

**MANHATTAN BEACH
PLANNING COMMISSION
MINUTES OF REGULAR MEETING
APRIL 29, 2020
(DRAFT)**

A. CALL MEETING TO ORDER

A regular, rescheduled meeting of the Planning Commission of the City of Manhattan Beach, California was held virtually via Zoom on the 29th day of April, 2020, at the hour of 3:07 p.m. Chair Burkhalter called the meeting to order, noting that this meeting, rescheduled from April 22, is the first virtual Planning Commission meeting which has been necessitated to accommodate stay-at-home orders due to COVID-19.

B. PLEDGE TO FLAG

C. ROLL CALL

Present: Fournier, Morton, Thompson, Ungoco, Chairperson Burkhalter
Absent: None
Others Present: Carrie Tai, AICP, Director of Community Development
Brendan Kearns, Assistant City Attorney
Angelica Ochoa, Associate Planner
Ted Fatuoros, Assistant Planner
Nhung Huynh, Participant Host
Drew Teora, Agenda Host
Rosemary Lackow, Recording Secretary (monitored meeting via livestream)

D. APPROVAL OF AGENDA

It was moved and seconded (Thompson/Fournier), and approved, that the agenda be unchanged.

E. AUDIENCE PARTICIPATION - None

F. APPROVAL OF THE MINUTES

4/29/20-1. Regular Meeting – March 11, 2020

It was moved and seconded (Thompson/Fournier), to approve as presented.

Roll Call:

Ayes: Fournier, Morton, Thompson, Ungoco, Chairperson Burkhalter
Noes: None
Absent: None
Abstain: None

G. PUBLIC HEARING

4/29/20-2. Consideration of an Application for a Use Permit and Vesting Tentative Parcel Map No. 82904 for Proposed Construction of Four Residential Condominium Units Located at 617 Aviation Way; and Make an Environmental Determination in Accordance with the California Environmental Quality Act (Cleland)

Chair Burkhalter announced the item and opened the public hearing.

Associate Planner Angelica Ochoa presented the staff report with a slide presentation and noted one late comment from Yimby Law, dated 4/28, regarding state housing laws. Ms. Ochoa stated she believed the rezoning of this and three other adjoining sites in 2003 from CG (General Commercial) was to encourage residential uses, consistent with nearby uses.

The Chair invited the applicant to address the Commission.

Howard Crabtree, 912 Architecture, project architect, emphasized that the use is compatible and will help the City increase its housing stock; he clarified the project will comply with fire life safety requirements for future solar panels.

Director Tai confirmed that there were no members of the public requesting to join the meeting to provide input; no other public comments have been received.

The Chair invited discussion by the Commission.

Commissioner Morton expressed his support of the project, with concurrence by all other Commissioners, in that it is compliant with all zoning standards, consistent with all findings needed to approve, will be an attractive addition to the City and will further housing goals by resulting in a net increase of 3 units.

It was subsequently moved and seconded (Morton/Thompson) to close the public hearing and ADOPT the draft resolution as presented, approving the subject Use Permit and Vesting Tentative Tract Map 82904.

Roll Call:

Ayes: Fournier, Morton, Thompson, Ungoco, Chairperson Burkhalter
Noes: None
Absent: None
Abstain: None

Director Tai announced that the motion has passed 5-0 and this decision is subject to a 15-day appeal period as provided in the Municipal Code.

- 4/29/20-3. Proposed Master Use Permits for 1) A New Commercial Building with a Personal Improvement Service Use and a Restaurant with Beer and Wine Service on a 13,168 square-foot lot at 1100 N. Sepulveda Blvd and 2) A New Commercial Building with a Credit Union and a Restaurant with Beer and Wine Service on a 24,494 square-foot lot at 1120 N. Sepulveda Blvd; both in the CG-D8 zone; and Make an Environmental Determination in Accordance with the California Environmental Quality Act (Kinecta Federal Credit Union)

Chair Burkhalter announced the item and opened the public hearing.

Assistant Planner Ted Faturos presented the staff report with a slide presentation, and concluded with the Staff recommendation that the Commission approve the two project Use Permits subject to conditions.

The Commission raised several questions and concerns regarding: parking and circulation plan; employee parking; traffic safety on streets surrounding the project; the responsibility for bearing cost of Sepulveda Boulevard and Manhattan Beach Boulevard intersection enhancements and related street improvements; and hours of the proposed restaurant use.

In response, Staff provided several clarifications: 1) The parking/circulation plan has been reviewed by the City Traffic Engineer; the number of compact spaces complies with the Code, however the Commission has the discretion to require changes to the site plan to address concerns; 2) Condition 29 prohibits employee parking on public streets and provides the applicant the option to require all employees to park in the lower parking level; 3) The applicant is requesting that Caltrans approve a curved radial (vs. a straight angles) design at both the north and south west, which is issue that will be worked out with Caltrans; 4) The responsibility for bearing costs of the street improvements adjacent to the site may depend on the timing of the work; 5) Mitigating conditions for traffic safety include turning restrictions both existing (Sepulveda/11th Street) and proposed (right turn only out of project driveway on 11th Street) and provision of a visibility triangle at corner of Sepulveda/11th Street); 6) The northbound curb lane on Sepulveda Boulevard will remain as a “through lane” beyond Manhattan Beach Boulevard and, south of 11th Street, the northbound curb lane has morning peak parking restrictions; and 7) The proposed restaurant hours are consistent with other similar restaurants on Sepulveda Boulevard.

Commissioner Thompson stated, and **Commissioner Ungoco** and **Chair Burkhalter** concurred, that he supports revising the parking plan, which may include eliminating one or more surplus parking spaces, as well as creating more space for cars to maneuver, suggesting that design options be explored such as redesigning walkways and/or wheel-stops. **Commissioner Thompson** also suggested adding a condition that will require the applicant to bear the full cost of the Sepulveda Boulevard street widening and related improvements. **Chair Burkhalter** stated that he would like to explore if the driveway on Manhattan Beach Boulevard can be moved farther East.

Chair Burkhalter invited input from the Applicant.

Louis Tomoro, project architect, gave a detailed presentation/overview of the project, emphasizing that Kinecta has invested much time and resources in exploring options for the site and they believe that this application represents the best solution both physically and economically. He highlighted the following: 1) The lower parking level is intended for employees; 2) The driveway and parking area has been located as far to the east as possible; 3) The compact spaces on the upper level are extra-long (18 feet) which was felt to be a good solution for placing them conveniently in the middle parking row; 4) Kinecta is seeking approval from Caltrans of a radial (vs. angled) corner cut-off at the northwest corner of the site in that they feel this will be more attractive as there will be less concrete pavement in the corner; 5) In the southeast area of the upper level, he believes a bigger turnaround area can be provided by making some revisions such as converting two compact parking to full-sized spaces; 6) In the lower level parking area, on the west end he believes a 27-foot turnaround area can be provided by moving the parking area 3 feet southerly; 7) He believes that requiring Kinecta to bear the cost of the street improvements would be a significant burden; 8) With the Caltrans improvement, a barrier will be installed in the median that will physically prohibit turns from southbound Sepulveda to eastbound 11th Street, and drivers approaching Sepulveda Boulevard on 11th Street will be forced to turn right which will enhance safety at this intersection.

Mr. Tomoro responded to questions/concerns from the Commission, noting: 1) On the west side of the upper parking lot, he believes it is feasible, in the southeast corner, to both replace individual wheel stops with a continuous curb; 2) He believes the middle row of compact spaces can be swapped with the full-sized spaces that are along the east property line; and, 3) It was his impression that the Sepulveda Boulevard widening project was already being planned between Caltrans and the City Public Works Department, and the applicant would not be performing this work; however he feels confident that this is something that can be negotiated with the City Public Works Department; and 4) In the lower parking area, he believes structural columns can be moved back at least a foot to also ease access to the parking spaces.

Commissioner Ungoco inquired as to how the corner cutoff (radial/angled) designs compare in terms of providing level walking area; **Mr. Tomoro** responded that both designs allow for a level walking surface although the angled option would a bigger expanse of concrete pavement.

Director Tai clarified that the dual left turn intersection improvement (MBB/Sepulveda) would commence with or without a proposed development on the subject site, and as such the funding would likely be shared between Caltrans and the City - the portion on Sepulveda Boulevard would be paid by Caltrans, and the portion on Manhattan Beach Boulevard, by the City.

Chair Burkhalter invited the applicant to provide input.

Keith Sultemeier, Kinecta CEO, stated that the main goal is to contribute to the community as Kinecta is a not-for profit institution, however this site has been very difficult; development and holding costs are very high and to be required to bear the full cost of the widening would be a significant economic impact.

Director Tai checked to see if there any members of the public joining the meeting who wished to comment - seeing none she checked and Mr. Faturus also confirmed that no other comments by phone or email had been received.

Chair Burkhalter invited Commission discussion.

The Commission unanimously expressed support based on specific changes to conditions in the draft Resolution that would require revision to the parking and circulation plan for the purpose of providing more conveniently located full-sized parking spaces and better circulation in both the upper and lower levels. **Commissioner Thompson** withdrew his suggestion that the applicant bear responsibility for funding the street improvements related to the intersection widening.

Director Tai summarized and the Commission confirmed, it directed to staff that the draft Resolution approving the project be modified to address the following: 1) For spaces on the west side of the upper surface lot, a continuous curb shall be designed and individual wheel stops shall be eliminated; 2) The applicant shall work with staff to improve maneuverability and turning at dead-end aisle areas, both in the upper lot (at southeast corner) and the semi-subterranean lot which shall include moving structural posts approximately 12-inches or to the degree feasible, to facilitate vehicles backing up; 3) The compact spaces proposed in a middle row of the upper lot shall be converted to full-sized and the full-sized spaces proposed along the easterly edge of the lot may be converted to compact-sized spaces; 4) Wherever feasible, compact sized parking spaces shall be converted to full-sized spaces; and 5) The applicant shall work with staff such that, to the satisfaction of the City Traffic Engineer, there is sufficient queuing capacity for cars entering the project at the Manhattan Beach Boulevard entrance, and in the event additional queue area is needed, the applicant shall shift the driveway to the east to accommodate greater capacity to the degree feasible while retaining all major elements, (including but not limited to trash enclosure) of the site plan.

It was subsequently moved and seconded (Thompson/Fournier) to close the public hearing and adopt the subject Use Permits in accordance with the draft Resolution, with revised conditions as summarized by Director Tai pertaining to parking and circulation for the project.

Roll Call:

Ayes: Fournier, Morton, Thompson, Ungoco, Chairperson Burkhalter
Noes: None
Absent: None
Abstain: None

Director Tai announced that the motion has passed 5-0 and this decision is subject to a 15-day appeal period as provided in the Municipal Code.

4/29/20-4. Sign Exception Allowing Off-Premises and Digital Signage at the Manhattan Village Shopping Center located at 2600 - 3600 North Sepulveda Boulevard and 1180 - 1200 Rosecrans Avenue (RREEF America REIT II Corp. BBB), in the Community Commercial (CC) Zone; and Make an Environmental Determination in Accordance with the California Environmental Quality Act)

Commissioner Fournier stated that he lives about 900 feet from the project site boundary and, in accordance with guidelines from the City Attorney, he does not have a conflict of interest and assures that he will act without bias.

Chair Burkhalter announced the item and invited Staff input.

Director Tai clarified Sign Exceptions, including this case fall under the category of “General Business” and they differ from “Public Hearings” in that public notification is not required.

Assistant Planner Ted Faturos gave the staff report summarizing the application; he noted that one late comment was received from Peter Gutierrez, Latham and Watkins LLC on behalf of the applicant.

Chair Burkhalter invited public input. The following persons spoke in support of the project:

Jason Giannantionio, project development manager, JLL, provided a project overview describing the proposal and noted the request is critical in meeting the expectations of retail consumers, and will create a revitalized sense of place and unique retail experience focused on the local community.

Greg Giordano, digital sign consultant, provided insight into the development of the sign package, emphasizing the overarching goal was to develop an appropriately scaled sign program consistent with the City’s refined beach lifestyle.

Chair Burkhalter, upon finding no additional persons wishing to speak and determining that no additional public comments were received other than one written communication already noted, invited Commission discussion.

The Commission discussed and unanimously expressed support, in that the proposed digital signs will: add substantial value, greatly enhance the retail experience for patrons; be important final element that will blend with the center; meet all applicable sign exception criteria; enhance the experiential aspect of the center and, encourage the site’s success in the existing challenging “brick and mortar” retail market.

It was subsequently moved and seconded (Thompson/Ungoco) to adopt the draft Resolution as presented, approving the Sign Exception subject to certain conditions.

Roll Call:

Ayes: Fournier, Morton, Thompson, Ungoco, Chairperson Burkhalter
Noes: None
Absent: None
Abstain: None

Director Tai announced that the motion has passed 5-0 and this decision is subject to a 15-day appeal period as provided in the Municipal Code.

H. DIRECTOR’S ITEMS

Director Tai reported the following Council actions since the last meeting in March.

1. The MB Post Use Permit Amendment approved by the Planning Commission in March has been appealed; a “de novo” hearing will be held by the City Council on May 5th.
2. Boards and Commission appointments/terms: She expects on May 5th the Council will extend Commission terms (set to expire May 30) and will keep the Commission informed.
3. COVID-19 remote City Hall operation: Staff continues to provide zoning guidance by phone and email and processing planning and development applications remotely. The Department is also working with other departments to develop a “reopening plan” for City Hall; however, this is expected to take some time and virtual Commission meetings will be conducted at least for the next couple of months.

I. PLANNING COMMISSION ITEMS

Commissioner Fournier commented on a letter received from YIMBY, about the condo project on tonight’s agenda; he strongly feels that the Commission needs to be educated on how new housing laws relate to the City’s policies and codes. **Brendan Kearns**, Assistant City Attorney, stated this is a priority by the City Attorney and Community Development Department but until a training session can be conducted, staff will provide guidance on a project by project basis. **Chair Burkhalter** believes that it is important for input provided to the Commission be carefully reviewed to ensure information is relevant and accurate.

Commissioner Thompson observed that a change in protocol started today for keeping a public hearing “open” continuously until a decision motion is made, worked well. He expressed appreciation for staff in facilitating the virtual meeting necessitated by COVID-19, and the Commission unanimously echoed that sentiment.

Commissioner Ungoco suggested that when residential development cases come before the Commission that Staff include in the staff report a statement as to impact to the City Housing Element.

Director Tai noted staff has noted comments tonight by the Commission relating to housing issues and will add “impact of the proposed project on the City Housing Element” to the checklist of matters that might be regularly addressed in staff reports. She also appreciates the Commission’s interest in housing issues, as the City will be preparing a revised Housing Element in the not too distant future.

J. TENTATIVE AGENDA – May 13, 2020. Director Tai noted no items are currently scheduled.

K. ADJOURNMENT TO – The meeting was adjourned 5:30 p.m. to Wednesday, May 13, 2020 at 6:00 P.M. via Zoom/virtual format.

ROSEMARY LACKOW
Recording Secretary

BENJAMIN BURKHALTER
Chairperson

ATTEST:

CARRIE TAI, AICP
Community Development Director