

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE
CITY OF HERMOSA BEACH HELD ON JANUARY 21, 1997
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:04 p.m. by Chmn. Tucker.

Pledge of Allegiance led by Comm. Perrotti.

ROLL CALL

Present: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
Absent: None
Also Present: Sol Blumenfeld, Community Development Director
Michael Schubach, Planning Director
Sylvia Root, Recording Secretary

CONSENT CALENDAR

Howard Longacre, as a point of order, requested the December 3, 1997 Minutes, Resolutions P.C. 96-47 and 96-48 be pulled. He said the Commission should be concerned about its decisions, stating the City Council heard an appeal at its December 17, 1996 meeting without the legally-approved Minutes, and both Resolutions had already been heard by the Council. Director Blumenfeld responded the Council had received draft Minutes and Resolutions, along with the Staff Report. He said the final Resolutions were included in the Commission packets for final reading. Mr. Longacre continued to object to the Council hearing these items prior to final approval by the Commission. Mr. Longacre addressed the Minutes, Item #7, he said he had submitted a long letter on this subject of which the Minutes made no reference, objecting that neither the Commission nor City Council included letters in the Minutes. He requested his letter be included verbatim in the formal Minutes and the Minutes be brought back at the next meeting for recertification. Director Blumenfeld explained the Minutes were not a verbatim record, but were reasonably detailed. The letter is part of the record and was included in the Commission packets. Mr. Longacre said the written minutes are the only formal record maintained by the City, requesting this procedure be changed to include in the Minutes his name and the fact he had submitted a long letter. Comm. Perrotti agreed reference should be made to Mr. Longacre's letter and a summary included. Comm. Merl thought reference only was sufficient. The Commission discussed with Staff the possibility of including a summary of items received in the packets. Director Blumenfeld explained the City is required to keep an accurate description of occurrences of the meeting, but not required to keep a verbatim record.

Per Commission direction - summary of written communication from Howard Longacre: Howard Longacre submitted a letter critical of the hotel and parking structure. Letter is on file in the Community Development Department.

Jim Lissner said he had filed a letter of appeal after the applicant filed. His issue was not the storm drain. He said after the Council made its decision, and prior to today, a notice of

determination was filed with the County. He asked why Staff was bothering bringing these items back to the Commission, because it had no "say so" at all. Director Blumenfeld explained that unless there was a problem with the resolution, final Resolutions were brought back to the Commission for final reading, generally as a formality.

MOTION by Comm. Schwartz, Seconded by Comm. Merl, to **APPROVE** the December 3, 1996 Minutes with the addition of a listing of written correspondence received and part of the Commission packages.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Howard Longacre, referencing Resolution P.C. 96-47, said it was extremely important. It did not take into consideration the number of cars claimed to be in downtown garages and a Lot A parking structure development with county involvement in the development. He said the EIR did not address the excessive traffic flow on Pier Avenue, stating it did not meet CEQA requirements.

He compared Pier Avenue to the Redondo Beach Pier, requesting this Resolution not be approved. Director Blumenfeld explained the project analyzed in the Environmental Impact Report (EIR) was for one parking structure at Lot C. If another parking structure is to be developed, the County has requested they be considered in the process and another environmental analysis will be required. He also noted downtown traffic conditions were fully analyzed in the traffic study in the EIR. Mr. Longacre said the Commission was approving the level of density, reiterating the document was deficient.

MOTION by Comm. Merl, Seconded by Comm. Pizer, to **APPROVE** the following Consent Calendar item:

Resolution P.C. 96-47 certifying the final Environmental Impact Report for the Hermosa Inn Hotel project and City parking structure; adopting the mitigation monitoring program; adopting the finding and facts in support of findings as required by the California Environmental Quality Act and adopting a statement of overriding consideration.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Howard Longacre said this item discussed parking Lot C, stating the document should include a legal description as to where Lot C is, since people did not know where the lot was. Director Blumenfeld said the EIR provides a thorough description by boundary and street for Lot C, commenting the location was defined in the EIR, Staff Report and approved Resolution. Comm. Perrotti felt Lot C was sufficiently delineated during discussions and in the reports.

MOTION by Comm. Perrotti, Seconded by Comm. Merl, to **APPROVE** the following Consent Calendar item:

Resolution P.C. 96-48 approving a Conditional Use Permit, Precise Development Plan, Parking, and Vesting Tentative Tract Map No. 52158; and finding that the proposed conveyance of parking spaces in a City parking structure is consistent with the General Plan, all in conjunction with the proposed development of a 96 room hotel at 1300 The Strand and a public parking owned parking lot (Lot "C").

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

ORAL/WRITTEN COMMUNICATIONS

Howard Longacre asked if the Commission had plans to study to reduce traffic flow into the City and noise within the City. Chmn. Tucker said the Commission had not been directed by Council to look at traffic flow or noise levels, noting noise was required to be maintained below a certain db level. Mr. Longacre said the town was no longer a pleasant place to live.

PUBLIC HEARINGS

7. **CUP 96-13 – CONDITIONAL USE PERMIT TO ALLOW A PLANT NURSERY WITH OUTDOOR DISPLAY AT 1062 AVIATION BOULEVARD, LUCKY PLANTS.**

Staff Recommended Action: To approve said Conditional Use Permit.

Mr. Schubach said Staff found nothing unusual in the proposal and recommended approval of the application. He discussed the proposed landscaping and fencing with Commissioners.

Chairman Tucker opened the Public Hearing at 7:36 p.m. No one wished to speak, and Chmn. Tucker closed the Public Hearing at 7:36 p.m.

Discussion

Comm. Schwartz wished to assure the side area display did not deepen and obscure the first parking space. Director Blumenfeld discussed means to demarcate the parking area. Chmn. Tucker requested an addition to Condition #4 to include a requirement to remove any barbed wire from the fence.

MOTION by Comm. Merl, Seconded by Comm. Schwartz, to **APPROVE** CUP 96-13 with the addition of Conditions requiring any barbed wire on fencing to be removed and requiring demarcation of the parking area.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chairman Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

8. CUP 96-14 -- CONDITIONAL USE PERMIT TO ALLOW WOOD, MACHINE AND PLASTIC MANUFACTURING SHOPS AT 436 ARDMORE AVENUE

Staff Recommended Action: To approve said Conditional Use Permit

Comm. Merl excused himself from participation due to possible conflict of interest, since he owns property within the area.

Mr. Schubach said this was an existing shop. Older businesses without C.U.P.'s are required to obtain and C.U.P. within a two year period. The applicant is complying with this requirement. Mr. Schubach said the buildings and landscaping are generally maintained in good condition, resulting in standard conditions being included in the proposed Resolution. He discussed striped parking with Comm. Schwartz. Several complaints had been received from neighbors regarding noise.

Chairman Tucker opened the Public Hearing at 7:44 p.m.

Marvin May, applicant, 436 Ardmore Avenue, said the building has been legal and non-conforming for a long time. He said the noise complaint was from a neighbor that used to be a friend to the shop owner and "had had a falling out" resulting in the nuisance complaints. That person moved one year ago, with no complaints being made since that time. He asked why he had to obtain a C.U.P., noting it was cheaper to get a permit rather than hire a lawyer. Mr. May has a small area on site used for developing toys, with another portion being rented to a cabinet maker. No toys were produced on site. Comm. Perrotti questioned the hours of operation on Sundays with Mr. May, who said surrounding noise was much louder than that generated by the cabinet shop. He explained residents were well insulated from noise by the building construction.

No one else wished to speak, and Chairman Tucker closed the Public Hearing at 7:49 p.m.

Discussion

Comm. Perrotti suggested restricted hours of operation of Sundays from 8:00 a.m. to 5:00 p.m. Comm. Pizer objected to a change, stating the business had been at this location for years with no problems.

MOTION by Comm. Pizer, Seconded by Chmn. Tucker, to **APPROVE** CUP 96-14, as recommended by Staff.

AYES: Comms. Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: Comm. Merl

Chairman Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

Comm. Merl returned to Commission participation.

9. **GP 96-4/ZON 96-3 – GENERAL PLAN AMENDMENT FROM GENERAL COMMERCIAL (GC) TO MEDIUM DENSITY RESIDENTIAL (MD), ZONE CHANGE FROM C-2 TO R-2, OR TO SUCH OTHER DESIGNATION/ZONE AS DEEMED APPROPRIATE BY THE PLANNING COMMISSION, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION AT 64 10TH STREET.**

Staff Recommended Action: To continue to February 18, 1997 to expand the area.

Mr. Schubach said Staff recommended this item be continued to allow the area to the south and the east of the property can be included in public noticing and also be considered in the General Plan amendment. He presented alternatives available to the Commission. Director Blumenfeld said Staff was looking for direction on the extent of the General Plan amendment if the Commission believes one is in order.

Chairman Tucker opened the Public Hearing at 7:58 p.m.

Joseph Di Monda, applicant's representative, said the applicant agreed with the request for a continuance relating to the half lot just to the south of the site, but the lots on Hermosa Avenue are a different story, noting the denial was prior to the RU/DAT study. He showed photographs of the property with a beach cottage and no on-site parking, stating if the property were zoned residential, the owner would be allowed to develop the property to include four parking spaces. RU/DAT recommended the commercial strip on Hermosa Avenue be allowed to continue. The property would be large enough for retail uses. Mr. Di Monda urged the Commission to restrict the zone change to the subject site and half lot south of it.

No one else wished to speak, and Chmn. Tucker, with unanimous Commission approval, **CONTINUED** this Public Hearing to February 18, 1997.

Director Blumenfeld said commercial use of the strip would be an efficient use of the property, stating it was reasonable to maintain the 30' depth of commercial zoning similar to the

commercial frontage proposed in the City proposed parking structure. Comm. Perrotti felt this area could be used as offices or commercial.

By Minute Order, Staff was directed to maintain the Hermosa Avenue frontage as commercial zoning, and renote this item for the February 18, 1997 meeting.

10. **PARK 96-6 -- PARKING PLAN TO CONVERT A 1,100 SQUARE-FOOT RETAIL SPACE TO A TAKE-OUT RESTAURANT WITHOUT PROVIDING ADDITIONAL PARKING AT 506 PACIFIC COAST HIGHWAY #103.**

Staff Recommended Action: To approve said Parking Plan.

Mr. Schubach said Staff had concerns with parking, but the applicant has assured Staff the restaurant would provide only take-out business. Evening surveys have not been conducted, but during the day, Mr. Schubach experienced no parking problems.

Chairman Tucker opened the Public Hearing at 8:10 p.m.

Frank Hallstein, 524 Pacific Coast Highway, opposed approval of another restaurant, feeling parking currently was not sufficient and parking problems will increase. He said patrons of this center park in his lot and hop the fence.

Paul Aster, property owner representative, said there has never been a parking problem, with 18 spaces in front and 5 in the back. The owners and employees park on the street and do not park in the lot. The new restaurant will be a delivery service. Discussing ingress/egress and parking spaces with Comm. Schwartz, he did not feel two additional parking spaces would make any difference.

No one else wished to speak, and Chairman Tucker closed the Public Hearing at 8:20 p.m.

Discussion

Comm. Schwartz suggested this item be continued to allow Staff to conduct an on-site parking survey. Comm. Merl voiced concern with a policy requiring employees to park on the street rather than the lot.

Unanimous consensus of the Commission was to **CONTINUE PARK 96-6** to February 18, 1997. By Minute Order, the Commission **DIRECTED** Staff to conduct a study of the peak parking period and return with a recommendation based on the study results.

11. **VAR 96-3 -- VARIANCE TO ALLOW A REMODEL AND ADDITION TO A SINGLE-FAMILY DWELLING RESULTING IN A 13' GARAGE SETBACK RATHER THAN THE REQUIRED 17', AND OPEN SPACE WITH AN 8' WIDTH RATHER THAN 10' AT 544 GRAVELY COURT.**

Staff Recommended Action: To deny said Variance request.

Mr. Schubach said Staff recommended denial as a result of being unable to find the necessary Findings. Staff felt there was no exceptional or extraordinary circumstances, noting the 17' requirement was a means to keep parked cars from overhanging the sidewalk. The request was being made in order to obtain additional parking area. Current parking meets requirements. Comm. Perrotti referenced Resolution page 8.a, saying it should say "the subject site has no....", to which Staff agreed.

Chairman Tucker opened the Public Hearing at 8:30 p.m.

Jack Wood, 200 Pier Avenue, applicant's representative, presented a petition requesting approval signed by the five residents of Gravelly Court and said only four residents had entries on this dead-end street. He felt the narrow lot which travels uphill presented problems in providing open space as required, and the dead-end street with minimal foot traffic was reason for a Variance. He explained the applicants wished to have the balcony on the back and provide five parking spaces (four inside and one outside) with a 13' setback, which would align with the adjacent building. He said the street is only three lots long with five houses and four people entering on this street. The applicant did not wish to provide a turn around for vehicles, which the 17' setback would provide. The lot is only 37 feet wide, which is an unusual circumstance. The design considers the uphill lot rear portion and does not require additional shoring with a 13 foot setback, which is costly. This dead end street is an extraordinary circumstance, by itself. Mr. Wood said the circumstances were extraordinary and unusual, requesting approval of the Variance.

Claudia De Fries, introduced her husband, Langley DeFries, applicants, said they have a small lot and the laws make it difficult to achieve what they wish. She was concerned a 17' setback would become a turnaround for the street, which she felt would be a safety issue. She asked approval of the Variance.

Howard Longacre stated his support of this Variance request, saying the 17' setback does not apply in this case since there is no blocking of traffic flow and neighboring residents are not protesting the request. He said the City is driving people out and needs to think in another way.

Langley DeFries, applicant, said his driveway would be the only place for anyone to turn around, expressed concern for the safety of his children and property by anonymous drivers.

No one else wished to speak, and Chairman Tucker closed the Public Hearing at 9:00 p.m.

Discussion

Comm. Perrotti said a 17' setback was a requirement, commenting he had not heard anything to cause him to oppose Staff's recommendation. Comm. Pizer discussed the setbacks of the adjacent properties with Staff. Comm. Merl disagreed with making a Finding that this setback match the adjacent property, noting this exception would create future ones in other areas. Chmn. Tucker said the 17' setback provides an extra two parking spaces, determined 15.5' was the requirement

of a compact stall, and suggested a compromise of 15' in this instance, commenting he did prefer a 17' setback. Comm. Pizer felt it was an economic issue with the applicants, suggesting Staff work with the applicant. Comm. Schwartz felt most City lots were different and supported the 17' setback. Director Blumenfeld said Staff had reviewed this request and could not make appropriate Findings.

MOTION by Comm. Perrotti, Seconded by Comm. Schwartz, to **APPROVE** Staff's recommendation for denial of the request for Variance.

AYES: Comms. Merl, Perrotti, Schwartz, Chmn. Tucker
NOES: Comm. Pizer
ABSENT: None
ABSTAIN: None

Chairman Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

A break was taken at 9:05 p.m. Chairman Tucker reconvened the meeting with all Commissioners present.

12. CON 96-9/PDP 96-10 -- CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE PARCEL MAP #24545 FOR A TWO-UNIT CONDOMINIUM AT 665 6TH STREET.

Staff Recommended Action: To continue to February 18, 1997 meeting.

Comm. Merl removed himself from participation due to possible conflict of interest, since he owns property in the area.

Mr. Schubach said the revised plans addressed problems previously discussed. The only problems remaining is the driveway in the front and down the side of the property, which Staff felt excessive, and the open space not being accessible to the livable area. He discussed the revised plan and Staff's concerns with Chairman Tucker.

Chairman Tucker opened the Public Hearing at 9:25 p.m.

Elizabeth Srour, 1001 6th Street, Manhattan Beach, applicant's representative, asked the Commission keep in mind the specific location of this property, being next to a highway and commercial properties, with the exception of one house. The small lots are 104' deep, with a 4' grade. The location dictates a modest development, with the rear unit to be owner occupied. If the plans are changed, the property will have to be developed with two-story buildings. The proposed detached units will be 1400 and 1600 square feet, which is smaller than allowed. She discussed minor issues that had been addressed and plans revised. She said Staff's suggestions would force an entirely different type of development which might not be appropriate for this site. She said intensive landscaping would be used with a motor court allowing additional guest

parking. She described the proposed parking being provided resulting in seven parking spaces. Staff proposed five spaces. She explained the open space would be on the roof deck, providing a private outdoor living area. One feasible option would be to provide a loft area accessing the deck area. She felt the plans meet the spirit of the Code and asked for approval.

Mark Quintel, 1838 N. Valencia, Placentia, applicant, said he was not interested in a maximum build-out, preferring the detached privacy this plan provides. He felt Staff's recommendation would make the front unit difficult to enter and exit. He displayed materials to be used, confirming the driveway would have a pattern, and landscaping will be done with the 36" box trees in front. He said Staff's suggestions were considered, and the applicants had decided to keep the buildings on grade and on a smaller scale.

Ed Quintel, 1838 N. Valencia, Placentia, applicant, said having the garage doors next to each other would result in dialog between the unit residents. He preferred independent entries.

No one else wished to speak, and Chairman Tucker closed the Public Hearing at 10:05 p.m.

Discussion

Comm. Pizer asked for clarification of non-compliance, noting the applicants were presenting a life style preference. He felt this was a friendly design, stating he had no concerns about the open space area. Director Blumenfeld said the only outstanding issue was placement of the open space. Comm. Schwartz felt the open space issue was a big problem, suggesting a loft be considered as a possible solution. She felt more articulation of garage doors was desirable. Comm. Perrotti preferred to see Unit A's garage plan revised, wanting to see consistency on the street. He discussed Staff's recommendation regarding open space location with Director Blumenfeld. Mr. Schubach said the deck was not completely remote from the living area, as Staff has seen in other applications. Director Blumenfeld said that with the current project open space, the plans met all zoning requirements. Comm. Perrotti requested the hours of construction be included as a Condition. Chmn. Tucker discussed the curb cut with Staff and possible deck location with the applicants.

MOTION by Comm. Pizer, Seconded by Comm. Perrotti, to **APPROVE** CON 96-9/PDP 96-10 with the addition of Conditions requiring the laundry room door be changed to a window and hours of construction shall be those approved by the City.

AYES: Comms. Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: Comm. Merl

Chairman Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

Comm. Merl left the meeting due to illness.

13. CUP 96-17 -- CONDITIONAL USE PERMIT MINOR AMENDMENT TO ALLOW GENERAL AUTO REPAIR IN ADDITION TO "SMOG CHECK" SERVICES AT 303 PACIFIC COAST HIGHWAY.

Staff Recommended Action: To continue to February 18, 1997 meeting.

Mr. Schubach said Staff recommended a continuance and the applicant had requested a continuance this evening due to the fact that he and his wife had been in an accident on the way to this meeting. His wife was currently at the hospital.

Chairman Tucker opened the Public Hearing at 10:15 p.m. No one wished to speak, and with unanimous consent of Commissioners present, Chairman Tucker **CONTINUED** this item to the February 18, 1996 meeting.

14. CUP 96-18 -- CONDITIONAL USE PERMIT AMENDMENTS FOR A RESTAURANT WITH ON-SALE ALCOHOL AND OUTDOOR SEATING: 1) TO ALLOW TWO BAR SERVICE AREAS NOT PREVIOUSLY IDENTIFIED ON PLANS AND 2) TO ALLOW AMPLIFIED MUSIC ON THE ROOF-TOP SEATING AREA, AT 2, 4 & 8 PIER AVENUE, HENNESSEY'S TAVERN.

Staff's Recommended Action: To approve said Conditional Use Permit amendments.

Director Blumenfeld said the project had been approved with the provision that changes be made to the plan submittal to eliminate bars in the expansion area and roof deck. These required changes were made by the applicant. One outstanding condition included review of in-lieu parking fees and City Council approved waiving the fees at their previous meeting. Staff noted discrepancies between the construction and plans including bar areas and roof-deck speakers not previously approved. He noted that the business is a model use for the area and one of the best revitalization projects in the downtown. Staff had not received complaints about the project. Therefore Staff was recommending approval of the subject amendments. One letter of complaint was received which seemed to address the issue of historical noise in the downtown rather than noise from Hennessey's Tavern. Director Blumenfeld detailed Staff's recommendation to amend Conditions #7 and 9.

Chairman Tucker opened the Public Hearing at 10:25 p.m.

Paul Hennessey, applicant, said there was a Condition stating noise cannot be heard from The Strand within 100 feet. He said it was his understanding that live entertainment was restricted; not background music. The sound control was in a locked office with only management having control. Director Blumenfeld said the referenced Condition was #11, reading it to the Commission for clarification. Mr. Hennessey said the speakers were in the eaves, pointed down and inward. He said people were on the deck for the view and food, not the music. He said the

plan submitted clearly included a bar because customers could not be serviced from one bar. He said it was not a sit-down bar; strictly a service bar.

John Berghorn, Hermosa Beach, stated his support for approval, noting the upper deck had a service bar with no sit-down area. He felt no one would be disturbed by the music.

Howard Longacre, Hermosa Beach, said he did not have a problem with this particular business, but objected to approvals being given and then exceptions made and approved. He called this "creeping expansion" resulting in high noise levels in the downtown area. He said the City has not CUP enforcement and strongly objected to the parking fees being waived, commenting that what was good for business was not necessarily good for the City. He asked that CUP's be enforced and commented that several letters were in the Commission packets which opposed approval.

Jim Lissner, 2715 El Oeste, said the Commission had rejected submitted plans at its November 1995 meeting, but in February 1996 the plans were approved which included a lunch counter and bussing station, with no amplified music upstairs. He said a private citizen, not Staff, had discovered the discrepancies. He said the Commission could send a clear signal by denying this amendment.

Rebuttal

Paul Hennessey responded the parking funds were derived from the Downtown Parking Commission and was money set aside for the purpose of helping downtown area businesses.

No one else wished to speak, and Chairman Tucker closed the Public Hearing at 10:47 p.m.

Discussion

Comm. Perrotti said his main concern was sound controls, which had been clarified. He felt the upper deck music could be maintained at a lower level than that downstairs and inquired about how the discrepancy was identified. If control is not maintained, it could be a problem. Noting the confusion surrounding the lower bar, he said from the beginning this has been a bar area. The upper bar was to be a service area. He supported approval of the amendments. Responding to Comm. Perrotti, Director Blumenfeld said the Building Division Staff discovered the discrepancies during building inspection, not Mr. Lissner, and that he notified the applicant of the problem with issuance of a temporary occupancy permit in October.

Comm. Schwartz said she did not like making approvals after the fact, expressing concern over the continuing noise levels. She asked for historical information from the Commission and Staff regarding the bar issue.

Comm. Pizer said he was satisfied the noise will be controlled on the upper deck. He felt business realities resulting in the current layout. Noting this was a successful business, he felt it an asset to the community.

Chairman Tucker said the downstairs bar area had been previously represented as a "sandwich bar area" and the upstairs area would have a service station. He detailed the various suggestions made during the considerations, including the basis for the decision made. Contrary to those discussions, two bar areas were constructed. He said he needed to vote against approval, commenting he felt the Commission was misled during the hearings. He objected to two bars, stating a family-type atmosphere was to have been established, but had no objection to the amplified music in the roof area. Comm. Perrotti said the final product was not what had been approved, but the final product was very good, to which Chmn. Tucker agreed. Director Blumenfeld said that a final occupancy permit could not be issued because of the building inconsistencies with the CUP, and therefore the CUP required modification or the bar areas needed to be modified.

MOTION by Comm. Perrotti, Seconded by Comm. Pizer, to **ADOPT** the amendments to the CUP as recommended by Staff.

AYES: Comms. Perrotti, Pizer
NOES: Comm. Schwartz, Chmn. Tucker
ABSENT: Comm. Merl
ABSTAIN: None

MOTION by Chmn. Tucker to eliminate the upstairs bar, with the downstairs bar serving only beer and wine and music allowed on the upper deck. **Motion failed due to lack of a second.**

Chairman Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

15. GP 94-2 – GENERAL PLAN AMENDMENT TO AMEND THE CIRCULATION ELEMENT TO RE-ROUTE THE SEGMENT OF THE COASTAL BIKE PATH BETWEEN 24TH STREET AND THE NORTH CITY BOUNDARY AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION.

Staff Recommended Action: To recommend approval of said General Plan Amendment and adoption of the Environmental Negative Declaration.

Director Blumenfeld said this request for consideration was made by the City Council. He said the Hermosa Avenue connection was a safety hazard, 24th Street detour was a blind condition and that there are other safety problems in use of the current bike path.

Chairman Tucker opened the Public Hearing at 11:10 p.m.

John Berghorn opposed approved stating children fall and are hurt, commenting people are supposed to walk their bikes up the steps. He said The Strand was supposed to be a walk way, and if the deed conditions are violated, Mr. Madison's daughter can appeal and take this property back.

Jim Hamilton, 3417 The Strand, stated opposition to this proposal, commenting the north end of The Strand is the preferred bike path. If The Strand were connected to Manhattan Beach by a ramp, a lot of accidents will result. The stairs were installed to eliminate safety hazards. He suggested the proposal be modified to eliminate the option to connect the bike path to The Strand, feeling bikes should be walked up the stairs. He said approval of this proposal would adversely impact residents, stating merging of bikes should be gradual.

No one else wished to speak, and Chairman Tucker closed the Public Hearing at 11:20 p.m.

Discussion

Director Blumenfeld explained the issues and provisions of the proposed Resolution. Comm. Schwartz said she preferred to have the sea wall and to have separation of bikes, people and vehicles. She acknowledged this might not be possible, suggesting the Council consider this suggestion. At this point, she had no problem with these changes. Comm. Perrotti felt the separation of the bike and Strand is a long term project, agreeing with Staff's suggested modification. Chmn. Tucker discussed ramp configuration with Director Blumenfeld. Comm. Pizer expressed concern over the concentration of bikes and traffic when they merged. Director Blumenfeld said funding was based upon having a continuous bike path.

MOTION by Comm. Perrotti, Seconded by Comm. Schwartz, to **ADOPT** Staff's recommendations, and amend the circulation element of the General Plan designating The Strand as the preferred route, adopting the Resolution as presented.

AYES: Comms. Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: Comm. Merl
ABSTAIN: None

Chairman Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

Comm. Schwartz said she would like to see an investigation of ways to make separate paths.

HEARINGS

16. PDP 91-11/NR 91-8 -- REQUEST FOR A TWELVE MONTH EXTENSION OF A PRECISE DEVELOPMENT PLAN AT 840 15TH STREET.

Staff Recommended Action: To grant said request.

Mr. Schubach said the applicant was again requesting an extension, which Staff suggested approval.

Chairman Tucker opened the Hearing at 11:35 p.m.

Don Karasevicz, applicant, 840 15th Street, said his property is being flooded, which must be addressed at an additional cost, needing major work on the drain which currently is not working. He asked for an extension.

No one else wished to speak, and Chairman Tucker closed the Hearing at 11:37 p.m.

The consensus of the Commission was to **APPROVE** the request for a 12-month extension. **No objections, so ordered (4/0).**

STAFF ITEMS

17.a Community Development Department activity report of November, 1996.

Receive and File.

17.b Tentative future Planning Commission agenda.

Receive and File

17.c City Council minutes of November 11, 26, December 10 & 17, 1996.

Receive and File


COMMISSIONER ITEMS None

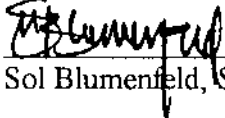
ADJOURNMENT

MOTION by the Commission to adjourn at 11:40 p.m. **No objections; so ordered.**

CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of January 21, 1997.


Peter Tucker, Chairman


Sol Blumenfeld, Secretary

2-18-97
Date

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE
CITY OF HERMOSA BEACH HELD ON FEBRUARY 18, 1997
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:05 p.m. by Chairman Tucker.

Pledge of Allegiance led by Comm. Merl.

ROLL CALL

Present: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
Absent: None
Also Present: Sol Blumenfeld, Community Development Director
Michael Schubach, City Planner
Sylvia Root, Recording Secretary

Chairman Tucker announced Planning Commission meetings were scheduled on March 4 and 25, 1997.

CONSENT CALENDAR

Referencing Resolution P.C. 97-4, he requested this Resolution include a Condition #3.d stating the hours of operation, as noted in the motion approving the Resolution. **Approved 5-0.**

Commissioner Merl stated he would abstain from voting since he had abstained or was absent during the previous discussions and voting.

MOTION by Comm. Perrotti, Seconded by Comm. Pizer, to **APPROVE** with no change, 3). January 21, 1997 Minutes, 4.a) **Resolution P.C. 97-1** approving a Conditional Use Permit for the establishment of a plant nursery with outdoor display at 1062 Aviation Boulevard, 4.b) **Resolution P.C. 97-2** approving an amortized Conditional Use Permit for an existing wood, machine, and plastic manufacturing shop, and a cabinet shop, located at 436 Ardmore Avenue, 4.c) **Resolution P.C. 97-3** to deny a request for a Variance from the parking setback requirement at 544 Gravely Court, 4.e) **Resolution P.C. 97-5** denying an amendment to a Conditional Use Permit allowing two bars in the expansion areas and amplified music on the roof deck at 4 & 8 Pier Avenue, Hennessey's, and 4.f) **Resolution P.C. 97-6** to recommend amending the Circulation, Transportation and Parking Element of the General Plan to designate the Strand as the preferred route for the segment of the coastal bike path between 24th Street and the north City boundary and adoption of an Environmental Negative Declaration for said General Plan amendment; and to **APPROVE** 4.d) **Resolution P.C. 97-4** approving a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map #24545 for a 2-unit condominium project, at 665 6th Street, with the addition of Condition #3.d stating the allowed hours of construction.

AYES: Comms. Perrotti, Pizer, Schwartz, Chmn. Tucker

NOES: None
ABSENT: None
ABSTAIN: Comm. Merl

5. Items for consideration None

ORAL/WRITTEN COMMUNICATIONS: None

PUBLIC HEARINGS

- 7. GP 96-4/ZON 96-3 -- GENERAL PLAN AMENDMENT FROM GENERAL COMMERCIAL (GC) TO MEDIUM DENSITY RESIDENTIAL (MD), ZONE CHANGE FROM C-2 TO R-2, OR TO SUCH OTHER DESIGNATION/ZONE AS DEEMED APPROPRIATE BY THE PLANNING COMMISSION, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION AT 64 10TH STREET AND 69 10TH COURT (continued from January 21, 1997 meeting).**

Staff Recommended Action: To recommend approval of said General Plan Amendment and zone change, and adoption of an Environmental Negative Declaration.

Mr. Schubach said Staff recommended 1) a zoning change for the subject property and the rear portion of the lot, which had been cut and sold separately, 2) because the rear lot fronts on an alley and is owned by the owner of adjacent property siding on Hermosa Avenue, if the owner wishes to merge the two properties, it would be viewed as a commercial lot, preventing the half-lot from being developed on its own as Commercial, or 3) the request be approved as submitted. Mr. Schubach said the property owner found the lot merging acceptable, but had not confirmed this opinion in writing.

Chmn. Tucker opened the Public Hearing at 7:15 p.m.

Joe Di Monda, Mr. Roth's representative, said he addressed the property at 64 10th Street. He said the Staff Report said the depth of commercial uses was 86' on the south. He said the property was 52' and being used as non-conforming Commercial. He explained the 1991 denial resulted from the decision not to make zone changes during the RU/DAT Study. He felt this zone change was in keeping with the RU/DAT Study recommendations, noting a 30' Commercial strip was viable to obtain retail uses. He said this particular lot would probably stay as a Residential use, allowing development of parking spaces and residential building on this site, benefiting the City by increasing parking and real estate taxes. The remaining strip would be 42' deep. He said this concept was in keeping with the downtown plan and RU/DAT. He said the applicant would not object to merging of the other two lots owned by another property owner.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 7:25 p.m.

Discussion

Comm. Perrotti felt the Commission should proceed with this application, addressing rezoning of the adjacent lots at a later date. Comm. Merl agreed, wishing to preserve as many commercial options as possible. Comm. Schwartz suggested the other property owner be contacted to determine if he wished to merge and rezone the two properties. Director Blumenfeld said the Commission had the option to consider the applicant's and adjacent lots. Comm. Pizer noted the rear lot was small and could not be used for any use but a commercial lot, to which Chmn. Tucker agreed.

MOTION by Comm. Merl, Seconded by Comm. Pizer, to **CHANGE** the designation from General Commercial to Medium-Density Residential and zone change from C-2 to R-2 for the northerly lot under discussion.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Clerk within 10 days from this date.

8. **PARK 96-6 -- PARKING PLAN TO CONVERT A 1,100 SQUARE-FOOT RETAIL SPACE TO A TAKE-OUT RESTAURANT WITHOUT PROVIDING ADDITIONAL PARKING AT 506 PACIFIC COAST HIGHWAY #103 (continued from January 21, 1997 meeting).**

Staff Recommended Action: To deny said Parking Plan.

Director Blumenfeld said Staff had conducted a Parking Study, resulting in the determination the lot was fully occupied during the noon periods, with street spaces to the south of the property also impacted. He explained the number of days and times of the survey, stating that based upon study results, Staff recommended denial of the application because, based upon use, parking is under provided. He felt it clear additional restaurant use would impact parking, stating a retail use was recommended.

Chmn. Tucker opened the Public Hearing at 7:41 p.m.

David de Miranda, 11440 San Vicente Blvd., Los Angeles, applicant's representative, explained this location had been empty for two years. He requested this take-out restaurant usage be approved, discussing the financial benefits to the property owner, questioning the stated parking impacts and the survey. He said there were many times the lot had empty parking spaces. He said a parking attendant could be provided to alleviate any peak-time parking problems. He explained employees were encouraged to park outside the parking center.

David Hidalgo, 16000 Kaplan Ave., City of Industry, project architect, explained options discussed with Staff related to adding parking spaces and/or a parking attendant. He said during the survey,

several days the parking lot was full, but on other days, the parking lot was not full. He said retail use would also increase the parking demands.

Eddie LaCosta, 4850 Rosecrans, said he had been in business for 18 years, currently operated a business catering to customers in Redondo Beach, Hermosa Beach and Manhattan Beach, resulting in his decision to open a business in this City. He explained most of his business was during the evening, with orders being either delivered or picked up. If food was not ready within five minutes of customers' arrivals, the order was free. He planned on hiring between one and three employees. He felt, due to the quick turn-around time, parking would not be a problem.

Frank Hallstein, owner, Hermosa Lock, said the parking problem spilled over onto his location, parking was a definite problem at the applicant location and felt when the businesses reached their "peaks", parking problems would only increase.

No one wished to speak, and Chmn. Tucker closed the Public Hearing at 7:58 p.m.

Discussion

Comm. Schwartz confirmed an approved parking plan would run with the property. Director Blumenfeld said the survey was conducted on five days during the noon and evening periods. Three of the five days at noon were fully parked. Only 13 customer-parking spaces were provided. Comm. Perrotti said he had conducted an informal survey, noting some parking spaces were only available after 8:00 p.m., with none available during the noon period. He felt approval would add to the congestion. Comms. Merl, Pizer, Schwartz and Chmn. Tucker agreed the area would be impacted if this additional restaurant use were approved.

MOTION by Comm. Schwartz, Seconded by Comm. Perrotti, to **DENY** this Parking Plan.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Council within 10 days from this date.

9. CUP 96-17 -- CONDITIONAL USE PERMIT MINOR AMENDMENT TO ALLOW GENERAL AUTO REPAIR IN ADDITION TO "SMOG CHECK" SERVICES AT 303 PACIFIC COAST HIGHWAY (continued from January 21, 1997 meeting).

Staff Recommended Action: To deny said Conditional Use Permit minor amendment.

Mr. Schubach said the sale of cars is taking over the entire lot, with no more room for customer or employee parking. They are not complying with the current CUP. With the use change, the previous agreement to share a trash enclosure is voided. Staff recommends denial.

Chmn. Tucker opened the Public Hearing at 8:14 p.m.

David Newingham, 303 Pacific Coast Hwy., said a trash enclosure was being shared with the business directly across the street. Trash is picked up three times per week. He said 12 parked cars have been reduced to 6; with a further reduction to 5 tomorrow. He said the paint shop has been closed for the past seven months. He wished to combine the detail shop, with no stereo business, and commented he had one employee and contracted out other work. His clients are by "appointment only", the smog shop clientele are in and out, and 80% for the resale business is with other car lots. Describing the improvements he has made, he stated he tries to keep the property very presentable. He said cars received waterless washing, which he had instituted. The parking area will be restriped, the used cars will be done to five. Chmn. Tucker explained the grease trap was required by Code. Mr. Newingham asked why, if the Code required it, a grease trap was not on the property. Chmn. Tucker explained this was a relatively new requirement, discussing the requirements and purpose with Mr. Newingham. Mr. Newingham acknowledged he had banners in his window which had been there when he obtained the business. He had not been aware he was in non-compliance regarding the banners, and was willing to work with Staff to establish acceptable signage. He asked if he could block off a 20' drive for additional parking of four more spaces. Director Blumenfeld felt this a good idea, will review this issue and respond to Mr. Newingham.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 8:30 p.m.

Discussion

Comm. Pizer felt the grease interceptor could present a major problem, with additional parking being addressed. Comm. Schwartz, agreed, stating she would like to see resolution of both prior to a decision being made. Comms. Merl, Perrotti and Chmn. Tucker also agreed with Comm. Pizer. Director Blumenfeld said additional parking and trash area could be obtained with restriping. He said the Resolution addressed the concerns expressed, suggesting additional Conditions could be added for clarity.

MOTION by Comm. Merl, Seconded by Comm. Perrotti, to **APPROVE** CUP 96-17, with the addition of Conditions prohibiting right turns on third Street when testing vehicles, requiring proper striping of the parking lot, inclusion of a grease interceptor and an on-premises enclosed trash area.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Council within 10 days from this date.

10. **CON 96-10/PDP 96-11 -- CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN, AND VESTING TENTATIVE MAP #24685 FOR A TWO-UNIT CONDOMINIUM AT 616 & 618 1ST STREET.**

Staff Recommended Action:

To approve said request.

Mr. Schubach said Staff recommended approval, highlighting and discussing issues and added conditions addressing a six foot land strip of which ownership was in question and addressing the oil well and storage tank on the property. Supplemental information was received from the property owner stating the well could be put back into operation. Mr. Schubach said that technically the well could not be reactivated. This issue might need reinvestigation. Director Blumenfeld explained the Commission could add a condition to validate a signed affidavit in file stating the property owner's agreement of the proposed property development.

Chmn. Tucker opened the Hearing at 8:43 p.m.

Elizabeth Srour, 1001 6th Street, Manhattan Beach, applicant's representative, said the Staff Report was fair and accurate. When the surveyor did the on-site survey and researched the records, it was determined there is an additional portion at the south end rear of the lot exceeding the tax accessor map dimensions. The engineer is prepared to provide verification and required data. There will be no construction commitment until this issue is resolved. Referencing the oil well and storage tank, Ms. Srour said Ms. Stinnett is the leasee; not the property owner. She said the storage tank was located at the south end of the site, and a condition of escrow is the issue regarding the storage tank and oil well will be resolved prior to closing. The oil well is inactive and cannot be reactivated. The applicant understands the oil well will be capped. She said the Applicant did accept Conditions 2 and 3. She stated the plans were in full compliance, lot coverage would be at 52%, and asked approval. She said it was the applicant's intention to move the existing palm tree to the front, asking Condition amendment to allow the relocation of the existing mature tree, if it is healthy and can be moved. She discussed sump pump requirements with Comm. Perrotti.

Gary Fromm, 2603 Laurel Ave., Manhattan Beach, said the driveway and garage floor are higher than the street level, with required draining provided to the street. He explained the property terrain relating to the garage area and fence height. Staff and Commissioners discussed the grade with Mr. Fromm.

Richard Bundy, 653 1st St., said parking spaces will be lot on the street. Currently the parking is so sparse, people are parking on the sidewalk at night. He felt construction equipment will additionally hamper street parking.

Victoria Nielsen, 634 1st St., expressed concern about decreased parking and building height, stating she has a view from both floors of her house which could be obstructed by this construction. Chmn. Tucker responded the City has no view ordinance, with view blockage not being an issue at the Commission or City Council level. He said this project will have five off-street parking spaces and will be behind the required setback.

Beverly Burrell, 634 1st St., "B", asked the building height remain under 30 feet, expressed concern about street parking and oil well impacts, discussing the impacts of well removal and requesting parking be preserved. Comm. Perrotti explained the well would be capped, with the storage tank being physically removed and ground checked. Commissioners Perrotti and Merl discussed impact

remedies and preventions with Ms. Burrell. Director Blumenfeld clarified height was measured from the corner points in a sloping plane.

REBUTTAL

Elizabeth Srour said the project will be built in compliance with the same standards used throughout the City. She said the roof would be pitched, with an 8 1/2' setback to the deck and 12' to the building face with a 9' wide sidewalk. She felt this a very substantial setback from the street. She said there would be no loss of parking. She asked for a minor modification to Condition 6.b for utilization of the palm tree.

No one else wished to speak on this subject, and Chmn. Tucker closed the Hearing at 9:18 p.m.

Discussion

Comm. Perrotti said his concerns had been satisfied by explanations from Staff and Ms. Srour. He supported relocation of the palm tree. Comm. Merl said the design fell well within requirements, noted parking was always difficult on this street, but the five parking spaces would be a positive. Comm. Schwartz' suggested more building articulation be given to the project. Comm. Pizer felt this project important to area clean up, noting it would improve the neighborhood drastically. He cautioned the oil site might result in an expensive remediation program. Chmn. Tucker agreed with the Commission statement, including the suggestion to design more architectural articulation.

MOTION by Comm. Merl, Seconded by Comm. Pizer, to **APPROVE** a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map #24685 for a two-unit condominium at 616 and 618 1st Street, with a modification to Condition 6.b, allowing relocation of the palm tree, requiring replacement if the palm tree does not survive, and addition of a Condition requiring additional articulation to the building to be reviewed by Staff.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Council within 10 days from this date.

A break was taken at 9:30 p.m. Chmn. Tucker reconvened the meeting at 9:40 p.m. with all Commissioners present.

11. **CON 96-11/PDP 96/12 -- CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE PARCEL MAPS #24501 FOR A TWO-UNIT CONDOMINIUM PROJECT AT 138-142 MANHATTAN AVENUE**
and
CON 96-12/PDP 96-13 -- CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN, AND VESTING TENTATIVE PARCEL MAP #24525

FOR A TWO-UNIT CONDOMINIUM PROJECT AT 150-154 MANHATTAN AVENUE.

Staff Recommended Action: To approve said requests.

Mr. Schubach said the two items, being one lot apart, were the same type of developments, meeting requirements and providing additional parking on site for the loss of one street parking space at each lot. The Commission discussed with Mr. Schubach the parking provision specifics. Chmn. Tucker noted a full bath was planned on the lower level, noting 3/4 baths had been required of similar projects. Mr. Schubach explained the full bath was not an issue because of the access which did not allow the potential of a bootleg unit.

Chmn. Tucker opened the Public Hearing at 9:46 p.m.

Monty Williams, applicant, 158 Manhattan Avenue, said only one street parking space was being taken away and putting back seven. There is no access to the front unit lower bathroom except through the garage.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 9:48 p.m.

Discussion

Chmn. Tucker commented these condominiums were 30' in height, noting similar projects had been constructed with this 30' height limit. The Commissioners stated support of these projects.

MOTION by Comm. Merl, seconded by Comm. Pizer, to **APPROVE** Staff's recommendation.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Council within 10 days from this date.

12. CUP 96-16 -- CONDITIONAL USE PERMIT FOR OUTDOOR SEATING IN CONJUNCTION WITH A COFFEE HOUSE/SNACK SHOP AT 1031 HERMOSA AVENUE

Staff Recommended Action: To approve said request.

Director Blumenfeld said the Commission had authority to provide for less than required parking for such uses as a snack bar. Staff felt the location allowed for enough parking to accommodate this use. Director Blumenfeld reiterated similar projects which had received approval of less than required parking in the downtown area. Staff recommended operating hours of 7:00 a.m. to 10:00 p.m., to which the applicant agreed. The applicant is also agreeable to a parking plan including

relocation of the servicing area to make the lot more usable and to provide landscaping. The plans will be signed by a licensed architect or engineer.

Chmn. Tucker opened the Public Hearing at 9:58 p.m.

Bill Gaston, Smith & Assoc., on-the-job builder, said one extra parking space can be obtained in the front. If more compact cars are allowed, more spaces could be obtained. A new heating and air conditioning unit will be placed on the roof. He agreed to include a structure to block view of this unit. He asked the closing hour be extended, saying more noise comes from the parking lots than from this establishment. He said plans included speakers in the outside area to provide music.

Jarard Ursani, 2111 Ripley, said surrounding clubs are open until 2:00 a.m., requested extended hours of operation to 11:00 p.m. Monday through Thursday, and 1:00 or 2:00 a.m. on Fridays and Saturdays. He said the downtown area was still busy on Friday and Saturday nights.

Rick Thomsic, 67 10th Street, stated concern over the hours of operation, feeling the Staff-recommended hours were more than generous. He agreed to a 12:00 a.m. closure on Friday and Saturday nights, and perhaps 11:00 p.m. on Monday through Thursday.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 10:05 p.m.

Discussion

After discussion, the Commission agreed to allow outside dining, speakers in the outside area for music, with a cut-off time of 10:00 p.m. and approve the parking requirement reduction. Hours of operation of establishments in the downtown area were discussed, with agreement to extend Staff's recommended hours of operation. Director Blumenfeld confirmed the applicant will be required to resubmit a revised parking plan.

MOTION by Comm. Merl, seconded by Comm. Perrotti to approve Staff's recommendation, with modification to (1) the recommended hours of operation to closure at 11:00 p.m. Sunday through Thursday, and 12:00 a.m. on Friday and Saturday, (2) allow speakers in the outside area for music only, with the provision that the speakers will be silenced by 10:00 p.m. each evening, and (3) require proper screening on the equipment on the roof.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Council within 10 days from this date.

- 13. CON 96-13/PDP 96-14 -- CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE PARCEL MAP #24681 FOR A TWO-UNIT CONDOMINIUM AT 646 1ST STREET.**

Staff Recommended Action: To approve said request.

Mr. Schubach said the six feet at the rear of this property was not considered by Staff to be part of the property. Typical conditions have been recommended since there is nothing unusual about this project. He confirmed this property has been abandoned for some time. He corrected the square footage discrepancy between the analysis and plans.

Chmn. Tucker opened the Public Hearing at 10:17 p.m.

Larry Peha, applicant, 67 14th St., said the house has been in a couple of escrows and was very run down at this time. He said the property sloped and the drawing gave the appearance of cutting the height limit, when it really did not. He suggested looking at the front portion of the elevation. A catch basin was in the plan.

Victoria Nielsen, 634 1st St., said the property has been vacant for one year and that she strongly supported the project. She said there were rats on the property and asked what will be done to stop the vermin from coming to her property when building starts. She has unsuccessfully contacted the Health Department and asked for a solution through the Commission.

Beverly Burrell, 634 1st St., said the rats and debris were a serious problem. She questioned the impacts upon her home when the building is demolished.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 10:30 p.m.

Discussion

Comm. Perrotti suggested a condition requiring the vermin control prior to demolition and construction. Comm. Merl requested Staff provide the Commission a copy of Redondo Beach's vermin control policy for future reference and consideration. Chmn. Tucker requested the full bath be changed to a 3/4 bath.

MOTION by Comm. Merl, seconded by Comm. Perrotti, to **APPROVE** Staff's recommendation, with a required change of the full bath to a three-quarter bath in the lower level, and Staff work with the applicant to assure provision of appropriate vector control prior to demolition of the structure.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Council within 10 days from this date.

Comm. Merl requested Staff provide a copy of Redondo Beach's policy regarding vector control during demolition. Chmn. Tucker requested the adjacent neighbors be notified of the results of this Public Hearing.

HEARINGS

14. **NR 96-7 -- A REMODEL AND EXPANSION TO AN EXISTING SINGLE FAMILY DWELLING WITH NONCONFORMING SIDEYARD AND BUILDING HEIGHT, RESULTING IN A GREATER THAN 50% INCREASE IN VALUATION AT 2024 THE STRAND.**

Staff Recommended Action: To deny said request.

Mr. Schubach said denial was recommended because this property has a zero lot line, which should be moved three feet to meet the minimum requirements. The windows on that side of the building do not meet fire requirements. He said the applicant's alternative was to build for less than 50%.

Chmn. Tucker opened the Hearing at 10:35 p.m.

Chris Williams, 2024 The Strand, said the building is at the back of the property in order to protect the views and light of his neighbors. He said he did not want to maximum the structure, as allowed. He said the current height is substantially below that allowed. He requested his plans be approved, rather than requiring he move the building in three feet on the side and probably then building out to the maximum.

Jan Knickerbocker, 2028 The Strand said she had cooperated with Mr. Williams, even leaving her home when his house was "tented". She said she was speaking for herself and other neighbors. She commended the Council and Commission for its efforts in improving the quality of life for residents. She asked this permit be denied. She felt adding another large structure would increase "living in a concrete jungle". The proposed building will deprive her of heat, light and privacy. She requested the space be left open, stating she and the neighbors enjoy the greenery.

Jan Bartosik, 112 Ocean Dr., Manhattan Beach, project designer, said the deck would not cause loss of privacy for the neighbor because it is on the opposite side of the house. He said the current house was built on the property line 50-60 years ago. He said there was a brick wall on the property line. The garage houses three full sized cars, one of which will be lost if the three foot setback is required. He explained the changes made in the revised plans, explaining requiring the three-foot setback is illogical. He said the plans did take into consideration the neighbors' concerns. He said the ordinance was not a state law, and could be amended according to the project being considered by the Commission.

No one else wished to speak, and Chmn. Tucker closed the Hearing at 10:50 p.m.

Discussion

Comm. Pizer did not feel the zero lot line was not offset by the concerns expressed for the neighbors' light and heat. He supported Code compliance. Comm. Schwartz explained Variances can be granted when certain requirements are met, which this project did not meet, to which Comms. Merl, Perrotti and Chmn. Tucker stated agreement.

MOTION by Comm. Schwartz, seconded by Comm. Merl, to **APPROVE** Staff's recommendation to DENY NR 96-7.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Council within 10 days from this date.

STAFF ITEMS:

15.a Community Development Department activity report of December, 1966.

Receive and File

15.b Tentative future Planning Commission agenda.

Receive and file.

15.c City Council Minutes of January 14 and 28, 1997.

Receive and File

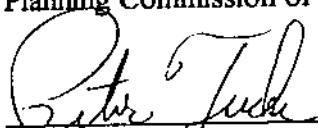
COMMISSIONER ITEMS None

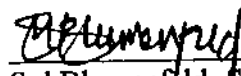
ADJOURNMENT

MOTION by the Commission to adjourn at 10:57 p.m. **No objections; so ordered.**

CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of February 18, 1997.


Peter Tucker, Chairman


Sol Blumenfeld, Secretary

3-4-97
Date

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE
CITY OF HERMOSA BEACH HELD ON MARCH 4, 1997
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:05 p.m. by Chairman Tucker.

Pledge of Allegiance led by Comm. Perrotti.

ROLL CALL

Present: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
Absent: None
Also Present: Sol Blumenfeld, Community Development Director
Michael Schubach, City Planner
Sylvia Root, Recording Secretary

CONSENT CALENDAR

Comm. Perrotti pulled Resolution P.C. 97-14, stating conditions requiring the full bath on the lower level be changed to a 3/4 bath and vermin control measures specification had not been included. After discussion, this item was **CONTINUED** to the March 18, 1997 meeting for clarification of both items. **Approved 5-0.**

MOTION by Comm. Perrotti, Seconded by Comm. Merl, to **APPROVE** with no change, 3. February 18, 1997 Minutes, 4.a) **Resolution P.C. 97-7** to recommend approval of a General Plan amendment from General Commercial to Medium Density Residential and a zone change from C-2 to R-2 and adoption of an Environmental Negative Declaration at 64 10th Street, 4.b) **Resolution P.C. 97-8** denying a Parking Plan for a take-out restaurant at 506 Pacific Coast Highway, 4.c) **Resolution P.C. 97-9** approving a Conditional Use Permit amendment to allow general auto repair at 303 Pacific Coast Highway, 4.d) **Resolution P.C. 97-10** approving a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map #24685 for a 2-unit condominium project, at 614 and 616 1st Street, 4.e) **Resolution P.C. 97-11** approving a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map #24501 for a 2-unit condominium project, at 138-142 Manhattan Avenue, 4.f) **Resolution P.C. 97-12** approving a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map #24525 for a 2-unit condominium project, at 150-154 Manhattan Avenue, 4.g) **Resolution P.C. 97-13** approving a Conditional Use Permit to allow outdoor seating in conjunction with a snack shop at 1031 Hermosa Avenue, and **Resolution P.C. 97-15** denying the expansion and remodel to an existing single family dwelling with nonconforming sideyard and building height, at 2024 The Strand.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None

3

ABSTAIN: None

5. Items for consideration None

ORAL/WRITTEN COMMUNICATIONS: None

PUBLIC HEARINGS

7. CUP 96-15/PARK 96-7 -- CONDITIONAL USE PERMIT FOR A NEW GASOLINE STATION, INCLUDING A MINI-MART WITH OFF-SALE BEER AND WINE AFTER 11:00 P.M. AND AN AUTOMATED CAR WASH; AND, PARKING PLAN TO COUNT CAR WASH STACKING LANE AND FUEL DISPENSING AREAS TOWARDS THE PARKING REQUIREMENT, SIGN VARIANCE TO ALLOW TWO POLE SIGNS, AND EXTRA SIGN AREA, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION AT 755 PIER AVENUE AND 1439 PACIFIC COAST HIGHWAY, UNOCAL.

Staff Recommended Action: To approve said Conditional Use Permit and Parking Plan, and a Adopt an Environmental Negative Declaration.

Director Blumenfeld described the proposed project and said the proposal was compatible with surrounding commercial uses, the noise generated was lower than current noise traffic levels, and traffic generation counts would be reduced. He said an approved Parking Plan was required, but Staff believed adequate on-site parking would be provided. A sign variance was being requested based upon total building frontage and two pole signs, which Staff believed could be made.

Chmn. Tucker opened the Public Hearing at 7:28 p.m.

Scott Peotter, applicant's representative, 1 Corporate Park, #101, Irvine, said site upgrades included multi-product fuel grades, fewer hoses, a convenience store and car wash, with equipment and tanks being brought up to 1998 standards. The four driveways will be reduced to two wider ones resulting in smoother traffic flow on Pacific Coast Highway. Landscaping as a barrier was being planned, rather than a fence. Mr. Peotter described the current sign area allowance computation versus the signs planned, stating another project has recently been completed with identical sign placement, which is considered standard in the industry. He detailed description and location of the proposed signs, hours of operation, possible number of employees, emphasis on high-quality service and product, building design, colors and materials with Commissioners. Chairman Tucker discussed his concern that the landscaping would not block pedestrians, possibly creating unsafe conditions.

Demostapa Alim, 1000 Pacific Coast Hwy., Hermosa Beach Car Wash, said his car wash had just opened after a large expenditure of money. Business build-up was slow because so many other car wash operations were in the area. He felt in unfair to authorize addition competition.

Bill Sours, 2101 Power Street, said the Pancake House had been a community asset, and he would miss it not being there.

Doss, 25th and Hermosa Avenue, said there were enough stores and car washes in the area, this project was not needed and a waste of money, and the sale of beer and wine would attract the wrong crowd. He stated opposition to the project.

Chairman Tucker stated a letter from James Lissner had been received and read by Commissioners.

Mr. Peotter declined the opportunity for rebuttal.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 7:57 p.m.

Discussion

Comm. Perrotti requested the Resolution, first paragraph, line A, be changed to read, "...service station and restaurant..." for clarification. He suggested the larger signs be reduced in size. He said the Commission did not decide what business succeeded or not, the closest business location offering beer and wine was in Redondo Beach, and the project appeared to be a good one for that intersection, with an opportunity for the City to install a gateway sign. Comm. Merl agreed the signs could be reduced in size, and explained the Commission addressed findings; not retention of current businesses, which was a private matter. He said he saw no grounds for denial. Comm. Schwartz stated concern regarding the signage, including a rational for 276 square feet of signage, which she felt sufficient at this location. Comm. Pizer said, assuming close compliance, he "could live with" the requested signage. Chmn. Tucker stated his largest concern was the signs, noted there was no diesel fuel signage, objected to increased/additional signs at other locations and the possibility this might happen at this location, and detailed specific sign reductions.

Responding to Commission requests, Mr. Peotter said the 60' sign would be tough to take off, sign G could become non-illuminated and recessed in the building, B could be downsized to 5' x 7', E could be changed to the same type as D, but the canopy logos should stay the same. He explained the canopies were light for safety and visibility. He said the signs could be reduced to 283 square feet, total, with signs 1 and 2 deleted or made smaller. Chmn. Tucker expressed a preference for sign D, without blue backgrounds. Comm. Pizer said the only significant sign was the monument on Pier Avenue. He felt this sign should be reduced in size, stating he did not believe in micro-managing businesses, commenting the signs were planned and an advertising element. Chmn. Tucker felt the illumination and signage was too intense.

MOTION by Comm. Perrotti, Seconded by Comm. Schwartz, to **ADOPT** this Resolution with the addition of the words, "and restaurant" in Paragraph 1, Line A, and a reduction in sign area including the monument sign, as agreed to by the applicant. Staff is to review and monitor the project, assuring a sign reduction to a total of 276 square feet.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker

NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Clerk within 10 days from this date.

8. **SUB 96-1/CON 96-14 – CONDITIONAL USE PERMIT FOR R-1 PLANNED DEVELOPMENT FOR A FIVE-LOT SUBDIVISION (FOUR FOR SINGLE FAMILY DWELLINGS AND ONE FOR A PRIVATE STREET), AND VESTING TENTATIVE TRACT MAP #52278, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION AT 532-540 20TH STREET.**

Staff Recommended Action: To approve said Conditional Use Permit and Vesting Tentative Tract Map, and adopt an Environmental Negative Declaration.

Director Blumenfeld described the proposed project and unit construction, commenting the site had a drainage problem which could be addressed by construction of two detention/sump basins. A private street may be approved as part of the tract map, and would minimize environmental effects and permit flexibility in layout design and drainage. The plans comply with review requirements for a planned development. He detailed the applicant's proposal to result a majority of the site drainage problems, stating the Public Works Dept. has been requested to verify calculations, probability of design objective achievement and provide conditions to ensure its maintenance. He discussed planned drainage measures, drain pump capability and operation with the Commissioners.

Chmn. Tucker opened the Public Hearing at 8:40 p.m.

Cheryl Vargo, 5147 Rosecrans Ave., Hawthorne, applicant's representative, said the houses would average 3900 square feet with different fronts and materials, three-space garages and three open parking spaces. She said a private street was necessary to this plan, which preserved the hill side and addressed the inherent drainage problems. She discussed water direction, drainage plans and paths, and detailed the topography of this project for the Commission, including presentation of site photographs. She explained a Homeowners Association would be created and the street would be owned and maintained in common by the four property owners, which would be a CC&R requirement. Director Blumenfeld said Condition #5 addressed this requirement.

Bill Sours, 2101 Power St., stated his support of this project, but expressed concern regarding the turn at Power and 20th Streets, which he felt would become worse with this construction. He requested consideration of this area. His discussion with Staff assured him street lighting and underground utilities were planned in this project. He expressed concern regarding Police and Fire Depts. services on private streets. Director Blumenfeld explained the procedures and abilities to service these areas.

Vickie Garcia, 1835 Valley Park Ave., said nothing had changed; the storm drain still would not be able to handle the quantity of water. Three years ago, seven homes were flooded. She strongly opposed this project, stating the City is letting go of controls.

Celest Cour, on the top of the hill on Loma, asked everyone remember the trees. She said there used to be many trees, but all but three trees were now removed or dead. She requested as many trees as possible remain.

Mr. Garcia, 1983 Valley Park, said he got flooded, asked what size the sump pump was going to be, commented the project was a good one but many concerns regarding water containment had not been taken care of. He discussed enforcement of the Homeowners Association CC&R's with the Commission and Staff, requesting the flooding problems "be taken care of".

Comm. Perrotti opined that private streets and drives were the future. Director Blumenfeld explained the Conditions were enforceable, establishing project controls, discussed the division wall, water flow and planned water containment with the Commission. When asked, he stated Staff did not believe a traffic study was required for this project, stating the current condition will change per the proposal. After discussion with Commissioners, he stressed this would be a local street, with requirements no more excessive than for other local streets. Comm. Pizer noted the Public Works Dept. would be reviewing and monitoring this project, addressing the issues of draining and safety. Comm. Schwartz suggested signage or mirrors be placed at the private street exit for safety purposes.

REBUTTAL

Cheryl Vargo responded most of the on-site trees were not healthy, many had root systems that would interfere with construction and plumbing, and most would be removed. The street lights will total five or six low level lights and will be the responsibility of the Association. She felt a cul-de-sac at 20th and Power Streets would improve the "bad turn", stated the southern-most house would be sprinkled, as approved by the Fire Dept., and that sump pump failure was not an issue because it would not be operating during flooding, but before and after.

Chmn. Tucker stated a letter from Kathleen Milner had been received and read.

No one wished to speak, and Chmn. Tucker closed the Public Hearing at 9:30 p.m.

Discussion

Comm. Perrotti said he was familiar with hydraulic studies completed in other cities, suggesting the Conditions specify the Public Works Dept. must review the adequacy of the draining plan, including power source and pipes. He requested Condition #5, the paragraph concerning conditions and restrictions should include language stating the City would be held harmless for liability purposes, and everything in the paragraph would be reviewed and meet the City Attorney's approval. Referencing the issue of the private street, he said the City would have such developments with private streets and landscaping.

Comm. Merl agreed with these statements, with the proviso the street outlet be widened, taking space from the corner for entering and exiting, which would give more visibility. Chmn. Tucker stated his agreement, commenting this was a good project, but he would like to see trees planted as shown in the plans, a wider sweep at the corner access, with the water system and storage subject to Public Works Dept. approval. He requested added language to Condition #5 requiring an annual inspection, not funded by the City. He suggested these requirements be included in the CC&R's.

MOTION by Comm. Merl, Seconded by Chmn. Tucker, to **APPROVE** Staff's recommendation, with addition of Conditions discussed by the Commission including the liability waiver, annual inspection requirement included in the CC&R's, a requirement to work with Community Development Director in developing and implementing an adjustment to the 20th Street entrance in a westerly direction, widening and widening the access and eliminating the blind spot and street width, addressing the blind intersection of the easterly side, and to require the number of mature trees shown on the plan to be reflected in the finished project, as presented.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Council within 10 days from this date.

A break was taken at 9:45 p.m. Chairman Tucker reconvened the meeting with all Commissioners present.

9. CON 97-3 -- CONDITIONAL USE PERMIT MINOR AMENDMENT TO MODIFY PLANS TO RELOCATE REAR DWELLING UNIT BALCONY AS ORIGINALLY REQUIRED BY THE PLANNING COMMISSION FOR A TWO-UNIT CONDOMINIUM AT 928 17TH STREET.

Staff Recommended Action: If approved, to adopt the attached resolution.

Mr. Schubach said a condition had been imposed regarding the balcony, requiring a diagonal balcony and moved 6 feet to the west. The designer requested approval of only shifting the balcony 6' to the west, resulting in it being opposite the rear garage wall of the neighbor's to the south. He said this balcony was not necessary to meet the open space requirement.

Chmn. Tucker opened the Public Hearing at 9:55 p.m.

Elizabeth Srour, 101 6th St., Manhattan Beach, contested Mr. Schubach's statement, saying the applicant had been originally told the balcony was necessary to meet the open space requirement. She explained the building foot print had been moved bay two feet, and the proposed balcony

would be over the garage to assure more privacy to the adjacent neighbors. She said this balcony would have access from the living space of the living room, dining room and kitchen, noting the balcony was required to comply with the open space requirement. Noting the deck had been reduced in length, she requested that it remain as part of the plans, and the plans be approved. Neighbors to the south had been contacted, with no response.

Sandy Thomas, 929 16th Street, said her garage is 14' in width; the proposed balcony is 12', 7' wide. The new residents will now be looking directly onto her property and into her bedroom, with the balcony 15' in the air. She suggested the balcony be placed on the west side of the building. Stating she wished to preserve her privacy, she said with the land build-up, the new residents will be looking directly into her back yard.

Ron Thomas, 929 16th Street, said he was not opposed to the project, it did not matter where the deck was, but it was so high that his back yard and bedroom will lose all privacy. He requested the deck be totally removed since it was not needed to meet the open space requirement.

REBUTTAL

Elizabeth Srour said an effort had been made to remove the deck from the area immediately adjacent to the neighbors, commented the deck was only 84 square feet and oriented to capture the west view, similar to the one on the property to the east. She reiterated the deck was necessary to comply with the open space requirement, commented the applicant had agreed to put landscaping between the two properties to increase privacy, requesting the applicant be granted the same opportunities as adjacent property owners. She said the building was designed to accommodate a family with children who would play in the downstairs area. She discussed the setback and building footprint with the Commissioners.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 10:15 p.m.

Discussion

Chmn. Tucker said he could approve the application with the addition of required landscaping between the properties and requiring the deck be made smaller. Comm. Schwartz said she was concerned with the width; only the length.

MOTION by Chmn. Tucker, Seconded by Comm. Merl, to **APPROVE** applicant's request concerning CON 97-37 Conditional Use Permit minor amendment, with the added requirement that the deck be 10' x 7' or smaller.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Council within 10 days from this date.

10. GP 96-5 -- GENERAL PLAN AMENDMENT: WATER CONSERVATION PLAN

Staff Recommended Action: To recommend approval of said General Plan Amendment.

Mr. Schubach said this amendment would put into the General Plan what the Water District was planning and had been done already to some extent and was required by State law. Comm. Perrotti noted the green belt had not been included as one of the water sites. Mr. Schubach said that was included but not noted. Chmn. Tucker asked if provisions had been made for the downtown area, to which Mr. Schubach responded that might be a future plan. Chmn. Tucker suggested provision be made in the downtown area while it was torn up to save future money.

Chmn. Tucker opened the Hearing at 10:27 p.m. No one wished to speak on this subject, and Chmn. Tucker closed the Hearing at 10:27 p.m.

Discussion

MOTION by Comm. Perrotti, Seconded by Comm. Merl, to **ADOPT** the Resolution, as recommended by Staff.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Council within 10 days from this date.

11. TEXT 95-8 -- TEXT AMENDMENT TO OPEN SPACE REQUIREMENTS IN THE R-1 ZONE TO ALLOW UP TO A 10% MARGIN FOR ADMINISTRATIVE DECISION IN CERTAIN JUSTIFIABLE CASES ON LOTS OF 2,100 SQUARE FEET OR LESS, AND STUDY THE POLICIES OF OTHER CITIES TO DETERMINE THE EFFECT OF A 10% OPEN SPACE REQUIREMENT FOR ALL R-1 LOTS.

Staff Recommended Action: To recommend approval of said text amendment.

Director Blumenfeld said this text amendment was to provide relief on small lots, with the issue being City wide. Mr. Schubach said all open space would be allowed on decks, with provisions which he detailed. Staff also recommended pursuing a study of the requirements of the percentage of lot sizes of R-1 lots throughout the City. The Council asked Staff study the possibility of a fluctuation in the 2,100 square foot amount, which is not recommended by Staff as

be to make the open space requirement 300 square feet for lots of 2,100 square feet or less, with lots of up to 2,300 square feet being considered on a case-by-case basis, however approval criteria are required to ensure that the regulation is applied fairly.

Chmn. Tucker opened the Public Hearing at 10:35 p.m. No one wished to speak, and Chmn. Tucker closed the Public Hearing at 10:35 p.m.

Discussion

MOTION by Comm. Merl, seconded by Comm. Perrotti, to **APPROVE** Staff's recommendation.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Council within 10 days from this date.

HEARINGS

12. **NR 97-1 -- A REMODEL AND EXPANSION TO AN EXISTING SINGLE FAMILY DWELLING WITH NONCONFORMING SIDEYARDS RESULTING IN A GREATER THAN 50% INCREASE IN VALUATION AT 1105 FIRST STREET.**

Staff Recommended Action: To approve said request.

Mr. Schubach said this was a typical request for remodel, of which Staff recommended approval with standard conditions.

Chmn. Tucker opened the Public Hearing at 10:39 p.m.

James Montero, 1105 1st Street, applicant, said the project was model in size and approach, with the building set back 52' from the front property line. He said the chain link fence was being removed in sections, leaving only a 15' length.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 10:42 p.m.

Discussion

MOTION by Comm. Merl, seconded by Comm. Perrotti to **APPROVE** Staff's recommendation.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None

ABSENT: None
ABSTAIN: None

Chmn. Tucker stated this decision may be appealed to the City Council within 10 days from this date.

STAFF ITEMS:

13.a Community Development Department activity report of January, 1997.

Receive and File

13.b Tentative future Planning Commission agenda.

Director Blumenfeld said building and planning activity had increased, resulting in a second meeting this month. Chmn. Tucker said the next meeting was scheduled March 18, 1997.

Receive and file.

13.c City Council Minutes of February 11, 1997.

Receive and File

COMMISSIONER ITEMS None

ADJOURNMENT

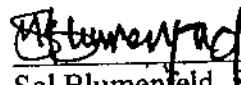
MOTION by the Commission to adjourn at 10:46 p.m. **No objections; so ordered.**

CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of March 4, 1997.



Peter Tucker, Chairman



Sol Blumenfeld, Secretary

3-18-97

Date

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE
CITY OF HERMOSA BEACH HELD ON MARCH 18, 1997
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:04 p.m. by Chmn. Tucker.

Pledge of Allegiance led by Comm. Perrotti.

ROLL CALL

Present: Comms. Perrotti, Pizer, Schwartz, Chmn. Tucker
Absent: Comm. Merl
Also Present: Sol Blumenfeld, Community Development Director
Michael Schubach, City Planner
Sylvia Root, Recording Secretary

AGENDA CHANGES

By unanimous consent, Agenda Item 6, **ORAL/WRITTEN COMMUNICATIONS** was moved forward.

Chmn. Tucker invited public comments.

Larry Peha, 67 14th Street, said when his project was presented, the Commission had required changing a lower bath with tub into a stall shower. He said there was no way to enter the lower level without going through the garage, protesting the decision for this change. Chmn. Tucker explained this decision could be appealed at the City Council meeting. Mr. Peha requested the Commission, in the future, allow discussion prior to making a decision such as this one.

CONSENT CALENDAR

MOTION by Comm. Perrotti, Seconded by Comm. Pizer, to **APPROVE** the following Consent Calendar items:

- 1) **March 4, 1997 Minutes,**
- 2) **Resolution P.C. 97-14** approving a Conditional Use Permit, Precise Development Plan and Vesting Tentative Parcel Map #24681 for a two-unit condominium project, at 646 1st Street,
- 3) **Resolution P.C. 97-16** to recommend amending the R-1 development standards, Section 17.08.030(L) to modify the exception for small lots,
- 4) **Resolution P.C. 97-17** approving a Conditional Use Permit to allow a mini-mart with off-sale beer and wine past 11:00 p.m., and a car wash in conjunction with gasoline sales; a parking plan to allow fuel dispensing areas and the car wash stacking lane to count towards required parking; and a sign variance to allow two pole signs and to exceed sign area requirements, and adoption of an Environmental Negative Declaration at 755 Pier Avenue and 1439 Pacific Coast Highway,

- 5) **Resolution P.C. 97-18** approving a Conditional Use Permit for an R-1 Planned Development, a five-lot subdivision, and Vesting Tentative Tract Map #52278 for the development of four single family dwellings and a private street, and adoption of an Environmental Negative Declaration at 532 - 540 20th Street,
- 6) **Resolution P.C. 97-19** approving a Conditional Use Permit, and Precise Development Plan with a minor amendment for a two-unit condominium, and Vesting Parcel Map #24632 at 928 17th Street,
- 7) **Resolution P.C. 97-20** recommending amending the General Plan Conservation Element to include the "Drought - Proof 2000 Water Conservation Plan prepared by West Basin Municipal Water District, and
- 8) **Resolution P.C. 97-21** approving a greater than 50% expansion and remodel to an existing single family dwelling while maintaining nonconforming sideyard setbacks at 1105 First Street,
- 9) **CUP 97-2** -- Conditional Use Permit to allow a large family day care home for up to twelve (12) children at 1150 First Street.

Staff Recommended Action: To approve said request pursuant to State law.

AYES: Comms. Perrotti, Pizer, Schwartz, Chmn. Tucker
 NOES: None
 ABSENT: Comm. Merl
 ABSTAIN: None

PUBLIC HEARINGS

7. **CON 97-1/PDP 97-1 -- CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE PARCEL MAP #24716 FOR A FOUR-UNIT CONDOMINIUM AT 445 MONTEREY BOULEVARD.**

Staff Recommended Action: To approve said request.

Mr. Schubach described the proposed project, stating it complied with zoning requirements. Staff's concern was the approach taken to obtain compliance, including raising the sideyards and a 3' 1 1/2" setback for two lots rather than the 5' required of one lot. Additionally, Staff is concerned about the lack of required detail on the plans. Director Blumenfeld explained the applicant was requesting a continuance since this would be a two unit project, and the applicant proposed to submit two maps and revisions to the project plans. Responding the Commission questions, Mr. Schubach said the project was three story, with basement levels.

Chmn. Tucker opened the Public Hearing at 7:19 p.m.

Cheryl Vargo, 5147 Rosecrans, Hawthorne, applicant's representative, explained their had been some miscommunication resulting in the previous confusion and current need to provide maps for two lots. She said a continuance was being requested, but she wished to present the project and obtain comments for inclusion in the revised plans. She said the applicant was willing to change the bath on the garage level to a three-quarter one, noting they agreed with the other conditions recommended. This project will conform to the 30' height limits.

Patrick Killan, 912 Manhattan Avenue, Manhattan Beach, project architect, displayed a drawing and described the proposed project. He noted the land drop off and explained the architectural solutions he proposed.

Comm. Perrotti requested the revised plans contain more detail.

Christen Devine Daily, 446 Monterey, said she represented 33 of her neighbors who strongly objected to this project. Ms. Daily stated the notices were received very late. She said this project would totally block six ocean views and partially block many others, which will decrease property value and decrease light. She said they wished to have some say in the development planning. Chmn. Tucker explained there is no view ordinance and this project was required to meet the 30' height limit. She confirmed the building she was living in was 35' tall.

Crystal Barrett, 446 Monterey 2F, said she recently purchased this ocean-view property and would experience an immediate devaluation. She said she did not understand how she could be a victim of the system and suggested the project be "dropped lower into the ground". She asked several questions including an explanation of "variances", which Staff answered.

Joseph Yappy, 446 Monterey 3L, recently purchased his ocean-view property. He said he has lived through the turn-up streets last summer and asked if this one will be the same. Chmn. Tucker said an ordinance controlled construction start and stop hours. Mr. Yappy asked an explanation of the notice requirements, to which Director Blumenfeld responded. Mr. Yappy said he had received no notice. He cautioned the finished project be as designed and approved.

Phyllis Rassmussen, 446 Monterey F2, asked the steps of this process, which was explained by Chmn. Tucker. Comm. Perrotti explained the reasons for denials, noting this project seemed to meet the compliance requirements.

Dawn Eock, 446 Monterey G2, said she had just purchased the property, expressing concern about view and property loss as well as a street parking loss. She expressed concern as to style of the proposed project.

Phyllis Gam, 429 Manhattan Ave., said she was concerned about parking space lost. Chmn. Tucker explained due to the number of parking to be furnished, no parking spaces will be lost.

Rebuttal

Cheryl Vargo addressed concerns expressed, stating this project was always intended as two separate buildings, not one. She said the current building was a five-unit, six parking space property which would be replaced by four units and 14 parking spaces. She submitted a picture of a 3-story condominium next door to this property.

Patrick Killan explained how height limit was computed, commenting this project was much under the height to which this project could have been expanded.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 7:53 p.m.

Discussion

Comm. Perrotti wanted the record to reflect a letter had been received from Deborah Bohandy. Responding to Comm. Pizer, Director Blumenfeld said the contract service providing noticing would be contacted to find out the notice distribution timing. Chmn. Tucker asked when the project comes back, the chimney widths be reduced, decorative concrete in the front be included, adequate trash and storage area be provided, a three-quarter bath in the lower area with no door to the outside in the lower bedroom, and possibly windows on the floor plans.

MOTION by Comm. Perrotti, Seconded by Comm. Pizer, to **CONTINUE** this item to April 15, 1997.

AYES: Comms. Perrotti, Pizer, Schwartz, Chmn. Tucker

NOES: None

ABSENT: Comm. Merl

ABSTAIN: None

8. **CON 97-4/PDP 97-3 -- CONDITIONAL USE PERMIT PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE TRACT MAP #52295 FOR AN EIGHT-UNIT CONDOMINIUM, AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION AT 1005 - 1019 MONTEREY BOULEVARD.**

Staff Recommended Action: To approve said request and adopt the Environmental Negative Declaration.

Mr. Schubach said this project would be an improvement, stating Staff's concern was the provision of required common open space for active recreation. The architect had submitted some improvement, but Staff was not completely satisfied. Director Blumenfeld said Staff's recommendation provided active recreational space common to all units, discussing the concept with Commissioners. Director Blumenfeld explained the plan changes, per Comm. Schwartz' request.

Chmn. Tucker opened the Public Hearing at 8:04 p.m.

Cheryl Vargo, 5147 Rosecrans, Hawthorne, applicant's representative, detailed the plan changes that had been made, including widening of the common area. She objected to the request to install a spa in this area since the owners would be required to pay the monthly maintenance. With the beach so close, the spa probably would not be used very much and that the area created will be functional for the residents for both adult and children. She said this would be a tract map and the Resolution should be modified to reflect this, requesting approval since the project did comply with all requirements. Director Blumenfeld explained that Staff's only concern was the layout of the common area and that the actual amenities provided in the space were not an issue.

Chmn. Tucker suggested the northern unit bedrooms be "squeezed" to make the exterior area wider. Ms. Vargo felt no function would be served due to grade change proposed in this area.

Chmn. Tucker opened the Public Hearing at 8:16 p.m.

Cynthia Seemore, 1076 Monterey, asked the definition of an Environmental Determination, to which Director Blumenfeld responded.

Leslie Gimboa, 225 10th Street, said she had received no written notice of demolition and asked what her rights were as a tenant. Director Blumenfeld explained this was an issue between landlord and tenant, explaining the permitting process steps.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 8:20 p.m.

Discussion

Comm. Perrotti commented the revised plans addressed previous concerns, stating the open space area as presented was fine. Comm. Schwartz felt the building exterior should have more detail, agreeing additional widening of the common area would be provide a more definition of space. Chmn. Tucker said the revised plans were a vast improvement, but felt more architectural detail and additional open space was desirable. Comm. Pizer said there was no direct access to the open space area, and suggested the Resolution be approved as presented.

MOTION by Comm. Pizer to **APPROVE** Staff's recommendation. **Motion failed** due to lack of a second.

MOTION by Comm. Schwartz, Seconded by Comm. Perrotti, that the applicant continue to work with Staff to make improvements in the detail of the design level to remove some boxiness of the units and push back the bedroom walls adjacent to the open space in units 7 and 4. The Resolution in its present form shall be modified indicate the revisions to the plans that were submitted, including the three-quarter bath.

AYES: Comms. Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: Comm. Merl
ABSTAIN: None

Chmn. Tucker said this decision was appealable to City Council within 10 working days from this date.

9. **CON 97-5/PDP 97-4 -- CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE PARCEL MAP #24696 FOR A THREE-UNIT CONDOMINIUM AT 1550 MONTEREY BOULEVARD.**

Staff Recommended Action: To approve said request.

Mr. Schubach said this project had no unusual features of concern, and Staff recommended approval.

Chmn. Tucker opened the Public Hearing at 8:30 p.m.

Monty Williams, 158 Manhattan Ave., applicant, said he agreed with Staff's recommendation to place Queen Palms in the rear side yard, with an additional palm on 16th and Monterey. He explained storage provisions for the units. He said the lot had 15' and 9' setbacks, asking approval of use of the open space by the front-unit tenant. He said he would like the front unit doors on the first floor remain in order to access this area. He said for air conditioning purposes, the area between the first floor and basement was closed. He discussed the plans with Commissioners.

Ron Neeley, 1532 Loma, confirmed with Commissioners that the project would comply with height, trash storage and setback requirements. He asked if the streets would be improved in addition to that adjacent to this property. Director Blumenfeld explained requirements for improvement past the property lines.

Rick Hankus, 1550 Loma Dr., asked explanation of the encroachments, to which Director Blumenfeld responded, explaining the encroachments consisted of balconies which improved building appearance. He discussed set back requirements with Chmn. Tucker.

Mary Jane Glane, 1538 Monterey, said she manages the building next door and was concerned about parking provisions. Chmn. Tucker explained each driveway would park two cars without affecting foot traffic.

Rebuttal

Monty Williams said there would be two trash areas, a new sidewalk and gutter would be installed along Loma, the zoning maps show a 0 setback on Loma but he will be working with a 3' setback, the chimneys will be as low as safe and reduced in width. He requested the 3/4 bath be approved, agreeing the doors will be removed and the area opened up to prohibit the possibility of a "boot-leg".

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 8:55 p.m.

Discussion

Comm. Schwartz wished to assure the landscaping shown would be provided. She supported approving direct access near the stairwell, but expressed concern relating to the possibility of a "boot leg". Director Blumenfeld said this could be handled through code enforcement if it became a future problem. Comm. Pizer expressed concern regarding the access to the outside from the room on the ground floor, stating the answer was either open space or changing the bath. Chmn. Tucker expressed concerns regarding accessibility, suggesting a half bath, noting there was more potential of a boot leg unit with bedroom #2, suggesting a band on the east elevations to break up the massive wall. The Commission discussed a half bath with access, to which the applicant responded he would rather have a 3/4 bath with no access doors.

MOTION by Comm. Perrotti, Seconded by Comm. Schwartz, to **ADOPT** this Resolution with the addition of requirements mentioned by Chairman Tucker concerning articulation or color change of the southern and easterly exposure elevations with some type of treatment on all three buildings to break up the appearance of mass and allowing a three-quarter bath with a doorway.

AYES: Comms. Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: Comm. Merl
ABSTAIN: None

This decision is appealable to the City Council within 10 days from this date.

10. CUP 97-1/PARK 97-1 -- CONDITIONAL USE PERMIT FOR ON-SALE BEER AND WINE, AND PARKING PLAN FOR EXPANSION OF AN EXISTING RESTAURANT WITH LESS THAN REQUIRED PARKING AT 1132 HERMOSA AVENUE, PAISANO'S PIZZA.

Staff Recommended Action: To approve said request.

Director Blumenfeld said the applicant proposed expanding into an adjoining retail space. Three additional parking spaces will be required. He explained the Commission's decision options, stating Staff believed less than required parking is reasonable due to the location. He discussed Coastal Commission requirements with Comm. Perrotti and seating requirements with Chmn. Tucker.

Chmn. Tucker opened the Public Hearing at 9:17 p.m.

Patrick Edward Punzerello, 8001 Grove St., Sunland, applicant's representative, said this business had been in the City for over two years. The intention has been to increase into the adjacent space and to offer beer and wine, but expansion was delayed due to financial obligations.

He felt the expansion would not result in an impact on the downtown area, stating most of the customers were pedestrians. The applicant wished to offer beer and wine with the meals, and would have no outside sales or live entertainment. He requested approval of the requests. Director Blumenfeld clarified outside service would be subject to ABC review. The employees park in the spaces at the back, discussing parking and cleaning of grease filters with Chmn. Tucker.

Carol Cooper, 1100 block of Manhattan Ave., said she supported downtown renovation but there was a reliance of the proposed parking structure, resulting in everyone parking in front of her house. She objected to losing three public parking spaces.

Jim Lissner, 2715 El Oeste, referenced the letter he had given the Commission, stated the residents were paying a subsidy to the downtown area and pass this community's wealth to other communities when hosting them in our establishments. He said other communities did not have

the concentration of bars this city does, to which he stated objection. He cautioned against setting a precedent by approving this request.

Rick Hankus, 157 Pier Ave., stated his support of this project.

Rebuttal

Anthony Basile, Jr., 6445 83rd St., Westchester, said most of the employees take the bus, the drivers use one section of the public parking and customers were encouraged to park in back.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 9:34 p.m.

Discussion

Commissioners expressed concerns about adequate parking in the downtown area, however it was not felt this business would significantly increase this problem. Chmn. Tucker suggested the 2-hour parking be changed to 1-hour parking to drive vehicles to the parking lots and away from residents. He stated the plans need to be signed by a licensed architect or engineer and the link fence should be decorative.

Responding to Comm. Pizer's questions, Director Blumenfeld presented status on the downtown parking plan and proposed structure, which is to be considered by City Council within the next few months.

MOTION by Comm. Schwartz, Seconded by Comm. Pizer to **APPROVE** Staff's recommendation, with the addition of making sure that all the Code issues regarding the sump pump, mop sink, and fencing are resolved to Code requirements.

AYES: Comms. Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: Comm. Merl
ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

Comm. Schwartz excused herself from participation, exiting the Hall.

11. **CUP 97-3 -- CONDITIONAL USE PERMIT AMENDMENT TO MODIFY AN EXISTING RESTAURANT WITH ON-SALE ALCOHOL AND ENTERTAINMENT TO ADD A BAR AREA AND LIVE MUSIC STAGE AT 705 PIER AVENUE.**

Staff Recommended Action: To approve said request.

Mr. Schubach said the applicant proposed to remove the bakery to allow more seating for the restaurant. An additional bar and entertainment stage would be added. Typical conditions of approval have been recommended.

Chmn. Tucker opened the Public Hearing at 9:49 p.m.

Shane McColgan, 912 9th St., said the location was 8900 sq. ft. He intended to upscale the restaurant and provide dancing. He said he needed support on the amendments to make this work, asking the Commission's support. He felt it important to have access/exit to the parking structure, with valet parking at the front. Security will be provided at the front and back entrances.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 9:53 p.m.

Discussion

Comm. Pizer felt the project was exciting, supporting the request. Comm. Perrotti stated his support. Chmn. Tucker wanted the live entertainment removed, suggesting it be made a separate item. He said the public lot was on a "first-come-first-served" basis and would not function well for valet parking. Mr. Schubach confirmed valet reserved parking would violate the Code.

MOTION by Comm. Perrotti, Seconded by Comm. Pizer, to **ADOPT** the Resolution as proposed by Staff.

AYES: Comms. Perrotti, Pizer, Chmn. Tucker

NOES: None

ABSENT: Comms. Merl, Schwartz

ABSTAIN: None

MOTION by Comm. Perrotti, Seconded by Chmn. Tucker, to **DIRECT** Staff to modify or clarify the language used in the conditions of approval concerning amplified music, which is currently too vague concerning the term "amplified". **No objections, so ordered.**

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

12. PARK 97-2 -- PARKING PLAN TO PAY AN IN-LIEU FEE INSTEAD OF PROVIDING REQUIRED PARKING FOR A PROPOSED RESTAURANT AT 117 PIER AVENUE, THE MIX

Staff Recommended Action: To approve said request.

Director Blumenfeld said the location allowed this business to be eligible for in-lieu parking, as recommended for approval by the Downtown Enhancement Commission. The Coastal Commission will need to review this project, but has recognized in-lieu parking fees previously.

Approval would allow five in-lieu parking fees. He discussed current parking and in-lieu fees with Chmn. Tucker.

Chmn. Tucker opened the Public Hearing at 10:07 p.m.

Greg Allen, 1200 Hermosa Ave., applicant, said the space was previously retail, he would considerably change the building front and asked approval of his application. He wished to attract the breakfast and lunch crowd, while furnishing a place for people to come instead of a place serving alcohol.

Gail Cooper, 1100 block of Manhattan Ave., discussed the problems she experienced as a resident with parking taken by patrons.

Shane McColgan, 912 9th St., said the business was a combination of retail/restaurant with a lot of walk-by traffic. He did not feel it would impact traffic.

James Lissner, 2715 El Oeste, said there was an inequity between the residential and commercial downtown center regarding parking. He felt this project a reason for an exception, encouraging approval.

Jim Dewey, 711 Manhattan Ave., stated his opposition to restricting the hours of operation of this establishment. He discussed the problems of the current in-lieu parking program and the lack of definition within the program. Staff and Commissioners discussed the problems and program lack as presented by Mr. Dewey. Mr. Dewey urged approval of this application.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 10:20

Discussion

Comm. Perrotti said this application had positive benefits for downtown patrons. He acknowledged parking in the downtown area was a definite problem. He felt Findings could be found to justify approval of in-lieu parking. Chmn. Tucker stated his agreement. Director Blumenfeld said this item would be presented to the Coastal Commission.

MOTION by Comm. Pizer, Seconded by Comm. Perrotti, to **APPROVE** Staff's recommendation.

AYES: Comms. Perrotti, Pizer, Chmn. Tucker

NOES: None

ABSENT: Comms. Merl, Schwartz

ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

HEARINGS

13. **NR 97-2 -- NONCONFORMING REMODEL TO ALLOW A 250 SQUARE FOOT EXPANSION TO AN EXISTING NONCONFORMING DUPLEX WITH ONE PARKING SPACE PER UNIT AT 431 LONGFELLOW AVENUE.**

Staff Recommended Action: To approve said request.

Mr. Schubach said the expansion was small, and minor conditions of approval were recommended. Chmn. Tucker said if the garage was not so wide, a carport could be added, giving three parking spaces.

Chmn. Tucker opened the Hearing at 10:31 p.m.

Tom O'Brien, 431 Longfellow Ave., applicant, said the back garage needed to be torn down before it falls down. He said the third parking space was not allowed by the City due to the alley turning radius. He said he would like to add a carport. Mr. Schubach confirmed the third space would not be allowed by Code.

No one else wished to speak, and Chmn. Tucker closed the Hearing at 10:35 p.m.

Discussion

MOTION by Comm. Perrotti, Seconded by Comm. Pizer, to **APPROVE** the Resolution.

AYES: Comms. Perrotti, Pizer, Chmn. Tucker

NOES: None

ABSENT: Comms. Merl, Schwartz

ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

A break was taken at 10:37 p.m. Chmn. Tucker reconvened the meeting at 10:39 p.m.

14. **NR-979-3 -- NONCONFORMING REMODEL TO ALLOW A REMODEL AND EXPANSION TO AN EXISTING NONCONFORMING STRUCTURE TO CONVERT FROM 3 UNITS TO 2 UNITS AND TO ADD A 60 SQUARE FOOT ENCLOSED STAIRWAY AT 2648 THE STRAND.**

Staff Recommended Action: To approve said request.

Mr. Schubach said parking was being increased. Staff recommended approval with a few general conditions.

Chmn. Tucker opened the Hearing at 10:40 p.m.

Scott Friedman, 2648 The Strand, said the family was growing out of the house. He was trying to increase the living area changing as little as possible.

No one else wished to speak, and Chmn. Tucker closed the Hearing at 10:42 p.m.

Discussion

MOTION by Comm. Pizer, Seconded by Comm. Perrotti, to **ACCEPT** the Resolution as presented.

AYES; Comms. Perrotti, Pizer, Chmn. Tucker
NOES: None
ABSENT: Comms. Merl, Schwartz
ABSTAIN: None

Chmn. Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

15. A-14 -- APPEAL OF DETERMINATION OF COMMUNITY DEVELOPMENT DIRECTOR TO DENY THE RECONSTRUCTION OF A SUBSTANDARD GARAGE AT 1004 9TH STREET.

Staff Recommended Action: To direct staff as deemed appropriate.

Director Blumenfeld said this appeal was based upon a request the City consider measuring the garage interior in conjunction with a renovation project. To meet explicit Code requirements, the garage needs to be modified to meet required interior dimensions, requiring a substantial modification involving only a few inches area increase.

Chmn. Tucker opened the Hearing at 10:45 p.m.

Allen Dettelbach, 1004 9th St., applicant, said the garage was a separate structure, detached from the home. The garage back wall has three feet of dirt, electrical lines and water lines. It would be an expensive project to complete this construction. Director Blumenfeld explained to pick up the four inches, the proposal was to provide a header to carry the studs and above load, freeing the space where the front end of the vehicle would protrude. Chmn. Tucker discussed this proposal with the applicant and Director Blumenfeld. Mr. Dettelbach said he parks his cars in the garage with no problems. He said all he wants to do is put another bedroom on his house on the existing deck.

No one else wished to speak, and Chmn. Tucker closed the Hearing at 10:48 p.m.

Discussion

Chmn. Tucker did not feel the proposed solution would work, suggesting the garage be left alone, to which both Commissioners stated agreement.

MOTION by Chmn. Tucker, Seconded by Comm. Perrotti, to **GRANT** the appeal, allowing the substandard garage to remain.

AYES: Comms. Perrotti, Pizer, Chmn. Tucker
NOES: None
ABSENT: Comms. Merl, Schwartz
ABSTAIN: None

STAFF ITEMS

16.a Tentative future Planning Commission agenda.

Receive and File.

16.b City Council Minutes of February 25, 1997.

Receive and File

COMMISSIONER ITEMS None

ADJOURNMENT

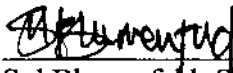
MOTION by the Commission to adjourn at 10:52 p.m. **No objections; so ordered.**

CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of March 18, 1997.



Peter Tucker, Chairman



Sol Blumenfeld, Secretary

4-15-97

Date

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE
CITY OF HERMOSA BEACH HELD ON APRIL 15, 1997
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:08 p.m. by Chmn. Tucker.

Pledge of Allegiance led by Comm. Merl.

ROLL CALL

Present: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
Absent: None
Also Present: Sol Blumenfeld, Community Development Director
Michael Schubach, City Planner
Sylvia Root, Recording Secretary

CONSENT CALENDAR

MOTION by Comm. Pizer, Seconded by Comm. Perrotti, to **APPROVE** the March 18, 1997 Minutes with the following changes: Page 3, Paragraph 5, Line 2 -- **CHANGE** "turn-up" to "torn-up", Page 5 **DELETE** Paragraph 2, and to **APPROVE** Resolution P.C. 97-22 Approving a Conditional Use Permit for a large family day care home at 1150 1st Street, Resolution P.C. 97-23 Approving a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Tract Map #52295 for an eight-unit condominium at 1005-1019 Monterey Boulevard, Resolution P.C. 97-24 Approving a Conditional Use Permit, Precise Development Plan, and Vesting Tentative Parcel Map #24696 for a three-unit condominium at 1550 Monterey Boulevard, Resolution P.C. 97-25 Approving an Conditional Use Permit to allow on-sale beer and wine, and a Parking Plan for expansion of an existing restaurant with less than required parking at 1132 Hermosa Avenue, Paisano's Pizza, Resolution P.C. 97-26 Approving Conditional Use Permit and Parking Plan, as amended, to allow two stages an additional bar and added seating in conjunction with a restaurant with on-sale alcohol 705 Pier Avenue, Resolution P.C. 97-27 approving a Parking Plan to accept payment fees in-lieu of providing required parking on-site to allow the change of use of an existing retail space to a restaurant 117 Pier Avenue, Resolution P.C. 97-28 Approving a 250 square foot expansion to an existing nonconforming duplex with one parking space per unit at 431 Longfellow Avenue, and Resolution P.C. 97-29 Approving an expansion and remodel to an existing nonconforming building and use to convert three units to two units and add a sixty square foot enclosed stairway at 2648 The Strand.

AYES: Comms. Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: Comm. Merl

ORAL/WRITTEN COMMUNICATIONS None

PUBLIC HEARINGS

7. CON 97-1 / PDP 97-1 -- CONDITIONAL USE PERMITS, PRECISE DEVELOPMENT PLANS AND VESTING TENTATIVE PARCEL MAP #24716 FOR TWO TWO-UNIT CONDOMINIUMS AT 445 MONTEREY BOULEVARD.

Staff Recommended Action: To approve said request.

Mr. Schubach said Staff found seven homes in the area were built during the period allowing 35 foot heights. An adjacent building is 34 feet in height. He said there were many buildings taller than this proposal, which has only one point at the 30 feet limit. The height will continue to be checked during its construction. One but not both lower baths has been changed to a three-quarters bath. Director Blumenfeld discussed zoning prohibitions for retaining wall heights and site grades with Chmn. Tucker.

Chairman Tucker opened the Public Hearing at 7:16 p.m.

Cheryl Vargo, 5147 Rosecrans, Hawthorne, applicant's representative, said the project was explained at the previous meeting. She stated she was available for questions. She said the applicant would comply with all conditions.

Chris Devine Daily, 446 Monterey Boulevard #M3, said she was representing the building owners. She said notice was sufficient, asked construction be delayed past the summer. Chmn. Tucker explained the Commission had no control over the start of construction.

REBUTTAL

Pat Killan, 912 Manhattan Ave., project architect, said construction would probably start in or after August.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 7:21 p.m.

Discussion

Comm. Schwartz wanted more building exterior definition and increased landscaping. Comm. Merl agreed the building exterior needed more distinction. Comm. Perrotti agreed and commenting on previous testimony regarding loss of view and the lack of a view protection ordinance. He supported Staff's recommendation. Chmn. Tucker responded to a letter received, noting many homes were taller than the proposed one, many residents had lost their views over the years and then requested an addition to Condition 4.d to include decorative treatment of the concrete driveway and requiring the three-quarter bath on the first floor.

) **MOTION** by Comm. Pizer, Seconded by Comm. Perrotti, to **APPROVE** CON 97-1/PDP 97-1 with the addition to Resolution Condition 4.d requiring decorative treatment of the concrete driveway and the full bath on the lower floor be changed to a three-quarters one.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chairman Tucker stated the Commission's decisions were appealable within 10 days to the City Council.

8. CUP 97-4 -- CONDITIONAL USE PERMIT TO ALLOW A MACHINE SHOP AND SPECIALTY SHEET METAL FABRICATION AT 322 ARDMORE AVENUE.

Staff Recommended Action: To continue to May 20, 1997 meeting.

Mr. Schubach said Staff asked this matter be continued to the next meeting to give the applicant time to review his options resulting from the City Attorney's input.

Chairman Tucker opened the Public Hearing at 7:30 p.m.

Robert Catelano, 322 Ardmore Ave., applicant, said he has operated a business at 323 and 325 Ardmore for many years. Referencing the City Attorney's memo, he requested the following corrections: (1) Correct spelling of his name, (2) his business is design and fabrication; not a machine shop and (3) this is an M1 use, not a C3 use. He said there were several existing CUPs, including his own. He said the change would allow him to do everything in house. He said he would like to have options of his own, noting the purpose of a CUP was to blend nonconforming uses, which is why he applied for the CUP. He reiterated there was no mass production, with one each parts being individually made as needed.

Mike Di Amico, 559 3rd St., asked this CUP not be approved because of the legal ramifications of inconsistency to the General Plan. He said he and his neighbors were concerns about sufficient parking. He thought as the businesses change, they were to revert into the City's Master Plan.

Susan Scott, 603 3rd St., said she supported the applicant's current business, suggesting a means of peaceful coexistence be discovered, suggesting Conditions be added to meet the applicant's and residents' needs.

No one else wished to speak, and Chairman Tucker closed the Public Hearing at 7:40 p.m.

Discussion

Comm. Perrotti discussed the differences between this one and one previously heard with Staff. Mr. Schubach indicated the CUP runs with the land. Director Blumenfeld said the applicant can

) maintain what he has, but by State law, the new permit cannot be issued due to the use not being classified, in conformance with the General Plan.

MOTION by Comm. Merl, Seconded by Comm. Schwartz, to **CONTINUE CUP 97-4** to May 20, 1997.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

9. CON 97-6 / PDP 97-5 -- CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE PARCEL MAP #24753 FOR A TWO-UNIT CONDOMINIUM AT 226 MONTEREY BOULEVARD.

Staff Recommended Action: To approve said request.

Mr. Schubach said Staff's concern addressed the open space, which should be larger and closer to the living space and the architecture and landscaping should be increased. He said with those changes, Staff recommended approval. Comm. Schwartz questioned the square footage shown in the plans and referenced in the Staff Report. Comm. Pizer discussed with Mr. Schubach the required setbacks.

Chairman Tucker opened the Public Hearing at 7:52 p.m.

Elizabeth Srour, 1001 6th St., Manhattan Beach, distributed reduced copies of the rendering. She presented the residence as it exists and as proposed. She said this proposal was similar to others and conformed to requirements. The new plans showed more detail and articulation, which she detailed. An additional element of landscaping will be provided during plan check. She felt the open space was very usable and functional, stating the front unit does meet the spirit of the Code, and asked for approval. She said the stairway was open, resulting in difficulty in creation of a separate unit at the ground level, stating the applicant wished a full bath at that level, but would accept a three-quarter one. She asked the Commission accept the open space provided to the front unit as meeting the spirit of the Code and approve this application.

Jan Pogan, 235 Monterey, asked when construction would start. The project architect responded as soon as possible and take about 3 1/2 months.

Joel Smith, 232 Monterey Blvd., asked for clarification on the open space. Staff explained open space requirements and methods of determination, per Mr. Smith's request.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 8:07 p.m.

Discussion

Chmn. Tucker requested language in the Resolution concerning sump-pumps, stating the City would be held harmless, as previously included in other Resolutions. Director Blumenfeld said this could be made a Condition. Chmn. Tucker said he wished this included, as well as making the applicant aware of the possible flooding. He asked for more relief on the elevations. Responding to audience questions, he said the City does have regulations concerning the hours of construction and serving as mechanisms for noise control. Comm. Merl synopsis the Commission's discussion and agreement on conditions relating to a sump pump, hold harmless, seven feet on the deck and a 3/4 bath.

MOTION by Comm. Perrotti, Seconded by Comm. Merl, to **APPROVE** CUP 97-6 / PDP 97-5 with amendments concerning requiring a sump pump, inclusion of a hold harmless agreement, require a seven-foot minimum deck, articulation on the front and side of the building and require decorative concrete in the driveways.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker said this decision could be appealed to City Council within 10 working days.

10. TEXT 97-1 -- TEXT AMENDMENT TO ADD THERAPEUTIC MASSAGE TO COMMERCIAL PERMITTED USE LIST.

Staff Recommended Action: To direct Staff as deemed appropriate.

Director Blumenfeld presented the proposed Text Amendment to amend the Zoning Ordinance to add massage therapy as a permitted use in the commercial zones. He explained the three alternative recommendations. Staff also suggested consideration of adding licensing provisions if this use is added as a permitted use. He explained the current use of adult massage is defined in the Zoning Ordinance, appurtant to other permitted uses. Several other cities were surveyed, the results detailed by Director Blumenfeld. He said there is relatively less C-2 zoned property than C-3 zoned property (which is located along the highway) and that the Commission may want to consider this. He pointed out the Commission had the discretion to add or not add this use to the permitted uses, discussing the particulars with Commissioners.

Chairman Tucker opened the Public Hearing at 8:27 p.m.

Maureen Grey, 708 El Redondo, Redondo Beach, said she holds a business license in this City. She objected to the mention of adult massage parlors, saying that was off base and part of the confusion. She explained the benefits of the service she offers. She said California does not provide licensing for massage therapist, with each City provides requirements to work within that City. She requested the Commission recommend the adding of the category "therapeutic massage" to the permitted use list and to provide qualification standards to allow provision of service by qualified individuals. She explained there is a national board offering a certification test, noting this could suffice as a testing procedure. Regarding parking, she said only the

professional and client were on-site. She said there were two national associations professionals can belong, explaining the requirements and insurance provided as a member.

No one else wished to speak, and Chairman Tucker closed the Public Hearing at 8:33 p.m.

Discussion

Comm. Pizer preferred Alternative #1, with conditions, establishing standards and guidelines. Director Blumenfeld clarified for the record that "massage parlor" was defined while "massage therapy" was not and that it needed to be defined and guidelines established if it was included in the Zoning Ordinance. Comms. Perrotti and Merl also preferred Alternative #1. Comm. Schwartz objected to business signs saying "massage" as something she did not wish to see in the community. Chmn. Tucker questioned the zones in which this business would be allowed. He felt sufficient guidelines could be established.

MOTION by Comm. Merl, Seconded by Comm. Perrotti to **DIRECT** Staff to proceed with Alternative #1.

AYES: Comms. Merl, Perrotti, Pizer, Chmn. Tucker
NOES: Comm. Schwartz
ABSENT: None
ABSTAIN: None

HEARINGS:

11. NR 97-5 -- EXPANSION AND REMODEL TO AN EXISTING NONCONFORMING SINGLE FAMILY DWELLING RESULTING IN A GREATER THAN 50% INCREASE IN VALUATION AT 2429 MYRTLE AVENUE.

Staff Recommended Action: Application withdrawn at request of the applicant.

12. NR 97-4 -- REMODEL AND ALTERATION TO AN EXISTING NONCONFORMING DUPLEX (A NONCONFORMING USE IN THE C-2 ZONE) INVOLVING GREATER THAN 10% REMOVAL OF THE EXISTING STRUCTURE INCLUDING ELEVATING THE REAR UNIT TO PROVIDE PARKING BELOW AT 45 14TH STREET.

Staff Recommended Action: To approve said request.

Mr. Schubach said this project provided sufficient parking, and although the project seemed unusual, it met the zoning code requirements. Comm. Perrotti confirmed the existing garage would be lifted up, with review by the Building Dept. Comm. Pizer felt the architectural aspects of the proposed project were not pleasing. Chmn. Tucker confirmed that if the building does not withstand the lifting, it cannot be rebuilt in the same configuration, since it is nonconforming.

Rick Coleman, project architect, said the nonconforming side yards would be improved to 2.7 feet. He felt the applicant would agree to visual improvements. He said the project motivation was to create five more parking spaces; six total. He discussed the survey with Commissioners. Chmn. Tucker requested more garage security, garage doors and walls be added, the windows on the property line be turned into fire windows, the deck be a one-hour assembly, and the front building be stuccoed.

David Schumaker, applicant, 1612 The Strand, said the houses could not be rented unless sufficient parking was provided. He said garage doors were unnecessary since this was a dead-end street. The open entries made it easier to get in and out, not interfering with traffic. He said the land was worth too much considering the existing buildings, noting parking as a tremendous problem within the City. He asked approval of his application.

Patricia Spiritus, 1610 The Strand, felt if garage doors were added, the tendency would be to use the parking as storage units. Stating there is not a theft or security problem, she felt open parking would guarantee the spaces would be used as parking.

No one else wished to speak, and Chairman Tucker closed the Public Hearing at 8:56 p.m.

Discussion

Comm. Pizer requested the plans be reviewed again by the architect to increase site beautification. He approved an increase in parking but thought the site could be made more visually pleasing, to which Comm. Schwartz agreed. She objected to the building appearing to be hanging in the air. She acknowledged that due to set back requirements, there would not be as many parking spaces.

Comm. Perrotti felt the applicant was trying to remodel his existing structure and should not be required to change the simple elevation to a much more extensive project. He supported the resolution proposed by Staff. Comm. Merl questioned the Commission's authority to require the additional work suggested by the Commissioners. Chmn. Tucker thought the project might be more than a 50% valuation. Director Blumenfeld said the original proposal was not greater than 50%, but if the project becomes larger, it could be over that limitation. Chmn. Tucker thought the project could easily exceed the 50% limit due to inherent problems in structure and site. Director Blumenfeld noted that if the garage doors are set back 18 feet, the area in front of the garage doors would be required parking. Comm. Pizer thought garage doors were not necessary, but design was. Chmn. Tucker said he would like to see garages and front building upgrade, objecting to a building on stilts.

MOTION by Comm. Schwartz, Seconded by Chmn. Tucker, to **CONTINUE** NR 97-4 to May 20, 1997 so this project can be redesigned.

AYES: Comms. Pizer, Schwartz, Chmn. Tucker
NOES: Comms. Merl, Perrotti
ABSENT: None
ABSTAIN: None

13. **PARK 95-2 / PDP 95-3 -- CLARIFICATION ON COMPLIANCE OF PRECISE DEVELOPMENT PLAN NO. 95-26 CONDITION NO. 4 REGARDING POSTING OF PARKING SIGNS AT GREENWOOD PARK IN CONNECTION WITH STARBUCK'S COFFEE AT 1100 PCH.**

Staff Recommended Action: To set the matter for public hearing.

Director Blumenfeld said in May 1996 the Commission approved a PDP for this project, with the applicant being given time to allow compliance for outstanding conditions. Condition #4 is not in compliance, with the applicant not installing the signs. Staff believed this condition is impossible since it is difficult to enforce. It was determined Greenwood Park can be reserved for private use, but it rarely is. Staff felt there was no conflict with the elimination of Condition #4. He discussed with Commissioners parking provisions.

Discussion

MOTION by Comm. Perrotti, Seconded by Comm. Pizer, to **DIRECT** Staff to set PARK 95-2 / PDP 95-3 for public hearing to review the elimination of Condition #4.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

STAFF ITEMS

14.a Special Study 97-2 -- Code Enforcement.

Mr. Schubach said Staff was trying to simplify the Code enforcement process, explaining the suggested changes and time savings to Commissioners. Director Blumenfeld said the State recently made it easier to move in this direction.

MOTION by Comm. Merl, Seconded by Comm. Pizer, to **DIRECT** Staff to set this item for Public Hearing and to prepare a resolution recommending amending the Zoning Ordinance.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

14.b Community Development Department Activity Report of February, 1997.

Receive and File

14.c Tentative future Planning Commission agenda.

Receive and File

14.d City Council minutes of March 11 and 25, 1997.

Receive and File

COMMISSIONER ITEMS

Comm Pizer read a memo he distributed to Commissioners which suggested lower Pier Avenue be open to vehicular traffic by permit only, discussing this concept and reasons for such action with Commissioners and Staff.

MOTION by Comm. Merl, Seconded by Comm. Pizer, to **DIRECT** Staff to draft a memorandum to City Council, stating Comm. Pizer's letter was reviewed and approved. **Unanimous approval (5-0).**

ADJOURNMENT


MOTION by the Commission to adjourn at 9:39 p.m. **No objections; so ordered.**

CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of April 15, 1997.



Peter Tucker, Chairman



Sol Blumenfeld, Secretary

5-20-97

Date

**MINUTES OF THE PLANNING COMMISSION MEETING OF THE
CITY OF HERMOSA BEACH HELD ON MAY 20, 1997
AT 7:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS**

Meeting called to order at 7:07 p.m. by Chmn. Tucker.

Pledge of Allegiance led by Rosemary Lackow.

ROLL CALL

Present: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
Absent: None
Also Present: Sol Blumenfeld, Community Development Director
Michael Schubach, City Planner
Sylvia Root, Recording Secretary

CONSENT CALENDAR

MOTION by Comm. Merl, Seconded by Comm. Perrotti, to **APPROVE** the following Consent Calendar items:

- 1) **April 15, 1997 Minutes** with no change,
- 2) **Resolution P.C. 97-30** - Conditional Use Permits, Precise Development Plans and Vesting Tentative Parcel Map #24716 for two two-unit condominiums at 445 Monterey Boulevard with the addition of a Condition requiring decorative treatment of the concrete driveway,
- 3) **Resolution P.C. 97-31** - Conditional Use Permit, Precise Development Plan and Vesting Tentative Parcel Map #24753 for a two-unit condominium at 226 Monterey Boulevard.

AYES: Comms. Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: Comm. Merl

SECTION II

Making Livable Communities Workshop - Sponsored by South Bay Council of Government in association with Urban Design Studio

Annita Kroeger, South Bay Council of Governments (SBCOG) representative, said SBCOG had conducted investigations into livable communities, had held a successful workshop last year, and was now presenting the information to communities.

Mark Broder, Urban Design Studio, conducted the presentation, "Making Livable Communities" including improving the livability of South Bay communities, focus on tools for improving the

communities, livability issues, the nine major tenets for a livable community and possible solutions to the issues raised during this presentation.

A break was taken at 7:43 p.m. Chairman Tucker reconvened the meeting at 7:50 p.m. with all Commissioners present.

ORAL/WRITTEN COMMUNICATIONS

Betty Martin, 27th Street, asked staff to investigate the Anchor Liquor store on Herondo and Hermosa Avenues, saying it looked terrible and was a bad presentation at the entrance to the City.

PUBLIC HEARINGS

8. **CUP 97-4 -- AMORTIZED CONDITIONAL USE PERMIT FOR AN EXISTING MISCELLANEOUS REPAIR SHOP, AND AUTO STORAGE AT 322 ARDMORE AVENUE.**

Staff Recommended Action: To deny said request.

Director Blumenfeld said this application had been continued in order to give the applicant time to consider options. After review, the City Attorney said due to inconsistency between the General Plan and proposed use, granting a CUP would violate State law. The applicant is aware of this opinion.

Chairman Tucker opened the Public Hearing at 7:55 p.m.

Robert Catalano, 322 Ardmore Avenue, asked the difference between the General Plan and M-1 zoning. He said he hoped the City Council would not change this zone, stating he wished to bring work in-house that he is currently having done. He described the layout and machinery, commenting this was a specialized machinery process, not production, and said no auto general repair would be done. He suggested the application be put on hold until the City Council has taken action about the proposed zone change.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 8:00 p.m.

Discussion

MOTION by Comm. Perrotti, Seconded by Comm. Pizer, to **CONTINUE CUP 97-4** to the June 17, 1997 Planning Commission meeting.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

9. **V 97-1 -- SIGN VARIANCE TO ALLOW A SIGN TO EXCEED THE MAXIMUM ALLOWABLE HEIGHT IN C-3 ZONE AT 2901 AND 3001 PACIFIC COAST HIGHWAY, Vasek Polak BMW.**

Staff Recommended Action: To approve said request.

Director Blumenfeld said the proposed sign would replace an 18' pole sign with a 22' sign, and eliminate a non-conforming 25' high sign encroaching on the sidewalk adjacent the dealership entry. The applicant indicates that BMW of America requires signs made by one fabricator, who produces monument signs of 11 and 22 feet in height. Director Blumenfeld detailed the findings necessary for approval, confirming this sign exceeded the maximum height allowance by 2'.

Chairman Tucker opened the Public Hearing at 8:13 p.m.

Arlan Tarhan, applicant, said he currently had a 25' sign which encroached on the sidewalk, which he proposed to replace with a sign provided and required by BMW of America. An 11' sign will replace an existing 25' sign, and a 22' sign will be placed in another location. Responding to Chairman Tucker, he said only 22' and 11' signs are available. He said the design prohibited burying the lower portion of the sign to lower the sign height.

Pat Lucy, 2916 Tenneson Place, said the sign was excessive, commenting an 18' sign would be much more livable.

Jeff Perry, 2844 El Oeste, said four tall signs were on that block, which should be taken into account and addressed simultaneously.

Arlene Howell, 30th Street, said she lives behind the dealership. She felt the signs will be one more encroachment, asked if a study of residents' line-of-site had been done, and asked that the residents be considered when making this decision.

Rebuttal

Arlan Tarhan said he was trying to improve the situation, commenting the current sign location was abnormal. The new sign was state of the art and would replace an old, ugly sign. The other tall signs on the block are owned by three different dealerships and needed separate consideration.

No one else wished to speak, and Chairman Tucker closed the Public Hearing at 8:23 p.m.

Discussion

Comm. Perrotti said letters from James Lissner and Mary Wright had also been received. He said the existing 25' sign was being replaced by a better, shorter sign. He felt BMW of America was restricting the applicant's options. Comm. Merl felt the City could not be boxed in by BMW's policies. Although reluctant regarding the height variance, he felt removing the encroachment was an improvement. Comm. Schwartz agreed, commenting BMW was probably experiencing

problems with other cities regarding this policy. Commenting that other companies had been flexible with signage, she opposed approving a 22' high sign. Comm. Pizer felt replacement of the old sign with a new one would be an enhancement; not a detriment. Chmn. Turner said the City had a sign ordinance to which other companies had adhered. He felt a 22' tall sign was too massive, approving an 11' sign or a sign modified to a total of 20 feet in height.

MOTION by Comm. Schwartz, Seconded by Comm. Merl, to **DENY V 97-1** sign variance to allow a sign to exceed the maximum allowable height in C-3 zone at 2901 & 3001 Pacific Coast Highway.

AYES: Comms. Merl, Perrotti, Schwartz, Chmn. Tucker
NOES: Comm. Pizer
ABSENT: None
ABSTAIN: None

Chmn. Tucker said this decision could be appealed to City Council within 10 working days.

10. a) **CUP 97-7/PDP 97-6 -- CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE PARCEL MAP #24778 FOR A TWO-UNIT CONDOMINIUM AT 609 30TH STREET.**
- b) **CUP 97-8/PDP 97-7 -- CONDITIONAL USE PERMIT, PRECISE DEVELOPMENT PLAN AND VESTING TENTATIVE PARCEL MAP #24778 FOR A TWO-UNIT CONDO AT 613 30TH STREET.**

Staff Recommended Action: To approve said request.

Mr. Schubach said the two projects were the same project on two separate lots, meeting all requirements and codes. Staff's concern related to full baths being proposed in the basement level and the grade is being raised to qualify the lower levels as basements. Staff has included conditions requiring the full baths at the basement level be changed to 3/4 bath.

Chairman Tucker opened the Public Hearing at 8:36 p.m.

Elizabeth Srouer, 1001 6th St., Manhattan Beach, said the height would be determined from the existing grade, with height checks being conducted during project construction. Noting the modest lot coverage, an 11-foot separation between buildings, garages placed away from the street which allowed additional parking, a two-unit homeowners association, she said the units complied with code and the applicant found the conditions acceptable.

Robert Wickwire, 2900 Amby Place, said the driveways were going down the lot line, three lots were being used, with the middle lot having the center driveways. He said the Commission should not allow monstrosities to be built, and these units should only be allowed to be 25 feet tall, as were the homes across the street. A 30' tall building will destroy his view, which he did not feel was right. Chmn. Tucker explained that some houses had been built prior to the 30' height

allowance, this project was allowed a height up to 30 feet, and there was not a view protection ordinance which the Commission could reference.

Barry Scardena, 625 30th Street, bought his home 11 years ago, attended a meeting 10 years ago, resulting in the area being changed from R-2 to R-2B, which placed construction restrictions on his property. He said at that time, the City's vision was to change this area to R-1 lots. He said he had been told he could not build two units on his property. Mr. Schubach explained parking provision determined how many units could be built upon the property, stating two units were allowed in R-2B zoning. He noted that R-2B zoning was established as compromise between R-1 and R-2 zoning for area. Commissioners and Staff discussed the requirements and construction capabilities on lots zoned R-2B.

Pat Lucy, 2916 Tenneson, said the project was meeting the letter of the law, but the open space will not be visible from the street, commenting that 30th and Ardmore is now wall-to-wall home. She said the Commission should be very careful in approving massive buildings on this street.

Cindy Tendall, 619 30th Street, said we were about to lose a livable community and will soon live in a walled community. She has an ocean view which will be lost as well as light and air. She asked how tall the required trees would grow and would they be maintained. Said she wanted the neighborhood maintained, and this project will result in loss of privacy by current residents. She asked the Commission reconsider what is happening in this neighborhood.

Jim Colluse, 2919 Hermosa Drive, said this area was different than typical R-2 and R-2B zones, the policy was applied throughout the City, regardless of the specific differences. He said the lots were large, but the same development standards applied for lots whether they were large or small. This project will not be compatible with the area; a precedent was being set in an area of largely R-1 zoning, which residents were trying to maintain.

Francis Ford, Palos Verdes Blvd., objected to granting a CUP for these projects. Ten years ago the Council tried to zone this area R-1; residents were told if two units were torn down, only one unit or a one-story duplex could replace it. She objected to the inconsistencies in the zoning policy, said the only open space would be back yards next to Longfellow Ave., and stated the property owners and tenants were not notified of the Ardmore/30th St. construction. Director Blumenfeld confirmed property noticing had occurred, stating he would furnish a copy of that notice at the next Planning Commission meeting.

Carmen Dorritty, 633 and 635 30th Street, bought her property in 1947 as an investment. She asked the residents be considered when determining whether or not to grant this CUP.

Warren Ford, 610 and 612 Longfellow, said he had never received notice, but did receive a May 8th notice last Monday. He had asked the Post Office to investigate. He said the setbacks were horrible. The City did not allow him to build a two-story addition although he had bought an R-2 lot. He said he was concerned about the underground parking, which can undermine his wall. He said the second story will be closer to his property by two feet, questioning the livability of this

plan. He requested a letter from the building inspector, stating what the measurements were that he obtained.

David Hastings, 621 and 623 30th St., said his family had owned these properties since the 1950's. He said the City had wanted to change the zoning to R-1, noting this was the finest property in the City. He supported this zoning and requested consistency within this area.

Rebuttal

Elizabeth Srour said an obvious point made during this meeting was confusion over existing zoning. This project met all requirements within this medium residential density zoned area. Only two units can be built upon the lots, regardless of the size of the lots. She felt it important that everyone was aware of exactly what the development standards were, commenting these two projects did not maximize the allowances established by those standards and did comply with all requirements.

Manuel George, project architect, discussed the grades shown with Chmn. Tucker, stating the project at 609 30th Street will decrease the grade at the corner by one foot.

No one else wished to speak, and Chmn. Tucker closed the Public Hearing at 9:26 p.m.

Discussion

Comm. Schwartz agreed with Chmn. Tucker's statement that the drawings must properly reflect the proposed construction. She said more detail was needed on the elevations facing 30th Street. She discussed the rear setback, determining the rear property setback is five feet. Comm. Pizer said the Commission must comply with the rules, stating this project complied with all legal requirements. He said residents will lose their views, and there was nothing the Commission could do unless major changes were made to the rules. Comm. Perrotti said this area is predominantly R-1 with two areas of R-2B. The zoning code is very restrictive as to development denial. He said there is not sufficient evidence for a denial. Comm. Merl said the area is zoned R-2B, but the Commission does have some latitude in addressing the building appearance. There is no view shed ordinance, which does not give the Commission the latitude to deal with view protection issues. Chmn. Tucker said he echoed the Commissioners' comments. He wanted to see different elevations on the buildings, saying they all looked the same. He requested the elevations be changed, decorative concrete driveways be added, inclusion of a "hold harmless" statement regarding sump pumps, elimination of the full bath on the lower level with replacement of a 3/4 bath and to assure the fences around the project do not exceed six feet at the adjacent property line.

MOTION by Comm. Perrotti, Seconded by Comm. Schwartz, to **APPROVE CUP 97-7/PDP 97-6** and **CUP 979-8/PDP 97-7** with conditions requiring decorative concrete driveways, "hold harmless" agreement with the sump pump, replacement of the full bath at the lower level of each unit with 3/4 bath, limiting the retaining walls to six feet, and each unit should have a different elevation design and building articulation on the 30th Street side of the units.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker said this decision could be appealed to City Council within 10 working days.

11. TEXT AMENDMENT AND PARKING PLAN TO ALLOW OUTDOOR DINING ON PIER AVENUE AND ADOPTION OF AN ENVIRONMENTAL NEGATIVE DECLARATION.

Staff Recommended Action: To amend the permitted use list, and to approve the Parking Plan.

Director Blumenfeld said lower Pier Avenue streetscape improvements are nearly completed, including widened sidewalks for possible outdoor dining, which is precluded without a CUP by current zoning regulations. Staff recommended an amendment to allow outdoor dining on Pier Avenue and approval of a Master Parking Plan to permit outdoor dining by encroachment permit only, eliminating the CUP requirement and parking requirements pursuant to a Parking Plan. A map was included displaying the affected area and required parking. He noted that parking funds have been set aside to permit outdoor dining uses as per previous City Council direction. Staff suggested the balance of incentive funds be assigned to existing restaurant uses. A traffic impact study indicated that there is no traffic impacts at any of the 18 intersections studied.

Chairman Tucker opened the Public Hearing at 9:53 p.m.

Edward Perry, Brewski's, asked if the streets were closed would the Coastal Commission calendar and kill outside dining for this summer. Comm. Pizer said this issue was different from the one being discussed.

No one else wished to speak, and Chairman Tucker closed the Public Hearing at 8:55 p.m.

Discussion

Comm. Perrotti said James Lissner had submitted a letter addressing this item. He hoped that when lower Pier Avenue was opened, retail establishments would be given guidelines so this area does not look like a swap meet. Comm. Schwartz said City Council was allocating \$78,000 which could have been used to attract new business and is now giving it to existing businesses. She said this was a shame. Comm. Pizer determined an encroachment process including a set of requirements and fee would be established.

MOTION by Comm. Merl, Seconded by Comm. Pizer to **APPROVE** Staff's recommendations.

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AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

12. TEXT AMENDMENT TO CHANGE ZONING VIOLATIONS FROM MISDEMEANORS TO INFRACTIONS AND ADMINISTRATIVE WITH FEW EXCEPTIONS.

Staff Recommended Action: To continue to June 17, 1997 meeting.

Mr. Schubach said Staff recommended this item be continued to permit additional research time.

Chmn. Tucker opened the Public Hearing at 9:59 p.m. No one wished to speak, and Chmn. Tucker closed the Public Hearing at 9:59 p.m.

A break was taken at 10:00 p.m. Chmn. Tucker reconvened the meeting at 10:06 p.m. with all Commissioners present.

HEARINGS

13. NR 97-4 -- REMODEL AND ALTERATION TO AN EXISTING NONCONFORMING DUPLEX (A NONCONFORMING USE IN THE C-2 ZONE) INVOLVING GREATER THAN 10% REMOVAL OF THE EXISTING STRUCTURE INCLUDING ELEVATING THE REAR UNIT TO PROVIDE PARKING BELOW AT 45 14TH STREET (continued from 4/15/97 meeting).

Staff Recommended Action: To approve said request.

Mr. Schubach detailed the changes made to the original proposal. Staff recommended approval of this request.

Chairman Tucker opened the Hearing at 10:09 p.m.

Rick Coleman, project architect, 1219 11th Street, presented and discussed photographs of the project with the Commission. He said a precedent had been set, as displayed in photographs, of other buildings raised to accommodate parking. The applicant was resistant to enclosing the garages, believing they would be used for storage rather than parking, the cost would be extremely burdensome, and the structure would limit parking. He said shingles will be stripped off and replaced, the building will be painted, and a new trellis and greenery added. He discussed demolition and proposed improvements with Commissioners.

David Schumaker, applicant, 1612 The Strand, asked the project be approved, stating the asbestos shingles are less than 22% of the total material and will be removed. When the hotel and

parking structure is completed, 14th Street will be difficult for trucks to have access. He felt carports stopped storage in parking areas, stating that if people were asked to remove garage doors, the parking problem would probably be solved.

No one else wished to speak, and Chairman Tucker closed the Hearing at 10:20 p.m.

Discussion

Comm. Pizer said no effort had been made to improve the lower garage area. He reiterated his previous suggestion to make this area look better by replacing the "bare metal" look with something else. Comm. Schwartz stated agreement, saying there should be arch delineation to bring the mass down, commenting this building would appear to float in the air. Comm. Perrotti suggested putting side walls as a compromise, noting the applicant is simply trying to improve the parking; the garage is a burden that is not necessary. Chmn. Tucker said the project was not consistent with others previously approved, suggesting walls be added with the ends being left open.

MOTION by Comm. Perrotti, Seconded by Comm. Merl, to **APPROVE NR 97-4** with conditions added requiring the carport sides be enclosed and taken to the property line.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker said this decision could be appealed to City Council within 10 working days.

14. NR 97-6 -- NONCONFORMING REMODEL AND EXPANSION OF A SINGLE FAMILY DWELLING WITH NONCONFORMING SIDE YARDS EXCEEDING 50% OF VALUATION AT 830 14TH STREET.

Staff Recommended Action: To approve said request.

Mr. Schubach presented the Staff Report, stating the existing nonconformity of the side yards is not severe or unusual, the amount of remodel is reasonable, and Staff recommended approval. Staff is asking for additional dimensions be added to the plans and specific revisions be made; copies were supplied to Commissioners.

Chmn. Tucker opened the Hearing at 10:30 p.m.

Eric Pleschner, applicant, 830 14th Street, said he was available for questions. He said the large window extending from the house front is a garden window.

No one else wished to speak, and Chmn. Tucker closed the Hearing at 10:30 p.m.

Discussion

MOTION by Comm. Merl, Seconded by Comm. Perrotti, to **APPROVE NR 97-6.**

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker said this decision could be appealed to City Council within 10 working days.

15. NR 97-7 -- REMODEL AND EXPANSION OF A SINGLE FAMILY DWELLING WITH NONCONFORMING SIDE YARDS EXCEEDING 50% OF VALUATION AT 260 29TH STREET.

Staff Recommended Action: To approve the expansion and remodel by adopting the attached resolution.

Mr. Schubach said with the 1993 remodel, the proposed 432 square foot addition to the existing 120 square foot deck will result in total 54% increase in valuation. He said this was a very minor addition.

Chmn. Tucker opened the Hearing at 10:34 p.m.

Michael Leahy, 260 29th Street, said he was available for questions.

No one else wished to speak, and Chmn. Tucker closed the Hearing at 10:34 p.m.

Discussion

MOTION by Comm. Pizer, Seconded by Comm. Perrotti, to **APPROVE NR 97-7.**

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker said this decision could be appealed to City Council within 10 working days.

16. NR 97-8 -- REMODEL AND EXPANSION OF AN EXISTING DUPLEX NONCONFORMING USE AND STRUCTURE, RESULTING IN A 250 SQUARE FOOT EXPANSION AT 259 31ST STREET.

Staff Recommended Action: To approve said request.

Mr. Schubach described the proposed project and existing nonconformity. The project adds space to the rear, creating a carport, although the additional parking shown is not officially acceptable due to lack of sufficient turning area. This area should be approved as a parallel parking space.

Chmn. Tucker opened the Hearing at 10:40 p.m.

Jonathan Schwartz, 259 31st Street, applicant, said his intent was to convert this building to a single family structure when financially able.

Joseph Di Monda, Manhattan Beach, applicant's representative, presented and detailed photographs of the site area. He said if this was not two units, it would not be before the Commission. The applicant is adding 250 square feet; he is also removing 100 square feet of rental area. This will be the first step in renovating the house, which he is keeping as two units to offset costs. Mr. Di Monda explained there is 23 feet from the garage door to the property line for parking, which is a benefit since parking is at a premium in the City.

Chmn. Tucker felt there was a problem with the west side, with the nonconforming side yard, and windows too close to the property line unless they are fire windows. He suggested operable, tempered, wired glass windows on the west side. Mr. Schwartz said he had obtained a window permit, ordered custom windows which were very expensive, commenting he cannot afford to buy different windows. Mr. Di Monda explained a permit had been obtained, work had been started, and now this application was being brought to the Commission for approval. He explained the windows were under the pervue of the Building Dept. which had issued the window permit. Director Blumenfeld explained the Community Development issues window permits all the time; however if a plan had not been submitted, the question regarding fire resistance would not have been addressed. Chmn. Tucker said the bay window was right on the property line.

Fran Martel, project general contractor, said she had submitted plans, including a plot plan including the side yard when she pulled the permit for demolition, roofing and windows. Director Blumenfeld said the fire resistance problem between buildings may still exist, questioning Staff issuing the permit, and discussing the permits with Ms. Martel and Chmn. Tucker. Mr. Di Monda said the applicant was issued a permit and had purchased the windows, making this suggestion a very real financial problem for the applicant and suggesting the windows be glazed.

No one else wished to speak, and Chmn. Tucker closed the Hearing at 10:55 p.m.

Discussion

Chmn. Tucker commented that perhaps a sprinkler system can be installed above each window. Director Blumenfeld recommended that if the Commission approves the project, it be approved with the stipulation that the window issue be returned to Staff for study, based on Building Code requirements.

MOTION by Comm. Perrotti, Seconded by Comm. Schwartz, to **APPROVE NR 97-8**, with the addition of the Condition stating Staff is to clarify the building permit for the windows, addressing the fire and safety code requirements.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker said this decision could be appealed to City Council within 10 working days.

17. V 95-1 -- REQUEST FOR 18-MONTH EXTENSION TO VARIANCE 95-1 AT 2554 ARDMORE AVENUE.

Staff Recommended Action: Extension for one year to May 16, 1998, by minute order.

Mr. Schubach said Staff recommended approval for one year since the project is still consistent with current code and policies. The applicant has experienced delays.

Chmn. Tucker opened the Hearing at 11:00 p.m. No one wished to speak, and Chmn. Tucker closed the Hearing at 11:00 p.m.

Discussion

MOTION by Comm. Perrotti, Seconded by Comm. Merl, to **APPROVE V 95-1** extension.

AYES: Comms. Merl, Perrotti, Pizer, Schwartz, Chmn. Tucker
NOES: None
ABSENT: None
ABSTAIN: None

Chmn. Tucker said this decision could be appealed to City Council within 10 working days.

STAFF ITEMS

18.a Second Quarter GPA (Notification), if any.

18.b Community Development Department Activity Report of April, 1997.

Receive and File

18.c Tentative future Planning Commission agenda.

Receive and File

18.d City Council minutes of April 8 and 25, 1997.

Receive and File

COMMISSIONER ITEMS

Comm. Schwartz thanked Staff for arranging the presentation of the Livable Communities Workshop.

Director Blumenfeld said the condominium CUP application process had been amended, requiring consistency for specifying grades and building elevations, which will result in better submittals to Planning Commission.

ADJOURNMENT


MOTION by the Commission to adjourn at 11:02 p.m. **No objections; so ordered.**

CERTIFICATION

I hereby certify that the foregoing minutes are a true and complete record of the action taken by the Planning Commission of Hermosa Beach at the regularly scheduled meeting of May 20, 1997.



Peter Tucker, Chairman



Sol Blumenfeld, Secretary

7-15-97

Date