

**CITY OF MAN HATTAN BEACH
[DRAFT] PLANNING COMMISSION
MINUTES OF REGULAR MEETING
SEPTEMBER 12, 2018**

A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 12th day of September, 2018, at the hour of 6:01 p.m., in the City Council Chambers, at 1400 Highland Avenue, in said City.

A. ROLL CALL

Present: Burkhalter, Fournier, Chairperson Seville-Jones, Thompson (arrival 6:11 pm)
Absent: Morton
Others Present: Anne McIntosh, Community Development Director
Michael Estrada, Assistant City Attorney
Angela Soo Seilhamer, Recording Secretary
Rosemary Lackow, Recording Secretary (remotely)

B. APPROVAL OF AGENDA

It was moved and seconded (Burkhalter/Fournier) to approve the agenda with no changes.

ROLL CALL:

AYES: Burkhalter, Fournier, Chairperson Seville-Jones
NOES: None
ABSENT: Morton, Thompson
ABSTAIN: None

C. AUDIENCE PARTICIPATION (3-minute limit) – None

D. APPROVAL OF THE MINUTES

09/12/18-1. Regular Meeting – June 27, 2018

It was moved and seconded (Fournier/Seville-Jones) to approve the minutes as submitted.

ROLL CALL:

AYES: Burkhalter, Fournier, Chairperson Seville-Jones
NOES: None
ABSENT: Morton, Thompson
ABSTAIN: None

E. PUBLIC HEARING

09/12/18-2. Consideration of a Use Permit and Vesting Tentative Parcel Map for Three New Residential Condominium Units Located at 1823 11th Street and a Separate Use Permit and Vesting Tentative Parcel Map for Three New Residential Condominium Units located at 1827 11th Street (1823-1827 11th St. MB, LLC/Dennis Cleland)

Chair Seville-Jones announced the item and invited Staff to provide a report.

Assistant Planner Ted Faturos presented the report, covering: Background (existing/proposed uses and development; zoning); Vicinity Map (location, neighborhood setting); Project Details; Architectural Plans exterior elevations); Project Design (trash storage, parking, mezzanines, etc); Use Permit and subdivision requirements (findings, public notification). Mr. Faturos emphasized that there are two separate draft Resolutions, one for each lot/condo building. Mr. Faturos also explained that each unit's floor plan includes mezzanine areas and although these can have an appearance of a third story, the Building and Safety staff has confirmed that the proposed mezzanines are part of the 2nd story and do not create a 3-story condition. Mr.

Faturos noted that staff received one letter from a nearby resident who expressed concern regarding potential impacts to on-street parking on 11th Street.

Assistant Planner Faturos responded to questions of the Commissioners as follows:

In response to **Commissioner Fournier's** request Mr. Faturos clarified: 1) regarding lot size, although the subject lots have a substandard amount of lot area, they are "grandfathered in" that they were legally created prior to adoption of the current 7,500 square foot minimum standard and therefore the owner has the right to build the proposed number of units; and, 2) the amount of allowed building square footage is based on a formula of 1.2 multiplied by the **existing** lot area of 6,500 sq. ft., for a limit of 7,800 square feet maximum BFA. The proposed building square footage (5,066.9 sq. ft.) complies with the maximum allowed for both lots.

PUBLIC INPUT

Chair Seville-Jones opened the public hearing.

Howard Crabtree, 912 Architecture, project architect and applicant, provided a brief summation: 1) housing policy: the project will provide opportunities for replacing some housing lost to development in accordance to state housing goals, and its zoning (RH) is intended for multiple unit projects; 2) building height: the city's zoning code limits the project to a 26-foot/2-story height, and the mezzanines, are proposed in order to provide adequately sized dwellings. 3) building square footage: the project will not be as large as adjoining or nearby 3-story multi-unit buildings constructed prior to the current code limits and further, the proposed square footage is significantly less than what could be built in a typical RH zone; 4) parking standards: nine on-site parking spaces, three per unit, as required, will be provided for each lot.

William Shapiro, city resident stated his concerns about construction impacts, noting that when recent demolition occurred nearby, this resulted in a lot of dust kicked up and onto his property.

Chair Seville-Jones encouraged Mr. Shapiro to discuss his concerns to Director McIntosh and the applicant.

Chair Seville-Jones invited additional input; seeing none, closed the public hearing.

COMMISSION DISCUSSION / ACTION

Commissioner Thompson was seated at 6:11 pm; apologized for being late and stated that he has visited the site, read all materials and has no questions.

Chair Seville-Jones invited further comment from the Commission, seeing none she noted, based on the staff report and input received tonight, she concurs with the staff recommendation that the project meets all required requirements and findings and supports approval. **Chair Seville-Jones** called for two motions, one for each project.

It was moved and seconded (Seville-Jones/Burkhalter) to **ADOPT** the draft Resolution for 1823 11th Street, **APPROVING** the project.

ROLL CALL:

AYES: Burkhalter, Fournier, Thompson, Chairperson Seville-Jones
NOES: None
ABSENT: Morton
ABSTAIN: None

It was moved and seconded (Seville-Jones/Burkhalter) to **ADOPT** the draft Resolution for 1827 11th Street, **APPROVING** the project.

ROLL CALL:

AYES: Burkhalter, Fournier, Thompson, Chairperson Seville-Jones
NOES: None
ABSENT: Morton

ABSTAIN: None

F. DIRECTOR'S ITEMS

Director McIntosh updated the Commission:

- **Downtown Specific Plan (DTSP).** On August 9th, the Coastal Commission conducted a hearing and approved the City's Downtown Specific Plan coastal amendment; however, with 27 modifications, some of which are major policy issues that have not yet been resolved by the City. City Council directed staff to prepare a resolution rejecting the Commission's decision, with corollary direction to also draft an ordinance - similar to the urgency ordinance adopted in the summer – that will re-establish four major land use/zoning issues that were addressed in the DSP (not allowing professional offices on the first floor, having maximum square footage for different tenants without use permit, allowing veterinary and optometry uses on the first floor with active window displays, and regulating outdoor dining on second floors). On October 16, a permanent ordinance will come back to Council that would replace the urgency ordinance and re-establish policy for these zoning issues.

Director McIntosh further explained that two issues that the Coastal Commission imposed on the City's DTSP were regulations for short term rentals and policies and analyses related to sea level rise. The City is currently proceeding with its own short term rental review process. As directed by City Council, Staff will take up the issue of sea level rise over the next two years. The Council really felt that the main substance of the DTSP can be retained as an advisory policy document that staff can refer to, to guide development in the Downtown.

The Commission briefly discussed short term rentals (STRs). Commissioner Burkhalter commented that he viewed the Coastal hearing and heard the Commission's rationales for its position regarding STRs but at the same time, understands that in the courts, cities are winning the ability to ban or regulate STRs. Director McIntosh noted that the City is confident its plan to regulate STRs is within its legal jurisdiction but this subject will also be discussed by the Council at its October 16 meeting. Currently the City's Zoning Ordinance does not prohibit hotel type uses in commercial zones, but the City doesn't have a mechanism to facilitate the registration and operation of STRs. However, this can be put into place and may be the first step taken by the Council. The discussion about allowing these rentals in residential zones is expected to take much more time.

- **Sepulveda Initiatives.** Director McIntosh advised that the Sepulveda Initiatives discussion is coming back to the City Council at its meeting on October 2nd. The Council asked for more information such as how other cities along PCH have permitted mixed uses and impacts of the proposed 40-foot height limit. Director McIntosh noted that the City Council may also have a discussion focused on senior housing within the context of the Sepulveda Initiatives although this topic was not part of the recommendations of the Work Group.

G. PLANNING COMMISSION ITEMS

- Commissioner Thompson asked about the status of the Sunrise Senior code interpretation appeal. Director McIntosh advised that she expects senior housing will be part of the Council Sepulveda Initiatives discussion. The Sunrise Senior project was originally filed as a Residential Care Facility - a use that is permitted on Sepulveda with a Use Permit. However, staff has determined that the proposed facility would be a residential use which is not permitted on Sepulveda. The Sunrise applications including the appeal of the Director's zoning interpretation and the original project application, meanwhile are pending, awaiting the conclusion of the Sepulveda Initiatives project.
- Chair Seville-Jones asked about the status of a small house variance application on Ocean Drive that was appealed by neighbors. Director McIntosh noted that this project was approved by Council with good discussion.
- Commissioner Fournier stated he wanted to clarify that he supports senior housing as part of a mixed-use development and he requested that this be clear in the materials being provided to the City Council when the Sepulveda Initiatives project goes forward. Director McIntosh noted that staff will make sure this is conveyed accurately. Commissioner Fournier further commented that the issues of increasing building height and mixed use are very important issues and they were supported by the Working Group, a very

knowledgeable and diverse representation of the community. He feels strongly that all public input be taken into consideration include the Working Group and that expressed in the Commission hearings. He pointed out, for example, that there was a lot of public concern expressed at the first Planning Commission hearing about the proposed height increase, but this diminished significantly when staff provided more information and clarified that the proposed height standard would apply only to a limited number of properties on the corridor.

- Commissioner Burkhalter suggested that, if mixed-use is to be considered for Sepulveda, the City could further define or break down the definition of mixed-use, and regulate how various commercial uses are combined, not just commercial and residential uses. It may be a viable solution, for example to allow some commercial uses (e.g. specialty office or even medical offices) but limited to being located only above ground floor retail.

Director McIntosh responded that she expects that if the City Council is interested in new code definitions or regulations for mixed-use, then they would want the Planning Commission to work with staff in developing guidelines for such, and therefore the Commission would have a chance to contribute to that discussion.

H. TENTATIVE AGENDA – September 26, 2018:

3920 Highland - Use Permit and Coastal Permit for Mixed-Use building
2820 Highland – Historic Landmark Designation

- I. ADJOURNMENT -** The meeting was adjourned at **6:31 P.M.** to Wednesday, September 26, 2018 at 6:00 P.M. in the City Council Chambers, City Hall, 1400 Highland Avenue.

ROSEMARY LACKOW
Recording Secretary

SANDRA SEVILLE-JONES
Chairperson

ATTEST:

ANNE MCINTOSH
Community Development Director