



# AGENDA 08/14/14

## PLANNING COMMISSION

### Meeting

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<b>MEETING DATE:</b>	Thursday, August 14, 2014
<b>MEETING TIME:</b>	5:30 p.m.
<b>MEETING PLACE:</b>	City Council Chambers, City Hall 350 Main Street El Segundo, California 90245-0989
<b>VIDEO:</b>	El Segundo Cable Channel 3 (Live). Replayed on Friday following Thursday's Meeting at: 1:00 p.m. and 7:00 p.m., Channel 3.

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The Planning Commission, with certain statutory exceptions, can only take action upon properly posted and listed agenda items.

Unless otherwise noted in the Agenda, the public can only comment on City-related business that is within the subject-matter jurisdiction of the Planning Commission and items listed on the Agenda during the **Public Communications** portion of the meeting. Additionally, the public can comment on any public hearing item on the Agenda during the public hearing portion of such item. The time limit for comments is generally limited to five minutes per person.

Members of the public may request that items be placed on the Agenda by submitting a **Written Request** to the Planning and Building Safety Director at least ten days before the Planning Commission Meeting (by 10:00 a.m. the Monday of the prior week). The request must include a brief general description of the business to be transacted or discussed at the meeting. Playing of video tapes or use of visual aids may be permitted during meetings if they are submitted to the Planning and Building Safety Director a minimum of two working days before the meeting and they do not exceed five minutes in length. Written materials distributed to the Planning Commission within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the City Clerk's office.

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**In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact City Clerk, (310) 524-2307. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.**

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. **Public Communications (Related to City Business only and for which the Planning Commission is responsible – 5 minutes per person; 30 minutes total).** *Individuals who received value of \$50 or more to communicate to the Planning Commission on another's behalf, and employees speaking on their employer's behalf, must so identify themselves before addressing the Commission. Failure to do so is a misdemeanor. While all comments are welcome, the Brown Act does not allow the Commission to take action on any item not on the agenda. The Commission may respond to comments after public communications is closed.*

E. **Consent Calendar**

All items are to be adopted by one motion without discussion and passed unanimously. If a request for discussion of an item is made, the item(s) should be considered individually under the next Agenda heading.

- 1. Consideration and possible other action regarding approval of the July 24, 2014, Planning Commission Meeting Minutes.

**RECOMMENDED ACTION:** The recommended action is for the Planning Commission to approve the Minutes.

F. **Call Items from Consent Calendar**

G. **Written Communications (other than what is included in Agenda packets)**

None.

H. **New Business – Public Hearing**

- 2. **Environmental Assessment No. 1076 and Zone Text Amendment 14-03**  
**Zone Text Amendment to amend the El Segundo Municipal Code (“ESMC”) §§15-1-6, 15-2-7 and 15-21-6(B) to allow Architectural Landscape Features; Architectural Building Features; unroofed patios and decks; stairs, ramps, and safety guardrails to encroach into required setbacks in the Urban Mixed-Use (MU-S) Zone; and to amend the definition of Architectural Landscape Features.**

**Address:** Citywide  
**Applicant:** 2120 Park Place, LP, 2121 Park Place, LP, and 800 Apollo, LP  
**Property Owners:** Various

The proposed project is an Environmental Assessment and a Zone Text Amendment amending the ESMC regulations to allow Architectural Landscape Features, Architectural Building Features, unroofed patios and decks; stairs, ramps, and safety guardrails to encroach into required setback areas in the Urban Mixed-Use South (MU-S) Zone; and to amend the definition of Architectural Landscape Features.

The proposed zone text amendment is exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*,

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“CEQA”) and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures for operation of existing facilities; minor temporary use of land; minor alterations in land use; new construction of small structures; and minor structures accessory to existing commercial facilities. This Ordinance, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303; 15304(e); 15305; and 15311. Further, the adoption of this Ordinance is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because the Ordinance is for general policies and procedure-making. This Ordinance does not authorize any new development entitlements, but simply establishes policies and procedures for allowing the previously approved project to be constructed. Any proposed project that will utilize the changes set forth in this Ordinance will be subject to CEQA review as part of the entitlement review of the project. The Ordinance will not adversely impact the environment and is therefore exempt from the provisions of CEQA.

**RECOMMENDED ACTION:** That the Planning Commission: (1) open the public hearing and take documentary and testimonial evidence; (2) after considering the evidence adopt Resolution No. 2753; and/or (3) discuss and take any other action related to this item.

3. **Environmental Assessment No. EA-1077 and Adjustment No. ADJ 14-06**  
**Adjustment to allow a two-foot, six-inch tall bench wall to encroach 30 feet into the required 30-foot street side setback in the Urban Mixed-Use South (MU-S) Zone**

**Address:** 2120 East Park Place  
**Applicant:** 2120 Park Place, LP c/o Patrick Perry  
**Property Owners:** 2120 Park Place, LP

The proposed project is an Environmental Assessment and an Adjustment to allow a two-foot, six-inch tall bench wall at 2120 East Park Place to encroach 30 feet into the required 30-foot street side setback in the Urban Mixed-Use South (MU-S) Zone. El Segundo Municipal Code (ESMC) § 15-2-14(B)(3)(b) allows Architectural Landscape Features as defined in ESMC §15-1-6 to encroach up to 80 percent (80%) of the required setback area provided the features do not have greater than twenty percent (20%) component solid portions. Encroachments which exceed these standards require approval of an Adjustment. The proposed bench wall encroaches up to 100% into the required setback and has up to 100% component solid portions.

The proposed project is categorically exempt from additional CEQA analysis pursuant to CEQA Guidelines §15305 which identified the project as a Class 5 (Minor Alterations in Land Use Limitations and §15311 which identifies the project as a Class 11 (Accessory Structures). The project involves a minor exception to the setback requirements to allow minor accessory structures, such as bench walls (Architectural Landscape Features) not exceeding three feet and six inches in height to encroach up to 30 feet into a required 30-foot street side setback. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. The project site is currently developed with commercial office uses and is surrounded by urban uses. Further, the site has no value as habitat for endangered, rare, or threatened species. There are adequate utilities and public services to serve the project.

**RECOMMENDED ACTION:** That the Planning Commission: (1) open the public hearing and take documentary and testimonial evidence; (2) after considering the evidence adopt Resolution No. 2754; and/or (3) discuss and take any other action related to this item.

4. **Environmental Assessment No. EA-1078 and Adjustment No. ADJ 14-07**  
**Adjustment to allow a three-foot, six-inch tall landscape planter wall with four three-foot, six-inch tall benches to encroach 30 feet into the required 30-foot street side setback in the Urban Mixed-Use South (MU-S) Zone**

**Address:** 2121, 2145, and 2175 East Park Place  
**Applicant:** 2121 Park Place, LP c/o Patrick Perry  
**Property Owners:** 2121 Park Place, LP

The proposed project is an Environmental Assessment and an Adjustment to allow a three-foot, six-inch tall landscape planter wall with four three-foot, six-inch tall benches at 2121, 2145, and 2175 East Park Place to encroach 30 feet into the required 30-foot street side setback in the Urban Mixed-Use South (MU-S) Zone. El Segundo Municipal Code (ESMC) § 15-2-14(B)(3)(b) allows Architectural Landscape Features as defined in ESMC §15-1-6 to encroach up to 80 percent (80%) of the required setback area provided the features do not have greater than twenty percent (20%) component solid portions. Encroachments which exceed these standards require approval of an Adjustment. The proposed benches and landscape planter encroach up to 100% into the required setback and have up to 100% component solid portions.

The proposed project is categorically exempt from additional CEQA analysis pursuant to CEQA Guidelines §15305 which identified the project as a Class 5 (Minor Alterations in Land Use Limitations and §15311 which identifies the project as a Class 11 (Accessory Structures). The project involves a minor exception to the setback requirements to allow minor accessory structures, such as benches, bench walls, and landscape planter walls (Architectural Landscape Features) not exceeding three feet and six inches in height to encroach up to 30 feet into a required 30-foot street side setback. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. The project site is currently developed with commercial office uses and is surrounded by urban uses. Further, the site has no value as habitat for endangered, rare, or threatened species. There are adequate utilities and public services to serve the project.

**RECOMMENDED ACTION:** That the Planning Commission: (1) open the public hearing and take documentary and testimonial evidence; (2) after considering the evidence adopt Resolution No. 2755; and/or (3) discuss and take any other action related to this item.

I. **Continued Business – Public Hearing**

None.

J. **Report from Planning and Building Safety Director or designee**

K. **Planning Commissioners' Comments**

L. **Other Business**

None.

M. **Adjournment – next meeting scheduled for August 28, 2014, 5:30 p.m.**

**NOTE:** The related files are available for public review in the Planning Division, Monday through Thursday between 7:00 a.m. to 6:00 p.m. City Hall is closed every Friday. Agenda packets, including Staff Reports, are also available in the Planning Division beginning at 5:00 p.m. Thursday of the week prior to the Planning Commission meeting.

POSTED:

Venus Wilson  
(Signature)

August 7, 2014 @ 10:00 AM  
(Date/Time)

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**MINUTES OF THE MEETING  
OF THE PLANNING COMMISSION  
OF THE CITY OF EL SEGUNDO, CALIFORNIA**

**July 24, 2014**

Chair Wagner called the El Segundo Planning Commission meeting to order at 5:30 p.m. in the El Segundo City Hall's Council Chambers, 350 Main Street, El Segundo, California.	<b>CALL TO ORDER</b>
Chair Wagner led the Pledge of Allegiance to the Flag.	<b>PLEDGE TO FLAG</b>
PRESENT: WAGNER, BALDINO, NEWMAN, NICOL, and NISLEY	<b>ROLL CALL</b>
None.	<b>PUBLIC COMMUNICATIONS</b>
Chair Wagner presented the Consent Calendar.	<b>CONSENT CALENDAR</b>
None.	<b>CALL ITEMS FROM CONSENT</b>
Vice Chair Baldino moved, seconded by Commissioner Nisley, to approve the June 26, 2014 Meeting Minutes. Motion approved (5-0).	<b>MOTION</b>
Chair Wagner presented Agenda Item E-2-A, Environmental Assessment No. EA-1071, and Administrative Adjustment No. ADJ 14-05 to allow green colored parking lot striping, instead of white for a commercial office development. Address: 2101 East El Segundo Boulevard. Applicant: Mark Belknap – Bixby Land Company. Property Owner: CREF2101 El Segundo LLC c/o Aaron Hill.	<b>EA-1071; ADJ 14-05</b>
Vice Chair Baldino moved, seconded by Commissioner Nisley, to Receive and File the Director of Planning and Building Safety's approval of Environmental Assessment No. EA-1071, and Administrative Adjustment No. ADJ 14-05. Motion carried (5-0).	<b>MOTION</b>
Chair Wagner presented Agenda Item E-2-B, Environmental Assessment No. EA-1067, and Administrative Adjustment No. ADJ 14-04 to allow a lift for disabled persons within the required 10-foot rear yard setback of a property in the Multi-Family Residential (R-3) Zone. Address: 711 Main Street. Applicant: Robert Reyes. Property Owner: 711 Main Street LLC.	<b>EA-1071; ADJ 14-05</b>
Vice Chair Baldino moved, seconded by Commissioner Nisley, to Receive and File the Director of Planning and Building Safety's approval of Environmental Assessment No. EA-1067, and Administrative Adjustment No. ADJ 14-04. Motion carried (5-0).	<b>MOTION</b>
Planning Manager Kimberly Christensen read into the record that a copy of the Draft of El Segundo South Campus Specific Plan and a copy of the Conceptual Master Site Plan for Agenda Item L-3 are provided.	<b>WRITTEN COMMUNICATIONS</b>
None.	<b>NEW BUSINESS – PUBLIC HEARING</b>

**1**

None.

**PUBLIC HEARING  
CONTINUED BUSINESS**

Planning and Building Safety Director Sam Lee stated that there will be a regularly scheduled meeting on August 14, 2014.

**REPORT FROM  
PLANNING AND  
BUILDING SAFETY  
DIRECTOR OR  
DESIGNEE**

None.

**PLANNING  
COMMISSIONERS  
COMMENTS**

Principal Planner Masa Alkire presented a PowerPoint presentation for an informational item regarding the El Segundo South Campus Specific Plan.

**OTHER BUSINESS**

Vice Chair Baldino inquired if Raytheon will only use Parcel 11 for recreational use exclusively for Raytheon's use.

Mr. Alkire stated that the City has been in discussions with Raytheon's representative and as of now Parcel 11 is for exclusive use by Raytheon.

Chair Wagner adjourned the meeting. Motion carried (5-0).

**MOTION**

The meeting adjourned at 6:00 p.m.

**ADJOURNMENT**

PASSED AND APPROVED ON THIS 24TH DAY OF JULY 2014.

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**Sam Lee, Secretary of**  
the Planning Commission  
and Director of the  
Planning and Building Safety  
Department

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**David Wagner, Chairman**  
Planning Commission  
City of El Segundo, California

# CITY OF EL SEGUNDO

## PLANNING COMMISSION STAFF REPORT

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**PUBLIC HEARING:** August 14, 2014

**SUBJECT:** Environmental Assessment No. EA-1076, and Zone Text Amendment No. ZTA 14-03

**APPLICANT:** 2120 Park Place, LP, 2121 Park Place, LP, and 800 Apollo, LP (Patrick Perry)

**PROPERTY OWNER:** Various

**REQUEST:** Zone Text Amendment to amend the El Segundo Municipal Code (“ESMC”) §§15-1-6, 15-2-7 and 15-21-6(B) to allow Architectural Landscape Features; Architectural Building Features; unroofed patios and decks; stairs, ramps, and safety guardrails to encroach into required setbacks in the Urban Mixed-Use (MU-S) Zone and to amend the definition of Architectural Landscape Features.

**PROPERTY INVOLVED:** Citywide; Urban-Mixed Use South (MU-S) Zone

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### I. Introduction

The proposed project is a Zone Text Amendment amending the ESMC regulations to allow Architectural Landscape Features (as defined in ESMC § 15-1-6); Architectural Building Features (as defined in ESMC § 15-1-6); unroofed patios and decks; stairs ramps and safety guardrails to encroach into required setback areas in the Urban Mixed-Use South (MU-S) Zone; and to amend the definition of Architectural Landscape Features.

### II. Recommendation

Planning staff recommends that the Planning Commission conduct a public hearing; consider the documentary and testimonial evidence including this report; and then adopt Resolution No. 2753 recommending that the City Council approve Environmental Assessment No. EA-1076 and Zone Text Amendment No. ZTA 14-03.



### **III. Background**

The project applicant owns three parcels containing five buildings in the MU-S Zone, which is located in the southeastern portion of the City. The applicant recently acquired these properties and intends to remodel the interior and exterior of the existing buildings and the parking and landscaping areas around the existing buildings. The exterior work includes: a) Architectural Building Features, such as balconies, awnings, curtain walls, and architectural screens added to the existing building façades facing public streets; b) unroofed, enclosed patios and decks; c) Architectural Landscape Features, such as benches, seat walls, and landscape planter walls; and d) walkways, stairs, ramps, and related safety guardrails. Some of the proposed work would encroach into the required setback areas in the MU-S.

The proposed work would not meet setback standards (or allowed encroachments into those setbacks) for three reasons: 1) the required front and street-side setbacks in the MU-S zone are 30 feet and are required to be fully landscaped, with few exceptions; 2) three of the existing buildings on the applicant's properties were built under previous zoning and do not meet the current standards; and 3) the proposed improvements discussed above are intended to create a more pedestrian friendly scale of development with more activity occurring outside the buildings and closer to the streets.

The following analysis contains a description of MU-S Zone area ("Project Area"), the Zoning History for the project area, the development history in the project area, and a detailed description of the proposed ESMC amendments.

### **IV. Analysis**

#### **SITE DESCRIPTION AND SURROUNDING LAND USES**

The project area consists of the Urban Mixed-Use South (MU-S) Zone which occupies approximately 70 acres in the southeastern portion of the City. The existing uses in the MU-S Zone include primarily light industrial, office, restaurant, and some retail uses. Additionally, the MU-S Zone uses include a movie theater, a hotel, and a health club/fitness facility. These uses are located in 32 buildings (including parking structures) that were developed between 1964 and 2001.

The MU-S Zone is bounded by the Commercial Center (C-4) Zone to the west, the Light Industrial (M-1) and Heavy Industrial (M-2) Zones to the north, the Aviation Specific Plan (ASP) to the east, and a commercial Planned Development (PD) Zone in Manhattan Beach to the south.

#### **ZONING HISTORY**

The project area was originally zoned Heavy Industrial (M-2) until 1978, when it became Commercial Manufacturing (CM). The area remained in the CM Zone until it was designated Mixed Use (MU) by the 1992 General Plan. Subsequently, in 1997, it was designated Urban Mixed-Use South (MU-S) and that zoning has remained in place until today. As mentioned above, the area was developed over time and the

development standards when most of the buildings were constructed were different from the current MU-S development standards. Specifically, the setback requirements when most of the development occurred were less restrictive than the current MU-S setback standards. The following table lists the setback standards for the M-2, the CM, and MU-S zones for comparison.

Zone	Dates	Front Setback	Side	Street Side	Rear
M-2	1958-1978	None	None	None	None
CM	1978-1992	28 Feet	None	5 Feet	None
MU/MU-S	1992-present	30 Feet	25 Feet	30 Feet	5 Feet

As shown in the table, the current MU-S standards are significantly more restrictive than the M-2 standards and the CM standards, with the exception of the front yard setback in the CM Zone, which is closer to the MU-S standard.

In addition to the Zoning of the area over time, the City approved several Precise Plans (the precursor to Specific Plans) for specific properties in the project area. The Precise Plans established specific standards for the development of the subject properties, which superseded the underlying zone standards at the time. These Precise Plans have been amended several times since their original approval to accommodate new development and/or modifications to the existing development. The following table lists the Precise Plans (original only without later amendments) that apply to the area and the specific properties that they apply to.

Precise Plan	Address
PP 72-12	2041-2141 Rosecrans Avenue
PP 73-07	2041 Rosecrans Avenue / 831-871 S. Nash Street
PP 74-08	800 Apollo Street / 2170 Park Place
PP 81-01	2101-2141 Rosecrans Avenue
PP 87-01	2301-2381 Rosecrans Avenue / 810-820 S. Douglas Street
PP 89-02	810 S. Douglas Street / 2301 Rosecrans Avenue

## PROJECT PHYSICAL DESCRIPTION

As mentioned above the MU-S Zone area is developed with 32 buildings, including light industrial, offices, commercial uses, and parking structures. The following table lists all the buildings by address, the year they were built, and the applicable Zoning District at the time of construction.

Address	Year Built	Zoning District	Address	Year Built	Zoning District
<b>East Park Place</b>			<b>Apollo Street</b>		
2120**	1980	CM	800**	1980	CM
2121**	1971	M-2	840	1980	CM
2145**	1970	M-2	841	1983	CM
2175**	1970	M-2	860	1978	CM
2200	1968	M-2	880	1978	CM
2201	1964	M-2			

2221	1966	M-2			
<b>South Nash Street</b>			<b>South Douglas Street</b>		
830	1980/ 1995	CM/ MU	740-750	1966/ 1969	M-2
831*	1996	MU	810*	1995	MU
870	1981	CM	831	1965/ 1975	M-2
871*	1973	M-2	931	1966	M-2
<b>Rosecrans Avenue</b>			<b>Rosecrans Avenue</b>		
2041*	1974/ 1976	M-2	2301*	2001	MU-S
2101-2141*	1982/ 1983	CM	2311*	2001	MU-S
2171	1996/ 1998	MU/ MU-S	2321*	2001	MU-S
2201	1967	M-2	2351*	1991	CM
2221	1974/ 1988	M-2/ CM	2361*	1991	CM
2231	1996	MU	2381*	1991	CM

\* Properties subject to a Precise Plan

\*\* Buildings owned by the applicant

In summary, 13 buildings were built between 1964 and 1976 when the area was zoned M-2; 12 buildings were built between 1978 and 1991 when the area was zoned CM; and seven buildings were built between 1995 and 2001 when the area was zoned MU/MU-S. As a result, several of the buildings in the area do not meet the MU-S Zone setback requirements and are considered legal nonconforming.

The project applicant owns five of the buildings listed in the table above. All five of the buildings were built between 1970 and 1980 before the MU-S standards became effective. As a result, three of the buildings are legal nonconforming with regard to setbacks. The three buildings are located at 2121, 2145, and 2175 East Park Place.

### Zone Text Amendment

The applicant is requesting the proposed Zone Text Amendment to allow Architectural Building Features, Architectural Landscape Features; unroofed patios and decks; stairs, pedestrian ramps, and related safety guardrails, to encroach farther into the required setbacks than currently allowed. The intent is to: 1) improve the physical appearance of the properties; 2) provide enhanced building features and amenities; and 3) to bring more pedestrian activity outside the buildings and closer to the street. The improved appearance, enhanced building amenities, and more pedestrian-friendly environment will make the properties more attractive to creative office and/or clean light industrial uses.

Architectural Landscape Features. Architectural Landscape Features is a term defined in ESMC § 15-1-6 (Definitions). The applicant proposes to construct several benches, bench walls, and landscape planter walls within the street-facing setbacks on his properties. The ESMC allows architectural landscape features to encroach within the required setbacks, provided they maintain a minimum setback of five feet (ESMC §15-2-14). However, the ESMC definition for architectural landscape features does not include benches, bench walls, and landscape planter walls. As a result, the applicant proposes to modify the definition of Architectural Landscape Features to include benches, bench walls, and landscape planter walls not exceeding three feet in height.

Architectural Building Features. Architectural Building Features is a term defined in ESMC § 15-1-6 (Definitions). The applicant proposes to add certain architectural building features, such as balconies, awnings, curtain walls, and architectural screens to the existing building façades facing public streets. The ESMC allows architectural building features to encroach up to two feet into required setbacks and up to six inches into nonconforming setbacks (ESMC § 15-2-7). The applicant proposes to amend ESMC §15-21-6(B) to allow architectural building features to encroach further into required setback areas in the MU-S Zone. Architectural Building Features would be allowed to encroach up to five feet from the existing building face into the required setback areas, but must maintain at least a 15-foot distance to the lot line.

Unroofed patios and decks. The applicant proposes to add several unroofed and partly enclosed patios and decks within the street-facing setbacks. The ESMC does not allow such accessory uses/structures to be located within street-facing setbacks. The applicant proposes to amend ESMC § 15-2-7 to allow unroofed patios and decks in the MU-S Zone that are enclosed by walls, fences, and/or hedges to encroach into front and street-side setback areas. Those patios and decks with walls, fences, and/or hedges up to three (3') feet and six (6') inches in height must maintain at least a ten-foot (10') distance to a lot line and those with walls, fences, and/or hedges exceeding three (3') feet and six (6') inches in height must maintain at least a 15-foot distance to a lot line.

Stairs, pedestrian ramps, and safety guardrails. The applicant proposes to construct stairs, pedestrian ramps, and related guardrails within the street-facing setbacks to improve access to: a) the buildings on the property; and b) a public sidewalk that the applicant agreed to build on private property. The ESMC allows ramps and guard rails to encroach up to two feet into a required setback. It also allows stairs leading to porches and platforms to encroach further into a setback, but maintain at least a three (3')-foot distance to a lot line. The applicant proposes to amend ESMC § 15-2-7 to allow stair, pedestrian ramps, and related safety guardrails in the MU-S Zone to encroach farther into required setbacks provided they maintain at least a three-foot (3') distance to a lot line.

**V. General Plan And Zoning Consistency**

**Consistency with the El Segundo Municipal Code**

Pursuant to ESMC Title 15, Chapter 26 (Amendments), in order to recommend City Council approval of the proposed amendments, the Planning Commission must find that the amendments are necessary to carry out the general purpose of ESMC Title 15. The purpose of this Title (ESMC § 15-1-1) is to serve the public health, safety, and general welfare and to provide economic and social advantages resulting from an orderly planned use of land resources. Planning staff believes that the Planning Commission can make the findings in order to recommend City Council approval of the proposed amendment. The findings are discussed in the proposed resolution.

**Consistency with the El Segundo General Plan**

ESMC § 15-1-1 (Purpose, Title) states that Title 15 is the primary tool for implementation of the goals, objectives, and policies of the El Segundo General Plan. Accordingly, the Planning Commission must find that the proposed Zone Text Amendment is consistent with those goals, objectives, and policies. Planning staff believes that the Planning Commission can make the findings in order to recommend City Council approval of the proposed amendment. The findings are discussed in the proposed resolution.

**VI. ENVIRONMENTAL REVIEW**

The proposed zone text amendment is exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures for operation of existing facilities; minor temporary use of land; minor alterations in land use; new construction of small structures; and minor structures accessory to existing commercial facilities. This Ordinance, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303; 15304(e); 15305; and 15311. Further, the adoption of this Ordinance is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because the Ordinance is for general policies and procedure-making. This Ordinance does not authorize any new development entitlements, but simply establishes policies and procedures for allowing the previously approved project to be constructed. Any proposed project that will utilize the changes set forth in this Ordinance will be subject to CEQA review as part of the entitlement review of the project. The Ordinance will not adversely impact the environment and is therefore exempt from the provisions of CEQA.

**VII. Application Findings**

In order to approve the project, the City Council must take certain actions related to the proposed project. The Planning Commission's responsibility is to make recommendations to the City Council related to the CEQA and the Zone Text Amendment application. The required findings for each application are included in the attached draft resolution (Exhibit 1).

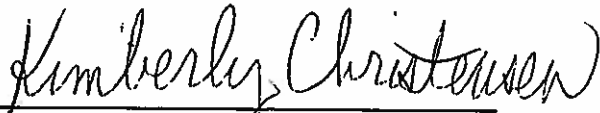
**VIII. Conclusion**

Staff recommends that the Planning Commission recommend that the City Council approve the proposed project, subject to the conditions contained in Draft Resolution No. 2753.

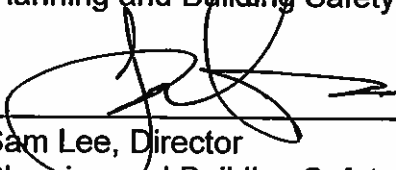
**IX. Exhibits**

1. Draft Planning Commission Resolution No. 2753
2. Draft Ordinance

Prepared by: Paul Samaras, Principal Planner



Kimberly Christensen, AICP, Planning Manager  
Planning and Building Safety Department



Sam Lee, Director  
Planning and Building Safety Department

**RESOLUTION NO. 2753**

**A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE §§ 15-1-6, 15-2-7, AND § 15-21-6(B) TO ALLOW ARCHITECTURAL LANDSCAPE FEATURES; ARCHITECTURAL BUILDING FEATURES; UNROOFED PATIOS AND DECKS; STAIRS; RAMPS; AND SAFETY GUARDRAILS TO ENCROACH INTO REQUIRED SETBACKS IN THE URBAN MIXED-USE SOUTH (MU-S) ZONE; AND TO AMEND THE DEFINITION OF ARCHITECTURAL LANDSCAPE FEATURES.**

**(EA NO. 1076 and ZTA NO. 14-03)**

The Planning Commission of the City of El Segundo does resolve as follows:

**SECTION 1:** The Planning Commission finds and declares that:

- A. On July 28, 2014, the applicant, 2120 Park Place, LP, 2121 Park Place, LP, and 800 Apollo, LP, submitted an application for Environmental Assessment No. EA-1076 and Zone Text Amendment No. ZTA 14-03 to the El Segundo Municipal Code ("ESMC") to allow Architectural Landscape Feature; Architectural Building Features; unroofed patios and decks; stairs, ramps and safety guardrails to encroach into required setbacks in the Urban Mixed-Use South (MU-S) Zone; and to amend the definition of architectural landscape features;
- B. The application was reviewed by the City's Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the ESCM;
- C. The City reviewed the project's environmental impacts under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines"), and the City's Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);
- D. The Planning and Building Safety Department completed its review and scheduled the public hearing regarding the application before the Planning Commission for August 14, 2014;
- E. On August 14, 2014, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed amendment, including, without limitation, information provided to the Planning Commission by City staff and public testimony; and
- F. This Resolution and its findings are made based upon the evidence presented to the Commission at its August 14, 2014, hearing including, without limitation, the staff report submitted by the Planning and Building

Safety Department.

**SECTION 2: *Factual Findings And Conclusions.*** The Commission finds that implementing the proposed ordinance would result in the following:

- A. Amend the definition of Architectural Landscape Features to include benches, bench walls, and landscape planter walls up to three feet in height.
- B. Allow stairs, pedestrian ramps, and related safety guardrails to be located within required setback areas of the MU-S Zone, provided they maintain at least a three-foot (3') distance to a lot line.
- C. Allow unroofed patios and decks enclosed by walls, fences, and/or hedges up to three (3') feet and six (6') inches in height in the MU-S Zone to be located within required front and street-side setback areas, provided they maintain at least a ten-foot (10') distance to a property line.
- D. Allow unroofed patios and decks enclosed by walls, fences, and/or hedges exceeding three (3') feet and six (6') inches in height in the MU-S Zone to be located within required front and street-side setback areas, provided maintain at least a 15-foot distance to a lot line.
- E. Allow Architectural Building Features in the MU-S Zone to project up to five (5') feet from the existing building face into required setback areas, provided they maintain at least a 15-foot distance to a lot line.

**SECTION 3: *Environmental Assessment.*** Because of the facts set forth in Section 2, the proposed zone text amendment is exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures for operation of existing facilities; minor temporary use of land; minor alterations in land use; new construction of small structures; and minor structures accessory to existing commercial facilities. This Resolution, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303; 15304(e); 15305; and 15311. Further, the adoption of this Resolution is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because the Resolution is for general policies and procedure-making. This Resolution does not authorize any new development entitlements, but simply establishes policies and procedures for allowing the previously approved project to be constructed. Any proposed project that will utilize the changes set forth in this Resolution will be subject to CEQA review as part of the entitlement review of the project. The Resolution will not adversely impact the environment and is therefore exempt from the provisions of CEQA.



**SECTION 4: *General Plan Findings.*** As required under Government Code § 65860, the ESMC amendments proposed by the Ordinance are consistent with the El Segundo General Plan as follows:

- A. The proposed zone text amendment conforms with the Land Use Element Goals, Objectives and Policies. Specifically, the zone text amendment is consistent with Land Use Element Goal LU5 and Objectives LU5-1, LU5-2 and LU5-3 in that the amendment will help retain and attract clean and safe commercial and industrial uses and will facilitate the rehabilitation of currently substandard properties by allowing industrial and commercial property owners to efficiently use their properties when siting architectural landscape and building features, unroofed patios and decks, and stairs, ramps, and related safety guardrails.
- B. The proposed zone text amendment is consistent with the Economic Development Element Goals, Objectives and Policies. Specifically, it is consistent with Economic Development Element Objective ED1-2 and Policies ED1-2.1 and ED1-2.2 in that the use of architectural landscape features, architectural building features, and unroofed patios and decks within required street-facing setbacks will help improve properties aesthetically and promote a more pedestrian oriented environment in the MU-S Zone. These physical improvements will help maintain existing uses and attract more retail and office uses, which expand the City's tax base and improve its fiscal condition.
- C. The proposed zone text amendment is consistent with Circulation Element Goals, Objectives and Policies. Specifically, it is consistent with Circulation Element Objective C2-1 and Policies C2-1.1 and C2-1.3. Specifically, the use of landscape architectural features, unroofed patios and decks, and pedestrian ramps and stairs within street-facing setbacks will encourage walking, including, without limitation, to and from the existing Green Line station in the MU-S Zone. In addition, the project applicant will incorporate a public sidewalk along his property's frontage on Park Place as part of the overall planned improvements.
- D. The proposed zone text amendment is consistent with Open Space and Recreation Policy OS 1-2.8 in that the use of landscape architectural features, unroofed patios and decks encourages the creation of active and passive open space areas within non-residential developments east of Sepulveda Boulevard.

**SECTION 5: *Zone Text Amendment Findings.*** In accordance with ESMC § 15-26-4 and based on the findings set forth in Section 2, the proposed Zone Text Amendment is

consistent with the goals, policies, and objectives of the General Plan as follows:

- A. It is consistent with the purpose of the ESMC, which is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources. In addition, it is consistent with the purpose of the Urban Mixed-Use South (MU-S) Zone to provide an area where a mixture of compatible uses can locate and develop in a mutually beneficial manner. Furthermore, it is consistent with the intent of the MU-S Zone to encourage businesses to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors.
- B. It is necessary to facilitate the development process and ensure the orderly development of architectural building features, architectural landscape features, unroofed patios and decks, and stairs, pedestrian ramps and associated guard rails on properties in the MU-S Zone that are compatible with surrounding properties and the public right-of-way.

SECTION 6: Recommendations. The Planning Commission recommends that the City Council adopt the ordinance set forth in attached Exhibit "A," which is incorporated into this resolution by reference.

SECTION 7: Reliance On Record. Each and every one of the findings and determination in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 8: Limitations. The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the city's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 9: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 10: The Commission secretary is directed to mail a copy of this Resolution to any person requesting a copy.

**SECTION 11:** This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

PASSED AND ADOPTED this 14<sup>th</sup> day of August 2014.

\_\_\_\_\_  
David Wagner, Chairperson  
City of El Segundo Planning Commission

ATTEST:

\_\_\_\_\_  
Sam Lee, Secretary

Wagner -  
Baldino -  
Newman -  
Nicol -  
Nisley -

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By: \_\_\_\_\_  
Karl H. Berger, Assistant City Attorney

**ORDINANCE NO. \_\_\_\_**

**AN ORDINANCE AMENDING EL SEGUNDO MUNICIPAL CODE §§ 15-1-6, 15-2-7, AND 15-21-6 TO ALLOW ARCHITECTURAL LANDSCAPE FEATURES, ARCHITECTURAL BUILDING FEATURES; UNROOFED PATIOS AND DECKS; STAIRS; RAMPS; AND SAFETY GUARDRAILS TO ENCROACH INTO REQUIRED SETBACKS IN THE URBAN MIXED-USE SOUTH (MU-S) ZONE; AND TO AMEND THE DEFINITION OF ARCHITECTURAL LANDSCAPE FEATURES.**

The City Council of the City of El Segundo does ordain as follows:

**SECTION 1:** The City Council finds and declares as follows:

- A. On July 28, 2014, the applicant, 2120 Park Place, LP, 2121 Park Place, LP, and 800 Apollo, LP, submitted an application for Environmental Assessment No. EA-1076 and Zone Text Amendment No. ZTA 14-03 to the El Segundo Municipal Code ("ESMC") to allow Architectural Landscape Features, Architectural Building Features, unroofed patios and decks, stairs, ramps and safety guardrails to encroach into required setbacks in the Urban Mixed-Use South (MU-S) Zone; and to amend the definition of Architectural Landscape Features;
- B. The application was reviewed by the City's Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the ESMC;
- C. The City reviewed the project's environmental impacts under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines"), and the City's Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);
- D. The Planning and Building Safety Department completed its review and scheduled the public hearing regarding the application before the Planning Commission for August 14, 2014;
- E. On August 14, 2014, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed amendment, including, without limitation, information provided to the Planning Commission by City staff and public testimony;
- F. On August 14, 2014, the Planning Commission adopted Resolution No. 2753 recommending the City Council approve Environmental Assessment

No. EA-1076 and Zone Text Amendment No. ZTA 14-03;

- G. On September 16, 2014, the City Council held a public hearing and considered the information provided by City staff and public testimony regarding this Ordinance; and
- H. This Ordinance and its findings are made based upon the entire administrative record including, without limitation, testimony and evidence presented to the City Council at its September 16, 2014 hearing and the staff report submitted by the Planning and Building Safety Department.

**SECTION 2: *Environmental Assessment.*** Adopting this Ordinance is exempt from further environmental review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA Guidelines (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures for operation of existing facilities; minor temporary use of land; minor alterations in land use; new construction of small structures; and minor structures accessory to existing commercial facilities. This Ordinance, therefore, is categorically exempt from further CEQA review under CEQA Guidelines §§ 15301; 15303; 15304(e); 15305; and 15311. Further, the adoption of this Ordinance is also exempt from review under CEQA pursuant to CEQA Guidelines § 15061(b)(3) because the Ordinance is for general policies and procedure-making. This Ordinance does not authorize any new development entitlements, but simply establishes policies and procedures for allowing the previously approved project to be constructed. Any proposed project that will utilize the changes set forth in this Ordinance will be subject to CEQA review as part of the entitlement review of the project. The Ordinance will not adversely impact the environment and is therefore exempt from the provisions of CEQA.

**SECTION 3: *Findings.*** The City Council incorporates by reference all of the findings and conclusions set forth in Planning Commission Resolution No. 2753 as if fully set forth including, without limitation, the Environmental Assessment set forth in Section 3 of Resolution No. 2753.

**SECTION 4:** The definition of "Architectural Landscape Features: set forth in ESMC §15-1-6 is amended to read as follows:

\*\* \* \*

**ARCHITECTURAL LANDSCAPE FEATURES:** Small landscape structures, such as fountains, arbors, trellises, pergolas, colonnades, statuary, benches, bench walls, landscape planter walls not exceeding three feet in height, and other similar features, as well as works of art which do not contain floor area; ~~or a roof or side walls consisting of greater than twenty percent (20%) component solid portions.~~ Arbors, trellises, pergolas, colonnades, and other similar features, as well as works of art cannot consist of a roof or side walls greater than twenty percent (20%) component solid portions when considered as Architectural Landscape Features. These features shall ~~are not be~~ considered "structures," as defined in this section, for setback purposes.

\* \* \*

**SECTION 5:** A new subsection E is added to ESMC §15-2-7 to read as follows:

\*\* \* \*

**E. Urban Mixed-Use South (MU-S) Zone:** In addition to other encroachments in nonresidential zoning districts, stairs; pedestrian ramps; and related safety guardrails; and unroofed patios; and decks may be located within setback areas as follows:

1. Stairs, pedestrian ramps, and related safety guardrails must maintain at least a three-foot (3') distance to a lot line.
2. Unroofed patios and decks must be enclosed by walls, fences, and/or hedges. These may be up to three (3') feet and six (6') inches in height maintain at least a ten-foot (10') distance to a property line. Unroofed patios and decks enclosed by walls, fences, and/or hedges exceeding three (3') feet and six (6') inches in height must maintain at least a 15-foot distance to a lot line.

**SECTION 6:** ESMC §15-21-6(B) "Nonresidential Restrictions," is amended to read as follows:

\*\* \* \*

**B.** After May 6, 2006, a nonconforming building or nonconforming use within any commercial or industrial zoning category may be increased up to the maximum allowable floor area ratio (FAR) as determined by this title or the El Segundo general plan. The expansion must meet the requirements of this title related to setbacks, lot coverage, height and parking, but is not required to compensate for any deficiency or nonconformity in the original building or use, except as follows:

1. In the Urban Mixed-Use South (MU-S) Zone, Architectural Building Features may project up to five (5') feet from the existing building face into required setback areas, but must maintain at least a 15-foot distance to a lot line.

**SECTION 7: CONSTRUCTION.** This Ordinance must be broadly construed in order to achieve the purposes stated in this Ordinance. It is the City Council's intent that the provisions of this Ordinance be interpreted or implemented by the City and others in a manner that facilitates the purposes set forth in this Ordinance.

**SECTION 8: ENFORCEABILITY.** Repeal of any provision of the El Segundo Municipal Code does not affect any penalty, forfeiture, or liability incurred before, or preclude prosecution and imposition of penalties for any violation occurring before this Ordinance's effective date. Any such repealed part will remain in full force and effect for sustaining action or prosecuting violations occurring before the effective date of this Ordinance.

**SECTION 9: VALIDITY OF PREVIOUS CODE SECTIONS.** If this entire Ordinance or its application is deemed invalid by a court of competent jurisdiction, any repeal or amendment of the ESMC or other city ordinance by this Ordinance will be rendered void and cause such previous ESMC provision or other the city ordinance to remain in full force and effect for all purposes.

**SECTION 10:** If any part of this Ordinance or its application is deemed invalid by a court of competent jurisdiction, the city council intends that such invalidity will not affect the effectiveness of the remaining provisions or applications and, to this end, the provisions of this Ordinance are severable.

**SECTION 11:** The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City of El Segundo's book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

**SECTION 12:** This Ordinance will become effective on the thirty-first (31st) day following its passage and adoption.

PASSED AND ADOPTED this \_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
Suzanne Fuentes, Mayor

ATTEST:

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    )    SS  
CITY OF EL SEGUNDO            )

I, Tracy Weaver, City Clerk of the City of El Segundo, California, do hereby certify that the whole number of members of the City Council of said City is five; that the foregoing Ordinance No. \_\_\_\_ was duly introduced by said City Council at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2014, and was duly passed and adopted by said City Council, approved and signed by the Mayor, and attested to by the City Clerk, all at a regular meeting of said Council held on the \_\_\_\_ day of \_\_\_\_\_, 2014, and the same was so passed and adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Tracy Weaver, City Clerk

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By: \_\_\_\_\_  
Karl H. Berger, Assistant City Attorney



# CITY OF EL SEGUNDO

## PLANNING COMMISSION STAFF REPORT

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**PUBLIC HEARING:** August 14, 2014

**SUBJECT:** 1) Environmental Assessment No. EA-1077 and Adjustment No. ADJ 14-06; and  
2) Environmental Assessment No. EA-1078 and Adjustment No. ADJ 14-07

**APPLICANTS:** 2120 Park Place, LP, and 2121 Park Place, LP  
(Patrick Perry)

**PROPERTY OWNERS:** 2120 Park Place, LP, and 2121 Park Place, LP

**REQUEST:** Adjustments to allow: 1) a two-foot, six-inch tall bench wall, and 2) a three-foot, six-inch tall landscape planter wall with four three-foot, six-inch tall benches to encroach 30 feet into the required 30-foot street-side setback in the Urban Mixed-Use South (MU-S) Zone

**PROPERTY INVOLVED:** 1) 2120 East Park Place and;  
2) 2121, 2145, and 2175 East Park Place

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### I. INTRODUCTION

The Planning and Building Safety Department received a request for two adjustments to allow: 1) a two-foot, six-inch tall bench wall at 2120 East Park Place and 2) a three-foot, six-inch tall landscape planter wall with four three-foot, six-inch tall benches at 2121, 2145, and 2175 East Park Place to encroach 30 feet into the required 30-foot street-side setback in the Urban Mixed-Use South (MU-S) Zone. El Segundo Municipal Code (ESMC) § 15-2-14(B)(3)(b) allows Architectural Landscape Features as defined in ESCM § 15-1-6 to encroach up to 80 percent (80%) of the required setback area provided the features do not have greater than twenty percent (20%) component solid portions. Encroachments which exceed these standards require approval of an Adjustment (ESMC § 15-2-14(B)(3)). The proposed benches, bench wall, and landscape planter encroach up to 100% into the required setback and have up to 100% component solid portions. The subject properties are located in the urban Mixed-Use South (MU-S) Zone at the intersection of East Park Place and Apollo Street.

3

The applicant proposes the adjustment in conjunction with an interior and exterior remodel of the existing buildings and the parking and landscaping areas around the existing buildings. The exterior work includes: a) Architectural Building Features, such as balconies, awnings, curtain walls, and architectural screens added to the existing building façades facing public streets; b) unroofed, enclosed patios and decks; c) Architectural Landscape Features, such as benches, seat walls, and landscape planter walls; and d) walkways, stairs, ramps, and related safety guardrails. Some of the proposed work would encroach into the required setback areas in the MU-S Zone, and the applicant has requested a separate application for a Zone Text Amendment (ZTA) to allow these types of features to encroach into the required setbacks in the MU-S Zone. The subject bench wall at 2120 East Park Place and the landscape planter wall with four benches at 2121, 2145, and 2175 East Park Place project farther into the required setbacks than permitted by current code or the proposed ZTA. Therefore, the applicant is requesting an adjustment consistent with the property perimeter landscaping provisions in ESMC § 15-2-14(B)(3).

## **II. RECOMMENDATION**

Adopt Resolution Nos. 2754 and 2755 approving: 1) Environmental Assessment No. EA-1077 and Adjustment No. ADJ 14-06; and 2) Environmental Assessment No. EA-1078 and Adjustment No. ADJ 14-07.

## **III. BACKGROUND**

The property at 2120 East Park Place is located at the southwest corner of Park Place and Apollo Street and is developed with a three-story concrete and glass building with parking on the third level and roof level. The bench wall subject to this adjustment request is located on the east side of the property fronting on Apollo Street. The proposed bench wall is two feet and six inches tall and is designed as a retaining wall to help flatten a portion of the property's front yard facing Apollo Street.

The second property at 2121, 2145, and 2175 East Park Place is located across the street and to the north of the first property. This property is developed with three buildings (two office buildings with rooftop parking and a parking structure). These buildings were constructed in 1970 and 1971. The proposed landscape planter wall is also designed as a retaining wall to flatten a portion of the property's street-side yard along Park Place.

The subject request was submitted on July 28, 2014. Pursuant to ESMC § 15-24-8, the Director of Planning and Building Safety referred the application for review by the Planning Commission.

#### **IV. ANALYSIS**

##### **Adjustment Application**

The applicant is proposing two adjustments from the permitted setback encroachments for Architectural Landscape Features. The adjustments are minor and are not anticipated to have negative impacts, in that the proposed bench wall at 2120 East Park Place and the proposed landscape planter wall and benches at 2121, 2145, and 2175 East Park Place will not exceed a height of two feet, six inches and three feet, six inches respectively. In addition, these features will complement the proposed new landscape and hardscape design for these properties, which will provide valuable pedestrian amenities to building occupants and other passersby.

The proposed adjustments are necessary for three reasons. First, the existing buildings on both properties were built (in 1970, 1971, and 1980) before the MU-S Zone setback requirements became effective. As a result, the existing buildings do not meet the 30-foot minimum building setback along Apollo Street and Park Place. The building at 2120 East Park Place has an approximate setback of 24 feet near the location of the proposed bench wall and the building at 2121 East Parking Place has an approximate setback of 23 feet near the location of the proposed landscape planter and benches. Second, the setback areas near the subject Architectural Landscape Features on both properties slope up from the street-facing lot line to the existing buildings on each site. The slope makes it necessary to construct retaining walls in order to flatten the setback areas and provide pedestrian amenities, such as walkways, seating, landscape planters, and other such features. Finally, the applicant is proposing to construct public improvements on both properties including a public sidewalk directly next to landscape features subject to the adjustment request. The proposed public sidewalk does not currently exist within the City's right-of-way and cannot currently accommodate it. The applicant has agreed to provide a public sidewalk on his private property at the request of the Public Works Department. The construction of a public sidewalk requires a substantial flattened area, which makes the proposed bench wall at 2120 East Park Place and the landscape planter wall at 2121, 2145, and 2175 East Park Place necessary in that they also serve as retaining walls. In conclusion, staff believes that the requested adjustments are necessary and reasonable in that the proposed Architectural Landscape Features complement landscape and hardscape design for the street-facing setback areas for the subject properties. Furthermore, the requested adjustments and overall design are consistent with the intent of the MU-S to encourage more pedestrian oriented, street level uses.

##### **Required Findings**

Pursuant to El Segundo Municipal Code §15-24-4, adjustments can only be granted if the Planning Commission makes the following findings:

- A. That the proposed adjustment would not be detrimental to the neighborhood or district in which the property is located;
- B. That the proposed adjustment is necessary in order that the applicant may not be deprived unreasonably in the use or enjoyment of his property; and
- C. That the proposed adjustment is consistent with the legislative intent of this Title.

Facts in support of said findings are outlined in the attached resolution of approval. These findings apply to the Adjustment application. Staff believes that there is adequate evidence to support the three required findings subject to the listed conditions of approval in the attached resolution. The Planning Commission may consider and impose additional conditions which it deems necessary, if it demonstrates a reasonable relationship between the condition it desires to impose and the project's impact.

**V. GENERAL PLAN CONSISTENCY**

The General Plan land use designation for the site is Urban Mixed-Use South and is consistent with the current zoning designation which is Urban Mixed-Use South (MU-S) Zone. The project is consistent with the General Plan as specified in the attached draft resolution.

**VI. INTER-DEPARTMENTAL COMMENTS**

The project applications and plans were circulated to City Divisions and Departments for review, comments, and conditions. The applicable comments have been incorporated as conditions of approval in the attached draft Resolution (Exhibit A).

**VII. ENVIRONMENTAL REVIEW**

The proposed project is categorically exempt from additional CEQA analysis pursuant to CEQA Guidelines §15305 which identified the project as a Class 5 (Minor Alterations in Land Use Limitations) and §15311 which identifies the project as a Class 11 (Accessory Structures). The project involves a minor exception to the setback requirements to allow minor accessory structures, such as benches, bench walls, and landscape planter walls (Architectural Landscape Features) not exceeding three feet and six inches in height to encroach up to 30 feet into a required 30-foot street-side setback. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. The project site is currently developed with commercial office uses and is surrounded by urban uses. Further, the site has no value as habitat for endangered, rare, or threatened species. There are adequate utilities and public services to serve the project.

**VIII. EXHIBITS**

- A. Draft Resolution Nos. 2754 and 2755
- B. Plans

Prepared by: Paul Samaras, Principal Planner



**Kimberly Christensen, AICP, Planning Manager**  
Department of Planning & Building Safety



**Sam Lee, Director**  
Department of Planning & Building Safety

## RESOLUTION NO. 2754

### A RESOLUTION APPROVING ENVIRONMENTAL ASSESSMENT NO. EA-1077 AND ADJUSTMENT NO. ADJ 14-06 TO ALLOW A TWO-FOOT, SIX-INCH TALL BENCH WALL TO ENCROACH INTO THE REQUIRED 30-FOOT STREET-SIDE SETBACK ON A PROPERTY LOCATED IN THE URBAN MIXED-USE SOUTH (MU-S) ZONE AT 2120 EAST PARK PLACE.

The Planning Commission of the City of El Segundo does resolve as follows:

SECTION 1: The Commission finds and declares that:

- A. On July 28, 2014, the applicant, 2120 Park Place, LP, submitted an application for Environmental Assessment No. EA-1077 and Adjustment No. ADJ 14-06 to allow a two-foot, six-inch tall bench wall to encroach into the required 30-foot street-side setback in the on a property located in the Urban Mixed-Use South (MU-S) Zone at 2120 East Park Place.
- B. The application was reviewed by the City's Planning and Building Safety Department for, in part, consistency with the General Plan and conformity with the El Segundo Municipal Code ("ESMC");
- C. In addition, the City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"), and the City's Environmental Guidelines (City Council Resolution No. 3805, adopted March 16, 1993);
- D. The Planning and Building Safety Department completed its review and scheduled a public hearing regarding the application before this Commission for August 14, 2014;
- E. On August 14, 2014, the Commission held a public hearing to receive public testimony and other evidence regarding the application including, without limitation, information provided to the Commission by 2120 Park Place, LP; and
- F. The Commission considered the information provided by City staff, public testimony, and 2120 Park Place, LP. This Resolution and its findings are made, in part, based upon the evidence presented to the Commission at its August 14, 2014 public hearing including, without limitation, the staff report submitted by the Planning and Building Safety Department.

SECTION 2: *Factual Findings and Conclusions.* The Commission finds that the following facts exist:

- A. The subject site is located in the Urban Mixed-Use South (MU-S) Zone at 2120 East Park Place.
- B. The subject site is developed with a three-story concrete and glass building with parking on the third level and the roof.
- C. The subject building is required to provide a minimum street side landscaping setback of 30 feet.
- D. Architectural Landscape Features are allowed to encroach up to eighty (80%) into a required setback provided the features do not have greater than twenty percent (20%) component solid portions.
- E. The existing building on the subject site encroaches six feet into the required street side setback along Apollo Street.
- F. The Adjustment request would allow a bench wall to encroach 100% into the required setback and have 100% component solid portions. The applicant proposes the Adjustment in conjunction with an interior and exterior remodel of the existing building and the landscaping areas around the existing building. The exterior work includes: a) Architectural Building Features; b) unroofed, enclosed patios and decks; c) Architectural Landscape Features, such as benches, seat walls, and landscape planter walls; and d) walkways, stairs, ramps, and related safety guardrails.

SECTION 3: Environmental Assessment. The proposed project is categorically exempt from additional CEQA analysis pursuant to CEQA Guidelines §15305 which identified the project as a Class 5 (Minor Alterations in Land Use Limitations) and §15311 which identifies the project as a Class 11 (Accessory Structures). The project involves a minor exception to the setback requirements to allow a bench wall, not exceeding two feet and six inches in height to encroach up to 30 feet into a required 30-foot street-side setback. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. The project site is currently developed with commercial office uses and is surrounded by urban uses. Further, the site has no value as habitat for endangered, rare, or threatened species. There are adequate utilities and public services to serve the project.

SECTION 4: General Plan Findings. The proposed project conforms to the City's General Plan as follows:

- A. The proposed Adjustment conforms with the Land Use Element Goals, Objectives and Policies. Specifically, the adjustment is consistent with Land Use Element Goal LU5 and Objectives LU5-1, LU5-2 and LU5-3 in that the amendment will help retain and attract clean and safe commercial and industrial uses and will facilitate the rehabilitation of currently substandard properties by allowing industrial and commercial property owners to efficiently use their properties when siting Architectural Landscape Features.

- B. The proposed Adjustment is consistent with the Economic Development Element Goals, Objectives and Policies. Specifically, it is consistent with Economic Development Element Objective ED1-2 and Policies ED1-2.1 and ED1-2.2 in that the use of Architectural Landscape Features within required street-facing setbacks will help improve properties aesthetically and promote a more pedestrian oriented environment in the MU-S Zone. These physical improvements will help maintain existing uses and attract more retail and office uses, which expand the City's tax base and improve its fiscal condition.
- C. The proposed Adjustment is consistent with Open Space and Recreation Policy OS 1-2.8 in that the use of landscape architectural features encourages the creation of active and passive open space areas within non-residential developments east of Sepulveda Boulevard.

SECTION 5: *Adjustment Findings.* After considering the above facts, the Commission finds as follows:

- A. That the proposed Adjustment would not be detrimental to the neighborhood or district in which the property is located.

The project involves construction of a two-foot, six-inch tall bench wall within the required street-facing landscaping setback of a property in the Urban Mixed-Use (MU-S) Zone. The subject bench wall is proposed in conjunction with an interior and exterior remodel of the existing building and the landscaping areas around the existing building. The exterior work includes: a) Architectural Building Features; b) unroofed, enclosed patios and decks; c) Architectural Landscape Features, such as benches, seat walls, and landscape planter walls; and d) walkways, stairs, ramps, and related safety guardrails. The intent of the remodel is to: 1) improve the physical appearance of the property; 2) provide enhanced building features and amenities; and 3) to bring more pedestrian activity outside the building and closer to the street. The improved appearance, enhanced building amenities, and more pedestrian-friendly environment will make the properties more attractive to creative office and/or light industrial uses. As a result, the proposed adjustment is not anticipated to have a detrimental effect on the neighborhood.

- B. That the proposed Adjustment is necessary in order that the applicant may not be deprived unreasonably in the use or enjoyment of his property.

The proposed Adjustment is necessary for three reasons. First, the existing building on the property was built in 1980 before the MU-S Zone setback requirements became effective. As a result, the existing building does not meet the 30-foot minimum building setback along Apollo Street. It has an approximate setback of 24 feet near the location of the proposed bench wall. Second, the setback areas near the subject bench wall slopes up from the street-facing lot line to the existing building onsite. The slope makes it



necessary to construct retaining walls in order to flatten the setback areas and provide pedestrian amenities, such as walkways, seating, landscape planters, and other such features. The construction of walkways requires a substantial flattened area, which makes the proposed bench wall necessary in that it also serves as a retaining wall. Thus, the proposed Adjustment is necessary so that the applicant is not unreasonably deprived in the use and enjoyment of the property.

- C. That the proposed Adjustment is consistent with the legislative intent of this Title.

The proposed Adjustment is consistent with the purpose of the ESMC, which is to serve the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources. As noted above, the proposed Adjustment will allow for pedestrian amenities in the flattened setback areas, including walkways, seating and landscape planters. In addition, the proposed Adjustment is consistent with the purpose of the Urban Mixed-Use South (MU-S) Zone to provide an area where a mixture of compatible uses can locate and develop in a mutually beneficial manner. Furthermore, it is consistent with the intent of the MU-S Zone to encourage businesses to provide street level uses which allow for, and facilitate, pedestrian activity for area workers and visitors. The proposed Adjustment also complies with the applicable provisions of ESMC Chapter 15-24 in that proper notice was provided and a hearing was scheduled for August 24, 2014. In addition, proper hearing decision procedures and records will be complied with, and the required findings will be considered.

SECTION 6: *Approval.* Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission approves Environmental Assessment No. EA-1077 and Adjustment No. ADJ 14-06.

SECTION 7: This Resolution will remain effective unless superseded by a subsequent resolution.

SECTION 8: The Commission Secretary is directed to mail a copy of this Resolution to Patrick Perry of 2120 Park Place, LP and to any other person requesting a copy.

SECTION 9: This Resolution may be appealed within ten (10) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

**SECTION 10:** Except as provided in Section 9, this Resolution is the Commission's final decision and will become effective immediately upon adoption.

**PASSED, APPROVED AND ADOPTED this 14th day of August, 2014.**

\_\_\_\_\_  
David Wagner, Chair  
City of El Segundo Planning Commission

ATTEST:

\_\_\_\_\_  
Sam Lee, Secretary

Wagner -  
Baldino -  
Newman -  
Nicol -  
Nisley -

APPROVED AS TO FORM:  
Mark D. Hensley, City Attorney

By: \_\_\_\_\_  
Karl H. Berger, Assistant City Attorney

## PLANNING COMMISSION RESOLUTION NO. 2754

### Exhibit A

#### CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Patrick Perry on behalf of 2120 Park Place LP agrees to comply with the following provisions as conditions for the City of El Segundo's approval of Environmental Assessment No. EA-1077 and Adjustment No. ADJ 14-06 ("Project Conditions"):

##### Planning Division Conditions

1. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and on file. Before the City issues a building permit, the applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Department. Any subsequent modification must be referred to the Director of the Planning and Building Safety Department for a determination regarding the need for Planning Commission review and approval of the proposed modification.
2. Before the City issues building permits, the applicant/property owner must submit landscaping and irrigation plans for any new or modified landscaping areas for review and approval by the Planning and Building Safety and Recreation and Parks Departments.
3. The Adjustment does not become effective until ten (10) days after the approval of Environmental Assessment No. EA-1076 and Zone Text Amendment No. ZTA 14-03 or, if an appeal is filed or a review called, until final determination is made on the appeal or review.
4. The Adjustment becomes null and void if the privileges granted in this Resolution are not utilized within one hundred eighty (180) days from the effective date of this Resolution or a final decision.
5. Before the City issues Building Permits, the applicant must submit a property survey to the Planning and Building Safety Department for review and approval. The survey must show the proposed bench wall location in relation to the street-facing lot line.

##### Building Safety Division Conditions

6. The applicant must comply with the 2013 California Building Code and El Segundo amendments as adopted by the ESCMC, as well as the 2013 California Green Building Standards Code.
7. Before the City issues building permits, the applicant must submit plans to the Building Safety Division for review and approval that clarify the location of the

required accessible parking spaces, and demonstrate that the project will not affect the existing disabled access parking systems.

8. New lighting systems must comply with the 2013 California Energy Code requirements.
9. Before the City issues building permits, the applicant must provide complete structural calculations, notes, and details for, without limitation, retaining walls, balconies, enclosed patios and decks (Refer to CBC 105.2 for exceptions).
10. Before the City issues building permits, the applicant must submit civil plans to the Building Safety Division for review and approval that show the property lines, the location of all existing structures on the site and those on adjacent properties within 15 feet of a property line, existing topography, and elevations, dimensions, location, extent and the slopes of all proposed grading shown by contours and other means.

#### Miscellaneous Conditions

11. Patrick Perry on behalf of 2120 Park Place, LP agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of Environmental Assessment No. EA-1077 and Adjustment No. ADJ 14-06, except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Environmental Assessment No. EA-1077 and Adjustment No. ADJ 14-06, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.

By signing this document, Patrick Perry on behalf of 2120 Park Place, LP certifies that he read, understood, and agrees to the Project Conditions listed in this document.

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Patrick Perry  
2120 Park Place, LP

{If Corporation or similar entity, needs two officer signatures or evidence that one signature binds the company}

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