

**CITY OF MANHATTAN BEACH
[DRAFT] PLANNING COMMISSION
MINUTES OF REGULAR MEETING
DECEMBER 14, 2016**

DRAFT

A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 14th day of December, 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
Laurie Jester, Planning Manager
Assistant Planner Rafael Garcia
Rosemary Lackow, Recording Secretary

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

3. APPROVAL OF THE MINUTES – November 9, 2016

A motion was MADE and SECONDED (Conaway/Bordokas) to **APPROVE** the minutes of November 9, 2016 with one change requested by the Chair that was handed to the minutes secretary: that at the top of page 2, just before the heading “Commission Discussion/Action” that the following be added: “Seeing no further input, Chair Hersman closed the public hearing.”

Roll Call:

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

4. PUBLIC HEARING

12/14/16-2. Variance and Vesting Tentative Parcel Map No. 74210 for the Subdivision of a Lot Resulting in the Creation of Two Sub-Standard Sized Lots at 3000 Pacific Avenue (Monfalcone Family Trust c/o Lucinda M. Monfalcone)

Assistant Planner Rafael Garcia presented the staff report, indicating the nature of the variance to allow a lot-split to result in two equal sized lots, but containing slightly less than the required area for future development of two new single family homes. Mr. Garcia explained the background that 4 feet of land was granted to the city for right of way purposes from the adjoining lots on both sides of Pacific Avenue in 1961 for the purpose of widening Pacific Avenue to install sidewalks, without compromising the width of roadway being used for vehicles. He showed the setting of the proposed lot split within the neighborhood, noted the legal findings that the Commission must make, and concluded that staff recommends approval.

Chair Hersman asked whether the Commission had any questions of Staff; there being none, Chair Hersman opened the public hearing and invited input.

PUBLIC INPUT

Elizabeth Srour, Srour and Associates, introduced the Monfalcone family, Cindy and Clint and noted that attorney Mark Kawa would be addressing the Commission as well.

Lucinda Monfalcone Simon introduced her brother Joseph Clinton Monfalcone Jr. She lives on 31st Street and is a lifelong Manhattan Beach resident, noted her parents Joe and Lucy purchased the lot and built their home in the 1947, raising their family with the expectation that they would be able to split their lot in the future when they chose to do so. As trustees of the estate, she requested that the City grant the entitlement given to many other similar owners on Pacific from 27th Street to Rosecrans by approving the application.

Mark Kawa, attorney for the Monfalcone family, thanked Staff and noted that he reviewed the report and accepts the staff recommendation. He addressed what he believes is a misunderstanding in the staff report and in their application, in that he feels that the lot split can be approved without a variance. He provided details of the history of the code and concluded by stating recently he received a communication from the City Clerks Office stating that upon researching, that they could not find in the City files that the former section in the code (prior to 1991, and after the 1961 widening, MBMC 10-3.1423) was specifically rescinded. Other provisions are included in the Municipal Code but under a different provision (MBMC 10.12.030.A. addressing development on Substandard Lots).

Dr. Sunay lives at 2801 Laurel Avenue, one block west of Pacific. He noted his lot as others in the 2800 block has a depth of 103 feet. He speculates but has not researched whether his own lot depth resulted from a street dedication, but acknowledged that over the years he has been informed that he could NOT subdivide his property. However in this case he fully supports subdivision out of principles of fairness and equity and this should be the approach for similar lots in the future.

There being no other persons wishing to speak, Chair Hersman closed the hearing and invited Commission discussion.

COMMISSION DISCUSSION

Commissioner Ortmann believes he understands that the reason this particular case needs a variance now is that the current Code applies to those lots that are already existing and defined as “substandard” and this current lot is not currently “substandard”.

Assistant Planner Garcia and Planning Manager Jester further clarified that the exact provision formerly in the Zoning Ordinance is no longer in the current code. Creating new lots that would be nonconforming in size, or lot area, is what creates the need for the Variance.

Commissioner Bordokas spoke to the issue of equity and stated her understanding (confirmed by staff) that when the lot area is reduced, then the maximum square footage is in turn reduced, so even if the applicant is able to build a second unit if the application is approved, the maximum size of the new houses would be reduced. She asked about Maple Avenue, and Mr. Garcia stated that there was not a street dedication on that street and therefore regardless of whether there is a sidewalk or not, Maple Avenue does not have a similar condition, where lot area has been reduced. He explained that Pacific is one of just a few streets (Rosecrans being one other) where the condition of lot area reduction due to street dedication exists today. Mr. Garcia also explained the parking requirements which is based on size of a residence, but a minimum of 2-car garage is required.

Commissioner Ortmann stated he was still confused as to what happened to the former code, and Mr. Garcia explained that in the 1990’s “ZORP” rewrite of the code, the former code provision was not carried over exactly the same.

Commissioner Conaway acknowledged that two letters in opposition were received with concerns for increased density and view blockage. He stated that, while the City understands concerns for density and impacts, there

is no ordinance that would protect an existing view and further the purview of the Commission is to review a case and see if it can make findings that it must make as provided in the Zoning Ordinance. He believes that the findings have been adequately made therefore he supports the Variance.

Commissioner Apostol stated he believes the biggest issue for him is consistency with the neighborhood, and noted that, but for the dedication this site would have even more than the minimum area required. He fully supports the application.

Chair Hersman noted her agreement with her fellow Commissioners and added that she drove down Pacific and noted the common 40-foot lot frontages and believes that with the subdivision, the project will fit in to the neighborhood.

ACTION

It was moved and seconded (Apostol/Ortmann) to: **ADOPT the draft Resolution**, approving the subject subdivision (lot split) as submitted.

Roll Call:

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

5. DIRECTOR'S ITEMS

Director Lundstedt reported that the City Council adopted the Downtown Specific Plan on December 6 after a long hearing, and many compliments were given to the Commission on the hard work they gave to the Plan. She thanked the Commission as well, noting that their hard work lightened the staff workload as well.

Commissioner Bordokas noted it was odd to her that the issue of outdoor dining, which is allowed now, became a focal point of discussion. In response to Chair Hersman, Ms. Lundstedt explained that the subject of outdoor dining had been included in the draft plan originally to enhance the area's vibrancy.

6. **PLANNING COMMISSION ITEMS** - None.

7. **TENTATIVE AGENDA – December 28, 2016:**

Director Lundstedt noted that the meeting for December 28 would be likely cancelled and advised that the rotation of the Commission Chair will be on the January agenda.

8. ADJOURNMENT

The meeting was adjourned at 7:05 pm to Wednesday, January 11, 2017 (unless it happens that the meeting of December 28 is not cancelled) in the City Council Chambers, City Hall, 1400 Highland Avenue.

ROSEMARY LACKOW
Recording Secretary

ATTEST:

MARISA LUNDSTEDT
Community Development Director

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