



Agenda Item #: \_\_\_\_\_

# Staff Report

## City of Manhattan Beach

**TO:** Honorable Mayor Wilson and Members of the City Council

**THROUGH:** Geoff Dolan, City Manager

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

**DATE:** January 4, 2005

**SUBJECT:** Consideration of a Planning Commission Decision to Approve a Coastal Development Permit to Allow Construction of a Two-Unit Residential Condominium on the Property Located at 125-1st Street and Consideration of a Parking and Public Improvements Commission Decision to Approve the Relocation of a Street Light in Conjunction with the Proposed Project.

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### **RECOMMENDATION:**

Staff recommends that the City Council **Receive and File** this report, approving actions by both the Planning Commission (Resolution PC 04-21) and Parking and Public Improvements Commission.

### **FISCAL IMPLICATION:**

There are no fiscal implications associated with the recommended action.

### **BACKGROUND:**

On September 20, 2004 Allan Roberts submitted an application requesting approval of a Coastal Development Permit and subdivision map to allow the demolition of an existing duplex and the construction of a 2-unit condominium project at 125-1st Street. The project was determined to be compliant with all applicable zoning development standards, including but not limited to: parking, building area, setbacks, height and open space. However, because the project is located within the "appealable" area of the Coastal Zone, the project requires a public hearing.

On December 8, 2004 the Planning Commission conducted a public hearing and approved the application with a 4-1 vote (Savikas absent) based on findings that the project complies with all applicable coastal zoning standards and is consistent with the goals and policies of the General Plan. Other than the applicant's representative in support, the Commission received no written or oral testimony regarding the project.

### **DISCUSSION:**

The subject property is located on the north side of 1<sup>st</sup> Street between Ocean Drive and Manhattan Avenue, within the "RM" or Medium Density zone. The project has street access to the front and alley access at the rear. Surrounding land uses include a mix of single-family and multi-family dwelling units.

The site is currently developed with a single two-story duplex containing 2,595 square feet which was

built in 1955. The applicant proposes to demolish the existing improvements and build a three story condominium development comprised of a single building with a total of 3,778 square feet of habitable area.

*Parking*

Each unit will provide 3 parking spaces as required for condominiums. The parking for each unit will be in a 2-car enclosed garage plus one unenclosed compact guest parking space next to the garage. In approving the project, the Planning Commission observed that the occupants of the existing duplex used the street for parking, and the loss of street parking will be balanced by three parking spaces provided on-site for each unit.

*PPIC Street Light Review*

During the Community Development Department review it was noted that in order to accommodate a new driveway on First Street, an existing street light located in the right of way would have to be re-located approximately five feet to the east. Pursuant to City Council policy in such situations, the applicant submitted a light re-location request to the Public Works Department for a hearing before the PPIC (Parking and Public Improvements Commission). The PPIC heard and approved this request (4-0-2) at its meeting on November 30, 2004. The PPIC received input from one person, the neighbor to the east near the proposed new light location. In response to the neighbor's concern, the PPIC imposed a condition that requires that the applicant and Edison work closely with the neighbor to limit the illumination level of the light. The applicant will be responsible for the cost of re-locating the light and modifying it as necessary. A copy of the Staff Report prepared by the Public Works Department and the PPIC meeting minutes are attached with this report.

**ALTERNATIVES**

The alternative to the staff recommendation include:

1. **REMOVE** this item from the Consent Calendar, **APPEAL** the Planning Commission and/or PPIC decision and schedule a public hearing.

- Attachments:
- A. Resolution PC 04-21
  - B. Minutes excerpts: PC 12/08 and PPIC 11/30/04
  - C. Community Development Department Staff Report 12/08/04
  - D. Public Works Department Staff Report 11/30/04
  - E. Subdivision and Building Plans (folded – not available electronically)

cc: Elizabeth Srour

**04/1208.2 COASTAL DEVELOPMENT PERMIT & PARCEL MAP 60863to  
Allow Proposed Construction of a New Two Unit Residential  
Condominium at 125 1<sup>st</sup> Street**

Senior Planner Lackow stated that since the staff report was written, the Parking and Public Improvements Commission (PPIC) has heard the request to relocate the streetlight. She indicated that an addition is being proposed to the draft Resolution to include the recommendation of the PPIC on page 3, item 13 to state: "The developer shall relocate an existing streetlight within the parkway on 1<sup>st</sup> Street approximately 5 feet to the east to accommodate a driveway apron serving the front condominium unit as approved by the Manhattan Beach Parking and Public Improvements Commission on November 30, 2004 subject to approval by the City Council. The developer shall work with Edison to have the streetlight lamp shielded to prevent glare to the property to the east. The developer shall bear the cost of the streetlight relocation and modification for shielding."

Senior Planner Lackow said that staff will include the decision of the PPIC with the comments of the Commission at this hearing in the staff report presented to the City Council.

In response to a question from Commissioner O'Connor, Senior Planner Lackow said that the proposal would result in the loss of one or two parking spaces on 1<sup>st</sup> Street because there is not an existing driveway. She commented that it is typical of a new project to have one driveway on each street frontage.

Chairman Montgomery opened the public hearing.

**Ms. Srour** indicated that the project is in full compliance with all development standards for the Local Zoning Ordinance and the Local Coastal Plan. She commented that there is an existing duplex on the site with insufficient parking, which is typical of properties in the beach area. She commented that the subject project and the adjacent property to the west currently under construction will improve the parking by each providing three on-site parking spaces. She said that the applicant did apply to the PPIC, and the decision of removing the streetlight is similar to other situations throughout the beach area. She said that the owner will work with the Edison Company and public works staff through his contractor to shield the streetlight. She commented that all of the other conditions are standard and are agreeable to the applicant.

In response to a question from Commissioner O'Connor, Ms. Srour said that her understanding is that the applicant does intend to move back in to one of the new units.

Chairman Montgomery closed the public hearing.

Commissioner O'Connor said that the project does comply with the Code and is similar to projects that have come before the Commission in the past. He commented that the project should not be held hostage to the goal of protecting existing street parking. He stated, however, that there is an effect when there is a loss of three parking spaces on the

street a block from the beach resulting from the renovation of both the subject and adjacent properties. He said that the parking will be improved for the property owners because it is legally required, but it will result in a decrease in parking for the public. He indicated that the project is not built out to the maximum buildable floor area that is permitted; however, the setbacks and open space are the minimum permitted and the building height is the maximum allowable. He said that in this case the Code allows more square footage than can be built on the lot, and he feels the formula for determining buildable floor area should be reviewed. He said, however, that the project is in compliance, and he would support the proposal.

Commissioner Kuch said that he supports the proposal.

Commissioner Simon commented that the residents of the subject property currently park on the street, and the fact that the parking will be located on the property balances out the loss of parking on the street. He commented that he appreciates staff's presentation and would support the proposal.

Commissioner O'Connor commented that the addition of parking would improve the condition on the street to the extent that the residents actually park in the on-site spaces. He said that garage spaces are not always used for parking; however, they generally are used in the beach area more than in other areas.

Chairman Montgomery said that the project is consistent with the General Plan and Local Coastal Program, and he would be in support.

A motion was **MADE/SECONDED** (Kuch/Simon) to **ADOPT** the draft Resolution to **APPROVE** Coastal Development Permit & Parcel Map 60863 to allow proposed construction of a new two unit residential condominium at 125 1<sup>st</sup> Street

AYES: Kuch, O'Connor, Simon, Chairman Montgomery  
NOES: None  
ABSENT: Savikas  
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 meeting of January 4, 2005.

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

**TO:** Planning Commission

**FROM:** Richard Thompson, Director of Community Development

**BY:** Rosemary Lackow, Senior Planner

**DATE:** December 8, 2004

**SUBJECT:** Coastal Development Permit, and Vesting Tentative Parcel Map No. 60863 to Allow Proposed Construction of a New Two-Unit Residential Condominium at 125-1st Street (Roberts)

**RECOMMENDATION**

Staff recommends that the Planning Commission **CONDUCT** the public hearing and **APPROVE** a Coastal Development Permit subject to the conditions contained in the attached 'Draft' Resolution (Exhibit A).

**APPLICANT/OWNER**

Allan Roberts  
124 1<sup>st</sup> Place  
Manhattan Beach, Ca. 90266

**APPLICANT'S REPRESENTATIVE**

Elizabeth Srour  
1001 Sixth Street, Suite 110  
Manhattan Beach, Ca. 90266

**BACKGROUND**

On September 20, 2004 Staff received an application requesting approval of a Coastal Development Permit and Vesting Tentative Tract Map to allow the demolition of an existing duplex and the construction of a 2-unit condominium project at 125-1st Street within the Residential Medium Density (RM) District (Exhibit B – applicant request). The new development will comply with all applicable residential development standards but because the project is located within the "appealable" area of the Coastal Zone the project requires a public hearing.

The subject property is located on the north side of 1<sup>st</sup> Street between Ocean Drive and Manhattan Avenue, with alley access from 1st Place to the north. The lot has a width of 29.93 feet and a length of 90.01 feet for a total area of 2,694 square feet. Surrounding land uses include a mix of single-family and multi-family dwelling units.

The site is currently developed with a single 2,595 square foot structure containing two units built in 1955 (Exhibit C- photos). The applicant is proposing to demolish all

existing improvements and build a three story condominium development comprised of a single building with a total of 3,778 square feet of habitable area. The front unit (“Unit One”) will be addressed as 125 1<sup>st</sup> Street and the rear unit (“Unit Two”), facing the alley, will be addressed as 124 1<sup>st</sup> Place, which is consistent with the existing units. Each unit will have a 2-car enclosed garage plus one unenclosed compact guest parking space as required by the condominium development standards.

**PROJECT OVERVIEW**

***LOCATION***

Location: 125-1<sup>st</sup> Street, north side of 1<sup>st</sup> Street between Ocean Drive and Manhattan Avenue Avenue.

Legal Description: Lot 9, Block 2, Manhattan Beach Tract

Area District: III (Beach Area)

***LAND USE***

General Plan Designation: Medium Density Residential

LCP/LUP Designation: Medium Density Residential

Zoning: (RM) Residential Medium Density

Land Use: Existing: Duplex  
Proposed: Two Residential Condominium Units  
Permitted: Two-Units

Neighboring Zoning: All neighboring properties are designated as “Medium Density Residential” and zoned “RM” (Residential Medium Density)

***PROJECT DETAILS***

Parcel Size: 2,694 square feet (approximately 30' x 90.01')

	<b><u>Required/Permitted</u></b>	<b><u>Proposed</u></b>
<u>Buildable Floor Area:</u>	4310 square feet (1.6 x 2,694')	3,781 sq. ft (both units)

	<b><u>Required/Permitted</u></b>	<b><u>Proposed</u></b>
<u>Parking:</u>	2 enclosed spaces and one guest space per unit	2 enclosed spaces and one guest space per unit

Building Setbacks:

Rear ( <i>1st Pl.</i> )	5' (first level)	5'
	2' (2 <sup>nd</sup> & 3 <sup>rd</sup> level)	2'
Side (east)	3'	3'
Side (west)	3'	3'
Front ( <i>1<sup>st</sup> St.</i> )	5'	5'

<u>Open Space:</u>	293.4 sq. ft. (Unit 1)	294.5 sq. ft.
	273.75 sq.ft. (Unit 2)	274.7 sq. ft

<u>Building Height:</u>	30 ft. (3-stories)	30 ft. (3-stories)
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**ENVIRONMENTAL DETERMINATION**

The project is Categorically Exempt (Class 3, Section 15303.b) from the requirements of the California Environmental Quality Act (CEQA) on the basis that this exception allows for the construction of multi-family structures which are comprised of no more than four units.

**GENERAL PLAN CONSISTENCY**

**Land Use Element**

The General Plan of the City of Manhattan Beach poses certain goals and policies, which reflect the expectations and wishes of the City, with respect to land uses. Specifically, the project is consistent with the following Goals and Policies of the Land Use Element:

*Goal LU-1: Maintain the low-profile development and small-town atmosphere of Manhattan Beach.*

The subject property is located in Area District III, and zoned Residential Medium Density. Section A.12.030 of the Manhattan Beach Local Coastal Program limits properties in this area to 30 feet in height with a maximum of three stories. The proposed structure complies with these requirements.

*Goal LU-1, Policy LU-1.2: Require the design of all new construction to utilize notches, balconies, open space, setbacks, landscaping, or other architectural details to reduce the bulk of buildings and to add visual interest to the streetscape.*

The proposed structure is designed with notches and upper level balconies, which adds visual interest and reduces the bulk of the building. Additionally, the project will meet all required building setbacks and will provide perimeter landscaping to add visual interest to the streetscape

*Goal LU-3, Policy LU-3.1: Continue to encourage quality design in all new construction*

The proposed structure will replace a building that was constructed in the mid-fifties with two new residential condominiums which will comply with all standards of the Coastal Zoning Ordinance (Title A of the Manhattan Beach Local Coastal Program), as well as current Building and Fire codes. The proposed construction reflects the scale and character of surrounding buildings. The building design features architectural articulation with building notches, open area balconies with arches and painted wrought iron guardrails, and several decorative details such as planters, corbels and crown molding, which provide a quality design.

*Goal LU-4, Policy LU-4.1: Protect public access to and enjoyment of the beach while respecting the privacy of beach residents.*

The subject property is a north/south lot which provides vehicle and pedestrian access from the front and rear of the property. These areas protect public access to the beach while respecting the privacy of the beach residents.

## **COASTAL PERMIT FINDINGS**

Written findings are required for all decisions on Coastal Development Permits. Such findings must demonstrate that the project, as described in the application and accompanying material, or as modified by any conditions of approval, conform with the certified Manhattan Beach Local Coastal Program.

1. *The project is consistent with the residential development policies of the Manhattan Beach Local Coastal Program, specifically policies II. B.1, 2, & 3, as follows:*

*II.B.1 The proposed structure is consistent with the building scale in the coastal zone neighborhood and complies with the applicable standards of the Local Coastal Program - Implementation Program.*

The proposed structure is three stories in height and is consistent with the building scale of the surrounding area which consists of one to three story residences. The proposed structure is in accordance with all applicable standards of the Local Coastal Program since the proposed use complies with all the provisions of the “RM” zone, and the required notice, hearing, and findings for the Coastal Development Permit have been met.

*II.B.2: The proposed structure is consistent with the residential bulk control as established by the development standards of the Local Coastal Program - Implementation Program.*

The proposed structure complies with all residential bulk control development standards since it meets the requirements for open space, setbacks, and buildable floor area as required by Section A.12.030 of the Manhattan Beach Local Coastal Program.



*II.B.3: The proposed structure is consistent with the 30' Coastal Zone residential height limit as required by the Local Coastal Program - Implementation Program.*

Maximum building height was determined utilizing the four property corner elevations of 88.96 (NE), 87.97 (SE), 83.89 (SW) and 84.53 (NW) that were identified on the project topographic survey. These elevations are verified by a city inspector prior to demolition and during the plan check process.

2. *The project is consistent with the public access and recreation policies of Chapter 3 of the California Coastal Act of 1976, as follows:*

*a. Section 30212 (a) (2): The proposed structure does not impact public access to the shoreline.*

The proposed project poses no impacts to public access; adequate public access is provided and shall be maintained along 1st Street and 1st Place.

*b. Section 30221: Present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.*

The subject property is zoned residential and poses no potential for public or commercial recreational opportunities.

## **VESTING TENTATIVE PARCEL MAP**

In accordance with Manhattan Beach Municipal Code Section 11.24.020 the submitted vesting map is consistent with the General Plan, the Zoning Ordinance (Title 10) and all other applicable provisions of the Municipal Code.

## **PUBLIC INPUT**

Written notice of the project and public hearing was made to surrounding property owners and tenants within a 500 foot radius of the project site boundaries. A notice was also published in the Beach Reporter on November 25, 2004. No input has been received by Staff from the public either in support or in opposition to the project.

## **Street Light Issue**

One issue relating to an existing Edison street light has been referred to the Public Works Department (Engineering) for prior resolution by the PPIC (Parking and Public Improvements Commission). The subject street light is currently located in the right of way on 1st Street adjacent to a proposed driveway for the front unit. This doesn't affect the existing duplex, because it does not have a driveway apron at the front, on 1<sup>st</sup> Street.

In accordance with Council policy, the applicant has requested permission to move the light pole five feet to the east, approximately in line with the extension of the common side property line separating the subject site and the neighboring lot. The PPIC heard this matter and approved the applicants request at its meeting on November 30<sup>th</sup>. The decision of the PPIC will now be forwarded to the City Council for final approval.

Staff has included a condition in the attached draft Resolution that requires the applicant to obtain final approval of the new street light location and street light shading.

## **CONCLUSION**

Staff supports the project on the basis that it is consistent with the General Plan and Local Coastal Program and is compatible with the residential density in the surrounding area. In addition, the project meets or exceeds all of the development standards of applicable coastal zoning development standards.

### Attachments:

- Exhibit A (Draft) Resolution No. PC 04-
- Exhibit B Applicant narrative (not available electronically)
- Exhibit C Site Photos
- Exhibit D PPIC Staff Report
- Development Plans (folded- not available electronically)

cc: Allan Roberts, Applicant  
Elizabeth Srour, Applicant's Representative

**RESOLUTION NO. PC 04-  
DRAFT**

**RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF MANHATTAN BEACH APPROVING A COASTAL  
DEVELOPMENT PERMIT AND VESTING TENTATIVE PARCEL  
MAP NO. 060863 TO ALLOW DEMOLITION OF AN EXISTING  
DUPLEX AND CONSTRUCTION OF A TWO UNIT  
CONDOMINIUM PROJECT ON THE PROPERTY LOCATED AT  
125-1<sup>ST</sup> STREET (Roberts)**

**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 considered an application for a Coastal Development Permit on the property legally described as Lot 9, Block 2, Manhattan Beach Tract, located at 125-1st Street.
- B. The subject location is within the City of Manhattan Beach Coastal Zone (Appealable Jurisdiction) and is subject to the City of Manhattan Beach Local Coastal Program.
- C. The property owner and applicant for the subject property is Allan Roberts.
- D. The public hearing was advertised pursuant to applicable law; testimony was invited and received on December 8, 2004.
- E. The applicant requests approval of a Coastal Development Permit and Vesting Tentative Parcel Map No. 60863 to allow demolition of a duplex and construction of a two-unit condominium development.
- F. The project is Categorically Exempt (Class 3, Section 15303.b) from the requirements of the California Environmental Quality Act (CEQA).
- G. 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.
- H. This Resolution, upon its effectiveness, constitutes the Coastal Development Permit for the subject project.
- I. The property is located within Area District III and is zoned RM Medium Density Residential. The surrounding private land uses consist of RM Medium Density Residential.
- J. The General Plan designation for the property is Medium Density Residential, and the Local Coastal Program/Land Use Plan designation is Medium Density Residential.
- K. The project is consistent with the residential development policies of the Manhattan Beach Local Coastal Program, specifically Policies II.B, 1, 2, and 3, as follows:
  - a. *The proposed structure is consistent with the building scale in the coastal zone neighborhood since the proposed structure is three stories in height and the surrounding neighborhood consists of buildings ranging from one to three stories. The proposed structure will comply with all applicable standards of the Local Coastal Program since the proposed use is in accordance with all applicable provisions of the "RM" zone, and the required notice, hearing, and findings for the Coastal Development Permit have been met.*

- b. *The proposed structure is consistent with the residential bulk control as established by the development standards of the Local Coastal Program - Implementation Program since the structure meets the requirements for open space, setbacks, and buildable floor area, as required by Section A.12.030 of the Manhattan Beach Local Coastal Program.*
  - c. *The proposed structure is consistent with the 30' Coastal Zone residential height limit as required by the Local Coastal Program - Implementation Program since the structure has been designed to not exceed 30' in height from the average grade of the property.*
- L. The project is consistent with the public access and recreation policies of Chapter 3 of the California Coastal Act of 1976, as follows:
- a. *Section 30212 (a) (2): The proposed structure does not impact public access to the shoreline since adequate public access is provided and shall be maintained along 1<sup>st</sup> Street and 1<sup>st</sup> Place.*
  - b. *Section 30221: Present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area since the property is zoned residential, and poses no potential for public or commercial recreational activities.*
- M. 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 Coastal Development Permit and Vesting Tentative Parcel Map No. 60863 application subject to the following conditions:

Standard Conditions

1. Compliance. 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 plans approved by the Planning Commission on December 8, 2004 must be reviewed and approved by the Planning Commission. The subject Coastal Development Permit will be implemented in conformance with all provisions and policies of the Certified Manhattan Beach Local Coastal Program (LCP) and all applicable development regulations of the LCP-Implementation Program.
2. Expiration. The Coastal Development Permit shall expire one-year from the date of approval if the project has not been commenced during that time. The Director of Community Development may grant a reasonable extension of time for due cause. The applicant or authorized agent prior to the expiration of the one-year period shall request said time extension in writing.
3. Interpretation. Any questions of intent or interpretation of any conditions will be resolved by the Planning Commission.
4. Inspections. The Community Development Staff shall be permitted to inspect the site and the development during construction subject to 24-hour advance notice.
5. Assignment. The permit may be assigned to any qualified persons subject to submittal of the following information to the Director of Community Development:

- a. A completed application and application fee as established by the City's Fee Resolution;
  - b. An affidavit executed by the assignee attesting to the assignee's agreement to comply with the terms and conditions of the permit;
  - c. Evidence of the assignee's legal interest in the property involved and legal capacity to undertake the development as approved and to satisfy the conditions required in the permit;
  - d. The original permittee's request to assign all rights to undertake the development to the assignee; and,
  - e. A copy of the original permit showing that it has not expired.
6. Terms and Conditions are Perpetual. These terms and conditions shall be perpetual, and it is the intention of the Director of Community Development and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
7. Effective Date. This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section 10.100.030, and the City of Manhattan Beach Local Coastal Program-Implementation Program Section A.96.160 have expired.

Special Conditions

8. 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.
10. The applicant will be required to eliminate any Congestion Management Plan (CMP) debits created by this project prior to "certificate of occupancy".
11. Final Tract Map No. 60863 shall be submitted for City approval and recorded by the Los Angeles County Recorders Office prior to issuance of condominium "certificate of occupancy". The map shall bear the following certificates for City signature: Director of Finance, City Engineer, Planning Commission, and City Clerk.

Condominium and Construction Conditions

12. The project shall comply with Standard Urban Stormwater Mitigation Plan (SUSMP) requirements.
13. The developer shall obtain approval from the City of Manhattan Beach Parking and Public Improvements Commission and/or City Council for the re-location of an existing street light within the parkway on First Street to accommodate the driveway apron serving the front condominium unit.
14. All electrical, telephone, cable television system, and similar service wires and cables shall be installed in 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.
15. There shall be no intrusions into any of the proposed parking spaces. This includes any utility and plumbing fixtures.

16. All Residential Condominium Standards per Municipal Code Section 10.52.110 shall be imposed, and considered as part of the resolution.
17. There shall be a minimum 36-inch clear width for the path of travel for the main exit.
18. There shall be no plumbing in the “party walls” separating the two condo units.
19. Due to the transverse slope of the garage floor, the driveway shall not be poured flat.
20. All requirements set forth in Public Works Department memorandum dated September 22, 2004 shall apply and be enforced during the construction process.

Parcel Map Conditions

21. A survey suitable for the 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. Manhattan Avenue with 1st Street.
  - b. Manhattan Avenue with 1st Place.
  - c. Ocean Avenue and 1st Street.
  - d. Ocean Avenue with 1<sup>st</sup> Place.
22. This subdivision is approved as a condominium project whereby the owners of the units or air space will hold an undivided interest in the common areas which will, in turn, provide necessary access and utility easements for the units.
23. The City of Manhattan Beach, by approval of an air space condominium, does not guarantee the allowable density of units located on the subject parcel at any time in the future.
24. Unit ownership is an intangible portion of multiple residential properties and ownership of a unit does not parallel or emulates ownership or single-family property or use.
25. Vesting Tentative Parcel Map No. 60863 shall be approved for an initial period of 3 years with the option of future extensions.

**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 **December 8, 2004**, and that said Resolution was adopted by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**

**ABSENT:**

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**RICHARD THOMPSON**  
Secretary to the Planning Commission

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Sarah Boeschen  
Recording Secretary

RoughenPC Res2-11-04







**CITY OF MANHATTAN BEACH  
MEMORANDUM**

**TO:** Parking and Public Improvements Commission Chair and Members

**THROUGH:** Neil C. Miller, Director of Public Works

**FROM:** Dana Greenwood, City Engineer

**BY:** Gilbert Gamboa, Associate Engineer

**DATE:** November 30, 2004

**SUBJECT:** Request for Relocation of the Existing Light Pole at 125 First Street

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**RECOMMENDATION:**

It is recommended that the Commission pass a motion to approve the request to relocate an existing light pole at 125 First Street contingent upon final approval of the new development by the Planning Division of the Community Development Department.

**FISCAL IMPLICATION:**

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

**BACKGROUND:**

A letter of request to relocate the existing light pole at 125 First Street was submitted to the Department of Public Works. Properties located within a 500' radius of the subject address were notified of the public hearing before the PPIC meeting held on Tuesday, November 30, 2004.

**DISCUSSION:**

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

The existing light pole is located within the limits of the proposed driveway for the new development. The 30 foot wide property is located on the north side of First Street with the new development incorporating separate driveway access from both First Street and First Place. Due to the limited lot width nearly the entire property front is required to provide driveway access for a two car garage along with guest parking per the City's planning requirements. The two unit residential property in question is in the process of obtaining a permit approval from the California Coastal Commission and has not been approved by the Planning Division of the Community Development Department or the City's Planning Commission. The developer submitted a formal request to relocate the existing light pole 5 feet to the east of its current

location. This relocation will clear the utility pole from the proposed driveway. All costs associated with the relocation would be paid for by the property owner.

**CONCLUSION:**

The intent of Resolution Number 5538 has been met since the request for relocation is based on an engineering purpose in the form of providing adequate accessibility rather than aesthetic reasons.

attachments: applicant's letter  
location map  
site photos  
City Resolution No. 5538



# Street Light Relocation

## 125 1st Street

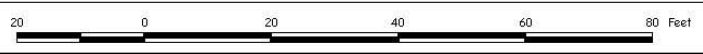
Manhattan Beach



- Existing Location
- ★ New Location



Nov 30, 2004





**CITY OF MANHATTAN BEACH  
MEMORANDUM**

**TO:** Parking and Public Improvements Commission Chair and Members

**THROUGH:** Neil C. Miller, Director of Public Works

**FROM:** Dana Greenwood, City Engineer

**BY:** Gilbert Gamboa, Associate Engineer

**DATE:** November 30, 2004

**SUBJECT:** Request for Relocation of the Existing Light Pole at 125 First Street

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**RECOMMENDATION:**

It is recommended that the Commission pass a motion to approve the request to relocate an existing light pole at 125 First Street contingent upon final approval of the new development by the Planning Division of the Community Development Department.

**FISCAL IMPLICATION:**

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

**BACKGROUND:**

A letter of request to relocate the existing light pole at 125 First Street was submitted to the Department of Public Works. Properties located within a 500' radius of the subject address were notified of the public hearing before the PPIC meeting held on Tuesday, November 30, 2004.

**DISCUSSION:**

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

The existing light pole is located within the limits of the proposed driveway for the new development. The 30 foot wide property is located on the north side of First Street with the new development incorporating separate driveway access from both First Street and First Place. Due to the limited lot width nearly the entire property front is required to provide driveway access for a two car garage along with guest parking per the City's planning requirements. The two unit residential property in question is in the process of obtaining a permit approval from the California Coastal Commission and has not been approved by the Planning Division of the Community Development Department or the City's Planning Commission. The developer submitted a formal request to relocate the existing light pole 5 feet to the east of its current

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## 125 1st Street

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- Existing Location
- ★ New Location



Nov 30, 2004





