



Agenda Item # _____

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Ward and Members of the City Council

THROUGH: Geoff Dolan, City Manager

FROM: Neil C. Miller, Director of Public Works
Dana Greenwood, City Engineer
Gilbert Gamboa, Associate Engineer

DATE: April 18, 2006

SUBJECT: Uphold the Parking and Public Improvements Commission Recommendation to Approve a Request to Relocate an Existing Utility Pole at 1114 2nd Street

RECOMMENDATION:

Staff recommends that the City Council pass a motion to uphold the Parking and Public Improvements Commission (PPIC) recommendation to approve the request to relocate the existing utility pole at 1114 2nd Street.

FISCAL IMPLICATION:

Approval of this item will have no impact on the City's budget. The entire expense of relocating the existing utility pole will be the responsibility of the property owner and not the City.

DISCUSSION:

At the City Council's March 7, 2000 Council meeting, Resolution Number 5538 was approved, establishing a policy regarding utility pole relocation in connection with development of private property. This policy does not allow the relocation of utility poles for view or aesthetic reasons. If there is a sufficient engineering justification to relocate the pole, then the pole in question may be moved the minimum distance to resolve the issue. Any exceptions to this policy that are based on an engineering justification require a public hearing before the Parking and Public Improvements Commission and subsequent ratification by the City Council.

The existing utility (structural) pole with anchored guy wire provides lateral support to the alignment of utility poles along the north side of 2nd Street public right of way and does not bear any other form of utility service. The 20 foot tall, support pole is located approximately 30 feet east of the westerly property line and approximately 2 feet south of the northerly property line inside of the front yard area on private property. The support pole's guy wire is anchored at a location approximately 6 feet south of the pole. The approved design for the development of the property utilizes a single common-use driveway located 9 feet west of the existing support pole adjacent to the westerly property line. The existing location of the utility pole does not interfere with any driveway or walkway access to the approved development; however, as stated in the

applicant's request the developer believes that the existing pole location poses a safety issue and deprives the property owner's full use of their front yard area. The residential property (three units) in question is in the process of obtaining all required permits and has been reviewed and approved by the Planning Division of the Community Development Department, the City's Planning Commission (4-0 vote, 1 absent), and the City Council. The developer submitted a formal request to relocate the existing utility pole approximately 30 feet to the west of its current location at the northwest corner of the property as verbally advised by a Southern California Edison (SCE) Company representative. This relocation will place the utility pole adjacent to an existing block wall along the property line bordering the rear portion of a commercial property to the west. Although the utility support pole in question is located on private property; the pole is, at the same time, structurally connected to a system of poles which are located in the public right of way on the north side of 2nd Street. Therefore, staff deemed the situation appropriate to bring before the PPIC for consideration with a public hearing.

This item was reviewed by the PPIC at their January 26, 2006 meeting. Prior to the meeting, notices were sent out to residents within a five hundred foot radius of the development. No residents appeared at the PPIC meeting. A representative of the property owner was in attendance. The relocation was approved by the Commission on a 2-1 vote (Commissioner Lang absent, Commissioner Powell abstain), pending review of Southern California Edison's written authorization by City staff.

The developer of the subject property has submitted an internal correspondence from SCE indicating Edison's intent and authorization to move the support pole to clear for new construction. The correspondence also specifies that all costs associated with the relocation would be paid for by the property owner and/or Southern California Edison and not the City.

CONCLUSION:

Staff is recommending that City Council uphold the Commission's decision and allow the developer to relocate the utility pole in accordance with their request.

- Attachments: Location Map
Applicant's Letter of Request with Site Plan
Site Photos
PPIC Staff Memorandum (pp. 1-2)
PPIC Draft Minutes (pp. 1-4)
SCE Correspondence



Agenda Item #: _____

SROUR & ASSOCIATES, LLC
Business and Real Estate Development Services

Elizabeth C. Srour
Francene Baker Uralman
1001 Sixth Street, Suite 110
Manhattan Beach, CA 90266
(310) 372-8433 • (310) 372-8894 Fax
Email: srourllc@esroure.com

November 15, 2005

Parking and Public Improvement Commission
ATTN: GILBERT GAMBOA, ASSOCIATE ENGINEER
1400 Highland Avenue
MB CA 90266

SUBJECT: 1114 – 2nd Street

Gentlemen:

This letter is submitted on behalf of Susan and Brian Sweeney, owners of the subject property, who have submitted preliminary plans to the Community Development Department for approval of three new condominium homes. The proposed site development incorporates a single driveway access from 2nd Street adjacent to the westerly property line. The application is presently under review and scheduled to be heard before the Planning Commission on December 14, 2005.

At the present time there is a utility pole located in the front yard. The pole is a structural pole with guy wire and does not carry any utility service. The owners' contractor met with an Edison Company representative at the site who recommended an alternative location in the northwest corner of the development site in the front yard adjacent to the property line wall. The proposed location is on private property, would allow safe and appropriate driveway and pedestrian access onto the site and does not interfere with any visual or physical access to the subject property or to the adjacent commercial property. Therefore, the relocated utility pole will have no impact on adjacent properties.

In its present location, the utility pole with guy wire limits use of the front yard area and, because of the guy wire, poses a safety issue for the family residing in the home adjacent to this spacious and inviting yard. Access into the main living areas of the new home is also limited because of the awkward location of the pole and wire. For this reason, the property owner is deprived full use of his property.

We respectfully request that you approve this application to relocate the existing utility pole and guy wire. Thank you for your consideration.

Sincerely,


ELIZABETH SROUR

On behalf of Susan and Brian Sweeney

06/0418.11

EXISTING

Asphalt

Concrete

EXISTING

Planter

5'

STREET

50' Street R/W, Monumented E-W

SECOND

Fd. L. & Tag, 4.75' Nly of P.C. on R Prod.

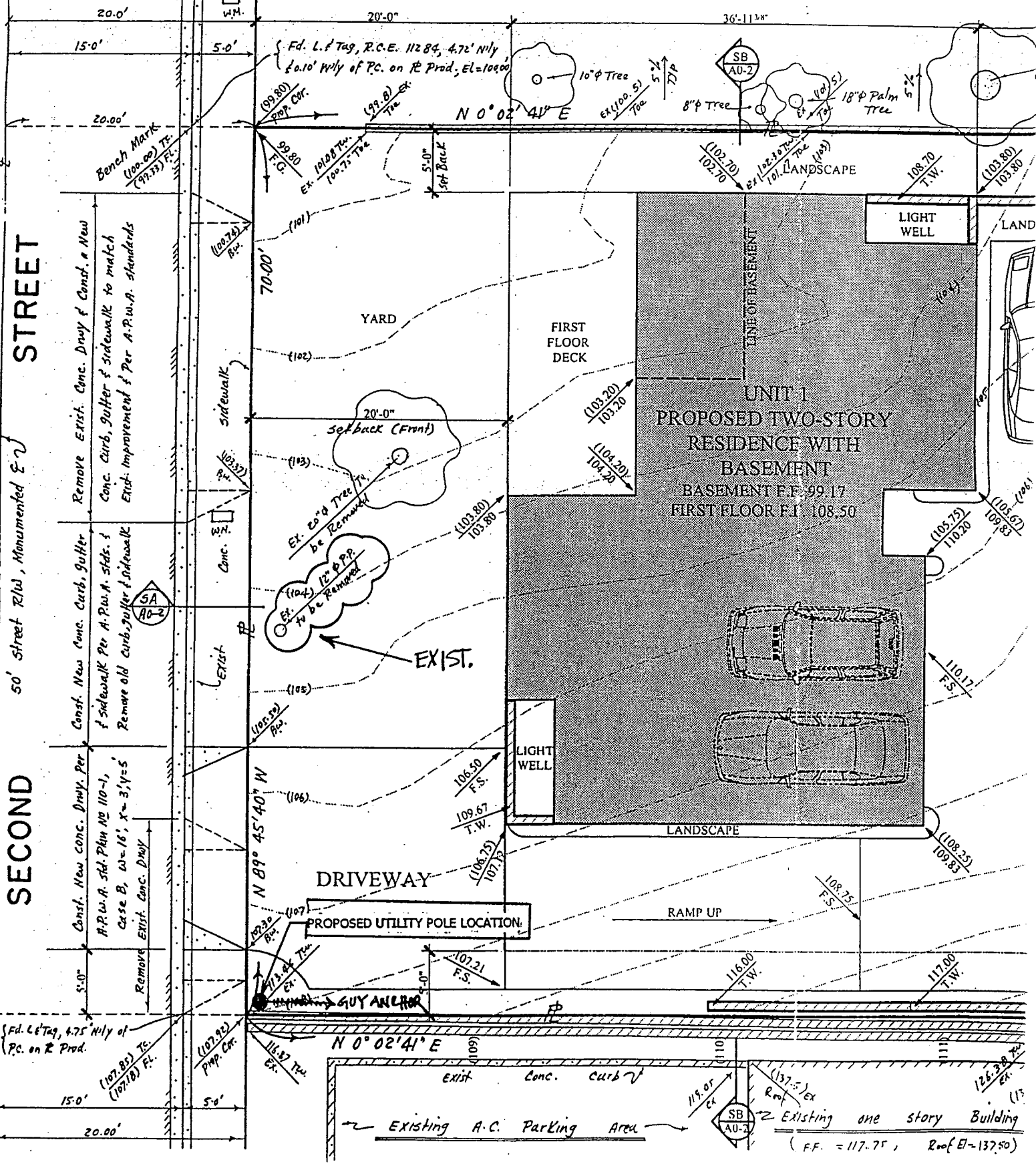
107.83 T.E. (107.10) F.L.

15'-0" 20'-0"

Remove Exist. Conc. Curb, Gutter & Sidewalk to match Conc. Curb, Gutter & Sidewalk to match End. Improvement of Per A.P.W.A. standards

Const. New Conc. Curb, Gutter & Sidewalk Per A.P.W.A. Stds. & Remove old curb, gutter & sidewalk

Const. New Conc. Drwy. Per A.P.W.A. Std. Plan No 110-1, Case B, W=16', X=3 1/2' 5' Remove Exist. Conc. Drwy



Fd. L. & Tag, R.C.E. 112 84, 4.72' Nly & 10' Nly of P.C. on R Prod., EL=104.00

N 0° 02' 41" E

SB AU-2

8" Tree

18" Palm Tree

Bench Mark (100.00) T.E. (99.93) F.L.

(99.80) Prop. Cor.

99.80 T.G. Ex. 1010.87 W. 100.73 T.W.

(99.8) T.W. Ex.

5'-0" Set Back

10" Tree

EX (100.5) T.W.

5'-0" 7' P

(102.20) 102.70

EX (102.8) T.W. (104.5) T.W.

10' LANDSCAPE

108.70 T.W.

(103.80) 103.80

(102.76) Ex.

(101)

70'-00"

5'-0" Set Back

(102)

YARD

FIRST FLOOR DECK

(103.20) 103.20

(104.20) 104.20

LINE OF BASEMENT

LAND

LIGHT WELL

(104.5)

(105.75) 110.20

(105.67) 109.83

(103.32) F.S.

(103)

20'-0" Set Back (Front)

EX. 20" Tree to be Removed

(104.2) 12" & P.P. to be Removed

(103.80) 103.88

(103.20) 103.20

(104.20) 104.20

UNIT 1 PROPOSED TWO-STORY RESIDENCE WITH BASEMENT

BASEMENT F.F. 99.17

FIRST FLOOR F.F. 108.50

(105.75) 110.20

(105.67) 109.83

(105.92) P.C.

(105)

EXIST.

(106)

106.50 F.S.

109.67 T.W.

(106.25) 107.32

LIGHT WELL

LANDSCAPE

110.17 F.S.

(108.25) 109.83

(108.25) 109.83

N 89° 45' 40" W

(106)

DRIVEWAY

106.50 F.S.

109.67 T.W.

(106.25) 107.32

LIGHT WELL

LANDSCAPE

110.17 F.S.

(108.25) 109.83

(108.25) 109.83

(109.30) P.C.

(107)

PROPOSED UTILITY POLE LOCATION

107.32 F.S.

107.21 F.S.

(107.32) 107.32

RAMP UP

108.25 F.S.

116.00 T.W.

117.00 T.W.

(109.30) P.C.

(107)

GUY ANCHOR

107.32 F.S.

107.21 F.S.

(107.32) 107.32

RAMP UP

108.25 F.S.

116.00 T.W.

117.00 T.W.

Fd. L. & Tag, 4.75' Nly of P.C. on R Prod.

107.83 T.E. (107.10) F.L.

15'-0" 20'-0"

N 0° 02' 41" E

Exist Conc. Curb

Existing A.C. Parking Area

SB AU-3

137.5 Ex

EXISTING one story Building

(F.F. = 117.75, Roof El = 137.50)

126.28 Ex

(15)

(E-3 1116)



1114 2nd ST North Property Line – Looking WEST



Existing Pole on North Side of 2nd Street



1114 2nd ST North Property Line – Looking EAST



2nd Street – Looking WEST

**CITY OF MANHATTAN BEACH
MEMORANDUM**

TO: Parking and Public Improvements Commission Chair and Members

THROUGH: Neil C. Miller, Director of Public Works

FROM: Dana Greenwood, City Engineer *DAG*

BY: Gilbert Gamboa, Associate Engineer *GG*

DATE: January 26, 2006

SUBJECT: Request for Relocation of the Existing Utility Pole at 1114 2nd Street

RECOMMENDATION:

It is recommended that the Parking and Public Improvements Commission conduct a public hearing to consider the applicant's request to relocate the existing utility pole at 1114 Second Street followed by subsequent ratification or decline by the City Council.

FISCAL IMPLICATION:

Approval of this item will have no impact on the City's budget. The entire expense of relocating the existing utility pole will be the responsibility of the property owner and not the City.

BACKGROUND:

A letter of request to relocate the existing utility pole at 1114 2nd Street was submitted to the Department of Public Works. Properties located within a 500' radius of the subject address were notified of the public hearing before the PPIC meeting held on Thursday, January 26, 2006.

DISCUSSION:

At the City Council's March 7, 2000 Council meeting, Resolution Number 5538 was approved, establishing a policy regarding utility pole relocation in connection with development of private property. This policy does not allow the relocation of utility poles for view or aesthetic reasons. If there is a sufficient engineering justification to relocate the pole, then the pole in question may be moved the minimum distance to resolve the issue. Any exceptions to this policy that are based on an engineering justification require a public hearing before the Parking and Public Improvements Commission and subsequent ratification by the City Council.

The existing utility (structural) pole with anchored guy wire provides lateral support to the alignment of utility poles along the north side of 2nd Street and does not bear any other form of utility service. The 20 foot tall, support pole is located approximately 30 feet east of the westerly property line and approximately 2 feet south of the northerly property line inside of the front yard area on private property. The support pole's guy wire is anchored at a location approximately 8 feet south of the northerly property line. The approved design for the development of the property utilizes a single common-use driveway located 9 feet west of the existing support pole adjacent to the westerly property line. The existing location of the utility pole does not interfere with any driveway or walkway access to the approved development;

however, as stated in the applicant's request the developer believes that the existing pole location poses a safety issue and deprives the property owner's full use of their front yard area. The residential property (three units) in question is in the process of obtaining all required permits and has been reviewed and approved by the Planning Division of the Community Development Department, the City's Planning Commission (4-0 vote, 1 absent), and the City Council. The developer submitted a formal request to relocate the existing utility pole approximately 30 feet to the west of its current location at the northwest corner of the property as advised by an Edison Company representative. This relocation will place the utility pole inside a two foot wide planter area adjacent to the west side of the approved driveway. All costs associated with the relocation would be paid for by the property owner.

CONCLUSION:

The intent of Resolution Number 5538 has not been fully met since the request for relocation is based on an aesthetic reason rather than an engineering justification.

xc: Rosie Lackow, Senior Planner

attachments: applicant's letter
location maps
site photos
Resolution No. 5538
Excerpts from Planning Commission Staff Report & Minutes

**CITY OF MANHATTAN BEACH
PARKING AND PUBLIC IMPROVEMENTS COMMISSION
MINUTES OF REGULAR MEETING
JANUARY 26, 2006**

A. The regular meeting of the Parking and Public Improvements Commission of the City of Manhattan Beach was held on January 26, 2006 at 6:30 p.m. in the City Council Chambers of the City Hall, 1400 Highland Avenue.

B. ROLL CALL

Members Present: Powell, Saunders, Seville-Jones and Chairman Osterhout
Members Absent: Lang
Staff Present: Robert Osborne, Management Analyst
Kara Pompano, Recording Secretary

C. AGENDA CHANGES

None.

D. APPROVAL OF MINUTES - August 25, 2005

Commissioner Seville-Jones and Commissioner Saunders pointed out minor changes on pages 2, 4, 5, and 6.

A motion was MADE and SECONDED (Saunders/Powell) to approve the minutes of January 26, 2006 as amended.

AYES: Powell, Saunders, Seville-Jones and Chairman Osterhout
NOES: None
ABSENT: Lang
ABSTAIN: None

E. CITY COUNCIL AGENDA

Management Analyst Robert Osborne reported on the following actions taken by City Council:

Ardmore Avenue/Valley Drive at Flournoy - City Council approved the Commission's recommendations.

Northeast Area Traffic Study - City Council approved the Commission's recommendations and directed staff to look into further issues.

Manhattan Senior Villas - City Council approved the Commission's recommendations and requested that this item be reviewed in three months.

Strand Cleaners - City Council approved the Commission's recommendations and directed staff to further review the designated green and red zones on Manhattan Beach Boulevard.

Management Analyst Osborne also reported that the a review of the Mira Costa neighborhood parking restrictions is scheduled on the City Council's February 7, 2006 agenda.

F. AUDIENCE PARTICIPATION

None

G. GENERAL

1. Request for Relocation of the Existing Utility Pole at 1114 - 2nd Street

Associate Engineer Gilbert Gamboa presented the staff report and background information on this issue. He relayed that the developer believes the existing pole location poses a safety issue and deprives the property owner's full use of their front yard. The developer has submitted a formal request to relocate the existing utility pole approximately 30 feet to the west of its current location at the northwest corner of the property as advised by an Edison Company representative. The relocation will place the utility pole inside a two-foot wide planter area adjacent to the west side of the approved driveway.

Associate Engineer Gamboa reviewed Resolution Number 5538, which established the policy regarding utility pole relocation. The policy does not allow the relocation of utility poles for view or aesthetic reasons. If there is sufficient engineering justification to relocate the pole, then the pole in question may be moved the minimum distance to resolve the issue.

As staff believes the intent of Resolution Number 5538 has not been fully met since the request for relocation is based on an aesthetic reason rather than engineering justification, it is recommended that the Parking and Public Improvements Commission conduct a public hearing on this matter.

In response to questions from the Commission, Assistant Engineer Gamboa clarified that no formal documentation from the Edison Company on this relocation has been received as of this date; that the existing utility pole is located on private property but support cables are located on the public right of way; that the pole's new location is on private property and will require an easement; that a City approval to relocate the pole would not be needed if the cable wires were not located on the public right of way; and that staff does not believe sufficient engineering justification has been met to relocate the pole.

Commissioner Powell questioned staff on a possible conflict, sharing that he is the Block Captain for their Neighborhood Watch Program and that the applicant is the neighborhood coordinator to whom the captains report. Management Analyst Osborne responded that he does not believe a conflict is present as there are no financial implications to the parties involved, however, advised Commissioner Powell that he has the right to abstain from the discussion if he so desires.

Chairman Osterhout opened the Public Hearing.

Elizabeth Srour, on behalf of Susan and Brian Sweeney, owners of the subject property, addressed the Commission relative to this request. She explained that the proposed relocation site was recommended by an Edison representative and is located on private property. It will allow a safe and appropriate driveway and pedestrian access onto the site and not interfere with any visual or physical access to the subject property or to the adjacent commercial property. She explained that the current location of the utility pole limits use of the front yard area and the guy wire poses a safety issue for the family residing in the home adjacent to the property. Access into the main living areas of the new home is also limited because of the awkward location of the wire and deprives full use of this property. Ms. Srour noted that the Planning Commission and staff have required a number of improvements and landscaping requirements associated with this request in which the applicant has fully complied, and verified that all costs associated with the relocation will be the responsibility of the property owner.

Commissioner Seville-Jones inquired if other areas were evaluated to address the referenced safety issue.

In response to questions from Commissioner Seville-Jones, Ms. Srour clarified that they do not believe other options are available as another area had a similar situation and had a problem with stabilizing a guy wire; that the proposed three trees will be located in the front yard but the locations will be determined at plan check; that the front yard is 1200 square feet; that if the pole was not moved, fencing the front yard would be detrimental as the goal is to utilize the front yard and make it as open and functional as possible.

Chairman Osterhout closed the Public Hearing.

Discussion

Commissioner Saunders stated that he does not have a problem with the proposed relocation of the pole, but pointed out that landscaping and watering may affect stability of the pole in the proposed location. He commented that his only concern is ensuring that the relocation is done to Edison's approval and the City's subsequent approval, prior to any action being taken.

Commissioner Seville-Jones indicated her disagreement, stating that she is struggling with the sufficient reason brought forth to justify the request. She talked of the City's Resolution, its implication and policy which does not allow the relocation of utility poles for view or aesthetic reasons, and that there should be sufficient engineering justification to warrant relocation. Commissioner Seville-Jones stated that she is more inclined to deny the request due to the fact that sufficient engineering justification is not evident and the reasons brought forth relate to aesthetics. Although the policy does allow other considerations, she does not believe the safety issues apply because less intrusive measures could address the matter.

Commissioner Saunders stated that he understands Commissioner Seville-Jones concerns; however believes that the aesthetics issue addressed in the Resolution relates to concern that utility poles not be relocated to improve one's view when the effects of that relocation impacts another. He pointed out that no one has complained about the proposed relocation and there is little possibility that the relocation of the pole will aesthetically impact someone. Commissioner Saunders believes this request is reasonable under the purpose and intent of the Resolution.

Commissioner Seville-Jones acknowledged the noticing of residents, but stated it is not known if all affected parties actually received it. She believes there is a "heavy burden" to move the pole because it very well may impact someone's view, and the justification brought forth does not warrant exception to the Resolution.

Chairman Osterhout complimented Commissioners Saunders and Seville-Jones for their thorough and articulate comments and analysis of the Resolution. He stated his agreement with Commissioner Saunders on approving the relocation as the pole does impose on access and is not being moved for view.

Action

A motion was MADE and SECONDED (Saunders/Osterhout) to approve the relocation of the existing utility pole at 1114 -2nd Street, subject to receiving written approval from the Edison Company and the subsequent approval from City staff relative to design and compliance of conditions.

AYES: Saunders, and Chairman Osterhout
 NOES: Seville-Jones
 ABSENT: Lang
 ABSTAIN: Powell

2. Encroachment Permit Appeal - 501 Manhattan Avenue

Management Analyst Rob Osborne presented the staff report on a request to maintain a wooden picket fence in the public right-of-way. He indicated staff's support of the appeal,

06/0418.11

SROUR & ASSOCIATES, LLC
Business and Real Estate Development Services
1001 Sixth Street, Suite 110, Manhattan Beach, CA 90266
Email address sroullc@esroul.com
310/372-8433 • FAX 310/372-8894

MEMORANDUM *via fax transmittal to* 310/ 802-5351 *2 pages*

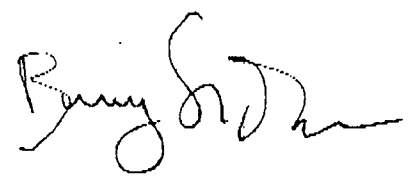
DATE: March 23, 2006

TO: GILBERT GAMBOA, ASSOCIATE ENGINEER
CITY OF MANHATTAN BEACH PUBLIC WORKS DEPARTMENT

FROM: BUNNY SROUR

RE: 1114 - 2nd Street, MB - VTPM 062476 (Sweeney)

GIL: Attached is a copy of the letter dated March 22, 2006, prepared by Bruce Cason, Edison Service Planner for our area. Please give me a call after reviewing it. Thanks.



attachment

Attn: Bunny



SOUTHERN CALIFORNIA
EDISON

An EDISON INTERNATIONAL Company

RECEIVED
3/27/00

03/22/2006

From: Bruce Cason
To: Mike Davis

Subj: Relocation of guy pole (1114 2nd Street, Manhattan Beach)

1. Once the easement has been declared, Edison will move the guy pole at customer expense or Edison expense. This pole will be relocated to clear for new construction regardless of who will pay for the relocation. Any further questions, please don't hesitate to give me a call.

Bruce Cason
 Bruce Cason
 Service Planner