

CITY OF MANHATTAN BEACH
[DRAFT]MINUTES OF THE REGULAR MEETING OF THE PLANNING
COMMISSION
FEBRUARY 13, 2008

1 A regular meeting of the Planning Commission of the City of Manhattan Beach was held on
2 Wednesday, February 13, 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: Fasola, Lesser, Powell, Seville-Jones, Chairman Bohner
9 Members Absent: None
10 Staff: Richard Thompson, Director of Community Development
11 Daniel Moreno, Associate Planner
12 Sarah Boesch, Recording Secretary
13

14 **APPROVAL OF MINUTES** **January 23, 2008**

15 Commissioner Fasola requested that the wording be revised on page 9, line 6 to read:, “He said
16 that the ~~property project~~ possibly has more square footage than the property can support.”
17

18 Commissioner Fasola requested that the wording of page 11, line 19, be revised to read: “He
19 said that the decision to ~~provide an elevator to~~ build a three story structure is a choice and not a
20 requirement.”
21

22 Commissioner Powell requested that on page 9, line 29 be revised to read: “He said that the
23 language of the findings does not ~~indicate~~ require that the property must be extraordinarily
24 sloped . . .”
25

26 A motion was MADE and SECONDED (Seville-Jones/Lesser) to **APPROVE** the minutes of
27 January 23, 2008, as amended.
28

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

34 **REORGANIZATION**

35
36 Commissioner Lesser recognized Chairman Bohner and complimented him for being fair,
37 objective and a good listener while serving as chairman. He provided him with a certificate of
38 appreciation for his service as Chairman of the Planning Commission over the previous year.
39

40 **AUDIENCE PARTICIPATION** None
41

1 **BUSINESS ITEMS**

2
3 **PUBLIC HEARINGS**

4
5 **08/0213.1 Consideration of a Variance to Allow a Two-Car Enclosed Garage in Lieu of**
6 **the Code Required Three-Car Enclosed Garage, for a Proposed**
7 **Addition/Remodel at 311 N. Rowell Avenue**
8

9 Associate Planner Moreno summarized the staff report. He commented that Manhattan Beach
10 Code Section 164030 was adopted when the ZORP requirements were enacted in 1990 which
11 requires that any project over 3,600 square feet provide a 3-car enclosed garage. He stated that
12 the existing building has 2,900 square feet of living area and an existing 452 square foot garage.
13 He indicated that the proposal is to add 723 of living and storage area on the second level and
14 745 square feet of basement area. He said that the applicant is proposing to replace the existing
15 two car garage with a similar new two car garage. He commented that the total square footage
16 based on the plans submitted to staff by the applicant 4,368 square feet. He commented that
17 reasons the applicant has given for granting the Variance include that a three-car garage would
18 necessitate demolition of much of the second story of the existing house in order to provide
19 access to the second story and providing a kitchen due to the slope of the lot; that including both
20 a three car garage and basement area would require demolition of the existing house; that the
21 proposed basement would not be visible from the exterior of the house; that the basement area
22 would be used for storage and would allow space in the garage to be used for parking vehicles;
23 that it would not result in a negative impact to neighbors and would increase the number of open
24 street parking spaces; and that the topography of the lot places the house below the grade of the
25 street which necessitates continued split level entry to the first and second levels of the home.

26
27 Associate Planner Moreno indicated that staff is unable to support the Variance because there are
28 no special circumstances or conditions applicable to the subject property whereby strict
29 application of the requirements for relief from required parking would result in peculiar and
30 exceptional difficulties to or exceptional or undue hardship on the property owner; the relief
31 from required parking cannot be granted without substantial detriment to the public good; and it
32 would constitute granting of a special privilege. He indicated that the project was noticed to
33 owners within 500 feet of the subject property and was published in the Beach Reporter. He
34 commented that an e-mail was received in support of the project which was included with the
35 staff report, and a petition of signatures in support is also included with the staff report.

36
37 In response to a question from Chairman Lesser, Associate Planner Moreno said that the City
38 Council approved an additional parking requirement for homes above 3,600 square feet because
39 they felt that properties over a certain size should provide a third enclosed parking space in order
40 to reduce the amount of cars that are parked on the street. He indicated that a Variance has not
41 been granted to the requirement since the Ordinance was enacted.
42

1 In response to a question from Commissioner Fasola, Associate Planner Moreno commented that
2 none of the issued under consideration with the Mansionization Ordinance would impact the
3 project.
4

5 Commissioner Fasola indicated that there is a home two doors down the street from the subject
6 property that does have a three car garage across the side.
7

8 In response to a question from Commissioner Bohner, Associate Planner Moreno indicated that
9 there are properties with a more severe slope than the subject property that have been able to
10 incorporate a three car garage. He commented that the typical design for a three car garage is for
11 two parking spaces to be side by side and for the third parking space to be tandem. He said that
12 the argument of the applicant is that providing the tandem space effects an existing portion of the
13 building which is proposed to be the area for the kitchen.
14

15 **Bob Bickel**, the applicant, commented that the main discrepancy with the BFA calculations
16 provided by them and staff are regarding the attic storage area. He indicated that they were not
17 aware that a storage area was not permitted to have a full ceiling height, and they can reduce it to
18 staff's satisfaction if necessary. He commented that the purpose of the attic area is for storage
19 and not a room. He indicated that staff's calculations arrived at a BFA of 4,300 square feet. He
20 said that the other discrepancy between their calculation and staff's was regarding the basement
21 area. He stated that the calculation of BFA is required to include 30 percent of the basement
22 BFA after a 200 square foot exception is taken for storage or a utility area, which was not taken
23 into account in the calculations shown in the staff report.
24

25 In response to a question from Chairman Lesser, **Mr. Bickel** commented that he agrees that
26 parking is a major issue in certain portions of the City. He indicated, however, that there are
27 areas where parking is not an issue, which is the case on his street. He said that there may only
28 be three or four cars parked on the street over three blocks on a typical day. He commented that
29 he has never had to park very far away from his house. He indicated that their goal was to do a
30 remodel without having to tear down the entire structure. He stated that they need extra storage
31 space. He said that adding a tandem garage space would require them to eliminate the utility
32 room and would block any natural light from reaching the kitchen. He indicated that
33 incorporating a tandem garage space would require them to demolish most of the layout of the
34 kitchen, living room, downstairs guest bedroom, and bathroom. He commented that they would
35 rather tear down the existing structure and build a new home than do such an extensive
36 renovation to the existing structure. He commented that it also would not be practical to build on
37 the south side of the property because the area for the third garage space would extend into their
38 living room, dining room and kitchen, as well as to the staircase. He said that they would then
39 need to provide another staircase and redesign the second floor. He indicated that they do not
40 have a need for a three car garage. He commented that with the proposed design they would
41 have two garage spaces and two open parking spaces in front of the garage. He indicated that
42 they meet the spirit of the Code requirement which is intended to reduce parking on the street.

1
2 Commissioner Fasola commented that the subject lot has a width of 68-feet, which is very wide
3 for the City. He said that with such a lot, it should be quite feasible to accommodate a three car
4 garage in the design. He indicated that the existing stairway could be moved further to the south
5 on the lot if the garage was widened. He commented that the proposed project would be
6 substantial and would expand the home to a large extent, and widening the garage would seem to
7 be fairly simple.

8
9 **Mr. Bickel** indicated that they have not been able to arrive at a design which would
10 accommodate a three car garage that would not necessitate making major changes to the existing
11 structure.

12
13 In response to a question from Commissioner Bohner, **Mr. Bickel** indicated that the alternative
14 to their design would be to scrape the existing home and build a new structure, which they feel
15 would be a hardship because of the large cost and because they would be out of the home for
16 much longer. He commented that he feels they are being punished because they are attempting
17 to remodel the existing structure. He pointed out that the intent of the requirement of an extra
18 parking space is to retain additional on-street parking, which is not an issue in their
19 neighborhood.

20
21 In response to questions from Commissioner Seville-Jones, **Mr. Bickel** indicated that the total
22 square footage would be 4,092 square feet. He said that the proposal is 492 square feet over the
23 threshold of 3,600 square feet for the three car garage requirement because of the basement area.
24 He indicated that it would not be feasible to build the basement area and the home remodel in
25 stages because it would necessitate changing the roof and tearing out the wall for the kitchen
26 twice. He said that it would be possible to only build the basement; however, it makes sense to
27 remodel at the same time because building the basement requires tearing down the garage and
28 entry way and tearing off the wall to the kitchen.

29
30 In response to a question from Commissioner Seville-Jones, **Mr. Bickel** said that their property
31 is fairly unique, and there are very few homes in the neighborhood that have a split level entry.
32 He pointed out that they are proposing to remodel the existing structure rather than build a new
33 home. He said that the slope of the property also is a unique feature, which is the reason for the
34 split level entry.

35
36 Chairman Lesser asked about the possibility of incorporating a three car garage and using the
37 third garage space for storage.

38
39 **Mr. Bickel** said that with all of the designs they have considered, it does not make sense to
40 incorporate a third car garage. He indicated that incorporating a third tandem garage space
41 would have a large impact on the existing home. He said that there is not a need for a third
42 parking space. He commented that the purpose of a Variance is to allow exceptions for problems

1 in the Code because the language cannot be written to apply to every property. He commented
2 that the neighbors are all in support of the proposal.
3

4 Chairman Lesser opened the public hearing.
5

6 **Sally Bickel**, the applicant, said that incorporating a three car garage would not be possible with
7 a remodel and would require them to demolish the house. She indicated that there proposal is for
8 a remodel, and they are attempting to maintain the existing footprint of the existing home. She
9 commented that the majority of the work would be changes to the interior and some changes
10 above the existing first level. She said that the topography of the site and the placement of the
11 existing structure on the site create a special circumstance. She pointed out that the home on
12 their street that has similar topography and includes a third car garage was built new rather than
13 remodeled. She indicated that the garage spaces on that home are even across, and the Code now
14 requires that one of the parking spaces have a greater setback. She stated that all of the
15 neighbors they spoke to are in support of the proposal. She indicated that they feel their project
16 is within the spirit of the Code. She commented that the project is designed to have the least
17 amount of impact to their property and the neighborhood. She said that adding a third garage
18 space would add to the bulk at the front of the home. She pointed out that their lot is the wider
19 and shallower than most in the neighborhood. She commented that their lot would support
20 building a home with a BFA of 5,000 square feet, and a new home on the lot would be
21 significantly larger than their proposed remodel. She indicated that they considered alternative
22 options for providing storage. She indicated that they could build a separate structure in the back
23 yard that would not be counted toward the garage parking requirement; however, they feel it
24 would be detrimental to their property and would impact their neighbors' views of the property.
25

26 **Wena Dows**, the project architect, said that the reason they are rebuilding the garage is to allow
27 for the basement. She indicated that the new garage would be the same as is existing. She
28 indicated that adding a tandem garage space would remove 10 by 20 feet of area for the kitchen
29 and would block natural light from reaching the kitchen. She commented that adding a third
30 garage space to the left of the entry would block the living room which has a bay window toward
31 the street.
32

33 Chairman Lesser closed the public hearing.
34

35 Commissioner Bohner indicated that in order to grant the Variance, there must be something
36 about the nature of the property that makes it difficult to comply with the Code requirement and
37 that would make it difficult to build a functional home on the lot. He said that the applicant's
38 argument is simply that their design cannot accommodate a three car garage. He indicated that
39 there is nothing about the property that would prevent a functional house that is over 3,600
40 square feet to include a three car garage. He said that he does not believe the first finding for
41 special circumstances can be met and he cannot support granting the Variance.
42

1 Commissioner Seville-Jones said that she agrees with the comments of Commissioner Bohner.
2 She commented that she understands that the applicant does not feel that granting the Variance
3 would be harmful to the neighborhood. She said, however, that it is not known if parking in the
4 area will become a problem in the future and there is not precedence for granting such an
5 exception. She pointed out that the current community standard is for homes over 3,600 square
6 feet to have a three car garage. She indicated that the first finding for granting the Variance is
7 very difficult to meet. She commented that she believes there are other homes in the community
8 where the application of the rule will mean that they are not able to build a home larger than
9 3,600 square feet because they are unable to accommodate a three-car garage. She said that
10 there are competing concerns of preserving existing homes and of reducing traffic and parking
11 congestion. She indicated that there was not consensus by the Commissioners or the City
12 Council in the discussions regarding mansionization that additional relief should be allowed in
13 such situations. She commented that she does not believe there is a special hardship in this
14 circumstance, and she could not support a Variance.

15
16 Commissioner Fasola said that he also agrees that a Variance is not appropriate in this
17 circumstance. He indicated that he shares the same concerns as Commissioner Bohner that there
18 must be other options for the design of the home and there is not a hardship in this case that
19 justifies granting the Variance.

20
21 Commissioner Powell that the intent of the Minor Exception process is to preserve existing
22 structures rather than for them to be demolished and rebuilt to the maximum that is permitted.
23 He stated that a much larger home could be built on the subject lot than is being proposed. He
24 commented that he feels the second finding can be met that there would be no substantial
25 detriment to the public good because of the fact that there is adequate parking in the
26 neighborhood and there has been support from the neighbors. He indicated, however, that the
27 most difficult finding to make is regarding exceptional or extraordinary circumstances of the
28 subject property that would warrant granting of the Variance. He indicated that exceptional or
29 extraordinary circumstances typically would involve steep topography or an irregularly shaped
30 lot which would make it difficult to build a structure. He indicated that it was agreed during the
31 hearings regarding the Mansionization Ordinance that any home over 3,600 square feet must
32 provide a three car garage for new construction as well as remodels. He said that it is also
33 difficult to make the finding that granting the Variance would not grant a special privilege. He
34 said that the Commissioners must apply the language of the Code which does not allow for any
35 latitude. He said that he would not be able to support granting the Variance.

36
37 Chairman Lesser indicated that he appreciates the intent of the applicants to remodel their
38 existing home and not built to the maximum allowable. He said, however, that the
39 Commissioners must be able to make the necessary findings in order to grant the Variance. He
40 stated that it is very difficult to meet the first finding for special circumstances or extraordinary
41 hardship. He said that the Commissioners have not always been able to make the required
42 findings with other applications where there have been much greater grade differentials. He

1 stated that he also would not be able to support the request.

2
3 A motion was MADE and SECONDED (Bohner/Seville-Jones) to **APPROVE** the draft
4 Resolution to **DENY** a Variance to Allow a Two-Car Enclosed Garage in Lieu of the Code
5 Required Three-Car Enclosed Garage, for a Proposed Addition/Remodel at 311 N. Rowell
6 Avenue

7
8 AYES: Bohner, Fasola, Powell, Seville-Jones, Chairman Lesser

9 NOES: None

10 ABSENT: None

11 ABSTAIN: None

12
13 Director Thompson explained the 15-day appeal period and stated that the item will be placed on
14 the City Council's Consent Calendar for their meeting of March 4, 2008.

15
16 **DIRECTOR'S ITEMS**

17 Director Thompson commented that the proposal for the Rite Aid store which was previously
18 denied by the Commission was appealed to the City Council. He said that the City Council
19 approved the project subject to a revision of the south elevation subject to review by the
20 Planning Commission. He indicated that the project will most likely come before the
21 Commission again in March.

22
23 **PLANNING COMMISSION ITEMS**

24 Commissioner Seville-Jones said that the Neptunians Womens Club is having their annual
25 fashion show which benefits schools on March 29, 2008, at 11:30 a.m.

26
27 **TENTATIVE AGENDA: February 28, 2008**

28
29 **ADJOURNMENT**

30 The meeting of the Planning Commission was **ADJOURNED** at 7:40 p.m. in the City Council
31 Chambers, City Hall, 1400 Highland Avenue, to Wednesday, February 28, 2008, at 6:30 p.m. in
32 the same chambers.

33
34 _____
35 RICHARD THOMPSON
Secretary to the Planning Commission

33
34 _____
35 SARAH BOESCHEN
Recording Secretary