



**CITY OF MANHATTAN BEACH  
MEMORANDUM**

**TO:** Parking and Public Improvements Commission

**THROUGH:** Jim Arndt, Director of Public Works

**FROM:** Dana Greenwood, City Engineer 

**BY:** Gilbert Gamboa, Associate Engineer 

**DATE:** April 24, 2008

**SUBJECT:** Request for Relocation of the Existing Utility Pole at 1750 Nelson Ave

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**RECOMMENDATION:**

It is recommended that the Parking and Public Improvements Commission (PPIC) conduct a public hearing to consider the applicant's request to relocate the existing utility pole (with attached street light) at 1750 Nelson Avenue and consider staff's recommendation that the relocation distance be limited to 12 feet to the west.

**FISCAL IMPLICATION:**

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

**BACKGROUND:**

A letter of request to relocate the existing utility pole at 1750 Nelson Avenue was submitted to the Department of Public Works. Properties located within a 500' radius of the subject address were notified of the public hearing before the PPIC meeting held on Thursday, April 24, 2008.

While approximately 80 notices were mailed out to residents, staff has received only two (2) telephone responses regarding the public hearing. Replies concerning the details of the relocation request came from the adjacent neighbor to the west (1746 Nelson) and the other from the resident directly across the street at 1751 Nelson Ave. Staff informed both property owners of the facts of the matter and informed them of their option to comment, in person, on the relocation request at the PPIC meeting. Staff also informed the residents of the option of submitting a written comment which would be included in the staff report, should they not be able to attend the meeting.

**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 restricts the relocation of utility poles for view or aesthetic reasons. If there is a sufficient engineering or access justification to relocate the pole, then the pole in question may be moved the minimum distance required to resolve the issue. Any exceptions to this policy that are based on an engineering justification require a public hearing before the Parking and Public Improvements Commission and subsequent ratification by the City Council.



Development plans for the residential property at 1750 Nelson Ave have been reviewed and approved by the Planning Division of the Community Development Department and the property is currently in the construction phase for a new single family dwelling with an attached 3 car (tandem) garage. The approved plans called for the existing utility pole to remain and accommodate the existing driveway approach. The existing location of the utility pole does not interfere with any driveway or walkway access to the approved development; however, as stated in the applicant's request the property owner believes that the existing pole location poses a hardship and limits the property owner's potential driveway improvement (the property owner proposes to widen the driveway in the near future, pending the results of this request).

The property owner subsequently discussed the relocation request with the local SCE residential planner and City staff at the same time. SCE proceeded with the relocation of the utility pole without notifying City staff.

A new (bare) utility pole was erected approximately 30 feet to the west of the existing utility pole's current location. However, utility service wires have not been transferred over to the new pole. The property owner has paid \$14,362.25 for the relocation and is requesting approval of the new utility pole location.

### **CONCLUSION:**

Due to the premature installation of a new utility pole by SCE in this particular instance, the intent of Resolution Number 5538 has not been fully met. Staff is recommending that the relocation distance be limited to 12 feet.

The following options are available to the Commission in formulating a final recommendation:

### **OPTIONS**

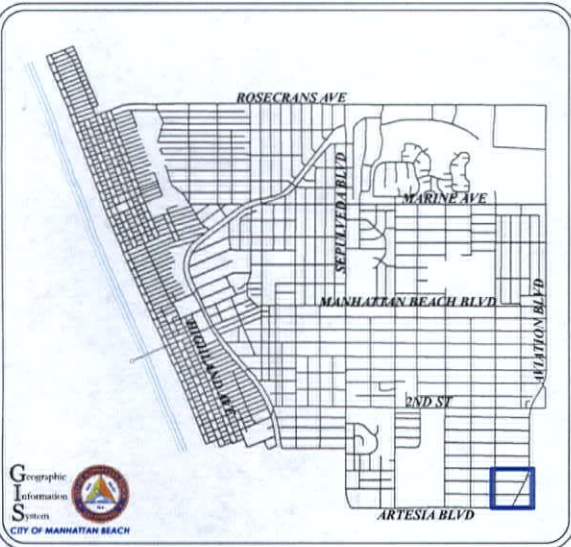
1. Approve the applicant's request to relocate the utility pole 30 feet to the west.
2. Approve staff's recommended relocation of approximately 12 feet (minimal distance which satisfies Resolution No. 5538) and accommodates the approved garage width, pending proposed driveway approval from the Planning Division.
3. Deny the applicant's request to relocate the utility pole.

xc: Ana Stevenson, Management Analyst

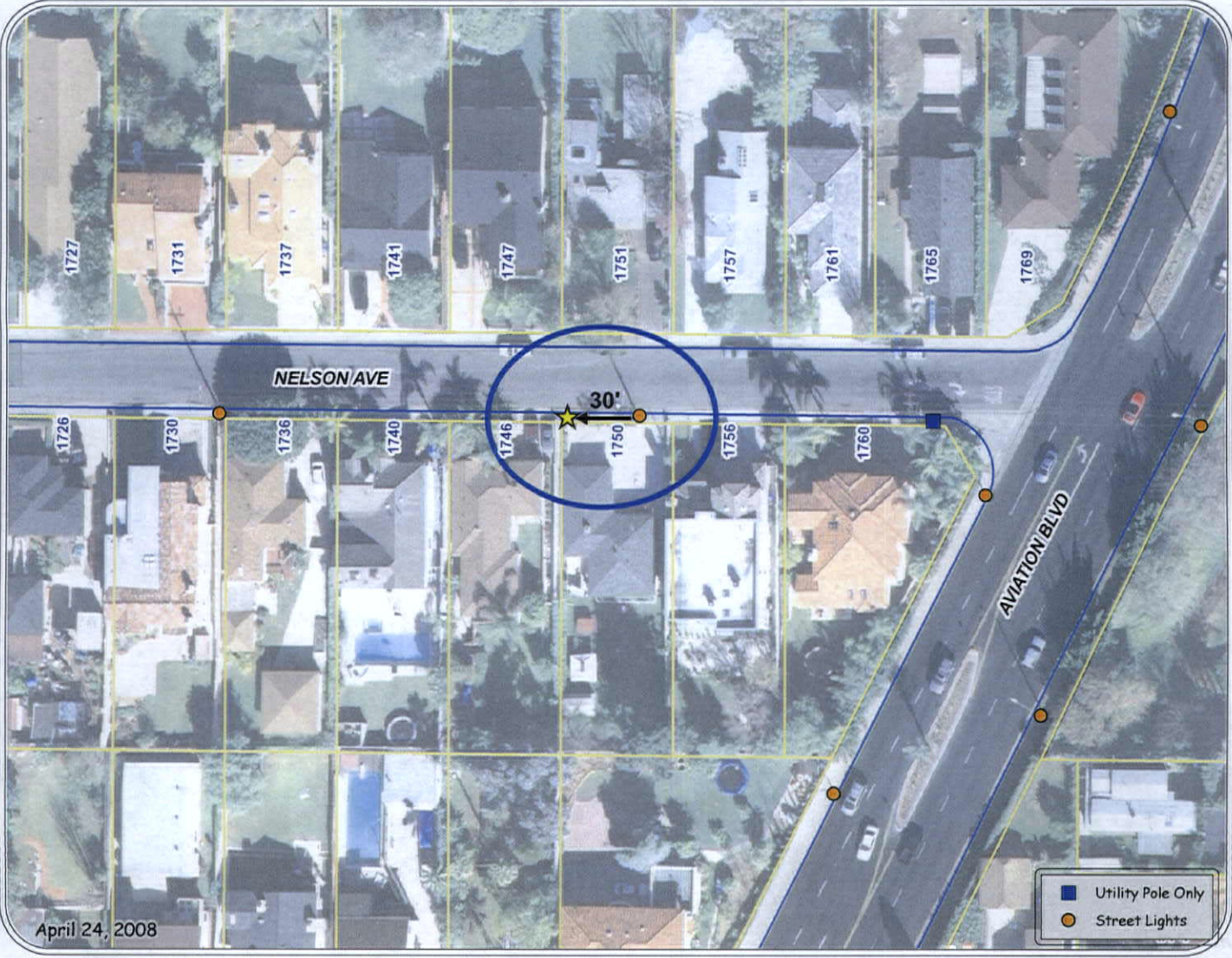
attachments: location map  
applicant's letter of request  
site photos  
Resolution No. 5538  
applicant's correspondence letters  
survey, site plan (not to scale) and SCE relocation plan



# Utility Pole Relocation 1750 Nelson Ave Manhattan Beach



- Existing Location
- ★ New Location





3-4-2008

To,

Dana Greenwood  
City Engineer, City of Manhattan Beach  
1400 Highland Ave.  
Manhattan Beach, CA. 90266

RE: Property 1750 Nelson Ave, Manhattan Beach CA. 90266, RELOCATION OF POWER POLE (SCE) to accommodate drive way for new construction.

Dear Mr. Greenwood,

We are in the process of a new Single Family Residence construction on the above property for personal use.

The front property line has a significant downhill grade as per the survey. Front West corner = 61.92, front East corner = 54.40 Delta = 7'-6". Given the above, the driveway and access to the property is planned through the front East corner which is the downhill portion.

The utility pole (Southern California Edison) is at about 13'9" from the front East corner of the property. As per the building plans for the new structure the existing location of the Power Pole is in the centre of the garage opening. For the new construction by code we have been required to provide for a 3 car parking which is planned as a tandem.

I am therefore requesting an approval from PPIC to relocate this Power Pole, in order to improve our access to the property.

I had already contacted Mr. CHAD MINTON from SCE who is the planner for SCE for Manhattan Beach. I have included his proposal for the pole relocation showing the current position and proposed relocation of the Pole. Please note that the utility pole relocation is proposed by SCE within the property lines to the west end.

I understand from Mr. Edward Koan that I will have to bear the cost charged by SCE for this relocation, if approved. I also understand that there are some charges payable to the city for staff time. As per the information received from Mr. Koan I have also attached supporting documents as listed in enclosure.

I have been working as a Medical Oncologist in South Bay being on call for the emergency room of our area hospitals (Torrance Memorial Medical Center, Little Company of Mary Hospital-Torrance). I have 4 children, 3 of whom are school going. In the current situation as explained above I foresee hardship with access to the property and the garage. I worry more about if a car was to stall in the drive way than our access to and exit from the property could be completely blocked for vehicular traffic.

I look forward to your kind consideration in this matter. Please do not hesitate to call me if there are any questions or any other information that is needed.

Sincerely,



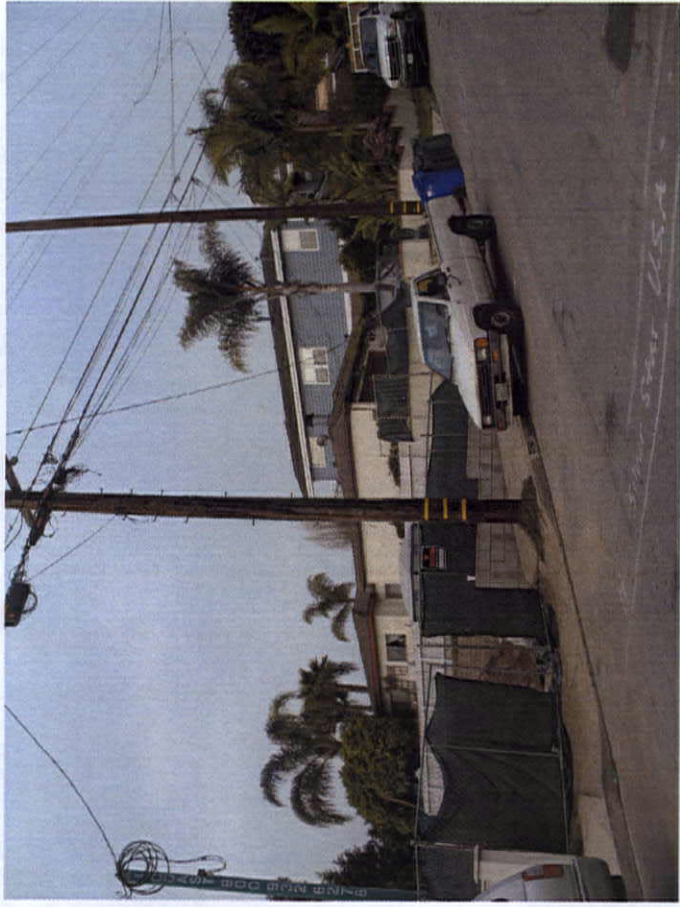
Syed Jilani, MD.

Mailing Address:

Home:4344 Glencoe Ave, #3, Marina Del Rey CA. 90292  
Office:514 N. Prospect Ave, 4<sup>th</sup> floor, Redondo Beach CA. 90277  
Phone: (310)918-8032  
Fax: (310)818-5512

Encl: 2 COPIES EACH OF  
1-Copy of property survey  
2-New building plan showing driveway and garage  
3-Proposal by SCE (Mr. Chad Minton) for relocation of Power Pole.





ABOVE: Looking westbound on Nelson Ave

BELOW: New utility pole location



ABOVE: Looking eastbound on Nelson Ave

BELOW: 1750 Nelson Ave, Existing Driveway





RESOLUTION NO. 5538

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, ADOPTING A POLICY PROHIBITING THE RELOCATION OF UTILITY POLES ON PUBLIC RIGHT-OF-WAY IN CONNECTION WITH DEVELOPMENT OF PRIVATE PROPERTY FOR AESTHETIC REASONS, AND ESTABLISHES PROCEDURES FOR REQUESTS TO RELOCATE UTILITY POLES FOR SUBSTANTIAL ENGINEERING OR ACCESS REASONS

WHEREAS, the City Council has determined that from time to time developers of private property request utility poles located in the public right-of-way be relocated to accommodate such development of private property; and

WHEREAS, it is a finding of the City Council that the movement of utility poles may adversely affect the environment of nearby residents; and

WHEREAS, the City Council finds that it is in the best interest of the City to restrict the movement of utility poles in connection with development of private property; and

WHEREAS, the City Council finds that there may be circumstances that a utility pole needs to be moved a minimal distance to allow access to the property being developed or other substantial engineering reasons; and

WHEREAS, the City Council finds that even when there are access or substantial engineering reasons to move a utility pole, that property owners and residents located within at least five hundred feet of the utility pole or poles be notified of a public hearing before the Parking and Public Improvements Commission; and

WHEREAS, the City Council has determined that the decision of the Parking and Public Improvement Commission regarding the utility pole(s) relocation be ratified by the City Council.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY DECLARE, FIND, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. That the following policy be approved:

Requests by developers of private property to move utility poles located on public right-of-way, shall not be allowed for view or aesthetic reasons, but may be approved if substantial engineering or access reasons exist to enable development of the property. In those cases where substantial engineering or access reasons exist, the request to relocate pole(s) in question must be approved, after a public hearing, by the Parking and Public Improvements Commission, and ratified by the City Council.

SECTION 2. The City Clerk shall make this Resolution reasonably available for public inspection within thirty (30) days of the date this Resolution is adopted.

SECTION 3. The City Clerk shall certify to the adoption of this Resolution and thenceforth and thereafter the same shall be in full force and effect.



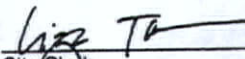
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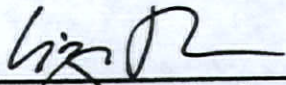
PASSED, APPROVED and ADOPTED this 7<sup>th</sup> day of March, 2000.

Ayes: Napolitano, Dougher, Fahey and Mayor Wilson.  
Noes: Lilligren.  
Absent: None.  
Abstain: None.

  
\_\_\_\_\_  
Mayor, City of Manhattan Beach, California

ATTEST:

  
\_\_\_\_\_  
City Clerk

	<p>Certified to be a true copy of the original of said document on file in my office.</p>
	<p> _____ City Clerk of the City of Manhattan Beach, California</p>

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3-14-2008

To,

Mr. Gilbert Gamboa,

Engineer, City of Manhattan Beach.

Re: 1750 Nelson Ave, Relocation of Utility pole.

Dear Mr. Gamboa,

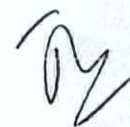
Thanks for following up on my application on the above matter.

As per my discussion with you I am enclosing the letter faxed to Mr. Chad Minton on 1/4/2008. I had sent the copy of my letter to my Architect Mr. Cardenes as well to make him aware of this situation.

To again summarize my discussion with you for the relocation of the pole we had initially contacted SCE (Southern Ca. Edison) around september of 2007. Mr. Chad Minton had been in contact with us and he had explicitly told us that the pole is responsibility of SCE and he will make an assessment for need of relocation and make a plan and that we will have to pay for the work. Based on his explanation as the planner for SCE we proceeded to make the payment to SCE.

It was not until 1/4/2008 that I became aware of the need for approval from PPIC and City council for relocation of the pole. The information was given to me by my Architect Mr. Cardenes in my meeting with him the morning of 1/4/2008. On learning this I immediately contacted Mr. Minton and after not getting any response from his office I faxed him a letter same day which is attached. I followed up with him the following week and after several messages spoke with him and clearly explained to him the situation and as in the enclosed letter told him explicitly that the pole should not be relocated until the city procedure has been complied with. He gave me the assurance that work will be postponed. He also stated that he has "never come across this situation before" in which he needed the permission from the city. I further explained to him that I have a written commitment with the city as this is part of the approved plan for the new construction. He told me that he is going to discuss with the City of Manhattan Beach. I did not hear anything back from him for several weeks despite leaving multiple messages for him.

To add to this situation we noticed that within the last 3-4 weeks at some point SCE had indeed erected another pole, though no connections were made. I again left several messages for Mr. Minton finally a response stating that he has not had the time to follow through.





As a homeowner in the city, I want to fully comply with the city rules and regulations, for I sincerely believe this is important for the common good of everyone living here. I will not knowingly try to bypass any city procedure. As explained above in this matter I relied on what I was told by Mr. Minton as a responsible SCE official.

I look forward to working with you and the city officials. Please do not hesitate to call me for any questions.

Sincerely,



Syed Jilani  
1750 Nelson Ave  
Manhattan Beach, CA. 90266

Letter faxed to Mr. Chad Minton dated 1/4/2008

Mailing Address:  
4344 Glencoe Ave, #3  
Marina Del Rey, CA. 90292

Phone: 310.918.8032  
Fax: 310.818.5512



Jan 4<sup>th</sup>, 2008

Chad Minton

Service Planner

Southern California Edison

RE: 1750 Nelson Ave. Manhattan Beach, Ca. 90266, Relocating Edison Electric Pole. Invoice #13403, Service Request # 1068135.

Dear Mr. Minton,

As Regards to above, As per your plan and invoice we have made the payment of \$14,362.25-

Today I was told by my Architect Mr. Andres Cardenes that as per notification from Mr. Clarence Van Corbach, Public works Utilities Manager, for the city of Manhattan Beach, the following has to be added to the 'NOTES' in the building plans before city approval will be issued. The notification reads as follows.

"Before the utility pole located 12' west of the east property line on Nelson Avenue can be relocated, approval from PPIC and City Council and a building permit must be obtained"

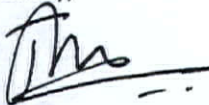
This is contrary to my discussion with you in the past, when I was told that the pole in question is "not under the jurisdiction of city of Manhattan beach" and there are no permits or approval required from the city. That is why we had continued to work with SCE and made the payment for relocating the pole.

We are otherwise ready to start construction and just waiting for the city approval of plans. This is at this time subject to the above notification.

The above issue needs to be clarified urgently. Until than the pole should not be relocated. I can be reached at 310.918.8032.

With Best Regards,

Sincerely,



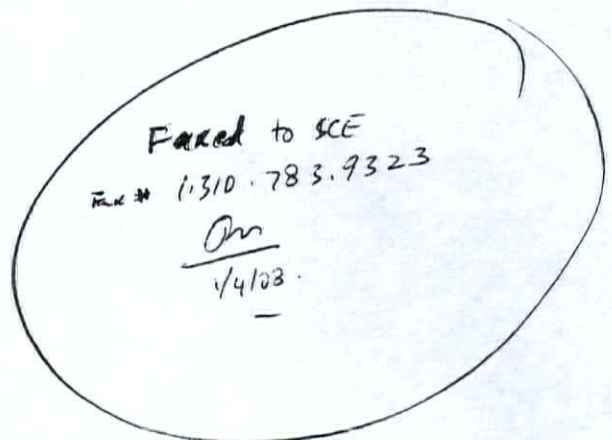
Syed Jilani.

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Marina Del Rey, CA. 90292

Phone:310.918.8032

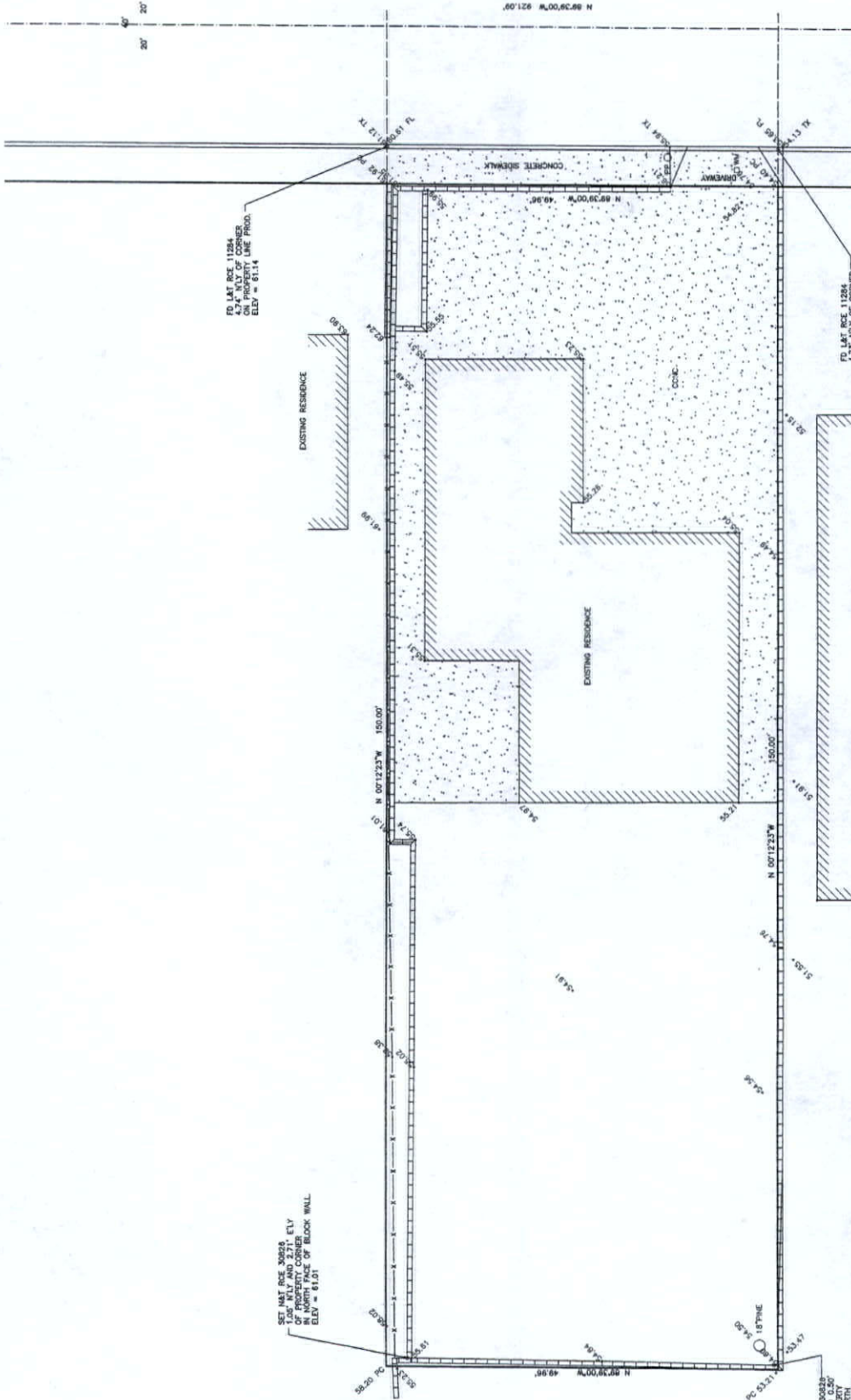
Fax:310.818.5512



Faxed to SCE  
Fax # 1.310.783.9323  
On  
1/4/08



NELSON AVENUE



TO LAT. RICE 11284  
N 89°39'00\" W 49.96'  
ON PROPERTY LINE PROD.  
ELEV = 81.14

TO LAT. RICE 11284  
4.75' NLY OF CORNER

SEE MAP RICE 30838  
1.54' NLY AND 3.27' ELY  
OF PROPERTY CORNER  
AT INTERSECTION OF BLOCK WALL  
ELEV = 81.01

SEE MAP RICE 30838  
0.50' NLY AND 0.20'  
EAST OF PROPERTY  
CORNER IN NORTH  
ELEV = 81.00

N 89°39'00\" W 49.96'  
N 89°39'00\" W 49.96'  
N 89°39'00\" W 49.96'  
N 89°39'00\" W 49.96'

N 00°12'23\" W 150.00'  
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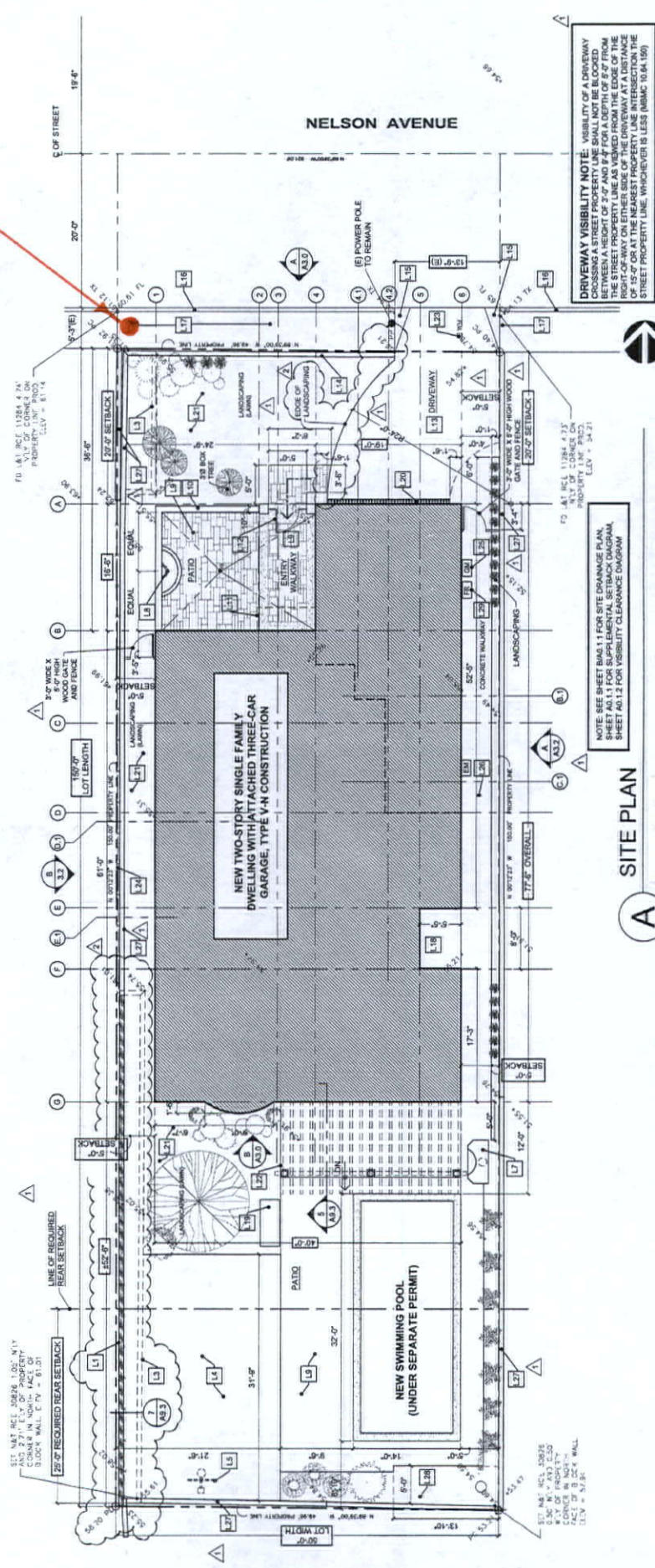
N 89°39'00\" W 49.96'  
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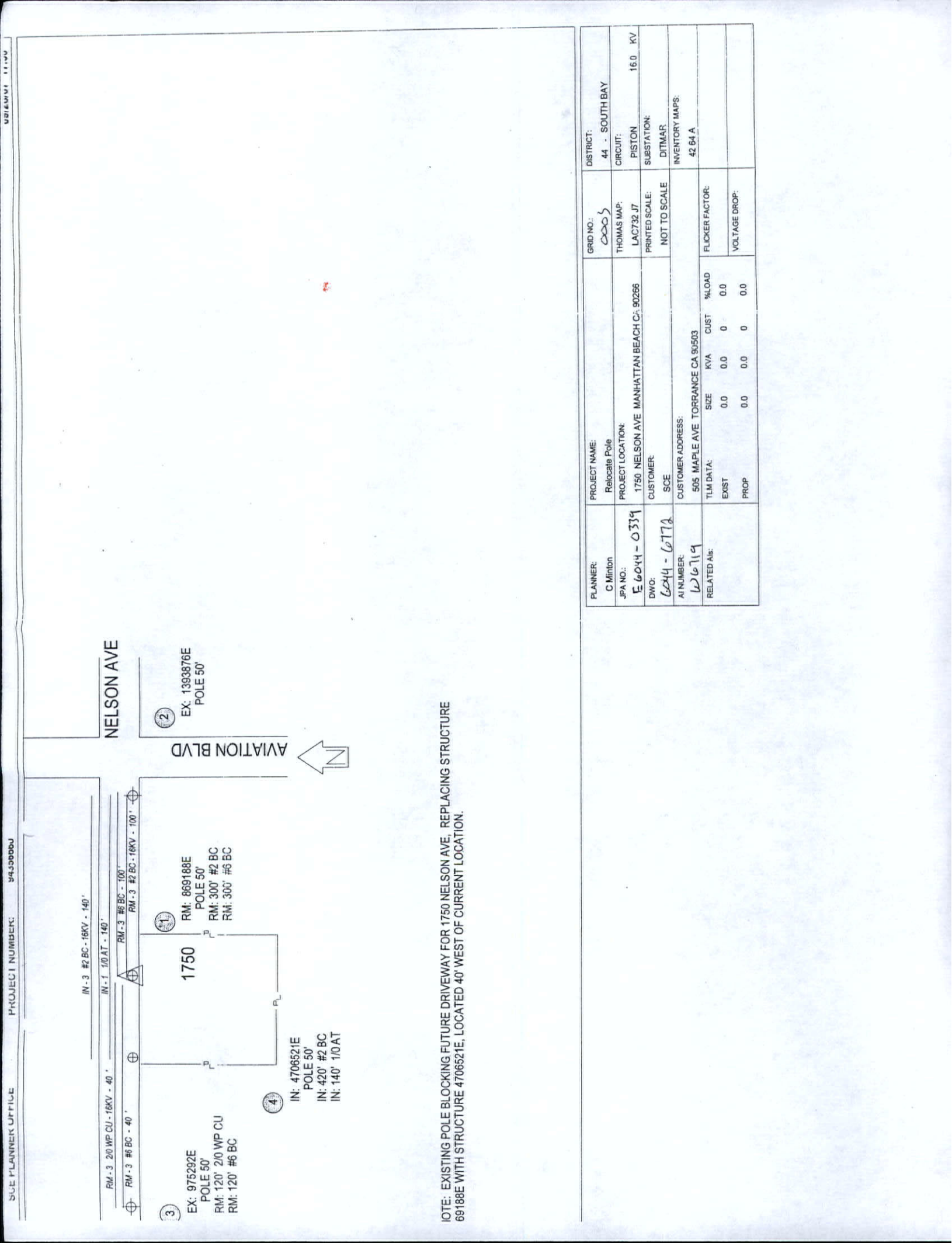
**RELOCATED**  
**RELOCATION**



**NELSON AVENUE**

**A SITE PLAN**





SCE PLANNER OFFICE PROJECT NUMBER: 94350000

NELSON AVE

AVIATION BLVD

1  
RM: 869188E  
POLE 50'  
RM: 300' #2 BC  
RM: 300' #6 BC

2  
EX: 1393876E  
POLE 50'

3  
EX: 975292E  
POLE 50'  
RM: 120' 2/0 WP CU  
RM: 120' #6 BC

4  
IN: 4706521E  
POLE 50'  
IN: 420' #2 BC  
IN: 140' 1/0AT

1750

IN-3 #2 BC - 16KV - 140'

IN-1 1/0 AT - 140'

RM-3 #6 BC - 100'

RM-3 #2 BC - 16KV - 100'

RM-3 #6 BC - 40'

RM-3 2/0 WP CU - 16KV - 40'

NOTE: EXISTING POLE BLOCKING FUTURE DRIVEWAY FOR 1750 NELSON AVE. REPLACING STRUCTURE 69188E WITH STRUCTURE 4706521E, LOCATED 40' WEST OF CURRENT LOCATION.

PLANNER: C Minton	PROJECT NAME: Relocate Pole	GRID NO: 0005	DISTRICT: 44 - SOUTH BAY
JPA NO: E 6044 - 0339	PROJECT LOCATION: 1750 NELSON AVE MANHATTAN BEACH C: 90266	THOMAS MAP: LACT32 J7	CIRCUIT: PISTON
DWO: 6044 - 6172	CUSTOMER: SCE	PRINTED SCALE: NOT TO SCALE	SUBSTATION: DITMAR
AI NUMBER: 6044	CUSTOMER ADDRESS: 505 MAPLE AVE TORRANCE CA 90503	INVENTORY MAPS: 42.64 A	
RELATED AIG: 6044	TLM DATA: EXIST 0.0 PROP 0.0	SIZE KVA 0.0	FLICKER FACTOR: 0.0
	%LOAD 0.0	CUST 0	VOLTAGE DROP: 0.0