

**CITY OF MANHATTAN BEACH
[DRAFT] PLANNING COMMISSION
MINUTES OF REGULAR MEETING
FEBRUARY 9, 2011**

A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 9th day of February, 2011, at the hour of 6:30 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

1. ROLL CALL

Present: Andreani, Lesser, Paralusz, Seville-Jones, Chairman Fasola
Absent: None
Staff Present: Richard Thompson, Director of Community Development
Eric Haaland, Associate Planner
Recording Secretary, Sarah Boeschen

2. REORGANIZATION

Chairman Fasola indicated that he has enjoyed working with the members of the Commission and members of the community as chairman of the Commission. He indicated that he appreciates the thought that the Commissioners give to the items that are before them. He indicated that being the Chairman has been a fulfilling experience.

Commissioner Andreani said that it has been a pleasure working with Commissioner Fasola as chairman. She commented that she appreciates his expertise as an architect.

Commissioner Lesser said that it has been a pleasure having Commissioner Fasola as a member of the Commission and as chairman. He commented that Commissioner Fasola's experience as an architect truly has been helpful in considering projects and directing the discussions.

Commissioner Seville-Jones said that Commissioner Fasola has given a great deal of thought and has done a terrific job in chairing the meetings.

Chairman Paralusz said that she echoes the comments of the other Commissioners. She stated that she appreciates Commissioner Fasola's approach to issues as an architect. She said that she appreciates the compassion and firmness with which he has dealt with difficult public issues.

3. APPROVAL OF MINUTES – January 26, 2011

A motion was MADE and SECONDED (Seville-Jones/Lesser) to **APPROVE** the minutes of January 26, 2011.

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

4. AUDIENCE PARTICIPATION

None.

5. PUBLIC HEARINGS

02/08/11-3 Consideration of a Coastal Development Permit and Minor Exception to Install a Privacy Screen Wall Around an Open Courtyard Area of an Existing Single Family Residence at 3520 The Strand.

Associate Planner Haaland summarized the staff report. He indicated that the proposal is to add a screen wall along the south side of an existing single-family residence. He said that there is a courtyard in the central portion of the building facing the interior side of the site. He commented that a screen wall is proposed to extend upward, the effect of the existing fence along the courtyard side. He commented that the proposal would provide 174 square feet less of open space than the 15 percent useable open space requirement of 340 square feet. He said that staff feels the wall would result in the courtyard becoming more enclosed than would be permitted in order for the area to be counted toward open space. He commented that the project is eligible for a Minor Exception, as the Code does permit Minor Exception approval for a reduction in open space for buildings that do not have more than two levels in a three-story zone. He commented that a Coastal Permit is required for the project, as it includes an increase in building height, and is located in the appealable area of the Coastal Zone. He stated that a public hearing is required because a Minor Exception is involved with the approval. He indicated that that project is in compliance with the standards of the Zoning Code and Local Coastal Program other than allowing for a reduction in open space. He commented that staff is recommending approval of the Minor Exception and Coastal Development Permit.

In response to a question from Commissioner Lesser, Associate Planner Haaland stated that a property owner does not have a right to control the development of an adjacent property provided that Code standards for height and setbacks are met. He stated that the Code does not provide for protection of view angles. He indicated that the subject proposal would normally be approved administratively if it were not located in the appealable area of the Coastal Zone which requires a public hearing. He stated that staff feels extending the screen wall up vertically 10 feet beyond the existing fence on the south side provides more of an enclosure than is appropriate for countable open space.

In response to a question from Commissioner Lesser, Associate Planner Haaland said that the General Plan refers to open space as being a tool towards mitigating bulk in general.

In response to a question from Commissioner Andreani, Associate Planner Haaland said that staff does not have a sample or example of the material that is proposed to be used for the screening wall.

In response to a question from Commissioner Seville-Jones, Associate Planner Haaland said that staff has received no comments from the adjacent neighbors regarding the subject application.

In response to a question from Commissioner Seville-Jones, Associate Planner Haaland stated that staff's understanding is that the wall would extend 7 feet above the roof line.

In response to a question from Commissioner Seville-Jones, Associate Planner Haaland said that staff has determined that the proposed wall would not have any more impact to the adjacent neighbors regarding height, setback or visibility than a full size structure being built on the site.

Chairperson Paralusz opened the public hearing.

Wayne Partridge, the applicant, said that they are proposing the wall because of the relationship between their property and the property next door to the south. He indicated that there are pictures included with the staff report which show the existing condition on the site and the relation of their home to the adjacent home to the south. He indicated that they have checked the site lines from inside the home to determine the minimum height and area that would be sufficient to block the site line from the neighboring home. He said that the southern portion of the wall extends 7'1" above the existing parapet wall. He pointed out that the other portions of the barrier are more structural than they are visual. He commented that the purpose of the extensions to the north and south are largely to hold up the barrier from the force of the wind. He commented that they may minimize the extension on the west side further if it is determined by an engineer to be structurally sound.

Mr. Partridge indicated that the east and west portion of the wall cannot be seen by their neighbors because it is against the wall of the adjacent structure. He stated that they do not believe the wall would impede the views of any of their neighbors, and they have discussed the proposal with the adjacent neighbors. He pointed out that there has been a wall along the property since the home was built, and patio has always been enclosed. He said that he disagrees with staff's interpretation of the Code definition of open space. He stated that his interpretation is that open space must be outdoor space or it cannot be enclosed. He said that he feels the Code should be interpreted as written, and staff's interpretation has gone beyond the language of the Code. He indicated that there attractive styles of homes with interior courtyards. He commented that he does not feel that it should necessarily be imposed that open space must be visible to the public.

Robert Fry, the project architect, said that the intent of the applicants with the project was to remain within the design character of the home and utilize the same materials that have been used on the site. He commented that they have not made a final decision on the materials for the wall. He said that the intent was also to keep the wall as small and low profile as possible. He pointed out that the two lower wing walls that are located on the north and south side were moved out from the rooftop 8 feet so that they would not be visible from the interior rooms. He said that the only impact on the courtyard is the extension of the fence on the south side of the property. He indicated that the height of the neighboring structure to the south would still be 6 feet above the height of the proposed wall. He said that the proposed wall would not enclose the courtyard more than the existing fence.

In response to a question from Commissioner Lesser, **Mr. Fry** said that the purpose of the wing walls is to provide a structure for the wall that is attached to the existing house rather than having separate poles for the wall. He commented that the wall would have a height of 7'1" above the parapet, and the lower wing walls would have a height of approximately 4 feet.

In response to a question from Commissioner Seville-Jones, **Mr. Fry** said that the wall would consist of a translucent glazing panel.

In response to a question from Commissioner Fasola, **Mr. Partridge** said that they considered planting bamboo in the side yard to screen the fence. He indicated, however, that the amount of bamboo that would be planted to provide screening would cover the entire side yard.

Commissioner Fasola commented that he appreciates the reason for the wall in order to provide privacy. He indicated, however, that he has a concern that the neighbors would be looking at a glass wall that never is cleaned. He asked if installing an awning over the patio was considered rather than installing the proposed wall.

In response to a question from Commissioner Fasola, **Mr. Fry** indicated that the applicants did not want to have the courtyard area enclosed.

Mr. Partridge indicated that they do not wish to cover the courtyard area. He pointed out that their understanding is that they would lose all of the open space if the courtyard were covered. He indicated that leaving the patio open was an important consideration in determining the best proposal. He indicated that the patio is a source of light and air circulation for their home, which would be lost if the patio were covered.

Commissioner Fasola commented that an option would be to place the east west wall on poles rather than have the supporting structure on top of the roof. He indicated that he has a concern with the neighbors to the east having a view of the metal pieces on the roof.

In response to a comment from Commissioner Fasola, **Mr. Partridge** said that they have been advised by an engineer that supporting the wall by using poles would not provide sufficient support to withstand the wind loads. He said that he is certain that a structure could be built from the ground that would be heavy enough and that would be tied to the house that could provide sufficient support for the wall, but he does not feel it would be a good solution.

Commissioner Andreani commented that the windows of the home to the south would appear to her to be high enough that they would not create a concern of privacy looking into the courtyard of the subject property. She said that she had a concern regarding the views of the residents to the east of the subject property; however, **Mr. Partridge** has indicated that he also owns that property and that it is not a concern.

In response to a question from Commissioner Andreani, **Mr. Fry** stated that the wing walls on the east side would provide some screening from the neighboring main floor windows.

Mr. Partridge indicated that the windows from the master bedroom of the home to the south of their property provide a view into their master bedroom. He indicated that he does not expect that people would be staring down into his home; however, they would like to be able to live their daily lives without having a concern for privacy. He stated that the wing wall on the east side does provide screening from some windows of the home to the south. He said that the wing wall does not provide privacy from the adjacent residence to the east. He indicated that the view from the residence to the east is not as much of a concern, as they own that property and the view is into their living room rather than bedroom.

In response to a question from Chairperson Paralusz, **Mr. Partridge** said that they purchased their home in 1971. He commented that there was a home on the property to the south of their home when they bought it; however, there were not windows from the home that looked onto their home at the time. He indicated that the new structure on the property to the south of their home was completed in 2010 and has since been on the market.

David Hennessey stated that he supports the project. He indicated that the applicants are cooperative neighbors, and they approached the adjacent residents regarding the proposal. He indicated that he has no issue with the proposal, and it will be better than a three story structure being built on the subject property.

Chairperson Paralusz closed the public hearing.

Commissioner Andreani said that she is appreciates the desire of the applicants to retain privacy in their courtyard and master bedroom, and the applicants were conscientious of the impact to the neighborhood. She commented that she sees the courtyard as open space for the

applicant's use and feels that it does not have an impact on pedestrian traffic. She said that she is pleased that the applicant does not intend to cover the courtyard. She indicated that she supports the proposal.

Commissioner Fasola said that he supports allowing the courtyard to be improved. He said that the proposal is far better for the neighboring residents than a three story house being built on the subject property. He commented that he has concerns that the glass wall would become dirty and not be attractive. He indicated that he would support possibly planting bamboo in the side yard to provide screening. He stated that he would support the proposal.

Commissioner Seville-Jones indicated that she also is supportive of the proposal. She commented that applicants' home has a very open feeling because of the large windows that they are attempting to preserve. She said that she also feels that the applicants have designed the wall to avoid being detrimental to the neighbors as much as possible. She pointed out that the courtyard currently is enclosed by a wall. She commented that the current circumstances as well as the amount that would be permitted to be built on the site both should be considered in determining whether there would be a detrimental impact. She said that she feels the proposal is an elegant solution for preserving the existing home. She commented that there are not many properties that would warrant such consideration because there are few properties which have such a large amount of area covered by windows. She indicated that she supports the proposal.

Commissioner Lesser indicated that he agrees with the analysis of the other Commissioners. He indicated that he feels the projects falls within the Minor Exception Ordinance. He commented that he also has a concern with the glass of the wall becoming dirty; however, maintenance of the wall is up to the applicant. He pointed out that the issue regarding the definition of open space is on the work plan of the City Council, and he does not feel it should impact the subject application. He commented that the definition of open space was an ongoing discussion of the Mansionization Committee as to whether the public should benefit from open space. He said that he appreciates the challenges regarding privacy that the applicants are attempting to address. He commented that he supports the project.

Chairperson Paralusz stated that she is in support of the project. She indicated that she appreciates that the applicants have designed the project with the least amount of impact to the neighbors and are within the Minor Exception Ordinance. She said that she is in agreement with the analysis of the other Commissioners.

A motion was MADE and SECONDED (Andreani/Lesser) to **APPROVE** a Coastal Development Permit and Minor Exception to install a privacy screen wall around an open courtyard area of an existing single family residence at 3520 The Strand

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

Director Thompson explained the 15-day appeal period and stated that the item will be placed on the City Council's Consent Calendar for their meeting of March 1, 2011.

6. DIRECTORS ITEMS

7. PLANNING COMMISSION ITEMS

Commissioner Lesser acknowledged new City Manager Dave Carmany in attendance at the

meeting.

Commissioner Andreani said that there is a City Council candidate forum scheduled for February 10, 2011, at 7:00 p.m. in the City Council Chambers and a forum scheduled for Thursday, March 3, 2011, at 6:00 p.m. at O'Donnell Hall at American Martyrs Church.

Commissioner Seville-Jones pointed out that the forum at City Hall will be televised.

Commissioner Paralusz said that the Older Adults Program is also sponsoring a forum on Thursday, February 24, 2011, at the Joselyn Center.

8. TENTATIVE AGENDA February 23, 2011

- A. Strata- Continued Public Hearing for a Use Permit at 117 Manhattan Beach Boulevard
- B. Hot Doggers- Use Permit for Beer and Wine License at 1605 North Sepulveda Boulevard

10. ADJOURNMENT

The meeting was adjourned at 7:40 p.m. to Wednesday, February 23, 2011, in the City Council Chambers, City Hall, 1400 Highland Avenue

SARAH BOESCHEN
Recording Secretary

ATTEST:

RICHARD THOMPSON
Community Development Director