

**CITY OF MANHATTAN BEACH**  
**[DRAFT]MINUTES OF THE REGULAR MEETING OF THE PLANNING**  
**COMMISSION**  
**JANUARY 9, 2008**

1 A regular meeting of the Planning Commission of the City of Manhattan Beach was held on  
2 Wednesday, January 9, 2008, at 6:35p.m. in the City Council Chambers, City Hall, 1400  
3 Highland Avenue.

4  
5 **ROLL CALL**

6 Chairman Bohner called the meeting to order.

7  
8 Members Present: Lesser, Powell, Seville-Jones, Chairman Bohner  
9 Members Absent: None  
10 Staff: Richard Thompson, Director of Community Development  
11 Laurie Jester, Senior Planner  
12 Angelica Ochoa, Assistant Planner  
13 Esteban Danna, Assistant Planner  
14 Sarah Boesch, Recording Secretary

15 **APPROVAL OF MINUTES**

16  
17 **December 11, 2007**

18  
19 Commissioner Powell requested that on page 4, line 34, and page 12, line 30 of the December 11  
20 minutes, "Pollywog" be corrected to "Polliwog."

21  
22 Commissioner Powell requested that page 10, line 13, be revised to read: "Commissioner  
23 Powell said that he considers the plan that is being presented as general and not specific and their  
24 input is on the overall considerations that will be incorporated."

25  
26 Commissioner Powell requested that page 10, line 29 be revised to read: "Commissioner Powell  
27 commented that he ~~would think~~ believes that the recommendation was included . . ."

28  
29 Commissioner Seville-Jones requested that "Fabaro" be corrected to "Favaro" on page 19, line  
30 16 and 40 and page 20, line 32.

31  
32 Commissioner Seville-Jones requested that "commented" be corrected to "commended" on page  
33 21 line 26.

34  
35 A motion was MADE and SECONDED (Lesser/Powell) to **APPROVE** the minutes of the  
36 special Planning Commission Meeting of December 11, 2007, as amended.

37  
38 AYES: Lesser, Powell, Seville-Jones, Chairman Bohner  
39 NOES: None  
40 ABSENT: None  
41 ABSTAIN: None

**D R A F T**

1  
2 **December 12, 2007**  
3

4 Chairman Bohner requested that page 7, line 1 to read “Chairman Bohner commented that the  
5 Sepulveda Corridor Guidelines are used as a goal, but in many circumstances they cannot all be  
6 met. He said that they are guidelines and not regulations that are hard and fast rules that must  
7 always be followed. Some of the guidelines accommodate one another. To adhere to them  
8 without taking into account particular circumstances ~~which~~ would make it difficult to develop  
9 commercial buildings on the lots.”  
10

11 Chairman Bohner requested that page 13, line 2, be revised to read: “He said that additional  
12 setbacks have been provided ~~than~~ that are not required.”  
13

14 Commissioner Powell requested that language be added to page 3, line 37 to state:  
15 “Commissioner Powell stated that the Commission considers various methods for saving energy  
16 and new technologies when reviewing projects and commended the students on their outstanding  
17 research.”  
18

19 Commissioner Powell requested that page 6, line 32 be revised to read: “. . . and they are  
20 considering the ~~lead~~ LEED and “build it green” standards for sustainable building requirements.”  
21

22 Commissioner Powell requested that page 12, line 14 be revised to read: “He commented that the  
23 Commission has granted ~~exceptions~~ variances to the height requirement in the past . . .”  
24

25 Commissioner Powell requested that Page 13 line 35 “Commissioner Powell commended the  
26 outstanding efforts of the planning staff, ~~and~~ the Commissioners, ~~and~~ City Council, ~~and~~ residents  
27 and businesses which makes the City the crown jewel of the South Bay.”  
28

29 A motion was MADE and SECONDED (Lesser/Powel) to **APPROVE** the minutes of the  
30 regular Planning Commission meeting of December 12, 2007, as amended.  
31

32 AYES: Lesser, Powell, Seville-Jones, Chairman Bohner  
33 NOES: None  
34 ABSENT: None  
35 ABSTAIN: None  
36

37 **AUDIENCE PARTICIPATION** None  
38  
39  
40  
41

42 **BUSINESS ITEMS**

1  
2       **A. Consideration of a Proposed Tree Removal at 605 26<sup>th</sup> Street**  
3

4       Assistant Planner Ochoa summarized the staff report. She stated that the proposal is to replace  
5       an existing two-story residence that includes a detached garage and driveway access on the east  
6       side of the site with a new single family two-story residence with an attached garage and  
7       driveway access on the west side of the lot. She indicated that the subject tree has a 22 inch  
8       trunk and is over 35 feet tall. She stated that the tree is located within the path of the driveway  
9       and the garage as proposed with the new design. She said that the applicant is requesting to  
10       remove the tree for the construction of the new house. She commented that the applicant has  
11       indicated that the size of the tree is too large for the area; it has invasive roots that have damaged  
12       their driveway; it requires constant maintenance; it is in the path of the garage and the driveway  
13       with their proposed design; and it interferes with the layout and floor plan of their proposed  
14       design.

15  
16       Assistant Planner Ochoa indicated that the applicants are proposing to replace the tree with a  
17       smaller species. She commented that the arborist hired by the applicants recommends removal  
18       of the tree because it has structural defects; it has an aggressive root system; it drops branches; it  
19       is subject to decay; it interferes with the design of the new home; and there is also a concern  
20       from the neighbor to the west regarding some damage to their walkway and steps, from the roots  
21       of the subject tree. She stated that the City's arborist recommends preservation of the subject  
22       tree because it is structurally sound, well shaped, in good health, the decay is isolated in one  
23       branch only, and it can be maintained with continued crown reduction pruning, and minimal root  
24       pruning that will not negatively impact the tree. She indicated that he determined from his  
25       inspection, and experience, that the damage to the applicant's driveway and walkway are not  
26       caused by roots of the tree because there is no uplifting of the sidewalk. She stated that he also  
27       recommended continued pruning of the branches (crown reduction and restoration) to reduce the  
28       canopy of the tree to prevent large limbs from falling. She commented that the applicants  
29       designed the garage and driveway location, for their new house, on the low side of the lot in  
30       order to meet the City's requirements for driveway slope, and they feel other design options  
31       would not meet their goals.

32  
33       In response to a question from Chairman Bohner, Assistant Planner Ochoa indicated that the  
34       applicant has not submitted any information for possible alternative designs that would meet the  
35       applicants goals and still preserve the subject tree.

36  
37       In response to a comment from Chairman Bohner, Director Thompson said that the Tree  
38       Ordinance was changed from a replacement to a preservation ordinance after several hearings  
39       before the City Council. He indicated that there is a goal to maintain and preserve the tree  
40       canopy within the City.

41  
42       In response to a comment from Commissioner Lesser, Director Thompson indicated that the

**January 9, 2008**

Page 4

1 position of the City's arborist is that the tree should be preserved; however, there are conflicting  
2 reports between the City's arborist and the applicant's arborist. He said that staff decided to  
3 bring the item before the Commission instead of denying the project and forcing the applicant to  
4 appeal. He indicated that the question before the Commission is the importance of the design of  
5 the project as balanced against preserving the subject tree and whether there are alternative  
6 designs that would allow the tree to be preserved.

7  
8 In response to a comment from Commissioner Seville-Jones, Director Thompson indicated that  
9 staff feels there are alternatives that will preserve the tree and allow the home in a different  
10 configuration.

11  
12 Commissioner Seville-Jones said that the critical question is whether placing the driveway on the  
13 west side of the lot would be feasible.

14  
15 Director Thompson indicated that staff believes the tree can be accommodated if the driveway  
16 and garage are placed on the other side of the lot. He said that staff believes such an alternative  
17 design can include tall ceilings except for certain rooms.

18  
19 Commissioner Powell asked if there is any possibility of relocating the tree to the other side of  
20 the property without it being harmed. He also asked if the City has a tree inventory that specifies  
21 the number of Liquidambar trees or whether there has been experience with them dropping  
22 branches.

23  
24 Director Thompson said that the City does not have a comprehensive tree inventory.

25  
26 In response to a question from Commissioner Powell, Director Thompson said that staff attempts  
27 to reach a balance of preserving existing trees and accommodating developers. He indicated that  
28 staff will make the decision to remove or relocate an existing tree if it is clear that there is no  
29 other means of reaching the design goals of applicants.

30  
31 **Perry Colligan**, the applicant, stated that he and his wife are attempting to build the home of  
32 their dreams. He indicated that they want to place the garage under the home in order to provide  
33 room for a workshop and to keep the garage less visible from the street. He stated that the only  
34 way to achieve their goals is to place the driveway on the west side because of the slope of the  
35 street and the lot. He indicated that placing the driveway on the other side of the property would  
36 result in the ceilings in the middle of the home becoming too low to be worth the cost of  
37 construction. He said that the arborist they hired indicated that the tree is creating a problem.  
38 He commented that a limb of the tree fell onto the roof of the home in the summer of 2005. He  
39 commented that he is concerned of the safety of his children and the neighbor's children if  
40 another limb happens to fall onto the lawn. He stated that the arborist they hired informed them  
41 that the particular species of tree can develop a condition called "summer limb drop," and once  
42 they begin to drop limbs it is more likely that more will fall in the future. He indicated that it has

1 extensive roots 20 feet beyond the front wall of his home. He stated that the tree is a liability  
2 issue, and has a very high level of VOC emissions. He commented that the species also thrives  
3 in areas with much greater rain, and the tree would need to be watered very heavily in order to  
4 remain healthy. He commented that the language of the Ordinance indicates that the residence  
5 takes priority over the tree. He said that they would much rather remove the tree and replace it  
6 with a new tree on the other side of the lot that is beautiful, healthy and better for the  
7 environment.

8  
9 **Doug Leach**, the project architect, said that one reason for incorporating subterranean garages in  
10 designs is because it allows for a larger rear yard. He described the proposed design. He  
11 indicated that changing their current proposal to reorient the garage and driveway would raise  
12 the elevation of the house 1 ½ feet in order to adhere to the required driveway slope because of  
13 the topography of the site, which would force them to lower the overall height and would  
14 negatively impact the design. He said that they cannot lower the ceiling behind the storage area  
15 any more than 7 feet. He commented that the ceiling in the middle of the home as designed is 9  
16 feet, which is not a high ceiling. He indicated that the design would be severely impacted if the  
17 ceilings in the middle of the home were lowered to 8 feet. He stated that it would be possible to  
18 redesign the proposed home, but requiring 1 ½ feet to be taken off would greatly hurt the design  
19 and would result in it not being worth the cost of construction. He stated that changing the  
20 orientation would also require the location of the kitchen to be moved from the east side of the  
21 home, which would prevent light from reaching it in the mornings. He commented that the  
22 proposed design satisfies the 8 percent front setback requirement for the second story currently  
23 in effect and would more than meet the 6 percent requirement that is currently under  
24 consideration by the City Council.

25  
26 In response to a question from Commissioner Powell, **Mr. Leach** indicated that it is not possible  
27 to change the elevation at the front property line by grading.

28  
29 **Ann Barklow**, the consulting arborist for the applicant, said that the species of the subject tree  
30 has an aggressive root system. She commented that it is debatable whether the concrete of the  
31 subject property and neighboring property has been damaged by the roots of the tree. She  
32 commented that the subject tree is also close to the power lines. She said that the tree is 45 years  
33 old and is less likely to survive a great deal of stress at that age. She stated that there is some  
34 decay present in the tree. She commented that a large limb fell from the tree during the summer  
35 which indicates a condition known as summer limb drop. She stated that in this species of trees  
36 sound limbs up to 3 feet in diameter can break and fall during calm hot summer afternoons. She  
37 indicated that falling branches have resulted in fatalities, serious injuries, and property damage.  
38 She said that because the branches seldom show any specific defects, their failure is very  
39 difficult to predict. She indicated that summer limb drop is a particular concern because the  
40 limbs will drop on clear summer days when people are more likely to be outside and possibly in  
41 their path. She indicated that the fact that the subject tree has already dropped one branch  
42 indicates that it is likely to happen again in the future. She commented that she is aware of a

**January 9, 2008**

Page 6

1 case on 7<sup>th</sup> Street where a branch from a Liquidambar tree in a front yard fell on a car and  
2 another in a rear yard where a limb fell on a fence.

3  
4 In response to a question from Commissioner Powell, **Ms. Barklow** commented that she did not  
5 recommend removal of the Liquidambar tree on 2103 Elm Avenue because it did not show any  
6 signs of developing summer limb drop, is not located near any power lines, and is not next to a  
7 parking area or in another area where it was likely to cause damage or injury if a branch did fall.

8  
9 **Ms. Barklow** indicated that El Segundo has banned the planting of Liquidambar trees, and does  
10 not recommend that they be planted in Manhattan Beach because of their aggressive root system  
11 and sudden limb drop. She said that she considers the tree a potential safety risk and would  
12 recommend that the subject tree be removed and replaced with a tree that has a low root damage  
13 potential and strong branch structure.

14  
15 In response to a question from Chairman Bohner, **Ms. Barklow** stated that the dropping of limbs  
16 can be helped by aggressive pruning of the canopy; however, she would not feel comfortable  
17 with taking any chances in this situation with a tree in the front yard where children are playing  
18 where it can potentially cause damage or injury. She commented that there is also a concern that  
19 the applicant or any future owners would know how often and to what extent to prune the tree.  
20 She indicated that she would not necessarily recommend removal of a tree that has a history of  
21 summer limb drop if it is out of the way, such as a rear yard, and very unlikely to cause injury or  
22 damage. She commented that she also believes the stress of construction, cutting the roots and  
23 pruning could potentially cause more limbs to drop.

24  
25 Commissioner Powell asked about the possibility of placing a barrier around the root system in  
26 order to prevent them from spreading out.

27  
28 **Ms. Barklow** stated that there is controversy regarding whether or not root barriers are effective.  
29 She indicated that they must be kept above the soil which is a trip hazard. She commented that  
30 the roots of the subject tree are very large and at the surface which makes such a barrier not  
31 effective in this instance as they grow over the top of the barrier.

32  
33 In response to a question from Commissioner Powell, **Mr. Barklow** said that it would be  
34 possible for the subject tree could be transplanted, however she would not recommend that this  
35 particular tree be transplanted because it has summer limb drop.

36  
37 In response to a question from Commissioner Lesser, **Ms. Barklow** commented that trimming  
38 the tree does lighten the weight of the branches which helps to lighten the weight and reduce the  
39 potential for limbs dropping. She stated, however, that there is a question of how often the tree  
40 must be pruned, as the growth of the foliage can vary significantly during dry and wet years.  
41 She indicted that she is not confident that pruning is a sufficient solution for preventing summer  
42 limb drop.

1  
2 In response to a question from Commissioner Lesser, **Ms. Barklow** commented that she did not  
3 want to recommend removal of the tree on Elm Avenue when there was no indication of summer  
4 limb drop. She indicated that she has a greater concern once a tree has dropped a limb because it  
5 is more likely that it will occur again.

6  
7 **Craig Crotty**, the City's arborist, said that he feels the tree can be preserved through the  
8 construction process and should not be condemned on the basis of its condition or species  
9 characteristics, potential limb drop, existing root damage, future root growth, age, or past  
10 pruning history. He said that the tree has species characteristics and some lesser defects that  
11 could be managed through common pruning techniques and protection during construction. He  
12 indicated that he feels there is sufficient space in the front yard to do root pruning if necessary.

13  
14 In response to a question from Commissioner Powell, **Mr. Crotty** said that it would be possible  
15 to relocate the tree without it being damaged. He said that he feels consideration should be given  
16 to a replacement tree rather than going to the extent of relocating the subject tree. He said that it  
17 may be going too far in this particular case to consider relocation. He commented that he  
18 believes the tree could survive being relocated, however there is no guarantee of how it would  
19 react.

20  
21 In response to questions from Commissioner Lesser, **Mr. Crotty** said that there is very little  
22 science regarding summer limb drop. He commented that certain species such as Liquidambar  
23 are more prone to the condition than others. He indicated that Liquidambar trees produce a large  
24 amount of growth during the spring, and the branches can become too heavy for the tree to  
25 support if they are not pruned. He stated that he believes the tree can be pruned to avoid the  
26 potential of more branches falling, and there is the opportunity with pruning to take the weight  
27 off of the ends of the branches without ruining the shape of the tree.

28  
29 In response to a question from Commissioner Powell, **Mr. Crotty** said that every two to three  
30 years would probably be sufficient for pruning of the tree depending on the growth. He  
31 commented that there is evidence from the structure of the tree that it has been pruned several  
32 times in the past.

33  
34 In response to a question from Commissioner Seville-Jones, **Mr. Crotty** said that the tree could  
35 probably live for several more decades.

36  
37 Commissioner Powell indicated that there has been input from two arborist with conflicting  
38 opinions regarding whether the existing tree should be preserved. He stated that he does not  
39 have expertise regarding the issue and must rely on the opinion of the experts. He commented  
40 that the intent of the preservation ordinance is not to replace but rather to preserve existing trees.  
41 He said that the Ordinance indicates that it is not acceptable to remove a tree simply for the  
42 convenience of architectural plans or because of other issues related to the design. He indicated,

1 however, that there are exceptions in the Ordinance in instances where an existing tree  
2 jeopardizes the general welfare of the public and creates a safety risk. He pointed out that the  
3 Ordinance is very clear that a tree is only to be removed in the event of an imminent emergency  
4 to the public welfare such as if it is obvious that a tree is going to fall. He commented that in  
5 this instance, the tree has shown a propensity for dropping branches and the characteristics of the  
6 tree are such that it is likely to occur again in the future, which creates a significant risk. He  
7 stated that the City's arborist has stated that the condition of the tree can be remediated by  
8 balancing the weight of the limbs with constant pruning. He said, however, that the Tree  
9 Ordinance also indicates that the homeowner has the expectation of the reasonable enjoyment of  
10 their property which includes not being compromised by a safety risk. He indicated that in this  
11 case there is a concern if a branch falls because there are people including children who access  
12 the front yard near the location of the tree.

13  
14 Commissioner Powell commented that it appears that the tree could possibly be transplanted,  
15 although there has been testimony that it is not worthy of transplanting. He indicated that he  
16 feels the tree does create major issues with the proposed redesign of the home which impacts the  
17 reasonable enjoyment of the property. He stated that the fact that the tree has already dropped a  
18 branch and that it is a characteristic of the species of tree indicates a significant risk. He  
19 indicated that he would not want anyone to be placed in jeopardy by the risk of another branch  
20 falling or cause the City to incur any liability. He indicated that the risk is sufficient enough to  
21 sway him to agree that the tree should be replaced if it is the consensus of the other  
22 Commissioners. He said that he would want a replacement tree to be substantial and mature with  
23 a species that is indigenous to Manhattan Beach or characteristic of the Tree Section. He  
24 indicated that there is also evidence of damage to the neighboring property. He indicated that  
25 there is also evidence that the root system is headed for the house and that any containment  
26 system would not be effective.

27  
28 Commissioner Lesser said that the issue is difficult because the City wants to encourage property  
29 owners to plant trees on their own property without a concern that in a number of years the tree  
30 would not be able to be removed if it grows too large and becomes protected by the Ordinance.  
31 He indicated, however, that the language of the current Ordinance was adopted by the City  
32 Council. He stated that he has a great concern with safety if more branches were to fall. He  
33 commented, however, that the language of the Ordinance states that the design of residences  
34 including grading, driveways, walkways, patios, utilities and driveway improvements shall  
35 consider and accommodate existing protected trees. He said that he does not see his role as a  
36 Commissioner to project his personal opinion on whether the finding can be made that the tree  
37 interferes with the reasonable enjoyment of private property. He said that he feels there has been  
38 sufficient information presented that there are alternatives designs for the home that could allow  
39 the tree to be preserved. He said that he cannot support the tree being replaced based on the  
40 language of the Ordinance.

41  
42 Commissioner Seville-Jones said that she agrees with the statements of Commissioner Powell



1 and cannot interpret the language of Section 10.52.120(D) (7) in a manner that would allow her  
2 to support preserving the tree. She indicated that the Code section states: “Residential buildings  
3 shall take priority over tree preservation; however, alternatives design and materials shall be  
4 considered and implemented as feasible with the proposed overall design of the project.” She  
5 said that in considering the information presented by the arborists, she believes the tree probably  
6 poses some danger. She commented that she also takes into consideration the information of the  
7 architect regarding the inability to design the project in the manner which the property owners  
8 wish if the tree remains in its existing location. She stated that she does not believe the design  
9 that the applicants want can be carried out if the tree remains. She commented that she believes  
10 the applicants have come to the City with the application in good faith and have hired a well  
11 renowned architect for their project who has given his professional opinion. She stated that the  
12 problem with the language of the Code section is that there could be situations where people  
13 propose design criteria simply to justify removal of an existing tree. She commented, however,  
14 that she feels in this instance that the tree does present a safety concern and does not feel that the  
15 applicant is simply attempting to remove the tree without good reason. She suggested in the  
16 future possibly asking for more precise information from the architect what they believes are the  
17 constraints with preserving a tree in a certain situation.

18  
19 Chairman Bohner said that it is clear that the purpose of the Tree Ordinance is to preserve trees if  
20 possible, and that it is not a replacement ordinance. He stated that intent of the Ordinance is that  
21 there is a presumption in favor of preserving trees. He commented that the language of the Code  
22 indicates to him that there is a preference for preserving trees which is in conflict with using  
23 private property for a permitted purpose, and the two conflicting goals must be balanced in those  
24 situations. He stated that the testimony of the applicant’s arborist has not convinced him that the  
25 tree cannot be aggressively trimmed in order to reduce the risk of summer limb drop. He  
26 indicated, however, that there has been testimony from the architect that because of the  
27 topography of the property it would be very difficult to reorient the design of home and still meet  
28 the goals of the applicant in order to accommodate the tree. He said that he also feels the  
29 applicant has come to the City in good faith. He indicated that he can support the request to  
30 remove and replace the existing tree. He commented that he would like for the possibility to be  
31 considered of moving the tree to another location on the lot before a final decision is made to  
32 replace the tree.

33  
34 A motion was MADE and SECONDED (Seville-Jones/Powell) to **APPROVE** a proposed Tree  
35 Removal at 605 26<sup>th</sup> Street

36  
37 AYES: Powell, Seville-Jones, Chairman Bohner  
38 NOES: Lesser  
39 ABSENT: None  
40 ABSTAIN: None

41  
42 Director Thompson explained the 15-day appeal period and stated that it will be placed on the

1 City Council's Consent Calendar for their meeting of February 5, 2008.

2  
3 **PUBLIC HEARINGS**

4  
5 **06/0726.1 Consideration of Proposed Amendment to a Previously Approved Use**  
6 **Permit and Coastal Development Permit for a Coastal Development Permit,**  
7 **for a Commercial Building Located at 1100 Manhattan Avenue**

8  
9 Commissioner Lesser disclosed that he was the applicant's granddaughter's coach in T-ball. He  
10 stated that he feels he has no financial interest in the project and feels he can consider the item  
11 fairly.

12  
13 Assistant Planner Danna summarized the staff report. He indicated that the subject project was  
14 initially approved in July of 2002. He indicated that a public hearing was held, and a Coastal  
15 Development Permit and Master Use Permit were approved. He indicated that the Master Use  
16 Permit allows uses for retail and food and beverage sales on the ground floor and general office  
17 uses on the second level. He stated that the proposal is to amend Condition 15 of the Resolution  
18 PC0220 to allow for three retail uses and one personal service use on the ground level and two  
19 general office uses and one personal service use on the second floor. He commented that all  
20 other conditions would remain the same, and the Coastal Development Permit and Master Use  
21 Permit findings have been expanded. He said that six parking spaces are required for the  
22 development and would be provided. He commented that the proposed amendment slightly  
23 reduces the parking requirement because of the personal service use which is a less intense use  
24 than previously proposed. He indicated that the proposal is consistent with the Downtown  
25 Commercial District and Design Guidelines and the General Plan. He said that the proposal is  
26 also in compliance with all Coastal Development Permit policies and standards. He commented  
27 that notice was mailed to property owners within 500 feet of the subject property and occupants  
28 within 100 feet of the site and published in the Beach Reporter. He indicated that staff received  
29 one comment in support of the proposed amendment.

30  
31 In response to a question from Commissioner Lesser, Director Thompson indicated that the  
32 applicant was not aware of who the tenants would be at the time the project was originally  
33 approved. He commented that the main concern of staff was that the development not include a  
34 restaurant use because of the parking standards and that general office uses not be included on  
35 the first level.

36  
37 **Bill Little**, representing the applicant, stated that at the time the project was designed, there was  
38 greater concern regarding the articulation of the building and that it would be consistent with the  
39 downtown area. He commented that there were no inquiries for use of the spaces at the time the  
40 project was designed because potential tenants generally come forward only once the project is  
41 in progress. He said that the only inquiries they had received until recently was with fast food.  
42 He indicated that they have now had two applicants come to them for retail uses with operators

**January 9, 2008**

Page 11

1 who are proven downtown business people and currently have successful businesses in the same  
2 field. He pointed out that they are not adding any retail uses but rather they would be transferred  
3 from different locations. He pointed out that the parking requirement would be reduced with the  
4 proposed uses from the original approval although they are keeping the same number of spaces.

5  
6 Chairman Bohner opened the public hearing.

7  
8 There being no one to speak, Chairman Bohner closed the public hearing.

9  
10 Commissioner Seville-Jones stated that she supports the proposal. She said that it would be an  
11 attractive feature to the building.

12  
13 Commissioner Lesser indicated that he also would support the application. He commented that  
14 he feels the proposal is a minor modification to the original approval and he supports the  
15 recommendation of staff.

16  
17 Commissioner Powell commented that he feels the project is outstanding and supports the  
18 proposal. He said that there is precedent for the project with approval of the property at 1300  
19 Highland Avenue. He indicated that the proposal meets all of the three required conditions for  
20 granting the Master Use Permit and the Coastal Development Permit.

21  
22 Chairman Bohner commented that the proposal is a permitted use, and he supports the  
23 application.

24  
25 A motion was MADE and SECONDED (Lesser/Powell) to **APPROVE** a Proposed Amendment  
26 to a Previously Approved Use Permit and Coastal Development Permit for a Coastal  
27 Development Permit, for a Commercial Building Located at 1100 Manhattan Avenue

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

30 NOES: None

31 ABSENT: None

32 ABSTAIN: None

33  
34 Director Thompson explained the 15 day appeal period and stated that the item will be placed on  
35 the City Council's Consent Calendar for their meeting of February 5, 2008.

36  
37 **DIRECTOR'S ITEMS** None

38  
39 **PLANNING COMMISSION ITEMS**

40  
41 Commissioner Powell indicated that the City Council will hold a public hearing regarding the  
42 Mansionization Ordinance on Tuesday, January 15, 2008.

**January 9, 2008**

Page 12

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15

**TENTATIVE AGENDA: January 23, 2008**

- A. Use Permit and Variance for Proposed 18,000 square foot addition to a church at 1243 Artesia Boulevard (Journey of Faith)

**ADJOURNMENT**

The meeting of the Planning Commission was **ADJOURNED** at 8:35 p.m. in the City Council Chambers, City Hall, 1400 Highland Avenue, to Wednesday, January 23, 2008, at 6:30 p.m. in the same chambers.

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

\_\_\_\_\_  
SARAH BOESCHEN  
Recording Secretary