

January 23, 2007

**MINUTES OF AN ADJOURNED REGULAR
MEETING OF THE TORRANCE CITY COUNCIL**

1. CALL TO ORDER

The Torrance City Council convened in an adjourned regular session at 7:05 p.m. on Tuesday, January 23, 2007 in the City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Brewer, Drevno, McIntyre, Nowatka, Sutherland, Witkowsky, and Mayor Scotto.

Absent: None.

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

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Youth Council member Chelsea Brewer.

Pastor Milton Herring, Living Word Christian Church, gave the non-sectarian invocation.

**3. REPORT OF CITY CLERK ON POSTING OF THE AGENDA / MOTION TO
WAIVE FURTHER READING**

City Clerk Herbers reported that the agenda was posted on the Public Notice Board at 3031 Torrance Boulevard on Thursday, January 18, 2007.

MOTION: Councilmember Sutherland moved that after the City Clerk has read aloud the number and title to any resolution or ordinance on the meeting agenda, the further reading thereof shall be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Mayor Scotto asked the meeting be adjourned in memory of Irene Galaviz, a long-time staff member of the Community Services Department at the Bartlet Center.

Councilmember McIntyre announced a meeting of Finance and Governmental Operations Committee on Tuesday, February 6, at 5:30 p.m. in the City Council Chambers to discuss the 2nd quarter budget 2006-2007.

Councilmember Witkowsky announced that the February 27, 2007 City Council meeting would be held at the Wilson Park Gym and will include a community workshop on the coming City budget.

City Clerk Herbers invited staff and public to view the works of Torrance Artist Guild member Georgeann Robertson on display in the City Clerk's office through the end of January.

City Clerk Herbers announced that applications to fill two vacancies on the Airport Commission would be accepted in the City Clerk's office until 5:30 p.m. on January 31, with appointments to be made at the February 6 City Council meeting.

Public Works Director Beste noted that there had been an unprecedented number of water main breaks over the past month due to the cold weather and commended staff for their efforts to repair them.

Community Services Director Barnett announced the birth of granddaughter Lia Renae Mullin on January 23, 2007.

Mayor Scotto, with the concurrence of Council, requested that staff bring forward an item to discuss a timeline and application process to select committee members for review of the 1999 Strategic Plan.

Mayor Scotto noted that in the past, there had been a Youth in Government Day where community youth take on the roles of elected officials and department heads for a day. He asked that staff bring forward an item to establish a similar program to be held in April.

6. COMMUNITY MATTERS

6A. RESOLUTION NO. 2007-07 RE ART WIBLE

RESOLUTION NO. 2007-07

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING ART WIBLE UPON HIS RETIREMENT FROM THE DAILY BREEZE

MOTION: Councilmember McIntyre moved for the adoption of Resolution No. 2007-07. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

Mayor Scotto presented the resolution to Art Wible, who accepted with appreciation.

6B. RESOLUTION NO. 2007-08 RE POLICE SERGEANT RONALD TRABER

RESOLUTION NO. 2007-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING POLICE SERGEANT RONALD EUGENE TRABER UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-NINE YEARS OF SERVICE.

MOTION: Councilmember McIntyre moved for the adoption of Resolution No. 2007-08. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

Mayor Scotto presented the resolution to Sergeant Traber, who accepted with appreciation.

Police Chief Neu, Mayor Scotto, and each councilmember commended Sergeant Traber for his commitment and dedication to the citizens of Torrance and wished him well in his retirement.

6C. RESOLUTION NO. 2007-09 RE GARRY KIM FORCE

RESOLUTION NO. 2007-09

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING GARRY KIM FORCE UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-THREE YEARS OF SERVICE.

MOTION: Councilmember McIntyre moved for the adoption of Resolution No. 2007-09. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

To be presented at a later date.

6D. PROCLAMATION RE “GO RED FOR WOMEN DAY”

Mayor Scotto presented a proclamation declaring February 2, 2007 as **Go Red for Women Day** in the City of Torrance, to Dr. Matthew Budoff, American Heart Association Board member. Dr. Budoff encouraged everyone to wear red on February 2 to help raise awareness about cardiovascular disease in women as it is a leading cause of death.

7. ORAL COMMUNICATIONS #1

7A. Gail Morgan, Torrance High School Alumni Association president, announced that a celebration of Louis Zamperini’s 90th Birthday would be held Saturday, January 27, at Torrance High School.

8. CONSENT CALENDAR

8A. APPROVAL OF MINUTES – OCTOBER 24 AND NOVEMBER 14, 2006

8B. ACCEPTANCE/ APPROPRIATION OF FRIENDS OF TORRANCE LIBRARY GRANT
Considered separately, see page 4.

8C. YOUTH COUNCIL 2005-2006 ANNUAL REPORT

Recommendation

The **Community Services Director** recommends that City Council accept and file the 2005-2006 Youth Council Annual Report for October 2005 through June 2006.

8D. AGREEMENT RE FIRE DEPARTMENT EMERGENCY MEDICAL SERVICES

Recommendation

The **Fire Chief** recommends that City Council approve a consulting services agreement with Laurie Lee-Brown (“Consultant”), from January 23, 2007 to June 30, 2007, in an amount not to exceed \$42,780 for provision of Quality Improvement expertise to the Fire Department Emergency Medical Services Program.

8E. PURCHASE AGREEMENTS RE XEROGRAPHIC AND SPECIALTY OFFICE PAPER

Recommendation

The **General Services Director** recommends that City Council:

- 1) Award a purchasing agreement to Spicers Paper, Inc. of Santa Fe Springs, CA, in an amount not to exceed \$76,200 for xerographic paper as a cooperative purchase with the County of Los Angeles (Agreement #42580); and
- 2) Award a purchasing agreement to Northwest Paper of La Mirada, CA in an amount not to exceed \$26,200 for specialty office paper with the term from January 24, 2007 through January 23, 2008 (B2006-45).

8F. EXPERIMENTAL AIRCRAFT ASSOCIATION (EAA) B-17 EXHIBIT

Recommendation

The **General Services Director** and the **Airport Commission** recommend that City Council:

- 1) Approve the Experimental Aircraft Association (EAA) display of their B-17 Bomber at the Torrance Municipal Airport Zamperini Field on April 11-16, 2007;
- 2) Designate the EAA's event as a special exhibit under Section 46.8.10 of the Torrance Municipal Code which exempts such events from aircraft noise regulations;
- 3) Allow the EAA to conduct flights for hire subject to FAA guidelines; and
- 4) Approve funding for this event in the amount of \$5,589.39

8G. APPROPRIATION / ALLOCATION OF FUNDS FOR TACTICAL BALLISTIC VESTS

Recommendation

The **Chief of Police** recommends that City Council appropriate and allocate Asset Forfeiture funds and authorize a purchase order to Aardvark Tactical, Inc., of Azusa, CA, for tactical ballistic vests (FEAP #633) for Vice and Narcotics Division in the amount of \$25,710.46.

8H. APPROPRIATION / ALLOCATION OF FUNDS FOR PORTABLE THROW PHONE

Recommendation

The **Chief of Police** recommends that Council appropriate and allocate Asset Forfeiture funds and authorize a purchase order to Enforcement Technology Group Inc., of Milwaukee, WI, in the amount of \$25,438.74 for the purchase of a portable throw phone (FEAP #632).

MOTION: Councilmember Drevno moved for the approval of Consent Calendar Items 8A and 8C through 8H. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote.

Consent Calendar Item 8B was considered separately at this time.

8B. ACCEPTANCE/ APPROPRIATION OF FRIENDS OF TORRANCE LIBRARY GRANT

Recommendation

The **Community Services Director** recommends that City Council accept and appropriate a grant from the Friends of the Torrance Library in an amount not to exceed \$17,682.58 for the purchase of two (2) Canon MS-300 digital microfilm/fiche reader-printer scanners and two (2) PC work stations for the Katy Geissert Civic Center Library (FEAP #634).

Library Services Manager Reeder reported that the grant will be used to replace outdated equipment at the Katy Geissert Civic Center Library and thanked the Friends of the Torrance Library for their generous donation.

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

11. PUBLIC SAFETY

11A. ACCEPTANCE/ APPROPRIATION OF 2005 BUFFER ZONE PROTECTION PLAN GRANT

Recommendation

The **Chief of Police** recommends that City Council:

- 1) Authorize the acceptance of the 2005 Buffer Zone Protection Plan grant in the amount of \$24,884; and
- 2) Appropriate and allocate grant funds in the amount of \$24,884 for the purchase of equipment authorized under the grant.

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

12. ADMINISTRATIVE MATTERS

12A. EXPLORATION OF PURCHASE OF PROPERTY AT 465 CRENSHAW BLVD.

Recommendation

The **City Manager** recommends that City Council authorize staff to contact the broker for a parcel listed for sale at 465 Crenshaw Boulevard to explore acquisition of a portion for a transit center, and analyze the residual portion for compatible uses.

Assistant City Manager Giordano advised that staff was seeking authorization to explore the feasibility of locating a transit center at 465 Crenshaw Boulevard and that staff will return to the Council with a request to hire consultants for a more detailed analysis if a preliminary review indicates that this is a viable option.

Charles M. Deemer, Torrance, expressed concerns that this parcel is somewhat isolated and suggested that a location closer to Del Amo Fashion Center might be more suitable.

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

12B. COUNCIL COMPENSATION AND CHARTER STUDY COMMITTEE

Recommendation

The **City Manager** recommends that City Council consider establishing a Council Compensation and Charter Study Committee to explore amending the City Charter to update City Council compensation, benefits, and certain Charter language and appropriate \$5,000 from the Program Contingency Reserve. The City Manager also recommends that City Council adopt a Resolution creating a Council Compensation and Charter Study Committee for a fixed term and providing for the appointment of its members and its power and duties. It is further recommended that City Council set February 6, 2007 as the date the Committee members be appointed.

Mayor Scotto noted that it would not be a full study of the charter but limited in scope with an item to be returned to the Council at the February 6 meeting for approval of the parameters.

Newt Young, Torrance, voiced objections to increasing City Council compensation, noting that there has been no shortage of qualified people willing to serve on the Council despite the meager pay.

Mayor Scotto explained that the proposed resolution simply establishes a committee to study the compensation issue and make recommendations.

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

RESOLUTION NO. 2007-10

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE CREATING A COUNCIL COMPENSATION AND CHARTER STUDY COMMITTEE TO EXPLORE AMENDING THE CITY CHARTER TO UPDATE THE CITY COUNCIL COMPENSATION, BENEFITS, AND CERTAIN CHARTER LANGUAGE, AND PROVIDING FOR THE APPOINTMENT OF ITS MEMBERS AND ITS POWER AND DUTIES

MOTION: Councilmember McIntyre moved for the adoption of Resolution No. 2007-09. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote.

Councilmember Nowatka, with the concurrence of Council, requested that staff bring forward an item at the February 6 meeting to expand the scope of the committee to include the following:

- Changing the City Clerk position from elected to appointed.
- Changing the City Treasurer position from elected to appointed.
- Extending the term limits for the City Council.
- Moving the date of the City election.

12C. TAXICAB FRANCHISE AGREEMENT EXTENSION

Recommendation

The **Finance Director** recommends that City Council approve the first year option to extend the taxi franchise agreement with the following taxicab companies: All Yellow Taxicab, Bell Cab, South Bay Yellow Cab, and United Checker.

Assistant Finance Director Flewellyn reported that the four taxicab companies are in compliance with all aspects of the taxi franchise agreement, therefore, staff was recommending that the Council approve the first of two one-year options to extend the agreement.

In response to Councilmember Witkowsky's inquiry, Transit Director Turner confirmed that the taxicab companies have addressed issues involving service to participants in the Torrance Senior Ride Program.

Transit Operations Manager Mills reported that a phone number for complaints has been posted on the back seat of each taxicab and included with ticket orders for the Senior Ride Program; that taxicab companies must submit copies of sensitivity training instructional materials; that complaints have been reduced to fewer than five a month; and that there is a \$1,000 fine for any company that receives more than five verifiable complaints in one month.

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

12D. TORRANCE SENIOR TAXI PROGRAM AGREEMENT EXTENSION

Recommendation

The **Transit Director** recommends that City Council exercise the option to extend for a one year term:

- 1) A contract services agreement with the Administrative Services Co-Op, d.b.a. South Bay Yellow Cab and United Checker Cab Co-Op to provide service for the Torrance Senior Taxi Program;
- 2) A contract services agreement with the All Yellow Taxi, Inc. to provide service for the Torrance Senior Taxi Program; and
- 3) A contract services agreement with the Bell Cab Company to provide service for the Torrance Senior Taxi Program.

The recommended term is January 26, 2007 to January 26, 2008, to coincide with the Taxi Franchise Agreement, at a cost not to exceed an aggregate total of \$700,000 per annum for all three contracts.

In response to Councilmember Sutherland's inquiry, Transit Operations Manager Mills provided clarification regarding qualifying income levels for program participants.

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

12E. TORRANCE DIAL-A-TAXI PROGRAM AGREEMENT EXTENSION

Recommendation

The **Transit Director** recommends that City Council exercise the option to extend for a one year term:

- 1) A contract services agreement with the Administrative Services Co-Op, d.b.a. South Bay Yellow Cab and United Checker Cab Co-Op to provide service for the Torrance Dial-A-Taxi Program;
- 2) A contract services agreement with the All Yellow Taxi, Inc. to provide service for the Torrance Dial-A-Taxi Program; and
- 3) A contract services agreement with the Bell Cab Company to provide service for the Torrance Dial-A-Taxi Program.

The recommended term is January 26, 2007 to January 26, 2008, to coincide with the Taxi Franchise Agreement, at a cost not to exceed an aggregate total of \$400,000 per annum for all three contracts.

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

The City Council recessed from 8:25 p.m. to 8:45 p.m.

13. HEARINGS

13A. CITIZENS OPTIONS FOR PUBLIC SAFETY (COPS) GRANT FUNDING

Recommendation

The **Chief of Police** recommends that Council:

- 1) Convene a public hearing concerning Assembly Bill 3229, the 2006 Citizens Options for Public Safety (COPS) grant funding;
- 2) Receive input from staff on programs of interest to the Chief of Police and Council as well as the public on the use of the grant funds; and
- 3) At the close of the hearing, appropriate and allocate \$286,326 and any interest to the recommended projects.

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

Business Manager Anderson reviewed the recommendation to appropriate and allocate the 2006 Citizens Option for Public Safety (COPS) grant funding of \$286,326 for the following projects: Police Officer Recruitment \$20,000, Recruitment Incentives \$10,000, Secondary Weapons \$60,000, Victim Assistance \$50,000, Dispute Resolution \$15,000, Staff Assistant \$75,000, and Cadet Program \$56,326.

As no one from the public came forward to speak, the public hearing was closed.

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

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

13B. PRE06-00025, WAV06-00016 AT 149 VIA LA SOLEDAD

Recommendation

The **Planning Commission and Community Development Director** recommend that City Council deny the appeal and take the following action on property located in the Hillside Overlay District in the R-1 zone at 149 Via la Soledad:

- 1) Adopt a Resolution approving a Precise Plan of Development to allow construction of a new one-story single family residence with a semi-subterranean garage; and
- 2) Adopt a Resolution approving a Waiver of the side yard setback requirement.

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

With the aid of slides, Planning Manager Lodan briefly reviewed the proposed project and shared photographs of the silhouette from the appellant's (525 Via Los Miradores) perspective. He reported that the Planning Commission approved the project on September 20, 2006 by a vote of 5-1 with an additional one-foot reduction in height.

In response to Mayor Scotto's inquiry, Guy Ruckdaschel, 149 Via la Soledad, applicant, confirmed that he had reviewed all the information submitted by the appellant and was prepared to proceed with the hearing.

Olympia Greer, project architect, noted that she has modified the project four times to address concerns of neighbors. She explained that since the Planning Commission approved the project, she has modified the main ridgeline to achieve a 1' 7 $\frac{3}{4}$ " height reduction and that secondary ridgelines were also lowered by 1 foot. She contended that the project would not obstruct the appellant's view because the ridgeline is at the same level as his finished floor level. She reported that the appellant's home does not comply with setback requirements and encroaches on her clients' property.

Mr. Ruckdaschel explained that the existing home on the subject property has been in his family for 50 years; that it has fallen into disrepair; and that he would like to build a new home to accommodate an extended family, which will include his 90-year old mother. He reported that he kept his neighbors informed throughout the planning process and that he believes the low profile design – a single-story over a semi-subterranean garage and a ridgeline that is no higher than the existing roof – complies with the guidelines in the Hillside Overlay Ordinance. He disputed the claim that the proposed home is a mansion, noting that the project's floor area ratio (FAR) is well below the maximum allowed. He reported on efforts to address the appellant's concerns, including modifying and lowering the ridgeline several times. He pointed out that people who signed the petition opposed to the project are not affected by it.

Mayor Scotto asked if the ridge height could be lowered further by reducing the pitch of the roof. Ms. Greer advised that the pitch is at the minimum for a tile roof except for the tower element, which could be reduced an additional 6 inches, however, she saw no advantage to doing so because it does not obstruct anyone's view.

Councilmember Witkowsky reported that she observed that the tower element could obstruct the view of homes along the coast from the appellant's house. Ms. Greer indicated that she could achieve a 12-inch height reduction by reducing the plate height 6 inches along with the 6 inches from the pitch of the roof, without compromising the design.

Councilmember McIntyre expressed concerns about the mass of the roof when viewed from the appellant's home. Ms. Greer stated that she had done everything possible to minimize the height and mass of the roof and noted that the impacted view is from a structure that violates setback requirements. She suggested that a reasonable standard for protecting views was two feet away from a window and voiced her opinion that it was unreasonable to expect views to be protected from a seated position several feet away.

Michael Lampasi, 525 Via los Miradores, appellant, stated that he objects to the project because it would obstruct the "sit-down" view from his living room and dining room, which are original views. He reported that there are only two other two-story homes on Via la Soledad in the immediate area and they were built before 1977 and inspired the Hillside Overlay Ordinance. He reported that he invited 60 neighbors from within the notification area to view the project from his home and 57 of them agreed that the proposed project obstructs his view. He maintained that the project violates the Hillside Ordinance because there is a feasible alternative that would preserve his view, which is lowering the house 4½ feet into the ground at a cost of \$158,000. He contended that the project would cause his home to be reduced in value by approximately \$150,000 due to the large premium paid for "big view" homes.

Councilmember Nowatka noted that he viewed the project from Mr. Lampasi's home and questioned why he was characterizing the project as a two-story home when the ridge height is the same as the existing one-story home.

Mr. Lampasi responded that measuring from the floor of the semi-subterranean garage to the ridge of the roof, the project is 26 feet in height, which is only 1 foot under the maximum for a two-story home, and contended that the scale of the project was completely out of harmony with the neighborhood.

Councilmember Sutherland pointed out that lowering the proposed structure 4½ feet into the ground would actually improve Mr. Lampasi's view and questioned whether there would be any view impact if Mr. Lampasi's home did not encroach on the applicant's property.

Mr. Lampasi stated that according to his legal counsel, the Ruckdaschels have lost their right to the land in question due to the time that has passed since the encroachment and explained that the impacted views from the living room and dining room are original views.

Noting that he also visited the appellant's home, Councilmember Brewer pointed out that Mr. Lampasi's objections would be the same if the applicant expanded the existing single-story home without adding the semi-subterranean garage.

Mr. Lampasi voiced objections to the applicant's acquiring a view at his expense.

David Babros, certified real estate appraiser, estimated that the proposed project would decrease the value of Mr. Lampasi's home by \$150,000 to \$200,000 because it would result in a 20-30% loss of his 120 degree unobstructed view.

Councilmember Brewer noted that Mr. Lampasi's view is not unobstructed because there is a rooftop in the middle of it and asked how views are judged from an appraiser's perspective.

Mr. Babros explained that when appraising a home, he typically considers views only from living areas and when standing up.

Todd Shwayder, Manhattan Beach, architectural designer, stated that there are alternative designs that could lessen the impact on Mr. Lampasi's home, but there appears to have been a lack of communication between the two parties.

Sandra Ruckdaschel, applicant, stated that communication with Mr. Lampasi has been very difficult because he has been hostile to her and her husband from the beginning. She contended that they had done everything possible to address his concerns short of allowing him to design their home and voiced her opinion that they should not be required to make any more compromises.

Noting that he viewed the silhouette from Mr. Lampasi's home, Richard Keeley (no address given/no speaker card) stated that he believes the impact is related to the proximity of the roof rather than obstruction of view and he personally feels that the new tile roof would be more pleasing to overlook than the existing composition shingle roof.

Monte McElroy, 108 Via Mesa Grande, urged denial of the project, maintaining that it does not comply with the Hillside Overlay Ordinance because it is too large and out of harmony with the neighborhood. She noted that she was involved in the drafting of the Hillside Overlay Ordinance and suggested that people should work with their neighbors to arrive at a project that is acceptable to all.

Councilmember Brewer noted that the project has an FAR of .44, which is well under the maximum allowed. Ms. McElroy stated that her concern is that the new structure covers the entire flat area of the lot, leaving no yard.

Richard Wright, 376 Paseo de Gracia, noted that he is the contractor who erected the silhouette at 149 Via la Soledad and stated that he has never been associated with a project that has undergone so many revisions. He voiced his opinion that the impact on the appellant's view is minimal and the project should be approved as submitted.

Daniel Hovenstine, 425 Via la Selva, voiced support for the project, stating that the view loss would be limited to the rooftops of other homes and that was not the type of view the Hillside Ordinance was intended to protect.

Pamela Maran, president of Riviera Homeowners Association, urged the Council to be cautious when approving Waivers of the Hillside Overlay Ordinance because the exception could become the rule. She stated that property owners should not be allowed to improve the value of their homes by acquiring a view at their neighbors' expense.

Mayor Scotto clarified that the proposed Waiver would allow the retention of the existing side yard setback and the applicant was not seeking a Waiver of any Hillside Ordinance requirements.

Suzan Vida Konell, 206 Via la Soledad, voiced her opinion that the proposed project violates the Hillside Ordinance because it was not designed to have the least intrusion on the views of neighboring properties. She reported that she visited Mr. Lampasi's home and observed that the project would adversely impact his ocean and city-light view and suggested that this hearing could have been avoided if the applicants had worked with neighbors and addressed their concerns.

Sam Wiley, 202 Via la Soledad, stated that he believed the Planning Commission erred in approving this project because it would adversely impact Mr. Lampasi's view. He noted that while the project does not exceed the height of the peak of the current ridgeline, it would extend the ridgeline thereby obstructing Mr. Lampasi's view.

David Shaw (no address given/ no speaker card) expressed concerns that the Hillside Overlay Ordinance has pitted neighbors against neighbors and voiced his opinion that these issues would be better resolved if the affected parties worked together without government intervention.

Blake Olbrecht, 202 Via Pasqual, stated that he observed that the proposed project would have an adverse impact on Mr. Lampasi's view and expressed the hope that the two neighbors could work together to find a solution to this problem, which is what he did when a neighbor's addition threatened his view.

Warren Goodman, 201 Via la Soledad, noted that the Hillside Ordinance requires that a project be designed to cause the least intrusion on neighboring properties and expressed concerns that this was being misinterpreted to mean that a project should have absolutely no impact.

Ms. Greer wanted to clarify that her clients were not obtaining a view as their finished floor level would remain the same.

Mayor Scotto asked about the possibility of reducing the height of the project 1 foot by lowering the grade.

Ms. Greer explained that she intends to use the existing raised foundation and lowering the project 1 foot would require an additional 18 inches for the raised foundation, which would involve considerable grading and the building of retaining walls, which would be an economic hardship.

Councilmember Witkowsky indicated that she favored lowering the tower element by reducing the roof pitch and the plate height as Ms. Greer proposed.

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

Councilmember Sutherland voiced support for the project, noting that this property has been in the applicant's family for 50 years and it is not a case of a real estate speculator trying to make a quick profit. He reported that he visited Mr. Lampasi's home and while he observed some view impact, the impact was slight and expressed disappointment that these two neighbors were not able to resolve this situation on their own.

Councilmember Brewer stated that he doubted that the existing residence could be expanded on one level due to the unique bowl-shaped lot; noted that the proposed project at .44 is well within the maximum FAR allowed; and related his belief that it was not the Council's role to redesign a project, but rather to approve or deny the one presented. He reported that he did observe some view impact when seated on a sofa in Mr. Lampasi's living room, however, he felt there was some merit to the argument that there should be a reasonable standard, i.e. only views from a standing position within a few feet of a window should be considered protected.

Mayor Scotto noted that he lives in the Hillside Overlay area and understands how important views are in terms of property value and would never support a project that would devalue someone's home. He stated that he did not observe a significant view impact in this case; that he thought the proposed project was reasonable; and that he was saddened by the discord it has caused in this neighborhood.

Councilmember Drevno voiced support for the project, noting that she visited the site and thoroughly reviewed all the material submitted.

Councilmember Nowatka also indicated that he would support the project, noting his agreement with Councilmember Brewer's remarks that it was not the Council's role to redesign the project.

Councilmember McIntyre commented on the inordinate amount of time the Council has spent on this case, visiting the site and reviewing the enormous amount of paperwork, and expressed dismay that these neighbors were not able to resolve this matter on their own. She stated that she believed there would be an impact on the view for which Mr. Lampasi paid a premium and continues to pay in the form of property taxes, citing Mr. Babros' estimate of up to \$200,000 loss of value.

Councilmember Brewer stated that he believed the applicants had made a genuine effort to address Mr. Lampasi's concerns and indicated that he would also support the project.

MOTION: Councilmember Brewer moved to deny the appeal and approve PRE06-00025 and WAV06-00016, adding a condition that the tower element be reduced in height by 12 inches. The motion was seconded by Councilmember Witkowsky and passed by a 6-1 roll call vote, with Councilmember McIntyre dissenting.

RESOLUTION NO. 2007-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE MUNICIPAL CODE TO ALLOW CONSTRUCTION OF A ONE-STORY SINGLE-FAMILY RESIDENCE WITH A SEMI-SUBTERRANEAN GARAGE, IN CONJUNCTION WITH A WAIVER OF THE SIDE YARD SETBACK REQUIREMENTS, ON PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 149 VIA LA SOLEDAD

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2007-11, as modified. The motion was seconded by Councilmember Nowatka and passed by a 6-1 roll call vote, with Councilmember McIntyre dissenting.

RESOLUTION NO. 2007-12

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A WAIVER AS PROVIDED FOR IN DIVISION 9, CHAPTER 4, ARTICLE 2 OF THE TORRANCE MUNICIPAL CODE TO ALLOW LESS THAN THE REQUIRED SIDE YARD SETBACK, IN CONJUNCTION WITH A PRECISE PLAN OF DEVELOPMENT TO ALLOW FIRST-STORY AND SEMI-SUBTERRANEAN GARAGE ADDITIONS TO AN EXISTING SINGLE FAMILY RESIDENCE, IN PROPERTY LOCATED IN THE HILLSIDE OVERLAY DISTRICT IN THE R-1 ZONE AT 149 VIA LA SOLEDAD

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2007-12. The motion was seconded by Councilmember Nowatka and passed by a 6-1 roll call vote, with Councilmember McIntyre dissenting.

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The Council met as the Redevelopment Agency from 10:50 p.m. to 10:53 p.m.

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17. ORAL COMMUNICATIONS

17A. Councilmember Drevno, with the concurrence of Council, requested that staff bring forward an item at the next joint City Council/Torrance Unified School District committee meeting regarding modifications to the entranceway of South High School from Calle Mayor, including costs and possible sources of funding.

17B. Councilmember Sutherland noted his attendance at a conference in Sacramento on how to be an effective councilmember.

17C. Councilmember Sutherland reported that the following Torrance Firefighters are listed on a Sacramento Firefighter Memorial: Joe Bowen, John Vosper, Jack McCarter, and John Hill.

17D. Councilmember Witkowsky shared information from the West Vector Control report, noting that there were a total of 149 deaths nationally from the West Nile virus, with 6 being in California. She also noted that there were seven African honey bee service requests in the City of Torrance for the month of December 2006.

17E. Councilmember Witkowsky announced that a Grow Your Own Antioxidants seminar would be held at the Katy Geissert Civic Center Library on Saturday, January 27.

17F. Mayor Scotto read the following quote from the agenda: "Faith is taking the first step even when you don't see the whole staircase." Martin Luther King Jr.

17G. Don Barnard, Save Historic Old Torrance, thanked the City for their support and announced the February 8th meeting featuring a video on the history of Torrance.

18. EXECUTIVE SESSION

None.

19. ADJOURNMENT

At 11:00 p.m., the meeting was adjourned to Tuesday, February 6, 2007, at 7:00 p.m. in the Council Chambers. Tuesday, January 30, 2007 will be a Council dark night.

Attest:

/s/ Sue Herbers

Sue Herbers,
City Clerk of the City of Torrance

/s/ Frank Scotto

Mayor of the City of Torrance

Approved on March 20, 2007