



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

DATE: October 9, 2024

TO: Planning Commission

FROM: Ryan Heise, Acting Community Development Director

THROUGH: Adam Finestone, AICP, Planning Manager

BY: Tari Kuvhengahwa, Associate Planner

SUBJECT: Consideration of a Use Permit Amendment and Coastal Development Permit to allow the expansion of an existing eating and drinking establishment to include second story outdoor dining in conjunction with on-site sales and service of alcohol (beer, wine and distilled spirits) and live entertainment located at 309 Manhattan Beach Boulevard, and finding the project categorically exempt from further review pursuant to the California Environmental Quality Act. (Greg Newman) (Planning Case Nos. PE-23-00121/CDP-24-00098/UP-24-00016)

RECOMMENDATION

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

APPLICANT

Greg Newman
36 13th Ct
Hermosa Beach, CA 90254

BACKGROUND

On June 9, 2023, the Community Development Department received an application requesting a Use Permit Amendment and Coastal Development Permit to allow for the expansion of an existing eating and drinking establishment, including second story outdoor dining, on-site sales and service of alcohol, and live entertainment, in conjunction with food service ("Project") located at 309 Manhattan Beach Boulevard ("Property").

Prior Actions

On August 14, 1984, the Board of Zoning Adjustment adopted Resolution No. BZA 84-37, approving a Use Permit for a substantial remodel and renovation to an existing restaurant/bar on the first floor in conjunction on-site sales and service of alcohol (beer, wine, and distilled spirits) and live entertainment and hours of operation from 7:00 a.m. to 2:00 a.m. daily at 309 Manhattan Beach Boulevard. No change was proposed to the existing residential use on the second floor.

On March 27, 2019, the Planning Commission adopted Resolution No. PC 19-03, amending and restating the Use Permit and replacing Resolution No. BZA 84-37. Resolution No. PC 19-03 currently governs the project site and is included as Attachment C to this report. It approved a major remodel to the existing restaurant on the ground floor to accommodate the new commercial tenant (Esperanza). There were no changes proposed to the hours of operation, alcohol service, live entertainment, or to the residential use on the second floor.

Site Overview and History

The Property is currently permitted with a 3,456 square-foot mixed-use building containing a restaurant space facing Manhattan Beach Boulevard on the first floor (Esperanza), and one residential unit on the second floor. The Property is in the Downtown Commercial (CD) zoning district, Area District III, and has a General Plan designation of Downtown Commercial. In addition, the Property is located within the non-appealable portion of the Coastal Zone. The site is surrounded by restaurant, retail, and office uses to the north, restaurant uses to the west, restaurant/bar uses to the east, and retail uses to the south (across Manhattan Beach Boulevard). The Vicinity Map (see Attachment B) demonstrates the site configuration and surrounding uses.

The current tenant, Esperanza, began operation at the subject site in July 2021. The business operates under a Type-47 Alcoholic Beverage Control (ABC) license. A Type-47 ABC license authorizes the on-site sale and consumption of distilled spirits (including beer and wine). The license holder must operate and maintain the licensed premises as a bona fide eating place, including maintaining suitable kitchen facilities and making actual and substantial sales of meals for consumption on the premises, and minors are allowed on the premises.

On August 10, 2022, staff provided an informational report with a one-year review of the above Use Permit Amendment to the Planning Commission in order to provide an update on the applicant’s compliance with the conditions of approval (in accordance with Condition #4 in Resolution No. PC 19-13). Staff concluded that the property was in substantial compliance with the conditions of approval, but did note the presence of an unpermitted toilet in the closet of the second-floor residential unit. Staff instructed the applicant to work with the Building Division to resolve that violation.

Project Overview

A detailed **project overview** is provided in the following table, and Project plans are included with this report as Attachment G:

PROJECT OVERVIEW AND COMPARISON		
Location:	309 Manhattan Beach Boulevard (see Vicinity Map – Attachment B)	
Legal Description:	Lot 3, Block 92, Manhattan Beach Division No. 2	
General Plan Land Use:	Downtown Commercial	
Zoning:	CD/Downtown Commercial	
Area District:	III	
Existing Land Use:	First Floor: Eating & Drinking Establishment Second Floor: Residential	
Proposed Land Use:	First Floor: No Change Second Floor: Eating & Drinking Establishment	
Neighboring Zoning:	North: CD	
	East: CD	
	South: CD	
	West: CD	
	<u>Existing</u>	<u>Proposed</u>

Parking	Two*	Five
Lot Size	2,692 sq. ft.	No Change
Building Size	3,456 sq. ft.	3,393 sq. ft.
Tenant Size	2,077 sq. ft.	3,393 sq. ft.
Space Configuration	<p>First Floor: 2,077 sq. ft. interior 307 sq. ft. exterior</p> <p>Second Floor: 1,388 sq. ft. interior 594 sq. ft. exterior</p>	<p>First Floor: 2,060 sq. ft. interior 307 sq. ft. outdoor</p> <p>Second Floor: 1,333 sq. ft. interior 594 sq. ft. exterior</p>
Alcohol License	On-Sale Beer, Wine, & Distilled Spirits (Type 47 ABC License)	On-Sale Beer, Wine & Distilled Spirits (Type 47 ABC License)
Allowable Hours of Operations	<p>First Floor: 7:00 AM - 2:00 AM daily</p> <p>Second Floor: None</p>	<p>First Floor: No Change</p> <p>Second Floor: 4:00 PM - 12:00 AM daily</p>

*Currently provided through Merchant Parking Permits

Governing Regulations

The Project is reviewed for compliance with applicable regulations, including the City's General Plan, Manhattan Beach Local Coastal Program ("MBLCP"), and Downtown Design Guidelines.

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 subject project was evaluated for conformance with the Land Use element goals and policies.

The Project was evaluated for conformance with the following applicable Land Use Element goals and policies:

- 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.
- Land Use Plan Goal LU-7: Continue to support and encourage the viability of the Downtown area of Manhattan Beach.
- Land Use Plan Policy LU-7.4: Encourage first-floor street front businesses with retail, restaurants, service/commercial, and similar uses to promote lively pedestrian activity on Downtown streets, and consider providing zoning regulations that support these uses.

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 proposed project is located in the Coastal Zone; therefore, the project was reviewed for compliance with the LCP, including but not limited to the following sections:

- LCP Chapter A.16 - governs commercial districts, including the Downtown (CD) district where the Project is located.

- LCP Chapter A.64 – governs parking throughout the Coastal Zone, including where the Project is located.
- LCP Chapter A.84 – governs use permits, which 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 in the surrounding area.
- LCP Chapter A.96 – establishes Coastal Development Permit procedures.

Downtown Design Guidelines

The Downtown Design Guidelines were adopted by the City Council in 2018 and “are intended to perpetuate quality development that will complement and enhance the project area’s eclectic style and small-town character.”

PROJECT DESCRIPTION

Greg Newman, the operator of Esperanza, is requesting a Use Permit Amendment and Coastal Development Permit to allow for the expansion of an existing eating and drinking establishment, including second-story outdoor dining, on-site sales and service of alcohol, and live entertainment, located at 309 Manhattan Beach Boulevard. The project scope includes the removal of the residential unit on the second story, the expansion of the ground floor restaurant onto the second story, as well as a remodel of the existing second floor deck to create an outdoor dining patio for the restaurant. Additionally, the applicant is proposing changes to the first story floor plan in order to accommodate code requirements associated with their request to expand the existing restaurant onto the second story.

DISCUSSION

Project Analysis

As described above, the Project would expand an existing eating and drinking establishment onto the second floor of the building. The expansion includes both indoor and outdoor dining on the second floor (in addition to the existing indoor and outdoor dining on the first floor). As a result of the expansion, the following aspects of the Project warrant additional consideration by the Planning Commission.

Noise

One of the most important considerations related to outdoor dining is the potential for noise impacts on the surrounding area. Music and other forms of entertainment can create noise impacts, especially when located outdoors. As described throughout this report, the applicant proposes both indoor and outdoor dining areas on the second floor, so noise impacts were

analyzed by staff. Live music is proposed for the interior of the second story expansion, but not the outdoor dining area. To address noise travel concerns, doors between the interior and outdoor dining areas would be closed during any live entertainment.

The applicants engaged an acoustical consulting firm, Veneklasen Associates, to conduct an acoustic study for the Project, which analyzed the Project's potential noise impacts and proposed a sound attenuation plan (see Attachment E). The attenuation plan provided recommendations to address potential noise concerns. With the implementation of said recommendations, noise impacts were determined to be negligible and would not exceed the ambient noise levels beyond the property line.

The sound attenuation measures identified by the acoustic consultant are summarized below and have been included as conditions of approval in draft Planning Commission Resolution No. 24-XX (Attachment A to this report):

- *Doors shall be closed on first floor during live entertainment on the first floor*
- *Doors shall be closed on second floor during live entertainment on the second floor*
- *Speakers shall be positioned inward towards the dining room, rather than towards the patio on both floors*
- *A glass panel shall be added to the front (south) façade on the second floor at a height of at least six feet*

Hours of Operation for Outdoor Dining

Another significant consideration related to outdoor dining is the hours it will operate. The applicant is not proposing any change to the permitted hours of operation for the existing outdoor dining area on the first floor, which are 7:00 a.m. to 2:00 a.m. daily. The requested hours for the proposed second-story outdoor dining area are 4:00 p.m. to 12:00 midnight daily, which are the same hours proposed for the second floor's interior dining area.

In 2023, the City Council appointed an Outdoor Dining Task Force to study and provide recommendations for a long-term outdoor dining program. The task force's recommendations will be presented to the City Council at a future date for consideration. One of the task force's recommendations is to limit the hours of operation for outdoor dining areas (including second-story outdoor dining) to end no later than 10:00 p.m. daily. In discussing this limitation, the primary consideration of the task force was potential noise impacts. Taking into consideration the working recommendations of the Outdoor Dining Task Force and the topics discussed above in this report, staff's recommendation is to allow the second-story interior hours of operation from 4:00 p.m. to 12:00 midnight as requested; but to limit the hours of operation for the second-story outdoor dining area to 4:00 p.m. to 10:00 p.m. daily.

Alcohol Sales and Service

The on-site sale and consumption of alcoholic beverages is allowed in the CD zone subject to the approval of a use permit. This privilege is already enjoyed by the existing restaurant. The applicant proposes no change to the allowable hours of alcohol service within the existing portion of the restaurant (7:00 a.m. to 2:00 a.m. seven days a week, as described in Resolution No. PC 19-03). The applicant is requesting to allow for the sale and service of alcohol (beer, wine, and distilled spirits) on the second floor (proposed expansion area of the restaurant), in both the indoor and outdoor dining areas. The requested hours for alcohol service on the second-floor are as 4:00 p.m. to 12:00 midnight seven days a week, which is the same as the requested hours of operation for the restaurant interior. As described above, staff's recommendation is to limit the hours of operation for the outdoor dining area to end at 10:00 p.m., which would include the sales and service of alcohol in that area.

In addition to the requested Use Permit Amendment and Coastal Development Permit, the applicant must also modify their existing 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 amended), as well as all ABC license requirements and conditions of their ABC license. In instances where there are conflicts between conditions of the ABC license and the Master Use Permit, the more restrictive conditions would apply.

The existing tenant space currently operates as a restaurant and is currently allowed to serve alcohol (beer, wine, and distilled spirits) for on-site consumption in conjunction with food service. The business would continue to operate as a restaurant, not a bar, and food will be available for sale and service at all times. Expansions of dining areas and associated tenant improvements have been approved for other Downtown restaurants, including restaurants with outdoor patios located on private property. As such, the expansion of an existing business into the existing second story of an existing building is not anticipated to have a significant impact on the welfare of properties and uses in the project vicinity.

Parking

The applicant contracted with Gibson Transportation Consulting, Inc. (Gibson) to conduct a Parking Analysis (Attachment F to this report), which evaluates existing parking supply, the amount of additional parking required for the proposed intensification of use at the project site, and the appropriateness of a proposed off-site parking location. The existing eating and drinking establishment currently requires two parking spaces. The Manhattan Beach Local Coastal Program (MBLCP) allows up to two Merchant Parking Permits to be utilized to satisfy a site's parking requirement, which is how the applicant is accommodating their current parking needs.

Since the same type of commercial facility at the site is remaining, the analysis compares the change in intensity of use at the site. The analysis determined that proposed expansion requires three additional parking spaces. When a site's configuration cannot accommodate on-site parking, that parking may be provided off-site at another property through the collective provision of parking. MBLCP Section A.64.040 allows one site to utilize the parking facility of another site through the approval of a Use Permit. In accordance with MBLCP Section A.64.020(F)(1) and A.64.020(G), the parking analysis includes a lease proposed at an off-site location within the allowed distance of 1,000 feet from the subject establishment's entrance.

Consistency and Compliance with Governing Regulations

Manhattan Beach General Plan

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

- *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 services and restaurants. The proposed eating and drinking establishment expansion will continue to offer dining options to the community and visitors to support the Downtown commercial businesses.

- *Land Use Plan Policy LU-6.1: Support and encourage small businesses throughout the City.*

Allowing the existing eating and drinking establishment to expand enhances the viability of the business. Many other existing eating and drinking establishments in the Downtown have undergone tenant improvements and expansions over time, including those with on-site sales and service of alcohol, and those with live entertainment. The applicant's request is consistent with such uses.

- *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.*

Downtown Manhattan Beach has a mix of restaurants and services. The expansion of the existing restaurant could attract more patrons to the eating and drinking establishment. Eating and drinking establishments are required to collect sales tax, a portion of which goes back to the City.

- *Land Use Plan Goal LU-7: Continue to support and encourage the viability of the Downtown area of Manhattan Beach.*

Downtown Manhattan Beach has a variety of commercial uses including, but not limited to, coffee shops, restaurants, and retail stores. As proposed, the expanded eating and drinking establishment is complimentary to these uses, as patrons may visit other Downtown businesses, thus contributing to the economic vitality of Downtown Manhattan Beach.

- *Land Use Plan Policy LU-7.4: Encourage first-floor street front businesses with retail, restaurants, service/commercial, and similar uses to promote lively pedestrian activity on Downtown streets, and consider providing zoning regulations that support these uses.*

The existing use is a first-floor eating and drinking establishment use, with the business's façade facing a commercial corridor (Manhattan Beach Boulevard) in the heart of Downtown Manhattan Beach. The eating and drinking establishment will be open during daytime and nighttime hours, encouraging pedestrian activity. The applicant is maintaining the existing ground floor dining area adjacent to the sidewalk, thus continuing to encourage a lively environment on the street.

Manhattan Beach Local Coastal Program

Pursuant to MBLCP Section A.16.020, a use permit amendment is required for any change of use to, or expansion of, an eating and drinking establishment within the CD zoning district. Thus, in order to change the use of the second floor of the Property from residential to restaurant, an amendment to the existing use permit for the site is required. In addition, MBLCP Section A.16.020(L) requires a use permit or use permit amendment for any new or amended alcohol license. As the request includes expanding the sales and service of alcohol to the second floor, a modifications to the existing alcohol license will be required. An amendment to the existing use permit is also required for that reason.

Development standards applicable to the Project site are primarily found in Section A.16.030 of the MBLCP. The proposed project scope complies with development standards included in that section.

Section A.64 of the MBLCP addresses parking requirements in the Coastal Zone. The proposed change of use from residential to eating and drinking establishment on the second floor increases the parking requirement for the subject property. Providing the additional required parking on-site is not feasible for the Project, as the existing building and first floor patio are built to the edge of the property lines. Pursuant to Section A.64.040 of the MBLCP, a property

may enter into a shared parking agreement for use of their spaces under certain circumstances, subject to approval of a Use Permit (or amendment thereto). The collective provision of parking must be a site of 5,000 square feet or more that serves more than one use or site, is located in a district in which parking for the uses served is a permitted or conditional use, and is within 1,000 feet of the Property utilizing said parking spaces. Said parking spaces must be in excess of those required for other uses on the site where they are located or must be available for the property requesting use of the spaces because hours of operation differ from those of the on-site business(es). The applicant proposes to provide the additional three parking stalls required for the expansion by entering into an agreement for use of off-site parking spaces at 1140 Highland Avenue, in compliance with the provisions stated above.

A Coastal Development Permit (CDP) is required for the Project because the Project is a “development” as defined in MBLCP Section A.96.030(I). Unless exempted pursuant to Section A.96.050, all developments are required to obtain a CDP pursuant to Section A.96.040.

Furthermore, pursuant to Section A.84.020 of the MBLCP, the Planning Commission is the decision-making authority for Use Permits and Use Permit Amendments and shall consider the request at a public hearing, prior to rendering a decision on the application. Pursuant to MBLCP Section A.96.080(B), the Coastal Development Permit shall be considered along with any other associated entitlements, which in this case is the Use Permit Amendment.

Downtown Design Guidelines

The Downtown Design Guidelines were adopted by the City Council in 2018 and “are intended to perpetuate quality development that will complement and enhance the project area’s eclectic style and small-town character.” The proposed building complies with the applicable Downtown Design Guidelines including the following:

- Site Layout and Building Orientation: The building’s existing main pedestrian entry is oriented along Manhattan Beach Boulevard and the existing first floor outdoor dining area and proposed second-story outdoor dining area are both located at the front of the property. The overall site layout and building orientation proposed for the expansion is consistent with the existing conditions, thus continuing to conform to the Downtown Design Guidelines.
- Outdoor Spaces: The Project’s proposed second-floor outdoor dining patio is located between the front of the structure and the sidewalk, facing Manhattan Beach Boulevard. The outdoor patio provides visual interest to the surrounding areas.

Interdepartmental Review

The Building and Traffic Divisions, along with the Public Works, Fire, and Police Departments, reviewed the request. The Police Department stated that there were 38 documented “calls for service” at the subject address between July 1, 2021, and October 1, 2024, however a majority were not related to the operation of the existing restaurant. Twenty-six of the calls were pertaining to parking meter malfunction, unpermitted parking, sounding alarms, transient disturbances, and personal property theft, and were unrelated/not attributed to the subject operator. The remaining calls for service related to noise (such as loud music), physical altercations, intoxicated individuals, and requests for police and fire response.

Additionally, Staff reviewed City records and found no outstanding Code Enforcement cases for the Property. Conditions of approval have been included with draft Planning Commission Resolution No. 24-XX (included as Attachment A to this report) to address any potential impacts resulting from operation of the Project.

Required Findings

Pursuant to MBLCP Section A.84.060, in order to approve a use permit or an amendment thereto, the decision-making authority must make certain findings in order to ensure that the use operates in a manner that is compatible with uses on adjacent properties and in the surrounding area. MBLCP Section A.96.150 requires findings to be made prior to the issuance of a CDP as well.

The required findings are addressed below:

Use Permit

- 1. 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.*

The subject site is currently permitted as a restaurant on the first floor and residential use on the second floor at an existing mixed-use building in the CD zoning district. The applicant is proposing to expand the existing restaurant onto the second floor, which would change the use from residential to eating and drinking establishment. In association with the proposed restaurant expansion, the project scope also includes extending the sales and service of alcohol for on-site consumption to the second story as well as the ability to have live entertainment upstairs. As a result, the subject site would undergo a change of use, by removing the residential use and maintaining only a restaurant use at the site. As stated in the MBLCP Section 10.16.020, an “Eating and Drinking Establishment” use is permitted through a Use Permit in the CD zoning district. The first entitlement approved for this type of use at the subject site was on August 14, 1984, through adoption of Board of Zoning Adjustment Resolution No. BZA 84-37. The

applicant proposes to maintain an eating and drinking establishment use at the site, with more limited hours of operation for the proposed expansion area on the second floor. The subject request does not alter the primary use of this commercially-zoned property.

2. *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.*

The General Plan encourages a “vibrant downtown” that offers “services and activities for residents and visitors.” The Property’s General Plan land use designation is Downtown Commercial. Eating and drinking establishment uses are consistent with the intended mix of uses in the Downtown District. The Project is compatible with neighboring uses, as neighboring lots to the north, south, west, and east are all developed with commercial uses. Furthermore, the Project was reviewed by the Building & Safety and Traffic divisions, the Public Works, Police, and Fire Departments, and Waste Management, none of which raised concerns or objections. Therefore, the Project will not be detrimental to the public health, safety or welfare of persons residing or working on the site, or in or adjacent to the neighborhood of such use and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

When taken together, the requested physical and operational changes described above (expansion of restaurant use to the second floor with an outdoor dining area, with the sales and service of alcohol and indoor live entertainment) do not result in a significant intensification of use because the site will continue operating as an eating and drinking establishment. Additionally, the building is on a commercial street, is not adjacent to any residential uses, and would operate in a similar manner to other eating and drinking establishments in the vicinity, and conditions of approval, including conditions regarding hours of operation and operational standards related to entertainment and noise have been proposed to address any potentially adverse impacts.

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.*

The Project proposes to change the use of the second floor of the existing building from a residential use to an eating and drinking establishment, which is the same use already permitted on the first floor through the existing Use Permit. Per MBLCP Section A.16.020, the CD zoning district allows “Eating and Drinking Establishment” uses, which includes sit-down restaurants, through the approval of a use permit. A Use Permit Amendment is also required when a proposed project requires changes to the original Use Permit’s conditions of approval.

The restaurant is a commercial use that is existing-to-remain at the site. The project scope is limited to expanding the first floor restaurant use to also occupy the second floor. Conditions of approval have been proposed which will ensure compliance with the required findings for a Use Permit and serve as an additional governing entitlement (in conjunction with the existing Resolution No. PC 19-03) for the development and operation of the subject site.

4. *The proposed use 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 proposed use is located on a previously-developed site along Manhattan Beach Boulevard and is consistent with uses surrounding the site, which include commercial uses. Project characteristics related to parking, noise, vibration, odors, security, personal safety, and aesthetics are addressed in the project design, Municipal Code requirements, and conditions of approval. Furthermore, the use will not create demands exceeding the capacity of public services and facilities.

The applicant contracted a transportation consultant to prepare a parking analysis, which analyzed the amount of additional parking required by the code based on the project request, provided an explanation and copy of the required off-site parking lease because the site cannot accommodate the additional parking required for the expansion, and analyzed the appropriateness of the proposed off-site parking location. The applicant also contracted an acoustic consultant to prepare an acoustic analysis for the proposed expansion. This study analyzed the project’s potential noise impacts and proposed a sound attenuation plan. Measures outlined in the sound attenuation plan are included as conditions of approval for the Project in order to address potential adverse impacts.

Coastal Development Permit

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

The subject site is located within Area District III and zoned Downtown Commercial (CD). The General Plan and Local Coastal Program/Land Use Plan designation for the property is Downtown Commercial, which “provides locations for a mix of commercial businesses, residential uses with discretionary review, and public uses, with a focus on pedestrian-oriented commercial businesses that serve Manhattan Beach residents.” The proposed eating and drinking establishment use for the second floor is allowed through a Use Permit in the CD zoning district and is consistent with the City’s General Plan land use designation. As such, the project as conditioned conforms with the City’s certified LCP.

- 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 the project site is located east of Ocean Drive, it is not located between the first public road and the sea; therefore, it is not subject to this finding. Further, the structure does not impact public access to the shoreline. Adequate public access is provided and shall be maintained along Manhattan Beach Boulevard, Morningside Drive, Highland Avenue, and Center Place. Furthermore, the project does not create any barriers along Manhattan Beach Boulevard, Morningside Drive, Highland Avenue, and Center 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 1 categorical exemption pursuant to Section 15301 (Existing Facilities) and Class 3 categorical exemption pursuant to Section 15303 (New Construction or Conversion of Small Structures) of the State CEQA Guidelines. Class 1 exemptions include the operation, repair, maintenance, permitting, leasing, licensing, or minor alternation of existing private structures or facilities, involving negligible expansion of an existing or former use. The request consists of expanding an existing eating and drinking establishment into the existing second story of the building, including the sales and service of alcoholic beverages, and live entertainment. Hours of operation for the second

floor would be less than those for the ground floor, and no expansion of the structure is proposed. Therefore, the Project would represent a negligible expansion of use at the site.

The Project also qualifies for a Class 3 categorical exemption pursuant to Section 15303 of the State CEQA Guidelines. Class 3 exemptions include the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The request includes a change of use from residential to commercial on the second story, in order to expand the existing restaurant to include both stories of the existing building. 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 October 9, 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 August 26, 2024. As of the writing of this report, staff has not received any public comments.

CONCLUSION AND RECOMMENDATION

The requested physical and operational changes described in this report do not result in a significant intensification of use because the site will continue to operate as an eating and drinking establishment. The Property is in the heart of Downtown Manhattan Beach, the tenant space is not adjacent to any residential uses, and the tenant would operate in a similar manner to other eating and drinking establishments in the vicinity. Further, conditions of approval have been proposed to address potential impacts related to noise and parking resulting from the Project.

In consideration of the information contained in this report, staff recommends that the Planning Commission conduct a public hearing and adopt the attached draft resolution approving the Use Permit Amendment and Coastal Development Permit, subject to conditions, and finding the project exempt from further review pursuant to Sections 15301 and 15303 of the State CEQA Guidelines.

ATTACHMENTS:

- A. Draft Resolution No. PC 24-XX
- B. Vicinity Map
- C. Resolution No. PC 19-03
- D. Applicant's Written Materials
- E. Acoustic Analysis (Dated April 3, 2024)
- F. Parking Analysis (Dated July 31, 2024)

G. Architectural Plans

H. Downtown Establishments List – Alcohol and Hours of Operation

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RESOLUTION NO. PC 24-XX**A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION APPROVING A USE PERMIT AMENDMENT TO ALLOW THE EXPANSION OF AN EXISTING EATING AND DRINKING ESTABLISHMENT TO INCLUDE SECOND STORY OUTDOOR DINING IN CONJUNCTION WITH ON-SITE SALES AND SERVICE OF ALCOHOL (BEER, WINE, AND DISTILLED SPIRITS) AND LIVE ENTERTAINMENT LOCATED AT 309 MANHATTAN BEACH BOULEVARD, AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT****THE MANHATTAN BEACH PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. On March 17, 2019, the Planning Commission adopted Resolution No. PC 19-03, approving a Use Permit Amendment (amending and superseding the previous Use Permit) to allow a major remodel of the existing restaurant on the ground floor at an existing two-story, mixed-use building located at 309 Manhattan Beach Boulevard (“Property”).

SECTION 2. On June 9, 2023, Greg Newman (“Applicant”) applied for a Use Permit Amendment and Coastal Development Permit to allow for the expansion of an existing eating and drinking establishment, including second story outdoor dining, on-site sales and service of alcohol, and live entertainment in conjunction with food service (“Project”). Pursuant to the Manhattan Beach Local Coastal Program (“LCP”), the existing first story use and proposed use for both the first and second stories are classified as eating and drinking establishments.

SECTION 3. Use permits and amendments thereto are governed by Chapter A.84 of the LCP. Section A.84.010 specifies that, “[U]se 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 includes modifications to existing conditions of approval, specifically that the business wishes to expand the restaurant use to the second story of the existing building, including a second-story outdoor dining area, alcohol service and sales and live entertainment, thus a use permit amendment is required.

SECTION 4. Coastal development permits thereto are governed by Chapter A.96 of the LCP. Section A.96.040 specifies that, “Except as provided by Section A.96.050, any person, partnership, or corporation, or state or local government agency wishing to undertake any development, as defined in Section A.96.030, in the CZ District, shall obtain a Coastal Development Permit in accordance with the provisions of this chapter, in addition to any other permit required by law.” The subject request includes an intensification of the existing restaurant use by expanding it from the first floor to also occupy the second story as proposed.

SECTION 5. On October 9, 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.

SECTION 6. The Planning Commission finds that the Project qualifies for a Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301 (Existing Facilities), a Class 1 exemption, as well as Section 15303 (New Construction or Conversion of Small Structures), a Class 3 exemption. The request, which consists of a negligible expansion of an existing restaurant use at an existing building and a change of use from residential to commercial, in order to expand that use, (with minor exterior changes to the existing structure) it is consistent with both the definition of existing facilities and the conversion of small structures. There are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Thus, no further environment review is necessary.

SECTION 7. The record of the public hearing indicates:

- A. The legal description of the Property is: Lot 3, in Block 92 of Manhattan Beach Division No. 2, in the City of Manhattan Beach. The Property is located in Area District III and is zoned Downtown Commercial (CD), with a General Plan land use designation of Downtown Commercial. The Property is within the appealable portion of the City’s Coastal Zone, and surrounding properties are zoned CD on all sides.

- B. The use is conditionally permitted in the CD zoning district subject to a use permit and is in compliance with the City's General Plan designation of Downtown Commercial. The General Plan designation encourages the Downtown Commercial land use category to "provide locations for a mix of commercial businesses, residential uses with discretionary review, and public uses, with a focus on pedestrian-oriented commercial businesses that serve Manhattan Beach residents."
- C. A Coastal Development Permit is required for the proposed project because it involves an intensification of the existing restaurant use within the City's Coastal Zone.
- D. The Property is currently governed by a Use Permit Amendment approved by the Planning Commission in 2019 (Resolution No. PC 19-03).
- E. The Project is consistent with following General Plan goals and policies, as described in the staff report prepared for the Project:

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 services and restaurants. The proposed eating and drinking establishment expansion will continue to offer dining options to the community and visitors to support the Downtown commercial businesses.

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

Allowing the existing eating and drinking establishment to expand enhances the viability of the business. Many other existing eating and drinking establishments in the Downtown have undergone tenant improvements and expansions over time, including those with on-site sales and service of alcohol, and those with live entertainment. The applicant's request is consistent with such uses.

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.

Downtown Manhattan Beach has a mix of restaurants and services. The expansion of the existing restaurant could attract more patrons to the eating and drinking establishment. Eating and drinking establishments are required to collect sales tax, a portion of which goes back to the City.

Land Use Plan Goal LU-7: Continue to support and encourage the viability of the Downtown area of Manhattan Beach.

Downtown Manhattan Beach has a variety of commercial uses including, but not limited to, coffee shops, restaurants, and retail stores. As proposed, the expanded eating and drinking establishment is complimentary to these uses, as patrons may visit other Downtown businesses, thus contributing to the economic vitality of Downtown Manhattan Beach.

Land Use Plan Policy LU-7.4: Encourage first-floor street front businesses with retail, restaurants, service/commercial, and similar uses to promote lively pedestrian activity on Downtown streets, and consider providing zoning regulations that support these uses.

The existing use is a first-floor eating and drinking establishment use, with the business's façade facing a commercial corridor (Manhattan Beach Boulevard) in the heart of Downtown Manhattan Beach. The eating and drinking establishment will be open during daytime and nighttime hours, encouraging pedestrian activity. The applicant is maintaining the existing ground floor dining area adjacent to the sidewalk, thus continuing to encourage a lively environment on the street.

SECTION 8. 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 Amendment:

- 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:

The subject site is currently permitted as a restaurant on the first floor and residential use on the second floor at an existing mixed-use building in the CD zoning district. The applicant is proposing to expand the existing restaurant onto the second floor, which would change the use from residential to eating and drinking establishment. In association with the proposed restaurant expansion, the project scope also includes extending the sales and service of alcohol for on-site consumption to the second story as well as the ability to have live entertainment upstairs. As a result, the subject site would undergo a change of use, by removing the residential use and maintaining only a restaurant use at the site. As stated in the MBLCP Section 10.16.020, an "Eating and Drinking Establishment" use is permitted through a Use Permit in the CD zoning district. The first entitlement approved for this type of use at the subject site was on August 14, 1984, through adoption of Board of Zoning Adjustment Resolution No. BZA 84-37. The applicant proposes to maintain an eating and drinking establishment use at the site, with more limited hours of operation for the proposed expansion area on the second floor. The subject request does not alter the primary use of this commercially-zoned property.

- 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 encourages a "vibrant downtown" that offers "services and activities for residents and visitors." The Property's General Plan land use designation is Downtown Commercial. Eating and drinking establishment uses are consistent with the intended mix of uses in the Downtown District. The Project is compatible with neighboring uses, as neighboring lots to the north, south, west, and east are all developed with commercial uses. Furthermore, the Project was reviewed by the Building & Safety and Traffic divisions, the Public Works, Police, and Fire Departments, and Waste Management, none of which raised concerns or objections. Therefore, the Project will not be detrimental to the public health, safety or welfare of persons residing or working on the site, or in or adjacent to the neighborhood of such use and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

When taken together, the requested physical and operational changes described above (expansion of restaurant use to the second floor with an outdoor dining area, with the sales and service of alcohol and indoor live entertainment) do not result in a significant intensification of use because the site will continue operating as an eating and drinking establishment. Additionally, the building is on a commercial street, is not adjacent to any residential uses, and would operate in a similar manner to other eating and drinking establishments in the vicinity, and conditions of approval, including conditions regarding hours of operation and operational standards related to entertainment and noise have been proposed to address any potentially adverse impacts.

- 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:

The Project proposes to change the use of the second floor of the existing building from a residential use to an eating and drinking establishment, which is the same use already permitted on the first floor through the existing Use Permit. Per MBLCP Section A.16.020, the CD zoning district allows "Eating and Drinking Establishment" uses, which includes sit-down restaurants, through the approval of a use permit. A Use Permit Amendment is also required when a proposed project requires changes to the original Use Permit's conditions of approval.

The restaurant is a commercial use that is existing-to-remain at the site. The project scope is limited to expanding the first floor restaurant use to also occupy the second floor. Conditions of approval have been proposed which will ensure compliance with the required findings for a Use Permit and serve as an additional governing entitlement (in conjunction with the existing Resolution No. PC 19-03) for the development and operation of the subject site.

- 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 proposed use is located on a previously developed site along Manhattan Beach Boulevard and is consistent with uses surrounding the site, which include commercial uses. Project characteristics related to parking, noise, vibration, odors, security, personal safety, and aesthetics are addressed in the project design, Municipal Code requirements, and conditions of approval. Furthermore, the use will not create demands exceeding the capacity of public services and facilities.

The applicant contracted a transportation consultant to prepare a parking analysis, which analyzed the amount of additional parking required by the code based on the project request, provided an explanation and copy of the required off-site parking lease because the site cannot accommodate the additional parking required for the expansion, and analyzed the appropriateness of the proposed off-site parking location. The applicant also contracted an acoustic consultant to prepare an acoustic analysis for the proposed expansion. This study analyzed the project's potential noise impacts and proposed a sound attenuation plan. Measures outlined in the sound attenuation plan are included as conditions of approval for the Project in order to address potential adverse impacts.

SECTION 9. Based upon substantial evidence in the record, and pursuant to Section A.96.150 of the LCP, the Planning Commission hereby makes the following findings related to the Coastal Development Permit:

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

The subject site is located within Area District III and zoned Downtown Commercial (CD). The General Plan and Local Coastal Program/Land Use Plan designation for the property is Downtown Commercial, which "provides locations for a mix of commercial businesses, residential uses with discretionary review, and public uses, with a focus on pedestrian-oriented commercial businesses that serve Manhattan Beach residents." The proposed eating and drinking establishment use for the second floor is allowed through a Use Permit in the CD zoning district and is consistent with the City's General Plan land use designation. As such, the project as conditioned conforms with the City's certified LCP.

- 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 the project site is located east of Ocean Drive, it is not located between the first public road and the sea; therefore, it is not subject to this finding. Further, the structure does not impact public access to the shoreline. Adequate public access is provided and shall be maintained along Manhattan Beach Boulevard, Morningside Drive, Highland Avenue, and Center Place. Furthermore, the project does not create any barriers along Manhattan Beach Boulevard, Morningside Drive, Highland Avenue, and Center Place that prevent public access to the coast.

SECTION 10. Based upon the foregoing, the Planning Commission hereby APPROVES the Project, subject to the conditions below.

General

1. All conditions applied to Planning Commission Resolution No. PC 19-03 remain in full effect unless expressly modified by the conditions contained herein.
2. The Project shall be in substantial conformance with the plans and project description submitted to, and approved by, the Planning Commission on October 9, 2024, as amended by these conditions. 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.
3. 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.

4. 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 Manhattan Beach Municipal Code ("MBMC") Chapter 10.104. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.
5. Community Development Department staff shall be allowed to inspect the Property at any time to determine compliance with the conditions imposed and Local Coastal Program requirements.
6. Modifications and improvements to the Tenant Space shall be in compliance with applicable Planning Division, Building Division, Public Works, Waste Management, Fire Department, and Health Department regulations, when applicable, and all other applicable codes and regulations (California Building Code, MBMC, etc.).

Operational

7. The Project shall be operated in conformance with all applicable provisions of the MBMC, MBLCP, and this Use Permit Amendment and Coastal Development Permit.
8. The first and second floors shall operate as one restaurant.
9. Hours of operation for the second story shall be limited to:

Indoor: 4:00 p.m. – 12:00 a.m. midnight daily
Outdoor: 4:00 p.m. – 10:00 p.m. daily

Hours of operation may be amended without a use permit amendment pursuant to Condition 18.

10. Live entertainment on the second story shall be permitted indoor only and limited to no more than five musicians and/or vocalists. The patio doors and windows shall be closed when live entertainment is occurring. The windows and doors shall have Sound Transmission Class (STC) rating of at least 30.
11. Live entertainment, amplified sound, and speakers are prohibited at the outdoor dining area.
12. Speakers inside the restaurant shall face inward towards the dining room, rather than towards the outdoor dining area. This condition applies to both the first and second stories.
13. A minimum 6-foot high glass panel shall be installed immediately adjacent to the wooden slats on the south-facing (front) side of the building. The panel shall have a minimum STC as prescribed by an acoustic engineer.
14. 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 residents and property owners.
15. The kitchen shall remain open, and food shall be available for purchase, at all times when alcohol is available for purchase.

Parking

16. Three parking stalls are required for the second-floor expansion of the existing eating and drinking establishment use.
17. A minimum of three parking stalls shall be provided and maintained off-site in accordance with the provisions of LCP Chapter A.64. Should any of the parking spaces provided for compliance with this condition become inaccessible or unusable during the life of the use, the Community Development Department shall be notified in writing immediately and this Use Permit and Coastal Development Permit shall become subject to revocation/modification action within 30 days if replacement parking is not obtained.

18. This Use Permit Amendment and Coastal Development Permit shall not become effective until an executed copy of the off-site parking lease demonstrating compliance with the conditions above is submitted to the Community Development Department.
19. Should the operator obtain additional off-site parking stalls that are available prior to 4:00 p.m., then the operator may extend their hours of operation to allow daytime use prior to 4:00 p.m., subject to review and approval by the Community Development Director. Prior to extending the daytime operating hours, the operator shall submit an executed parking lease and parking plan (in accordance with the provisions of LCP Chapter 10.64) to the Community Development Department for review and approval.

Alcohol

20. The existing Type 47 ABC license must be modified through the California Department of Alcoholic Beverage Control (“ABC”) to expand the licensed premises to include the second story (including the outdoor dining area) prior to commencement of sales and service of distilled spirits on the second story.
21. 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 Amendment, the more stringent conditions shall govern.
22. Alcohol service shall only be allowed within the enclosed building and in outdoor dining areas located on private property unless amendments to the LCP allow for alcohol service in the public right-of-way adjacent to the Tenant Space.

Procedural

23. 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 11. 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.

SECTION 12. 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.

SECTION 13. This Resolution shall become effective when all time limits for appeal as set forth in MBMC Chapter 10.100 have expired.

SECTION 14. 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.

SECTION 15. These entitlements shall lapse two years after its date of approval, unless implemented or extended pursuant to Section A.84.090 of the LCP.

October 9, 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 **October 9, 2024**, and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Adam Finestone, AICP
Secretary to the Planning Commission

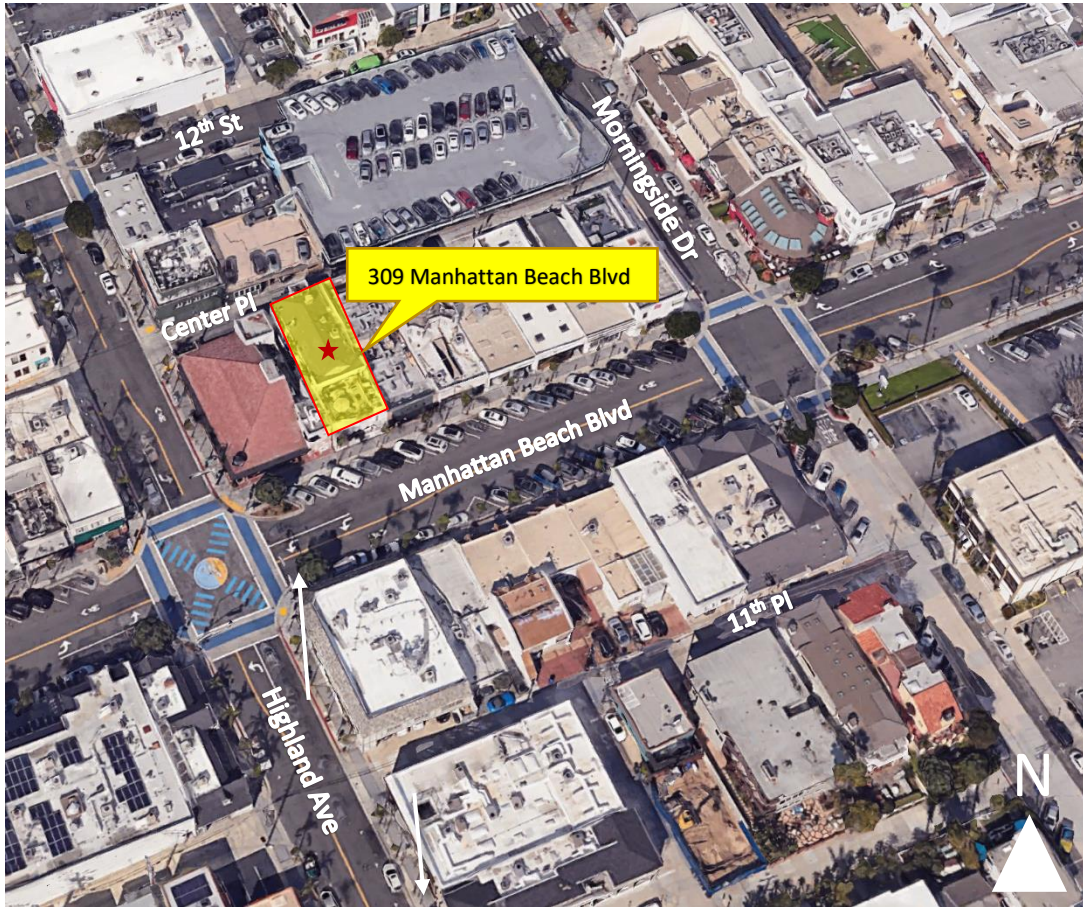
Tatiana Maury
Recording Secretary

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ATTACHMENT B

VICINITY MAP

309 MANHATTAN BEACH BOULEVARD



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RESOLUTION NO. PC 19-03

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT AMENDMENT TO ALLOW A MAJOR REMODEL OF AN EXISTING RESTAURANT WITH FULL LIQUOR SERVICE AND LIVE ENTERTAINMENT, AND ACKNOWLEDGE NO MORE THAN TWO EXISTING UPSTAIRS RESIDENTIAL UNITS AT 309 MANHATTAN BEACH BOULEVARD (ESPERANZA/NEWMAN)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. On August 14, 1984, the Board of Zoning Adjustment of the City of Manhattan Beach adopted Board of Zoning Adjustment Resolution No. BZA 84-37, approving a Use Permit for a substantial remodel and renovation to an existing restaurant at the property located at 309 Manhattan Beach Boulevard, subject to a number of conditions.
- B. Under the entitlements conferred by Board of Zoning Adjustment Resolution No. BZA 84-37, the restaurant operators were granted the ability to substantially remodel and renovate the restaurant and bar while still being able have full alcohol service and live music.
- C. The Planning Commission of the City of Manhattan Beach opened a public hearing on January 23, 2019 and continued the public hearing to March 27, 2019 without discussion. At the March 27, 2019 meeting, the Commission conducted the continued public hearing, received testimony, and considered an application for a Use Permit Amendment to allow a major remodel of the existing restaurant (Shark's Cove) located at 309 Manhattan Beach Boulevard. The applicant did not request to change the operating hours, full alcohol service, or live entertainment hours.
- D. The subject property is legally described as Lot 3, Block 92, Manhattan Beach Division #2 in the City of Manhattan Beach, County of Los Angeles.
- E. The applicant for the subject project is Greg Newman, the owner of the business (hereafter referred to as "the owner").
- F. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Existing Facilities Section 15301 based on Staff's determination that there is no expansion of use associated with the Project.
- G. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- H. The existing building maintains an eating and drinking establishment use at the first story. The original permitted use for the second story was two residential units, but it appears that the second story has not been used as a residential use for some time, and is currently being used as an unpermitted office/storage use.
- I. The subject property is located in Area District III and is zoned CD, Downtown Commercial. The surrounding properties are zoned CD to the North (across Center Place), South (across Manhattan Beach Boulevard), East, and West.
- J. The use is permitted in the CD zone subject to a Use Permit and is in compliance with the City's General Plan designation of Downtown Commercial.
- K. The General Plan designation for the property is Downtown Commercial. The General Plan encourages Downtown businesses that offer "services and activities to our residents and visitors". The project is specifically consistent with General Plan Policies as follows:

LU-6: Maintain the viability of the commercial areas of Manhattan Beach.

LU-7: Continue to support and encourage the viability of the Downtown area of Manhattan Beach.

L. The Planning Commission makes the following findings required to approve the Use Permit pursuant to MBMC Section 10.84.060:

1. 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.

Esperanza will continue to be a commercial use located in the CD Downtown Commercial zone.

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 use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.

Esperanza will be a commercial use consistent with the General Plan's Downtown Commercial land use designation assigned to the project lot and the neighboring lots. The proposed use is consistent with neighboring uses, as the neighboring lots have also been developed with commercial uses, many of which are eating and drinking establishments that serve alcohol. The General Plan encourages a "vibrant downtown" that offers "services and activities for residents and visitors", and Esperanza can be part of the Downtown commercial mix of businesses that helps create a dynamic and interesting Downtown.

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

Esperanza will be an eating and drinking establishment use that complies with all provisions of the Municipal Code's Title 10 Planning and Zoning. Requiring permits for the reestablishment of two upstairs residential units will make the area in conformance with Planning, Building & Safety, Fire, Health Department, and Department of Alcoholic Beverage Control (ABC) regulations.

4. 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.

The existing tenant on the site, Shark's Cove, has been operating at the location for several years, serving full alcohol in conjunction with food service. The proposed tenant, Esperanza, will also be an eating and drinking establishment located on the busy Manhattan Beach Boulevard commercial corridor in the heart of Downtown Manhattan Beach, with some of the surrounded businesses having similar operating characteristics. Significant buffers between Esperanza and surrounding residences exist, with Manhattan Beach Boulevard, Center Place, City Parking Lot 3 (between Center Place and 12th Street), and other businesses providing sound barriers that help minimize any impacts associated with the use. Additionally, the conditions to limit the hours of entertainment, further define what type of entertainment is allowed, and other conditions will serve to mitigate impacts of the use.

M. The project shall comply with all applicable provisions of the Manhattan Beach Municipal Code.

N. This Resolution, upon its effectiveness, constitutes the Use Permit Amendment for the subject project.



MASTER APPLICATION FORM

CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

Office Use Only

Date Submitted:
Received By:
F&G Check Submitted:

309 Manhattan Beach Blvd

Project Address

Lot 3, Block 92, Manhattan Beach Divisions #2, At 309 Manhattan Beach Boulevard in the City of Manhattan Beach

Legal Description

General Plan Designation

Zoning Designation

Area District

For projects requiring a Coastal Development Permit, select one of the following determinations¹:

Project located in Appeal Jurisdiction

Project not located in Appeal Jurisdiction

Major Development (Public Hearing required)

Public Hearing Required (due to UP, Var, ME, etc.)

Minor Development (Public Hearing, if requested)

No Public Hearing Required

Submitted Application (check all that apply)

- | | | | |
|---|------------|---|------------|
| <input type="checkbox"/> Appeal to PC/PPIC/BBA/CC | 4225 _____ | <input type="checkbox"/> Use Permit (Residential) | 4330 _____ |
| <input type="checkbox"/> Coastal Development Permit | 4341 _____ | <input type="checkbox"/> Use Permit (Commercial) | 4330 _____ |
| <input type="checkbox"/> Continuance | 4343 _____ | <input type="checkbox"/> Use Permit Amendment | 4332 * |
| <input type="checkbox"/> Cultural Landmark | 4336 _____ | <input type="checkbox"/> Variance | 4331 _____ |
| <input type="checkbox"/> Environmental Assessment | 4225 _____ | <input type="checkbox"/> Park/Rec Quimby Fee | 4425 _____ |
| <input type="checkbox"/> Minor Exception | 4333 _____ | <input type="checkbox"/> Pre-application meeting | 4425 _____ |
| <input type="checkbox"/> Subdivision (Map Deposit) | 4300 _____ | <input type="checkbox"/> Public Hearing Notice | 4339 * |
| <input type="checkbox"/> Subdivision (Tentative Map) | 4334 _____ | <input type="checkbox"/> Lot Merger/Adjust./\$15 rec. | 4225 _____ |
| <input type="checkbox"/> Subdivision (Final) | 4334 _____ | <input type="checkbox"/> Zoning Business Review | 4337 _____ |
| <input type="checkbox"/> Subdivision (Lot Line Adjust.) | 4335 _____ | <input type="checkbox"/> Zoning Report | 4340 _____ |
| <input type="checkbox"/> Telecom (New or Renewed) | 4338 _____ | <input type="checkbox"/> Other | _____ |

Fee Summary: (See fees on reverse side)

Total Amount: \$ _____ (less Pre-Application Fee if applied within past 3 months)

Receipt Number: _____ Date Paid: _____ Cashier: _____

Applicant(s)/Appellant(s) Information

Greg Newman

Name

36 13th Ct Hermosa Beach, CA 90254

Mailing Address

Owner

Applicant(s)/Appellant(s) Relationship to Property

Maria Hallimore - Robinson Hill Architecture / Client

951 337 7012 - hallimcre@rhainc.net

Contact Person (include relation to applicant/appellant)

Phone number / email

3195 B- Airport Loop, Costa Mesa, CA 92626

Address

Applicant(s)/Appellant(s) Signature

Phone number / email

Complete Project Description- including any demolition (attach additional pages as necessary)

See attach page for additional information.

¹ An Application for a Coastal Development Permit shall be made prior to, or concurrent with, an application for any other permit or approvals required for the project by the City of Manhattan Beach Municipal Code. (Continued on reverse) ◆

OWNER'S AFFIDAVIT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES

I/We SONJA SEEL being duly sworn, depose and say that I am/we are the owner(s) of the property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief(s).

Sonja Seel PO Attorney
Signature of Property Owner(s) – (Not Owner in Escrow or Lessee)

SONJA SEEL
Print Name

1008 HARBOR VIEW CAN PEDRO CA 90732
Mailing Address

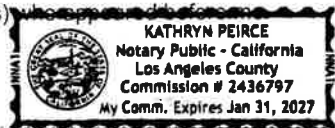
310 932 1913
Telephone/email

Subscribed and sworn to (or affirmed) before me this 31 day of MAY, 2023

by KATHRYN PEIRCE, proved to me on

the basis of satisfactory evidence to be the person(s) who appeared before me

Signature [Signature]
Notary Public



Fee Schedule Summary

Below are the fees typically associated with the corresponding applications. Additional fees not shown on this sheet may apply – refer to current City Fee Resolution (contact the Planning Division for assistance.) Fees are subject to annual adjustment.

Submitted Application (circle applicable fees, apply total to Fee Summary on application)

Coastal Development Permit	
Public hearing – no other discretionary approval required:	\$ 3,948 ☒
Public hearing – other discretionary approvals required:	1,940 ☒
No public hearing required – administrative:	1,509 ☒
Transfer:	155
Use Permit	
Use Permit:	\$ 8,393 ☒
Master Use Permit:	10,908 ☒
Master Use Permit Amendment:	7,414 ☒
Master Use Permit Conversion:	5,035 ☒
Variance	
Filing Fee:	\$ 8,421 ☒
Minor Exception	
Without notice:	\$ 353
With notice:	1,575 ☒
Subdivision	
Certificate of Compliance:	\$ 1,652
Final Parcel Map + mapping deposit:	601
Final Tract Map + mapping deposit:	601
Mapping Deposit (paid with Final Map application):	500
Merger of Parcels or Lot Line Adjustment:	1,184
Quimby (Parks & Recreation) fee (per unit/lot):	1,817
Tentative Parcel Map (4 or less lots / units) No Public Hearing:	1,397
Tentative Parcel Map (4 or less lots / units) Public Hearing:	3,546 ☒
Tentative Tract Map (5 or more lots / units) No Public Hearing:	4,074 ☒
Environmental Review (contact Planning Division for applicable fee)	
Environmental Assessment (no Initial Study prepared):	\$ 215
Environmental Assessment (if Initial Study is prepared):	3,133
☒ Public Hearing Notice applies to all projects with public hearings and covers the City's costs of envelopes, postage and handling the mailing of public notices. Add this to filing fees above, as applicable:	
Coastal Permit – 100 ft. Radius	\$ 182
Large Family Daycare – 100 ft. Radius	56
Minor Exception – 300 ft. Radius	129
Other Permits – 300 to 500 ft. Radius	263
Code, General Plan, Zoning Amendments	588

Project Description

Esperanza Cocina de la Playa has become a staple in Downtown Manhattan Beach. The exquisite décor, chef driven cuisine, and elaborate cocktails drive in crowds daily that the small dining room simply cannot accommodate. As a result of this demand, ownership wishes to repurpose the residential second floor as an extension of the restaurant allowing more guests, local and visiting alike, to bask in the Esperanza experience. The use of the second floor will not only allow an increase in walk-in availability but allow for a private dining space the local community is desperately seeking. The building footprint will remain as is.

We are proposing approximately 903 SF of a net public area on the second floor. The dining experience will hold an approximate net SF of 197 for the service/bar area, back of house 263 SF, and interior/patio dining of 569 SF. The existing first floor restaurant dining, kitchen, bar, and patio will remain as is, except for a new elevator lift for accessible access to the second floor.

The seating square footage for the first floor will remain at 655 SF, with no changes to seating. The proposed second floor dining seating will have 706 SF. Most of the seating will be loose, with two booth banquet seats on the patio.

We would like to continue with our permitted hours of operation downstairs of 7 am – 2 am daily. The proposed second floor restaurant's hours of operation 4 pm-12 am daily. The restaurant employs 60 staff members.

The ground floor live entertainment operational characteristics will remain as is, with doors closed during live entertainment and the hours of Monday-Sunday 7 am – 1:30 am. For the Second Floor we propose using the dining room speakers at low ambient levels with doors open. The Second Floor use may include live entertainment with the dining room doors closed.

The existing first floor restaurant parking requires 2 parking spaces at a ratio of 1/50 SF. The second floor restaurant parking requires 6 parking spaces at a ratio of 1/50 SF. Total parking provided 6 stalls. Please refer to the parking analysis for additional information.



ENVIRONMENTAL ASSESSMENT FORM

(to be completed by applicant)

**CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT**
1400 HIGHLAND AVENUE, MANHATTAN BEACH, CA 90266
Telephone: (310) 802-5500 Fax: (310) 802-5501 TDD: (310) 546-3501

Date Filed: _____

APPLICANT INFORMATION

Name: Greg Newman

Contact Person: Maria Hallimore

Address: 36 13th Ct. Hermosa, CA. 90254

Address: 3195-B Airport Loop, Costa Mesa, CA. 92626

Phone number: 310.666.3994

Phone number: 951.337.7012

Relationship to property: Owner

Association to applicant: Client

PROJECT LOCATION AND LAND USE

Project Address: 309 Manhattan Beach Blvd.

Assessor's Parcel Number: 4179005002

Legal Description: Lot 3, Block 92, Manhattan Beach Divisions #2, At 309 Manhattan Beach Boulevard in the City of Manhattan Beach

Area District, Zoning, General Plan

Area District III CD - Downtown Commercial

Designation: Surrounding Land Uses:

North Commercial build. (Cafe)

West Commercial build. (Restaurant)

South Commercial build. (Juicery)

East Commercial build. (Restaurant)

Existing Land Use: Commercial (A2/B) & Residential (R3)

PROJECT DESCRIPTION

Type of Project: Commercial x Residential _____ Other _____

If Residential, indicate type of development (i.e.; single family, apartment, condominium, etc.) and number of units: _____

If Commercial, indicate orientation (neighborhood, citywide, or regional), type of use anticipated, hours of operation, number of employees, number of fixed seats, square footage of kitchen, seating, sales, and storage areas: _____

See attachment for project description

If use is other than above, provide detailed operational characteristics and anticipated intensity of the development: _____

	<u>Existing</u>	<u>Proposed</u>	<u>Required</u>	<u>Removed/ Demolished</u>
Project Site Area:	<u>2,692 sf</u>	<u>No change</u>	<u> </u>	<u> </u>
Building Floor Area:	<u>3,522 sf(gross)</u>	<u>3,581 sf(gross)</u>	<u> </u>	<u> </u>
Height of Structure(s)	<u>30'-10"</u>	<u>33'-1"</u>	<u> </u>	<u> </u>
Number of Floors/Stories:	<u>2.5</u>	<u>No change</u>	<u> </u>	<u> </u>
Percent Lot Coverage:	<u>77 %</u>	<u>No change</u>	<u> </u>	<u> </u>
Off-Street Parking:	<u>2</u>	<u>6</u>	<u>6</u>	<u> </u>
Vehicle Loading Space:	<u>0</u>	<u>No change</u>	<u> </u>	<u> </u>
Open Space/Landscaping:	<u>0</u>	<u>No change</u>	<u> </u>	<u> </u>

Proposed Grading: N/A

Cut Fill Balance Imported Exported

Will the proposed project result in the following (*check all that apply*):

- | <u>Yes</u> | <u>No</u> | |
|-----------------|-----------|--|
| <u> </u> | <u>x</u> | Changes in existing features or any bays, tidelands, beaches, lakes, or hills, or substantial alteration of ground contours? |
| <u> </u> | <u>x</u> | Changes to a scenic vista or scenic highway? |
| <u> </u> | <u>x</u> | A change in pattern, scale or character of a general area? |
| <u> </u> | <u>x</u> | A generation of significant amount of solid waste or litter? |
| <u> </u> | <u>x</u> | A violation of air quality regulations/requirements, or the creation of objectionable odors? |
| <u> </u> | <u>x</u> | Water quality impacts (surface or ground), or affect drainage patters? |
| <u> </u> | <u>x</u> | An increase in existing noise levels? |
| <u> </u> | <u>x</u> | A site on filled land, or on a slope of 10% or more? |
| <u> </u> | <u>x</u> | The use of potentially hazardous chemicals? |
| <u> </u> | <u>x</u> | An increased demand for municipal services? |
| <u> </u> | <u>x</u> | An increase in fuel consumption? |
| <u> </u> | <u>x</u> | A relationship to a larger project, or series of projects? |

Explain all "Yes" responses (*attach additional sheets or attachments as necessary*):

CERTIFICATION: I hereby certify that the statements furnished above and in attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Signature: Maria Hallimore Prepared For: Greg Newman
Date Prepared: 06.08.23

Revised 07/01/18

1 SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the Use Permit
2 Amendment subject to the following conditions:

- 3 1. The project shall be in substantial conformance with the plans and project description submitted
4 to, and approved by the Planning Commission on March 27, 2019 as amended and conditioned. Any substantial deviation from the approved plans and project description, as conditioned, shall
5 require review by the Community Development Director to determine if approval from the
6 Planning Commission is required.
- 7 2. Any questions of intent or interpretation of any condition will be reviewed by the Community
8 Development Director to determine if Planning Commission review and action is required.
- 9 3. The applicant shall be required to obtain permits for any work necessary to bring the second floor
10 into compliance with the Building Code and Fire Code, as determined the Building & Safety
11 Division and Fire Department, respectively for no more than two residential units. The proposed
12 work for the first and second stories will be under a single building permit submittal to ensure that
13 the necessary upgrades to the residential unit(s) on the second story occur in conjunction with
14 the renovation of the lower level restaurant space. The restaurant will not be allowed to start
15 operations until all of the required improvements to the upstairs residential units have been
16 completed and the permits finalized.
- 17 4. One year from the date of opening, Planning staff shall prepare and submit an informational report
18 to the Planning Commission giving an update on the applicant's compliance with all conditions in
19 the Use Permit Amendment.

20 **Operation**

- 21 5. The management of the property shall police the property and all areas adjacent to the business
22 during the hours of operation to keep it free of litter and food debris.
- 23 6. The operators of the business shall provide adequate management and supervisory techniques
24 to prevent loitering and other security concerns outside the subject business.
- 25 7. All rooftop mechanical equipment shall be screened from the public right-of-way.
- 26 8. All mats shall be cleaned on the premises with no outside cleaning of mats permitted. If any floor
27 mats cannot be cleaned within the premises, a service company must be contracted.
- 28 9. Hours of operation for the establishment shall be permitted as follows:

Monday - Sunday	7:00am – 2:00am
-----------------	-----------------

- 29 10. Alcohol service shall be conducted only in conjunction with food service during all hours of
30 operation.
- 31 11. Sale of alcoholic beverages for consumption off-premise is prohibited.
- 32 12. Food service shall be available at all seats, and no specific bar area serving exclusively alcohol
shall be permitted.
- 13. The owner shall be in substantial compliance with all restrictions imposed by the Alcohol
Beverage Control Board (ABC) prior to service of liquor.
- 14. At all times the business shall identify itself as a "restaurant" and will not identify itself as a "bar"
in public advertisements.
- 15. The hours of live entertainment shall be limited as follows:

Monday – Sunday	7am – 1:30am
-----------------	--------------

16. Noise emanating from the property shall be within the limitations prescribed by the City Noise Ordinance and shall not create a nuisance to nearby property owners. Noise shall not be audible beyond the premises.
17. The restaurant management shall control the volume of any music. Exterior music and amplified sound associated with the commercial use is prohibited on any decks and patios.
18. The management shall ensure that all exterior doors and windows are kept closed during live entertainment performances. The exterior doors and windows facing Manhattan Beach Boulevard shall have a Sound Transmission Class (STC) rating of at least 30.
19. Live entertainment is limited to no more than five musicians and/or vocalists. Live entertainment shall only use the restaurant's speaker system, no extra speakers and/or amplifiers from an outside source is permitted. The sound system will be managed and controlled by the restaurant management staff.
20. An acoustic engineer or similarly qualified professional shall be hired by the applicant to review the restaurant's layout, materials, finishes, and operating characteristics; and will make recommendations on how to mitigate the noise generated by the business' operations. The applicant will share the acoustic engineer's recommendations and observations with Community Development Staff, and modifications shall be implemented as determined to be appropriate by the Director of Community Development.
21. 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.
22. There shall be no restaurant or commercial uses allowed on the second floor area including the deck. The second-floor interior and exterior deck shall not be rented out for events or private parties.
23. The Community Development Department staff shall be allowed to inspect the site at any time.

Refuse

24. The management shall arrange for special on-site pickup as often as necessary to ensure that the refuse area has adequate space to accommodate the needs of the subject business.
25. No refuse generated at the subject site shall be located in the non-alley Public Right-of-Way for storage or pickup, including the disposal of refuse in any refuse container established for public use.

Signage

26. All new signs and alterations to existing signs shall receive permits, and shall be in compliance with the City's sign code.
27. A-frame or other sidewalk signs in the public right-of-way shall be prohibited.
28. No temporary banner or other signs shall be placed on the site without City permit and approval.

Procedural

29. The owner shall be required to obtain a City of Manhattan Beach right-of-way encroachment permit for any projections into the public right-of-way.
30. This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section 10.100.030 have expired

- 1 31. This Use Permit shall lapse two years after its date of approval, unless implemented or extended
- 2 pursuant to 10.84.090 of the Municipal Code.
- 3 32. This Resolution shall serve as the amended and restated Use Permit for the subject property.
- 4 Board of Zoning Adjustment Resolution No. BZA 84-37 is rescinded and no longer in effect.
- 5 33. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c),
- 6 the project is not operative, vested or final until the required filing fees are paid.
- 7 34. The Planning Commission's decision is based upon each of the totally independent and separate
- 8 grounds stated herein, each of which stands alone as a sufficient basis for its decision.
- 9 35. The Secretary of the Planning Commission shall certify to the adoption of this Resolution and
- 10 shall forward a copy of this Resolution to the owner. The Secretary shall make this resolution
- 11 readily available for public inspection.
- 12 36. Terms and Conditions are Perpetual; Recordation of Covenant. The provisions, terms and conditions
- 13 set forth herein are perpetual, and are binding on the owner, its successors-in-interest, and, where
- 14 applicable, all tenants and lessees of the site. Further, the owner shall submit the covenant, prepared
- 15 and approved by the City, indicating its consent to the conditions of approval of this Resolution, and
- 16 the City shall record the covenant with the Office of the County Clerk/Recorder of Los Angeles.
- 17 Owner shall deliver the executed covenant, and all required recording and related fees, to the
- 18 Department of Community Development within 30 days of the adoption of this Resolution.
- 19 Notwithstanding the foregoing, the Director may, upon a request by owner, grant an extension to the
- 20 30-day time limit. The project approval shall not become effective until recordation of the covenant.
- 21 37. *Indemnity, Duty to Defend and Obligation to Pay Judgments and Defense Costs, Including Attorneys'*
- 22 *Fees, Incurred by the City.* The owner shall defend, indemnify, and hold harmless the City, its elected
- 23 officials, officers, employees, volunteers, agents, and those City agents' serving as independent
- 24 contractors in the role of City officials (collectively "Indemnitees") from and against any claims,
- 25 damages, actions, causes of actions, lawsuits, suits, proceedings, losses, judgments, costs, and
- 26 expenses (including, without limitation, attorneys' fees or court costs) in any manner arising out of or
- 27 incident to this approval, related entitlements, or the City's environmental review thereof. The owner
- 28 shall pay and satisfy any judgment, award or decree that may be rendered against City or the other
- 29 Indemnitees in any such suit, action, or other legal proceeding. The City shall promptly notify the
- 30 owner of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. If
- 31 the City fails to promptly notify the owner of any claim, action, or proceeding, or if the City fails to
- 32 reasonably cooperate in the defense, the owner shall not thereafter be responsible to defend,

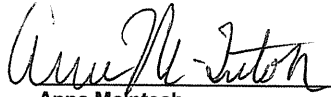
I hereby certify that the following is a full, true, and correct copy of the Resolution as **ADOPTED** by the Planning Commission at its regular meeting on **March 27, 2019** and that said Resolution was adopted by the following vote:

AYES: Morton, Thompson, Fournier,
Chair Burkhalter


NOES: None

ABSTAIN: None

ABSENT: None



Anne McIntosh
Secretary to the Planning Commission



Rosemary Lackow
Recording Secretary

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April 03, 2024

Robinson Hill Architecture, Inc.

3195 B Airport Loop Drive
Costa Mesa, California 92626

Attention: Maria Hallimore | Project Manager

Subject: **Esperanza Restaurant – 2nd Floor
Manhattan Beach, California
Interior to Exterior Acoustical Analysis
Veneklasen Project No. 8296-001**

Dear Maria:

Veneklasen Associates, Inc. (Veneklasen) has completed the review of the Esperanza Restaurant – 2nd Floor project located in Manhattan Beach, California. This report predicts the expected sound level on the site if 2nd floor seating were added at the site. This level was calculated using measurements and computer modeling. Using this information, noise level at sensitive receivers was calculated. From this, code compliance was determined, and mitigation methods were determined. This report discusses the results of the analysis.

1.0 INTRODUCTION

This study was conducted to determine the impact of Esperanza Restaurant – 2nd Floor on surrounding receivers. Veneklasen’s scope of work included evaluating the existing exterior noise conditions around the site, calculating the impact of a potential 2nd floor addition, and determining the method, if any, required to reduce the acoustical impact to meet applicable code requirements of the State of California and the City of Manhattan Beach.

The project consists of a 2-level dining establishment with weekly DJ performances. The surrounding site is a busy downtown area with other such dining, live music, and commercial spaces. Currently the 2nd level of Esperanza is considered a residential space. Esperanza desires to remodel this space to be an extension of Esperanza Restaurant on the 1st floor.

The project is bounded by adjacent restaurants to the east and west, Center Pl to the north, and Manhattan Beach Blvd to the south.

2.0 NOISE CRITERIA

Leq (equivalent continuous sound level) is defined as the steady sound pressure level which, over a given period of time, has the same total energy as the actual fluctuating noise.

All reported noise levels are A-weighted.

2.1 Applicable Noise Ordinances and Codes

Manhattan Beach Municipal Code

Section 5.48.120 of the Code states:

It is prohibited for any person to permit the transmission of, or cause to be transmitted, any amplified sound on any public street, sidewalk, alley, right-of-way, park, or any other public place or property which sound is audible at fifty feet (50'). This section shall not apply to any noncommercial public speaking, public assembly, or other activity for which a permit has been issued.

Section 5.48.160 of the Code states that noise emanating from commercial spaces must not exceed 70 dBA for any 5-minute period in any hour from 10:00 pm to 7:00 am. The standard also states that if the ambient level exceeds this value, then the ambient level becomes the exterior noise standard which may not be exceeded. The loudest 5-minute continuous measurement period within a given hour is referred to in the Code as L8.

Conditional Use Permit No. PC 19-03

Resolution No. PC 19-03, section 16 states that:

Noise emanating from the property shall be within the limitations prescribed by the City Noise Ordinance and shall not create a nuisance to nearby property owners. Noise shall not be audible beyond the premises.

Veneklasen considered both documents and will use 5 dB lower level than the existing ambient noise level at property line of the proposed project site and an L8 of 70 dBA maximum ambient noise level at adjacent premises of project site as the noise limit criteria for the project, which is consistent with Section 5.48.120. Measurements proved that some locations have higher maximum ambient noise levels than 70 dBA, in that case Veneklasen considers a level 5 dB below from the L8 ambient noise level as maximum permissible noise level.

The L8 is a metric that uses as a 5-minute averaging period. This period *only includes 5 minutes of the loudest data in the period so the metric* is more sensitive to louder short-duration events than a longer averaging period. The strictness of this metric is further increase by requiring selection of the loudest 5-minute period, which in turn requires compliance with the sound level limit for every 5-minute period of operation. With a varying noise source level, we would expect that the average level for any longer averaging period to be lower than the level for the L8. Additionally, with music or amplified entertainment, this metric better delineates and defines the noise that affects the receptors (music beats, rhythm, etc.).

As the L8 is more sensitive to loud short-duration events that are combined in its calculation and definition, the source of the measurement can be determined easier than in a longer duration measurement. Combining this with on-site observation allows for direct determination of the source(s) that are influencing the final measurements; these sources can be defined because of the nature of the L8 metric.

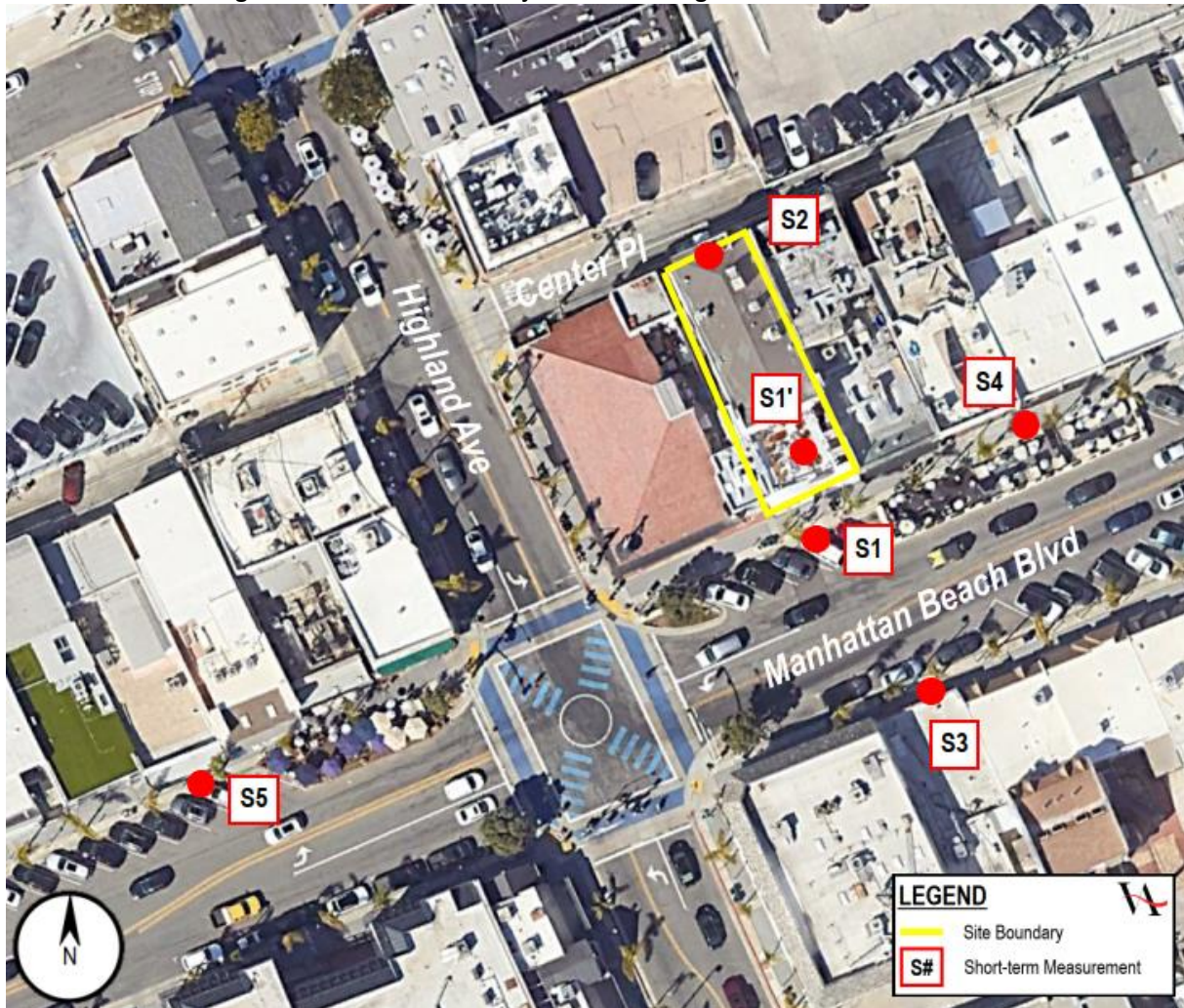
3.0 EXTERIOR NOISE ENVIRONMENT

3.1 Noise Measurements

Veneklasen visited the site on Friday, April 14, 2023 and placed meters within the main dining area of Esperanza, Along Manhattan Beach Blvd and along Center Pl. to capture the sound levels between 7:15 PM and 11:15 PM. Figure 1 shows the location of the noise measurements.

Note that S1' is an indoor measurement within Esperanza's main dining area, located on the main floor of the building, with the omnidirectional microphone pointing up, capturing sound from all directions. S4 and S5 are at similar restaurants to Esperanza and S1 is just outside Esperanza. S4 and S3 are about 50 ft away from Esperanza. S2 is located at ground level, behind Esperanza on Center Pl. Figure 1 shows the location of these measurement positions.

Figure 1 – Aerial View of Project Site Showing Measurement Locations



Over the course of the 4-hour measurement period, the noise environment changed as stores closed and adjacent restaurants began playing music and changed in occupancy. Operation sound levels and music levels from 1st level of Esperanza were present during the entire measurement period. As such the measured results are split into three tables. Table 1 shows the measured levels without 2nd floor music from Esperanza and without live music from adjacent spaces. Table 2 shows the measured levels with live music at adjacent spaces and no music from the 2nd floor of Esperanza. Table 3 shows the measured levels with live music and amplified music from the indoor section at the 2nd floor Esperanza. Music at Esperanza’s 2nd floor was played at a similar level to the 1st floor music. Music and people’s conversations were mixed during the results shown in the tables.

It is understood that typical operating conditions of Esperanza are with the façade doors and windows closed. Veneklasen requested that the façade doors and windows be open for the duration of the measurements so that we could obtain sound levels that can be used for the acoustical model and propagation of sound to the community. We also note that the purpose of this study was not to determine compliance of the first-floor operation with the existing CUP and therefore operation outside of typical was not a concern at the time.

Table 1 – Measured Sound Levels – No Music

Location	Measured Level (dB)	Start – End time (HH:MM)	L8 (dB)
S1'	86	---	---
S1	78	19:30 – 19:35	80
S2	66	19:50 – 19:55	74
S3	67	20:00 – 20:05	69
S4	64	20:20 - 20:25	67
S5	74	22:40 – 22:45	78

Table 2 – Measured Sound Levels – Adjacent Live Music

Location	Measured Level (dB)	Start – End time (HH:MM)	L8 (dB)
S1'	87	---	---
S1	79	22:55 – 23:00	81
S4	66	23:10 – 23:15	68

Table 3 – Measured Sound Levels – Adjacent Live Music and 2nd Floor Music

Location	Measured Level (dB)	Start – End time (HH:MM)	L8 (dB)
S1'	85	---	---
S1	78	21:05 – 21:10	81
S2	64	21:30 – 21:35	70
S3	69	22:00 – 22:05	72
S4	67	22:25 – 22:30	70
S5	80	20:40 – 20:45	83

3.2 Findings and Observations

When Esperanza’s 2nd floor music was turned on, the change in measured noise level was not significant as it is shown in tables in section 3.1. This occurs mainly because conversation noise was the primary noise source emanating from Esperanza. During the measurements, the music on the 2nd floor of Esperanza was indoors only and was shielded by the building, balcony, and parapet. Observations indicate changes in sound levels are due to lowered traffic volume, and changes in occupancy of adjacent restaurants rather than the operation of Esperanza.

Esperanza and Hennessey’s remain open till 2 a.m. while the adjacent Kettle restaurant is open 24 hours a day. Esperanza’s occupancy remained constant throughout the measurements. Music within Esperanza was not the major source of sound emanating from the space.

3.3 Computer Modeling

Veneklasen has utilized the exterior noise modeling software Softnoise Predictor-LimA (2023) to model how noise will change throughout the area surrounding the site with the additional occupancy provided by the 2nd floor of Esperanza. (Having the doors open allowed for accuracy in setting up of the acoustic model). 1st floor noise was modeled as emanating from the front façade and the 2nd floor noise was modeled as an area source. Veneklasen calibrated the 1st floor noise source so the modeled S1 matched measured levels shown in Table 2. That way, music levels on the 2nd floor were included in the computer model and only conversational noise levels (primary noise source) are added.

The 2nd floor noise level was determined by scaling down the 1st floor levels based on occupancy levels and an average conversational noise level of 67 dB per person. A typical 2-person conversation is 60 dB. 67 dB was chosen based on the real-life occupancy and measured levels of Esperanza.

Traffic noise and other noise sources were not modeled in order to better determine the impact of the 2nd floor addition on the surrounding area.

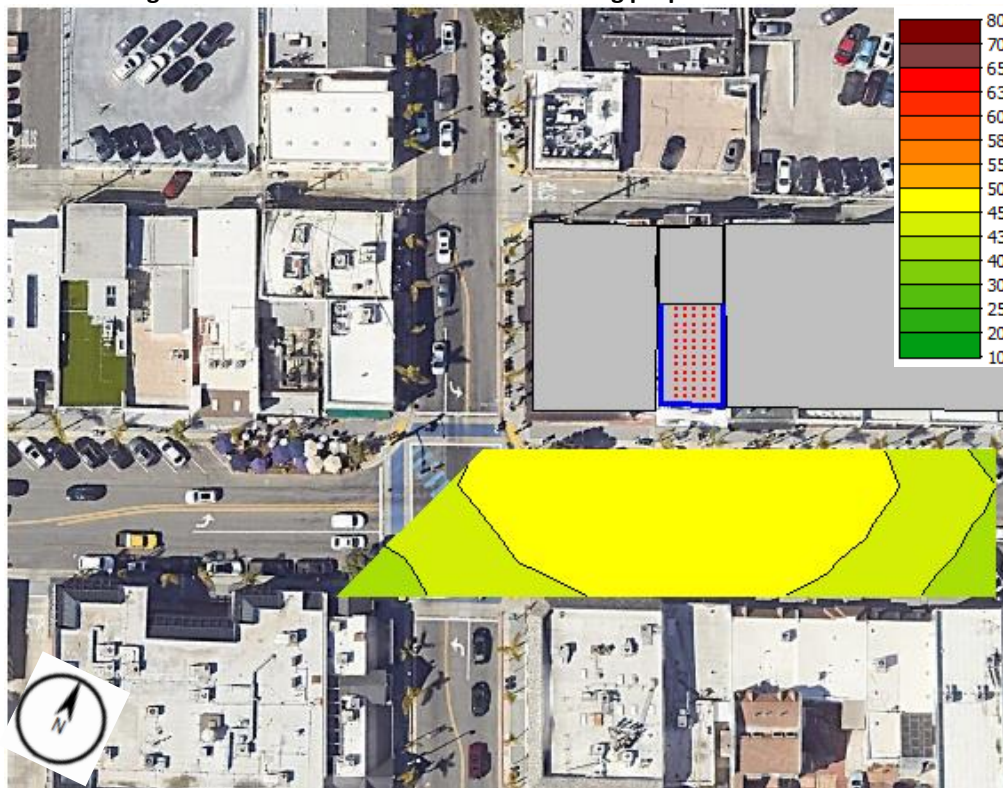
Table 4 shows the modeled levels at current conditions and at predicted future conditions.

Table 4 – Modeled Sound Levels Due to Esperanza

Location	Existing Levels (considering 5 dB penalization) (dB)	Existing L8 (including 5 dB penalization) (dB)	Levels only at new 2nd Floor area* (dB)
S1	73	75	47
S2	59	65	< 40
S3	64	67	41
S4	62	65	40
S5	75	78	< 40

*Levels in 2nd Floor included increase of people conversation and music at this floor only.

Figure 2 – Predicted Noise Levels considering proposed outdoor area



Sound measurements showed that music from the 2nd floor Esperanza is not the primary source of noise. Noise from traffic and occupants voices are the primary source of noise.

Based in results shown in Table 4, the addition of a 2nd floor complies Section 5.48.120 of the Municipal Code at location S1.

Based in results shown in Table 4, the addition of a 2nd floor complies with Section 5.48.160 of the Municipal Code at location S1.

Based in results shown in Table 4, the addition of a 2nd floor complies with Section 16 of the Resolution No PC 19-03.

In conclusion, Veneklasen's analysis indicates compliance of the 2nd floor with all requirements within the Municipal Code and Resolution No PC 19-03.

4.0 EVALUATION AND SOUND ATTENUATION PLAN

4.1 Evaluation

Veneklasen did not identify any temporary impacts.

Veneklasen did not identify any permanent impacts.

- The addition of a 2nd floor outdoor area will increase the occupancy of the location and includes additional conversational noise levels. This conversational noise level is not expected to increase the ambient noise levels at the property line.
- Indoor music on the 2nd floor area does not indicate an impact in the existing ambient noise levels.

4.2 Sound Attenuation Plan

While the 2nd floor complies with all noise limits listed in this report, Esperanza has volunteered to implement the following measures:

1. Doors closed on 1st floor during live entertainment on the 1st floor.
2. Doors closed on 2nd floor during live entertainment on the 2nd floor.
3. Speakers shall be positioned inward towards the dining room, rather than towards the patio.
4. Add glass panel to the 2nd floor parapet at open wood slats to maintain a height of 6 ft tall or above the height of the 2nd floor patrons.

If you have any questions or comments regarding this report, please do not hesitate to contact the undersigned.
Sincerely ,

Veneklasen Associates, Inc.



Liz Haggart
Associate



Colin Spohr
Senior Associate

APPENDIX I – MEASURED NOISE LEVELS

Location	Start Time	Duration	LAeq	LAFmax
S1'	7:15 pm	0:45:00	86	88
	8:00 pm	1:00:00	86	88
	9:00 pm	1:00:00	85	87
	10:00 pm	1:00:00	85	88
	11:00 pm	0:15:00	87	89
S1	7:20 pm	0:20:00	78	80
	9:00 pm	0:20:00	78	80
	10:45 pm	0:15:00	79	81
S2	7:45 pm	0:10:00	66	71
	9:25 pm	0:20:00	64	67
S3	7:55 pm	0:20:00	67	69
	9:55 pm	0:20:00	69	72
S4	8:15 pm	0:20:00	64	67
	10:20 pm	0:10:00	67	70
	11:05 pm	0:10:00	66	68
S5	8:35 pm	0:20:00	80	83
	10:35 pm	0:15:00	74	77

APPENDIX II – MEASURED L8 NOISE LEVELS (5-min)

Location	Start Time	LAFmax
S1	7:20 PM	80
	7:25 PM	79
	7:30 PM	80
	7:35 PM	80
	7:40 PM	80
	9:00 PM	79
	9:05 PM	81
	9:10 PM	80
	9:15 PM	79
	9:20 PM	79
	10:45 PM	81
	10:50 PM	81
	10:55 PM	81
	11:00 PM	81
S2	7:45 PM	64
	7:50 PM	74
	9:25 PM	65
	9:30 PM	70
	9:35 PM	65
	9:40 PM	65
	9:45 PM	63
S3	7:55 PM	68
	8:00 PM	69
	8:05 PM	69
	8:10 PM	69
	9:55 PM	72
	10:00 PM	72
	10:05 PM	72
S4	10:10 PM	72
	8:15 PM	67
	8:20 PM	67
	8:25 PM	64
	10:20 PM	70
	10:25 PM	70
	10:30 PM	70
	11:05 PM	68
	11:10 PM	68
11:15 PM	69	

Location	Start Time	LAFmax
S5	8:35 PM	82
	8:40 PM	83
	8:45 PM	82
	8:50 PM	82
	8:55 PM	83
	10:35 PM	77
	10:40 PM	78
	10:45 PM	75

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MEMORANDUM

TO: Jordan Cressman, Esperanza Cocina de la Playa

FROM: Eugene Tang, AICP

DATE: June 8, 2023, Revised July 31, 2024

RE: Parking Analysis for
Esperanza Cocina de la Playa
309 Manhattan Beach Boulevard
Manhattan Beach, California

Ref: J2063

Gibson Transportation Consulting, Inc. prepared a Parking Analysis in June 2023 for the Esperanza Cocina de la Playa restaurant (Restaurant) as part of its Conditional Use Permit (CUP) application to the City of Manhattan Beach (City). Since that time, the Restaurant operator has reached a new agreement to lease off-site parking. This memorandum has been updated to include the details of this new agreement.

PROJECT DESCRIPTION

The Restaurant is located at 309 Manhattan Beach Boulevard, northeast of the intersection at Highland Avenue & Manhattan Beach Boulevard in the City's Downtown Commercial District (CD) zone.

The existing two-story building structure provides a total of 3,465 square feet (sf) of buildable floor area¹, with 1,388 sf on the first floor and 2,077 sf on the second floor/rooftop. The Restaurant currently operates with a total seating area of 655 sf on the first floor. The second floor/rooftop serves as a residential use.

The Restaurant will maintain the first-floor seating area and proposes an additional 512 sf seating area on the second floor/rooftop, along with other improvements to facilitate access to the new dining area (Project). Upon Project completion, the proposed buildable floor area will be 3,393 sf with a total seating area of 1,166 sf in the Restaurant.

The regular business hours of the Restaurant are 11:00 AM to 2:00 AM on weekdays and 9:00 AM to 2:00 AM on weekends. With the Project, the second floor/rooftop dining area will be open from 5:00 PM to 12:00 AM on weekdays and 9:00 AM to 12:00 AM on weekends.

The Project also proposes the use of off-site parking at 1140 Highland Avenue.

As part of the Restaurant's CUP application, the City required a parking analysis to determine whether the parking required for the Project is provided.

¹ Buildable Floor Area metric as calculated per City Municipal Code Section 10.04.030.

PARKING CALCULATION

For the purposes of this analysis, this parking calculation details the existing and Project parking requirements in order to demonstrate the net increase in required parking.

City Municipal Code

The Project's parking requirement is calculated based on City Municipal Code (MBMC) Sections 10.64.030 - Off-street Parking and Loading Spaces Required and 10.64.050 - Reduced Parking for Certain Districts and Uses.

- MBMC Section 10.64.030, Schedule A – The applicable off-street parking rate is for a General Eating and Drinking Establishment, where the parking rate is one space per 50 sf of seating area.
- MBMC Section 10.64.050 – An allowable exception is given to non-residential uses located in the CD zone:

Building Sites equal to or less than 10,000 Sq. Ft. If the Floor Area Factor (FAF) is less than 1:1, no parking is required; if the FAF exceeds 1:1, only the excess floor area over the 1:1 ratio shall be considered in determining the required parking prescribed by [Section 10.64.030](#).

The application of each MBMC section is described below.

Parking Exception

The existing parcel (APN #4179005002), based on Los Angeles County Assessor's data, is identified as approximately 30 feet wide by 90 feet long and the total lot area is approximately 2,700 sf.

Upon completion of the Project, the total buildable floor area will be 3,393 sf; the lot provides a FAF of approximately 1.26:1 (calculated as 3,393 sf buildable area divided by the 2,700 sf lot area). Per MBMC Section 10.64.050, the first 2,700 sf of the building are excluded due to the 1:1 FAF; therefore, the parking exception calculation is based on 693 sf (3,393 sf less 2,700 sf).

The parking rate of a general drinking and eating establishment, however, is based on the available seating area instead of the buildable area. For the purposes of this analysis, the proportion of the allowable area to the total buildable area will be applied to the parking calculation to reflect the exception. The proportion is calculated as 693 sf allowable area divided by 3,393 sf buildable area, or 20.4%, where this is applied to the base parking calculation to identify the parking requirement.

Existing Parking Requirement

As identified by the City, the parking requirement of the existing Restaurant is two parking spaces.

Project Parking Requirement

Completion of the Project will result in a total 1,166 sf of seating area. The base parking requirement is 23 spaces based on the applicable parking rate (1,166 sf @ 1 space per 50 sf = 23.3 spaces). The 20.4% CD zone exemption results in a parking requirement of five spaces (23.3 spaces x 20.4% = 4.7 spaces rounding up to five).

The Project will result in a net increase of three required parking spaces. The parking calculations are summarized below.

Seating Area [a]	Parking Rate [b]	Base Calculation	Parking Exception [c]	Parking Requirement
Project 1,166 sf	1 / 50 sf	23.3 spaces	20.40%	5 spaces
Existing Restaurant Parking Requirement - 2 spaces			Net New Parking [d]	3 spaces

[a] Parking calculated on seating area for General Eating & Drinking Establishment.

[b] Parking rate per MBMC Section 10.64.030, Schedule A.

[c] Parking Exception calculated and applied per MBMC Section 10.64.050.

[d] Net new parking calculated as Project requirement less Existing requirement.

PARKING SUPPLY

The Project site does not provide on-site parking. Instead, MBMC Sections 3.24.170 – Merchant Parking Permits and 3.24.174 – Permits Used to Satisfy Parking Requirements, respectively, allow the issuance of a paid parking permit to merchants located in the Downtown Business Improvement District and use of the issued permit to satisfy parking requirements.

As allowed by the MBMC, the Restaurant utilizes two merchant parking permits to satisfy the existing parking requirement of two spaces.

Upon completion of the Project, the total parking requirement will increase to five spaces, a net increase of three spaces over the existing requirement.

Due to the existing site conditions and waiting list for the Downtown merchant parking permit, off-site parking will be utilized to meet the net additional parking requirement.

Off-Site Parking and Use Agreement

The Restaurant operator has reached an agreement to lease off-site parking at 1140 Highland Avenue, which is located across Center Place from the Restaurant and provides eight rooftop parking spaces. Figure 1 illustrates the off-site parking location relative to the Restaurant.

The relevant parameters of the agreement include:

- Four spaces will be available for Restaurant use
 - Between 5:00 PM and 12:30 AM, Monday through Friday
 - Between 9:00 AM and 12:30 AM, Saturday and Sunday
- The lease term is 10 years from the effective date of February 14, 2024

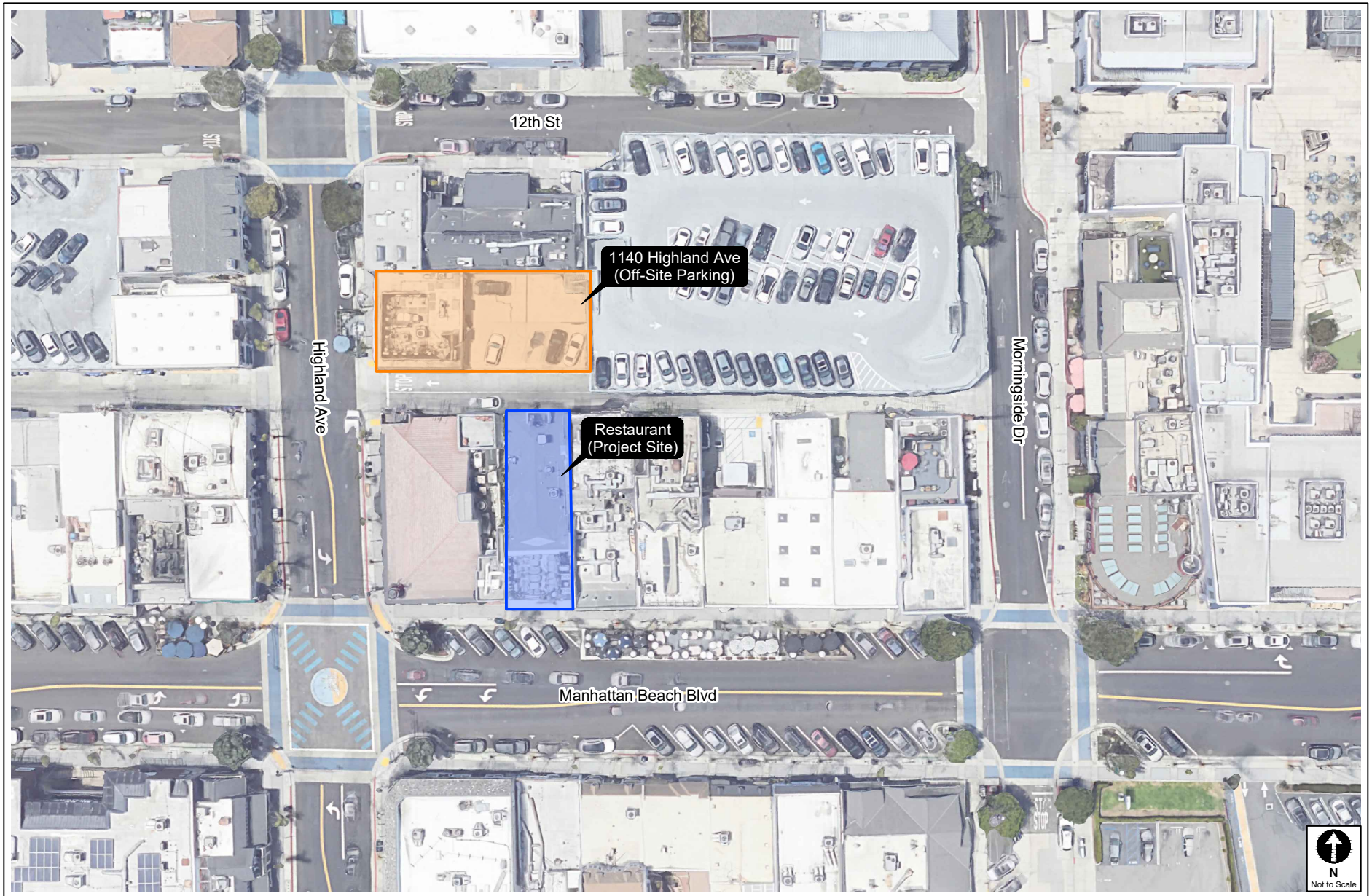
The Parking License Agreement is provided in the Attachment.

Availability of Off-Site Parking

As described above, the second floor/rooftop seating dining area will be open from 5:00 PM to 12:00 AM on weekdays and 9:00 AM to 12:00 AM on weekends. As such, the parking demand is anticipated to occur during these operational periods.

This anticipated demand pattern coincides with the availability of the off-site parking, currently after 5:00 PM, seven days a week. The demand pattern is also generally consistent with the typical hourly usage patterns of office and fine dining restaurant land uses in *Shared Parking, 3rd Edition* (Urban Land Institute, International Council of Shopping Center, and the National Parking Association, 2020). *Shared Parking* includes a database of parking demand patterns for various land use types that have been compiled from nationwide data sources and is utilized as a standard parking reference by area jurisdictions.

Therefore, the Restaurant's total parking requirement (five spaces) will be satisfied with a combination of the allowable merchant parking permits (two spaces) and use of the off-site parking (four spaces). The off-site parking lot will be sufficient and available to accommodate the three net new parking spaces required by the Project.



OFF-SITE PARKING LOCATION

FIGURE
1

Attachment
Parking License Agreement

PARKING LICENSE AGREEMENT

This PARKING LICENSE AGREEMENT (this "Agreement") is made and entered into on this ^{14th} day of February 2024 (the "Effective Date") by and between RON KOCH, TRUSTEE OF RONALD AND CATHLEEN KOCH FAMILY TRUST ("Licensor"), and MB PALMILLA INC DBA ESPERANZA, a California corporation ("Licensee").

WITNESSETH:

WHEREAS, Licensor is the owner of certain real property located at 1140 Highland Avenue, Manhattan Beach, California (the "Property"), on which is located a parking lot on its roof (the "Parking Lot"); and

WHEREAS, Licensee has requested the right to use certain parking spaces within the Parking Lot and Licensor has consented thereto under the terms and conditions set forth herein; and

WHEREAS, the parties have deemed it appropriate to enter into this Agreement outlining the terms under which Licensee may use the Parking Lot and defining the responsibilities and obligations of each party with respect to the Parking Lot during the term hereof, as set forth below.

NOW, THEREFORE, for and in consideration of the mutual promises set forth herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Licensor and Licensee hereby agree as follows:

1. Recitals. The recitals set forth above are true and correct, and incorporated herein by reference.
2. Grant of License. Licensor does hereby grant to Licensee an exclusive license to use four (4) parking spaces within the Parking Lot identified on the site plan of the Property attached hereto as Exhibit A (the "Site Plan"), solely for the purpose of vehicular parking for Licensee's customers, employees, vendors, agents and invitees (collectively "Licensee's Permittees") from the hours of 5:00 pm - 12:30 am PST on Monday through Friday and from 9:00 am - 12:30 am on Saturday and Sunday (collectively, the "Licensed Area").
3. Approvals. Licensee acknowledges that the Agreement shall not be binding until same has been approved by the City of Manhattan Beach ("City") or any relevant City, county, or state authorities.
4. License Term. The term of this Agreement shall commence as of the Effective Date and shall continue for ten (10) years (the "License Term").
5. License Fee. In connection with the Agreement, Licensee shall pay Licensor a monthly fee in the amount of Five Hundred Dollars (\$500.00) and a Five Hundred Dollar (\$500.00) gift card to the restaurant Esperanza Cocina de la Playa, located at 309 Manhattan Beach Blvd, Manhattan Beach, CA 90266 (the "License Fee"). The License Fee shall be payable on the first day of each month without demand, offset and/or deduction. In the event

the License Term commences on a day other than the first day of the month, the License Fee shall be prorated accordingly.

6. Condition of the Parking Lot. Licensee accepts the Parking Lot in its "as is" condition and Licensee assumes all risks in connection with the physical condition of the Parking Lot. Furthermore, Licensee shall not allow any damage to be committed on the Parking Lot by Licensee or Licensee's Permittees. Licensor shall have the right to charge Licensee for any damage or wear and tear in excess of "ordinary" wear and tear caused by Licensee or Licensee's Permittees, which Licensee shall pay immediately upon written demand. Licensor shall be responsible for the maintenance and repair of the Parking Lot, in its sole and absolute discretion; provided however, that Licensee shall be responsible for rubbish removal, repair and maintenance for the Licensed Area during the hours when Licensee is utilizing the Licensed Area.

7. Signage. Licensee shall not have the right to erect any signs in the Parking Lot without Licensor's prior written consent, which consent Licensor may withhold in its sole discretion and which shall also be subject to the approval of Landlord. Licensee shall remove any signs installed pursuant to this Paragraph 7 upon the expiration or earlier termination of the License Term and shall repair any damage caused by such removal.

8. Risk. All vehicles shall be parked in the Parking Lot at the sole risk of Licensee and Licensee's Permittees using Licensee's designated spaces within the Parking Lot, and Licensee expressly acknowledges and agrees that Licensor has no duty to insure any of said vehicles (including the contents thereof) and that Licensor is not responsible for the protection and security of such vehicles or their contents. Licensor shall have no liability whatsoever for any property damage and/or personal injury which might occur as a result of or in connection with the parking and use of said motor vehicles in the Parking Lot. Licensor shall not be liable to Licensee for any unauthorized parking in the Parking Lot.

9. Licensee's Covenants. Licensee covenants and agrees (i) that Licensor may tow any vehicle parked either during times outside of the approved hours set forth in Section 2 above and Licensor shall have no liability to Licensee or such owner as a result of such towing, (ii) Licensee will not use Licensee's Spaces for the storage of vehicles or any other items and (iii) Licensee and Licensee's Permittees will comply with all applicable laws, ordinances and other applicable governmental regulations.

10. Removal of Personal Property. Licensee shall, at Licensee's sole cost and expense, prior to the expiration or earlier termination of the License Term, remove or cause to be removed all vehicles, personal property, and signage installed by Licensee from the Parking Lot. Any vehicles left in the Parking Lot by Licensee after the expiration or earlier termination of this Agreement may be towed away by Licensor at Licensee's sole risk and expense. Any signage or personal property remaining on or about the Parking Lot after the expiration, termination or revocation of this Agreement shall be deemed to be abandoned and Licensor may dispose of it without liability therefor.

11. Liabilities, Losses, or Damages. Licensor shall not be liable to Licensee, or to Licensee's Permittees, or to any other person whomsoever, for any injury to persons or damage to property on or about the Parking Lot or the Property, including but not limited to

consequential damage, (1) caused by the act or omission of Licensee, its officers, managers, agents, Licensee's Permittees, or of any other person (other than Licensor or Licensor's Permittees) entering the Parking Lot or Property by express or implied invitation of Licensee or Licensee's Permittees; or (2) arising, out of the use of the Parking Lot or Property by Licensee, Licensee's Permittees, or of any other person (other than Licensor or Licensor's customers, employees, vendors, agents and invitees (collectively, "Licensor's Permittees") using the Parking Lot or Property by express or implied invitation of Licensee or its officers, managers, or Licensee's Permittees; or (3) arising out of any breach or default by Licensee in the performance of its obligations hereunder.

12. Waiver of Liability. Licensee, as a material part of Licensor's agreement to grant the license hereunder, hereby waives and releases all claims against Licensor and/or its property manager for all damages to all personal property and for any injuries to persons in connection with this license, including, without limitation, any such damages or injuries resulting from the negligence of Licensor or its property manager.

13. Survival of Indemnity. The indemnities provided for herein shall survive the expiration, termination or revocation of this Agreement as to liability or damage which arises during the License Term.

14. Licensee Default. Licensee shall be deemed to be in default of this Agreement if Licensee breaches or fails to comply with any of the terms, conditions or provisions of this Agreement, and such breach or failure to comply is not cured within fifteen (15) days after written notice thereof to Licensee. Upon the occurrence of a default hereunder, Licensor may, without additional notice or demand, (i) terminate this Agreement, in which event Licensee shall immediately surrender Licensee's Spaces to Licensor, and Licensee agrees to pay on demand the amount of all loss and damage which Licensor may suffer for any reason due to the termination of this Agreement, and (ii) exercise all rights and remedies that are available under the laws of the State of California and federal law.

15. Non-assignable. This Agreement is personal to Licensee. It is non-assignable and any attempt to assign this Agreement or sublet/sublicense Licensee's Spaces without the prior written consent of Licensor, which may be withheld in Licensor's sole discretion, will automatically terminate the License granted to Licensee under this Agreement. This Agreement is binding on the successors and assigns of Licensor and Licensee.

16. Governing Law. The validity of this Agreement, the construction and enforcement of its terms, and the interpretation of the rights and duties of the parties shall be governed by the laws of the State of California.

17. No Bailment/Partnership. It is acknowledged and agreed that this Agreement shall not be deemed to create a bailment between the parties hereto, it being expressly agreed and understood that the only relationship created between Licensor and Licensee hereby is that of licensor and licensee. Nothing in this Agreement shall be deemed to create an agency, partnership, employment or joint venture relationship between the parties.

18. Title. Licensee certifies, represents and declares that it has no title or leasehold interest in or to the Parking Lot and has not, does not and will not claim any such

title or any easement over the Parking Lot.

19. Amendment. No amendment, supplement, or waiver of this Agreement or any of its provisions shall be binding upon the parties hereto unless made in writing and duly signed by all parties.

20. Waiver. A failure or delay by Licensor to enforce at any time any of the provisions of this Agreement, or to exercise any option that is provided in this Agreement, or to require at any time performance of any of the provisions of the Agreement, shall in no way be construed to be a waiver of such provisions of this Agreement.

21. Entirety of Agreement. This Agreement constitutes the entire Agreement between Licensor and Licensee and supersedes all previous agreements, promises, representations, whether written or oral between Licensor and Licensee with respect to the subject matter of this Agreement.

22. Heading. The article and section headings in this Agreement are for convenience only and do not constitute part of this Agreement.

23. Expenses, Attorneys' Fees, and Costs. If either Licensor or Licensee incurs expenses, including but not limited to attorneys' fees and/or court costs, in the enforcement of this Agreement, the non-prevailing party in such enforcement action shall reimburse the prevailing party for such expenses, reasonable attorneys' fees, and other reasonable out-of-pocket costs within fifteen (15) days after receiving notice from the prevailing party of the amount of such expenses, costs, and/or obligations.

24. Not a Public Dedication. Nothing herein contained shall be deemed to be a public dedication of any portion of the Parking Lot described herein to the general public or any public use or purpose whatsoever, it being the intent of Licensor that this Agreement shall be strictly limited to and for the purposes herein expressed and shall be solely for the benefit of Licensee.

25. Liens. Licensee shall have no authority or power, express or implied, to create or cause any mechanic's or materialmen's lien, charge or encumbrance of any kind against the Parking Lot or any portion, thereof. Licensee shall promptly cause any such liens that have arisen by reason of any work claimed to have been undertaken by or through Licensee, its officers, managers, agents and employees, contractors, or of any other person entering the Parking Lot by express or implied invitation of Licensee, to be released by payment, bonding or otherwise within ten (10) days after Licensee first has notice thereof, and shall indemnify and defend Licensor against liability or loss arising out of any such claim (including, without limitation, legal fees and court costs).

26. Notice of Claim Against. Licensor and Licensee each agrees to give the other written notice of any claim made against the obligations indemnified against by the other party hereunder.

27. Notice. All notices and demands given by either party to the other hereunder shall be in writing and shall be hand delivered, or sent by (a) certified U.S Mail, return receipt

requested, or (b) nationally recognized overnight courier for next business day delivery, or (c) electronic mail to the electronic mail address shown below, which notification by electronic mail shall be accompanied by written notice sent in accordance with one of the other foregoing methods on the day the electronic mail is sent, or on the following business day. Any notice delivered by electronic mail shall be deemed delivered (i) upon delivery, if delivered on a business day prior to 5:00 p.m. Eastern time; or (ii) on the next business day, if delivered after 5:00 p.m. Eastern time or on a non-business day. With respect to notice delivered by electronic mail, a message received indicating that delivery was unsuccessful or that the recipient is out of office shall not be deemed to be receipt. Any notice sent by overnight courier shall be deemed delivered on the earlier of actual receipt or the business day on which delivery is first attempted; and a notice sent by certified mail shall be deemed delivered three (3) business days after deposit thereof in the United States mail, return receipt requested. For purposes of this Paragraph, "business day" shall mean a day other than Saturday, Sunday, or any federal banking holiday. All such notices shall be addressed as follows:

Licensor:
Via mail to:
Ronald and Cathleen Koch Family Trust
Ron Koch, Trustee
1140 Highland Avenue
Manhattan Beach, California
90266

Licensee:
MB Palmilla Inc dba
Esperanza
703 Pier Avenue, Suite B815
Hermosa Beach, California
90254

28. Counterparts and Electronic Signatures. This Agreement may be executed in counterparts, all such executed counterparts shall constitute the same agreement, and the signature of any party to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart. In order to expedite the transaction contemplated herein, telecopied or email signatures may be used in place of original signatures on this Agreement. Licensor and Licensee intend to be bound by the signatures on the telecopied or emailed document, are aware that the other party will rely on the telecopied or emailed signatures, and hereby waive any defenses to the enforcement of the terms of this Agreement based on the form of signature.

29. Digital Images. The parties agree to accept a digital image of this Agreement, as executed, as a true and correct original and admissible as best evidence for purposes of State law, Federal Rule of Evidence 1002, and like statutes and regulations.

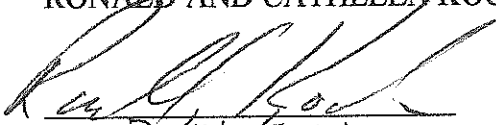
30. Brokers. The parties acknowledge and agree that no discussions or negotiations were had with any broker concerning this Agreement. Based upon the foregoing, Licensor and Licensee each agree to indemnify and hold the other harmless from and against


any and all claims for a brokerage commission or other compensation arising out of their respective dealings with any real estate broker or agent in connection with this Agreement.

This Agreement shall be effective as of the date on which the latter of the parties executes it, as evidenced in the below signature blocks, which date will be inserted into the blank at the top of Page 1 of this Agreement.

LICENSOR:


RON KOCH, TRUSTEE
RONALD AND CATHLEEN KOCH FAMILY TRUST


Date: 2/14/2024


2/14/2024

LICENSEE:

MB PLAMILLA INC., DBA ESPERANZA,
A California corporation

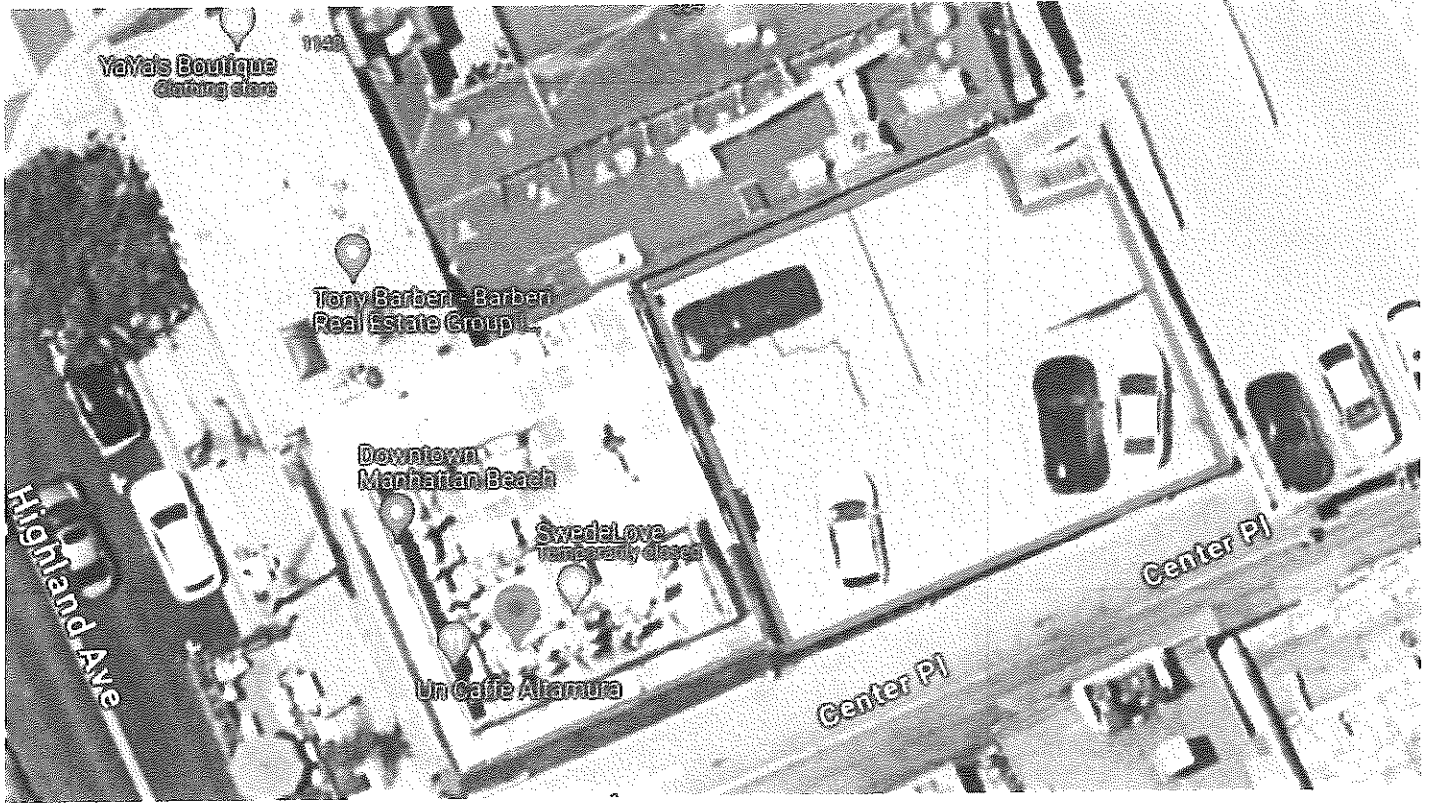
By: 
Name: JORDAN CRESSMAN

Title: VP OF OPERATIONS / PARTNER

Date: 2-14-2024

EXHIBIT A

SITE PLAN OF THE PROPERTY



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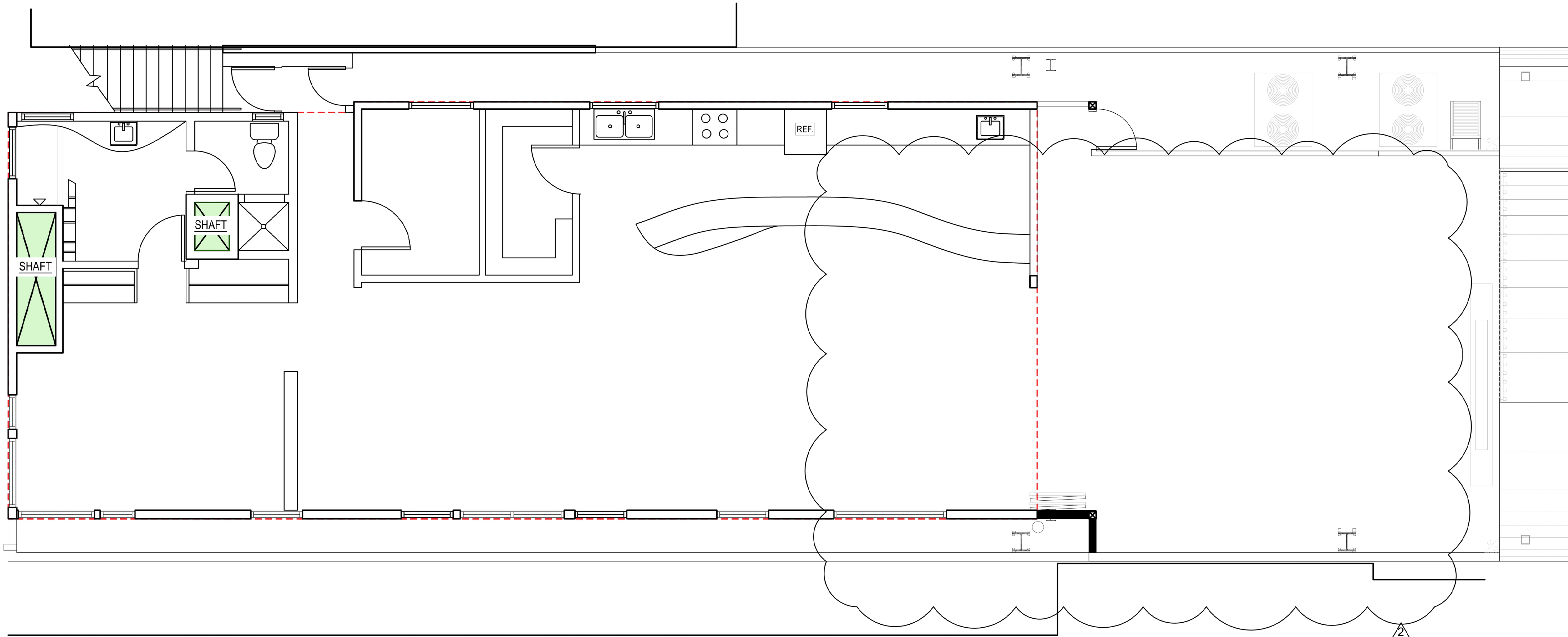
Owner

Consultant



Submittal Dates
 ENTITLEMENT SUBMITTAL 06.06.23
 ENTITLEMENT RE SUB. 04.04.24
 ENTITLEMENT RE SUB. 06.17.24

Rev.	Description	Date
1	P.C. CORRECTIONS	04.04.24
2	P.C. CORRECTIONS	06.17.24



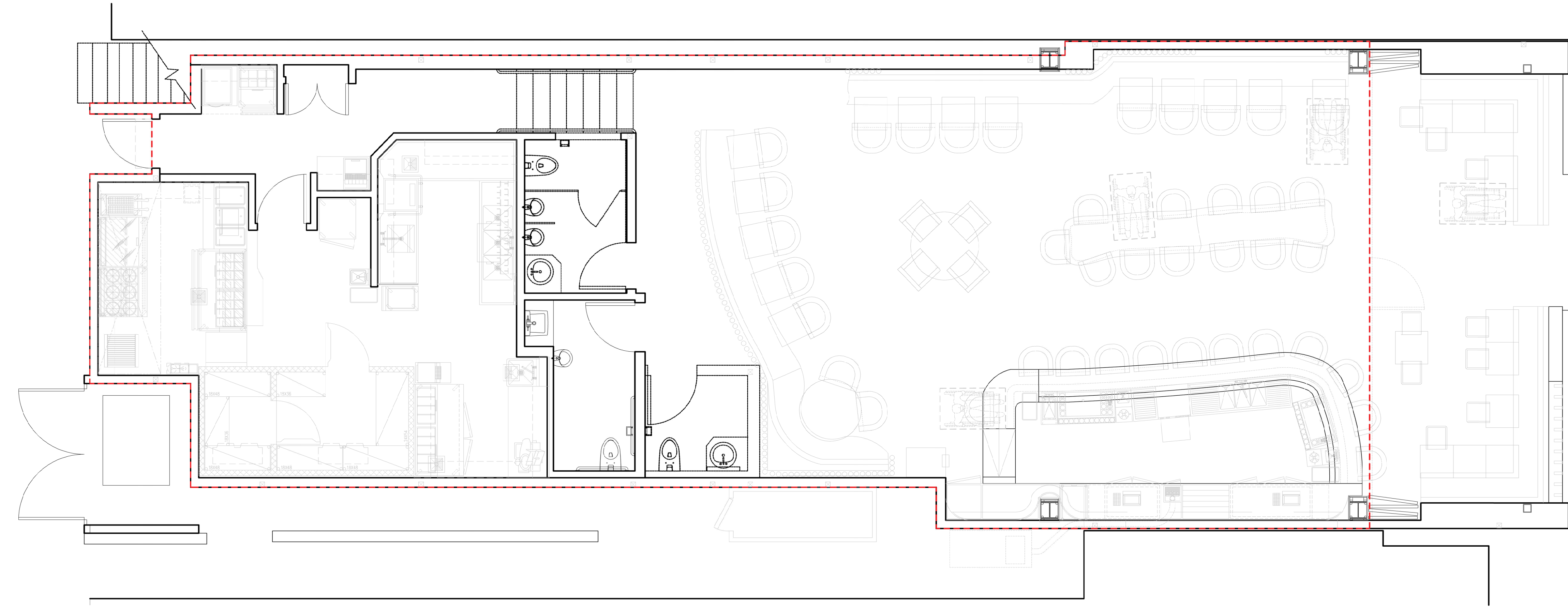
FLOOR AREA, BUILDABLE = 1,388 SF

EXISTING SECOND FLOOR RESIDENTIAL FLOOR AREA, BUILDABLE 1/4" = 1'-0" 02

Project Info. Address

ENTITLEMENT
ESPERANZA
 309 MANHATTAN BEACH BLVD.
 MANHATTAN BEACH, CA 90266

--- TOTAL EXISTING BUILDABLE AREA = 3,465 SF
 ■ EXCLUSIONS



FLOOR AREA, BUILDABLE = 2,077 SF

EXISTING FIRST FLOOR RESTAURANT BUILDABLE AREA 1/4" = 1'-0" 01

LEGEND

Sheet Title
**FIRST & SECOND FLOOR
 EXISTING BUILDABLE AREA**

Job Number:
 22RHA1098
 Date:
 03.20.23
 Sheet No.:

A000



robinson hill architecture, inc.
 A California Corporation
 3155-B Airport Loop, Dr.
 Costa Mesa, CA 92626
 Tel. 714-825-8888
 Fax 714-825-8889
 web www.rharc.net

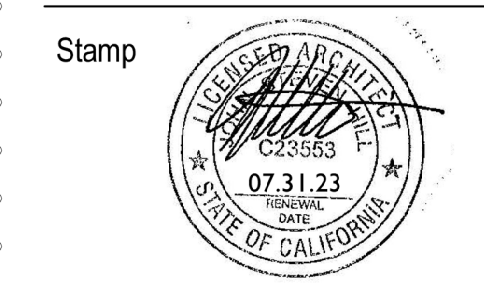
Michael David Robinson: C-20731
 John Steven Hill: C-23553

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Owner

Consultant



Submittal Dates

ENTITLEMENT SUBMITTAL 06.08.23
 ENTITLEMENT RE SUB. 04.04.24
 ENTITLEMENT RE SUB. 06.17.24

Rev.	Description	Date
1	P.C. CORRECTIONS	04.04.24
2	P.C. CORRECTIONS	06.17.24

Project Info. Address

ESPERANZA
 309 MANHATTAN BEACH BLVD.
 MANHATTAN BEACH, CA 90266

ENTITLEMENT

Sheet Title

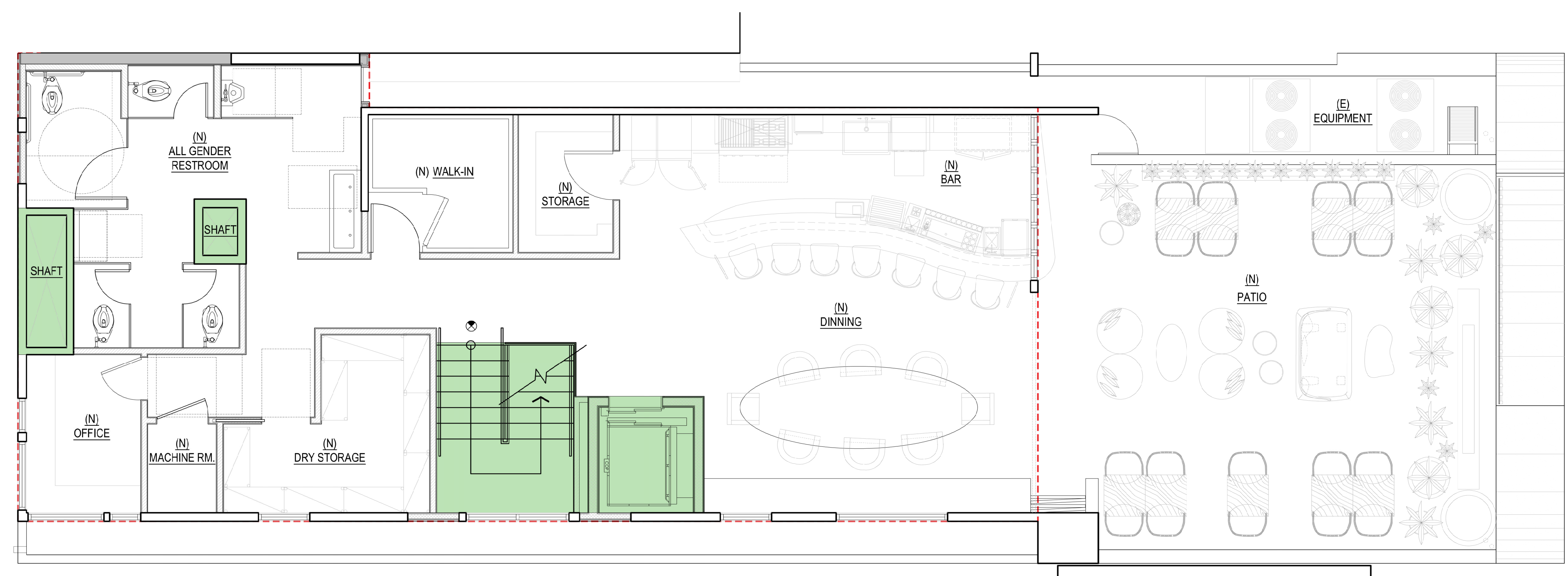
1ST, 1.5 & 2ND FLOOR
 AREA, BUILDABLE
 FLOOR PLAN

Job Number
 22RHA1098

Date:
 03.20.23

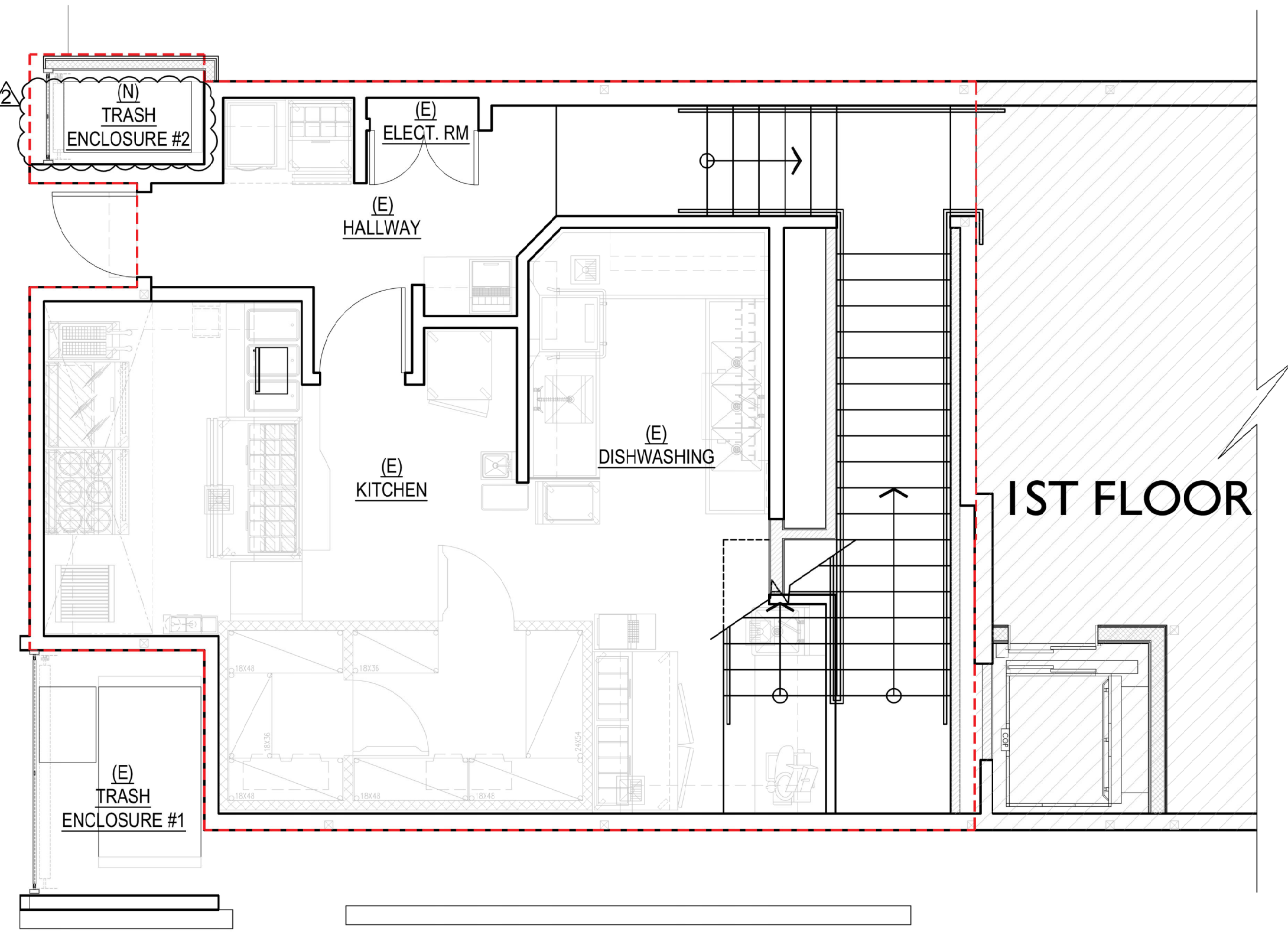
Sheet No.:

A001



FLOOR AREA, BUILDABLE = 1,333 SF

PROPOSED SECOND FLOOR RESTAURANT FLOOR AREA, BUILDABLE 1/4" = 1'-0" 03

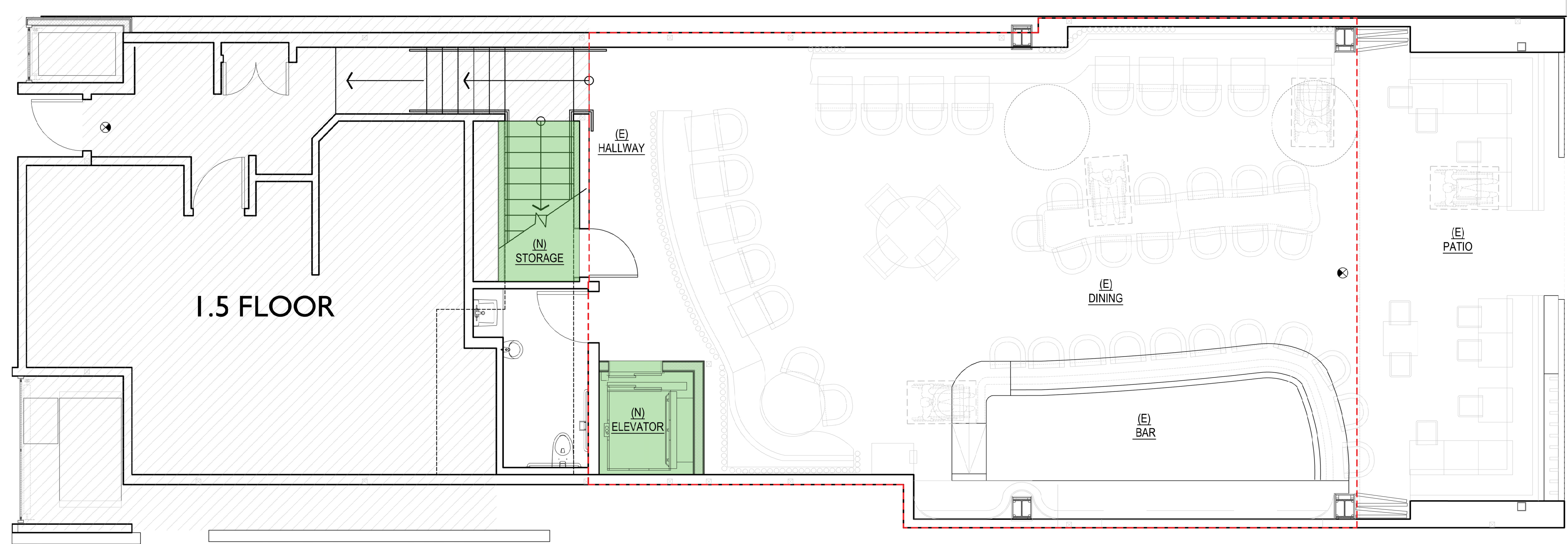


FLOOR AREA, BUILDABLE = 834 SF

PROPOSED 1.5 FLOOR RESTAURANT FLOOR AREA, BUILDABLE 1/4" = 1'-0" 02

--- FLOOR AREA, BUILDABLE - TOTAL 3,393 SF
 ■ EXCLUSIONS
 ▨ NOT A PART

LEGEND



FLOOR AREA, BUILDABLE = 1,226 SF

PROPOSED FIRST FLOOR RESTAURANT FLOOR AREA, BUILDABLE 1/4" = 1'-0" 01



robinson hill architecture, inc.
 A California Corporation
 3195-B Airport Loop Dr.
 Costa Mesa, CA 92626
 tel. 714-825-8858
 fax 714-825-8889
 web www.rhainc.net

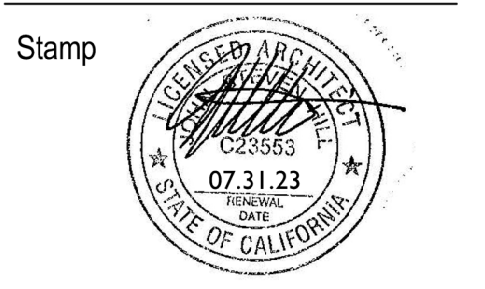
Michael David Robinson: C-20731
 John Steven Hill: C-23553

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Owner

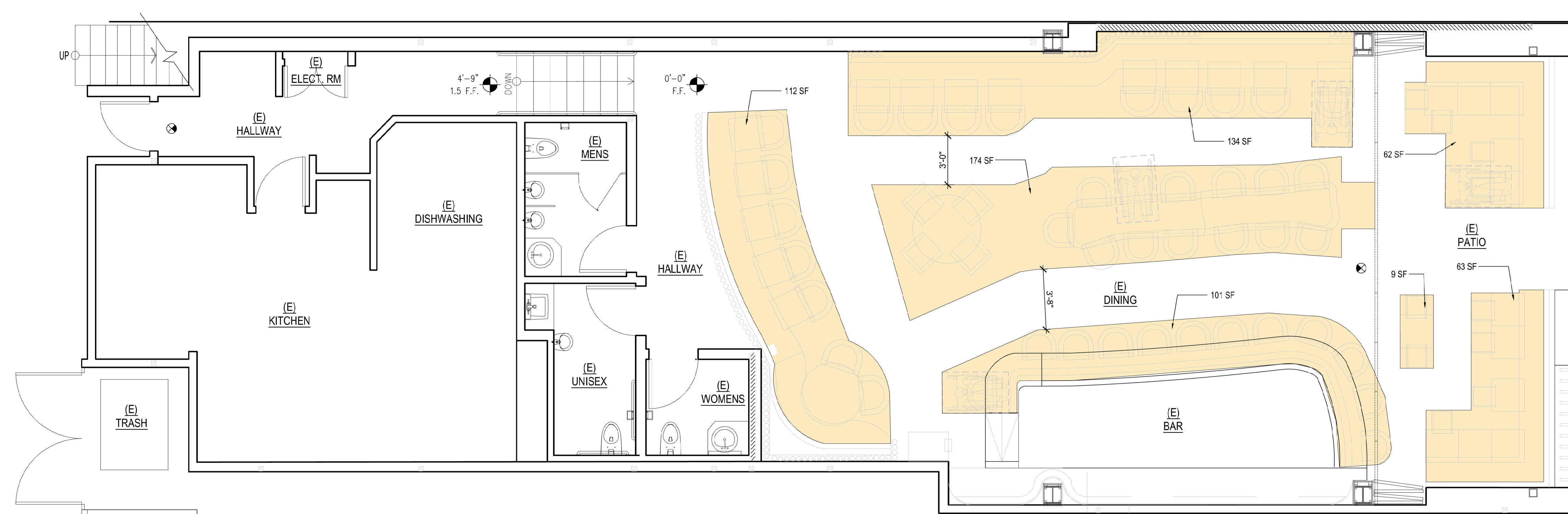
Consultant



Submittal Dates
 ENTITLEMENT SUBMITTAL 06.08.23
 ENTITLEMENT RE SUB. 04.04.24
 ENTITLEMENT RE SUB. 06.17.24

Rev.	Description	Date
△	P.C. CORRECTIONS	04.04.24
△	P.C. CORRECTIONS	06.17.24

Project Info. Address

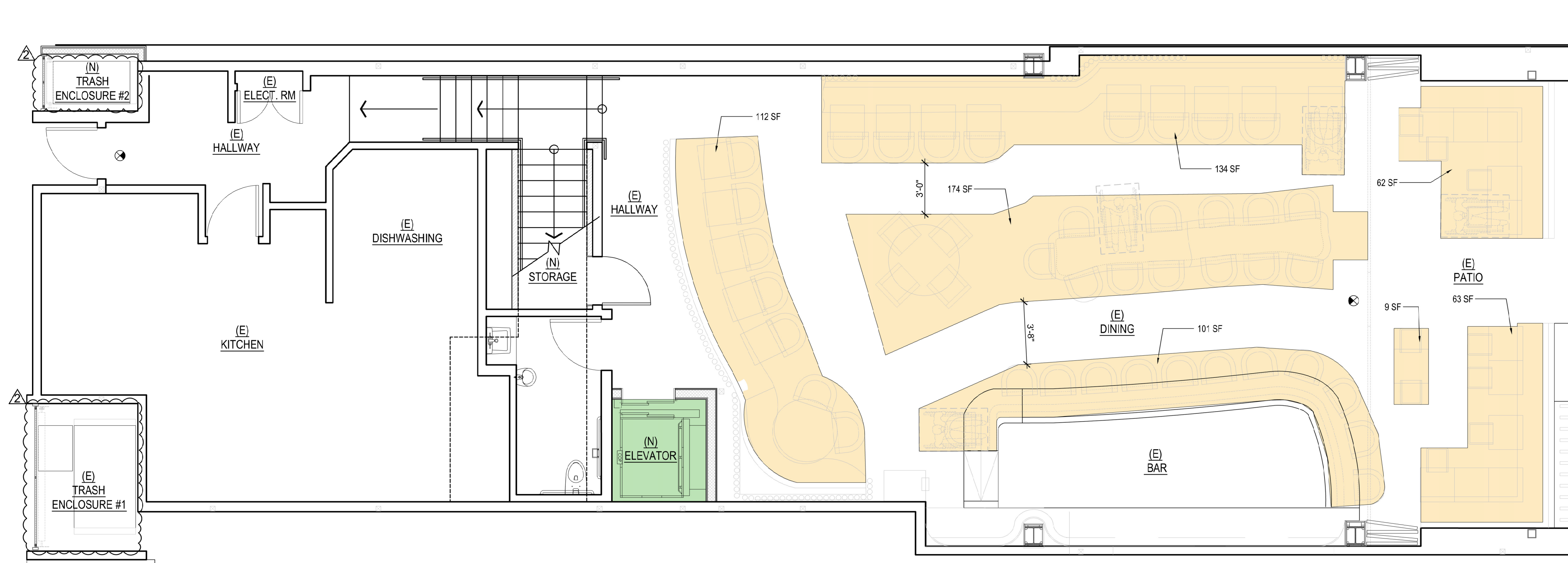


(E) SEATING SQ FT	
1ST FLOOR:	655
2ND FLOOR:	NA
TOTAL:	655

PROPOSED SEATING SQ FT	
1ST FLOOR:	655
2ND FLOOR:	706
TOTAL:	1,361

LEGEND
 (E) FIRST FLOOR SEATING AREA = 655 SF

EXISTING FIRST FLOOR RESTAURANT 1/4" = 1'-0" 02



LEGEND
 (N) PROPOSED FIRST FLOOR SEATING AREA = 655 SF
 (N) PROPOSED ELEVATOR

PROPOSED FIRST FLOOR RESTAURANT 1/4" = 1'-0" 01

ENTITLEMENT
 309 MANHATTAN BEACH BLVD.
 MANHATTAN BEACH, CA 90266

LEGEND
 FIRST FLOOR DINING AREA

Sheet Title
 Job Number: 22RHA1098
 Date: 03.20.23
 Sheet No.:

A002



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 3195-B Airport Loop Dr.
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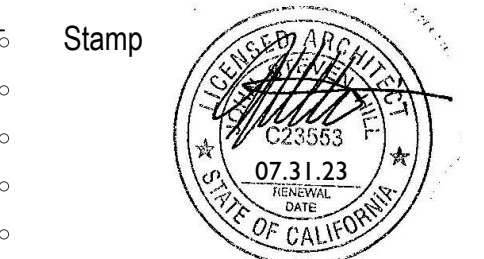
Michael David Robinson: C-20731
 John Steven Hill: C-23553

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Owner

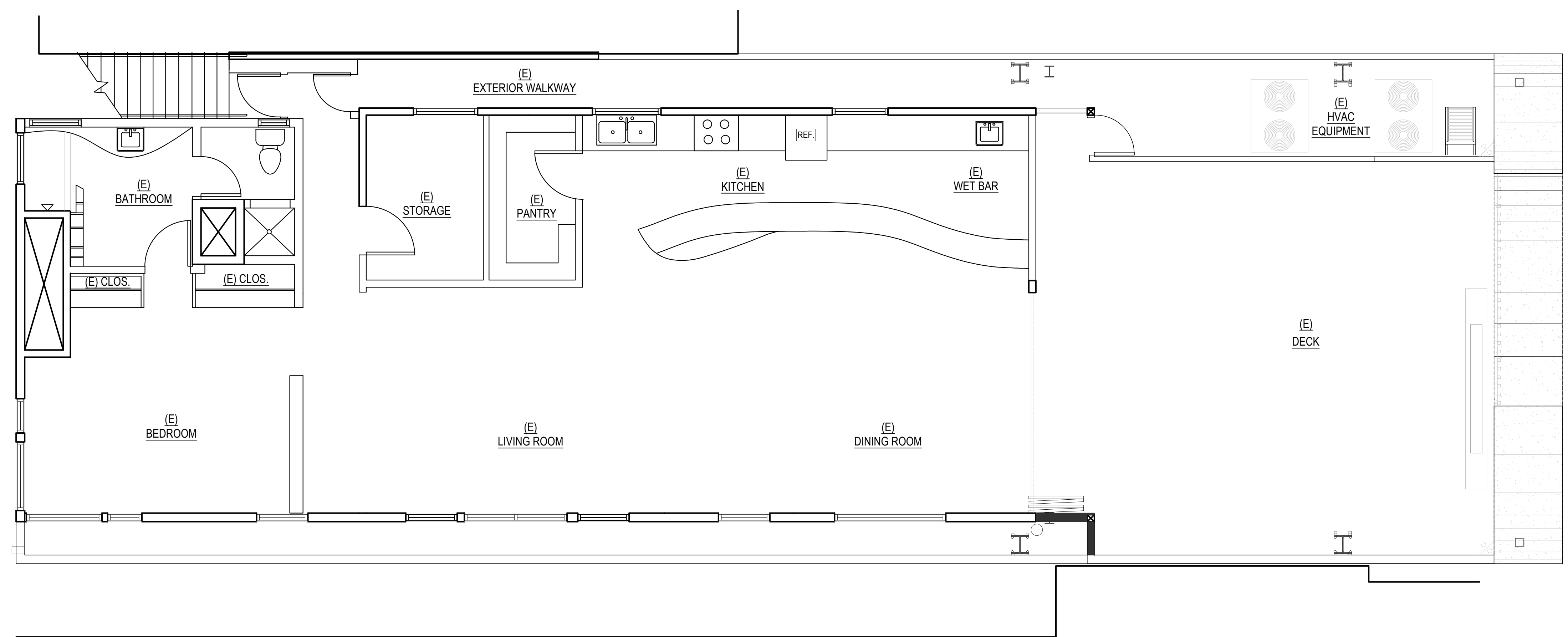
Consultant



Submittal Dates
 ENTITLEMENT SUBMITTAL 06.08.23
 ENTITLEMENT RE SUB. 04.04.24
 ENTITLEMENT RE SUB. 06.17.24
 ENTITLEMENT RE SUB. 08.12.24

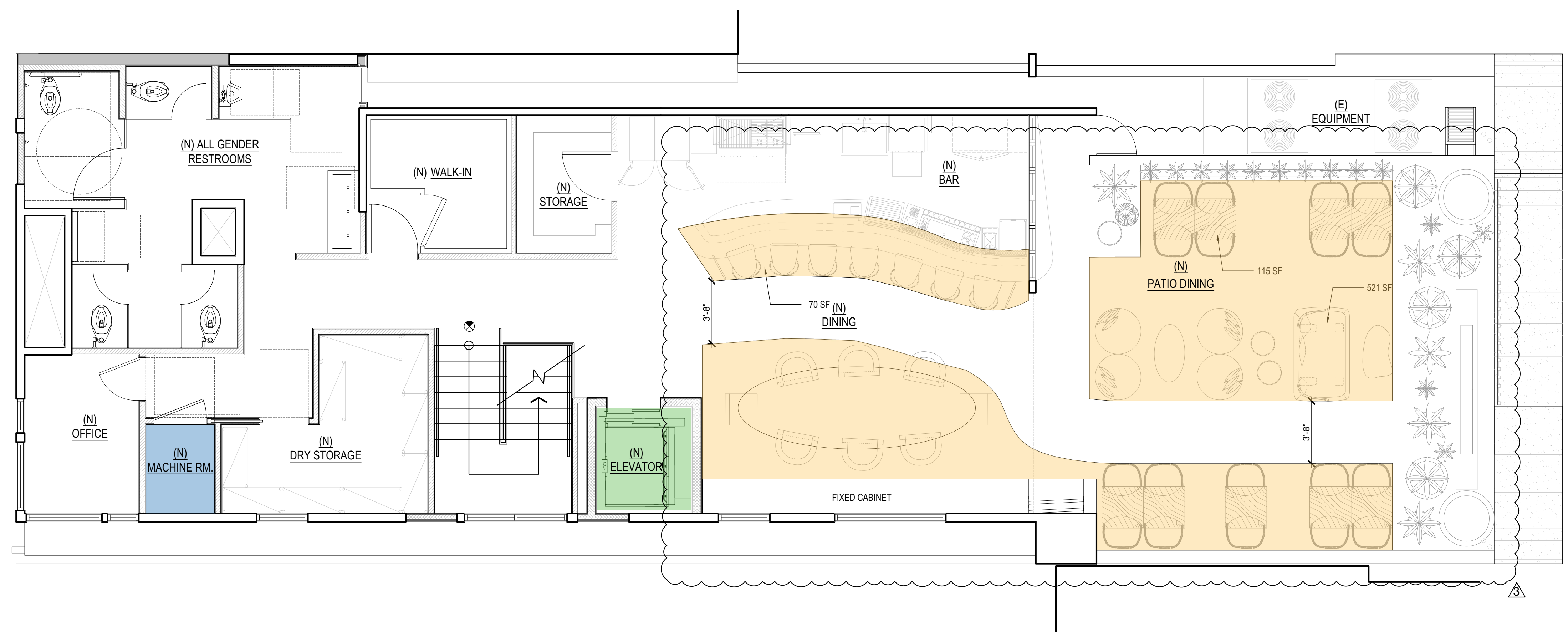
Rev.	Description	Date
1	P.C. CORRECTIONS	04.04.24
2	P.C. CORRECTIONS	06.17.24
3	P.C. CORRECTIONS	08.12.24

Project Info. Address



LEGEND
 (E) RESIDENTIAL AREA - NO SEATING SCOPE

EXISTING SECOND FLOOR RESIDENTIAL 1/4" = 1'-0" 02



LEGEND
 (N) PROPOSED SECOND FLOOR SEATING AREA = 512 SF
 (N) PROPOSED ELEVATOR
 (N) PROPOSED ELEVATOR MACHINE ROOM

PROPOSED SECOND FLOOR RESTAURANT 1/4" = 1'-0" 01

ENTITLEMENT
 ESPERANZA
 309 MANHATTAN BEACH BLVD.
 MANHATTAN BEACH, CA 90266

Sheet Title
 SECOND FLOOR DINING AREA

Job Number:
 22RHA1098
 Date:
 03.20.23
 Sheet No.:

A003



- 01 NEW EMERGENCY WALL MOUNTED LIGHTING
- 02 LED EXIST SIGN WITH POWER BACK UP SUPPLY SHALL BE INSTALLED AND COMPLY PER CBC 1013.3 & 1013.6.3
- 03 (N) INTERNATIONAL SYMBOL OF ACCESSIBILITY SIGN AT BUILDING ENTRANCE, MOUNTED @ +48" MIN. & 72" MAX. PER CBC 11B-216.6 AND 210C-1
- 04 APPROVED SIGN IN CONTRASTING COLOR FROM BACKGROUND THAT INDICATES THE NUMBER OF OCCUPANTS PERMITTED IN ROOM PER USE
- 05 APPROVED SIGN IN CONTRASTING COLOR FROM BACKGROUND THAT INDICATES "THIS DOOR SHALL REMAIN UNLOCKED WHENEVER THE BUILDING IS OCCUPIED"
- 06 TACTILE EXIT SIGNAGE TO COMPLY PER 11B-703.1, 11B-703.2, 11B-703.3, 11B-703.5 & 11B-216.4.1. SEE DETAIL 03.04.08.09 & 151MC-1
- 07 ACCESSIBLE EGRESS PATH OF TRAVEL
- 08 (N) OCCUPANT LOAD OF THE ROOM OR SPACE POSTED IN A CONSPICUOUS PLACE, NEAR THE MAIN EXIT OR EXIT ACCESS DOORWAY FROM THE ROOM OR SPACE. CFC 1004.3. SEE PLAN FOR OCC. LOAD TO BE POSTED
- 09 BABY CHANGING TABLE

KEYNOTES

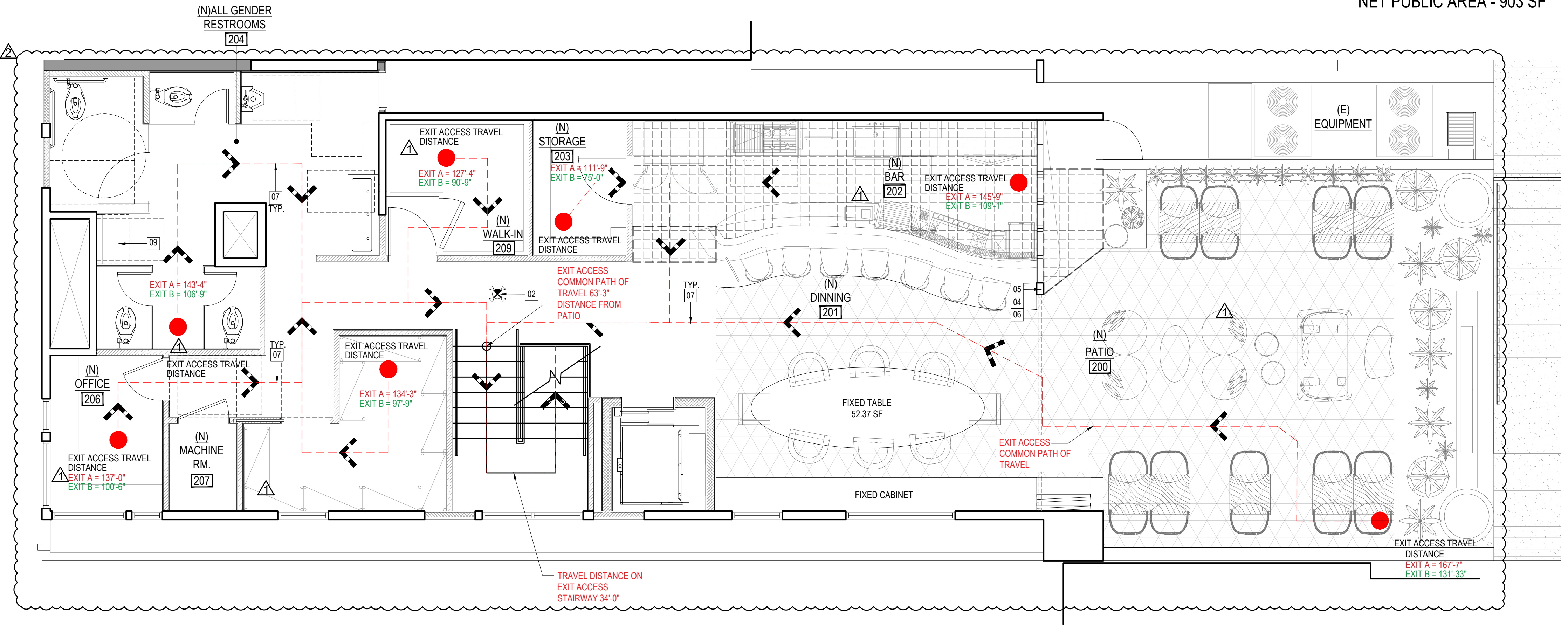
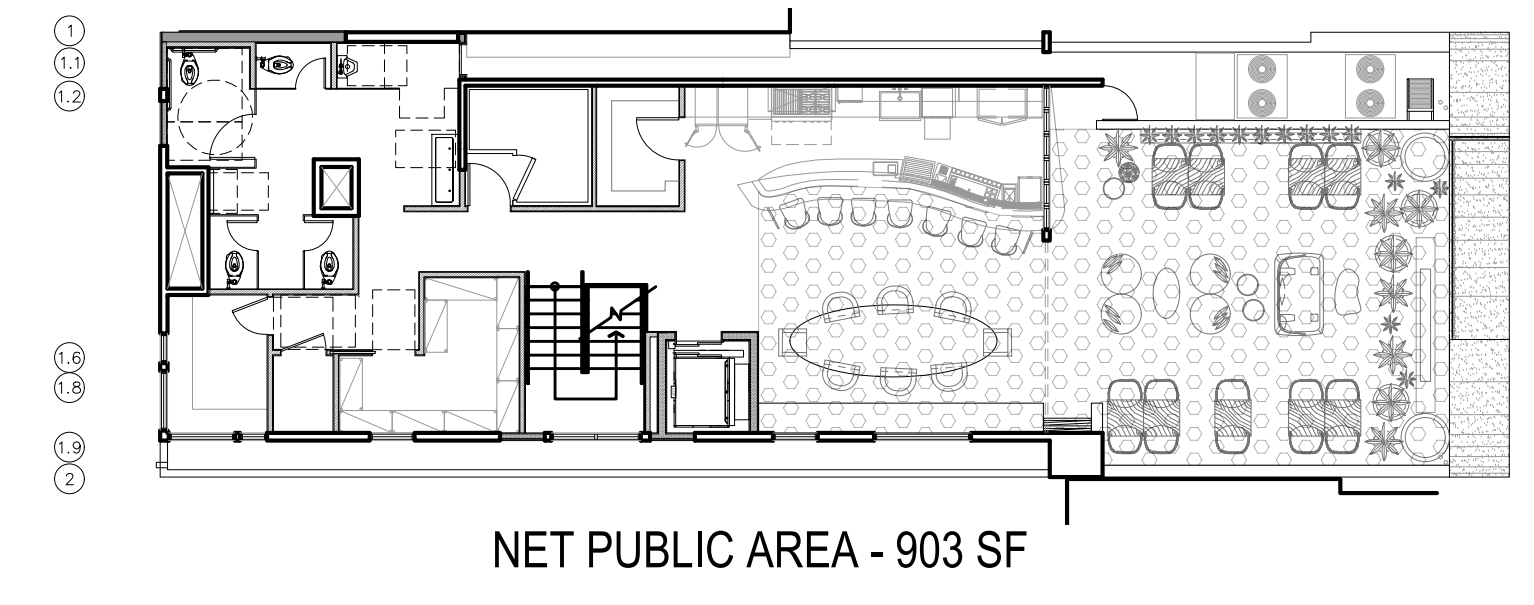
- NET PUBLIC AREA - 2,069 SF
- WAITING AREA - 1/5 SF
- LOOSE CHAIRS AND TABLE 1/15 SF
- SERVICE AREA - 1/200 SF
- CONCENTRATED STANDING AREA - 1/7 SF
- LED EXIST SIGN WITH POWER BACK UP SUPPLY

PLUMBING FIXTURE CALCULATIONS

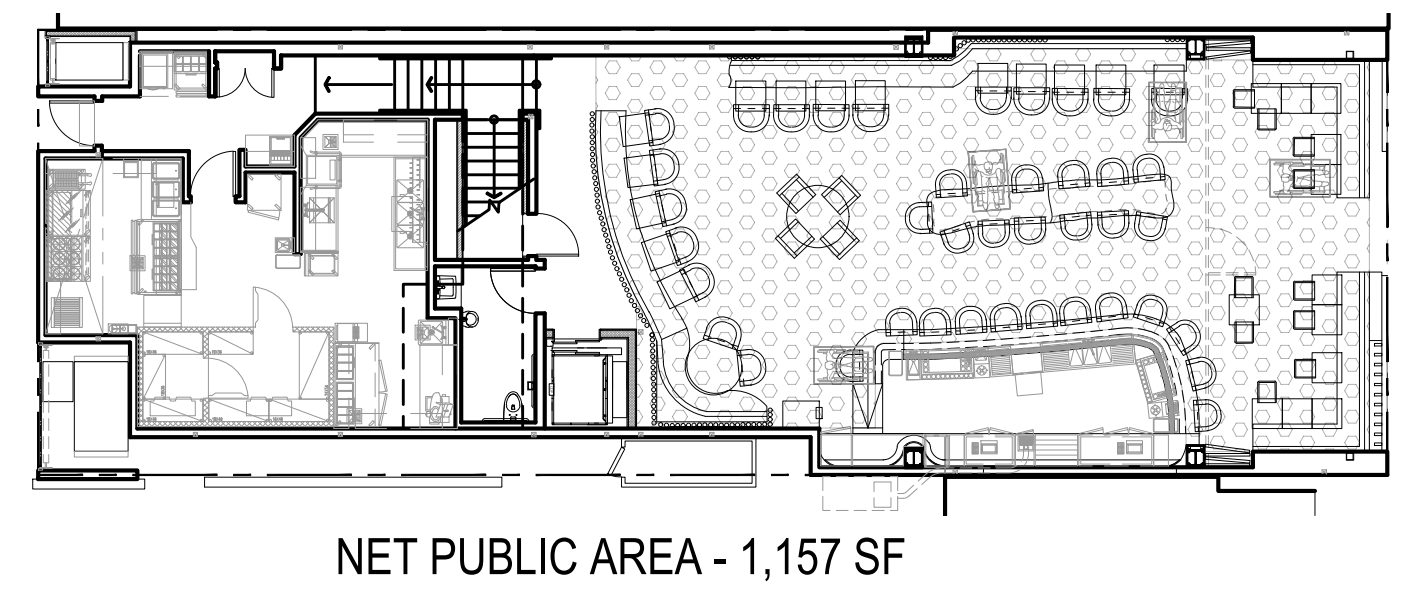
Type	Area	Ratio	Occ.
1ST FL			
A-2	712.00	30	24.00
A-2	18 LN		
FIXED	685 IN	50%	19.00
KITCHEN & SERVICE			
	362.00	50	9.00
PATIO			
FIXED	417 IN	50%	12.00
PATIO	218.00	30	10.00
2ND FL			
A-2	262.61	30	8.75
BAR	105	50	2.12
OFFICE	61.67	50	1.23
STORAGE	139.59	4000	0.03
PATIO	570.71	30	19.00
TOTAL			105.13

Occupants		
53.0	M	2 WC, 1 U & 1 Lav
1:1-50;	1:1-200;	1:1-150
53.0	F	3 WC & 1 Lav

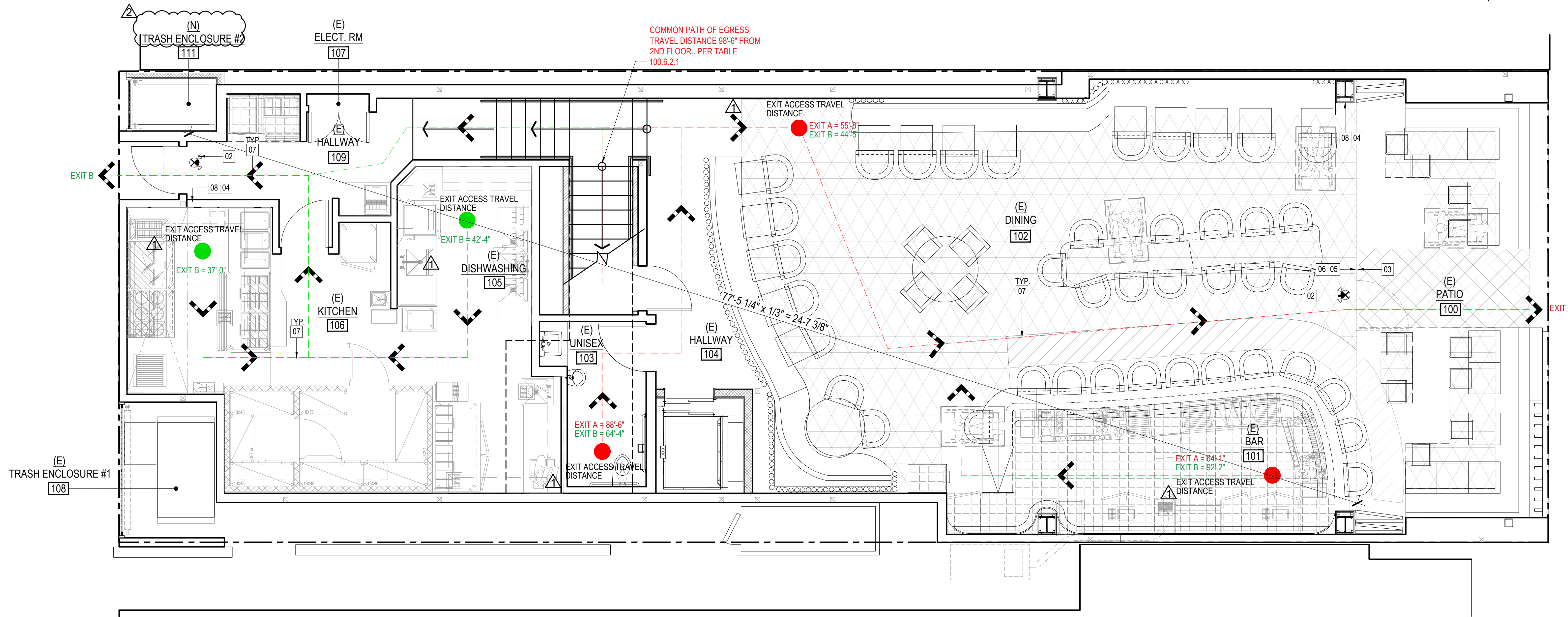
	Required	Provided	ADA
M-WC	2	0	0
M-U	1	0	0
M-L	1	0	0
W-WC	3	0	0
W-L	1	0	0
U-WC	0	5	2
U-U	0	2	2
L-L	0	3	2



SECOND FLOOR EGRESS & OCCUPANCY PLAN 1/4" = 1'-0" 02



NET PUBLIC AREA - 1,157 SF



FIRST FLOOR EGRESS & OCCUPANCY PLAN 1/4" = 1'-0" 01

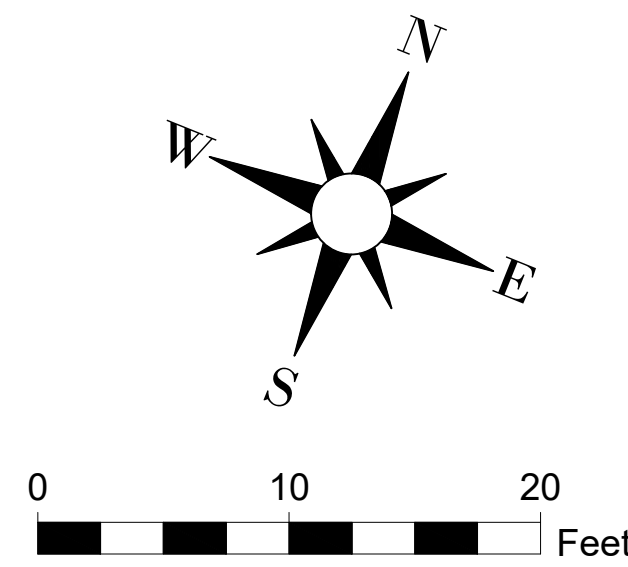
LEGEND PLUMB. FITX. CALCS.

FIRST FLOOR	DESCRIP. AREA / NAME	USE	NET SF	LENGTH EACH	OCC. FACTOR	OCC. LOAD
KITCHEN						
	BEER / COOLER / FREEZ.	A-2	75.00	sf	1/200 sf	0.40
	DISHWASHING	A-2	88.00	sf	1/200 sf	0.44
	KITCHEN	A-2	263.00	sf	1/200 sf	1.00
DINING						
	DINING	LOOSE TABLE & CHAIRS	602.00	sf	1/15 sf	40.00
	BACK OF BAR	A-2	172.00	sf	1/200 sf	1.00
	BAR STANDING	A-2	63.00	sf	1/7 sf	9.00
	BAR STOOL	A-2		11.00	1 each	11.00
	BOOTH SEATING	A-2		57 LF	1/2 sf	29.00
	SERVICE	A-2	19.00	sf	1/200 sf	1.00
FRONT PATIO						
	WAITING AREA	STAND	54.00	sf	1/5 sf	11.00
	DINING	LOOSE TABLE & CHAIRS	86.00	sf	1/15 sf	6.00
	BOOTH SEATING	A-2		35 LF	1/2 sf	18.00
	TOTALS					128

SECOND FLOOR	DESCRIP. AREA / NAME	USE	NET SF	LENGTH/ EACH	OCC. FACTOR	OCC. LOAD
BOH						
	LIQUOR STORAGE	A-2	44.18	sf	1/200 sf	0.22
	DRY STORAGE	A-2	95.41	sf	1/200 sf	0.48
	BEER / COOLER / FREEZ.	A-2	67.89	sf	1/200 sf	0.34
	MNG. OFFICE	B	61.67	sf	1/150 sf	0.41
INTERIOR DINING						
	DINING	LOOSE TABLE & CHAIRS	164.04	sf	1/15 sf	10.93
	BACK OF BAR	A-2	165.32	sf	1/200 sf	0.83
	BAR STOOL	A-2		7.00	1 each	7.00
	SERVICE	A-2	10.43	sf	1/200 sf	0.05
DECK PATIO						
	DINING	LOOSE TABLE & CHAIRS	411.75	sf	1/15 sf	27.45
	SERVICE	A-2	21.50	sf	1/200 sf	0.11
	TOTALS					48

OCCUPANT LOAD CALCULATIONS

NOTE
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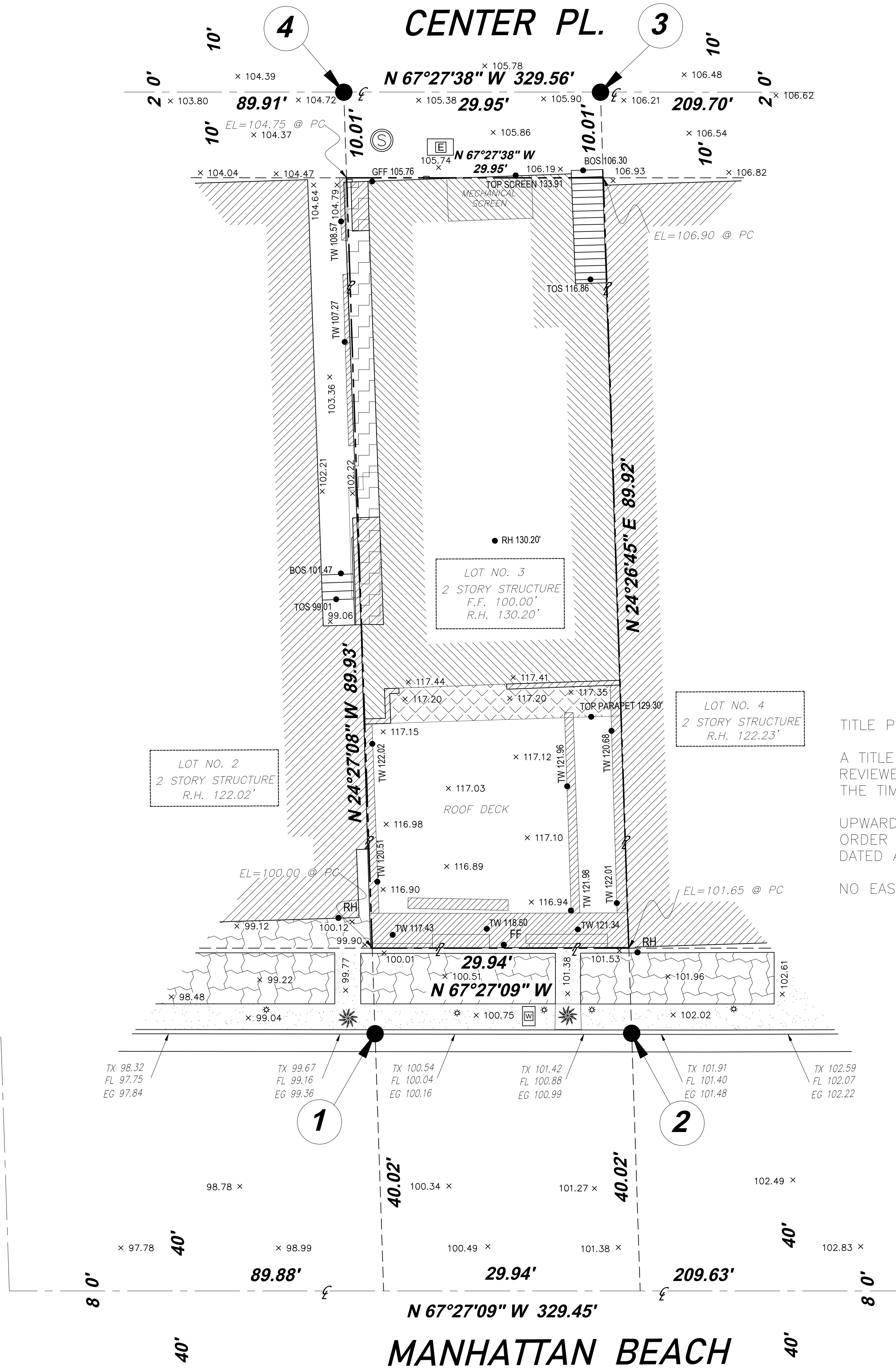
MONUMENTS DETAILS:

- ① SET LTT STAMPED LS 9806 ON PL PROD 10.00' S'LY OF PC. EL=99.47'
- ② SET LTT STAMPED LS 9806 ON PL PROD 10.00' S'LY OF PC. EL=102.75'
- ③ SET LTT STAMPED LS 9806 ON PL PROD. 10.00' N'LY OF PC. EL=106.12'
- ④ SET LTT STAMPED LS 9806 ON PL PROD. 10.00' N'LY OF PC. EL=104.95'

LEGEND & BLOCKS

SYMBOLS	HATCHING & LINE TYPE
⚡ POWER POLE	[Hatched] BRICK PAVERS
☼ LIGHT POLE	[Hatched] BUILDING
— GUY WIRE	[Hatched] BUILDING EXTENSION
⊕ WATER VALVE	[Hatched] ASPHALT
⦿ FIRE HYDRANT	[Hatched] CONCRETE
⊕ WATER METER	[Hatched] SHED
⊕ SEWER MANHOLE	[Hatched] STONE PAVERS
⊕ GAS VALVE	[Hatched] TILE PAVERS
⊕ GAS METER	[Hatched] WOOD DECK
⊕ ELECTRIC VAULT	[Hatched] BRICK WALL
⊕ ELECTRIC METER	[Hatched] BUILDING LINE
⊕ ELECTRIC TRANSFORMER	[Hatched] CONCRETE BLOCK WALL
⊕ AIR CONDITIONER UNIT	[Hatched] CENTER LINE
⊕ WATER HEATER	[Hatched] CHAINLINK FENCE
⊕ STORM DRAIN MANHOLE	[Hatched] CURB LINE
⊕ STORM DRAIN INLET	[Hatched] GUTTER LINE
⊕ MAIL BOX	[Hatched] PLANTER WALL
⊕ BOLLARD	[Hatched] PLANTER LINE
⊕ DOUBLE GATE	[Hatched] POWER LINE
⊕ SLIDE GATE	[Hatched] IRON FENCE
⊕ SINGLE GATE	[Hatched] RETAINING WALL
⊕ FLAG POLE	[Hatched] ROOF LINE
⊕ TRAFFIC CONTROL BOX	[Hatched] STONE WALL
⊕ TRAFFIC LIGHT	[Hatched] STAIRCASE LINE
⊕ SIGN	[Hatched] VINYL FENCE
⊕ HANDICAP SIGN	[Hatched] WOOD FENCE
⊕ HANDICAPPED PARKING	[Symbol] TREE
⊕ BUILDING HEIGHT LOCATION	
⊕ FINISH FLOOR HEIGHT LOCATION	
⊕ UNKNOWN UTILITY	

HIGHLAND AVE.



TITLE POLICY NOTE:

A TITLE REPORT HAS BEEN PROVIDED AND REVIEWED BY EAGLE EYE LAND SURVEYING AT THE TIME OF THIS SURVEY.

UPWARD TITLE COMPANY
ORDER NUMBER: 4220124-00588
DATED AS OF MAY 14, 2024

NO EASEMENTS PER SAID DOCUMENT

BASIS OF BEARINGS: N 67°27'38" W LINE OF CENTER PL. PER RECORD OF SURVEY, M.B. 292/42 AS FILED IN THE RECORDS OF LOS ANGELES COUNTY.

PROJECT NOTES:

N/A

ASSUMED BENCHMARK:

LTT STAMPED LS 9806 ON PL PROD. 10.00' S'LY OF PC. EL= 102.75', AS SHOWN HEREON.

E.E. LAND SURVEYING

CLIENT: MB PALMILLA INC.
PROJECT NO: 23-176
DATE: 08/15/23
ASSESSOR'S I.D. NUMBER: APN:4179-005-002
LEGAL DESCRIPTION: LOT NO. 3, MANHATTAN BEACH DIVISION NO. 2, M.B. 1-95-96

DATE OF REVISIONS:	ITEM

MAP ISSUE DATE: 5/29/2024
DRAFTED BY: M.A.P.

ABBREVIATIONS :

AB	AGGREGATE BASE
AC	ASPHALT PAVEMENT
AD	AREA DRAIN
BW	BENCHMARK
BOS	BOTTOM OF STAIRS
BOW	BACK OF WALK
BRMP	BOTTOM OF RAMP
BS	BOTTOM OF SLOPE
CB	CATCH BASIN
CBW	CONCRETE BLOCK WALL
CF	CURE FACE
CLF	CHAIN LINK FENCE
CONC	CONCRETE
E	EAST
EG	EDGE OF GUTTER
EL	ELEVATION
EM	ELECTRIC METER
EMH	ELECTRIC MANHOLE
EP	EDGE OF PAVEMENT
EPB	ELECTRIC PULL BOX
EV	ELECTRIC VAULT
EVV	ELECTRICAL VENTILATION BOX
FF	FINISH FLOOR
FG	FINISH GRADE
FH	FIRE HYDRANT
FL	FLOW LINE
FND	FOUND
FOW	FACE OF WALK
FS	FINISHED SURFACE
GB	GRADE BREAK
GM	GAS METER
GV	GAS VALVE
ICV	IRRIGATION CONTROL VALVE
IE	INVERT ELEVATION
IP	IRON PIPE
LP	LEAD, TACK & TAG
LT	LEAD & TACK
MP	METAL POST
N	NORTH
NG	NATURAL GROUND ELEVATION
O/S	OFFSET
OHW	OVERHEAD WIRE
PB	PULL BOX
PC	PROPERTY CORNER
PL	PROPERTY LINE
PLS	PROFESSIONAL LAND SURVEYOR
PLT	PARKING LOT LIGHT
PM	PARKING METER POST
PP	POWER POLE
PROD	PRODUCED
RCE	REGISTERED CIVIL ENGINEER
RW	RETAINING WALL
S	SOUTH
SB	SPLASH BOX
SDMH	STORM DRAIN MANHOLE
SMH	SEWER MANHOLE
SPB	SIGNAL PULL BOX
STLT	STREET LIGHT
SW	SPIKE & WASHER
TBM	TEMPORARY BENCHMARK
TC	TOP OF CURB
TELMH	TELEPHONE MANHOLE
TG	TOP OF GRATE ELEVATION
TOS	TOP OF STAIRS
TR	TREE
TS	TRAFFIC SIGNAL
TS	TOP OF SLOPE
TW	TOP OF WALL
TX/BX	TOP/BOTTOM OF X
W	WEST
WD-FENCE	WOOD FENCE
WF-FENCE	ROUGH IRON FENCE
WV	WATER METER
WV	WATER VALVE

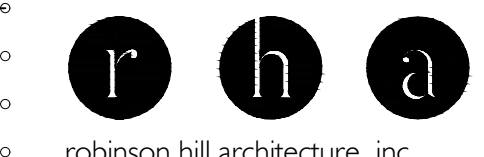
BOUNDARY/TOPOGRAPHIC SURVEY
SITE ADDRESS: 309 Manhattan Beach Blvd, Manhattan Beach, CA 90266

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PREPARED BY: EAGLE EYE LAND SURVEYING
CIVIL ENGINEERING & LAND SURVEYING
1311 MANHATTAN BEACH BLVD.
#4 MANHATTAN BEACH, CA 92780
PHONE (310)855 8901



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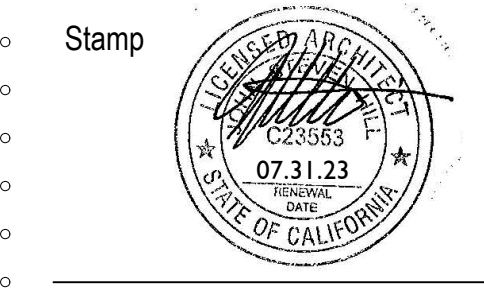
Michael David Robinson: C-20731
 John Steven Hill: C-23553

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Owner

Consultant



Stamp

Submission Dates
 ENTITLEMENT SUBMITTAL 06.08.23
 ENTITLEMENT RE SUB. 04.04.24
 ENTITLEMENT RE SUB. 06.17.24

Rev.	Description	Date
△	P.C. CORRECTIONS	04.04.24
△	P.C. CORRECTIONS	06.17.24

KEYNOTES

- SITE OF WORK
- (E) ADJACENT COMMERCIAL BUILDING
- (E) ACCESSIBLE PATH OF TRAVEL FROM PUBLIC RIGHT OF WAY

Project Info. Address

ENTITLEMENT

ESPERANZA

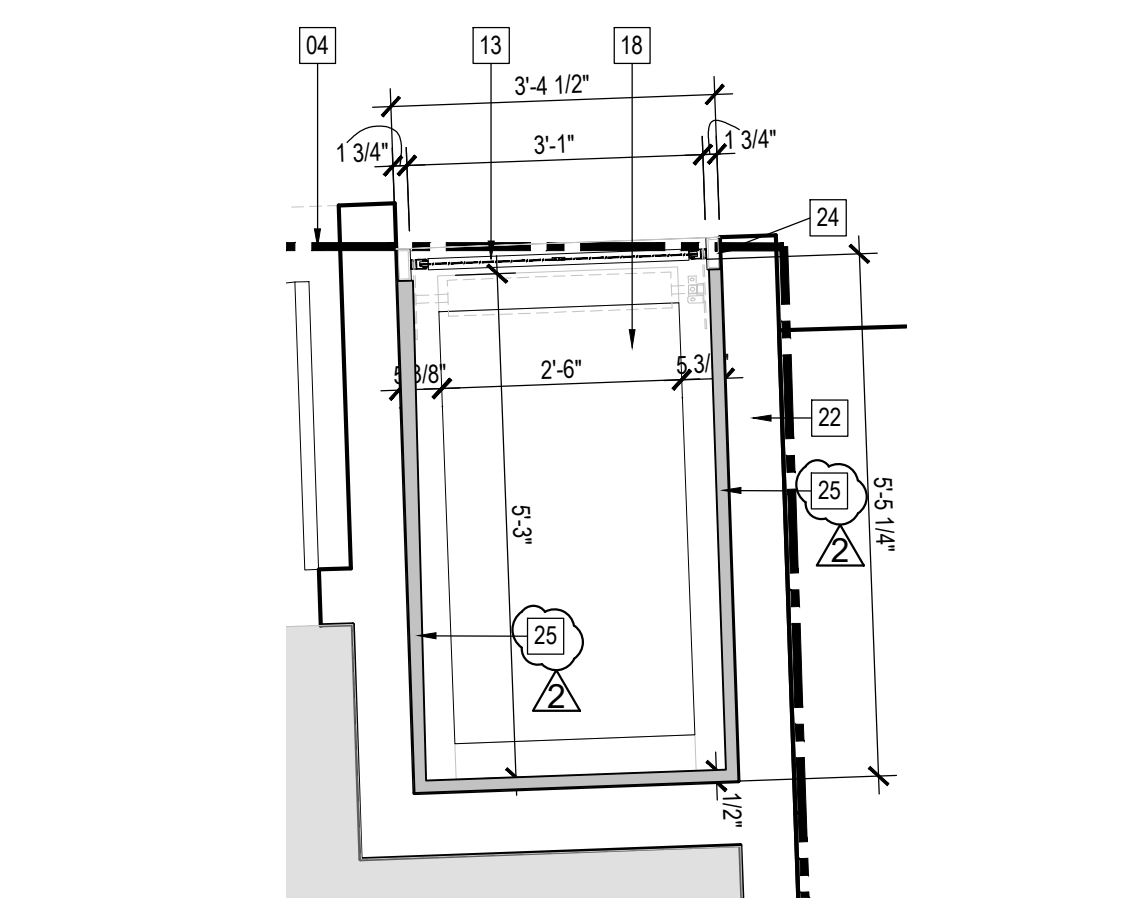
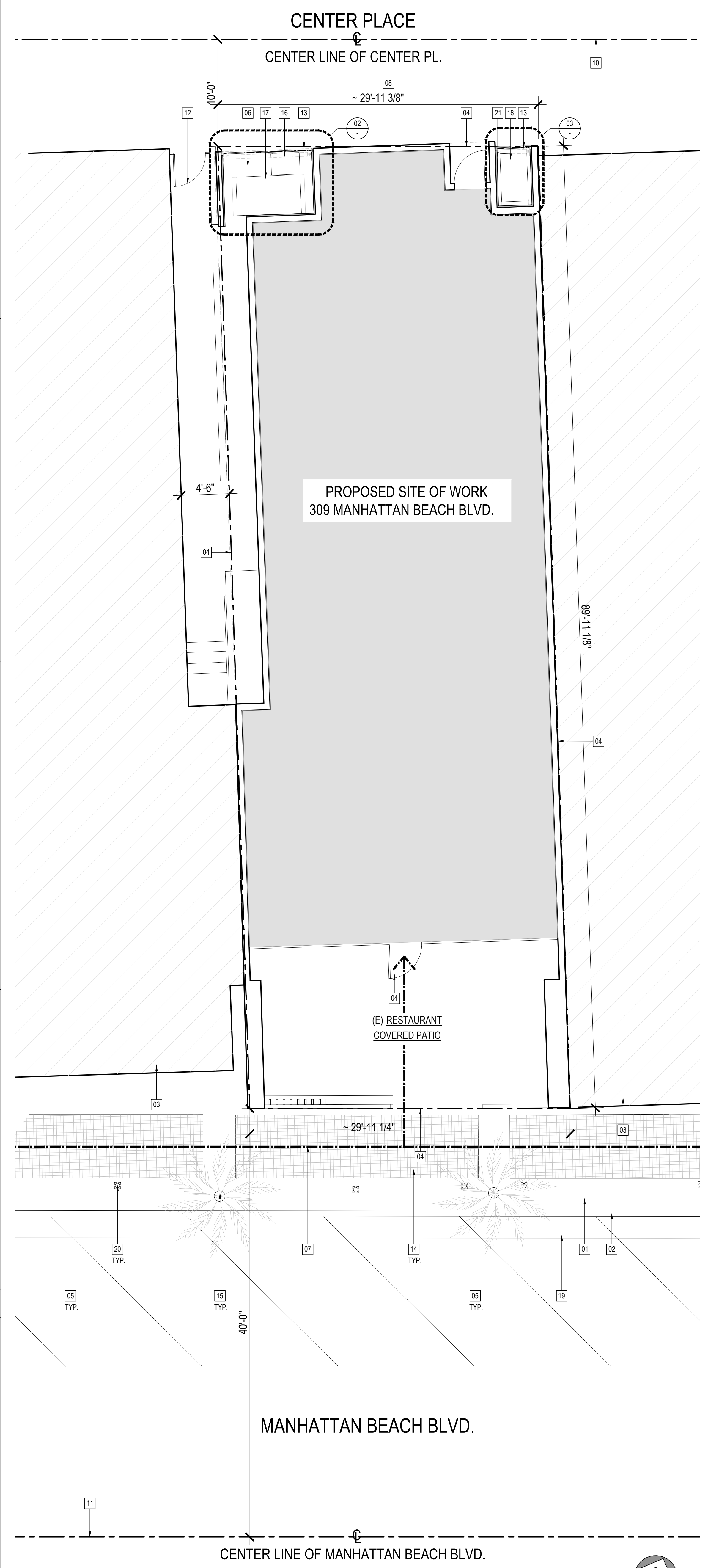
309 MANHATTAN BEACH BLVD.
 MANHATTAN BEACH, CA 90266

Sheet Title

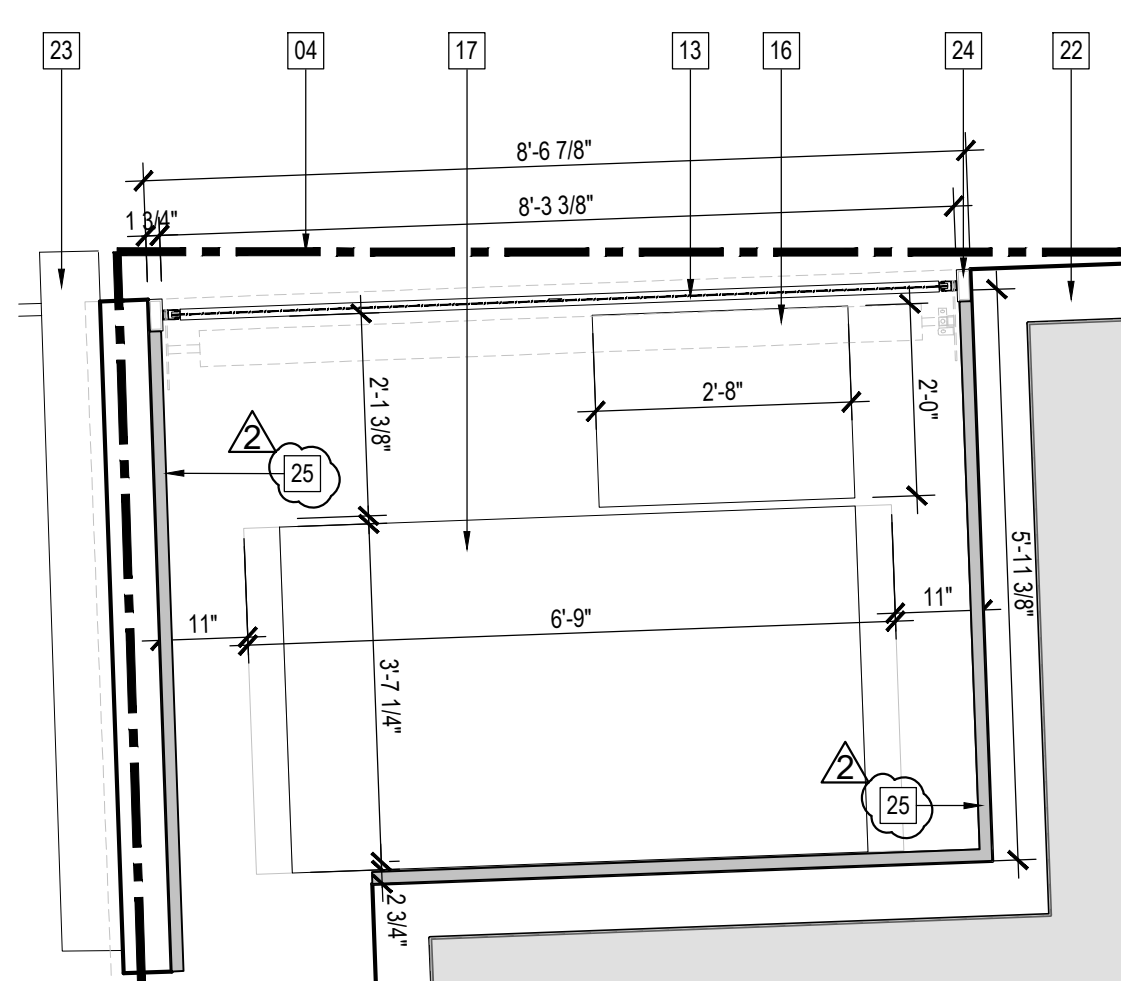
PROPOSED SITE PLAN

Job Number:
22RHA1098
 Date:
03.20.23
 Sheet No.:

ST01



(N) TRASH ENCLOSURE #2 PLAN 1/2" = 1'-0" 03



(E) TRASH ENCLOSURE #1 PLAN 1/2" = 1'-0" 02

PROPOSED SITE PLAN 3/16" = 1'-0" 01

GENERAL NOTES

1. G.C. IS RESPONSIBLE FOR FIELD VERIFYING ALL EXISTING CONDITIONS AND DIMENSIONS. G.C. TO ADVISE ARCHITECT OF ANY DISCREPANCIES.
2. SIGN PERMIT TO BE FILED SEPARATELY BY SIGN CONTRACTOR. SIGNAGE TO BE FABRICATED AND INSTALLED BY SIGN CONTRACTOR, INCLUDING COORDINATION W/ G.C. AND ELECTRICIAN AS REQUIRED.



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 web www.rhinc.net

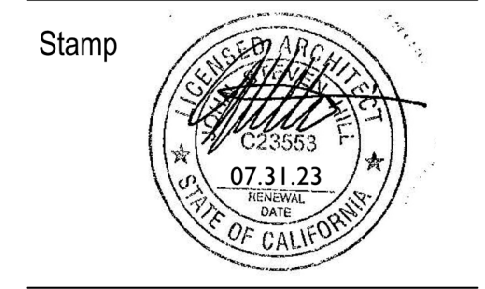
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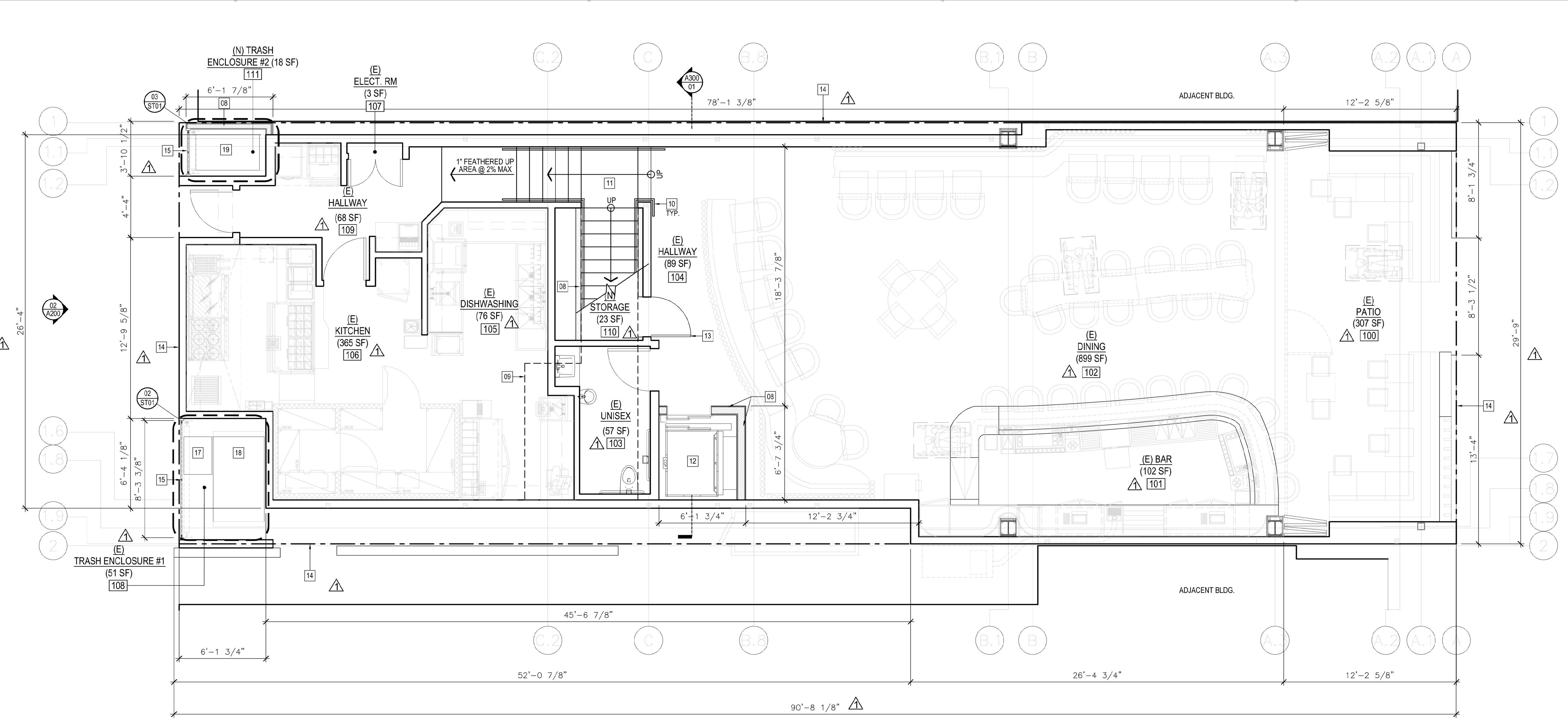
Consultant



Stamp

Submittal Dates
 ENTITLEMENT SUBMITTAL 06.08.23
 ENTITLEMENT RE SUB. 04.04.24
 ENTITLEMENT RE SUB. 06.17.24

Rev.	Description	Date
1	P.C. CORRECTIONS 04.04.24	
2	P.C. CORRECTIONS 06.17.24	



- 01 (E) WINDOW TO BE DEMO
- 02 (E) DOOR TO BE DEMO
- 03 (E) STAIR HANDRAIL TO BE DEMO
- 04 (E) STAIRS TO BE DEMO
- 05 (E) WALL TO BE DEMO
- 06 (E) FIXTURE TO BE DEMO
- 07 (E) FINISH MATERIAL TO BE DEMO
- 08 (M) WALL TO MATCH ADJACENT, EXISTING WALL
- 09 LINE OF STAIRS ABOVE
- 10 (M) STAIR HANDRAIL REFER TO HC-1/24 FOR MORE INFO
- 11 (M) STAIRS REFER TO HC-1/12 FOR MORE INFO
- 12 (M) ELEVATOR REFER TO MFR. SPECS FOR MORE INFO
- 13 (M) DOOR
- 14 PROPERTY LINE
- 15 (M) OVERHEAD ROLL-UP DOOR, REFER TO SHEET A700 DOOR SCHED. FOR MORE INFO.
- 16 (E) TRASH BIN TO BE REPLACED
- 17 (M) 64 GALLON ORGANIC CART
- 18 (M) 3 CUBIC YARD LANDFILL TRASH BIN
- 19 (M) 1.67 CUBIC YARD CUSTOM RECYCLING BIN

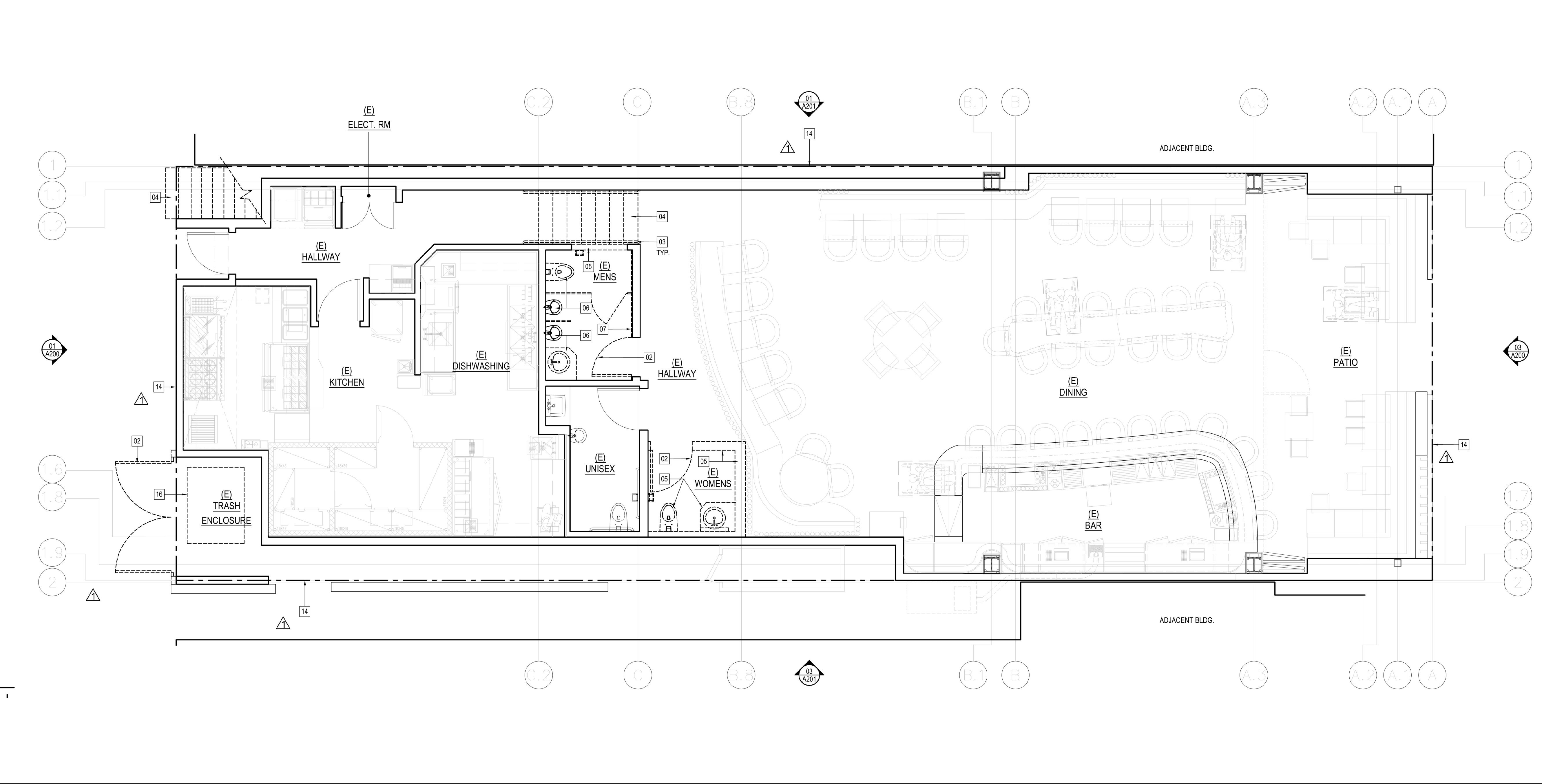
FIRST FLOOR PROPOSED PLAN 1/4" = 1'-0" 02

LEGEND

- DEMO
- (E) WOOD STUD WALL TO REMAIN
- (N) GALVANIZED MTL. WALL (REFER TO SHEET A1/02 FOR WALL TYPES)
- (N) WOOD STUD WALL (REFER TO SHEET A1/02 FOR WALL TYPES)

FIRST FLOOR PROPOSED PLAN 1/4" = 1'-0" 02

LEGEND



FIRST FLOOR DEMO PLAN 1/4" = 1'-0" 01

Project Info. Address

ENTITLEMENT

309 MANHATTAN BEACH BLVD.
 MANHATTAN BEACH, CA 90266

Sheet Title

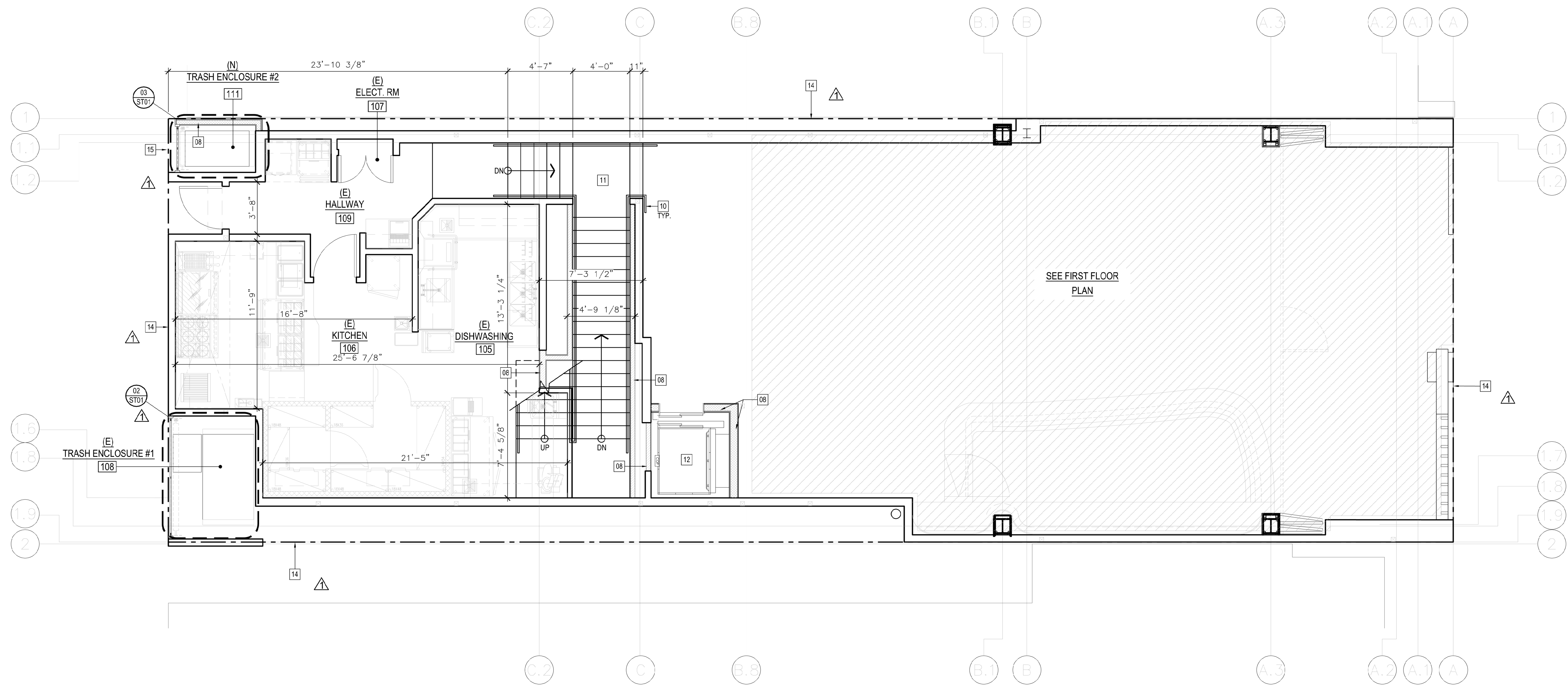
FIRST FLOOR DEMO & PROPOSED PLAN

Job Number:
 22RH1098

Date:
 03.20.23

Sheet No.:

A100



- 01 (E) WINDOW TO BE DEMO
- 02 (E) DOOR TO BE DEMO
- 03 (E) STAIR HANDRAIL TO BE DEMO
- 04 (E) STAIRS TO BE DEMO
- 05 (E) WALL TO BE DEMO
- 06 (E) FIXTURE TO BE DEMO
- 07 (E) FINISH MATERIAL TO BE DEMO
- 08 (N) WALL TO MATCH ADJACENT, REFER TO STRUCTURAL DRWS. FOR MORE INFO
- 09 (E) KITCHEN EQUIPMENT TO BE DEMO
- 10 (N) STAIR HANDRAIL REFER TO HC-124 FOR MORE INFO
- 11 (N) STAIRS REFER TO HC-112 FOR MORE INFO
- 12 (N) ELEVATOR REFER TO MFR. SPECS FOR MORE INFO
- 13 (N) DOOR
- 14 PROPERTY LINE
- 15 (N) OVERHEAD ROLL UP DOOR, REFER TO DOOR SCHEDULE FOR MORE INFO

- DEMO
- (E) WOOD STUD WALL TO REMAIN
- (N) GALVANIZED MTL. WALL (REFER TO SHEET A102 FOR WALL TYPES)
- (N) WOOD STUD WALL (REFER TO SHEET A102 FOR WALL TYPES)

1.5 FLOOR PROPOSED PLAN 1/4" = 1'-0" 02

KEYNOTES

r b a
 robinson hill architecture, inc.
 A California Corporation
 3195-B Airport Loop Dr.
 Costa Mesa, CA 92626
 tel. 714-825-8888
 fax 714-825-8889
 web www.rhinc.net

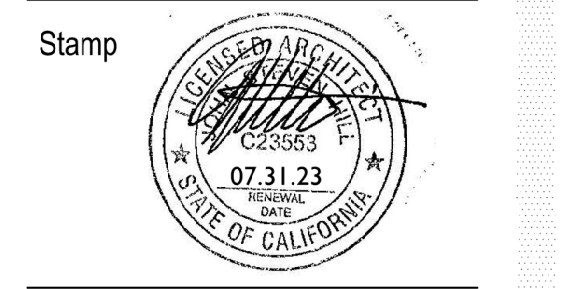
Michael David Robinson: C-20731
 John Steven Hill: C-23553

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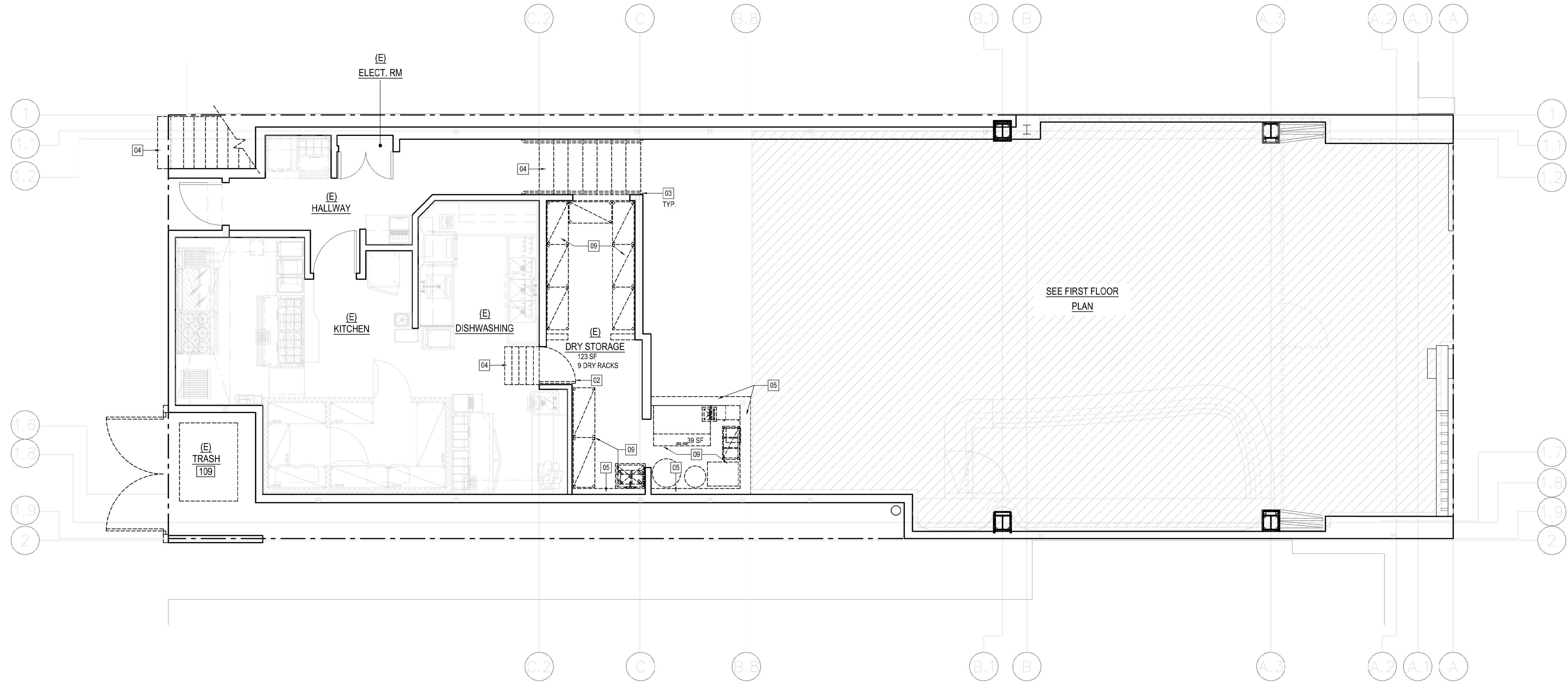
Consultant



Submittal Dates
 ENTITLEMENT SUBMITTAL 06.08.23
 ENTITLEMENT RE SUB. 04.04.24
 ENTITLEMENT RE SUB. 06.17.24

Rev.	Description	Date
1	P.C. CORRECTIONS 04.04.24	
2	P.C. CORRECTIONS 06.17.24	

LEGEND



1.5 FLOOR DEMO PLAN 1/4" = 1'-0" 01

Project Info. Address

ENTITLEMENT

ESPERANZA

309 MANHATTAN BEACH BLVD.
 MANHATTAN BEACH, CA 90266

Sheet Title

1.5 FLOOR DEMO & PROPOSED PLAN

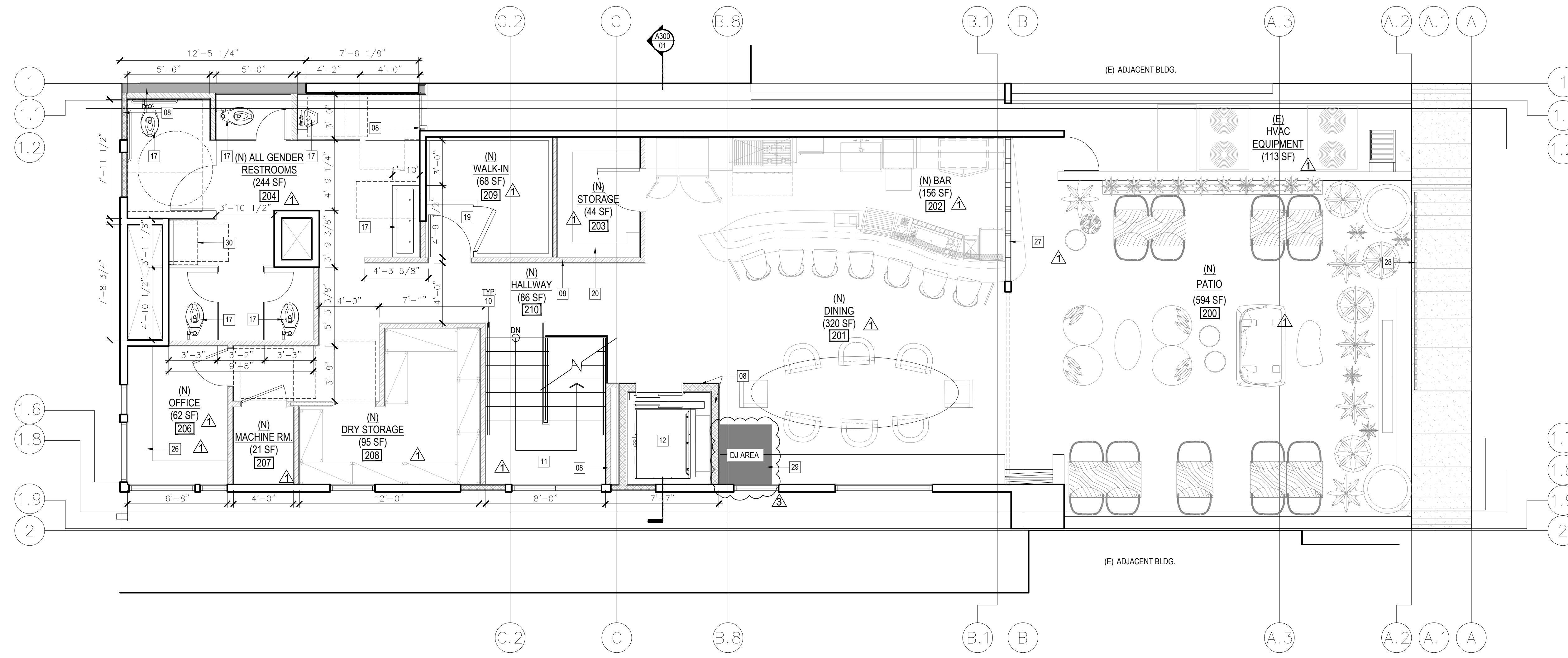
Job Number:
 22RHA1098

Date:
 03.20.23

Sheet No.:

A101

Page 74 of 83
 PC MTC 10/09/2024



- 01 (E) WINDOW TO BE DEMO
- 02 (E) DOOR TO BE DEMO
- 03 (E) STAIR HANDRAIL TO BE DEMO
- 04 (E) STAIRS TO BE DEMO
- 05 (E) WALL TO BE DEMO
- 06 (E) FUTURE TO BE DEMO
- 07 (E) FINISH MATERIAL TO BE DEMO
- 08 (N) WALL TO MATCH ADJACENT, REFER TO STRUCTURAL DRWS. FOR MORE INFO
- 09 (E) CURB TO BE DEMO
- 10 (N) STAIR HANDRAIL REFER TO HC-124 FOR MORE INFO
- 11 (N) STAIRS REFER TO HC-112 FOR MORE INFO
- 12 (N) ELEVATOR, LULUA ELEVATOR BY ARROW LIFT
- 13 (E) CLOSET TO BE DEMO
- 14 (E) SHELVING TO BE DEMO
- 15 (E) SHOWER TO BE DEMO
- 16 (N) POCKET DOOR, REFER TO DOOR SCHEDULE FOR MORE INFO
- 17 (N) RESTROOM FIXTURE
- 18 (N) DOOR, REFER TO DOOR SCHEDULE FOR MORE INFO
- 19 (N) WALK-IN COOLER
- 20 (N) LIQUOR SHELF
- 21 (E) ROOM DIVIDER TO BE DEMO
- 22 (E) EQUIPMENT TO BE DEMO
- 23 (E) COUNTER TO BE DEMO
- 24 (E) KITCHEN ISLAND TO BE DEMO
- 25 (E) GAS FIRE PIT TO REMAIN
- 26 (N) MILLWORK
- 27 (N) PASS THROUGH WINDOW
- 28 (N) GLASS PANEL W/ MIN STC RATING OF 30 FOR NOISE MITIGATION
- 29 (N) DJ AREA
- 30 (N) BABY CHANGING AREA

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Submittal Dates
 ENTITLEMENT SUBMITTAL 06.08.23
 ENTITLEMENT RE SUB. 04.04.24
 ENTITLEMENT RE SUB. 06.17.24
 ENTITLEMENT RE SUB. 08.13.24

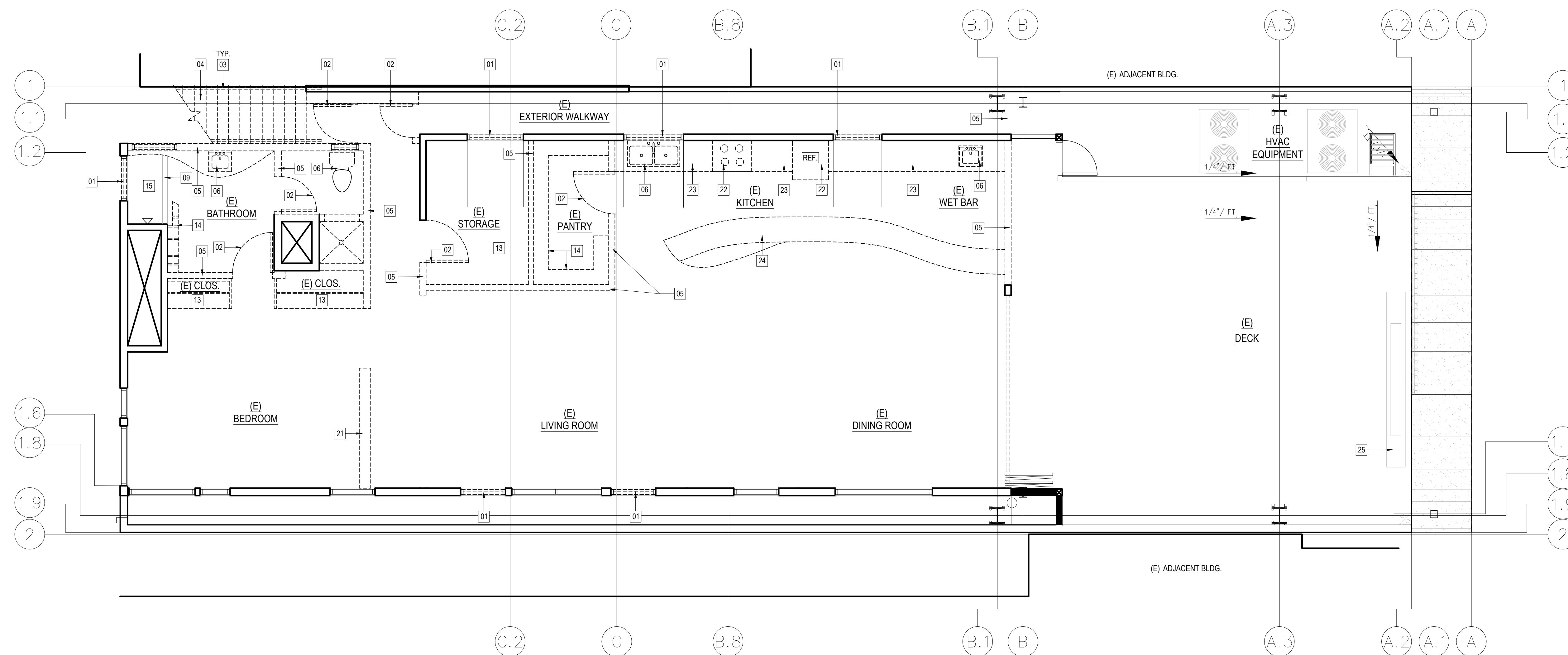
KEYNOTES

Rev.	Description	Date
△	P.C. CORRECTIONS	04.04.24
△	P.C. CORRECTIONS	06.17.24
△	P.C. CORRECTIONS	08.13.24

SECOND FLOOR PROPOSED PLAN 1/4" = 1'-0" 02

- DEMOS
- (E) WOOD STUD WALL TO REMAIN
- (N) GALVANIZED MTL. WALL (REFER TO SHEET A102 FOR WALL TYPES)
- (N) WOOD STUD WALL (REFER TO SHEET A102 FOR WALL TYPES)

LEGEND



SECOND FLOOR DEMO PLAN 1/4" = 1'-0" 01

Project Info. Address

ENTITLEMENT

ESPERANZA

309 MANHATTAN BEACH BLVD.
MANHATTAN BEACH, CA 90266

Sheet Title

SECOND FLOOR DEMO & PROPOSED PLAN

Job Number:
 22RHA1098

Date:
 03.20.23

Sheet No.:

A102



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 ENTITLEMENT SUBMITTAL 06.08.23

KEYNOTES
 ENTITLEMENT RE SUB. 04.04.24
 ENTITLEMENT RE SUB. 06.17.24
 ENTITLEMENT RE SUB. 08.12.24

HEIGHT CALCULATION
 FORMULA:
 COR. 1 + COR. 2 + COR. 3 + COR. 4 / 4 = DISTRICT III HT. LIMIT = MAX HT. ELEV.

CALCULATION:
 [100.00 + 101.65 + 104.75 + 106.90] / 4 = 103.33 + 26 = 129.33' (MAX HT. ELEV)

Rev.	Description	Date
1	P.C. CORRECTIONS	04.04.24
2	P.C. CORRECTIONS	06.17.24
3	P.C. CORRECTIONS	08.13.24

Project Info. Address

ENTITLEMENT
 ESPERANZA
 309 MANHATTAN BEACH BLVD.
 MANHATTAN BEACH, CA 90266

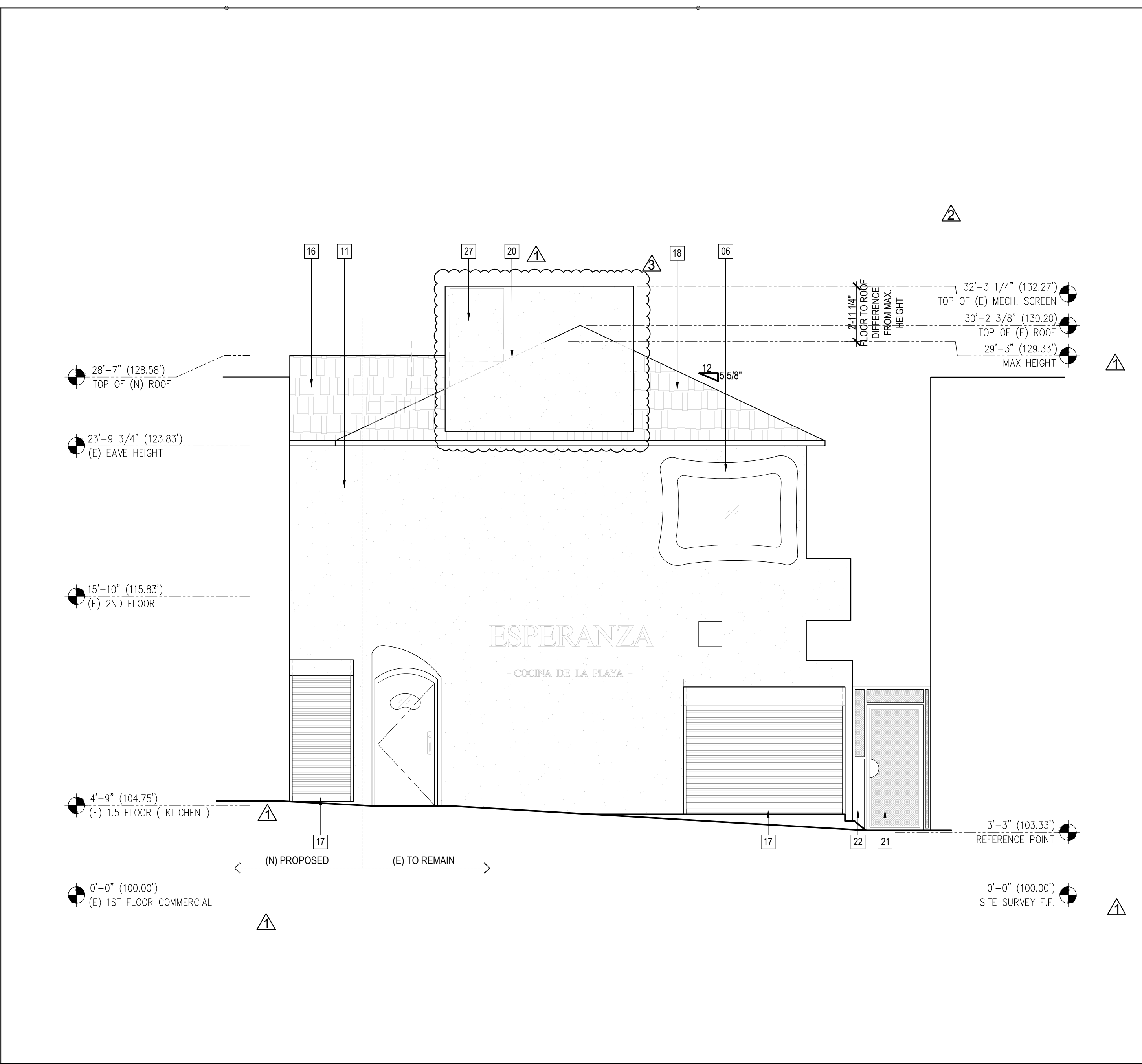
Sheet Title

NORTH & SOUTH
 ELEVATION PLAN

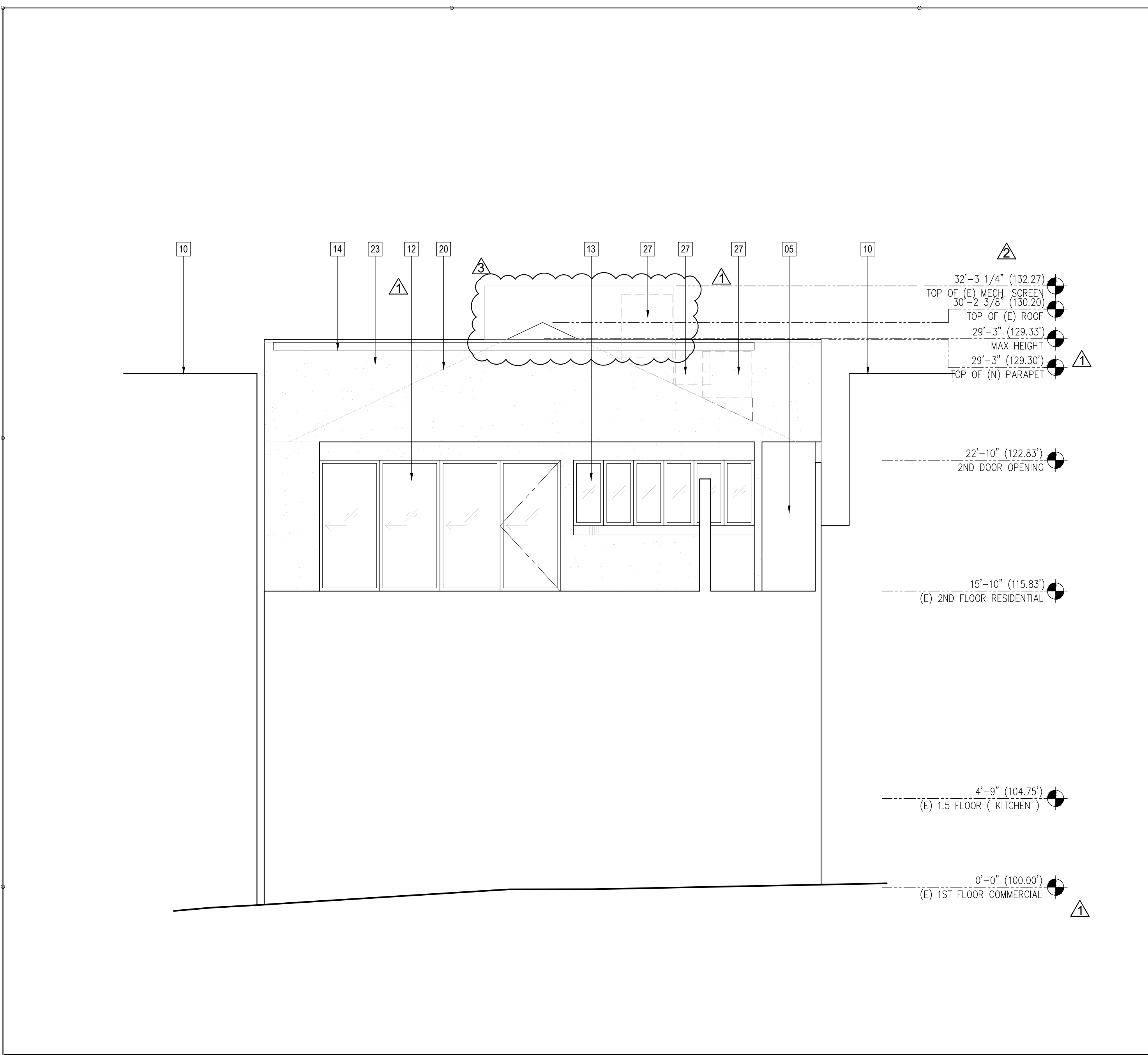
Job Number:
 22RHA1098
 Date:
 03.20.23
 Sheet No.:

NOTES
A200

- 01 (E) WINDOW TO BE DEMO
- 02 (E) DOOR TO BE DEMO
- 03 (E) STAIR HANDRAIL TO BE DEMO
- 04 (E) STAIRS TO BE DEMO
- 05 (E) WALL TO BE DEMO
- 06 (E) WINDOW TO REMAIN
- 07 (E) DOOR TO REMAIN
- 08 (E) TRASH ENCLOSURE DOOR TO DEMOLISHED
- 09 (E) ROOF TO BE DEMO
- 10 (E) ADJACENT BUILDING
- 11 (N) WALL TO MATCH ADJACENT. REFER TO STRUCTURAL DRWS. FOR MORE INFO
- 12 (E) FOLDING DOOR SYSTEM TO REMAIN
- 13 (E) FOLDING WINDOW SYSTEM
- 14 (N) RETRACTABLE CANOPY SYSTEM
- 15 (E) MECH. EQUIP. SCREEN ALTERATION TO BE REMOVED
- 16 (N) SLOPED ROOF, REFER TO STRUCTURAL DRWS. FOR MORE INFO
- 17 (N) ALUM. OVERHEAD ROLL-UP DOOR
- 18 (E) ROOF TO REMAIN
- 19 (E) SIGN TO REMAIN
- 20 LINE OF (E) ROOF BEYOND
- 21 (E) SIDE GATE TO REMAIN
- 22 (E) LOW BLOCK WALL TO REMAIN
- 23 (N) SECOND FLOOR ROOF PARAPET
- 24 (N) GLASS PANEL W/ MIN STC RATING OF 30 FOR NOISE MITIGATION
- 25 (E) METAL SLATS TO REMAIN
- 26 (E) ACRYLIC PANEL AND ALUM. FRAME TO REMAIN
- 27 (E) MECHANICAL EQUIPMENT BEYOND TO REMAIN



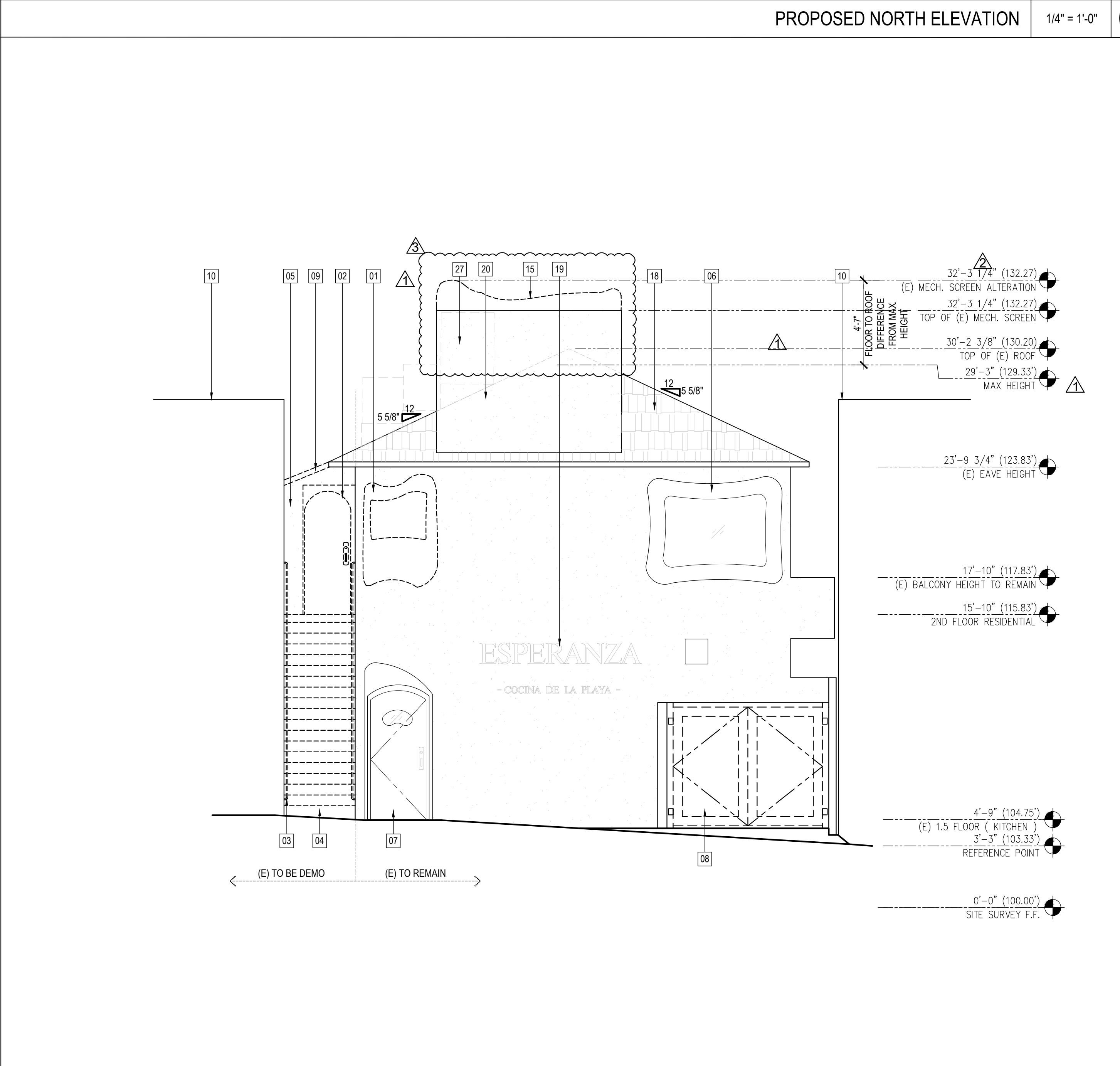
PROPOSED NORTH ELEVATION 1/4" = 1'-0" 02



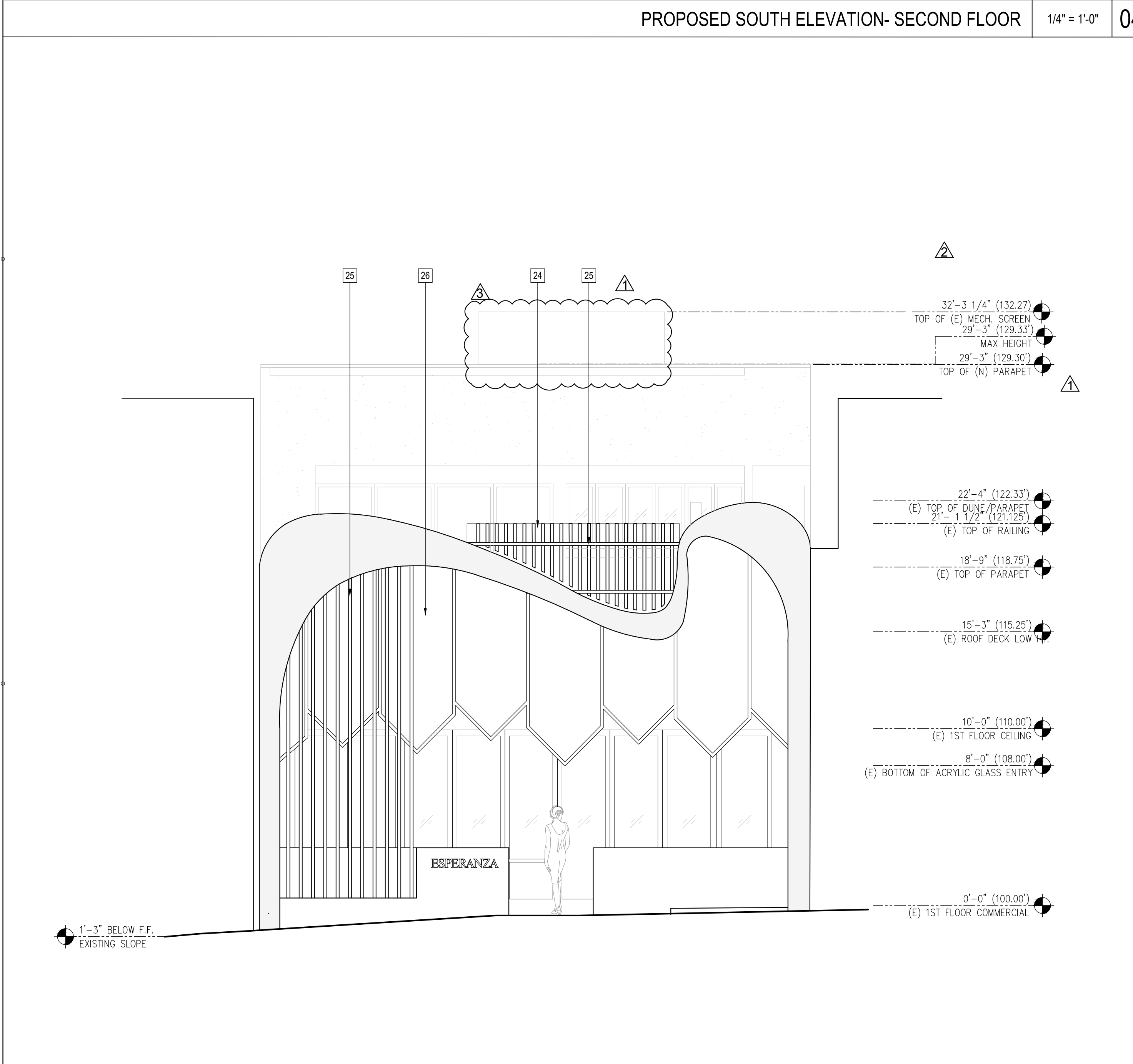
PROPOSED SOUTH ELEVATION- SECOND FLOOR 1/4" = 1'-0" 04

LEGEND

1. PARAPETS, SATELLITE ANTENNAE, RAILS, SKYLIGHTS, ROOF EQUIPMENT MUST BE WITHIN THE HEIGHT LIMIT



NORTH ELEVATION DEMO 1/4" = 1'-0" 01



PROPOSED SOUTH ELEVATION- FIRST FLOOR ENTRY 1/4" = 1'-0" 03



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Consultant



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ENTITLEMENT SUBMITTAL 06.08.23
ENTITLEMENT RE SUB. 04.04.24
ENTITLEMENT RE SUB. 06.17.24
ENTITLEMENT RE SUB. 08.12.24

Rev.	Description	Date
▲	P.C. CORRECTIONS	04.04.24
▲	P.C. CORRECTIONS	06.17.24
▲	P.C. CORRECTIONS	08.12.24

Project Info. Address

ESPERANZA
309 MANHATTAN BEACH BLVD.
MANHATTAN BEACH, CA 90266

ENTITLEMENT

Sheet Title

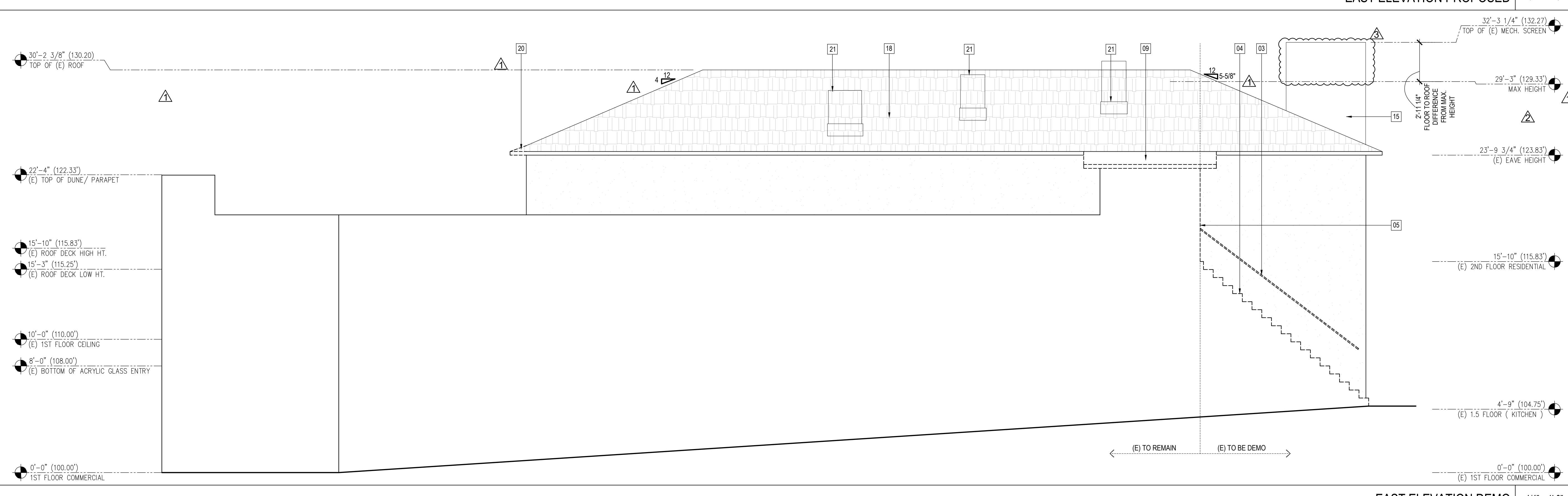
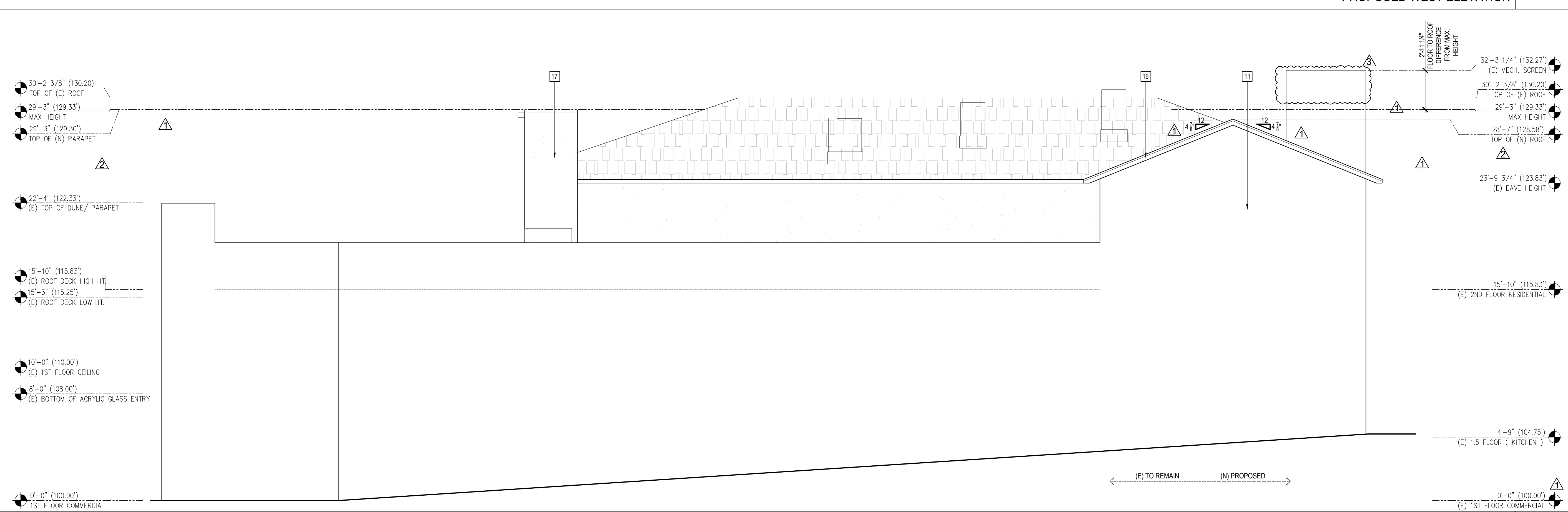
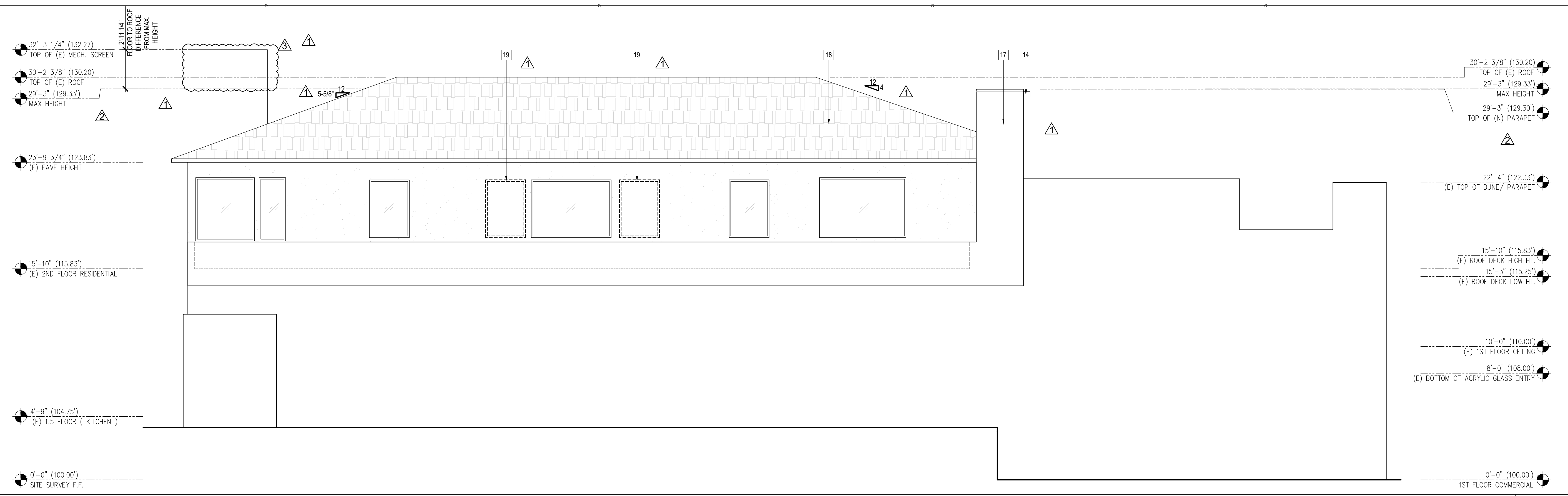
EAST AND WEST
ELEVATION PLAN

Job Number:
22RHA1098

Date:
03.20.23

Sheet No.:

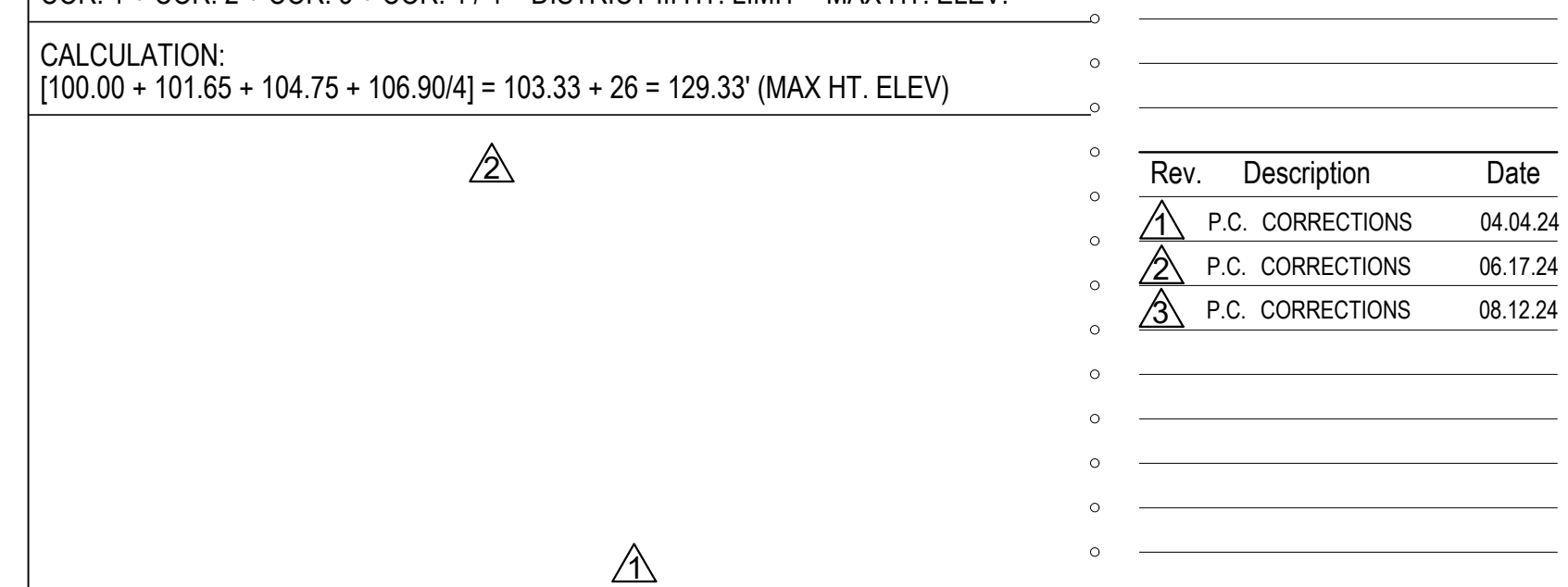
A201



NOTES

KEYNOTES

HEIGHT CALCULATION
FORMULA:
COR. 1 + COR. 2 + COR. 3 + COR. 4 / 4 = DISTRICT III HT. LIMIT = MAX HT. ELEV.
CALCULATION:
(100.00 + 101.65 + 104.75 + 106.90) / 4 = 103.33 + 26 = 129.33' (MAX HT. ELEV)



HEIGHT CALCULATION

1. PARAPETS, SATELLITE ANTENNAE, RAILS, SKYLIGHTS, ROOF EQUIPMENT MUST BE WITHIN THE HEIGHT LIMIT

NOTES



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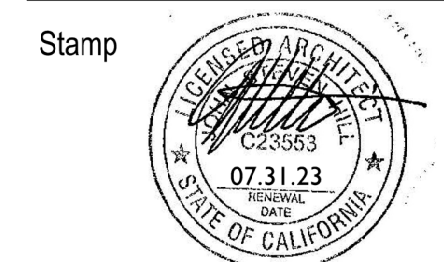
Michael David Robinson: C-20731
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Consultant



Submittal Dates

ENTITLEMENT SUBMITTAL 06.08.23

ENTITLEMENT RE SUB. 04.04.24

ENTITLEMENT RE SUB. 06.17.24

KEYNOTES

HEIGHT CALCULATION

FORMULA:
COR. 1 + COR. 2 + COR. 3 + COR. 4 / 4 = DISTRICT III HT. LIMIT = MAX HT. ELEV.

CALCULATION:
[100.00 + 101.65 + 104.75 + 106.90/4] = 103.33 + 26 = 129.33' (MAX HT. ELEV)

Rev. Description Date

△ P.C. CORRECTIONS 04.04.24

△ P.C. CORRECTIONS 06.17.24

HEIGHT CALCULATION

Project Info. Address

ESPERANZA
309 MANHATTAN BEACH BLVD.
MANHATTAN BEACH, CA 90266

ENTITLEMENT

Sheet Title

BUILDING SECTIONS

Job Number:
22RHA1098

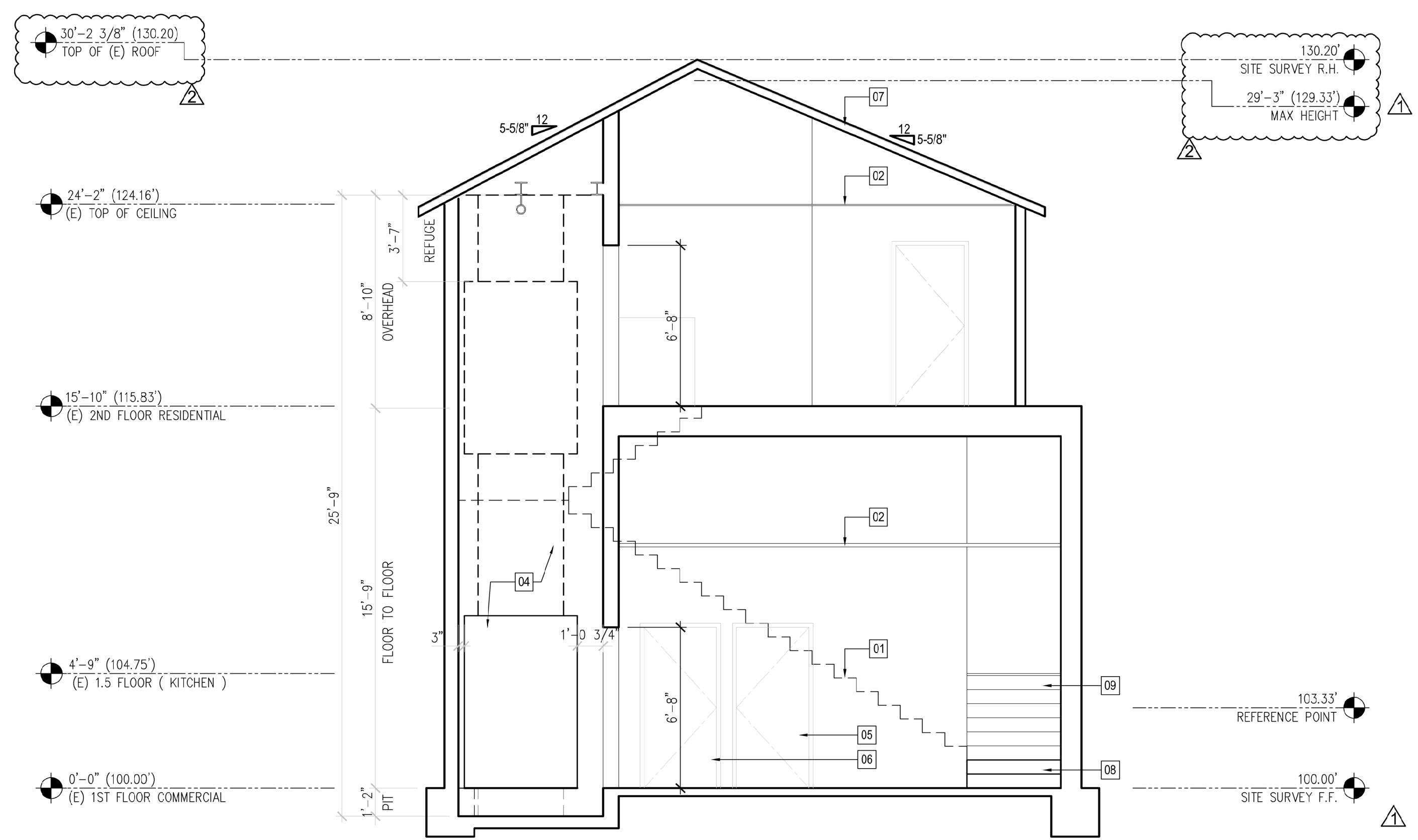
Date:
03.20.23

Sheet No.:

A300

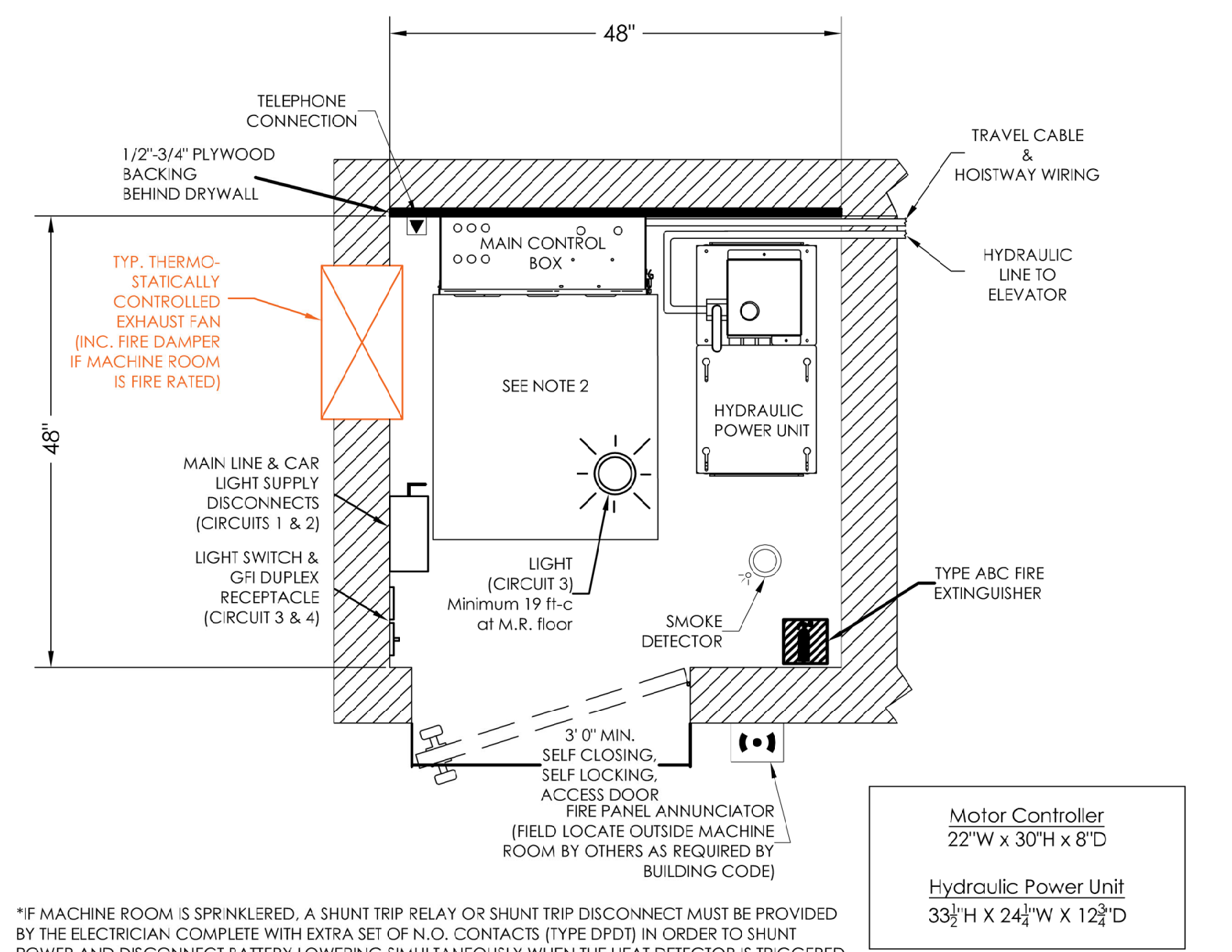
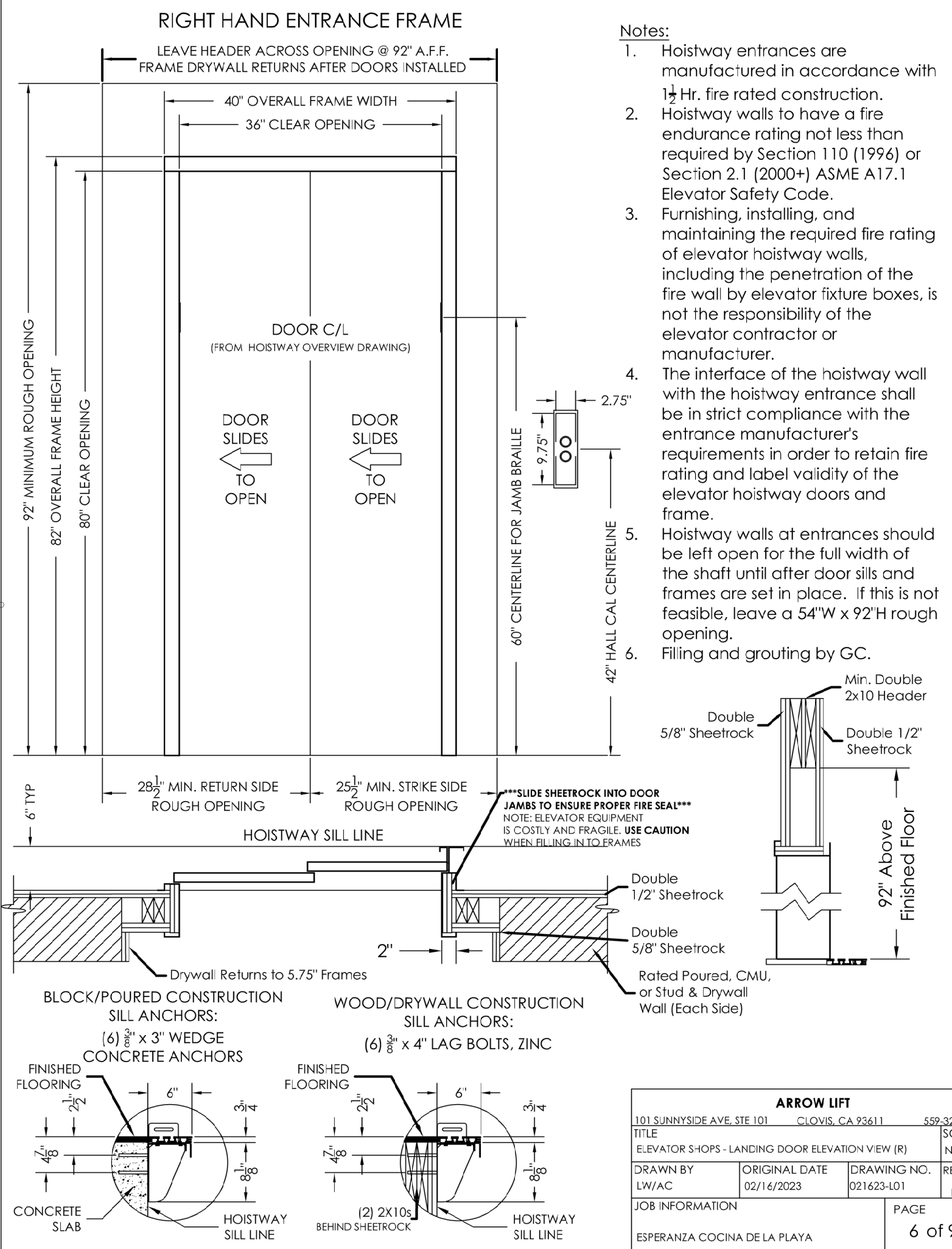
03

1. PARAPETS, SATELLITE ANTENNAE, RAILS, SKYLIGHTS, ROOF EQUIPMENT MUST BE WITHIN THE HEIGHT LIMIT

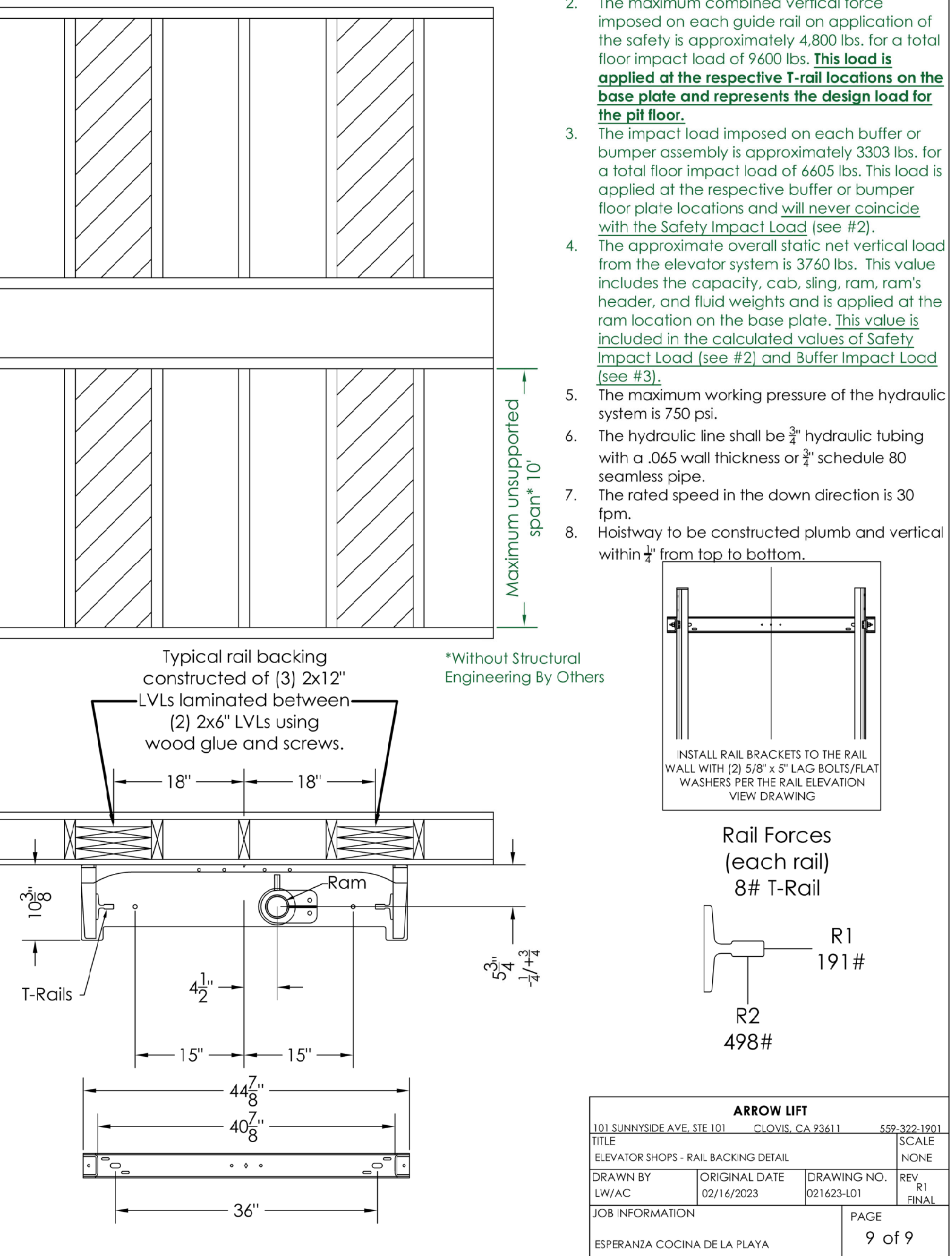
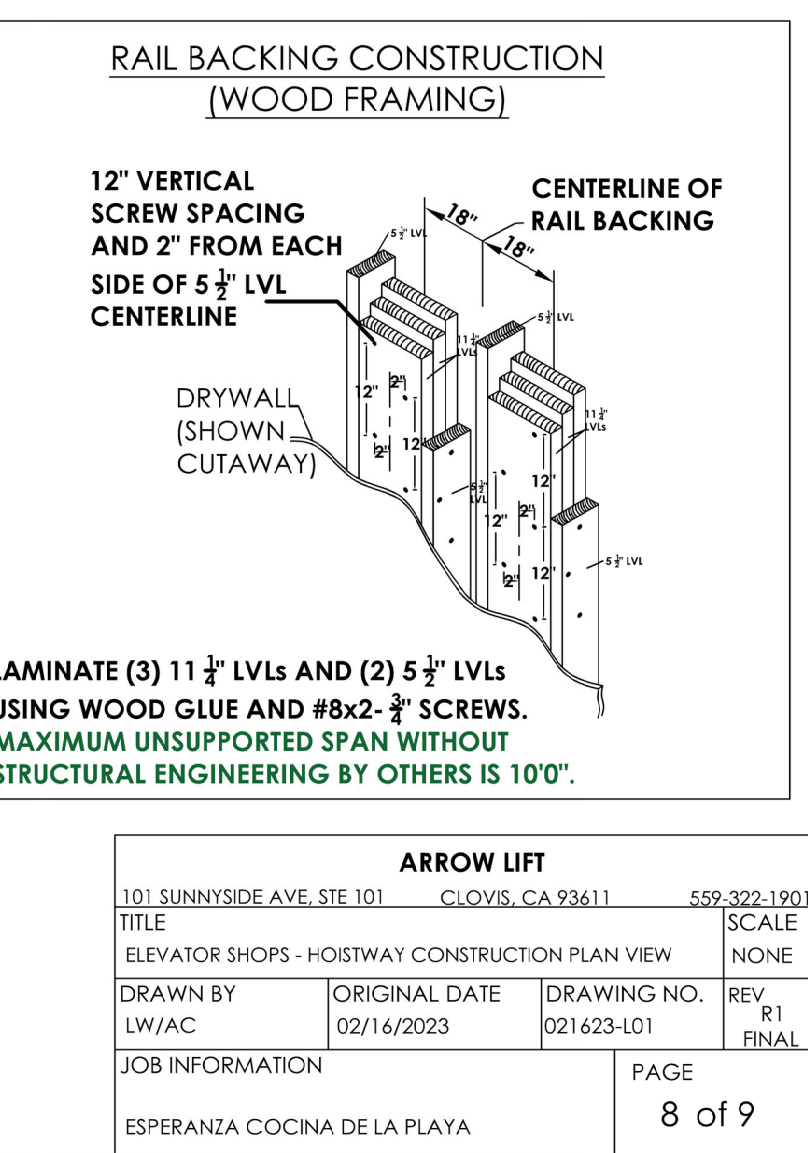
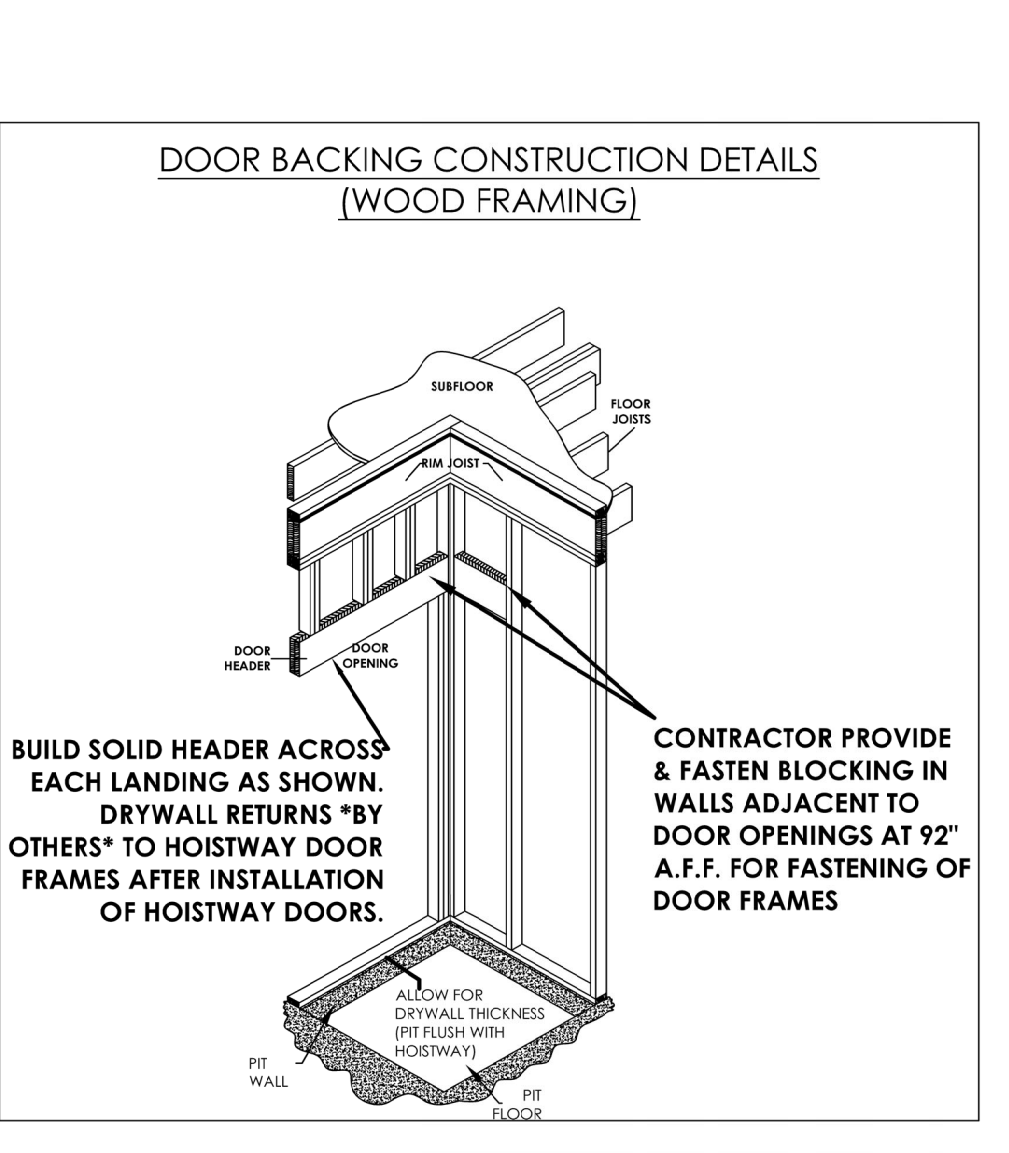
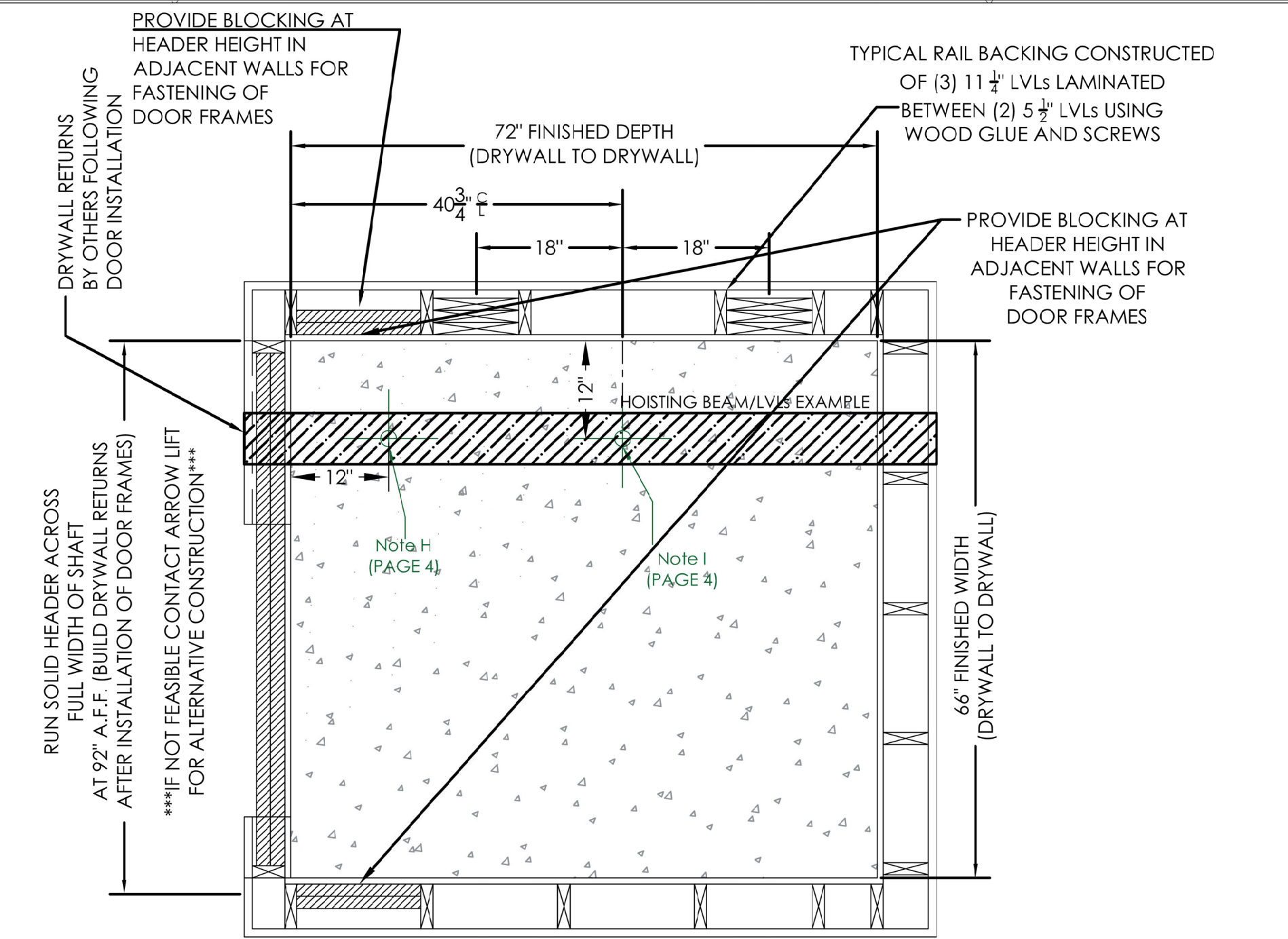


SECTION A 1/4" = 1'-0" 01

NOTES



- NOTES:**
- 1) THE ELEVATOR MACHINE ROOM LOCATION AND LAYOUT MUST MEET CODE REQUIREMENTS DEFINED BY THE LOCAL AHJ.
 - 2) 30" WIDE x 36" DEEP CLEAR WORKING SPACE REQUIRED IN FRONT OF THE MAIN CONTROL BOX AND DISCONNECTS BY NEC.
 - 3) DISCONNECTS TO BE LOCATED ON THE STRIKE SIDE OF THE MACHINE ROOM DOOR.
 - 4) MAIN LINE DISCONNECT SHALL BE FUSIBLE, CAPABLE OF BEING LOCKED IN THE OPEN POSITION, SIZED FOR THE APPLICATION, AND INCLUDE AUXILIARY CONTACTS THAT OPEN WHEN THE DISCONNECT IS OPENED TO SHUT OFF BATTERY LOWERING OPERATION.
 - 5) LIGHT SWITCH TO BE LOCATED ON THE STRIKE SIDE OF THE MACHINE ROOM DOOR.
 - 6) THE HYDRAULIC POWER UNIT SHALL BE LOCATED WITHIN 40' FROM THE CYLINDER.
 - 7) THE MINIMUM MACHINE ROOM HEADROOM IS 84".
 - 8) PROVIDE NATURAL OR MECHANICAL MEANS TO MAINTAIN MACHINE ROOM FROM 50°F TO 90°F WITH HUMIDITY FROM 5 TO 95% NON-CONDENSING (TYP. THERMOSTATICALLY CONTROLLED EXHAUST FAN), MUST INCLUDE FIRE DAMPERS IF THE BUILDING CODE REQUIRES THE MACHINE ROOM TO BE FIRE RATED.
- CIRCUIT 1: SINGLE PHASE 240 VAC, 30 A MAIN LINE DISCONNECT SQUARE D - H322N OR EQUIVALENT 2 POLE W/ AUX. CONTACT OR 3 POLE**
- CIRCUIT 2: SINGLE PHASE 120 VAC 15A CAR LIGHT DISCONNECT SQUARE D - G221N OR EQUIVALENT.**
- CIRCUIT 3: SINGLE PHASE 120 VAC 15A DEDICATED MACH ROOM LIGHTS & GFCI**
- CIRCUIT 4: SINGLE PHASE 120 VAC 15A DEDICATED PIT LIGHTS & GFCI**



Notes:

1. The maximum rail bracket spacing is 6'.
2. The maximum combined vertical force imposed on each guide rail on application of the safety is approximately 4,800 lbs. for a total floor impact load of 9,600 lbs. This load is applied at the respective T-rail locations on the base plate and represents the design load for the pit floor.
3. The impact load imposed on each buffer or bumper assembly is approximately 3,300 lbs. for a total floor impact load of 6,600 lbs. This load is applied at the respective buffer or bumper floor plate locations and will never coincide with the Safety Impact Load (see #2).
4. The approximate overall static net vertical load from the elevator system is 3750 lbs. This value includes the capacity, cab, sling, ram, ram's header, and fluid weights and is applied at the ram location on the base plate. This value is included in the calculated values of Safety Impact Load (see #2) and Buffer Impact Load (see #3).
5. The maximum working pressure of the hydraulic system is 250 psi.
6. The hydraulic line shall be 3/4" hydraulic tubing with a .065 wall thickness or 1" schedule 80 seamless pipe.
7. The rated speed in the down direction is 30 fpm.
8. Hoistway to be constructed plumb and vertical within 1/4" from top to bottom.

ARROW LIFT

101 SUNNYSIDE AVE. STE. 101	CLOVIS, CA 93311	509.322.1901
TITLE	SCALE	NONE
ELEVATOR SHOPS - HOISTWAY CONSTRUCTION PLAN VIEW	SCALE	NONE
DRAWN BY	ORIGINAL DATE	DRAWING NO.
LW/JAC	02/16/2023	021623-01
REV.	R1	FINAL
JOB INFORMATION		
ESPERANZA COCINA DE LA PLAYA	PAGE	9 of 9



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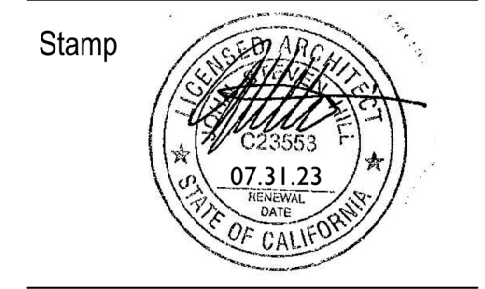
Michael David Robinson: C-20731
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ENTITLEMENT SUBMITTAL 06.08.23
ENTITLEMENT RE SUB. 04.04.24
ENTITLEMENT RE SUB. 06.17.24

Rev. Description Date

P.C. CORRECTIONS 06.17.24

Project Info. Address

ENTITLEMENT

ESPERANZA

309 MANHATTAN BEACH BLVD.
MANHATTAN BEACH, CA 90266

ELEVATOR LIFT SPECIFICATION

Sheet Title

Job Number: 22RHA1098
Date: 03.20.23
Sheet No.:

A302

DOWNTOWN EATING AND DRINKING ESTABLISHMENTS - ALCOHOL MATRIX

Establishment	Address	Approved Hours of Operation	Approved Alcohol Hours	Alcohol License	Resolution Nos. & Dates	Entertainment
900 Manhattan Club/Downstairs Bar	900 Manhattan Ave.	9am-12am, Sunday 11am-12am, Mon-Wed 11am-12am, Thu (downstairs) 11am-1am, Thu (upstairs) 11am-1am, Fri 9am-1am, Sat	9am-12am, Sunday 11am-12am, Mon-Wed 11am-12am, Thu (downstairs) 11am-1am, Thu (upstairs) 11am-1am, Fri 9am-1am, Sat	Full Liquor (Type 47)	CC 20-0119 02/18/20	Live allowed on 2nd floor Dancing allowed on Fri/Sat nights
Arthur J's	903 Manhattan Ave.	None	None	Full Liquor (Type 47)	CC 4108 01/03/84 PC 22-08 08/10/22	Entertainment 12am, Sun-Thu 1am, Fri-Sat
Brewco Social	124 Manhattan Beach Blvd.	7am-12am, Sun-Thu 7am-1am, Fri-Sat	7am-12am, Sun-Thu 7am-1am, Fri-Sat	Full Liquor (Type 47)	CC 09-01 01/14/09	None
Café Altamura	1140 Highland Ave.	6am-10pm, Sun-Thu 6am-11pm, Fri-Sat	6am-10pm, Sun-Thu 6am-11pm, Fri-Sat	Full Liquor (Type 47)	PC 24-__ 08/28/24 PC 02-14 05/08/02	None
Culture Brewing Company	327 Manhatta Beach Blvd.	8am - 10pm	8am - 10pm	Beer	PC 19-05 05/22/19	None
Dash Dashi	1127 Manhattan Ave.	6am-11pm, Sun-Thu 6am-1am, Fri-Sat	6am-11pm, Sun-Thu 6am-1am, Fri-Sat	Full Liquor (Type 47)	PC 24-__ 08/28/24 CC 5175 06/20/95	None
El Sombrero	1005 Manhattan Ave.	7am-11pm, Sun-Thu 7am-12am, Fri-Sat	7am-11pm, Sun-Thu 7am-12am, Fri-Sat	Beer & Wine (Type 41)	CC 07-09 06/25/07	None
Ercoles	1101 Manhattan Ave.	11am-2am, Daily	11am-2am, Daily	Full Liquor (Type 47)	CC 85-32 11/12/85	None
Fête Bistro	1017 Manhattan Ave.	9am-9pm, Sun 5:30am-10pm, Mon-Thu 5:30am-11pm, Fri-Sat	9am-9pm, Sun 5:30am-10pm, Mon-Thu 5:30am-11pm, Fri-Sat	Full Liquor (Type 47)	CC 01-04 02/14/01	None
Fishing with Dynamite	1148 Manhattan Ave.	7am-11pm, Sun-Wed 7am-12am, Thu-Sat	7am-11pm, Sun-Wed 7am-12am, Thu-Sat	Full Liquor (Type 47)	CC 01-24 11/28/01	None
Fusion Sushi	1150 Morningside Dr.	9am-11pm Sun-Wed 7am-12am Thu-Sat	9am-11pm Sun-Wed 7am-12am Thu-Sat	Beer & Wine (Type 41)	CC 05-05 03/23/05	Entertainment/Dancing for Private Parties In Banquet Room Only Thu-Sat

DOWNTOWN EATING AND DRINKING ESTABLISHMENTS - ALCOHOL MATRIX

Establishment	Address	Approved Hours of Operation	Approved Alcohol Hours	Alcohol License	Resolution Nos. & Dates	Entertainment
Great White	401 Manhattan Beach Blvd.	7am-11pm, Daily	7am-11pm, Daily	Full Liquor (Type 47)	PC 24-06, 07/07/24 PC 05-05 03/23/05	None
Hennesseys	313 Manhattan Beach Blvd.	11am-2am, Daily No Outdoor Dining After 10pm When Entertainment Performs	11am-2am, Daily	Full Liquor (Type 47)	CC 83-18 04/26/83	Live entertainment til 1:30am, Mon-Sun
Hook & Plow	1112 Manhattan Ave.	None	None	Beer & Wine (Type 41)	BZA 85-22 06/11/85	None
Izaka-Ya	1133 Highland Ave.	11:00am-11:00pm Sun-Wed 11:00am-12am Thu-Sat	11:00am-11:00pm Sun-Wed 11:00am-12am Thu-Sat	Beer & Wine (Type 41)	PC 10-04 07/14/10	None
Kettle	1138 Highland Ave.	24 Hours Daily	11am-1am	Beer & Wine (Type 41)	BZA 83-06 01/11/83	None
Le Pain Quotidien	451 Manhattan Beach Blvd.	7am-7:30pm, Daily	10am-7:30pm, Daily	Limited Selection of Beer & Wine	CC 5770 07/16/02 CC 08-08 05/14/08	2 Unamplified Entertainers Background Music Class I Entertainment Permit Required for More
Love and Salt	317 Manhattan Beach Blvd.	9am-1am, Daily	9am-1am, Daily	Full Liquor & Caterer's	CC 5113 08/16/1994	2 entertainers til 1am Fri, Sat & 12am Sun
Mangiamao	128 Manhattan Beach Blvd.	11am-12am, Mon-Sat 8am-12am, Sun	11am-12am, Mon-Sat 8am-12am, Sun	Full Liquor (Type 47)	CC 83-28 06/14/83	Maximum 3 musicians, nonamplified
Manhattan Pizzeria	133 Manhattan Beach Blvd.	6am-2am, Daily	6am-2am, Daily	Beer & Wine (Type 41)	PC 19-10 6/12/19	None
MB Post	1142 Manhattan Ave.	6am-11pm, Sun-Wed 6am-1am, Thu-Sat	6am-11pm, Sun-Wed 6am-12am, Thu-Sat	Full Liquor (Type 47)	CC 20-0049 5/14/20	None
Nando Milano	1131 Manhattan Ave.	6am-11pm, Sun-Thu 6am-12am, Fri-Sat	6am-11pm, Sun-Thu 6am-12am, Fri-Sat	Full Liquor (Type 47)	CC 20-0128 11/04/20	None
Nick's Manhattan Beach	451 Manhattan Beach Blvd Suite D-126 1200 Morningside	6am-11pm, Sun-Thu 6am-12am, Fri-Sat	6am-10:30pm, Sun-Thu 6am-11:30pm, Fri-Sat	Full Liquor (Type 47)	CC 18-0074 06/05/2018 CC 5770 07/16/02	2 Unamplified Entertainers Background Music Class I Entertainment Permit Required for More
Petro's	451 Manhattan Beach Blvd Suite B-110	6am-12 am, Sun-Thu 6am-1am, Fri-Sat	6am-11:30pm, Sun-Thu 6am-12:30am, Fri-Sat	Full Liquor (Type 47)	CC 06-20 12/13/06 CC 5770 07/16/02	2 Unamplified Entertainers Background Music Class I Entertainment Permit Required for More

DOWNTOWN EATING AND DRINKING ESTABLISHMENTS - ALCOHOL MATRIX

Establishment	Address	Approved Hours of Operation	Approved Alcohol Hours	Alcohol License	Resolution Nos. & Dates	Entertainment
Pitfire Pizza	401 Manhattan Beach Blvd.	7am-11pm, Daily	7am-11pm, Daily	Beer & Wine (Type 41)	CC 05-05 03/23/05	None
Rice	820 Manhattan Ave.	7am-10:30pm, Sun-Thu 7am-11:30pm, Fri-Sat	7am-10:30pm, Sun-Thu 7am-11:30pm, Fri-Sat	Beer & Wine (Type 41)	CC 89-23 06/27/89	Nonamplified live music
Rock N Fish	120 Manhattan Beach Blvd.	7am-12am, Sun-Thu 7am-1am, Fri-Sat	7am-12am, Sun-Thu 7am-1am, Fri-Sat	Full Liquor (Type 47)	PC 99-04 02/10/99	None
Rockefeller	1209 Highland Ave.	7am-11pm, Sun-Thu 7am-12am, Fri-Sat	7am-11pm, Sun-Thu 7am-12am, Fri-Sat	Beer & Wine (Type 41)	PC 07-04 05/09/07	None
Shade Hotel	1221 Valley Drive	Zinc Lobby Bar & Zinc Terrace: 11pm Daily Interior Courtyard (for Special Events Only) 11pm, Sun-Thurs 12am, Fri-Sat Rooftop Deck, 10pm Daily	Zinc Lobby Bar & Zinc Terrace: 11pm Daily Interior Courtyard (for Special Events Only) 10:30pm, Sun-Thurs 11:30pm, Fri-Sat Rooftop Deck, 9pm Daily	Full Liquor (Type 47)	CC 5770 07/16/02 05-08 05/25/05 (CC 6275 07/09/10 Hours Not Shown As Reso. Not Yet Implemented)	2 Unamplified Entertainers Background Music Class I Entertainment Permit Required for More
Shellback	116 Manhattan Beach Blvd.	No Resolution	No Resolution	Full Liquor (Type 47)	No Resolution	
Simmzy's	229 Manhattan Beach Blvd.	6am - 11pm, Mon-Thu 6am-12am, Fri-Sat	6am - 11pm, Mon-Thu 6am-12am, Fri-Sat	Full Liquor (Type 47)	PC 18-15 09/26/18	None
Slay Italian Kitchen	1001 Manhattan Ave.	7am-11pm, Sun-Thu 7am-12am, Fri-Sat	7am-11pm, Sun-Thu 7am-12am, Fri-Sat	Beer & Wine (Type 41)	CC 07-09 06/25/07	None
SLAY Steak + Fish House	1141 Manhattan Ave.	11am-11pm, Sun-Thu 6am-12am, Fri-Sat	11am-11pm, Sun-Thu 6am-12am, Fri-Sat	Full Liquor (Type 47)	CC 02-28 08/28/02	None
Sugarfish	304 12th Street	10am-12am, Sun-Thu 10am-1am, Fri-Sat	10am-12am, Sun-Thu 10am-1am, Fri-Sat	Full Liquor (Type 47)	CC 4471 02/16/88 BZA 87-36 12/08/87	Live Entertainment & Dancing
Tacolicious	1129 Manhattan Ave.	6am-11pm, Sun-Thu 6am-12am, Fri-Sat	6am-11pm, Sun-Thu 6am-12am, Fri-Sat	Full Liquor (Type 47)	PC 19-10 6/12/19	None
The Strand House	117 Manhattan Beach Blvd.	10am-12am, Mon-Thu 10am-1am, Fri 8am-1am, Sat 8am-12am, Sun	10am-12am, Mon-Thu 10am-1am, Fri 8am-1am, Sat 8am-12am, Sun	Full Liquor (Type 47)	CC 6304 04/19/11 PC 11-02 02/23/11	Live Entertainment & Dancing Fri-Sat, till 1am Thu & Sun, till 11:30pm