

**CITY OF MAN HATTAN BEACH
[DRAFT] PLANNING COMMISSION
MINUTES OF REGULAR MEETING
JUNE 13, 2018**

(DRAFT)

A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 13th day of June, 2018, at the hour of 6:00 p.m., in the City Council Chambers, at 1400 Highland Avenue, in said City.

Prior to taking roll call, Vice-Chair Seville-Jones welcomed Planning Commissioner Richard Thompson, recognizing his career working as a planner in South Bay cities, including serving as Director of Community Development for Manhattan Beach until his retirement. Commissioner Thompson stated it is his honor to serve the city.

1. ROLL CALL

Present: Burkhalter, Fournier, Morton, Thompson, Vice-Chair Seville-Jones
Absent: None

Others Present: Anne McIntosh, Director of Community Development
Michael Estrada, Assistant City Attorney
Eric Haaland, Acting Planning Manager
Nhung Madrid, Senior Management Analyst
Ted Fatueros, Assistant Planner
Rafael Garcia, Assistant Planner
Rosemary Lackow, Recording Secretary

2. COMISSION REORGANIZATION

Vice-Chair Seville-Jones called for a motion to appoint a new Chair and Vice-Chair, in accordance with the City's adopted Boards and Commissions Handbook.

It was moved and seconded (Fournier/Thompson) that the Planning Commission be re-organized with Vice-Chair Seville-Jones serving as Chairperson and Commissioner Burkhalter serving as Vice-Chair.

ROLL CALL:

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

3. GENERAL BUSINESS (*reordered*)

Chair Seville-Jones announced that a request has been received from Sunrise Senior Living to reorder its General Business Item, moving the item up from number 7 to number 4, to enable Sunrise to request a continuance, with no discussion at this time. There being no objections, it was so ordered.

06/13/18-1. Appeal of the Community Development Director's Residential Land Use Determination that a Proposed Senior Citizen's Facility at 250-400 North Sepulveda Boulevard is a Residential Use and Not a Commercial Use (Sunrise Senior Living)

Ellen Berkowitz, representing Sunrise Senior Living, requested that its appeal of the Director's Determination be continued a month, or to the next Commission meeting, to enable Sunrise to work with Staff regarding potential zoning code amendments that could, if adopted, affect their site. It was subsequently moved and seconded (Burkhalter/Fournier) that the Community Development Director's Residential Land Use Determination be continued to the next regularly scheduled Planning Commission meeting of July 11th.

ROLL CALL:

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

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

5. APPROVAL OF THE MINUTES

06/13/18-2. Regular Meeting – May 23, 2018

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

ROLL CALL:

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

6. PUBLIC HEARING

06/13/18-2. Variance for a Remodel/Addition to a Nonconforming Home at 2801 N. Valley Drive (Powell)

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

Commissioner Fournier recused himself in that his residence is located within established boundaries of potential conflict of interest; he then left the chambers.

Assistant Planner Ted Fatuos presented the oral staff report, covering: the purpose of a Variance as provided by state law and findings required to approve, existing conditions and proposed development including proposed maintenance of existing setback nonconformities and proposed encroachment of a new garage into a required “reverse corner” setback, and description of proposed findings to support granting of the Variance, as recommended by staff. Mr. Fatuos explained that, in strictly applying the reverse corner requirement to this unusual neighboring lot configuration, without a Variance, there is an unintended result, in that the reverse corner setback would significantly decrease the amount of buildable area of the applicants’ property (creating a severe hardship), while at the same time, would not hinder light, air and privacy on the adjoining key lot, as anticipated by the code under normal lot conditions.

Assistant Planner Fatuos responded to questions of the Commissioners. In response to an inquiry from Commissioner Burkhalter regarding whether the application should be for multiple, versus a single Variance given development restrictions outlined in code section 10.68.030 (enlargement of nonconforming buildings). Mr. Fatuos explained that it is appropriate to apply a single Variance to the overall project, recognizing that the project was not eligible for a Minor Exception, and based on the lot’s physical conditions and practical difficulties inherent due to the fact that the project involved enlargement and a remodel, as opposed to a totally rebuilt residence.

PUBLIC INPUT

Chair Seville-Jones opened the public hearing.

Megan and Ray Powell, applicants, with a growing family, need a little more room and hope that the Commission will consider their application as both reasonable and an improvement which will allow them to stay in their neighborhood.

Bob Souva, project designer, clarified that: 1) the new garage will provide a 4-foot tall storage loft area above the parking level, with windows that will provide natural light and architectural interest and break up massing of the structure; 2) the garage location at the rear is the only reasonable place to build a conforming size garage and other than the encroachment into the reverse corner setback, the garage will be entirely conforming; and 3) while the existing yard nonconformities will remain for the residence’s remodeled first floor, the new second floor will conform to setback requirements.

Chair Seville-Jones closed the public hearing.

COMMISSION DISCUSSION / ACTION

Commissioner Morton stated that he strongly supports this application and believes it is a textbook example of a case where a Variance is needed to address constraints that present some significant practical difficulties such as the small lot size and spatial relationship in its adjacency to a triangular parcel. In brief discussion that followed, **Commissioners Burkhalter, Thompson** and **Chair Seville-Jones** stated their agreement; **Chair Seville-Jones** called for a motion.

It was moved and seconded (Morton/Thompson) to **ADOPT** the draft Resolution, **APPROVING** a Variance for a remodel/addition of an existing nonconforming home at 2801 N. Valley Drive.

ROLL CALL:

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

Director McIntosh confirmed that this “quasi-judicial” decision will be reported to the City Council at its meeting on June 19th.

Commissioner Fournier rejoined the Commission.

06/13/18-3. Variance and Coastal Development Permit for a Remodel/Addition of a Nonconforming Home at 2912 Ocean Drive (Strnad)

Chair Seville-Jones announced the item and invited staff to make a presentation.

Assistant Planner Fatuross first noted that staff has received one late comment (Lobner) which has been distributed and then made a detailed presentation with slides covering the following topics: background (nonconforming 689 square foot lot with existing 2-story 588 square foot home with multiple nonconformities); proposed construction (extensive remodel and addition of third story directly over existing stories and new balcony); and proposed findings to approve. Mr. Fatuross concluded that staff recommends that the Commission conduct the hearing, and approve the Variance and Coastal Development Permit subject to conditions in the draft resolution.

In response to inquiries from **Commissioner Thompson**, **Mr. Fatuross** explained 1) that the 2-foot access easement worked out between the applicant and the adjacent owner will have no negative visual impact in that the wall separating the two lots will appear as if is a normal property separation wall, but in fact the property separation wall will be located 2-feet into the northerly neighbor’s property; 2) condition 2 wording is in anticipation that, because of the structure’s age, during construction some nonconforming structural members may need replacement and upon field verification by staff, this condition would give Community Development Director the authority to administratively approve such structural replacements provided all other required variance findings continue to be met; and 3) the option to remodel and add the third story as opposed to requesting a Variance for an entirely new home was a choice made by the applicant and should the applicant have requested a full structure replacement, it may not have been detrimental to the proposal in that the net gain in 10-feet of height of a new third story may be considered relatively small when it is taken into account that the existing 2-story condition has existed since the 1930’s.

PUBLIC INPUT

Chair Seville-Jones opened the public hearing and invited the applicant to address the Commission.

Jeffrey Strnad, applicant, has owned the property since 2006. When his neighbor to the north (the northerly 67 feet of the original 30 by 90 lot) improved his property, they worked out an easement agreement that resolved encroachment and access issues between the two properties. He noted that he has worked with the staff over many months and eventually came up with the submitted plan which requests a variance. He described difficulties in trying to make the property more functional while still complying with codes, and he worked with planning staff for about a year to come up with this plan. He noted in particular, the narrow 23-foot lot width makes it impossible to provide a conforming two-car garage in addition to providing a conforming interior stair access to the upper levels. Mr. Strnad also emphasized that one of his objectives was to retain as much as possible the existing character of the home.

Mr. Strnad responded to questions from the Commission regarding possible construction options: in response to **Chair Seville-Jones** he explained that he chose to try to retain and remodel the existing home though very old because even under a 100% tear down/rebuild scenario, due to the small lot size, there would be great difficulty in designing a structure that would both have functional space and be in full compliance with all codes. In response to **Commissioner Thompson**, **Mr. Strnad** stated that he would prefer to rebuild an entirely new home if able to maintain existing nonconformities.

Chair Seville-Jones invited public input.

Bella Stavchansky, owner in the 2900 block of Manhattan Avenue, voiced objection to the Variance on the following grounds: 1) the existing building, due to its many nonconformities, with this amount of addition, should comply with the codes; 2) the applicant should have been aware when the site was purchased that future enlargement would be limited due to the lot's small size and doesn't think it's fair that the applicant would gain such a large benefit to the detriment of neighbors; and 3) the construction will have a significant impact on her westerly view which she would not object to if the project was compliant with codes.

Bret Lobner, lives on 29th Place, across from the subject site, and voiced objections on the grounds that: 1) it is a substandard lot and substandard building and as such shouldn't have a third story; 2) the lack of parking is a detriment to the neighborhood and enlarging the building will increase the need for parking; and 3) he does not believe that the required findings can be made in that he feels his is a grant of a special privilege and will be a detriment to the neighborhood,

Chair Seville-Jones closed the public hearing and invited the Commission to comment on the subject application.

COMMISSION DISCUSSION

Commissioner Burkhalter commented he felt this a very problematic request for two reasons; first, taken cumulatively, with so many and such significant degree of code discrepancy it's difficult to not see the Variance as a grant of a special privilege and second, the parking deficiency seems to potentially be a detriment to the area. **Commissioner Burkhalter** also noted he felt it highly likely that extensive demolition (which could potentially be replaced with conforming structure) may be needed to address substandard or deteriorated structural members or due to needed structural support of the new third level.

Chair Seville-Jones stated that, if this parcel is indeed a uniquely small parcel size, she might conclude that granting the Variance would actually not be a special privilege, in that the applicable development standards were written with much larger lots in mind, not to a lot as small as this case.

Assistant Planner Fatuoro responded to the Chair by stating that staff could not find a smaller parcel – that there are a small number of 30-foot by 30-foot lots but even those lots are considerably larger than the subject lot.

Commissioner Fournier commented that this small lot has been in existence for some time, and over that time, the codes have evolved to be more restrictive. He believes it is truly a unique site and questions if it would be right to penalize the lot for being nonconforming.

Commissioner Thompson indicated his support for the project in that it is a uniquely small parcel and he does not believe it will be an intensification of use in that the number of bedrooms will not increase, rather it will still be a one-bedroom home for one family. He believes that the findings can be met.

Commissioner Morton stated that while he sympathizes with concerns about the degree of nonconformity that exists, he supports the application in that the project will not be an intensification of use, it will be an attractive improvement to the neighborhood, and the difficulties of the small footprint make it practically infeasible to meet the current codes therefore warranting the granting of a variance.

Chair Seville-Jones noted that she likewise is sympathetic to concerns raised by neighbors. However she is supportive of the project in that she believes that it is, by virtue of its unique extremely small size, fundamentally consistent with the purpose of variances and in fact believes that the findings would still apply even if the owner chose to build the submitted plan as all new construction.

Director McIntosh opined that the findings if able to be made for a remodel, could also be made for new construction because the special condition of the very small lot size exists under both scenarios. **Director McIntosh** suggested that the Commission could streamline the Variance by basing the approval on an authorized building envelope as opposed to specific amounts of square feet designated on the plan as “remodel” or “new construction” as this can easily change during construction.

The Commission discussed the Director’s suggestion. **Commissioner Fournier** questioned whether proceeding as suggested would set an unwanted precedence. Upon discussing further, the Commission was in agreement to provide flexibility regarding the construction authorized by the Variance (allowing either remodeling or new construction throughout) as long as the public hearing were to be re-notified as an amended Variance application.

Director McIntosh informed the Commission that with re-notification, the application as proposed to be amended could be heard by the Commission on July 11th. She emphasized that the amendment suggested is to allow the applicant the option to build out the proposed floor plan either as all new construction or as a combination of new construction and remodeling.

Mr. Strnad, applicant, indicated that he would be open to having the Variance authorize all new construction and would commit to building out the plan exactly as submitted with his initial application. His plan is to work out the structural design after obtaining planning approval. However, he will be travelling the first half of July and cannot attend the July 11th Commission meeting. He would prefer to have the ability, if this is possible, to construct his plan either as a remodel or new construction.

Director McIntosh suggested as a way to proceed, to approve the Variance tonight to allow the applicant to start the demolition/removal process, but with condition 2 amended to allow the applicant, in the event that more extensive removals are needed after construction begins, to apply for a modification to the Variance, with fee waived, subject to public noticing and hearing, to allow new construction as opposed to remodeling of the existing building.

Chair Seville-Jones closed the public hearing and called for a motion that reflected the approach suggested by **Director McIntosh**.

It was moved and seconded (Morton/Thompson) to **ADOPT** the draft Resolution, **APPROVING** a Variance for a remodel/addition to a nonconforming home at 2912 Ocean Drive subject to revision of condition 2, to read as follows:

2. Replacement of structural members that have dry rot and/or termite damage during the construction process shall be subject to review. The Community Development Department shall verify that the structural members are damaged and shall:
 - i: allow the owner to replace the structural members without needing to obtain a Variance Amendment and/or Coastal Development Permit Amendment if the Community Development determines that all the required findings can still be met; or,
 - ii: re-notice the project as a Variance for new construction.

ROLL CALL:

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

06/13/18-4 Consideration of a Planned Development Permit Amendment to add Eating and Drinking Establishment Use with Beer and Wine Service to a Food and Beverage Sales Use Located at 1700 Rosecrans Avenue (Continental Development Co. – Mother’s Market)

Acting Planning Manager Eric Haaland presented the staff report, and gave an overview of the application noting that the subject site is regulated by a Planned Development Permit (PDP) and the subject proposal requires an amendment of the site PDP due to a change and intensification of use due to the addition of a dining patio with beer and wine service. **Acting Planning Manager Haaland** noted that three mature trees will be removed in order to construct a dining patio and the Commission may want to consider this in reviewing the request. He also noted that, even with the intensification of use the overall site will have five surplus parking spaces. Staff recommends that the Commission conduct the public hearing, and subject to input received, approve the application, subject to findings and conditions contained in the draft resolution.

In response to questions from the Commission, **Acting Planning Manager Haaland** informed that the pre-existing electric car charging stations do remain in the parking area and the draft resolution does not contain a condition that requires replacement of the trees that will be removed to construct the dining patio.

Chair Seville-Jones opened the public hearing and invited input.

PUBLIC INPUT

Bob Tarnofsky, Continental Development, applicant, provided an overview of the site and background, noting that some years ago, the site was converted from industrial (TRW) to a retail center and at that time building area was removed to accommodate parking required for retail uses. The property owner accepts all conditions of approval and, if the Commission deems appropriate, would be agreeable to replacing the mature trees being removed.

In response to an inquiries from the Commission, **Mr.Tarnovsky** stated 1) he does not anticipate any problems arising whereby patrons from Bevmo, may bring alcoholic beverages to the new patio because per ABC regulations, the dining patio will be fenced off and there is no history of such a problem for Bevmo over the last ten years, and 2) new landscaping will be installed around the dining patio.

There being no other speakers, **Chair Seville-Jones** closed the public hearing.

COMMISSION DISCUSSION AND ACTION

Chair Seville-Jones invited the Commission to comment on the subject application.

The Commission briefly discussed and unanimously stated support for the project as a desirable new retail asset for the community along the Rosecrans corridor, and positive aspects include the fact that existing electric vehicle charging stations will be retained, there will be a surplus of parking provided and new landscaping will be installed and this use will fill a space that has been vacant for some time.

It was moved and seconded (Morton/Burkhalter) to **ADOPT** the draft Resolution, **APPROVING** a Planned Development Permit Amendment to add an Eating and Drinking Establishment Use with Beer and Wine Service to a Food and Beverage Sales Use Located at 1700 Rosecrans Avenue, subject to a revision of conditions to include a requirement that the applicant shall provide as appropriate, new landscaping to enhance the patio dining area.

ROLL CALL:

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

06/13/18-5 Consideration of a Code Text Amendment to Modify Title 10 (Planning and Zoning) of the Manhattan Beach Municipal Code as it Relates to the Commercial Development in General Commercial (CG) Zoning District along Sepulveda Boulevard (City of Manhattan Beach) (Continued from May 23, 2018)

The Staff presentation was provided by **Senior Management Analyst Nhung Madrid** and **Assistant Planner Rafael Garcia**. **Analyst Madrid** first recapped the background and process of the subject proposed Zoning Text Amendment. She highlighted Council direction and adoption of an Interim Zoning Ordinance in 2017, the formation and meetings of the Sepulveda Initiatives Working Group, its recommendations, and finally, the review by the Planning Commission in April and May. Tonight staff has brought a revised draft resolution for Commission consideration, recommending amendments to the Zoning Ordinance related to commercial development standards along the Sepulveda corridor that reflect the Working Group recommendations as well as input from the Commission at its last meeting.

Assistant Planner Garcia followed with an overview focusing on the special flexible development standards being proposed under a Sepulveda D-8 Overlay, in the context of applicable key issues including building height, setbacks, and uses and features that are intended to be incentives for desirable development. He went over all aspects of the proposed amendments and highlighted some key provisions including: 1) two new parameters have been included for the eligibility criteria, including a minimum lot depth of 135 feet and minimum lot area of 20,000 square feet; 2) the rear “daylight plane” standard would be changed from a 45-degree to a 60-degree angle”; 3) the proposal would allow a change in use without a use permit as long as the change does not propose a conditional use, or an intensification either by type of business or by adding square footage and; 4) residential use would be permitted within the D-8 zone only as Mixed-Use, not a stand-alone housing project (including senior housing).

Assistant Planner Garcia displayed a graphic illustration showing comparative conceptual footprints of a maximum 33,750 square foot building on a typical 22,500 square foot site (150-ft by 150-ft) under scenarios of the current 30-foot height/45-degree daylight plane conditions, and the proposed 40-foot height limit and 60-degree daylight plane setback. **Assistant Planner Garcia** commented that the graphic shows that with the additional height, the number of stories would remain the same, but the actual footprint will be smaller as there will be a greater setback from adjacent residential properties intended to address privacy and other impacts.

Director McIntosh emphasized that no additional floor area would be allowed along with the increase in building height.

Director McIntosh also advised that staff will be including comments to the City Council regarding senior housing given that such an application has been filed for a Sepulveda site. She suggested that it would be helpful for the Commission to provide input on whether senior housing might be desirable as a stand-alone use on Sepulveda.

Assistant Planner Garcia concluded by stating the Staff recommendation that the Commission conduct the public hearing, receive testimony, discuss and adopt the submitted Resolution recommending the approval of the stated zoning code text amendments. The City Council will be considering the proposed amendments in a hearing at its June 19th meeting, and given that this is an accelerated project timeline, Staff will present the Planning Commission’s final recommendations verbally on that date. First reading and adoption by the City Council is scheduled for July 3, and following that, a second reading would be heard on July 17, with an effective date of August 18th. This fall, staff would process follow-up items, such as the review of parking and mixed use standards, with review by the Parking and Public Improvements Commission (PPIC) and/or Planning Commission.

Chair Seville-Jones opened the public hearing and invited public comment, requesting that speakers try to keep to 3-minutes.

PUBLIC INPUT

Robert Zwissler, resident in the 1100 block of 18th Street, and member of the Sepulveda Ad Hoc Working Group, noted that the group got along very well and they were able to discuss all issues and come to agreement. He felt that the Working Group did not object to encouraging offices and medical uses as part of a mixed-use project. He feels strongly that what makes the corridor a vital part of the community is that it provides local places (services, retail, etc.) for the community to interact and he is concerned that retail/service centers will be replaced by non-community serving uses such as large office buildings. He questions that the community needs more hotels, and supports mixed use provided it provides residential, as an opportunity to develop some entry-level housing. He supports the proposed development standards.

Jan Holtze, resident and member of the Sepulveda Ad Hoc Working Group with a real estate development perspective, believes that the main goal of the project is to find a way to incentivize mainly a limited number of what was described as “opportunity sites” and that mixed-use was supported as a way to possibly provide coordinated complimentary uses with less demand for parking and traffic. He noted that he felt the Committee realized that it may take some time to achieve desired results from zoning changes but believes that there is very real market interest for the relatively large “opportunity sites” on the corridor where development could bring about some very positive uses for the community. He doesn’t think there will be any big changes for lots, especially on the west side of Sepulveda due to long term small lot pattern of development. He noted that originally the height increase discussed was 45-feet and now 40-feet is recommended and he believes that any additional height will be helpful.

Bobak Nayebdadash, noted his family owns the vacant parcel at the north east corner of Sepulveda and Manhattan Beach Boulevard and read an email message sent just prior to this meeting, expressing his family’s support for the proposed recommendations to establish the D-8 overlay. He believes that the recommendations strike a reasonable balance in the community.

In response to an inquiries from **Commissioners Thompson** and **Morton**, **Mr. Nayebdadash** clarified that his family’s property is currently under a lease but he anticipates, in the future there will be an opportunity for the family to again occupy the property and approval of the proposed amendments could allow their site to be redeveloped to a higher and better use than as allowed under the lease.

Commissioner Fournier asked: 1) whether allowing residential on Sepulveda opens a door to “affordable housing” and does the proposed Ordinance define “affordable housing”? and 2) If lots are combined can more building area be achieved exponentially?

Assistant Planner Garcia responded by explaining: 1) the term “affordable” is set by the state, based on a percentage of County medium household income (as determined by Census data) and there is no reference in the proposed ordinance to “affordable housing” and 2) in combining lots the same formula for allowed BFA would apply as with separate lots.

In response to **Chair Seville-Jones**, **Director McIntosh** stated that most of the lots **south** of Manhattan Beach Boulevard on both sides of Sepulveda had a minimum lot depth of 135 feet. **Assistant Planner Garcia** explained that in coming up with the minimum depth and area parameters, staff looked at the original tract subdivision which created lots that were 150 feet deep by 50 feet wide. There is no consistent current lot depth due to great variability in the amount of lot taken for right of way dedications, but staff found many of the current commercial sites were comprised of three side-by-side 50-ft by 150-ft original lots (22,500 square feet total) and therefore a minimum lot area of 20,000 square feet was thought to provide a reasonable degree of flexibility.

Commissioner Burkhalter commented that the proposed minimum lot size makes sense for the D-8 Overlay but wondered if the minimum 4:12 roof pitch standard could be eliminated tonight along the entire corridor for all CG zoned lots. **Assistant Planner Garcia** pointed out that this could be accomplished but the regulation would still apply to other commercial zoning designations not along Sepulveda. A consensus was reached that the minimum roof pitch and parking location provisions be eliminated all along Sepulveda in the CG zone and not apply only as part of the D-8 standards.

There being no further questions of staff, the Chair invited the Commission to each express their initial thoughts on the proposed Ordinance.

Commissioner Thompson stated that he read all relevant reports and viewed meeting videos and complimented staff. He believes that Sepulveda as existing is a healthy corridor and caution should be taken in changing the zoning code, because such action can trigger changes in the type of development that occurs and existing small neighborhood businesses can be impacted. His initial comments on the proposed D-8 text changes were: 1) **D-8 boundaries**: should apply only to the east side of the corridor and should also expand to include the Manhattan Village Mall and the parking lot site to the rear that is owned by the City; 2) **Roof pitch requirement**: Supports eliminating for the entire corridor as suggested; 3) **Building height**: Does not support raising to 40 feet as he hasn't seen a compelling reason to do so; 4) **Use incentives**: supports for hotels but not for restaurants, commercial theaters or museums as he doesn't believe those are realistically going to be proposed; 5) **Residential use**: does not support any type of residential use, stand alone or as mixed-use projects and including senior housing because he believes that residential, having the highest market value will threaten to replace smaller desired retail and service businesses; he does not believe that the opportunity sites are large enough to design a "good" mixed use project with thriving commercial and residential, and doesn't believe in general that a major corridor is a desirable residential setting.

Commissioner Morton stated generally he supports the initiatives and proposed changes and specifically indicated: 1) **D-8 standards**: strongly supports minimum lot size and depth parameters; 2) **Residential use**: does not support replacing a retail center of diverse uses with stand-alone residential, including senior housing; 3) **Mixed-Use**: supports as residential over commercial and believes that this can be achieved on both sides of the corridor; 4) **Creating incentives**: supports incentives for theaters, high-end restaurants and museums; 5) **Building height**: strongly supports increasing to 40-feet as believes will add value that will enhance opportunities for uses other than medical and office buildings that are desired; 6) **Roof pitch requirement**: Supports eliminating for the entire corridor as suggested; **D-8 boundaries**: supports expanding to include Manhattan Village but supports including both sides of Sepulveda.

Commissioner Fournier, in general supports the proposed changes as a good framework to incentivize Sepulveda. He believes if there is no change, some pockets of the corridor will deteriorate. He supports all proposed changes.

Commissioner Burkhalter indicated: 1) **Roof Pitch**: supports eliminating across the corridor; 2) **Building Height**: would support considering less of an increase if a viable incentive, such as 36 feet; 3) **Setbacks**: supports as proposed; 4) **Mixed-Use**: supports only in combinations of types of neighborhood serving uses, e.g. professional/medical office over retail or services; 5) **Senior housing**: does not support on Sepulveda; either as mixed-use or stand-alone.

Chair Seville-Jones briefly discussed the boundaries of the D-8 overlay with **Commissioner Thompson**, who clarified that he felt that in general the lots on the west side were too small to meet the eligibility criteria. **Chair Seville-Jones** indicated she supports the proposed changes as well as eliminating the roof pitch and parking location requirement, with the following exceptions or concerns: 1) **Building height**: is not convinced 40-feet is needed and supports leaving at 30-feet or a smaller increase; 2) **Creating use incentives**: supports for hotels but does not see a need for restaurants, theaters and museums as she feels the latter two are impractical; **Mixed-Use**: believes caution should be taken in how the commercial is sized and is concerned that too often small commercial spaces stay vacant and is also concerned that allowing high density with smaller residential units may be undesirable for Sepulveda, so she does not support residential in a mixed-use project; **D-8 boundaries**: supports including the mall and lot behind and is leaning towards the staff proposal to include both sides of the corridor; and **Senior Housing**: believes that opportunities for senior projects are needed and believes that there is a form of senior project ("congregate care") that creates a self-contained community and she would support this as a possible use on the corridor.

The Commissioners further discussed the proposed D-8 overlay and standards.

Commissioner Fournier stated that he would be opposed to including the mall and the parking lot to the rear of the mall in the D-8 Overlay at this point in time as he believes this should be studied more. Director McIntosh indicated that the mall and satellite restaurants and banks are part of the Master Use Permit for that entire site, but the Fry's site is included in the D-8 Overlay.

Chair Seville-Jones suggested that the Commission proceed to discuss issues not in agreement, in an effort to arriving at a consensus, starting with building height. Discussion followed focusing on the proposal to increase height to 40 feet. **Director McIntosh** advised that the need to increase the height came from several potential developers and architects over the past few years, all consistently stating that, under the current height, either 22 or 30 feet was insufficient and that more height, 10 to 15 feet more, to allow an additional full story of building area.

Chair Seville-Jones indicated a concern that even though use permits would be required, there should be agreement that the uses targeted should be generally desired and that developers need to rely on and be able to anticipate the applicable standards.

Commissioner Thompson stated that he might be able to support 40 feet for hotels only. Discussion followed in which Director McIntosh clarified that the proposed 40-feet would apply to offices if included in a mixed-use project.

Chair Seville-Jones re-opened the public hearing.

Jan Holtze, Ad Hoc Working Group member, noted that the Group actually recommended an increase to 45-feet, explaining that while office buildings can be designed for efficiency more as a square configuration, hotels often have a different, long and thin configuration to accommodate double loaded room plans. The preferred height limit for the project to “pencil out” would be 45-feet, and less than 40-feet would be ineffective. Mr. Holtze concluded that he thought that only two or three sites on Sepulveda that could accommodate a hotel and if the additional height were to be only limited to hotels that may be reasonable and doing so would likely result in a project coming forward.

Chair Seville-Jones closed the public hearing and invited discussion.

It was agreed that the Commission proceed through the draft ordinance and see if consensus can be reached on each proposed text amendment. **Director McIntosh** clarified that as proposed “Mixed-Use” would be allowed in the form of a combination of residential and some other type(s) of commercial use however, the Commission could make a different recommendation.

The following straw votes were taken on each proposal:

- **Mixed-Use (Resolution Pg. 2: Regulation L-25)**
Split, 3 -2 in opposition of allowing residential uses in combination with a commercial use. Burkhalter, Thompson and Seville-Jones opposed based on concern that such projects may replace desired existing neighborhood commercial uses, that the corridor may not be a desirable location for residential and, that adding more residential uses could put an undue strain on infrastructure. Morton (specifically residential above neighborhood serving commercial) and Fournier in support based on the possibility that mixed-use could result in some entry-level housing or result in developments that add a walkable or more vibrant atmosphere on the Boulevard.
- **D-8 Overlay Creation (Resolution Pg. 3: list of sub-districts)**
Split, 4-1 in support. Morton, Burkhalter, Seville-Jones and Fournier in support of the Overlay boundaries as proposed with the addition of the Manhattan Village mall site (including the city owned parking lot to the rear). Dissenting vote (Thompson) opposed on basis that the west side of Sepulveda should not be included due to the pattern of relatively shallow lots.
- **D-8 Overlay standards (Resolution Pgs. 6 and 7)**
 - s. (minimum lot area and lot depth provision): 5-0 in support
 - s. D-8 allowed use I – High End restaurants: 5-0 in support
 - s. D-8 allowed use II – Hotel: 5-0 in support
 - s. D-8 allowed use III – Mixed Use Development (3-2) opposed (see L-25 discussion)
 - s. D-8 allowed use IV – Museums that meet the definition of Cultural institutions, provided accessible to the general public: 4-1 in support. The dissenting vote (Thompson) opposed on basis that a museum is not an appropriate use for the corridor.

- **D-8 standards (Resolution Pg. 7)**

t: Building height limit of 40-ft: Split: 3-2 opposed. Commissioners Burkhalter, Thompson and Seville-Jones opposed to allowing 40-feet within the entire overlay. Commissioners Morton and Fournier in support of up to 45-foot height limit. Commissioner Thompson supported 40-feet maximum only for hotels and only on the east side of Sepulveda.

u: Rear yard 60-degree daylight plane: 5-0 in support. The Commission felt it important that an impact study could be required to provide evidence that no impacts would result to adjacent residences.

v: Change of use, use permit waiver: 5-0 in support

Chair Seville-Jones called for a last straw vote on whether senior housing should be encouraged along the corridor. The Commission was split, 3-2 in opposition. **Chair Seville-Jones** and **Fournier** were in support for a “congregate care” type of assisted care type of senior housing to be allowed, consisting of a community of seniors (e.g. with shared meals) versus a collection of individual apartments. **Commissioner Morton** noted that his opposition to senior housing is only that he feels it would not contribute to the goal of making Sepulveda a more vibrant corridor and there are other areas of the city where senior housing would be more appropriate. **Chair Seville-Jones** emphasized that she believes that there is an urgent need for more opportunities not only for Manhattan Beach citizens who are seniors, but also for Manhattan Beach residents to have their elderly family members close to them. **Director McIntosh** explained that currently the City has a zone (RSC Residential Senior Citizen) subject to approval of a Zoning Map Amendment.

Director McIntosh announced that the subject proposed D-8 overlay will be on the City Council’s agenda on June 19 for a public hearing and staff will be recommending that the public hearing be continued to the first meeting in July. It was agreed that the Planning Commission would review the minutes for this meeting at its next meeting on June 27 and the approved minutes will then be transmitted to the City Council for consideration at its meeting in July at the continued Sepulveda public hearing.

7. DIRECTOR’S ITEMS

Update on Previous Planning Commission projects.

- Gelsons: the store is anticipated to open in November 2018
- Skechers: Staff is working with Hermosa Beach staff to develop a mitigation monitoring program through a private environmental consultant. The project is in plan-check.
- Manhattan Village Shopping Center: Phase 1 is under construction (Macy’s, CPK and parking structure) and “Village Shops” is in for conceptual review.

8. PLANNING COMMISSION ITEMS

Commissioner Thompson inquired as to whether there are any planned physical improvements in the right of way, so as to encourage private investment along the Sepulveda corridor. Director McIntosh noted that a number of initiatives are in the works through Caltrans and the Beach Cities Health District but she is not aware of any non-private funded projects for right-of-way improvements along Sepulveda at this time. Commissioner Thompson suggested that such would be a good possible future project that could be brought up at an upcoming City Council/Planning Commission meeting.

Commissioner Thompson also suggested that at some point in the future, the definition of residential mixed-use should be studied as to what would be compatible in the City. Director McIntosh noted that if mixed-use were approved for the D-8 overlay, a set of mixed-use standards would be developed.

Chairperson Seville-Jones noted that another topic that might be studied was enforcement of Conditional Use Permits noting that when the Commission imposes conditions it would be beneficial to understand which conditions are enforceable. Director McIntosh noted that this would be a good subject for the joint meeting.

9. TENTATIVE AGENDA – June 27, 2018

Approval of June 13, 2018 minutes

10. **ADJOURNMENT** - The meeting was adjourned at 9:43 P.M. to Wednesday, June 20, 2018 (joint meeting with City Council and Parking and Public Improvements Commission) at 6:00 P.M. in the Police/Fire Community Room, 400/420 15th Street, Manhattan Beach.

ROSEMARY LACKOW
Recording Secretary

SANDRA SEVILLE-JONES
Chairperson

ATTEST:

ANNE MCINTOSH
Community Development Director