

I N D E XTorrance City Council - June 27, 1986

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Adjournment at 1:59 a.m. June 28, 1986 to Tuesday,
July 1, 1986, at 5:30 p.m.

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Peggy Laverty
Minute Secretary

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MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCILOPENING CEREMONIES:1. CALL TO ORDER:

The Torrance City Council convened in an adjourned regular meeting on Friday, June 27, 1986, at 7:00 p.m., in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Present: Councilmembers Hardison, Mock, Nakano, Walker, Wirth and Mayor Geissert.

Absent: Councilman Applegate -- as Mr. Applegate would abstain from consideration of the regular agenda items on tonight's agenda, he was excused from attending the meeting.

Also present: City Manager Jackson, City Attorney Remelmeyer, Staff representatives.

3. FLAG SALUTE AND INVOCATION:

Ms. Evelyn Carr led in the salute to the flag.

The invocation for the meeting was provided by Dr. Donald E. Wilson.

STANDARD MOTIONS:4. APPROVAL OF MINUTES:

None.

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5. MOTION TO WAIVE FURTHER READING:

Councilman Wirth MOVED that after the City Clerk has assigned a number and read title to any resolution or ordinance on tonight's agenda, the further reading thereof be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. His motion was seconded by Councilwoman Hardison, and carried unanimously by roll call vote (Councilman Applegate absent).

6. WITHDRAWN OR DEFERRED ITEMS:

None.

7. COUNCIL COMMITTEE MEETINGS:

None.

Mayor Geissert announced the upcoming OLD FASHIONED FOURTH OF JULY CELEBRATION to be held at Wilson Park.

* * *

It was with sadness that Mayor Geissert announced the passing of Ms. Betty Shaw, an early and staunch supporter of the preservation of Madrona Marsh. The Mayor requested that this meeting be adjourned in memory of Ms. Shaw.

* * *

15. HEARINGS:

NOTE: A verbatim transcript of the proceedings at this meeting pertaining to Agenda Items 15a, 15b, 15c, and 15d, is on file in the Office of the City Clerk of the City of Torrance, and is hereby incorporated, by reference, as part of these minutes.

Following is a brief synopsis of these matters.

Considered together --

- 15a. PD 86-2, WATT HOMES, INC.
- 15b. PD 86-4, TT 34533, WATT HOMES, INC.
- 15c. PD 86-3, TT 34383, WATT HOMES, INC.
- 15d. PD 86-5, LINCOLN PROPERTY COMPANY.

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Mayor Geissert announced that the above matters were continued to this meeting from June 24, 1986, in order to allow the City Attorney an opportunity to study the provisions of the Development Agreement.

17a. EXECUTIVE SESSION:

The Mayor then read the following statement into the record:

The City Council will now recess to closed session for the purpose of conferring with the City Attorney regarding the following:

1. Pending litigation entitled City of Torrance vs. Torrance Investment Company, et al, Los Angeles Superior Court Case Number C577962. This closed session is being held pursuant to the authority of Government Code Section 54956.9(a).
2. Potential litigation involving the City and Group W concerning the transfer of the Cable TV franchise pursuant to the authority of Government Code Section 54956.9(b)(1).

Prior to the Council recessing to Executive Session, Attorney James Krasne requested permission to speak.

Mr. Krasne, speaking on behalf of the Torrance Investment Company, stated his opinion that to go into Executive Session to consider a matter that is unrelated to the pending applications, the Marsh litigation, is not appropriate and highly prejudicial to the consideration of the merits of their applications.

Responding, City Attorney Remelmeyer offered an opposing opinion, and deemed it proper that the City Council consider the matter as proposed. Mr. Remelmeyer then presented rationale in support the City's position in this regard.

Mr. Krasne then offered, for the record, a copy of a letter delivered this date to members of the City Council, the Mayor, the City Attorney and City Manager regarding these matters and also a copy of a letter of instruction delivered to the City Attorney which was accompanying a dismissal of one of the causes of action in their cross complaint.

City Attorney Remelmeyer objected to entering into the record the first letter above referenced by Mr. Krasne as containing privileged information -- introduction of the request for dismissal was not objected to by Mr. Remelmeyer. In

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addition, a letter presented by Mr. Ring for Lincoln Property was also recommended by the City Attorney for admission into the record. Mayor Geissert so directed.

At 7:19 p.m., those members of the City Council who were present (Councilman Applegate was absent) recessed to executive session, returning at 8:47 p.m.

The following agenda items were then considered.

15a. PD 86-2, WATT HOMES, INC.

Mayor Geissert announced that this was the time and place for the continued public hearing for consideration of an appeal of a Planning Commission denial of a Plan of Development to allow the construction of 132 rental units for senior citizens in the PD zone on the south side of Toledo Street, between Maple Avenue and Crenshaw Boulevard.

15b. PD 86-4, TT 34533, WATT HOMES, INC.

Mayor Geissert announced that this was the time and place for the continued public hearing for consideration of an appeal of a Planning Commission approval of a Plan of Development and a ten-lot Tentative Tract Map to allow the construction of 422 residential condominiums in the PD zone on the south side of Toledo Street between Maple Avenue and Crenshaw Boulevard.

15c. PD 86-3, TT 34383, WATT HOMES, INC.

Mayor Geissert announced that this was the time and place for the continued public hearing for consideration of an appeal of a Planning Commission approval of a 6-lot Tentative Tract Map to allow the construction of 146 detached residential condominium units in the PD zone on the south side of Toledo Street, between Maple Avenue and Crenshaw Boulevard.

15d. PD 86-5, LINCOLN PROPERTY COMPANY (STEVEN L. MORGAN, DIRECTOR OF DEVELOPMENT).

Mayor Geissert announced that this was the time and place for the continued public hearing for consideration of an appeal of a Planning Commission action on a Plan of Development to allow the construction of 416 multiple family dwelling units in the PD zone on the east side of Maple Avenue, between Sepulveda Boulevard and Toledo Street.

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Proof of publication having been offered by the City Clerk, it was filed without objection.

Staff presentation on each of the above four cases was provided, complete with transparencies, by Planning Associate Gibson.

Representing Watt Homes, Inc., 2716 Ocean Park Boulevard, Santa Monica, was Mr. Larry Schmidt, who addressed the following projects in the order shown --

- o 15c, 146 Patio Homes (PD 86-3, TT 34383).
- o 15b, 422 Residential Condominiums (PD 86-4, TT 34533).
- o 15a. 132 Senior Citizen Rental Units (PD 86-2).

Mr. Schmidt addressed previously expressed Council concerns as to these projects and described in detail their proposals as currently modified.

* * *

Mr. Doug Ring, counsel for Lincoln Property Company, submitted, for the record, a brochure regarding Lincoln Property Company, and described with the aid of renderings and a model their proposal for --

- o 15d, 416 Multi-Family Residential Units (PD 86-5)

Mr. Ring requested verification that the intent of Conditions #28 and #29 (of record) is not to expand the standards of the Development Agreement, but rather is to reiterate those standards. It was indicated by staff that these conditions were meant to be consistent with the requirement of the Development Agreement.

Mr. Tom Slimocosky, Landscape Architect, expanded, with the aid of a slide presentation, on the proposed landscaping for the project.

Mr. Ring then returned to address staff conditions as follows:

Condition #31 (garage storage area) -- deletion of the condition was requested. Planning Associate Gibson concurred.

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Condition #32 -- correction of the condition to one bedroom, one den and one bath (rather than as shown). Planning Associate Gibson agreed with modification of this condition as requested.

Individual Councilmembers' questions were addressed by the representatives of both developers.

* * *

At 10:55 p.m., Mayor Geissert called a recess. Those Councilmembers present returned at 11:25 p.m.

* * *

Public input was invited. Speakers are listed below.

- o Mr. Shane Stark, 11111 West Olympic Boulevard, Los Angeles, counsel for Friends of Madrona Marsh and Torrance Heights Civic Association in the TIC vs. City of Torrance litigation -- addressed the options open to the Council and offered his analysis of same.
- o Mr. Greg Daigle, 2931 Toledo Street, speaking for the Springwood Homeowners Association -- spoke in opposition to the Lincoln Property Company proposal.
- o Mr. Dick Johnson, 23059A Nadine Circle -- requested approval of the senior citizen housing proposal.
- o Mr. Sam Suitt, 1745 Maple Avenue #73 -- opposed PD 86-2 and PD 86-5.
- o Mr. Walden Wright, 326 Redwood Avenue, Brea, a botanist, consulting biologist and ecologist -- questioned Lincoln's proposal for planting over concrete and urged that negative impacts be adequately addressed.

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- o Ms. Nancy Hess, 2931 Toledo Street -- spoke in opposition to the Lincoln proposal because of concerns re rentals, security, parking, density.
- o Mr. Bill Arrowsmith, 2019 231st Street -- suggested the renderings on the Lincoln project might be misleading, and quoted from the Development Agreement regarding dedication of acreage.
- o Mr. Ken Gough, 18206 Taylor Court -- indicated opposition to all four proposals as not providing the housing needs of the region.
- o Ms. Shirley Turner, 23216 Juniper -- submitted written material and photographs (of record) and addressed the subject of parking.

* * *

Mr. Ray Watt, 2716 Ocean Park Boulevard, Santa Monica, clarified the reason for their commitment to the senior housing rental units and advised that, if desired, they are prepared to withdraw that proposal in favor of more affordable housing for sale.

Mr. Ring, counsel for Lincoln Property Company, responded to comments offered by audience speakers regarding height, setbacks, security standards, access, landscaping, and comments made regarding rental units.

Mr. Sam Suitt returned to expand on his earlier statements.

Councilman Wirth then moved to close the hearings. His motion was seconded by Councilman Mock, and carried unanimously by roll call vote (Councilman Applegate absent for reason of abstention).

Mayor Geissert presented documentation for the record to the City Clerk.

Each Councilmember present then addressed the projects being considered (see court reporter's transcript).

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Action was now taken on the agenda items under consideration as follows:

15a PD 86-2 (132 rental units for senior citizens):

Councilman Walker inquired as to the possibility of a conceptual only approval of this matter. City Attorney Remelmeyer advised against approval in concept, noting that the Council, by approving TT 34533 (Agenda Item 15b), a 10-lot subdivision which includes Lot #10 for Item 15a, would allow the proponent to return by way of the Planning Commission with a revised plan for the specific development of that lot.

MOTION: Councilman Walker moved that PD 86-2, Watt Homes, Inc., be DENIED WITHOUT PREJUDICE. His motion was seconded by Councilman Wirth, and carried by way of the following roll call vote (YES being for DENIAL):

AYES: COUNCILMEMBERS: Hardison, Mock, Nakano, Walker, Wirth and Mayor Geissert.

NOES: COUNCILMEMBERS: None.

ABSENT: COUNCILMEMBERS: Applegate (for reasons of abstention).

* * *

15b PD 86-4, TT 34533 (422 residential townhomes):

MOTION: Councilman Walker moved for approval of PD 86-4 and TT 34533, Watt Homes, Inc., as conditioned, adding the following condition to the Tentative Tract Map:

- o That the Final Tract Map may not be approved and no Building Permits may be issued until the City has acquired appropriate title to both the dedicated and sale parcels in a form declared by the Court or approved by the City Attorney and City Council.

The motion was seconded by Councilman Wirth.

City Attorney Remelmeyer also requested that the following Finding be made and incorporated in the resolution on PD 86-4, replacing the fifth "WHEREAS" of that resolution:

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- o WHEREAS, acquisition of the dedicated and sale parcels by the City was a consideration for the Development Agreement; that the City would not have approved the Development Agreement without assurance that it would acquire the parcels; that TIC and Santa Fe have stated under oath that the City is not entitled to any interest in the parcels; that unless the City, in fact, acquires the parcels as provided in the Development Agreement, the project will be inconsistent with the requirements of the City's General Plan.

Councilman Walker accepted the above modification as part of his motion. Councilman Wirth accepted, as seconder of the motion.

Mayor Geissert then requested City Clerk Wilson to assign a number and read title to the following --

RESOLUTION NO. 86-148

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A PLAN OF DEVELOPMENT TO ALLOW THE CONSTRUCTION OF 422 RESIDENTIAL CONDOMINIUMS ON PROPERTY LOCATED IN THE PD ZONE ON THE SOUTH SIDE OF TOLEDO STREET BETWEEN MAPLE AVENUE AND CRENSHAW BOULEVARD
PD 86-4: WATT HOMES, INC.

MOTION: Councilman Walker moved to adopt Resolution No. 86-148, AS AMENDED. His motion was seconded by Councilman Wirth, and roll call vote indicated the following --

AYES:	COUNCILMEMBERS:	Hardison, Nakano, Walker, Wirth, and Mayor Geissert.
NOES:	COUNCILMEMBERS:	Mock.
ABSENT:	COUNCILMEMBERS:	Applegate (for reason of abstention).

Further action was then taken on Item 15b, as follows.

MOTION: Councilman Walker moved to approve TT 34533, WATT HOMES, INC., with the condition that the Final Tract Map may not be approved and no Building Permits may be issued until the City has acquired appropriate title to both the dedicated and sale parcels in a form declared by the Court or approved by the City Attorney and City Council.

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This motion, seconded by Councilman Wirth, carried by way of the following roll call vote:

AYES: COUNCILMEMBERS: Hardison, Nakano, Walker,
Wirth and Mayor Geissert.

NOES: COUNCILMEMBERS: Mock.

ABSENT: COUNCILMEMBERS: Applegate (by reason of
abstention).

* * *

15c PD 86-3, TT 34383 (146 patio homes):

During discussion regarding the alternative parking plans under consideration with this project, Mr. Larry Schmidt responded to Council concerns as to the impacts and opportunities represented by Plans C and D. The following action was ultimately taken:

MOTION: Councilman Walker moved for approval of PD 86-3, and TT 34383, as conditioned, with Parking Plan C, and with walkways as recommended by staff, and with the following condition added to the Tentative Tract:

- o That the Final Tract Map may not be approved and no Building Permits may be issued until the City has acquired appropriate title to both the dedicated and sale parcels in a form declared by the Court or approved by the City Attorney and City Council.

Further, that the following wording be substituted for the fifth "WHEREAS" in the resolution on this project:

- o WHEREAS, acquisition of the dedicated and sale parcels by the City was a consideration for the Development Agreement; that the City would not have approved the Development Agreement without assurance that it would acquire the parcels; that TIC and Santa Fe have stated under oath that the City is not entitled to any interest in the parcels; that unless the City, in fact, acquires the parcels as provided in the Development Agreement, the project will be inconsistent with the requirements of the City's General Plan.

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The above motion was seconded by Councilman Nakano, and carried as shown by the following roll call vote:

AYES: COUNCILMEMBERS: Hardison, Nakano, Walker,
Wirth and Mayor Geissert.

NOES: COUNCILMEMBERS: Mock.

ABSENT: COUNCILMEMBERS: Applegate (for reason of
abstention).

Councilwoman Hardison indicated that her YES was a reluctant one because of the parking plan.

City Clerk Wilson then read title to --

RESOLUTION NO. 86-149

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE, CALIFORNIA, APPROVING A PLAN OF DEVELOPMENT TO ALLOW THE CONSTRUCTION OF 146 DETACHED RESIDENTIAL CONDOMINIUM UNITS IN THE PD ZONE ON THE SOUTH SIDE OF TOLEDO STREET BETWEEN MAPLE AVENUE AND CRENSHAW BOULEVARD
PD 86-3: WATT HOMES, INC.

MOTION: Councilman Walker moved for adoption of Resolution No. 86-149, AS AMENDED. His motion, seconded by Councilwoman Hardison, carried by way of the following roll call vote:

AYES: COUNCILMEMBERS: Hardison, Nakano, Walker,
Wirth and Mayor Geissert.

NOES: COUNCILMEMBERS: Mock.

ABSENT: COUNCILMEMBERS: Applegate (for reason of
abstention).

MOTION: Councilman Walker moved approval of TT 34383, WATT HOMES, INC., with the condition that the Final Tract Map may not be approved and no Building Permits may be issued until the City has acquired appropriate title to both the dedicated and sale parcels in a form declared by the Court or approved by the City Attorney and City Council.

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This motion, seconded by Councilwoman Hardison, carried by the following roll call vote:

AYES: COUNCILMEMBERS: Hardison, Nakano, Walker,
Wirth and Mayor Geissert.

NOES: COUNCILMEMBERS: Mock.

ABSENT: COUNCILMEMBERS: Applegate (for reason of
abstention).

* * *

15d PD 86-5, (416 multiple family units):

MOTION: Councilman Wirth moved for DENIAL WITHOUT PREJUDICE of PD 86-5, LINCOLN PROPERTY COMPANY. His motion was seconded by Councilwoman Hardison, and carried by way of the following roll call vote:

AYES: COUNCILMEMBERS: Hardison, Mock, Nakano,
Wirth and Mayor Geissert.

NOES: COUNCILMEMBERS: Walker.

ABSENT: COUNCILMEMBERS: Applegate (for reason of
abstention).

* * * * *

The Council now returned to --

17a. EXECUTIVE SESSION:

Mayor Geissert read the following statement into the record:

The City Council will now recess to closed session for the purpose of conferring with the City Attorney regarding the following:

1. Potential litigation involving the City and Group W concerning the transfer of the Cable TV franchise pursuant to the authority of Government Code Section 54956.9(b)(1).

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At 1:40 a.m. (June 28, 1986), those City Council members present recessed to Executive Session, returning at 1:55 a.m., to take the following action:

City Attorney Remelmeyer recommended that the City Council authorize the City Attorney to bring an injunction or any other legal proceeding that is deemed necessary against Group W, the Consortium, Century Cable, and any other persons related to the transaction whereby the City's franchise in effect was transferred without the consent of the City, and to employ Ralph Nutter to assist previous Counsel Nick Miller in this matter.

Councilman Walker SO MOVED. His motion was seconded by Councilman Wirth, and roll call vote was unanimously favorable (Councilman Applegate ABSENT).

* * *

22. ORAL COMMUNICATIONS:

22a. Ms. Georgean Griswold paid tribute to Betty Shaw, as a dedicated citizen of the City of Torrance and a true Friend of Madrona Marsh.

At 1:59 a.m., June 28, 1986, the meeting of the City Council was formally adjourned to Tuesday, July 1, 1986, at 5:30 p.m.

Adjournment was dedicated to the memory of Ms. Betty Shaw.

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 Mayor of the City of Torrance


 Clerk of the City of Torrance

Peggy Laverty
 Minute Secretary

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