



Agenda Item #: _____

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Fahey and Members of the City Council

THROUGH: Geoff Dolan, City Manager

FROM: Richard Thompson, Director of Community Development
Eric Haaland, Associate Planner

DATE: November 1, 2005

SUBJECT: Consideration of Planning Commission Approval of a Conditional Use Permit and Vesting Tentative Tract Map No. 061783, for Construction of 11 Residential Condominium Units for the Property Located at 1617-1623 Artesia Boulevard

RECOMMENDATION:

Staff recommends that the City Council receive and file the decision of the Planning Commission.

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

DISCUSSION:

The Planning Commission, at its regular meeting of October 12, 2005, **APPROVED** (5-0) an 11-unit condominium project comprised of 3 buildings on an existing 3-lot site. The project would replace an existing 16-unit apartment development. The buildings are located around a central drive aisle running the width of the property, which is accessed by a single driveway from Artesia Boulevard. Proposed parking faces the central drive aisle, which allows each unit to face the landscaped front and rear yards.

The project was found to be in conformance with the City's requirements, and the Planning Commission acknowledged that the project resulted in a reduction in density and traffic generation for the site. While the project proposes the maximum amount of buildable floor area, visual improvements to the existing site include an increased/conforming rear setback, a lowered/conforming front sidewalk retaining wall, and less prominent parking areas.

The Planning Commission heard testimony from two neighbors with specific concerns. A concern for existing drainage across the easterly property line was addressed by confirming that any new development must conform to current standards requiring all water to run off to the public storm drain system. The 30-foot height requirement was also discussed by the Commission in response to the westerly neighbor's height concern.

Staff reports and draft minutes excerpts from the Planning Commission's proceedings are also attached to this report for reference.

ALTERNATIVES:

The alternatives to the staff recommendation include:

1. **REMOVE** this item from the Consent Calendar, **APPEAL** the decision of the Planning Commission, and direct that a public hearing be scheduled.

Attachments:

Resolution No. PC 05-14
P.C. Minutes excerpts, dated 10/12/05
P.C. Staff Reports, dated 10/12/05
Plans (separate/NAE)

(NAE) – not available electronically

c: Peter Bohlinger, Applicant
Elizabeth Srour, Applicant Rep.
Stephen Albert, Architect

RESOLUTION NO. PC 05-14

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
MANHATTAN BEACH APPROVING A USE PERMIT, AND VESTING
TENTATIVE TRACT MAP NO. 61783 FOR CONSTRUCTION OF 11
RESIDENTIAL CONDOMINIUM UNITS ON THE PROPERTY
LOCATED AT 1617-1623 ARTESIA BLVD (Bohlinger)**

**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 October 12, 2005, received testimony, and considered an application for a use permit and tentative tract map to allow construction of a 20,021 square foot 11-unit condominium project on the property located at 1617-1623 Artesia Boulevard in the City of Manhattan Beach.
- B. The existing legal description of the overall site is Lots 16, 17 & 18, Block 107, Redondo Villa Tract B.
- C. The applicant for the subject project is Bohlinger Diversified LP the owner of the property.
- D. The property is located within Area District I and is zoned RH, Residential High Density,. The use is permitted by the zoning code and is appropriate as conditioned for the high density residential area. The surrounding private land uses consist of RH and RS (Residential High Density and Single Family).
- E. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15061 (b) (3), and 15301 based on staffs determination that the project is a minor development and will not have a significant impact on the environment.
- 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 General Plan designation for the property is High Density Residential.
- H. Approval of the requested use permit is found to be appropriate since the project:
 - 1) conforms to applicable zoning objectives and development standards as discussed in the project staff report,
 - 2) is not expected to have a detrimental impact on nearby properties since the proposed multifamily residential use is consistent with the surrounding area and results in improved parking conformance and no traffic generation increase; and
 - 3) is consistent with the goals and policies of the General Plan. Specific General Plan Policies implemented by the project include: LU-1.1 pertaining to height limit conformance, and LU-1.2 pertaining to bulk mitigation and visual interest by appropriate use of architectural details.
- I. This Resolution, upon its effectiveness, constitutes the Use Permit for the subject project.

Section 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Use Permit and Vesting Tentative Tract Map application for 11 condominium units subject to the following conditions (*indicates a site specific condition):

- 1. * The project shall be constructed and operated in substantial compliance with the submitted

RESOLUTION NO. PC 05-14

plans as reviewed by the Planning Commission on October 12, 2005. Access from all project units to the common rear yard useable open space shall be provided and maintained subject to the review of the Community Development Department. Final design of this area shall encourage use by residents of the front units subject to Community Development Review.

2. A Traffic Management Plan shall be submitted in conjunction with all construction and other building plans, to be 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 delivery of materials and parking of construction related vehicles.
3. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility connections 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.
4. During building construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.
5. The siting of construction related equipment (job site offices, trailers, materials, etc.) shall be subject to the approval from the Director of Community Development prior to the issuance of any building permits.
6. A site landscaping plan utilizing drought tolerant native plants shall be submitted for review and approval concurrent with the building permit application. All plants shall be identified on the plan by the Latin and common names. The current edition of the Sunset Western Garden Book contains a list and description of drought tolerant plants suitable for this area.
7. A low pressure or drip irrigation system shall be installed in the landscaped areas, which shall not cause any surface run-off. Details of the irrigation system shall be noted on the landscaping plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments.
8. Security lighting for the site shall be provided in conformance with Municipal Code requirements including glare prevention design.
9. Water and sewer laterals shall be provided as required by the Director of Public Works. A property line clean out is required for each sewer lateral. Water and sewer line modifications and upgrades within the public right-of-way shall be provided as required by the Public Works Department.
10. All defective or damaged curb, gutter, street paving, and sidewalk improvements shall be removed and replaced with standard improvements, subject to the approval of the Public Works Department. The sidewalk must be replaced from the west property line to the east property line.
11. Backflow prevention valves shall be installed as required by the Department of Public Works, and the locations of any such valves or similar devices shall be subject to approval by the Community Development Department prior to issuance of building permits.
12. Trash and recycling storage enclosures shall be provided and maintained in conformance with the requirements of the Public Works Department.
13. Landscape areas located within the public right of way shall be maintained by the project homeowner's association.

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14. The project shall conform to Section 10.52.110, Residential condominium standards, of the Manhattan Beach Municipal Code.
15. A survey suitable for purposes of recordation shall be performed by a Civil Engineer or Land Surveyor licensed in the State of California, including permanent monumentation of all property corners and the establishment or certification of centerline ties at the intersections of:
 - a. Artesia Blvd. with Herrin Street
 - b. Artesia Blvd. with Redondo Avenue
 - c. Mathews Avenue with Redondo Avenue
 - d. Mathews Avenue with Herrin Street
16. The final parcel map shall be submitted for city approval and recorded by the Los Angeles County Recorder prior to issuance of condominium certificate of occupancy .
17. All provisions of the Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
18. This Use Permit shall lapse three years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code.
19. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions 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 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 City Clerk shall send a certified 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 October 12, 2005 and that said Resolution was adopted by the following vote:

AYES: **Bohner, Lesser, Schlager,
Vice-Chairman Simon**

NOES:None

ABSTAIN: **None**

ABSENT: **Savikas**

RICHARD THOMPSON,
Secretary to the Planning Commission

RESOLUTION NO. PC 05-14

Sarah Boeschen,
Recording Secretary

**CITY OF MANHATTAN BEACH
MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION
OCTOBER 12, 2005**

1 A regular meeting of the Planning Commission of the City of Manhattan Beach was held on
2 Wednesday, October 12, 2005, at 6:35 p.m. in the City Council Chambers, City Hall, 1400
3 Highland Avenue.

4
5 **ROLL CALL**

6
7 Vice-Chairperson Simon called the meeting to order.

8
9 Members Present: Bohner, Lesser, Schlager, Vice-Chairperson Simon
10 Members Absent: Chairperson Savikas
11 Staff: Richard Thompson, Director of Community Development
12 Rosemary Lackow, Senior Planner
13 Eric Haaland, Associate Planner
14 Sarah Boesch, Recording Secretary
15

16 **APPROVAL OF MINUTES** September 28, 2005

17
18 Commissioner Lesser requested that page 3, line 21 of the September 28 minutes be revised to
19 read: "He said he is not sure what criteria the Commission should apply in reviewing the
20 application. He asked whether aesthetic concerns are a sufficient standard by which to concur on
21 staff's recommended proposal."
22

23 A motion was MADE and SECONDED (Lesser/Bohner) to **APPROVE** the minutes of
24 September 28, 2005, as amended.

25
26 AYES: Bohner, Lesser, Schlager, Vice-Chairman Simon
27 NOES: None
28 ABSENT: Chairperson Savikas
29 ABSTAIN: None
30

31 **AUDIENCE PARTICIPATION** None

32
33 **BUSINESS ITEMS**

34
35 **PUBLIC HEARINGS**

36
37 **05/1012.1 Use Permit and Vesting Tentative Tract Map 061783 to Allow Construction**
38 **of 11 Residential Condominium Units Within Three Separate Buildings Over**
39 **a Basement Level Garage Structure at 1617-1623 Artesia Boulevard**
40 **(Bohlinger Diversified LP)**
41

PLANNING COMMISSION MINUTES

October 12, 2005

Page 2

1 Associate Planner Haaland summarized the staff report. He stated that the proposal is for an 11
2 unit condominium project to consist of three buildings that amount to 20,021 square feet of
3 buildable floor area (BFA). He stated that two buildings would be 30 feet in height, which is the
4 maximum permitted. He indicated that the other building would be approximately 29 feet in
5 height measured from the average grade of the site. He commented that the parking requirement
6 is two garage spaces and one guest space per unit, which is proposed to be provided. He
7 indicated that access to the site is from a driveway which is accessed from Artesia Boulevard.
8 He said that a Use Permit is required for any projects of more than three units of multifamily
9 residential construction or more than two condominium units. He indicated that the project
10 conforms with the Zoning Code and General Plan. He said that the proposal will not be
11 detrimental to the public, and the surrounding area is appropriate for the proposed type of
12 residential use.

13
14 Associate Planner Haaland indicated that the majority of open space provided by the project
15 would be located in the rear yard. He stated that the open space requirement is 15 percent of the
16 BFA for each unit. He said that the majority of rear yard open space area is proposed to be
17 common. He commented that the project does comply with the open space requirement. He
18 stated that a condition is proposed requiring proper access for the common open space at the rear
19 be designed to encourage use of the area by the residents in the front units. He stated that the
20 public hearing was noticed within 500 feet, and no opposition was received. He commented that
21 staff is recommending approval of the proposal.

22
23 In response to a question from Commissioner Lesser, Associate Planner Haaland indicated that
24 the existing front retaining wall on the site is nonconforming. He commented that the maximum
25 height allowed is 42 inches and many of the existing retaining walls in the area are higher. He
26 said that the proposal is to remove or reduce the retaining wall and build back a maximum 42
27 inch high retaining wall within the front yard setback area.

28
29 Vice-Chairperson Simon opened the public hearing.

30
31 **Peter Bohlinger** representing the applicant, stated that the property is zoned for 20 units. He
32 said that they decided against an original plan for 14 units because it would have required an
33 underground parking structure. He indicated that they decided instead for 11 units with
34 individual parking for each. He said that they have six units that face the back side of the
35 property and five units that face Artesia Boulevard. He commented that the driveway allows six
36 of the 11 units to be end units which receive more natural light.

37
38 In response to a question from Vice-Chairperson Simon, **Mr. Bohlinger** indicated that a small
39 private patio area would be provided for each of the rear units, and the rest of the open space in
40 the rear area would contain a common landscaped area and walkway that is accessible to all of
41 the residents.

PLANNING COMMISSION MINUTES

October 12, 2005

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Frank Hern, the property owner to the east of the subject site, said that he is concerned about the height of the finished grade. He said that the property has been filled in to the top of the existing retaining wall, and the north side the property is sloped so that the rain drains onto his property. He said that his property becomes a catch basin for the storm water.

Robert Zicaro, owner of the property to the west of the subject site, said that he has no objection to the development, although he is concerned about the maximum height of the structures being 30 feet. He asked at from what point the height is measured.

Stephen Albert, the project architect, stated that the storm runoff water is contained within the site. He said that with the proposed design, the storm water would be collected at the low point of the site and taken below ground out to the street. He indicated that the retaining walls along Artesia Boulevard will be removed, and the lawn will be gently sloped.

In response to a question from Commissioner Lesser, Associate Planner Haaland said that the calculation of height is taken from the average of the elevations of the four corners of the site. He said that the 30 foot height limit for the structures is measured from the average grade, and the buildings cannot exceed that height at any point.

Vice-Chairperson Simon closed the public hearing.

Commissioner Bohner indicated that based on the presentation and the staff report, it appears that the concerns of staff have been satisfied and the project is in compliance with zoning and environmental requirements. He commented that he likes the solution of a balance between the rights of the owners in the back and front to enjoy the common open space. He said that he is satisfied that the concern of storm water runoff has been addressed.

Commissioner Lesser said that he agrees with the comments of Commissioner Bohner. He commended the project developer for working together with staff. He said that he is impressed that it would reduce density from a development of 16 units to 11 units on a lot that is actually zoned for 20 units. He said that the design appears to be a great improvement to the site.

Commissioner Schlager commented that he understands the concerns of the neighbors with a new development. He stated that he has reviewed the plans, and they appear as a great improvement to the site both architecturally and environmentally. He said that the architect has taken the thoughts of the neighbors into consideration with the removal of the retaining walls and collection of the storm water runoff. He indicated that staff has indicated in the Resolution that all zoning requirements have been met. He stated that he supports the project.

Vice-Chairperson Simon commented that he agrees with all of the comments of the other

PLANNING COMMISSION MINUTES

October 12, 2005

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1 Commissioners. He commended staff’s work with the developer, and he is pleased that the
2 developer feels the project has been improved by staff. He indicated that he supports the project.

3
4 A motion was MADE and SECODED (Lesser/Schlager) to **APPROVE** the attached Resolution
5 for a Use Permit and Vesting Tentative Tract Map 061783 to allow construction of 11 residential
6 condominium units within three separate buildings over a basement level garage structure at
7 1617-1623 Artesia Boulevard

- 8
9 AYES: Bohner, Lesser, Schlager, Vice-Chairperson Simon
10 NOES: None
11 ABSENT: Chairperson Savikas
12 ABSTAIN: None

13
14 Director Thompson explained the 15-day appeal period and stated that the item will be placed on
15 the City Council’s Consent Calendar for their review on November 1, 2005.

16
17 **05/1012.2 Code Amendment to Title 10 of the Municipal Code and Title A of the Local**
18 **Coastal Program for the Purpose of Establishing a Maximum Lot Size for**
19 **Residential Properties**

20
21 Director Thompson commented that the proposal is a result of a long term priority of the City
22 Council to address mansionization. He said that establishing a maximum lot size is one of three
23 issues to address mansionization that are planned to come before the Commission. He indicated
24 that a review of lot merger regulations and considering development incentives in exchange for
25 development benefits will come before the Commission in the future.

26
27 Senior Planner Lackow summarized the staff report. She commented that the purpose of the
28 work plan item is to preserve neighborhood character within the City that could potentially be
29 impacted by lot mergers. She stated that the subject proposal is to limit lot size and does not
30 directly address or limit building size. She indicated that currently the minimum lot size in Area
31 District I is 7,500 square feet; in Area District II is 4,600 square feet; and in Area Districts III
32 and IV is 2,700 square feet. She stated that the proposal is to limit the lot size for a residential
33 development to twice the minimum size that is permitted in the area in which the site is located.
34 She stated that the proposed regulation would apply in all residential zones and area districts;
35 would not apply to existing large lots already over twice the permitted lot size; and would
36 include an exemption for multifamily development. She said that with the new restriction, the
37 maximum lot size would be 15,000 for Area District I; 9,200 for Area District II; and 5,400 for
38 Area Districts III and IV. She showed slides with examples of developments in different areas of
39 the City. She said that the decision of the Commission would be a recommendation forwarded to
40 the City Council. She indicated that another public hearing would be scheduled before the City
41 Council.

**CITY OF MANHATTAN BEACH
DEPARTMENT OF COMMUNITY DEVELOPMENT
MEMORANDUM**

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development

BY: Eric Haaland, Associate Planner

DATE: October 12, 2005

SUBJECT: Use Permit and Vesting Tentative Tract Map No. 61783, for a Proposed 25,000 Square Eleven-Unit Condominium Project on the Property Located at 1617-1623 Artesia Boulevard. (Bohlinger Diversified LP)

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT** the Public Hearing and **APPROVE** the subject request.

APPLICANT/OWNER

Bohlinger Diversified, LP
1140 Highland Ave. #223
Manhattan Beach, CA 90266

BACKGROUND

The subject site presently consists of 16 apartment units contained within 3 buildings, surrounded by open parking and landscaping. The proposal is for demolition of the existing improvements, and construction of 3 new buildings containing 11 condominium units. Section 10.12.020 of Manhattan Beach Municipal Code provides that a use permit is required for residential projects exceeding 3 units, and condominium subdivisions exceeding 2 units.

PROJECT OVERVIEW

LOCATION

Location

1617-1623 Artesia Bl. Between Herrin Ave. and Redondo Ave. (See Site Location

Legal Description	Map). Lots 16, 17 & 18, Block 107, Redondo Villa Tract.B
Area District	I

L A N D U S E

General Plan	High Density Residential
Zoning	RH, Residential High Density

Land Use	Existing 3 residential buildings, 16 apartments total	Proposed 20,021 sq.ft. residential (3 buildings, 11 condominium units
Neighboring Zoning/Land Uses	North South (across Artesia Bl.) East West	RS/Single Family Res. Residential (Redondo Bch.) RH/Mixed Use Building RH/Apartment Building

P R O J E C T D E T A I L S

Corner Parcel (B – Mixed Use Building)

	<u>Proposed</u>	<u>Requirement (Staff Rec)</u>
Parcel Size:	20,214 sq. ft. (150'x135')	7,500 sq. ft. min
Residential Density:	1 unit / 1,837 sq. ft. lot area	1 unit / 1000sf lot area max.
Building Floor Area:	20,021 sq. ft.	20,442 sq. ft. max
Height	30 ft.	30 ft. max.
Setbacks		
Front	20 ft.	20 ft.
Rear	20.5 ft.	20.5 ft. (upper level)
Side	5 ft.	5 ft.
Parking:	33 spaces (*)	33 Spaces
Vehicle Access	1 Artesia driveway	N/A

(*) – Two garage spaces and one guest parking space required for each unit.

DISCUSSION

The submitted plans show an existing sloped parcel composed of three 50'x 135' lots to be redeveloped with 11 residential condominium units. Three 4-level buildings containing 20,021 square feet of buildable floor area are proposed. The bottom (parking) level generally qualifies as basement area and the small upper level loft areas qualify as mezzanines, therefore, the buildings never exceed 3 countable stories in height. Two of

the buildings reach the 30-foot height limit, while one steps down to 29 feet in height. The buildings are located around a central drive aisle running the width of the property, which is accessed by a single driveway from Artesia Boulevard. All project parking faces the central drive aisle, which allows the unit frontages/entries to face the landscaped front and rear yards. Commercial bin enclosures are provided along the drive aisle for trash and recycling storage.

Each proposed condominium unit contains two 1-car garage spaces, and one guest parking space in tandem behind one of the garage spaces. Laundry, storage, and equipment space are also provided at the basement/parking level. Primary living areas are located at the two levels above the basement. All but the 2 easterly units have a small mezzanine area above, and overlooking the units' living room areas. Outdoor decks are proposed for the mezzanines and street facing units.

The project conforms to the city's requirements for use, density, height, floor area, setbacks, parking, landscaping, and open space. The site's density is proposed to be reduced substantially below the existing 16 residential units, to just over half of the 20 units permitted. Parking ratios would be increased, and traffic generation is expected to decrease for the property as a result of the proposal. The project is subject to the RH (residential) development standards for Area District I of the Manhattan Beach Municipal Code. The project issues that warrant discussion include: open space and project design.

Open Space:

The primary useable open space proposed for the project is the rear yard. The front yard will be similar in size and aesthetic quality to the rear, but is not countable toward the code's useable open space requirement. The rear yard is the only setback permitted to be counted as open space, and this site's rear yard is large enough to provide 3,075 square feet of the project's 3,850 square-foot (350 sf/unit) requirement. The proposed mezzanine decks also provide a small amount of countable open space. The rear location of most of the primary useable open space raises some concern for accessibility from the five front units. While the rear units directly access this area, the front unit occupants must walk through the project side yards to reach the rear yard open space. The applicant is providing the front units with supplemental master bedroom balconies to partially compensate for the more difficult rear open space access. Staff has included a condition in the project resolution requiring appropriate rear yard accessibility, and landscape/hardscape design that encourages use of the rear yard area by front unit residents.

Project Design:

The project is designed to be roughly the maximum size permitted although mass relief is provided by use of basement design, varying roof lines, and division into 3 separate buildings. The architecture features a mediterranean style and details such as a tile roof,

wrought iron rails, window shutters, and various modulation treatments. Project aesthetics benefit greatly from the single driveway street access and visually remote parking areas. Recent single-lot condominium projects in the area typically have more visually prominent parking with less prominent unit frontages/entries facing side yards.

Public Input:

A public notice for the project was mailed to property owners within 500 feet of the site and published in the Beach Reporter newspaper. Staff has received a few inquiries, but no comments have been received from project neighbors or other members of the community.

Required Findings:

Section 10.84.060 of the zoning code establishes that certain findings be made by the Planning Commission in granting use permit approval. Staff believes that those findings can be made as follows:

- a) The project conforms to applicable zoning objectives and complies with zoning development standards as discussed in this report,
- b) The project is not expected to have a detrimental impact on nearby properties since the proposed multifamily residential use is consistent with development in the surrounding area and results in improved parking conformance and no traffic generation increase; and
- c) The project is consistent with the goals and policies of the General Plan. Specific General Plan Policies implemented by the project include: LU-1.1 pertaining to height limit conformance, and LU-1.2 pertaining to bulk mitigation and visual interest by appropriate use of architectural details.

ENVIRONMENTAL DETERMINATION

The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15061, (b) (3) based on staff's determination that the project is a minor development and will not have a significant impact on the environment.

CONCLUSION

Staff supports the request believing that the project is in conformance with all requirements and that the required use permit findings can be made. A draft resolution of approval is attached, which would act as the project use permit, if the project is approved by the Commission with no further appeal. Several standard conditions typically included have been placed in the resolution as well as project specific, and parcel map conditions.

Attachments:

- | | |
|--------------------------------|---------------------------------|
| A. Draft Resolution No. PC 05- | c: Peter Bohlinger, Applicant |
| B. Site Location Map | Elizabeth Srour, Applicant Rep. |
| C. Applicant description | Stephen Albert, Architect |
| Plans (separate - NAE) | |
- (NAE = not available electronically)

RESOLUTION NO. PC 05-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT, AND VESTING TENTATIVE TRACT MAP NO. 61783 FOR CONSTRUCTION OF 11 RESIDENTIAL CONDOMINIUM UNITS ON THE PROPERTY LOCATED AT 1617-1623 ARTESIA BLVD (Bohlinger)

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 October 12, 2005, received testimony, and considered an application for a use permit and tentative tract map to allow construction of a 20,021 square foot 11-unit condominium project on the property located at 1617-1623 Artesia Boulevard in the City of Manhattan Beach.
- B. The existing legal description of the overall site is Lots 16, 17 & 18, Block 107, Redondo Villa Tract B.
- C. The applicant for the subject project is Bohlinger Diversified LP the owner of the property.
- D. The property is located within Area District I and is zoned RH, Residential High Density,. The use is permitted by the zoning code and is appropriate as conditioned for the high density residential area. The surrounding private land uses consist of RH and RS (Residential High Density and Single Family).
- E. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Section 15061 (b) (3), and 15301 based on staffs determination that the project is a minor development and will not have a significant impact on the environment.
- 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 General Plan designation for the property is High Density Residential.
- H. Approval of the requested use permit is found to be appropriate since the project:
 - 1) conforms to applicable zoning objectives and development standards as discussed in the project staff report,
 - 2) is not expected to have a detrimental impact on nearby properties since the proposed multifamily residential use is consistent with the surrounding area and results in improved parking conformance and no traffic generation increase; and
 - 3) is consistent with the goals and policies of the General Plan. Specific General Plan Policies implemented by the project include: LU-1.1 pertaining to height limit conformance, and LU-1.2 pertaining to bulk mitigation and visual interest by appropriate use of architectural details.
- I. This Resolution, upon its effectiveness, constitutes the Use Permit for the subject project.

Section 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Use Permit and Vesting Tentative Tract Map application for 11 condominium units subject to the following conditions (*indicates a site specific condition):

- 1. * The project shall be constructed and operated in substantial compliance with the submitted

RESOLUTION NO. PC 05-

plans as reviewed by the Planning Commission on October 12, 2005. Access from all project units to the common rear yard useable open space shall be provided and maintained subject to the review of the Community Development Department. Final design of this area shall encourage use by residents of the front units subject to Community Development Review.

2. A Traffic Management Plan shall be submitted in conjunction with all construction and other building plans, to be 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 delivery of materials and parking of construction related vehicles.
3. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility connections 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.
4. During building construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.
5. The siting of construction related equipment (job site offices, trailers, materials, etc.) shall be subject to the approval from the Director of Community Development prior to the issuance of any building permits.
6. A site landscaping plan utilizing drought tolerant native plants shall be submitted for review and approval concurrent with the building permit application. All plants shall be identified on the plan by the Latin and common names. The current edition of the Sunset Western Garden Book contains a list and description of drought tolerant plants suitable for this area.
7. A low pressure or drip irrigation system shall be installed in the landscaped areas, which shall not cause any surface run-off. Details of the irrigation system shall be noted on the landscaping plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments.
8. Security lighting for the site shall be provided in conformance with Municipal Code requirements including glare prevention design.
9. Water and sewer laterals shall be provided as required by the Director of Public Works. A property line clean out is required for each sewer lateral. Water and sewer line modifications and upgrades within the public right-of-way shall be provided as required by the Public Works Department.
10. All defective or damaged curb, gutter, street paving, and sidewalk improvements shall be removed and replaced with standard improvements, subject to the approval of the Public Works Department. The sidewalk must be replaced from the west property line to the east property line.
11. Backflow prevention valves shall be installed as required by the Department of Public Works, and the locations of any such valves or similar devices shall be subject to approval by the Community Development Department prior to issuance of building permits.
12. Trash and recycling storage enclosures shall be provided and maintained in conformance with the requirements of the Public Works Department.
13. Landscape areas located within the public right of way shall be maintained by the project homeowner's association.

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14. The project shall conform to Section 10.52.110, Residential condominium standards, of the Manhattan Beach Municipal Code.
15. A survey suitable for purposes of recordation shall be performed by a Civil Engineer or Land Surveyor licensed in the State of California, including permanent monumentation of all property corners and the establishment or certification of centerline ties at the intersections of:
 - a. Artesia Blvd. with Herrin Street
 - b. Artesia Blvd. with Redondo Avenue
 - c. Mathews Avenue with Redondo Avenue
 - d. Mathews Avenue with Herrin Street
16. The final parcel map shall be submitted for city approval and recorded by the Los Angeles County Recorder prior to issuance of condominium certificate of occupancy .
17. All provisions of the Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
18. This Use Permit shall lapse three years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code.
19. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions 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 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 City Clerk shall send a certified 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 October 12, 2005 and that said Resolution was adopted by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

RICHARD THOMPSON,
Secretary to the Planning Commission

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Sarah Boeschen,
Recording Secretary

Vicinity Map
1613-1623 Artesia Blvd.



Existing View from Artesia Blvd.

FINDINGS RELATIVE TO A CONDITIONAL USE PERMIT FOR A 14 UNIT
CONDOMINIUM DEVELOPMENT AT 1617 - 1623 ARTESIA BLVD.

1. The RH zone anticipates high density residential and also specifies development standards for multi-unit residential development, the highest and most intense residential classification. The zoning standards actually permit 20 units on this site given the lot area and 1000sf lot area per unit density standard. The site presently contains 16 apartment units, whereas only 14 units are proposed.

2. The General Plan has determined that the *High Density Residential Zone* is beneficial to the overall growth and development of the City and that it balances critical housing needs of the community. This RH designation anticipates the type of development proposed in this project and the Zoning Code sets forth standards that new development must adhere to. These standards promote compatibility between adjacent uses and establish an acceptable environment for the residents of the new development. These new homes will provide contemporary housing opportunities for the community and thus enhance the existing housing stock. Furthermore, this area has historically been identified as an appropriate location for multi-residential housing and is characterized by high density apartment uses.

3. The proposed plans comply with all pertinent zoning standards and new construction will comply with applicable building code requirements.

4. The proposed development will not adversely impact adjacent development as it has been designed to incorporate all typical necessities within the development, including private and guest parking, private open space, secure entries, comfortable living areas, storage areas, and segregated utilities. Two existing curb cuts will be consolidated into one centralized 24' wide driveway which will reduce interference with traffic flow onto Artesia and also improve on-street parking opportunities. Each unit will have two private parking spaces along with guest parking for each of the units.

The proposal will not result in a change to the planned use for this area, as it is consistent with the kinds of uses that are permitted by right or with a conditional use permit. Most importantly, the proposal incorporates an owner-occupied residential environment and a significantly lower number of units than permitted by Code.

Although the physical build-out is greater than the existing buildings, it will not compromise the ability of the City to provide public services. Although there may be an increase in the demand for public services and natural resources, the level of impact will not be of a magnitude to be considered environmentally significant. In addition, the new homes will be required to comply with State Energy Conservation Standards for new residential structures which set forth maximum energy consumption levels and include energy conserving design standards.

The project, when completed, will not substantially change existing noise or vibration levels in the vicinity. In addition, the ambient noise emanating from the adjacent highway will be buffered with the incorporation of sound attenuation techniques such as insulation, double paned windows, etc. However, the project will result in short term noise generated from heavy equipment during site preparation and construction. This will be temporary and subject to the City policy regulating hours of construction. Construction noise from

the project would not represent unusual construction noise in this urban environment and will not be greater than for other similar projects in this area.

The proposed site development has been designed to meet or exceed all requirements for set backs, parking, open space, landscaping, height, buildable area, and density. The individual homes have all the amenities normally anticipated in new homes, and they have been designed to provide privacy and security, reasonable size units, a comfortable living environment and a communal atmosphere that will benefit the residents and the neighborhood.

The proposed project will provide new opportunities for home ownership. Their physical presence will certainly enhance the street presence on Artesia and provide a very appropriate buffer between the residential neighborhood on the north and the very busy artery to the south. And, the care taken in the lay-out and articulation of the buildings, with private walkways and landscape areas separating the buildings along with the landscaped frontage adjacent to Artesia will further enhance the relationship of the new residential development with the established neighborhood.

In summary, the proposed development meets the intent of the Code and General Plan Goals and Objectives with regard to land use and housing, it meets or exceeds all applicable requirements, and most importantly will result in an over-all development that is complimentary to the surrounding community and compatible with the neighborhood.