CITY OF MANHATTAN BEACH DEPARTMENT OF COMMUNITY DEVELOPMENT STAFF REPORT

DATE: September 25, 2024

TO: Planning Commission

FROM: Ryan Heise, Acting Community Development Director

THROUGH: Adam Finestone, AICP, Planning Manager

Jaehee Yoon, Senior Planner

BY: Maricela Guillean, Associate Planner

SUBJECT: Consideration of a Use Permit to allow a new eating and drinking

establishment with full alcohol service in conjunction with food service within an existing, vacant commercial building at 1019 Manhattan Beach Boulevard, and associated environmental determination finding the project exempt from the California Environmental Quality Act. (Toranj

Restaurant)

RECOMMENDATION

Staff recommends that the Planning Commission: (1) conduct a public hearing; and (2) adopt the attached resolution approving the Use Permit, subject to conditions, and finding the project categorically exempt from the California Environmental Quality Act.

APPLICANT

Hootan Hamedani; 14252 Culver Dr., #170, Irvine CA 92604

BACKGROUND

On February 21, 2024, the Community Development Department received an application requesting a Use Permit to allow a new eating and drinking establishment with full alcohol service in conjunction with food service within an existing, vacant commercial building ("Project") located at 1019 Manhattan Beach Boulevard ("Property").

Prior Actions

On August 9, 1983, the Board of Zoning Adjustment (BZA) approved Resolutions 83-42 and 83-43 to reestablish a restaurant within an existing building, and approve a Variance to allow tandem parking and off-site parking. The approval at the time also allowed for on-sale general alcohol with hours of operation from 11:30 a.m. to 3:00 p.m. Monday through Friday; 5:00 p.m. to 12:00 a.m., Sunday through Thursday; and 5:00 p.m. to 1:00 a.m. Friday through Saturday. BZA Resolutions 83-42 and 83-43 continued to govern the Property until the most-recent tenant (Manhattan House) vacated it in 2023. Pursuant to Manhattan Beach Municipal Code (MBMC) Section 10.84.090(D), BZA Resolutions 83-42 and 83-43 no longer govern the Property, as the exercise of rights granted by the implemented Use Permit has discontinued for twelve (12) consecutive months. As such, a new Use Permit to allow for a similar use of the Property is required.

Site Overview

The Property is on the northwest corner of Manhattan Beach Boulevard and Oak Avenue, and is currently improved with a vacant, single-story commercial building measuring 2,812 square feet in area. Surface parking, landscaping, and associated site improvements also exist on the Property. The Property is located in the Local Commercial (CL) zoning district, Area District II, and has a General Plan land use designation of Local Commercial. The Property abuts single-family residential properties to the north, and commercial properties to the east, south and west.

PROJECT OVERVIEW			
Location:	1019 Manhattan Beach Boulevard		
Legal Description:	Lots 15 and 16, Block 60, Tract No. 1638		
General Plan Land Use:	Local Commercial		
Zoning Designation:	CL (Local Commercial)		
Area District:	II		
	Existing	<u>Proposed</u>	
Parking	14	10	
Use	Vacant	Eating and Drinking Establishment	
Lot Size	8,870 sq. ft.	No Change	

Building Size*	2,812 sq. ft.	2,797 sq. ft.	
Setbacks Front Side (East) Side (West) Rear	2 feet, 6 inches O feet 36 feet 1 inch 34 feet 8 inches	No Change	
Alcohol Service	N/A	Full liquor license	
Hours of Operations	N/A	11 a.m. to 10 p.m. daily	
Neighboring Zoning & Land Uses	North: Single-Family Residential (RS); single-family residence		
	South: Local Commercia	l (CL); office	
	East: General Commerci Corridor overlay (CG-D8	al - Sepulveda Boulevard 3); bank	
	West: CL; office		

^{*}Change in building size is proposed as part of the project's tenant improvements.

Governing Regulations

The Project is reviewed for compliance with applicable regulations, including the City's General Plan and Municipal Code.

Manhattan Beach General Plan

The General Plan is a long-range policy document, adopted in 2003, 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. The General Plan contains a series of goals and policies that allow this vision to be implemented. All projects are reviewed to ensure alignment with the General Plan's goals and policies. 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 following applicable Land Use Element goals and policies:

• Land Use Plan Goal LU-1: Maintain the low-profile development and small-town atmosphere of Manhattan Beach.

- Land Use Plan Goal LU-6: Maintain the viability of the commercial areas of Manhattan Beach.
- Land Use Plan Policy LU-6.1: Support and encourage small businesses throughout the City.
- Land Use Plan Policy LU-6.2: Encourage a diverse mix of businesses that support the local tax base, are beneficial to residents, and support the economic needs of the community.

Manhattan Beach Municipal Code

The MBMC serves, in part, to implement the vision established by the General Plan. Within the MBMC, Title 10 (Planning and Zoning) establishes regulations related to land use and development. Title 10 has several intended functions which include, but are not limited to:

- Providing a precise guide for the physical development of the City in order to foster convenient, harmonious, and workable relationships among land uses;
- Promoting the economic stability of existing land uses that are consistent with the General Plan, and protecting them from intrusions by inharmonious or harmful land uses:
- Permitting the development of office, commercial, industrial, and related land uses that are consistent with the General Plan in order to strengthen the City's economic base.

The overall purpose of these regulations is to protect and promote the public health, safety, and general welfare of the community through implementation of goals and policies contained in the General Plan.

Development projects that are subject to discretionary reviews, such as Use Permits, are regulated by Section 10.84 of the MBMC. The Property is zoned CL, which permits a variety of commercial uses. Use classifications for commercial uses are defined in section 10.08.050 of the MBMC, and commercial use allowances are established by Section 10.16.020. Pursuant to Section 10.16.020 and subsection 10.16.020(L), a Use Permit is required for eating and drinking establishments as well as any new alcohol license request.

PROJECT DESCRIPTION

Hootan Hamedani, on behalf of Toranj restaurant, submitted an application requesting a Use Permit to allow a new eating and drinking establishment with full alcohol service (i.e., beer, wine and distilled spirits) in conjunction with food service within an existing, vacant commercial building located at 1019 Manhattan Beach Boulevard. The existing building and Property are proposed to be modified to accommodate the new eating and drinking

establishment. Said modifications are described in further detail below and depicted on the project plans which are included as Attachment "D" of this report. The establishment is proposed to operate from 11:00 a.m. to 10:00 p.m., seven days a week.

DISCUSSION

Project Analysis

The following Project features warrant additional consideration by the Planning Commission.

Site Plan/Floor Plan

The site is developed with an existing, vacant commercial building that has been used as a number of eating and drinking establishments over the years. As proposed, tenant improvements will result in a 15 square-foot reduction in the building size, from 2,812 square feet to 2,797 square feet, in order to accommodate ADA access improvements. In addition, the existing parking lot will be reconfigured to accommodate a new trash enclosure and a total of 10 parking spaces, which is consistent with all parking requirements outlined in MBMC Chapter 10.64 (Off-Street Parking and Loading Regulations).

Alcohol Sales

The applicant is requesting to allow for full service of alcohol (i.e., beer, wine and distilled spirits) in conjunction with the new eating and drinking establishment. Alcohol would be available at all hours when the restaurant is open. Alcohol sales and service is permitted in the CL zoning district subject to approval of a Use Permit. In addition to the requested Use Permit, the applicant must also obtain a corresponding alcohol license through the California Department of Alcoholic Beverage Control (ABC). The applicant would be required to abide by all conditions of the Use Permit for the Property, as well as all ABC license requirements and conditions associated with the Type-47 ABC license being requested. In instances where there are conflicts between conditions of the ABC license and the Use Permit, the more restrictive condition would apply.

Consistency and Compliance with Governing Regulations

Manhattan Beach General Plan

As noted above, the Project is governed by the Manhattan Beach General Plan. As such, it was reviewed for consistency with applicable General Plan goals and policies. The Project has been determined to be consistent with the following goals for the reasons described below:

• Land Use Plan Goal LU-1: Maintain the low-profile development and small-town atmosphere of Manhattan Beach.

The General Plan land use designation for the Property is Local Commercial where neighborhood-oriented, small-scale office, retail and service activities are

encouraged. As the applicant proposes to maintain the existing one-story commercial building, with minimal exterior alterations, the Project will continue to maintain the low-profile small-town character.

 Land Use Plan Goal LU-6: Maintain the viability of the commercial areas of Manhattan Beach.

The viability of commercial areas depends on a range of factors, including having various types of goods and services available. The proposed eating and drinking establishment will offer another local dining option for community residents and visitors.

Policy LU-6.1: Support and encourage small businesses throughout the City.

Allowing a new eating and drinking establishment in conjunction with serving full alcohol enhances the viability of the business. There are many other existing eating and drinking establishments in the City that have already obtained entitlements to serve full alcohol. The applicant's request would be consistent with similar uses throughout the City.

• Policy LU-6.2: Encourage a diverse mix of businesses that support the local tax base, are beneficial to residents, and support the economic needs of the community.

The commercial corridor along Manhattan Beach Boulevard has a range of uses including commercial, residential, and mixed uses. The addition of a new eating and drinking establishment in conjunction with full alcohol service will provide a new dining option to those who work, live or visit the area. Furthermore, eating and drinking establishments generate sales tax, a portion of which goes into the City's General Fund, which supports the tax base and will support the needs of the community.

Manhattan Beach Municipal Code

As previously noted, the previously-approved Use Permit for the Property has lapsed because the use has been discontinued for more than 12 months. As such, the applicant is required to apply for a new Use Permit for the proposed eating and drinking establishment as well as the request for full alcohol service, per MBMC Section 10.16.020.

As specified in MBMC Section 10.84.010, "use permits are required for use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with

uses on adjoining properties and in the surrounding area." A new eating and drinking establishment as well as a new alcohol license full alcohol service in the CL zone has been identified as such a use. The applicant's request to allow a new eating and drinking establishment with full alcohol service at the Property would not result in a significant change in use from what existed in the past, nor is it anticipated to adversely impact the properties and uses in the vicinity. There are minimal improvements proposed to the exterior of the existing building. The proposed use actually will reduce the overall building floor area and the setback to the closest residential property line (to the north) will remain the same as it currently is, at approximately 35 feet. Moreover, potential noise concerns would be minimized because the proposed operating hours are limited to 11:00 a.m. to 10:00 p.m., and no outdoor dining area is proposed.

Interdepartmental Review

The Traffic and Building Divisions, along with the Public Works, Fire, and Police Departments, reviewed the applicant's request. The Police Department confirmed that there was one call for service at the Property related to issues that usually arise on vacant properties, and are not directly related to the an eating and drinking establishment use. Additionally, no outstanding Code Enforcement records were found since the applicant entered into a lease at the property in November 2023. Nonetheless, conditions have been included in the draft Planning Commission Resolution No. 24-XX (Attachment "A") to address any potential impacts that may result from the Project.

Required Findings

Pursuant to MBMC Section 10.84.060, the Planning Commission must make certain findings in order to approve the Use Permit and ensure that the use operates in a manner that is compatible with uses on adjacent properties and in the surrounding area. The required findings are addressed below.

 The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located.

MBMC Section 10.16.010 states that the purpose of the CL zoning district is "to provide sites for businesses serving the daily needs of nearby residential areas while establishing development standards that prevent significant adverse effects on residential uses adjoining a CL zoning district." The Project is proposed within the City's CL zoning district as an eating and drinking establishment with full alcohol service, which is permitted with a Use Permit. The Project provides an additional local dining option near residential uses, and is centrally located within the City. Moreover, the project will comply with the CL development standards, ensuring that the use will not

result in significant adverse effects on any residential uses in the vicinity. As such, the Project complies the CL zoning district objectives outlined in the MBMC.

2. The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such uses; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.

The General Plan designation for the Property is Local Commercial (CL), which aims to establish small scale buildings occupied by neighborhood-oriented office, retail and service uses. There are several office, retail, and eating and drinking establishments located along Manhattan Beach Boulevard within the same CL land use category that surround the Property. The proposed eating and drinking establishment with full alcohol service is consistent with the General Plan's intended mix of uses. In addition to being compatible with adjacent uses, the Project proposes to establish the same use (eating and drinking establishment) as had previously operated in the existing, vacant commercial building, with limited exterior alterations. As a result, the building scale and setbacks to the closest residential property to the north will remain the same and no adverse impacts to surrounding areas are anticipated.

When taken together, the requested physical improvements (i.e., reconfigured trash enclosure, interior tenant improvements, and parking lot reconfiguration) and operational characteristics (hours of operation, seating area, full alcohol service, etc.) do not result in a significant intensification of use because the existing site conditions will be largely maintained or upgraded to meet current development standards. Furthermore, the Project was reviewed by the Building & Safety and Traffic Divisions, the Public Works (including Waste Management), Police, and Fire Departments, none of whom raised concerns or objections that have not been adequately addressed.

3. The proposed use will comply with the provisions of this title, including any specific condition required for the proposed uses in the district in which they would be located.

Eating and drinking establishments are permitted with the approval of a Use Permit within the subject Property's CL zoning district per MBMC Section 10.16.020. As such, conditions of approval that serve to minimize any potential adverse impacts associated with the Project such as the hours of operation, the City's noise ordinance, waste management, and signage requirements have been considered and included in the draft Planning Commission Resolution No. 24-XX (Attachment "A").

4. The proposed uses will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.

The Project will not adversely impact neighboring properties as it is compatible with the surrounding commercial uses in the CL zoning district. The existing building was previously an eating and drinking establishment, and a negligible expansion of the prior use is proposed. The Project complies with all parking and vehicular access requirements to address traffic and parking concerns pursuant to MBMC Chapter 10.64 (Off-Street Parking and Loading Regulations), and will mitigate potential impacts such as odor, safety, and aesthetics by incorporating a new compliant trash enclosure on the Property. The eating and drinking establishment use was contemplated for properties in the CL land use designation when the General Plan was adopted and will not create demands that exceed the capacity of public services and facilities. The setback to the closest residential property line (to the north) will remain the same at approximately 35 feet and will provide a sound buffer to reduce potential noise impacts to nearby residential properties. Additionally, a Type 47 ABC license must be obtained prior to commencement of sale and service of full alcohol. Accordingly, relevant conditions have been included in the draft resolution to address potential concerns and to minimize adverse impacts to the community as it related to the full alcohol service request.

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 I categorical exemption pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines, which exempts the operation, permitting, licensing, etc., of existing private structures involving negligible changes to the existing or former use. Furthermore, there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances. Thus, no further environmental review is necessary.

PUBLIC NOTIFICATION AND COMMENT

A public notice for the September 25, 2024, public hearing was published in The Beach Reporter, mailed to all property owners within a 500-foot radius of the Property, and posted at City Hall, on September 12, 2024. As of the writing of this report, staff has not received any public comments.

CONCLUSION

Staff recommends that the Planning Commission conduct a public hearing and adopt the attached draft resolution approving the Use Permit for a new eating and drinking establishment with full alcohol service in conjunction with food service within an existing, vacant commercial building at 1019 Manhattan Beach Boulevard, and finding the project exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301.

ATTACHMENTS:

- A. Draft Planning Commission Resolution No. PC 24-XX
- B. Vicinity Map
- C. Applicant's Written Materials
- D. Site Plan and Floor Plan

RESOLUTION NO. PC 24-XX

A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION APPROVING A USE PERMIT FOR A NEW EATING AND DRINKING ESTABLISHMENT WITH FULL ALCOHOL SERVICE IN CONJUNCTION WITH FOOD SERVICE WITHIN AN EXISTING, VACANT COMMERCIAL BUILDING AT 1019 MANHATTAN BEACH BOULEVARD, AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

THE MANHATTAN BEACH PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

<u>SECTION 1</u>. On February 21, 2024, Hootan Hamedani ("Applicant") applied for a Use Permit to allow for tenant improvements to accommodate a new eating and drinking establishment with full alcohol service in conjunction with food service within an existing, vacant commercial building ("Project") located at 1019 Manhattan Beach Boulevard ("Property"). Pursuant to the Manhattan Beach Municipal Code ("MBMC"), the proposed use is classified as an eating and drinking establishment.

<u>SECTION 2</u>. Use Permits are governed by MBMC Section 10.84.010, which specifies that, "use permits are required for use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area." The Applicant's request to allow a new eating and drinking establishment with full alcohol service within the Local Community (CL) zoning district, in which the Property is located, requires a Use Permit per MBMC Section 10.16.020.

<u>SECTION 3</u>. On September 25, 2024, the Planning Commission conducted a duly noticed public hearing to consider the Project, during which the Planning Commission received a presentation by staff and testimony from the Applicant and provided an opportunity for the public to provide evidence and testimony. The Planning Commission also received and reviewed written testimony received by the City prior to the public hearing.

<u>SECTION 4</u>. The Project qualifies for a Categorical Exemption from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301 (Existing Facilities), which is a Class 1 exemption. The Use Permit involves a request to allow tenant improvements to accommodate a new eating and drinking establishment with full alcohol service in conjunction with food service within an existing, vacant commercial building, which is consistent with the prior use of the building. The proposed change would be negligible with no features that distinguish this Project from others in the exempt class; therefore, there are no unusual circumstances.

SECTION 5. The record of the public hearing indicates:

- A. The legal description of the Property is: Lots 15 and 16, Block 60, Tract No. 1638, in the City of Manhattan Beach. The Property is located in Area District II and is zoned Local Commercial (CL), with a General Plan designation of Local Commercial. The Property is surrounded by residential uses to the north, commercial offices to the south and west, and a commercial bank to the east.
- B. The use is conditionally permitted in the CL zone subject to a Use Permit and is in compliance with the City's General Plan designation of Local Commercial. The General Plan's Local Commercial land use category encourages neighborhood-oriented, small-scale office, retail and service activities.
- C. The Applicant is requesting approval of a Use Permit for the following:
 - 1) A new eating and drinking establishment with full alcohol service (i.e., Type 47 ABC License) in conjunction with food service within an existing, vacant commercial building.
- D. The Project is consistent with the following General Plan goals and policies, as described in the staff report prepared for the Project:

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

The General Plan land use designation for the Property is Local Commercial where neighborhood oriented, small-scale office, retail and service activities are encouraged. As the applicant proposes to

maintain the existing one-story commercial building, with minimal exterior alterations, the Project will

continue to maintain the low-profile small-town character.

Land Use Plan Goal LU-6: Maintain the viability of the commercial areas of Manhattan Beach.

The viability of commercial areas depends on a range of factors, including having various types of goods and services available. The proposed eating and drinking establishment will offer another local dining option for community residents and visitors.

Policy LU-6.1: Support and encourage small businesses throughout the City.

Allowing a new eating and drinking establishment in conjunction with serving full alcohol enhances the viability of the business. There are many other existing eating and drinking establishments in the City that have already obtained entitlements to serve full alcohol. The applicant's request would be consistent with similar uses throughout the City.

Policy LU-6.2: Encourage a diverse mix of businesses that support the local tax base, are beneficial to residents, and support the economic needs of the community.

The commercial corridor along Manhattan Beach Boulevard has a range of uses including commercial, residential, and mixed uses. The addition of a new eating and drinking establishment in conjunction with full alcohol service will provide a new dining option to those who work, live or visit the area. Furthermore, eating and drinking establishments generate sales tax, a portion of which goes into the City's General Fund, which supports the tax base and will support the needs of the community.

<u>SECTION 6</u>. Based upon substantial evidence in the record, and pursuant to Section 10.84.060 of the MBMC, the Planning Commission hereby makes the following findings related to the Use Permit:

A. The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located for the following reasons:

MBMC Section 10.16.010 states that the purpose of the CL zoning district is "to provide sites for businesses serving the daily needs of nearby residential areas while establishing development standards that prevent significant adverse effects on residential uses adjoining a CL zoning district." The Project is proposed within the City's CL zoning district as an eating and drinking establishment with full alcohol service, which is permitted with a Use Permit. The Project provides an additional local dining option near residential uses, and is centrally located within the City. Moreover, the project will comply with the CL development standards, ensuring that the use will not result in significant adverse effects on any residential uses in the vicinity. As such, the Project complies the CL zoning district objectives outlined in the MBMC.

B. The proposed location of the use and the proposed conditions under which the uses would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such uses; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city for the following reasons:

The General Plan designation for the Property is Local Commercial (CL), which aims to establish small scale buildings occupied by neighborhood-oriented office, retail and service uses. There are several office, retail, and eating and drinking establishments located along Manhattan Beach Boulevard within the same CL land use category that surround the Property. The proposed eating and drinking establishment with full alcohol service is consistent with the General Plan's intended mix of uses. In addition to being compatible with adjacent uses, the Project proposes to establish the same use (eating and drinking establishment) as had previously operated in the existing, vacant commercial building, with limited exterior alterations. As a result, the building scale and setbacks to the closest residential property to the north will remain the same and no adverse impacts to surrounding areas are anticipated.

When taken together, the requested physical improvements (i.e., reconfigured trash enclosure, interior tenant improvements, and parking lot reconfiguration) and operational characteristics (hours of operation, seating area, full alcohol service, etc.) do not result in a significant intensification of use because the existing site conditions will be largely maintained or upgraded to meet current development standards. Furthermore, the Project was reviewed by the Building & Safety and Traffic Divisions, the Public Works (including Waste Management), Police, and Fire Departments, none of whom raised concerns or objections that have not been adequately

addressed.

C. The proposed use will comply with the provisions of this title, including any specific condition required for the proposed uses in the district in which they would be located for the following reasons:

Eating and drinking establishments are permitted with the approval of a Use Permit within the subject Property's CL zoning district per MBMC Section 10.16.020. As such, conditions of approval that serve to minimize any potential adverse impacts associated with the Project such as the hours of operation, the City's noise ordinance, waste management, and signage requirements have been considered and included in Section 7 of this Resolution.

D. The proposed use will not adversely impact or be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated for the following reasons:

The Project will not adversely impact neighboring properties as it is compatible with the surrounding commercial uses in the CL zoning district. The existing building was previously an eating and drinking establishment, and a negligible expansion of the prior use is proposed. The Project complies with all parking and vehicular access requirements to address traffic and parking concerns pursuant to MBMC Chapter 10.64 (Off-Street Parking and Loading Regulations), and will mitigate potential impacts such as odor, safety, and aesthetics by incorporating a new compliant trash enclosure on the Property. The eating and drinking establishment use was contemplated for properties in the CL land use designation when the General Plan was adopted and will not create demands that exceed the capacity of public services and facilities. The setback to the closest residential property line (to the north) will remain the same at approximately 35 feet and will provide a sound buffer to reduce potential noise impacts to nearby residential properties. Additionally, a Type 47 ABC license must be obtained prior to commencement of sale and service of full alcohol. Accordingly, relevant conditions have been included in Section 7 of this Resolution to address potential concerns and to minimize adverse impacts to the community as it related to the full alcohol service request.

<u>SECTION 7.</u> Based upon the foregoing, the Planning Commission hereby APPROVES the Project, subject to the conditions below.

General

- 1. The Project shall be in substantial conformance with the plans and project description submitted to, and approved by, the Planning Commission on September 25, 2024. Any substantial deviation from the approved plans and project description, as conditioned, shall require review by the Community Development Director to determine if further approval from the Planning Commission is required.
- 2. Any questions of intent or interpretation of any condition will be reviewed by the Community Development Director to determine if further Planning Commission review and action is required.
- At any time in the future, the Planning Commission or City Council may review the Use Permit for the purpose of revocation or modification in accordance with the requirements of the MBMC Chapter 10.104. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.
- 4. Community Development Department staff shall be allowed to inspect the Property at any time to determine compliance with conditions imposed and requirements of the MBMC.
- 5. Future modifications and improvements to the Property shall be in compliance with applicable Planning Division, Building Division, Public Works, Waste Management, Fire Department, and Health Department regulations, as applicable.
- Any modifications to the Property that necessitate accessibility improvements must comply
 with the accessibility requirements found in Title 24 of the California Code of Regulations,
 or successor code.

Operational

- 7. The Project shall be operated in conformance with all applicable provisions of the MBMC, and this Use Permit.
- 8. Hours of operation shall be limited to 11:00 a.m. to 10:00 p.m. daily.
- 9. Noise emanating from the Property shall be within the limitations prescribed by the City's Noise Ordinance at all times, as specified in Chapter 5.48 of the MBMC, and shall not create a nuisance to nearby properties.
- 10. The kitchen shall remain open, and food shall be available for purchase, at all times when alcohol is available for purchase.

Alcohol

- 11. A Type 47 ABC license must be obtained from the California Department of Alcoholic Beverage Control ("ABC") prior to commencement of sales and service of alcohol.
- 12. The operation shall abide by all ABC license requirements and conditions at all times. If conflicts exist between conditions contained in the ABC license and those contained in this Use Permit, the more stringent conditions shall govern.
- 13. Alcohol service shall be allowed only within the enclosed building.

Refuse

14. Building plans submitted for the Project shall demonstrate compliance with all trash enclosure requirements established by the Public Works Department, in substantial compliance with the approved plans.

Signage

- 15. All new signs and alterations to existing signs shall be subject to separate permits and shall be in compliance with the City's sign code.
- 16. No temporary banner or other temporary signs shall be placed on the site without City permit and approval.

Procedural

17. 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 8. Indemnity, Duty to Defend and Obligation to Pay Judgments and Defense Costs, Including Attorneys' Fees, Incurred by the City. The operator and owner (operator/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 operator/owner shall pay and satisfy any judgment, award or decree that may be rendered against City or the other Indemnitees in any such suit, action, or other legal proceeding. The City shall promptly notify the operator/owner of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. If the City fails to promptly notify the operator/owner of any claim, action, or proceeding, or if the City fails to reasonably cooperate in the defense, the operator/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 operator/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 operator/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 operator/owner shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

<u>SECTION 9</u>. The Planning Commission's decision is based upon each of the totally independent and separate grounds stated herein, each of which stands alone as a sufficient basis for its decision.

<u>SECTION 10</u>. This Resolution shall become effective when all time limits for appeal as set forth in MBMC Chapter 10.100 have expired.

<u>SECTION 11</u>. 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.

<u>SECTION 12</u>. This Use Permit shall lapse two years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the MBMC.

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, AICP
	Secretary to the Planning Commission
	Tatiana Maury

Recording Secretary

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ATTACHMENT B

VICINITY MAP

1019 MANHATTAN BEACH BLVD



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10861 Lindbrook Dr, Los Angeles, CA 90024 www.toranjresturant.com

We are delighted to share plans for an innovative addition to the community – a new restaurant offering authentic Persian cuisine and home cooked style meals. Operating seven days a week from 11 am to 10 pm, with peak hours strategically set from 12 pm to 2:30 pm and 6 pm to 8:30 pm, this culinary venture promises an exceptional dining experience.

Phone: 310-824-8188 |

The restaurant's interior will feature Persian elements, creating an elegant yet cozy ambiance. This carefully designed space aims to provide an immersive escape into the flavors of Tehran, enriching the local culinary scene.

With a commitment to accommodating diverse schedules, our restaurant will cater to both lunch and dinner crowds, becoming a celestial haven for those seeking authentic and healthy cuisine. The menu will showcase Persian culinary treasures, prepared by professional chefs from family receipts, dedicated to delivering an authentic dining experience.

We are excited about the prospect of contributing to the culinary culture of Manhattan Beach and look forward to becoming a valued member of your community. Our vision is to offer residents a place which they can gather with their family and enjoy the rich flavors of Persian cuisine.



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Toranj restaurant project aligns with the required findings for approval of a use permit, ensuring compliance with the objectives of the city's regulations. Here's a comprehensive breakdown of how the project meets the specified criteria:

A. For All Use Permits:

Alignment with Objectives and District Purposes:

 The proposed location of the restaurant is in perfect accord with the objectives outlined in the city's regulations and the specific purposes designated for the district in which the site is situated.

Phone: 310-824-8188 |

Consistency with the General Plan and Public Welfare:

The restaurant's location and operational conditions are carefully designed to be consistent with the General Plan, ensuring they do not pose a detriment to public health, safety, or welfare. The project aims to enhance the neighborhood without causing negative impacts.

Compliance with Title Provisions:

 The proposed use complies with all the provisions specified in the city's regulations, including any specific conditions required for the district in which it is located.

Mitigation of Adverse Impacts:

 Comprehensive measures are in place to ensure that the restaurant's operation will not adversely impact nearby properties. Potential concerns such as traffic, parking, noise, aesthetics, and public services' capacity have been thoroughly considered and addressed.

In conclusion, Toranj restaurant project has been planned to ensure it not only meets but exceeds the required findings for approval, contributing positively to the city's cultural and culinary landscape.

9B 07/15/2024 TK 07/23/2024

A TENANT IMPROVEMENT FOR: TORANJ RESTAURANT

1019 MANHATTAN BEACH BOULEVARD MANHATTAN BEACH, CA 90266

Manhattan Village Dune Park The Home Depot The Coffee Bean & Tea Leaf ce's Beach Walgreens Photo Northrop Grumman Corporation Manhattan Beach Vision Group Shade Hotel Manhattan Beach Manhattan Beach Blvd Manhattan Starbucks ndhouse Aquarium 🕥 Beach Taco Bell Manhattan 🔊 Beach

PROJECT SCOPE:

USE PERMIT TO RE-ESTABLISH A
RESTAURANT USE AT THE EXISTING
COMMERCIAL SITE. AM TO 10 PM DAILY,
3 EMPLOYEES PLUS MANAGER, 72 SEATS,
KITCHEN+STORAGE AREA EXISTING 1,254
S.F., 1,189 S.F FRONT OF THE HOUSE
EXISTING WHICH SEATS WILL BE
CALCULATED ON THE FLOOR PLAN BEER,
WINE AND FULL LINE OF ALCOHOLIC
BEVERAGES WILL BE REQUESTED TO USE
INSIDE THE RESTAURANT

EXISTING BFA: 2,812 S.F.

PROPOSED BFA: 2,797 S.F.

APN NUMBER: 4170-008-028

LEGAL DESCRIPTION: TR=1638 (EX OF ST) LOTS 15 AND LOT 16

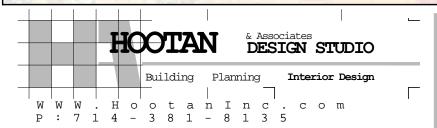
BLOCK 60

ZONING: CL-AREA DISTRICT II - LOCAL COMMERCIAL

OCCUPANCY GROUP: A-2
OCCUPANCY: 87
NUMBER OF STORIES: ONE

SHEET INDEX

NO.	SHEET	DESCRIPTION
1	A1.0	TITLE SHEET
2	AS.1	SITE PLAN
3	A1.1	DEMO FLOOR PLAN
4	A1.3	CONSTRUCTION PLAN
5	A1.4	AREA PLAN
6	A1.5	FURNITURE PLAN
7	A1.6	EXTERIOR ELEVATION
8	A1.7	EXTERIOR ELEVATION
9	A1.8	EXTERIOR ELEVATION
10	A1.9	EXTERIOR ELEVATION
11	A1.10	FINISH & MATERIAL BOARD
12	A1.11	FINISH & MATERIAL BOARD



TORANJ RESTAURANT

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Project No.: 23-A141

Sheet Title:

TITLE SHEET

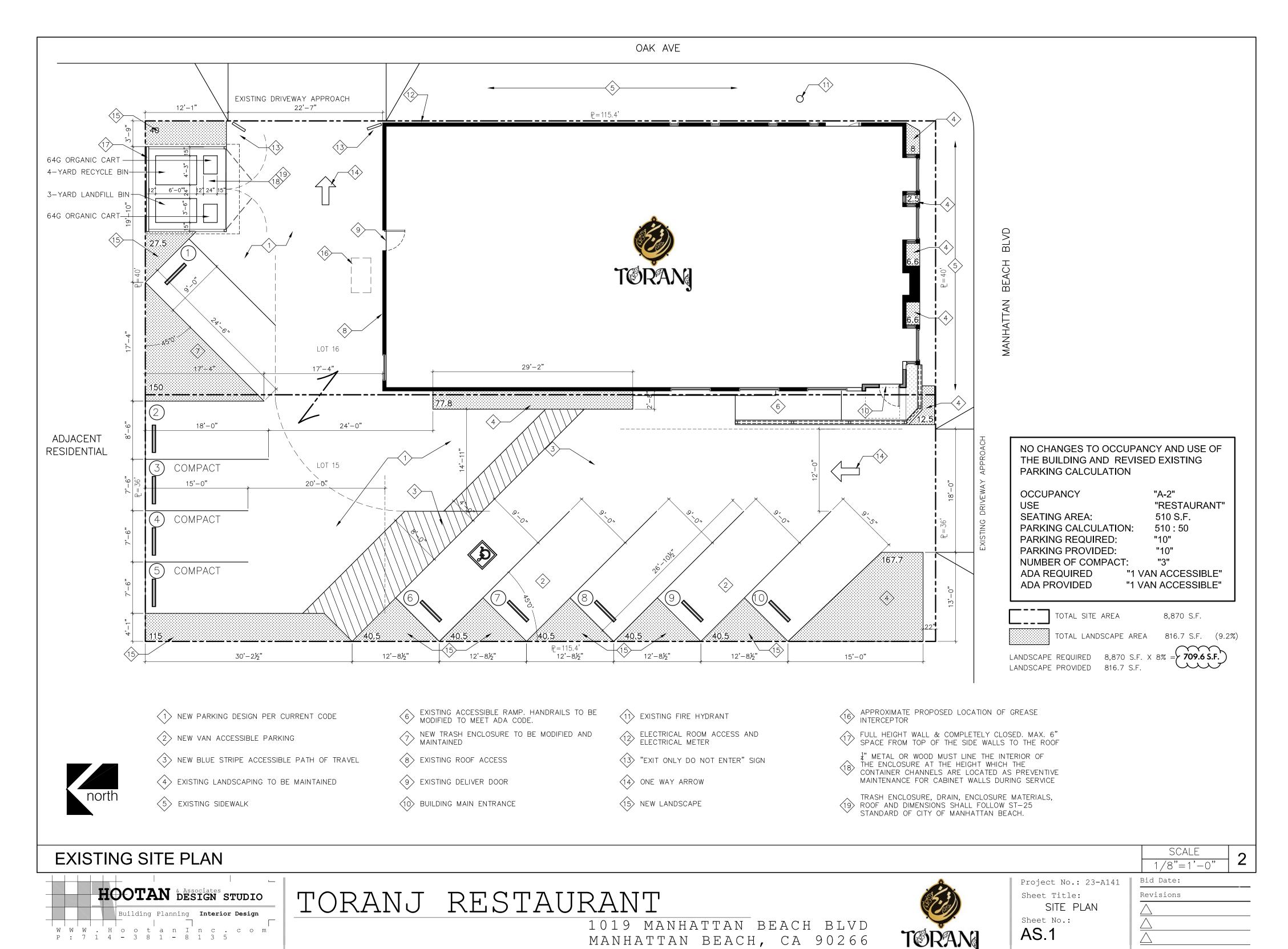
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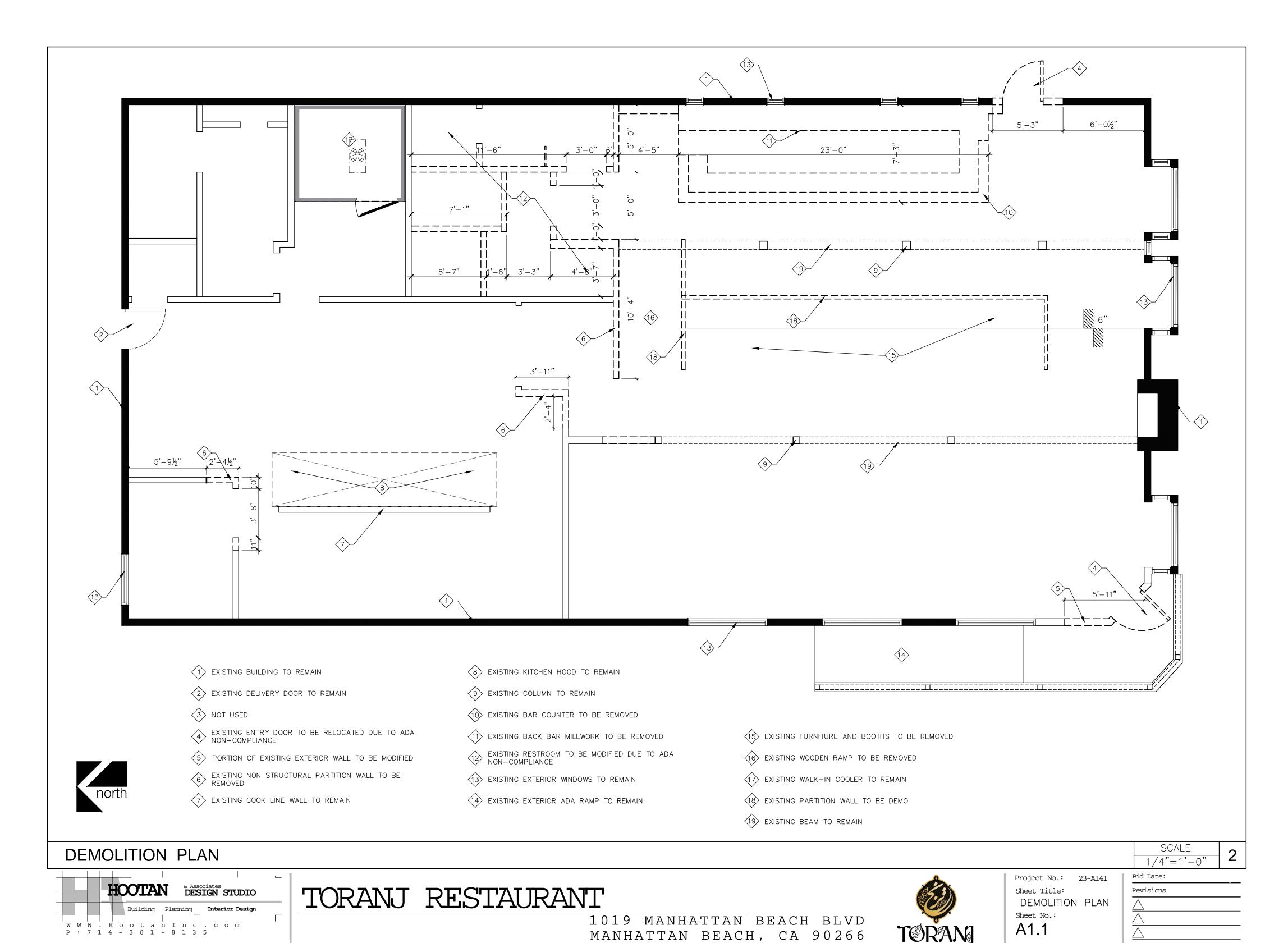
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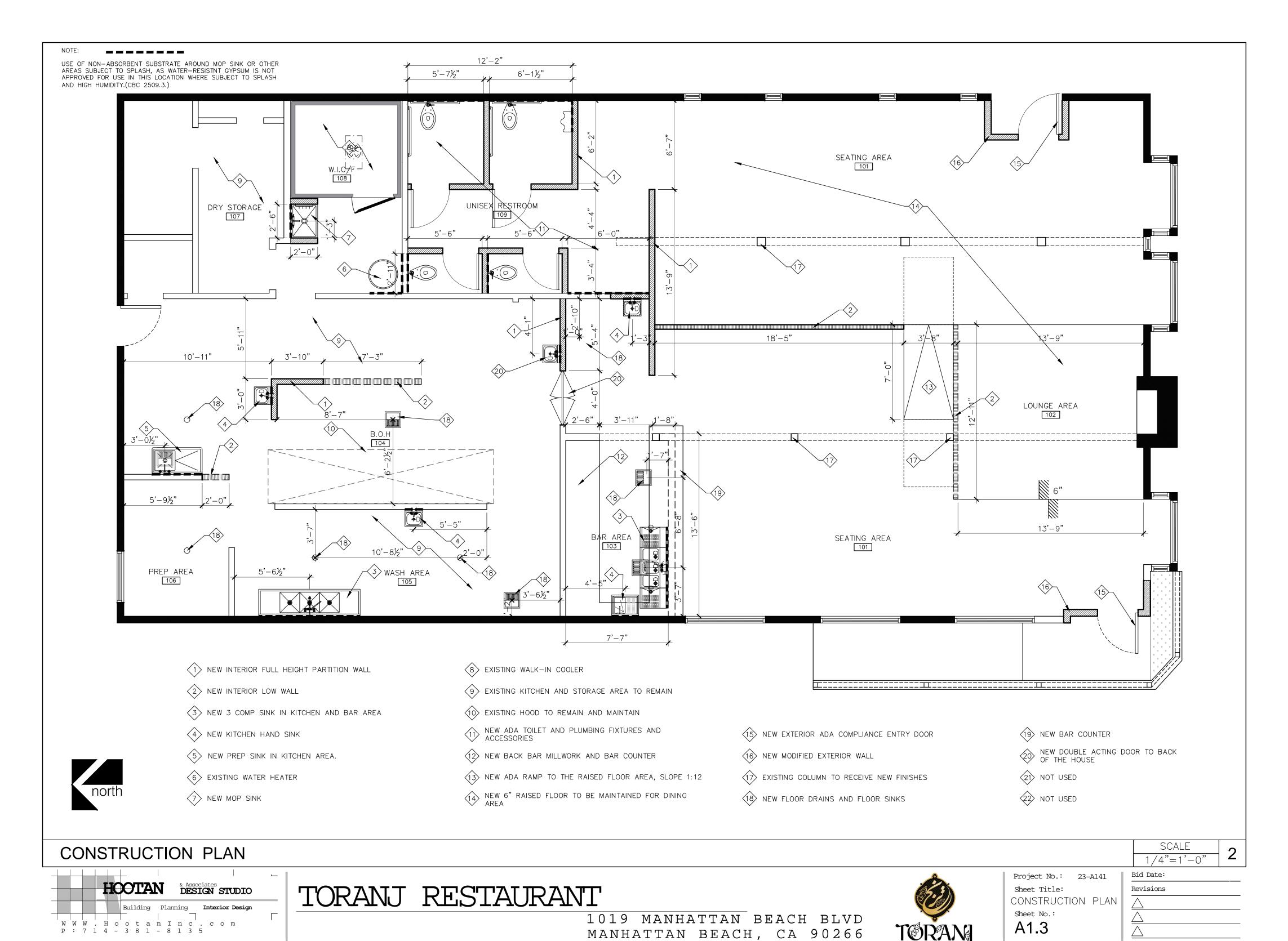
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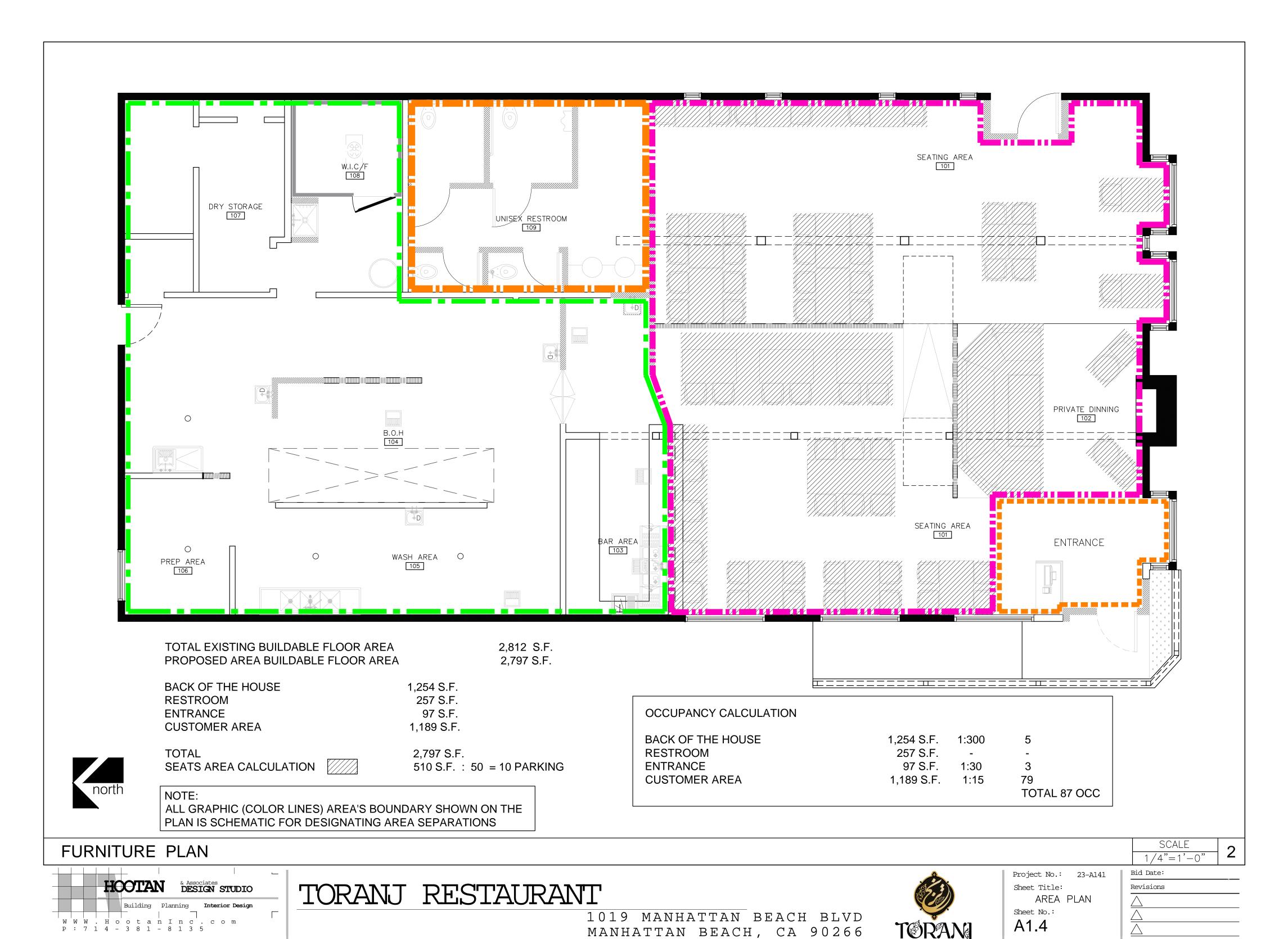
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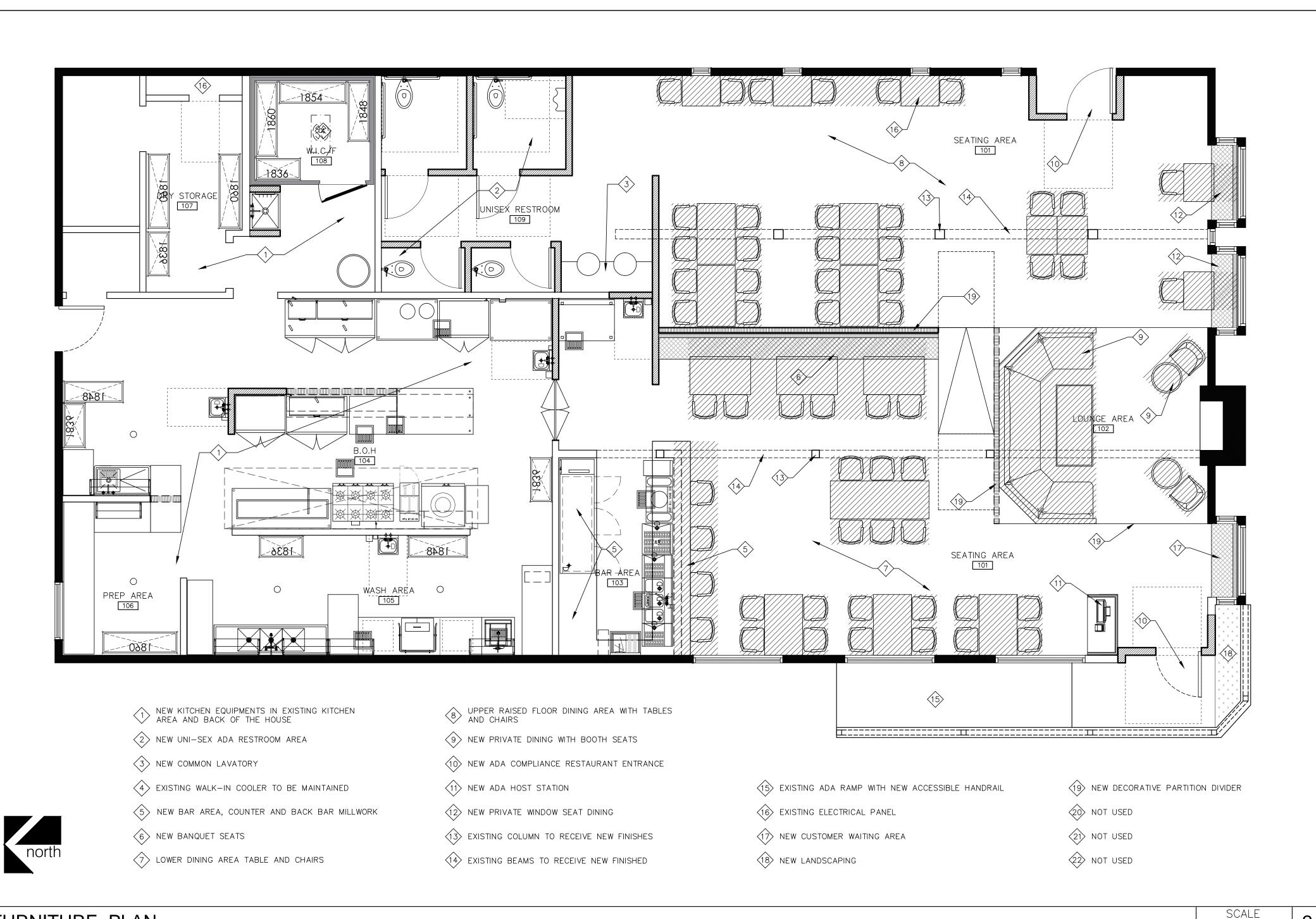


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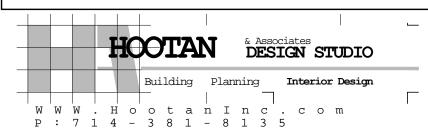




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FURNITURE PLAN



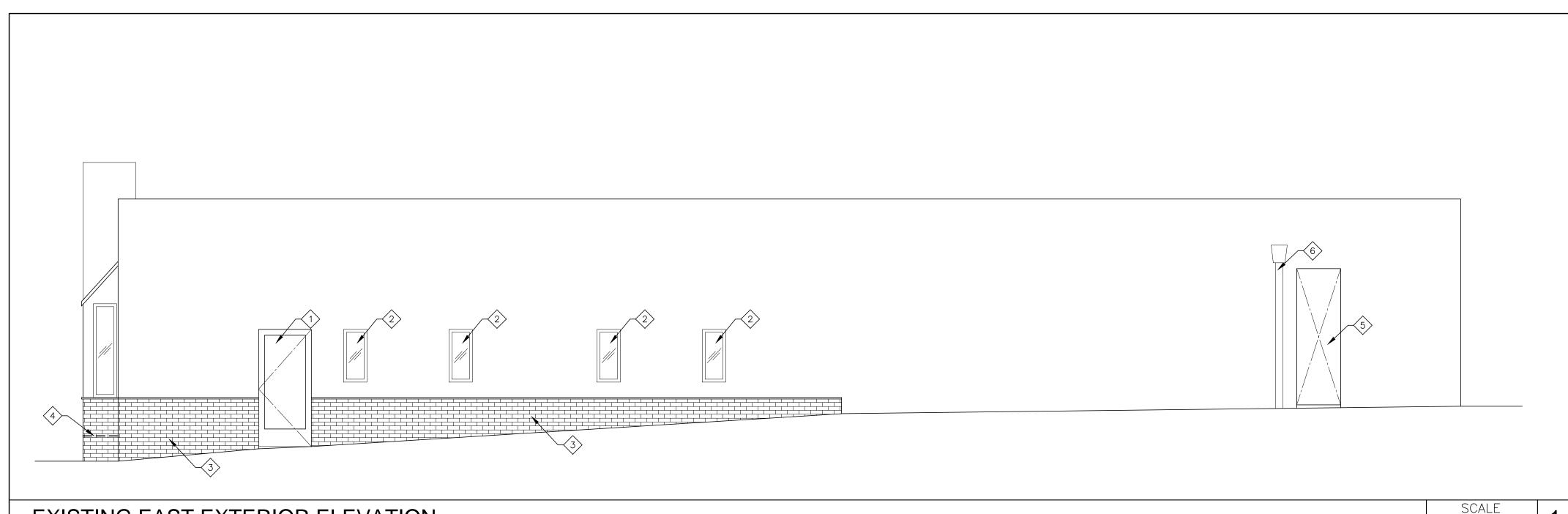
TORANJ RESTAURANT

1019 MANHATTAN BEACH BLVD MANHATTAN BEACH, CA 90266

Project No.: 23-A141 Sheet Title: FURNITURE PLAN Sheet No.:

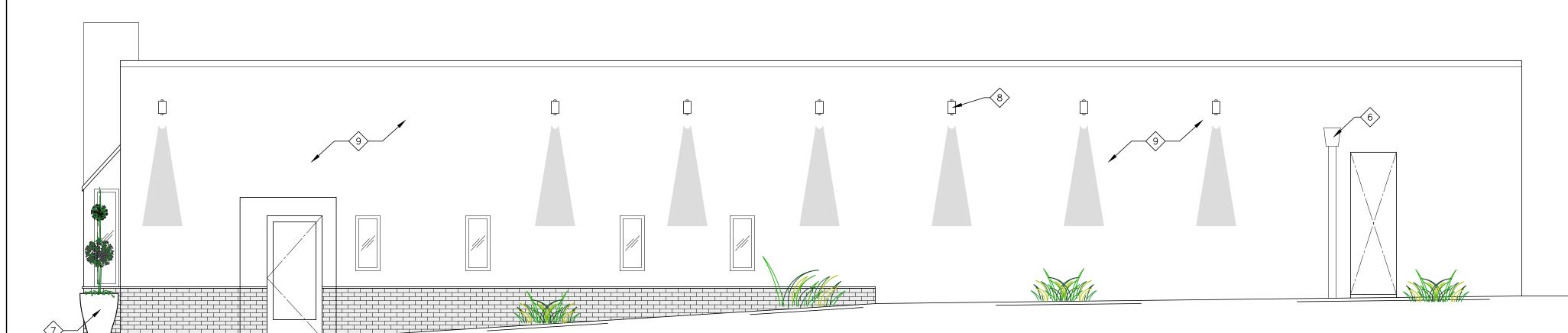
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SCALE 1/4"=1'-0" **1**



- 1) EXISTING DOOR TO BE RELOCATED
- 2 EXTERIOR WINDOWS TO REMAIN
- 3 EXTERIOR EXISTING BRICKS TO BE WHITE WASHED
- 4 EXISTING PLANTER BED TO BE REMOVED
- 5 ELECTRICAL PANEL AND METER

- 6 EXISTING GUTTER AND DOWNSPOUT TO REMAIN, WILL DRAIN UNDER THE CURB AND GIVEN A FRESH COAT OF PAINT.
- 7 NEW DECORATIVE OUTDOOR PLANT VESSEL
- 8 NEW EXTERIOR LIGHTING WITHIN PROPERTY LINE
- 9 EXTERIOR WALL TO BE GIVEN A FRESH COAT OF PAINT
- 10 NOT USED

NOTE: NO NEW LANDSCAPING OR PLANTERS
PERMITTED WITHIN THE PUBLIC
RIGHT-OF-WAY/SIDEWALK UNLESS AN
ENCROACHMENT PERMIT IS APPROVED AND ISSUED.

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PROPOSED EAST EXTERIOR ELEVATION

HOOTAN & Associates DESIGN STUDIO

Building Planning Interior Design

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TORANJ RESTAURANT

1019 MANHATTAN BEACH BLVD MANHATTAN BEACH, CA 90266



Project No.: 23-A141

Sheet Title:

EXTERIOR ELEVATION

Sheet No.:

A1.6

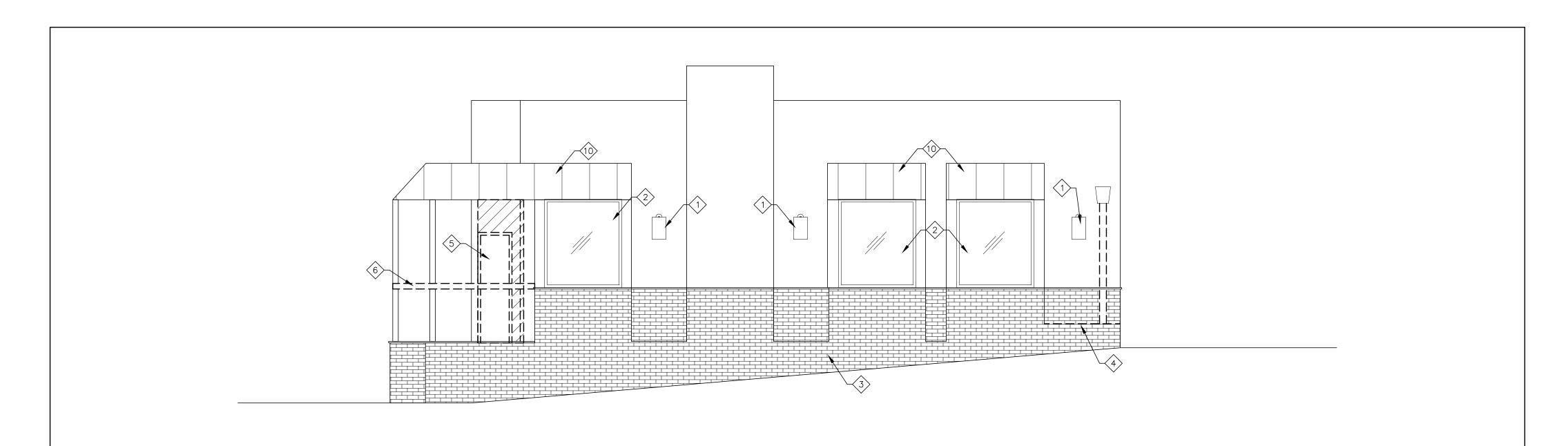
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Revisions

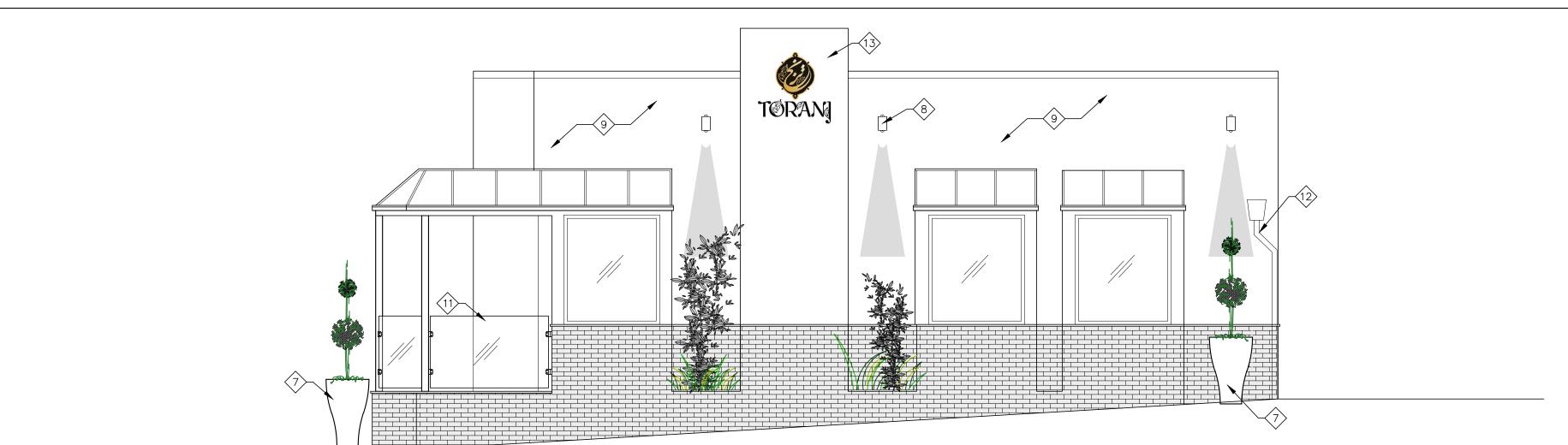
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SCALE



EXISTING SOUTH EXTERIOR ELEVATION

SCALE 1/4"=1'-0"



- 1 EXISTING EXTERIOR LIGHTING TO BE REMOVED
- 2 EXTERIOR WINDOWS TO REMAIN
- 3 EXTERIOR EXISTING BRICKS TO BE WHITE WASHED
- EXISTING PLANTER BED AND DOWNSPOUT TO BE REMOVED
- OPEN THE WALL/ REMOVE DOOR TO MAKE COMPLIANT ACCESSIBLE ENTRANCE
- 6 REMOVE EXISTING RAILING
- (7) NEW DECORATIVE OUTDOOR PLANT VESSEL
- (8) NEW EXTERIOR LIGHTING
- (9) EXTERIOR WALL TO BE GIVEN A FRESH COAT OF PAINT
- 10 EXISTING PVC MEMBRANE ROOF TO BE WHITE WASHED
- (1) NEW GLASS RAILING, 42"H MIN
- (12) NEW DOWNSPOUT
- NEW PROPOSED EXTERIOR SIGN SUBJECT TO BE APPROVED
- 14 NOT USED
- 15 NOT USED

NOTE:

SEPARATE PERMITS AND PLANS ARE REQUIRED FOR SIGNS, DEMOLITION, AND SEWER CAP OF EXISTING

PROPOSED SOUTH EXTERIOR ELEVATION

HOOTAN & Associates DESIGN STUDIO Building Planning Interior Design W W W . H o o t a n I n c . c o m P: 7 1 4 - 3 8 1 - 8 1 3 5

TORANJ RESTAURANT

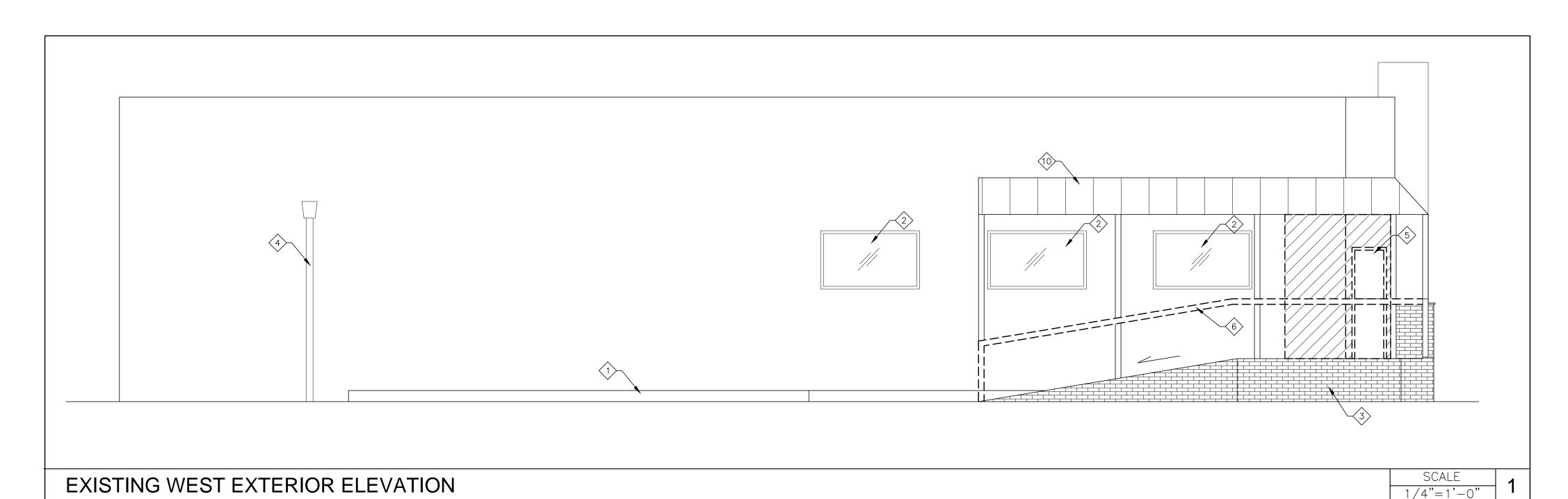
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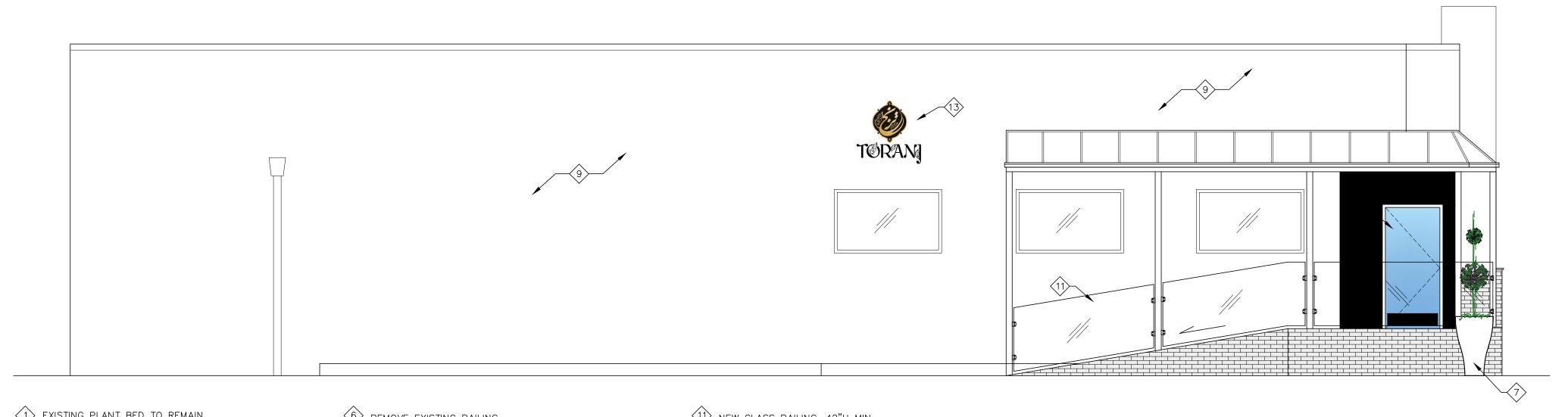
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SCALE

1019 MANHATTAN BEACH BLVD MANHATTAN BEACH, CA 90266





- 1) EXISTING PLANT BED TO REMAIN
- 2 EXTERIOR WINDOWS TO REMAIN
- 3 EXTERIOR EXISTING BRICKS TO BE WHITE WASHED
- 4 EXISTING GUTTER AND DOWNSPOUT TO REMAIN
- OPEN THE WALL/ REMOVE DOOR TO MAKE COMPLIANT ACCESSIBLE ENTRANCE
- 6 REMOVE EXISTING RAILING
- NEW DECORATIVE OUTDOOR PLANT VESSEL
- 8 NEW ENTRANCE
- $\langle 9 \rangle$ exterior wall to be given a fresh coat of paint
- 10 EXISTING PVC MEMBRANE ROOF TO BE WHITE WASHED
- 1) NEW GLASS RAILING, 42"H MIN
- 12 NEW STUCCO AND PAINT TO MATCH EXISTING
- NEW PROPOSED EXTERIOR SIGN SUBJECT TO BE APPROVED
- 14 NOT USED
- 15 NOT USED

PROPOSED WEST EXTERIOR ELEVATION

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TORANJ RESTAURANT

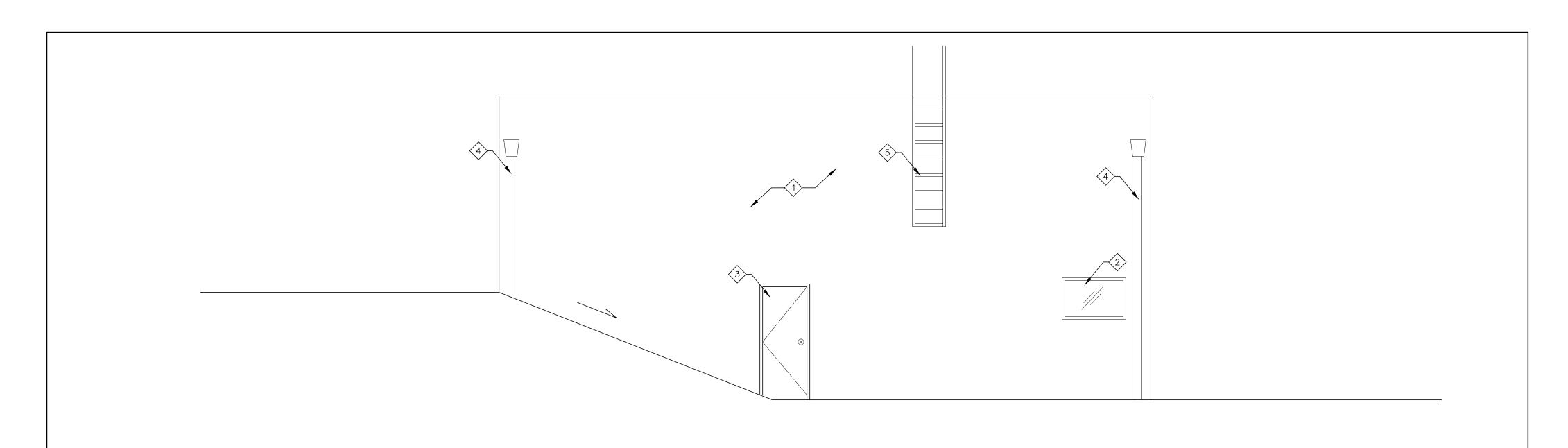
1019 MANHATTAN BEACH BLVD MANHATTAN BEACH, CA 90266



Project No.: 23-A141 Sheet Title: EXTERIOR ELEVATION Sheet No.:

A1.8

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EXISTING NORTH EXTERIOR ELEVATION (NO CHANGE)

SCALE 1/4"=1'-0"

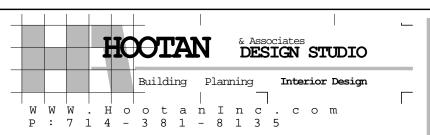
EXTERIOR WALL TO BE REPAIRED AND GIVEN A FRESH COAT OF PAINT

2 EXTERIOR WINDOWS TO REMAIN

3 EXISTING DELIVERY DOOR TO REMAIN

4 EXISTING GUTTER AND DOWNSPOUT TO REMAIN

5 EXISTING ROOF ACCESS LADDER

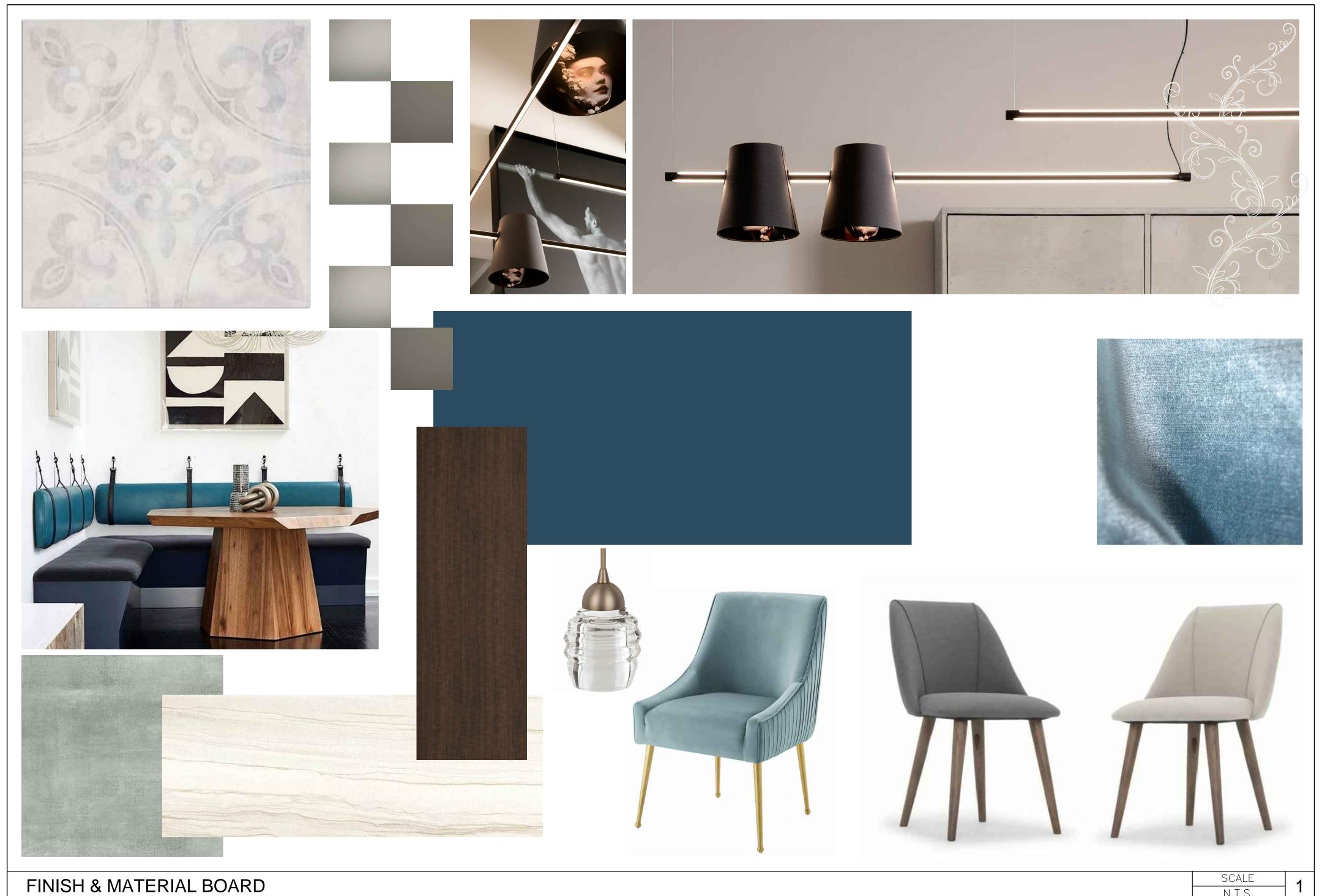


TORANJ RESTAURANT

1019 MANHATTAN BEACH BLVD

MANHATTAN BEACH, CA 90266

Project No.: 23-A141 Sheet Title: EXTERIOR ELEVATION Sheet No.: A1.9



TORANJ RESTAURANT

HOOTAN & Associates DESIGN STUDIO

Building Planning Interior Design

W W W . H o o t a n I n c . c o m

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1019 MANHATTAN BEACH BLVD MANHATTAN BEACH, CA 90266

TORANJ

Project No.: 23-A141

Sheet Title:
FINISH & MATERIAL
BOARD
Sheet No.:
A1.10

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Bid Date:

Revisions

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FINISH & MATERIAL BOARD

HOOTAN & Associates DESIGN STUDIO Building Planning Interior Design

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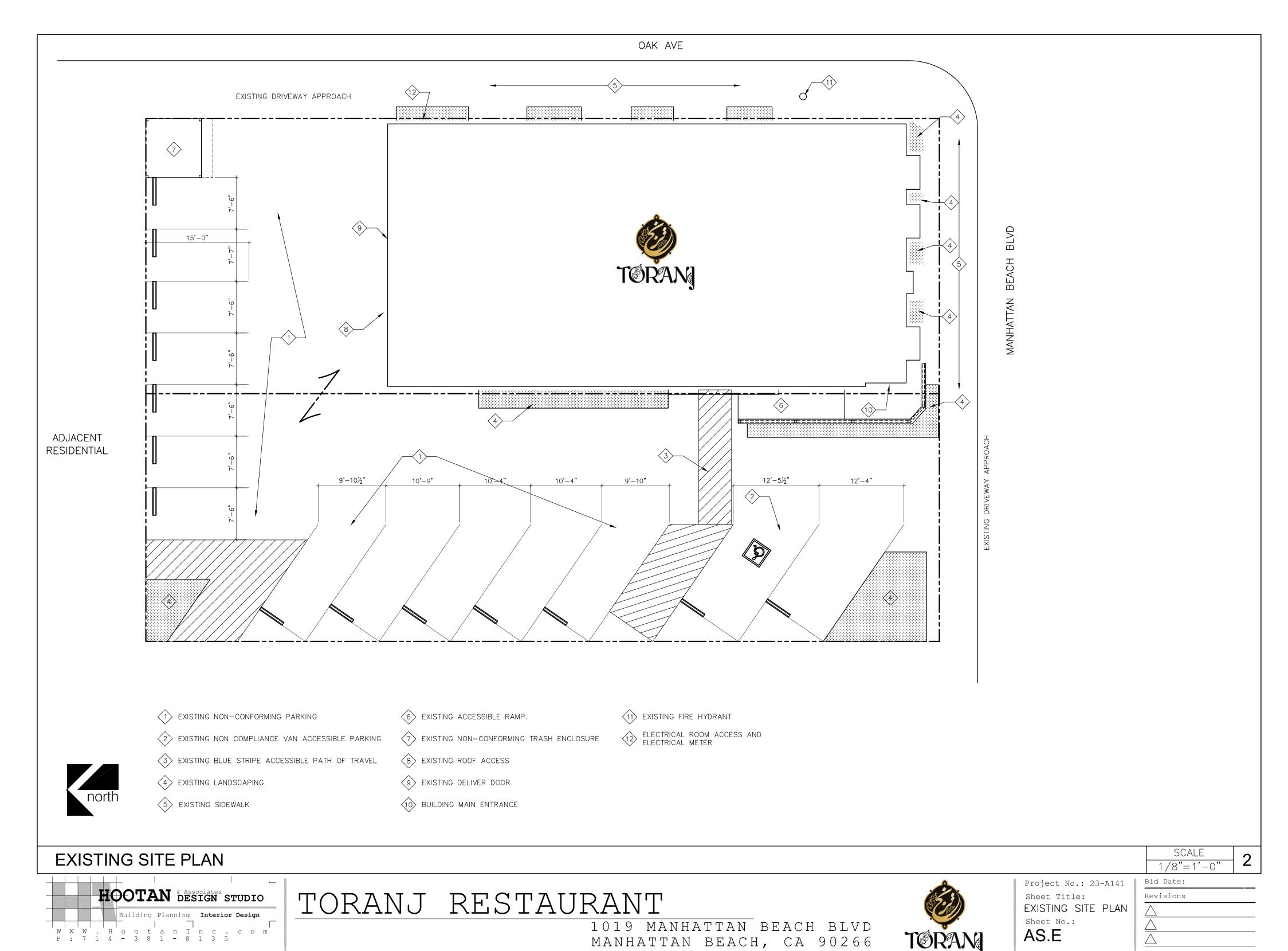
TORANJ RESTAURANT

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Project No.: 23-A141 Sheet Title: FINISH & MATERIAL BOARD BO Sheet No.: A1.11

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