

Traffic Engineer Zandvliet said nominations for succeeding Chair may be considered by the Commission.

MOTION: Commissioner Nicholson made a motion to appoint Commissioner King as Chair. The motion was seconded by Commissioner Fournier.

Traffic Engineer Zandvliet said the Commissioners may discuss this motion and also consider new Vice Chair position. Next in line would be Commissioner Delk.

MOTION: Commissioner Nicholson amended his motion to include appointing Commissioner Delk as the Vice Chair. The motion was seconded by Chair Lipps.

Ayes: Chair King, Lipps, Fournier, Delk, Nicholson.

Noes: None.

Abstain: None.

Absent: None.

At this time, Chair King assumed the Chair's responsibilities.

9/22/16-3 Consideration of an Encroachment Permit Appeal Amendment to Allow Retractable Awnings in the Public Right-of-Way – 117 Manhattan Beach Boulevard

Associate Planner Eric Haaland summarized the staff report and noted only two public comments were received.

In response to questions from Commissioners, Associate Planner Haaland explained that encroachments above ground typically require a minimum eight-foot clearance above floor/sidewalk. He noted there were no measurements in the photo simulation, but confirmed the awnings would not extend beyond the balcony railing. He added that any future alterations, such as an enclosure, would require City Council approval and a permit review.

Commissioners Lipps and Nicholson expressed concern over setting a precedent by approving the awnings, possibly motivating other businesses to request similar variances.

Commissioner Lipps inquired about the City collecting rent for commercial use of the public right-of-way, and referenced a previous staff report dated April 19, 2011.

Associate Planner Haaland said the rental arrangement is similar to establishments like Uncle Bill's that pay rent for commercial use of the walkstreet as outdoor dining, though the fee is low.

Chair King asked if the City would get an additional fee from The Strand House if the awnings are approved.

Associate Planner Haaland said the City would not because the fee is collected for the dining component only.

Commissioner Lipps questioned whether Uncle Bill's is required to pay rent, but not the Strand House for its balcony dining area that encroaches on City property. Associate Planner Haaland said he cannot confirm if rent is collected for Uncle Bill's.

Chair King asked about fire potential given the proximity of the heaters to the proposed awnings. In response to Chair King, Associate Planner Haaland said he cannot confirm the awning fabric or durability. Traffic Engineer Zandvliet and Associate Planner Haaland explained additional review would be required by the Building Division and Fire Department to ensure the awnings are built to code.

Commissioner Delk said he could foresee the business coming back to enclose the sides, which may open up additional issues.

Chair King said it would be difficult to enclose the sides and also pointed out a previous encroachment application for heaters at Rock 'N Fish.

Chair King opened Audience Participation.

There was no audience participation.

Chair King closed Audience Participation.

COMMISSION DISCUSSION

Commissioner Nicholson said the awnings will not provide any shade due to the height and angle of the structures. Upon a recent site visit he made, he believed the awnings would be obtrusive and detract from the aesthetics of the building lines. He further expressed concern over potential fire hazards and setting a precedent of approving encroachments. He would not be in favor of the awnings.

Commissioner Lipps said the awnings are elevated enough to not be obtrusive and noted aesthetics are a personal preference. He said the awnings would actually enhance the look of Downtown from a higher vantage point, adding more dimension. He said it would be more problematic if the awnings were on the first floor

Traffic Engineer Zandvliet remarked that the awnings can only be open during dining hours pursuant to existing codes.

Commissioner Delk said there is little that can be done to improve the aesthetics, but he personally would prefer something over his head when dining.

Chair King said the canopies could provide shade during different seasonal periods. He reiterated the awnings resemble a lid being put on a box, thereby not creating a massive encroachment canopy. He also does not want to speculate about future plans to enclose the balcony, nor what other nearby businesses might propose.

MOTION: Chair Lipps made a motion to allow The Strand House to move forward with the awnings as the City proposes. The motion was seconded by Chair King.

Ayes: Lipps, Fournier, Chair King, Delk.

Noes: Nicholson

Abstain: None.

Absent: None.

Traffic Engineer Zandvliet said the Commission's recommendation will be scheduled at the next available City Council meeting.

F. OTHER ITEMS

09/22/16-4 Monthly Revenue and Expenditure Reports: Receive and File

Received and Filed.

09/22/16-5 Commissioner Items

Commissioner Fournier asked if the agenda items may be rearranged to have Staff Follow-Up Items come before Commissioner Items. He explained that a Commissioner may have questions or comments regarding a staff follow-up item, which may then become a Commissioner Item.

Traffic Engineer Zandvliet said the Commission may discuss rearranging the order of agenda items and make a decision on how to proceed going forward.

Commissioner Fournier proposed to permanently reorder the agenda items under **OTHER ITEMS** to move Staff Follow-Up Items before Commissioner Items, starting tonight.

All the Commissioners agreed and proceeded to Staff Follow-Up Items.

09/22/16-6 Staff Follow-Up Items

Traffic Engineer Zandvliet said notices went out to residents on 13th Street between Church Street and Laurel Avenue notifying their eligibility for the expanded resident parking program permits. He also submitted the work order to post signs and reminded Commissioners the parking hours will be increased to four hours on Church Street.