

**CITY OF MANHATTAN BEACH
[DRAFT] PLANNING COMMISSION
MINUTES OF REGULAR MEETING
APRIL 27, 2016**

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A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 27th day of April, 2016, at the hour of 6:30 p.m., in the City Council Chambers, at 1400 Highland Avenue, in said City.

1. ROLL CALL

Present: Apostol, Bordokas, Conaway, Ortmann Chairperson Hersman
Absent: None
Staff Present: Marisa Lundstedt, Director of Community Development
Michael Estrada, Assistant City Attorney
Laurie Jester, Planning Manager
Nhung Madrid, Senior Management Analyst
Ted Faturos, Assistant Planner
Tony Olmos, Public Works Director
Erik Zandvliet, City Traffic Engineer
Rosemary Lackow, Recording Secretary

2. AUDIENCE PARTICIPATION (3-minute limit) - None

3. APPROVAL OF THE MINUTES

03/23/16-1. Regular meeting – March 23, 2016

A motion was MADE and SECONDED (Apostol / Bordokas) to **APPROVE** the minutes of March 23, 2016 as submitted.

AYES: Apostol, Bordokas, Conaway, Chairperson Hersman
NOES: None
ABSENT: None
ABSTAIN: Ortmann

4. GENERAL BUSINESS

Chairperson Hersman noted there is a request to take the CIP item first; there being no objections it was so ordered.

04/27/16-3. Determination of Consistency of the Proposed Fiscal Year 2016-2017 Capital Improvement Plan with the Manhattan Beach General Plan

Public Works Director Olmos addressed the Commission with the aid of a slide presentation. Mr. Olmos noted that there are 30 total projects in the CIP that need funding in FY 2016-2017 of which there are 21 that require

Commission review this evening. After briefly reviewing each of those 21 projects Director Olmos responded to questions from the Commission as follows:

#22 - **Sepulveda Boulevard Complete Streets** timeline: this study is expected to begin in early 2017, and the timing is expected to work well with the potential Sepulveda Specific Plan project. Director Lundstedt clarified the timing of the Sepulveda Specific Plan will be such that it will be well informed by the Complete Streets program.

Process for citizens to request a capital improvement to be in the CIP: generally, a request is submitted by the interested person to the Public Works Director or City staff, and then staff evaluates the merits and cost of the projects. If staff finds that the project is justified and there are sufficient available funds, then the project is added to the draft CIP to go through the rest of the CIP approval process.

#5: **water meter upgrade and automation**: this project, ~~which~~ will upgrade water meters so that they show water usage in “real time.” This project provides a significant benefit to residents especially if the drought continues, in two ways: residents would know right away if they have a leak, and they will also be able to manage water use and conserve more efficiently. Although this is a sizable amount of money, this funding source (Water Fund) cannot be applied to storm drain improvements and this project will be applied to all residences in the City.

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~~#5 investment and payback~~: The City is not currently requiring that the upgraded automated meters are installed with new development, because the overall system has to first be in place for the real time readings to be fully operational. After the entire system is in place, the City would be able to require upgraded installations with new development. Director Olmos is not certain that all the benefits of the system can be realized before all of the meters (13,000+) are upgraded or replaced. It was suggested that while water conservation is very important, it may be helpful to know how much the City is projected to save and at what point the city will achieve a payback for its investment. Director Olmos responded that the primarily benefits from this project are more related to customer service, water conservation, and efficiency than monetary savings to City. [Director Olmos acknowledged a point made that, given the fact that the entire system will not fully function until the entire city is upgraded over two \(\\$2.6 million each\) allocation years, the Council is, in effect being asked to commit to fund the entire project \(\\$5.2 million\) in the first year.](#)

#7: **Sepulveda/Oak Neighborhood Intrusion Study**: this project looks to investigate traffic issues and cut-through in the residential neighborhoods west of Sepulveda. This issue was raised during the hearings for Manhattan Village Shopping Center and concerns expressed by residents; this cost would be offset by revenues from the Mall.

#12 - **Veterans Parkway Pedestrian Access Master Plan**: Traffic Engineer Eric Zandvliet clarified that staff will look for consistency in crossing locations and what they will look like – make them as accessible as possible with the priority on pedestrian safety. If a roundabout looks feasible, then this may be explored further.

#19 – **resurfacing a block of 3rd Street**: this cost (\$350k) includes design and some construction, whereas the cost for #18 (\$100k) – resurfacing of Marine for a long stretch - is only for design. Director Olmos clarified that the \$100k for Marine is for design costs only and construction funding would be requested in FY17-18.

#22 - **Sepulveda Boulevard Complete Streets Study**: This project will consider Complete Streets elements

along Sepulveda Corridor within the City of Manhattan Beach. Staff has already discussed this plan in concept with Caltrans. Hermosa Beach has already studied this conceptually with Caltrans for Pacific Coast Highway. If approved by City Council, Manhattan Beach will work with Caltrans as a partner. The goal will be to NOT duplicate efforts.

#26 - **Village Field improvements:** although there is an RFP for a hotel, this item is included on the list because the outcome of the RFP has not yet been decided.

#28: **Fiber Master Plan:** this project would enable expansion/upgrading of existing broadband and Wi-Fi service, which may then be made available to residents and businesses. .

#29 – **parking structure rehab** project timeline: This is being done in phases - Lot 2 is under construction now.

Funding of the CIP: “previously committed but unspent funds” will transfer to the next year if project not yet completed along with unspent money. The way the funding is set up is to balance cash flow and the funding allocations are based on specific phases for a project. ~~It was observed that in effect the request for funding is 5.3 million across a two year period for the Water Meter Upgrade and Automation project.~~

A motion was MADE and SECONDED (Ortmann/Bordokas) to **ADOPT** draft Resolution 16-02, determining that the proposed Fiscal Year 201/2017 Capital Improvement Plan (CIP) is consistent with the Manhattan Beach General Plan.

AYES: Apostol, Bordokas, Conaway, Ortmann, Chairperson Hersman
NOES: None
ABSENT: None
ABSTAIN: None

04/27/16-2. Downtown Specific Plan Update

Director Lundstedt thanked the Planning Commission and the public for their participation in the April 12th joint Council/Commission Study Session. The purpose of this meeting is to update the Planning Commission on the Council’s review on April 18th and give the Commission an informal opportunity to go over the Council consensus items, as well as those that need further discussion (per list in the written staff report) and give further input or request further information from staff.

Chair Hersman thanked staff for the walking tour and invited staff to make a presentation.

After noting four letters that were received late, Planning Manager Laurie Jester addressed the Commission with the aid of a slide presentation. Ms. Jester briefly described all “Consensus Items” and “Items Requiring Further Discussion” after which she invited questions and comments. She also clarified that some “Consensus Items” are included as potential future items so they can be evaluated in the environmental review. Staff responded to issues/questions raised by the Commission as follows:

1. What is a “communication facility”? An example is a telecommunications office, or broadcasting studio that is an office area that mainly contains communications equipment and is not staffed regularly - essentially a “dead” space.

2. What is the rationale for 1,600 sq. ft. as a use permit threshold for retail?: Staff noted that square footages of some Downtown stores have been compiled and range from 772 sq. ft. (Third Gallery) to 3,500 sq. ft. (Skechers) and this seemed like a reasonable limit, to start, based on that data. Staff will be providing more data and specific examples and encouraged the Planning Commission to look at retail uses and make further suggestions for a cap. Using a cap on retail square footage achieves the same goal as limiting formula retail. All restaurants would require a Use Permit.

3. Clarify height limits in Area B: If an existing 26-foot tall commercial use gets replaced by residential (subject to a use permit) the new residential use would have a 26-foot height limit because it is replacing commercial, but if replacing residential, the building could go to 30 feet. The 30-foot height limit matches the allowed height in the multi-family residential zones in the beach area.

4. Why a maximum tenant frontage limit?: This is being suggested in a proactive way, and the goal is to create a visual rhythm that compliments the pedestrian oriented village ambience.

PUBLIC INPUT

It was agreed to accept three-minute maximum input from the public, and Chair Herman invited the public to address the Commission.

Roger Lamont, representing the Manhattan Beach Commercial Property Owners Association requested that the Commission consider recommendations in a letter submitted April 25 by Tony Choueke.

Jim Quilliam, 12th Street downtown resident, read a letter from Neil Levanthal on behalf of the Downtown Residents Group, and requested that the Planning Commission consider downtown residents as a high priority, noting that attraction of visitors to support downtown businesses may be at odds with the residents' goal to maintain small town character and quality of life.

Carol Perrin, Downtown Residents Group, reiterated her submitted comments: she believes that the existing height limit of 26 feet should be kept - owners who bought downtown commercial properties did so knowing that the limit is 26 feet, so there is no issue of property right being taken away. She supports a cap for ground floor retail size of 1,500 to 1,600 square feet to avoid inundation of formula and big box retail uses.

Tami Zamrazil, resident, strongly supports no changes to commercial height limits except for solar panels on roof. She is concerned about mechanical equipment on roofs because these can create a noise and visual impact.

William Victor, downtown owner since 1980, iterated written comments submitted. He supports: keeping an Implementation Section in the plan; not raising height limits and bifurcating the Plan.

COMMISSION DISCUSSION

The Commission preliminarily discussed the nature of a Specific Plan, noting that it is visionary but also contains some code amendments (highlighted in yellow). Director Lundstedt clarified that upon adoption it would be immediately codified (similar to an Ordinance) pending Coastal Commission approval. Ms. Lundstedt noted that the visionary aspects (e.g. Beachhead turnaround) are included as options for the future.

There was discussion as to the time frame. Director Lundstedt believes it is possible to arrive at approval of the draft in a single meeting in the future, however an additional meeting such as this one can be held and staff could still meet the schedule and hold the City Council public hearing in July. Director Lundstedt stated that staff does not support bifurcating the document (i.e. separating out the moratorium issue) because the plan is better served by a review that is comprehensive and holistic, as one part of the plan can affect another part.

The Commission proceeded by reviewing all items requiring more input from the Commission.

1. **Ground Floor Retail Uses.** The Commission requested information on how the turnover of uses would be regulated for existing uses that become nonconforming under the Specific Plan. Director Lundstedt clarified that as proposed, existing uses (e.g. a ground floor existing office) - if they become nonconforming due to a change in the Plan - could continue with a new tenant, provided the new tenant uses the space for a similar use, within a specified time frame, regardless of the term of the lease. The question arose as to situations where a use covers multiple lots and over time the type of use changes for portions of the lots through re-tenanting. Director Lundstedt clarified that it is not yet clear, policy wise, as to what amount of office space mixed with retail is desirable, but the goal is to have a good mix weighted towards retail. As proposed, more situations will require a Use Permit, and new findings are proposed, that neighborhood character be maintained for the proposed use. The intent is to allow the existing ground floor office and bank uses to remain but new uses would require a Use Permit.

Commissioner Conaway suggested that it be clarified in the Plan that changes in tenants do not necessarily constitute a change in use. Commissioner Apostol stated his personal view that a good goal of the Plan is to have a downtown where retail can be successful but at the same time, the quaintness of the ambience is retained. Provisions that are initiated should be those that will encourage successful businesses. He suggested one strategy could be to look at downtown sort of as an outdoor mall where uses are regulated by establishing caps or percentages of allowed office or non-retail uses. Another way of controlling uses is to allow only existing uses to be continued.

Director Lundstedt responded that staff reviewed the ULI recommendations which included a discussion of establishing percentages of uses and it was found that this would be extremely difficult to manage to the point of being infeasible. Commissioner Apostol and Chair Hersman suggested perhaps a range of allocated uses could be established. Chair Hersman also emphasized that findings are important so that if a use permit comes in, there be some good guidelines to allow that use on the ground floor.

2. **Retail square footage cap.** Discussion focused on the proposed cap of 1,600 square feet for retail not requiring a use permit. Planning Manager Jester clarified that the square footage cap is based on gross tenant area (includes retail floor plus storage, support office, dressing rooms, etc). Commissioner Conaway expressed concern that for a single 2,700 square foot lot this could be quite onerous and perhaps the cap should be based on more criteria such as lot size, because double or larger lots can accommodate larger retail spaces. Chair Hersman asked whether the proposed caps (frontage and square feet) would effectively result in very small retail spaces and if so, is that desirable, and Commissioner Ortmann asked whether lower caps are economically feasible?

Commissioner Apostol stated that he can personally support square foot and frontage caps as long as they are not arbitrarily established and they need to be looked at together. He suggested that a formula can be used that relates retail bay depth to store frontage, but there should be some flexibility for staff in applying the ratio. In

retail development the rule of thumb is that, to be successful typically a store needs to have a ratio of 1.5 to 2.5 retail area “bay” depth to frontage maximum. Excessive bay depth can be unmanageable for a retailer.

3. Building Height/number of stories. Planning Manager Jester clarified that the only standard proposed to be modified applies to the 26 foot height limit situations where an additional 2-feet (28 feet) would be added to the height exceptions to allow for mechanical equipment, solar panels, and pitched roof design. Commissioner Conaway raised the issue of elevators and meeting ADA requirements. Elevators are not being proposed for a height exception, but if they were to be included, Commissioner Conaway suggested that the dimensions of the elevator projection be limited along with the height above 26 feet.

Commissioner Apostol stated that he believes a 26-ft. height limit is appropriate for Downtown; wants to encourage aesthetically pleasing buildings, and is not against small exceptions including 28 feet maximum as proposed, with limitations in size, footprint and location to allow pitched roofs, and roof mechanical and solar equipment. Commissioner Conaway stated, for a 2-story retail project with ground floor retail/offices above, he supports a 26 ft. height limit which will be able to accommodate 12-ft. ceilings for first floor and 9-ft. for second floor. He would prefer to **not** allow mechanical, or pitched roofs exceptions (solar already has a legal exemption) but would allow, with size, height and location parameters, an elevator exception of 2 feet over the height limit to encourage compliance with ADA and he feels strongly that if not already in the code, that all roof equipment be screened.

. Commissioner Apostol stated that he could support Commissioner Conaway’s position, yielding on the pitched roof and mechanicals, provided a small compromise is made, such as regarding elevators. Discussed ensued and a 2 foot exception for mechanical and elevators with size, location and height limits seemed to be supported by the Commission. Director Lundstedt raised the point that some solar installations require a certain angle for the panels and, with the current height limit, solar sometimes doesn’t pencil out. Planning Manager Jester noted that the law states that an installation cannot lose more than 20% of maximum efficiency and she cannot recall a case where an applicant was able to show that the code restricted the panel placement that much; a 4-6 inch height exception is all that is needed.

It was clarified for Commissioner Apostol that the proposed 35-foot maximum limitation on tenant frontage is based on the building frontage of the individual tenant.

4. Maximum tenant frontages (already discussed in the earlier discussion with retail square footage cap).

5. Façade Transparency. Chair Hersman raised the question as to whether the orientation of the store frontage matters on an alley, or on a major retail street such as Manhattan Avenue and is 70% a good limit? Where did this number come from? It was generally a consensus that 70% was a number that can work. The Manhattan Creamery was raised as a corner lot with its front on Manhattan Avenue and long solid building frontage on Manhattan Beach Boulevard that has no windows, but where a mural helps to provide visual interest. There was brief discussion on distinctions between an alley, walkstreet, side street and a primary street. Commissioner Conaway suggested that corner lots be addressed. It was suggested that design guidelines could be developed that would apply to a long blank wall such as the Creamery, but enforcement would be triggered only if a structural alteration was proposed. Commissioner Apostol expressed concern that with older buildings there could be cost prohibitive structural constraints if retrofitted to add more transparency, suggested there be some accommodation or exception for such situations. Director Lundstedt suggested that this could be addressed through additional design guidelines, with exceptions for corner lots and structural limitations.

6. Setbacks and setbacks. Chair Hersman noted this is about requiring a 10 foot maximum setback on the ground floor. Planning Manager Jester clarified that many of the restaurant ground floor patios are 9 feet deep downtown and the proposal to have a maximum 10 foot setback is more of an issue that would affect retail. Ms. Jester showed slides of a relatively new 2-story ground floor retail building and an older building that had an 18-foot ground floor setback (farthest point) that originally was a restaurant on the ground floor.

Director Lundstedt clarified that the main issue for the Council was whether setbacks on the upper floor should be required or optional. Director Lundstedt stated that staff supports an optional setback to encourage building variation. Planning Manager Jester clarified that the optional proposal would work such that if someone chooses to do a setback, the minimum setback required would be 6-feet, the intent being that the open area created at the front should be large enough to be usable. In response to a question from Commissioner Bordokas, a setback of one-foot for architectural design would not be permitted.

Commissioner Bordokas inquired if a setback is required to be at least 6-feet, would views of nearby residences be impacted? Commissioner Conaway inquired that consideration should be made for use of the open space, and asked if there would be support for dining in these areas – as this would be a desirable amenity, assuming that noise issues could be addressed. Chair Hersman agreed and stated she would like more public input on this issue. The Commission felt that outdoor dining both public and private is a wonderful amenity as long as impacts are addressed through the Use Permit and regulations/guidelines. Director Lundstedt pointed out that restaurants would require a Use Permit which would allow conditions to be imposed to address noise. The Commissioners agreed that the optional setback regulations should be removed from the plan, but included in the guidelines.

Commissioner Apostol expressed concern that second story setbacks can have a very significant impact on development and doesn't support assigning an arbitrary strict standard. He could support an optional requirement without a strict minimum. He supports outdoor dining as long as pedestrian safety is addressed and residents' rights are respected by conditions placed on use of spaces such as outdoor dining.

NEXT STEPS

This completed the list of discussion items. Planning Manager Jester stated the next steps in the program are to revise the Plan in May and prepare environmental documentation, review the environmental in May-June and conduct a public hearing before the Planning Commission in June or July. With a consensus of the Commissioners Chair Hersman requested that another session similar to this one be scheduled where the Commission can again go over issues and receive new information from staff. Staff said that the next meeting on May 11th could be used as another Downtown meeting, but no new information would be provided in the report due to the short turnaround time.

5. DIRECTOR'S ITEMS - None.

6. PLANNING COMMISSION ITEMS - None.

7. TENTATIVE AGENDA – May 11, 2016 – None at this time. The Downtown Specific Plan discussion will be continued to this meeting.

5. ADJOURNMENT

The meeting was adjourned at 9:39 pm to Wednesday, May 11, in the City Council Chambers, City Hall, 1400 Highland Avenue.

ROSEMARY LACKOW
Recording Secretary

ATTEST:

MARISA LUNDSTEDT
Community Development Director