

**CITY OF MANHATTAN BEACH  
PARKING AND PUBLIC IMPROVEMENTS COMMISSION  
MINUTES OF A REGULAR MEETING  
September 25, 2014**

**A. CALL TO ORDER**

The regular meeting of the Parking and Public Improvements Commission of the City of Manhattan Beach, California, was held on the 25th day of September, 2014, at the hour of 6:30 p.m., in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.

**B. ROLL CALL**

Present: King, Lipps, Nicholson, Fournier and Apostal.  
Absent: None.  
Staff Present: Traffic Engineer Zandvliet, Senior Management Analyst Madrid, Planning Manager Jester, Assistant Planner Masters.  
Clerk: Kozak.

**C. APPROVAL OF MINUTES**

**09/25/14-1 August 28, 2014**

Approved with no corrections.

**MOTION:** Commissioner Lipps moved to approve the Parking and Public Improvements Commission minutes of August 28, 2014. The motion was seconded by Commissioner Fournier and passed (4-0) with Commissioner Nicholson abstaining due to his absence at the meeting.

**D. AUDIENCE PARTICIPATION**

None.

**E. GENERAL BUSINESS**

**09/25/14-2 Consider a Request for Stop Signs at 19th Street and Rowell Avenue**

Traffic Engineer Zandvliet gave his presentation and recommended that the Commission pass a motion to direct the Police Department to increase speed enforcement on 19th Street, and to deny the request for stop signs in all directions at

the intersection of 19th Street and Rowell Avenue. When asked, Traffic Engineer Zandvliet explained some of the disadvantages of unwarranted stop signs.

Management Analyst Madrid introduced Lt. Harrod of the Manhattan Beach Police Department.

Commissioner Fournier stated that there had been this issue with a number of intersections going to schools and asked if this was one of the intersections that had been targeted by the Police Department for enforcement.

Lt. Harrod explained since school started he had personally patrolled all of the Elementary schools and Middle school. He said last year there was an issue around the whole section of that neighborhood, so he placed the radar trailer and the message board to alert drivers of their speed. Lt. Harrod said he understands the citizens' concerns because there is a lot of vehicle traffic near all the schools, but, he does not have the staff to have an officer at all of the locations. He stated they could use the radar trailer and the message board to help educate drivers.

Chair Nicholson opened the Audience Participation.

### **Audience Participation**

**Neil Snow, Petitioner, 1341 19th Street**, stated he sees cars speeding every day, in the morning and afternoon on 19th Street when parents are taking their children to school and picking them up. He felt that the parents and children trying to cross 19th Street in the crosswalk are in jeopardy of being hit by a speeding car. He said that even on the weekends drivers go speeding down 19th Street. He said that the warning signs would become obsolete. He explained by installing stop signs and making 19th Street and Rowell Avenue a four way stop, it would slow down the traffic and make the neighborhood a safer place for everyone.

**Diane Rich, Manhattan Beach resident**, expressed his concern about speeding on 19th Street and supports a four way stop at 19<sup>th</sup> Street and Rowell Avenue.

**Micah Scheinberg, Manhattan Beach resident**, did not agree with the Traffic Engineer's statics shown in the presentation. He stated that speeding occurs on a daily basis, and explained there is a lot of confusion at that intersection because drivers think it is a four way stop; and that he feels very passionate about the need for the stop signs.

**Nadia Pullen, Manhattan Beach resident**, explained the traffic going west on 19th Street and making a left turn in the morning is horrendous and expressed the need for a four way stop.

**Mike Butlers, Manhattan Beach resident**, stated he has a clear view of the 19th Street and Rowell Avenue intersection from his residence and he sees drivers speeding and not stopping. He asked the Commission to vote yes for the stop signs.

**Barbara Colbert**, stated that she felt the issue was the traffic speeding on 19th Street. She thought that speed bumps may help because they would slow the traffic down.

Chair Nicholson closed the Audience Participation.

### **Commission Discussion**

Commissioner Apostal said he had visited the location twice and expressed his concern with how confusing and chaotic the intersection was. He felt that the stop signs were needed at that location.

Commissioner Lipps explained he visited the intersection and he really did not see any down side to adding a stop sign for the safety of the neighborhood.

Commissioner King said he visited the area and almost all the other intersections had four way stops and felt this was an over sight for not having one at 19th Street.

Commissioner Fournier thought that Traffic Engineer Zandvliet did well on his presentation and realized that he has to follow the state guidelines on when a stop sign should be added. He explained that the citizens are the eyes that see what goes on in the neighborhood at all hours so the stop signs should be considered.

Traffic Engineer Zandvliet agreed with the Commissioners that many of the typical disadvantages of unwarranted stop signs would not occur at this intersection if four way stop signs were installed.

Chair Nicholson agreed that 19th Street does need a four way stop and the stop signs should be added.

**MOTION:** Commissioner King made a motion to install stop signs on 19th Street and Rowell Avenue in the east and west directions. The motion was seconded by Commissioner Lipps and passed unanimously with the following roll call vote:

Ayes:	King, Lipps, Nicholson, Fournier and Apostal.
Noes:	None.
Abstain:	None.
Absent:	None.

Traffic Engineer Zandvliet explained that this item would have to go before the City Council for approval.

**MOTION:** Commissioner Fournier made a motion to request staff to investigate the possibility of reducing the number of stop signs at 21st Street and Rowell Avenue. The motion was seconded by Chair Nicholson with the following roll call vote:

Ayes: Fournier and Nicholson.  
Noes: King, Lipps, and Apostal.  
Abstain: None.  
Absent: None.

**09/25/14-3 Consideration of an Encroachment Permit Appeal to Allow a Water Fountain Feature in the Public Right-of-Way to Remain at 130 41th Street**

Laurie Jester, Planning Manager introduced the item, gave a brief overview of why this item was before the Commission and stated that she was available to answer any questions the Commission may have on the Encroachment Permit Appeal.

Jason Masters, Assistant Planner gave a brief presentation and recommended that the Commission deny the request at 130 41st Street to permit a water fountain feature in the 41st Street public right-of-way.

Commissioner Lipps said he thought that as long as the Hold Harmless Agreement and Insurance was in effect, the City would not have a liability issue.

Planning Manager Jester answered that even with the Hold Harmless Agreement and Insurance the City could still be sued because anyone can sue the City for anything.

Commissioner Apostal and Commissioner King asked if converting the planter to a fountain and adding the water was what triggered this non-conforming issue.

Assistant Planner Masters answered yes.

Chair Nicholson asked if the third tier did not have water in it and just had dirt, would there be a non-conforming issue.

Assistant Planner Masters answered no.

Chair Nicholson opened the Audience Participation.

**Audience Participation**

**Lucas Goettsche, Applicant/Architect**, gave his presentation on why the water fountain feature should be allowed to remain.

**Robert Ruben, Property Owner of 130 41st Street**, Pleaded with the Commission to allow the water fountain feature to remain as-is.

**Jeff Delarme, Manhattan Beach resident and neighbor**, commented that the fountain is a beautiful feature and it has stopped the cat issue that occurred when it was a planter. He asked the Commissioners to allow it to remain.

**Lindsay Posner, Manhattan Beach resident and neighbor**, stated that the fountain was one of the reasons she moved in and asked the Commission to consider leaving the fountain as it is because it is beautiful and is a good part of the neighborhood.

**Samuel John Braitman, 4102 The Stand**, said he came to speak in favor of the fountain. He stated the fountain is beautiful and it adds to the neighborhood.

Chair Nicholson closed the Audience Participation.

### **Commission Discussion**

Commissioner Lipps and Commissioner King asked the Applicant about the shut off valve for the water; if something ran into the fountain or there was an earthquake and it cracked would the water continue to flow, flooding the street; how many gallons are in the fountain; and if the pump continued to run, would there be a chance of a fire.

Mr. Goettsche explained that once the 100 gallons of water leaked out of the damaged fountain that would be it because the water valve to add water is a manual closed loop valve located on the other side of the wall in the garage. He said the water pump does have a safety shut off.

Chair Nicholson explained he did not feel comfortable overriding the City code and would have to deny the request to leave the fountain as-is.

Commissioner Fournier complimented the applicant on his presentation but said the adding of the water was the issue.

Commissioner Apostol complimented the applicant on the design but said it doesn't meet the code. He continued by saying he would like to see it stay. Commissioner Apostol added that the Commission needs to look at why this improvement was disapproved and how they could allow an improvement like this to exist.

Planning Manager Jester explained the encroachment standards allow very limited improvements on public property.

Commissioner King said he would love to approve the request.

Commissioner Lipps said because the planter was part of the original design and grandfathered by the City there should be a way to allow the water feature to remain

and if a variance is needed then one should be given. He stated the City sets precedents all the time and they can be done on a case-by-case basis.

**MOTION:** Chair Nicholson made a motion to deny the Encroachment Permit Appeal and encourage the applicant to leave the water feature with the exception of the bottom tier.

The motion failed due to lack of a second.

The Commission discussed the best method for making a motion and Planning Manager Jester suggested the Commission make two separate motions for this item, one for the water feature at 130 41<sup>st</sup> Street and a separate motion regarding the Encroachment Standards.

**MOTION:** Commissioner Lipps made a motion to approve the already existing water feature at 130 41<sup>st</sup> Street.

The motion failed due to lack of a second.

**MOTION:** Commissioner King made a motion to approve the existing fountain in its current location pending approval by City Council to take action to amend the Code. The motion was seconded by Commissioner Lipps with the following roll call vote:

Ayes: King, Lipps.  
Noes: Fournier, Apostal and Nicholson.  
Abstain: None.  
Absent: None.

**MOTION:** Commissioner Apostal made a motion to approve the Encroachment Permit Appeal and allow the water feature to remain. The motion was seconded by Commissioner King and passed with the following roll call vote:

Ayes: King, Lipps, Fournier and Apostal  
Noes: Nicholson.  
Abstain: None.  
Absent: None.

**MOTION:** Commissioner Apostal made a motion to approve the encroachment appeal to allow the water fountain feature in the public Right-of-Way to remain at 130 41<sup>st</sup> Street and to request the City Council to direct staff to study a Code Amendment to administratively allow water features in the public Right-of-Way, subject to specific criteria, such as sustainability, small size and setbacks. The motion was seconded by Commissioner King and passed by unanimous roll call vote:

Ayes: King, Lipps, Fournier, Apostal and Nicholson.  
Noes: None.  
Abstain: None.  
Absent: None.

**F. COMMISSION ITEMS**

**09/25/14-4 Consider changing start time of PPIC Meetings to 6:00 P.M.  
(No Staff Report)**

**MOTION:** Commissioner Lipps made a motion to begin the P.P.I.C. meetings at 6:00 P.M. instead of 6:30 P.M. The motion was seconded by Commissioner Fournier and passed by unanimous roll call vote.

Ayes: King, Lipps, Fournier, Apostal and Nicholson.  
Noes: None.  
Abstain: None.  
Absent: None.

**G. STAFF ITEMS**

**09/25/14-5 Monthly Revenue and Expenditure Reports: Receive and File.**

Received and Filed.

**09/25/14-6 Staff Follow-up Items**

Traffic Engineer Zandvliet reported on the status of the Ardmore/Flournoy pedestrian improvements and the Deegan Place/American Martyrs Church request. He stated the City will be discussing potential crosswalk enhancements at a public workshop on Deegan Place on October 8<sup>th</sup>.

Management Analyst Madrid provided the status of the Mobility Plan Update and that the plan will be coming to the Commission in the next few months.

**H. ADJOURNMENT**

The meeting was adjourned at **9:30 p.m.** to the regular Parking and Public Improvements Commission Meeting on Thursday, October 23, 2014, in the City Council Chambers of City Hall, 1400 Highland Avenue, in said City.