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Minute Secretary

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Minute Secretary

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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, August 11, 1970, 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 Brewster, Johnson, Sciarrotta, Surber, Uerkwitz, Wilson, and Mayor Miller. 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 Miller, Mr. Frank Sciarrotta, present in the audience, led in the Salute to the Flag.

4. INVOCATION:

The invocation for the meeting was provided by Reverend Elmer Christiansen, Christ the King Lutheran Church.

STANDARD MOTIONS:

5. APPROVAL OF MINUTES:

None.

6. APPROVAL OF DEMANDS:

Councilman Johnson moved that all properly audited demands be paid. His motion was seconded by Councilman Sciarrotta and carried unanimously as is shown below:

AYES: Councilmen: Brewster, Johnson, Sciarrotta, Surber, Uerkwitz, Wilson, and Mayor Miller
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 was seconded by Councilman Wilson and carried unanimously by roll call vote.

8. COUNCIL COMMITTEE MEETINGS:

Councilman Brewster reported that the Public Works Committee met today for 2 hours and will provide a written report to the Council as to the results of that meeting within about two weeks. Further, they have scheduled another meeting for September 1st

at which time they hope to complete their discussion of the proposed Traffic Commission as well as the matter of the City's paving policy.

The next meeting of the Police-Fire Committee will be the 18th of September at which time the matter of time off the job for union activities will be considered, reported Councilman Uerkwitz.

Councilman Wilson advised the Steering Committee for the Goals Program will hold their next meeting at 6:00 PM on August 25, 1970.

Councilman Sciarrotta stated he attended the League of California Cities last Thursday at which time he invited, on behalf of this City Council, Councilmen from other cities to participate in a luncheon meeting with our Federal Congressmen (hopefully, 6, representing Southern California districts) to discuss further the matter of local cities' shares in Federal Funds. Tentative date of the luncheon meeting has been set for September 3, he continued, and the response to the idea has been very well received. Our City's share of the revenue is supposed to be $533,000.

Introduced at this time were Alfredo Sciarrotta, M.D., from Naples, Italy, and Mr. Niehaus from Amsterdam. Both are currently guests of Councilman Sciarrotta -- Alfredo Sciarrotta is his nephew and Mr. Niehaus is a distant relative. Councilman Sciarrotta then introduced his brother, Frank, also present in the audience.

Councilman Brewster announced that the South Bay Inter-Cities Highway Committee will be meeting Thursday night, August 13th at the Alondra Club. Cocktails will be served at 6:00 PM and dinner at 7:00 PM. Since Torrance is the host City for this meeting, he urged all concerned to attend if possible and to make their reservation through him or Art Horkay.

PRESENTATIONS:

9. Presentation of six Japanese Youth Exchange Participants

Mr. Jack Eardley, Jr., Southern Regional Chairman of the Lions Club, introduced 4 young men and their host families currently participating in a Youth Exchange Program, sponsored by the Lions Club. This particular program is with Japan and while 6 young Japanese students are being hosted here in Torrance, only 4 were able to attend the meeting. Following Mr. Eardley's introductions and brief description of the Exchange Program, Mayor Miller presented each of the students with a commemorative plaque and pin.

COMMENDATIONS:

10. RESOLUTION expressing appreciation to George Post for his service to the City as a member of the Planning Commission

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

RESOLUTION NO. 70-184

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE EXPRESSING APPRECIATION TO GEORGE POST FOR HIS SERVICE TO THE CITY OF TORRANCE AS A MEMBER OF THE PLANNING COMMISSION OF THE CITY.

Councilman Sciarrotta moved to adopt Resolution No. 70-184. His motion, seconded by Councilman Surber, carried unanimously by roll call vote.

HEARINGS - OTHER THAN PLANNING AND ZONING:

11. VACATION OF A SANITARY SEWER EASEMENT IN LOT 16, MEADOW PARK TRACT (Petitioner: Torino Construction Corporation)
City Engineer recommends adoption of attached RESOLUTION ordering the vacation of a portion of subject sanitary sewer easement.

Since no one present in the audience wished to be heard regarding subject matter, Councilman Uerkwitz moved that the hearing be closed. His motion was seconded by Councilman Sciarrotta and carried unanimously.

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

RESOLUTION NO. 70-185

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ORDERING THE VACATION OF A PORTION OF A CERTAIN SANITARY SEWER EASEMENT IN LOT 16 OF THE MEADOW PARK TRACT IN THE CITY OF TORRANCE.

Councilman Wilson moved for the adoption of Resolution No. 70-185. His motion was seconded by Councilman Johnson and carried unanimously by roll call vote.

12. DEL AMO TRANSPORTATION, INC. PROPOSAL to purchase Yellow Cab Company of Torrance and Lomita and South Bay Checker Cab Company

No one present asked to be heard regarding subject item, so Councilman Sciarrotta moved that the hearing be closed. The motion carried unanimously after being seconded by Councilman Johnson.

Councilman Johnson then moved to concur with the recommendation of the License Supervisor and the License Review Board regarding subject matter. His motion was seconded by Councilman Surber and carried unanimously by roll call vote.

HEARINGS - PLANNING AND ZONING:

13. VARIANCE 70-9, ST. ANDREW'S EPISCOPAL CHURCH
Request for a variance from the off-street parking ordinance to allow reconstruction of existing parish hall at 1432 Engracia Avenue

Representing St. Andrews was Mr. Louis Kimsey, who called the Council's attention to Condition 4 of the Planning Commission's recommendations -- the sentence should read "3 parking places" he stated, rather than 4 as was printed thereon. Senior Planner Hagaman referred to the map submitted with subject application which showed 5 parking spaces in all (one had already been provided) -- this map, submitted by the applicants, was the basis for the Planning Commission's recommendation of 4 (in addition to 1 existing) parking places be provided.

Upon the suggestion of Mayor Miller to just note this fact and carry on with the disposition of this item, Councilman Wilson moved that the hearing be closed. The motion was seconded by Councilman Surber and carried unanimously.

Councilman Johnson moved to concur with the recommendation of the Planning Commission on subject item with the notation that there is a difference of opinion re the parking spaces (Condition 4). Councilman Wilson seconded the motion.

Prior to roll call vote on the motion, City Attorney Remelmeyer mentioned that this item has to come back before the Council in Resolution form, so, in the meantime, perhaps the Planning Department can ascertain how many parking spaces there are now and how many are to be built. Roll call vote was then taken and the motion passed as is shown below:

AYES: Councilmen: Brewster, Johnson, Sciarrotta, Surber, Uerkwitz and Wilson
NOES: Councilmen: None
ABSTAIN: Councilmen: Mayor Miller (Church member)

14. VARIANCE 70-10, MILLINGTON MACHINE COMPANY
Request for a variance from the off-street parking ordinance to allow the construction of an industrial building.

Following Mr. Harrison White's statement of approval for the variance (Mr. White's address is 1805 Abalone and he is the owner of Torrance-Gardena Blueprint), Senior Planner Hagaman informed the Council that this item had been advertised incorrectly so Planning had used their prerogative of short-cutting it through the Council so as not to delay action. Councilman Uerkwitz then moved to close the hearing. The motion was seconded by Councilman Johnson and carried unanimously.

Councilman Sciarrotta moved to concur with the recommendation of the Planning Department. His motion was seconded by Councilman Johnson and carried unanimously by roll call vote.

15. ZONE CHANGE 70-18, LUCILLE FORSYTHE
Change of zone from C-3 P.P. to R-3 on property located on the northeast corner of 182nd Street and Prairie Avenue

Mr. Carl Fechner, 4015 Pacific Coast Highway, General Contractor in Torrance and the South Bay area for the past 14 years, described the proposed apartment project which he planned to construct and provided an artist's rendering and landscape layout for the Council's viewing. The matter had been before the Planning Commission on July 1st, he stated, and at that time the Commission had voted 4 to 3 against the proposed change of zone. As part of the proposed development for the corner of 182nd and Prairie, a service station was to be constructed on that corner, adjacent to Mr. Fechner's apartments. One of the reasons for denial, Mr. Fechner stated, was that certain of the Planners, in making the recommendation for denial, did not feel that a service station would be a suitable neighbor for any type of residential use. Mr. Fechner stated he investigated this situation and found at least two situations -- 190th Street and Entradero and 190th Street and Prairie -- wherein the City had allowed apartments and homes to be developed with a service station on the adjacent corner, and in both instances, the operation appears

to have been successful with the stations operating under Conditional Use Permits. Referring back to his situation, Mr. Fechner advised that the corner property is presently in escrow with Atlantic Richfield Company and will probably be on the Planning Commission agenda soon with a Precise Plan for consideration.

The discussion continued to revolve around the service station during which time Councilman Uerkwitz expressed concern over the noise which might result from the operation of the station -- repair work, mechanical work, etc. It was the opinion of Mayor Miller that the Council's thinking should be in terms of the actual request, which was for a zone change -- the matter of the service station can then be considered in due course. He further pointed out that there were many other areas in the City where residential development, houses and/or apartments, have been constructed with a service station on the adjacent corner property.

As he continued to present his plan, Mr. Fechner stated he would not be asking for any variance or relief from any Code requirements or regulations. He proposed to meet, and in most cases, exceed the requirements with regard to open space, landscaping, parking, etc. The question arose as to whether he would consider a one story, or partial one story building in that the Planning Department had objected to windows on the second story level over the garages (rear of the apartment building) because they would be looking out over the back yards of the single family dwellings in the adjacent subdivision. Mr. Fechner stated he would not consider a one story and he pointed out that the living area of the apartments would be overlooking the courtyards -- only the bedrooms would be facing the alley. Councilman Johnson suggested having high windows on that side and Mr. Fechner agreed that would be a good solution to the problem.

Mr. Jim Bretoni, owner of the property at 18102 and 18104 Prairie intervened at this point, requesting that his property not be included in the zone change. His property, a 50 x 150 lot, is presently C-3 and he indicated he wished it to stay that way.

Mr. Bill Coma, representing Coldwell, Banker and Company, commented on the request for zone change, and advised the Council that he and his associates had worked with the Forsythes for the past 5 years, in an attempt to develop subject property commercially. For a variety of reasons, partly because of the present over-abundance of commercial property in the area, and partly because the property is not large enough to attract the major tenants, it does not lend itself, in his opinion, to commercial development. He further pointed out that a plot survey of the area was taken and petitions had been signed by the residents favoring Mr. Fechner's proposal in lieu of commercial development. In this connection, Mrs. Betty Wittrock, 4034 West 183rd Street, commented, as an individual resident of the subject neighborhood, that she was "thoroughly fed up with that sloppy neighborhood," which has been commercial for the last 15 years, and she, for one, was firmly in favor of seeing it developed with a decent apartment complex.

Since no one else wished to be heard, Councilman Sciarrotta moved that the hearing be closed. The motion was seconded by Councilman Wilson and carried unanimously.

(The petition signed by the residents, favoring the apartment project, was handed to Clerk Coil and entered into the record.)

Councilman Sciarrotta moved to concur with the recommendation of the Planning Department to rezone subject property R-3 subject to a Precise Plan, except the 150' x 160' parcel on the southwest corner and the 50' x 130' parcel on the northwest corner (these would remain as is, or C-3). The motion was seconded by Councilman Wilson.

Prior to roll call vote on the motion, Mayor Miller commented that the area in question was very difficult to develop commercially for some of the reasons earlier stated. Also, he pointed out the Planning Department voted for the requested zone change and the Commission, although some voted against it, the decision was not unanimously against the request. Mayor Miller further stated he was impressed as to the fact that the developer was going to build according to City Codes and would not be requesting any variances. Councilman Johnson agreed with this concept, stating that, probably the only commercial development that could result in subject location would be "small, strip-type shopping center," not the kind of development to attract a major tenants who would remain at length and he, too, supported the idea of the proposed apartment project.

Councilman Brewster was opposed to the motion as presented for two reasons: first, he did not agree that the area was oversaturated with commercial; and secondly, he felt it was wrong to let today's economics dictate tomorrow's plan. There is no guarantee that any property in the City can be marketed and developed today, he continued; however, "...we plan and zone on how we ultimately plan to have the City developed."

Councilman Uerkwitz was also opposed to the motion for the reason he thought the service station proposed for the adjacent corner might be a source of problems insofar as the noise is concerned. Realizing that they were not voting on the service station at this time, nonetheless, it seemed fairly obvious that such a development would take place on the corner if that particular lot were left C-3. Senior Planner Hagaman, in response to Councilman Uerkwitz' question, advised that the noise could be controlled to a point under a Conditional Use Permit; certainly, the hours of operation and type of activities could be controlled with certain limits.

Roll call vote was taken on the motion and the motion passed, as is shown below:

AYES: Councilmen: Johnson, Sciarrotta, Surber, Wilson and Mayor Miller
NOES: Councilmen: Brewster and Uerkwitz(for reasons earlier stated)

PLANNING AND ZONING MATTERS:

16. PETITION against the opening of 236th Place

Mr. Raymond D. Lloyd, 2075 West 236th Place, opened the discussion on this item, indicating his opposition to the proposed opening. He, and the others who had signed the petition, based their opposition on two factors: first, they believed the opening would effect no one except the residents

of that street since it is dead-ended at both ends and it is not a through street from any direction. Secondly, since one of the Planning Commission's reasons for so recommending the opening of the street had apparently been based on the fact that the Fire Department had contended it would be dangerous to live on a street with only one opening, the residents had opposed this thinking in that they had lived in the locale for a number of years with the street closed and they did not feel the danger of fire was nearly so great as the danger of being injured in automobile accidents, which danger would increase should the street be opened. Mr. Lloyd then provided some statistics from records of the National Safety Council which supported the theory that more danger to life and limb was apparently caused by auto accidents as compared to damage caused by fire.

Mr. James Pierce, 2009 - 236th Place and Mr. Leonard Popp, 2054 West 236th Place, supported Mr. Lloyd's position, stating that they originally bought their homes with the belief that the street would remain closed, thereby preventing through traffic and reducing the possibility of injury to the children of the neighborhood.

Next to speak was Mr. Zuni, 2063 West 236th Place who also indicated he was in favor of keeping the street closed, not only for the safety of the children, but also to prevent overflow apartment parking on their street, which could possibly occur if the street is opened, since some new apartments are under construction in the immediate area. Mr. Joe Duran, 2107 - 236th Place, concurred with Mr. Zuni and all others who had spoken before, and he stressed the point that 90% of the homeowners on that street had signed the petition and were firmly opposed to the opening of the street.

MOTION: Councilman Uerkwitz moved to concur with the majority of the homeowners to keep 236th Place closed. Councilman Johnson seconded the motion.

Prior to roll call vote on the motion, Councilman Brewster inquired of Deputy Fire Chief Slonecker as to the Fire Department's position on leaving the street closed. Mr. Slonecker stated he was not prepared to provide statistics showing a comparison of fire injuries as compared to auto injuries; however, commenting on the statement made earlier by Mr. Lloyd that the opening of 236th Place would affect no one except the residents of that street, Mr. Slonecker stated the Fire Department was concerned with the safety of these people -- this was the whole point. Further, the Planning Commission in their recommendation had also registered objections to leaving the street closed from the Engineering and Police Departments. Mayor Miller commented that it may come to pass, in following the Master Plan for the City, that it will eventually be necessary, for reasons of Fire and Police protection, and other reasons, to open up this street, but for the time being, particularly in view of the fact that the majority of the homeowners were in favor of it, the street should perhaps remain closed.

Roll call vote was taken on Councilman Uerkwitz' motion and proved unanimously favorable.

Mr. Alex Schultz, 2064 West 236th Place, expressed the opinion that the motion just made was just temporarily solving

the problem -- he, for one, would like to see a cul de sac made at the end of their street. Mayor Miller admitted this was exactly what the Council did -- temporarily allow the street to remain closed, since there is really no demand to open it now. But in attempting to follow a Master Plan for the City, he continued, this street probably will be opened at some date in the future. There are many other streets to be considered, also, and if the City is to progress, indiscriminate deviation from the Master Plan cannot be permitted.

Councilman Johnson suggested the possibility of an elbow at the end of subject street rather than a cul de sac which would still relieve the residents of the street from the kind of through traffic that would be created from just opening the street; also, it would solve the problem of the Fire Department. He then MOVED that subject matter be referred to Planning for study with the thought in mind of a cul de sac vs. an elbow vs. leaving the Master Plan as it is. Councilman Surber seconded the motion which carried by a majority, Mayor Miller voting "No." He stated his reason for so voting was that "he could see waiting for the street opening for some date in the future, but he could not see destroying the concept of a Master Plan and having a bunch of streets dead-ended or elbowed off into other streets, especially under an assessment district arrangement."

Mrs. Virginia Frazier, 2076 West 236th Place, requested that she be given assurance that everyone on the block be notified at the conclusion of the aforementioned study so that when action is contemplated, they, the residents of 236th Place, would be able to appear at that meeting. Councilman Johnson stated that this was why he asked for the study, so that the matter will, in due course, appear before the Planning Commission as a public hearing item, and he assured Mrs. Frazier that all persons affected will be notified of time and place.

A recess was called at 8:29 PM.

Upon reconvening at 8:38 PM, the following item was considered:

17. ORDINANCE amending the City Code to allow the Conditional Use Permit application for a mobile home park in an R-1 and R-2 zone.

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

ORDINANCE NO. 2128

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTION 95.3.14 OF THE TORRANCE MUNICIPAL CODE ENTITLED "TRAILER PARKS" TO CONDITIONALLY PERMIT TRAILER PARKS IN R-1 AND R-2 ZONES.

Councilman Wilson moved to adopt Ordinance No. 2128. His motion was seconded by Councilman Johnson and carried unanimously.

At 8:40 PM, Councilman Sciarrotta moved to adjourn as City Council and reconvene as the Redevelopment Agency. At the conclusion of the Redevelopment meeting, the hour being 8:43 PM, the City Council meeting reconvened and the following item was considered:

APPEALS - OTHER THAN PLANNING AND ZONING:

18. APPEAL OF CASE S70-78 - Electro T.V.
Wall and roof sign to advertise new business at 4657 Torrance Boulevard

Mr. Miles Sterling, 11071 Vixler Circle, Garden Grove, passed out copies of the arguments supporting the request for subject sign, which request had been denied by the Sign Review Board. He subsequently outlined his appeal which was based on the following points: (1) for beauty and symmetry; (2) to prevent their sign from being partially hidden due to difficulties in the design of their store front; (3) to permit them to better demarcate the limits of their store frontage due to other difficulties in the design of the premises; and (4) to add a small measure of safety to those walking in front of the store, relating to a poorly lighted incline in the sidewalk which begins at their store front's center. The first two points, Mr. Sterling continued, involved the roof sign and the second two points involved the wall sign-lighting fixture.

In the ensuing conversation on subject item, it was brought out that Mr. Sterling was requesting 80 square feet total signing (roof sign - 60 sq. ft. and wall sign - 20 sq. ft.) and according to our Sign Ordinance, for the frontage on subject property, he would be allotted only 40 square feet. Councilman Wilson pointed out that they must set a limit of how far they can go in granting exceptions to the Sign Ordinance; otherwise a precedent would be set and all others in the shopping center would be requesting over-sized signs. Mr. Sterling understood the Council's point of view but, in defending his position, called attention to the fact that there was a change in elevation in front of subject property and further, an adjacent business had their sign projecting on to the frontage of the Electro T.V. store -- both of these existent factors, he felt, justified a larger sign than is called for in the Ordinance. He did agree, upon the suggestion of Councilman Uerkwitz, to give up the request for the lower sign (wall sign). Mr. Scharfman, Assistant City Manager, provided the Council with the information that, even if the wall sign were omitted, the remaining request would be for 67 square feet of signing which would be larger than any of the adjoining businesses.

MOTION: Councilman Johnson moved to approve the roof sign only, to be no larger than 60 square feet. Mayor Miller seconded the motion which carried unanimously by roll call vote.

APPEALS - PLANNING AND ZONING:

19. APPEAL OF HDA 70-5, DAN BUTCHER, to construct an apartment building between Emerald Street and Maricopa Street, 300 feet east of Anza Avenue

In order to provide the Council with a little background information on this item, Mr. Dan Butcher, 2371 Torrance Boulevard, the proponent, reported that the plans for HDA 70-5 had been submitted to the Building Department in December 1968; because of problems in acquiring the necessary financing until approximately 60 days ago -- but now, the time has run out on the plans. As to his reason for requesting higher density than the 1 to 1000 ratio (1 unit to 1000 sq. ft. of open space), he stated he had to dedicate 17,600 square feet of land for streets and alleys for which the Planning Commission does not allow any credit. However, even after this dedication, Mr. Butcher maintained he would have 327 feet of open space instead of the 300 as required by the existing ordinance. Further, he has 1.95 parking spaces per unit when the ordinance only required 1½ plus guest parking. Mr. Butcher described the proposed apartments as being substantially larger than required by the ordinance; the units will have individual washers, dryers and dishwashers, and the open space contains a recreation building, sauna bath, putting greens, volley ball courts, regulation tennis courts, swimming pools, cabanas, pool tables, card tables, barbecue pits, ping pong, shuffleboard, and other attractions, including extensive landscaping, to make the whole complex quite deluxe. Mr. Butcher stated that the Planning Commission had rejected his request on the basis of the 1500 utility ordinance which is not yet applicable.

During the ensuing discussion on this item, Senior Planner Hagaman provided an explanation of the existing ordinance which concerns apartment density and Planning Associate Busse then presented a detailed description as to past action by the Planning Department and Commission relative to similar apartment projects. He cited one comparison example in which a request had been granted where the proponents' project was 15% below the utility area formula whereas Mr. Butcher, in HDA 70-5, is 13% below. However, Mr. Busse pointed out, in Mr. Butcher's other request -- HDA 70-6 -- the density would be 26% below this formula, the highest density that has ever been requested for review by the Planning Commission. Mr. Busse further advised, under HDA 70-5, there had been a problem insofar as making the determination that there wouldn't be a lot split or subdivision, and a condition of approval had been set that the proponents either file a subdivision map or redraw the plans to show that it was impossible to subdivide the lot -- to date, neither has been done. Mr. Butcher indicated he had no intention to subdivide subject lot and so stipulated when Councilman Sciarrotta directed that question to him.

Councilman Uerkwitz stated he recalled that back in 1968, indication had been made by the Council that they would have to have a substantially better project than those existent in the area in order to grant the higher density -- it seemed to him that the development as presented would fit those requirements. He then MOVED to approve the request on HDA 70-5 subject to the conditions set forth by the Planning Department. The motion was seconded by Councilman

Surber. However, before roll call vote was taken on the motion, Planning Associate Busse reiterated the fact that this project would be 13% below the utility area formula and 32% over the 1 to 1000 ratio. Councilman Wilson believed that the Council was setting a precedent if they granted subject request -- if this is done, "where are the standards which they will try to enforce in the future?"

Councilman Johnson maintained that this was a "holdover" item -- in effect, the plans were approved under the old 1 to 700 ratio under the old ordinance -- there was actually a hardship here in that the necessary financing had not been acquired before the time limit on the plans was up.

Mayor Miller, while not against apartment building, stated he was opposed to the idea of oversaturating the land with units in excess of our standards which we are now attempting to upgrade. If we had had better standards 10 years ago, for instance, we would not be in the position we are now in with regard to overdensified areas.

Roll call vote was then taken on the motion which passed as is shown below:

AYES: Councilmen: Johnson, Sciarrotta, Surber, and Uerkwitz
NOES: Councilmen: Brewster, Wilson and Mayor Miller

20. APPEAL OF HDA 70-6, DAN BUTCHER, to construct an apartment building south of Spencer Street, 300 feet east of Anza Avenue

Following a brief discussion on this item, similar in nature to Item 19 (above), Councilman Johnson MOVED to approve HDA 70-6 subject to Staff conditions. Councilman Uerkwitz seconded the motion.

Before a roll call vote was taken on the motion, it was pointed out by Councilman Brewster that subject apartment complex would be 43% over the 1 to 1000 ratio -- the highest density ever requested in the City. Councilman Wilson commented he thought "this was ridiculous" and believed the Council should give more thought to the kind of precedents being set by such action. In his opinion, the improved standards heretofore established are "just going down the drain." Mayor Miller concurred, stating that they are not really upgrading anything if action is continually to be taken opposing the higher standards.

Mr. Butcher maintained that this situation was exactly the same as the previous one (Item 19), that his plans had been approved earlier by the Building Department but financing had not been obtained. Representing the Building Department, Dave Brieholz, in response to a question directed to him by City Manager Ferraro, said that the plans Mr. Butcher was referring to were actually working drawings, not formal plans, and he did not believe a permit would

have been issued on the basis of those drawings as presented.

Roll call vote was then taken on the motion which failed to carry as is shown below:

AYES: Councilmen: Johnson, Surber and Uerkwitz
NOES: Councilmen: Brewster, Sciarrotta, Wilson and Mayor Miller

Councilman Sciarrotta felt that the overage in this case -- 43% -- was too much and was, in his opinion, not reasonable, thus, his "No" vote.

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BUILDINGS, STRUCTURES, AND SIGNS:

21. RESOLUTION setting the time and place for Hearing on the adoption of the "Uniform Building Code and Appendix, 1970 Edition, Volume 1" as amended, and providing for the publication of the notice thereof.

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

RESOLUTION NO. 70-186

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE SETTING THE TIME AND PLACE FOR HEARING ON THE ADOPTION OF THE "UNIFORM BUILDING CODE & APPENDIX, 1970 EDITION, VOLUME 1", AS AMENDED, AND PROVIDING FOR THE PUBLICATION OF THE NOTICE THEREOF.

Councilman Uerkwitz moved to adopt Resolution No. 70-186. Councilman Sciarrotta seconded the motion which carried unanimously.

REAL PROPERTY:

22. PROPOSED VACATION OF A PORTION OF PALOS VERDES BOULEVARD WESTERLY OF SUSANA
City Engineer recommends that Council initiate the vacation, waive the fee, and approve and adopt the attached RESOLUTION summarily vacating portion of the subject street.

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

RESOLUTION NO. 70-187

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE ORDERING THE VACATION OF A PORTION OF PALOS VERDES BOULEVARD IN THE CITY OF TORRANCE.

Councilman Wilson moved for the adoption of Resolution No. 70-187 and to waive the fee. His motion was seconded by Councilman Brewster and carried unanimously.

FISCAL MATTERS:

23. ORDINANCE relating to the licensing and taxation of businesses and trades in the City.

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

ORDINANCE NO. 2129

AMENDING THE PROVISIONS OF CHAPTERS I THROUGH VII OF DIVISION 3 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE LICENSING AND TAXATION OF BUSINESSES AND TRADES IN THE CITY.

Councilman Sciarrotta moved for the adoption of Ordinance No. 2129. His motion, seconded by Councilman Wilson, carried unanimously by roll call vote.

ITEMS NOT OTHERWISE CLASSIFIED:

24. ORDINANCE prohibiting the drilling, re-drilling, or deepening of Oil Well Holes in the City; providing for exceptions to such provisions; and eliminating the "O" zone from combining oil districts.

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

ORDINANCE NO. 2130

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE PROHIBITING THE DRILLING, RE-DRILLING, OR DEEPENING OF OIL WELL HOLES IN THE CITY; PROVIDING FOR EXCEPTIONS TO SUCH PROVISIONS; AND ELIMINATING THE "O" ZONE FROM COMBINING OIL DISTRICTS.

Councilman Johnson moved for the adoption of Ordinance No. 2130. His motion was seconded by Councilman Surber.

Prior to roll call vote being taken on the motion, Mr. Gerald Raydon, an officer of American Pacific Petroleum, which company, he stated, owned and operated several oil wells on the west end of the City. In reviewing the Ordinance, Mr. Raydon, although recognizing the City's concern with the problem at hand, expressed concern over the fact that the Ordinance covers the entire City, and, if enacted, would prohibit oil drilling in the whole City, when actually, its purpose was to control a specific area -- the southeast area of Torrance. Also, Mr. Raydon felt that some distinction should be made between "drilling, re-drilling and deepening." Drilling indicates that a new well would be created whereas re-drilling and deepening are effected only with existing wells -- to prohibit this, Mr. Raydon continued, would be actually prohibiting oil well operation. Mayor Miller reminded Mr. Raydon that, even with the passing of subject Ordinance, the Council reserves the right to grant variances or exceptions to certain cases which may come up.

Councilman Johnson commented that they, as a government body, had been attempting for two years to achieve the abandonment of unused oil wells in the City but had not received cooperation from the oil companies. The whole complexion of the City has changed he said; however, the attempt was not being made to eliminate oil company operation in the City -- rather, an attempt was being made to coordinate these activities with the residents so that both could live in harmony with one another. He further alleged that lobbying by the Oil and Gas Association recently caused the defeat of a bill proposed by our State legislature which would have, if passed, solved most of these problems, and for this reason, the City was taking affirmative action to correct the situation, which Councilman Johnson wholeheartedly endorsed.

Councilman Uerkwitz presented a map of the City showing the various oil wells in the different sections of Torrance, and explained further to Mr. Raydon which sections were affected by the proposed Ordinance. It was Mr. Uerkwitz'

interpretation that what Mr. Raydon had expressed concern over, really had no validity. He further expressed the opinion that he thought all of the "O" zones in the City should have been included in this Ordinance; however, such was not the case.

Mr. David Buoy, 2302 - 229th Place, President of the Southeast Torrance Homeowners Association, reported that his association had reviewed subject Ordinance as presented and were quite satisfied with it.

Roll call vote was then taken on the motion which carried unanimously.

(Councilman Sciarrotta was excused from the meeting at 9:40 PM).

25. ORDINANCE NO. 2123 relating to Zone Change 70-12

27. ORDINANCE NO. 2125 relating to Zone Change 70-13

28. ORDINANCE NO. 2126 relating to Alcoholic Beverage Consumption Tax

29. ORDINANCE NO. 2127 relating to employment compensation provisions for employees represented by "Engineers"

At the request of Mayor Miller, City Clerk Coil presented for its second and final reading:

ORDINANCE NO. 2123

(Item 25) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY THAT CERTAIN PROPERTY WHICH IS LOCATED ON THE WEST SIDE OF SAMUEL STREET BETWEEN HAWTHORNE BOULEVARD AND SAMUEL STREET IN ZONE CHANGE 70-12.

and:

ORDINANCE NO. 2125

(Item 27) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING DIVISION 9 OF THE TORRANCE MUNICIPAL CODE TO RECLASSIFY THAT CERTAIN PROPERTY WHICH IS LOCATED AT THE SOUTHWEST CORNER OF 228th STREET AND OLIVE STREET, AND DESCRIBED IN ZONE CHANGE 70-13.

and:

ORDINANCE NO. 2126

(Item 28) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING CHAPTER 27, ARTICLE 1 TO DIVISION 2 OF THE TORRANCE MUNICIPAL CODE TO PROVIDE FOR THE REMITTANCE OF THE ALCOHOLIC BEVERAGE CONSUMPTION TAX AND REPEALING EMERGENCY ORDINANCE 2119.

and:

ORDINANCE NO. 2127

(Item 29) AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE ADDING PLANNING TECHNICIAN TO SECTION 17.31.2 OF PART III OF THE TORRANCE MUNICIPAL CODE GOVERNING EMPLOYMENT COMPENSATION PROVISIONS FOR EMPLOYEES REPRESENTED BY THE "ENGINEERS."

Councilman Uerkwitz moved for the adoption of Ordinances Nos. 2123, 2125, 2126, and 2127 (as listed above) at their second and final readings. His motion was seconded by Councilman Wilson and carried unanimously by roll call vote.

26. ORDINANCE NO. 2124 relating to Zone Change 69-22

Mr. Roger Muir, representing Landco Engineering expressed concern over subject zone change and he proceeded to describe the situation present. It was the unanimous decision of the Council to hold this item over one week so that Mr. Muir's question could be clarified.

NON-CONTROVERSIAL ITEMS:

30. EXPENDITURES OVER $300

A. BUDGETED

1. $2,452.88 to Mine Safety Appliance Company for six (6) replacement self-contained air breathing apparatus units requested by the Fire Department. This is a manufacture direct purchase.

2. $2,052.61 to Aldrich Supply Company for two (2) water line backflow preventers required by the Los Angeles County Health Department, requested by the Park Department. These units will replace the existing backflow preventers at Sea-Aire and El Nido Parks. The replacement of these units will allow these parks to continue to conform to the County Health Code.

3. $1,437.97 to Cash Electronics for a public address amplifier and control console and two (2) "Voice of the Theater" speaker systems, requested by the Recreation Department for use at various public events, programs and activities.

4. $987.48 to Motorola Communications and Electronics, Inc. for one (1) only motorola mobile radio unit complete with all cables and antennas as requested by the Street Department for communications with their cement crew. This is a manufacture direct purchase. Motorola does not sell through dealers.

5. $441.19 to Advance Soil Concepts c/o Richard D. Ketchell for one (1) 55 gallon drum of soil aerator requested by the Street Department for use in soil treatment of the Kettler Sump to improve its water absorption capability. This is the sole L. A. source for this proprietary product.

6. $581.89 to Gardena Hardware for 8000 feet of 3/8" nylon rope and 12,000 feet of 1/4" polypropylene rope as requested by the City Airport for use in Aircraft tie down and for "Airport Days" crowd control.

B. REIMBURSABLE ITEMS

7. $1,316.64 to Hersey Sparling Meter Company for three (3) only 2 inch Hersey Sparling Water Meters complete with check valves on main and intermediate flow lines with all bronze case requested by the Water Department. Two meters are for installation at the C. N. Cake Company and one (1) for Inland Pacific. Payment has been received for these services. Hersey Sparling sells direct and not through dealer.

C. SPECIAL - LIBRARY BOOKS

8. $691.12 to Needham Book Finders for 200 adult books.

9. $401.11 to Arco Publishing Company for 87 adult books.

10. $3,567.93 to Campbell & Hall, Inc. c/o Harry R. Wilson for 182 juvenile books and 431 adult books

31. AWARD OF ANNUAL CONTRACT for Recreation Park and Playground Supplies - Fiscal Year 1970-71

RECOMMENDATION OF FINANCE DIRECTOR:
To approve the following awards:

1. $1,072.09 including tax to Stationers Corp. for items #13-25, 36-40, 42, 43, 61, 76, 94-98 and 100 (Numbered items described in Council Agenda supplementary material)

2. $808.66 including tax to Leisure Craft for items #87-93, 99, 101-111.

3. $4,531.60 including tax to Torrance Desk for items #1-12, 26-35, 41, 45=57, 67-74, 79, 82 and 85.

4. $1,058.91 including tax to Pioneer Stationers for items #44, 59, 60, 62-66, 75, 77, 78, 80, 81 83, 86 and 112-118.

32. AWARD OF CONTRACT - Improvement of Crenshaw Boulevard from 235th Street to Pacific Coast Highway (B70-39) Job #66082

RECOMMENDATION OF CITY ENGINEER:
1. That the contract be awarded on the basis of Proposal I to Tomei Construction Co. and all other bids be rejected; and
2. That $55,000.00 be appropriated from Gas Tax Funds (State)

33. CLAIM of Pucci's Incorporated, dba, Wall Street West Restaurant refund of ABC (Tippler's) Tax

RECOMMENDATION OF CITY CLERK:
That said claim be denied and referred to the City Attorney.

34. CLAIM of Botello Enterprises for refund of ABC (Tippler's) Tax.

RECOMMENDATION OF CITY CLERK:
That said claim be denied and referred to the City Attorney.

35. CLAIM of the San Franciscan Restaurant for refund of ABC (Tippler's) Tax

RECOMMENDATION OF CITY CLERK:
That said claim be denied and referred to the City Attorney.

36. CLAIM of The Rendevous for refund of ABC (Tippler's) Tax.

RECOMMENDATION OF CITY CLERK:
That said claim be denied and referred to the City Attorney.

37. CLAIM of Verna Melough for property damages

RECOMMENDATION OF CITY CLERK:
That said claim be denied and referred to the City Attorney.

Councilman Uerkwitz moved to concur with the recommendations of Staff on Items 30, 31, 32, 33, 34, 35, 36 and 37. His motion was seconded by Mayor Miller and carried unanimously as is shown below:

AYES: Councilmen: Brewster, Johnson, Sciarrotta, Surber, Uerkwitz, Wilson and Mayor Miller
NOES: Councilmen: None

ORAL COMMUNICATIONS:

38. City Treasurer Rupert called the Council's attention to the fact that the Torrance Tournament of Roses Committee met yesterday, at which meeting he attended, representing Mayor Miller. One of the things discussed at the meeting was the fact that 1971 will be the 50th, or Golden Anniversary of the City and it is anticipated that this will be the theme in the 1971 Tournament of Roses Parade. The Committee asked that the Council support not one, but three entries this year in the Parade -- the Torrance Youth Band marching unit, the Torrance Mounted Police equestrian unit, and the City's float, and that the City Attorney be directed to prepare the necessary resolution urging the support of all three entries. Councilman Uerkwitz so MOVED. His motion was seconded by Councilman Wilson and the roll call vote was unanimously favorable.

39. A pleasant surprise to all was City Treasurer Rupert's announcement that the interest computed on investments for the year 1969-70 showed $541,000 plus received in interest earned, considerably over last year's estimate. What this means, he continued, is that the General Fund contribution, estimated at approximately $150,000 appears to be more like $250,000 and will be carried over into this fiscal year.

40. City Treasurer Rupert reported he would not be at the next City Council meeting in that he will be attending the Annual Seminar for the Municipal Treasurers' Association of the United States. Since he is the First Vice President of that organization, it is anticipated that he will be the new President of same and he therefore felt it incumbent upon him to attend that Seminar.

41. Representing Director of Recreation Van Belleham, Miss Edith Simpelaar, Senior Recreation Supervisor of that Department, announced a recent honor to the City occurred at the Ceramics Show held recently in Anaheim -- Torrance had 12 winners in all and 2 of these were top winners. The work of these winners is now on display at the Joslyn Center and she invited all interested to go there to see it. Miss Simpelaar then invited the Council and audience to the 15th Annual Aquacade and Carnival, also sponsored by the Recreation Department.

Councilman Wilson wondered if it would not be appropriate to pass a resolution honoring the two top winners in the aforementioned Ceramics Show -- the Council concurred and he so moved. Dr. Wilson's motion was seconded by Councilman Surber and carried unanimously.

42. Councilman Brewster noted with some pleasure that the Chamber of Commerce recently found a man who volunteered to be the Chairman of the Advisory Committee on Governmental Operations -- Mr. Neal Campbell, and he wondered if it would be necessary, to make it official, to amend the Resolution, No. 70-60? The group being a Chamber group rather than a City one, City Attorney Remelmeyer did not feel that would be necessary. Further, Mr. Remelmeyer pointed out that our Resolution merely commended said Committee and he felt that a letter of commendation to Mr. Campbell would suffice. City Manager Ferraro was directed by the Mayor to send such a letter.

43. With regard to the alternate financing proposals submitted by Director of Recreation Van Belleham on the Lago Seco Park game courts, Councilman Brewster inquired if any action was required on that matter. The answer to his question was affirmative and Councilman Uerkwitz then moved to accept Alternate No. 2 (lease expensive proposal) for the Lago Seco Park repair. The motion was seconded by Councilman Brewster and the roll call vote was unanimously favorable.

44. Councilman Brewster called attention to the Legislative Bulletin of the League of California Cities in which was discussed AB 2182 which he felt might concern our Civic Center Joint Venture Bond Issue. The article in the Bulletin urged this Council to resist said bill. City Manager Ferraro reported that a last minute change occurred last Friday in that a "grandfather clause" was added to subject bill which would preclude agencies that had already taken substantial action towards a joint powers agreement from being subject

to the other provisions contained therein. It was his opinion, since Torrance has already taken some action in this direction, that our particular Civic Center would be excluded from the provisions of AB 2182.

45. Councilman Brewster expressed concern over some of the driveways leading into our high speed arteries -- their design, etc. makes it difficult for entry and exit from a street such as Hawthorne Boulevard. He mentioned the new Love's Barbecue as an example and he felt this type of thing constituted a safety hazard. In response to his subsequent request for a report on this matter, City Manager Ferraro asked that 45-60 days be allotted for the preparation thereof.

46. In accordance with the Council's policy on expenses, Councilman Uerkwitz, noting that his activities with the South Bay Councilmen's Association (he has been elected President of that Association) had caused his expense account to run over, requested approval to go over his normally allotted expense account by $30.00 for the ensuing month. Mayor Miller moved to grant this request. His motion was seconded by Councilman Wilson and the roll call vote was unanimously favorable, with the exception of Councilman Uerkwitz who abstained.

47. Mayor Miller requested that the Charter Review Committee, of which Councilman Wilson is Chairman, consider during their deliberations, the two term limit for the Mayor's seat. He felt that local government should be a revolving thing into which new people should be attracted, and he believed such a step would be good for the City from a long range point of view.

48. Mr. Dick Hall, President of the Riveria Homeowners Association, residing at 4622 Paseo de las Tortugas, reported he had checked with the residents concerned as to the name change from Vista Montana to Anza -- the response received overwhelmingly indicated to allow the street to remain Vista Montana. No objections were registered in this regard and the Council unanimously approved that no name change be effected.

49. Mr. John Cervantes, 1813½ South Catalina, Redondo Beach, requested the Council to give their interpretation of the Parking Lot Ordinance for his clarification. He, in conjunction with two others, owns a lot adjacent to the Capitol Building on the southeast corner of Hawthorne and Lomita Boulevards, and since the Capitol Building has a problem in that they lack adequate parking facilities, Mr. Cervantes offered to accommodate the owners of that building, for certain considerations; they accepted, tentatively, and he subsequently entered into temporary arrangements to provide this parking until his property (Mr. Cervantes) is developed. At present, no buildings exist on the property, Mr. Cervantes stated and no definite plans to build appear imminent. His

reason for asking the Council's indulgence at this time was that the Parking Lot Ordinance states that parking lots shall be paved, landscaped, etc. according to the Code. Mr. Cervantes wondered if they interpreted this to mean "any" parking lots or just parking lots in connection with buildings. Since he and his co-owners did not know at this time what they would be doing with the property, but it appeared certain that it would be developed with something, they felt it would be a hardship to have to go to the expense of complying with the paving, landscaping, etc. regulations, particularly when their parking arrangement with the Capitol Building is to be a temporary affair.

City Attorney Remelmeyer further explained Mr. Cervantes' appearance at the Council -- it was not just a matter of relief from the Code, in his opinion, because if that were it, he could gone through the variance route by requesting a variance from the Planning Commission. The first part of the Off-street Parking Ordinance, which dates back to about 1965, was connected with a building permit, he continued, but, about 18 months ago, a new Ordinance was passed which further amended the Code to provide for new landscaping. He interpreted the amendment to mean that it applied to any parking lot regardless of whether it is in connection with a building permit or not; however, he was not certain that was what the Council intended. As to any differentiation between temporary and permanent parking lots in the Code -- this does not exist as he interpreted it.

Councilman Johnson suggested that this be considered a temporary situation and that the case be flagged in Planning and Building so the matter would have to come up for review each year to make certain that the property was, indeed, being used only temporarily as a parking lot. Senior Planner Hagaman pointed out that this was not the first request for a temporary parking lot and, in the past, the Department had been interpreting the Ordinance to mean that <u>all</u> parking lots, whether in connection with a building or not had to meet the Code requirements.

Councilman Wilson felt they should look at the intent of the Ordinance -- "why do we want landscaping?" It seemed to him that the intent was to beautify the City and he further believed that this matter should go through regular channels through the Planning Commission and then be brought back to the Council. When Mr. Cervantes indicated there was a time element involved here, City Attorney Remelmeyer suggested the short-cut variance route which would probably take 3-4 weeks rather than having the matter go through the Planning Commission and then back to Council.

Councilman Uerkwitz <u>MOVED</u> to refer this matter to the Planning Commission via the short-cut variance route, if the Chairman of that Commission sees fit to do so; otherwise, it will go through the regular variance procedure. His motion was seconded by Councilman Johnson and carried unanimously.

The City Attorney was then instructed to amend the Parking Lot Ordinance to provide for a differentiation between temporary and permanent parking lots.

The meeting was regularly adjourned at 10:27 PM.

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Vernon W. Coil

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

APPROVED BY:

Ken Miller

Mayor of the City of Torrance

Sandra Sedwarft
Minute Secretary

City Council
August 11, 1970