

**MINUTES OF A REGULAR MEETING
OF THE TORRANCE CITY COUNCIL**

1. CALL TO ORDER

The Torrance City Council convened in a regular meeting at 6:30 p.m. on Tuesday, December 11, 2001, in Council Chambers.

ROLL CALL

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

Absent: None.

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

16. EXECUTIVE SESSION

The Council immediately recessed to closed session to confer with the City Manager and the City Attorney on the agenda matter listed under 16.a) Conference with Legal Counsel – Anticipated Litigation and 16.b) Real Property – Conference with Real Property Negotiator pursuant to California Government Code Sections 54956.9 (b) 1 and 54956.8.

The Council reconvened at 7:00 p.m.

Assistant City Attorney Pohl announced that in closed session the City Council had voted by a 7-0 vote to add Amicus Support to Bonanno v. Central Contra Costa County Transit Authority, California Court of Appeal, First Appellate District, Case No. A087846, a case regarding what constitutes the legal definition of a dangerous condition that would impose liability on cities.

2. FLAG SALUTE/INVOCATION

The Pledge of Allegiance was led by Councilmember Nowatka.

The invocation was given by Alfred Hernandez, Nativity Catholic Church.

3. AFFIDAVIT OF POSTING/WAIVE FURTHER READING

MOTION: Councilmember Cribbs moved to accept and file the report of the City Clerk on the posting of the agenda for this meeting. The motion was seconded by Councilmember Nowatka and hearing no objection, Mayor Hardison so ordered.

MOTION: Councilmember Cribbs moved that after the City Clerk has read aloud the number and title to any resolution or ordinance on the meeting agenda, the further reading thereof shall be waived, reserving and guaranteeing to each Councilmember the right to demand the reading of any such resolution or ordinance in regular order. The motion was seconded by Councilmember Nowatka and hearing no objection, Mayor Hardison so ordered

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. **COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS**

City Clerk Herbers announced that applications for various advisory commissions were being accepted with appointments to be made at the January 15, 2002 City Council meeting and that there are vacancies on the Civil Service, Cultural Arts, Library, Parks & Recreation, Planning, and Traffic Commissions.

6. **COMMUNITY MATTERS**

6a. **RESOLUTION NO. 2001-153 RE ROCCO ANTHONY DOTI**

RESOLUTION 2001-153

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE HONORING ROCCO ANTHONY DOTI UPON HIS RETIREMENT FROM THE CITY AFTER THIRTY-THREE YEARS OF SERVICE.

MOTION: Councilmember Messerlian moved to adopt Resolution No. 2001-153. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

To be presented at a later date.

7. **CONSENT CALENDAR**

Councilmember Cribbs asked that item 7f be pulled for separate consideration.

7a. **INCREASE TO ANNUAL PURCHASE ORDER 73 RE DELL COMPUTER CORPORATION OF ROUND ROCK, TX**

Recommendation

Recommendation of the Information Technology Director that City Council authorize an appropriation of \$145,000 from the General Fund PC Replacement and increase annual Purchase Order 73 by \$185,000 for the purchase of new and replacement computer servers and laptops over a period of one year (July 1, 2001 - June 30, 2002) to Dell Computer Corporation of Round Rock, TX.

7b. **STATE DOMESTIC PREPAREDNESS EQUIPMENT GRANT**

Recommendation

Recommendation of the Fire Chief that City Council authorize the acceptance and the appropriation of the State Domestic Preparedness Equipment grant in the amount of \$36,100. Funds granted will be used to purchase specialized equipment needed to adequately prepare the City of Torrance to deal with terrorist threats.

7c. **TRANE SUMMIT ENERGY BUILDING MANAGEMENT SYSTEM**

Recommendation

Recommendation of the General Services Director that City Council:

1. Award a contract to The Trane Company for the Trane Summit Energy Building Management System at the Police Department for \$24,135; and
2. Approve a 10% project management fee of \$2,413.50.

7d. CONSULTING SERVICES AGREEMENT RE DEEMS LEWIS MCKINLEY

Recommendation

Recommendation of the City Librarian that City Council approve a consulting services agreement in the amount of \$63,000 with Deems Lewis McKinley, architect, to serve as the building consultant for the Library Department's application for Proposition 14 grant funds for the remodel and expansion of the North Torrance and Henderson branch libraries.

7e. FRIENDS OF THE TORRANCE LIBRARY DONATION

Recommendation

Recommendation of the City Librarian that City Council accept and appropriate a donation recently made to the Library from the Friends of the Torrance Library for supplies for the Youth Services Division.

7f. SELF-INSURANCE FUND APPROPRIATION

Recommendation

Recommendation of the Human Resources Director that City Council approve the appropriation of \$437,009 from the Self-Insurance Fund to departments to reward their employees for having achieved savings in liability and/or workers' compensation costs.

7g. PURCHASE ORDERS RE CCS PRESENTATION SYSTEM, LOS ANGELES, CA

Recommendation

Recommendation of the Chief of Police that City Council authorize three purchase orders for a combined not to exceed amount of \$24,649.60 to CCS Presentation System, Los Angeles, CA for the installation and integration of multimedia equipment, and for the purchase of one additional projector and replacement projector bulbs in the Communications Center at the Police Department.

MOTION: Councilmember Witkowsky moved to approve Consent Calendar items 7a through 7e and item 7g. Councilmember Walker seconded the motion and a roll call vote reflected unanimous approval.

Item 7f was considered at this time.

7f. SELF-INSURANCE FUND APPROPRIATION

Recommendation

Recommendation of the Human Resources Director that City Council approve the appropriation of \$437,009 from the Self-Insurance Fund to departments to reward their employees for having achieved savings in liability and/or workers' compensation costs.

Councilmember Cribbs stated that the point of the program was to reward departments that bring down workers' compensation and liability claims and expressed concern that a department could have a poor workers' compensation record but have a passable liability record. She indicated that the two were connected and suggested combining the liabilities.

Councilmember Cribbs proposed an evaluation of the program to assess how it is working and investigate whether it needs to be re-thought. She questioned whether

certain areas were being set too low or too high and suggested evaluating by department each year which would give an indication of the number of claims.

City Manager Jackson agreed to bring back information on the item noting that there was a limitation on what could be done in the area of workers' compensation.

Councilmember Scotto commented that concerns should have been addressed before the fact rather than 6 months after the program has been enacted. He noted that the \$500 cap per employee was instituted after the program started which unfairly penalized high-risk departments and felt that employees should be rewarded with the original plan. Councilmember Scotto felt it was foolish to penalize employees for doing a good job. He noted that the City Attorney, Treasurer, Civil Service and Planning Department were affected. and Councilmember Scotto indicated he was not in favor of City Manager Jackson's suggestion to redistribute the funds among the departments or take funds out of the savings brought forward to the general fund as a whole and proposed disbursing the money equally to all affected departments.

City Manager Jackson suggested taking money from the General Fund and Finance Director Tsao noted that if they chose that method that \$9,187 should be added to the motion.

Mayor Hardison stated that she did not want to see the money reapportioned and taken from other departments. She suggested holding the money and investigating how it apportioned out, noting that some departments use their money generally for the department, some use it more individually with others putting some money towards the Sunshine Fund.

MOTION: Councilmember Scotto moved to concur with the staff recommendation with an additional \$9187 appropriated for the program. Councilmember Witkowsky seconded the motion and a roll call vote reflected unanimous approval.

11. **ADMINISTRATIVE MATTERS**

11a. **CONTINUED STATE OF EMERGENCY FOR CAROLWOOD DRIVE AND SINGINGWOOD DRIVE**

Recommendation of the City Manager and City Attorney that City Council continue the state of local emergency proclaimed March 2, 2001 for properties located on Carolwood Drive and Singingwood Drive.

Building and Safety Manager Isomoto reported that the Street Department had completed putting plastic on the entire slope and the official notification of the 8 homeowners by hand delivery or certified mail.

In response to concerns raised by Councilmember Witkowsky, Building and Safety Manager Isomoto explained that 8 additional homes were determined to have additional risk this winter and those residents are on 24-hour notice.

MOTION: Councilmember Messerlian moved to continue the state of local emergency, proclaimed March 2, 2001 for properties located on Carolwood Drive and Singingwood Drive. Councilmember Nowatka seconded the motion and, hearing no objection, Mayor Hardison so ordered.

11b. AMENDMENT TO PAY RESOLUTION NO. 2001-155 FOR CERTAIN FULL TIME SALARIED AND HOURLY EMPLOYEES

Recommendation of the Human Resources Director and the Parks and Recreation Director that City Council approve a new job description for Program Coordinator and adopt an amendment to the pay resolution for Certain Full Time Salaried and Hourly Employees to implement the recommended salary range.

Human Resources Analyst Gradillas presented the material of record noting that a new job description was needed to more accurately describe the job. Mayor Hardison observed that the job had been approved and the job description was just coming forward now.

RESOLUTION 2001-155

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2001-109 SETTING FORTH CHANGES REGARDING THE HOURS, WAGES, AND WORKING CONDITIONS FOR CERTAIN FULL TIME SALARIED EMPLOYEES.

MOTION: Councilmember Messerlian moved to adopt Resolution No. 2001-155. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

11c. ORDINANCE NO. 3508 RE VETERAN'S PREFERENCE POINTS

Recommendation of the Civil Service Administrator and the Civil Service Commission that City Council adopt an Ordinance amending the Torrance Municipal Code defining a veteran for the purpose of granting Veterans' Preference Points on Civil Service employment examinations.

Civil Service Administrator Ghio stated that the City of Torrance had granted preference to veterans on civil service examinations since 1947 and the City's ordinance requires service during armed conflicts for credit which is not consistent with state requirements. The change being proposed would bring the local ordinance into conformity with the state code and expand the definition.

In response to an inquiry from Mayor Hardison, Civil Service Administrator Ghio noted that over the years the number of veterans who earned the preference points has declined.

ORDINANCE NO. 3508

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING SECTIONS 14.24.1 AND 14.24.4 OF THE TORRANCE MUNICIPAL CODE RELATING TO THE DEFINITIONS OF VETERAN FOR THE PURPOSE OF GRANTING VETERANS' PREFERENCE POINTS IN CIVIL SERVICE EMPLOYMENT EXAMINATIONS.

MOTION: Councilmember Messerlian moved to adopt Ordinance No. 3508. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

11d. ORDINANCE NO. 3509 RE COMMISSION ON AGING REPRESENTATIVES

Recommendation of the Parks and Recreation Director that City Council adopt an Ordinance amending Section 13.18.2a of the Torrance Municipal Code related to the Commission on Aging, reducing the number of total representatives to ten, and deleting a Club Representative (McMaster Senior Citizens Club). Additionally, it is recommended that, through attrition, the number of Commission on Aging members be reduced to seven (7), bringing the Commission's membership in to conformance with the number of members on other City Commissions.

Parks and Recreation Director Barnett noted that the item would set a process in place that would, through attrition, bring the Commission into conformity with other City Commissions and would delete the Senior Citizen Club Representative from the McMaster Senior Citizen Club. He added that the Commission on Aging had unanimously approved the proposed ordinance on November 13.

Mayor Hardison pointed out that the McMaster Senior Citizen Club had disbanded as they did not have the required number on their Board of Directors.

ORDINANCE NO. 3509

AN ORDINANCE OF THE TORRANCE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING ARTICLE 18 OF CHAPTER 3 OF DIVISION 1 OF THE TORRANCE MUNICIPAL CODE RELATING TO APPOINTMENT AND TERMS OF MEMBERS OF THE COMMISSION ON AGING.

MOTION: Councilmember Messerlian moved to adopt Ordinance No. 3509. Councilmember Scotto seconded the motion and a roll call vote reflected unanimous approval.

11e. APPOINTMENT OF DEBORAH CAVE TO DEPUTY CITY ATTORNEY II

Recommendation of the City Attorney that City Council appoint Deborah Cave to the position of Deputy City Attorney II.

MOTION: Councilmember Witkowsky moved to appoint Deborah Cave to the position of Deputy City Attorney II. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

11f. APPOINTMENT OF TATIA STRADER TO DEPUTY CITY ATTORNEY II

Recommendation of the City Attorney that City Council appoint Tatia Strader to the position of Deputy City Attorney II.

MOTION: Councilmember Scotto moved to appoint Tatia Strader to the position of Deputy City Attorney II. Councilmember Walker seconded the motion and a roll call vote reflected unanimous approval.

11g. COMMITTEE REPORT ON FY 2001-2002 FIRST QUARTER (PERSIOD 8) BUDGET REVIEW

Recommendation of the Finance and Governmental Operations Committee that City Council concur with the following recommendations:

1. Accept and file the financial report;
2. Accept and file the City Treasurer's Investment report;
3. Approve the allocation for fiscal year 2000-2001 carryover; and
4. Approve the department program modifications for the City Manager (adopting the second year of the 2001-03 Operating Budget) Library and Streets.

Councilmember Messerlian reported that the City Council Finance and Governmental Operations Committee had met on November 19 to review the budget for this fiscal year and concurred with the staff recommendation.

Councilmember Scotto expressed concerns about a carryover which might turn into a deficit and proposed to keep allocations the same but carryover the \$4.8 million and revisit the budget in December 2003 at which time, if funds are needed, they can be allocated to infrastructure and capital improvements.

Mayor Hardison indicated that taxes would not be known until April and commented that it was conceivable that they would need the carryover before December 2002. She expressed concern about the Council having to make cuts because expected sales tax is not available.

Finance Director Tsao reported that the capital budget would be updated in April or May with revisions or recommendations and they would know how the local economy has been affected at that time.

City Manager Jackson commented that one-time funds were generally set aside for one-time purposes and the Council has had a policy of not wanting to feed the monies into operations as there are problems accounting for them down the road. He indicated that \$1 million dollars had already been set aside in an Economic Anomaly Reserve (EAR) fund to mitigate concerns and those funds could be further enhanced.

City Manager Jackson stated that there were concerns with a large contingency of capital projects that will be coming forward and resources are limited from alternate sources are limited. He suggested keeping some funding for planning and some in the EAR but not acting until they see what comes down from the state or the economy.

Mayor Hardison commented that once money is placed in reserves it is hard to take it out unless the market drops and they don't want to get into the habit of budgeting with one-time money. She clarified that she was concerned with not cutting this year's budget and would not want to plan on those funds futuristically.

Mayor Hardison noted that the Council would make those decisions if and when they saw the economy had turned downward noting that she did not want to lock the money into something particular but was looking for a way to delay spending as a safety net.

City Manager Jackson suggested deferring the decision.

In response to an inquiry from Councilmember Messerlian, City Manager Jackson clarified that they were proposing to set aside the funds as a capital reserve and coming back in April or May with a capital budget update and fix it in place at that point. He acknowledged that if it is known that there is \$4.5 million available for capital projects,

departments do start planning on the money and if there is capital funding available in April or May then it would not be planned for.

In response to an inquiry from Councilmember Messerlian, City Manager Jackson indicated that they are aware that buildings in the City are aging and other types of infrastructure across the board are targeted and he noted that there is already a capital budget in place.

Councilmember Messerlian acknowledged concerns being raised and stated that he did not want to lose the planning time.

City Manager Jackson reported that the Committee had approved an adjustment to set aside \$250,000 for security improvements that had inadvertently been left out of the report and asked that regardless of what is done with the capital fund, the Council take final action on the adjustment.

Councilmember Witkowsky concurred with Councilmember Scotto that the fund be put aside until the financial situation was more clear and approved of the \$250,000 adjustment for security.

Councilmember Cribbs asserted that the City would be remiss not to keep the commitment to the infrastructure noting that over the past 8 years they have been able to move money around when necessary. She expressed concern about losing the planning time and noted that she was not referring to encumbered or spent money, but rather the City's philosophy about infrastructure. She felt it important to continue to maintain the infrastructure even in hard times and stated that a line by line review could be done in May when more information becomes available.

Councilmember Cribbs indicated that other than the \$250,000 adjustment for security, the allocation should be left alone.

Councilmember Scotto agreed with infrastructure planning but asserted that delaying the decision to June wouldn't harm anybody and if the extra money is available they will find a way to spend the money.

MOTION: Councilmember Scotto moved to approve the allocation of fiscal year 2000-01 carryover to June 2002 with the following amendments: with regards to the recommended \$4,825,827 allocation for Capital Infrastructure Projects, allocate \$250,000 for security improvements to City facilities and defer allocation of the remaining \$4,575,827 to June 2002. Councilmember Witkowsky seconded the motion and the discussion continued. **Motion ultimately carried with split vote – See page 9**

City Manager Jackson explained that the item would come back as part of updating and noted that the money is not being planned for. If a target is set and \$4 million is available, proposals would be solicited from departments in the early part of the year on priorities for those funds. He recommended that updating of the capital budget also be deferred to that time to integrate it in the overall evaluation of the 5 year budget.

City Manager Jackson noted that there would be a reshuffling of priorities with that sort of funding coming forward and the whole 5-year capital budget would be re-examined and he discussed various scenarios for pending Parks and Recreation and Library projects.

Councilmember Messerlian asserted it would be irresponsible to neglect capital projects.

MOTION: Councilmember Cribbs moved to accept and file the financial report. Councilmember Messerlian seconded the motion and a roll call vote reflected unanimous approval.

MOTION: Councilmember Messerlian moved to accept and file the City Treasurer's Investment Report. Councilmember Nowatka seconded the motion and a roll call vote reflected unanimous approval.

Mayor Hardison commented that it was an unusual year and important to note that \$5 million came from the utility users tax on natural gas from one industrial user that was not anticipated.

Councilmember Scotto reviewed his previous motion on the appropriation of the 2000-2001 carryover and a roll call vote was taken with **Councilmembers Cribbs, Messerlian and Walker voting no and Councilmembers Nowatka, Scotto and Witkowsky and Mayor Hardison voting yes. Motion passed.**

City Manager Jackson asked for formal approval of the second year budget which had been held up for the initiative action noting that there were modifications brought forward to the Committee regarding the Library and Street Services Departments.

In response to an inquiry from Mayor Hardison, Finance Director Tsao indicated that they were asking for adoption of what had been previously adopted last June and he did not have a copy available. Mayor Hardison commented that it would have been helpful to have had it part of the agenda item with a quick summary to remind them of what they were approving and City Manager Jackson recapped several points.

MOTION: Councilmember Messerlian moved to approve department program modifications for the City Manager (adopting the second year of the 2001-03 Operating Budget) Library and Streets. Councilmember Cribbs seconded the motion and a roll call vote reflected unanimous approval.

13. APPEALS

13a. 2260-2264 DOMINGUEZ STREET AND 603 COTA AVENUE

Recommendation of the Planning Director that City Council deny the appeal and take the following action on property located at 2260 - 2264 Dominguez Street and 603 Cota Avenue.

1. Approve a Conditional Use Permit to allow the construction of a three story, 13-unit condominium project with a Floor Area Ratio over 0.6; and
2. Approve a Tentative Tract Map for condominium purposes. The Planning Commission was unable to reach a consensus on the item. CUP01-00025, TTM53477 MICHAEL MULLIGAN/CHERYL VARGO

Councilmember Nowatka excused himself citing a conflict of interest as he resides near the site and was not present during the hearing.

Mayor Hardison opened the public hearing at 8:07 p.m.

Planning Manager Isomoto provided a summary of the item noting that the Planning Commission had considered the item on October 3 with concerns raised regarding parking, storage, traffic, relocation and density, and had failed to reach a decision.

In response to an inquiry from Councilmember Cribbs, Planning Manager Isomoto clarified the height of the structure and noted that density of the three lots averaged .83 to 1 which might be appropriate at this location as it is surrounded on all sides by public rights of way and consolidates three lots. She noted that the industrial usage around it might offer a better buffer for the R-2 development further to the south.

Councilmember Cribbs expressed concerns that the City continues to approve projects above the .6 ratio and Planning Manager Isomoto observed that the .6 figure had come about as a result of smaller lots in the downtown area.

Councilmember Scotto agreed with Councilmember Cribbs and noted that since parking is at a premium in the area, perhaps tandem parking could be provided. Planning Manager Isomoto stated that the two bedroom units did not require a third parking spot and Councilmember Scotto questioned whether that requirement could be added due to the parking shortage in the area.

Councilmember Messerlian observed that the site offered a unique opportunity as it is bounded by public rights of way and asked about private open space noting that front yards did not provide private open space. He questioned the livability of the design noting that buildings were 13 feet apart and asked about pushing the middle row back to the west.

Planning Manager Isomoto noted the plans were designed to allow public open space between the uncovered parking spaces and the private spaces for units 10-13.

Mayor Hardison agreed 13 feet was too close and shared concerns about the Floor to Area Ratio (FAR) noting if they are going to approve a density higher than .6 she would like to have those reasons listed.

Mayor Hardison noted that the accessibility on four sides of the project was a plus but expressed concern with the possibility of people parking in the alley since only three guest parking spaces are provided.

Planning Manager Isomoto noted that access had to be from the alley only so there would be no curb cuts which would eliminate parking

Mayor Hardison reiterated her concern with the distance between the buildings and noted that one of the positive aspects of the project was that it would consolidate the lots and as they are small units they would be less expensive and might encourage ownership.

In response to an inquiry from Councilmember Scotto, Planning Manager Isomoto indicated it could be feasible to move the units to the west to increase space between the buildings.

Cheryl Vargo, representing Mike Mulligan, reported that they had anticipated concerns and she provided additional information to the Council. She defended the FAR

noting that most developments are in the range of between .78 and .83 and added that many units in the area were built in the 50's and 60's when there was no FAR.

Ms. Vargo stated that the buildings had been placed more closely together to provide a larger buffer around the site and achieve green space. She added that the proposed development would provide more parking overall than was currently available and pricing would be about \$275,000 - \$300,000 per unit.

Randy Morris, project architect, asserted that there was not a real understanding of the FAR and he proceeded to explain that stairways and two story volumes were counted in the total even though they do not provide floor space. He indicated that it was not fair to compare 1960's housing to the current design and stated that FARs discriminate and discourage townhomes which is what people want.

Councilmember Witkowsky commented that 60s housing stock is an important part of the housing in the community and does not consider them to be blight.

Mr. Morris indicated that another parking space could be added near the alley and he would not mind a condition creating tandem parking spaces for the three units along the alley but that the other units were not deep enough to do that. He noted that the buildings had been shifted so bedroom windows faced a blank wall and kitchens did not line up and the project was designed with a maximum buffer of green space in order to provide a visual benefit to the community. Additional storage area was provided in the garages so that people would have room for storage and their cars.

The issue of guest parking spaces was discussed with Mr. Morris indicating that the Association controls the outside parking spaces and they are available to all residents on a first come, first served basis.

Councilmember Messerlian explained that the Council adopted the FAR standard because volumes on smaller lots were getting larger and larger and he noted that the FAR is the relationship of the volume of the building to the lot that it stands on. He added that today's designs incorporate the stairwells within the body of the unit and commented that attached units 13 feet apart create a canyon effect.

Councilmember Witkowsky took exception to the categorization of blight in the City noting that Torrance has older homes with homeowners who work diligently to keep them in shape and departments which work for that too.

Kenneth Young, 704 Anapola Avenue, opposed the project noting that 13 units on the small parcel was too much and the development belonged on a larger street. He stated that he had submitted a petition opposing the scale of the development which would be detrimental to the already overdeveloped neighborhood which already has a parking problem.

Stacey Burkman, 620 Cota Avenue, requested and received copies of documents provided to the Council by Ms. Vargo. She cited numerous parking issues and asserted that it was time to say no to developers who place oversized units on small lots because they technically fit. She indicated that residents need to pursue making the lot R-2 and commented that previous City Councils and Planners had allowed the area to become too dense.

Kevin Aisles, 2262 Dominguez Street stated that he was displaced from the property in May and asked about relocation fees. Mayor Hardison suggested that he meet with the Planning Director.

Chris Lear, 2268 Dominguez Street, agreed that the area should be zoned R-2 not R-3, cited parking issues and expressed opposition to the development which he considered too large for the area.

Planning Manager Isomoto clarified that R-1 allows one unit per lot, R-2 allows 2 units per lot and R-3 equates to 27 units to the acre.

Mayor Hardison was not sure when or why the lot had been determined R-3 and noted that in the past people have come forward requesting down-zoning.

Larry Aldag, 619 Cota Avenue, stated that he would support a 9-unit development, but 13 was too big for the area which already has many parking concerns. He noted that most people use their garages for storage and questioned how it would be possible to require and enforce people parking in their garages.

Cheryl Vargo asserted that they would be replacing 7 units with insufficient parking with 13 units that meet parking requirements which would provide relief and help the parking situation in the neighborhood.

Ms. Vargo indicated that Mike Mulligan did not yet own the property and if the project was not approved there would be no relocation fees as it is contingent upon project approval. She stated that the project met the code in every respect and there were no requests for variances.

Councilmember Witkowsky received clarification regarding the number of spaces currently available and commented that it was possible the development could provide a better parking situation. Ms. Vargo added that there were 2.77 parking spaces per unit.

MOTION: At 9:26 p.m. Councilmember Messerlian moved to close the public hearing. Councilmember Cribbs seconded the motion and a voice vote reflected unanimous approval absent Nowatka.

MOTION: Councilmember Scotto moved to concur with the staff recommendation adding conditions that the applicant shall provide an additional parking space along the alley at the north west corner of the property to the satisfaction of the Planning Director; that the parking spaces along the alley shall not be designated by unit; that building #2 shall be moved to the west an additional five feet to the satisfaction of the Planning Director; that a third, tandem parking space shall be added to unit 7, 8 and 9 to the satisfaction of the Planning Director;

Councilmember Messerlian stated Ms. Vargo had presented a project last week that he had commented on noting that they keep cramming the units in small lots without any regard to the livability of the projects and he asserted that livable projects make livable communities. In spite of that, he proceeded to vote for that project because in that case, it was the last lot and he hoped there would be no more on that street. He noted that this case is different because it is the first of many projects to come in the area because it is zoned for multiple family dwelling and he asserted that the streets are

narrow and there are parking problems and those problems are not addressed and mitigated by putting in more units than one should.

Councilmember Messerlian stated that the FAR was more than he would like to see as it is a small lot and a corner lot which presents other development options which can be explored. He added that he could not support the project as there are too many units on the lot, though he wouldn't mind sending it back for re-design.

Mayor Hardison stated that she was interested in the project because the units were smaller and in keeping with the neighborhood and she would not be in favor of fewer, larger units. She did not feel that the development would impact traffic and parking and noted easy access to Sartori, which is a wider street.

Mayor Hardison observed that the area is zoned R-3 and the owners have a right to develop it to meet R-3 standards, but noted that condition J should be changed as the proposed FAR of .83 is not consistent with the area. She reiterated that if other projects come forward that have a FAR over .6, reasons for approval should be carefully addressed.

Mayor Hardison asked for a roll call on the motion for the approval with added conditions. Councilmembers Cribbs and Messerlian voted NO. Councilmembers Scotto, Walker and Witkowsky and Mayor Hardison voted YES. Councilmember Nowatka was absent.

RESOLUTION 2001-156

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A CONDITIONAL USE PERMIT AS PROVIDED FOR IN DIVISION 9, CHAPTER 5, ARTICLE 1 OF THE TORRANCE MUNICIPAL CODE TO ALLOW THE CONSTRUCTION OF A 13 UNIT MULTIPLE OWNER OCCUPIED RESIDENTIAL DEVELOPMENT WITH A FLOOR AREA RATIO OVER 0.6 AND UNITS THAT ARE THREE STORIES IN HEIGHT ON PROPERTY LOCATED IN THE R-3 ZONE AT 2260-2264 DOMINGUEZ STREET AND 603 COTA AVENUE CUP01-00026: MICHAEL MULLIGAN/SUBTEC CHERYL VARGO

MOTION: Councilmember Scotto moved to adopt Resolution No. 2001-156 as amended. Councilmember Witkowsky seconded the motion and a roll call vote reflected YES votes from Councilmembers Scotto, Walker, Witkowsky and Mayor Hardison, and NO votes from Councilmembers Cribbs and Messerlian, absent Councilmember Nowatka.

RESOLUTION 2001-157

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A TENTATIVE TRACT MAP 53477 FOR CONDOMINIUM PURPOSES ON PROPERTY LOCATED IN THE R-3 ZONE AT 2260-2264 DOMINGUEZ STREET AND 603 COTA AVENUE TTM53477 MICHAEL MULLIGAN/CHERYL VARGO - SUBTEC

MOTION: Councilmember Witkowsky moved to adopt Resolution No. 2001-157. Councilmember Scotto seconded the motion and a roll call vote reflected YES votes from Councilmembers Scotto, Walker, Witkowsky and Mayor Hardison, and NO votes from Councilmembers Cribbs and Messerlian, absent Councilmember Nowatka.

Councilmember Nowatka returned to Council Chambers.

*

The Torrance Redevelopment Agency met from 9:37 p.m. to 9:38 p.m.

*

15. ORAL COMMUNICATIONS

15a. Martin Koebel, 5519 Rockview Drive, expressed concerns about Ocean Avenue.

16. EXECUTIVE SESSION

Considered earlier.

17. ADJOURNMENT

At 9:41 p.m., the meeting was adjourned to Tuesday, December 18, 2001 at 5:30 p.m., for an executive session in the Council Chamber, with the regular meeting commencing at 7:00 p.m. in Council Chambers.

Attest:

Mayor of the City of Torrance

Sue Herbers
City Clerk of the City of Torrance

Approved on January 22, 2002

Kristi Callan
Recording Secretary

City Council
December 11, 2001