



Staff Report

City of Manhattan Beach

TO: Honorable Mayor Ward and Members of the City Council

THROUGH: Geoff Dolan, City Manager

FROM: Richard Thompson, Director of Community Development
Rosemary Lackow, Senior Planner

DATE: January 3, 2006

SUBJECT: Consideration of Planning Commission Approval of a Use Permit and Vesting Tentative Parcel Map No. 062476 to Allow Construction of 3 Detached Residential Condominium Units for the Property Located at 1114 Second Street.

RECOMMENDATION:

Staff recommends that the City Council **RECEIVE AND FILE** the Planning Commission decision of approval.

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

On December 14, 2005 the Planning Commission conducted a public hearing and adopted Resolution PC 05-19 approving a Use Permit and Vesting Tentative Parcel Map No. 062476 for three detached condominiums at 1114 2nd Street (4-0 vote, one absence).

The subject property contains approximately one-third of an acre (13,482 square feet) and comprises an RM (Medium Density Residential) zone abutting the east side of Sepulveda Boulevard in Area District I. The project site borders commercial properties to the north (across 2nd Street), south and west and single family residential to the east.

The site plan features three stand-alone homes: The front unit, facing 2nd Street, will contain 3,108 square feet, the middle unit will contain 3,108 square feet and the rear unit will contain 3,474 square feet. All three units share a "California Spanish Revival" style of architecture, but will have a unique floor plan, all featuring five bedroom/four bathroom floor plans distributed in two visible stories above a living area basement. As required by condominium regulations, each unit will have at least 350 square feet of required open space in the form of outdoor terraces, courtyards or balconies and dedicated enclosed storage area within two-car attached garages. The units also each provide one exterior compact guest parking space conveniently located near

the main entries and garages. Vehicular access to each unit garage is via a 15-foot wide driveway along the west property line. At each garage the driveway widens to form ample turn-around areas. Roughly one-third of the land is covered by building “footprint” and it should be noted that all setbacks including sides (5-feet), rear (25-feet) and front (20-feet) are equivalent to those in the adjoining RS (Residential Single Family) zone.

DISCUSSION:

Public input/conditions of approval

Notice of the project public hearing was published in the Beach Reporter and mailed to all individual property owners within 500 feet of the project boundaries, as required by law. The Planning Commission received input from two neighbors abutting the project to the east who expressed concerns regarding the need for landscaping and a boundary line block wall to screen the project. The neighbors also expressed concern that, due to the high volumes of traffic and relatively narrow width of Second Street, that a great deal of care should be taken with handling construction related parking and traffic. In particular, the neighbors requested that existing red curb paint markings (prohibiting parking at all times near existing driveways for the prior home) should be permanently maintained both during construction and after the project is completed.

With the exceptions of the red curb issue which relates to public property, the Planning Commission specifically addressed all neighbor concerns. Condition 4 of Resolution PC 05-19 requires that the applicant have a Traffic Management Plan that is reviewed and approved by Staff prior to issuance of building permits, to provide for the management of all construction related traffic during all phases of construction. Condition 20 requires that, subject to agreement with the adjoining owner, the applicant must build an 8-foot tall block wall to screen the project and protect privacy of that adjoining property. Condition 26 requires that the applicant plant at least three minimum 48-inch box trees in the front yard to soften the appearance of the homes from the street, and, to enhance privacy for the nearest homes, to plant additional vegetation in the east side yard.

It was also explained at the hearing that the City has recently hired a Residential Construction Officer who will be a liaison between the project contractors, surrounding neighbors and public agencies. It was explained that prior to the issuance of the building permit, all nearby neighboring property owners will receive an invitation to a pre-construction meeting at which all issues will be addressed. Construction parking and traffic would be among such issues.

Planning Commission determinations

The Planning Commission’s decision to approve the project was generally based on determinations that the project will be a high quality, well-designed residential project, meet all Municipal Code standards and General Plan policies, will not negatively impact traffic on Second Street and be compatible with all surrounding properties, especially as it will provide an appropriate buffer and transition between the commercial uses on Sepulveda and the single family homes to the east. The Commission reviewed the project in detail and found that the following specific features will ensure compatibility with surrounding properties:

- The three units will appear and function similar to single family homes.
- There is ample open space around the buildings.

- An 8-foot tall wall will be built on the east property line as requested by the adjoining property owner.
- A coordinated landscaping plan will provide for extensive plantings to enhance the project and enhance privacy for nearby properties.
- The on-site circulation plan will minimize traffic conflicts on 2nd Street by providing sufficient turn-around areas on private property.
- The project will be built to all development zoning criteria which, other than the number of permitted units, will either be consistent with or be more restrictive than single family standards. The front and middle units will be built up to four feet lower than the applicable height limit for the overall site.

ALTERNATIVES

The alternatives to the Staff recommendation include:

1. Remove this item from the “Consent Calendar” portion of the agenda, and appeal the Planning Commission’s approval.

- Attachments:
- A. Resolution PC 05-19
 - B. PC minutes 12-14-05
 - C. Staff Report to PC 12-14-05 (some attachments NAE)
 - D. Parcel Map and Development Plans (folded)

(NAE = not available electronically)

RESOLUTION NO. PC 05-19

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT AND VESTING TENTATIVE PARCEL MAP NO. 062476 TO ALLOW CONSTRUCTION OF A 3-UNIT DETACHED RESIDENTIAL CONDOMINIUM PROJECT LOCATED AT 1114 SECOND STREET (SWEENEY)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Planning Commission of the City of Manhattan Beach conducted a public hearing on December 14, 2005, received testimony, and considered an application for a Use Permit and Vesting Tentative Parcel Map No. 062476 for a proposed 3-unit condominium project on the property legally described as a portion of Lot 9 of the Partition Map of Land Formerly of the Redondo Land Company, located at 1114 Second Street in the City of Manhattan Beach.
- B. The project replaces a single family residence that has been demolished.
- C. In accordance with MBMC Section 10.12.020 (B), a Use Permit is required for projects with 3 or more condominium dwelling units.
- D. The applicant and owners of the subject project are Susan and Brian Sweeney.
- E. The project is Categorically Exempt (Class 3, Section 15303 b) from the requirements of the California Environmental Quality Act (CEQA).
- F. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- G. The property is located within Area District I and is zoned RM, Medium Density Residential. The surrounding private land uses consist of auto service, retail, medical offices and single family homes.
- H. The General Plan designation for the property is Residential Medium Density. The applicable density standard in the General Plan allows up to three dwelling units on the subject site.

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- I. The proposed condominium project would be contained in three detached buildings identified as Unit 1 (3,108 square feet), Unit 2 (3,029 square feet) and Unit 3 (3,474 square feet) on the submitted plans.
- J. Based upon State law and MBMC Section 10.84.060, the following findings are hereby made:
1. The subject location and multi-family condominium use is in accord with the objectives of the zoning code and the purposes of the RM district in that that the project provides an opportunity for multiple residential use with landscaped open space, but will promote the appearance and feel of a single family development, and therefore provide an appropriate buffer between the General Commercial zone to the west and the Single Family Residential zone to the east.
 2. The project will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City in that it is designed to blend with the adjoining single family homes especially due to the single structure site plan and parking plan with single driveway access from Second Street. Certain planned boundary improvements such as property line walls and landscape plantings will mitigate impacts to the adjoining homes to the east.

The subject project and future operation will be consistent with the General Plan which designates the site as Medium Density Residential. The project will be consistent with General Plan polices/goals relating to small town character, open space, community aesthetics and neighborhood character as follows:

Goal LU-1 (Policies LU1.1 and 1.2): The project will maintain the low-profile development and small-town atmosphere in that it features a detached home site plan that is consistent with single family development and all applicable zoning standards, especially the 26 foot applicable height limit. The architectural style and floor plan, which, for example, sets garages and guest parking areas away from public view promotes a strong residential character in keeping with the surrounding neighborhood. The use of notches, balconies, sloping rooflines and materials will reduce the building bulk and add visual interest to the 2nd Street streetscape.

Goal LU-2 (Policies LU2.2, 2.3): The project open space will exceed the minimum required in the Zoning standards and relatively large trees will be replanted in the front yard in accordance with a coordinated professional landscaping plan for the entire project.

Goal LU-3: The project is a high quality new residential project that promotes a

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strong positive community aesthetic.

Goals LU-4 &5: The project site plan and building design and layout is an appropriate development solution for this multi-family zone that buffers the neighboring residences from closely commercial uses on Sepulveda.

3. The proposed use will comply with the applicable RM (High Density Residential) and condominium provisions of the zoning code as detailed in the Staff Report dated December 14, 2005.
 4. The proposed use, being a net increase of two new units will not adversely impact nor be adversely impacted by nearby properties and this increase in density is not expected to result in impacts such as (but not restricted to) traffic, noise, odors, or personal safety, aesthetics nor will it create demands that would exceed the capacity of public services and facilities which cannot be mitigated such as (but not limited to) police, fire, and roadway maintenance. The project will meet all applicable zoning and building regulations and represents a significant investment in the community.
- K. In accordance with MBMC Section 11.24.020, Subdivision Vesting Tentative Maps, the vesting map is consistent with the General Plan, the Zoning Ordinance (Title 10) and any other applicable provisions of the Municipal Code in effect at the time the map is approved or conditionally approved, as detailed above.

SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Use Permit and Vesting Tentative Parcel Map applications subject to the following conditions.

Site preparation/ Construction

1. The project shall be in substantial conformance with the plans submitted to, and approved by, the Planning Commission on December 14, 2005.
2. The applicant's contractor will not be permitted to store building materials within the roadway of Second Street. No construction related vehicles or dumpsters shall be parked in the public right-of-way without obtaining prior approval from the Community Development Department.
3. No discharge of construction wastewater, building materials, debris, or sediment from the site is permitted. Erosion and sediment control devices BMPs (Best Management Practices) must be implemented around the perimeter of the construction site to prevent discharges to the street and adjacent properties. BMPs must be identified and shown on the building plan. Control measures must also be taken to prevent the street surface water

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from entering the site.

4. A Traffic Management Plan shall be submitted in conjunction with any other building plans, to be reviewed and approved by the Police and Public Works Departments prior to issuance of building permits. The plan shall provide for the management of all construction related traffic during all phases of construction, including but not limited to delivery of materials and parking of construction related vehicles. Driverless vehicles blocking street access and neighbors' driveways without written authorization and overnight storage of materials in the roadway shall be prohibited.

Condominium Conditions/Public Works Conditions

5. Plan holder must have the plans checked and stamped for approval by the Public Works Department prior to the approval of the building permit. All Public Works notes and corrections must be printed on the plan.
6. The public right of way sidewalk must be replaced from the east property line to the west property line and this work must be shown on the building construction plans.
7. Sidewalk, driveway, curb and gutter repairs or replacement must be completed per Public Works specifications. See City Standard Plans ST-1, ST-2 and ST-3. Submitted plans must have a profile of the driveway, percentage of slope on driveway, and driveway elevations.
8. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility pole(s) in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department. The re-location of an existing power pole, if desired, in the right of way adjoining the site must be prior approved by the City Council through separate application to the Department of Public Works.
9. All runoff water from the roofs, side yards and patios must discharge to Second Street. Curb drains shall be shown on the construction plan.
10. All storm water, nuisance water, etc., drain lines installed within the street right-of-way must be constructed of ductile iron pipe. Drains must be shown on plans.
11. A plan for water and sanitary sewer lateral utility connection to the City's main lines shall be provided and shall be reviewed by the Department of Public Works during the building plan check process. Separate water laterals are mandatory; however a common lateral for sanitary sewer may be required for the project. Laterals shall conform to U.B.C. 717.0 using Table 7-8.

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12. A property line cleanout must be installed on each sanitary sewer lateral. See City Standard Plan ST-5. Cleanout must be added to the plumbing plan.
13. A backwater valve is required on the sanitary sewer lateral if the discharges from fixtures with flood level rims that are located below the next upstream manhole cover of the public sewer. See City Standard Plan ST-24. Must be shown on plans if applicable.
14. If an existing sewer lateral is approved to be used, it must be televised to check its structural integrity. The tape must be made available for review by the Public Works Department. The Public Works Department will review the tape and determine at that time if the sanitary lateral needs repairing replaced, or that it is structurally sound and can be used in its present condition.
15. Any unused water lines or sanitary laterals must be shown on the plans and abandoned at the City main line.
16. The water meter boxes must be purchased from the City, and they must have a metal lid if any are located in the driveway. Water meters shall be placed near the property line and shall not be located in the project driveway approach.
17. Sufficient trash storage area shall be provided for each unit subject to the requirements of MBMC 5.24.030 and subject to review and approval of the Departments of Community Development and Public Works.
18. During the demolition and construction phases of development, a daily clean-up program for the site shall occur, including the pick-up of all debris (utilizing an approved trash dumpster) at day's end and the sweeping and continued watering down of the site to assist in mitigating the movement of dirt and dust upon adjoining properties.
19. All Residential Condominium Standards per Municipal Code Section 10.52.110 shall be imposed, and considered as part of this Resolution.
20. Subject to mutual agreement of the adjoining property owner, an 8-foot tall block wall shall be constructed on the east property line. All side and rear property line retaining walls should not exceed a maximum height of 6' as measured from the adjacent lowest finished grade. Fences/walls (including hedges) within the front yard setback, including required guardrail/handrail, shall not exceed 42" as measured from the lowest adjacent finished grade, except if within a driveway visibility area where the fence/wall or hedge height may be required to be lower.

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Building Division Conditions

21. The proposed condominium project shall conform fully with the 2001 California Building Code, Plumbing Code, Mechanical Code, Electrical Code and City of Manhattan Beach Building Amendments. In particular, basements shall comply with Section 220 of the 2001 California Building Code; all habitable basement rooms shall meet all applicable egress requirements of the building code and all exterior wells and openings must comply with Table 5A of the 2001 California Building Code.
22. The project shall comply with the requirements for disabled access as provided in Senate Bill 1025 as applicable.
23. The back of the driveway approach must be 6 inches higher than the flow line on the street per MBMC 9.76.030. In addition driveway slope shall not exceed 15%. Driveway profile(s) must be shown on the plans submitted for building permit.

Fire Department Conditions

24. A sprinkler system shall be provided fully for all condominium units, if required by the Fire Department.
25. Any proposed or required fire check valves must be screened within the proposed building subject to the approval of the Fire and Community Development Departments.

Landscaping/Irrigation

26. A site landscaping plan shall be prepared by a licensed landscape designer/architect, as required by state law. This plan shall be submitted concurrent with the building permit application for review and approval by the Public Works and Community Development Departments. The plan shall identify by Latin and common names all plants on the plan and shall provide a planting and irrigation plan. The planting plan shall utilize drought tolerant plants. (The current edition of the Sunset Western Garden Book contains a list and description of drought tolerant plants suitable for this area.) All landscaping irrigation must meet current City requirements for proper installation and shall utilize a low pressure or drip irrigation system. Approved landscape areas must be planted and irrigation system must be operational prior to certificate of occupancy. In particular the landscape plan shall provide for the replacement of three pre-existing trees within the front yard set back area with three new trees of a minimum 48-inch box size, the species to be determined by the owner. The plan shall also provide for the planting of additional shrubbery or trees within the east side yard to provide a privacy screen for the closest single family home.

Traffic/Circulation/Parking

27. The installation of a security gate at the entry area of the driveway is prohibited.

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28. There shall be no intrusions into any of the proposed parking spaces. This includes, but is not limited to, any utility and plumbing fixtures or drainage downspouts.

Standard Conditions

29. All development must occur in strict compliance with the proposal as set forth in the application for said permit, subject to any special conditions set forth below. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
30. The applicant will be required to eliminate any Congestion Management Plan (CMP) debits created by this project prior to “certificate of occupancy”.
31. The Use Permit shall lapse three years after its date of approval, consistent with the lapsing period for the accompanying parcel map, unless implemented or extended pursuant to Section 10.84.090 of the Municipal Code.
32. Unless appealed to the City Council, the subject Use Permit and Vesting Tentative Parcel Map No. 062476 shall become effective after expiration of the time limits established by Manhattan Beach Municipal Code Section 10.84.090 (A).
33. Concurrent with preparation of Final Vesting Parcel Map 062476, a Civil Engineer or Land Surveyor licensed in the State of California shall perform a survey suitable for purposes of recordation, including permanent monumentation of all property corners and the establishment or certification of centerline ties at the intersections of 1) Second Street and Sepulveda Boulevard and 2) Second Street and Johnson Street.
34. Vesting Tentative Parcel Map No. 063242, upon its approval shall be valid for an initial period of 3 years with the option of future extensions.
35. Final Vesting Parcel Map No. 062476 shall be submitted for City approval and shall bear the following certificates for City signature: Director of Finance, City Engineer, Planning Commission and City Clerk. The map shall be recorded by the Los Angeles County Records Office. A copy of the recorded map shall be provided to the City prior to the issuance of a condominium “certificate of occupancy”.
36. Pursuant to Public Resources Code Section 21089 (b) and Fish and Game Code Section 711.4(c), the project is not operative, vested or final until the requiring filing fees are paid.
37. The applicant agrees, as a condition of approval of this project, to pay all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal action associated with the approval of this project brought against the City. In the event


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such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

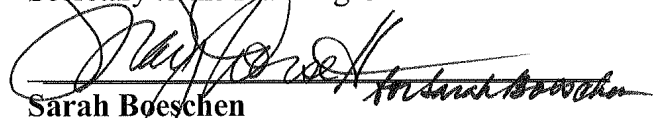
SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The Department of Community Development shall send a copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of December 14, 2005 and that said Resolution was adopted by the following vote:

AYES: Bohner, Lesser, Simon,
Chairperson Savikas
NOES: None
ABSTAIN: None
ABSENT: Schlager



Richard Thompson
Secretary to the Planning Commission



Sarah Boeschen
Recording Secretary

Excerpt of DRAFT Minutes: Item 05/1214.2

**Planning Commission Meeting
December 14, 2005**

**05/1214.2 USE PERMIT and VESTING TENTATIVE PARCEL MAP 062476
to Allow Construction of Three Detached Residential Condominium
Units at 1114 2nd Street (Sweeney)**

Senior Planner Lackow summarized the staff report. She commented that the medium residential (RM) zone in which the property is located allows for a three unit condominium development and this site has been zoned RM since at least 1980. She indicated that the units are each approximately 3000 square feet and have the similar style of mission architecture. She commented that staff feels each unit functions as individual single family homes rather than one single condominium structure. She commented that each unit also includes a basement of approximately 1000 square feet. She said that each unit has five bedrooms, and the basements will most likely be utilized for uses such as media or recreation rooms. She said that each has two enclosed parking spaces, which corresponds to the requirement for a single family home in the same district. She said that the homes have two levels above the basement, which is standard for single family homes. She stated that the project meets or exceeds all of the requirements for the district and that the multi-family use is appropriate for the RM zone. She said that staff also feels the single common-use driveway design minimizes the curb cuts along 2nd Street. She stated that noticing was provided to all owners within a 500 foot radius. She indicated that the neighbors immediately to the east indicated that they would like a block wall to be installed to separate their properties from the condominiums, and a requirement has been included in the Resolution addressing this request. She said that the neighbors also requested that sufficient vegetation be provided for screening, and such a condition requiring a landscape buffer between the existing homes and the proposed condominiums has also been included. She commented that the landscaping plan that has been submitted includes drought resistant plants which would be easy to maintain. She indicated that the applicant has requested to move an existing power pole, and that request will be brought before the Public and Parking Improvements Commission.

In response to a question from Commissioner Lesser and Chairperson Savikas, Senior Planner Lackow commented that at least three 48 inch box trees would be required to be planted in the front yard.

Chairperson Savikas opened the public hearing.

Elizabeth Srouer, representing the applicant, stated that the infrastructure of the development is mainly contained within the site, and the driveway entrance is on the west side away from other homes. She commented that the homes will have a custom

look. She pointed out that the shape of the site is irregular and has topography which provides opportunities for the basement levels as the slope rises. She indicated that one of the beneficial aspects of the site is that the front unit would be 4 1/2 feet lower than the 26 foot height limit. She stated that all of the design standards are similar in the RM zone to the R1 zone, including height. She pointed out that the development is in compliance with the General Plan and Zoning Code requirements. She indicated that the project is compatible with the adjacent neighborhood. She said that the applicants are in agreement with all of staff's conditions.

James Glover, the project designer, described the design. He commented that the goal of the applicants was to create a project with an open feeling, which is achieved by having three individual units and garages. He indicated that the architectural style is California Spanish revival. He pointed out that the entire project is 9,611 square feet, which is well below the maximum permitted buildable floor area (BFA) of 11,687 square feet. He pointed out that some of the square footage also includes part of the basement areas.

Susan Sweeney, the applicant commented that they are excited about designing a special development and that she hopes the Commissioners consider approval of the proposal.

Chairperson Savikas opened the public hearing.

Larry Bolles, a resident of 2nd Street, commented that he would not want the existing red curb to be changed to allow parking along 2nd Street, part of which is in front of his property. He stated that there is very poor visibility from his property of cars traveling down the hill at quite high rates of speed. He stated that the situation would be worsened if cars are parked on the street. He indicated that his understanding is that construction company vehicles must be within 70 feet of the property, and there is not sufficient space in the area for construction vehicles to park. He said that he would like an 8 foot wall for buffering because the level of the proposed development would be above his property. He stated that the applicants have agreed to build an 8 foot block wall along the property line, and he would like to be certain that it is included as a condition in the Resolution.

Senior Planner Lackow commented that construction vehicles typically park adjacent to the property. She said that there is a condition that addresses traffic, including parking. She indicated that there is a contractor parking permit program.

Director Thompson commented that the City has recently hired a residential construction code enforcement officer whose main responsibility is to work with residents and contractors regarding regulations for construction sites. He indicated that the contractor meets with the residential construction officer before a building permit is issued for the project, and all of the Code requirements are discussed. He said that notice is mailed to all neighboring properties in the area and an on-site meeting takes place before construction begins.

Esther Besbris, a resident of 2nd Street, stated that the property in question originally was included in the R1 zone, and the zoning was changed to medium density residential without notification to the residents. She indicated that she would also urge that an 8 foot wall and proper landscaping be required, which would be extremely important for providing privacy. She commented that the Council recently passed new construction guidelines, and she would hope that the contractor is aware of the new rules including the days and hours permitted for construction, posting of construction hours, and parking. She indicated that the red curbs west of her driveway on 2nd Street are extremely necessary. She said that it is extremely hazardous to exit onto the street, and cars drive down the hill at excessive speeds. She said that having cars parked west of their existing driveways would increase an extremely hazardous condition.

Carol Wahlberg, a Manhattan Beach resident, said that she has been in **Ms. Besbris'** driveway, and the speed of traffic and visibility does create a dangerous situation. She stated that she is concerned with consideration of a project with such density. She said that each unit would have five bedrooms and could potentially have five or six vehicles per unit. She indicated that condominium developments are changing the character of the City. She commented that the reason the applicant for the previous project is willing to allow land for the street expansion of Rosecrans Avenue is because it will bring more people for the Plaza El Segundo development.

Ms. Srou commented that the applicants have every interest in meeting the concerns of the neighbors and in hiring a contractor who will work with staff. She stated that because of the layout of the development, cars exiting the site will pull forward and will not back out onto 2nd Street. She said that the project is in full compliance with the Code and General Plan in terms of its build-out and height. She commented that the standards for the project are very similar to the standards that apply to the adjacent properties.

Chairman Savikas closed the public hearing.

Commissioner Simon indicated that he supports the project. He commented that many conditions have been placed on the project by staff to make certain that the applicant has complied with the Code. He said that he is also pleased that the project has been designed to have three individually standing units rather than all three units within a single structure.

Commissioner Bohner commented that he previously served on a board together with **Susan Sweeney**, but it will not have an influence his decision regarding the proposal. He indicated that the project flows well from the industrial corridor on Sepulveda Boulevard to the residential area to the east; it takes advantage of open space and parking; and will blend in with the neighborhood. He said that he is certain that concerns with the red curb will be addressed by the City.

Commissioner Lesser commented that he echoes the comments of the other Commissioners. He commended the applicants on their thoroughness in the design and in working with staff. He suggested making a request that there be a review of

maintaining the red curb along 2nd Street as requested by the previous speakers. He also suggested modifying condition 20 on page 5 of the Resolution to clarify that a minimum 8 foot block wall will be required to be built at the east property line.

Director Thompson commented that maintaining the red curb is not under the jurisdiction of the Commission, and there is currently no plans to change to another type of curb or to allow parking. He indicated that typically issues of parking are initiated by request, and any disagreements are heard by a Commission for further discussion and consideration. He said that in this case staff feels it is best not to include any language in the Resolution regarding the curbs. He commented that staff has noted that there is support by the neighboring residents who spoke for leaving the red curb, which will be forwarded on to Rob Osborne. He recommended that Condition 20 be changed to state that an 8 foot high block wall shall be provided along the east property line.

In response to a question from Commissioner Simon, Director Thompson commented that up to an 8 foot high block wall can be permitted provided that the adjacent property owners agree.

Senior Planner Lackow indicated that staff will word the condition to require an 8 foot block wall on the east property line and provide flexibility to allow for a transition of the wall to the 42 inches at the front of the property.

Chairperson Savikas said that it appears to be a beautiful project. She said that traffic is a concern on such a busy street. She commented that the subject property is large enough to build in stages so that workers can park the construction vehicles on the property when they are working. She said that she also had a concern regarding the placement of trees and the size of the trees within the development; however, the conditions regarding the box size of tree that will be used would be met particularly along the front of the project facing the street. She pointed out that construction projects can sometimes alter the flow of traffic in an area, and the development could have the advantage of slowing the speed of traffic on the street. She stated that she supports the project.


A motion was MADE and SECONDED (Lesser/Bohner) to **APPROVE** Use Permit and Vesting Tentative Parcel Map 062476 to allow construction of three detached residential condominium units at 1114 2nd Street subject to the first sentence of Condition 20 being revised to state: "Subject to the mutual agreement of the neighboring property owners, an 8 foot high block wall shall be required to the front yard setback."


AYES: Bohner, Lesser, Simon, Chairperson Savikas
NOES: None
ABSENT: Schlager
ABSTAIN: None

Director Thompson explained the 15-day appeal period and stated that the item will be placed on the City Council's Consent Calendar for their review on January 3, 2006.

**CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development 

BY: Rosemary Lackow, Senior Planner 

DATE: December 14, 2005

SUBJECT: Use Permit and Vesting Tentative Parcel Map No. 06476 to Allow Construction of 3 Detached Residential Condominium Project Located at 1114 Second Street (Sweeney).

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT** the public hearing, and subject to testimony, **ADOPT** the attached draft resolution **APPROVING** the subject application (Exhibit A).

APPLICANT/OWNER

Susan and Brian Sweeney.
3216 The Strand
Manhattan Beach, CA 90266

BACKGROUND

The subject site is located at 1114 2nd Street in Area District I. It is zoned RM (Medium Density Residential) and is currently vacant. Until a year ago, the site was developed with a 939 square foot single family residence built in 1940 but this structure was subsequently demolished. The applicant has submitted an application requesting approval of a Use Permit and Tentative Parcel Map to construct three "stand-alone" two-story plus basement condominium homes. Section 10.12.020(B) of the Manhattan Beach Municipal Code requires a Use Permit for development of three or more condominium units and Section 11.12.020.C. of the Subdivision Ordinance provides that the Planning Commission also has the authority to review and approve the associated subdivision map by which the three new condominium parcels would be created.

PROJECT OVERVIEW

Address: 1114 2nd Street, south side of street, one lot east of Sepulveda Blvd., (Vicinity Map, Exhibit BC)
 Legal Description: Portion of Lot 9, Partition Map of Land Formerly of Redondo Land Company, Sec. 30 T 3S, R 4W.
 Area District: I

LOCATION

LAND USE

General Plan: Medium Density Residential
 Zoning: RM, Residential Medium Density
 Neighboring Uses & Zoning
 North (across 2nd Street): (CG) General Commercial and (RS) Single Family Residential to north-east
 South: (CG) General Commercial (retail)
 East: (RS) Single Family Residential
 West: (CG) General Commercial (EZ Lube)

PROJECT DETAILS

Parcel Size: 13,482 sq. ft. (7,500 sq. ft. minimum required)

	<u>Allowed</u>	<u>Proposed</u>
Buildable Floor Area (BFA):	11,687sf ¹	8,784 sf ²
Residential Density:	3 units (1 unit/3,750 sf lot area)	3 units (1 unit/4,494 sf lot area)
Building Height:	26 ft (2 story 136.55 Elev. ³)	
Unit 1		Elev. 132. (approx)
Unit 2		Elev. 134 (approx)
Unit 3		Elev. 136 (approx)
Parking:	<u>Required</u> 2 enclosed/unit 1 guest space/unit	<u>Proposed</u> 2 enclosed/unit 1 guest space/unit
Driveway Access:	N/A	2 nd Street

¹ Formula: .7 x 13,482 + 2.250 sq. ft.

² Includes 30% of basement area

³ Formula: 99.8 (NW) + 107.92 (NE) + 115.5 (SE) + 118.98 (avg 3 corners at SW)= 442.20/4 = 110.55 + 26 = 136.55

	<u>Required</u>	<u>Proposed</u>
Building Setbacks:		
Front Yard	20'	20'
Side Yard (east)	5'	5'
Side Yard (west)	5'	5' ⁴
Separation Yard (Units 1 & 2)	10'	18'
Separation Yard (Units 2 & 3)	10'	10'
Rear Yard	25'	25'
Usable Open Space:	350 sf./unit	
Unit 1		360 sf
Unit 2		378 sf
Unit 3		1,250 sf

DISCUSSION

Overview

The subject property is a 13,482 square foot (.3 acre) site, somewhat irregular in shape. The site has 70 feet of frontage on Second Street and is 207 feet deep for all but the rear 50 feet, at which point the width narrows to 50 feet). The site topography features a fairly gently upwards slope to the south within about the first two-thirds of the lot and rises considerably upward in the rear portion of the lot.

The proposed units are three detached structures, each with an enclosed garage and open guest parking area with vehicular access provided by a 15-foot wide driveway along the west side of the property. All three buildings have a similar architectural style, but each is individually designed to appear and function as three distinct single family homes. Each home will appear as two stories but will have a significantly sized basement subterranean living area that will not be visible.

The buildings, with a “mission” architectural style, will have several architectural finish treatments that enhance the exterior, such as clay tile roofs and rafter tails, wood framed windows, “mission finish” exterior plaster, heavy timber deck and balcony elements antique finished wrought iron railings.

The front unit (Unit 1 on plan) faces Second Street and contains a total of 3,108 square feet living area, of which 927 square feet (media room, two bedrooms, and two baths) will be in the basement. Its main entry and enclosed two car garage is to the rear of the structure, accessed from the driveway through a courtyard. It will be assigned one of two open guest parking spaces similarly accessed that are located towards the east side of the space separating Units 1 and 2. The first story of Unit 1 contains the main living areas (kitchen, dining room, and living room) which open up to an outdoor terrace. The second story contains three bedrooms (each with sizeable private decks), two full bathrooms and a laundry service room.

⁴ Unit 3 has 28.5 setback at driveway

Unit 2, the middle home, is similar to Unit 1, but slightly smaller with 3,029 total square feet of which 1,098 square feet (“bonus room”, two bedrooms and two baths) is within the subterranean basement. Like the front unit, its main entry and garage are accessed from the courtyard that also provides access to the guest space parking area located between the structures. Similarly, the upper story contains bedrooms, baths and laundry service areas.

Unit 3 is the rear home. It has 3,474 square feet of which 733 square feet is a similar basement area, but its plan differs in that the living area wraps around an open space courtyard. It also has a large private rear yard.

Each unit will have a minimum of 150 cubic feet of secured personal storage closets in each garage. The proposed building is set back 20 feet from the front property line and 25 feet from the rear property line, forming traditional yards at both ends, as required by zoning regulations. The rear yard will be accessible only to Unit 3.

Land Use

The subject property is the first residential zone east of Sepulveda Boulevard and is topographically set several feet below the adjoining commercial uses that front on Sepulveda. The property is one of a few multi-family zones in the City that is intended to buffer the single family homes to the east from the commercial uses to the west along Sepulveda Boulevard. Surrounding land uses include the EZ Lube vehicle service station to the west, and across Second Street to the north-west on Sepulveda, another vehicle service station .and directly to the north there is a dentist office. The uses to the east are single family residential. The property to the south is the rear of the commercial uses to the west that front on Sepulveda Boulevard. The two closest residences adjoining the site are to the east and include a flag lot and another smaller rectangular lot 100 feet in depth just to the east of the flag lot’s access driveway.

Staff has discussed the project with the two owners of the adjoining homes to the east. The flag lot owner has requested that a solid wall be erected along the easterly property line to buffer their property. The second owner has requested that to the degree possible that landscaping materials be planted within the 5-foot side yard also to buffer their property and provide greenery. Staff has incorporated these concerns into the draft Resolution (condition #26).

Building Height

The code allows that the buildings may be 26 feet in height, and a maximum of two stories. The vertical height of 26 feet is applied to the average grade of the corner elevations of the site. In this case because of the irregular shape in the rear 50 feet, three datum elevations in the jogged south-west corner of the site were also averaged to produce the fourth lot corner elevation. Prior to demolition last year of the small home on the site, and before there might be any disturbance of those conditions, the City building inspector confirmed all corner elevations. The average elevation of the project has been

calculated to be 110.55 and therefore the maximum height elevation (excluding chimneys) for the highest roof peak on all buildings is 136.55.

Consistent with the topography, sloping up towards the rear, each of the buildings will be at different elevations. The front home's building walls facing 2nd Street will vary in height between 20 feet to the west and 25 feet to the east. The middle home will be set two feet higher than the front home, and the rear home, which is just lower than the project height limit, will be approximately 4.5 feet higher than the middle unit. The building bulk will be mitigated by the sloping roof (minimum 3:12 slope), the texture of the clay tiles, the notched building envelopes and many different architectural features and finish treatments.

Open Space, landscaping

The code requires that each unit provide a minimum of 350 square feet of "usable open space" (15% of the living area up to 350 square feet) or 1,050 square feet total for the project in the form of outdoor or unenclosed area on the ground, or on a balcony, deck, porch, or terrace designed and accessible for outdoor living, recreation, pedestrian access or landscaping. The project significantly exceeds the amount required. Unit 1 has 360 square feet including the first floor terrace and two second story bedroom balconies. Unit 2 has a 378 square foot private yard located between it and the guest parking area. Unit 3 has the largest open space, including the 1,000 square feet of rear yard and the 250 square foot courtyard. A landscaping plan is provided to supplement the building plans and illustrate the treatment of the open spaces.

The project, being located in Area District I, is subject to the City's Tree Protection Ordinance. A year ago, when the site was inspected prior to demolition, there were a total of three trees that met the minimum 12-inch trunk qualification for protection. At this time only one of those trees has survived, but is not in good condition. Staff recommends that as part of the overall site landscaping the existing remaining tree be removed and that the owner replant a minimum of three trees within the 20-foot front yard of a minimum 48-inch box planting size.

There is a power pole presently located within the right of way adjoining the project front yard at approximately the mid-point between the east and west property lines. It is not mandatory that this pole be re-located, however it detracts from the aesthetic appearance of the project. The owner has investigated re-locating the pole to the right of way at the north-west corner of the project, closest to the EZ Lube site. The owner has applied for permission to re-locate the pole. This request is expected to be reviewed by the PPIC (Parking and Public Improvements Commission) in January 2006. Although related to the project this review is completely independent of the Planning Commission's action on the proposed Use Permit and subdivision map.

Parking

Section 10.64.030 of the M.B.M.C. requires that at least three parking spaces be provided (two enclosed plus one exterior guest space) per unit. The amount of enclosed parking

spaces provided is equivalent to the amount required for three single family homes of this size and in addition, due to the condominium use, each unit has an unenclosed compact sized guest parking space. Each guest space is located so that it can be accessed independently from the garage. To maximize convenient access for guests visiting the units, Staff has included a condition (#27) in the attached Resolution that prohibits the placement of a security gate at the driveway front.

Construction traffic

Consistent with other multi-unit construction projects, Staff has included a condition (#4) that requires a Traffic Mitigation Plan to guide construction related traffic and parking during construction. It is expected that construction related vehicles will park on the south side of 2nd Street within the 70-feet of site frontage during all phases of construction.

Required Findings

Pursuant to Section 10.84.060 of the Municipal Code, in order to approve the subject application, four findings must be made. These findings can be made as follows:

1. The subject location and multi-family condominium use is in accord with the objectives of the zoning code and the purposes of the RM district in that that the project provides an opportunity for multiple residential use with landscaped open space accommodate multi-family density, but will promote the appearance and feel of a single family development, and therefore provide an appropriate buffer between the General Commercial zone and the Single Family Residential zone to the east.
2. The project will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City in that it is designed to blend with the adjoining single family homes, especially due to the single structure site plan and parking plan with single driveway access from Second Street. Certain planned boundary improvements such as property line walls and landscape plantings will also help to mitigate impacts to the adjoining homes to the east.

The subject project and future operation will be consistent with the General Plan which designates the site as Medium Density Residential. The project will be consistent with General Plan polices/goals relating to small town character, open space, community aesthetics and neighborhood character as follows:

Goal LU-1 (Policies LU1.1 and 1.2): The project will maintain the low-profile development and small-town atmosphere in that it features a detached home site plan that is consistent with single family development and all applicable zoning standards, especially the 26 foot applicable height limit. The architectural style and floor plan, which, for example, sets garages and guest parking areas away from public view promotes a strong residential character in keeping with the surrounding neighborhood.

The use of notches, balconies, sloping rooflines and materials will reduce the building bulk and add visual interest to the 2nd Street streetscape.

Goal LU-2 (Policies LU2.2, 2.3): The project open space will exceed the minimum amount as required in the Zoning standards and relatively large trees will be replanted in the front yard in accordance with a coordinated professional landscaping plan for the entire project.

Goal LU-3: The project is a high quality new residential project that promotes a strong positive community aesthetic.

Goals LU-4 &5: The project site plan and building design and layout is an appropriate development solution for this multi-family zone that buffers the neighboring residences from closely commercial uses on Sepulveda.

3. The proposed use will comply with the applicable RM (High Density Residential) and condominium provisions of the zoning code as detailed in the Staff Report dated December 14, 2005.
4. The proposed use, being a net increase of two new units will not adversely impact nor be adversely impacted by nearby properties and this increase in density is not expected to result in impacts such as (but not restricted to) traffic, noise, odors, or personal safety, aesthetics nor will it create demands that would exceed the capacity of public services and facilities which cannot be mitigated such as (but not limited to) police, fire, and roadway maintenance. The project will meet all applicable zoning and building regulations and represents a significant investment in the community.

Public Notice and Input

Pursuant to legal requirements Staff published in the Beach Reporter and mailed a notice of the project and public hearing to all owners of property within a 500 foot radius of the project. Staff discussed the project with two nearby homeowners as already noted. Staff has included conditions requiring the developer to consult with the adjoining owner on the east side as to the height of the wall separating the two properties and to install tall vegetation along the east side yard to address buffering concerns.

ENVIRONMENTAL DETERMINATION

According to the California Environmental Quality Act (CEQA), as modified by the Manhattan Beach CEQA Guidelines (Section VI d. 4), use permits for residential condominium projects of four units or less, have been determined to be categorically exempt (Class 3 Categorical Exemption, Section 15303 d, Date CEQA Guidelines).

CONCLUSION

The project is consistent with City's General Plan, Zoning Ordinance and Subdivision Map Act requirements and will be a high quality project and compatible use that will blend with surrounding properties. In addition, the project meets all the condominium requirements and development standards of Title 10 (Zoning Ordinance). Attached is a draft resolution recommending approval of the Use Permit application and Vesting Tentative Parcel Map No. 06476.

ALTERNATIVES

Subject to further input in the public hearing the alternatives available to the Planning Commission, other than the recommendation include:

1. **APPROVE** the subject application and **ADOPT** the attached "draft" Resolution with revised and/or additional findings and conditions.
2. **DENY** the subject application based on appropriate findings.

Attachments:

Exhibit A Draft Resolution
Exhibit B Vicinity Map
Plans (folded)

cc: Applicant c/o Srour and Associates
 James Glover, Designer

**RESOLUTION NO. PC 05-XX
(DRAFT)**

**RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF MANHATTAN BEACH APPROVING A USE
PERMIT AND VESTING TENTATIVE PARCEL MAP NO.
062476 TO ALLOW CONSTRUCTION OF A 3-UNIT
DETACHED RESIDENTIAL CONDOMINIUM PROJECT
LOCATED AT 1114 SECOND STREET (SWEENEY)**

**THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES
HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Planning Commission of the City of Manhattan Beach conducted a public hearing on December 14, 2005, received testimony, and considered an application for a Use Permit and Vesting Tentative Parcel Map No. 062476 for a proposed 3-unit condominium project on the property legally described as a portion of Lot 9 of the Partition Map of Land Formerly of the Redondo Land Company, located at 1114 Second Street in the City of Manhattan Beach.
- B. The project replaces a single family residence that has been demolished.
- C. In accordance with MBMC Section 10.12.020 (B), a Use Permit is required for projects with 3 or more condominium dwelling units.
- D. The applicant and owners of the subject project are Susan and Brian Sweeney.
- E. The project is Categorically Exempt (Class 3, Section 15303 b) from the requirements of the California Environmental Quality Act (CEQA).
- F. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- G. The property is located within Area District I and is zoned RM, Medium Density Residential. The surrounding private land uses consist of auto service, retail, medical offices and single family homes.
- H. The General Plan designation for the property is Residential Medium Density. The applicable density standard in the General Plan allows up to three dwelling units on the subject site.

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- I. The proposed condominium project would be contained in three detached buildings identified as Unit 1 (3,108 square feet), Unit 2 (3,029 square feet) and Unit 3 (3,474 square feet) on the submitted plans.
- J. Based upon State law and MBMC Section 10.84.060, the following findings are hereby made:
1. The subject location and multi-family condominium use is in accord with the objectives of the zoning code and the purposes of the RM district in that that the project provides an opportunity for multiple residential use with landscaped open space, but will promote the appearance and feel of a single family development, and therefore provide an appropriate buffer between the General Commercial zone to the west and the Single Family Residential zone to the east.
 2. The project will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City in that it is designed to blend with the adjoining single family homes especially due to the single structure site plan and parking plan with single driveway access from Second Street. Certain planned boundary improvements such as property line walls and landscape plantings will mitigate impacts to the adjoining homes to the east.

The subject project and future operation will be consistent with the General Plan which designates the site as Medium Density Residential. The project will be consistent with General Plan polices/goals relating to small town character, open space, community aesthetics and neighborhood character as follows:

Goal LU-1 (Policies LU1.1 and 1.2): The project will maintain the low-profile development and small-town atmosphere in that it features a detached home site plan that is consistent with single family development and all applicable zoning standards, especially the 26 foot applicable height limit. The architectural style and floor plan, which, for example, sets garages and guest parking areas away from public view promotes a strong residential character in keeping with the surrounding neighborhood. The use of notches, balconies, sloping rooflines and materials will reduce the building bulk and add visual interest to the 2nd Street streetscape.

Goal LU-2 (Policies LU2.2, 2.3): The project open space will exceed the minimum required in the Zoning standards and relatively large trees will be replanted in the front yard in accordance with a coordinated professional landscaping plan for the entire project.

Goal LU-3: The project is a high quality new residential project that promotes a

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strong positive community aesthetic.

Goals LU-4 &5: The project site plan and building design and layout is an appropriate development solution for this multi-family zone that buffers the neighboring residences from closely commercial uses on Sepulveda.

3. The proposed use will comply with the applicable RM (High Density Residential) and condominium provisions of the zoning code as detailed in the Staff Report dated December 14, 2005.
 4. The proposed use, being a net increase of two new units will not adversely impact nor be adversely impacted by nearby properties and this increase in density is not expected to result in impacts such as (but not restricted to) traffic, noise, odors, or personal safety, aesthetics nor will it create demands that would exceed the capacity of public services and facilities which cannot be mitigated such as (but not limited to) police, fire, and roadway maintenance. The project will meet all applicable zoning and building regulations and represents a significant investment in the community.
- K. In accordance with MBMC Section 11.24.020, Subdivision Vesting Tentative Maps, the vesting map is consistent with the General Plan, the Zoning Ordinance (Title 10) and any other applicable provisions of the Municipal Code in effect at the time the map is approved or conditionally approved, as detailed above.

SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Use Permit and Vesting Tentative Parcel Map applications subject to the following conditions.

Site preparation/ Construction

1. The project shall be in substantial conformance with the plans submitted to, and approved by, the Planning Commission on December 14, 2005.
2. The applicant's contractor will not be permitted to store building materials within the roadway of Second Street. No construction related vehicles or dumpsters shall be parked in the public right-of-way without obtaining prior approval from the Community Development Department.
3. No discharge of construction wastewater, building materials, debris, or sediment from the site is permitted. Erosion and sediment control devices BMPs (Best Management Practices) must be implemented around the perimeter of the construction site to prevent discharges to the street and adjacent properties. BMPs must be identified and shown on the building plan. Control measures must also be taken to prevent the street surface water

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from entering the site.

4. A Traffic Management Plan shall be submitted in conjunction with any other building plans, to be reviewed and approved by the Police and Public Works Departments prior to issuance of building permits. The plan shall provide for the management of all construction related traffic during all phases of construction, including but not limited to delivery of materials and parking of construction related vehicles. Driverless vehicles blocking street access and neighbors' driveways without written authorization and overnight storage of materials in the roadway shall be prohibited.

Condominium Conditions/Public Works Conditions

5. Plan holder must have the plans checked and stamped for approval by the Public Works Department prior to the approval of the building permit. All Public Works notes and corrections must be printed on the plan.
6. The public right of way sidewalk must be replaced from the east property line to the west property line and this work must be shown on the building construction plans.
7. Sidewalk, driveway, curb and gutter repairs or replacement must be completed per Public Works specifications. See City Standard Plans ST-1, ST-2 and ST-3. Submitted plans must have a profile of the driveway, percentage of slope on driveway, and driveway elevations.
8. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility pole(s) in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department. The re-location of an existing power pole, if desired, in the right of way adjoining the site must be prior approved by the City Council through separate application to the Department of Public Works.
9. All runoff water from the roofs, side yards and patios must discharge to Second Street. Curb drains shall be shown on the construction plan.
10. All storm water, nuisance water, etc., drain lines installed within the street right-of-way must be constructed of ductile iron pipe. Drains must be shown on plans.
11. A plan for water and sanitary sewer lateral utility connection to the City's main lines shall be provided and shall be reviewed by the Department of Public Works during the building plan check process. Separate water laterals are mandatory; however a common lateral for sanitary sewer may be required for the project. Laterals shall conform to U.B.C. 717.0 using Table 7-8.

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12. A property line cleanout must be installed on each sanitary sewer lateral. See City Standard Plan ST-5. Cleanout must be added to the plumbing plan.
13. A backwater valve is required on the sanitary sewer lateral if the discharges from fixtures with flood level rims that are located below the next upstream manhole cover of the public sewer. See City Standard Plan ST-24. Must be shown on plans if applicable.
14. If an existing sewer lateral is approved to be used, it must be televised to check its structural integrity. The tape must be made available for review by the Public Works Department. The Public Works Department will review the tape and determine at that time if the sanitary lateral needs repairing replaced, or that it is structurally sound and can be used in its present condition.
15. Any unused water lines or sanitary laterals must be shown on the plans and abandoned at the City main line.
16. The water meter boxes must be purchased from the City, and they must have a metal lid if any are located in the driveway. Water meters shall be placed near the property line and shall not be located in the project driveway approach.
17. Sufficient trash storage area shall be provided for each unit subject to the requirements of MBMC 5.24.030 and subject to review and approval of the Departments of Community Development and Public Works.
18. During the demolition and construction phases of development, a daily clean-up program for the site shall occur, including the pick-up of all debris (utilizing an approved trash dumpster) at day's end and the sweeping and continued watering down of the site to assist in mitigating the movement of dirt and dust upon adjoining properties.
19. All Residential Condominium Standards per Municipal Code Section 10.52.110 shall be imposed, and considered as part of this Resolution.
20. All proposed side and rear property line retaining walls should not exceed a maximum height of 6' as measured from the adjacent lowest finished grade, except on the east property line, where the wall shall be a maximum of eight feet in height, subject to mutual agreement of the adjoining property owner. Fences/walls (including hedges) within the front yard setback, including required guardrail/handrail, shall not exceed 42" as measured from the lowest adjacent finished grade, except if within a driveway visibility area where the fence/wall or hedge height may be required to be lower.

Building Division Conditions

21. The proposed condominium project shall conform fully with the 2001 California Building

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Code, Plumbing Code, Mechanical Code, Electrical Code and City of Manhattan Beach Building Amendments. In particular, basements shall comply with Section 220 of the 2001 California Building Code; all habitable basement rooms shall meet all applicable egress requirements of the building code and all exterior wells and openings must comply with Table 5A of the 2001 California Building Code.

22. The project shall comply with the requirements for disabled access as provided in Senate Bill 1025 as applicable.
23. The back of the driveway approach must be 6 inches higher than the flow line on the street per MBMC 9.76.030. In addition driveway slope shall not exceed 15%. Driveway profile(s) must be shown on the plans submitted for building permit.

Fire Department Conditions

24. A sprinkler system shall be provided fully for all condominium units, if required by the Fire Department.
25. Any proposed or required fire check valves must be screened within the proposed building subject to the approval of the Fire and Community Development Departments.

Landscaping/Irrigation

26. A site landscaping plan shall be prepared by a licensed landscape designer/architect, as required by state law. This plan shall be submitted concurrent with the building permit application for review and approval by the Public Works and Community Development Departments. The plan shall identify by Latin and common names all plants on the plan and shall provide a planting and irrigation plan. The planting plan shall utilize drought tolerant plants. (The current edition of the Sunset Western Garden Book contains a list and description of drought tolerant plants suitable for this area.) All landscaping irrigation must meet current City requirements for proper installation and shall utilize a low pressure or drip irrigation system. Approved landscape areas must be planted and irrigation system must be operational prior to certificate of occupancy. In particular the landscape plan shall provide for the replacement of three pre-existing trees within the front yard set back area with three new trees of a minimum 48-inch box size, the species to be determined by the owner. The plan shall also provide for the planting of additional shrubbery or trees within the east side yard to provide a privacy screen for the closest single family home.

Traffic/Circulation/Parking

27. The installation of a security gate at the entry area of the driveway is prohibited.
28. There shall be no intrusions into any of the proposed parking spaces. This includes, but is not limited to, any utility and plumbing fixtures or drainage downspouts.

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Standard Conditions

29. All development must occur in strict compliance with the proposal as set forth in the application for said permit, subject to any special conditions set forth below. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
30. The applicant will be required to eliminate any Congestion Management Plan (CMP) debits created by this project prior to “certificate of occupancy”.
31. The Use Permit shall lapse three years after its date of approval, consistent with the lapsing period for the accompanying parcel map, unless implemented or extended pursuant to Section 10.84.090 of the Municipal Code.
32. Unless appealed to the City Council, the subject Use Permit and Vesting Tentative Parcel Map No. 062476 shall become effective after expiration of the time limits established by Manhattan Beach Municipal Code Section 10.84.090 (A).
33. Concurrent with preparation of Final Vesting Parcel Map 062476, a Civil Engineer or Land Surveyor licensed in the State of California shall perform a survey suitable for purposes of recordation, including permanent monumentation of all property corners and the establishment or certification of centerline ties at the intersections of 1) Second Street and Sepulveda Boulevard and 2) Second Street and Johnson Street.
34. Vesting Tentative Parcel Map No. 063242, upon its approval shall be valid for an initial period of 3 years with the option of future extensions.
35. Final Vesting Parcel Map No. 062476 shall be submitted for City approval and shall bear the following certificates for City signature: Director of Finance, City Engineer, Planning Commission and City Clerk. The map shall be recorded by the Los Angeles County Records Office. A copy of the recorded map shall be provided to the City prior to the issuance of a condominium “certificate of occupancy”.
36. Pursuant to Public Resources Code Section 21089 (b) and Fish and Game Code Section 711.4(c), the project is not operative, vested or final until the requiring filing fees are paid.
37. The applicant agrees, as a condition of approval of this project, to pay all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal action associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement

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with the City to pay such expenses as they become due.

SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The Department of Community Development shall send a copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of December 14, 2005 and that said Resolution was adopted by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Richard Thompson
Secretary to the Planning Commission

Sarah Boeschen
Recording Secretary



VICINITY MAP

Project Location: 1114 Second Street
Second Street Colony Condominiums