

**CITY OF MANHATTAN BEACH
[DRAFT] PLANNING COMMISSION
MINUTES OF REGULAR MEETING
APRIL 28, 2010**

The Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 28th day of April, 2010, 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: Andreani, Lesser, Paralusz, Seville-Jones, Chairman Fasola
Absent: None
Staff Present: Laurie Jester, Acting Director of Community Development
Jim Arndt, Public Works Director
Steve Finton, City Engineer
Eric Haaland, Associate Planner
Recording Secretary: Sarah Boeschen

B. APPROVAL OF MINUTES – February 24, 2010

Commissioner Andreani requested that the last sentence of the second paragraph on page 9 of the February 24 minutes be corrected to read: “He also pointed out that ~~there~~ currently business at the hotel is slower because of the economy . . .”

Chairman Fasola requested that the wording on the first sentence of the second paragraph of page 9 be revised to read: “He said that ~~and~~ he would support reducing the required number of off-site spaces. . .” He requested that the last sentence of the second paragraph on page 9 be revised to read: “He also pointed out that ~~there~~ currently business at the hotel is slow because of the economy, ~~and~~ but parking for the hotel could become more of an issue as the economy improves.”

A motion was MADE and SECONDED (Seville-Jones/Lesser) to **APPROVE** the minutes of February 24, 2010, as amended.

AYES: Andreani, Lesser, Paralusz, Seville-Jones, Chairman Fasola
NOES: None.
ABSENT: None.
ABSTAIN: None.

C. AUDIENCE PARTICIPATION

None.

D. BUSINESS ITEMS

01/13/10-2 Determination of Consistency of the Proposed Fiscal Year 2010-11 Capital Improvement Plan with the City of Manhattan Beach General Plan.

Acting Director Jester introduced Jim Arndt, Director of Public Works, and Steve Finton, City Engineer, and indicated that the role of the Planning Commission tonight was to review the C.I.P. for consistency with the General Plan. Public Works Director Arndt said that the plan which has been presented, projects to the next five years; however, funding is only shown for

the projects within the next year. He indicated that the plan is based on the needs of the City; however funding is determined in part by specific sources that are allocated for only certain types of projects. He stated that roads and street repairs are not funded by the General Fund but rather from gasoline taxes and funds from Proposition 42. He pointed out that the General Fund has much less money than in previous years because of the City receiving less property tax revenue. He said that projects included out of the General Fund include renovations to the HVAC system at City Hall. He commented that the City Hall project was identified by the Environmental Task Force as having the highest potential for energy savings. He indicated that the project is also the most expensive one that has been included, with a cost of \$1.6 million. He indicated that the project would include replacing the existing HVAC system in the City Hall building as well as combining the system with the Police Fire facility. He indicated that staff has also identified the City Hall project as a priority. He stated that the project would be paid for in part with the \$1 million that was set aside for energy related projects plus additional money from the City's General Fund. He said that the half million previously allocated for the Public Works yard improvements has been reallocated to help fund the City Hall project.

City Engineer Steve Finton summarized the staff report. He stated that \$2.3 in street work projects have been completed this year, including Valley Drive and Aviation Boulevard which were funded with federal stimulus money. He commented that street projects totaling \$3.2 currently are under construction including Highland Avenue. He indicated that there is a sewer project that is being done on 13th Street and Highland Avenue. He said that there is a \$1.5 million water main project that is being started on May 3 to repair water mains on a number of streets that are over 80 years old. He indicated that a project starting soon will build a low timber retaining wall to hold the sand against the concrete along The Strand. He indicated that there is also a project for a similar wall at Live Oak Park. He indicated that a fuel island canopy is also being built at the City Yard to keep spilled fuel from being washed into the ocean by rain. He stated that the streets within Area 5 are going to be slurry sealed in July. He indicated that improvements to Highland Avenue and Manhattan Avenue are also scheduled in the fall with money from Proposition 1B. He said that the City also has received a grant from the State to install enhanced pedestrian signal heads and crosswalks at the City's schools. He stated that dual left turn lanes will be constructed at Marine Avenue and Sepulveda Boulevard. He said that Rosecrans Avenue is also being widened. He indicated that there are stairs that are being upgraded to access The Strand with money from a federal grant. He commented that the design is also being started for widening of the Sepulveda bridge. He said that there are also plans for Sepulveda Boulevard and Manhattan Beach Boulevard dual turn lanes in all directions.

City Engineer Finton indicated that the average rating of the condition of the City's streets is 62 out of 100, and the industry standard is to achieve an average of 75. He said that \$1.5 million is required to maintain the current condition of the City's pavement, and increasing to a rating of 75 would require \$2 million. He stated that slurry seal is done on a rotating basis for seven different sections of the City; however, eventually the streets do need to be overlaid. He indicated that the City will have a shortfall of \$820,000 for street repairs through fiscal year 2014, and after 2014 the shortfall will be \$400,000.

City Engineer Finton indicated that a sewer master plan has been completed for the City, which has identified improvements totaling \$40 million. He stated that the water system master plan identified improvements totaling \$142 million. He indicated that the C.I.P. includes projects totaling \$8.5 million. He indicated that a cover is proposed for the Police Department SWAT vehicle and mobile command vehicle on the upper parking lot of the Police Fire Facility. He indicated that projects are also proposed to upgrade the HVAC systems of City Hall, Heights Park, and Live Oak Park. He commented that the proposal to upgrade the HVAC system at City Hall would result in the most energy savings of any project identified in the City's energy

audit. He said that the plan also includes a project to replace the existing 1,700 parking meters in the City with automated meters that can process credit cards. He indicated that there is also a project included for assessing the condition of the pier. He commented that the pier has not fully been inspected since it was improved in 1994. He stated that next year improvements are planned for Pacific Avenue from Manhattan Beach Boulevard to Rosecrans Avenue; for the south side of Rosecrans Avenue from Sepulveda Boulevard to Redondo Avenue; for 17th Street; and for 18th Street. He indicated that future improvements are also planned for Ardmore/Valley, Marine Avenue, 27th Street, Oak Avenue, 11th Street, Blanche, and Morningside Drive.

City Engineer Finton indicated that Begg Pool is still listed as an unfunded project. He commented that the Sepulveda Bridge widening is also listed as an unfunded project, although some of the funding has already been allocated.

In response to a question from Chairman Fasola, City Engineer Finton indicated that the role of the Commission is to determine whether the projects that are included in the C.I.P. are consistent with the General Plan. He indicated that a public hearing regarding the C.I.P. will be held before the City Council on May 18, 2010.

Acting Director Jester confirmed the role of the Commission is to receive the C.I.P. for General Plan consistency. She pointed out that the Commissioners received an e-mail from Gary Osterhout with concerns that funding for Begg Pool is not being provided under the C.I.P. She indicated that his e-mail also expressed concerns that Blanche Road and Marine Avenue need greater improvements than just slurry seal.

In response to a question from Commissioner Lesser, City Engineer Finton indicated that the chillers for the HVAC system at City Hall were replaced about 10 years ago and that the system has about five years of useful life left.

Director Arndt said that the main HVAC system at City Hall was built in the 1970s. He commented that all of the computer servers in the basement of City Hall require a great amount of air conditioning. He indicated that the system could continue to be maintained; however, it takes a great deal of staff time and energy to keep the system running. He said that the system was identified as being a waste of energy. He commented that the return of investment for the project in energy savings would be about 15 years. He indicated that the duct work, lighting system, windows, and the ceiling also would be redone as part of the project.

Commissioner Seville-Jones asked whether the Commission should be examining the priorities that are given to the projects as part of considering whether the projects in the C.I.P. are consistent with the General Plan. She commented that the widening of Sepulveda Boulevard is included in the General Plan as being a priority; however it is not shown in the C.I.P. as a funded project. She asked whether the Commission should be considering the proper priorities as indicated in the General Plan.

Director Arndt pointed out that different funds are only available for certain types of projects, which has an influence on the projects that are provided with funding.

Commissioner Seville-Jones pointed out that there is a projected shortfall of funds for maintenance of roads through fiscal year 2014 of \$820,000 and after fiscal year 2014 of \$400,000. She asked whether the general fund money that would be used for the City Hall project could instead be reallocated to be used toward road maintenance.

Director Arndt said that the City has always set aside some general funds for the maintenance of structures and has not spent general funds on roadwork or sewer and water repairs. He indicated that staff has set aside funds in this C.I.P. in keeping with the past practice of the City. In response to a question from Commissioner Seville-Jones, Director Arndt indicated that other cities also generally do not use general fund money to fund road projects. He commented that the City has made the decision to allocate the money that will be received from Proposition C funds for the next four years toward Sepulveda Boulevard. He pointed out that other funds could possibly be received that are not anticipated which would help to make up the deficit for road projects.

In response to a question from Commissioner Paralusz, City Engineer Finton indicated that the HVAC units at Live Oak Park and Heights Park are much less expensive to replace. He indicated that both of those units are at the end of their useful lives.

Director Arndt stated that it is not certain that the systems at Live Oak Park and Heights Park can be repaired if they stop working.

Commissioner Andreani commented that it does appear the role of the Commission is very limited in determining whether the projects are consistent with the General Plan. She commented on the Commission having any input on the prioritizing of the projects. She commented that she would like for the renovation of Begg Pool to be put on a high priority. She said that the health and safety issues that she has heard about Begg Pool would appear to be a priority over changing the HVAC system at City Hall.

Chairman Fasola commented that he is not certain why funding for renovating Begg Pool has not been provided. He indicated that he is not certain of how the goals of the General Plan are met by replacing existing parking meters.

City Engineer Finton said that the proposal is to change the meters to allow people to pay with a credit card which would make meter parking much more convenient.

Director Arndt said that there are projects that do meet the intent although they do not specifically match a goal stated in the General Plan. He said that the funding for changing the meters would be taken from the parking fund which is a separate funding source. He indicated that the project does meet the intent of providing an infrastructure for the City.

In response to a question from Chairman Fasola, Acting Director Jester said that City Hall does provide services to the community, and is the headquarters of the Parks and Recreation staff. She said that also many people visit City Hall to make reservations for the parks and to sign up for classes. She indicated that the City's support system cannot be maintained if City Hall is not able to function properly. She commented that City Hall is also used for different activities that are related to the parks.

Chairman Fasola asked whether an HVAC system is really necessary for the small facility at Live Oak Park. He commented that very few homes in the City have air conditioning because of the mild climate.

City Engineer Finton indicated that there are days in the year when people would wish to have an air conditioning system.

Director Arndt commented that the intent of the C.I.P. is to replicate the services that exist currently. He indicated that the C.I.P. considers the buildings operating as they do currently.

He said that the Council does have the ability to determine whether they wish to save money in one area and redirect funds to other projects.

Director Arndt stated that there were a lot of suggestions for renovating Begg Pool that were identified through the Facilities Strategic Plan, which raises a question as to the amount of money that the City should put into a facility. He commented that he does not believe that there currently is a public safety issue with Begg Pool. He indicated that there is a question as to how much should be put into renovating the pool.

Acting Director Jester commented that in the summer the buildings at Live Oak Park are hot, as they are old and do not have much insulation. She indicated that the buildings do become very hot in the summer with a large number of children in them. She also pointed out that there are not many windows or natural ventilation in the buildings.

Chairman Fasola opened the item for public comments.

There being no one wishing to speak, Chairman Fasola closed the public hearing.

Commission Discussion

Commissioner Lesser thanked staff for their comprehensive report and presentation. He also thanked Mr. Osterhout for raising the issues that were included in his e-mail. He said that there are a large number of projects that could be found to be consistent with General Plan, and the question is regarding how they are prioritized. He commented that he is able to defer the decision of prioritizing projects to the City Council. He indicated that while he may have changes to the priorities of the projects and the policies specified in the General Plan to support them, he can find that the C.I.P. is consistent with the General Plan on the basis of the presentation and the substantive foundation by which the decisions were made.

Commissioner Seville-Jones indicated that the issue is that only \$300,000 is being received from the General Fund for the year, and expenditures with that limited amount of money are very critical. She commented that she has a concern with spending \$1.6 million for the City Hall project when there are many other priorities in the community. She pointed out that the General Plan identifies widening of Sepulveda Boulevard and providing dual turn lanes as projects that specifically should be funded. She pointed out that currently all funds related to traffic are being dedicated for Sepulveda Boulevard, which is starving projects for the rest of the City. She commented that there are priorities set forth in the General Plan that could be addressed by using the \$1.6 million that is allocated for the City Hall project. She said that the \$1.6 million is to replace a system that could still function for an additional five years. She indicated that she feels consideration should be given as to whether this is the appropriate time to replace the system or if there are other priorities in the community where the money should be reallocated. She commented that she feels the other projects included in the C.I.P. are justified by the General Plan. She said that she does agree that the other two HVAC systems for Live Oak Park and Heights Park are smaller in scale and do need replacement.

Commissioner Paralusz stated that she does not feel that it is the purview of the Commission to prioritize the projects that are included in the C.I.P. She indicated that the Commission's role is to determine whether the projects are consistent with the General Plan. She commented that she did not hear it indicated that the HVAC system at City Hall can be used for another five years but rather that the existing system is at the end of its useful life. She pointed out that in five more years it most likely would cost more to replace the HVAC system. She also indicated that additional recourses would be expended into the aging system within the next five years if it is not replaced. She indicated that she feels the project is consistent with the

General Plan. She said, however, that she does have a concern with the project for the parking meters. She stated that she is not convinced that installation of new parking meters that accept credit cards is necessary to ensure that adequate parking and loading facilities are available. She said that the project would not create parking but rather only create an additional convenience. She indicated that she has difficulty supporting \$850,000 being spent for new parking meters when funding is not being provided for renovations to Begg Pool.

Chairman Fasola commented that it does not seem to him that \$850,000 for placement of the parking meters is justified when there are higher priorities for funding. He indicated that there is not a forum before the C.I.P. is prepared for the public and the Commissioners to voice their opinions regarding the prioritization of projects. He said, however, that he understands that it would be difficult for the Public Works Department to incorporate input from a large number of people regarding projects, and they use their judgment and expertise in determining the priorities. He asked about having an opportunity for input to be provided before the report is presented to the Commission.

Acting Director Jester said that it is appropriate for the Commissioners to make some comments regarding the projects that are included in the C.I.P. She said that the comments would be reflected in the minutes and in the staff report that is forwarded to the City Council. However, she said that the primary role of the Commission is basically to determine consistency of the C.I.P. with the General Plan.

Commissioner Andreani indicated that she feels the input of the Commission could possibly provide an additional resource to the Council in prioritizing projects. She indicated that she does agree that the projects included in the C.I.P. are consistent with the General Plan.

Commissioner Lesser said that it would be helpful for the Commissioners to receive further information regarding why the Council chose to prioritize certain projects as they did. He said that he does understand that different funding sources are used for different types of projects. He indicated that further insight regarding the funding sources would be helpful in his making a determination of consistency of the C.I.P. with the General Plan; however, he is able to make a finding of consistency. He commented that he has a concern regarding people's perception of the City spending money on updating the HVAC system at City Hall when there are many other important projects that need to be funded. He said, however, that it is not the role of the Commission to determine the priority of projects.

Commissioner Seville-Jones also indicated that it would be helpful to the Commission for the Council to provide direction regarding their prioritizing of projects before the Commission votes on the consistency of the C.I.P. with the General Plan.

Chairman Fasola commented that the Commission can also trust that the Council will prioritize the project as they feel appropriate.

In response to a question from Commissioner Lesser, Acting Director Jester indicated that the Environmental Task Force has worked on a number of sustainable green initiatives, and one item that was identified as a high priority for saving energy was replacing the HVAC units at City Hall. She indicated that the Council agreed that they felt it was a priority. She stated that it is not the role of the Commission to prioritize the projects.

Commissioner Seville-Jones suggested including in the motion that the Commission approves consistency of the C.I.P. with the General Plan without regard to prioritization of the projects.

Commissioner Lesser said that he would also suggest to the Council that the Commission would like information regarding the origin of some of the projects that are included as part of the C.I.P. to help their review process in future years.

Action

A motion was MADE and SECONDED (Andreani/Lesser) to **APPROVE** a determination of consistency of the proposed fiscal year 2010-11 Capital Improvement Plan with the City of Manhattan Beach General Plan without regard to prioritization of projects.

AYES: Andreani, Lesser, Paralusz, Seville-Jones, Chairman Fasola
NOES: None.
ABSENT: None.
ABSTAIN: None

E. PUBLIC HEARINGS

04/28/10-3 Consideration of a Coastal Development Permit and Minor Exception to Allow an Addition to an Existing Single Family Home at 132 El Porto Street

Acting Director Jester pointed out that staff typically approves minor exceptions administratively; however, this proposal was required to come before the Commission as a public hearing because the subject property is located in the appealable area of the Coastal Zone.

Associate Planner Haaland summarized the staff report. He indicated that the proposal is to add 628 square feet to the second and third floor levels of an existing single family residence; to retain and alter existing nonconforming front, rear, and east side yard setbacks; to retain the existing nonconforming one-car garage; and to use substandard open space toward half of the 238 square foot open space requirement. He indicated that the project is located in the appealable area of the Coastal Zone, which is the reason that a public hearing is required. He indicated that the project does comply with the zoning standards other than the nonconforming items that require a Minor Exception. He commented that the purpose of the Minor Exception process is to encourage the retention of existing smaller homes rather than replacing existing structures with larger homes.

Associate Planner Haaland commented that a nonconforming one-car garage is permitted to be granted a Minor Exception if the square footage of the structure is below 2,000 square feet. He commented, however, that the length of the subject garage is shorter than has been approved by staff with Minor Exceptions for previous projects. He indicated that the minimum length required for a new parking space is 19 feet, and a Code exemption is provided to allow 18 feet for existing spaces. He said that the garage for the subject property is a minimum of 17-plus feet long and staff is suggesting a condition that the garage length be extended as much as possible without intruding to the front setback.

In response to a question from Commissioner Lesser, Associate Planner Haaland indicated that the project is eligible for a Minor Exception, as it does not exceed 66 percent of the allowable floor area for the lot.

Chairman Fasola clarified that the project has nonconformities in the rear, side, and front yards; it has only a one-car garage rather than a two-car garage as would be required with new construction; and the open space that is provided is not sufficient to meet the Code

requirement. He also pointed out that the project would have been approved by staff except that it is located in the appealable area of the Coastal Zone.

In response to a question from Chairman Fasola, Associate Planner Haaland commented that 10 percent of the value of the existing structure must remain in order for the project to qualify for a Minor Exception.

Chairman Fasola opened the public hearing.

Elizabeth Srour, representing the applicant, stated that the reason a hearing is required is because the property is in the Coastal Zone. She indicated that the project does comply with the standards of the coastal plan and the goals of the Minor Exception Ordinance. She commented that the proposal does not change the relationship of the property to the neighborhood. She indicated that the existing home is over 60 years old and very small. She stated that proposal is less than 66 percent of the amount of square footage that would be permitted for the site. She pointed out that the property would be permitted to be rebuilt with two units rather than a single family home. She commented that the addition of the second level and the deck above the second level add architectural interest to the exterior of the building. She indicated that staff has shown how the project complies with the guidelines and goals of the Coastal Plan. She said that the intention of the proposal is to maintain a smaller existing home rather than rebuilding or selling the home. She pointed out that staff has recommended approval based on compliance with the goals of the City.

Ms. Srour commented that the orientation of the existing structure is off-center in relation to the orientation of the lot, and there is only a triangular area that could be added to the garage. She said that the extra length would meet the Code requirement for the length but would not add to the functionality of the garage. She indicated that the extra cost of adding to the garage would be substantial, and the applicant does not intend to do any work to the front, north facing wall of the structure. She commented that although the open space does not comply with the literal interpretation as provided in the Code, the proposal actually would provide more than the requirement in areas that are very functional. She commented that they accept the conditions in the draft Resolution but are requesting that the extension not be required for the garage.

Jared Gudadaria, the project architect, said that adding 10 ³/₄ inches from the outside of the existing building to the 5 foot setback would only result in adding 5 to 6 inches of usable space to the garage after accounting for the thickness of the garage wall. He indicated that he does not have an estimate for the cost of extending the garage.

In response to a question from Commissioner Lesser, **Mr. Gudadaria** said that a length of 15 1/2 feet is the requirement for a compact parking space.

Chairman Fasola closed the public hearing.

Commission Discussion

In response to a question from Commissioner Lesser, Associate Planner Haaland said that staff is recommending extending the garage because 18 feet is a very common nonconforming length that has been allowed to remain, and staff has not approved a length below 18 feet for Minor Exceptions in the past. He said that the suggestion is that the garage be extended out as close as possible to the front setback, which would allow for a length close to 18 feet.

In response to a question from Commissioner Paralusz, Associate Planner Haaland indicated that the Commission would have the ability to approve the length of the garage at less than 18 feet.

In response to a question from Commissioner Andreani, Associate Planner Haaland indicated that the length required for a garage for a new structure would be 19 feet.

Commissioner Andreani said that the size of the proposed addition meets the requirement for allowing a Minor Exception, although it is right at the maximum limit. She commented that she can agree to allow the setbacks to remain nonconforming on the front, rear, and east sides of the property. She said that she is inclined to agree that the open space is adequate as proposed for a remodel on a half lot, although she feels it is a stretch of the Ordinance.

Commissioner Andreani commented that she has a concern with the parking. She indicated that when she drove by the site, there was no available street parking near the property. She pointed out that Section 10.84.120 (G)(6) of the Zoning Code provides that a Minor Exception can be approved for an existing residence under 2,000 square feet with a one-car garage but not necessarily that it must be approved. She indicated that the applicant is proposing to retain one garage parking space instead of two parking spaces as would be required with new construction. She commented that she feels that it would be better to have two parking spaces with the allowance of a reduction in open space. She stated that firemen must also be able to have access through the side yard. She suggested that possibly redesigning the bathroom and parlor areas would allow space for additional parking. She said that she understands that providing tandem parking would be difficult because of the location of the stairwell and forced air unit.

Commissioner Andreani indicated that the additional square footage to be added as a third story is compatible with the neighborhood, as there are many homes in the area that have three levels. She stated that parking is impacted on the adjacent streets and on Highland Avenue. She commented that although she supports the intent of the Minor Exception Ordinance, she does not necessarily feel that Minor Exceptions should be permitted which exacerbate existing problems. She commented that homes are becoming too large to allow for only one parking space. She stated that she cannot support an existing problem being exacerbated with the project when there are other options for the design to allow for an additional parking space.

Commissioner Seville-Jones indicated that she feels the project does meet the goals of the Minor Exception Ordinance. She indicated that the project is smaller than the maximum that could be built on the site. She said that there is much open space on the third level although it does not all qualify under the Code criteria. She commented that she feels it is important to consider that the Minor Exception could be approved administratively by staff if the lot were located a little eastward. She indicated, however, that she does not support staff's recommendation to require that the garage be extended. She said that she feels that the existing garage should be permitted to remain, which is consistent with the intent of the Minor Exception Ordinance to encourage the retention of smaller existing homes. She also pointed out that it is possible that two units would be built on the site if the existing structure is torn down. She commented that the applicant has every reason to continue to utilize the parking space in the garage because parking is very limited in the area. She said that she does not feel there is much benefit to requiring the applicant to extend the garage. She indicated that the existing space is larger than is typically required for compact spaces and is usable for parking. She commented that she also is taking into account that the applicant does not plan to do any work on the front portion of the house and extending the garage would be a large additional expense. She said that the project is visually attractive and would not impose a greater burden

on the neighborhood. She indicated that she supports the project without staff's recommendation to require that the garage be extended.

Commissioner Paralusz said that she agrees with the comments of Commissioner Seville-Jones. She indicated that she does not believe any neighbors have objected to the proposal. She commented that she does not feel there is any benefit to requiring the garage to be extended. She said that the architect has indicated that there would be no utility in extending it. She said that any precedent that would be set by allowing the exception for the applicant's garage would be limited because no other work is proposed to be done to that portion of the structure in this case. She stated that she supports the proposal without requiring the extension of the garage as suggested by staff.

Commissioner Lesser commented that he feels the project does meet the intent of allowing for Minor Exceptions to encourage owners to retain existing smaller homes rather than rebuilding a much larger structure. He said that a question was raised in the discussions regarding the Mansionization Ordinance regarding the degree to which existing nonconformities should be overlooked in allowing for Minor Exceptions. He said, however, that there is a question as to the amount of benefit that is gained by such a small change to the garage in order to bring it into compliance considering that it would be a major economic burden to the applicant. He indicated that he does feel the findings can be met for allowing the Minor Exception.

Chairman Fasola commented that he feels it is a good project. He indicated that although the open space that is provided does not meet the Code requirement, it is very close. He stated that the current owner may have a smaller vehicle, but future owners of the property may have larger vehicles that are not able to fit in the garage. He said that he is concerned with setting a precedent for the next project that requests a similar exception. He commented that there is a big difference in a parking space that is 17 feet long and one that is 18 feet long. He said that the project is expensive, and making an addition to the garage would not be that significant of an expense in relation to the rest of the construction. He commented that he is concerned with setting a precedent, and he would support staff's recommendation for requiring the extension to the garage. He indicated that he would like to ask the applicant if they would be able to meet the Code requirement if the garage is extended.

Commissioner Lesser pointed out that if the property were not in the appealable zone, the project would have been approved by staff with the condition that the garage be extended. He stated that he is also concerned with setting a precedent.

Commissioner Seville-Jones commented that the applicant would have had the option of appealing the project to the Commission to grant an exception if staff had been able to approve it administratively. She said that she does not understand the benefit that would be gained by adding a few extra inches beyond simply complying with the Code allowance for 18 feet. She indicated that she might feel differently if the length of the space were 15 ½ feet. She stated that she does not understand the clear benefit to the public of requiring the applicant to incur the extra expense of extending the garage.

Commissioner Paralusz said that a smaller sized car can fit in the existing garage space. She commented that any people who may consider buying the home in the future would most likely take the length of the garage into account. She indicated that requiring an extra parking space would require additional demolition and expense. She commented that she is certain that staff would have a stronger recommendation if there were a safety issue. She said that she does not see the public benefit of requiring an extension of 10 additional inches for the garage when other work is not being performed in that portion of the property.

Chairman Fasola indicated that his main concern is setting a precedent by allowing the exception for the garage when the applicant is also getting the benefit of retaining the other existing nonconformities. He said that asking for a slightly larger parking space is not an undue burden on the applicant.

Commissioner Paralusz pointed out that the applicant is not asking to create a smaller parking space as part of new construction but rather to retain their existing garage.

Commissioner Andreani said that she also has concerns with setting a precedent for allowing less space for parking than previously. She commented that there is an existing parking problem in the area. She stated that she feels that demolition of the existing structure would allow the applicant to build the home that they would like and also allow for two parking spaces to be provided. She commented that building a new structure is a possibility that the applicant may wish to consider. She said that she agrees that the project does meet the intent for allowing a Minor Exception, although she would not support allowing less than staff's recommendation for the garage.

Chairman Fasola reopened the public hearing.

In response to a question from Chairman Fasola, **Mr. Gudadaria** said that the garage parking space would be between 17'-8" and 18' if the garage were extended out to the front setback. He commented that extending the garage would require new structural footing along with demolition and construction of a new wall.

In response to a question from Commissioner Seville-Jones, **Mr. Gudadaria** said that it is not guaranteed that they would be able to extend the garage to 18 feet across the entire length if it is pushed to the front setback because of the angle in relation to the orientation of the lot.

Ivo Skorin, the applicant, said that it would be difficult to park in the garage if it is extended to the front setback because of the angle of the garage from the street. He indicated that he has a permit from the City indicating that he can park in front of the house.

Acting Director Jester commented that the City does not issue such permits. She said that the area in front of the garage is only 5 feet deep, and any car that is parked in the space would hang into the alley, which is a violation.

Chairman Fasola closed the public hearing.

Commissioner Seville-Jones said that a precedent would be set even if the garage is extended because it is not certain that the space would be able to reach 18 feet. She said that her understanding is that staff's recommendation is that the garage be expanded as much as possible to the front setback and not that the applicant be required to extend into the building envelope and move the staircase in order to achieve 18 feet.

A motion was MADE and SECONDED (Paralusz/Seville-Jones) to **APPROVE** the draft Resolution for a Coastal Development Permit and Minor Exception to Allow an Addition to an Existing Single Family Home at 132 El Porto Street with the elimination of the portion of Condition 9 under "Special Conditions" requiring an extension of the garage.

AYES: Lesser, Paralusz, Seville-Jones
NOES: Andreani, Chairman Fasola
ABSENT: None.
ABSTAIN: None

F. DIRECTORS ITEMS

None.

G. PLANNING COMMISSION ITEMS

H. TENTATIVE AGENDA May 12, 2010

Shade Hotel

I. ADJOURNMENT

The meeting was adjourned at 9:20 p.m. to Wednesday, May 12, 2010, in the City Council Chambers, City Hall, 1400 Highland Avenue

SARAH BOESCHEN
Recording Secretary

ATTEST:

LAURIE B. JESTER
Acting Community Development Director