

**MANHATTAN BEACH
PLANNING COMMISSION
MINUTES OF REGULAR MEETING
NOVEMBER 18, 2020
(DRAFT)**

A. CALL MEETING TO ORDER

A Regular meeting of the Planning Commission of the City of Manhattan Beach, California was held virtually via Zoom on the 18th day of November, 2020, at the hour of 3:14 p.m. Chair Morton called the meeting to order and announced the protocol for participating in the meeting.

B. PLEDGE TO FLAG

C. ROLL CALL

Present: Thompson, Ungoco, Vice Chair Fournier, Chairperson Morton
Absent: None
Others Present: Carrie Tai, AICP, Director of Community Development
Talyn Mirzakhonian, Planning Manager
Brendan Kearns, Assistant City Attorney
Ted Faturos, Assistant Planner
Nhung Huynh, Agenda Host
Rosemary Lackow, Recording Secretary

Director Tai announced that Commissioner Burkhalter, as he has moved out of the City, has submitted his resignation from the Commission; until his seat is filled, there will four Commissioners to deliberate.

D. APPROVAL OF AGENDA

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

Roll Call:

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

Director Tai announced: motion passed 4-0

E. AUDIENCE PARTICIPATION - None

F. APPROVAL OF THE MINUTES

11/18/20-1 Adopt revisions to October 14, 2020

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

Roll Call:

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

Director Tai announced: motion passed 4-0.

11/18/20-2. Regular Meeting – October 28, 2020

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

Roll Call:

Ayes: Thompson, Ungoco, Vice Chair Fournier (except portion for 600 S. Sepulveda portion, for which he was recused); Chairperson Morton
Noes: None
Absent: None
Abstain: None

Director Tai announced: motion passed 4-0

G. PUBLIC HEARING

11/18/20-3. Proposed Master Use Permit for A New 162-room, 81,755 Square-Foot Hotel with Full Alcohol Service for Hotel Patrons and a New 16,348 Square-Foot Retail and Office Building; and Reduced Parking with 158 Parking Spaces at 600 South Sepulveda Boulevard; and Make an Environmental Determination in Accordance with the California Environmental Quality Act (MB Hotel Partners, LLC)

Chair Morton opened the public hearing and invited staff to make a presentation.

Vice Chair Fournier announced that he would be recusing himself from participating, making the following two points: 1) the basis for recusal is that he is a beneficiary of a trust at 448 Chabela Drive which lies within the 1,000-foot potential conflict of interest radius; and 2) as a point of order, he would like to reserve the ability and requested at which time he could, to comment, not on the merit of the project, but on some comments made in the October hearing portraying the legislative history behind the new Sepulveda overlay regulations – which he feels may be inaccurate.

Assistant City Attorney Kearns advised that such comments should appropriately be made in the “Commission Business” portion of the agenda. Vice Chair Fournier then recused himself.

Community Development **Director Tai** announced that project planner, Ted Fatuross will give the staff report, adding that the newly hired Planning Manager is present and available to participate.

Associate Planner Ted Fatuross summarized the staff report with the aid of a PowerPoint slide presentation covering: recap of October 14 hearing including a summary of the MUP request; modifications requested by the Commission, and then in more detail, issues including: parking ramp design (modified), architectural screening and neighborhood privacy, shade analysis, draft Resolution, proposed findings for approval (in Resolution); CEQA (environmental determination); public comments (both with packet/staff report and received late); and the Staff Recommendation to conduct the public hearing, adopt the proposed Environmental Determination, and adopt the draft Resolution, approving the subject MUP subject to conditions.

Planner Fatuross also noted public comments received including a 106-signature petition opposing the project; and those present to address any questions are both from the City (including Traffic Engineer Zandvliet and environmental consultant Michael Baker, and the Applicant team (including reps from consultant Kimley-Horn).

Chair Morton opened the floor to the Commission.

Staff responded to Commission questions as follows: 1) Staff is satisfied with modifications addressing traffic circulation which include: ramp redesign (re-sloped to 12% on outbound side ramp) which eliminates visibility issue of car-to-pedestrian traffic; relocation of a pedestrian walkway to the south and design for a raised median that can be constructed on Sepulveda (subject to Caltrans) between in and out-bound driveways which ensures sufficient car queuing space for cars going to the surface lots. 2) A door providing access to the parking garage adjacent on the north side (on another private property) as shown on plan sheet 10, has been provided as a convenience to the commercial property to the north and the Applicant can address further if needed. The concern is that this type of building access may be something the Commission may want to restrict with a condition in the Resolution. 3) the Applicant has not yet submitted a site Master Sign Program but this would come later and would be a staff level approval unless they request more signage than allowed in which case, they would need to secure a “Sign Exception”.

Chair Morton invited the Applicant to address the Commission.

Jan Holtz, applicant representative, stated that the project is strongly supported by both residents and businesses and will: 1) **be a better design** with proposed changes; 2) **fulfill the mission** of the Sepulveda Working Group and City Council's vision; 3) **help meet City goals** of the general plan and zoning code - for a balanced mix of special (e.g. a hotel) and non-commercial residential land uses that will meet the needs of residents and businesses, by providing goods and services for the regional market; 4) **bring significant benefit**, economically locally both indirectly - to other businesses - but also, substantial City revenues including transient occupancy and property taxes, development fees, and the school district will also receive a substantial development fee; 5) **not have a significant traffic impact**, as the traffic impact analysis (TIA) shows a net downward change of traffic trips even while not taking credit from the prior El Torito restaurant trips nor taking advantage of additional offsets due to ride-sharing, employee use of public mass transit, bicycling, and the like; 6) **have sufficient on-site parking** in that the shared parking analysis shows that the proposed parking will be sufficient - for example, on weekends, when the use of the hotel will be highest, the office parking demand is low.

Mr. Holtz provided a rebuttal to a written public comment – stating that there are two inaccuracies in the commenter’s cited parking analysis – first, he believes a use code applied in that analysis, because it applies to a 300-room range hotel, is not representative of the proposed hotel which will have only 162 rooms, and therefore the claim that the hotel parking is inadequate is false and the Applicant stands by its submitted parking demand analysis. Secondly, he believes that a weekend rate of 1.55 spaces per room cited in the commenter’s arguments is also not appropriate in that it factors only occupied rooms, where the applicant analysis factored in the total number of rooms. Mr. Holtz also clarified that the exit door and stairway on the adjacent property is believed to be required for exiting the garage.

Architect Gene Fong, AIA, Axis Architecture, explained the Applicant’s conclusion that the east side proposed planting will sufficiently protect privacy of the neighbors and also be an effective buffer softening the building’s mass. When the building and landscape architects collaborated, they determined that “timber bamboo” would fan out and cover a lot of the 3rd floor within a short period of time. It was felt then, that the bamboo plus an architectural treatment would be excessive on the first three floors but the architectural screening would be justifiable on the 4th level. This they concluded would be a good compromise, on one hand this would enhance vision through window and natural light for the hotel guests, while on the other hand providing sufficient privacy to neighbors. With assistance from landscape architect Todd Bennitt who referred to Sheet 4 of the Landscaping Plan, Mr. Fong further explained that although the specs state that the bamboo will take 9 years to grow to 39 feet, that full growth would not be needed, because, given the steep natural northerly upslope, a good portion of the building along Chabela will be sunk into the ground. This gives the timber bamboo about six feet more of effective height that will be useful fairly early on for screening.

With no further questions, **Chair Morton** opened the floor to the public, advising of the applicable 3-minute time limit per speaker.

The following persons addressed the Commission in opposition to Commission taking action to approve the project for various reasons. (*) = submitted written comment. Bases for opposition include but are not limited to: disagreement with environmental determination, decreased property value, decreased quality of life impacts such as noise, traffic, visual, parking intrusion, etc.; public safety including increase in crime, inconsistent with existing neighborhood scale, insufficient time to review, construction impacts including cumulative with other active large projects.

Darryl Franklin, Tennyson Street, representing MB Poets (*)

Don McPherson, First Street (*)

Diane Wiseman, Tennyson Street

Boryana Zamanoff, Tennyson Street

Christine Mercer, Tennyson Street

Jim Mercer, Tennyson Street

Craig Neustaedter, Traffic engineering consultant representing Don McPherson

Doug Carstens, Attorney for MB Poets

Emily White, Tennyson Street

James Williams, Shelley Street

Kathy Clarke, Tennyson Street (*)

Kim Herrera
Lolly Doyle, Shelley Street
Robert Clarke, Tennyson Street (*)
Steve Rogers, acoustic consultant representing Don McPherson
Robin Charin, resident near Keats/Altura
Mark Ferris, husband of Robin
Suzanne Best, Shelly Street (*)
Victoria Plexico (*)
Julie Sanchez, Chabela/Shelley
Robert Goepp, Prospect
Nancy Best, Shelley St.
Rick McQuillin, Tennyson Street (*)

The following persons addressed the Commission in favor of the Commission approving the project:
Bases for support include but are not limited to: a desirable addition to the community, attractive design, and income that will be generated to the City. (*) = submitted written comment

Audrey Judson
Meg Lenihan (*)
Tim Kidder (*)

The following person addressed the Commission with questions:
Jonah Breslau, representing hospitality/hotel workers.

With no more persons in the queue to speak, the **Chair** opened the floor to questions from the Commissioners.

Commissioner Ungoco asked whether the Applicant would like an opportunity to respond to a couple technical challenges made by commenter Don McPherson and his technical consultants for acoustics and traffic/parking.

At **Director Tai's** suggestion, representatives of Michael Baker International (MBI) and Kimley-Horn, responded; both stood by their analyses as adequately evaluating potential noise and parking impacts.

Regarding noise (issues that excessive noise will be generated from roof HVAC and outdoor gatherings) the M.B.I. consultant asserted that there is expected to be 11, not 25 HVAC units as assumed by McPherson, and these will not be concentrated along the roof edge, creating an accumulated noise effect; further mitigating factors are: the units will be spread out across the entire roof; parapet walls will screen mechanical sound; improvements in technology have resulted in less noisy fans in the units (and there are far less nuisance complaints from residential/commercial interface) and, lastly the units will be at a much higher elevation than adjacent property living areas. Addressing concern for noise from outdoor uses, particularly the patio on the 3rd and 4th level - the MBI consultant opined that their study was conservative in its analysis in that they did not factor in noise attenuation that will be built in from the building itself – portions of the building by design that will block noise from emanating to the residential community. When that is factored in, noise levels from people speaking on the patio will actually be anticipated to be reduced to about 8-decibels, which is very quiet.

Chair Morton redirected to **Commissioner Ungoco's** question about the calculation of parking demand for the restaurant use.

Associate Planner Faturos clarified that the common term “restaurant” is open to the general public who could order and consume food and beverages on the premises; but this is not the case here, because the “restaurant” is an ancillary hotel use not open to the general public (see condition of approval in the resolution requiring that alcohol cannot be ordered or consumed by anyone other than a hotel patron). So, the restaurant, because it is not open to the public, and does not create any additional vehicle trips, is not calculated in the parking analysis. Should the applicant in the future want to add a public accessed restaurant, on the 4th or ground floor, an

amendment to the Master Use Permit, with a public hearing and amended/new parking/traffic analysis, would be required.

Chair Morton closed the public hearing and opened the floor to Commission discussion.

COMMISSION DISCUSSION

Commissioner Thompson, thanked the residents then stated he has read all correspondence, listened to all testimony and emphasized that he does not believe the decision is revolves around revenue. He believes the project appears too massive, especially from Chabela and it can be better and enhance privacy - if all rooms on the 4th floor facing east (amounting to 13, or 8%) are removed.

Commissioner Thompson also suggested for discussion, that the following new conditions be imposed: 1) architectural screening (of better quality) be added in addition to landscaping, for all 2nd and 3rd floors windows facing residences; 2) to create an effective buffer - trees, possibly mature be planted along Chabela, and is concerned that the 3-foot planter strip is not sufficiently wide. 3) all employees, guests and visitors must park onsite at all times; 4) car rental companies to be prohibited from maintaining or storing cars onsite; 5) the access door on the north side, unless required for safety, security be disallowed - the intent being to prevent someone from another site from utilizing the door to access parking on the hotel site.

Commissioner Ungoco stated his chief concern is privacy to and from the hotel rooms on both the east and north sides where facing residential and that adequate screening should be provided from “day one” for all applicable floors and he is disappointed in the proposed architectural screening – he had thought the design might be more innovative. He is satisfied, though, that the sign program will be appropriately reviewed in the future.

Chair Morton thanked the public for their feedback and noted that as Commissioner, his job is to ensure that the project: meets the applicable guidelines and codes, and is consistent with the goals, policies of the General Plan which come from the City Council with community involvement. He does not feel he has the latitude to design or modify the project significantly. He feels Commissioner Thompson’s points are well taken, but his own positions are: 1) he cannot support **removal of rooms**: recalling that the 40-foot height limit was thought by the Corridor Working Group to be critical in making the projects on large sites economically workable. He believes requiring this would excessively negatively impact the financial dynamics of the project and also is not needed for privacy; 2) **architectural privacy screening**: he feels the applicant has made a good faith effort to balance internal natural light access for the hotel rooms with the external need to provide screening for resident privacy: the overall concern is well-founded and valid, but, and believes his position is reinforced by the line-of-sight analysis which demonstrates the 4th floor is shown to be critical in needing architectural screening, but diminishes on the 3rd and 2nd floors; 3) he sees **restricting car rental operations** as appropriate on the basis that on-site parking should be available for the patrons using the site; 4) he does not support **removal of side access** to the parking garage: as in reading the traffic study, he concludes that it is needed to make circulation and access for the entire site plan work and would have a material adverse impact; 5) he’s not completely against **widening of the Chabela planter strip** to enable larger more substantial trees to be planted, but has concern that doing so could trigger other challenging effects on the project. He believes bamboo will be an effective privacy screen because it grows uniformly.

The Commission deliberated on the points made; **Commissioner Thompson** stating that he did not feel that the 40-foot height limit was a guarantee for hotel projects in the Overlay and suggested that there could be a design solution where only one row (13 rooms) directly facing the east on the 4th floor were to be removed – this would provide more buffer; he doesn’t think this would impact the hotel significantly and would go far in mitigating bulk and privacy.

The Chair reiterated his points adding that under the corridor standards, a much bulkier project was possible, and invited **Commission Ungoco’s** thoughts.

Commissioner Ungoco agrees with the Chair that removing 13 rooms could be a significant financial impact, but thinks the “bottom line” relates to the overlay regulations which he acknowledges were

developed by other groups and the City Council; therefore, his job is more to look at how the regulations are being **applied**. He advocates focusing on the screening; he believes that the 4th floor is still a problem.

Chair Morton expressed his agreement with **Commissioner Ungoco**. **Commissioner Thompson** reiterated that: 1) removal of the rooms mitigates bulk as well as privacy; 2) having the 4th floor rooms as proposed puts a burden on the residents to build up a 2nd story in order to maintain privacy; 3) the City is not obligated to approve the 40-foot height; and, 4) he does not believe he can make the finding of a use permit unless the east elevation of the building is mitigated for bulk and privacy.

Commissioner Ungoco noted he feels analysis is missing that would demonstrate the sight lines **with** architectural screening in place - this might show to what degree this would impact natural light coming in to the rooms and then to what degree resident privacy would be improved.

Jan Holtz, applicant representative, addressed the suggested room removal, stating this would be an extreme and unnecessary, in that the combined width of the building setback from property line provides an adequate buffer, which, with the setback on the opposing properties, totals 55-60 feet and there are other options including planting larger plants; also removing the rooms would leave them with an undesirable single loaded hotel corridor. There are many ways to obscure the view for the residents, deferring to the architect who noted the density of the proposed louvers is created by 2x6's spaced a foot apart; this could be increased or changed to 2 x 2's, six or four inches on center. However, there is still concern that doing such would overly darken a room, and he feels that the bamboo is a better solution.

Kevin Sund, Axis Architecture, stated that it is very challenging to create a diagram that would singly demonstrate the effectiveness of the screening, but they felt that the 2x6's would be generous, but this can be studied further as the more you extend the louvers in size the more the sight lines it obscures. Further the louvers can be applied strategically at each level so that the angles are not as favorable to looking down into other areas. He suggested that the Commission also look at the long-term growth and development trends and in five or ten years its is possible that neighbors single story homes will be replaced with 2-story homes and possibly trees can be planted on the opposite side of Chabela.

Commissioner Thompson acknowledged that the applicant's point about not wanting to create a single loaded corridor is important – he agrees, however he inquired as to whether the architect can still create a double-loaded hallway by re-orienting the rooms which could be both a benefit for privacy as well as creating articulation along Chabela.

Jan Holtz, complimented the suggestion but he hesitated to affirm that it would work – as this change could raise new challenges to the overall building design. The 20-foot setback on Chabela is intended to provide a buffer where the code allowed a zero setback above ground and below ground opens up the garage parking levels which provides a visual and visceral enhanced quality. If the main focus is the screening, they can provide other options.

Commissioner Thompson pointed out that while there is a 20-foot setback within that area, a sidewalk will be built but this is a common burden of a developer, and the planter width is very narrow.

Discussion focused back to bamboo, **Mr. Holtz** arguing that it is a perfect solution; **Commissioner Thompson** pointing out its possible shortcomings such as being a high water- consuming plant and the lack of more substantial street trees in the landscaping plan and **Mr. Holtz** rebutting he believes there are no trees that would be allowed in the 6-foot wide sidewalk space.

Commissioner Ungoco stated his confidence that the applicant can come up with a solution for screening on the 4th floor.

Director Tai, through the Chair, suggested that the Commission could agree on a specifically worded condition of approval, whether to increase the size of the screening or louver length, or angles, basically establishing objective criteria which staff will apply in working with the applicant – then if devised tonight, this would preclude the need to continue the hearing.

Responding to the **Chair**, as to whether he would support the project subject to such a condition, e.g.,

bolstering screening such that the first row of homes across from the project are not visible from the 4th floor – **Commissioner Thompson** indicated that he will not be supporting the project because of the narrow planter width and the lack of building articulation on the east elevation as these are important concerns of the neighbors and he feels this may set a precedent for other projects. Upon further questions, **Commissioner Thompson** stated he would want to see at least a 10-foot additional setback for the 4th floor, emphasizing that the 20-foot setback being described by the applicant is effectively not a setback but more of a 15-foot setback as some public improvements such as the sidewalk are actually on private property and, assuming the “sidewalk” will be 8-feet in width and this includes a three-foot planter, he does not see that as effective to mitigate building bulk. He will not be supporting the project without an additional 10-foot setback at the 4th floor.

The Chair discussed with Commissioner Ungoco where he (Ungoco) would like the discussion to go to address his concerns regarding screening. Focus on design and line-of-sight and best bang for the buck in terms of privacy mitigation towards the east and north and residential interior as well as yards.

Director Tai, as requested by the Chair, clarified her understanding of Chair Morton’s intent in defining the “first row” or specific properties/lots that the applicant would be required to screen for privacy, and, assuming that a hotel room patron could not see beyond the first home, which would adjoin Chabela at the “end cap” of the block, these would be the only properties that should need screening for privacy. Upon further discussion **Director Tai** acknowledged that although there are variations in the locations of homes on their lots, and height, the condition metric would be based on what existing currently - the first row would be the anchor for determining the baseline of effectiveness of privacy.

Commissioner Ungoco stated, with the **Director**’s suggestions his privacy concerns would be addressed.

Chair Morton proposed and confirmed with **Commissioner Ungoco** that he would support a motion approving the resolution with a modification requiring that the sight lines from the 4th story hotel rooms be blocked from the view of the first row of houses on Chabela Drive through additional architectural screening as determined by the applicant.

Chair Morton **MOVED TO** approve the resolution as written with a modification as stated that the screening be bolstered to ensure a lack of any visibility of the first story of the first row of houses on Chabela, clarifying that in case there is a second story house you don't want to have to block all the way up to that level.

Commissioner Ungoco questioned whether the Commission should address whether the applicant should be required to plant more mature plants (bamboo potentially) so the landscape screening is higher at project start-up.

Director Tai explained that this could be an added condition and incorporated into the motion by the maker, Chair Morton, or as a “friendly amendment” by Commissioner Ungoco.

Commissioner Ungoco stated he offers such as a “friendly amendment”.

Director Tai suggested procedurally that the Commission complete its discussion on the architectural screening for the 4th floor and then address the landscape screening and specify a growth target. The Director suggested condition wording that “the screening on the 4th floor to be bolstered to ensure privacy for the first story of the first row of homes starting on Chabela of that block” with added wording that “the screening would be subject to review and the satisfaction of the community development director”. **Commissioner Ungoco** stated this language is acceptable.

Turning to the landscaping condition, **Director Tai** noted that bamboo has a growth rate and, as confirmed by Ungoco, the goal is to shorten the period of time it would reach a desired height.

Commissioner Ungoco noted, from the plans, that if you go up 30 feet from the lowest point at Chabela/Tennyson, one gets to the 3rd floor, and so he thinks, (however unaware of increments of height that bamboo is purchased) the goal is to achieve privacy coverage at the 3rd floor in

six years.

Chair Morton suggested synching with the first modification and specify that the bamboo coverage by the certificate of occupancy be required to grow up to at least to a level where it provides **some** obscuring of the first row of houses for the first 10 feet of building elevation. He argued that you would get screening from the 4th floor completely and at the 3rd floor you'd have to have enough growth so that the bottom of that floor is blocked to the same degree as the 4th floor.

Commissioner Ungoco and **Director Tai** stated this is acceptable; the Director restated that the Landscape Plan would be amended to provide for bamboo planted along the east elevation that achieves a height up to the 3rd floor plate height.

Chair Morton and **Commissioner Ungoco** were in agreement with the restated condition.

Director Tai clarified that the condition would be enforced when the building is ready to be Occupied and this would be accomplished by the Building Official who would not issue a Certificate of Occupancy (C of O) until the compliance is demonstrated.

This being acceptable to both the **Chair** and **Commissioner Ungoco**, Chair Morton made a new motion seconded by Commissioner Ungoco to adopt the draft resolution approving the subject Master Use Permit for A New 162-room, 81,755 Square-Foot Hotel with Full Alcohol Service for Hotel Patrons and a New 16,348 Square-Foot Retail and Office Building; and Reduced Parking with 152 Parking Spaces at 600 South Sepulveda Boulevard; and Make an Environmental Determination in Accordance with the California Environmental Quality Act (MB Hotel Partners, LLC), with two added conditions:

- 1) The 4th floor architectural screening shall be bolstered to ensure privacy for the first story of the first row of homes on Chabela drive to the satisfaction of the Community Development Director; and,
- 2) The size of the proposed bamboo on the east elevation of the hotel shall be demonstrated to have achieved a height up to the 3rd floor plate height prior to issuance of a certificate of occupancy.

Roll Call:

Ayes: Ungoco, Chairperson Morton
Noes: Thompson
Absent: None
Abstain: Vice Chair Fournier (recused)

Director Tai announced the motion passes 2-1; the appeal period is 15 days after the Commission decision; the decision is appealable to the City Council. Director Tai thanked all parties.

H. GENERAL BUSINESS

11/18/20-4 Discussion of Work Plan Items for Joint City Council/Planning Commission Meeting

Chair Morton announced the item and yielded the floor to **Community Development Director Tai**, who provided an overview and background. She noted that annually the Council holds a meeting with joint participation between it, the Planning Commission and the Parking and Public Improvements Commission. The meetings are an opportunity for the City Council to get together with all its advisory bodies and discuss joint goals. The Planning Commission's work plan is largely dictated by private applications and review of policy documents like the Housing Element or drafting ordinances like the one this year on Accessory Dwelling Units (ADU's) and training.

At approximately 6:33 p.m. Vice Chair Fournier was confirmed to be present now and he rejoined the meeting.

Chair Morton welcomed Vice Chair Fournier back and Director Tai continued, stating that tonight the Commission has the chance to talk about what they will be discussing at the joint meeting.

Director Tai reviewed the status of 5 current (2020/21) Work Plan items: **1) Updated State Housing Laws and Housing Element:** status: a \$150k grant has been awarded the City to help pay for updating the Element for the 2021 – 2029 planning cycle, the Commission has received a training session on housing laws, and conducted three study sessions and a Commission hearing on permanent replacement Accessory Dwelling Unit ordinances; those ordinances (Muni Code and LCP versions) will be heard by the City Council at its January 5th meeting. **2) Sepulveda Corridor Planning Effort** – Initiative to modernize parking standards for the Sepulveda corridor: will be resuming progress. **3) Manhattan Village Mall construction:** no new use permits are pending that would be heard by the Commission. **4) Wireless Telecommunications Program:** the staff effort and scope of this item has evolved to focus more on public education and outreach on the authority of the city's discretion to permit these facilities. Staff expects its effort in the upcoming year to be on informing the Commission possibly with a study session. **5) Client Resiliency Program:** a joint effort coming from the Sustainability group in Community Development and planning division; will involve updates to the Coastal program and the Commission will have a role.

As to new topics, two have already been raised in Planning Commission meetings: 1) Holding public forums to provide info and respond to concerns about state level housing regulations such as SB 330; and 2) Review of the City's notification protocol for land use applications.

Chair Morton assumed the floor and invited the Commission to raise and additional topics.

Vice Chair Fournier asked if there would be any work on the General Plan other than the Housing Element and he feels that the staff needs some time to catch up - **Director Tai** expressed appreciation and noted that the Housing Element will be the main effort and beyond that the Climate Resiliency Program which will involve updating portions of the LCP, the General Plan, and the Safety Element in dealing with sea level rise (sometimes the updating of one policy document can trigger a requirement to update another). Another ongoing effort is the implementation of the Mobility Element. **Director Tai** expressed appreciation for concerns expressed by Commissioner Fournier as to the effect of vacancies in the Division and the pandemic, and alleviated concern by stating that the new Planning Manager who has joined staff very recently, will be introduced shortly, and a new Assistant Planner will be on board soon and Staff is managing work well.

Commissioner Fournier, speaking about the new discussion items, stated he greatly supports the concept of a "round table" for community discussion on planning issues, and he would like to see every part of the community have a chance to participate.

Director Tai understood the intent for participation, and believes it will be more of a listening and education forum as it appears that the market dynamics are such that solutions are not being found through the existing zoning ordinance. Staff intends to listen and provide information to help the public understand the bigger picture/issues.

Commissioner Ungoco asked if staff could educate the Commission with a brief overview of "affordable housing". Director Tai responded that staff can give a brief overview in a study session without designating this as a workplan item, adding that this could be raised as a part of the discussion regarding the Housing Element Update.

Chair Morton noted that the issue of notification has to do with whether the radius should be 1,000 feet or something else; Commissioner Fournier stated he feels that 1,000 feet should be the minimum radius as it is consistent with the distance for determining potential conflict of interest but in some cases, he feels the radius should be 5,000 feet.

Chair Morton assured that this topic would be added to the list of discussion issues for the joint meeting. **Director Tai** will internally assess the level of staff resources that would be needed and then develop a schedule and delivery date. The cost of doing the radius list of property owners is the responsibility of the applicants and staff would fold any change and effect on staff time into the Citywide annual fee study.

There were no members of the public present, wishing to comment.

I. DIRECTOR'S ITEMS

Director Tai made two announcements regarding staffing:

1. She introduced Talyn Mirzakhania, who joined staff last week as Planning Manager and who most recently worked for the City of Pasadena as Planning Manager; has a degree from USC and 15 years of experience. **Chair Morton** welcomed Talyn who stated she is honored and happy to work for Manhattan Beach, and looks forward to working alongside the Commission to realize the City's goals.
2. She announced **that Assistant Planner Ted Faturos** has been reclassified to be an Associate Planner. This promotion is well deserved especially as Ted stepped up during the vacancies and picked up a number of difficult projects and has done a phenomenal job. This is especially meaningful as Ted started out as an intern and Director Tai has seen how much he has grown and given back to the staff and community. **Chair Morton, Vice Chair Fournier and Commissioner Thompson** all heartily congratulated Associate Planner Faturos who returned his thanks.

Director Tai reported:

1. The City Council will be considering the permanent ADU Ordinance that was approved by the Commission at its January 5th 2021 meeting, however, in order to keep the interim ordinances (Nos. 20-0004-U, 20-0005-U) in effect while the permanent ones are being processed, staff has processed extensions which will be heard by the City Council on December 1st. The extensions will keep the urgency ordinances alive from December 15 to the end of the 2nd reading - likely the end of February.
2. The Kinecta Credit Union project approved by the Commission at the south east corner of Sepulveda/MBB is progressing; existing structures have been demolished and grading and building permits are expected to be issued soon.
3. The small office with roof deck approved by the Planning Commission (and appealed to Council) in 2019 at 1419 Highland is going to city council for a one-year use permit review that was imposed by the Council in the appeal hearing. There are no significant outstanding issues.
4. Staff is getting word from the County that much stronger regulations on outdoor dining are expected due to the number of cases of COVID going up. Staff is working with the business owners as much as possible to help them survive economically.
5. Director Tai wished everyone a safe and happy Thanksgiving.

J. PLANNING COMMISSION ITEMS

Vice Chair Fournier requested clarification on the guidelines for recusal on the basis of potential conflict of interest - to what degree can a Commissioner, in recusing speak on matters tangentially relating to the project that is the subject of recusal? Assistant City Attorney Kearns responded that when a Commissioner, a Councilmember, any other official recuses themselves, typically it's under the Political Reform Act or another statute that governs conflicts of interest that uses very broad language. Upon further discussion it was determined that since additional information was needed by the City Attorney, Vice Chair Fournier should contact the City Attorney directly to continue the discussion.

Commissioner Thompson raised two issues: 1) he acknowledged the contribution that Former Commissioner Ben Burkhalter made to the Commission, especially given his background as an architect; he will be greatly missed. Vice Chair Fournier joined in that acknowledgment. 2) Regarding the project heard tonight - he requested that when the project goes to the City Council, if the staff will identify his concerns as he voted against the approval. Director Tai noted that typically the reasoning behind a specific Commissioner's vote will be included in the minutes which are part of the background record of the project given with the staff report to the City Council. Commissioner Thompson requested that the staff report list some of the issues that the Commission or he had such that this can be read before the Council makes a decision on the project. Director Tai acknowledged this request.

K. TENTATIVE AGENDA – November 25, 2020

Chair Morton noted that the meeting will be cancelled due to the Thanksgiving holiday.

L. ADJOURNMENT TO – It was moved and seconded (Thompson/Ungoco) that the meeting be adjourned at 7:10 p.m. to Wednesday, December 9, 2020 at 3:00 p.m. via Zoom/virtual format. The motion passed unanimously 4-0 with a roll call vote.

ROSEMARY LACKOW
Recording Secretary

GERRY MORTON
Chairperson

ATTEST:

Carrie Tai, AICP
Community Development Director