

**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 5:35 p.m. on Tuesday, February 19, 2002, in City Council Chambers at Torrance City Hall.

ROLL CALL

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

Absent: None.

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

Agenda Item 16 was considered out of order at this time.

16. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on agenda matters listed under 16a) Conference with Labor Negotiator; and 16b) Real Property – Conference with Real Property Negotiator pursuant to California Government Code Sections 54947.6 and 54956.8.

The Council reconvened in Council Chambers at 7:30 p.m. No formal action was taken on any matter considered in closed session.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Witkowsky.

Rabbi Marsha Plafkin, Congregation Beth Torah, 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.

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.

4. **WITHDRAWN OR DEFERRED ITEMS**

None.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

City Clerk Herbers announced the following candidate forums: February 20th at 7:00 p.m. at Calle Mayor Middle School, sponsored by Southwood Homeowners Association; February 21st at 7:00 p.m. at the Katy Geissert Civic Center Library, sponsored by the Torrance League of Women Voters, AAUW, and Torrance Council PTAs; and February 25th at 6:30 p.m. at Bert Lynn Middle School, sponsored by West Torrance Homeowners Association. She noted that a list of candidate forums is printed on the Torrance website, Torrnet.com, or available in the City Clerk's office.

6. **COMMUNITY MATTERS**

6a. **PROCLAMATION RE "KIWIN'S WEEK"**

Kiwanis President Larry Madick introduced Kiwin's Treasurer Shoji Ueki, Torrance High School; Cathy Zhao, South High; and Divisional Lt. Governor Alice Cha, South High School. Ms. Cha shared information about the Kiwin's, a high school service organization sponsored by the California-Nevada-Hawaii District of Kiwanis International.

Mayor Hardison read a proclamation declaring the week of February 11 – 17, 2002, as "Kiwin's Week" in the City of Torrance.

7. **CONSENT CALENDAR**

7a. **APPROVAL OF MINUTES – JANUARY 8, 15 AND 22, 2002**

Minutes of January 8, 2002 were held.

7b. **LETTER OF INTENT FOR SOUTHERN CALIFORNIA REGIONAL OCCUPATIONAL CENTER EXPENDITURE**

Recommendation

Recommendation of the **Workforce Investment Network (WIN) Board** and the **Human Resources Director** that City Council authorize a Letter of Intent for Co-location of employment and training services with Southern California Regional Occupational Center (SCROC).

7c. **PURCHASE OF LIGHT EMITTING DIODE (LED) TRAFFIC SIGNAL MODULES**

Recommendation

Recommendation of the **Street Services Director** that City Council authorize a purchase order to be issued to Dialight Corporation of Manaquan, New Jersey, in the amount of \$44,005.75 for the purchase of light emitting diode (LED) traffic signal modules for Crenshaw Boulevard within the City limits.

7d. EMPLOYMENT AND TRAINING AGREEMENT WITH CITY OF LOS ANGELES

Recommendation

Recommendation of the **Human Resources Director** that City Council approve the execution of an Agreement with the City of Los Angeles for Welfare-to-Work services for \$240,500.

7e. CONSULTING SERVICES AGREEMENT WITH NETWORK OPERATIONS CENTER

Recommendation

Recommendation of the **Human Resources Director** that City Council authorize the execution of a Consulting Services Agreement for \$50,000 with Network Operations Center, Inc., for computer network services at the One-Stop Career Centers.

7f. REPLACEMENT OF EXISTING UNDERGROUND HYDRAULIC LINES

Recommendation

Recommendation of the **General Services Director** that City Council approve a Contract in an amount not to exceed \$45,000 with Peterson Hydraulics, Inc. of Gardena, California, for the replacement of existing underground hydraulic lines in the Fleet Services Division. The term of service shall be through August 2002.

7g. CHANGE ORDER RE PUBLIC WORKS AGREEMENT C2001-067

Recommendation

Recommendation of the **Engineering Director** that City Council:

- 1) Approve a Change Order to Public Works Agreement C2001-067 with Engineered Plumbing Incorporated in the amount of \$34,450 for a waterline crossing of Arlington Avenue;
- 2) Approve an increase in the contingency amount for the Agreement in the amount of \$1,722 (5% of the Change Order amount); and
- 3) Appropriate \$36,172 from the Water Enterprise Fund balance.

MOTION: Councilmember Witkowsky moved for the approval of Consent Calendar Items 7a through 7g, with the exception of the minutes of January 8, 2002. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

9. PLANNING AND ECONOMIC DEVELOPMENT

9a. SB 5X FUNDS TO FINANCE WATER SYSTEM PROJECTS

Recommendation

Recommendation of the **Engineering Director** that City Council adopt a Resolution authorizing and directing the Mayor to execute all necessary documents for funds provided through SB 5X to finance projects that will reduce peak electrical demand.

Senior Division Engineer Qureshi presented the staff report per written material of record.

RESOLUTION NO. 2002-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ALL
NECESSARY DOCUMENTS FOR FUNDS PROVIDED THROUGH
SB 5X TO FINANCE PROJECTS THAT WILL REDUCE PEAK
ELECTRICAL DEMAND

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2002-12. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

9b. FIXED BASE OPERATOR/ AIRCRAFT MANUFACTURER RENT RELIEF

Recommendation

Recommendation of the **City Manager** that City Council authorize a rental credit in an amount not to exceed \$3,500 per month for the months of March and April 2002 for Fixed-Base Operators and Aircraft Manufacturers who have a Lease with the City of Torrance for property/space at Zamperini Field/Torrance Municipal Airport.

Assistant to the City Manager Sunshine reported that, in response to a request made by the Mayor under oral communications at the February 5, 2002 City Council meeting, staff prepared his item authorizing rental credits for fixed-base operators (FBOs) and aircraft manufactures adversely impacted by the terrorist attacks on September 11, 2001. He advised that Great American Aircraft agreed to pass along one hundred percent of the credit to subtenants and will sign an agreement to that effect. He noted supplemental material consisting of the names and rents of three FBOs that were inadvertently left off the original list attached to the Resolution.

RESOLUTION NO. 2002-13

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE
AUTHORIZING A WAIVER OF RENT FOR FIXED-BASE OPERATORS/
AIRCRAFT MANUFACTURING FACILITIES AT THE TORRANCE
AIRPORT/ ZAMPERINI FIELD

MOTION: Councilmember Messerlian moved for the approval of Resolution No. 2002-13. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

11. ADMINISTRATIVE MATTERS

11a. DIRECTIONS FOR TIE VOTE IN 2002 MUNICIPAL ELECTION

Recommendation

Recommendation of the **City Clerk** that City Council give formal direction to the City Clerk in the event of tie votes in the March 5, 2002 Municipal Election.

City Clerk Herbers requested direction from the Council regarding the procedure to be used in the event of tie votes in the March 5, 2002 Municipal Election. She explained that the California Election Code provides for two methods for the resolution of a tie vote, by lot or by special election, and that a Resolution must be adopted prior to the election if the Council chooses the special election option.

In response to Mayor Hardison's inquiry, City Clerk Herbers provided clarification of the drawing of an envelope and coin toss methods, either of which may be used to determine the winner by lot.

Mayor Hardison noted that, in the past, the Council has not selected the special election option because of the additional expense. She indicated her personal preference for a coin toss but offered to defer to the two Councilmembers who are candidates for mayor.

Councilmember Witkowsky stated that while she would prefer not to incur the cost of a special election, she might feel differently if she was one of the candidates involved.

Councilmember Walker commented on the unlikelihood of a tie vote.

MOTION: Councilmember Cribbs moved to direct the City Clerk to prepare to break a tie vote by coin toss. The motion was seconded by Councilmember Walker and discussion briefly continued.

Councilmember Scotto stated that he was not necessarily in favor of the coin toss method but would go along with it.

Bill Sutherland, candidate for councilmember, stated that he personally would not object to the coin toss method, however, there are residents who feel that their votes do not count and this would only add to their number. He voiced support for holding a run-off election in the event of a tie.

Mayor Hardison called for a vote on the motion, and the motion passed by unanimous roll call vote.

Councilmember Messerlian agreed that it was extremely unlikely that the election would result in a tie vote.

11b. CONTINUATION OF THE 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 slope was not affected by recent light rainfalls, noting that this has been a very dry winter. He indicated that the six to eight property owners most impacted by the slide continue to try to find a solution.

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

11c. MARCH 5, 2002 BALLOT MEASURES

Recommendation

Recommendation of the City Council's **Ad Hoc Legislative Committee** that City Council review the committee recommendations and adopt two Resolutions supporting the City's positions.

Mayor Hardison reported that the Ad Hoc Legislative Committee, which consists of Councilmember Nowatka, Councilmember Scotto and herself, met to consider the ballot measures appearing on the March 5, 2002 ballot. She outlined the Committee's recommendation as follows:

State Ballot Measures

Support:

Proposition 40 - California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002;
Proposition 41 - Voting Modernization Act of 2002; and
Proposition 42 - Transportation Funding: Sales and Use Tax Revenues.

No Position:

Proposition 43 – Right to Have Vote Counted;
Proposition 44 - Insurance Fraud; and
Proposition 45 - Legislative Term Limits.

County Ballot Measures

No Position

Measure A – Term Limits, Board of Supervisors, Sheriff, District Attorney, Assessor, Los Angeles County;
Measure B - Term Limits, Board of Supervisors; and
Measure C - Sheriff's Department – restructuring Los Angeles County.

Mayor Hardison discussed the criteria used to determine whether or not the City should take a position on a ballot measure.

Councilmember Scotto suggested that staff comment on the impact the recommended propositions would have on the City.

Parks and Recreation Director Barnett reported that Proposition 40 would provide much needed capital funding for park improvements and noted that clean water, clean air and safe parks contribute to the quality of life for all residents.

Engineering Director Burt explained that Proposition 42 would require gasoline sales tax to be used for transportation purposes, providing funds to improve streets in Torrance and throughout California.

City Clerk Herbers advised that Proposition 41 would help fund the modernization of voting equipment.

MOTION: Councilmember Scotto moved to concur with the Committee's recommendation. The motion was seconded by Councilmember Cribbs and passed by unanimous roll call vote.

RESOLUTION NO. 2002-14

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, SUPPORTING THE PASSAGE OF PROPOSITION 40, THE CLEAN WATER, CLEAN AIR, SAFE NEIGHBORHOOD PARKS, AND COASTAL PROTECTION BOND ACT ON MARCH 5, 2002

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2002-14. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

RESOLUTION NO. 2002-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, SUPPORTING THE PASSAGE OF PROPOSITION 42, THE TRAFFIC CONGESTION IMPROVEMENT ACT ON MARCH 5, 2002

MOTION: Councilmember Messerlian moved for the adoption of Resolution No. 2002-15. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

11d. LEAGUE OF CALIFORNIA CITIES GRASSROOTS NETWORK AGREEMENT

Recommendation

Recommendation of the **City Manager** that City Council adopt a Resolution and Hosting Agreement between the City of Torrance and the League of California Cities for the League Grassroots Network Regional Representative.

Assistant to the City Manager Keane reported that in August 2001, the City submitted a proposal offering to host a League of California Cities Grassroots Network Coordinator by providing office space at Torrance Airport; that the City was recently notified that the offer was accepted; and that the proposed Resolution would formalize the hosting agreement.

RESOLUTION NO. 2002-16

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADOPTING A HOSTING AGREEMENT FOR A LEAGUE OF CALIFORNIA CITIES GRASSROOTS NETWORK REGIONAL REPRESENTATIVE

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2002-16. The motion was seconded by Councilmember Scotto and passed by unanimous roll call vote.

11e. APPROVAL OF VETERANS MEMORIAL MONUMENT LAYOUT

Recommendation

Recommendation of the City Council's **Veterans Memorial Committee** that City Council approve the layout for the granite monument element of the Veterans Memorial.

Councilmember Scotto, Chair of the Veterans Memorial Committee, reported that the recommended layout for the Veterans Memorial Monument was depicted in the rendering included in the supplemental material; noted that there was room on the monument should any names need to be added in the future; and shared the quotation from General George Patton to be inscribed on the monument.

Mayor Hardison commented positively on the monument and emphasized the importance of double-checking the spelling of names.

Rick Marshall, 2065 W. 235th Street, commended the Committee for doing an excellent job on the memorial. He questioned why the names were not listed alphabetically and why they were not placed in columns.

Councilmember Scotto explained that the names were not listed in alphabetical order or in columns so that names could be added in the future without looking out of place and for purposes of spacing and balance.

Mr. Marshall asked if consideration was given to grouping the veterans by the war in which they served or time period.

Assistant to the City Manager Scharfman advised that the Committee considered grouping the veterans according to the four major military conflicts, however, there was such a disparity in the numbers, it was difficult to lay it out that way. He added that the Committee felt that each veteran's sacrifice was of equal importance, therefore, each name should be given equal prominence.

Councilmember Nowatka stated that decisions regarding how this memorial would look were made after a series of meetings to which the public was invited; that a lot of thought went into the design of the monument; and that there was ample opportunity for residents to raise any concerns at those meetings.

MOTION: Councilmember Scotto moved to concur with the Committee's recommendation. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

11f. PERS AMENDMENT RE ADDITION OF 3% AT 50 RETIREMENT BENEFIT

Recommendation

f. Recommendation of the **City Manager** that City Council:

- 1) Adopt a Resolution of Intention approving a contract between the Board of Administration of the California Public Employees Retirement System and the City Council of the City of Torrance adding Section 21362.2 (3% at 50 Full Formula) for local police members only; and

- 2) Concur with staff's recommended budget modifications for the 2002-2003 fiscal year to fund the proposed contract amendment.

Assistant to the City Manager Keane reported that the current contract with Torrance Police Officers Association (TPOA) includes a provision to add the 3% at 50 retirement benefit no later than July 1, 2002; that CalPERS has very strict methodology for modifying contracts; and that adopting the Resolution of Intention and approving the recommended budget modifications was the first step in this process.

Mayor Hardison noted that \$800,000 was budgeted for the addition of this benefit during fiscal year 2002-03, however, the PERS rate increase was higher than anticipated which resulted in an additional cost to the City of approximately \$780,000. She explained that in order to maintain a balanced budget, staff was proposing to use Gas Tax funds to pay for programs, such as the Sidewalk Ramping and Grinding Program, that were previously paid for out of the General Fund.

In response to Mayor Hardison's inquiry, Engineering Director Burtt discussed the impact the reallocation of Gas Tax funds will have on street/sidewalk maintenance projects. City Manager Jackson advised that some Capital Improvement Projects may have to be deferred or eliminated.

RESOLUTION NO. 2002-17

RESOLUTION OF INTENTION TO APPROVE AN AMENDMENT TO CONTRACT BETWEEN THE BOARD OF ADMINISTRATION CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND THE CITY COUNCIL OF THE CITY OF TORRANCE

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2002-17. The motion was seconded by Councilmember Messerlian and passed by unanimous roll call vote.

MOTION: Councilmember Cribbs moved to concur with the recommended budget modifications. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

12. HEARINGS

12a. PRE01-00021: KAZCO DEVELOPMENT- 5253 VANDERHILL ROAD

Recommendation

Recommendation of the **Planning Director** that City Council deny the appeal and approve a Precise Plan of Development (PRE01-00021), as conditioned, allowing the construction of a new two-story single family residence on property located in the Hillside Overlay District, in the R-1 zone at 5253 Vanderhill Road.

Mayor Hardison 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 briefly described the project. She discussed the Planning Commission's action, noting that the Planning Commission

approved the project by a vote of 5-1, with an additional condition of approval requiring a one-foot reduction in the overall height of the structure. She advised that that the Planning Director was recommending that the appeal be denied and that the project be approved as conditioned.

Responding to questions from the Council, Planning Manager Isomoto discussed the feasibility of grading the lot to lower the structure, reversing the design so the garage would be on the south side of the lot, and relocating the retaining wall to allow additional square footage on the ground floor.

Mayor Hardison outlined the procedure for the hearing.

Mr. Kazem Alamdari, President of Kazco Development, stated that he believed the proposed project would beautify the neighborhood and increase the value of surrounding properties and maintained that neighbors' objections have no basis. He requested that the Council deny the appeal and approve the project.

Councilmember Nowatka questioned whether the applicant had considered a single-story home.

Mr. Alamdari stated that he had submitted plans to remodel the existing single-story home which were rejected by the Planning Department and that now that he has owned the property for two years, a one-story house does not make sense from an economic perspective.

Mayor Hardison related her understanding that the remodeling plans were rejected because there was a tandem parking arrangement. Planning Manager Isomoto stated that she did not recall seeing plans for a one-story remodel on this site but confirmed that a two-car garage would be required.

Councilmember Scotto stated that he thought it would be fairly easy to achieve a three to four-foot reduction in the height of the project simply by reversing the plans so that the driveway and garage would be on the downhill side of the property.

Mr. Alamdari indicated that he would have to consult with his field manager regarding whether or not reversing the plans would be feasible.

Councilmember Cribbs suggested the possibility of a split-level design and commented on the deplorable condition of the property.

Councilmember Walker indicated that he favored reversing the design and reducing the height of the structure to minimize the impact on neighbors. He stated that while it is disconcerting to surrounding homeowners when a 4,000 square-foot home is built next to existing smaller homes, the project would only increase property values in the neighborhood as long as any adverse impacts could be mitigated.

Mr. Mehrdad Tootoonchi, field manager for Kazco Development, stated that the house was designed specifically for the person who intended to buy the property so the possibility of a semi-subterranean garage or a split-level design was never explored. He noted that the buyer subsequently decided not to purchase the property because of lengthy delays in gaining approval and neighbors' animosity. He reported that the

company has paid twice to have the property cleaned up, at a cost of \$800 and \$1280, and that they have been waiting to bulldoze it since the Planning Commission approved the project in October.

Councilmember Cribbs commented that she felt the property should have been maintained better and that cleaning it up two times in two years was clearly not sufficient. Councilmember Messerlian voiced his opinion that there was no excuse for the condition of this property and that the City should make sure vacant properties, commercial or residential, are cleaned up, especially prior to coming before a decision making body.

Councilmember Messerlian suggested the possibility of reducing the height of the project by grading it down into the hillside.

Mr. Charles Belak-Berger, consulting architect for the project, stated that he did not think it would be feasible to lower the house into the hillside because the lot is already the lowest on the street and digging the house into the hillside would create a cave-like effect. He proposed reducing the height of the structure and decreasing the mass of the second story to mitigate the impact on neighbors.

Councilmember Witkowsky asked if the house could be situated differently on the lot in order to reduce the shadow cast in the afternoon on the Bowers' property at 5249 Vanderhill Road. Mr. Belak-Berger stated that he thought this issue could be addressed by reducing the mass of the second story, creating a greater distance between the houses.

Mr. Tootoonchi submitted copies of previous plans for this site that were denied.

Using slides to illustrate, Mr. Maret Bower, 5249 Vanderhill Road, appellant, maintained that the proposed project would block sunlight to his home, impede the flow of air, eliminate a significant portion of his view, and invade his privacy. He maintained that the project would have a significant negative impact on his property; contended that it violates provisions of the Hillside Ordinance; and urged that it be denied.

Councilmember Witkowsky stated that she found the recent trimming of trees in this neighborhood very questionable and related her understanding that Mr. Bower did not have a view of the hillside before the trees were cut back.

Mr. Bower clarified where he was positioned when he took the photographs showing the view from his property and explained that these views were not impacted by the trees that were trimmed.

The Council recessed from 9:30 p.m. to 9:45 p.m.

Ms. Lisa Strausa, 5211 Zakon Road, reported that the Seaside Heights area is known for its lovely views and the privacy it affords residents and contended that the proposed massive home was out of character with the neighborhood. She commented on the adverse impact the proposed structure would have on the privacy of her home and backyard, relating her understanding that the developer intends to remove the trees that border the property to build a block wall. She voiced support for the idea of flip-flopping the design and reducing the mass of the home.

Mayor Hardison pointed out that the minutes of the October 3, 2001 Planning Commission meeting indicate that the trees Ms. Strausa referred to are located on her property. Ms. Strausa stated that she and her husband were led to believe that the trees were on their property but subsequently learned that they are not.

Mayor Hardison asked about an attempt to trim the trees bordering her property the previous weekend, and Ms. Strausa explained that the trees have not been trimmed in a long time and she merely wanted the overhang trimmed to gain more sunlight for her garden.

Mr. Cid Stollenberg, 5112 Vanderhill Road, voiced support for the project, stating that the small homes in this neighborhood are not suitable for growing families and the only feasible way to enlarge them is to add a second story. He reported that he had met with Mr. Tootoonchi in the past and found him to be a very reasonable man and expressed the hope that a compromise could be reached.

Ms. Huguette Urhausen, 5217 Zakon Road, explained that she had to trim the trees on her property because they were diseased and threatening to fall on her home. She stated that it was not something she wanted to do because it was very expensive and took away her privacy.

Dr. Joyce Grinher, 5224 Zakon Road, indicated that she was not personally impacted by this project but was opposed to it due to the precedent it would set. She voiced concerns about the "mansionization" of the hillside area. She stated that while the project might increase property values in the neighborhood, it would decrease the value of homes immediately adjacent because of the impact on the quality of life. She commented favorably on a one-story house recently built at 5259 Doris Way.

Mr. Hubert Houle, 5241 Vanderhill Road, maintained that the proposed large structure would divert airflow from his home, interfere with his view and decrease the value of his property. Noting that the subject lot is the largest in the neighborhood, he expressed his preference for a one-story home on this site.

Mr. Robert Oliphant, 5304 Doris Way, indicated that he favored the two-story design, noting that he has a growing family and hopes to build a second story on his own home in the future. He voiced his opinion that it would be unfair to limit this project to one story, when there are several two-story homes in the neighborhood. With regard to airflow, he reported that the area enjoys a strong afternoon breeze and that it would be impossible for a single structure of this size to block it. He submitted letters from neighbors in support of the project.

Submitting photographs for the record, Ms. June Lee, 5245 Vanderhill Road, voiced her opposition to the project. She maintained that the huge two-story house would drastically impact her view, light, air and privacy. She expressed concerns that decreasing the sunlight and airflow to her home could encourage the growth of mold and endanger the health of her disabled husband.

Mr. Mario Obejas, 5265 Bindewald Road, noted that Hillside Overlay Ordinance has caused a lot of strife among neighbors and urged the Council to refine the ordinance, including more objective criteria in order to make it easier to enforce.

Ms. Karen Miller, 5364 Doris Way, indicated that she was not directly impacted by the project but had viewed it from the Strausas' and the Bowers' backyards and believed the impact on their properties was undeniable. Noting that she is a civil engineer, she voiced her opinion that there are other options for building on this site which are less intrusive on the neighborhood. She recommended that the Council deny the project as proposed and require that it be redesigned.

Mr. John Strausa, 5211 Zakon Road, stated that he was not opposed to a two-story design, however, the developer must come up with a plan that fits the lot instead of the proposed structure, which is basically just a big box. He suggested that if the size of the second story was decreased, the height reduced and the house pushed back, neighbors' views and privacy would be preserved and everyone would be happy.

Ms. Brenda Short, 5359 Bindewald Road, reported that she was at the meeting in support of her neighbors who oppose the project. She noted that the noise aspect of this project has not been considered and related her experience that noise bounces off stucco walls and amplifies. She maintained that trees should not be a factor in this decision because they are not permanent and questioned why people are so opposed to one-story homes.

Mr. Paul Burks, 5214 Zakon Road, stated that he believed the problems could be easily resolved by utilizing the lot in an efficient manner, indicating that he has been a licensed contractor for 32 years. He requested that the property be cleaned up.

Noting that neighbors had asked her why the existing home had not been demolished, Mayor Hardison related her understanding, which was confirmed by Planning Manager Isomoto, that it has been the City's policy to delay demolition until a new project has been approved.

Returning to the podium, Mr. Tootoonchi provided clarification of the property lines and indicated that the developer had offered to plant trees on adjacent neighbors' properties to preserve their privacy. He reported that he specifically asked neighbors if they would agree to limit any future addition on their properties to one story if he agreed to build a one-story house on this site, but none of them were willing to do so. He maintained that some of the views neighbors now have were only recently gained with the trimming of massive trees. He expressed his willingness to revise the plans in accordance with the Council's suggestions.

Mayor Hardison expressed her preference that this project be kept at the Council level instead of being returned to the Planning Commission once the plans have been modified. City Attorney Fellows outlined the Council's options, confirming that the hearing could be continued and the plans brought back to the Council for further consideration as long this is done before the Council changes composition in April.

Mr. Bower indicated that it would be a hardship for him if the hearing was rescheduled within the next two weeks. He explained how homes in this area are situated to provide a great deal of privacy on one side of the house. He invited Councilmembers to visit his property so he could show them exactly where the photographs he submitted were taken. He suggested the possibility of using only the buildable portion of a lot when calculating permitted lot coverage.

Mayor Hardison advised that this was done in the past and rejected because some property owners went to great lengths to expand the buildable area of their lots.

Councilmember Messerlian expressed reservations about having this project returned to the Council due to the extent of the redesign and suggested that it might be better if the plans were sent back to the Planning Commission. He commented on the need to give clear direction to the developer should the Council decide to continue the hearing and have the revised plans brought back.

Councilmember Scotto voiced concerns about whether there was enough time for the plans to be brought back to the Council before the new Mayor and Councilmembers take office, noting that if this deadline is not met, the project would be delayed another three to six months.

Planning Manager Isomoto confirmed that it would take at least six months for the revised plans to reach the Planning Commission.

Mayor Hardison expressed her opinion that the height and bulk of the second story should be reduced, especially on Mr. Bower's side to address the issues of light, air and privacy. She indicated that she liked the idea of using a split-level design and reversing the plans with the garage built into the slope on the south side of the lot.

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

Councilmember Scotto indicated his preference to settle this matter at tonight's meeting and offered the following motion:

MOTION: Councilmember Scotto moved for the approval of PRE01-00021, as conditioned, with the following modifications:

Add

- That the design shall be reversed.
- That trees removed along the south property line shall be replaced to the satisfaction of the Planning Director.
- That north-facing windows shall be raised or constructed of opaque glass to the satisfaction of the Planning Director.

Modify

- No. 5 That the maximum height of the residence at the highest point of the roof shall not exceed 24 21 feet as represented by the survey elevation of 120.63 based on a pad elevation of 96.63 based on a bench mark elevation of 94.30 (top of curb) located at the NE corner of the property.

The motion was seconded by Councilmember Walker and discussion briefly continued.

Councilmember Nowatka, echoed by Councilmember Cribbs, stated that he could not support the motion because the revisions were too extensive to approve

without seeing the plans. He recommended that the appeal be approved and the project sent back to the drawing board.

Councilmember Messerlian concurred, stating that he did not favor rushing this project through.

Mayor Hardison called for a vote on the motion, and the motion was defeated as reflected in the following roll call vote:

AYES: Councilmembers Scotto, Walker and Witkowsky.

NOES: Councilmembers Cribbs, Messerlian, Nowatka and Mayor Hardison.

Voicing her preference for having the project returned to the Council, Mayor Hardison stated that Councilmembers had been pretty specific about the changes they would like to see and she felt that they should follow through and see that their ideas were incorporated into the plans.

Councilmember Walker emphasized the need to clean up this site in a very substantial manner.

MOTION: Councilmember Messerlian moved to reopen the hearing and continue it to March 26, 2002. The motion was seconded by Mayor Hardison and passed by unanimous roll call vote.

*

The Redevelopment Agency met from 11:02 p.m. to 11:03 p.m.

15. ORAL COMMUNICATIONS

City Attorney Fellows announced that Councilmember Scotto had not participated in the Closed Session discussion regarding the last five properties listed on the Executive Session, Item 16.

Councilmember Cribbs announced that the 21st Annual Torrance Council of PTAs College Fair would be held on February 23rd at South High School between 11:00 a.m. and 2:00 p.m.

Councilmember Messerlian announced that the Torrance Symphony would be performing on March 9th at the James Armstrong Theater at the Cultural Arts Center.

Councilmember Witkowsky expressed condolences to Scott Schneider on the loss of his mother.

Mr. Mario Obejas, 5265 Bindewald Road, spoke on building requirements within the Hillside Overlay District, requesting that the Council consider including more objective criteria.

Mr. Maret Bower, 5249 Vanderhill, also noted that objective criteria would be helpful and thanked the Council for listening to his concerns.

16. **EXECUTIVE SESSION**

Considered earlier in the meeting, see page 1.

17. **ADJOURNMENT**

At 11:15 p.m., the meeting was adjourned to Tuesday, February 26, 2002, at 6:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in Council Chambers.

Attest:

/s/ Dan Walker

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers
City Clerk of the City of Torrance

Approved on April 9, 2002