

March 25, 2008

**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, March 25, 2008 in the City Council Chambers at Torrance City Hall.

ROLL CALL

Present: Councilmembers Barnett, Nowatka, Sutherland, Witkowsky, and Mayor Scotto.

Absent: Councilmembers Brewer and Drevno.

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

2. FLAG SALUTE/INVOCATION

The flag salute was led by Girl Scout Troops 369, 679, 95, and 1059.

Councilmember Witkowsky 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, March 20, 2008.

MOTION: Councilmember Nowatka 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 Barnett and passed by unanimous roll call vote (absent Councilmembers Brewer and Drevno).

4. WITHDRAWN OR DEFERRED ITEMS

None.

5. COUNCIL COMMITTEE MEETINGS AND ANNOUNCEMENTS

Councilmember Nowatka noted that the Ad Hoc Ethics Committee had met earlier and would meet again on April 8 and April 22 in the City Hall 3rd Floor Assembly Room.

Councilmember Nowatka announced that the Citizen Development and Enrichment Committee would meet on Tuesday, April 8, at 4:30 p.m. in the City Hall 3rd Floor Assembly Room to discuss the 2009 rose float design.

6. COMMUNITY MATTERS

6A. PROCLAMATION RE "GIRL SCOUT WEEK"

Mayor Scotto presented a proclamation declaring the week of March 9 through March 16 as "***Girl Scout Week***" in the City of Torrance to Angeles Girl Scout Board President Melody Nishida, Torrance Girl Scout Troops 369, 679, 95, and Troop Leaders Michelle Polcari, Kelly Wedel, Colette Trainer, Justine Muus, and Michelle Eisenberg.

6B. PROCLAMATION RE "LIGHTS OUT AMERICA, EARTH HOUR"

Mayor Scotto presented a proclamation declaring March 29 from 8:00 p.m. to 9:00 p.m. as "*Lights Out America, Earth Hour*" in the City of Torrance to Jackie Decker, Scott Gobble, Mike Griffiths, and Paul McCabe from the Environmental Quality Commission.

7. ORAL COMMUNICATIONS

7A. Karl Sutton Miller suggested that the City consider creating a website which would help residents find lost pets by allowing them to post their photographs.

7B. Bonnie Mae Barnard, Save Historic Old Torrance, invited everyone to attend SHOT's annual Extravaganza at The Depot Restaurant on Sunday, April 6, at 5:30 p.m., with tickets available at www.savehistoricaltorrance.com or by calling 310.320.0269.

7C. Karen Fitch encouraged residents to participate in the City's CERT program and to volunteer at the Police Department.

8. CONSENT CALENDAR

8A. APPROVAL OF MINUTES

Recommendation

Recommendation of the **City Clerk** that City Council approve the City Council minutes of January 29 and February 5, 2008.

8B. AMENDMENT TO LEASE WITH SOUTH END RACQUET AND HEALTH CLUB

Recommendation

Recommendation of the **City Manager** that City Council approve a first amendment to amended and restated lease by and between the City of Torrance and South End Racquet and Health Club, Inc. (C1990) for City-owned property located at 2800 Skypark Drive.

8C. PURCHASE AGREEMENT RE POOL CHEMICALS FOR BENSTEAD PLUNGE

Recommendation

Recommendation of the **Community Services Director** that City Council award a purchase agreement with Fuller Engineering, Inc., Anaheim, CA to furnish and deliver chemicals to the Victor E. Benstead Plunge (B2008-05) in an amount not to exceed \$38,943.69 for a term of April 1, 2008 through March 31, 2009.

8D. EXTENSION OF UTILITY BILLING SERVICES AGREEMENT

Recommendation

Recommendation of the **Finance Director** that City Council approve the first (of three) two-year renewal options (indexed to CPI) with American States Utility Services Inc. (now known as Golden State Water Company) (C2005-042) to provide utility billing services.

8E. COOPERATIVE PURCHASE OF VEHICLES

Recommendation

Recommendation of the **General Services Director** that City Council authorize purchase of five (5) vehicles totaling \$111,430.68 (includes sales tax, tire fees, and delivery) as cooperative purchases with the State of California (State Contract #1-08-23-11 and #1-08-23-20), plus a 2.27% service charge payable to the State in the amount of \$2,331.06 for a total of \$113,761.74 for participation in these contracts.

8F. RENEWAL OF HR/PAYROLL SYSTEM ANNUAL MAINTENANCE AGREEMENT

Recommendation

Recommendation of the **Information Technology Director** that City Council approve the renewal of the annual software maintenance agreement with Now Solutions, LLC. (C2003-061) in the amount of \$66,870 for the support and maintenance of the HR/Payroll system.

8G. PURCHASE ORDER FOR MOBILE DIGITAL SCANNERS FOR POLICE VEHICLES

Recommendation

Recommendation of the **Information Technology Director** that City Council approve a purchase order to Bearcat Warehouse, Inc. of Clarksville, MD for the purchase of 57 mobile digital radio scanners for police vehicles in the amount of \$29,302.52.

8H. SUBSIDY OF RENTAL FEES FOR STUDENT LEADERSHIP PROGRAM GRADUATION CEREMONY

Recommendation

Recommendation of the **City Manager** that City Council subsidize the rental fee of the Toyota Meeting Hall for the Leadership Torrance Alumni Association North Torrance High School Student Leadership Program graduation ceremony to be held April 18, 2008 in the total amount of \$605.50.

8I. RENTAL REQUEST FROM LA. WATTS SUMMER GAMES RE HIGH SCHOOL SOCCER TOURNAMENT

Considered separately, see page 4.

8J. AGREEMENT RE SKATEBOARD CAMPS AT WILSON PARK

Recommendation

Recommendation of the **Community Services Director** that City Council authorize the agreement with Trevor Elder for provision of instruction of Skateboard Camps at Wilson Park for one year from April 1, 2008 through March 31, 2009 in an amount not to exceed \$39,060.

8K. PARTNERSHIP AGREEMENT WITH WATER REPLENISHMENT DISTRICT OF SOUTHERN CALIFORNIA

Recommendation

Recommendation of the **Public Works Director** that City Council approve a partnership letter agreement with the Water Replenishment District of Southern California (WRD) to accept funding in the amount of \$40,000 for supplemental rebate incentives to implement certain region wide Commercial, Industrial, and Institutional (CII) water conservation programs sponsored by the Metropolitan Water District of Southern California (MWD) within the City of Torrance. Expenditure: Not to exceed \$4,000.

MOTION: Councilmember Nowatka moved for the approval of Consent Calendar Items 8A through 8H, 8J and 8K. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote (absent Councilmembers Brewer and Drevno).

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

8I. **RENTAL REQUEST FROM LA. WATTS SUMMER GAMES RE HIGH SCHOOL SOCCER TOURNAMENT**

Recommendation

Recommendation of the **Parks and Recreation Commission** and the **Community Services Director** that City Council approve a rental request from the L.A. Watts Summer Games to host a high school soccer tournament at Columbia Park in June 2008.

Councilmember Witkowsky expressed concerns that parking overflow from this event would impact nearby residents.

Administrative Services Manager Minton advised that maps would be distributed and signs would be posted directing traffic to the south parking lot on 190th Street and noted that most participants will be bussed, which will reduce the demand for parking.

MOTION: Councilmember Witkowsky moved to approve the rental request. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote (absent Councilmembers Brewer and Drevno).

10. **PLANNING AND ECONOMIC DEVELOPMENT**

10A. **RESOLUTION RE PRECISE PLAN OF DEVELOPMENT AT 5144 ZAKON ROAD**

Recommendation

Recommendation of the **Community Development Director** that City Council adopt a Resolution reflecting their decision at the February 5, 2008 City Council meeting approving a Precise Plan of Development to allow the construction of a new two-story single family residence on property located within the Hillside Overlay District R-1 Zone at 5144 Zakon Road. **PRE07-00016: LYNETTE FINLEY**

Sr. Planning Associate Santana noted that the proposed resolution reflects the Council's decision at the February 5 City Council meeting to approve the project.

RESOLUTION NO. 2008-41

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE APPROVING A PRECISE PLAN OF DEVELOPMENT TO ALLOW THE CONSTRUCTION OF A NEW TWO-STORY SINGLE FAMILY RESIDENCE ON PROPERTY LOCATED WITHIN THE HILLSIDE OVERLAY DISTRICT R-1 ZONE AT 5144 ZAKON ROAD

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2008-41. The motion was seconded by Councilmember Nowatka and passed by unanimous roll call vote (absent Councilmembers Brewer and Drevno).

10B. **RESOLUTIONS RE CONDITIONAL USE PERMITS AND DIVISION OF LOT AT 18923 PATRONELLA AVENUE AND 3531 190TH STREET**

Recommendation

Recommendation of the **Community Development Director** that City Council adopt Resolutions reflecting their decision at the February 26, 2008 City Council meeting to deny two Conditional Use Permits to allow the construction of two new detached condominium units on each parcel in conjunction with a Division of Lot for condominium purposes on properties located at 18923 Patronella Avenue and 3531 190th Street. **CUP07-00018, CUP07-00019, DIV07-00012: Mustapha Riad**

Sr. Planning Associate Santana noted that the proposed resolutions reflect the Council's decision at the February 26 City Council meeting to deny the project.

RESOLUTION NO. 2008-42

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DENYING 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 TWO-UNIT CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED IN THE R-3 ZONE AT 18923 PATRONELLA AVENUE

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2008-42. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote (absent Councilmembers Brewer and Drevno).

RESOLUTION NO. 2008-43

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DENYING 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 TWO-UNIT CONDOMINIUM DEVELOPMENT ON PROPERTY LOCATED IN THE R-3 ZONE AT 3531 190TH STREET

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2008-43. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote (absent Councilmembers Brewer and Drevno).

RESOLUTION NO. 2008-44

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE DENYING A DIVISION OF LOT AS PROVIDED FOR IN DIVISION 9, CHAPTER 2, ARTICLE 29 OF THE TORRANCE MUNICIPAL CODE TO ALLOW A SUBDIVISION FOR CONDOMINIUM PURPOSES ON PROPERTIES LOCATED IN THE R-3 ZONE AT 18923 PATRONELLA AVENUE AND 3531 190TH STREET

MOTION: Councilmember Nowatka moved for the adoption of Resolution No. 2008-44. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote (absent Councilmembers Brewer and Drevno).

12. ADMINISTRATIVE MATTERS

12A. AMENDMENT TO LEASE WITH TORRANCE FLITE PARK, LLC

Recommendation

Recommendation of the **City Manager** that City Council approve a second amendment to amended and restated lease by and between the City of Torrance and Torrance Flite Park, LLC (C2001-118) for City-owned property located at the Torrance Municipal Airport – Zamperini Field.

Assistant to the City Manager Sunshine reported that the proposed amendment addresses an encroachment issue that was discovered when Torrance Flite Park conducted a survey of the East Parcel, revises the termination date to adjust for the new schedule, and clarifies that the undergrounding of utilities is the sole responsibility of the lessee. He noted that the provision increasing the size of the restaurant use from 3,000 square feet to 8,500 square feet has been removed due to concerns expressed by the Council at the February 26, 2008 Council meeting.

In response to Councilmember Witkowsky's inquiry, Assistant to the City Manager Sunshine confirmed that the East Parcel will be fenced for security purposes and restaurant patrons will not be allowed access to the airfield.

Tim Goetz, representing Robinson Helicopter, stated that Robinson Helicopter is opposed to this lease amendment because it would be detrimental to the company.

Frank Robinson, owner and president of Robinson Helicopter, explained that the development of the subject parcel, which is currently being used for employee parking, would result in the lay-off of up to 300 employees due to the lack of parking and make any future expansion at this location impossible. He related his understanding that the lessee is currently in default and expressed an interest in purchasing the property. He noted that he owns a large parcel of land near the Santa Maria Airport that could be used for expansion, but he would prefer to keep his operation in Torrance.

Assistant to the City Manager Sunshine clarified that Flite Park is not in default and has a bona fide lease for the property in question, which is currently being used by Robinson Helicopter and AutoNation for parking on a short-term basis.

Mayor Scotto suggested the possibility of delaying this item for one week so there could be further discussion with City staff.

In response to Councilmember Sutherland's inquiry, City Attorney Fellows advised that it might be possible for the City to buy out the lease, but related his understanding that Flite Park wishes to move forward with the development.

Councilmember Sutherland indicated that he favored honoring the lease even though it was agreed to by another Council at what he believes to be a fairly low rate.

Councilmember Witkowsky expressed her preference for a continuance so that all options could be explored.

City Attorney Fellows recommended that the matter be place on next week's agenda for executive session, as well as a regular agenda item.

Councilmember Nowatka stated that he saw no need for the delay as there is a valid lease in place for this parcel.

MOTION: Councilmember Witkowsky moved to continue the Item to April 1, 2008. The motion was seconded by Mayor Scotto and passed by a 3-2 roll call vote, with Councilmembers Nowatka and Sutherland dissenting (absent Councilmembers Brewer and Drevno).

12B. SECOND QUARTER 2007-2008 BUDGET REVIEW REPORT

Recommendation

Recommendation of the **Finance and Governmental Operations Committee** that City Council:

- 1) Accept and file the Second Quarter 2007-2008 Budget Review Report and the City Treasurer's Investment Report; and
- 2) Approve the program modifications for the following departments: Community Development, Police, and Public Works.

Finance Director Tsao reported that the budget remains balanced, however, there are areas of concern, including declining home values, the slowing of the economy and the City's ability to continue to collect Utility Users' Tax on long-distance telephone calls, and that adjustments may have to be made in the 5-year forecast.

MOTION: Councilmember Sutherland moved to concur with the committee's recommendation to accept and file the 2nd Quarter 2007-2008 Budget Review Report and the Treasurer's Investment Report, and to approve program modifications for the following: Community Development - Appropriate \$295,000 for housing assistance payments; Police - Appropriate \$137,726 for two commercial enforcement vehicles and reallocate one Identification Analyst to one Forensic Identification Specialist II; and Public Works - Appropriate \$800,000 in water revenues and \$800,000 in water costs. The motion was seconded by Councilmember Witkowsky and passed by unanimous roll call vote (absent Councilmembers Brewer and Drevno).

12C. AMENDMENTS TO RESOLUTIONS FOR CERTAIN FULL TIME SALARIED AND HOURLY EMPLOYEES AND TPSA RE COMPENSATION

Recommendation

Recommendation of the **City Manager** that City Council adopt a Resolution amending the Certain Full Time Salaried and Hourly Employees Resolution No. 2007-45 (Theater Technical Director, Booking Manager, Assistant Booking Manager, Box Office Manager, and Nature Center Manager/Naturalist) and adopt a Resolution pursuant to Memorandum of Understanding amending Resolution No. 2007-56 setting forth hours, wages and working conditions for employees (Administrative Analyst, Fleet Services Supervisor, Public Works Sanitation Supervisor, Information Technology Specialists, Information Technology Analysts, and Systems Analysts) represented by the Torrance Professional and Supervisory Association (TPSA). Expenditure is \$187,560.

Assistant to the City Manager Chaparyan reported that the compensation adjustments were necessary to remain competitive in the labor market and retain qualified employees.

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

RESOLUTION NO. 2008-45

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2007-45 SETTING FORTH CHANGES REGARDING THE HOURS, WAGES AND WORKING CONDITIONS FOR CERTAIN FULL TIME SALARIED AND HOURLY EMPLOYEES

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2008-45. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote (absent Councilmembers Brewer and Drevno).

RESOLUTION NO. 2008-46

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TORRANCE AMENDING RESOLUTION NO. 2007-56 SETTING FORTH CHANGES REGARDING HOURS, WAGES AND WORKING CONDITIONS FOR EMPLOYEES REPRESENTED BY THE TORRANCE PROFESSIONAL AND SUPERVISORY ASSOCIATION (TPSA)

MOTION: Councilmember Witkowsky moved for the adoption of Resolution No. 2008-46. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote (absent Councilmembers Brewer and Drevno).

12D. TRANSFER OF PEST CONTROL APPLICATOR POSITION TO STREETSCAPE DIVISION

Recommendation

Recommendation of the **Community Services Director** and the **Public Works Director** that City Council authorize the transfer of one Pest Control Applicator position from the Park Services Division of Community Services to the Streetscape Division of Public Works.

Community Services Director Jones advised that he and the Public Works Director have concluded that transferring one on the two Pest Control Applicators to the Streetscape Division would make for more efficient use of this position.

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

13. HEARING

13A. PRE07-00018, WAV07-00018: 109 VIA SEVILLA –TOMARO ARCHITECTURE

Recommendation

Recommendation of the **Planning Commission** that City Council deny the appeal and approve the project and take the following actions on property located within the Hillside Overlay District of the R-1 Zone at 109 Via Sevilla:

- 1) Adopt a Resolution approving a Precise Plan of Development to allow the construction of a new one-story single family residence; and
- 2) Adopt a Resolution approving a Waiver to allow a reduction of the average front, front facing garage, and exterior side yard setback requirements.

Recommendation of the **Community Development Director** that City Council grant the appeal and deny the project.

PRE07-00018 and WAV07-00018 – Tomaro Architecture (Bob & Pat Hoffman)

Steve Hara, 309 Via Colusa, appellant, requested that the hearing be continued due to the absence of Councilmember Brewer.

Bob Hoffman, 109 Via Sevilla, applicant, expressed his preference that the hearing go forward, noting that this matter has already been continued two times, once due to an administrative error, and it has been almost 120 days since the Planning Commission's approval of the project.

MOTION: Councilmember Sutherland moved that the hearing be held as scheduled. The motion was seconded by Councilmember Barnett and passed by unanimous roll call vote (absent Councilmembers Brewer and Drevno).

The Council recessed from 8:17 p.m. to 8:37 p.m.

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, Sr. Planning Associate Santana reviewed the proposed one-story, single-family residence and shared photographs taken from various vantage points in the neighborhood and from surrounding homes. He noted that the Planning Commission approved the project on November 7, 2007 by a vote of 5-2 after the project was revised to address view impacts following a September 5, 2007 Planning Commission hearing.

Steve Hara, appellant, urged that the project be denied due to the view impact. Using photographs to illustrate, he maintained that the project would block a significant amount of the view from his master bedroom and this view encroachment would reduce the value of his property between \$100,000—250,000. He noted that the view obstruction is not obvious from anyplace but from inside his home and the neighbors who have expressed support for the project have not personally viewed the impact.

With the aid of slides, Louie Tomaro, project architect, contrasted the original project with the revised project. He explained that it is not possible to go subterranean due to a double storm drain along the front of the property and not feasible to add a second story because it would impact views on Via Colusa and Paseo de Granada, therefore, the only option was to expand to the north.

Bob Hoffman, applicant, reported on efforts to mitigate view impact. Using photographs to illustrate, he reviewed the improvement to Mr. Hara's view after the revisions, noting that the northern portion of the building was notched to maximize his view. He displayed a color-coded map showing neighbors within the notification area who have signed petitions or submitted letters in support of the project, including two who originally opposed it. He related his belief that the proposed residence complies with the Hillside Ordinance because it is consistent with the neighborhood and everything possible has been done to minimize the impact on views. He noted that the Hillside Ordinance does not require that a project have zero impact, but rather that it be designed to cause the least intrusion.

Pamela Maran, president of Riviera Homeowners Association, urged the Council to protect the views of residents in the Hillside area, stating that it was unfair for anyone to gain an improved view at a neighbor's expense. She also urged caution in granting Waivers because it makes it more difficult to deny them in the future. She contended that the applicant has the burden of proving that a project would not have an adverse impact on views, rather than neighbors having to prove that it would.

Roberta Blowers, 621 Camino de Encanto, reported that she visited the affected homes and observed view blockage of as much as 50% at 309 Via Colusa and 70% at 305 Via Colusa. She related her understanding that it was possible to build subterranean, but the applicant has refused to do so.

Diane Miltimore, 621 Camino de Encanto, contended that the applicant was seeking to enhance an already spectacular view at neighbors' expense, relating her observation that neighbors at both 305 and 309 Via Colusa would lose significant sunset and coastline views. Urging denial of the project, she voiced her opinion that the applicant had not exhausted all options for expanding his home and had not established hardship.

Jo Ann Milligan, 305 Via Colusa, voiced objections to the project, maintaining that it would block 70-80% of her westerly view, which includes a view of the "queen's necklace," and submitted photographs to illustrate. She also expressed concerns that the project would decrease the value of her property and block airflow during hot and humid summer months.

Robert Mills, 308 Via Colusa, contended that the project would have a huge impact on views at 305 and 309 Via Colusa and related his belief that more could be done to mitigate this impact. He voiced his opinion that the project violates the Hillside Ordinance because it would have a harmful effect on property values and would result in an adverse cumulative impact on other properties in the vicinity.

Kelly Evans, 933 Calle Miramar, read a letter from Todd and Kim Bright, 906 Calle Miramar, in support of the project. She also voiced support for the project and suggested that views from bedrooms are not as important or valuable as views from living areas.

Ruth Vogel, 114 Via La Soledad, stated that she is not directly impacted by the project, but was present to support the Hillside Ordinance. Noting that she is a real estate agent who specializes in the Hillside area, she reported that there is widespread and growing support for the strict enforcement of the Hillside Ordinance. With regard to this project, she commended the Hoffmans for proposing a project with a relatively low FAR (floor area ratio) and for their efforts to work with their neighbors, but reported that she observed a significant impact to both Mr. Hara's and Ms. Milligan's ocean views. She explained that a view from any room adds value because living areas and bedrooms can be reversed to take advantage of the view.

Michael Cotton, 120 Via La Circula, voiced his opinion that the proposed one-story residence was well within guidelines in the Hillside Ordinance and urged the Council to approve it.

Mike Guidry, 829 Calle Miramar, urged approval of the project, relating his belief that it would only increase property values in the area. He commented on the constraints of a corner lot and suggested that an overly strict interpretation of the Hillside Ordinance could have an adverse impact on property values.

Mike Materman, 444 Via Los Miradores, stated that he believed the Hoffmans have done everything possible to comply with the Hillside Ordinance and expressed concerns that granting the appeal would undermine the Planning Commission, thereby encouraging more appeals and significantly lengthening the approval process to the point that people would decide not to improve their homes and move elsewhere.

Matt Dowd, 263 Calle de Madrid, voiced his opinion that the Hoffmans have made significant concessions and the project should be approved.

Albert Ortiz, 620 Palos Verdes Boulevard, urged approval of the project, relating his belief that the applicants have done a good job of designing a low-profile structure that would have minimal impact on views.

Patricia Hoffman, 109 Via Sevilla, applicant, read a letter from Mark and Michelle Walther, 902 Calle Miramar, in support of the project. She questioned how much Mr. Hara and Ms. Milligan really value the impacted views because before this process began Mr. Hara's blinds were always drawn and Ms. Milligan uses the room with the best view for storage.

Carol Hara, 309 Via Colusa, appellant, read a letter of objection filed by the Hoffmans with the Community Development Department regarding the Walthers' remodel at 902 Calle Miramar, citing view impact. She suggested that the Planning Commission approved the project because only one Commissioner viewed the impact from her home.

Robin Sawyer, 413 Via Los Miradores, voiced support for the project, stating that he is impressed with the plans and would like the project to go forward.

Returning to the podium, Mr. Hara emphasized that views are an asset and the view blockage created by this project would greatly reduce the value of his property, which is his nest egg for retirement.

Mr. Hoffman stated that this is a very challenging lot due to its irregular size and corner location; that going subterranean was not an option due to the possibility of major flooding; that the proposed 2,500 square-foot house is modest-sized by today's standards; and that shifting the walls in any direction would only create new view impacts and objections from neighbors. He further stated that he did not believe the project would have a significant impact on either Mr. Hara's or Ms. Milligan's views given the totality of views from their homes.

Mayor Scotto stated that the Council typically does not try to redesign homes, however, he had an idea as to how the impact might be mitigated in this case, which he would like to share with staff, who would then discuss it with the applicant. He called for a brief recess.

The Council recessed from 9:09 p.m. to 9:25 p.m.

Sr. Planning Associate Santana reported that the applicant was proposing to shift the project five feet to the south, reducing the front setback from 17 feet to 12 feet, however, the distance from the curb to the garage would be 19 feet because there is a 7-foot right-of-way. He noted that Mr. Hara supports this change and had earlier proposed it as a way of mitigating the impact on his view and that Ms. Milligan would like to reserve the right to comment on this revision after a new silhouette has erected.

Councilmember Barnett voiced his opinion that it would be worth the extra time to continue the hearing to see if view issues could be resolved.

Councilmember Witkowsky noted that shifting the project further into the front setback would mean that it would be out of line with other houses on the block and expressed concerns that there would still be objections from neighbors even if the project is shifted. She stated that she believed the project has been designed to cause the least intrusion and did not favor a continuance because she feared the Council would be facing the same dilemma.

Councilmember Sutherland questioned whether the Council would be setting a precedent by granting the Waiver of front yard setback requirements. Sr. Planning Associate Santana advised that each project is considered on an individual basis, however, applicants do tend to look at the Council's past actions.

Councilmember Sutherland voiced support for a continuance.

Mr. Hara expressed confidence that the five-foot shift to the south would address the view impact from his house, as well as reduce the impact on Ms. Milligan's view.

Mr. Hoffman stated that he didn't want to go to the expense of moving the silhouette only to find that the Engineering Department will not approve this encroachment into the front setback, explaining that he had proposed shifting the project 8 feet to the south when the project was revised and was advised by City staff that he could only go 3 feet.

Mayor Scotto confirmed that the Council has the authority to approve a Waiver for the reduced setback.

MOTION: Councilmember Sutherland moved to continue the hearing to May 6, 2008 to allow for a redesign, moving the footprint of the house 5 feet to the south, with the applicant to erect a new silhouette. The motion was seconded by Councilmember Barnett and passed by a 4-1 roll call vote with Councilmember Witkowsky dissenting (absent Councilmembers Brewer and Drevno).

16. SECOND READING ORDINANCES

16A. SECOND AND FINAL READING OF ORDINANCE NO. 3707
ORDINANCE NO. 3707

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TORRANCE IMPOSING VIDEO FRANCHISE FEES AND REGULATING CUSTOMER SERVICE IN ACCORDANCE WITH THE DIGITAL INFRASTRUCTURE AND VIDEO COMPETITION ACT

MOTION: Councilmember Nowatka moved for the adoption of Ordinance No. 3707. The motion was seconded by Councilmember Sutherland and passed by unanimous roll call vote (absent Councilmembers Brewer and Drevno).

*

The Council met as the Redevelopment Agency from 10:43 p.m. to 10:44 p.m.

17. ORAL COMMUNICATIONS

17A. Councilmember Witkowsky encouraged residents to donate used business attire to the Employment Development Department office at the corner of Engracia and Cravens for use by job applicants who cannot afford to buy clothes for job interviews.

17B. Councilmember Nowatka announced that a limited number of tickets were available for the second in a series of plays on the year 1968 at the Armstrong Theatre on Wednesday, March 26, at 7:00 p.m., noting that this play deals with the assassination of Robert Kennedy.

17C. Mayor Scotto reported on the Council's meeting with Congresswoman Jane Harman during the Council's visit to Washington, D.C. for the League of Cities Conference, noting that she encouraged the City to broaden the concept of a regional transit center in order to better compete for funding.

18. EXECUTIVE SESSION

None.

19. ADJOURNMENT

At 10:50 p.m., the meeting was adjourned to Tuesday, April 1, 2008 at 5:30 p.m. for an executive session, with the regular meeting commencing at 7:00 p.m. in the Council Chambers.

Attest:

/s/ Frank Scotto

Mayor of the City of Torrance

/s/ Sue Herbers

Sue Herbers,
City Clerk of the City of Torrance

Approved on May 20, 2008