

CITY OF MANHATTAN BEACH
[DRAFT]MINUTES OF THE REGULAR MEETING OF THE PLANNING
COMMISSION
AUGUST 22, 2007

1 A regular meeting of the Planning Commission of the City of Manhattan Beach was held on
2 Wednesday, August 22, 2007, at 6:35p.m. in the City Council Chambers, City Hall, 1400
3 Highland Avenue.

4
5 **ROLL CALL**

6
7 Chairman Bohner called the meeting to order.

8
9 Members Present: Lesser, Powell, Schlager, Chairman Bohner
10 Members Absent: None
11 Staff: Richard Thompson, Director of Community Development
12 Eric Haaland, Associate Planner
13 Angelica Ochoa, Assistant Planner
14 Esteban Danna, Assistant Planner
15 Sarah Boeschen, Recording Secretary
16

17 **APPROVAL OF MINUTES** **August 8, 2007**

18
19 Commissioner Lesser requested that page 12, line 14 of the August 8 minutes be revised to state:
20 “Commissioner Lesser ~~requested that~~ restated his feeling ~~is~~ that there should be consistency . . . ”

21
22 Commissioner Lesser requested that page 12, line 35 be revised to state: “Commissioner Lesser
23 suggested allowing ~~increasing an increase~~ in the number of samples to three or five per person,
24 based upon the wine tasting hours at other retailers.”

25
26 Commissioner Lesser requested that page 17, line 4, be revised to state: “Commissioner Lesser
27 commented that the goal of the Mansionization Committee was to reach a compromise ~~for~~
28 between people who feel very strongly there should be no limits on property rights and ~~for other~~
29 people who feel that there is a fundamental problem with new large homes . . . “

30
31 Commissioner Lesser requested that page 17, line 9 be revised to state: “. . . remodels was a ~~good~~
32 balance between people who wanted a lower threshold and those that felt a greater threshold was
33 appropriate, but he would consider a lower threshold.”

34
35 Commissioner Lesser requested that page 18, line 24 be revised to state: “. . . members of the
36 public be able to address the specific points as the ~~first two~~ proposals are discussed. . . “

37
38 Commissioner Seville-Jones requested that the spelling of the word “approve” be corrected on
39 page 8, line 6, and page 13, line 27.

40
41 Commissioner Seville-Jones requested that the spelling of “Bacchus” be corrected to “Baccus”
42 on page 12, line 29.

DRAFT

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 2

1
2 Commissioner Seville-Jones requested that page 22, line 12, be revised to state: “. . . she would
3 like to consider a condition that accessory structures be required to have . . . “

4
5 Commissioner Powell requested that page 7, line 2 be corrected to read: “Commissioner Powell
6 stated that a ~~box-like~~ box-like bulky structure could ~~be~~ have been built on the site with no
7 articulation.

8
9 Commissioner Powell requested that page 21, line 13 be revised to read: “He said that he feels
10 ~~an additional~~ a front yard setback requirement of 6 percent is acceptable.”

11
12 Commissioner Powell requested that the wording on page 21, line 16, be revised to read: “He
13 commented that he ~~had a question regarding the number of 33’ by 105’ lots are in Area District~~
14 ~~III~~ questioned whether 35’ by 105’ lots are typical lots.”

15
16 A motion was MADE and SECONDED (Lesser/Powell) to **APPROVE** the minutes of August 8,
17 2007, as amended.

18
19 AYES: Lesser, Powell, Schlager, Seville-Jones, Chairman Bohner
20 NOES: None
21 ABSENT: None
22 ABSTAIN: None

23
24 **AUDIENCE PARTICIPATION** None

25
26 **PUBLIC HEARINGS**

27
28 **06/0726.1 Consideration of a Use Permit and Vesting Tentative Parcel Map 68336 for**
29 **Proposed Construction of a Mixed-Use Building With Two Commercial**
30 **Condominium Units and two Residential Condominium Units at 930**
31 **Manhattan Beach Boulevard**

32
33 Associate Planner Eric Haaland summarized the staff report. He stated that the proposal includes
34 a single 4,907 square foot three-story building with 891 square feet of non-retail commercial
35 space and two residential condominium units. He indicated that the project does conform to the
36 Zoning Code requirements including parking, height, and landscaping, with one issue regarding
37 the setbacks. He stated that the project use appears to be consistent with the surrounding area.
38 He stated that the subject site is located in a low intensity commercial area and would be
39 appropriate for residential use. He said that conformance with all residential setbacks is
40 proposed, although, there are support posts proposed along the west property line adjacent to the
41 primarily residential portion at the driveway. He said that staff feels it is appropriate to allow the

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 3

1 posts at the commercial setback rather than the residential setbacks since they would otherwise
2 obstruct the primary project driveway which does access at least one commercial parking space.
3 He indicated that the proposed development includes a third story, which is not the case for most
4 buildings in the area. He stated, however, that the project has an open design that includes open
5 deck areas. He stated that the third story includes a majority of open area including decks and a
6 planter limiting the mass of the third level. He indicated that the parking design has been
7 approved by the City's Traffic Engineer and does comply with the City's Code. He stated that
8 the design does not promote cars backing out onto Manhattan Beach Boulevard. He indicated
9 that staff is recommending that the Commission adopt the draft Resolution approving the
10 proposal.

11
12 In response to a question from Commissioner Powell, Associate Planner Haaland indicated that
13 the encroachment of the posts into the setback as proposed would not require a Variance request
14 if it was determined that the commercial development standard is applicable.

15
16 In response to questions from Commissioner Lesser, Associate Planner Haaland commented that
17 staff has taken the position that a commercial component is necessary to be included with the
18 project. He indicated that less commercial space is proposed than is currently located at the site.
19 He commented that staff feels the amount of commercial is acceptable in this case and has a
20 substantial visible presence from the street perspective. He stated that the applicant feels that the
21 commercial spaces can be functional. He indicated that staff has tended to allow the commercial
22 standards to apply for buildings with both commercial and residential uses that share vents,
23 shafts, trash, and utility items. He said that staff feels it is appropriate to apply the commercial
24 standards for the driveway setback since the driveway does serve the building including the
25 commercial component. He commented that the proposed posts would not be a detrimental
26 change to the neighbor to the west, as the existing development has a solid wall that has more
27 bulk than the proposed posts.

28
29 In response to a question from Chairman Bohner, Associate Planner Haaland stated that a retail
30 use could not locate in the commercial portion of the development, as it would only be zoned for
31 office or personal services because of parking requirements. He pointed out that a medical office
32 would not be permitted to locate in the commercial units.

33
34 In response to a question from Commissioner Lesser, Associate Planner Haaland indicated that
35 mixed use projects are encouraged at the subject location.

36
37 In response to a question from Commissioner Schlager, Associate Planner Haaland said that the
38 two commercial units could be combined into a single space.

39
40 Commissioner Schlager commented that it is reasonable to assume that a single person would
41 occupy one of the small office spaces. He stated, however, that a space of 891 square feet would

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 4

1 be more conducive of a business rather than a home office type use and would be more likely to
2 result in parking issues.

3
4 In response to a question from Commissioner Seville-Jones, Associate Planner Haaland
5 commented that the draft Resolution specifically prohibits medical office use for the commercial
6 units because staff is certain that such requests will be received.

7
8 Commissioner Seville-Jones asked whether staff has a concern regarding whether the parking
9 ratio would be functional with two separate businesses of 434 and 457 square feet sharing only
10 three parking spaces. She asked if the parking ratio assumes larger businesses.

11
12 Associate Planner Haaland commented that the parking ratio does not have a threshold based on
13 square footage for each business. He indicated that the two commercial units are not limited to
14 two tenants, and they could be occupied by a single larger tenant or three or four smaller tenants.
15 He said that the Code only specifies one parking demand ratio for the type of use.

16
17 In response to a question from Commissioner Seville-Jones, Associate Planner Haaland indicated
18 that the proposal is for two separate condominium unit ownerships, but the tenancies are not
19 specified.

20
21 **Patrick Killen**, the project architect, indicated that there would be a setback of approximately 33
22 feet for the residential components off of Manhattan Beach Boulevard and an 11 foot setback to
23 the south. He described the design of the building. He stated that there are methods of
24 cantilevering the structure if the columns were required to be eliminated. He indicated that the
25 columns would consist of four 5 foot beams from the face of the building that would extend west
26 to the property line. He said that a full height masonry wall is proposed along the property line,
27 and the columns would be buried within the wall. He indicated that the neighborhood is very
28 mixed with a number of buildings with office or commercial space on the ground floor and
29 residences above. He commented that Manhattan Beach Boulevard is an appropriate location for
30 additional mixed use projects because there are existing buildings with both commercial and
31 residential components. He stated that it is appropriate to have the commercial on the street front
32 with the residential behind.

33
34 In response to a question from Commissioner Schlager, **Mr. Killen** indicated that the
35 commercial parking spaces would all be full size.

36
37 In response to a question from Commissioner Seville-Jones, **Mr. Killen** said that it is possible
38 that the pet grooming studio would relocate to the building when it is reconstructed. He stated
39 that office use is proposed for the upper levels. He commented that possibly uses such as a hair
40 studio or an insurance agency would locate at the site. He indicated that any potential use would
41 be required to be a personal service or general office.

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 5

1
2 In response to a question from Commissioner Seville-Jones, **Mr. Killen** commented that it was
3 decided to include two commercial units in order to break up the massing at the front. He
4 commented that the proposal is similar to the pattern of surrounding developments. He indicated
5 that they attempted to have the square footage be located near the outside rather than in the
6 interior of the structure.

7
8 Commissioner Lesser commented that he has a concern with the functionality of the small office
9 spaces on the upper level.

10
11 **Mr. Killen** commented that there are many small office uses of approximately 300 square feet in
12 the City, and there is a demand for small office spaces.

13
14 Chairman Bohner opened the public hearing.

15
16 **Joseph DiMonda**, a resident of 3rd Street, stated that the concept of mixed use is a good idea and
17 may help to get people to walk rather than drive in their cars. He said that the project would be a
18 good addition to the boulevard, and it is difficult to find small office spaces in the City. He
19 indicated that the issue of applying commercial or residential standards for such projects does
20 need to be addressed. He suggested that the guest parking spots for the residential uses possibly
21 be allowed to be shared with the commercial components. He commented that parking is always
22 an issue on small commercial lots, and parking needs to be addressed if mixed use projects are to
23 be encouraged. He said that he feels the project would be a great addition to the street.

24
25 **Scott Yanofsky**, a resident of the 300 block of Larsson Street, said that he feels it is a great
26 project. He said that Manhattan Beach Boulevard needs to be cleaned up, and he supports the
27 concept of mixed use. He commented that mixed use developments are very common in New
28 York. He commented that he feels the small office spaces would be an appropriate size for small
29 businesses, and the occupants would regulate the use so that only one person is at the office at
30 any one time.

31
32 **Patricia Kelly**, the owner of the property to the east of the subject site, stated that she supports
33 the goal of developing mixed use, especially on Manhattan Beach Boulevard. She indicated that
34 her property line backs up to an existing three story wall on the other side adjacent to Manhattan
35 Vision. She said that she is concerned about her property being closed in between two large
36 walls if the project is built. She commented that there are single owners of the adjacent units
37 whose project values could be impacted. She indicated that the proposal would change the
38 nature of the street, and the impact to her property is uncertain. She suggested that the properties
39 within the block rather than only the immediately adjacent properties need to be considered as
40 projects are analyzed.

41

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 6

1 Commissioner Schlager thanked **Ms. Kelly** for speaking and indicated that the Commission
2 would not be aware of the issues she described without her input. He commented that the City is
3 attempting to encourage open architecture, light and air being maintained with projects including
4 this one. He commented that such input is invaluable.

5
6 Chairman Bohner closed the public hearing.

7
8 Commissioner Seville-Jones indicated that she is concerned about parking with the subject
9 proposal. She stated that the occupants of the proposed offices most likely would not be at the
10 site all of the time, which would ease the demand for the parking spaces. She stated that she
11 would not want to see Manhattan Beach Boulevard only include office spaces. She said that she
12 would like to see more retail along Manhattan Beach Boulevard as development along the street
13 moves forward. She said that there is a desire in the City for small office uses, and the design of
14 the project is attractive. She commented that she does not have a concern with the columns as
15 proposed, and they would allow the driveway to provide a sufficient turning radius. She stated
16 that the setbacks conform with the residential standards; would allow for light and air; and would
17 not be intrusive on the neighboring properties. She indicated that she also feels that a buffer
18 would be maintained between the commercial and residential uses.

19
20 Commissioner Schlager stated that he supports the project and feels it is a wonderful design. He
21 commented that he can relate to the concern of **Ms. Kelly** regarding her property being enclosed.
22 He pointed out, however, that the City is very densely populated. He indicated that the proposed
23 design is very open, less massive and very unobtrusive. He said that the parking as proposed
24 would be an improvement to the existing condition at the site and would provide better safety.
25 He stated that he would like to see continued improvements for entering and exiting driveways
26 along Manhattan Beach Boulevard in order to improve safety, and he feels the subject project
27 provides a viable solution.

28
29 Commissioner Lesser said that he supports the project with some reservations. He said that he
30 supports mixed use to encourage walking and more community involvement. He pointed out
31 that the subject block already includes mixed use developments. He commented that he feels the
32 concern regarding encroachment into the setback is balanced by the benefit of the columns
33 allowing for free flow of movement in the parking area. He said that he feels it is appropriate in
34 this instance to allow the commercial standards to apply. He said that he has a concern with the
35 functionality of the office uses and shares the concerns of Commissioner Seville-Jones regarding
36 the parking. He stated that based on the small size of the office space, he believes that they have
37 to defer to staff that the City's standards for such office uses would be sufficient. He indicated
38 that he appreciates the articulation that is provided with the design, and he feels it will allow for
39 air flow and light to be maintained. He commented that he also does not feel the residential
40 component would be detrimental to the commercial uses because of the predominance of the
41 commercial frontage.

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 7

1
2 Commissioner Powell stated that he supports the project. He commented that the Commission
3 must look at the impact on surrounding properties with blocking sunlight and air flow. He stated
4 that the design would provide articulation and would be an upgrade to the street. He indicated
5 that he also supports mixed use. He commented that he does not have a concern with residential
6 uses being detrimental to the commercial uses for this project, as the local commercial and high
7 density residential zones are compatible. He stated that he does not feel the encroachment of the
8 posts into the setback is a great concern, and it is critical for the subject design. He indicated that
9 the design does comply with Code requirements relative to use, height, floor area, parking,
10 landscaping, open space, and setbacks, excluding the concern with the posts. He indicated that
11 the project is also consistent with the General Plan. He pointed out that conditions have been
12 included prohibiting medical office use; requiring a trash and recycling plan; requiring that the
13 site provide reciprocal vehicle access with adjacent properties; requiring that parking spaces be
14 marked and signed and commercial spaces shall be available to employees and customers;
15 prohibiting pole signs and internally illuminated signs; and requiring that a sign program be
16 submitted to the Community Development Director.

17
18 Chairman Bohner said that he supports the project. He stated that it provides great articulation
19 and fits in well with the neighborhood. He commented that mixed use is important to consider
20 for the City and is very appropriate for the site. He indicated that the commercial use would be
21 very small in scale, and he does not feel it would create a problem with the residents. He
22 commented that he supports the encroachment into the setback for the proposed columns because
23 they would allow driveway access which is important for the project. He indicated that he also
24 supports the project.

25
26 A motion was MADE and SECONDED (Schlager/Powell) to **APPROVE** a Use Permit and
27 Vesting Tentative Parcel Map 68336 for Proposed Construction of a Mixed-Use Building With
28 Two Commercial Condominium Units and two Residential Condominium Units at 930
29 Manhattan Beach Boulevard

30
31 AYES: Lesser, Powell, Schlager, Seville-Jones, Chairman Bohner
32 NOES: None
33 ABSENT: None
34 ABSTAIN: None

35
36 Director Thompson explained the 15 day appeal period and stated that the item will be placed on
37 the City Council’s Consent Calendar for their meeting of September 18, 2007.

38
39 **07/0822.2 Consideration of an Amendment to a Previously Approved Use Permit for**
40 **Removal and Replacement of Two Existing Pine Trees Which are Impacting**
41 **Construction on the Site at 303 South Peck Avenue**

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 8

1
2 Chairman Bohner said that he is a member of the Manhattan Community Church. He indicated
3 however, that he has no financial interest in the project and feels he can consider the item fairly.

4
5 Assistant Planner Ochoa summarized the staff report. She indicated that the request is to amend
6 the existing Use Permit for the project to allow for the removal of two existing pine trees. She
7 commented that there is a condition included in the Use Permit for the new two-story youth
8 center assembly hall that all existing trees on site are to be preserved, and the applicant is
9 requesting to amend the condition in order to remove and replace two existing pine trees. She
10 indicated that the concern regarding the trees is their distance to the building foundation. She
11 commented that the foundation of the building is within the root zone of the trees, and the
12 canopies also would impact the height of the structure. She stated that the arborist report that
13 was submitted to staff recommends that the trees be removed because of the impact to the new
14 building and because removal of some of the roots would result in the trees becoming unstable
15 and weak. She indicated that the project was noticed to properties within 500 feet, and notice
16 was also published in the Beach Reporter. She said that conditions are included in the draft
17 Resolution requiring that the trees be replaced with 48-inch box trees and requiring that all other
18 existing trees on site remain. She said that the proposal would not impact the neighboring
19 properties, and all other conditions would remain.

20
21 In response to a question from Chairman Bohner, Director Thompson stated that the existing
22 trees are very large, and alternate locations where they could be placed are very limited. He
23 indicated that staff felt the tree canopy could be preserved by replacing the existing trees with 48
24 inch box trees.

25
26 In response to a question from Commissioner Lesser, Director Thompson said that the City's
27 Tree Ordinance does not apply to the subject trees since they are located in the sideyard.

28
29 In response to a question from Commissioner Lesser, Assistant Planner Ochoa stated that the
30 trees are on the side portion of the property and not located near a street.

31
32 In response to a question from Commissioner Seville-Jones, Assistant Planner Ochoa said that
33 the City has not had an independent arborist confirm the applicant's report. She indicated that
34 staff feels the statements in the arborist report are valid and that there is a safety issue with
35 continuing to cut the tree roots in order to build the structure.

36
37 In response to a question from Commissioner Seville-Jones, Director Thompson indicated that
38 the applicant stopped work on the project voluntarily when they realized there was an issue with
39 the trees.

40
41

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 9

1
2 Commissioner Schlager commented that he visited the site. He indicated that there are two
3 additional trees he noticed where the roots are showing as a result of the excavation for the
4 sanctuary building. He indicated that large branches have also been cut off of the trees.

5
6 In response to a question from Commissioner Lesser, Director Thompson said that the tree
7 survey did identify the number of trees on the site. He said that the condition to retain the
8 existing trees was added by the Commission and was not originally included in the draft
9 Resolution. He said that if the issue were realized at the time, staff would have recommended
10 that any exceptions to the condition be subject to an administrative decision.

11
12 **Bruce Kuch**, representing the applicant, said that they started the permit process for the project
13 in February of 2006 and have been through two hearings. He indicated that they are very
14 anxious to continue construction. He said that they were surprised when the condition requiring
15 retention of all existing trees was included as part of the approval at the end of the Planning
16 Commission hearing. He indicated that they believed at the time that the existing trees would
17 not create a problem with construction. He pointed out that the subject trees are over 200 feet
18 from Peck Avenue and 120 feet from Rowell Avenue. He stated that they realized after they
19 began excavation that they were damaging the roots and immediately stopped construction. He
20 indicated that the site has many mature trees, and they cannot excavate on any portion of the
21 property without hitting some tree roots. He commented that other trees will be impacted by
22 construction, and they are attempting to save every tree possible. He said that their roof
23 elevation has a height of 26 feet, which would impact the subject trees. He pointed out that the
24 root system of the tree extends to the same width as the canopy. He stated that they are
25 attempting to maintain handicapped access around the north side of the building between the
26 structure and Pennekamp School, which requires a short retaining wall to allow for wheelchair
27 access around the building.

28
29 **Mr. Kuch** indicated that reasons for granting the exception include that the subject trees are not
30 very visible because the location is hidden between Pennekamp School and their new building
31 currently under construction; the site has 80 existing mature trees; pruning the trees would
32 ultimately result in them being lost; the trees are a fire hazard with pine needles falling on the flat
33 roof of the new building; and the arborist has indicated that the particular species of pine can
34 cause excessive damage to the surrounding structures and has recommended their removal. He
35 stated that they are very much in need of a youth center and are anxious to resume construction.
36 He stated that they do have an active tree protection program as part of the construction process.
37 He commented that they have had frequent consultations with an arborist which has been
38 expensive. He stated that they are monitoring the trees on the property during construction. He
39 indicated that they have rerouted underground gas, water, and electrical lines in order to avoid
40 hitting tree roots, which has also been expensive.

41

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 10

1 In response to a question from Commissioner Lesser, **Mr. Kuch** said that he is not certain of an
2 appropriate location for the two replacement trees if the subject trees are removed. He indicated
3 that any tree that is put on the site would result in damage to one or two existing mature trees.

4
5 In response to a question from Commissioner Lesser, Director Thompson indicated that if the
6 proposal is approved, staff would walk the site with the arborist to find an appropriate location
7 for the replacement trees.

8
9 In response to a question from Commissioner Lesser, **Mr. Kuch** indicated that they would be
10 happy to work with staff in attempting to find an appropriate location for a reasonably sized
11 replacement trees that is not the same species of pine as the subject trees.

12
13 Director Thompson pointed out that the condition does not require that the trees be replaced with
14 pines but does require replacement with two 48-inch box trees. He said that it does allow for
15 flexibility on the type and species for the replacement trees. He indicated that if the Commission
16 wished to allow more flexibility, staff would recommend changing the condition to state that the
17 existing trees be replaced with an appropriate sized box tree.

18
19 Commissioner Schlager suggested that the draft Resolution include that any additional trees that
20 are removed also be required to be replaced. He suggested that the replacement trees be planted
21 at an alternate site in the City if a suitable location is not found on the subject property. He
22 suggested that the church, the arborist and staff study the site and evaluate all of the trees to
23 come back to the Commission with an appropriate resolution which addresses the actual
24 circumstances on the property. He indicated that the subject proposal only identifies two trees,
25 and it appears that more may be impacted by the construction.

26
27 **Mr. Kuch** indicated that the condition requiring the retention of all existing trees has not been
28 applied to any other building in Manhattan Beach and is unfair to be applied for their project.

29
30 Commissioner Lesser commented that his recollection is that the concern regarding retaining the
31 existing tree canopy originally was raised because of the desire to keep the trees that line the
32 property to the north. He indicated that Commissioner Schlager then proposed to add the
33 condition that all existing trees be retained in order to arrive at a unanimous vote by the
34 Commission.

35
36 Commissioner Powell commented that his recollection is that the concern that was originally
37 raised was regarding retaining the trees in order to provide a buffer for the view of the bell tower
38 which might be imposing for the neighbors without some screening.

39
40 Director Thompson commented that staff believes the applicant had the intent to act in good faith
41 to save the existing trees, and staff otherwise would have not have been aware of the issue. He

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 11

1 stated that the applicant currently has no remedy without a hearing before the Commission to
2 amend their permit to replace existing trees, which results in the project being delayed for a long
3 period of time. He stated that he believes the applicant is willing to do anything they can in
4 order to maintain the canopy, and their intention is to save as many existing trees as possible.

5
6 Chairman Bohner opened the public hearing.

7
8 **Reverend David Lindsay**, representing the applicant, indicated that the delays have hindered
9 their attempt to meet the needs of the teenagers in the community. He commented that the
10 church has a long history in the City beginning in 1905, and they have always kept their vision to
11 help young people by providing a place to learn a basic sense of morality and compassion for
12 one another. He commented that they have been without a permanent youth center for ten years,
13 and it has been a struggle to meet the needs of their teenagers. He said that having a youth center
14 would help create opportunities to nurture teenagers who are doing well but also help those who
15 are having problems. He commented that they were able to have a space to meet when he was
16 mentored by a youth minister while he was in middle school, and it was that experience that
17 allowed him to come back to the church. He said that the delays that have already occurred have
18 hindered their ability to serve the needs of the teenagers in the community.

19
20 **Carol Wahlberg** indicated that she does not remember having a specific building for the
21 younger people to meet when she went to church while growing up. She indicated that
22 preserving trees is very important for the City, and the environment is being damaged more by
23 the day. She said that she has input from an arborist that it would cost approximately \$10,000.00
24 per tree for the existing trees to be moved to another location. She stated that she feels the
25 community should take an interest in preserving and relocating trees to appropriate sites when
26 they must be moved. She indicated that she is concerned of other trees on the property that may
27 not be able to be saved. She stated that she feels it is important for the church to come back with
28 a specific assessment of the impact on all of the trees.

29
30 **Angela Spidia**, representing the applicant, indicated that they have walked the site and identified
31 all of the trees that may have a problem, and they have attempted to do everything they can to
32 save the existing trees on the site. She commented that the arborist is visiting the site one or two
33 times a week to check on the condition of the trees. She said that the existing pine trees are very
34 large. She stated that the concrete slab has already been poured for the utility room, the
35 classrooms, the youth building, and the assembly hall. She indicated that the subject trees have
36 already been damaged, and removing them would end up costing much more than \$10,000.00
37 per tree. She commented that removing the trees may tear up the new concrete. She said that
38 cutting the roots will result in the trees dying in a few years if they are relocated.

39
40 Chairman Bohner closed the public hearing.

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 12

1 Commissioner Powell said that the youth center serves a very useful purpose, and he feels the
2 project should move forward in a timely fashion. He said that he would like for the existing trees
3 to be relocated; however, it is already too late to preserve the trees according to the arborist
4 report. He stated that he would like for an independent arborist to visit the site. He said that he
5 would want anyone who may be interested to be encouraged to retain an arborist to relocate the
6 trees. He commented that the initial intent of the condition was to preserve the existing tree
7 canopy. He said that the intent also was to shade the bell tower and to provide a buffer to the
8 surrounding neighbors. He said, however, that the two subject trees do not serve as part of the
9 buffer to the adjacent properties. He indicated that he supports a condition that a minimum of
10 two 48-inch box trees be planted on the site at the discretion of the arborist as to the location so
11 that they do not cause issues with the building structure or surrounding trees. He indicated that
12 he would like for the wording of Condition 6 in the draft Resolution to remain. He commented
13 that currently only the two subject trees are being considered, and he would like to see the
14 remainder of the existing trees remain on the site until there is such time that there is evidence of
15 risk to other trees. He indicated that the Resolution may then need to be amended if there is an
16 issue with more trees.

17
18 Commissioner Lesser said that he concurs with the comments of Commissioner Powell. He
19 pointed out that the arborist report indicates that 40 percent of the root mass of the subject trees
20 has already been removed in order to make space for the footing of the new structure. He
21 commended the good faith of the church in voluntarily ceasing construction and bringing the
22 issue forward to staff as opposed to simply cutting down the trees. He indicated that large trees
23 sometimes need replacing in projects. He said that he would like to keep the condition that the
24 church would replace the existing trees with two new 48-inch box trees on the site to be
25 determined by the director, which would be in keeping with the overall intent to shield the bell
26 tower.

27
28 Commissioner Schlager indicated that he is in complete favor of the project for the youth center
29 and does not want it to be delayed because of the trees. He stated that the City is attempting to
30 save mature trees, as it takes many years for trees to grow. He commented that the two subject
31 trees must be removed, as they have been damaged and will not be able to recover. He indicated
32 that most project applicants make the claim that their project is unique and unusual; however,
33 every project that comes before the Commission is unique and unusual. He indicated that it is
34 the job of staff, the Commission, and the applicants to do the proper due diligence before a
35 project is begun to minimize the impact. He stated that there was a purpose in including the
36 condition in the original Resolution in attempting to preserve mature trees. He said that he wants
37 the project to move forward. He commented that he would support maintaining the condition
38 that any tree that must be removed for whatever reason shall be replaced on the property or at
39 another appropriate location with a 48-inch box tree of a species which staff feels appropriate.

40
41 Commissioner Seville-Jones said that she was not on the Commission when the item was

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 13

1 originally considered but has reviewed the minutes and video from the previous hearing. She
2 stated that she feels there was originally good faith by the applicant that they did not expect any
3 impact to the existing trees. She indicated that she wants the project to move forward. She
4 stated that she feels preserving trees is a very important goal. She commented that the original
5 intent of preserving the existing trees on the site was to shield the view of the bell tower and the
6 view from the adjacent property. She pointed out that she would encourage the City Council and
7 Planning Commission to continue to have discussions on protecting trees. She suggested
8 possibly including a tree proposal as part of an application for projects. She stated that the Tree
9 Ordinance should also be expanded to not only include trees in front yards and side yards that
10 front onto streets. She indicated that she does not feel the subject applicant should be held to a
11 higher standard than other applicants with respect to the maintenance of existing trees. She said
12 that she would like to have two replacement trees be placed higher on the embankment where the
13 existing trees are located in order to fulfill the original goal of the Commission to block the view
14 of the bell tower. She said that she understands that it may not be possible, but her preference
15 would be for the replacement trees to be placed in the same general location. She indicated that
16 it appears the roots of the existing trees have been severed to the extent that they must be
17 removed. She commented that she would like to have an independent arborist give an opinion as
18 to the condition of the trees for future projects where similar issues arise regarding trees. She
19 indicated that she would reluctantly support maintaining Condition 6 with its current language.
20 She commented that it is clear there is a lot of support in the community for the project moving
21 forward.

22
23 Chairman Bohner stated that he feels it is appropriate that the project move forward. He stated
24 that he feels it is the goal of the City to protect the tree canopy; however, in certain instances
25 trees must be replaced. He said that it is clear in this instance that the subject trees cannot be
26 saved. He indicated that he feels the applicant has acted in good faith in ceasing construction
27 and seeking consideration of their request to remove the trees. He indicated that he would defer
28 to staff on the type and size of replacement trees as well as finding an appropriate location for the
29 replacement trees. He commented that the applicant has indicated that they feel it may not be
30 feasible to relocate the trees on the subject site, and he would defer to staff and the applicant to
31 work together to reach an agreement. He indicated that he would like for the last sentence of
32 Condition 6 to be removed which states that mature 48-inch box replacement trees shall be used.

33
34 Director Thompson commented that staff wrote the condition to include that mature 48-inch box
35 replacement trees shall be used. He indicated that the motivation is to replace existing mature
36 trees with other mature trees of the same type whenever possible.

37
38 A motion was MADE and SECONDED (Schlager/Powell) to **APPROVE** an Amendment to a
39 previously approved Use Permit for removal and replacement of two existing pine trees which
40 are impacting construction on the site at 303 South Peck Avenue with the revision of the last two
41 sentences of Condition 6 to state that the replacement tree size, location, and species are subject

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 14

1 to the Community Development Director approval with the aspiration that the two removed trees
2 as well as future trees be replaced with mature minimum 48-inch box replacement trees if
3 feasible at the discretion of the City’s designated arborist, and will be applicable to all future
4 trees.

- 5
6 AYES: Lesser, Powell, Schlager, Seville-Jones, Chairman Bohner
7 NOES: None
8 ABSENT: None
9 ABSTAIN: None

10
11 Director Thompson explained the 15 day appeal period and stated that the item will be placed on
12 the City Council’s Consent Calendar for their meeting of September 18, 2007.

13
14 **BUSINESS ITEMS**

15
16 **A. Appeal of an Administrative Decision Denying a Driveway Vehicular Turntable for**
17 **a New Duplex Development at 729 Manhattan Beach Boulevard**

18
19 Assistant Planner Esteban Danna summarized the staff report. He indicated that the intent is for
20 the proposed turntable to turn the cars on the driveway in order for them to face the correct
21 direction to pull forward onto Manhattan Beach Boulevard. He stated that the applicants are
22 proposing a new duplex to replace the existing duplex on the property to include construction of
23 the proposed turntable on the driveway. He indicated that staff has determined that the project
24 does not meet the intent of Code section 10.64.130A which states that access to parking spaces
25 located on specified streets including Manhattan Beach Boulevard shall not require backing
26 across a street property line. He indicated that backing out onto specified major and minor
27 arterial right of ways creates a significant safety concern due to the volume of traffic on the
28 streets. He indicated that staff feels the turntable would present logistical difficulties, as a single
29 turntable would serve two separate residences. He commented that since two parties would
30 share use of a single turntable, it is likely that it would not be available for use by all of the
31 parties at all times. He said that the nature of tandem parking creates maneuvering and
32 circulation difficulty with multiple units. He pointed out that a similar turntable as proposed is
33 currently successfully being used at the single family residence adjacent to the subject property
34 on Manhattan Beach Boulevard. He stated that staff has determined that the use of such a
35 turntable is appropriate for a single-family home. He indicated that staff has determined that the
36 project does not prevent backing across the street property which may create an undue traffic
37 hazard. He indicated that staff is recommending denial of the appeal.

38
39 In response to a question from Commissioner Powell, Assistant Planner Danna indicated that the
40 City Engineer has not reviewed the subject application or the existing turntable for the adjacent
41 property.

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 15

1
2 Director Thompson said that the application for a turntable by the adjacent property owner at 725
3 Manhattan Beach Boulevard was the first such request that staff has received. He said that the
4 adjacent property owner would not have been able to redevelop the lot if their request were
5 denied. He said that the existing development on the subject property was built before the
6 requirement prohibiting vehicles from backing out onto the street. He indicated that staff is
7 suggesting that a single family home be built on the subject property rather than a duplex if they
8 wish to include the turntable in the design.

9
10 Commissioner Lesser asked if anything would prevent the portion of the subject lot that accesses
11 the rear alley from being utilized as a driveway.

12
13 Assistant Planner Danna said that it would need to be determined with such a design whether it
14 would comply with requirements for providing sufficient turning radius, for garage access, and
15 driveway slope.

16
17 In response to a question from Commissioner Lesser, Director Thompson indicated that there are
18 no situations where exceptions have been granted to the condition of Code Section 10.64.130A
19 which prohibits cars from backing onto certain arterial streets.

20
21 Commissioner Lesser commented that he has been in the home of the applicant's neighbor who
22 has an existing turntable. He said that his observation that the driveway of the subject property
23 is slightly wider than the neighbor's driveway.

24
25 Director Thompson indicated that staff's concern in allowing a multi-family duplex using a
26 single turntable is that a request may come for a triplex to use a similar design, and staff is not
27 certain at what point such a design should be denied. He indicated that staff was comfortable
28 approving the design for a single family home but has concerns with a turntable becoming more
29 difficult to regulate with multiple units. He indicated that staff feels it is very difficult to control
30 use of the turntable when it is shared by more than one unit. He indicated that it would be very
31 challenging to turn the turntable with more than one car. He said that staff is also not certain that
32 the solution is to use the back alley as parking access, as there is not sufficient space.

33
34 **Tim Harvey**, the applicant, said that they want to comply with the Code, which is the reason for
35 the request. He commented that the intent of Section 10.64.130A of the Code is to prohibit
36 backing onto Manhattan Beach Boulevard, and the request for the turntable meets that intent.
37 He pointed out that the Code does not specify regarding the ingress and egress with respect to
38 particular properties. He stated that they want to create a safer environment for their families.
39 He indicated that they currently are backing their cars onto Manhattan Beach Boulevard, and the
40 request would improve safety by allowing them to pull out forward from their driveway onto the
41 street. He stated that they are not intending to rent out the units and plan for their families to

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 16

1 continue to occupy the property. He indicated that the project would create a safer environment
2 for the community and would increase the value of the surrounding properties. He commented
3 that the dimensions of their garage would be greater than the next door property. He commented
4 that a turntable on a single family home could have the same issues with restricting parking
5 access. He commented that denial of the proposal would greatly limit their options for
6 redeveloping the property. He indicated that the property is not zoned for a single family home,
7 and they want to build a duplex for both of their families. He stated that it would be very
8 difficult to provide parking access from the rear alley because it is a very narrow area. He
9 pointed out that all of the other properties along the street have access to the rear alley and
10 garages in the rear. He commented that the subject property is part of the gateway to the
11 community, and it would be a benefit for it to be redeveloped and improved.

12
13 **Chris Steinbacher**, the applicant, indicated that both he and **Mr. Harvey** have families with
14 very young children, and they have a significant concern for safety on their property. He said
15 that the new design for the property would include an automatic gate to prevent other cars from
16 driving onto their driveway and to help keep their children from accessing Manhattan Beach
17 Boulevard. He stated that the neighboring property is the only single family residence on the
18 subject portion of the street, and all of the others have multi family units.

19
20 In response to a question from Commissioner Lesser, **Mr. Steinbacher** indicated that providing
21 access to the rear alley would result in less living space for their home. He indicated that they do
22 not believe it would not be possible to make the turn on the alley off of Center Place and drop
23 down to the level of the garage.

24
25 In response to a question from Commissioner Lesser, **Mr. Steinbacher** said that their
26 understanding was that the neighboring property was the first to have such a turntable in the
27 City.

28
29 In response to a question from Commissioner Schlager, **Mr. Harvey** indicated that the turntable
30 is designed to hold two cars, but the intent is to use it to turn only one car at any one time.

31
32 In response to a question from Commissioner Lesser, **Mr. Harvey** stated that they have not
33 looked at similar designs that have been approved in other cities, but they would be willing to
34 determine if there are similar designs for duplexes in other areas.

35
36 In response to a question from Chairman Bohner, **Mr. Harvey** commented that it would not be
37 possible to redevelop the property which is zoned for multi-family use without allowing the
38 proposal. He pointed out that the property is a duplex and cannot be sold to two separate
39 property owners in the future. He indicated that it must either be owned by a single owner or
40 two parties who purchase the property together.

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 17

1 **Mr. Steinbacher** pointed out that the same issues of blocking garage access could arise with any
2 duplex.

3
4 In response to a question from Commissioner Schlager, **Mr. Steinbacher** said that the gate
5 would be an automatic swinging gate that would open into the property adjacent to the property
6 line.

7
8 In response to a question from Commissioner Seville-Jones, Director Thompson indicated that a
9 driveway for a triplex would not necessarily allow sufficient space to allow vehicles to turn in
10 order to pull forward out on the street. He said that staff has a concern if such a design is
11 approved for a duplex that the argument will be made that it should also be allowed for a triplex.
12 He said that if the design is approved for a duplex, the Code will need to be clarified to specify at
13 what point such a request is not permitted.

14
15 Commissioner Schlager commented that there is no precedence to demonstrate that such a design
16 would create an issue with use by two separate property owners.

17
18 Chairman Bohner said that this is only the second such request in the City, and such a design
19 may need to be legislated in the future if additional requests are received. He indicated that it is
20 clear that at some point use of a single turntable would not be feasible for a larger number of
21 units, but it is not necessarily clear that use by two owners would create a problem.

22
23 Commissioner Lesser said that he would like additional data on similar designs for duplexes that
24 may have been approved in other areas, although he is not certain if it would be responsibility of
25 the City's Traffic Engineer or the applicants to provide such information.

26
27 Director Thompson said that if it is the request of the Commission, staff will attempt to provide
28 further information regarding similar designs that have been approved in other areas.

29
30 Chairman Bohner also requested further information regarding whether the use of such designs
31 in other areas for multi-family developments is very frequent and whether any safety concerns
32 have been associated in their use.

33
34 Commissioner Lesser commented that he would like for the City's Traffic Engineer to examine
35 any experience other cities have had with similar designs. He commented that garage access
36 being blocked could occur with a single family residence as well as with two units. He said that
37 he would be interested in experience of other cities with similar designs for multi-family units
38 and also regarding the feasibility of providing rear access to the subject property.

39
40 Director Thompson commented that the applicant would need to provide further research on the
41 feasibility of providing rear access. He said that such a design would impact the design and

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 18

1 location of the structure on the property.

2

3 Commissioner Seville-Jones indicated that she would welcome additional information regarding
4 similar designs in other areas. She said that she is inclined to think that such a design would be
5 feasible for two units but may not work as the number is increased to three, four or five units.
6 She commented that she understands that the applicants are limited in the redevelopment of the
7 property which is zoned for two units.

8

9 Chairman Bohner said that making the findings very precise would limit the precedent that is set
10 for such a design. He said that further information would be useful regarding similar designs
11 that have been approved in other areas for multi family developments and any safety concerns
12 that have been associated with their use. He indicated that he does not feel there is necessarily a
13 problem with allowing the proposal and that it may be appropriate for the subject applicants. He
14 indicated that he does realize there could be a problem with a larger number of units sharing a
15 single turntable. He indicated that it would be appropriate for the Commission to have further
16 information in making their decision.

17

18 **Pat Miller** commented that they owned an apartment building in Hermosa Beach that included a
19 single driveway for four tandem parking spaces, and the occupants had to cooperate in order to
20 utilize the parking. She suggested possibly allowing access for four cars per turntable.

21

22 **Don Miller**, said that he does not feel there is a difference with use of a turntable by a single
23 family or two families, and it is a matter of the occupants cooperating in order to properly utilize
24 the parking.

25

26 Director Thompson indicated that staff will conduct further study to provide more information
27 and will reschedule the item for the September 26, 2007, meeting.

28

29 **DIRECTOR'S ITEMS**

30

31 **PLANNING COMMISSION ITEMS**

32

33 Commissioner Seville-Jones suggested that it be articulated that the items for discussion at the
34 September 5 meeting are lot mergers and new development standards.

35

36 Commissioner Lesser commented that he has had difficulty in searching for specific topics on
37 the City's website for the video links for previous hearings. He said that he has previously raised
38 a concern regarding the accessibility of the video for previous meetings on the web site. He
39 requested that staff inquire as to the status of fixing the web site in order to allow the public and
40 Commissioners access to review the videos for previous meetings.

41

PLANNING COMMISSION [DRAFT] MINUTES

August 22, 2007

Page 19

1 Commissioner Seville-Jones commented that she has been able to access the videos of prior
2 meetings but has been frustrated with the search function to find specific topics. She commented
3 that the function includes hearings from only the past three years.

4
5 Commissioner Powell commented that he preferred the previous design of the web site which
6 showed the entire agenda along with the video picture rather than the current design which only
7 shows a narrow strip of the agenda. He asked if it would be possible to return to the previous
8 design.

9
10 In response to a question from Commissioner Lesser, Director Thompson said that the Chevron
11 gas station at the corner of Rosecrans Avenue and Sepulveda Boulevard is being remodeled. He
12 said that staff is not certain, but is likely that the Shell station previously at the corner of
13 Manhattan Beach Boulevard will become another gas station.

14
15 Commissioner Powell commented that approximately eight mature trees have been removed on
16 the median as part of the construction project on Rosecrans Avenue, and it appears as if more
17 may be removed as the construction continues westward on the street.

18
19 **TENTATIVE AGENDA: September 12, 2007**

20
21 A. Coastal Development Permit Amendment for larger concrete pads for maintenance
22 vehicles above underground storm drain project on beach/bike path between 27th and 28th
23 Streets (Continued)

24
25 B. Zoning Code Amendment and Local Coastal Program Amendment regarding City
26 Council 2005-2007 Work Plan Item to address Mansionization in Residential Zones

27
28 **ADJOURNMENT**

29
30 The meeting of the Planning Commission was **ADJOURNED** at 9:50 p.m. in the City Council
31 Chambers, City Hall, 1400 Highland Avenue, to the special meeting of Wednesday, September
32 5, 2007, at 6:00 p.m. in the same chambers.

33
34 _____
35 RICHARD THOMPSON
36 Secretary to the Planning Commission

33
34 _____
35 SARAH BOESCHEN
36 Recording Secretary