears to be large enough so that trucks will not impede traffic.

Councilmember Witkowsky noted that any business on this property would likely be facing the same traffic issues and pointed out that this site is approximately double the size of Burger King’s. At her request, Mr. Chang provided information regarding where delivery trucks would park and the procedure for off-loading them and explained that delivery trucks are not allowed to block any vehicles.

Councilmember Scotto pointed out that there appeared to be room for two parallel parking spaces along the west side of the parking lot opposite the handicapped parking spaces, and Mr. Madrigal agreed to look into whether that would be possible.

Mayor Hardison invited public comment.

Mr. Ray Jackman, 3115 W. 181<sup>st</sup> Street, voiced support for the project. He reported that he attended a meeting held by the applicant and was very impressed by the low-key presentation and the attention paid to residents’ concerns. He stated that he had spoken to people who live near a McDonald’s in WALTERIA and found that any complaints they may have had were taken care of very quickly. He indicated that he had personally tested the Plexiglass shelter at a remodeled McDonald’s and observed it to be very effective in controlling noise from drive-through speakers. He voiced his opinion that the intersection of 182<sup>nd</sup> Street and Crenshaw Boulevard is one of the worst in the City and suggested that a “do not block” zone be designated at Crenshaw and 181<sup>st</sup>

Street to provide a break in the traffic for residents. As a gardener, he stated that he was very impressed by the landscaping plans and thought the berming along 181<sup>st</sup> Street was a wonderful idea.

Ms. Carol Baskett, 3218 W. 181<sup>st</sup> Street, commented on the blighted condition of the property. She stated that she did not want anything at this corner that would add to traffic congestion and suggested that a medical building where business starts at 8:00 a.m. and closes at 6:00 p.m. would be more appropriate for the site. She maintained that the project would be very bad for the neighborhood, disturbing the peace of neighbors and threatening their safety.

Mr. Rick D'Amico, 3131 W. 179<sup>th</sup> Street, indicated that he was opposed to the project, mainly due to traffic issues. He noted that Crenshaw is a major artery providing access to the 405 freeway and detailed difficulties residents have trying to go north on Crenshaw to access the freeway at Artesia. He contended that the project would encourage cut-through traffic in the neighborhood; exacerbate existing problems at this intersection; and reduce the quality of life for residents.

Noting that she will be directly impacted by the project, Ms. Virginia Jussila, 3112 W. 181<sup>st</sup> Street, stated that she was concerned about the intrusion on her privacy and diminished quality of life. She requested, should the project be approved, that the Council minimize the hours of operation; limit hours for deliveries; and make sure that noise and lighting do not intrude on neighbors.

Mr. Kenji Kido, 3111 W. 181<sup>st</sup> Street, noted that he also will be directly affected by the project. He reported that circulation problems still exist at Burger King and that it has only added to the current chaotic traffic situation. He stated that the elevations being presented do not match what was explained to him in terms of where the towers are located and the height of the project and requested that this matter be clarified. He further stated that McDonald's has not followed up on issues brought up at the Planning Commission meeting and has failed to work with him on a solution to the headlight problem. He related his understanding that paperwork submitted by the applicant states that the restaurant would be open until midnight, Sunday through Thursday, and 1:00 a.m., Friday and Saturday, and requested clarification of this issue. He stated that it was undeniable that this project would impact his lifestyle and he would greatly appreciate anything the Council could do to make it more bearable.

Ms. Donna D'Amico, 3131 W. 179<sup>th</sup> Street, expressed concerns that the project would increase cut-through traffic on her street and voiced her opinion that a small destination-type restaurant would be preferable to another hamburger place.

Ms. Romaine Anderson, 3120 W. 181<sup>st</sup> Street, contended that the proposed project would disrupt the sedate neighborhood in which she lives, bringing in transient traffic and threatening the safety of residents. She reported that the letter endorsing the project from the Northwest Torrance Homeowners' Association was written by the Board of Directors and never voted on by the membership. She related her understanding that no study was done to verify that this project would not significantly impact traffic and expressed concerns about the location of the trash dumpster and its potential to attract vermin.

Mr. Brian Marzorini, 3110 W. 180<sup>th</sup> Place, commented on trash left in the alley adjacent to his property by Burger King customers. He stated that his main concern was that the project would increase traffic in the alley and that he feared for the safety of the children who play there. He suggested the possibility of closing the alley to vehicle traffic. He voiced his opinion that a restaurant without a drive-through would be better suited for this location.

Ms. Kido, 3111 W. 181<sup>st</sup> Street, voiced concerns about the impact the project would have on her family's privacy, safety and quality of life.

Ms. Irene Brooks, 3136 W. 179<sup>th</sup> Street, expressed support for having a McDonald's at this location, commenting on its currently blighted condition. She noted that there is plenty of excess office space in the City so it was unlikely that someone would want to construct an office building at this location.

Returning to the podium, Ms. Kemp stated that McDonald's has made a concerted effort to work with people in the community to address their concerns, however, many residents have expressed concerns about existing problems, including traffic issues, over which the company has no control. She offered her assurance that the company would do whatever they can to ensure that they do not contribute to any existing problems. She offered clarification that the company had requested the hours of 5:00 a.m. to midnight, Sunday through Thursday, and 5:00 a.m. to 1:00 a.m., Friday and Saturday, but that these hours were flexible. She stated that she thought it was incumbent on residents to hold McDonald's accountable and to make sure that the restaurant does not affect their quality of life.

In response to Mayor Hardison's inquiry, Ms. Kemp clarified that the highest point of the building would be 20-feet high, which is well within the Code limit. She related her understanding that the project manager had spoken to Mr. Kido and tried to clear up his confusion about the plans.

Mr. Chang reiterated his commitment to work with the community to address any issues that arise, noting that the company does not have a history of causing problems for neighbors. He stated that McDonald's loves children and would never tolerate their being injured in traffic accidents on or near their premises

In response to Councilmember Nowatka's inquiry, Ms. Kemp confirmed that the company was willing to limit hours of operation and delivery times; provided clarification regarding the term "destination" location; and explained that the trash enclosure would be fully enclosed so as not to attract vermin.

Councilmember Witkowksy asked about the possibility of having a "do not block" zone on 182<sup>nd</sup> Street by the driveway, thereby allowing exiting customers an opportunity to make a left-hand turn, which would make it easier for them to access Crenshaw and the freeway.

Planning Director Gibson explained that while the City of Torrance has used what is termed "keep clear" zones for intersecting streets and public facilities, such as fire stations, they have not been used in front of private driveways. Commenting on enforcement and legality issues, he advised that it would not be impossible to have a keep clear zone at this location, but staff would not recommend it.

In response to Councilmember Cribbs' inquiry, Ms. Kemp confirmed that, in accordance with discussions at the Planning Commission meeting, the applicant plans to construct a landscaped berm, with a three-foot wrought iron fence on top, along the north side of the property, to shield customers' headlights from Mr. Kido's property.

**MOTION:** Councilmember Cribbs moved to close the public hearing. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote (absent Councilmember Messerlian).

Planning Manager Isomoto stated that she had a different understanding of what was proposed at the Planning Commission meeting with regard to the berming and that staff would prefer that the three-foot fence/wall be kept at parking lot level. She indicated that staff would work with the applicant on this issue.

Mayor Hardison requested that Transportation Planning staff look into the possibility of adding a keep clear zone at the intersection of 181<sup>st</sup> Street and Crenshaw Boulevard in order to provide a break in traffic so that residents can turn left.

Councilmember Scotto suggested the possibility of constructing a six-foot high block wall from the west property line to the edge of the trash enclosure to ensure that Mr. Kido would not be impacted by headlights.

Police Chief Herren expressed concerns that a wall would diminish visibility into the site from 181<sup>st</sup> Street; and Councilmember Cribbs and Councilmember Nowatka expressed their preference for the berming, citing aesthetics and the possibility that the block wall would invite graffiti.

**MOTION:** Councilmember Scotto moved for the approval of CUP01-00030, as conditioned, with the following modifications:

**Add**

- That the hours of operation shall be limited to from 6:00 a.m. to 10:00 p.m., Sunday through Thursday, and 6:00 a.m. to 12:00 midnight, on Friday and Saturday;
- That two parking spaces shall be added along the west property line to the satisfaction of the Planning Director;
- That the speaker shall be relocated toward the southeast corner of the property to the satisfaction of the Planning Director;
- That a three foot wall and berming shall be provided along the north property line to the satisfaction of the Planning Director;
- That deliveries and trash pickup shall be limited to the hours between 9:00 a.m. and 4:00 p.m.

A brief discussion ensued. Councilmember Cribbs related her understanding that the Burger King across the street is open until 11:00 p.m. on weekdays and stated that she thought it would be unfair to require McDonald's to close earlier.

Councilmember Witkowsky voiced her preference for allowing McDonald's the same closing times as Burger King. Councilmember Scotto stated that he did not believe Burger King impacts residents as much as McDonald's would.

Councilmember Nowatka stated that he was in favor of the project, but thought the 10:00 p.m. closing time on weekdays was too early.

Councilmember Walker suggested that McDonald's be allowed to stay open until 11:00 p.m. on weekdays, with the understanding that if problems develop, the closing time will be changed to 10:00 p.m.

Expressing support for the project, Councilmember Walker noted that McDonald's is a major employer of both seniors and young people and that the location has been eyesore for 15 to 20 years.

Councilmember Witkowsky noted that she was very involved, as a resident of northwest Torrance, in the first proposal to build a McDonald's at this location seven years ago, although she was not on the City Council at that time. Indicating that she favored approval of the project, she complimented McDonald's for listening to neighbors' concerns and coming up with plan that was a vast improvement over the earlier proposal. She expressed confidence that the restaurant was appropriate for this site and that McDonald's would prove to be a good neighbor. She related her belief that the Northwest Torrance Homeowners' Association Board of Directors had the neighborhood's best interests in mind when they submitted the letter in support of the project.

Mayor Hardison stated that while McDonald's would probably not be her first choice for this location, the City has been unsuccessful in efforts to attract other businesses to this site. She expressed the hope that the added conditions would address most of residents' concerns. She conceded that there are problems at this intersection, as there are at major intersections throughout the South Bay, but indicated that she did not believe this project would add to these problems.

Councilmember Scotto amended his motion to allow a closing time of 11:00 p.m., Sunday through Thursday. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmember Messerlian).

#### **RESOLUTION NO. 2002-04**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AS PROVIDED IN DIVISION 9, CHAPTER 5, ARTICLE 3 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A FAST-FOOD RESTAURANT WITH DRIVE-THROUGH SERVICE ON PROPERTY LOCATED IN THE C-3 ZONE AT 18145 CRENSHAW BOULEVARD.

**CUP01-00030: MCDONALD'S CORPORATION/ CARLOS MADRIGAL**

**MOTION:** Councilmember Nowatka moved for the approval of Resolution No. 2002-04 as amended. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote (absent Councilmember Messerlian).

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The Redevelopment Agency met from 10:00 p.m. to 10:01 p.m.

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**17. ADJOURNMENT**

At 10:02 p.m., the meeting was adjourned to Tuesday, January 22, 2002, at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in Council Chambers.

Attest:

/s/ Dee Hardison  
Mayor of the City of Torrance

/s/ Sue Herbers  
Sue Herbers  
City Clerk of the City of Torrance

Approved on February 19, 2002