

**CITY OF MANHATTAN BEACH**  
**[DRAFT]MINUTES OF THE REGULAR MEETING OF THE PLANNING**  
**COMMISSION**  
**JULY 25, 2007**

1 A regular meeting of the Planning Commission of the City of Manhattan Beach was held on  
2 Wednesday, July 25, 2007, at 6:35p.m. in the City Council Chambers, City Hall, 1400 Highland  
3 Avenue.  
4

5 **ROLL CALL**

6  
7 Chairman Bohner called the meeting to order.  
8

9 Members Present: Lesser, Powell, Schlager, Seville Jones, Chairman Bohner  
10 Members Absent: None  
11 Staff: Richard Thompson, Director of Community Development  
12 Laurie Jester, Senior Planner  
13 Eric Haaland, Associate Planner  
14 Esteban Danna, Assistant Planner  
15 Sarah Boesch, Recording Secretary  
16

17 **APPROVAL OF MINUTES**                      **June 27, 2007**

18  
19 Commissioner Seville-Jones requested that a hyphen be added to her last name on page 1, lines  
20 25 and 39 of the June 27 minutes.  
21

22 Commissioner Seville-Jones requested that the word “form” be corrected to “from” on page 9,  
23 line 12 of the minutes.  
24

25 Commissioner Powell requested that page 5 line 20 of the minutes be revised to read: “He also  
26 asked whether a photometric plan . . . ”  
27

28 Chairman Bohner requested that page 4, line 32 of the minutes be corrected to read: “. . . the  
29 parking ~~a~~ requirement for the site is 127 spaces.”  
30

31 Chairman Bohner requested that page 6, line 15 be corrected to read: “Commissioner Seville-  
32 Jones asked whether some parking spaces on the upper level could ~~be~~ possibly be restricted for  
33 parking . . . “  
34

35 Chairman Bohner requested that page 8, line 32 be revised to read: “. . . and he would want to  
36 be sure that the buffer as proposed remains ~~permanently~~ permanent in order to conclude that it is  
37 appropriate to rezone.”  
38

39 Chairman Bohner requested that page 8, line 35 be revised to read: “He said ~~that~~ that as long as .  
40 . . . “  
41

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1 Chairman Bohner requested that the spelling of “APPROVE” be corrected on page 13, lines 20  
2 and 33.

3  
4 A motion was MADE and SECONDED (Seville-Jones/Lesser) to **APPROVE** the minutes of  
5 June 27, 2007, as amended.

6  
7 AYES: Lesser, Powell, Schlager, Seville-Jones, Chairman Bohner

8 NOES: None

9 ABSENT: None

10 ABSTAIN: None

11

12 **AUDIENCE PARTICIPATION**

13

14 **Viet Ngo** stated that in the interest of justice, he would refer the Commission to the Superior  
15 Court case regarding jurisdiction authority of public land. He indicated that the Commission  
16 must advise the City Council and especially staff to follow the law. He indicated that U.S.  
17 Supreme Court of California v. United States spells out that federal law applies to the entire  
18 beach area. He stated that City officials have no authority to dispose of government property  
19 and cannot by their conduct cause the government to lose their right. He said that the City  
20 officials have acted beyond their capacity to allow the AVP use the public land for profit and  
21 enclose the beach area with bleachers and prevent entry to the public. He stated that he would  
22 ask the Commission to advise the City Council and officials to uphold the law and not act out of  
23 their scope of authority.

24

25 **PUBLIC HEARINGS**

26

27 **07/0725.1 Consideration of Proposed New Mixed-Use Commercial Building at 1001**  
28 **Manhattan Avenue (Ristani)**

29

30 Commissioner Lesser disclosed that he is an acquaintance of the applicant and a friend of the  
31 applicant’s child and was the coach of the applicant’s grandchild in little league. He indicated that  
32 he is also friends with the project architect. He indicated that he has no financial interest in the  
33 project and feels he can consider the issue fairly.

34

35 Assistant Planner Danna summarized the staff report. He said that the former site was a two level,  
36 5,400 square foot building which included Old Venice and El Sombrero restaurants as well as three  
37 retail spaces. He indicated that the new three level structure would consist of 5,386 square feet. He  
38 stated that the building would include spaces for El Sombrero and Old Venice totaling 3,024 square  
39 feet; two retail spaces totaling 1,789 square feet; a 397 square foot office; and 12 parking spaces for  
40 tenant use only. He indicated that the building area would be approximately 2/3 of the maximum  
41 permitted, and the building height would be approximately 1 ½ feet below the maximum permitted.

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1 He said that the project does not have a parking requirement, but the proposal would provide 12  
2 tenant parking spaces. He commented that the proposed uses would operate similar to previous  
3 uses including hours of deliveries and trash pickup. He indicated that the trash enclosure would be  
4 significantly upgraded to meet current Code requirements. He said the two restaurants would  
5 continue use of their ABC license to serve beer and wine for on-site consumption only. He  
6 indicated that the applicants are requesting to provide a handicapped parking space along  
7 Manhattan Avenue.

8

9 Assistant Planner Danna commented that because the applicants are providing parking, a  
10 handicapped space is required by the Building Division. He said that since providing the  
11 handicapped space on-site would be difficult because of height and space restrictions, the applicant  
12 is requesting to replace one standard parking space along Manhattan Avenue with a dedicated  
13 handicapped space. He said that the space would improve street level accessibility; would be  
14 available to the public; and would be subject to review and approval by the PPIC. He indicated  
15 that the project is consistent with the Downtown Commercial District and Design Guidelines;  
16 would pose no detrimental effects to the public health and safety; is consistent with the General  
17 Plan; would be in compliance with the findings of the Master Use Permit, and the Coastal  
18 Development permit. He commented that public notice for the project was published in the Beach  
19 Reporter and mailed to property owners within a 500 foot radius of the site. He said that staff  
20 received minor comments from other departments and received comments from residents. He said  
21 that staff received two letters in support of the project, two letters supporting the handicapped  
22 parking space addition, and one verbal concern regarding the circulation of traffic on 10<sup>th</sup> Place.  
23 He indicated that staff is recommending approval of the application subject to the findings in the  
24 draft Resolution. He pointed out that the draft Resolution has been amended based on new  
25 information received from the applicant on page 4, Conditions 9 through 11.

26

27 In response to a question from Commissioner Schlager, Director Thompson stated that one of the  
28 parking spaces being provided is required to be handicapped because of the inclusion of parking  
29 spaces within the project. He said that staff feels it would be beneficial to the community to have a  
30 handicapped space along Manhattan Avenue which would be available to all members of the  
31 public, and the City's ADA consultant recommends providing the space as a way to satisfy the  
32 requirement.

33

34 In response to a question from Commissioner Lesser, Director Thompson said that typically  
35 applications for handicapped spaces are for spaces located adjacent to residences. He said that staff  
36 notifies the adjacent residents when such applications are received, and requests are approved  
37 based upon any comments. He said that he does not believe there has been a request for a  
38 handicapped space in the downtown area.

39

40 In response to a question from Commissioner Lesser, Director Thompson said that a lot merger  
41 would be required if the lots are not currently formally merged.

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In response to a question from Commissioner Lesser, Director Thompson said that a loading area is not required within the downtown area.

In response to a question from Commissioner Lesser, Director Thompson said that the third story is actually considered the second level of the structure because of the parking proposed under the building.

In response to a question from Commissioner Seville-Jones, Assistant Planner Danna said that the hours of operation are proposed until midnight.

In response to a question from Commissioner Seville-Jones, Assistant Planner Danna stated that the proposed parking garage would be private parking for tenants and would always remain gated.

**Louie Tomaro**, the project architect, said that the original building was destroyed in a fire and is proposed to be replaced with a new structure that would be virtually the same size. He pointed out that the building is two stories with a basement. He said that it would be a two-story building, and the main level includes retail and restaurant use. He said that the parking garage would be considered a basement. He stated that the parking would be located underground and would not be visible from the street. He commented that Old Venice would take the left side of the building, and El Sombrero would locate in the center portion. He described the design of the proposed structure. He indicated that it would be difficult to locate a handicapped parking space in the proposed parking garage because of the height requirement to allow for a van to use the ramp. He indicated that the proposed handicapped parking space would be in a convenient location on the street and would not result in any parking being lost. He commented that there is currently no handicapped space on the south end of the downtown area. He said that the 12 parking spaces would be provided for employee and tenant use. He said that the parking would be screened off with a gate that could not be accessed without a key. He stated that they would request that the office space on the top level be open for use by anyone and not be limited to use only by the owners.

**Mr. Tomaro** indicated that they would like the flexibility for use of the office by anyone. He said that they are aware of the ADA requirements for a restroom that allows disabled access.

In response to a question from Commissioner Powell, **Mr. Tomaro** said that an outdoor dining area is not proposed. He indicated that the design would include an enclosed area with glass shutters that could be opened with a 3 foot barrier to separate the restaurant space from the sidewalk.

In response to a question from Commissioner Lesser, **Mr. Tomaro** said that there is no request to provide outdoor dining in the adjacent public right-of-way.

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1 In response to a question from Commissioner Seville-Jones, **Mr. Tomaro** said that the masonry  
2 block wall that would be built on the property which would provide a sound buffer, and the upper  
3 story with the office has been set in 10 feet in order to set it back from the residences as much as  
4 possible.

5  
6 In response to a question from Commissioner Seville-Jones, **Mr. Tomaro** said that the glass  
7 shutters that look out onto the walk street would most likely remain closed during the evening  
8 hours when it is cooler, which would help to reduce any noise impacts. He indicated that the  
9 restaurant operators are well established in the community and would work with neighbors  
10 regarding any concerns.

11  
12 In response to a question from Commissioner Seville-Jones, **Mr. Tomaro** said that there are no cell  
13 phone towers for the building itself, and any request for cell towers would come before the  
14 Commission.

15  
16 Director Thompson pointed out that there is an Ordinance that regulates cell phone sites.

17  
18 In response to a question from Chairman Bohner, **Mr. Tomaro** said that they have not addressed  
19 retail uses that would locate in the building. He said that two of the previous retail uses may return,  
20 and the uses would be similar to the previous businesses.

21  
22 Chairman Bohner opened the public hearing.

23  
24 **Martha Andreani**, said that the design of the project is gorgeous. She indicated that the proposal  
25 is similar to the previous building and improves upon the original design. She commented that the  
26 design allows the building to appear as a single structure rather than separate buildings. She said  
27 that she is delighted to hear that the same tenants plan to return to the building. She commented  
28 that the business owners are excellent neighbors. She stated that the primary difference of the  
29 proposal is the new office use. She said that the office space would be located very close to the  
30 adjacent three unit apartment building and could be somewhat intrusive. She asked whether the  
31 office use is necessary. She stated that providing parking for the tenants would be a benefit in  
32 keeping the employees from parking on the adjacent streets and residential areas. She indicated  
33 that providing the handicapped parking space is a great tradeoff. She said that because it is in a  
34 commercial area, there should be a two hour parking limit on the handicapped space to allow for  
35 turn over. She indicated that the project supports the desire of the members of the Manhattan  
36 Beach Residents Association to keep the patio dining within the footprint of the property. She  
37 commented that she would prefer for chairs and tables not to be placed on the sidewalk. She  
38 indicated that the windows from the restaurant adjacent to 10<sup>th</sup> Street remaining open could result  
39 in a noise impact and suggested a requirement that the doors be closed at 8:00 or 9:00 p.m. She  
40 commented, however, that children play in the grass area on 10<sup>th</sup> Street often, and leaving the area  
41 open is a good idea. She said that she is pleased that the tenants will return soon.

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1  
2 **Kathy Smith**, a Manhattan Beach resident, said that the applicant has done a great job with the  
3 design. She said that she supports providing parking for the tenants. She said that it is too bad they  
4 are required to allocate one spot for handicapped parking, as any parking space can be used for free  
5 with a handicapped sign. She stated that the office and deck are going to have a view right into the  
6 adjacent residents and her deck and patio. She said that it must be clarified if anyone is permitted  
7 to use the proposed office space that it is to be for an office use only and not for use by the  
8 restaurants. She commented that 10<sup>th</sup> Place off of which the garage would be access currently is  
9 used as a loading zone. She also pointed out that the valet parking service is located in front of  
10 Fonz's, and there is some overburdening of the street where the adjacent residents access their  
11 garages. She said that consideration should be given for residents to park in the three spaces off of  
12 10<sup>th</sup> Place.

13  
14 **Carol Rowe**, director of the Downtown Business Association, also commended the owner of the  
15 property for working with the residents and the community. She stated that the greatest shortages  
16 in the City are for parking and office space. She said that they are in favor of gaining 12 parking  
17 spaces and changing one space on the street to handicapped. She commented that anything that can  
18 be done to help the businesses return would be a benefit.

19  
20 In response to a question from Commissioner Lesser, **Ms. Rowe** indicated that the handicapped  
21 parking space as proposed would be in a very central and convenient location, and it is surprising  
22 that there are no handicapped parking spaces in the downtown area. She said that the space would  
23 be utilized.

24  
25 **George Kaufman**, a resident of 10<sup>th</sup> Street, asked whether the hours of operation for the  
26 restaurants would be until 11:00 p.m. Sunday through Thursday. He asked whether the office  
27 space could potentially be used as part of the restaurant.

28  
29 Director Thompson commented that the draft Resolution specifies the hours for the restaurants of  
30 7:00 a.m. through 11:00 p.m. Sunday through Thursday, and midnight on Friday and Saturday. He  
31 indicated that the proposed office area would only be permitted for use as an office.

32  
33 **Julie Hantzarides**, requested that the proposal be approved to allow them to resume operation of  
34 their restaurant as soon as possible.

35  
36 **Edward Morrow** said that he and his family enjoy eating at Old Venice and visited the restaurant  
37 quite often from Costa Mesa. He indicated that they look forward to coming back to the restaurant.

38  
39 **Viet Ngo** indicated that he is glad that the process has been sped up to allow the businesses of the  
40 building to return. He requested that the Commission accommodate the property owner and  
41 tenants. He requested that the Commission ask the property owner to honor the promise to allow

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1 the old tenants of the building to return back to their businesses. He said that he believes the  
2 competitor of the business was involved in hurting their operation. He said that the lives of the  
3 tenants and employees have been interrupted, and it is a good cause to help the victims of the  
4 activity ongoing in the City. He said that the City must comply with the American with Disabilities  
5 Act to provide the handicapped parking space as proposed on Manhattan Avenue. He requested  
6 the Commissioners consider placing handicapped spaces along Manhattan Beach Boulevard,  
7 Manhattan Avenue and Highland Avenue as required by law. He commented that the previous  
8 tenants of the building have the first right to return to their business, and he wants to be certain that  
9 they are not victimized.

10  
11 **Nicos Pangolau**, said that he travels from Laguna Niguel to visit Old Venice. He requested that  
12 the property owner and restaurant operators be helped out as much as possible to return to business.

13  
14 Chairman Bohner closed the public hearing.

15  
16 Commissioner Seville-Jones said that it is a magnificent project, and the drawings allow one to  
17 visualize people sitting again at the restaurants. She said that the building design would be  
18 replaced appropriately, and the building would not be built to the maximum permitted. She said  
19 that the outdoor elements are attractive; the design is low key and fits into the neighborhood; and  
20 the project would provide parking. She said that given the nature of the tenants, she is comfortable  
21 that any potential noise issues resulting from allowing the patio to be open would be resolved. She  
22 stated that good questions have been raised regarding the placement of the handicapped parking  
23 space and whether it should have a limitation on hours. She suggested that the PPIC would be the  
24 appropriate forum for consideration of the handicapped parking space. She indicated that the office  
25 is a nice feature provided that it is clear that it is for office use only and is not to become an  
26 expansion of the restaurants.

27  
28 Commissioner Schlager said that he agrees with the comments of Commissioner Seville-Jones. He  
29 said that he would support the project.

30  
31 Commissioner Lesser said that he and his family were devastated by the loss of the businesses due  
32 to the fire which burned the original building, and he sees the role of the Commission to help  
33 expedite the reconstruction. He indicated that the proposal would be a tremendous improvement to  
34 the downtown which presently has a hole. He said that the structure is below the threshold for  
35 maximum size and it would include parking for tenants and employees. He said that he is  
36 concerned with some of the policy issues for providing handicapped parking spaces in the  
37 downtown area.

38  
39 In response to a question from Commissioner Lesser, Director Thompson said that it would be  
40 possible to place a time limit for parking in the handicapped space. He pointed out that the  
41 handicapped parking space requirements would be reviewed by the PPIC.

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1  
2 Commissioner Powell said that the project is outstanding, and the question is how soon rather than  
3 if it is built. He commented that the tenants are local businesses which serve the local community,  
4 and the project is pedestrian oriented. He said that there were numerous letters received in support,  
5 which does not occur often. He said that the building area would be substantially smaller than  
6 could have been provided, and the building height is less than required. He pointed out that 12  
7 additional parking spaces would be provided as part of the project, and he can support the  
8 handicapped parking space as proposed. He commented that the hours of operation would be the  
9 same as the previous businesses. He indicated that the whole community is behind the project. He  
10 commented that he was very saddened when he learned of the fire that burned the original  
11 structure, and anything possible should be done to expedite the building process.  
12

13 Chairman Bohner said that the proposal would bring back two restaurants that have had a long  
14 history in the City, and he is happy to see them returning. He indicated that he agrees with the  
15 comments of the other Commissioners that the project was designed to fit perfectly within the  
16 space, and it could have been built larger. He stated that the proposed 12 spaces for tenants would  
17 help reduce the parking demand on the street. He commented that he is amazed that there are not  
18 other handicapped spaces on the streets in the commercial area, and this space as proposed may  
19 help to encourage more. He said that setbacks are provided from the structure; the height is less  
20 than required; the trash enclosure would be upgraded; and the structure would have the same uses  
21 as before. He commented that it is clear in the Resolution that the office would be used for that  
22 purpose, and the project would fit in well with the community. He commented that the project  
23 would be a splendid improvement to the previous building.  
24

25 A motion was MADE and SECONDED (Schlager/Powell) to **APPROVE** a Proposed New Mixed-  
26 Use Commercial Building at 1001 Manhattan Avenue, as amended with the revisions to the draft Resolution.  
27

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

29 NOES: None

30 ABSENT: None

31 ABSTAIN: None  
32

33 Director Thompson explained the 15 day appeal period and stated that the item will be placed on  
34 the City Council's Consent Calendar for their meeting of August 21, 2007.  
35

36 **07/0725.2 Consideration of Proposed Construction of Larger Concrete Pads on the**  
37 **Beach/Bike Path Between 27<sup>th</sup> Street and 28<sup>th</sup> Street (Los Angeles County**  
38 **Dept. of Public Works)**  
39

40 Associate Planner Eric Haaland summarized the staff report. He stated that the original project  
41 was previously approved by the Planning Commission. He indicated that there has been a



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1 revision to the original project at the time of construction that is now being considered as an  
2 amendment to the Coastal Development Permit for enlarged concrete pads placed on the public  
3 beach. He said that the proposal is for approval of the two concrete pads which allow access for  
4 maintenance of the system that connects the storm drain to the sewer to allow low flow  
5 contaminated water from the drain to flow into the sewer system rather than seep into the ocean.  
6 He said that the purpose of the enlargement of the concrete pads is to allow for larger  
7 maintenance trucks to park in the area outside of the bike path during maintenance of the storm  
8 drain facility. He said that the northerly pad abutting the bike path near 28<sup>th</sup> Street is proposed to  
9 be permitted at 80 feet long rather than 18 foot long as previously approved. He indicated that  
10 the southerly pad is proposed to be permitted at 80 feet long rather than 40 feet as previously  
11 approved. He said that the pads are 13 feet wide. He indicated that the placement of pavement on  
12 the beach is generally not desirable as it interrupts the very desirable natural sandy beach  
13 surface. He indicated, however, that some public projects do involve paving over the beach  
14 surface. He said that the applicant believes that the benefit of reducing bike path obstructions  
15 warrants the increased amount of pavement in this case.

16  
17 Commissioner Lesser pointed out that the application is to approve the concrete pads; however,  
18 the pads are actually already in place.

19  
20 In response to a question from Commissioner Lesser, Associate Planner Haaland said that the  
21 existing pads would need to be restored to the size that was previously approved if the  
22 application is not approved.

23  
24 In response to a question from Commissioner Lesser, Associate Planner Haaland said that the  
25 trucks most likely would encroach on the bike path if sufficient space is not provided on the  
26 pads. He indicated that staff did not have much information with the previous project regarding  
27 the maintenance of the storm drain facility and regarding the frequency of the maintenance. He  
28 indicated that the County workers apparently realized the concern regarding space for  
29 maintenance trucks at the time of construction.

30  
31 **Greg Huynh**, representing The Los Angeles County Department of Public Works, stated that the  
32 larger pads were built because the County workers did not want the bike path to need to be  
33 closed while they conduct maintenance on the facility. He stated that the construction crews  
34 realized that it would be necessary to close the path if the pads were not built larger than  
35 originally approved. He said that they were aware that many complaints would be received if  
36 they did need to close the bike path.

37  
38 In response to a question from Commissioner Schlager, Director Thompson said that there can  
39 be fines for circumventing the City's requirements.

40  
41 Commissioner Schlager said that the Commissioners are in a position of having bad options of

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1 approving or denying the proposal. He said that the pads are larger than initially anticipated but  
2 are not that aesthetically displeasing. He also commented that they can be used as a rest area off  
3 of the bike path. He indicated that it is understandable that it was felt making the pads larger for  
4 safety was warranted; however, the City does have a process which needs to be followed.

5  
6 In response to questions from Commissioner Seville-Jones, **Mr. Huynh** said that the smallest  
7 maintenance truck that could be used to service the storm drain would be 20 feet. He said that  
8 80 feet is required to allow the maintenance trucks to have access, and the pad needs to be larger  
9 than 20 feet for them to have sufficient space to park. He indicated that one truck at a time  
10 would conduct the maintenance. He said that large storms in the winter result in runoff spilling  
11 into the ocean because the amount of water is beyond the capacity of the drains. He said that  
12 maintenance is conducted in dryer months outside of the storm season. He stated that the  
13 amount of time required for maintenance depends upon the amount of cleaning that is necessary.  
14 He said that it is anticipated that the maintenance would occur for two to three days two to three  
15 times per year. He indicated that there is regular maintenance that is scheduled. He commented  
16 that he is sure there are similar facilities in other communities, but he is not certain of their size.

17  
18 In response to questions from Commissioner Lesser, **Mr. Huynh** indicated that he is not aware  
19 of the specific dimensions and details involved causing the pads to be constructed to a length of  
20 80 feet. He indicated that the purpose of the pads is to provide public safety and not impede on  
21 bikers. He said that he does not believe the office engineer was aware that they were not  
22 permitted to build a larger pad than was originally approved.

23  
24 Commissioner Powell commented that the pads as built are substantially larger than approved  
25 and seem extremely excessive for the vehicles that would be servicing the facility. He indicated  
26 that the maintenance trucks would only use the pads a few times per year. He commented that it  
27 would seem that removing the pads may require half of the bike path to be blocked by  
28 maintenance vehicles, but the remaining half would still be usable.

29  
30 **Mr. Huynh** commented that the intent for building the extension of the pads was to prevent any  
31 blocking of the bike path while maintenance vehicles are working at the site.

32  
33 Commissioner Lesser commented that part of the reason why the length of the extension was felt  
34 necessary may be to allow space for the maintenance trucks to extend the arms into the open  
35 hole.

36  
37 Commissioner Powell commented that the Commissioners received a letter from an adjacent  
38 resident expressing a concern regarding constant grading of the surrounding berms and  
39 defoliation of the area around the pads. He also indicated that there was also a concern  
40 expressed regarding construction debris remaining in the sand surrounding the subject site.

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1 In response to a question from Commissioner Powell, **Mr. Huynh** said that he is not aware of  
2 any construction debris embedded in the surrounding sand or grading.

3  
4 Chairman Bohner opened the public hearing.

5  
6 **Bill Caras**, a resident of 2700 block of The Strand, said that he is in favor of the project as  
7 originally proposed. He said that there is no necessity for the extra length of the concrete pads.  
8 He indicated that the County currently parks trucks on the Strand which block the bike path with  
9 no flagmen to direct bicycle traffic. He said that the trucks could park parallel on the pads rather  
10 than side by side. He commented that someone in the field arbitrarily decided that the pads  
11 should be enlarged. He stated that the beach and The Strand need more protection. He indicated  
12 that wind blows sand which creates dunes, and there is natural foliation. He said that now the  
13 subject area is stripped with 190 feet of concrete for maintenance trucks that will be used only  
14 twice a year. He suggested that the County instead provide flagmen to direct traffic while the  
15 trucks are parked along the bike path. He stated that it took a large effort to convince the County  
16 to request the amendment. He commented that he has submitted a petition with signatures from  
17 the property owners on the block. He said that the pads are a 200 percent increase as to the size  
18 that was originally approved, and it is not a minor amendment. He indicated that the  
19 construction has resulted in defoliation of the area. He pointed out that the ocean water quality  
20 project is not at issue but rather the maintenance of the facility. He commented that the  
21 increased size of the pads cannot be considered a benefit.

22  
23 **Robert Schuman**, a resident of the 2500 block of Bayview Drive, said that he agrees in large  
24 part with the comments of **Mr. Caras**. He said that the County has generally had a good  
25 relationship with the residents. He indicated that the County has made a mistake. He said that  
26 the County could park a truck and put cones out on the westerly side of the bike path. He  
27 indicated that the times that they are working is minimal, and the amount of bike traffic during  
28 those times is minimal. He said that diverting bike traffic onto 28<sup>th</sup> Street and back down to 23<sup>rd</sup>  
29 Street would be a way to prevent a safety issue. He commented that he is concerned with the  
30 amount of concrete on the beach. He would request that the County change the project to the  
31 original approval.

32  
33 Chairman Bohner closed the public hearing.

34  
35 Commissioner Powell said that he concurs with the comments of **Mr. Schuman** and **Mr. Caras**.  
36 He said that he does not believe there is any functionality or necessity of the additional space for  
37 the pads, and he would support the excess portion being removed. He indicated that to have  
38 trucks slightly infringe on the bike path for brief periods of 8 to 9 days during the year would be  
39 preferable to having a cement pad on the sand. He said that in looking at the Coastal Act, he is  
40 not sure he can support the findings. He indicated that he is not certain of the work involved to  
41 make the pads conform to the original approval. He said that he would recommend that the pads

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1 be reduced or that a County engineer provide justification for the additional length.

2

3 Commissioner Lesser said that he shares the concerns expressed by Commissioner Powell and  
4 the residents. He indicated that when he visited the site, a County worker expressed to him that  
5 the length of the pads is necessary because the entire bike lane would need to be closed during  
6 maintenance which would be a great inconvenience for the bikers. He stated that the worker also  
7 indicated to him that bikers could not be on the bike path at the same time as the maintenance  
8 trucks. He said that he is not certain of the impact of returning the pad to the original proposal.  
9 He stated that he would like information from a representative from the County regarding the  
10 minimum length necessary to accommodate the trucks if it is determined appropriate to have  
11 them park away from the bike path. He indicated that he would feel more comfortable  
12 supporting the motion to demand that the County reduce the size of the pad with some rational  
13 basis. He said that he would also like further information regarding the amount of time that  
14 trucks use the pads and the time that larger trucks rather than service vehicles would park on the  
15 pads.

16

17 Commissioner Schlager said that he agrees with the comments of the other Commissioners. He  
18 commented that he is not an engineer, and he feels more information is needed in order for the  
19 Commission to make a competent decision. He would like for the County Engineer to provide  
20 further information as brought up by Commissioner Lesser.

21

22 Commissioner Seville-Jones said that she would also like for further information to be provided  
23 by the County, and the standard that she will apply to the County is extremely high. She  
24 indicated that the justification for putting concrete on the beach must meet a very high standard  
25 and not be simply for convenience. She said that she would not feel the pads as constructed are  
26 appropriate on the basis of the information that has been provided. She said that she would be  
27 hopeful that the County could return with further information to answer the questions raised by  
28 the Commission. She pointed out that the beach is a natural resource, and 80 feet by 13 feet is a  
29 large area of open space to be paved with concrete. She said that if further information is not  
30 received, she would support the pads being reduced. She said that she would also like further  
31 information as to why the original proposal would be appropriate. She said that she feels the  
32 pads are unattractive and do infringe on the vegetation.

33

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

40

41 **Mr. Huynh** said that the County would be willing to have engineers, designers and construction

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1 crew members attend a future hearing in order to provide further information.

2

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

5

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

9

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

11 NOES: None

12 ABSENT: None

13 ABSTAIN: None

14

15 **07/0725.3 Consideration of Proposed Construction of 2 Sewer Mains at 2601 The Strand**  
16 **Between Strand and Bike Path and Adjacent Segment of 27<sup>th</sup> Street (Los Angeles**  
17 **County Sanitation Districts)**

18

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

33

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

36

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

40

41 In response to a question from Commissioner Seville-Jones, Director Thompson said that the

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1 project is subject to the City's construction hours, and he stated that more strict hours could be  
2 imposed by the Commission if determined to be necessary.

3  
4 Associate Planner Haaland pointed out that the proposal is to match the City's permitted  
5 construction hours with the inclusion of no work on weekends.

6  
7 Commissioner Schlager suggested that the architecture be changed to provide a more  
8 aesthetically pleasing appearance rather than a flat façade.

9  
10 **Michael Totalivich**, representing the Los Angeles County Sanitation District, said that their  
11 group has been working with the City and would be receptive to design ideas to make the  
12 structure more attractive.

13  
14 Director Thompson said that staff basically considered the building a utility structure adjacent to  
15 the beach. He said that staff has recently finished a few utility projects with imprinting on the  
16 adjacent wall, which could be a suggestion for the proposed structure. He said that the  
17 Commission can request that staff work with the applicant on design features. He pointed out  
18 that it may stand out and not blend in if the structure does not remain understated.

19  
20 Commissioner Schlager suggested possibly changing the railings and the color of concrete in  
21 relation to the color of the sand.

22  
23 Commissioner Lesser commented that everyone is grateful that the County has come forward  
24 quickly with the project in order to avoid future sewage spills such as occurred in January of  
25 2006, and the Commission would not want to slow it down.

26  
27 **Mr. Totalivich** commented that the door could be moved to the inside wall of the structure. He  
28 also indicated that the existing poles with vegetation can be located in front of the wall to help  
29 hide the structure from view.

30  
31 Commissioner Schlager indicated that Code was met by noticing within 100 feet from the  
32 subject site, but there are obviously many other people who live in the area and walk by the site  
33 every day. He said that it would be nice to see any aesthetic improvements before the project  
34 proceeds.

35  
36 **Mr. Totalivich** indicated that they need to bring the project before their board for approval with  
37 a complete set of specifications and plans. He said that they must submit completed plans, and  
38 the time frame for bringing the project to their board would be lost if changes are made to the  
39 aesthetics at this point. He indicated that depending on the extent of the changes, the project  
40 could be pushed back a year. He said that extending the construction for a year would be a  
41 conflict with their agreement with the state EPA to complete the project.

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1  
2 Director Thompson said that a condition could be included that staff work with the applicant  
3 regarding the aesthetics.

4  
5 Commissioner Schlager commented that the proposed building would be permanent, and he  
6 would rather that it be done correctly.

7  
8 **Mr. Totalivich** pointed out that railings and surface finishes to concrete can be changed after a  
9 building is constructed. He suggested that the project be approved and the City work with the  
10 applicant on design features in the future provided that they are aesthetic rather than structural  
11 changes.

12  
13 Commissioner Powell indicated that the wave pattern embedded into the concrete of the  
14 retaining wall in the El Porto parking lot makes the difference of the wall being an aesthetically  
15 pleasing design rather than simply closing in the area. He commented that he likes the view  
16 deck and would not want a roof to be provided.

17  
18 Commissioner Seville-Jones said that she would agree with the comments of the other  
19 Commissioners regarding aesthetics, and she would like for any aesthetic changes to the  
20 proposed structure to be done to the existing facility as well. She asked regarding whether there  
21 are other alternative designs that could possibly eliminate the need of the additional structure  
22 altogether.

23  
24 **Mr. Totalivich** said that other options would be to possibly put the structure into the bike path,  
25 into The Strand, or lower the valve and build a large concrete retaining wall that would not  
26 provide for a deck. He stated that the subject proposal is a design standard throughout the beach.

27  
28 In response to a question from Commissioner Lesser, **Mr. Totalivich** indicated that the bike path  
29 may be rerouted during construction similar to the rerouting during the storm drain project which  
30 would include signage. He said that their goal is to minimize the impact to The Strand as much  
31 as possible and to close only half of the walkway at a time to pedestrians. He said that if  
32 necessary for public safety due to the proximity of construction equipment, pedestrian traffic on  
33 The Strand would be detoured up 28<sup>th</sup> Street and back down 26<sup>th</sup> Street. He said that bike and  
34 pedestrian traffic on The Strand would be rerouted if safety is a concern with the close proximity  
35 to construction equipment.

36  
37 **Paul Gross**, a resident of The Strand, stated that behind the existing building is the roof of a  
38 larger structure. He indicated that the roof is part of The Strand, and the area is very rough and  
39 creates a safety hazard. He said that he would encourage the Commission as a condition to  
40 require the County to resurface the subject portion of The Strand.

41

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1 **Cindy Fisk**, said that she agrees that the design of the proposed structure is unattractive. She  
2 commented that many residents along The Strand have provided landscaping along the adjacent  
3 public areas. She suggested requiring different landscaping rather than ice plant along the  
4 proposed structure which would be aesthetically pleasing to bikers while riding on the bike path.  
5

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

22 Chairman Bohner closed the public hearing.  
23

24 Commissioner Seville-Jones commended the applicant on their responses to the questions of the  
25 Commissioners. She indicated that she supports the proposal and has confidence that staff will  
26 work with the applicant to arrive at a project which will make the community safer. She said  
27 that she believes the project should be constructed promptly and not delayed for a year. She  
28 indicated that she would like a condition to be included for the design to return to the  
29 Commission to show suggested improvements to the railing, the concrete, and landscaping. She  
30 suggested that The Strand above the other vault be upgraded to the level of the rest of the area as  
31 suggested by **Mr. Gross**. She also suggested that the concrete and railing off the other vault also  
32 be improved to match the proposed structure. She suggested that the hours for construction be  
33 the same as the construction hours for the City.  
34

35 Commissioner Schlager commended the applicant on being professional and well prepared in  
36 their presentation. He stated that he is in support of the project and would not want for the item  
37 to be continued. He suggested that a condition be added that the aesthetics be improved to  
38 include changes to the concrete on both sides of the building, changes to the railing, and  
39 upgrading of the subject portion of The Strand. He stated that he would want the condition to  
40 include a time frame for the redesign as suggested by the director.  
41



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

7  
8 Director Thompson said that the Commission has the option of either approving the project and  
9 delegating the design to staff or reviewing the design again before the permit is issued. He said  
10 that another option would be to approve the proposal and to specify that the facility will be  
11 upgraded within a year. He pointed out, however, that the City has less leverage once the  
12 permits are issued to direct the County to return with improvements.

13  
14 Commissioner Schlager said that he would be comfortable allowing staff discretion to improve  
15 the final design.

16  
17 Director Thompson suggested wording that the final design shall include upgrades to the façade,  
18 the railing, and The Strand as approved by Staff. He said that he would imagine that any  
19 landscaping for public projects by the County would be required to be drought resistant.

20  
21 Commissioner Powell said that it is a critical project, and he commends the County for having  
22 the team present to answer questions. He said that he would not want to delay the project and  
23 would defer to staff to work with the applicant on the design. He recommended that Ish  
24 Medrano from the City be involved in the design. He stated that he would concur with **Mr.**  
25 **Gross** that the subject portion of The Strand should be resurfaced.

26  
27 Chairman Bohner said that he also would not want the project to be delayed. He said that he  
28 would trust staff to work with the applicant on the design.

29  
30 **Mr. Totalivich** pointed out that the top of The Strand is not the structural roof of the proposed  
31 structure, and it is actually 6 inches below. He indicated that they would not have a problem  
32 with replacing any portion of damaged concrete. He said that they would want to address  
33 aesthetic issues further in the future. He indicated that they must go before their board in two  
34 weeks with a budget and present very specific plans to the contractor, and they would not have  
35 an opportunity to address aesthetics by that time. He commented that they could hire a separate  
36 contractor to address the aesthetic improvements. He said that they would have to do  
37 maintenance to the roof in two years because of damage and corrosion, and the City would still  
38 have the ability to address aesthetics. He pointed out that landscaping is a large monthly budget,  
39 and they want to reduce the amount of landscaping maintenance as much as possible. He said  
40 that they are willing to work with the aesthetics but would not want to include landscaping that  
41 would require a large amount of maintenance.

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1  
2 Chairman Bohner said that as long as representation made in the Resolution that the aesthetics of  
3 the structure will be addressed.

4  
5 **Mr. Totalich** pointed out that the asphalt on 27<sup>th</sup> Street from The Strand up to Bayview Drive, is  
6 in poor condition. He said that they have to dig up the street with a 6 ½ foot wide trench. He  
7 asked whether the Commission would want the entire portion of 27<sup>th</sup> Street resurfaced when they  
8 replace the asphalt torn up from the construction of their project.

9  
10 Director Thompson pointed out that resurfacing of the street is within the jurisdiction of the  
11 Public Works Department.

12  
13 A motion was MADE and SECONDED (Lesser/Schlager) to **APPROVE** Proposed Construction  
14 of 2 Sewer Mains at 2601 The Strand Between Strand and Bike Path and Adjacent Segment of 27<sup>th</sup>  
15 Street with the addition of conditions that the subject portion of The Strand be resurfaced during  
16 reconstruction and that the surface match the adjacent Strand surface; that a separate proposal be  
17 presented within a reasonable period of time to upgrade the aesthetic appearance of the facilities to  
18 include the railing and concrete and landscaping as approved by staff; and that permitted  
19 construction hours be consistent with those of the City.

- 20  
21 AYES: Lesser, Powell, Schlager, Seville-Jones, Chairman Bohner  
22 NOES: None  
23 ABSENT: None  
24 ABSTAIN: None

25  
26 Director Thompson explained the 15 day appeal period and stated that the item will be placed on  
27 the City Council’s Consent Calendar for their meeting of August 21, 2007.

28  
29 At 9:30 p.m., a 10 minute recess was taken.

30  
31 **07/0725.4 Consideration of CITY COUNCIL 2005-2007 WORK PLAN ITEM to Address**  
32 **MANSIONIZATION in RESIDENTIAL ZONES**

33  
34 Director Thompson stated that proposed amendments represent over 1½ years of working with  
35 the Mansionization Committee, the Planning Commission and City Council. He commented that  
36 over 20 people attended the Mansionization Committee meetings regularly. He said that the  
37 Committee members were very dedicated and represented a cross section of the community. He  
38 stated that the four parts of the recommendations include amendments to discourage new large  
39 homes currently being built and encourage the retention of existing homes; amendments to allow  
40 accessory structures on adjacent common ownership lots; amendments for new residential  
41 development to increase open space and increase setbacks; and amendments to limit the number

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1 of lots that may be merged. He commented that the newspaper made an error and they published  
2 the ad for the hearing late. He said that staff is suggesting that a comprehensive overview be  
3 provided tonight and that the discussion be continued to the August 8 meeting.

4  
5 Commissioner Schlager commented that when three agenda items precede an important item for  
6 consideration such as mansionization, members of the public who have waited to speak  
7 regarding the issue do not get the attention they deserve because of the late hour. He suggested  
8 that items with such great impact be communicated to the Commissioners and possibly be moved  
9 to a special meeting which is properly noticed to allow full time to be devoted to the topic. He  
10 said that the public is limited to three minutes of discussion, and more time should be spent on  
11 issues that are going to have such a lasting impact on the community.

12  
13 Commissioner Lesser commented that he served on the Mansionization Committee for 1 ½  
14 years. He indicated that it is important to spend a good deal of time considering the issues. He  
15 indicated that it is important to separate the issues, and it is important to notify the public when  
16 the different components will be discussed. He commented that the public needs to be informed  
17 of the assumptions of the Committee; the data that was considered as well as the data that was  
18 not available to the Committee; and the other approaches that the Committee considered. He  
19 said that he supports considering the issue in stages and conveying to the public when the  
20 sessions will occur.

21  
22 Commissioner Seville-Jones said that she agrees with the comments of the other Commissioners  
23 that the item needs to be considered very thoroughly. She said that the Commission is  
24 discussing the issue at this hearing very late and with a deficient notice. She commented that the  
25 full presentation will only be given once, and she asked whether the presentation should occur at  
26 the next meeting earlier in the evening and when the public has received proper notice.

27  
28 In response to a question from Chairman Bohner, Director Thompson pointed out that there are  
29 two other agenda items scheduled for the August 8 meeting. He commented that this is the first  
30 time that the Commission would hear the full comprehensive presentation; however, there will  
31 also be presentations at each subsequent hearing.

32  
33 Commissioner Powell indicated that he agrees that important topics such as Mansionization  
34 should be discussed at a separate meeting with no other agenda items whether at a regular or  
35 special meeting. He commented that he attended several of the meetings although he was not a  
36 member of the Mansionization Committee, and it was a long and detailed process to consider the  
37 issues. He said that he would want the public to have ample opportunity to express their  
38 concerns regarding all of the various components. He said that he would want a meeting where  
39 the public could hear the full presentation and have an opportunity to express their views. He  
40 said that Mansionization is a very important issue, and it has broad implications for future  
41 development in the City.

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1  
2 Chairman Bohner said that the Commission’s major attention needs to be spent on the topic, and  
3 he would be in favor of having a special meeting if necessary.

4  
5 Director Thompson commented that the item can be continued to August 8, and it can then be  
6 continued to a special meeting if determined appropriate after the presentation and discussion.

7  
8 Commissioner Lesser said that he would be in favor of allowing members of the public in  
9 attendance to speak and continuing staff’s presentation to the next meeting.

10  
11 Director Thompson indicated that the notice for this meeting and the August 8 hearing was  
12 published in the Beach Reporter within the past week. He pointed out that everyone who is  
13 interested in the topic has been told of the hearing.

14  
15 Chairman Bohner said that he would want to make sure that as many members of the public as  
16 possible who are interested are in the audience to hear the entire presentation.

17  
18 Director Thompson pointed out that members of the public will be able to speak at a number of  
19 different hearings.

20  
21 Senior Planner Jester said that five e-mails that were received by staff have been provided to the  
22 Commissioners with comments regarding the proposal for lot mergers.

23  
24 **David Wachfogel** said that the issue of Mansionization is so important that it must be  
25 considered in an appropriate manner. He indicated that he does not feel he has wasted his time  
26 by sitting through the other agenda items and having the presentation continued to August 8.

27  
28 **Jim Fasola**, a local architect, stated that he served on the Mansionization Committee. He  
29 indicated that many of the issues regarding mansionization are more esoteric and technical in  
30 nature. He said that it is a narrower group of people that will be involved in the issue, and he  
31 does not believe that a significantly larger number of people would attend additional hearings.  
32 He commented that his are not generally aware of how the Code regulations impact their project.

33  
34 **Martha Andreani**, said that she has stated previously that matters of import before the  
35 Commission or City Council should not come after 10:00 p.m., as people are tired by that hour.  
36 She said that she feels it is important to delay the presentation, and she would hope that it could  
37 be addressed first at the next hearing. She stated that she is unclear and would like further  
38 definitions regarding item 2 addressing the accessory use of adjacent parcels. She asked  
39 regarding the relation of increasing open space and setbacks to addressing lot mergers.

40  
41 **Kathy Clark**, a Manhattan Beach resident, stated that one reason that there are not more people

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1 in attendance is because of the technical nature of the material. She said that making the  
2 material less technical would allow more people to understand the issues, and it has taken her a  
3 considerable amount of time to feel comfortable with the material. She indicated that there are  
4 many three story homes in her area with planters in the side yard that create congestion and  
5 reduce setbacks. She commented that she has also observed a home under construction near the  
6 beach in which the entire front yard is entirely filled by concrete planters. She commented that  
7 taller structures need softening with landscaping and yards because of their large size and the  
8 limited amount of space on the lots. She commented that she would like protections put in place  
9 before lot mergers are considered.

10  
11 **Bob Blanchard**, a resident of the 600 block of 9<sup>th</sup> Street, said that he was a member of the  
12 Mansionization Committee. He said that they were able to test ideas against different lots,  
13 determine the impacts in different areas, and determine the number of lots that would be  
14 impacted. He said that there was much work has been done by staff, and it will be difficult for  
15 members of the community to understand all of the issues given the 15 meetings that were held  
16 by the Mansionization Committee and the large amount of material.

17  
18 **Viet Ngo** indicated that the meetings must be open to public participation. He said that there is  
19 pattern of very important issues for the community being discussed late at meetings without the  
20 patience to allow for public input. He said that it is common sense that the priority of the next  
21 meeting should be devoted to mansionization rather than considering the application for wine  
22 tasting at Ralph's because of the importance of Mansionization to the community. He said that  
23 the meeting should be well advertised, and people need to be educated regarding the word  
24 "Mansionization." He asked the Commission to put the item early on the agenda and highlight  
25 the reasons for the proposals. He said that the staff must accommodate the public and not make  
26 people wait until midnight to speak, which is not in good faith and does not serve the public.

27  
28 **Paul Gross**, indicated that he was on the Mansionization Committee. He commented that it  
29 would be doing the right thing to make the item the main emphasis of the next meeting. He  
30 pointed out that items three and four must be discussed together. He stated that staff has done a  
31 terrific job, and the issue is technical. He suggested allowing staff to hire someone to make three  
32 dimensional representations, which would be helpful to demonstrate the different proposals.

33  
34 **Sean Jacowski**, a resident of the 300 block of John Street, said that he agrees that the issue is  
35 technical, and people will have general as well as technical comments. He said that he has tried  
36 to read and fully understand the report. He suggested staff work further on definitions before the  
37 report is presented. He said that describing a typical or standard lot size can be interpreted  
38 differently for the different areas of the City. He indicated that he recognizes that property  
39 owners have rights; however, the community and City has the right to set limits on development  
40 and override a property owner's personal wishes. He stated that allowing lots to be merged and  
41 to spread across the boundary of the previous lot lines changes rather than preserves the

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1 character of the neighborhoods.

2

3 **Robert Schuman**, said that he echoes the comments that the discussion was not wasted time,  
4 and members of the public appreciate the efforts of the Commissioners. He said that he  
5 appreciates that it is recognized that the issue should be given priority it deserves at either the  
6 next regular or a special Planning Commission meeting.

7

8 **Cindy Fisk**, stated that the residents do not want mergers of more than two lots regardless of  
9 whether it is for multiple family developments or single family homes. She commented that she  
10 has submitted a petition to the City Council, and she will provide more signatures if it is  
11 necessary in order for the Council and Commission to understand the wishes of the community.

12

13 **Gerry O'Connor**, a resident of the 500 block of Harkness Street, indicated that he has submitted  
14 comments to the Commissioners. He commented that he attended the City Council study  
15 session. He said that he was surprised by the reintroduction of the grandfathering of merged  
16 properties, which was in direct conflict with all previous discussions regarding the issue. He  
17 indicated that he was pleased that there seemed to be concurrence that the Mansionization  
18 Committee significantly strayed from their original charge and that their recommendations take  
19 only small steps toward a much larger issue. He indicated that his understanding is that the  
20 Council is not only asking the Commission to review the recommendations but also gather input  
21 as to whether the recommendations are adequate overall and whether they fulfill the charge  
22 originally defined to the Mansionization Committee. He stated that he personally does not feel  
23 the recommendations are adequate but looks forward to the discussion and consideration by the  
24 Commission.

25

26 Director Thompson said that staff's presentation answers many of the questions that are raised  
27 by several of the speakers. He said that he would encourage people to review the summary in  
28 the staff report and to contact staff if they are confused on the issues.

29

30 Commissioner Seville-Jones commented that the staff report does not specify the impact of the  
31 proposed recommendations regarding BFA.

32

33 Director Thompson pointed out that the staff's overall presentation is meant to be a broader  
34 overview, and more information regarding BFA will be presented when that item is specifically  
35 addressed.

36

37 Commissioner Seville-Jones said that providing examples is very important to help understand  
38 the impacts. She indicated that that "typical" or "standard" is different for different areas, and  
39 publishing a map that includes the lot sizes and patterns would be helpful.

40

41 Commissioner Powell pointed out that searching on Google Earth helps to provide a perspective

**PLANNING COMMISSION [DRAFT] MINUTES**

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1 of the layout of lots within the City.

2

3 Commissioner Lesser said that there are going to be differences of opinion, in that some people  
4 feel very strongly there should be no limits on property rights and other people feel that there is a  
5 fundamental problem that must be addressed. He commented that the amount of time necessary  
6 and the complexity of the issues required the focus of a special group. He stated that many  
7 people are unaware of the assumptions that went into the work of the Mansionization  
8 Committee, and it is now the obligation of the Committee members to explain to people the  
9 assumptions that were made and other approaches that were considered.

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11 **DIRECTOR'S ITEMS**

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13 Director Thompson stated that the state APA Conference is scheduled for September 30 through  
14 October 3, 2007, and the Commissioners are all welcome to attend.

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16 **PLANNING COMMISSION ITEMS**

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18 **TENTATIVE AGENDA: August 8, 2007**

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- 20 A. Consideration of City Council 2005-2007 Work Plan Item to Address Mansionization
- 21 in Residential Zones
- 22 B. Ralphs Wine tasting-Manhattan Village Mall
- 23 C. Front setback variance and coastal permit, 1/2 lot on alley- 124 21<sup>st</sup> Place

24

25 **ADJOURNMENT**

26

27 The meeting of the Planning Commission was **ADJOURNED** at 10:45 p.m. in the City Council  
28 Chambers, City Hall, 1400 Highland Avenue, to Wednesday, August 8, 2007, at 6:30 p.m. in the  
29 same chambers.

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32 \_\_\_\_\_  
33 RICHARD THOMPSON  
Secretary to the Planning Commission

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SARAH BOESCHEN  
Recording Secretary