

**CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT  
STAFF REPORT**

**DATE:** September 25, 2024

**TO:** Planning Commission

**FROM:** Ryan Heise, Acting Community Development Director

**THROUGH:** Adam Finestone, AICP, Planning Manager  
Ted Fatuross, Senior Planner

**BY:** Johnathon Masi, Associate Planner

**SUBJECT:** Consideration of an appeal of the Community Development Director's decision to approve a Coastal Development Permit to allow the replacement of an existing canopy at an existing service station at 2121 Highland Avenue, and finding the project categorically exempt from further review pursuant to the California Environmental Quality Act (United Pacific) (Planning Case Nos. PE-23-00142/CDP-23-00092).

**RECOMMENDATION**

Staff recommends that the Planning Commission: (1) conduct a public hearing; and (2) adopt the attached resolution approving a Coastal Development Permit (CDP), subject to conditions, finding the project categorically exempt from the California Environmental Quality Act (CEQA), and denying the appeal of the Community Development Director's decision.

**APPELLANT**

Todd Campbell  
228 21<sup>st</sup> Place  
Manhattan Beach, CA 90266

**APPLICANT**

Corona Construction Co. (Al Corona) on behalf of United Pacific

615 E. Allen Avenue  
San Dimas, CA 91773

## **BACKGROUND**

On November 28, 2023, the Community Development Department received an application requesting a CDP to allow the replacement of an existing canopy at an existing service station (Project) at 2121 Highland Avenue (Property). On August 8, 2024, the Community Development Director (Director) approved the CDP, subject to conditions, and determined that the Project is categorically exempt from further environmental review pursuant to CEQA. A copy of the approved CDP is included with this staff report (see Attachment B). On August 23, 2024, Todd Campbell (Appellant) appealed the Director's decision.

### Site Overview

The Project is proposed on a 5,410 square-foot parcel (APN 4178-013-029) located at 2121 Highland Avenue (Property) in the Local Commercial (CL) zoning district in Area District III. The Property has a General Plan land use designation of Local Commercial, is within the non-appealable portion of the Coastal Zone (CZ) and is currently improved with a service station. A service station use has been operating on the site since 1976.

### Site History

On July 6, 1976, the City Council adopted Resolution No. 3459, allowing a service station to operate between 6 am and 10 pm at 2121 Highland Avenue. On August 8, 1978 the Board of Zoning Adjustment adopted Resolution No. 78-37, amending the Conditional Use Permit to expand hours for the existing station to allow 24-hour operation of the site.

City Code Enforcement staff received a complaint in November 2022 regarding the removal of the canopy over the fuel pump stations. After reviewing City records, staff determined the business owner had begun work without permits. The applicant submitted an application for a commercial building permit in January 2023. The scope of work included demolishing and replacing the existing canopy with the same dimensions. At that time, staff determined that a CDP was not required based on the proposed scope of work. The building permit was issued in June 2023. After construction began, staff was made aware the structure exceeded the allowable height for the zone at which point staff met with the applicant to discuss the project. Staff informed the applicant a CDP was required, and that the structure was over the maximum allowable height for the zone. The applicant submitted a CDP application in November 2023, as well as a revision to their building permit.

The Property is surrounded by commercial and multi-family residential uses to the north (across Marine Avenue), commercial uses to the east (across Highland Avenue), and multi-

family residential to the south (across 21<sup>st</sup> Place) and west. The Vicinity Map (Attachment C) demonstrates the Property configuration and surrounding uses.

SITE OVERVIEW	
Location:	2121 Highland Avenue (see Vicinity Map)
Legal Description:	North Manhattan Beach Subdivision No. 2, Lots 1 and 2
General Plan Land Use:	Local Commercial
Zoning:	CL (Local Commercial)
Area District:	III
Existing & Proposed Land Use:	Service Station
Neighboring Zoning:	North: CL
	East: CL
	South: RM (Medium-Density Residential)
	West: RM

Governing Regulations

The Project has been reviewed for compliance with applicable regulations, including the City’s General Plan and Manhattan Beach Local Coastal Program (MBLCP).

*Manhattan Beach General Plan*

The General Plan is a long range policy document that identifies the community’s vision for its collective future and establishes the fundamental framework to guide decision-making about development, resource management, public safety, public services, and general community well-being. This vision is expressed in goals and policies that allow this vision to be accomplished. All projects are reviewed to ensure the project aligns with the General Plan’s goals and policies. The City’s General Plan was adopted in December 2003. General Plans contain required “elements”, or chapters, including a Land Use Element, which is used to guide the City’s development, maintenance, and improvement of land and properties. The Project was evaluated for conformance with the Land Use element goals and policies.

### *Manhattan Beach Local Coastal Program*

A portion of the City is under the jurisdiction of the California Coastal Act. The California Coastal Act authorizes coastal jurisdictions to create Local Coastal Programs (LCPs) that, as described by the California Coastal Commission's website, "specify appropriate location, type, and scale of new or changed uses of land and water. Each LCP includes a land use plan and measures to implement the plan (such as zoning ordinances). While each LCP reflects unique characteristics of individual local coastal communities, regional and Statewide interests and concerns must also be addressed in conformity with Coastal Act goals and policies." The California Coastal Commission certified the City's LCP in 1996.

The Project is located in the Coastal Zone; therefore, the Project was reviewed for compliance with the LCP, including but not limited to the following policy and sections:

- LCP Policy II.A.2: Preserve the predominant commercial building scale of one and two stories, by limiting any future development to a 2-story maximum, with a 30' height limitation as required by Sections ... A.16.030, ... of Chapter 2 of the Implementation Plan.
- LCP Chapter A.16 - governs commercial districts, including the Local Commercial (CL) zoning district where the Project is located. LCP Section A.16.020 allows service stations to be permitted with a use permit in the CL zone. A.16.030 includes development standards for CL properties, like maximum height requirements.
- LCP Chapter A.96 - establishes provisions and procedures for Coastal Development Permits.

### **PROJECT OVERVIEW**

As a note, the City acknowledges that the canopy that was previously on the site (prior to November 2022) was removed and is no longer existing. However, for the remainder of this report, it is considered existing because modifications to properties are evaluated based on what had previously been permitted, not necessarily what exists today. Absent any approval to make modifications, unpermitted structures are required to be returned to their previous state.

The Project would replace the existing canopy that covers the four fuel dispensers (total of eight fuel pumps) and construct a new canopy on the Property. The proposed canopy would retain the footprint of the existing canopy. The proposed canopy would have an increased vertical clearance and overall height from finished surface to the bottom of canopy than the existing canopy, however at 21.5 feet, it would be within the 22-foot height limit for flat roofed



structures in the CL zone. The existing restrooms and pay kiosk located at the northwest corner of the Property will remain, with no proposed changes to that structure included as part of this scope of work.

The table below provides information related to the height of the canopy (existing, proposed, and code requirement).

CANOPY HEIGHT		
Existing	Proposed	Maximum Permitted
17 ft.	21.5 ft.	22 ft.

## DISCUSSION

Pursuant to MBLCP Sections A.96.030(I) and A.96.040, the Project is considered a “development” and is required to obtain a CDP. Furthermore, pursuant to Sections A.96.030(D) and A.96.080(B) of the MBLCP, the Community Development Director, Planning Commission, and the City Council each possess decision-making authority on CDPs. Said decision-making authority is vested in whichever body has the responsibility for approving other permits required for the Project. In this instance, the Director is the decision-making authority.

### Director’s Decision

On August 8, 2024, the Director issued a CDP to allow the Project (see Attachment B) based on the Project’s compliance with development standards. Said approval was subject to conditions, and findings were made in support of the decision.

### Appeal of Director’s Decision

Pursuant to MBLCP Section A.96.160(A), “action by the Director of Community Development may be appealed to the Planning Commission,” and “[A]ny appeal by an aggrieved person [...] must be initiated within 15 days from the date of the decision.” On August 23, 2024, prior to the conclusion of the 15-day appeal period, an appeal of the Director’s decision was submitted to the Community Development Department (Case No. APPEAL-24-00020) by Todd Campbell (Appellant). Written materials included with the appeal are provided as Attachment D to this report..

### Staff Analysis of Appeal

Staff has reviewed the information included as part of the appeal, in addition to the supporting documentation provided by the Appellant. Staff’s analysis of, and response to, the Appellant’s assertions are as follows.

### *Structure Height and Clearance*

The primary basis for the appeal is related to the height of the proposed canopy. Much of the information provided by the Appellant objecting to the height of the canopy is related to the clearance under the canopy. However, the LCP does not identify a maximum clearance height for a canopy. Rather, it establishes a maximum height above a “reference elevation,” defined as “the average of the elevation at the four corners on the lot.” The maximum height above the reference elevation in the CL zone is typically 30 feet. However, as noted above, a structure with a roof pitch less than four vertical feet for each 12 lineal feet of roof area is limited to 22 feet in height. The Project has a roof pitch less than four vertical feet for each 12 lineal feet of roof area, and is thus limited to 22 feet above the reference elevation. As shown on the plans (Attachment F to this report), the maximum height of the canopy will be 21.5 feet.

### *Site Operations*

The applicant also raised concerns regarding past operational activities on the site. The service station is governed by a use permit approved by City Council Resolution No. 3459 in 1976, as amended by the Board of Zoning Adjustment in 1978. The operational concerns raised by the Appellant are not criteria reviewed for a CDP application to replace a canopy structure and are best addressed through the City’s Code Enforcement Division at the time they occur.

### Interdepartmental Review

The Building & Safety and Traffic divisions, along with the Public Works Department, have reviewed the request. The reviewing divisions and departments raised no concerns or objections to the Project that have not been adequately addressed. Compliance with all code provisions will be confirmed through the building plan check.

### Required Findings

When a project meets the required findings for a Coastal Development Permit, that project must be approved. Prior to the Director’s decision, staff reviewed the Project for compliance with the MBLCP, and recommended the Project for approval based on the required findings below. Staff believes that no evidence has been presented by the Appellant which would impact the findings made by the Director. As such, and based upon substantial evidence in the record, staff determined that the Project, as proposed and conditioned, meets the required findings for a CDP as demonstrated below.

*(A) That the project, as described in the application and accompanying material, or as modified by any conditions of approval, conforms with the certified LCP.*

The Property is located within Area District III and zoned Local Commercial (CL). The General Plan and Local Coastal Program/Land Use Plan designation for the Property is Local Commercial, which accommodates “neighborhood-oriented, small-scale

professional offices, retail businesses, and service activities that serve the local community.” Service stations are a conditionally permitted use in the CL zone (MBLCP Section A.16.020.) The existing service station use will remain and is not expanding; as such, the Project proposes minimal physical changes to the Property which are consistent with development standards outlined by the MBLCP. The Project will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use, and it will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

The Project is consistent with the commercial development policies of the Manhattan Beach Local Coastal Program, specifically Policy II.A.2, as follows:

Policy II.A.2: Preserve the predominant commercial building scale of one and two stories, by limiting any future development to a 2-story maximum, with a 30’ height limitation as required by Section ... A.16.030, ... of Chapter 2 of the Implementation Plan.

The CL zoning district further limits height for structures with flat roofs to 22 feet. As such, proposed 21.5-foot structure is consistent with the height limit for the zone and preserves the predominant scale of the area. The approximately 4.5 foot increase in the canopy height as compared to the 17 foot height of the previously existing canopy is within the allowed height for the zone, and thus is consistent with Policy II.A.2

*(B) If the project is located between the first public road and the sea, that the project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (Commencing with Section 30200 of the Public Resources Code).*

Pursuant to Section 30212(a)(2) of the Public Resources Code, the Project is located beyond the first public road and the sea. Therefore, conformity with public access and recreation policies is not required.

Nonetheless, the proposed structure does not impact public access to the shoreline. Adequate public access is provided and shall be maintained along Highland Avenue, Marine Avenue, and 21st Place. Furthermore, the project does not create any new barriers along Highland Avenue, Marine Avenue, and 21st Place that prevent public access to the coast.

## **ENVIRONMENTAL DETERMINATION**

The City has reviewed the Project for compliance with the California Environmental Quality Act (CEQA) and has determined that the Project qualifies for a Class 2 categorical exemption pursuant to Section 15302 Section 15302 (Replacement or Reconstruction). The project

proposes replacing an existing canopy, with one of similar size and purpose, in the same location, and at a height below what is allowed by the City's applicable height regulations. There are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Furthermore, none of the exceptions to the use of a categorical exemption described in CEQA Guidelines Section 15300.2 apply to the Project.

## **PUBLIC OUTREACH**

A public notice for the September 25, 2024, public hearing was published in The Beach Reporter, mailed to all property owners and residents within a 100-foot radius of the Property, and posted at City Hall, on September 12, 2024. Public comments are included as Attachment G to this report.

## **CONCLUSION**

Staff recommends that the Planning Commission conduct the public hearing and adopt the attached resolution approving the Coastal Development Permit (CDP), subject to conditions, making a determination of exemption under the California Environmental Quality Act (CEQA), and denying the appeal of the Community Development Director's decision.

## **ATTACHMENTS:**

- A. Draft Planning Commission Resolution No. PC 24-XX
- B. Approval Decision – Community Development Director
- C. Vicinity Map
- D. Appellant Materials – Todd and Dr. Lori Campbell
- E. Applicant's Written Documents
- F. Project Plans
- G. Public Comments

## RESOLUTION NO. PC 24-XX

**A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION APPROVING A COASTAL DEVELOPMENT PERMIT FOR THE REPLACEMENT OF AN EXISTING CANOPY AT AN EXISTING SERVICE STATION LOCATED AT 2121 HIGHLAND AVENUE (UNITED PACIFIC), FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT, AND DENYING A RELATED APPEAL.**

**THE MANHATTAN BEACH PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. On November 28, 2023, the Community Development Department received an application requesting a Coastal Development Permit (“CDP”) to allow the replacement of an existing canopy at an existing service station (“Project”) located at 2121 Highland Avenue (“Property”).

SECTION 2. On August 8, 2024, the Community Development Director (“Director”) approved the CDP, subject to conditions, and determined that the Project is exempt from environmental review.

SECTION 3. On August 23, 2024, the Community Development Department received an appeal of the Director’s decision (“Appeal”).

SECTION 4. On September 25, 2024, the Planning Commission held a duly noticed public hearing to consider the Appeal. At said hearing, evidence, both written and oral, was presented to the Planning Commission, including a staff report and staff presentation. All persons wishing to address the Commission regarding the Appeal, including the appellant and the applicant, were provided an opportunity to do so in compliance with the Brown Act.

SECTION 5. The Project qualifies for a Categorical Exemption from the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15302 (Replacement or Reconstruction) which allows replacement of a commercial structure with a new structure of substantially the same size, purpose, and capacity. Consistent with this exemption, the Project would replace an existing canopy with one of similar size and purpose, in the same location, and at a height below what is allowed by the City’s applicable height regulations. There are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Additionally, none of the exceptions to the use of a categorical exemption described in CEQA Guidelines Section 15300.2 apply to the Project.

SECTION 6. The record of the public hearing indicates:

- A. The legal description of the Property is: North Manhattan Beach Subdivision No. 2, Lots 1 and 2 The Property is located in Area District III and is zoned Local Commercial (CL), with a General Plan land use designation of Local Commercial. The Property is within the non-appealable portion of the City’s Coastal Zone, and surrounding properties are zoned CL to the north and east, and Medium-Density Residential (RM) to the south and west.
- B. The Project, includes no change to the existing use, which is permitted in the CL zone with a use permit. The reconstruction of the proposed canopy is considered a “development,” as defined in the Manhattan Beach Local Coastal Program (“LCP”). As such, a CDP is required for its construction.
- C. The Project has been reviewed for conformance with all applicable development standards and other regulations contained in the LCP and the Manhattan Beach General Plan.
- D. The Property is governed by a Conditional Use Permit (Resolutions No. 3459 and 78-37). Because the use and operational characteristics are not changing an amendment to the Conditional Use Permit is not required.

SECTION 7. Based upon substantial evidence in the record, and pursuant to Section A.96.150 of the Manhattan Beach Local Coastal Program (“LCP”), the Planning Commission hereby makes the following findings related to the CDP:

- A. That the project, as described in the application and accompanying material, or as modified by any conditions of approval, conforms with the certified LCP.

The Property is located within Area District III and zoned Local Commercial (CL). The General Plan and Local Coastal Program/Land Use Plan designation for the Property is Local Commercial, which accommodates “neighborhood-oriented, small-scale professional offices, retail businesses, and service activities that serve the local community.” Service stations are a conditionally

permitted use in the CL zone (MBLCP Section A.16.020.) The existing service station use will remain and is not expanding; as such, the Project proposes minimal physical changes to the Property which are consistent with development standards outlined by the MBLCP. The Project will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use, and it will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City. The Project is consistent with the commercial development policies of the Manhattan Beach Local Coastal Program, specifically Policy II.A.2 as follows:

Policy II.A.2: Preserve the predominant commercial building scale of one and two stories, by limiting any future development to a 2-story maximum, with a 30' height limitation as required by Sections ... A.16.030, ... of Chapter 2 of the Implementation Plan.[With a 22 foot height limit applicable to flat roof structures.]

The CL zoning district further limits height for structures with flat roofs to 22 feet. As such, proposed 21.5-foot structure is consistent with the height limit for the zone and preserves the predominant scale of the area. The approximately 4.5 foot increase in the canopy height as compared to the 17 foot height of the previously existing canopy is within the allowed height for the zone, and thus is consistent with Policy II.A.2.

- B. If the project is located between the first public road and the sea, that the project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (Commencing with Section 30200 of the Public Resources Code).

Pursuant to Section 30212(a)(2) of the Public Resources Code, the Project is located beyond the first public road and the sea. Therefore, conformity with public access and recreation policies is not required. Nonetheless, the proposed structure does not impact public access to the shoreline. Adequate public access is provided and shall be maintained along Highland Avenue, Marine Avenue, and 21st Place. Furthermore, the project does not create any new barriers along Highland Avenue, Marine Avenue, and 21st Place that prevent public access to the coast.

**SECTION 8.** Based upon the foregoing, the Planning Commission hereby approves the CDP, subject to the conditions below, and denies the Appeal.

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Community Development Department.
2. Expiration. The Coastal Development Permit shall expire one year from the date of approval if the project has not commenced during that time. (A project is deemed to have commenced if a building permit has been issued and substantial expenditures have been made in reliance on that permit.) The Community Development Director may grant a reasonable extension of time for due cause. Said time extension shall be requested in writing by the applicant or authorized agent prior to the expiration of the one-year period.
3. Compliance. All development must occur in substantial conformance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans shall be reviewed and approved by the Community Development Director.
4. Interpretation. Any questions of intent or interpretation of any condition shall be resolved by the Community Development Director.
5. Inspections. The Community Development Department staff shall be allowed to inspect the site and the development during construction at any time.
6. Assignment. The permit may be assigned to any qualified persons subject to submittal of the following information to the Community Development Director:
  - a. A completed application and application fee as established by the City's Fee Resolution;
  - b. An affidavit executed by the assignee attesting to the assignee's agreement to comply with the terms and conditions of the permit;
  - c. Evidence of the assignee's legal interest in the property involved and legal capacity to

undertake the development as approved and to satisfy the conditions required in the permit;

- d. The original permittee's request to assign all rights to undertake the development to the assignee; and
  - e. A copy of the original permit showing that it has not expired.
7. The project shall be developed in conformance with all applicable development standards of the CL zoning district, and Chapter 2 of the Local Coastal Program - Implementation Plan.
  8. Terms and Conditions are Perpetual; Recordation of Covenant. The provisions, terms and conditions set forth herein are perpetual, and are binding on the owner, its successors-in-interest, and, where applicable, all tenants and lessees of the site. Further, the owner shall submit the covenant, prepared and approved by the City, indicating its consent to the conditions of approval of this Resolution, and the City shall record the covenant with the Office of the County Clerk/Recorder of Los Angeles. Owner shall deliver the executed covenant, and all required recording and related fees, to the Community Development Department within 45 calendar days of receipt of a signed copy of this Resolution. Notwithstanding the foregoing, the Director may, upon a request by owner, grant an extension to the 45-day time limit. The Project approval shall not become effective until the covenant is recorded.

SECTION 9. Indemnity, Duty to Defend and Obligation to Pay Judgments and Defense Costs, Including Attorneys' Fees, Incurred by the City. The property owner shall defend, indemnify, and hold harmless the City, its elected officials, officers, employees, volunteers, agents, and those City agents serving as independent contractors in the role of City officials (collectively "Indemnitees") from and against any claims, damages, actions, causes of actions, lawsuits, suits, proceedings, losses, judgments, costs, and expenses (including, without limitation, attorneys' fees or court costs) in any manner arising out of or incident to this approval, related entitlements, or the City's environmental review thereof. The owner shall pay and satisfy any judgment, award or decree that may be rendered against the City or the other Indemnitees in any such suit, action, or other legal proceeding. The City shall promptly notify the owner of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. If the City fails to promptly notify the owner of any claim, action, or proceeding, or if the City fails to reasonably cooperate in the defense, the owner shall not thereafter be responsible to defend, indemnify, or hold harmless the City or the Indemnitees. The City shall have the right to select counsel of its choice. The owner shall reimburse the City, and the other Indemnitees, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Nothing in this Section shall be construed to require the owner to indemnify Indemnitees for any Claim arising from the sole negligence or willful misconduct of the Indemnitees. In the event such a legal action is filed challenging the City's determinations herein or the issuance of the approval, the City shall estimate its expenses for the litigation. The owner shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 10. This Resolution shall become effective when all time limits for appeal as set forth in LCP Section A.96.160 have expired.

SECTION 11. The Secretary of the Planning Commission shall certify to the adoption of this Resolution and shall forward a copy of this Resolution to the Applicant. The Secretary shall make this resolution readily available for public inspection.

*[Continued on following page]*

SECTION 12. This CDP shall lapse one year after its date of approval, unless implemented or extended pursuant to Section A.96.170 of the LCP.

September 25, 2024

---

**Kristin Sistos**  
Planning Commission Chair

I hereby certify that the following is a full, true, and correct copy of the Resolution as **ADOPTED** by the Planning Commission at its regular meeting on **SEPTEMBER 25, 2024**, and that said Resolution was adopted by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

**Adam Finestone**  
Secretary to the Planning Commission

---

**Tatiana Maury**  
Recording Secretary





# City of Manhattan Beach

## Community Development

---

Phone: (310) 802-5500 FAX: (310) 802-5501 TDD: (310) 546-3501

### **COASTAL DEVELOPMENT PERMIT**

On August 8, 2024, the Community Development Department of the City of Manhattan Beach granted United Pacific (applicant) this permit (PE-23-00142/CDP-23-00092) for the development described below, subject to the attached standard and special conditions.

Site: 2121 Highland Avenue (APN: 4175-025-020)

Zoning: Local Commercial (CL), Area District III

Description: Demolition and replacement of an existing gas station canopy

CEQA: The project is Categorically Exempt from CEQA per Sections 15301 "Existing Facilities" and 15302 "Replacement or Reconstruction" of the CEQA Guidelines, as the project would demolish and replace a canopy at an existing gas station, involving no expansion of the existing use. There are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances.

Issued by: Johnathon Masi, Associate Planner

COMMUNITY DEVELOPMENT DEPARTMENT  
Talyn Mirzakhonian, Community Development Director

*Talyn Mirzakhonian*

---

**Acknowledgment:**

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions thereof.

Signature of Permittee:  Date: 8/20/2024

**Required Findings:** (Per Section A.96.150 of the Local Coastal Program)

*Written findings are required for all decisions on Coastal Development Permits. Such findings must demonstrate the following: (A) That the project, as described in the application and accompanying material, or as modified by any conditions of approval, conforms with the certified Manhattan Beach Local Coastal Program; and (B) If the project is located between the first public road and the sea, that the project is in conformity with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (Commencing with Section 30200 of the Public Resources Code).*

As proposed and conditioned, the project meets Part (A) of the required findings for the reasons described below:

The property is located within Area District III and is zoned Local Commercial (CL). The General Plan and Local Coastal Program/Land Use Plan designation for the property is Local Commercial, which accommodates “areas for neighborhood-oriented, small-scale professional offices, retail businesses, and service activities that serve the local community.” The neighboring properties are developed with residential and commercial uses. The proposed gas station canopy serves the “service station” use, which is a conditionally permitted use in the CL zoning district and is in conformance with the City’s General Plan land use designation of Local Commercial; as such, the project will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use, and it will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

The project is consistent with the commercial development policies of the Manhattan Beach Local Coastal Program, specifically Policy II. A.2 as follows:

II.A.2: The proposed structure is consistent with the maximum commercial building height in the coastal zone neighborhood and complies with the applicable standards of the Local Coastal Program-Implementation Plan as shown in the table below:

Development Standard	Project Proposal	LCP Requirement
Height	21.5 feet	22 feet maximum

The proposed project is not subject to Part (B) of the required findings for the reasons described below:

As the project site is located east of Ocean Avenue, it is not located between the first public road and the sea; therefore, it is not subject to this finding. Nonetheless, the proposed structure does not impact public access to the shoreline. Adequate public access is provided and shall be maintained along Highland Avenue, Marine Avenue, and 21<sup>st</sup> Place. Furthermore, the project does not create any new barriers along Highland Avenue, Marine Avenue, and 21<sup>st</sup> Place that prevent public access to the coast.

**Standard Conditions:**

1. Notice of Receipt and Acknowledgment. The permit is not valid, and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Community Development Department.
2. Expiration. The Coastal Development Permit shall expire one year from the date of approval if the project has not commenced during that time. The Community Development Director may grant a reasonable extension of time for due cause. Said time extension shall be requested in writing by the applicant or authorized agent prior to the expiration of the one-year period.
3. Compliance. All development must occur in substantial conformance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans shall be reviewed and approved by the Community Development Director.
4. Interpretation. Any questions of intent or interpretation of any condition shall be resolved by the Community Development Director.
5. Inspections. The Community Development Department staff shall be allowed to inspect the site and the development during construction at any time.
6. Assignment. The permit may be assigned to any qualified persons subject to submittal of the following information to the Community Development Director:
  - a. A completed application and application fee as established by the City's Fee Resolution;
  - b. An affidavit executed by the assignee attesting to the assignee's agreement to comply with the terms and conditions of the permit;

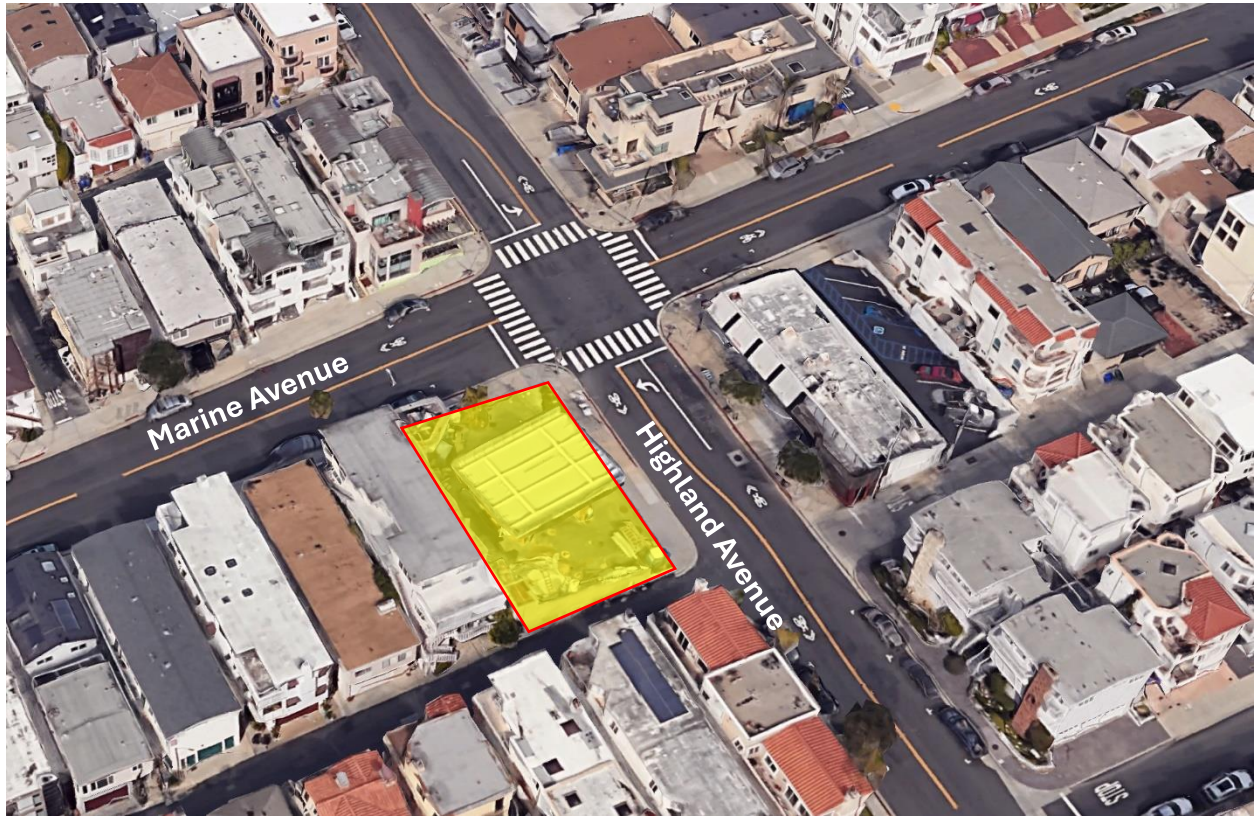
- c. Evidence of the assignee's legal interest in the property involved and legal capacity to undertake the development as approved and to satisfy the conditions required in the permit;
  - d. The original permittee's request to assign all rights to undertake the development to the assignee; and,
  - e. A copy of the original permit showing that it has not expired.
7. Terms and Conditions are Perpetual. These terms and conditions shall be perpetual, and it is the intention of the Community Development Director and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

**Special Conditions:**

8. The project shall be developed in conformance with all applicable development standards of the CL zoning district, and Chapter 2 of the Local Coastal Program - Implementation Program.

Attachment C. Vicinity Map

2121 Highland Avenue



THIS PAGE

INTENTIONALLY

LEFT BLANK

July 25, 2024

Ms. Talyn Mirzakhanian, Community Development Director  
Mr. Johnathon Masi, Associate Planner  
Planning and Zoning Department  
1400 Highland Avenue  
Manhattan Beach, CA 90266

**Re: STONGLY OPPOSE UNLESS AMENDED TO 13' 9" CLEARANCE: Project Location and File No.: 2121 Highland Avenue (PE-23-00142/CDP-23-00092)**

Dear Ms. Mirzakhanian:

Thank you for providing us with the opportunity to comment on the Applicant's project proposal (PE-23-00142/CDP-23-00092) located at 2121 Highland Avenue for the "demolition and replacement of an existing gas station canopy" by providing us with formal notice via US Mail on Monday, July 22, 2024. This is the first time we received any notice by the City about the Applicant's project proposal.

It should be noted that, while we do not oppose the Applicant's desire to construct a new canopy for operation purposes, we **STRONGLY OPPOSE** the Applicant's proposal as filed on July 11, 2024, with the City of Manhattan Beach as outlined on the city's website (see: <http://www.manhattanbeach.gov/home/showpublishedDocument/54903/638563156741130000>) for the following reasons.

## **PROCESS**

Reviewing the City's Notice of Application for a Coastal Development Permit received on Monday, July 22, 2024, by US Mail, it states that the Applicant's filing date for the proposed project for "Demolition and replacement of an existing gas station canopy" was filed on November 26, 2023. However, it should be noted that the foundational support for the canopy that is in the ground today at 2121 Highland is not the structure that the Applicant wishes to replace for this site.

That is because the Applicant already demolished the old canopy (in or around early November of 2023) prior to filing a proper project application with the city. Nor did the applicant file public notice to the surrounding businesses and residents about said project.

Further, the Applicant was forced to stop construction of the replacement canopy (which is now partially constructed onsite) when several residents in our neighborhood noticed that the replacement canopy was demonstrably higher than its predecessor. It was at this time that the City informed the Applicant that they had violated the City's planning rules and would have to go through the process of filing a formal permit application.

To be clear, the Applicant attempted to skirt the City’s process by quickly demolishing and replacing the old canopy with a new canopy structure that was substantially taller and, therefore, more impacting on the surrounding properties where ocean views dictate property values and residential enjoyment. Unfortunately, the Applicant’s plans to build this project “under the cover of night” did not work and we thank the City of Manhattan Beach for stepping in and requiring the Applicant to follow the City’s planning rules.

### CITY MUST AVOID SETTING BAD PRECEDENTS FOR BAD ACTORS

We **STONGLY OPPOSE** the proposed project in its current condition as allowing the Applicant to proceed would set a horrible precedent for the City of Manhattan Beach. It would send a dangerous signal that business or residential property owners can commit the foul and beg for forgiveness post-violation. That is not how the City of Manhattan Beach works.

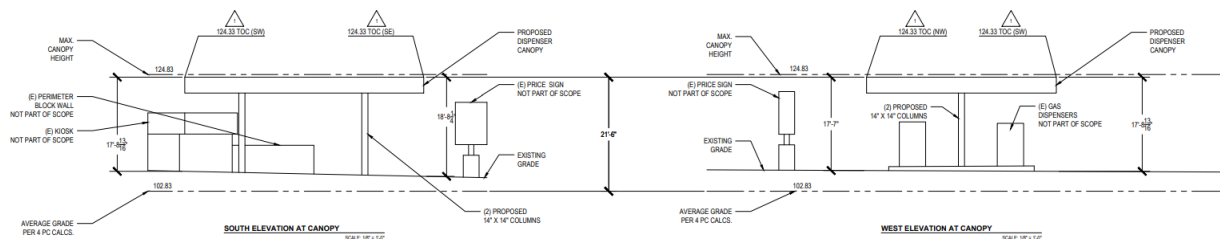
Specifically, the Applicant blatantly attempted to sidestep the City’s planning rules and process by failing to provide the surrounding impacted properties with a public notice describing the project. Rather, the Applicant demolished the existing canopy and attempted to quickly rebuild it with the current unfinished structure without:

- A) filing a proper Application for a Coastal Development Permit with the City of Manhattan Beach; and,
- B) Providing adequate public notice to the surrounding business and residential properties in a community that highly values its ocean views.

It should also be noted that the current replacement structure onsite is markedly taller than the prior canopy by at least 4+ feet. In our conversations with Austin Chavira starting in late November, we were told that the current structure’s clearance height is roughly 18+’ and this was done without any written justification by the Applicant.

At a minimum, the City must deny the Applicant’s ability to use the current structure onsite at its current height as it violates the City’s maximum height ordinance for such structures.

Further, it is not clear by the notice received on Monday, July 21, 2024, why the applicant needs to increase the clearance of the proposed canopy to 14’ 6” when prior canopies on this site were 13’ 2” or 13’ 9”. Has the vehicle customer profile somehow changed?





The new clearance height of 14'6" was obtained through a communication with Johnathan Masi on the City's Planning staff today, July 24, 2024.

### **APPLICANT'S HISTORY DEMONSTRATES A PATTERN OF BEING A BAD ACTOR**

On numerous occasions, the Applicant (or its predecessor) has a history of flagrantly violating its Conditional Use Permit (CUP) under Resolution No. 3459. Specifically, the Applicant's CUP restricts the Applicant's operation of the station as follows:

“(a) That the hours of operation be 6:00 A.M. to 10:00 P.M. and delivery of fuel must be within the hours of operation.

(b) That all noise be subject to Ordinance No. 1362 (Sec. 5-7.101 et seq. of the Manhattan Beach Municipal Code) for residential uses, including the air compressor located on the southwest corner of the subject sits.

Sadly, this Applicant (or the predecessor) has a history of sending steam cleaning crews or fueling trucks to 2121 Highland as early as 3 A.M. on a consistent basis. These operations are very loud and disruptive to the neighboring properties as demonstrated in this photo. We would be happy to send the full video upon request.



Activity recorded on March 16, 2022. Video will be provided upon request.

I also would like to take this opportunity to warn the Applicant that all future violations of the CUP will be recorded and shared with the City Manager and the Code Enforcement Division from this point on. We will no longer allow the Applicant to re-fuel this station in the middle of the night without repercussions.

## APPLICANT'S REASONING TO RAISE CANOPY HEIGHT MISLEADING/FALSE

During our conversations with the City's Planning Division, we were told that the Applicant wanted to raise the proposed canopy to 18' due to Class 7-8 Heavy-Duty Vehicle heights or a new state requirement established by California. Unfortunately for the Applicant, I work for a national transportation fuel provider that specifically fuels heavy- and medium-duty trucks and buses in over 43 U.S. continental states. We, therefore, can authoritatively state that there is **NO REASON** for a canopy to be set at a clearance level of 18', 17', 16', 15' or even 14'. That is why we are **STONGLY OPPOSED** to the new plans provided on the website.

To further support our logic on why a 14+' canopy clearance is unreasonable, we personally did a quick random survey of local gas stations in the South Bay to demonstrate that a clearance height set at or above 14' is unprecedented. Here is what we found:

- A) Union 76 @ 247 Pacific Coast Highway, Redondo Beach, CA 90277: 13' 2".



B) ARCO @ 2730 Marine Avenue, Redondo Beach, CA 90278: 13' 6".

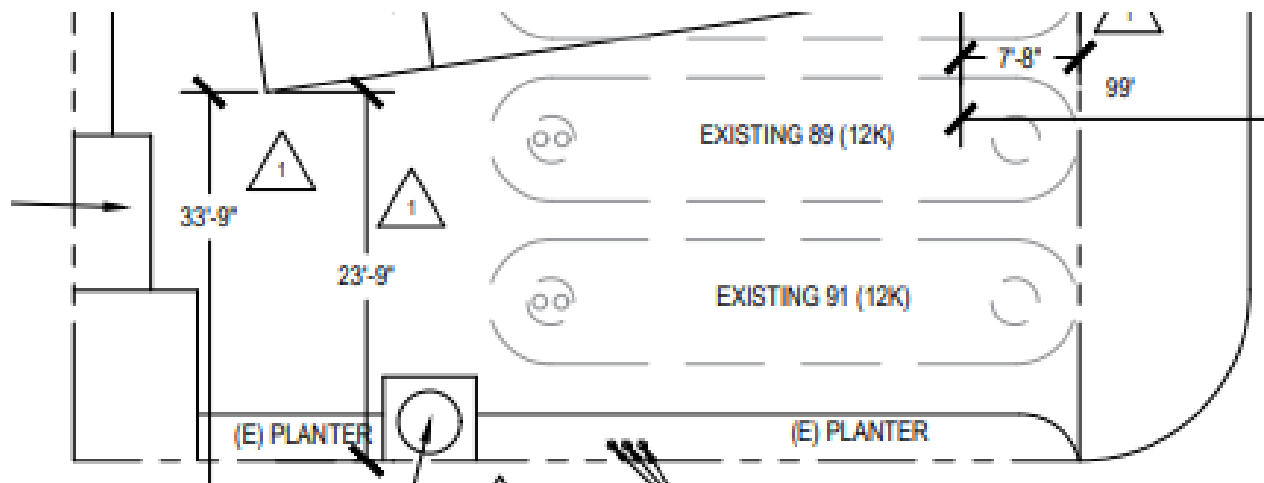


C) Costco @ 14501 Hindry Avenue, Hawthorne, CA 90250: 13' 6".



Please make a special note of the Hawthorne Costco site example. This is a high-volume station, unlike the project site 2121 Highland, and it is fully functional with a clearance height of 13' 6". Additionally, observe the gasoline tank truck fueling the station outside of Costco's canopy.

Much like Costco, our observations of 2121 Highland over the past 17 years of living in our home demonstrates that this station is also fueled outside of the canopy to prevent any potential gasoline fume build-up that could lead to an explosive episode. In other words, gasoline and diesel tanker trucks never operate below the station's canopy. But, even if they did, there would be no issue as these vehicles do not have height profiles that pose an issue.



*This area is the fueling area for the station's tanker trucks (note: not under the canopy).*

Finally, 2121 is a postage stamp location. There is no way due to its slope and size that it could service heavy- or medium-duty trucks with ease. This is particularly the case if a heavy- or medium-duty truck is carrying a 20' or 40' trailer equivalent unit (TEU or trailer).

### **2121 HIGHLAND IS A PASSENGER CAR STATION, NOT A HDDV DESTINATION**

The Applicant, according to the City of Manhattan Beach's Planning Division, attempted to make the case that the station occasionally fuels heavy- to medium-duty trucks that require the Applicant to raise the clearance height of the station. However, it is our understanding that heavy- and medium-duty trucks are somewhat restricted in their operations in and around residential properties and 2121 is located predominantly in a residential area. Further, the station is the size of a postage stamp on a slope and with tight turns that are not conducive to fleet fueling.

Additionally, most heavy- and medium-duty fleets at the regional level are "return-to-base" fleets. They do not typically fuel up with regional fueling stations unless they have a contract fueling agreement to do so. Contract fueling agreements are also rare in terms of their use as it is typically not in a fleet's economic interest as it is less efficient than fueling at their base.



Further, we sincerely doubt that the City of Manhattan Beach's Panning Division would like to encourage heavy- or medium-duty truck fueling in a neighborhood so close to a coastal zone for a whole host of reasons. Property values and aesthetic charm come to mind.

### **HISTORICAL UNION 76 CLEARANCE LEVELS**

We **STRONGLY OPPOSE** the proposed project if it proposes to build a canopy that does not represent the identical canopy that it intends to replace, especially when the Applicant attempted to sidestep public process. Over the past 17 years that we have lived here, the canopy has shown two clearance levels:

A) 13' 9" – September 7, 2008.



B) 13' 2" – November 28, 2023.



We have no objection to the Applicant rebuilding the canopy to either height which we feel is very reasonable. We do **STRONGLY OBJECT** to a canopy above 13' 9" as the Applicant has yet to demonstrate to the public why such a canopy height is necessary.

## **CONCLUSION**

It should be made clear that we are **NOT OPPOSED** to the Applicant replacing the gas station canopy at 2121 Highland **IF IT CONFORMS** to the prior canopy in height: 13' 9". We are not unreasonable.

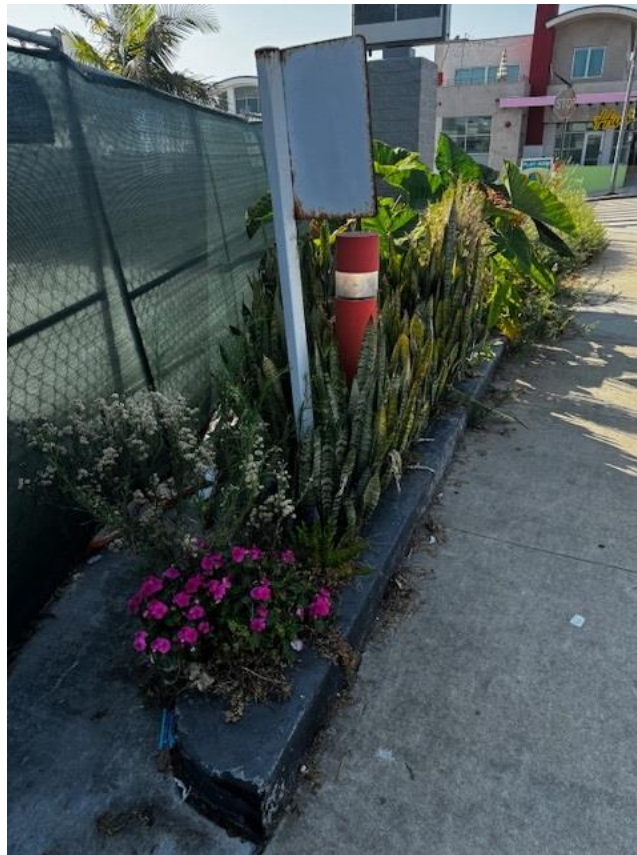
In fact, we welcome the replacement of the canopy as the Applicant's misstep in public process and violation of the City's permitting process has created both a NEXTDOOR speculation and a total eyesore to the immediate community in terms of possible chemical exposures and weed infestations.



*Concerning chemicals are protruding through the retaining wall along 21<sup>st</sup> PL.*



*Weeds building up around the 2121 Highland property, creating localized problems for neighboring property owners.*



*Planter along Highland in disrepair.*





*Weeds are overcoming Lotto and safety post.*



*Disease is clearly present in Union 76's unkept garden.*





*Signage is rusting and unbecoming of the neighborhood.*

We therefore strongly request that the City of Manhattan Beach deny any plans by the Applicant that does not reflect a canopy that replicates a 13' 9" or less clearance. We also request that City Planning staff provide us with written correspondence within a timely manner of the Applicant's desired clearance height and the canopy's fascia height as it is not clear from the Applicant's plans submitted on the website. Thankfully, Johnathan Masi verified that the proposed clearance from the proposed site plans is 14' 5".

Finally, we would be happy to meet with the Applicant to come to an amicable resolution if the Applicant does not wish to put forward a project application that conforms to a 13' 9" or less height. Short of that, we would like to signal our intent to file an appeal to the Planning Board with the \$500 fee if the Planning Division decides to approve the Applicant's current proposal as presented. We therefore would like to consult with the City's Planning Staff over the next few days to ensure we do not miss any deadlines to do so.

We would like to thank the City for the opportunity to express our concerns over the Applicant's proposal (PE-23-00142/CDP-23-00092) and look forward to working with the City and the Applicant through this process.

Most Sincerely,



Todd R. Campbell  
Former Mayor, City of Burbank  
Resident, 228 21<sup>st</sup> Place  
Manhattan Beach, CA 90266  
[toddcpl@verizon.net](mailto:toddcpl@verizon.net)  
(562) 708-1701

*Lori Campbell*

Dr. Lori Campbell  
Dept. of Veterans Affairs  
Resident, 228 21<sup>st</sup> Place  
Manhattan Beach, CA 90266

Cc:

Bruce Moe, City Manager, [bmoe@citymb.info](mailto:bmoe@citymb.info)  
Mayor Joseph Franklin, [jfranklin@manhattanbeach.gov](mailto:jfranklin@manhattanbeach.gov)  
City Council Member Richard Montgomery, [rmontgomery@manhattanbeach.gov](mailto:rmontgomery@manhattanbeach.gov)



Phone: 909 879 2900  
Contractor's License #872310

1426 S. WILLOW AVENUE RIALTO CA 92376-7720

---

Date: July 29, 2024

Project Address: 2121 Highland Ave. Manhattan Beach, CA 90266

Pan Check No. BBLDC-23-00311

Scope Of work: New 36'-0" x 45'-4" (2) Column Service Station Canopy

To Whom It May Concern,

The previous canopy at the subject address had a 13'-9" clearance height which is measured from the drive slab to the the bottom of the canopy fascia. 13'-6" is California's minimum allowed canopy clearance height and similar clearance heights are usually only seen on older canopies which are prone to being damaged by trucks and trailers.

Typically, new canopies are being designed with a clearance height in the range of 15'-0" to 16'-6". This is being used as the industry standard to ensure there's adequate clearance for almost every scenario. Driver and vehicle safety are the main reasons for the taller canopies.

The proposed canopy would have a 14'-7" clearance height to provide ten inches of additional clearance while maintaining an overall canopy height below the 22' max. requirement specified by the AHJ.

Thank you,

Brain Collins  
Calcraft Corporation - Project manager

THIS PAGE

INTENTIONALLY

LEFT BLANK



- SHEET INDEX**
- S1: SITE PLAN & SCOPE OF WORK
  - TE1: TOPOGRAPHIC EXHIBIT
  - E1: DISPENSER CANOPY ELEVATIONS

**NOTE:**  
- SURVEY AND ELEVATION DRAWINGS DETERMINE POSSIBLE SIZE INCREASE OF CANOPY

**ZONING INFORMATION**  
CL, AD III  
APN: 4178013029

- SCOPE OF WORK**
1. DEMO EXISTING CANOPY COMPLETELY.
  2. REMOVE EXISTING CANOPY FOUNDATION.
  3. INSTALL NEW FOUNDATION.
  4. INSTALL NEW CANOPY STRUCTURE.
  5. REUSE EXISTING ELECTRICAL.
  6. REMOVE AND REINSTALL EXISTING CANOPY SIGNAGE.
  7. NEW WORK TO BE DONE ONLY ON THE EXISTING CANOPY. NO WORK TO BE DONE ON REMAINING EXISTING ITEMS.
  8. ALL STORM WATER RUNOFF FROM PROPOSED, REPLACEMENT CANOPY, IMPERVIOUS AREAS SHALL BE ROUTED TO PERVIOUS SURFACES OR LANDSCAPING PRIOR TO REACHING THE PUBLIC DRAIN SYSTEM.
  9. NO WORK WILL BE PERFORMED IN THE RIGHT-OF-WAY.

- PUBLIC WORKS NOTES**
1. ALL LANDSCAPE IRRIGATION BACKFLOW DEVICES MUST MEET CURRENT CITY REQUIREMENTS FOR PROPER INSTALLATION
  2. NO DISCHARGE OF CONSTRUCTION WASTEWATER, BUILDING MATERIALS, DEBRIS, OR SEDIMENT FROM THE SITE IS PERMITTED. NO REFUSE OF ANY KIND GENERATED ON A CONSTRUCTION SITE MAY BE DEPOSITED IN RESIDENTIAL, COMMERCIAL, OR PUBLIC REFUSE CONTAINERS AT ANY TIME. THE UTILIZATION OF WEEKLY REFUSE COLLECTION SERVICE BY THE CITY'S HAULER FOR ANY REFUSE GENERATED AT THE CONSTRUCTION SITE IS STRICTLY PROHIBITED. FULL DOCUMENTATION OF ALL MATERIALS/TRASH LANDFILLED AND RECYCLED MUST BE SUBMITTED TO THE PERMITS DIVISION IN COMPLIANCE OF THE CITY'S CONSTRUCTION AND DEMOLITION RECYCLING ORDINANCE.
  3. EROSION AND SEDIMENT CONTROL DEVICES BMPs (BEST MANAGEMENT PRACTICES) MUST BE IMPLEMENTED AROUND THE CONSTRUCTION SITE TO PREVENT DISCHARGES TO THE STREET AND ADJACENT PROPERTIES. BMPs MUST BE IDENTIFIED AND SHOWN ON THE PLAN. CONTROL MEASURES MUST ALSO BE TAKEN TO PREVENT STREET SURFACE WATER ENTERING THE SITE.
  4. ALL STORM WATER, NUISANCE WATER, ETC. DRAIN LINES INSTALLED WITHIN THE STREET RIGHT OF WAY MUST BE CONSTRUCTED OF 3" CAST IRON PIPE AND LABELLED ON THE SITE PLAN. DRAIN LINES MUST BE SHOWN ON THE PLANS. CONNECTING ON-SITE DRAINAGE LINE TO SEWER LATERAL IS STRICTLY PROHIBITED.
  5. ALL CONCENTRATED RUNOFF WATER FROM THE ROOF AND SIDE YARDS AND PATIOS MUST DISCHARGE ONTO HIGHLAND AVENUE/21ST PLACE/MARINE AVENUE THROUGH THE DRAIN LINES AND MUST BE SHOWN ON THE PLANS WITH ALL REQUIRED OUTLET FLOW LINE ELEVATIONS AT THE DISCHARGE POINT.
  6. COMMERCIAL ENTERPRISES MUST COMPLY WITH THE NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) CLEAN WATER REQUIREMENTS. DISCHARGE OF MOP WATER, AC CONDENSATE, FLOOR MAT WASHING, TRASH CAN CLEANING AND/OR WASHING OUT TRASH ENCLOSURES INTO THE STREET OR STORM DRAIN SYSTEM IS PROHIBITED.
  7. B.M.C. 5.84.060, 5.84.090.
  8. SIDEWALK, DRIVEWAY, CURB, AND GUTTER CONSTRUCTION, REPAIRS OR REPLACEMENT MUST BE COMPLETED PER PUBLIC WORKS SPECIFICATIONS. SEE CITY STANDARD PLANS ST-1, ST-2, ST-3 AND ST-10.
  9. CONTRACTOR TO PROTECT IN PLACE ALL EXISTING PROPERTY CORNERS DURING CONSTRUCTION. IF ANY OF THE PROPERTY CORNERS ARE REMOVED OR DESTROYED DURING CONSTRUCTION, IT WOULD BE THE RESPONSIBILITY OF THE CONTRACTOR TO RESTORE THEM.
  10. ALL EXISTING OR CONSTRUCTION RELATED DAMAGES OR DISPLACED CURB/GUTTER, SIDEWALK, DRIVEWAY APPROACH OR STREET MUST BE REPLACED AND SHOWN ON THE PLANS. ADDITIONAL PUBLIC IMPROVEMENTS MAY BE REQUIRED DURING AND/OR NEAR THE COMPLETION OF CONSTRUCTION PER M.B.M.C. 9.72 AS DETERMINED BY THE PUBLIC WORKS INSPECTOR BASED ON CONDITIONS OF PUBLIC IMPROVEMENTS.
  11. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT ALL THE STREET SIGNS, STREET LAMPS/LIGHTS, WALLS/FENCES, AND/OR TREES AROUND THE PROPERTY. IF THEY ARE DAMAGED, LOST OR REMOVED, IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO REPLACE THEM AT THE CONTRACTOR'S EXPENSE. CONTACT THE PUBLIC WORKS INSPECTOR FOR SIGN SPECIFICATION AND SUPPLIERS.
  12. IF A NEW SEWER LATERAL IS TO BE INSTALLED AT A DIFFERENT LOCATION ON THE SEWER MAIN LINE, THE OLD LATERAL MUST BE CAPPED AT THE PROPERTY LINE AND AT THE MAIN LINE. PRIOR TO STRUCTURE DEMOLITION A SEWER CAP VERIFICATION AND APPROVAL FROM PUBLIC WORKS INSPECTOR IS REQUIRED.
  13. WATER METERS MUST REMAIN ACCESSIBLE FOR METER READERS DURING CONSTRUCTION. WATER METERS SHALL BE PLACED NEAR THE PROPERTY LINE AND OUT OF THE DRIVEWAY APPROACH WHENEVER POSSIBLE. WATER METER PLACEMENT MUST BE SHOWN ON THE PLANS. SEE CITY STANDARD PLAN ST-15. FOR EXISTING WATER SERVICE RELOCATIONS AND/OR ABANDONMENT, WATER SERVICE MUST BE CAPPED AT THE MAIN AND AT THE METER.
  14. THE WATER METER BOX MUST BE PURCHASED FROM THE CITY, AND MUST HAVE A TRAFFIC RATED LID IF THE BOX IS LOCATED IN THE DRIVEWAY.
  15. ALL TRASH ENCLOSURES SHALL BE ENCLOSED, HAVE A ROOF, BUILT IN SUCH A MANNER THAT STORM WATER WILL NOT ENTER, AND A DRAIN INSTALLED THAT EMPTIES INTO THE SANITARY SEWER SYSTEM. FLOOR DRAIN OR SIMILAR TRAPS DIRECTLY CONNECTED TO THE DRAINAGE SYSTEM SHALL BE PROVIDED WITH AN APPROVED AUTOMATIC MEANS OF MAINTAINING THEIR WATER SEALS. SEE 1007.0 TRAP SEAL PROTECTION IN THE UNIFORM PLUMBING CODE. CONTACT THE CITY'S REFUSE CONTRACTOR FOR SIZING OF THE ENCLOSURE. DRAWINGS OF THE TRASH ENCLOSURE MUST BE ON THE PLAN, AND MUST BE APPROVED BY THE PUBLIC WORKS DEPARTMENT BEFORE A PERMIT IS ISSUED. SEE STANDARD PLAN ST-25. IF THE TRASH ENCLOSURE DRAWINGS ARE NOT ON APPROVED BUILDING PLANS, THEN THEY MUST BE SUBMITTED AS A DEFERRED SUBMITTAL.
  16. COMMERCIAL ESTABLISHMENTS ARE REQUIRED, BY MUNICIPAL CODE 5.24.030 (C)(2) TO HAVE A SUFFICIENT REFUSE AND RECYCLING STORAGE SPACE TO ENCLOSE A COMMERCIAL LIFT CONTAINER(S). THE REFUSE STORAGE SPACE OR FACILITY MUST BE SCREENED FROM PUBLIC VIEW AND BE EITHER CONSTRUCTED WITHIN THE BUILDING STRUCTURE OR IN A SCREENED ENCLOSURE ON PRIVATE PROPERTY. PLEASE READ THE CODE SECTION FOR FURTHER CLARIFICATION.
  17. ALL WORK DONE WITHIN THE PUBLIC RIGHT-OF-WAY SHALL BE DONE BY A LICENSED CONTRACTOR WITH A CLASS A, C-12 OR C-34 LICENSE FOR ALL TRENCHING AND PAVING OR A CLASS C-08 LICENSE FOR ALL CONCRETE WORK. A CLASS B LICENSE MAY BE ACCEPTABLE FOR MINOR CURB, GUTTER AND SIDEWALK WORK CONSTRUCTED IN CONJUNCTION WITH A SINGLE-FAMILY RESIDENTIAL STRUCTURE. A SEPARATE PERMIT IS REQUIRED FOR WORK IN THE PUBLIC RIGHT-OF-WAY.
  18. PLAN HOLDER MUST HAVE THE PLANS RECHECKED AND STAMPED FOR APPROVAL BY THE PUBLIC WORKS DEPARTMENT BEFORE THE BUILDING PERMIT IS ISSUED.
    - 18.a. THE CONTRACTOR SHALL MONITOR, SUPERVISE AND CONTROL ALL CONSTRUCTION AND CONSTRUCTION SUPPORTIVE ACTIVITIES, SO AS TO PREVENT THESE ACTIVITIES FROM CAUSING A PUBLIC NUISANCE, INCLUDING BUT NOT LIMITED TO, ENSURING STRICT ADHERENCE TO THE FOLLOWING:
      - 18.b. REMOVAL OF DIRT, DEBRIS, OR OTHER CONSTRUCTION MATERIAL DEPOSITED ON ANY PUBLIC STREET NO LATER THAN THE END OF EACH WORKING DAY.
      - 18.c. ALL EXCAVATIONS SHALL BE BACKFILLED AT THE END OF EACH WORKING DAY AND ROADS OPENED TO VEHICULAR TRAFFIC UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER.
      - 18.d. ALL DUST CONTROL MEASURES PER SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (SCAQMD) REQUIREMENTS SHALL BE ADHERED TO DURING CONSTRUCTION OPERATIONS.
      - 18.e. ALL CONSTRUCTION TO BE IN CONFORMANCE WITH THE REGULATIONS OF CAL-OSHA.

IT SHALL BE THE DUTY OF EVERY PERSON CUTTING OR MAKING AN EXCAVATION IN OR UPON ANY PUBLIC PLACE, TO PLACE AND MAINTAIN BARRIERS AND WARNING DEVICES FOR THE SAFETY OF THE GENERAL PUBLIC. M.B.M.C. 7.16.080. IF ANY EXCAVATION IS MADE ACROSS ANY PUBLIC STREET, ALLEY, OR SIDEWALK, ADEQUATE CROSSINGS SHALL BE MAINTAINED FOR VEHICLES AND PEDESTRIANS. M.B.M.C. 7.16.100.



REVISIONS		
NO.	DATE	DESCRIPTION
1	3/6/23	CORRECTIONS
2	4/27/23	CORRECTIONS
3	9/12/23	COLUMN LOCATION CHANGES (SEE CA1 & CF1)
4	6/30/24	PROBABLE CANOPY SIZE CHANGE & ZONING INFO



**P.E. VINH DUC L. DANG**  
(925) 209-9969  
ASI@ASIDVM.COM

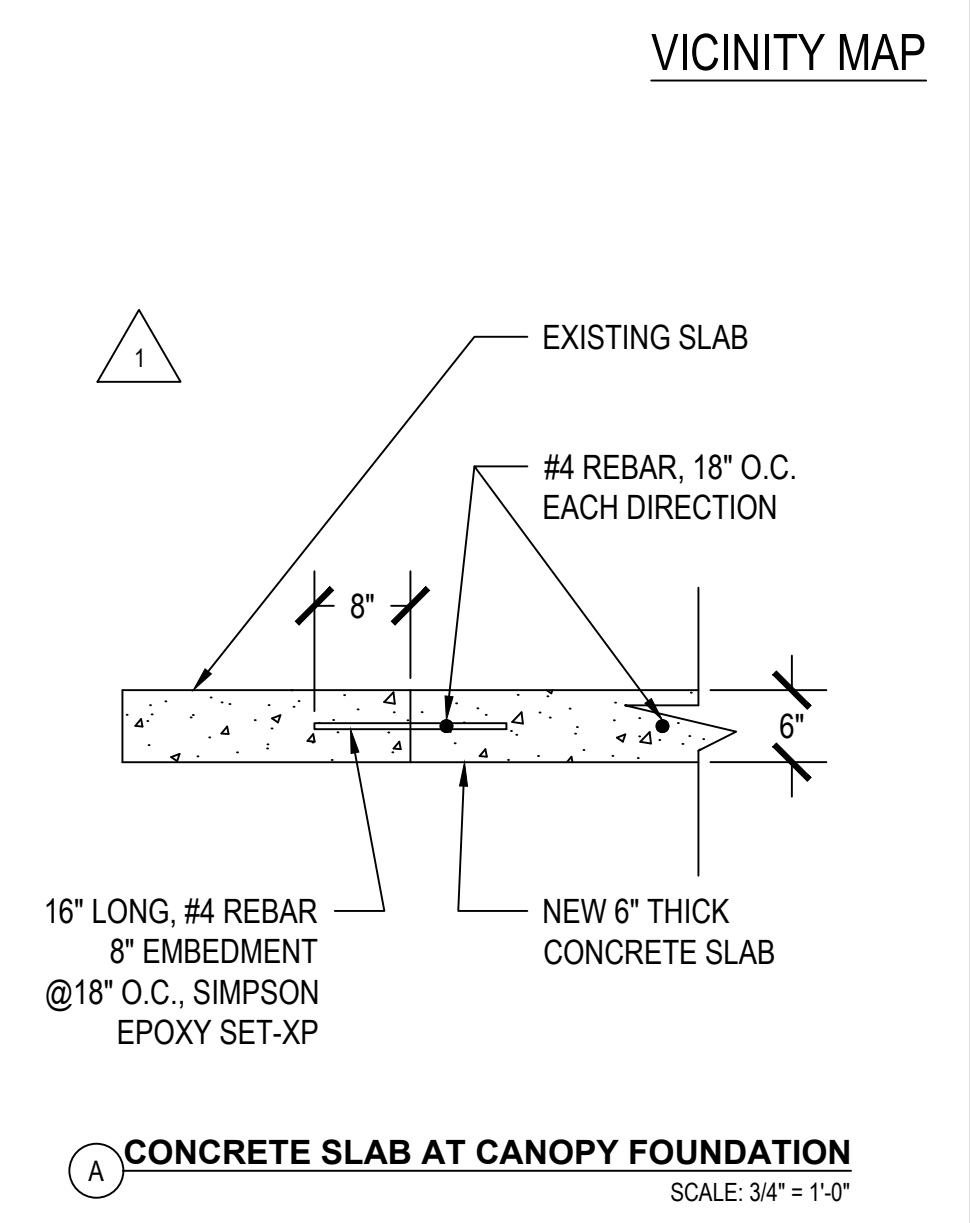
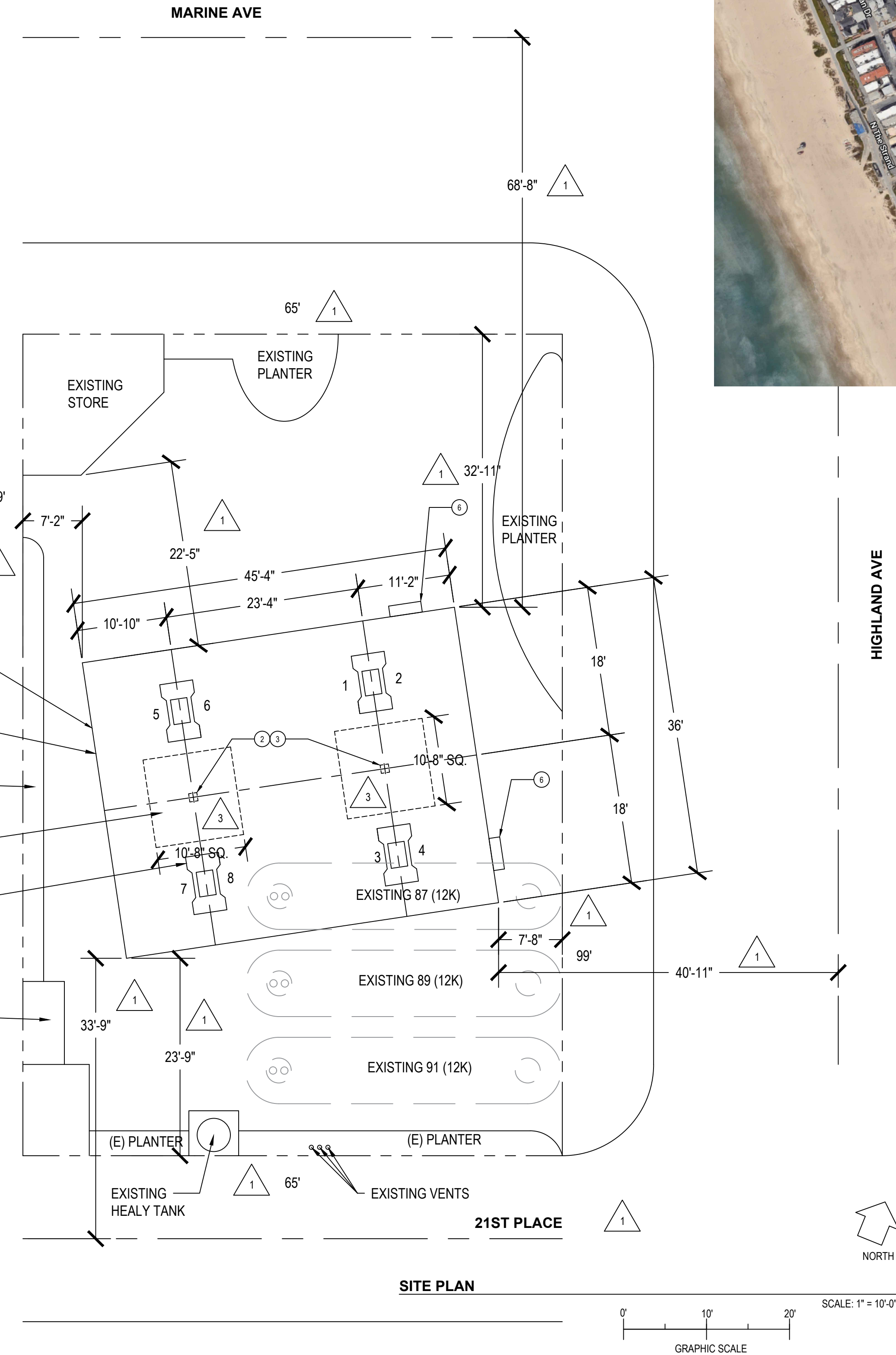
**OWNER:**  
UNITED PACIFIC  
4130 COVER ST.  
LONG BEACH, CA 90808  
PHONE: 310-323-3992

**CONTRACTOR:**  
CORONA CONSTRUCTION CO.  
615 E. ALLEN AVE.  
SAN DIMAS, CA 91773  
PHONE: 626-926-7487  
CA. LIC. #797455  
CLASS A-B-HAZ C10  
EXPIRES 07/21/2025

**SITE PLAN & SCOPE OF WORK**  
SITE ADDRESS:  
UNITED PACIFIC #0618  
2121 HIGHLAND AVE  
MANHATTAN BEACH, CA 90266

SCALE: AS NOTED  
DRAWN BY: ETHAN BUI  
DATE: 1/2/23  
JOB NO. 0618  
DRAWING NO. S1  
CHECKED BY: ALVARO CORONA

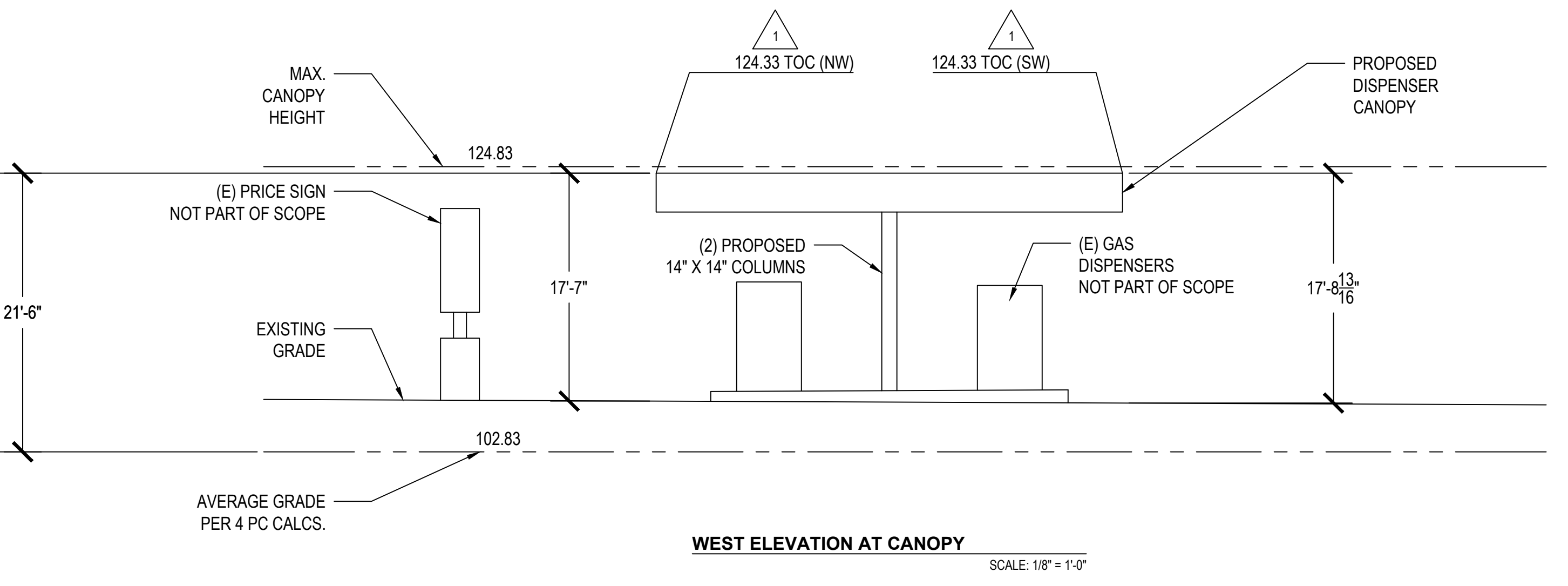
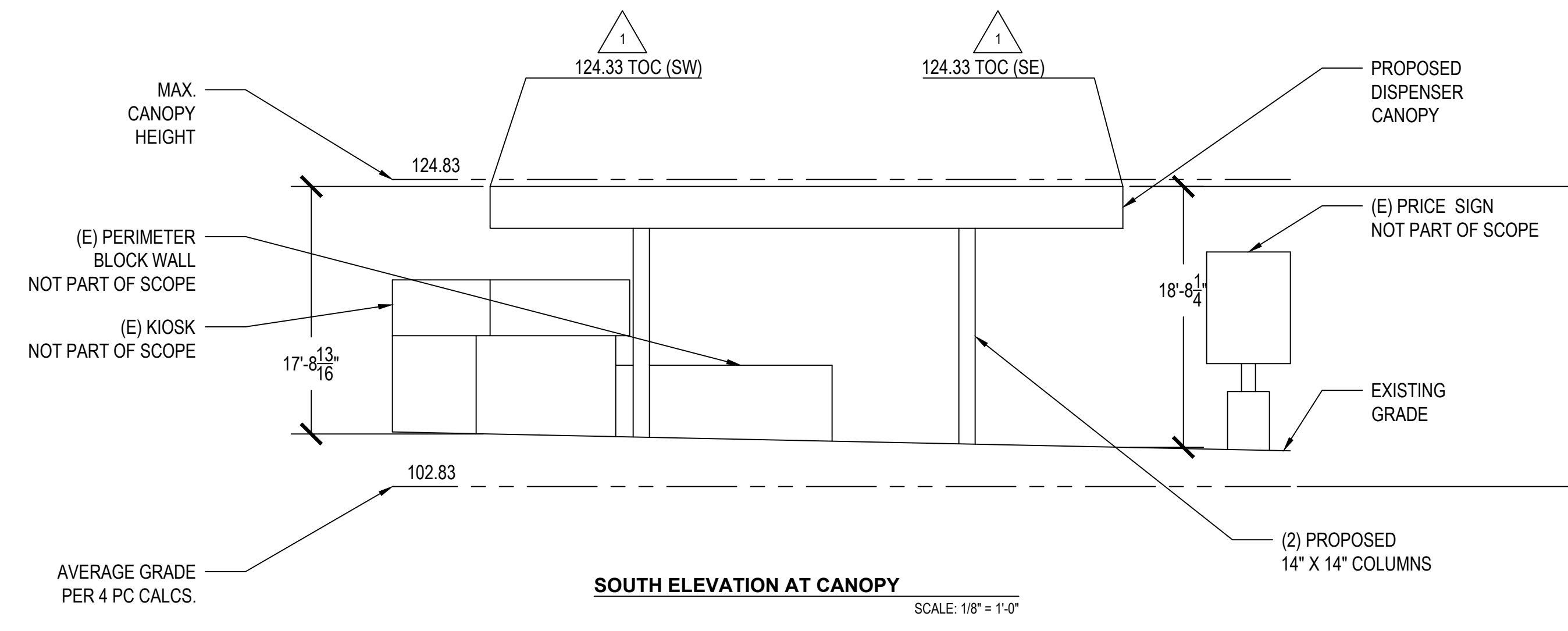
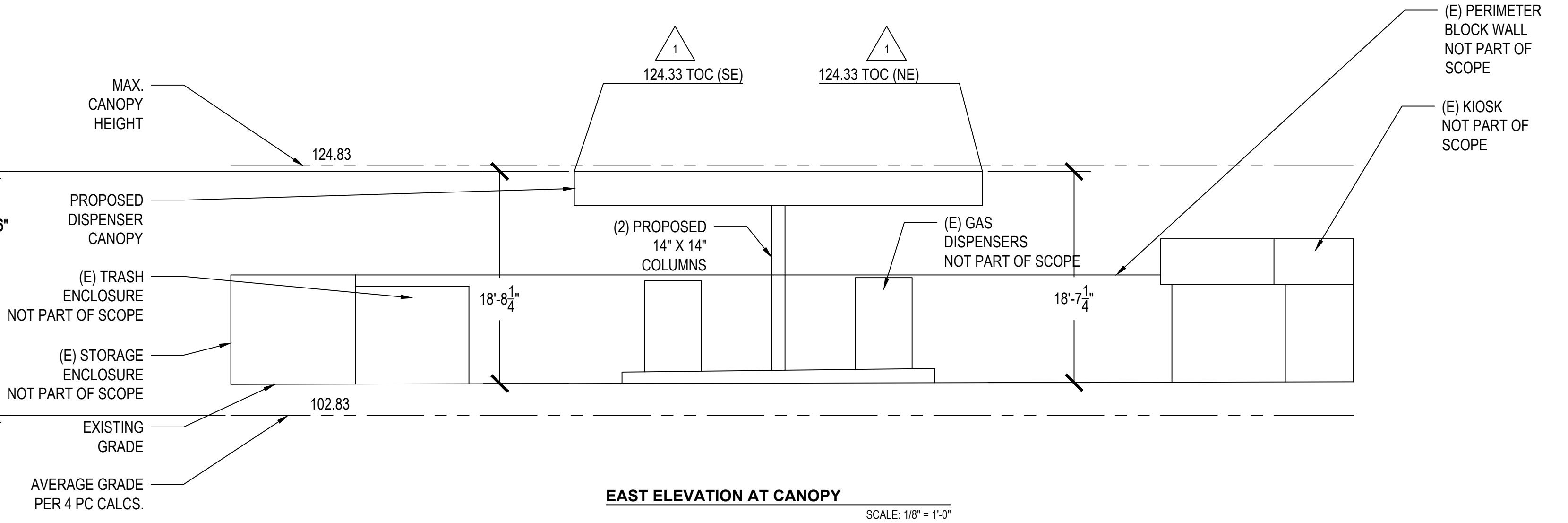
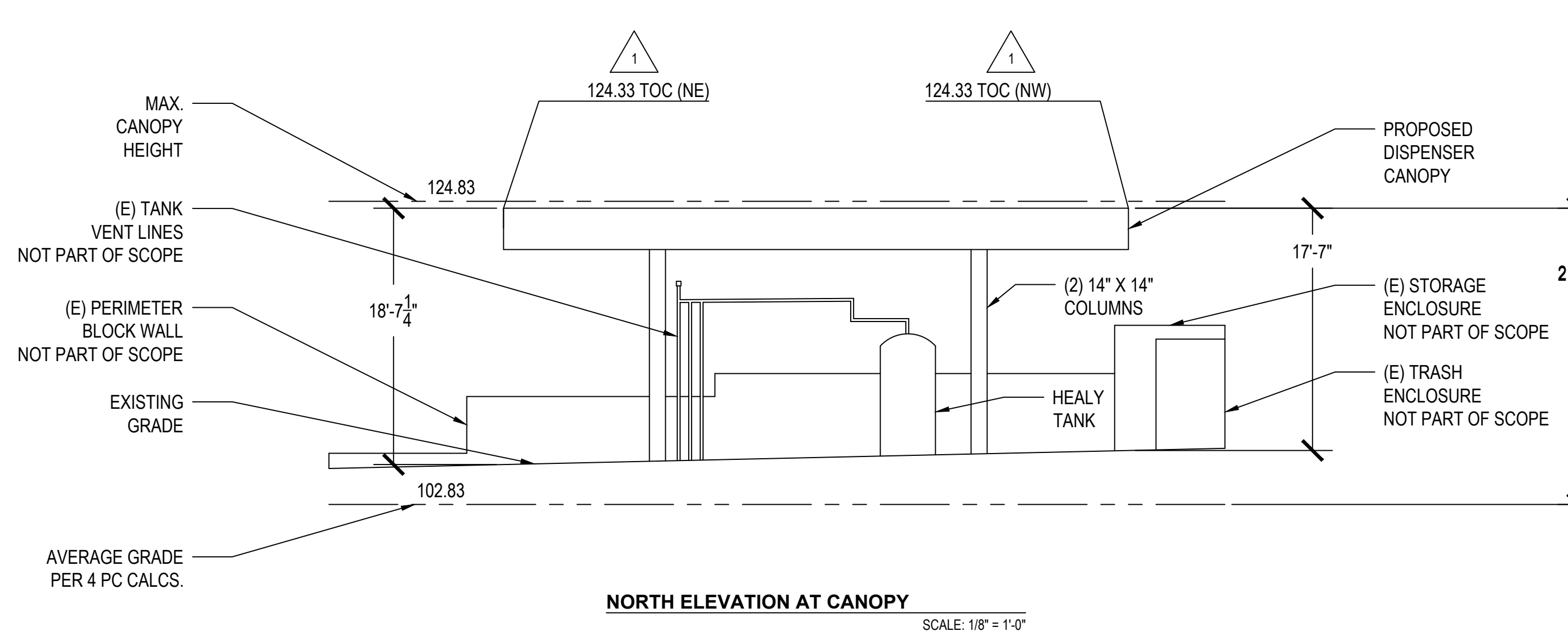
**SHEET**  
**S1**







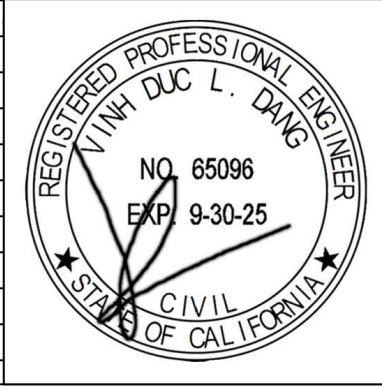




Property Corners		22' Max Height	Proposed T.O.C.	Difference	Status
NW	105.52 PC				
NE	106.05 PC				
SE	103.98 PC				
SW	95.75 PC				
102.83 average		124.83	124.33	-0.50	Under



REVISIONS		
NO.	DATE	DESCRIPTION
1	6/30/24	ADDED CANOPY HEIGHT ABOVE SEA LEVEL



**OWNER:**  
UNITED PACIFIC  
4130 COVER ST.  
LONG BEACH, CA 90808  
PHONE: 310-323-3992

**CONTRACTOR:**  
CORONA CONSTRUCTION CO.  
615 E. ALLEN AVE.  
SAN DIMAS, CA 91773  
PHONE: 626-926-7487  
CA. LIC. #797455  
CLASS A-B-HAZ C-10  
EXPIRES 07/21/2025

**DISPENSER CANOPY ELEVATIONS**  
SITE ADDRESS:  
UNITED PACIFIC #0618  
2121 HIGHLAND AVE  
MANHATTAN BEACH, CA 90266

SCALE: AS NOTED  
DRAWN BY: ETHAN BUI  
DATE: 12/10/23  
JOB NO.: 0618  
DRAWING NO.: E1  
CHECKED BY: ALVARO CORONA

**SHEET**  
**E1**

THIS PAGE

INTENTIONALLY

LEFT BLANK





terri maioriello &lt;neferterri@gmail.com&gt;

**Appeal**

1 message

terri maioriello <neferterri@gmail.com>  
To: terri maioriello <neferterri@gmail.com>

Thu, Sep 19, 2024 at 12:09 PM

IN REGARDS: TO SUPPORT APPEALING THE COMMUNITY DIRECTORS DECISION TO APPROVE A COASTAL DEVELOPMENT PERMIT FOR THE REPLACEMENT CANOPY AT 2121 HIGHLAND.

I LIVE/OWN 2104 UNIT A HIGHLAND AVE. VIEWS ARE A PREMIUM IN MANHATTAN BEACH, WHICH IS ODD THAT THE GAS STATION OPERATOR FEELS IT NECESSARY TO SET THE NEW CANOPY AT AN ABNORMAL HEIGHT, CAUSING ME TO LOSE PART OF THE VIEW I HAD WHEN I BOUGHT MY HOME. IT IS AT LEAST 4 FEET HIGHER THAN OTHER LOCAL STATIONS (INCLUDING ONES THAT APPEAR TO BE OPERATED BY THE SAME OPERATOR).

THIS STATION IS LOCATED IN WHAT IS MOSTLY A RESIDENTIAL HOME NEIGHBORHOOD. IT IS NOT A MAIN THOROUGHFARE OR ALONG A GOODS MOVEMENT CORRIDOR. WHY IS THE OPERATOR BUILDING A STRUCTURE THAT IS WAY LARGER THAN EVEN MOST TRUCK STATIONS? THIS IS A LIGHT-DUTY CAR STATION.

FOR ALL I KNOW, HEAVY - DUTY TRUCKS ARE RESTRICTED HERE (BESIDES MOVING TRUCKS WHICH WOULD NEVER USE THIS STATION DUE TO ITS UNEVEN GRADE).

I LIVE ALMOST DIRECTLY ACROSS THE STREET CLOSE TO 30 YEARS. IT FEELS LIKE THE OPERATOR IS BUILDING THIS MONSTROSITY OUT OF SPITE FOR OUR NEIGHBORHOOD. IT IS COMPLETELY UNNECESSARY AND UNPRECEDENTED FOR THE SOUTH BAY. ALSO THE OPERATOR NEVER HAD AN INCIDENT AT THIS STATION CAUSING DAMAGE TO THE OLD CANOPY WHEN IT WAS SET AT A LOWER HEIGHT.

PLEASE WITHDRAW THE APPROVAL.

THANK YOU,

*Terri Maioriello*

Cynthia Scott  
2104 Highland Ave Unit B  
M.B.

**IN REGARDS: TO SUPPORT APPEALING THE COMMUNITY DIRECTORS DECISION TO APPROVE A COASTAL DEVELOPMENT PERMIT FOR THE REPLACEMENT CANOPY AT 2121 HIGHLAND.**

**I LIVE/OWN 2104 UNIT B HIGHLAND AVE. VIEWS ARE A PREMIUM IN MANHATTAN BEACH, WHICH IS ODD THAT THE GAS STATION OPERATOR FEELS IT NECESSARY TO SET THE NEW CANOPY AT AN ABNORMAL HEIGHT, CAUSING ME TO LOSE PART OF THE VIEW I HAD WHEN I BOUGHT MY HOME. IT IS AT LEAST 4 FEET HIGHER THAN OTHER LOCAL STATIONS (INCLUDING ONES THAT APPEAR TO BE OPERATED BY THE SAME OPERATOR).**

**THIS STATION IS LOCATED IN WHAT IS MOSTLY A RESIDENTIAL HOME NEIGHBORHOOD. IT IS NOT A MAIN THOROUGHFARE OR ALONG A GOODS MOVEMENT CORRIDOR. WHY IS THE OPERATOR BUILDING A STRUCTURE THAT IS WAY LARGER THAN EVEN MOST TRUCK STATIONS? THIS IS A LIGHT-DUTY CAR STATION.**

**FOR ALL I KNOW, HEAVY - DUTY TRUCKS ARE RESTRICTED HERE (BESIDES MOVING TRUCKS WHICH WOULD NEVER USE THIS STATION DUE TO ITS UNEVEN GRADE).**

**I LIVE ALMOST DIRECTLY ACROSS THE STREET CLOSE TO 30 YEARS. IT FEELS LIKE THE OPERATOR IS BUILDING THIS MONSTROSITY OUT OF SPITE FOR OUR NEIGHBORHOOD. IT IS COMPLETELY UNNECESSARY AND UNPRECEDENTED FOR THE SOUTH BAY. ALSO THE OPERATOR NEVER HAD AN INCIDENT AT THIS STATION CAUSING DAMAGE TO THE OLD CANOPY WHEN IT WAS SET AT A LOWER HEIGHT.**

**PLEASE WITHDRAW THE APPROVAL.**

THANK YOU,

*Cynthia Scott*