

I N D E XCity Council - November 25, 1969 - 7:00 P.M.

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Adjourned at 10:35 P.M. to Wednesday, November 26, 1969 at
4:30 P.M. to consider balance of agenda.

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Ava Cripe
Minute Secretary

Council Minutes
November 25, 1969

November 25, 1969

MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL

OPENING CEREMONIES:

1. CALL TO ORDER:

The Torrance City Council convened in a regular meeting on Tuesday, November 25, 1969, at 7:00 P.M. in the Council Chambers at Torrance City Hall.

2. ROLL CALL:

Responding to roll call by City Clerk Coil were: Councilmen Beasley, Johnson, Miller, Sciarrotta, Uerkwitz, Wilson, and Mayor Isen. Absent: None.

Also present: City Manager Ferraro, Assistant City Manager Scharfman, City Attorney Remelmeyer, City Clerk Coil, and City Treasurer Rupert.

3. FLAG SALUTE:

At the request of Mayor Isen, Miss Shelley Becker, a senior at Torrance High School, led in the salute to the flag.

4. INVOCATION:

Reverend Louis C. Smith, Lutheran Church of the Good Shepherd, gave the invocation for the meeting.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

Councilman Sciarrotta moved that the minutes of the regular meetings of November 13, 1969 and November 18, 1969 be approved as recorded. His motion was seconded by Councilman Wilson, and there were no objections.

6. APPROVAL OF DEMANDS:

Councilman Beasley moved that all properly audited demands be paid. His motion, seconded by Councilman Johnson, carried as follows:

AYES: COUNCILMEN: Beasley, Johnson, Miller, Sciarrotta,
Uerkwitz, Wilson, and Mayor Isen.

NOES: COUNCILMEN: None.

7. MOTION TO WAIVE FURTHER READING:

Councilman Uerkwitz moved that after the Clerk has given 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 Councilman the right to demand the reading of any such resolution or ordinance in regular order. The motion, seconded by Councilman Sciarrotta, was unanimously approved by roll call vote.

8. COUNCIL COMMITTEE MEETINGS - Noted.

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An explanation of Council procedure was furnished by Mayor Isen, followed by the fourth Tuesday custom of Homeowners Night -- this Tuesday honoring the Palo Del Amo Homeowners Association. Their president, Mr. Rod Monson, 22635 Fonthill, was present to make the appropriate introductions and pertinent remarks.

* * * *

COMMUNITY AFFAIRS:

37. Special Oral Police Report requested by Mayor Isen.

As a result of specific attention drawn by Mayor Isen to the fact that Crime Index trends released by the F.B.I. indicate that for the first six-month period of 1969 the crime trend in Torrance is down 8% while the national figure has increased by 9%, a special report, dated November 25, 1969 and a matter of record, prepared by Acting Lieutenant Hone, was read aloud for the information of all present.

Councilman Sciarrotta commended the Police Department on its positive efforts and deserved success -- all present were in agreement based on the applause that followed.

NONCONTROVERSIAL ITEMS:

9. BID AWARD - HIGH PRESSURE SEWER CLEANING MACHINE.
Reference Bid #B69-61.

RECOMMENDATION OF FINANCE DIRECTOR/PURCHASING SUPERVISOR:

That Council accept the low bid submitted for the stainless steel tank unit and approve of an award to this vendor, Southwest Flexible Company, in the amount of \$11,413.50 including tax.

10. AWARD OF CONTRACTS - DIESEL FUELS AND LUBRICATING OILS.
Reference Bid #B69-66 - Fiscal Year 1969-1970.

RECOMMENDATIONS OF FINANCE DIRECTOR/PURCHASING SUPERVISOR:

That the following awards be approved by Council.

1. Items 1 (Diesel #1), 2 (Diesel #2), 7 (Turbine Oil), 10 (Kerosene), and 11 (Solvent) be awarded to Texaco in the total amount of \$16,012.50 including sales tax.
2. Items 3 (Motor Oil 10+30), 4 (Motor Oil Series 3), and 9 (Gear Oil) be awarded to Shell Oil Company in the amount of \$3,600.98 including sales tax.

- 3. Item 5 (Auto Trans Fluid) and 6 (Auto Trans Fluid-Ford) to Douglas Oil Company in the amount of \$529.20 including tax.
- 4. Item 8 (Torque Fluid) to Standard Oil Company in the amount of \$362.25 including sales tax.

11. AWARD OF CONTRACT - PURCHASE OF A BUDGETED TRENCHER MACHINE AND TRAILER. Reference Bid #B69-67.

RECOMMENDATION OF FINANCE DIRECTOR/PURCHASING SUPERVISOR:
That Council accept the low bid submitted by California Industrial Machine Corporation and award them the contract in the amount of \$10,985.10, less \$2,090.00 for trade-in.

12. TRANSPORTATION CONTRACT WITH EL CAMINO COLLEGE.
FY 1969-1970.

RECOMMENDATION OF BUS SUPERVISOR:
That the subject contract, which has previously been signed by the Junior College District, be approved for the 1969-70 fiscal year.

13. MODIFICATION OF TRAFFIC SIGNALS AT REDONDO BEACH BLVD.
AND CRENSHAW.

RECOMMENDATION OF ASSOCIATE TRAFFIC ENGINEER:
That an additional \$366 be appropriated from 2106 Gas Tax Funds to cover the City of Torrance's share of the modification of traffic signals at Redondo Beach Boulevard and Crenshaw Boulevard.

14. EXPENDITURES OVER \$300:

RECOMMENDATION OF FINANCE DIRECTOR:
That Council approve the following purchases:

A. BUDGETED:

- 1. \$1378.13 to Constructors Supply for 50 metal street barricades complete with light flashers and 150 batteries for same as requested by the Street Department for use in their street repair and maintenance operations.
- 2. \$1653.75 to Filsabind Corporation for 2,500 gallons of gilsabind asphalt coating material as requested by the Street Department for use at various park parking lots.
- 3. \$903.00 to Burlap Industries for 2,000 50-pound and 5,000 100-pound sand bags as requested by the Airport and Street Departments. These bags are to be used to help control flooding within the City.
- 4. \$317.84 to Business Forms Printing Company for 8,800 printed forms titled "Time and Cost Report" forms as requested by the Finance Department for use in the accounting operations.

5. \$359.36 to Blake, Moffitt & Towne for 20,000 sheets of graphic-weave type text paper as requested by Central Services for use in printing copies of the Parks and Playground flyers.
6. \$405.67 to South Bay Plumbing Supply for 2,360 feet of 1-inch and 1½-inch PVC water pipe and 120 couplings for same as requested by the Traffic & Lighting Department. This purchase is for the conformance to the 1911 Underground Street Lighting Act.
7. \$442.89 to Speedo Electric for 19 hubometers which measure bus mileage traveled as requested by the Bus Department.
8. \$334.08 to Park Son Incorporated for 31 various water couplings, adapters, rings and valves as requested by the Water Department for emergency repairs on the water line on Vista Montana.
9. \$561.75 to Brooks Products Inc. for 4 water meter boxes and 12 water meter box extensions as requested by the Water Department.
10. \$430.76 to Hersey-Sparling Meter Company for 600 water meter miscellaneous parts as requested by the Water Dept.
11. \$346.78 to Mine Safety Appliance for various breathing apparatus repair parts as requested by the Fire Department.

B. SPECIAL ITEMS:

12. \$801.30 to J.R. Grencik for 332 paperback and trade books.
13. \$951.27 to Campbell & Hall, c/o Harry R. Wilson, for 7 adult books and 210 juvenile books.
14. \$1357.77 to Combined Book Exhibit, Inc. for 310 volumes "A Bibliography of Western History".

MOTION: Councilman Uerkwitz moved to concur with the recommendations on agenda items #9, 10, 11, 12, 13, and 14. His motion was seconded by Councilman Beasley, and carried as follows:

AYES: COUNCILMEN: Beasley, Johnson, Miller, Sciarrotta,
Uerkwitz, Wilson, and Mayor Isen.

NOES: COUNCILMEN: None.

PLANNING AND ZONING HEARINGS:

(Because of their close relationship the following two agenda items were considered together:)

15. ZC 69-24, TORRANCE PLANNING COMMISSION.
Change of Zone from R-3 to R-1, R-2, RR-3, or R-4 on property located on the east side of Cypress Avenue, north of 229th Street, and described as a portion of Lots 4,5, and 36, Tract 639. PLANNING COMMISSION RECOMMENDS R-3 Precise Plan zoning for the northerly larger parcel and R-1 zoning for the southerly smaller parcel.
16. AMENDMENT TO THE MASTER PLAN OF SOUTH TORRANCE OIL FIELDS.
Proposed amendments to the Master Plan of South Torrance Oil Fields on property located east of Cypress Avenue and north of 229th Street. PLANNING COMMISSION RECOMMENDS R-3 Precise Plan zoning for the northerly larger parcel and R-1 zoning for the southerly smaller parcel.

Affidavits of Publication for agenda items #15 and #16 were presented by City Clerk Coil, and they were ordered filed, there being no objection.

Mayor Isen inquired if anyone wished to be heard, first, on agenda item #15. There was no response. Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Beasley, and there were no objections.

City Clerk Coil called the attention of the Council to a communication from Mr. Armstrong on this matter. Mayor Isen ordered the communication filed, and there were no objections, after first ascertaining that neither Mr. Armstrong nor a representative were present.

Councilman Beasley then MOVED to concur with the recommendation of the Planning Commission. There was no second to the motion, and discussion was launched by the Council.

First pointing out a general dissatisfaction on the part of the residents with the reference to the subject area as the "South Torrance Oil Fields", Councilman Johnson then sought clarification regarding the proposed street patterns presented in agenda item #16, which was furnished by Planning Director Shartle, and, further inquired if the 20-unit maximum recommended by the Planning Commission met with the approval of the homeowners. Mr. Shartle advised that this represents a compromise devised by the Planning Commission which neither side agreed to.

Mayor Isen expressed his confusion at the absence of any response when he invited interested parties to speak, it being his understanding that there was dissatisfaction and unhappiness for all concerned, and the fact that the hearings before the Planning Commission detailed the tremendous controversy surrounding this matter. Recognizing many interested parties in the audience, Mayor Isen outlined the public hearing procedure in an attempt to elicit needed information.

Attention was then directed to item #16, it being the feeling of Mayor Isen that this should perhaps be considered first, and, at the Mayor's request, Planning Director Shartle explained that the Planning Commission asked that Staff look into the street pattern also in view of some very deep large lots not served by public streets and there is a potential problem in the area because of this. Mayor Isen stated that, in his opinion, the Council should not be approving street lines, street patterns, lot sizes, etc. Next questioned by Mayor Isen was the legality of establishing Precise Plan guidelines such as "that the development have R-1 type setbacks, 20 units maximum density allowed", etc. in connection with a zone change request -- to his knowledge, a Precise Plan cannot differ with an ordinance in effect. City Attorney Remelmeyer concurred with the Mayor in this respect, and further commented that the planners are ahead of the judges in this field, there is no real law on the matter, but it seems to Mr. Remelmeyer that the theory of the Precise Plan and the words "in our statutes" would agree with the Mayor in that the location of the buildings, the way the parking spaces are located, and the situation in general would be what is meant by Precise Plan rather than by an amendment to the zoning ordinance to govern the number of units -- nor, in Mr. Remelmeyer's opinion, can uses be altered by way of the Precise Plan; the theory of the Precise Plan is that you do not abrogate the provisions of the zoning laws governing, for instance, the maximum number of units, but that one would only fill in the gaps where the zoning law was not specific in these matters.

In Mayor Isen's opinion, were there a compromise unsatisfactory to everyone certainly the Council would be treading on quicksand if it is thought that there is a compromise, and, without prejudicing one side or the other, and considering all the facets of the case, were the Council to approve the zone change as indicated - an R-3 development restricted to 20 units - it would seem that there would not be anything to prohibit the proponent or the subdivider to put in the number of units permitted by the ordinance, since certainly the ordinance has to be tantamount, above, and more powerful than direction from the Planning Commission by way of recommendation to the Council.

City Attorney Remelmeyer added that under circumstances like this the Council has always tried to obtain the consent of the developer to the compromise; were this obtained then there would be a good zone, and he would favor proceeding if such consent to the conditions from the developer were forthcoming.

Mayor Isen then entertained a motion to reopen the public hearing. Councilman Johnson so MOVED; his motion was seconded by Councilman Sciarrotta, and there were no objections.

Mayor Isen asked if there was anyone who wished to be heard, in view of the preceding discussion.

Responding was Mr. Dudley Gray, 2424 Torrance Boulevard, representing the owner of the subject property, Mr. Donald Hunt, who stated that they had remained quiet because they frankly felt that the recommendations of the Planning Commission were wholly and totally illegal -- his examination of City ordinances revealed no way in which the

Commission could restrict this Precise Plan to 20 units, adding that with 40,000 square feet they would be entitled to 40 units on this piece of property. Mr. Gray then related the attempts at compromise, which resulted in a 28-unit plan -- pointed out by Mr. Gray was the fact that this property has been zoned R-3 for many, many years; a sign has been there; relying on this, Mr. Hunt purchased the property, prepared preliminary plans which were stamped by the City -- it is their feeling, according to Mr. Gray, that they have a vested right in this property, from a legal standpoint, and can probably get 40 to 42 units were that desired. But they would prefer to get along with the neighbors, and would voluntarily agree to a restriction of 28 units. At Mayor Isen's question, Mr. Gray advised that he would stipulate re: the 28 units, in the event of Council approval of the zone change, and be bound by a Precise Plan that there be a density of 28 units on the subject property. Mr. Gray further stated that in so stipulating, it is with the thought in mind that they are attempting to compromise the situation, not that they are conceding that they do not have a legal right to have 40 units. At Councilman Johnson's question re: architectural compatibility to the surrounding neighborhood, Mr. Gray advised that a plan has been substantially completed which makes it blend in with the adjacent residential area.

Discussion returned to the street pattern, with concern voiced by some of the Councilmen as to how this might best be resolved. Planning Director Shartle stated that, assuming the Hunt property was developed with an apartment building and the Armstrong property either with apartments or single family dwelling, then a street pattern such as Exhibit C could then be devised to serve the balance of the area, adding that while only a 40 ft. street is indicated it would permit access and allow development of the property. A potential cul-de-sac was also reviewed, and, at Councilman Sciarrotta's question, Fire Chief Lucas advised that they would protest such an arrangement for multiple units.

It was the recommendation of Planning Director Shartle that if it is the feeling of the Council that the frontage on Cypress should not be zoned differently than it is, that a street pattern not be adopted at this time or in the immediate future on this area, but that the Council allow a future developer to present a street pattern.

Representing Mr. Hunt, Mr. Raymond Sulser, 3847 West 134th Place, Hawthorne, commented that the proposed 28-units will have 50 parking places; further, the open space requirement is well in excess of what is required under the new ordinance. Mr. Sulser added that 28 units are the very least that could be lived with, adding that they would stipulate to 28 units; the units consist of 18 two bedroom, two bath apartments and 10 single apartments.

Mr. William Faren, 2272 West 229th Street, voiced his objections to the proposed development, the circumstances of the R-3 zoning in the first place, and pointed out the intense traffic problems which will result, the school burden, etc.

Discussion then centered on the background history of the area. Although he has consistently abstained from any discussion on this matter in the best interest of the City, Councilman Miller, a resident

of the subject area, felt compelled to recall the early history and stated that it must be remembered that many years ago there was nothing on Sepulveda nor on Cypress, and when a Master Plan was created the property on Sepulveda was all in a C zone, with a sort of compromise achieved when the R-3 was permitted on the corner (noting that there was no R-1 development in existence). Quality homes followed later which changed the concept of the area, and, Councilman Miller continued, it now must be determined by this Council whether it be single family residential or apartment development and that most likely will be the fate of the entire area. Councilman Beasley recalled even earlier days when the zoning was M-1 and the hope at that time of this area developing into a commercial area along Sepulveda, which brought about rezoning to C-2.

Mr. Faren further commented that Plan D for residential development is most desired by the residents. Remarking that minus a crystal ball it was impossible to see that this fine residential area would develop in a very short number of years, Mayor Isen then inquired of Mr. Faren if he would take the responsibility, were R-1 zoning approved by this Council, in the event a court would upset this, for a possible maximum density of 40 units on the Hunt property alone, rather than the offered 28 units. Mayor Isen added that he realizes some of these matters never stop at Council level -- this being a situation where property has been zoned R-3 for the last eight years and purchased on the basis that R-3 can be the use, and the likelihood of judicial relief being sought. Continuing, Mayor Isen stated that he is aware of the many protests at the Planning level, and it should be made clear that, without compromise, there is a possibility to end up with something worse. Mr. Faren responded that this is the City's problem, not the property owners, since the City rezoned the property R-3.

Discussion followed on the possibility above outlined by the Mayor. Councilman Sciarrotta reviewed the development of this area, the very expensive homes in existence, and questioned any such situation whereby the City Council would not have the authority, where conditions change, to revise their findings relative to the zoning of property. City Attorney Remelmeyer responded that the law would be that if the Council acted reasonably, the courts would support the Council, but it is imperative that all rights be protected.

At Councilman Uerkwitz' question as to why the 28 units cannot be reduced to 20 units, Mr. Sulser explained that it is financially prohibitive -- 20 units would represent in excess of \$5800 per unit lot cost. Were this zoned R-1, Mr. Sulser added, possibly six lots could be achieved, with Mr. Hunt losing in excess of \$70,000 in land costs.

Mr. Dean Virden, 22803 Cypress, reminded all present that we live in changing times -- with such changing times six years is not a very long period of time with the progress that has taken place in the City of Torrance. Mr. Virden added that these changing times have also affected other zoning, up and down, and back and forth, in Torrance. Mayor Isen questioned Mr. Virden if he would be willing to

assume like responsibility, were the Council to approve R-1 zoning, and that should it be upset by the courts that there is no more power here to do other than permit the R-3 zoning, subject to existing ordinances.

Mr. Virden inquired as to any legal precedents that might have been established in this regard, is it cut and dried that the City of Torrance could not win such a lawsuit? Councilman Beasley stated that the value of a man's property cannot be taken away from him by rezoning it after plans have already been made -- in this case a "hold" order has been put on this land for approximately six months, holding up his building for that period of time -- this having been done in order to try to work out an agreeable compromise, something that would not be an infringement on the rights of other people in the area.

Next to speak was Mr. George Post, 2305 -- 229th Street, who stated that there is firm homeowner opposition to R-3 development, and that he is not in agreement that there are monumental, insurmountable problems in rezoning the subject property. R-1 zoning is desired by the residents, Mr. Post added, and they feel they have earned the right to have the City stand up for them, even should it mean going to court; if the City is unwilling to do that, or if legally they cannot, there is every likelihood that meetings at City Hall in an attempt at further compromise would meet with approval of the affected homeowners.

Councilman Wilson commented that, in his opinion, the problem is bigger than just 229th and Cypress -- the entire problem of housing, density, and what is wanted in the City is at stake in this case; to ask the homeowners to accept a compromise is, in effect, coercing them, saying it's either this...or else. The Council should have the authority and should accept the responsibility of saying what is good for the growth pattern of Torrance.

Dr. Wilson then referred to his recent request for a study to determine the number of apartment units slated to be built and the effect on traffic, schools, congestion, etc. -- perhaps health and safety is truly a prime consideration. This could be something of a test case to augment the City's responsibility throughout Torrance in terms of control on the mushrooming of apartments.

It was ascertained by Mayor Isen that a residential lot in this area would be valued at approximately \$16,000 -- a value of approximately \$96,000 to Mr. Hunt were six lots attained. Mr. Gray advised that Mr. Hunt has in excess of \$105,000 invested, including the buying of the oil well. Mr. Gray added that Mr. Hunt invested this money, relying upon zoning that had existed for many years, and it would seem that action would be taken before someone comes in and invests his money, with plans stamped and approved, and all of a sudden stopped. Mr. Gray then referred to the old saying: "Bad facts make bad law", and he submits to this Council that the facts in this situation, if tested, are going to come back to haunt them, a bad precedent will be established, for the facts are with Mr. Hunt -- they will end up with a 40-42 unit building if they win; should they lose, the land will be sold at \$15,000 per bare lot, without an awful loss of money.

It was the comment of Councilman Beasley that all of the following will be taken into consideration by the court: the fact that the matter has been held for study for quite awhile; there are people within the City government involved; and because of the fact that it has been rezoned for six years as R-3. It is, in Mr. Beasley's opinion, very poor policy to devalue property that was purchased in good faith and with good understanding.

Reverend May, 2309 West 227th Street, and pastor of the church at the corner of Cypress and Sepulveda, stated that it apparently has been overlooked that the subject property when originally zoned R-3 had one major factor which would have kept that property from being developed for years and that was the oil well on it -- an active well, with no plans of abandonment indicated -- and the unlikelihood of any apartment development.

Also described by Reverend May were traffic problems and parking problems in this area -- he urged that they not be compounded.

There being no one else who wished to be heard, Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Uerkwitz, and there were no objections.

It was stated by Mayor Isen that every possible angle of this matter has been explored, and from the primary standpoint and for the greater good of the greater number, he would favor R-1 zoning. The Mayor added that the situation can be justified, in the event it goes to court, in that the existing problems have been explored very thoroughly - with lengthy hearings before the Planning Commission, the study by the Planning Department, etc. It is regrettable that the problem hits Mr. Sulser, et al. but how does one choose?

MOTION: Councilman Sciarrotta moved to deny all recommendations, and that the subject property on agenda item #15 be rezoned to R-1 (to include both the Hunt and Armstrong properties). The motion was seconded by Councilman Uerkwitz, and carried as follows:

AYES: COUNCILMEN: Johnson, Sciarrotta, Uerkwitz,
Wilson, and Mayor Isen.

NOES: COUNCILMEN: Beasley.

ABSTAIN: COUNCILMEN: Miller.

Attention was now specifically directed to agenda item #16 - Amendment to the Master Plan of South Torrance Oil Fields.

Mayor Isen noted that this matter has been reviewed in the preceding discussion, and then inquired if anyone wished to speak further. There was no response. Councilman Uerkwitz moved that the hearing be closed. His motion was seconded by Councilman Wilson, and there were no objections.

MOTION: Councilman Johnson moved that the Master Plan of the Southeast Torrance area be amended to reflect R-1 development for the Hunt and Armstrong properties; to be referred back to the

Planning Commission the matter of street pattern for the area. The motion was seconded by Councilman Uerkwitz, and carried as follows:

AYES: COUNCILMEN: Johnson, Sciarrotta, Uerkwitz, Wilson,
and Mayor Isen.
NOES: COUNCILMEN: Beasley.
ABSTAIN: COUNCILMEN: Miller.

It was confirmed by Mayor Isen, at Mr. Gray's question, that the discussion herein recorded pertains to both Items #15 and #16. Mr. Gray added his opinion that the setting up of the street pattern is an inverse condemnation. Mayor Isen responded that nobody said that; Mr. Gray pointed out that he just did so.

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The hour being 8:30 P.M. a 10-minute recess was ordered by Mayor Isen.

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17. VARIANCE 69-6, ALFRED DIXON PROPERTIES.

Variance to the provisions of the off-street parking code requirements to allow the use of building area allocated for warehousing for manufacturing without the provisions of additional parking spaces on property located at 2925 Columbia Street. RECOMMENDED FOR DENIAL.

Mr. Dixon R. Harwin, 439 Veteran Avenue, Los Angeles, a partner in the Alfred Dixon Properties, was present to explain the issue -- he stated that their industrial property on Columbia Street has been up for rent, without luck, and requested relief from Code parking requirements. At Mayor Isen's question, Mr. Harwin advised that they have already lost the proposed tenant referred to in Planning Commission Chairman Halstead's letter -- Mr. Harwin further advised that they could not get the tenant back and outlined present-day manufacturing processes which make restrictions impractical. It was also stated by Mr. Harwin that they will certify that whatever tenancy goes into the building will have no requirements greater than the 74 parking spaces.

Discussion followed on the advantages and disadvantages of Mr. Harwin's request. Planning Director Shartle pointed out that with the two buildings on one piece of property it is very obvious that there ultimately will be two different businesses which will need to be separated, perhaps by a lot split. Further pointed out by Mr. Shartle was the fact that this piece of property does have additional vacant property which could be utilized for parking; also, there is no idea as to the type of business that might be coming in; the building was designed to be part warehousing and part manufacturing, had it been designed for manufacturing in the first place, there would be far more parking. A similar situation down the street was then described by the Planning Director where a new lessee is coming in who is stuck with parking problems because the lessor did not tell him about the parking restrictions.

It was the suggestion of Mayor Isen that this matter be referred back to Planning Director Shartle and in view of the absence of a tenant perhaps some way can be worked out to provide for more parking places on the new area, with the stipulation that there be no lot splits without Council approval of the parking plans for both lots.

Delaying the matter was not welcomed by Mr. Harwin who felt that any possible negotiations would be hampered; Mr. Harwin then stated that he was willing to certify, as an owner, that they will not lease this particular parcel to any tenancy that will exceed the available parking spaces, limiting the occupancy to 65 employees.

There was further review by the Council, and it was the consensus that there should be further review by the Planning Director, with the item returned to the agenda at the earliest possible time.

Speaking at this time was Mr. Max Morelock, Cosmodyne Corporation, 2920 Columbia Street, who asked that the Council sustain a denial of the subject request in view of the already existing traffic congestion and would jeopardize their employees access to Cosmodyne's facilities.

Mr. J.M. Jackson, Marshall Data Systems, 2660 Columbia, stated that they do not have a parking problem at the present time because they are not at their maximum, but it can be seen by their growth pattern that the maximum will be reached; there is congestion in the area at the present time. Mr. Jackson requested denial of the subject request as well.

Mr. Morelock returned to add that Cosmodyne has just spent in excess of \$10,000 to modify the parking facilities at the corner of the railroad tracks and Alaska Street to accommodate further employees of Cosmodyne; to grant approval of Mr. Harwin's request would compromise Cosmodyne's investment for their employees.

It was the comment of Mr. Harwin that the growth patterns of the above companies are their problems and irrelevant -- Mr. Harwin again stipulated that they will confine their parking and will not slop over into the street.

MOTION: Councilman Sciarrotta moved that the hearing on V 69-6 be continued to the Council meeting of December 9, 1969. The motion was seconded by Councilman Uerkwitz, and there were no objections.

It was clarified that this will permit Mr. Harwin to confer with his New York representatives as well as Planning Director Shartle in an effort to resolve the objections.

18. ZC 69-25, JEWELL LAND COMPANY (C.N. Cake).

Change of Zone from P-1 to R-3 on property located on the south side of Maricopa Street, west of Madrona Avenue, and described as a portion of Lot 8, Tract 3458.

RECOMMENDED FOR REZONING TO R-3 Precise Plan.

Mayor Isen inquired if anyone wished to be heard; there was no response. Councilman Sciarrotta moved that the hearing be closed. His motion was seconded by Councilman Johnson; approval was unanimous.

MOTION: Councilman Johnson moved to concur with the recommendation of the Planning Commission for a change of zone on ZC 69-25 to R-3 Precise Plan. The motion was seconded by Councilman Beasley.

Councilman Wilson questioned the wisdom of approving additional R-3 development in this area, with the traffic problems and overbuilding of apartments in general, all of which only compounds the problem.

At Councilman Sciarrotta's question regarding the 8-inch spite strip adjacent to the subject property, the decorum of the meeting was shot. Hence:

At 9:35 P.M. Mayor Isen ordered a 5-minute recess.

On resumption of the meeting, Councilman Sciarrotta clarified, fortunately, the circumstances surrounding the above spite strip which resulted from a property purchase involving him -- it was the consensus that this was a problem unsolvable by this Council.

Prior to roll call vote on Councilman Johnson's motion, Councilman Wilson reiterated his very strong feelings in this matter -- if the Council does approve the subject zone change it will be acting very irresponsibly and disregarding the general welfare of the citizens of Torrance. It was the further suggestion of Dr. Wilson that perhaps there should be a moratorium on the issuance of any more building permits for apartments, inasmuch as the streets will not carry the traffic, the schools are not geared to such influx.

The motion carried, with roll call vote as follows:

AYES: COUNCILMEN: Beasley, Johnson, Miller, Uerkwitz,
and Mayor Isen.
NOES: COUNCILMEN: Wilson.
ABSTAIN: COUNCILMEN: Sciarrotta (owns adjacent property).

* * * *

The hour being 9:50 P.M. Councilman Sciarrotta moved to recess as City Council and reconvene as the Redevelopment Agency. His motion was seconded by Councilman Johnson, and there were no objections. The Council returned to its deliberations at 9:51 P.M.

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REAL PROPERTY:

29. Communication from the Planning Director, Acting City Engineer, and the City Attorney regarding 1911 Assessment District for the Hawthorne/Skypark Study Area.

A request to add Dr. Robert Odell as a member of the Ad Hoc Committee on this matter was reported by Councilman Uerkwitz. There were no objections, and it was so ordered.

It was stated by City Attorney Remelmeyer that the assessment district is a fine solution to this problem, certainly no one can build ^{without} there being the improvements which will be placed there by the assessment district. But a fundamental problem is yet to be solved - the fact that this property is next to the airport, and it will be necessary to acquire avigation easements over this property by some means. City Attorney Remelmeyer continued, stating that there are only a few ways this may be accomplished: (1) by purchasing the property, putting on the avigation easement by recordation and then selling the property; and (2) to condemn avigation easements over the property. It was agreed that this is a matter of serious concern and should be studied in-depth.

Attention was then directed to the matter at hand, the Involuntary Improvement District.

MOTION: Councilman Johnson moved that the City Attorney be instructed to proceed towards an Involuntary Improvement District. The motion was seconded by Councilman Wilson.

Prior to taking action on the above motion, interested parties in the audience were invited to speak.

Mrs. Thelma Turner, 3675 Torrance Boulevard, reported on her efforts to date in "packaging" the subject area -- some 87 acceptances having been received, out of 138 lots -- with some further work to be done as to the selling price.

Next to speak was Dr. Robert Odell, 23500 Hawthorne Boulevard, who stated that he is one of the owners of the animal hospital at this location, and that he is in favor of the proposed assessment district. He added that they would like the record to reflect that they are not planning on moving; they are very happy with their location and feel they are compatible with what can be built in the area.

Mr. Jim Rahman, owner of six lots in the Meadow Park area, expressed approval of the proposed assessment act, as well as the moratorium.

A gentleman (name unintelligible) representing the "packagers" stated that his concern at this point is the money and time to be expended in developing a plan and the effect of the assessment district on same. Other technical questions were posed, and he was referred to the City Attorney for clarification after the meeting.

Mr. Gale Lowder, 23125 Adolph, owner of property in the area, expressed his approval of the assessment district, as well as the moratorium -- however, he feels the moratorium has been too long, and it should not go on and on.

Roll call vote on Councilman Johnson's motion re: the Involuntary Assessment District was unanimously favorable.

At the request of Mayor Isen, City Clerk Coil assigned a number and read title to:

ORDINANCE NO. 2039

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE DECLARING A MORATORIUM ON CONSTRUCTION OF BUILDINGS OR STRUCTURES IN AN AREA BOUNDED BY HAWTHORNE BOULEVARD ON THE WEST, MADISON STREET ON THE EAST, 234TH STREET ON THE NORTH, 236TH STREET ON THE SOUTH, AND DECLARING THE PRESENCE OF AN EMERGENCY.

Councilman Johnson moved for the adoption of Emergency Ordinance No. 2039 at its first and only reading. His motion was seconded by Councilman Wilson, and roll call vote was unanimously favorable.

PLANNING AND ZONING MATTERS:

20. EMERGENCY ORDINANCE prohibiting the use of property in the Del Amo Business District unless there has been approved a precise plan of development.

At the request of Mayor Isen, City Clerk Coil assigned a number and read title to:

ORDINANCE NO. 2040

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE PROHIBITING THE USE OF PROPERTY IN THE DEL AMO BUSINESS DISTRICT UNLESS THERE HAS BEEN APPROVED A PRECISE PLAN OF DEVELOPMENT AND DECLARING THE PRESENCE OF AN EMERGENCY.

Councilman Sciarrotta moved for the adoption of Emergency Ordinance No. 2040 at its first and only reading. His motion was seconded by Councilman Miller, and roll call vote was unanimously favorable.

REGULAR ORDINANCE prohibiting the use of property in the Del Amo Business District unless there has been approved a precise plan of development.

At the request of Mayor Isen, City Clerk Coil assigned a number and read title to:

ORDINANCE NO. 2041

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE PROHIBITING THE USE OF PROPERTY IN THE DEL AMO BUSINESS DISTRICT UNLESS THERE HAS BEEN APPROVED A PRECISE PLAN OF DEVELOPMENT AND REPEALING EMERGENCY ORDINANCE NO. 2040 RELATING TO THE SAME MATTER.

Councilman Wilson moved for the approval of Ordinance No. 2041 at its first reading. His motion was seconded by Councilman Johnson, and roll call vote was unanimously favorable.

Further action was reflected in a MOTION by Mayor Isen that the proposed criteria submitted by the Del Amo Business District Master Plan Committee be adopted as policy. The motion was seconded by Councilman Sciarrotta, and roll call vote was unanimously favorable.

BUILDINGS, STRUCTURES AND SIGNS:

26. Request from Dan E. Butcher to finish construction of a single-family residence on Lot 1 of Tract 25836 in Torrance.

Mr. Dan Butcher, 2371 Torrance Boulevard, was present to again request relief on his lot/oil storage tank situation, and advised that it would be impossible for him to obtain a letter from the oil tank owner indicating his intentions relative to the installation of the foam fire fighting equipment, as recommended by Building and Safety Director McKinnon.

Referring to Ordinance No. 2033 which requires installation of such foam fire fighting equipment by January 5, 1970, Councilman Beasley pointed out that there is no possible way that Mr. Butcher would have his house completed for occupancy prior to that date, and MOVED that the building permit be issued. The motion was seconded by Mayor Isen, and carried as follows:

AYES: COUNCILMEN: Beasley, Johnson, Sciarrotta,
and Mayor Isen.
NOES: COUNCILMEN: Miller, Uerkwitz, Wilson.

City Attorney Remelmeyer clarified that it would be understood that no occupancy permit would be issued until the equipment is installed.

This touched off vigorous discussion, there being disagreement regarding the no occupancy aspect. Mayor Isen contended that the owner of the lot is being penalized when properly the one who will not comply with the ordinance should be pursued. Councilman Sciarrotta stated that it was his understanding, with his affirmative vote, that no occupancy would be permitted until the equipment is installed.

The many past efforts in the matter of Mr. Butcher's lot were reviewed, including his most recent appearance before the Planning Commission to obtain a lot split. Building and Safety Director McKinnon responded. in answer to Councilman Miller's question regarding the validity of the request, that, in his opinion, he cannot issue this building permit so long as that hazard exists; withholding of the occupancy would have to be ruled on legally by the City Attorney. It was further pointed out by Mr. McKinnon that a parcel map must be filed.

City Attorney Remelmeyer stated that there is some question as to the issuance of the building permit, but it would seem, if given the building permit, that occupancy would have to be withheld until the extinguisher were installed.

Councilman Sciarrotta reiterated his understanding that there would be no occupancy until installation of the fire equipment, and requested that Mr. Butcher so stipulate.

The likely long drawn out enforcement of Ordinance No. 2033 was pointed out by City Manager Ferraro, and was reviewed by the Council.

The question was again directed to Mr. Butcher by Councilman Sciarrotta - would he stipulate that the subject home not be occupied until the oil tank owner complies with the ordinance. Mayor Isen noted that the time is indeterminate - it may be a year or it may be never - when this house might be occupied; City Attorney Remelmeyer expressed concurrence with this philosophy, success cannot be guaranteed, litigation could prove time consuming, etc. The stipulation was not made by Mr. Butcher.

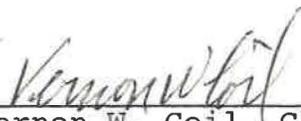
Councilman Sciarrotta thereupon changed his "yes" vote to "no" AND THE MOTION FAILED TO CARRY.

It was reaffirmed by Councilman Johnson that he has no financial interest in the subject property.

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At 10:35 P.M. Councilman Uerkwitz moved to adjourn to Wednesday, November 26, 1969, at 4:30 P.M. to consider the balance of the agenda. The motion was seconded by Councilman Beasley, and roll call vote was unanimously favorable.

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 Vernon W. Coil, Clerk of the
 City of Torrance, California

APPROVED:



 Mayor of the City of Torrance