

**CITY OF MANHATTAN BEACH**  
**[DRAFT]MINUTES OF THE REGULAR MEETING OF THE PLANNING**  
**COMMISSION**  
**SEPTEMBER 26, 2007**

1 A regular meeting of the Planning Commission of the City of Manhattan Beach was held on  
2 Wednesday, September 26, 2007, at 6:35p.m. in the City Council Chambers, City Hall, 1400  
3 Highland Avenue.

4  
5 **ROLL CALL**

6 Vice-Chairman Lesser called the meeting to order.

7  
8 Members Present: Powell, Schlager, Seville-Jones, Vice-Chairman Lesser

9 Members Absent: Chairman Bohner

10 Staff: Laurie Jester, Senior Planner

11 Eric Haaland, Associate Planner

12 Sarah Boesch, Recording Secretary

13  
14 **APPROVAL OF MINUTES**                    **September 5, 2007; September 12, 2007**

15  
16 Commissioner Powell requested that page 10, line 12, of the September 5 minutes be corrected  
17 to read: "He stated that he would like further information regarding ~~the~~ comparable regulations  
18 of other cities."

19  
20 Commissioner Powell requested that page 15, line 21 be revised to read: "He pointed out that  
21 ~~only~~ when a home is demolished and rebuilt, it does need to be brought up to the current Code..."

22  
23 Commissioner Seville-Jones, requested that on page 1, line 2, "September 9" be corrected to  
24 "September 5, 2007."

25  
26 Commissioner Seville-Jones requested that "Carol Wahlberg" be corrected to "Karol Wahlberg"  
27 on page 8, line 5 and page 14, line 20.

28  
29 Commissioner Seville-Jones requested that wording be added to page 8, line 31 to read: ". . . but  
30 she still feels that the community ~~would~~ could benefit by having smaller homes that are also  
31 better articulated and should be thought about further."

32  
33 A motion was MADE and SECONDED (Powell/Seville-Jones) to **APPROVE** the minutes of  
34 September 5, 2007, as amended.

35  
36 AYES: Powell, Schlager, Seville-Jones, Vice-Chairman Lesser

37 NOES: None

38 ABSENT: Chairman Bohner

39 ABSTAIN: None

40  
**DRAFT**

1 Commissioner Seville-Jones requested that page 14, line 35 of the September 12 minutes be  
2 corrected to read: “He said that while there may not be a concern with the use of the basement  
3 area by Mr. Bickle ~~for~~ regarding providing additional parking . . .”  
4

5 Commissioner Powell asked whether mention should be made in the minutes of the bus tour that  
6 the Commissioners took before the September 12 meeting.  
7

8 Senior Planner Jester said that wording will be added in the minutes regarding the bus tour.  
9

10 Commissioner Powell requested that page 5, line 14 be revised to read: “He stated that he feels  
11 in this instance that the cost of ~~losing~~ compromising the beach outweighs the benefit of  
12 providing additional space for the maintenance trucks.”  
13

14 Commissioner Powell requested that page 7, line 26 be revised to read: “. . . and believe the  
15 portion of the concrete pads other than what ~~that~~ was originally approved should be removed.”  
16

17 A motion was MADE and SECONDED (Seville-Jones/Powell) to **APPROVE** the minutes of  
18 September 12, 2007, as amended.  
19

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

25 **AUDIENCE PARTICIPATION** None  
26

27 **PUBLIC HEARINGS**  
28

29 **07/0926.1 Consideration of a Use Permit and Coastal Development Permit for**  
30 **Proposed Construction of a New Mixed Use Building, to Include Three**  
31 **Residential Apartment Units and One Professional Office Suite at 229 12<sup>th</sup>**  
32 **Street**  
33

34 Senior Planner Jester indicated that staff has had conversations with the applicant regarding the  
35 meeting, and it appears they chose not to attend. She indicated that staff is recommending that  
36 the Commissioners hear the staff presentation, discuss the issues, provide direction regarding the  
37 building height and setbacks, and continue the item.  
38

39 Associate Planner Haaland summarized the staff report. He commented that the applicant had  
40 discussed it, but did not confirm that they would not attend the meeting. He said that it was  
41 understood that staff would recommend that the project would be continued. He indicated that  
42 the proposal is for a 3,466 square foot three story building with 1,393 square feet of commercial

1 office space and three residential apartment units. He indicated that the project generally  
2 conforms to applicable requirements for parking, open space and most setbacks. He said that an  
3 issue has been raised regarding the height of the proposed building, and setbacks. He  
4 commented that the proposal does appear to be consistent with the current use of the property  
5 and does appear to be appropriate and consistent with the area. He indicated that the issues are  
6 regarding an elevator and stairway proposed at the side property line with no setback, which is  
7 permitted for a commercial use but not for a residential use. He said that there is an issue as to  
8 whether the residential setback standards should apply as the stairway and elevator continue  
9 vertically to the third level where there is only residential use.

10  
11 Associate Planner Haaland indicated that the CD (downtown commercial) zone has a height limit  
12 for commercial projects of 26 feet, and the standard for residential development is 30 feet. He  
13 said that specifically in the CD zone, the commercial component makes the entire project not  
14 eligible for the 30 foot height limit, and a limit of 26 feet is required. He indicated that the  
15 height of the project does need to be reduced to 26 feet in order to be consistent with this  
16 requirement. He commented that the three residential units each require a two car garage. He  
17 indicated that the proposal is for three two-car tandem garages. He stated that three garages  
18 cannot occur at the rear alley due to the 30 foot lot width, and only a two car width garage can  
19 occur abutting the alley. He said that one of the garages must be located on the front, which is  
20 not generally desirable for commercial properties. He indicated, however, that the subject  
21 location is not typical for commercial because there is little commercial activity on the street,  
22 and there are two public parking lots and residential garages on the block which front on 12<sup>th</sup>  
23 Street. He commented that the project does have a large entry area which is unusual for both  
24 downtown and the entire beach area. He said that initial options for the applicant are to either  
25 reduce the height to 26 feet or to have only residential units which would allow for the 30 foot  
26 height limit.

27  
28 In response to a question from Commissioner Seville-Jones, Associate Planner Haaland said that  
29 the parking within the building would only be for use by residents. He pointed out that the  
30 downtown parking exemption for commercial uses would apply to the subject property, and no  
31 parking would be required for the commercial component. He said that no guest parking is  
32 required for up to three residential apartment units.

33  
34 In response to a question from Commissioner Seville-Jones, Associate Planner Haaland  
35 commented that the main purpose for including the elevator is because it is required to provide  
36 disabled access for the commercial component on the second floor. He said that it is not  
37 required for a residential use.

38  
39 In response to a question from Commissioner Seville-Jones, Associate Planner Haaland said that  
40 the size of the proposed residential units is similar to those in other mixed use projects in the  
41 beach area.

September 26, 2007

Page 4

1 In response to a question from Commissioner Powell, Associate Planner Haaland stated that four  
2 residential units would not be permitted on the site, and three units would be the most permitted  
3 for a 30' by 90' foot lot.  
4

5 In response to a question from Vice-Chairman Lesser, Associate Planner Haaland said that the  
6 commercial component would probably need to consist of office use which wouldn't require  
7 visibility from the main commercial traffic streets. He pointed out that a medical office use  
8 would not be permitted due to parking requirements.  
9

10 In response to a question from Vice-Chairman Lesser, Associate Planner Haaland commented  
11 that there will be some disruption to the adjoining building to the west during construction with  
12 shoring and disruption to their access. He commented that such construction projects do occur  
13 with shared access to the adjacent property.  
14

15 Associate Planner Haaland said that an e-mail has been received from a resident after the staff  
16 report was written which has been provided to the Commissioners with concerns regarding the  
17 height and size of the proposed structure.  
18

19 Vice-Chairman Lesser opened the public hearing.  
20

21 **Susan Adams**, a resident of the 1200 block of Manhattan Avenue, commented that she believes  
22 the height should be limited to 26 feet if there is a commercial component to the project. She  
23 said that allowing 30 feet would set a bad precedent and go against the direction of the General  
24 Plan. She said that the redevelopment would double the size of the existing building. She  
25 pointed out that the neighborhood is predominantly residential. She commented that the 26  
26 height limit with a commercial component may force the applicant to build only residential. She  
27 indicated that limiting the height to 26 feet with a commercial component or limiting the number  
28 of residential units to two would help to eliminate the need to place one of the garages from  
29 fronting on the street.  
30

31 **Neil Leventhal**, a resident of the 100 block of 13<sup>th</sup> Street, stated that the subject area is generally  
32 residential with some commercial components. He said that the request with the proposal is to  
33 maximize every aspect of the regulations for both residential and commercial. He indicated that  
34 they feel that the small town character of the City is preserved with residential uses being  
35 maintained downtown. He said that the issue of density is significant, and they are requesting  
36 that the density of the project be reduced. He commented that commercial uses should be  
37 required to provide parking. He stated that both maximizing the number of residential units to  
38 three and providing a commercial component with no parking requirement is too large of a  
39 project for the subject lot. He indicated that the 26 foot height restriction needs to apply if a  
40 commercial component is included.  
41

42 Vice-Chairman Lesser closed the public hearing.

1  
2 Commissioner Powell indicated that the subject project is unique and does attempt to accomplish  
3 a great deal for the space. He stated that the Code is very explicit that the 26 height restriction  
4 would apply with a commercial component. He commented that the project would include 60  
5 percent residential and 40 percent commercial, and the predominant use of the site would be  
6 residential. He pointed out that the hours of operation for the commercial component would be  
7 Monday through Friday from 9:00 a.m. to 6:00 p.m., whereas the hours for the residential use  
8 would be 24 hours every day. He also commented that none of the parking provided on site  
9 would be for the commercial component, and the subject property is remote from parking  
10 structures. He commented that the primary use of the site as residential is not incidental, and he  
11 feels that the residential setbacks should apply. He said that he would want a condition that  
12 signage be limited and no signage be permitted on the residential portions of the building.

13  
14 Commissioner Schlager indicated that he agrees with the comments of Commissioner Powell.  
15 He commented that it is important to receive public testimony and appreciates the input from the  
16 neighbors who spoke. He said that it is rare that an applicant does not come to a public hearing,  
17 and he is disappointed that the applicant is not present to describe his ideas and vision for the  
18 project. He commented that it does appear that the property is being maximized to the greatest  
19 extent possible. He indicated that he would also like to hear the position of the applicant on  
20 considering that the project only include residential units. He said that he is inclined to support  
21 staff's recommendation.

22  
23 Commissioner Seville-Jones stated that she does not believe the building should be permitted to  
24 have a height of 30 feet as proposed with both commercial and residential components. She  
25 commented that the applicant needs to consider whether they wish to include a commercial  
26 component and be limited to a height of 26 feet or include only residential and be required to  
27 provide setbacks. She commented that she is not certain on the basis of the design as proposed  
28 to 30 feet that she has sufficient information to conclude whether the staircase and elevator are  
29 incidental. She said that issues related to mixed use projects need to be analyzed further as more  
30 requests for such projects are received. She commented that the Code is very clear that the  
31 height limit with a commercial component is 26 feet. She indicated that she does have a concern  
32 with commercial uses stretching into an area that is primarily residential.

33  
34 Vice-Chairman Lesser said that he agrees with the comments of the other Commissioners. He  
35 also thanked the residents who spoke for providing their input. He stated that it is rare for an  
36 applicant seeking approval of a project not to be present at the hearing to help explain what they  
37 are attempting to achieve. He indicated that he feels the applicant bears the burden to prove why  
38 they should be allowed to vary from the Code requirements. He said that he does not believe the  
39 height of the building should exceed 26 feet with a commercial component, which is expressly  
40 required by the Code. He commented that he supports mixed use projects, and the question is  
41 when the different Code sections conflict. He said that he is concerned that the applicant has  
42 chosen to use the commercial standards and residential standards where they benefit the most to

1 maximize the use of the property. He stated that he does not feel there is sufficient information  
2 to make a conclusion other than he does not find that the project is acceptable and he would like  
3 to see more information.

4  
5 Vice-Chairman Lesser said that it appears the burden is on the applicant to arrive at a proposal  
6 that either eliminates the commercial component or adheres to the 26 foot height restriction for  
7 commercial properties. He indicated that he also feels the burden should be on the applicant to  
8 submit a design for the stairs and elevator up to the third level that could potentially be supported  
9 by the Commissioners depending on the design.

10  
11 Commissioner Powell said that it would be helpful to ask the applicant whether any  
12 consideration was given to relocating the elevator from the exterior to the interior of the  
13 property. He indicated that he would like for the applicant to be made aware of the concerns and  
14 have an opportunity to either address them in a redesign by eliminating the commercial use or  
15 changing the configuration of the commercial use while not encroaching into the setback with  
16 the elevator and the staircase.

17  
18 Commissioner Seville-Jones pointed out that the stairs should be subject to the residential  
19 standards since they are required for the residential use and not required for the commercial use.

20  
21 Vice-Chairman Lesser said that he would not want to prevent the applicant from possibly getting  
22 agreement from the Commissioners that the stairs may encroach into the side yard if the project  
23 includes a commercial component. He said that he does feel the applicant should be able to have  
24 the option to choose on a redesign.

25  
26 Commissioner Seville-Jones said that she would keep an open mind regarding the stairs but  
27 would have difficulty making a determination that they should be permitted to encroach into the  
28 setback.

29  
30 In response to a comment from Senior Planner Jester, Vice-Chairman Lesser said that since the  
31 property is currently used as residential, then the potential elimination of the commercial use in  
32 the proposal would not result in a loss of commercial in the downtown commercial zone, so the  
33 erosion of downtown commercial is not an issue.

34  
35 Senior Planner Jester commented that there would not be an overall decrease of commercial uses  
36 in the downtown area if the commercial component is removed from the project, but the  
37 inclusion of commercial would allow for an increase.

38  
39 Commissioner Schlager stated that there is consensus that commercial be promoted in the  
40 downtown area. He suggested that the applicant possibly consider including a commercial  
41 component and reducing the number of residential units from three to two apartments which  
42 would make it easier to redesign the structure to provide open space and the appropriate setbacks

1 for the elevator and stairs.

2  
3 A motion was MADE and SECONDED (Powell/Schlager) to **REOPEN** and **CONTINUE** the  
4 hearing regarding Use Permit and Coastal Development Permit for Proposed Construction of a  
5 New Mixed Use Building, to Include Three Residential Apartment Units and One Professional  
6 Office Suite at 229 12<sup>th</sup> Street to the meeting of October 24, 2007.

7  
8 AYES: Powell, Schlager, Seville-Jones, Vice-Chairman Lesser

9 NOES: None

10 ABSENT: Chairman Bohner

11 ABSTAIN: None

12  
13 **PLANNING COMMISSION ITEMS**

14  
15 Commissioner Powell indicated that he will be attending the American Planning Association  
16 State Conference from Sunday, September 30 to Wednesday, October 3, 2007. He indicated that  
17 the conference will be hosted next year by the Los Angeles chapter at the Hollywood  
18 Renaissance Hotel in September of 2008.

19  
20 Commissioner Powell stated that the Hometown Fair will take place the weekend of October 6,  
21 2007, beginning with a 10k run at 7:30 a.m. on October 6.

22  
23 **DIRECTOR'S ITEMS** None

24  
25 **TENTATIVE AGENDA: October 10, 2007**

26  
27 A. Consideration of City Council 2005-2007 Work Plan Item to Address Mansionization in  
28 Residential Zones

29  
30 **ADJOURNMENT**

31  
32 The meeting of the Planning Commission was **ADJOURNED** at 7:45 p.m. in the City Council  
33 Chambers, City Hall, 1400 Highland Avenue, to Wednesday, October 10, 2007, at 6:30 p.m. in  
34 the same chambers.

35  
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37 \_\_\_\_\_  
38 RICHARD THOMPSON  
Secretary to the Planning Commission

35  
36  
37 \_\_\_\_\_  
38 SARAH BOESCHEN  
Recording Secretary