

**CITY OF MANHATTAN BEACH
[DRAFT] PLANNING COMMISSION
MINUTES OF REGULAR MEETING
AUGUST 28, 2013**

A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 28th day of August, 2013, 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, Gross, Ortmann, Paralusz, Chairperson Conaway
Absent: None
Staff Present: Laurie Jester, Planning Manager
Eric Haaland, Associate Planner
Erik Zandvliet, Traffic Engineer
Rosemary Lackow, Recording Secretary

2. APPROVAL OF MINUTES – July 24, 2013

The following amendments were made by the Commission:

Page 3:

Chairperson Conaway requested that the third paragraph from the bottom be revised as follows: “Michael Burch, sign consultant for RREEF, addressed RREEF’s proposed Master Sign Programinto the Program.”

Page 6: Commissioner Andreani requested that the first name of speaker Boyer be changed from “Leo” to “Neil”.

Page 7: Chairperson Conaway requested that the comments of speaker Neumann, in the second line be revised as follows:

“He stated that their appeal of the Final EIR action was a decision not taken lightly but they did so ~~not~~ because ~~he~~ they felt ~~he~~ they had to protect the interests of ~~the~~ their investors.”

Page 10:

Commissioner Andreani requested, at the top of the page, that the paragraph relating to Condition 15 be revised as follows:

“Condition 15 (Phase III) In response to a concern from Commissioner Ortmann that this condition does not ~~addresses~~ the community’s concerns, Development Director Thompson explained that this condition was included at the direction of the Commission at the June 26 meeting. Commissioners Conaway, Andreani, Paralusz and Gross expressed their support.....of the parking structure.”

Commissioner Andreani requested, that the fourth paragraph from the bottom be revised as follows:

“Commissioner Andreani stated her concurrence that the use of caps for banks and medical offices not be lifted; ~~however~~ However she believes, based on public input, that an indoor movie theater should not be prohibited.”

Commissioner Gross requested that the second line of the second paragraph from the bottom be revised as follows:

“Commissioner Gross gave his opinion that in the long term, the Hacienda has a good change chance in getting more medical..... in the short term”.

Page 11:

Chairperson Conaway requested that the fourth paragraph from the top be revised as follows:

~~“Commissioner~~ Chairperson Conaway suggested one argument for allowing offices and Personal Improvement Uses is that these types of uses attract more people who will populate and enliven the center.”

Chairperson Conaway requested that the eighth paragraph be struck in its entirety as follows:

~~Commissioner Conaway indicated that he does not support raising the cap of 89,000 for restaurants.~~

Page 14:

Chairperson Conaway requested that the word “to” in the first line of the second paragraph from the bottom be struck as follows:

“Condition 40 (Rosecrans Avenue) It was noted that Staff has submitted revisions ~~to~~ regardingthe submitted revision as follows:”

Page 16:

Commissioner Andreani requested that the first line of the fourth paragraph from the top be revised as follows:

“1. Northbound left-turn pockets shall be provided on Carlotta Way at the 27th and 30th Street entry points.”

Page 17:

Chairperson Conaway requested that the last line of the first paragraph from the top be revised as follows:

“It was determined that no change to the draft Resolution is needed, and by a straw vote, the Commission agreed to defer signage ~~in a straw vote~~ to a later date.”

Commissioner Gross requested that the third paragraph be revised in its entirety as follows:

“Commissioner Gross stated that he believes that the applicant is contributing a lot especially in terms of the IOD’s (Irrevocable Offers of Dedication) and hopes this is passed on to the City Council. He emphasized how important over 10 hours of the public testimony in over 10 hours of during 7 hearings was to the process and this had a big positive effect on the community impact of the project. ~~lot of effect on the final decision.~~ He stated that the applicant has been very cooperative and he believes this speaks well to how this project will go forward. He believes that ~~there are~~ by far, the two very most important issues to the public are: traffic and the parking structures. ~~with all the changes to the streets and the analysis of the traffic impact study.~~ He noted that while present traffic is bad, the traffic study convinced him the project does not make it worse and with street improvements from the IODs and changed commercial uses it’s possible that the project could make traffic even better than it is now. ~~with the project, and h~~He noted that there have been considerable changes and improvements to the parking structures with all of them looking like store buildings, with top lights probably invisible from Oak Street and the south structure greatly changed and improved.”

Commissioner Andreani requested that fourth paragraph be revised in its entirety as follows:

“Commissioner Andreani thanked the applicant for working with the public, ~~the~~ City staff and the Commission ~~for~~ over such a long period of time ~~and this is appreciated.~~ She stated that the

concerned involvement of all is appreciated. She stated that she continues to have concern with

traffic impacts, especially on Marine heading west, some of the land use issues, as well as issues raised by Oak Avenue residents. As Referring to the proposed eConditions, she thanked everyone for working through the complex and lengthy Resolution.”

Commissioner Paralusz requested that the first two lines of paragraph five be revised as follows:

“Commissioner Paralusz thanked staff for all their work in the last year and the applicant for being flexible and listening to the public comments. She also thanked members of and the public for their attendance and valuable input. She believes that the Commission has vetted all issues thoroughly and that the applicant has mitigated ~~many~~ the main issues.”

Commissioner Gross requested that the Commission’s vote in the seventh paragraph be revised as follows:

“A motion was MADE and SECONDED (Gross/Paralusz) to **APPROVE** the Manhattan Village Shopping Center Enhancement Project, Final Environmental Impact Report (FEIR), Master Use Permit Amendment, and Variance (Building Height), ~~and Sign Exception/Sign Program,~~ located on the east side of Sepulveda Boulevard between Rosecrans Avenue and Marine Avenue (2600 – 3600 Sepulveda Boulevard and 1220 Rosecrans Avenue) subject to revised findings and conditions.”

A motion was MADE and SECONDED (Andreani/Paralusz) to **APPROVE** the minutes of July 24, 2013, as amended.

AYES: Andreani, Gross, Ortmann, Paralusz, Chairperson Conaway
NOES: None
ABSENT: None
ABSTAIN: None

3. AUDIENCE PARTICIPATION - None

4. PUBLIC HEARING

08/28/13 Planned Development Permit Amendment to Amend a Shared Parking Program that would Allow Personal Services Uses including Instructional/Educational Uses, in an Existing Office Building Located at 3601 Aviation Boulevard (Continental Rosecrans Aviation LP)

Associate Planner Eric Haaland presented the Staff Report, pointing out the applicant is requesting that up to 12,568 square feet of an existing 73,080 square foot 3-story office building be allowed to be occupied by personal improvement services use (Educational) with reduced, or shared parking and this request necessitates an amendment to the site’s existing Planner Development Permit. Associate Planner Haaland noted that a shared parking study was prepared by the applicant and the City’s Traffic Engineer has concurred with the study’s conclusion - that the site’s supply of parking spaces is adequate to meet expected parking demand. Mr. Haaland stated the recommendation is to approve the application subject to conditions as proposed in the draft resolution or as revised by the Commission. Mr. Haaland noted that the applicant has submitted a written objection to the proposed restriction on reserved tenant parking spaces (condition 5). He stated that the current amount of reserved parking spaces is 27 and this was recognized in the parking study and the City’s Traffic Engineer felt that this existing number of reserved spaces was acceptable. Summarizing, Mr. Haaland stated that there were two staff-supported options: 1) to keep the draft resolution condition as drafted without a specific cap or

limit on the number of reserved spaces allowed or 2) to provide a fixed-number cap on the number of allowed reserved spaces as suggested by the City Traffic Engineer.

In response to questions from Commissioner Andreani, Mr. Haaland stated that the existing bicycle parking is located in an uncovered area at the south west corner of the site adjacent to the trash enclosure, and the applicant is not proposing any new signs at this time however condition 6 in the draft resolution addresses this issue.

Toni Reina, representing Continental Development Corporation, thanked the Commission for the opportunity to present. **Ms. Reina** explained that, the application reflects the applicant's need for flexibility in the marketplace and Continental believes firmly that there will be sufficient parking, noting that historically for over 20 years Continental has found the parking to be adequate and further, the current and past parking studies have concluded that there should be no parking supply issues. **Ms. Reina** indicated that there is space to provide additional bike parking but only near where existing bike parking is. **Ms. Reina** stated that the parking consultant is available for questions and reiterated their objection to the restriction on reserved parking spaces is based on their belief that the site has more than sufficient parking even when tenant spaces are fully occupied.

In response to a question from Commissioner Paralusz, **Ms. Reina** confirmed that the applicant's only objection is to the proposed restriction on reserving parking spaces.

Commissioner Gross noted that he supports the city on having some amount of restriction in having assigned parking spaces and he asked **Ms. Reina** whether she would be receptive to a condition as a compromise that restricts reserved spaces in some amount greater than 27, noting that in the 2005 study 37 spaces were being assigned to tenants. Commissioner Paralusz expressed concern that it may be more appropriate to have discussion on this issue after hearing from the parking consultant, to which Chairperson Conaway responded that he felt a simple response from the applicant to the question from Commissioner Gross would be appropriate. **Toni Reina**, Continental Development responded that the applicant's position was that they did not want to have any restriction or cap on the number of permitted assigned tenant spaces.

At this time Chairperson Conaway invited the applicant's parking consultant to address the Commission.

Steffen Turoff, Walker Parking Consultants, gave a report on behalf of the applicant. He stated that various scenarios were analyzed and there was no case, including evaluation using code requirements, and by a peak demand analysis, where the parking supply was found to be inadequate. He does not believe that the issue of reserving parking spaces is a significant issue, based on research of the proposed new use, and given the isolated setting of this office building. At the suggestion of Chairperson Conaway **Mr. Turoff** summarized the 2005 study relative to the present. **Mr. Turoff** explained in 2005 the amount of occupied space in the building was the same as now, and the peak demand then was estimated to be 185 spaces, with 100% occupancy and using a very conservative or high demand rate. The current parking operator came in this year and did more parking counts and found the peak parking demand, if the building were 100% occupied and included the proposed new use, would be 169 spaces. This is a 15% reduction, possibly caused by more people telecommuting which is a trend and a big factor in reducing demand. Under a worst case scenario when all uses are present, there would be 10 empty spaces and this, should it occur would happen possibly 10 days per year.

In response to a question from Commissioner Ortmann to Staff as to why they did not accept the City Traffic Engineer's suggestion for a specific cap of 27 reserved spaces in the conditions,

Planning Manager Jester responded that it was Staff's intention that the condition be flexible to address future unknown tenants and Staff would review the number of reserved spaces on a case-by-case basis, and further, this review would be performed by the City Traffic Engineer.

In response to a question from Commissioner Paralusz, Associate Planner Haaland stated that the current PD Permit for the site does not have a condition that restricts reserved tenant parking spaces but such a condition has, for some time, been routinely imposed on entitlements approved for reduced parking.

In response to a question from Commissioner Paralusz as to why the applicant needs to have reserved parking since the parking supply has been found to have an excess of spaces, **Mr. Turoff** explained that this is more of a market issue, more of a perception of a tenant and is not really a parking management issue in terms of supply and demand.

Toni Reina, Continental Development, responded to Commissioner Paralusz by stating that office tenants typically desire reserved parking and are willing to pay for it, and if not available, or if they need to wait for the City to approve an amount of reserved spaces, those potential tenants may likely seek space elsewhere. **Ms. Reina** stated that the building owner believes they can manage the parking supply as they have with the subject building over the last two decades without any parking problems.

Commissioner Paralusz inquired of Staff as to what is at the core of their objection to reserved parking, to which Associate Planner Haaland responded that in the worst case scenario, all non-reserved spaces might be filled, and some reserved spaces may be unused, but unavailable, the effect may be there is not sufficient amount of parking spaces to meet the demand at that time, due to a less efficient use of the parking.

In response to a question from Commissioner Gross as to whether the parking study results would change if there was no cap and the parking had some reserved spaces, **Mr. Turoff** responded that, without looking at the numbers, likely the study results would differ very little because the characteristics of the shared uses are similar (both general office and personal improvement services would be day time uses, for example). Commissioner Gross further gave the opinion that if the parking lot were to have 100% reserved spaces, then there would be no surplus in parking supply and most likely a minus (not meet the demand) and that is why a cap should be put on the amount of reserved parking. Commissioner Gross also noted that the City Hall has assigned parking and questioned whether that sets a precedent for allowing some reserved parking.

Erik Zandvliet, City Traffic Engineer responded to questions from the Commission and noted that it would be comfortable to have additional reserved spaces at a rate of the number of the projected parking surplus, or up to 10 reserved parking spaces. Regarding the Civic Center parking lot there is a surplus of 50 parking spaces provided and that is why those could be used as assigned spaces.

Ms. Jester clarified that when the recent counts were done there were 27 reserved spaces which were assumed by the parking consultant to be 100% occupied and in addition there are 10 spaces that are surplus.

Commissioner Gross asked and it was confirmed by **Mr. Zandvliet**, that if the City were to permit 35 spaces to be reserved to tenants, then there likely would still be a surplus of parking spaces.

Chairperson Conaway requested clarification as to where in the draft Resolution the issue of

reserved parking is addressed and Commissioner Gross noted it is in Section 2, condition number 5.

In response to a question from Chairperson Conaway as to what would happen to the existing 27 reserved parking spaces, if the draft resolution were adopted as currently written, Planning Associate Haaland noted that Staff would start enforcing the PD Permit by administratively approving the existing 27 spaces that are currently assigned to tenants.

There being no further questions of Staff, Chairperson Conaway opened the public hearing, and seeing no speakers, he closed the public hearing.

COMMISSION DISCUSSION

Commissioner Paralusz stated she is in support of the application and suggested that some change to condition 5 may be in order. She does not object to the proposed use of tutoring because she believes it will be compatible with office uses, and regarding the issue of reserved tenant spaces, she understands flexibility is needed by both the City and the building owner. She is not comfortable with the condition as currently written but on the other hand she is not convinced the applicant should have unlimited flexibility, without a cap. Her proposal would be to amend condition 5 to “grandfather” in the existing 27 assigned parking spaces.

Commissioner Ortmann noted his concurrence with this approach which means the applicant would not have to make a request for approval of what they already have.

Commissioner Andreani stated she thought this case is a good example of why shared parking programs need to be looked at on an individual basis. This site has good ingress and egress and the shared parking program would be applicable to this building solely. Further she noted that it is unlikely that there would be any spillover from adjacent properties and she understands Staff’s concern for parking adequacy in general if the building is fully occupied. She also believes that parking must be considered for all users which includes the disabled and bicycle riders. She noted that 10 spaces designated for visitors were all occupied when she visited the site at 2 p.m. and therefore those spaces are needed. Commissioner Andreani stated that she likes the suggestion of her fellow Commissioners but may want to raise the permitted number of explicitly approved assigned spaces higher, perhaps to 32. She believes that with 201 parking spaces total available and with the less conservative projected need for 169 spaces, and if disabled and visitor spaces are accommodated, then she believed more than 27 spaces, and as many as 32, should be adequate and could be managed by the property owner.

Commissioner Gross noted that in the communications between the City and applicant that condition 9 is redundant and will be struck and this was affirmed by Associate Planner Haaland. Commissioner Gross said he is in favor of the project and the draft resolution except on the issue of reserved parking. He does not believe the parking will work if 100% of the parking is allowed to be assigned and the main issue for him is what number of assigned parking spaces would work and should be allowed? Commissioner Gross stated that he recognizes that the real estate market is very competitive now, that prospective tenants want reserved spaces and office building owners need flexibility to be able to compete. Commissioner Gross also recognizes that there is a need to have unmarked spaces available for visitors. He believes the parking study supports 37 reserved spaces because 27 spaces are reserved now and there is a surplus of 10 more spaces. He recommends that a cap significantly over 27 spaces be added into the Resolution, and suggested that the words “Beyond 35” be added at the beginning of sentence 3 in condition 5.

Commissioner Paralusz stated that she is not opposed to a slight increase in the number of

explicitly permitted reserved spaces but there should be a rationale behind what is permitted. She believes 27 makes sense because that's what they have now and works.

Commissioner Gross explained that he can support a higher number up to 37 spaces because this was supported in 2005 when the vacancy rates of the building were the same as today. He stated he can go higher than 35 and up to 37 spaces in the spirit of compromise. The basis for 37 is that there currently are 27 reserved spaces and with a surplus of 10 parking spaces, he believes that a maximum of 37 parking spaces should work for the site.

Chairperson Conaway stated that he is very much in favor of the project and agrees with Commissioner Gross that the owners need to be competitive within the real estate market and need flexibility. He believes that both the City and the applicant have stated their reasons well, and he has been looking for empirical evidence in the parking studies that would point to a specific number for a cap on reserved parking. He did not get a sense that there is a definitive number as such in the parking study. He believes the 27 plus 10 (surplus) provides a reasonable basis for a reserved parking cap based on the 2005 data and the fact that in a worst case scenario there would be 10 surplus parking spaces. He would support a motion for allowing up to 37 parking spaces to be reserved.

Commissioner Andreani stated that she concurs with the cap of 37 spaces but also wants to insert some additional changes to the Resolution (which include striking redundant condition 9). In Section 1.G. 78,030 should be changed to 73,030 square feet and in Section 2, condition 1, a period should be added at the end. In condition 5, she agrees with capping at 37 reserved spaces as stated, and explained that her earlier suggestion of capping at 32 spaces was based on the difference between 201 spaces (available spaces in 2013) and 169 (one of the calculations of parking demand at 100% occupancy per the 2013 parking study). Again she agrees with 37 spaces and also supports the project and believes that 37 will provide the needed flexibility for the owner.

Commissioner Paralusz stated she concurs with 37 reserved spaces based on the evidence of the data in the 2005 parking study.

Planning Manager Jester suggested that condition 5 be amended by revising the third sentence to read "Up to 37 parking spaces may be labeled or otherwise restricted for use by any individual tenant of the project unless additional spaces are approved by the Community Development Director."

ACTION

A motion was **MADE** and **SECONDED** (Paralusz/Gross) to **APPROVE** the draft Resolution with amendments as stated to Section 1. G and Section 2, Conditions 1, 5 and 9.

AYES: Andreani, Gross, Ortmann, Paralusz, Chairperson Conaway
NOES: None
ABSENT: None
ABSTAIN: None

Planning Manager Jester stated that this project approval will be placed as a "Receive and File" item on the City Council agenda of September 17, unless it is appealed.

Commissioner Gross suggested that in the future should the applicant wish to amend this condition to have a higher number of reserved spaces, that the parking study includes analysis and

evidence of an appropriate number of maximum assigned parking spaces.

5. DIRECTOR'S ITEMS

Planning Manager Jester made two announcements:

- Manhattan Village Mall project: The City Council has scheduled September 3, 10, and 17 for public hearings which will cover the entire project scope. The meetings will start at 6:00 pm in the City Hall Council Chambers and the public is invited to give their input.
- Proposed sharrows on Pacific Avenue: one meeting has been held and a second has been scheduled for September 24 in the Fire and Police Facility from 6:00 to 8:00 p.m. Information on this is also on the City's web site.

6. PLANNING COMMISSION ITEMS

Commissioner Gross stated that as he prior notified, he will not be able to attend the Planning Commission meeting scheduled for September 11.

7. TENTATIVE AGENDA - September 11, 2013

Planning Manager Jester stated that there is a possibility that this meeting may be canceled, and if so, the Commission will be notified accordingly.

8. ADJOURNMENT

The meeting was adjourned at 7:50 p.m. to Wednesday, September 11, 2013, in the City Council Chambers, City Hall, 1400 Highland Avenue

ROSEMARY LACKOW
Recording Secretary

ATTEST:

RICHARD THOMPSON
Community Development Director