

**CITY OF MANHATTAN BEACH
[DRAFT] PLANNING COMMISSION
MINUTES OF REGULAR MEETING
APRIL 8, 2009**

The Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 10th day of April 8, 2009, at the hour of 6:35 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

A. ROLL CALL

Present: Fasola, Lesser, Paralusz, Chairperson Seville-Jones
Absent: None
Staff Present: Richard Thompson, Community Development Director
Michael Rocque, Assistant Planner
Laurie B. Jester, Planning Manager
Recording Secretary: Sarah Boeschen

B. APPROVAL OF MINUTES – February 11, 2009

Commissioner Paralusz requested that the words “going green” be capitalized on page 4, paragraph 6 of the February 11 minutes, as it is a formal section on the City’s website.

Commissioner Paralusz requested that page 5, paragraph 3 be revised to read: “Commissioner Paralusz pointed out that she is not certain that it would be legal for the City to have requirements for tree trimmers that are more stringent than those of the state.”

Chairperson Seville-Jones requested that the first sentence of page 7, paragraph 3 be changed to read: “Commissioner Seville-Jones said that she also feels the sentence may be more appropriate to be ~~plae~~ placed in the purpose section. She suggested that the language be revised to read: . . .”

A motion was MADE and SECONDED (Lesser/Paralusz) to approve the minutes of February 11, 2009, as amended.

AYES: Lesser, Paralusz, and Chairperson Seville-Jones
NOES: None.
ABSENT: None.
ABSTAIN: Fasola.

C. PRESENTATION

04//08/09-2 Presentation to Wayne Powell for his Service on the Planning Commission from 2006 to 2009

Chairperson Seville-Jones commended Wayne Powell on being elected to the City Council. She presented him with a plaque from the City in recognition of his service on the Commission for the past three years as well as a certificate from the California Chapter of the American Planning Association. She praised his dedication to the community and his understanding of the issues facing the City.

Commissioner Lesser thanked Councilman Powell for his service on the Commission. He read a letter from the California Chapter of the American Planning Association in recognition of his

service on the Commission. He praised Councilman Powell for his kindness to staff, members of the public and fellow Commissioners.

Commissioner Fasola thanked Councilman Powell for his support and praised him for his dedication.

Commissioner Paralusz echoed the comments of the other Commissioners in recognition of Councilman Powell's service and dedication to the City.

Councilman Powell thanked the Commissioners and staff for their service. He congratulated Chairperson Seville-Jones on being elected to the executive board of the Los Angeles Chapter of the American Planning Association.

D. AUDIENCE PARTICIPATION

None.

E. PUBLIC HEARINGS

None

F. BUSINESS ITEMS

04/08/09-3 Consideration and Discussion of City's General Plan Housing Element

Director Thompson stated that staff presented the initial draft of the Housing Element in November. He indicated that a public workshop was then scheduled at the request of the Commission which was conducted in January. He stated that at the conclusion of the workshop, the Commission asked staff to address some outstanding issues within the Housing Element and to consider and include public comments. He indicated that the Commission felt the document would be strengthened by including an executive summary and that the organization of the document could be improved. He indicated that the Commissioners have been provided with an updated copy of the document for additional comments. He commented that an e-mail was received from Gary Osterhout with comments regarding the document. He indicated that staff has not had an opportunity to study the issues raised in his e-mail and will have input by the next meeting.

Sandra Genis, Housing Element consultant, presented a power point with an overview of the revised draft of the Housing Element. She stated that the goals of the 2009 Housing Element are similar to the goals of the 2003 Housing Element. She indicated that the goals of the 2009 document include preserving existing neighborhoods; providing housing opportunities for all segments of the community; providing a safe and healthy living environment; and promoting energy conservation. She stated that the proposed programs included in the 2009 Housing Element include Zoning Code enforcement including anti-mansionization standards; applying design overlays as appropriate; minimizing lot mergers; allowing nonconforming dwellings to continue to remain and to be improved; allowing CDBG Funds to be used for home improvement loans; providing for residential infill of vacant lots; encouraging mixed use; revising of development standards for dwellings in CD and CNE Districts; regulating condominium conversions; providing affordable housing incentives; encouraging streamlined development; allowing manufactured housing on single family lots; providing for private sector affordable housing; addressing second family units; and participating in the Los Angeles County Housing Authority Home Ownership Program (HOP) and American Dream Down Payment Initiative (ADDI) programs. Other programs in the 2009 Housing Element include

encouraging shared housing, fair housing, senior housing, and senior services; providing active code enforcement; providing buffers for residential uses near industrial or commercial uses; providing fee waivers for solar panels; providing incentives for green building and water conservation; and promoting balanced land uses. She stated that there is another hearing before the Commission on April 22, and it is scheduled for a public hearing before the City Council on May 19. She said that if approved it then would be submitted to the State Department of Housing and Community Development (HCD) for certification review in June and comments from the State would be received by August 2009.

In response to a question from Chairperson Seville-Jones, **Ms. Genis** said that the State is reluctant to certify if the assessed number of units is not provided.

Chairperson Seville-Jones said that Mr. Osterhout's e-mail pointed out that it is not clear whether the report specifies that the City can actually provide 895 additional units, which is the number that has been assigned to the City by the State. She said that she is concerned about the readability of the report. She indicated that she does not feel the language of the report addresses the fact that providing 895 additional housing units does not work for a community that is already built out such as Manhattan Beach.

Commissioner Lesser asked about whether the role of the Commission in reviewing the document is to suggest improvements or suggest new programs and policies in order to strive toward reaching 895 additional new units.

Director Thompson stated that review of the draft document by the Commission provides the forum to receive public comments and provides an opportunity for the public to receive further information regarding the Housing Element. He said that the Commission also must make a determination that the Housing Element is consistent with the City's General Plan.

Commissioner Lesser asked whether there is more current population data that can be used in the Housing Element rather than census data from 2000.

Ms. Genis said that the census data is considered the most reliable, and using other data sources can create problems.

Commissioner Fasola asked whether the City has actually increased the number of living units in the City as referenced in the goals of the report. He commented that his impression is that the number of units has actually decreased over the last several years with the conversion of smaller homes to larger structures.

Director Thompson commented that the more recent trend is a decrease in the number of dwelling units in the City.

Commissioner Paralusz commented that it seems difficult for the City to commit to an increase of 895 units when less than half of that amount has been generated in the past eight years.

Commissioner Lesser asked whether zoning and jurisdictions that would be permitted for emergency shelters and transitional housing are identified in the Housing Element. He suggested that there should be a specific reference in the document as to how the City intends to meet the Code requirement of Government Code Section 65583(a)(3).

Ms. Genis commented that a reference to the Code section could be added to the document.

Chairperson Seville-Jones asked whether a statement should be made in the document about the compliance of the City with the previous 2003 Housing Element and whether the stated goals were met.

Commissioner Fasola commented that the trend of tearing down smaller homes and building much larger structures in their place makes homes less affordable.

Chairperson Seville-Jones commented that encouraging the maintenance of existing smaller units is one method of making housing more affordable.

Commissioner Paralusz pointed out that the Mansionization Ordinance resulted from the impact of older smaller homes being torn down to build much larger structures. She said that the impact of the Mansionization Ordinance of making homes more affordable should be considered. She commented that steps have been taken to make homes more affordable.

Commissioner Fasola commented that every five years seems to be too often to produce a new Housing Element, as another report must be written just as the effects of the programs from the previous report are being determined. He indicated that he does not believe that the City has not taken steps to reach the stated goal on page 4 of the Housing Element of preserving existing neighborhoods by preserving the scale of development. He said that even though there have been attempts to reduce the scale of development, it has increased dramatically in the last 10 or 15 years. He indicated that he does not believe that the City taken measures to achieve the second goal of providing a variety of housing opportunities for all segments of the community by providing sites for new housing, preserving existing affordable housing stock and encouraging development of additional low and moderate income housing.

Chairperson Seville-Jones opened the public hearing.

There being no one wishing to speak, Chairperson Seville-Jones closed the public hearing.

Discussion

Director Thompson pointed out that the purpose of the document is to express a good faith effort on the part of the City to provide housing to meet the needs of all income levels including providing for affordable housing, although it is not guaranteed that it will be achieved. He said that the City intends to continue with the goals and efforts included in the 2003 Housing Element, which is expressed in the 2009 report. He indicated that the City has limited resources to provide affordable housing. He commented that providing a good faith effort by permitting an increase in density and increased height limitations allows developers an opportunity to build affordable housing. He said, however, that allowing greater density and height limits must be weighed against the desire in the community to control density and limit height to maintain the character of the town. He said that the goal of the document is to express the best effort of the City to provide affordable housing. He indicated that once the document is submitted, the State will ask for additional comments as to how the City will comply with the goals.

Chairperson Seville-Jones requested that staff will address the comments included in Mr. Osterhout's e-mail as well as the comments received from the Senior Advisory Committee.

Director Thompson stated that staff has scheduled a meeting with the Senior Advisory Committee and will discuss their concerns.

Commissioner Fasola indicated that the primary goal of the Housing Element is to promote the

development of suitable housing to meet existing and projected demand while protecting the vitality of the existing residential neighborhoods. He said that the draft document is longer and hard to read and includes language that is not necessary. He asked whether the intent is to have a document that simply satisfies the State or if the intent is to actually implement programs that would improve the City. He said that he is struck by the loss of affordable housing that has occurred in the City with smaller homes being torn down and larger structures being built in their place which are less affordable. He indicated that multi-unit structures are also being torn down and replaced with large single family homes. He commented that there is no mention in the document of programs that would result in affordable housing being built.

Chairperson Seville-Jones said that other methods of retaining smaller homes can be considered when the Mansionization Ordinance is reviewed in two years. She suggested that the language in the document include that there will be a review of the Mansionization Ordinance to determine the number of smaller homes that have been preserved as a result of the Ordinance. She suggested that programs should be included in the report that the City would actually want to have implemented.

Commissioner Fasola commented that people used to live full time in the houses on The Strand, and now the homes are mainly secondary residences. He said that properties on The Strand used to include rental units, and now those units are being lost as the properties are rebuilt. He commented that the issue is whether the goal is really for the City to include an additional 895 units. He stated that he would be in favor of encouraging more affordable units, although others in the community may disagree.

Chairperson Seville-Jones said that she can understand that placing residential units above commercial uses in urban areas reduces traffic and the need to drive a car. She indicated that she is not convinced, however, that smaller residential units in the Downtown area would accomplish the goal of reducing the number of cars traveling on the street because it is not clear that the occupants would be walking to offices in the adjacent area. She said that the result of reducing parking requirements for residential units in the Downtown area would be allowing for larger density without any additional parking being provided. She asked whether it is an option that the Commission would actually wish to have studied further.

Commissioner Paralusz said that she would think that there would be a large number of residents who would oppose waiving parking requirements for new units in the Downtown area when there is already a huge congestion problem.

Director Thompson pointed out that the peak parking demand for residential is during nighttime hours would balance against the peak demand for the commercial and beach uses during the day. He indicated that there is space in the City parking lots to accommodate overnight parking.

Commissioner Fasola indicated that mixed use with small lots is already in place in the Downtown area. He suggested that developers would provide the most realistic solutions to the goal of providing more affordable housing. He pointed out that developers make more money when they build a larger number of units, and they would be able to come up with creative ideas. He suggested possibly reducing the parking requirement for a residential unit of 1,000 square feet to one parking space rather than two as currently required by the Coastal Plan.

Commissioner Paralusz suggested the possibility of only reducing the parking requirement in one area of the City. She commented that there is more street parking available in the east side of the City than in the downtown area.

Chairperson Seville-Jones indicated that would support 3d being eliminated or that it be studied rather than be stated as a goal.

Director Thompson pointed out that the State is not willing to approve Housing Elements which includes language suggesting that programs be studied rather than actually implemented. He said that the wording has been chosen in the document to attempt to provide for options that the State will find is meeting their goals.

Commissioner Fasola said that once the City commits to providing 895 units with the 2009 report, the State will continue to allocate additional housing in subsequent Housing Elements. He said that continuing to increase the density of the City changes its character, which he does not feel is the desire of the City.

Commissioner Fasola suggested that the programs be considered by different people with differing perspectives to determine the best options for actually providing affordable homes. He commented that the American First Homebuyer program has a price limit which is not sufficient for providing a home in the City where a family could reasonably live.

Chairperson Seville-Jones commented that a creative landscaping buffer has been used on an office building project on Manhattan Beach Boulevard which could be a model for buffering homes from the commercial district. She suggested that the use of building codes for water conservation and eliminating artificial lighting be referenced in the document.

Commissioner Fasola pointed out that the State already requires adherence to the building codes for energy efficiency, and that language could be left out of the document.

Chairperson Seville-Jones asked about the possibility of additional programs for seniors and using CBDG funds for senior programs.

Commissioner Lesser also asked about additional possibilities for providing senior housing and for CBDG block grants to be applied for low income housing. He commented, however, that the Council has traditionally traded the block grants and supported other service programs for seniors and low income residents.

Chairperson Seville-Jones suggested including outreach programs for seniors who may be more isolated and not as active in the community.

Director Thompson commented that program 3(c) in the document only identifies the property behind the mall as a potential site for senior housing. He said that he is not sure if the language will remain in the document after review from the City Council, as they are interested in the site being used for commercial development.

Commissioner Paralusz suggested that the Senior Advisory Committee may have further recommendations when they meet with staff. She indicated that she would also like for the document to reference outreach programs for seniors. She commented that more seniors may be attracted to living in the City because of services that are offered. She said that she would like for a statement to be included in the document as to whether the goals established in the 2003 Housing Element have been met.

Chairperson Seville-Jones suggested possibly adding language to delicately challenge the goal of achieving 895 additional units as unrealistic for Manhattan Beach. She pointed out that such language was included in the 2003 Housing Element but left out of the current document. She referred to the top of page 3-4 which includes language that the projections are historically not

right for the City.

Commissioner Lesser commented that he respects that the requirements of the State for the language of the document are more stringent than as in the past; however, the language of the 2003 Housing Element was approved. He said that he agrees with the statement of Chairperson Seville-Jones that the language included in the 2003 Housing Element does help to provide a framework. He said that he sees problems with the City achieving the goals as written in the current report.

Chairperson Seville-Jones said that the previous 2003 Housing Element had texture and depth that is not reflected in the current document. She said omitting such language in the current document would be noticed when comparing it with the 2003 document. She indicated that page 3-7 of the 2003 report referenced market constraints and the difficulty of building in the beach section because of the sandy soil which helps to demonstrate why it is difficult to provide more affordable housing. She indicated that section 3-9 of the 2003 report referenced governmental constraints and the issues with converting condominiums which also are absent in the current document. She suggested that consideration be given to the reason why language that was included in the 2003 report has been omitted from the 2009 report and whether they should be included. She commented that the Housing Element is part of the General Plan. She indicated that the General Plan provides a history to the community which is absent from the subject document. She indicated that the 2003 report includes a written history along with the population statistics, and she is not certain why it is not included with the current report. She commented that she would like to consider whether the document should be more consistent with the language of the General Plan.

Ms. Genis said that some of the language of the 2003 report was left out of the current document in order to shorten it; however, it can be included.

Commissioner Paralusz indicated that she appreciates the work that has gone in to drafting the current document; however, she also feels that the context has been lost by streamlining the language from the 2003 report. She commented that the document should also reflect the vibrant and active character of the City which is lost by removing the background information. She said that she would like for more context to be included to better reflect the character of the community and to address the challenges of meeting the goal of providing an additional 895 units.

Chairperson Seville-Jones suggested shortening the language of the current document by eliminating the details with respect to the potential sites for adding housing on pages 45 and 46. She said that a general statement could be included instead to state that a meeting took place where potential sites were considered and that none appeared to be viable options because the School District is not offering the sites to the City and the armory is still in operation. She commented that the detailed information was helpful for consideration during the workshop, but she is not certain whether it needs to be included in the final document.

Director Thompson said that the item is tentatively scheduled to return to the Commission on April 22. He said that if staff is not able to complete work for the next meeting, it will be scheduled for a future date.

G. DIRECTORS ITEMS

H. PLANNING COMMISSION ITEMS

I. TENTATIVE AGENDA

1. Housing Element
2. Chevron- Use Permit – 2301 North Aviation Blvd.
3. CIP- General Plan Consistency Findings

J. ADJOURNMENT

The meeting was adjourned at 8:20 p.m. to Wednesday, April 22, 2009, in the City Council Chambers, City Hall, 1400 Highland Avenue

SARAH BOESCHEN
Recording Secretary

ATTEST:

RICHARD THOMPSON
Community Development Director