





Agenda Item #: 07/0904.18

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Aldinger and Members of the City Council

THROUGH: Geoff Dolan, City Manager 

FROM: Richard Thompson, Director of Community Development 
Eric Haaland, Associate Planner 

DATE: September 4, 2007

SUBJECT: Consideration of Planning Commission Approval of a Coastal Development Permit to Allow Construction of Two Buried Wastewater Force Mains to Replace an existing Wastewater Force Main with a New Above-ground Equipment Room Adjacent to Existing Beach Access Stairs at 2601 The Strand

RECOMMENDATION:

Staff recommends that the City Council receive and file the decision of the Planning Commission.

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

DISCUSSION:

The Planning Commission, at its regular meeting of July 25, 2005, **APPROVED** (5-0) a Coastal Development Permit for the Los Angeles County Sanitation Districts to construct two sewer mains and related equipment to be installed underneath the Strand and 27th Street, and a 290 square foot equipment building. The upgrade to the existing facility is a response to a system failure in 2006 that resulted in a sewage spill on the beach. A recent summary of the spill event to the City Engineer is attached to this report. The Planning Commission and public testimony were supportive of the project with some interest in upgrading the exterior finishes of the facility.

The equipment building was proposed to match the existing building on the south side of a pair of existing beach access stairs. A door facing the bike path is shown in the submitted material, which would differ from the existing building; however, the applicant indicated that this door would be relocated to a more interior location to improve the appearance. The Commission discussed that the building has a plain concrete finish with a plain metal guardrail above. The Planning Commission required that the building finishes be aesthetically enhanced, and that the same treatment be applied to the existing equipment building. A mosaic finish similar to one recently used on a beach retaining wall at the El Porto parking lot was discussed as a possibility. The applicant has since found that such a treatment could not be applied to an existing wall surface. The applicant is currently considering using stucco and trim treatments to match the adjacent lifeguard headquarters building. The Planning Commission also confirmed that the applicant would upgrade the surface of

The Strand abutting this facility to match the recent Strand improvements by the City.

The County Sanitation Districts expect to begin construction of the project in mid-October, should the Planning Commission's approval proceed without appeal by the City Council or Coastal Commission. Staff reports and draft minutes excerpts are attached to this report for reference.

ALTERNATIVES:

The alternatives to the staff recommendation include:

1. **REMOVE** this item from the Consent Calendar, **APPEAL** the decision of the Planning Commission, and direct that a public hearing be scheduled.

Attachments:

- Resolution No. PC 07- 10
- P.C. Minutes excerpts, dated 7/25/07
- P.C. Staff Report, dated 7/25/07
- Sewage spill summary, dated 8/17/07
- Plans (separate/NAE)

(NAE) – not available electronically

- c: LA County Sanitation Districts, Applicant
- Jim Arndt, Public Works Director
- Dana Greenwood, City Engineer

RESOLUTION NO PC 07-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A COASTAL DEVELOPMENT PERMIT CONSTRUCTION OF TWO BURIED SEWER MAINS TO REPLACE AN EXISTING SEWER MAIN WITH A NEW ABOVE-GROUND EQUIPMENT ROOM ADJACENT TO EXISTING BEACH ACCESS STAIRS BETWEEN 26TH STREET AND 27TH STREET (Los Angeles County Sanitation Districts)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Planning Commission of the City of Manhattan Beach conducted a public hearing pursuant to applicable law on July 25, 2007, to consider an application for a coastal development permit to Allow Construction of Two Buried Sewer Mains to Replace an existing Sewer Main with a New Above-ground Equipment Room Adjacent to Existing Beach Access Stairs between 26th Street and 27th Street
- B. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- C. The applicant for the Coastal Development Permit is the Los Angeles County Sanitation Districts. The properties involved in the project is owned by Los Angeles County and the City of Manhattan Beach.
- D. The applicant proposes to construct two sewer mains and related equipment to be installed underneath the Strand and 27th Street, and a 290 square foot building alongside the county beach bike path.
- E. The property is located within Area District III and is zoned OS Open Space and PS Public and Semipublic. The surrounding land uses consist of single and multiple family residences, a lifeguard headquarters facility, a public park, and public beach.
- F. The General Plan designation for the property is Open Space and Public/Semipublic, and the Local Coastal Program/Land Use Plan designation is also Open Space and Public/Semipublic.
- G. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 based on staff's determination that the project is a minor alteration of an existing sewer facility that doesn't expand the current use, and will not have a significant impact on the environment.
- H. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- I. The project is in accordance with the objectives and policies of the Manhattan Beach Coastal Program, as follows:
 - 1. The proposal is consistent with the surrounding coastal zone area and complies with the applicable standards of the Manhattan Beach Coastal Zone Zoning Code.
 - 2. The project conforms with the certified Manhattan Beach Local Coastal Program in that it is a public works project benefiting public health and ocean water quality and does not permanently disrupt coastal access.

3. The project is in conformity with the public access and recreation policies of the California Coastal Act since reduced threats to ocean water quality will enhance coastal recreation opportunities, permanent coastal access will not be affected, and temporary access limitations due to construction will be restricted to appropriate levels.

- J. The project is consistent with the public access and recreation policies of Chapter 3 of the California Coastal Act of 1976, as follows;
 - Section 30212 (a) (2): The proposed facility does not impact public access to the shoreline, and adequate public access is provided and shall be maintained along The Strand, the beach bike path, Ocean Drive, 26th Street, and 27th Street .

 - Section 30221: The project goal of improved ocean water quality will enhance coastal recreation opportunities.

- K. This Resolution upon its effectiveness constitutes the Coastal Development Permit for the subject project.

SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Coastal Development Permit amendment subject to the following conditions:

Standard Conditions

1. *Compliance.* All development must occur in strict compliance with the proposal as set forth in the application for said permit, subject to any special conditions set forth below. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.

2. *Expiration.* The Coastal Development Permit shall be approved for a period of two years after the date of approval, with the option for future extensions, in accordance with the Manhattan Beach Municipal Code (MBMC) Section 10.84.090.

3. *Interpretation.* Any questions of intent or interpretation of any condition will be resolved by the Planning Commission.

4. *Inspections.* The Community Development Department Staff shall be allowed to inspect the site and the development during construction subject to 24-hour advance notice.

5. *Assignment.* The permit may be assigned to any qualified persons subject to submittal of the following information to the Director of Community Development:
 - a. a completed application and application fee as established by the City's Fee Resolution;
 - b. an affidavit executed by the assignee attesting to the assignee's agreement to comply with the terms and conditions of the permit;
 - c. evidence of the assignee's legal interest in the property involved and legal capacity to undertake the development as approved and to satisfy the conditions required in the permit;
 - d. the original permittee's request to assign all rights to undertake the development to the assignee; and,
 - e. a copy of the original permit showing that it has not expired.

6. *Terms and Conditions are Perpetual.* These terms and conditions shall be perpetual, and it is the intention of the Director of Community Development and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

7. *Effective Date.* This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section 10.100.030, and the City of Manhattan Beach Local Coastal Program - Implementation Program Section A.96.160 have expired; and, following the subsequent Coastal Commission appeal period (if applicable) which is 10 working days following notification of final local action.

Special Conditions

8. The subject Coastal Development Permit will be implemented in conformance with all provisions and policies of the Certified Manhattan Beach Local Coastal Program (LCP) and all applicable development regulations of the LCP - Implementation Program.
9. The final construction plans shall be in substantial conformance with the plans and information contained within the project staff report as approved by the Planning Commission on July 25, 2007. Those plans shall include preservation of as much planted area adjacent to the proposed equipment building as is feasible and appropriate. Additional plans shall subsequently be submitted to the Community Development Department including aesthetically upgraded finishes to the siding and guardrails of the existing and proposed Sanitation District buildings in the subject facility.
10. The final plan for maintaining temporary pedestrian access in the project area for The Strand and to the beach, and temporary bicycle access for the bike path shall be submitted for approval by the Community Development Department prior to project construction. Bike path detours east of the existing bike path location shall be prohibited. Obstructions/detours from normal bike path operation shall not be permitted during the summer season between Memorial Day and Labor Day weekends. Obstructions/detours from normal Strand operation shall not be permitted between Memorial Day and Hometown Fair (in October) weekends.
11. Project construction shall not begin prior to October 8, 2007, in order to avoid bike path and Strand obstructions during the summer season and Hometown Fair Run. Project construction shall be in conformance with City Noise Ordinance construction hours applicable to private construction.
12. All electrical, telephone, cable television system, and similar service wires and cables shall be installed in underground to the appropriate utility pole(s) in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department. The final construction plans shall identify all existing adjacent undergrounded utilities.
13. All permits, permissions, and standards from Los Angeles County and the City of Manhattan Beach shall be observed as applicable. All defective or damaged curb, gutter, street paving, and sidewalk improvements shall be removed and replaced with standard improvements, subject to the approval of the Public Works Department. The existing Strand surface adjacent to the County Sanitation facility that has not been recently replaced shall be replaced or upgraded to match recent Strand upgrades subject to the approval of the Manhattan Beach Public Works Department.
14. A Traffic Management Plan shall be submitted to the Community Development Department, to be approved by the Police and Public Works Departments prior to construction. The plan shall provide for the management of all construction related traffic, adjacent resident traffic, and pass-by traffic, during all phases of construction, including delivery of materials and parking of construction related vehicles
15. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.

16. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of July 25, 2007 and that said Resolution was adopted by the following vote:

AYES: Lesser, Powell, Schlager,
Seville-Jones, Chairman Bohner

NOES: None

ABSTAIN: None

ABSENT: None



RICHARD THOMPSON,
Secretary to the Planning Commission


Sarah Boeschen
Recording Secretary

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1 pads are unattractive and do infringe on the vegetation.

2

3 Chairman Bohner said that he echoes the comments of the other Commissioners. He said that
4 there is no evidence to support the necessity for the increase in size of the pads. He said that it
5 would need to be demonstrated why the additional space for the pads is necessary in order for
6 him to support the application. He stated that the County must demonstrate the necessity for the
7 larger pads rather than simply for convenience. He stated that he cannot support the application
8 as presented.

9

10 **Mr. Huynh** said that the County would be willing to have engineers, designers and construction
11 crew members attend a future hearing in order to provide further information.

12

13 Commissioner Lesser said that the question is balancing the necessity for maintenance of the
14 facility while preserving the beach area.

15

16 A motion was MADE and SECONDED (Powell/Lesser) to **REOPEN** and **CONTINUE**
17 Proposed Construction of Larger Concrete Pads on the Beach/Bike Path Between 27th Street and 28th Street
18 to September 12, 2007.

19

20 AYES: Lesser, Powell, Schlager, Seville-Jones, Chairman Bohner

21 NOES: None

22 ABSENT: None

23 ABSTAIN: None

24

25 **07/0725.3 Consideration of Proposed Construction of 2 Sewer Mains at 2601 The Strand**
26 **Between Strand and Bike Path and Adjacent Segment of 27th Street (Los Angeles**
27 **County Sanitation Districts)**

28

29 Associate Planner Eric Haaland summarized the staff report. He stated that the proposal is for an
30 upgrade to the existing sewer facilities that would include a 290 square foot equipment building
31 at the west side of The Strand with a roof deck to include wrought iron railing. He stated that the
32 purpose of the proposal is to create redundancy in the facility to avoid future sewage spills. He
33 commented that underground improvements to the sanitation facility would also occur; however,
34 the only permanently visible construction would be the proposed structure. He indicated that the
35 proposed structure would match the existing facility, which is a similar building to the one
36 proposed. He said that temporary bike, pedestrian, and vehicle traffic detours and parking
37 disruptions would occur during construction. He pointed out that construction would be limited
38 to off season months in late fall or early winter. He commented that some disruption would
39 occur to traffic and parking in the area during construction; however, emergency vehicle access
40 and access to the lifeguard facility and residences would be maintained. He said that it is
41 recommended that the pavement between the proposed building and the bike path be minimized

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1 and that the existing planted area be maintained to the extent possible.

2

3 In response to a question from Commissioner Schlager, Associate Planner Haaland said that
4 noticing for Coastal Permits is required for properties within 100 feet of the subject site.

5

6 In response to a question from Commissioner Lesser, Associate Planner Haaland said that the
7 proposal would not be expansion but rather an upgrade of the existing facility to prevent facility
8 failures.

9

10 In response to a question from Commissioner Seville-Jones, Director Thompson said that the
11 project is subject to the City's construction hours, and he stated that more strict hours could be
12 imposed by the Commission if determined to be necessary.

13

14 Associate Planner Haaland pointed out that the proposal is to match the City's permitted
15 construction hours with the inclusion of no work on weekends.

16

17 Commissioner Schlager suggested that the architecture be changed to provide a more
18 aesthetically pleasing appearance rather than a flat façade.

19

20 **Michael Totalivich**, representing the Los Angeles County Sanitation District, said that their
21 group has been working with the City and would be receptive to design ideas to make the
22 structure more attractive.

23

24 Director Thompson said that staff basically considered the building a utility structure adjacent to
25 the beach. He said that staff has recently finished a few utility projects with imprinting on the
26 adjacent wall, which could be a suggestion for the proposed structure. He said that the
27 Commission can request that staff work with the applicant on design features. He pointed out
28 that it may stand out and not blend in if the structure does not remain understated.

29

30 Commissioner Schlager suggested possibly changing the railings and the color of concrete in
31 relation to the color of the sand.

32

33 Commissioner Lesser commented that everyone is grateful that the County has come forward
34 quickly with the project in order to avoid future sewage spills such as occurred in January of
35 2006, and the Commission would not want to slow it down.

36

37 **Mr. Totalivich** commented that the door could be moved to the inside wall of the structure. He
38 also indicated that the existing poles with vegetation can be located in front of the wall to help
39 hide the structure from view.

40

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1 Commissioner Schlager indicated that Code was met by noticing within 100 feet from the subject
2 site, but there are obviously many other people who live in the area and walk by the site every
3 day. He said that it would be nice to see any aesthetic improvements before the project proceeds.
4

5 **Mr. Totalivich** indicated that they need to bring the project before their board for approval with
6 a complete set of specifications and plans. He said that they must submit completed plans, and
7 the time frame for bringing the project to their board would be lost if changes are made to the
8 aesthetics at this point. He indicated that depending on the extent of the changes, the project
9 could be pushed back a year. He said that extending the construction for a year would be a
10 conflict with their agreement with the state EPA to complete the project.
11

12 Director Thompson said that a condition could be included that staff work with the applicant
13 regarding the aesthetics.
14

15 Commissioner Schlager commented that the proposed building would be permanent, and he
16 would rather that it be done correctly.
17

18 **Mr. Totalivich** pointed out that railings and surface finishes to concrete can be changed after a
19 building is constructed. He suggested that the project be approved and the City work with the
20 applicant on design features in the future provided that they are aesthetic rather than structural
21 changes.
22

23 Commissioner Powell indicated that the wave pattern embedded into the concrete of the retaining
24 wall in the El Porto parking lot makes the difference of the wall being an aesthetically pleasing
25 design rather than simply closing in the area. He commented that he likes the view deck and
26 would not want a roof to be provided.
27

28 Commissioner Seville-Jones said that she would agree with the comments of the other
29 Commissioners regarding aesthetics, and she would like for any aesthetic changes to the
30 proposed structure to be done to the existing facility as well. She asked regarding whether there
31 are other alternative designs that could possibly eliminate the need of the additional structure
32 altogether.
33

34 **Mr. Totalivich** said that other options would be to possibly put the structure into the bike path,
35 into The Strand, or lower the valve and build a large concrete retaining wall that would not
36 provide for a deck. He stated that the subject proposal is a design standard throughout the beach.
37

38 In response to a question from Commissioner Lesser, **Mr. Totalivich** indicated that the bike path
39 may be rerouted during construction similar to the rerouting during the storm drain project which
40 would include signage. He said that their goal is to minimize the impact to The Strand as much

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1 as possible and to close only half of the walkway at a time to pedestrians. He said that if
2 necessary for public safety due to the proximity of construction equipment, pedestrian traffic on
3 The Strand would be detoured up 28th Street and back down 26th Street. He said that bike and
4 pedestrian traffic on The Strand would be rerouted if safety is a concern with the close proximity
5 to construction equipment.

6
7 **Paul Gross**, a resident of The Strand, stated that behind the existing building is the roof of a
8 larger structure. He indicated that the roof is part of The Strand, and the area is very rough and
9 creates a safety hazard. He said that he would encourage the Commission as a condition to
10 require the County to resurface the subject portion of The Strand.

11
12 **Cindy Fisk**, said that she agrees that the design of the proposed structure is unattractive. She
13 commented that many residents along The Strand have provided landscaping along the adjacent
14 public areas. She suggested requiring different landscaping rather than ice plant along the
15 proposed structure which would be aesthetically pleasing to bikers while riding on the bike path.

16
17 **Viet Ngo** said that last year that a lack of communication between the City and County caused a
18 failure of the alarm for the sewage system, which also involved Verizon and Edison. He said he
19 witnessed the overflow of sewage by the pier, and within a couple of hours sewage had spilled
20 over the entire area. He said that the final design should be before the Commission involving the
21 bike path and The Strand before it is approved so there are no disputes between the City and
22 County in the future. He indicated that the penalty that was assessed for the suffering to the
23 residents and City resulting from the sewage spill is millions of dollars, which has not gone to the
24 residents. He requested that the City fight for the residents to provide remedy for their suffering
25 resulting from the incident. He recommended that the City work with the County because of the
26 impact to health and safety for residents and the public. He said that funding is available to
27 upgrade the sewer system in L.A. County, and Manhattan Beach did not receive any of the funds.
28 He commented that the design of the facility must be done correctly the first time rather than
29 have to be redone in the future. He commented that the project is being proposed without
30 pictures, and the final design should be before the Commission before they make a final decision
31 because of the impact of the project to the health and safety of the public.

32
33 Chairman Bohner closed the public hearing.

34
35 Commissioner Seville-Jones commended the applicant on their responses to the questions of the
36 Commissioners. She indicated that she supports the proposal and has confidence that staff will
37 work with the applicant to arrive at a project which will make the community safer. She said that
38 she believes the project should be constructed promptly and not delayed for a year. She indicated
39 that she would like a condition to be included for the design to return to the Commission to show
40 suggested improvements to the railing, the concrete, and landscaping. She suggested that The

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1 Strand above the other vault be upgraded to the level of the rest of the area as suggested by **Mr.**
2 **Gross**. She also suggested that the concrete and railing off the other vault also be improved to
3 match the proposed structure. She suggested that the hours for construction be the same as the
4 construction hours for the City.

5
6 Commissioner Schlager commended the applicant on being professional and well prepared in
7 their presentation. He stated that he is in support of the project and would not want for the item
8 to be continued. He suggested that a condition be added that the aesthetics be improved to
9 include changes to the concrete on both sides of the building, changes to the railing, and
10 upgrading of the subject portion of The Strand. He stated that he would want the condition to
11 include a time frame for the redesign as suggested by the director.

12
13 Commissioner Lesser said that the proposal is a critical upgrade to the sewage system in order to
14 prevent another sewage spill. He indicated that he would not want the County to lose its inertia,
15 manpower, or budgetary authority for the project, and he would not want to take action that
16 would delay the project for another year. He asked whether staff feels there is sufficient time for
17 the design to come back to the Commission or whether it would be better to defer to staff to
18 arrive at additional suggestions for the design.

19
20 Director Thompson said that the Commission has the option of either approving the project and
21 delegating the design to staff or reviewing the design again before the permit is issued. He said
22 that another option would be to approve the proposal and to specify that the facility will be
23 upgraded within a year. He pointed out, however, that the City has less leverage once the permits
24 are issued to direct the County to return with improvements.

25
26 Commissioner Schlager said that he would be comfortable allowing staff discretion to improve
27 the final design.

28
29 Director Thompson suggested wording that the final design shall include upgrades to the façade,
30 the railing, and The Strand as approved by Staff. He said that he would imagine that any
31 landscaping for public projects by the County would be required to be drought resistant.

32
33 Commissioner Powell said that it is a critical project, and he commends the County for having
34 the team present to answer questions. He said that he would not want to delay the project and
35 would defer to staff to work with the applicant on the design. He recommended that Ish
36 Medrano from the City be involved in the design. He stated that he would concur with **Mr.**
37 **Gross** that the subject portion of The Strand should be resurfaced.

38
39 Chairman Bohner said that he also would not want the project to be delayed. He said that he
40 would trust staff to work with the applicant on the design.

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Mr. Totalivich pointed out that the top of The Strand is not the structural roof of the proposed structure, and it is actually 6 inches below. He indicated that they would not have a problem with replacing any portion of damaged concrete. He said that they would want to address aesthetic issues further in the future. He indicated that they must go before their board in two weeks with a budget and present very specific plans to the contractor, and they would not have an opportunity to address aesthetics by that time. He commented that they could hire a separate contractor to address the aesthetic improvements. He said that they would have to do maintenance to the roof in two years because of damage and corrosion, and the City would still have the ability to address aesthetics. He pointed out that landscaping is a large monthly budget, and they want to reduce the amount of landscaping maintenance as much as possible. He said that they are willing to work with the aesthetics but would not want to include landscaping that would require a large amount of maintenance.

Chairman Bohner said that as long as representation made in the Resolution that the aesthetics of the structure will be addressed.

Mr. Totalich pointed out that the asphalt on 27th Street from The Strand up to Bayview Drive, is in poor condition. He said that they have to dig up the street with a 6 ½ foot wide trench. He asked whether the Commission would want the entire portion of 27th Street resurfaced when they replace the asphalt torn up from the construction of their project.

Director Thompson pointed out that resurfacing of the street is within the jurisdiction of the Public Works Department.


A motion was MADE and SECONDED (Lesser/Schlager) to **APPROVE** Proposed Construction of 2 Sewer Mains at 2601 The Strand Between Strand and Bike Path and Adjacent Segment of 27th Street with the addition of conditions that the subject portion of The Strand be resurfaced during reconstruction and that the surface match the adjacent Strand surface; that a separate proposal be presented within a reasonable period of time to upgrade the aesthetic appearance of the facilities to include the railing and concrete and landscaping as approved by staff; and that permitted construction hours be consistent with those of the City.


- AYES: Lesser, Powell, Schlager, Seville-Jones, Chairman Bohner
- NOES: None
- ABSENT: None
- ABSTAIN: None

Director Thompson explained the 15 day appeal period and stated that the item will be placed on the City Council’s Consent Calendar for their meeting of August 21, 2007.

**CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development 

BY: Eric Haaland AICP, Associate Planner 

DATE: July 25, 2007

SUBJECT: Coastal Development Permit to Allow Construction of Two Buried Sewer Mains to Replace an existing Sewer Main with a New Above-ground Equipment Room Adjacent to Existing Beach Access Stairs between 26th Street and 27th Street (Sanitation Districts of Los Angeles County)

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT THE PUBLIC HEARING, DISCUSS** the proposal, and **APPROVE** the request.

APPLICANT

Los Angeles County Sanitation Districts
1955 Workman Mill Road
Whittier, CA 90601

LOCATION

<u>Location</u>	L.A.County Beach/The Strand/27 th St. east of bike path and north of 26 th St. (See Site Location Map).
<u>Area District</u>	III

LAND USE

<u>General Plan</u>	Open Space	
<u>Zoning</u>	OS, Open Space	
<u>Land Use</u>	<u>Existing</u>	<u>Proposed</u>
	Public Beach & Street	Public Sewer Mains & Above-ground Equipment Room
<u>Neighboring Zoning/Land Uses</u>	North	OS/Beach
	South	OS/Beach
	East	PS/Lifeguard Headquarters
	West	OS/Public Beach & Ocean

PROJECT DETAILS

	<u>Proposed</u>	<u>Requirement (Staff Rec)</u>
Site Size:	15,000 sq. ft.	N/A
Building Floor Area:	290 sq, ft,	N/A.
Parking:	None	N/A
Vehicle Access	Bikepath via Marine/36 th St.	N/A

BACKGROUND

On January 11, 2006, the existing sewage pumping facility underneath The Strand between 26th Street and 27th Street failed, resulting in a sewage spill on the beach nearby. In response, the County Sanitation District is proposing to upgrade the facility with two new sewer mains and related pumping equipment. A new above-ground building housing the equipment requires Planning Commission approval of a Coastal Development Permit, which is appealable to the City Council and the State Coastal Commission.

DISCUSSION

The submitted plans show two sewer mains and related equipment to be installed underneath the Strand and 27th Street, and a 290 square foot building. The equipment building would match the existing building on the south side of a pair of existing beach access stairs. The new building would result in a symmetrical configuration centered on the stair facility. The building would have approximately 11-foot tall concrete walls, measured from the bike path, and an open metal guardrail above. The building roof would be used as a public view-deck surface contiguous with The Strand, as is the case with the existing equipment building. A louvered door facing the bike path and beach appears to be the only visual variation from the existing building. Provision of the door implies that additional pavement will be necessary in the approximately 10-foot wide space between the building and the bike path that is currently planted with ice plant. A photo-simulation of the proposed building is attached to this report.

The county's attached narrative explains the project with specific attention to construction timing and traffic detours. The Planning Commission expressed substantial concerns for summer beach disruption and bike path detouring related to a previous storm drain project at this location. The proposed schedule is to start work in October 2007 after the Hometown Fair 10K run, and to end in May 2008, prior to Memorial Day weekend. The detour plans call for a temporary asphalt bike path west of the permanent bike path similar to the previous storm drain project, and a temporary wooden walkway across the adjacent lifeguard headquarters lawn for Strand pedestrians. The applicant estimates that Strand pedestrians will need to be detoured to Manhattan Avenue between 26th and 28th Streets for up to a week during one key phase of construction.

The project also involves trenching in the streets which would affect vehicular access in the area. Normal street parking and circulation would be temporarily altered, however, the applicant indicates that lifeguard, resident, and emergency access would not be interrupted.

A public notice for the project was mailed to property owners and residents within 100 feet of the site and published in the Beach Reporter newspaper. Staff has received no comments from project neighbors or other members of the community

Required Findings:

Section A.96.150 of the Local Coastal Program establishes that certain findings be made by the Planning Commission in granting coastal development permit approval. Staff believes that those findings can be made as follows:

- A. The project conforms with the certified Manhattan Beach Local Coastal Program in that it is a public works project benefiting public health and ocean water quality and does not permanently disrupt coastal access.
- B. The project is in conformity with the public access and recreation policies of the California Coastal Act since reduced threats to ocean water quality will enhance coastal recreation opportunities, permanent coastal access will not be affected, and temporary access limitations due to construction will be restricted to appropriate levels as conditioned by the attached resolution.

ENVIRONMENTAL REVIEW

The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301, based on staff's determination that the project is a minor alteration of an existing storm drain facility, and will not have a significant impact on the environment.

CONCLUSION

Staff supports the request finding that the project is important to public health, beach protection, and coastal water quality, and would conform to the City's Local Coastal Program

A draft Resolution of approval is attached, which would act as the actual Coastal Development Permit, if the project is approved by the Commission with no further appeal. Several standard conditions typically included in a separate coastal permit document have been placed in the resolution as well as the discussed special conditions.

Attachments:

Draft Resolution No. PC 07-
Applicant material

c: LA County Sanitation Districts, Applicant
LA County Beaches & Harbors Dept.
Jim Arndt, Public Works Director
Dana Greenwood, City Engineer

RESOLUTION NO PC 07-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A COASTAL DEVELOPMENT PERMIT CONSTRUCTION OF TWO BURIED SEWER MAINS TO REPLACE AN EXISTING SEWER MAIN WITH A NEW ABOVE-GROUND EQUIPMENT ROOM ADJACENT TO EXISTING BEACH ACCESS STAIRS BETWEEN 26TH STREET AND 27TH STREET (Los Angeles County Sanitation Districts)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Planning Commission of the City of Manhattan Beach conducted a public hearing pursuant to applicable law on July 25, 2007, to consider an application for a coastal development permit to Allow Construction of Two Buried Sewer Mains to Replace an existing Sewer Main with a New Above-ground Equipment Room Adjacent to Existing Beach Access Stairs between 26th Street and 27th Street
- B. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- C. The applicant for the Coastal Development Permit is the Los Angeles County Sanitation Districts. The properties involved in the project is owned by Los Angeles County and the City of Manhattan Beach.
- D. The applicant proposes to construct two sewer mains and related equipment to be installed underneath the Strand and 27th Street, and a 290 square foot building alongside the county beach bike path.
- E. The property is located within Area District III and is zoned OS Open Space and PS Public and Semipublic. The surrounding land uses consist of single and multiple family residences, a lifeguard headquarters facility, a public park, and public beach.
- F. The General Plan designation for the property is Open Space and Public/Semipublic, and the Local Coastal Program/Land Use Plan designation is also Open Space and Public/Semipublic.
- G. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 based on staff's determination that the project is a minor alteration of an existing sewer facility that doesn't expand the current use, and will not have a significant impact on the environment.
- H. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- I. The project is in accordance with the objectives and policies of the Manhattan Beach Coastal Program, as follows:
 1. The proposal is consistent with the surrounding coastal zone area and complies with the applicable standards of the Manhattan Beach Coastal Zone Zoning Code.
 2. The project conforms with the certified Manhattan Beach Local Coastal Program in that it is a public works project benefiting public health and ocean water quality and does not permanently disrupt coastal access.

3. The project is in conformity with the public access and recreation policies of the California Coastal Act since reduced threats to ocean water quality will enhance coastal recreation opportunities, permanent coastal access will not be affected, and temporary access limitations due to construction will be restricted to appropriate levels.
- J. The project is consistent with the public access and recreation policies of Chapter 3 of the California Coastal Act of 1976, as follows;
 - Section 30212 (a) (2): The proposed facility does not impact public access to the shoreline, and adequate public access is provided and shall be maintained along The Strand, the beach bike path, Ocean Drive, 26th Street, and 27th Street .
 - Section 30221: The project goal of improved ocean water quality will enhance coastal recreation opportunities.
 - K. This Resolution upon its effectiveness constitutes the Coastal Development Permit for the subject project.

SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Coastal Development Permit amendment subject to the following conditions:

Standard Conditions

1. *Compliance.* All development must occur in strict compliance with the proposal as set forth in the application for said permit, subject to any special conditions set forth below. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
2. *Expiration.* The Coastal Development Permit shall be approved for a period of two years after the date of approval, with the option for future extensions, in accordance with the Manhattan Beach Municipal Code (MBMC) Section 10.84.090.
3. *Interpretation.* Any questions of intent or interpretation of any condition will be resolved by the Planning Commission.
4. *Inspections.* The Community Development Department Staff shall be allowed to inspect the site and the development during construction subject to 24-hour advance notice.
5. *Assignment.* The permit may be assigned to any qualified persons subject to submittal of the following information to the Director of Community Development:
 - a. a completed application and application fee as established by the City's Fee Resolution;
 - b. an affidavit executed by the assignee attesting to the assignee's agreement to comply with the terms and conditions of the permit;
 - c. evidence of the assignee's legal interest in the property involved and legal capacity to undertake the development as approved and to satisfy the conditions required in the permit;
 - d. the original permittee's request to assign all rights to undertake the development to the assignee; and,
 - e. a copy of the original permit showing that it has not expired.
6. *Terms and Conditions are Perpetual.* These terms and conditions shall be perpetual, and it is the intention of the Director of Community Development and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

7. *Effective Date.* This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section 10.100.030, and the City of Manhattan Beach Local Coastal Program - Implementation Program Section A.96.160 have expired; and, following the subsequent Coastal Commission appeal period (if applicable) which is 10 working days following notification of final local action.

Special Conditions

8. The subject Coastal Development Permit will be implemented in conformance with all provisions and policies of the Certified Manhattan Beach Local Coastal Program (LCP) and all applicable development regulations of the LCP - Implementation Program.
9. The final construction plans shall be in substantial conformance with the plans and information contained within the project staff report as approved by the Planning Commission on July 25, 2007. Those plans shall include preservation of as much planted area adjacent to the proposed equipment building as is feasible and appropriate.
10. The final plan for maintaining temporary pedestrian access in the project area for The Strand and to the beach, and temporary bicycle access for the bikepath shall be submitted for approval by the Community Development Department prior to project construction. Bike path detours east of the existing bike path location shall be prohibited. Obstructions/detours from normal bike path operation shall not be permitted during the summer season between Memorial Day and Labor Day weekends. Obstructions/detours from normal Strand operation shall not be permitted between Memorial Day and Hometown Fair (in October) weekends.
11. Project construction shall not begin prior to October 8, 2007, in order to avoid bike path and Strand obstructions during the summer season and Hometown Fair Run.
12. All electrical, telephone, cable television system, and similar service wires and cables shall be installed in underground to the appropriate utility pole(s) in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department. The final construction plans shall identify all existing adjacent undergrounded utilities.
13. All permits, permissions, and standards from Los Angeles County and the City of Manhattan Beach shall be observed as applicable. All defective or damaged curb, gutter, street paving, and sidewalk improvements shall be removed and replaced with standard improvements, subject to the approval of the Public Works Department.
14. A Traffic Management Plan shall be submitted to the Community Development Department, to be approved by the Police and Public Works Departments prior to construction. The plan shall provide for the management of all construction related traffic, adjacent resident traffic, and pass-by traffic, during all phases of construction, including delivery of materials and parking of construction related vehicles
15. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.
16. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of July 25, 2007 and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RICHARD THOMPSON,
Secretary to the Planning Commission

Sarah Boeschen
Recording Secretary

WRITTEN EVIDENCE

The project is one of several ways the L.A County Sanitation Districts is trying to mitigate against another sewage spill similar to the one that happened on January 11, 2006. The project will replace an existing force main that was constructed in 1949 and provide redundancy in case of failure one of the sewers. Therefore, the construction is in accordance with the objectives and policies of the City of Manhattan Beach local coastal program, because it provides for a safe and sanitary beach environment.

There will be no redesign of city streets or pedestrian walkways, and the project is buried beneath the street. Therefore, the resulting project is located and designed in a manner which maximizes pedestrian orientation consistent with the commercial development policies of the local Coastal program.

The result of the project will not be a reduction of parking facilities.

DESCRIPTION AND DOCUMENTATION

The property is owned by the State of California and managed by Los Angeles County Department of Beaches and Harbors. The Districts has an easement for construction and operation of the pumping plant and force mains.

County Sanitation Districts of Los Angeles County
South Bay Cities Pumping Plant Force Mains No. 2 and No. 3 Project Summary

Project Description

The project consists of construction of two approximately 500 feet long, 22-inch diameter High Density Polyethylene (HDPE) force mains and appurtenant structures including a discharge junction structure and a valve structure. This project will provide redundancy to the existing force main constructed in 1949. The project begins approximately 50 feet south of the intersection of The Strand and 27th Street, then northerly in The Strand to 27th Street, then easterly in 27th Street to the intersection of 27th Street and Bayview Drive, all within the City of Manhattan Beach.

Construction Schedule

Construction will begin no earlier than October 8, 2007 and is expected to be completed by May 15, 2008. By May 1, 2008, the Contractor will be required to assess whether construction will be completed by May 15, 2008 and if construction will not be completed, the Contractor will begin restoration and will not be allowed to resume construction until after October 7, 2008. Work will be performed between 7:30 a.m. and 5:00 p.m. Monday through Friday. No construction will take place outside of the normal working hours unless approved by the City and the Districts.

Force Mains

The construction of the two 22-inch HDPE force mains will begin at the intersection of 27th Street and Bayview Drive and end in the valve structure adjacent to The Strand and to the existing South Bay Cities Main Pumping Plant. The Contractor will be required to begin construction at the downstream end of the project which is located at the intersection of 27th Street and Bayview Drive. Construction of the force mains will begin after October 8, 2007 and is expected to be completed by January 31, 2008. During construction, the Contractor will maintain access to local residents and to the lifeguard headquarters and parking lot. Traffic control will be implemented per WATCH manual and in general will involve the following: 27th Street between the Strand and Ocean Drive will be opened for local and emergency access only. 27th Street between Ocean Drive and Bayview Drive will have one lane available east bound. "No Parking" signs will be posted along the 27th Street during the working hours for the duration of the project.

Valve Structure

Construction of the valve structure is expected to begin no earlier than January 2, 2008 and be completed by May 15, 2008. When completed, the only visible evidence of the project will be a new, stuccoed block structure housing the valve piping. The new structures will be constructed to match the existing pump station structure as shown in the attached rendering (proposed shown on the left side of the rendering).

The Strand will remain open to pedestrian traffic except for a brief period during construction of force mains where they cross The Strand. As long as safety permits, a pedestrian detour consisting of a wooden walkway through the grassy area immediately to the east of The Strand will be maintained. This detour will be submitted for approval by the City of Manhattan Beach prior to being constructed. When this detour cannot be safely maintained, pedestrian traffic will be detoured to Manhattan Avenue at 26th Street and then back to the Strand at 28th Street. The stairway on the south side of the pumping plant will be open to the public throughout the project. During non-working hours, the Contractor will cover any excavation with steel plates to allow pedestrian and City of Manhattan Beach or other necessary Los Angeles County vehicular traffic on The Strand.

The Strand

The Contractor will provide access to The Strand at all times by maintaining a portion of it open during construction or providing a detour for pedestrian traffic during working hours. The Strand will remain open during all work, except for a brief period (under a week under normal circumstances) during construction of the force main across The Strand. The potential detour would direct pedestrian traffic to Manhattan Avenue at 26th Street and will be diverted back to the Strand at 28th Street. The stairway on the south side of the pumping plant will be open to public at all times. During non-working hours, the Contractor will cover any excavation with steel plates to allow pedestrian and City of Manhattan Beach or other necessary Los Angeles County vehicular traffic on The Strand.

LACDPW Bike Path

Construction of the valve structure may impact the existing bike path. If any work to be performed is done from the bike path, the Contractor will be required to construct a temporary bike path. The temporary bike path will begin approximately 100 feet south of 27th Street and end 50 feet north of 27th Street. Signage will be per the current WATCH manual. The bike path shall be constructed of asphalt concrete pavement. After construction, the bike path will be removed and the beach area restored.

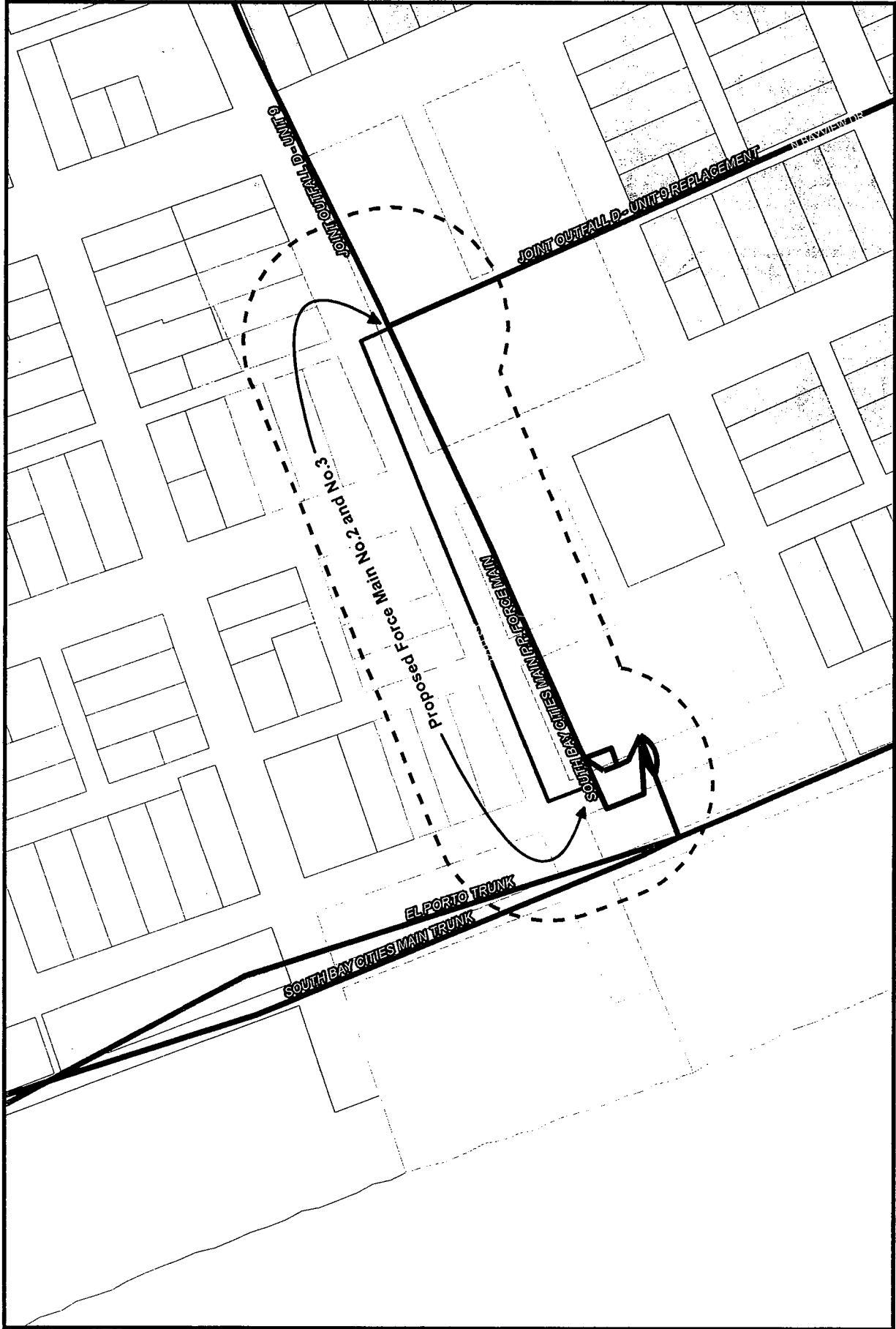
Traffic Control –Parking and 27th Street

Construction along 27th Street is expected to have a duration of approximately 3 months. The Contractor shall not use the parking lots along 27th street for any reason. Equipment shall only be parked in standard city parking spots along the streets, and that the equipment will not extend beyond the standard parking width. For the duration of the project, 27th Street between Ocean Drive and the Strand will remain open to local and emergency traffic only. 27th Street east of Ocean Drive will have one lane available during construction.

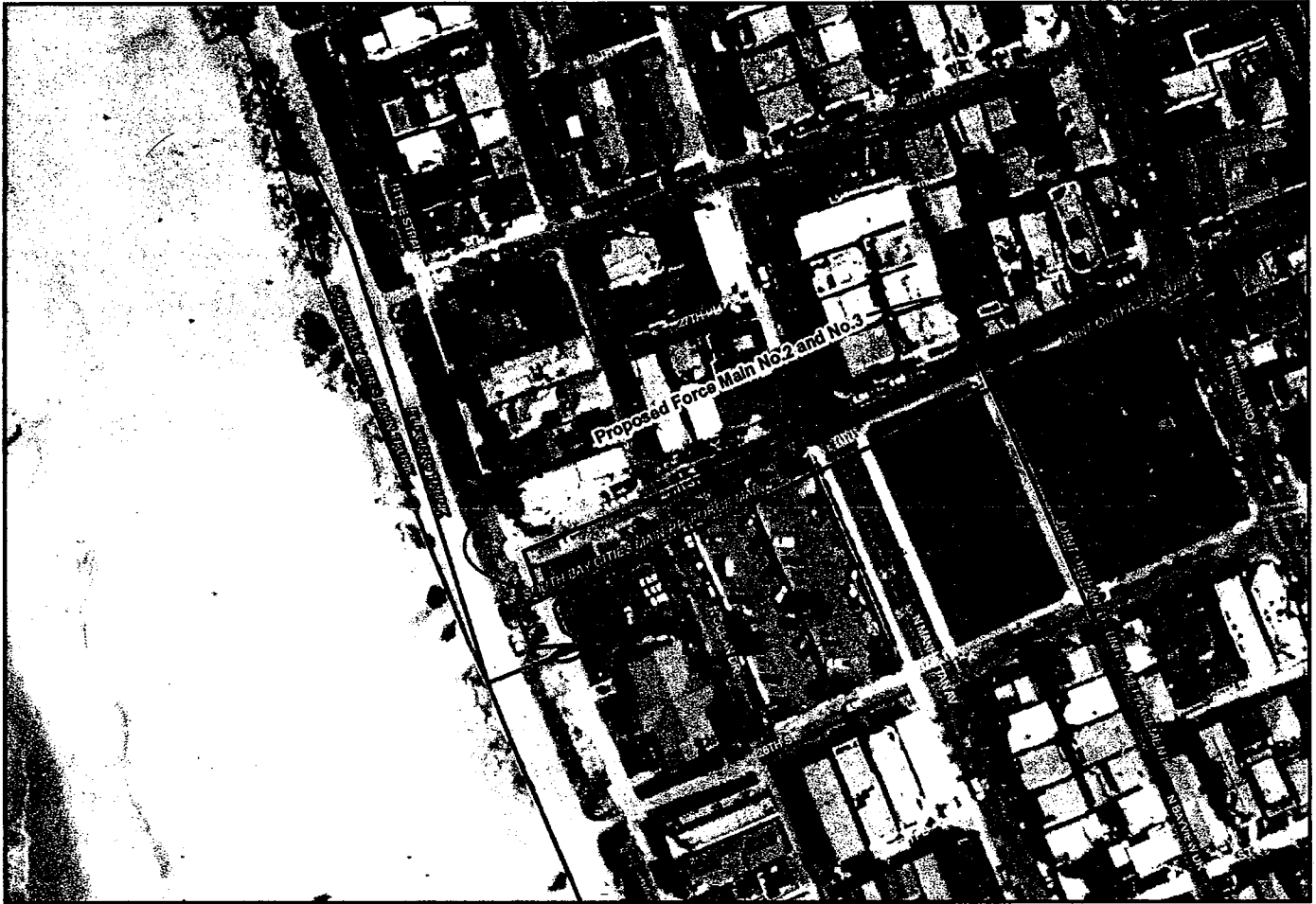
Restoration

Upon the completion of the project, all the surfaces will be restored in kind per the City of Manhattan Beach street restoration requirements.

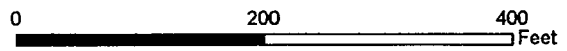
SOUTH BAY CITIES MAIN PUMPING PLANT FORCE MAIN No.2 AND No.3



**SOUTH BAY CITIES MAIN PUMPING PLANT
FORCE MAIN No.2 AND No.3**



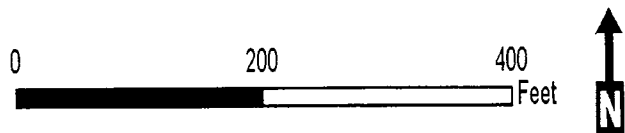
R:\Planning\GIS-Team\Property_Management\projects\OBCr\winPP_Proposed_sewer.mxd

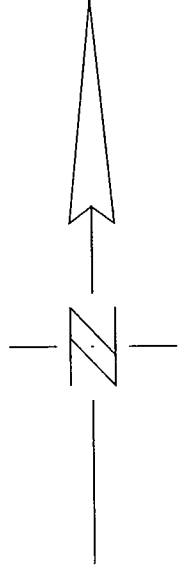
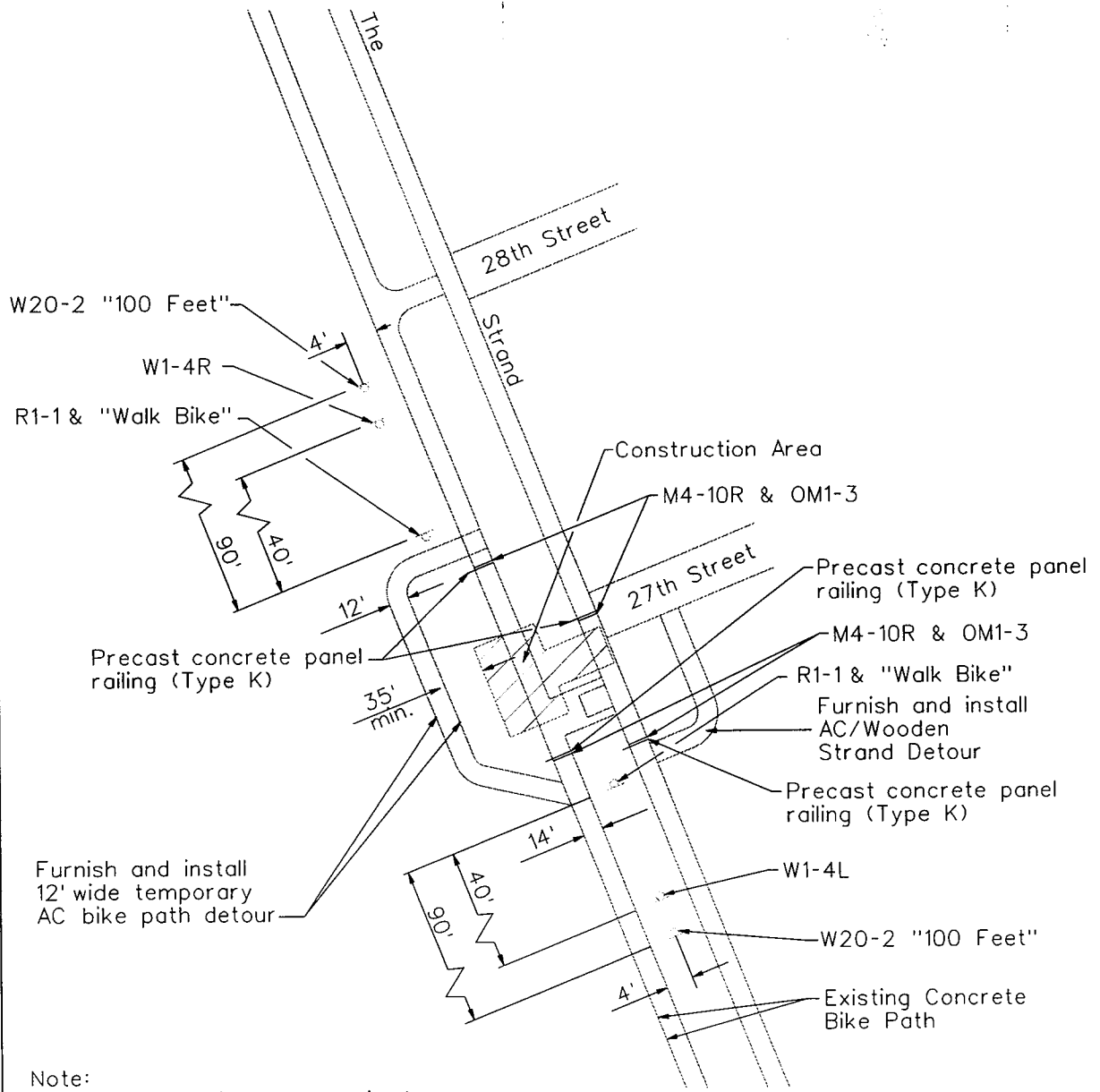


SOUTH BAY CITIES MAIN PUMPING PLANT FORCE MAIN No.2 AND No.3



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Note:
 Grade sand surface as required
 to install temporary bike path
 with abrupt grade changes

NOT TO SCALE

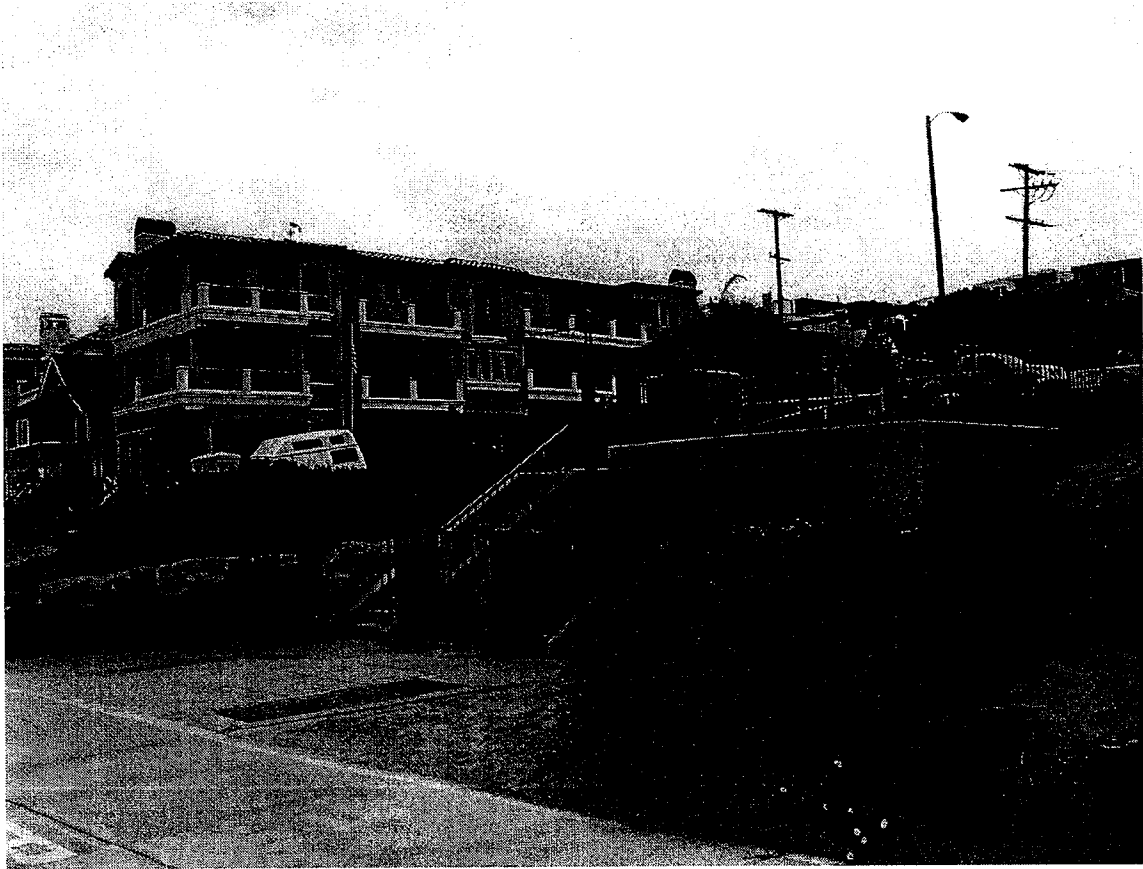
Disclaimer:
 This is a general plan
 and subject to change.

LEGEND

Sign (from MUTCD, 2003 and the
 2004 California Supplement)
 Signs shall be mounted on top of
 a Type 1 barricade

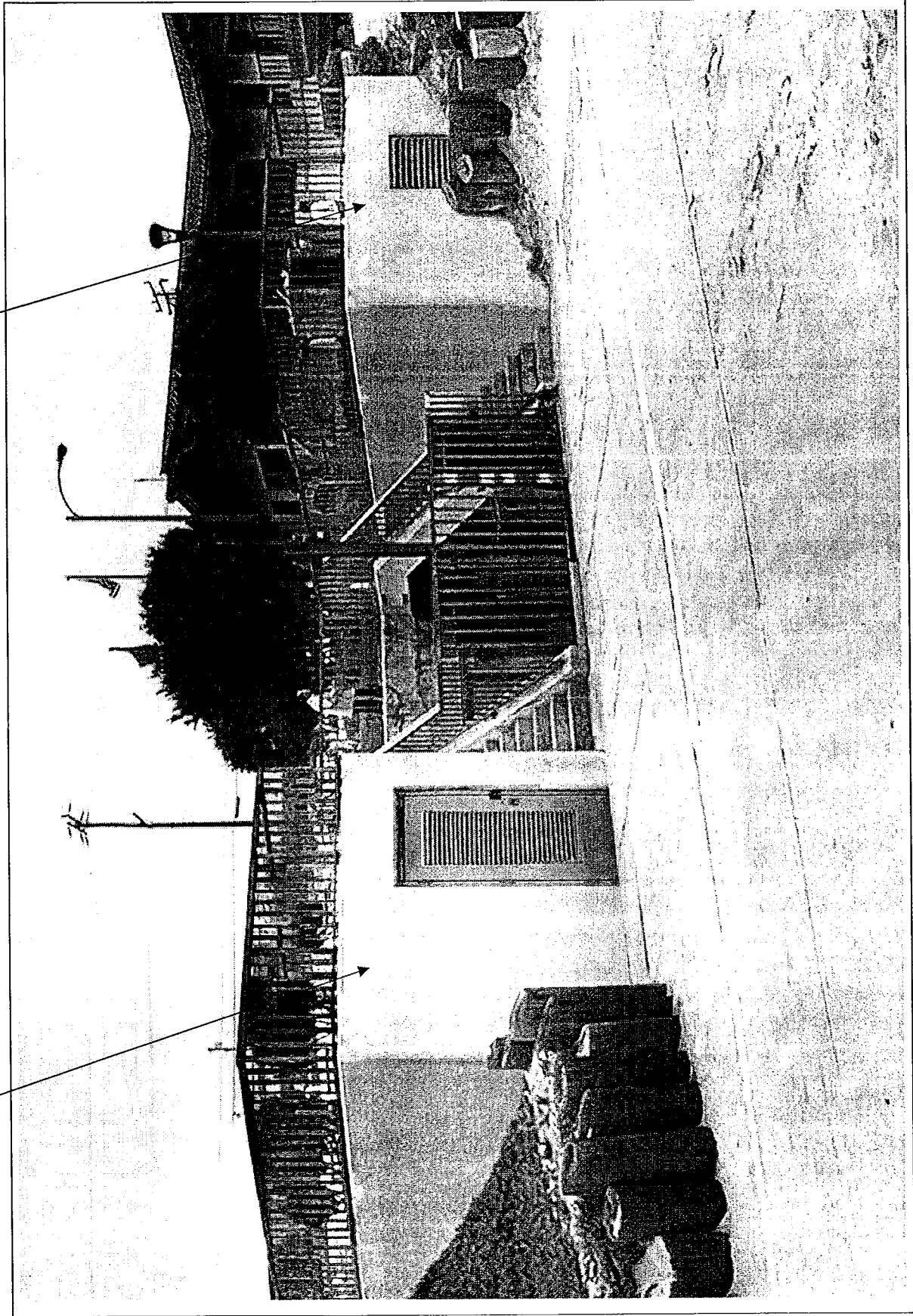
PRELIMINARY DESIGN FOR
 BIKE PATH AND THE STRAND DETOUR

Existing Conditions



Existing Equipment Building

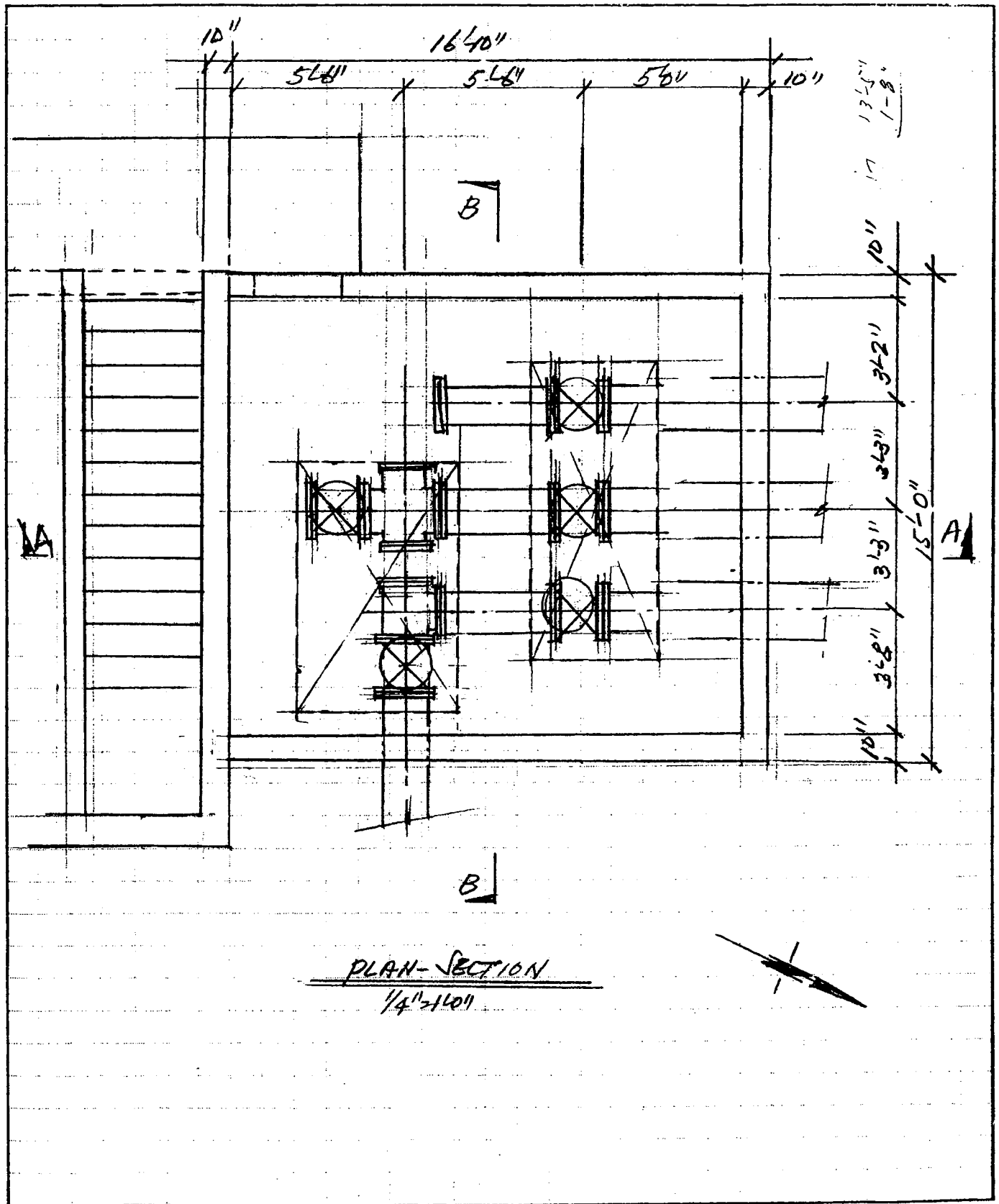
Proposed Equipment Building



PROJECT: SB CITIES PP

SHEET NO. 1 OF

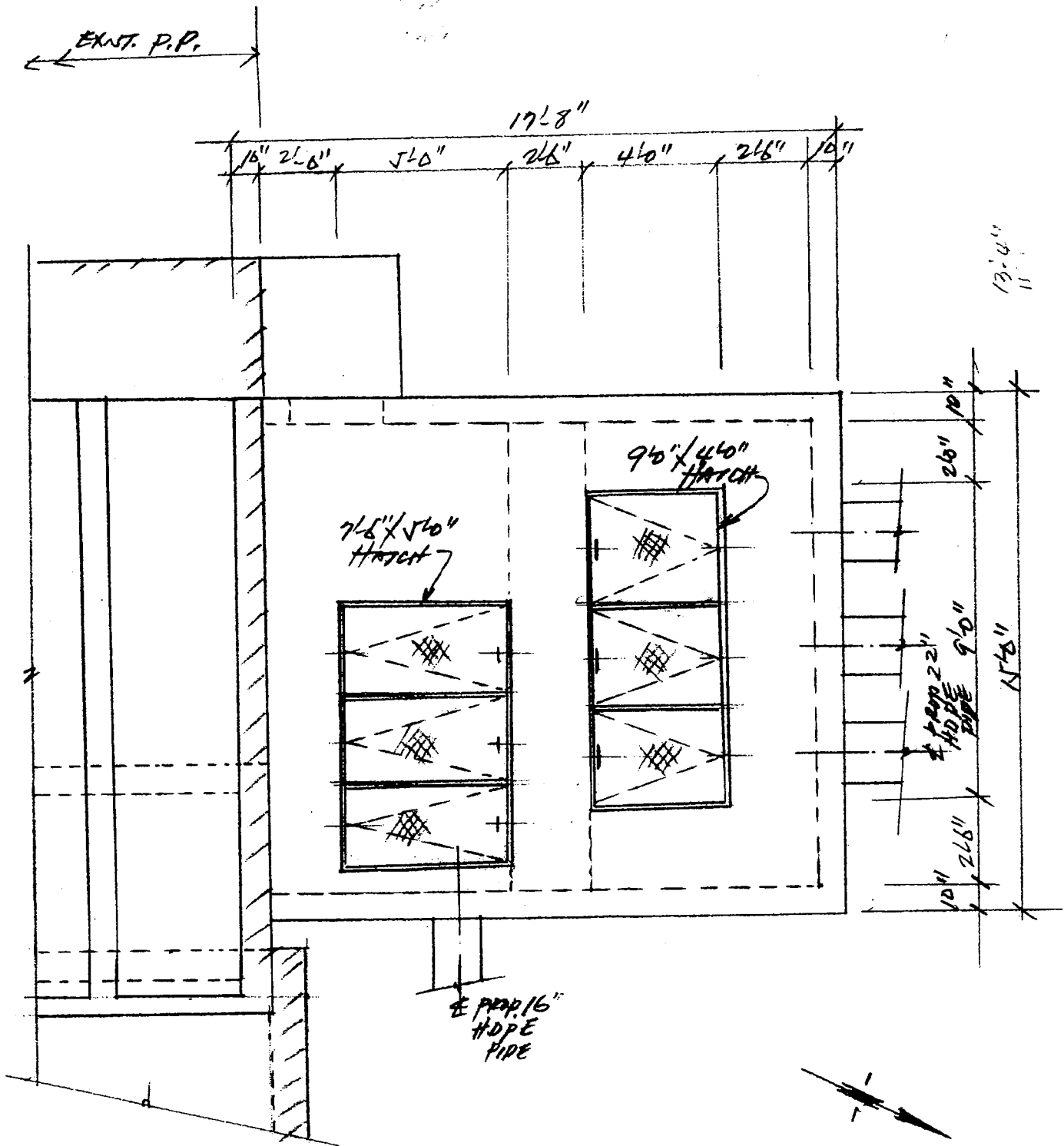
CALCULATED BY: BERT E. INOUE DATE: 6/07



PLAN-SECTION
1/4"=1'-0"



SOUTH BAY CITIES PP
SHT. 2

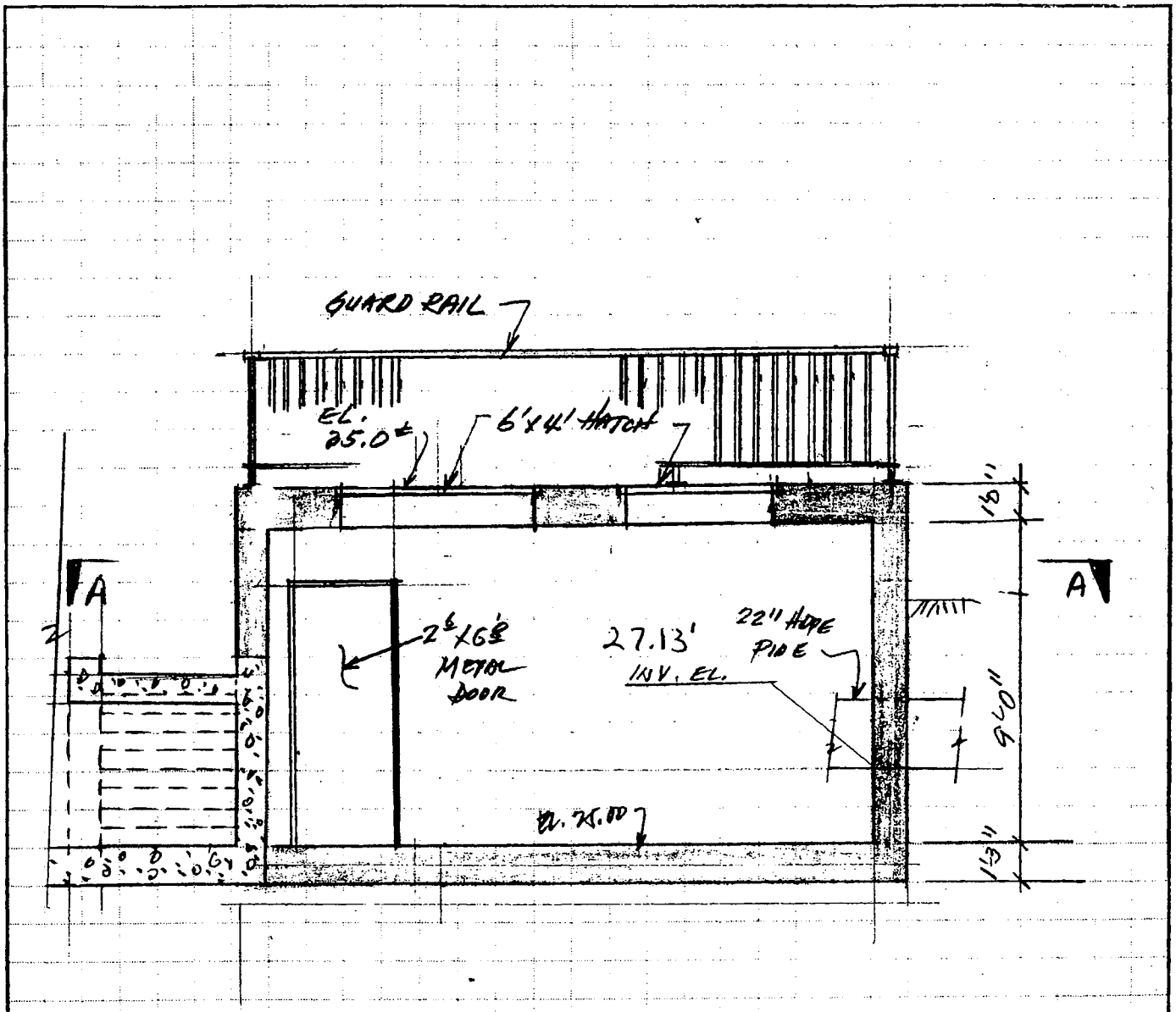


ROOF PLAN
1/4" = 1'0"

PROJECT: SO. BAY CITIES P.P.F.M #2#3

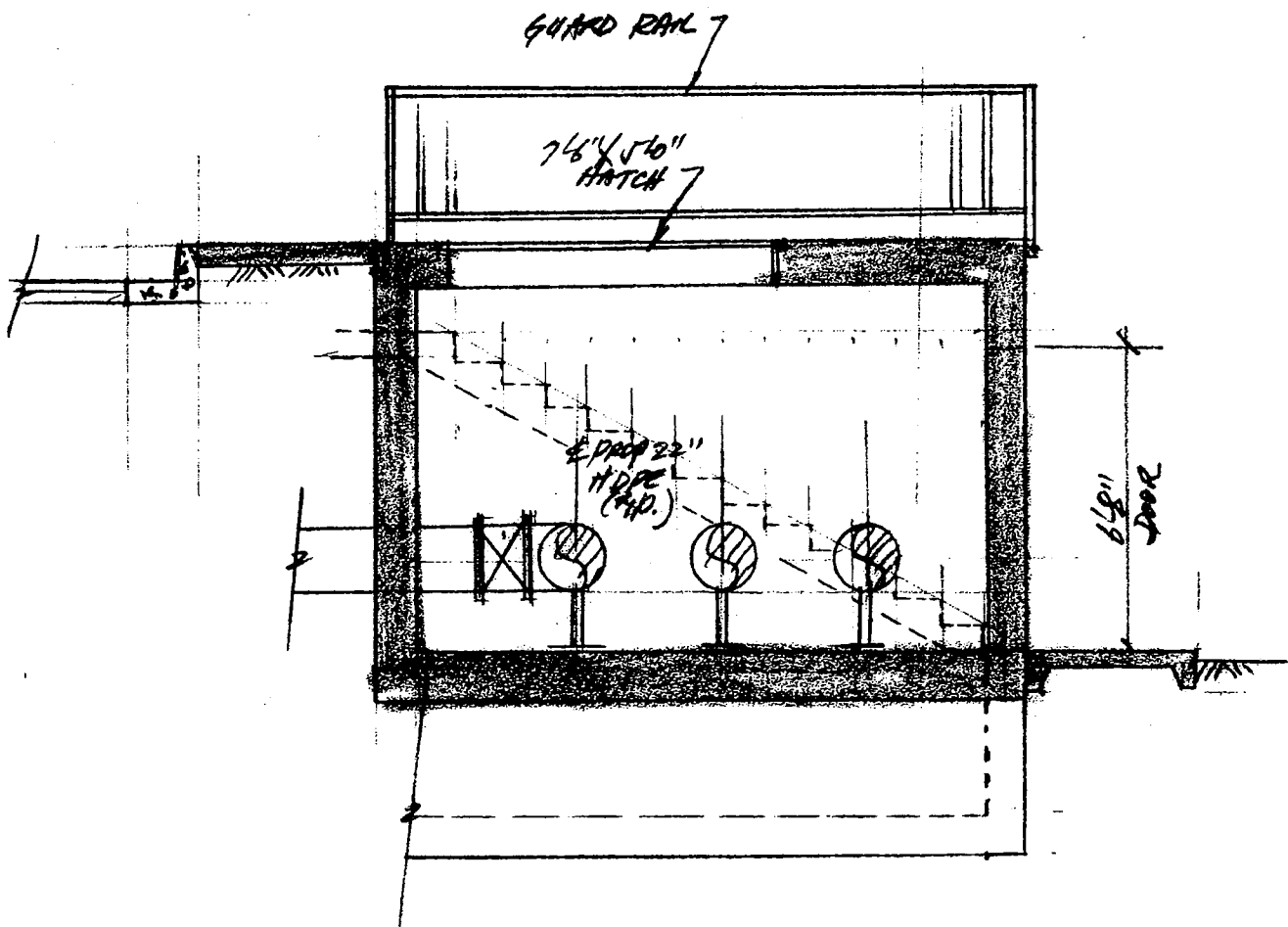
SHEET NO. 3 OF

CALCULATED BY: BERT E. INOUYE DATE: 3/27



SECTION B-B
1/4" = 1'0"

SOUTH BAY CITIES PP F. 117
SHT. 4



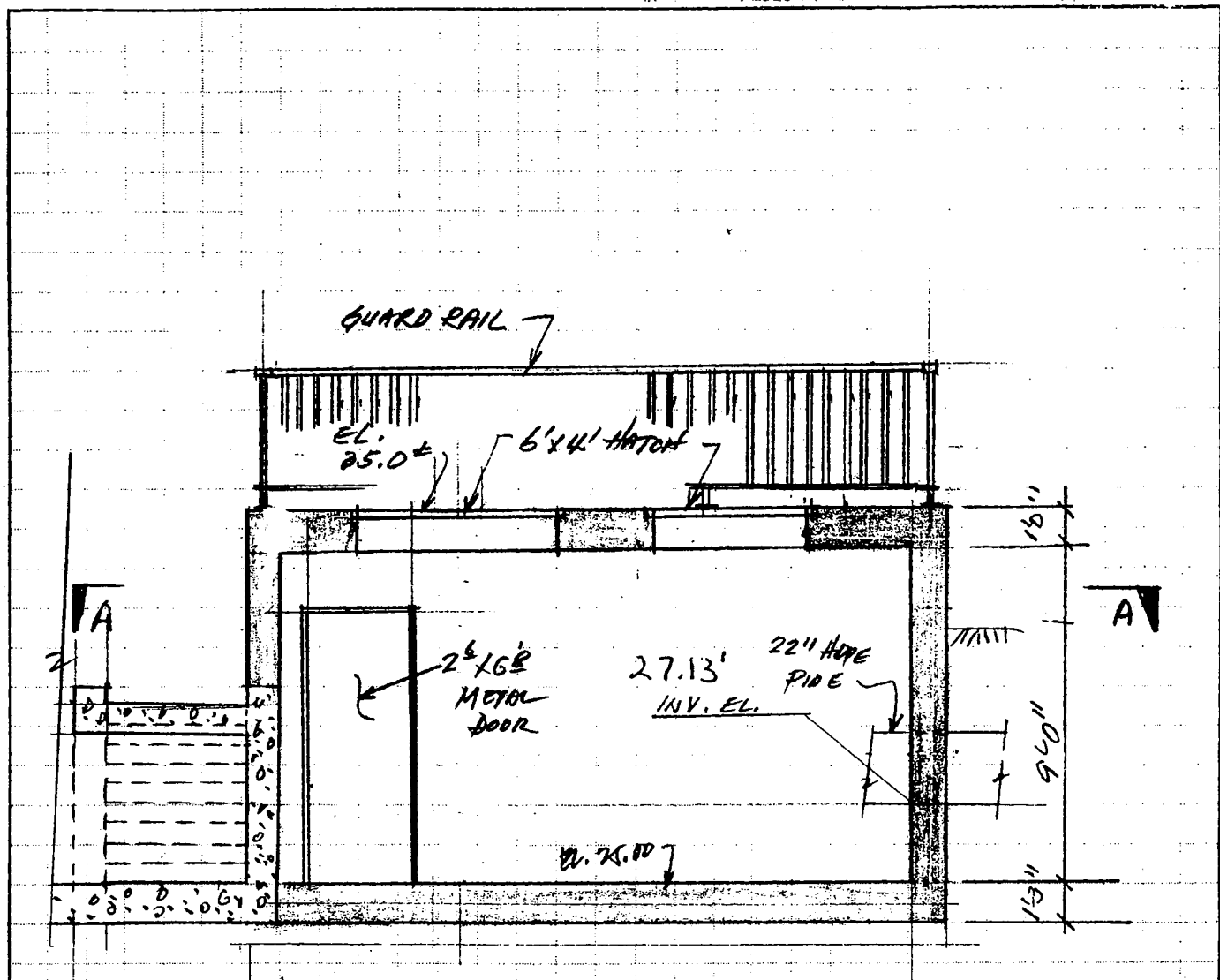
B-B
SECTION
1/4" = 1'-0"

BEI ENGINEERING & DESIGN, INC.

PROJECT: SO. BAY CITY P.P.F.M #243

SHEET NO. 3 OF _____

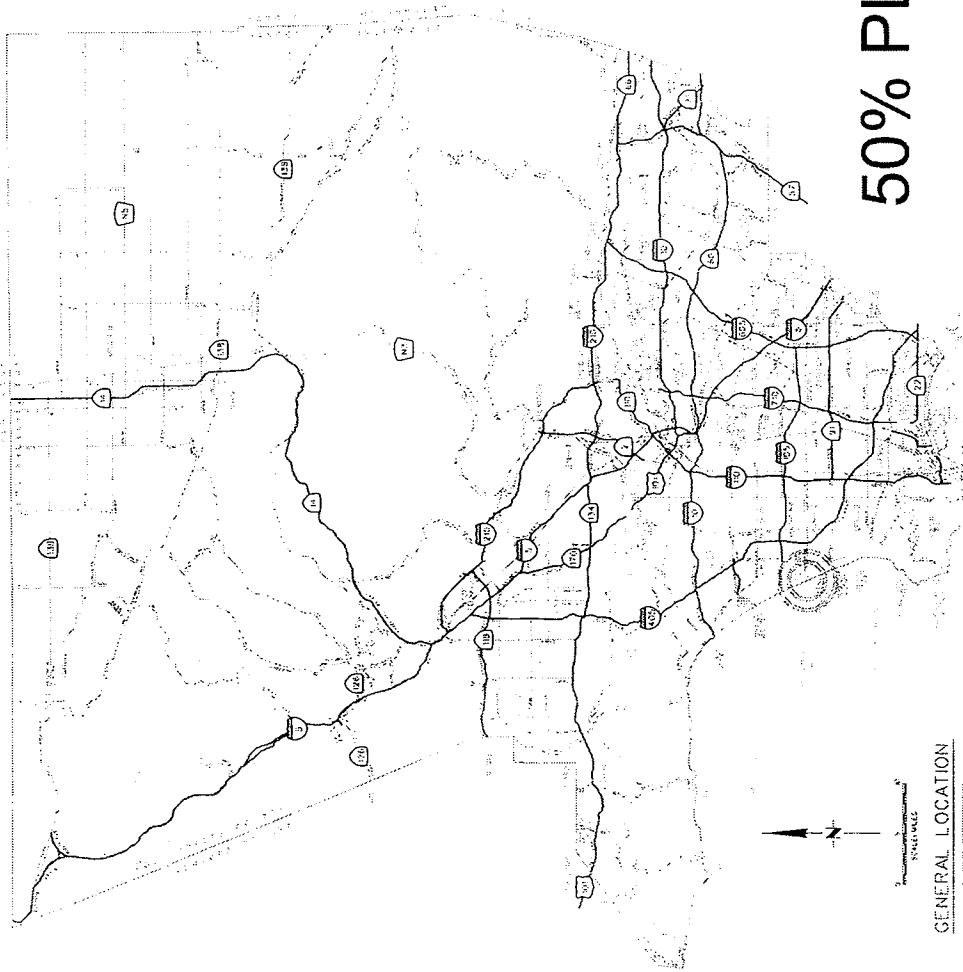
CALCULATED BY: BERT E. INOUE DATE: 3/67



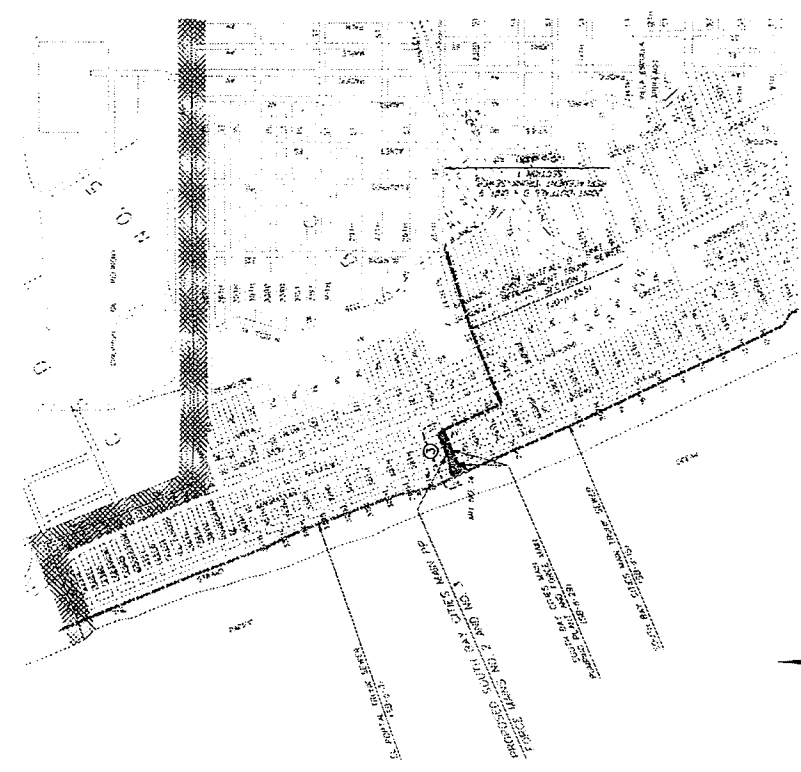
A-A
SECTION ~~B~~B
1/4" = 1'0"

COUNTY SANITATION DISTRICT No. 30
 SAN ANTONIO COUNTY, TEXAS
 OFFICE OF CHIEF ENGINEER
 CONTRACT DRAWINGS
 SOUTH BAY CITIES MAIN PUMPING PLANT FORCE MAINS NO. 2 AND NO. 3

SUBMITTED _____ DATED _____
 BY: _____
 G.E. No. 10117
 RECOMMENDED _____ DATED _____
 BY: _____
 E.E. No. 24393
 APPROVED _____ DATED _____
 BY: _____
 C.E. No. 23094



GENERAL LOCATION



50% PLANS

VICINITY MAP



NO.	DATE	BY	REVISION

SBP - P - 21
 SHEET NO. 1
 OF XX SHEETS

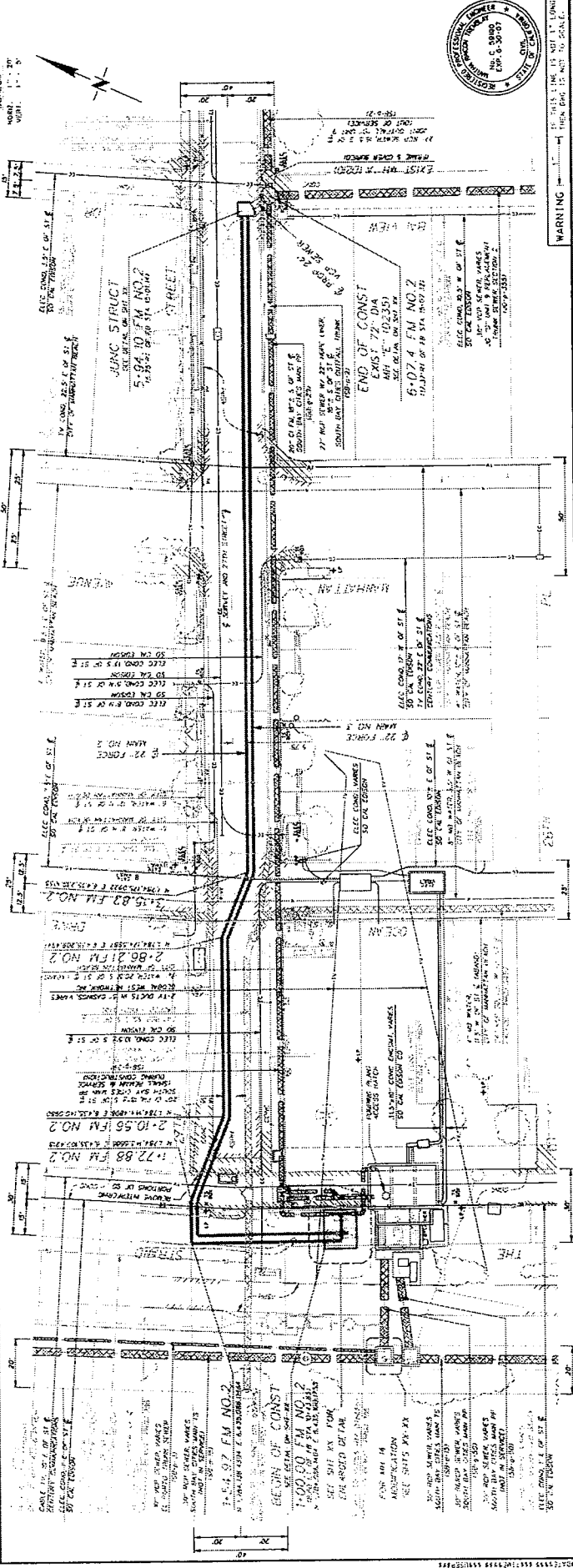
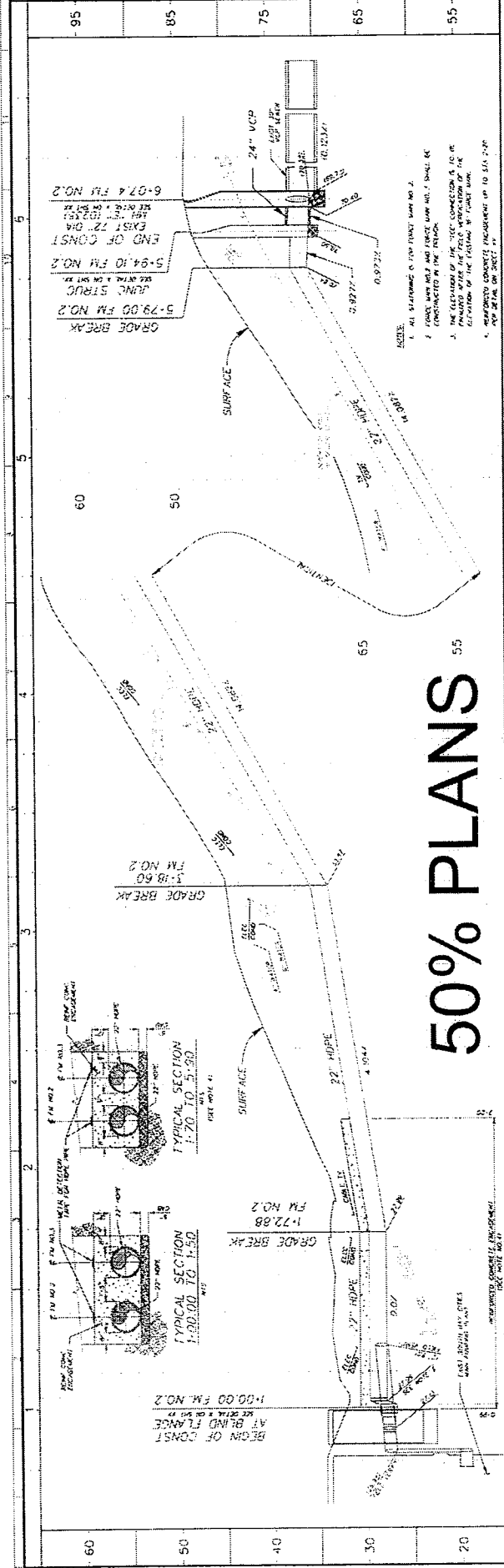
PLAN AND PROFILE

SOUTH BAY CREEK MAIN PUMPING PLANT

COUNTY SANITATION DISTRICT NO. 30

Table with columns: NO., REVISION, DATE, DRAWN, CHECKED, DESIGNED, APPROVED.

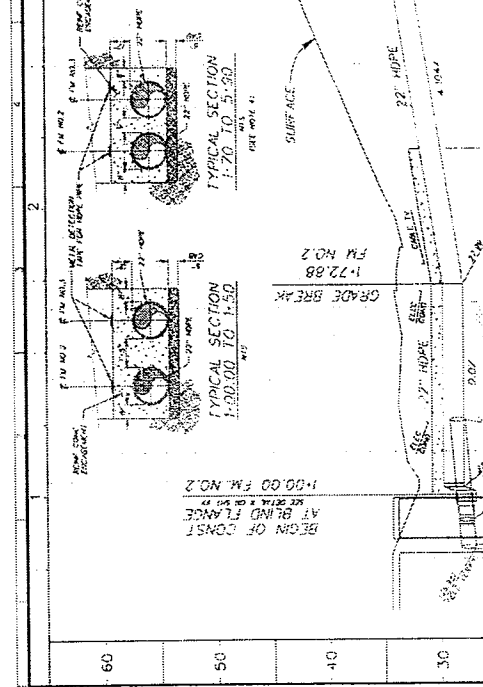
SWIFT NO. 3, SHEETS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30.



SCALES
VERT. 1" = 10'
HORIZ. 1" = 40'

NOTE:
1. ALL STRUCTURES AND FORCE MAINS SHALL BE CONSTRUCTED IN THE REGION.
2. THE ELEVATION OF THE "ICE" CONNECTION IS TO BE THE ELEVATION OF THE FASTING IN PLACE MARK.
3. REPAIRING CONCRETE REQUIRING UP TO 24" TO 30" OF CONCRETE.

50% PLANS



RESOLUTION NO PC 07-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A COASTAL DEVELOPMENT PERMIT CONSTRUCTION OF TWO BURIED SEWER MAINS TO REPLACE AN EXISTING SEWER MAIN WITH A NEW ABOVE-GROUND EQUIPMENT ROOM ADJACENT TO EXISTING BEACH ACCESS STAIRS BETWEEN 26TH STREET AND 27TH STREET (Los Angeles County Sanitation Districts)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Planning Commission of the City of Manhattan Beach conducted a public hearing pursuant to applicable law on July 25, 2007, to consider an application for a coastal development permit to Allow Construction of Two Buried Sewer Mains to Replace an existing Sewer Main with a New Above-ground Equipment Room Adjacent to Existing Beach Access Stairs between 26th Street and 27th Street
- B. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- C. The applicant for the Coastal Development Permit is the Los Angeles County Sanitation Districts. The properties involved in the project is owned by Los Angeles County and the City of Manhattan Beach.
- D. The applicant proposes to construct two sewer mains and related equipment to be installed underneath the Strand and 27th Street, and a 290 square foot building alongside the county beach bike path.
- E. The property is located within Area District III and is zoned OS Open Space and PS Public and Semipublic. The surrounding land uses consist of single and multiple family residences, a lifeguard headquarters facility, a public park, and public beach.
- F. The General Plan designation for the property is Open Space and Public/Semipublic, and the Local Coastal Program/Land Use Plan designation is also Open Space and Public/Semipublic.
- G. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15301 based on staff's determination that the project is a minor alteration of an existing sewer facility that doesn't expand the current use, and will not have a significant impact on the environment.
- H. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- I. The project is in accordance with the objectives and policies of the Manhattan Beach Coastal Program, as follows:
 1. The proposal is consistent with the surrounding coastal zone area and complies with the applicable standards of the Manhattan Beach Coastal Zone Zoning Code.
 2. The project conforms with the certified Manhattan Beach Local Coastal Program in that it is a public works project benefiting public health and ocean water quality and does not permanently disrupt coastal access.

3. The project is in conformity with the public access and recreation policies of the California Coastal Act since reduced threats to ocean water quality will enhance coastal recreation opportunities, permanent coastal access will not be affected, and temporary access limitations due to construction will be restricted to appropriate levels.

- J. The project is consistent with the public access and recreation policies of Chapter 3 of the California Coastal Act of 1976, as follows;
 - Section 30212 (a) (2): The proposed facility does not impact public access to the shoreline, and adequate public access is provided and shall be maintained along The Strand, the beach bike path, Ocean Drive, 26th Street, and 27th Street .

 - Section 30221: The project goal of improved ocean water quality will enhance coastal recreation opportunities.

- K. This Resolution upon its effectiveness constitutes the Coastal Development Permit for the subject project.

SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Coastal Development Permit amendment subject to the following conditions:

Standard Conditions

1. *Compliance.* All development must occur in strict compliance with the proposal as set forth in the application for said permit, subject to any special conditions set forth below. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.

2. *Expiration.* The Coastal Development Permit shall be approved for a period of two years after the date of approval, with the option for future extensions, in accordance with the Manhattan Beach Municipal Code (MBMC) Section 10.84.090.

3. *Interpretation.* Any questions of intent or interpretation of any condition will be resolved by the Planning Commission.

4. *Inspections.* The Community Development Department Staff shall be allowed to inspect the site and the development during construction subject to 24-hour advance notice.

5. *Assignment.* The permit may be assigned to any qualified persons subject to submittal of the following information to the Director of Community Development:
 - a. a completed application and application fee as established by the City's Fee Resolution;
 - b. an affidavit executed by the assignee attesting to the assignee's agreement to comply with the terms and conditions of the permit;
 - c. evidence of the assignee's legal interest in the property involved and legal capacity to undertake the development as approved and to satisfy the conditions required in the permit;
 - d. the original permittee's request to assign all rights to undertake the development to the assignee; and,
 - e. a copy of the original permit showing that it has not expired.

6. *Terms and Conditions are Perpetual.* These terms and conditions shall be perpetual, and it is the intention of the Director of Community Development and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

7. *Effective Date.* This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section 10.100.030, and the City of Manhattan Beach Local Coastal Program - Implementation Program Section A.96.160 have expired; and, following the subsequent Coastal Commission appeal period (if applicable) which is 10 working days following notification of final local action.

Special Conditions

8. The subject Coastal Development Permit will be implemented in conformance with all provisions and policies of the Certified Manhattan Beach Local Coastal Program (LCP) and all applicable development regulations of the LCP - Implementation Program.
9. The final construction plans shall be in substantial conformance with the plans and information contained within the project staff report as approved by the Planning Commission on July 25, 2007. Those plans shall include preservation of as much planted area adjacent to the proposed equipment building as is feasible and appropriate.
10. The final plan for maintaining temporary pedestrian access in the project area for The Strand and to the beach, and temporary bicycle access for the bikepath shall be submitted for approval by the Community Development Department prior to project construction. Bike path detours east of the existing bike path location shall be prohibited. Obstructions/detours from normal bike path operation shall not be permitted during the summer season between Memorial Day and Labor Day weekends. Obstructions/detours from normal Strand operation shall not be permitted between Memorial Day and Hometown Fair (in October) weekends.
11. Project construction shall not begin prior to October 8, 2007, in order to avoid bike path and Strand obstructions during the summer season and Hometown Fair Run.
12. All electrical, telephone, cable television system, and similar service wires and cables shall be installed in underground to the appropriate utility pole(s) in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department. The final construction plans shall identify all existing adjacent undergrounded utilities.
13. All permits, permissions, and standards from Los Angeles County and the City of Manhattan Beach shall be observed as applicable. All defective or damaged curb, gutter, street paving, and sidewalk improvements shall be removed and replaced with standard improvements, subject to the approval of the Public Works Department.
14. A Traffic Management Plan shall be submitted to the Community Development Department, to be approved by the Police and Public Works Departments prior to construction. The plan shall provide for the management of all construction related traffic, adjacent resident traffic, and pass-by traffic, during all phases of construction, including delivery of materials and parking of construction related vehicles
15. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.
16. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of July 25, 2007 and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

RICHARD THOMPSON,
Secretary to the Planning Commission

Sarah Boeschen
Recording Secretary



COUNTY SANITATION DISTRICTS OF LOS ANGELES COUNTY

1955 Workman Mill Road, Whittier, CA 90601-1400
Mailing Address: P.O. Box 4998, Whittier, CA 90607-4998
Telephone: (562) 699-7411, FAX: (562) 699-5422
www.lacsd.org

STEPHEN R. MAGUIN
Chief Engineer and General Manager

August 17, 2007
File No. 30-16.01-00

Mr. Dana Greenwood, City Engineer
Public Works Department
City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, CA 90266

Dear Mr. Greenwood:

Summary of South Bay Cities Sanitation District's January 15, 2006 Sanitary Sewer Overflow

The following information is provided in response to your recent request for a summary of the failure mode that caused the January 15, 2006 wastewater overflow event at the South Bay Cities Main Pumping Plant (SBCMPP) and the corrective measures implemented to prevent a future occurrence.

The SBCMPP is located at 2616 The Strand in the City of Manhattan Beach. The SBCMPP receives approximately 3 MGD of wastewater from two main trunk sewers serving approximately 30,000 people. During normal operation, all of the wastewater arriving at the SBCMPP is from the cities of Manhattan Beach and Hermosa Beach. The wastewater is then pumped from SBCMPP through a force main and then to a gravity sewer, which conveys the flow toward the Joint Water Pollution Control Plant (JWPCP) in Carson for treatment.¹

The telemetry system in operation at the time of the January 15, 2006, wastewater overflow event consisted of programmable logic controllers (PLC) using analog leased-line telephone lines with a serial type connection to send information regarding pumping plants operating status to the Central Alarm Center at the Long Beach Main Pumping Plant (LBMPP) for analysis. A fault in the connection at any single pumping plant could cause a loss of communication with the entire group of pumping plants in that series. On January 15, 2006 between 5:48 a.m. and 6:13 a.m., such a fault occurred and the signals from 17 of the Sanitation Districts' 52 active pumping plants were sequentially lost.

The Sanitation Districts had a plan for upgrading electrical, control, and telemetry systems at all active pumping plants, including the SBCMPP. This plan, which became a required element of the March 9, 2004, revised Administrative Order issued by USEPA, was being implemented when the January 15, 2006 wastewater overflow occurred. The control and telemetry system upgrades included replacement of the existing Supervisory Control and Data Acquisition (SCADA) system, to provide for remote control, in addition to monitoring, of all of the Sanitation Districts' pumping plants. Implementation of the new SCADA system required removal of the existing electromechanical-relay based controls at the pumping plants and replacement with PLC-based controls. The previous telephone architecture utilizing analog leased-line communication between each pumping plant and the Central Alarm Center was replaced with digital frame relay networks,

¹ It should be noted that the South Bay Cities Sanitation District project being considered at the September 4, 2007 City Council meeting includes the proposed construction of the South Bay Cities Main Pumping Plant Force Mains Nos. 2 and 3. This project will provide two new force mains for redundancy thus, increasing future reliability of the system. The existing force main will be removed from service but maintained as a backup.

which transmit data more reliably and allow for quick troubleshooting of the system if problems occur. In addition, a cellular based alarm system was installed at the SBCMPP as backup to the primary communication system. The upgrades at the SBCMPP, which were underway at the time of the January 15, 2006 overflow, were completed on March 10, 2006. It should be noted that the loss of telemetry at the time of the overflow did not signal failure of electricity or mechanical failure of the operating equipment at the pumping plant, only that the operating status was unknown.

At the time of the wastewater overflow event the SBCMPP was equipped with two primary pumps and one backup pump. The existing system had both primary and backup pump control systems. The primary control system monitored wastewater levels in the wet well and operated the pumps to maintain a constant level in the wet well. The system was comprised of a differential-pressure type level transmitter, a Programmable Logic Controller (PLC), and an external level controller. A backup control system was in place to operate the pumps if the primary control system failed. The backup control system monitored wet well level using an ultrasonic level transmitter. During the January 15, 2006 communication failure at the SBCMPP, the simultaneous failure of the primary and secondary (back-up) pump control systems occurred. It is estimated that the concurrent failures occurred at approximately 9:45 a.m. Again, the SBCMPP upgrades were in progress at the time of the overflow event. The modifications to the SBCMPP included upgrading the control system with a new PLC and redundantly configured level controllers and backup controls. An uninterruptible power supply (UPS) was also installed to provide backup power for the PLC control system and the telemetry equipment. The control system will automatically start standby pump(s) when the lead pump experiences any type of failure.

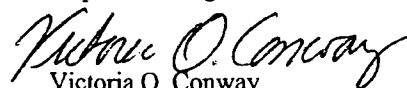
As a result of the concurrent failures at the SBCMPP, approximately 1.5 million gallons of raw sewage overflowed from the South Bay Cities Sanitation District's collection system on January 15 and 16, 2006. Of the 1.5 million gallons spilled, approximately 65,000 gallons reached the Pacific Ocean, and approximately 777,000 gallons percolated toward or into groundwater underlying the sand. Approximately 678,000 gallons of the overflow volume were recovered from impoundments on the beach that would have otherwise percolated into the underlying groundwater. In addition, during the emergency response to the overflow incident, approximately 496,000 gallons of wastewater were recovered from the sewer during the period of pump station outage that would have otherwise spilled. These recovered volumes (including the volume recovered from the impoundments) were returned to the sewer system and conveyed to the JWPCP for treatment. The beach areas (both within the cities of Manhattan Beach and Hermosa Beach) impacted by the overflow were remediated by the Sanitation Districts over approximately a month's time and restored to normal conditions.

Based on a review of the mode of failure at the SBCMPP, a statistical expert concluded that the probability of the combined three subsystem failure in a given year in any one of the Sanitation Districts' 52 active pumping plants is less than one in 4,000. Even with this extremely low probability of occurrence and the already exceptionally low occurrence of overflow events (average of 1.4 sanitary sewer overflows per 100 miles of sewers per year) from the Sanitation Districts' collection system, the Sanitation Districts have and continue to increase the reliability of all of its collection system to further minimize the risk of an overflow event.

Should you have any questions or require additional information regarding the subject event and/or outcome, please feel free to contact the undersigned at (562) 908-4288, extension 1701.

Very truly yours,

Stephen R. Maguin



Victoria O. Conway
Department Head
Sewerage Department