

CITY OF MANHATTAN BEACH
[DRAFT]MINUTES OF THE REGULAR MEETING OF THE PLANNING
COMMISSION
MAY 28, 2008

1 A regular meeting of the Planning Commission of the City of Manhattan Beach was held on
2 Wednesday, May 28, 2008, at 6:35p.m. in the City Council Chambers, City Hall, 1400 Highland
3 Avenue.
4

5 **ROLL CALL**

6
7 Chairman Lesser called the meeting to order.

8 Members Present: Bohner, Fasola, Powell, Seville-Jones, Chairman Lesser

9 Members Absent: None

10 Staff: Richard Thompson, Director of Community Development

11 Daniel Moreno, Associate Planner

12 Angelica Ochoa, Assistant Planner

13 Sarah Boeschen, Recording Secretary
14

15 **APPROVAL OF MINUTES** **May 14, 2008**

16 Commissioner Seville-Jones requested that page 8, line 20 of the May 14 minutes be revised to
17 read: “He pointed out that it is important for them to avoid an atmosphere that encourages
18 people to become drunk.”
19

20 Commissioner Seville-Jones requested that wording be added to page 11, line 19 to read:
21 “Commissioner Seville-Jones said that a report which lists any complaints that are received
22 would be helpful for the Commissioners, as they are typically focused on individual projects
23 before them and are not always able to have a general sense of what is happening in the
24 community with respect to issued permits.”
25

26 Commissioner Powell requested that page 4 line 3 of the minutes be revised to read:
27 “Commissioner Powell commented that he was pleased to hear the list from the applicant of
28 green sustainable building component best practices, and he was satisfied with their response.
29 He indicated that there is a City Council Work plan item for incorporating guidelines for green
30 sustainable certification standards.”
31

32 Chairman Lesser requested that page 3, line 27 of the minutes be revised to read: “He pointed
33 out that the drug store also would ~~be the first to~~ exclude the sale of alcohol.”
34

35 Chairman Lesser requested that page 5, line 9 of the minutes be revised to read: “He stated that
36 he is ~~confident~~ hopeful that any potential impacts resulting from the 24-hour operation of the
37 store and drive-thru window can be mitigated. He said that he is also is ~~confident~~ hopeful that
38 staff will ensure ~~that~~ adequate pedestrian access to the store from Sepulveda Boulevard in
39 accordance with the Sepulveda Corridor Guidelines.”
40

D R A F T

1 Chairman Lesser requested that page 11, line 27 be revised to read: “He said that the location of
2 the bakery in relation to ~~the~~ Shade and its restricted hours would help to mitigate any additional
3 noise from impacting the neighbors.”
4

5 A motion was MADE and SECONDED (Seville-Jones/Bohner) to **APPROVE** the minutes of
6 May 14, 2008, as amended.
7

8 AYES: Bohner, Fasola, Powell, Seville-Jones, Chairman Lesser
9 NOES: None
10 ABSENT: None
11 ABSTAIN: None
12

13 **AUDIENCE PARTICIPATION** None
14

15 **BUSINESS ITEMS** None
16

17 **PUBLIC HEARINGS**
18

19 **08/0528.1 Consideration of a Use Permit to Allow an Office Building Located at 818**
20 **Manhattan Beach Boulevard**
21

22 Chairman Lesser said that he is a neighbor and friend of the applicant. He indicated, however,
23 that they have not discussed the project. He said that he has no financial interest in the project
24 and feels he can consider the issue fairly.
25

26 Commissioner Fasola commented that he had previously talked to the property owner about
27 designing the project; however, a contract had already been made with the project architect. He
28 said that he has no additional connection with the property owner.
29

30 Associate Planner Moreno summarized the staff report. He said that the proposal is for a new
31 6,142 square foot three-level office building. He commented that the lower level is proposed to
32 be a parking area. He said that the proposal would replace a 2,800 square foot single-story office
33 building constructed in 1947. He stated that a BFA (buildable floor area) of 7,051 square feet is
34 permitted for the site, and the proposed building is 6,142 square feet. He indicated that there is
35 an accessory structure located on the property line of the lot to the south of the subject property.
36 He stated that there would be a separation of 10 feet from the proposed structure to the main
37 residence on that property. He commented that 20 parking spaces are required for the project.
38 He indicated that 13 standard spaces, 6 compact spaces, and 1 disabled parking space are
39 proposed. He indicated that the proposal would provide 9 percent landscaping, which exceeds
40 the requirement of 8 percent. He commented that landscaping would be provided around the
41 perimeter, the front, the westerly side, and the rear of the building. He said that the main
42 entrance to the site would be from the alley which would be safer than off of Manhattan Beach

1 Boulevard. He indicated that the main entrance would be off of the northeast corner. He pointed
2 out that there are no setbacks required for a commercial structure. He stated that the setbacks
3 would be from 0-8 ½ feet on the north side; 0-16 feet on the east side; 0-45 feet on the south
4 side; and 0-23 ½ feet on the west side. He indicated that the maximum height is 30 feet, and the
5 proposal would be approximately 1’9” below the maximum permitted height.

6
7 Associate Planner Moreno indicated that notice was mailed to properties within 500 feet and
8 published in the Beach Reporter. He said that there was a letter submitted by the owners of the
9 adjacent property to the south of the subject site with concerns regarding setbacks, parking,
10 pedestrian safety, and aesthetics. He stated that a concern was also raised regarding fire access
11 with the limited amount of space between structures on the two properties. He indicated that
12 there were minor comments from the other City departments that can be handled as part of the
13 plan check process. He commented that he has talked with the owners of the property to the
14 south of the subject site to help address their concerns. He said that the City’s Traffic Engineer
15 has pointed out that any of the adjacent residents who have concerns regarding the traffic can
16 submit a petition to the City for review by staff.

17
18 In response to a question from Chairman Lesser, Associate Planner Moreno said that there would
19 be a firewall between the proposed structure on the subject property and the accessory structure
20 on the adjacent property. He indicated that the project would be required to maintain a fire wall
21 and also meet seismic requirements as part of the plan check process.

22
23 Chairman Lesser asked regarding staff’s opinion of restricting left turns from the proposed
24 development southbound onto Pacific Place as opposed to a barrier to block traffic from
25 traveling southbound.

26
27 Associate Planner Moreno stated that the concern of the Traffic Engineer is that traffic which is
28 diverted from Pacific Place would simply be redirected and impact other areas. He indicated that
29 other traffic calming measures can be studied to alleviate the concern.

30
31 In response to questions from Commissioner Seville-Jones, Associate Planner Moreno stated that
32 standards for accessory structures are different than those for primary structures. He indicated
33 that accessory structures are allowed to have no setback and must maintain a 10-foot separation
34 from the primary structure; are permitted a height of 12 or 15 feet depending on the pitch of the
35 roof; and are permitted a maximum size of 900 square feet. He commented that an accessory
36 structure must not include an accessory living area over 500 square feet; must maintain a
37 maximum of three plumbing fixtures; may only include one room; may not have a kitchen; and
38 may not be used as rental property. He said that the neighbor’s property was required to provide
39 a three car parking area, and it includes a two car garage and an additional space within the
40 accessory structure. He indicated that the 15 foot width of the alley is typical within the City.
41 He indicated that the Traffic Engineer feels comfortable with the building location and access to
42 the site. He commented that the concern with providing access from Manhattan Beach

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1 Boulevard is that it is a very busy street with a high speed limit which would make turning into
2 and out of the site dangerous. He indicated that there is no requirement that the open space be
3 visible from the street, and staff considers whether the open space is evenly distributed
4 throughout the structure in looking at projects.

5
6 In response to questions from Commissioner Powell, Associate Planner Moreno stated that the
7 Fire Department, Engineering, and the Police Department have reviewed the subject plans. He
8 indicated that the Code allows 30 percent of the parking spaces to be compact spaces. He
9 commented that staff normally would like for all of the parking to be full size spaces; however,
10 the general office use as proposed is less intensive use for a commercial site and would generate
11 less activity than a medical office. He said that a medical office would not be permitted for the
12 site. He commented that the offices would primarily be used during the week with very limited
13 use on weekends.

14
15 Commissioner Fasola indicated that he has concerns that the 15 foot width of the alley would be
16 narrower than the driveway. He said that the parking area also would extend to the alley. He
17 asked whether there are other commercial properties within the City that have access from an
18 alley.

19
20 Associate Planner Moreno stated that he is not aware of any other commercial properties that are
21 accessed from an alley. He pointed out that drivers entering and exiting the driveway would
22 have sufficient visibility.

23
24 Commissioner Fasola commented that there are 17 parking spaces proposed within the interior
25 basement of the structure. He commented that there is only 2 inches of overlap at the corner
26 spaces, and his understanding is that there must be a 2 foot open area at the end of the aisle.

27
28 Associate Planner Moreno said that there is a requirement for additional space if there is a wall;
29 however, the requirement is less if there is a column.

30
31 Commissioner Fasola indicated that it appears the end spaces as proposed would not be feasible,
32 and there would need to be an extra 2 feet at the ends of the driveway aisles. He commented that
33 at least one of the parking spaces would most likely need to be eliminated in order to
34 accommodate the parking as proposed.

35
36 In response to a comment from Commissioner Fasola, Associate Planner Moreno stated that staff
37 will ensure that the square footage does not exceed what is proposed.

38
39 In response to questions from Chairman Lesser and Commissioner Bohner, Associate Planner
40 Moreno said that staff does not have a concern with parking because of the general office use
41 that is proposed which would generate less activity than a medical office or retail use.

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1 In response to a question from Commissioner Seville-Jones, Associate Planner Moreno said that
2 the size of the structure and number of tenants is dictated by the parking requirement.

3
4 **Louie Tamaro**, the project architect, said that the proposed compact spaces are narrower than
5 standard spaces in width but full size in length. He commented that they have worked with the
6 design to make the building pedestrian friendly. He stated that they have minimized the curb
7 cuts on Manhattan Beach Boulevard. He pointed out that the existing building on the site is
8 accessed from the alley, which is not proposed to change with the project. He said that the
9 building would appear to be one and two story from the front. He commented that the goal was
10 to keep traffic for the development off of Manhattan Beach Boulevard. He commented that the
11 intersection of Pacific Place and Manhattan Beach Boulevard is very dangerous because of the
12 blind curve in the street and the high speed of the traffic. He pointed out that the access to the
13 parking garage would be set back off of the alley approximately 30 feet to allow space to turn
14 into the structure. He said that the property owner plans to occupy the building, and any
15 additional tenants would also perform services related to his type of financial planning work. He
16 pointed out that the lot could hold a 7,000 square foot building, and the proposed structure would
17 be 6,142 square feet. He indicated that the land value is a factor in the size of the structure. He
18 said that there is no setback on the first level on the southern property line; however, the second
19 level is recessed 6 additional feet and the third level an additional 17 feet. He pointed out that
20 the parking level would be lower than the accessory structure located on the neighboring
21 property. He commented that the proposed landscaped area on the southeast corner of the
22 property would be directly adjacent to the neighbor's rear yard. He commented that they have
23 accounted for seismic drift of the building, and such requirements are reviewed during the plan
24 check process.

25
26 **Jeff Captain**, the project architect, commented that the majority of the building is pushed toward
27 Manhattan Beach Boulevard and away from the adjacent residents. He commented that they also
28 have enclosed the parking to minimize the impact to the neighbors.

29
30 Commissioner Fasola commented that he likes the design of the structure and feels it has a good
31 relationship to the neighboring properties. He indicated that the entrance for the parking and the
32 entrance for pedestrians are in the proper locations, and the building could have been designed to
33 be larger. He stated, however, that he is not certain that the required amount of parking would
34 be able to be provided. He commented that he questions whether the additional 4 feet space that
35 is necessary to accommodate the spaces can be provided and that the parking spaces would need
36 to be reduced to 19. He commented that he does not feel there would be sufficient space with
37 the driveway for vehicles to enter and exit the structure. He said that he feels the traffic flow
38 should remain as it exists currently rather than be directed onto the adjacent residential streets.

39
40 **Mr. Captain** commented that more space could be provided for the driveway if the adjacent
41 landscaping were slightly reduced.

1 In response to a question from Commissioner Powell, **Mr. Tamaro** stated that they will allow
2 for the ability to incorporate solar panels into the project.

3
4 In response to a question from Commissioner Bohner, Director Thompson said that staff has
5 little discretion regarding the division of the building into offices. He indicated that staff would
6 ensure that the required number of parking spaces are provided for the use. He said that the use
7 would be restricted to general office use, and medical offices would not be permitted.

8
9 Commissioner Fasola commented that he does not see the space broken down into small 300 or
10 400 square foot offices with the design as proposed, and it appears to be a plan for a single
11 tenant.

12
13 Chairman Lesser indicated that there could be a concern with the impact of people who are
14 utilizing the development parking on the adjacent streets.

15
16 **Mr. Tamaro** pointed out that the offices would be utilized by local residents who would be
17 likely to walk or ride bikes rather than drive to the site.

18
19 In response to a question from Commissioner Fasola, **Mr. Tamaro** said that some of the
20 windows in the building would be made operable to allow the opportunity for them to be open.

21
22 Commissioner Fasola said that he would also have a concern that the noise from the air
23 conditioning units would impact the neighbors and would like for shielding to be provided.

24
25 **Mr. Captain** said that they have recently used air conditioning systems that are quite small. He
26 commented that they would not propose to place the equipment on the roof, but there are other
27 areas where it could possibly be located that would minimize the impacts if it is a concern.

28
29 **Mr. Tamaro** indicated that there are baffling systems that can be used to shield the noise from
30 the equipment.

31
32 Director Thompson pointed out that Condition 14 in the draft Resolution requires that the
33 property owner be responsible for prohibiting employees from parking on the adjacent streets.

34
35 Chairman Lesser opened the public hearing.

36
37 **William Wood**, the owner of the adjacent property to the south of the subject site, said that there
38 would be no setbacks from the garage level of proposed structure to the fire wall. He indicated
39 that he has a concern that the Fire Department would have difficulty accessing the area in the
40 event of a fire. He commented that he has a concern that a determination has not yet been made
41 that the project complies with seismic standards before plan check, yet the Fire Department has
42 determined that they do not have any objections to the project. He indicated that the City should

1 consider regulations for the size of commercial structures as well as residences. He pointed out
2 that commercial properties do not need to comply with setback requirements, yet residents must
3 provide a 12 foot setback. He commented that there is already an issue of employees of the
4 immediately adjacent structure who park on the street.

5
6 **Mike Jarvis**, a resident of the 800 block of 11th Street, said that parking on 11th Street is
7 currently an issue. He commented that construction vehicles for the project would not be able to
8 park on Manhattan Beach Boulevard or Pacific Place, and he has a concern with them parking on
9 11th Street.

10
11 In response to a question from **Mr. Jarvis**, Associate Planner Moreno indicated that the second
12 paragraph on page 6 of the staff report should not refer to a proposed one-story retail building
13 but rather a three-level commercial office building.

14
15 Commissioner Seville-Jones pointed out that the same language should be changed in the third
16 paragraph on page 2 of the draft Resolution.

17
18 **Mary Jane Gray**, a resident of the 800 block of 11th Street, said that currently on a daily basis
19 she cannot park in front of her home because the parking is utilized by employees of the adjacent
20 uses, and she has a concern that the proposal would even more severely impact the parking. She
21 commented that the impact has gotten much worse since she moved to her home in 1970.

22
23 **Theresa Wood**, a resident of the 800 block of 11th Street, indicated that she has signatures of 70
24 nearby residents who are opposed to the project. She requested that a row of trees be provided to
25 the south to buffer the noise and the view of the building. She also suggested that a barrier be
26 installed across the alley to block through traffic. She said that cars tend to speed down the
27 alley, and there is a safety issue with children walking to the nearby schools.

28
29 **Phil Marry**, a resident of the 800 block of 11th Street, said that he does not understand the logic
30 of providing an entrance to a commercial site off of a one-way alley, and Manhattan Beach
31 Boulevard is designed to handle traffic for commercial properties. He suggested that access be
32 provided off of Manhattan Beach Boulevard or at least that the traffic be routed in only one
33 direction in the parking garage so that cars would enter and exit at different points to lessen the
34 traffic impact on the alley.

35
36 **Phillip Cook**, the developer and property owner, said that he has lived in the City for 40 years,
37 and he wants to be a good neighbor. He said that he wants to have only one tenant besides
38 himself. He stated that parking is an issue in the City, and he wants to minimize the impact with
39 parking for the development as much as possible. He commented that blocking the alley to
40 through traffic would place access for the building off of Manhattan Beach Boulevard, which
41 would require drivers traveling westbound to turn across traffic in order to access the site. He
42 indicated that placing a barrier in the alley would force drivers onto the adjacent residential

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1 streets. He said that he intends to minimize the impact to the neighbors during construction. He
2 commented that he will be at the site during construction and will be available for any neighbors
3 that have problems or concerns.

4
5 In response to a question from Chairman Lesser, **Mr. Cook** indicated that he would not
6 theoretically be opposed to a restriction on the number of tenants, but such a restriction would
7 not be viable for him financially.

8
9 Chairman Lesser closed the public hearing.

10
11 **Mr. Tamaro** stated that the existing access to the site from the alley would not change with the
12 proposal. He commented that traffic is an issue everywhere in the City, and they have designed
13 the project to minimize the impact to the neighbors. He indicated that there is parking on
14 Manhattan Beach Boulevard where construction vehicles would be staged during construction of
15 the project. He stated that the roof over the parking area would be landscaped. He said that it
16 would be possible to place potted plants that could grow up and shield the view of the structure
17 to the south. He pointed out that any plants may not be visible over the neighbor's accessory
18 structure.

19
20 Commissioner Seville-Jones commented that even though a row of trees on the south side may
21 not be visible over the neighbor's accessory structure, it could still improve the view from their
22 main house as well as the view of other adjacent neighbors.

23
24 **Mr. Tamaro** stated that it would be possible to place a row of potted plants or trees on the roof
25 of the parking area.

26
27 Chairman Lesser closed the public hearing.

28
29 In response to a question from Commissioner Seville-Jones, Director Thompson said that there
30 are no existing permanent traffic barriers in the City aside from one located on 33rd Street. He
31 indicated that the City would not support blocking of any streets, as barriers result in traffic
32 problems being diverted to other areas. He indicated that restrictions on one neighborhood
33 street results in traffic impacts to other areas.

34
35 In response to questions from Chairman Lesser, Director Thompson stated that staff would be
36 willing to consider restricting left turns out of the driveway southbound onto Pacific Place. He
37 indicated that he would not recommend that it be made a condition until it is fully studied
38 because the impacts would need to first be determined. He said that staff would recommend that
39 the hearing be continued if the Commission would like further information on the possibility of
40 restricting left turns from the parking area. He indicated that staff would also be willing to
41 consider an increase to the turning radius for the driveway. He commented that the applicant
42 will need to comply with the parking requirements.

1
2 Commissioner Powell indicated that he does not believe it would be necessary to specify hours
3 of operation because of the type of use that is proposed. He indicated that he also does not feel
4 that there needs to be a restriction placed on hours permitted for deliveries because it would be
5 an office use and not a retail use that would have frequent deliveries. He said that he would like
6 to have a condition included on the hours permitted for trash pick-up to minimize the impact to
7 the neighbors.

8
9 Commissioner Seville-Jones asked if there was a reason that a condition not be included to
10 specify the permitted hours of operation because of the location of the site directly adjacent to
11 residents.

12
13 Commissioner Bohner said that he would not necessarily be opposed to restricting the hours of
14 operation; however, it does not appear from the nature of the proposed use that anyone who is at
15 the site after hours would generate a great deal of noise that would impact the neighbors.

16
17 Commissioner Fasola indicated that it does not seem reasonable to restrict someone from going
18 to the office at night. He pointed out that general office use is basically self-governing, and
19 people would typically utilize the building between 9:00 a.m. and 5:00 p.m.

20
21 Commissioner Fasola stated that he does not feel that the design of the parking structure would
22 be feasible with 20 parking spaces, and he feels the number of spaces would need to be reduced
23 when the plans are finalized. He commented that the building would be accessed from the alley,
24 and there is no available overflow street parking that would be easily accessible. He commented
25 that the three exterior parking spaces that would be the most utilized are proposed to be compact
26 spaces, and he would suggest that they be made full sized and that more of the inside spaces be
27 changed to compact if necessary. He indicated that he does generally support the project. He
28 commented that he does not know of any other commercial projects that are accessed from a 15-
29 foot alley. He indicated that he would want the Traffic Engineer to carefully consider the traffic
30 flow from the garage. He pointed out that the building will not be able to be changed once it is
31 built. He commented that he does not feel it would be feasible to block traffic on the alley, as
32 any diversion to traffic would result in traffic impacts on the adjacent streets. He stated that it is
33 appropriate for access to be provided from the alley rather than Manhattan Beach Boulevard. He
34 said that he would like for the parking to be studied further to ensure that it would comply with
35 the Code. He indicated that he would like for the Traffic Engineer to verify that the 15 foot alley
36 is sufficient for ingress and egress to the parking area. He indicated that he would like for the
37 exterior parking spaces to be standard size rather than compact.

38
39 Commissioner Powell commended the architect on an outstanding design which breaks up the
40 mass of the structure. He stated that the Commissioners appreciate the input of the neighbors,
41 and they do want to ensure that the issues are addressed. He indicated that he would like for the
42 possibility of restricting left turns from the driveway to be studied by the Traffic Engineer. He

1 said that he does not feel the neighbors should be required to go through the process of
2 circulating a petition. He commented that he does not feel that blocking a portion of the alley or
3 installing speed bumps are the issue. He stated that he is not able to support the project as
4 proposed and would recommend that it be continued. He commented that he also has a concern
5 with the impact of employees and clients parking on the street. He indicated that customers and
6 clients do not always know about parking restrictions, and he would suggest that signage be
7 provided to inform people who visit the site of the requirements. He said that he feels it is
8 important for a line of trees to be provided on the roof of the parking structure in order to
9 provide a buffer to the neighbors. He commented that the proposed use is intended to be
10 occupied by the owner, and it would not necessarily be cost effective to reconfigure the structure
11 to accommodate a large number of individual tenants. He said, however, that there is a
12 possibility of having up to possibly 12 individual tenants, and he would support a restriction on
13 the number of tenants if it is the consensus of the Commissioners.

14
15 Commissioner Seville-Jones stated that she also commends the public for their input and for the
16 letter provided by the neighbors to the south which allowed the Commissioners to be aware of
17 their concerns before the hearing. She also indicated that she feels it is an attractive project. She
18 indicated that she would support the hearing being continued to allow staff and the applicant an
19 opportunity to address the concerns that have been raised. She indicated that she would like for
20 a visualization of the landscaping that would be provided above the parking area. She said that
21 she would also like for the possibility to be considered of placing the air conditioning equipment
22 in the garage area rather than in the landscaped area in order to mitigate any potential noise
23 impacts to the neighbors. She indicated that she is satisfied that any seismic concerns regarding
24 the structure would be addressed in the plan check process. She indicated that the fire walls
25 would provide protection in the event of a fire. She commented that the neighbors have concerns
26 regarding the setbacks because the proposed structure would be directly adjacent to the
27 accessory structure on their property. She indicated that their main house would not be directly
28 abutting the proposed commercial structure. She commented that the architect has attempted to
29 address the concerns regarding the setback by terracing the proposed structure and by providing
30 open space at the rear. She said that the current use on the site is accessed through the alley, and
31 it appears that access to the site from Manhattan Beach Boulevard would not be viable. She
32 commented that she would support placing a limit on the number of units within the proposed
33 structure, and she would like for staff to discuss the issue further with the applicant to possibly
34 arrive at an appropriate number. She indicated that it would seem that there would be less of a
35 traffic impact with fewer tenants, although she does appreciate that the units would be utilized by
36 local residents who could possibly walk or ride bikes.

37
38 Commissioner Bohner indicated that he likes the terracing of the structure, which does help to
39 create more of an open design. He said that he also feels that placing landscaping on the balcony
40 above the parking area would help to provide a buffer between the building and the neighbors'
41 accessory structure. He commented that the suggestions that have been made regarding parking
42 and restricting left turns from the parking area should be studied further. He said that he also

1 would support the hearing being continued to allow staff to provide further input on the issues
2 that have been raised. He commented that the applicant and architect have indicated a
3 willingness to work with staff to address the concerns of the neighbors.

4
5 Chairman Lesser indicated that he agrees with the comments that have been made by the other
6 Commissioners. He also thanked the members of the public for their input and for the letter that
7 was sent by the neighbor. He commented that the Commissioners do consider the input of
8 members of the community in making their decisions. He also commended the architect on the
9 design of the structure. He indicated that the building would be oriented toward Manhattan
10 Beach Boulevard. He said that the impact to the adjacent neighbors would be minimized with
11 the terracing of the structure, the transparency of the window design, and the articulation. He
12 stated that the Commissioners do have concerns regarding the project, and he also would like for
13 staff to further address the issues that have been raised.

14
15 A motion was MADE and SECONDED (Bohner/Powell) to **REOPEN** the public hearing and
16 **CONTINUE** the hearing regarding a Use Permit to Allow an Office Building Located at 818
17 Manhattan Beach Boulevard to the meeting of July 9, 2008.

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

23
24 At 8:40 a 10 minute recess was taken.

25
26 **08/0528.2 Consideration of a Use Permit, Coastal Development Permit and Vesting**
27 **Tentative Parcel Map No. 69392 to Allow Construction of Two Attached**
28 **Residential Condominium Units Located at 220 11th Street**

29
30 Assistant Planner Ochoa summarized the staff report. She indicated that the property is zoned
31 RH (residential high density), and the coastal designation is CD (commercial downtown). She
32 indicated that a General Plan Amendment and Zoning Amendment have been approved that
33 changed the designation of the subject lots and adjacent similar lots from CD to RH; however,
34 there is a pending approval by the Coastal Commission to approve the designation to RH. She
35 indicated that the project to construct residential requires a Use Permit because of the existing
36 CD designation. She stated that the proposal is to develop an existing duplex and develop two 3-
37 story condominiums with a total of 3,758 square feet. She indicated that there would be six on-
38 site parking spaces. She commented that the project would not result in the elimination of any
39 public parking spaces, as the driveway for the development would be off of 11th Street where no
40 parking is permitted. She indicated that the other access to the site would be off of 10th Place
41 where there is an existing driveway. She stated that the project does conform to the Zoning
42 Code, General Plan, and the Local Coastal Program. She stated that the project was noticed to

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1 properties within a radius of 500 feet and was published in the Beach Reporter. She indicated
2 that staff did not receive any public comments regarding the proposal. She indicated that staff
3 feels the project complies will all of the necessary requirements, and staff is recommending
4 approval of the project.

5
6 In response to a question from Chairman Lesser, Assistant Planner Ochoa indicated that the zone
7 change of the subject property and adjacent similar properties was done in order to be consistent
8 with the historical residential use of the properties and to encourage and maintain their continued
9 use as residential.

10
11 **Elizabeth Srouer**, representing the applicant, said that one of the reasons that the City Council
12 approved the zoning change of the subject property and adjacent properties to RH was to protect
13 the downtown commercial properties because the predominant use in the area is residential. She
14 indicated that two-unit condominium projects typically do not require a Use Permit process, and
15 the only reason the project is before the Commission is because of the location within the
16 downtown area. She stated that the proposal does comply with all of the development standards
17 and would be compatible with the surrounding uses. She indicated that three parking spaces
18 would be provided per unit. She commented that the project would meet the requirements for
19 open space and would be within the height requirement of 30 feet for residential properties. She
20 said that the subject property is located on a slope. She commented that the conditions in the
21 draft Resolution are standard for such projects and are acceptable to the applicant.

22
23 Chairman Lesser opened the public hearing.

24
25 **Fernand Mertz** said that they have a concern with the loss of the ocean view from their property
26 that would result from the subject proposal. He indicated that he is aware that the City does not
27 have a view ordinance; however, he wanted to take the opportunity to voice his objection to the
28 project for the record. He said that they had a panoramic ocean view when they bought the
29 property in 1962 which has been lost over the years, and the proposed structure would result in
30 the loss of their last remaining view. He commented that they have suffered damages resulting
31 from the loss of their view.

32
33 Chairman Lesser closed the public hearing.

34
35 Commissioner Fasola asked whether staff has any concern with the number of rental properties
36 in the City that are being torn down and redeveloped as condominiums. He asked whether the
37 subject property would be more compatible for an apartment development because it is located
38 near to the busy downtown area where there is a great deal of activity and noise.

39
40 Director Thompson said that both condominium and apartments developments are considered
41 desirable. He indicated that there is no direction to restrict either type of development, and the
42 market determines the number of condominium in relation to apartment units.

1
2 Commissioner Fasola said that at some point staff and the City Council may want to address the
3 number of apartments in relation to condominiums because it does result in a change of the
4 demographics within the City. He commented that it is an issue that should be taken into
5 consideration, as most condominium projects are approved administratively and do not typically
6 come before the Commission.

7
8 Director Thompson pointed out that the City's Housing Element which will be coming before
9 the Commission for a public hearing, and the Commissioners may have some comments to
10 forward to the City Council at that time regarding the issue.

11
12 Commissioner Fasola indicated that he does not feel the designated open space within the subject
13 proposal meets the intent of the requirement. He commented that open space typically includes
14 patio or deck areas that are uncovered or covered with a certain amount of roof or floor space
15 above it. He said that other cities require that open space be completely open to the sky. He
16 stated that the subject project includes open space area on the basement level that is covered by
17 three additional levels of roof. He indicated that the intent of the Mansionization Ordinance was
18 to break up the massing of buildings, which is not achieved by allowing open space that is
19 almost completely covered by walls and a ceiling or portions that are simply cut into the building
20 such as are included with the subject proposal. He indicated that the intent of including
21 additional open space was to decrease the mass of the building, which is not achieved with the
22 subject project.

23
24 Director Thompson said that the open space areas included in the proposal are defined as such in
25 the Code, and the project is in compliance with the open space requirements. He said that the
26 portions referred to by Commissioner Fasola are not the most desirable form of usable open
27 space, but it is well founded in the definition.

28
29 Commissioner Fasola indicated that the patios on the west side of the building appear to meet the
30 Code definition; however, he does not feel that the patio at the rear of the property which has a
31 wall surrounding 1/3 of the area meets the Code definition.

32
33 Commissioner Seville-Jones asked whether the discussion of issue regarding open space
34 requirements would be more appropriate for the work plan meeting that is scheduled with the
35 Commission and City Council. She indicated that developments such as the subject proposal are
36 typically approved administratively, and the applicant is before the Commission simply because
37 of a technicality with the zoning designation.

38
39 Chairman Lesser commented that the issue of open space requirements is an important issue. He
40 indicated, however, that staff in this case has made the determination that the project complies
41 with the requirements for open space pursuant to the existing Code.

42

1 Commissioner Fasola commented that the issue regarding open space is his main concern with
2 the proposal. He said that he does not feel that the subject portion of the proposal meets the
3 definition of open space. He commented that he feels the rear driveway would need an
4 additional amount of setback from the street in order to meet the requirements for driveway
5 slope.

6
7 Director Thompson pointed out that staff requires cross sections up and down either side to
8 ensure that the required slope is met before construction permits are issued. He said that a
9 survey is also done of the slab after it is poured to ensure that the requirements for the slope are
10 met.

11
12 Commissioner Powell stated that he has concerns regarding the loss of view from **Mr. Mertz's**
13 property. He pointed out that the issue of a view ordinance is under the discretion of the City
14 Council and not the Commission. He indicated that there are standards for maximum height,
15 setbacks, open space, and building modulation. He indicated that the discretion of the
16 Commission is regarding the legal findings for the Use Permit, findings for the Coastal
17 Development Permit, and the Tentative Vesting Parcel Map. He indicated that he feels the
18 proposal meets all of the required findings. He said that he feels the design of the project is
19 appropriate for the site and would not result in the elimination of any existing street parking. He
20 indicated that the structure would be substantially smaller than the maximum size that would be
21 permitted on the property. He said that the design also reduces the massing of the building. He
22 commented that the project would not block any coastal access. He said that the proposal does
23 meet all of the necessary legal findings, and he supports the project.

24
25 Commissioner Seville-Jones said that she agrees with the comments of Commissioner Powell.
26 She indicated that she also appreciates the comments of Commissioner Fasola. She stated that
27 the project was required to come before the Commission as a result of a technicality because the
28 City changed the Zoning Codes which has not yet been approved by the Coastal Commission.
29 She said that the project does meet the requirements for the RH zone, and she supports the
30 proposal.

31
32 Commissioner Bohner indicated that he supports the project and feels the findings can be made
33 to approve project.

34
35 Chairman Lesser said that he also concurs with the comments of Commissioner Powell and
36 Commissioner Seville-Jones. He indicated that he does not want the applicant to be penalized
37 because of a technicality with the zoning change. He commented that he appreciates the
38 comments of Commissioner Fasola regarding the proportion of rental units in relation to
39 condominium units, which is an issue the City will be facing with the Housing Element. He
40 indicated that there are state mandates regarding providing affordable housing which are
41 contrary to developing multiple condominium units on properties where there were previously
42 apartments. He commented that Commissioner Fasola's comments regarding the designation of

1 areas as open space relate to all of the hours of discussions that occurred with the
2 Mansionization Committee regarding the areas that should be counted toward open space
3 according to the Code. He indicated that he feels it is an important question that should be
4 discussed further; however, he would not want to delay this applicant who has complied with the
5 existing requirements according to the Code.

6
7 Commissioner Fasola commented that he does not feel the project is caught in a technicality. He
8 indicated that it was originally designed under the old requirements and was changed as an
9 emergency measure in order to be approved after the new Ordinance was approved. He said that
10 the portion that has been hollowed out from the structure was done as a means to subvert the new
11 Code standards and does not meet the open space requirements. He indicated that he feels that
12 changes need to be made to the design so that the open space meets the spirit of the Code.

13
14 A motion was MADE and SECONDED (Bohner/Seville-Jones) to **APPROVE** a Use Permit,
15 Coastal Development Permit and Vesting Tentative Parcel Map No. 69392 to Allow
16 Construction of Two Attached Residential Condominium Units Located at 220 11th Street

17
18 AYES: Bohner, Powell, Seville-Jones, Chairman Lesser
19 NOES: Fasola
20 ABSENT: None
21 ABSTAIN: None

22
23 Director Thompson explained the 15-day appeal period and stated that the item will be placed on
24 the City Council's Consent Calendar for their meeting of June 17, 2008.

25
26 **DIRECTOR'S ITEMS**

27
28 Director Thompson said that a Board and Commission Orientation is scheduled for June 10 at
29 6:30 p.m. He indicated that all new members are expected to attend and existing members are
30 invited to attend.

31
32 Director Thompson indicated that there is a joint meeting with the City Council tentatively
33 scheduled for July 22, 2008.

34
35 **PLANNING COMMISSION ITEMS**

36
37 Chairman Lesser thanked Commissioner Bohner for his service on the Commission. He said that
38 he has very much enjoyed serving with Commissioner Bohner. He indicated that Commissioner
39 Bohner has always asked intelligent questions and used his ability to summarize the positions of
40 applicants and Commissioners and clarify the discussions that occur during meetings. He
41 presented Commissioner Bohner with a plaque commending his service as Commissioner.

1 Commissioner Seville-Jones said that she has very much enjoyed serving on the Commission
2 with Commissioner Bohner and having the opportunity to get to know him.

3
4 Commissioner Powell thanked Commissioner Bohner for his service and presented him with a
5 plaque from the American Planning Association in recognition of his service on the
6 Commission.

7
8 Commissioner Fasola thanked Commissioner Bohner for his service and that he has enjoyed
9 serving with him.

10
11 Commissioner Bohner commented that he has served with many good people and learned a lot
12 during his time as a Commissioner. He thanked the Commission and staff for their hard work
13 and dedication to the City.

14
15 **TENTATIVE AGENDA: June 11, 2008**

16
17 **ADJOURNMENT**

18
19 The meeting of the Planning Commission was **ADJOURNED** at 9:45p.m. in the City Council
20 Chambers, City Hall, 1400 Highland Avenue, to Wednesday, June 11, 2008, at 6:30 p.m. in the
21 same chambers.

22
23 _____
24 RICHARD THOMPSON
25 Secretary to the Planning Commission

SARAH BOESCHEN
Recording Secretary