



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

DATE: November 13, 2024

TO: Planning Commission

FROM: Ryan Heise, Acting Community Development Director

THROUGH: Adam Finestone, Planning Manager

BY: Ted Faturos, Senior Planner

SUBJECT: Consideration of a Master Use Permit to replace an existing Use Permit and Variance for an existing commercial property located at 1129 N. Sepulveda Boulevard (Wells Fargo) and 1039 Manhattan Beach Boulevard (vacant pad). The request would modify conditions of approval related to permitted land uses on the property to allow medical office uses and restaurant uses with beer and wine service, and associated environmental determination finding the project exempt from the California Environmental Quality Act.(Planning Case Nos. PE-24-00160/UP-24-00019)

RECOMMENDATION

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

APPLICANT

Richmond Limited Partnership (Christian Briggs)
1442 Edinger Ave. Suite 150
Tustin, CA 92780

BACKGROUND

On April 1, 2024, the Community Development Department received an application requesting a Master Use Permit which would replace an existing Use Permit and Variance and modify conditions of approval related to permitted land uses to allow office uses and eating and drinking establishment uses with beer and wine service (“Project”) for a site located at 1129 N. Sepulveda Boulevard and 1039 Manhattan Beach Boulevard (“Property”).

Prior Actions

On September 10, 2008, the Planning Commission adopted Resolution No. PC 08-13, approving a Use Permit and Variance to replace a vacant service station with two commercial buildings, one of which exceeds the height limit. Resolution No. PC 08-13 currently governs the project site and is included as Attachment C to this report.

Site Overview and History

The Property is located at the north side of Manhattan Beach Boulevard and spans the full block between Sepulveda Boulevard and Oak Avenue. It is currently entitled with a Use Permit for two commercial buildings: a 4,010 square foot structure on the corner of Sepulveda and Manhattan Beach Boulevards (1129 N. Sepulveda Boulevard) that is currently occupied by a bank (Wells Fargo); and a 2,319 square foot commercial building on the corner of Manhattan Beach Boulevard and Oak Avenue (1039 Manhattan Beach Boulevard) which was never built and is currently a landscaped area. Each building site is currently located on a separate lot, though the original entitlement intended that the site be consolidated into one single lot. The Property was previously developed and used as an automobile service station.

The use permit restricts the types of uses that are allowed at the site, with a condition of approval stating that “the facility shall operate as a commercial center with retail, bank, personal services, and food and beverage sales (without alcohol) uses... office and restaurant uses shall be prohibited.”

The original entitlement also included a Variance that allowed the 1129 N. Sepulveda Boulevard building to exceed the maximum height limit by two feet, which included “a reduction below applicable height limits for the rear building [1039 Manhattan Beach Boulevard] corresponding to the increased (variance) height of the front building [1129 N. Sepulveda Boulevard].”

The Property is in the General Commercial (CG) zoning district, Area District II, and has a General Plan designation of General Commercial. The site is surrounded by personal service uses to the north, a recently-entitled restaurant use to the west (across Oak Avenue), retail uses to the east (across Sepulveda Boulevard), and auto service and office uses to the south (across

Manhattan Beach Boulevard). The Vicinity Map (see Attachment B) demonstrates the site configuration and surrounding uses.

The property is accessed via one driveway along Sepulveda Boulevard, one driveway along Manhattan Beach Boulevard, and one driveway along Oak Avenue. The site has 36 parking spaces, which exceeds the minimum 14 parking spaces required for the existing bank use. A trash enclosure, landscaping, and associated site improvements also exist on the Property.

Project Overview

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

PROJECT OVERVIEW AND COMPARISON		
Location:	1129 N. Sepulveda Boulevard 1039 Manhattan Beach Boulevard (see Vicinity Map – Attachment B)	
Legal Description:	Portions of Lots 11, 12, and 13, Block 59, Tract No. 1638 (1129 N. Sepulveda Boulevard); and Portions of Lots 12, 13, 14, 15, and 16, Block 59, Tract No. 1638 (1039 Manhattan Beach Boulevard)	
General Plan Land Use:	General Commercial	
Zoning:	CG/General Commercial	
Area District:	II	
Existing Land Use:	Bank	
Proposed Land Use(s):	Eating and drinking establishment; any use permitted by-right per MBMC Section 10.16.020	
Neighboring Zoning:	North: CG, RS-D8	
	East: CG-D8	
	South: CG, CL-ROD	
	West: CL	
	<u>Existing</u>	<u>Proposed</u>

Parking	36 Provided 14 Required	35 Provided 25-35 Required (depending on use)
Lot Size	15,601 sq ft. (1129 N. Sepulveda Blvd.) 9,759 sq. ft. (1039 Manhattan Beach Blvd.)	14,476 sq. ft. (1129 N. Sepulveda Blvd.) 8,856 sq. ft. (1039 Manhattan Beach Blvd.)*
Building Size	4,010 sq. ft. (1129 N. Sepulveda Blvd.)	4,010 sq. ft. (1129 N. Sepulveda Blvd.); 2,319 sq. ft. (1039 Manhattan Beach Blvd.)
Height	32 ft. (1129 N Sepulveda Blvd.) 28 ft. (1039 Manhattan Beach Blvd.)**	30ft. (both buildings) ***
Alcohol License	None	On-Sale Beer & Wine (Type 4I ABC License)
Allowable Hours of Operations	6:00 AM - 12:00 AM Daily Food & Beverage Sales: 6:00 AM - 10:30 PM Daily ATMs: 24-hours Daily	6:00 AM - 12:00 AM Daily Food & Beverage Sales: 6:00 AM - 10:30 PM Daily ATMs: 24-hours Daily Eating & Drinking Establishment: 7:00 AM - 10:00 PM Daily

* *Reduction in lot size is the result of required right-of-way dedications*

** *1039 Manhattan Beach Boulevard building was entitled but never constructed.*

*** *Building heights have changed because average grade is calculated separately for each lot. The original entitlement anticipated the entire project site being one lot, while the current request would maintain a two-lot configuration.*

Governing Regulations

The Project is reviewed for compliance with applicable regulations, including the City's General Plan, Manhattan Beach Municipal Code ("MBMC"), and Sepulveda Design Guidelines.

Manhattan Beach General Plan

The Manhattan Beach General Plan ("General Plan") is a long-range policy document, adopted in 2003, that identifies the community's vision for its collective future and establishes the fundamental framework to guide decision-making about development, resource management, public safety, public services, and general community well-being. The General Plan contains a series of goals and policies that allow this vision to be implemented. All projects are reviewed to ensure alignment with the General Plan's goals and policies. General Plans contain required "elements," or chapters, including a Land Use Element which is used to guide the City's development, maintenance, and improvement of land and properties.

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

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

Manhattan Beach Municipal Code

Development projects and uses of land, including those that are subject to discretionary reviews such as a Master Use Permit, are regulated by Title 10 (Planning and Zoning) of the Manhattan Beach Municipal Code ("MBMC"). The overall purpose of the regulations contained in the MBMC is to protect and promote the public health, safety, and general welfare, and to implement the policies of the City of Manhattan Beach General Plan.

The Project was reviewed for compliance with the MBMC, including but not limited to, the following section

- MBMC Chapter 10.16 - governs commercial districts, including the General Commercial (CG) district where the Project is located.

- MBMC Chapter 10.64 – governs parking requirements.
- MBMC 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.

Sepulveda Design Guidelines

The Sepulveda Boulevard Development Guide (“Guide”) includes a series of zoning standards and development guidelines intended to encourage desirable design elements in development projects along the Sepulveda Corridor, including commercial projects. The document includes recommendations regarding building orientation, pedestrian access, visual aesthetics, landscaping, signage, and others.

PROJECT DESCRIPTION

Christian Briggs, on behalf of Richmond Limited Partnership, is requesting a Master Use Permit to replace an existing Use Permit and Variance for an existing commercial property located at 1129 N. Sepulveda Boulevard (Wells Fargo) and 1039 Manhattan Beach Boulevard (vacant pad). The request would modify conditions of approval related to permitted land uses on the site by removing the existing entitlement’s prohibition of office uses and eating and drinking establishments. The Project also proposes to restripe the parking lot and construct a new trash enclosure.

Because one of the buildings on the Project site was constructed in compliance with the initial entitlement (approved by Resolution No. PC 08-13), the ability to construct the proposed 2,319 square foot commercial building at 1039 Manhattan Beach Boulevard has been vested and can occur without further discretionary review. Thus, the current request is primarily related to changes in allowable land uses at the Property. That said, the request presents an opportunity to modify and modernize conditions of approval that were applied to the project through the original entitlement and are no longer relevant based on site conditions and operational characteristics.

DISCUSSION

Project Analysis

As described above, the Project would modify conditions of approval related to permitted land uses on the site by removing the existing entitlement’s prohibition on office uses and eating and drinking establishments. As a result of the request, the following aspects of the Project warrant additional consideration by the Planning Commission.

Land Uses

The applicant requests to modify the conditions of approval related to permitted land uses on the site by removing the existing entitlement's prohibition of office uses (including medical offices) and eating and drinking establishments at the site. The staff reports to the Planning Commission for the project's 2008 approval do not indicate the reasoning behind the entitlement's exclusion of these land uses from the site.

The draft resolution (Attachment A) proposes to remove the language prohibiting office uses, and clearly state that any mixture of uses are allowed on the site as long as the uses 1) are permitted by-right under MBMC Section 10.16.020 and 2) adequate parking is provided on the site for the potential mix of uses per MBMC Chapter 10.64. The condition further states that eating and drinking establishment uses with beer and wine service are allowed on the site.

The hours of operation for almost all the site's potential uses will continue to be limited to 6:00 AM - 12:00 AM daily, with food and beverages sales uses allowed to operate from 6:00 AM - 10:30 PM, and ATMs allowed to operate 24-hours a day. Separate hours of operation for potential eating and drinking establishment uses are described below. The MBMC's term "eating and drinking establishments" is commonly known as a restaurant use, with the term "food and beverage sales" commonly known as a grocery or convenience store.

Eating and Drinking Establishment Restrictions

As previously stated, the applicant proposes to allow eating and drinking establishments with beer and wine service (as an ancillary use) at the Property.

Parking availability would determine the size of any potential eating and drinking establishment(s). Eating and drinking establishments have one of the more intensive parking demands, with the City's parking code requiring one parking space for every 50 square feet of seating area. For example, if the Wells Fargo continues to occupy the entire 4,010 square foot building at 1129 N. Sepulveda Boulevard, an eating and drinking establishment could have a maximum 1,082 square feet of seating area in the proposed 2,319 square foot building at 1039 Manhattan Beach Boulevard.

The draft resolution has several conditions that address any potential impacts of the eating and drinking establishment use, including limiting hours of operation from 7:00 AM to 10:00 PM seven days a week, prohibiting outdoor seating along the north and west sides of the 1039 Manhattan Beach Boulevard building, prohibiting beer and wine service outdoors, allowing no more than two eating and drinking establishments at the Property, and requiring food to be available for purchase and consumption during any time where beer and wine is served.

Additional Modifications to Conditions of Approval

The request presents an opportunity to modify and modernize conditions of approval that were applied to the project through the original entitlement, as these conditions of approval are no longer necessary based on site conditions and operational characteristics.

One original condition of approval that merits additional consideration is related to a requirement that the two lots be merged into one. City records show that the City processed several lot line adjustments subsequent to the adoption of Resolution No. PC 08-13, resulting in the two-lot configuration that exists today. The Project functions as one site with a shared parking lot even though the site consists of two separate legal lots. The project proposes to remove the requirement that the site be consolidated into a single lot. To maintain the functionality of the Property as one Project site, a reciprocal access and parking agreement must be recorded against the title of both properties to allow customers and employees to access and park in all parking areas on either property.

The lot merger condition was, in part, what necessitated the Variance that was approved by Resolution No. PC 08-13. The original entitlement's maximum height was established using the average of the four property corners for what was anticipated to be a single consolidated lot, in accordance with MBMC Section 10.60.050. As discussed above, however, the current site is composed of two lots. Each lot thus has its own maximum height based on the unique average of each lot's four property corners. Based on calculations of the maximum height for each lot, the existing building at 1129 N. Sepulveda Boulevard (Wells Fargo) complies with the maximum height requirement for the property, negating any need for a variance from the maximum height requirement. The height of the structure to be constructed on the vacant pad (1039 Manhattan Beach Boulevard) will remain in compliance with the maximum height allowed for that lot. As such, the project proposal does not include any request for a variance.

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 uses including offices and eating and drinking establishments. The proposed expansion of use allowances will serve residents and visitors, and create

potential symbiotic relationships with other local businesses that will help maintain the commercial area's viability as an active commercial district.

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

Allowing an expanded variety of businesses on the site creates more opportunities for potential new small businesses to occupy the site.

- *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.*

Sites along Sepulveda Boulevard have a broad mix of commercial uses, including office and eating and drinking establishment uses that are supported by visitors and residents alike. Eating and drinking establishments are also required to collect sales tax, a portion of which goes back to the City.

Manhattan Beach Municipal Code

MBMC Section 10.16.020 allows for eating and drinking establishments in the General Commercial zone with a Use Permit. The service of alcohol, including beer and wine, also requires a Use Permit.

As specified in MBMC Section 10.84.010, "use permits are required for use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area." New eating and drinking establishment use(s) as well as a new beer and wine service license(s) in the CG zoning district has been identified as such a use. The applicant's request to allow new eating and drinking establishment(s) with beer and wine service at the Property is not anticipated to adversely impact the properties and uses in the vicinity, as the draft resolution contains conditions of approval that offset potential impacts. Potential noise concerns would be minimized because the proposed operating hours are limited to 7:00 AM to 10:00 PM, and no outdoor beer and wine service is proposed.

The Master Use Permit authorizes multiple uses for a project site, and the eating and drinking establishment use shall vest as long as the rest of this Master Use Permit has not lapsed as defined by MBMC Section 10.84.090.

Development standards applicable to the Project site are primarily found in Section 10.16.030 of the MBMC. The Project complies with development standards applicable to the Property including, but not limited to, the following:

Height:

Per Section 10.16.030 of the MBMC, the maximum height for the Property is 22 feet or 30 feet, depending on the roof pitch. The existing structure (1129 N. Sepulveda Boulevard) and proposed structure (1039 Manhattan Beach Boulevard) both comply with the maximum height limit, as each lot that is part of the Property has its own maximum height based on the unique average of its four property corners.

Calculations of the maximum height for each lot show that both the existing building (1129 N. Sepulveda Boulevard) and the proposed building (1039 Manhattan Beach Boulevard) comply with the maximum height requirement for the respective lots

Parking:

The proposed site configuration has 35 parking spaces. The required parking on site depends on the uses proposed on the site. If the site consists of a bank use at the 1129 N. Sepulveda Boulevard building and a medical office use at the 1039 Manhattan Beach Boulevard (as currently envisioned by the applicant), a total of 25 parking spaces are required.

If the a bank use occupies the building at 1129 N. Sepulveda Boulevard, an eating and drinking establishment could have a maximum 1,082 square feet of seating area for the vacant 2,319 square foot building at 1039 Manhattan Beach Boulevard.

As conditioned, any proposed mix of uses must be supported by parking that meets all the criteria in MBMC Chapter 10.64.

Pursuant to Section 10.84.020, the Planning Commission is the decision-making authority for use permits, including master use permits. Per Section 10.84.105, a master use permit can authorize multiple uses on a project site that meets certain criteria. Per Section 10.84.060, the Planning Commission, as the decision-making authority, must make certain findings for approval of a use permit, including a master use permit. An analysis of those findings is provided in the Required Findings section below.

Sepulveda Boulevard Development Guide

The Sepulveda Boulevard Development Guide (“Guide”) includes a series of zoning standards and development guidelines intended to encourage desirable design elements in development projects along the Sepulveda Corridor, including commercial projects. The document includes recommendations regarding building orientation, pedestrian access,

visual aesthetics, signage, and others. Both the existing building (1129 N Sepulveda Boulevard) and the new, previously entitled building (1039 Manhattan Beach Boulevard) comply with the Guide, as the structures are oriented toward Sepulveda Boulevard with parking mostly located behind the buildings away from the street. Furthermore, the project incorporates pedestrian access, landscaping, and signage that complies with the Guide.

Interdepartmental Review

The Building & Safety and Traffic Divisions, along with the Public Works, Fire, and Police Departments, reviewed the request.

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 identified by said divisions and departments resulting from operation of the Project.

Required Findings

Pursuant to MBMC Section 10.84.060, in order to approve a use permit, including a master use permit, the decision-making authority must make certain findings in order to ensure that the Project operates in a manner that is compatible with uses on adjacent properties and in the surrounding area.

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 proposed project is currently permitted in the City's CG (General Commercial) zoning district. The stated purpose for the CG zone is, in part, to provide opportunities for a broad range of services and uses, including professional and medical office uses, intended to meet the needs of local residents and the regional market. Office uses are permitted in the CG zone, and eating and drinking establishments are permitted in the CG zone subject to approval of a use permit.

- 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 land use designation for the Property is General Commercial which provides opportunities for a broad range of retail, service, and office uses. The proposed uses, office and eating and drinking establishment, in addition to all other uses permitted by-right in the Code, can serve both local residents and regional visitors alike and are therefore consistent with the General Commercial land use classification. In accordance with the purpose of the General Plan land use classification, the MBMC permits or conditionally permits a variety of uses in the CG zoning district, including eating and drinking establishment uses. The neighboring lots to the north, east, south, and west currently house a mix of commercial uses, including personal service uses, eating and drinking establishment uses, retail uses, and office uses among others. The proposed uses are compatible with these neighboring uses because they will provide goods and services for both local residents and visitors.

Properties to the northwest of the Property are developed with residential uses, however conditions of approval related to hours of operation have been incorporated into draft Planning Commission Resolution No. 24-XX to offset any potential impacts. 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 that have not been adequately addressed either through modifications to project design or proposed conditions of approval. 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 uses and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

- 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 proposed land uses are permitted or conditionally-permitted uses in the CG zoning district. The Project, as proposed and conditioned, complies with all applicable development standards for the CG zoning district. Additionally, conditions of approval have been proposed to ensure the project complies with the applicable provisions of the MBMC.

- 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 uses are located within an existing building or new small structure along the Sepulveda Boulevard commercial corridor and are surrounded by commercial uses. The proposed uses will provide the required off-street parking; thus, no parking impacts are anticipated. Project characteristics related to parking and noise are addressed by Project design, Municipal Code requirements, or conditions of approval. Furthermore, the uses will not create demands exceeding the capacity of public services or facilities.

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 Categorical Exemptions from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 (Existing Facilities) for the modification of conditions applicable to the existing structure at 1129 N. Sepulveda Boulevard, and 15303 (Construction of New Small Structures) for construction of a new, small commercial building that is less than 10,000 square feet at 1039 Manhattan Beach Boulevard. There are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. Thus, no further environmental review is necessary.

PUBLIC NOTIFICATION AND COMMENT

A public notice for the November 13, 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 October 31, 2024. As of the writing of this report, staff has not received any public comments.

CONCLUSION AND RECOMMENDATION

Staff recommends that the Planning Commission conduct a public hearing and adopt the attached draft resolution approving the Master Use 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 08-13
- D. Applicant’s Written Materials
- E. Architectural Plans

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RESOLUTION NO. PC 24-XX

A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION APPROVING A MASTER USE PERMIT TO ESTABLISH PERMITTED LAND USES AT AN EXISTING COMMERCIAL PROPERTY LOCATED AT 1129 N. SEPULVEDA BOULEVARD AND 1039 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 September 10, 2008, the Planning Commission adopted Resolution No. PC 08-13, approving a Use Permit and Variance to replace a vacant service station with two commercial buildings, one of which would exceed the height limit, located at 1129 N. Sepulveda Boulevard.

SECTION 2. Resolution No. PC 08-13 was implemented with the construction of the building on the east side of the property (1129 N. Sepulveda Boulevard) in 2009, currently occupied by a Wells Fargo bank.

SECTION 3. On April 1, 2024, Richmond Limited Partnership (“Applicant”) applied for a Master Use Permit which would replace the existing Use Permit and Variance (Resolution No. PC 08-13) and modify conditions of approval related to permitted land uses to allow office uses and eating and drinking establishment uses with beer and wine service (“Project”) located at 1129 N. Sepulveda Boulevard and 1039 Manhattan Beach Boulevard (“Property”).

SECTION 4. Use permits, including Master Use Permits, are governed by Chapter 10.84 of the Manhattan Beach Municipal Code (MBMC). Section 10.84.010 of the MBMC 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.” Section 10.84.105 of the MBMC states that a Master Use Permit can be implemented to authorize multiple uses for a project site. The applicant requests the right to have multiple uses on the Property that are not currently allowed based on the existing use permit’s conditions of approval, hence the proposal for a Master Use Permit. The Applicant’s request to allow a new eating and drinking establishment with beer & wine service within the General Commercial (CG) zoning district, in which the Property is located, requires a Use Permit per MBMC Section 10.16.020.

SECTION 5. On November 13, 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 is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Sections 15301 (Existing Facilities) for the modification of conditions applicable to the existing structure at 1129 N. Sepulveda Boulevard, and 15303 (Construction of New Small Structures) for construction of a new, small commercial building at 1039 Manhattan Beach Boulevard. There are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances.

SECTION 7. The record of the public hearing indicates:

- A. The legal description of the Property is: Portions of Lots 11, 12, and 13, Block 59, Tract No. 1638 (1129 N. Sepulveda Boulevard) and Portions of Lots 12, 13, 14, 15, and 16, Block 59, Tract No. 1638 (1039 Manhattan Beach Boulevard). The Property is located in Area District II and is zoned General Commercial (CG), with a General Plan land use designation of General Commercial. The Property is surrounded by CG and RS-D8 zoned properties to the north, CG-D8 properties to the east, CG and CL-ROD properties to the south, and CL zoned properties to the west.
- B. An eating and drinking establishment use with beer and wine service is conditionally permitted in the CG zone subject to a use permit and is in compliance with the City’s General Plan designation of General Commercial. The General Plan designation of General Commercial encourages the General Commercial land use category to provide “services and activities to our residents and visitors.”

- C. The Property is currently governed by a use permit and variance approved by the Planning Commission in 2008.
- D. The Applicant is requesting approval of a Master Use Permit for the following:
 - 1) Allow eating and drinking establishment uses with beer and wine service (i.e., Type 41 ABC License) in conjunction with food service.
 - 2) Modify conditions of approval from the existing entitlement, including allowing office uses and eating and drinking establishments at the Property.
- 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 uses including offices and eating and drinking establishments. The proposed expansion of use allowances will serve residents and visitors, and create potential symbiotic relationships with other local businesses that will help maintain the commercial area's viability as an active commercial district.

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

Allowing an expanded variety of businesses on the site creates more opportunities for potential new small businesses to occupy the site.

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.

Sites along Sepulveda Boulevard have a broad mix of commercial uses, including office and eating and drinking establishment uses that are supported by visitors and residents alike. Eating and drinking establishments are also required to collect sales tax, a portion of which goes back to the City.

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 Master Use Permit:

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

The proposed project is currently permitted in the City's CG (General Commercial) zoning district. The stated purpose for the CG zone is, in part, to provide opportunities for a broad range of services and uses, including professional and medical office uses, intended to meet the needs of local residents and the regional market. Office uses are permitted in the CG zone, and eating and drinking establishments are permitted in the CG zone subject to approval of a use permit.

- 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 land use designation for the Property is General Commercial which provides opportunities for a broad range of retail, service, and office uses. The proposed uses, office and eating and drinking establishment, in addition to all other uses permitted by-right in the Code, can serve both local residents and regional visitors alike and are therefore consistent with the General Commercial land use classification. In accordance with the purpose of the General Plan land use classification, the MBMC permits or conditionally permits a variety of uses in the CG zoning district, including eating and drinking establishment uses. The neighboring lots to the north, east,

south, and west currently house a mix of commercial uses, including personal service uses, eating and drinking establishment uses, retail uses, and office uses among others. The proposed uses are compatible with these neighboring uses because they will provide goods and services for both local residents and visitors.

Properties to the northwest of the Property are developed with residential uses, however conditions of approval related to hours of operation offset any potential impacts. 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 that have not been adequately addressed either through modifications to project design or proposed conditions of approval. 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 uses and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

- 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 proposed land uses are permitted or conditionally-permitted uses in the CG zoning district. The Project, as proposed and conditioned, complies with all applicable development standards for the CG zoning district. Additionally, conditions of approval have been proposed to ensure the project complies with the applicable provisions of the MBMC.

- 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 uses are located within an existing building or new small structure along the Sepulveda Boulevard commercial corridor and are surrounded by commercial uses. The proposed uses will provide the required off-street parking; thus, no parking impacts are anticipated. Project characteristics related to parking and noise are addressed by Project design, Municipal Code requirements, or conditions of approval. Furthermore, the uses will not create demands exceeding the capacity of public services or facilities

SECTION 9. Based upon the foregoing, the Planning Commission hereby APPROVES the Project, subject to the conditions below.

General

1. The Project shall be in substantial conformance with the plans and project description submitted to, and approved by, the Planning Commission on November 13, 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.
2. Any questions of intent or interpretation of any condition will be reviewed by the Community Development Director to determine if further Planning Commission review and action is required.
3. At any time in the future, the Planning Commission or City Council may review the Master 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.
4. Future modifications and improvements to the Property shall be in compliance with applicable Planning Division, Building Division, Public Works, Waste Management, Fire Department, and Health Department regulations, as applicable.
5. Any modifications to the Property that necessitate accessibility improvements must comply with the accessibility requirements found in Title 24 of the California Code of Regulations, or successor code.

Operational

6. The Project shall be operated in conformance with all applicable provisions of the MBMC, and this Master Use Permit.
7. The site shall operate as a commercial center. Any use allowed by-right under MBMC Section 10.16.020 shall be allowed on the Property, subject to compliance with required parking regulations. Eating and drinking establishment uses with beer and wine service shall also be allowed on site, subject to required parking regulations.
8. Hours of operation shall be limited as follows:
 - a. All uses permitted by-right unless otherwise stated herein: 6:00 AM – 12:00 AM Daily
 - b. Food and Beverage Sales: 6:00 AM – 10:30 PM Daily
 - c. Eating and Drinking Establishment Uses: 7:00 AM – 10:00 PM Daily
 - d. ATMs: 24 Hours Daily.
9. Noise emanating from the Property shall be within the limitations prescribed by the City's Noise Ordinance at all times, as specified in Chapter 5.48 of the MBMC, and shall not create a nuisance to nearby properties.

Eating and Drinking Establishments

10. No more than two eating and drinking establishments shall be allowed to operate on the site at any given time.
11. The kitchen shall remain open, and food shall be available for purchase, at all times when beer and wine is available for purchase.
12. No outdoor seating for an eating and drinking establishment shall be allowed on the north or west sides of the western structure (1039 Manhattan Beach Boulevard).
13. Eating and drinking establishment uses are permitted as long as the rest of this Master Use Permit has not lapsed as defined by MBMC Section 10.84.090, regardless of whether or not an eating and drinking establishment use is established within the first two years of approval of this resolution.

Beer and Wine Service

14. A Type 41 On-Sale Beer and Wine ABC license must be obtained from the California Department of Alcoholic Beverage Control ("ABC") prior to commencement of sales and service of beer and wine for any eating and drinking establishment uses.
15. Any eating and drinking establishment 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 Master Use Permit, the more stringent conditions shall govern.
16. Beer and Wine service shall be allowed only within an enclosed building.

Refuse

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

Signage

18. All new signs and alterations to existing signs shall be subject to separate permits and shall be in compliance with the City's sign code.
19. No temporary banner or other temporary signs shall be placed on the site without City permit and approval.
20. Any exterior signage on the northern facade of the western structure (1039 Manhattan Beach Boulevard) shall remain unilluminated.

Parking

- 21. A reciprocal access and parking agreement shall be recorded against the title of both properties to allow customers and employees to access and park in all parking areas on either of the two properties, notwithstanding other conditions. This agreement shall be signed by the property owner and recorded on both properties before the certificate of occupancy is issued for the west building (1039 Manhattan Beach Boulevard).
- 22. All compact spaces, electric vehicle charging, and clean air vehicle spaces shall be posted with signs and labeled with stencil markings at the back of each space.
- 23. The site shall allow reciprocal vehicular access to/from any adjacent property upon which a similar reciprocal access condition has been imposed if those adjacent properties are redeveloped as part of a discretionary review process, provided the plans and configuration of such reciprocal access shall be subject to the approval of the property owner. Such approval by the owner shall not be unreasonably withheld or delayed; provided that there is no loss in parking needed to meet parking demand for, or other adverse effect upon, the subject site. The parking lot configuration shown on the subject plans shall be modified (at the expense of the subject property owner) at the time of implementation of the reciprocal access condition of the project.
- 24. No right turns shall be allowed out of the Project's Oak Avenue driveway. "Left Turn Only" signs shall be placed and maintained at said driveway.

Public Works

- 25. Any street right-of-way dedications along Sepulveda Boulevard shall be separately processed for dedication to Caltrans or to the City as required by Caltrans encroachment/right-of-way permit.
- 26. A dedication of the southerly 8-foot-wide strip of the site and 15-foot corner cutoffs shown on the submitted plans abutting Manhattan Beach Boulevard shall be provided by the Property Owner, and shall be recorded prior to issuance of any building permits for the property, including for construction of the new building at 1039 Manhattan Beach Boulevard and any other improvements on the site or within the building at 1129 N. Sepulveda Boulevard. The dedication shall be subject to the review and procedures of the Public Works Department. The 8-foot-wide strip shall span the entire length of the site along Manhattan Beach Boulevard, from Oak Avenue to Sepulveda Boulevard.

The property owner must also grant the City a one-foot temporary construction access easement located immediately north of the aforementioned 8-foot-wide dedication, with the temporary construction access easement going into effect for 36 months from the date the anticipated street widening construction field operation starts. The temporary construction access easement shall be recorded prior to issuance of any building permits for the property, including for construction of the new building at 1039 Manhattan Beach Boulevard and any other improvements on the site or within the building at 1129 N. Sepulveda Boulevard. No permanent structures or improvements may be constructed (above or below ground) within this one-foot temporary construction easement area. The temporary construction access easement shall be subject to the review and procedures of the Public Works Department.

Procedural

- 27. 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 10. This Resolution replaces Resolution No. PC 08-13 in its entirety and shall be the

governing resolution for the Property. Resolution No. PC 08-13 is void and of no further force or effect as of the effective date of this Resolution.

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.

November 13, 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 **NOVEMBER 13, 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

ATTACHMENT B

VICINITY MAP



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Final

RESOLUTION NO. PC 08-13

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT AND VARIANCE TO REPLACE AN EXISTING VACANT SERVICE STATION WITH TWO NEW COMMERCIAL BUILDINGS, ONE OF WHICH EXCEEDS THE PERMITTED HEIGHT LIMIT ON THE PROPERTY LOCATED AT 1129 SEPULVEDA BOULEVARD

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. The Planning Commission of the City of Manhattan Beach conducted a public hearing on August 13, and September 10, 2008, considered an application for a use permit and variance to replace an existing vacant service station with two new commercial buildings, one of which, would exceed the height limit by as much as 2.5 feet, on the property legally described as Lots 11, 12, 13, 14, 15 & 16, Block 59, Tract 1638 located at 1129 Sepulveda Boulevard in the City of Manhattan Beach.
- B. The application was filed on April 29, 2008. The applicant for the subject project is Bryant Palmer Soto Inc. The owner of the property is 1129 Sepulveda BMPD, LLC.
- C. The project is Categorically Exempt from the requirements of CEQA pursuant to Sections 15303 and 15332, since the project involves construction of relatively small structures and minor infill development within an urbanized area.
- D. 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.
- E. The property is located within Area District II and is zoned CG Commercial General. The surrounding private land uses consist of CG, Local Commercial, and Single-Family Residential uses.
- F. The General Plan designation for the property is General Commercial. The project is consistent with the General Plan including specific policies including the following:
- Goal LU-1.2: Encourage the use of notches, open space, setbacks, landscaping, or other architectural details to reduce building bulk.
 - Goal LU-2.1: Encourage landscaping standards for commercial areas.
 - Goal LU-3.1: Encourage quality design in all new construction.
 - Goal LU-3.2: Encourage the use of Sepulveda Boulevard Corridor Guidelines.
 - Goal 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.
 - Goal LU-8.1: Ensure that applicable zoning regulations allow for commercial uses that serve a broad market area, including visitor-serving uses.
- G. Approval of the replacement of a vacant service station with two new commercial buildings, subject to the conditions below, will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City since it is in compliance with all regulations, improves existing circulation design, and provides aesthetic enhancements with conforming landscaping and signage including removal of one pole sign.
- H. The Planning Commission made the following findings with respect to the Variance application for maximum allowable building height, MBMC Section 10.60.050:

- The special circumstances applicable to this property are the substantial change in topography, height limit methodology being a horizontal plane based on the four-corner elevation of the property, and the Sepulveda Boulevard Guidelines, which recommend the placement of building toward the front of the property which is the highest elevation, poses constraints on meeting the maximum allowable building height.
 - The relief may be granted without substantial detriment to the public good; without substantial impairment of affected natural resources; and not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare, since the commercial area will benefit from building location at the front in conformance with the Sepulveda Boulevard Guidelines, and the rear building will be stepped below the height limit a corresponding amount resulting in an average height approximating the applicable 22 and 30 foot limits.
 - Granting the application is consistent with the purposes of this title and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district and area district, since the proposed building height will be in scale and compatible with the surrounding buildings
- I. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
 - J. The service station replacement by commercial buildings will not create adverse impacts on, nor be adversely impacted by, the surrounding area, or create demands exceeding the capacity of public services and facilities.
 - K. Dedication of an 8 foot strip of property is necessary for traffic improvements to the intersection of Manhattan Beach Boulevard and Sepulveda Boulevard. This dedication is acceptable as an alternative to dedicating for a right-turn pocket entrance improvement for the site as recommended by the Sepulveda Boulevard Guidelines.
 - L. This Resolution is intended to supersede all previous use permit approvals for the subject property.

Section 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Use Permit and Variance applications subject to the following conditions (*indicates a site specific condition):

Site Preparation / Construction

1. * The project shall be constructed and operated in substantial compliance with the submitted plans as approved by the Planning Commission on August 13 & September 10, 2008, except that the soil vapor extraction facility shall not displace the willow tree proposed at the northwest corner of the site at any time, and shall be located within a surplus parking space if required. Compliance shall include a reduction below applicable height limits for the rear building corresponding to the increased (variance) height of the front building. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
2. A Traffic Management Plan shall be submitted in conjunction with all construction and other building plans, to be approved by the Police and Public Works Departments prior to issuance of building permits. The plan shall provide for the management of all construction related traffic during all phases of construction, including delivery of materials and parking of construction related vehicles.

Prior to the commencement of any construction activity that would cause a disruption to traffic or lane closure on Sepulveda or Manhattan Beach Blvds.; the applicant shall submit plans which shall minimize traffic impacts associated with the proposed development for review and approval by the Community Development Department.
3. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility connections in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department.

- 1 4. During building construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.
- 2 5. The siting of construction related equipment (job site offices, trailers, materials, etc.) shall be subject to the approval from the Director of Community Development prior to the issuance of any building permits.
- 3
- 4 6. A site landscaping plan, consistent with the project rendering on file with the Community Development Department, utilizing drought tolerant native plants shall be submitted for review and approval concurrent with the building permit application. All plants shall be identified on the plan by the Latin and common names. The current edition of the Sunset Western Garden Book contains a list and description of drought tolerant plants suitable for this area. This plan shall be prepared by a licensed landscape architect, as required by state law.
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- 7 7. A low pressure or drip irrigation system shall be installed in the landscaped areas, which shall not cause any surface run-off under normal operating conditions. Details of the irrigation system shall be noted on the landscaping plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments.
- 8
- 9 8. Project driveway entrances shall be constructed or modified in conformance with the requirements of the Public Works Department and Caltrans.
- 10
- 11 9. * Final circulation, traffic visibility, pedestrian, bicycle, and parking design shall be subject to the review of the City's Traffic Engineer and Director of Community Development.
- 12
- 13 10. * An irrevocable offer of dedication of the southerly 8 foot wide strip of the site and corner cutoffs shown on the submitted plans abutting Manhattan Beach Boulevard shall be provided prior to issuance of project building permits, subject to the review and procedures of the Public Works Department.
- 14
- 15 11.* Sidewalk and related pedestrian easements along Sepulveda Boulevard, Manhattan Beach Boulevard, and Oak Avenue, as shown on the submitted plans shall be completed prior to issuance of project building permits, subject to the review and procedures of the Public Works Department.
- 16
- 17 12. * Security lighting for the site shall be provided in conformance with Municipal Code requirements including applicable height limits and glare prevention design. Light poles exceeding 12 feet in height adjacent to residentially zoned property shall require increased attention to light shielding.
- 18
- 19 13. * Property line clean outs, mop sinks, erosion control, and other sewer and storm water items shall be installed and maintained as required by the Department of Public Works. Oil clarifiers and other post construction SUSMP items shall be required for the project.
- 20
- 21 14. Backflow prevention valves shall be installed as required by the Department of Public Works, and the locations of any such valves or similar devices shall be subject to approval by the Community Development Department prior to issuance of building permits.
- 22
- 23 15. Sidewalks shall be repaired or installed around the entire site pursuant to the requirements of the Public Works Department.
- 24
- 25 16. Plans and construction for the front/east building shall be in qualification and receipt of LEED Silver Level certification.
- 26
- 27 17. Plans for the rear/west building and overall site-work shall incorporate sustainable building components into the building and site design as determined to be appropriate by the Public Works and Community Development Departments such as: LEED (leadership in Energy and Environmental Design), permeable pavement, energy efficient plumbing mechanical and electrical systems, and storm water retention.
- 28
- 29 18. * An appropriate merger document eliminating antiquated property lines within the site shall be recorded subject to the review and approval of the Community Development Department prior to issuance of building permits.
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- 19.* Any soil remediation equipment installed on the site shall be limited to required oxygenation equipment in compliance with the City's noise ordinance no more than 6 feet in height temporarily located within a single non-required parking space. The locating, screening, landscaping, noise buffering, and odor prevention for the equipment shall be as determined to be appropriate by the Community Development Director.

Operational Restrictions

- 20.* The facility shall operate as a commercial center with retail, bank, personal services, and food and beverage sales (without alcohol) uses. Uses determined to be similar to retail by the Community Development Director may also be permitted. Office and restaurant uses shall be prohibited.
- 21.* Hours of operation of the businesses within the facility shall be limited to 6am to midnight daily, except that food and beverage sales shall be limited to 6am to 10:30pm daily. Bank automated teller machines shall be permitted to operate 24 hours daily.
- 22.* The management of the facility shall police the property and all areas immediately adjacent to the businesses during the hours of operation to keep it free of litter.
- 23.* The operators of the facility shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject businesses. Security systems and procedures shall be provided as determined to be appropriate by the Chief of Police.
- 24.* A covered trash enclosure(s), with adequate capacity shall be provided and available on the site subject to the specifications and approval of the Public Works Department, Community Development Department, and City's waste contractor. A trash and recycling plan demonstrating diversion of at least 50% of solid waste shall be provided as required by the Public Works Department.
- 25.* The site shall allow reciprocal vehicular access to/from any adjacent property upon which a similar Reciprocal Access condition has been imposed, provided the plans and configuration of such Reciprocal Access shall be subject to the approval of the property owner. Such approval by the owner shall not be unreasonably withheld or delayed; provided that there is no loss in parking needed to meet parking demand for, or other adverse effect upon, the subject site. The parking lot configuration shown on the subject plans shall be modified (at the expense of the subject property owner) at the time of implementation of the reciprocal access condition of the project.
- 26.* Parking shall be provided in conformance with the current Manhattan Beach Municipal Code. Future parking lot modifications for the purposes of providing reciprocal access to a neighboring commercial property, and any parking requirement modifications that are warranted, shall be subject to approval of the Planning Commission in association with its review of the neighboring project.
- 27.* The facility operator shall prohibit employees from parking personal vehicles on the surrounding public streets. Employees must park on-site or be transported to the site from other off-street parking facilities subject to Community Development Department approval. Prior to building permit issuance, a written employee parking program shall be submitted for Community Development Department approval.
- 28.* All signs shall be in compliance with the City's Sign Code. Pole signs and internally illuminated awnings or other architectural elements shall be prohibited. Primary signs shall be prohibited from locations oriented toward, or substantially visible from, the adjacent northwesterly residential area as determined by the Community Development Department.
29. Noise emanating from the site shall be in compliance with the Municipal Noise Ordinance. Any outside sound or amplification system or equipment is prohibited, except required emergency audio systems.
30. The operation shall comply with all South Coast Air Quality Management District Regulations and shall not transmit excessive emissions or odors across property lines.
31. The operation shall remain in compliance with all Fire and Building occupancy requirements at all times.

Procedural

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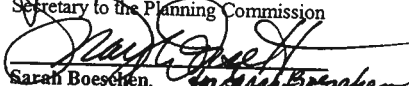
- 32. All provisions of the Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
- 33. This Use Permit and Variance shall lapse two years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code.
- 34. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.
- 35. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of September 10, 2008, and that said Resolution was adopted by the following vote:

AYES:	Fasola, Paralusz, Powell, Seville-Jones, Chairman Lesser
NOES:	None
ABSTAIN:	None
ABSENT:	None


 RICHARD THOMPSON,
 Secretary to the Planning Commission


 Sarah Boesch,
 Recording Secretary

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1129 Sepulveda Blvd., Manhattan Beach, CA (APN 4170-007-025 & 026)***Written Narrative on Operating Characteristics***

Applicant is requesting that the existing use permit (Resolution No. PC 08-13) be amended to remove 1) the condition that requires merging of the parcels contained in Condition No. 18 of Resolution No. PC 08-13 and 2) the prohibition on “office” and “restaurant” uses on the Property contained in Condition No. 20 of Resolution No. PC 08-13 for both parcels (APN Nos. 4170-007-025 & 026). The scope of work will include 1) a new 2,319 square-foot commercial building on the parcel that is APN No. 4170-007-026, 2) a new trash enclosure, and 3) associated restriping of parking, if required. Applicant plans to construct a 2,319 sq. ft. building to market the building to existing businesses for office/medical use, such as physical therapy, urgent care, or other type of medical clinic. Applicant also wishes to preserve a possible “restaurant” use for the future. The existing use permit is very restrictive, and although Applicant does not intend to market the space to restaurant tenants now, it would like to preserve that possibility for the future. In connection with a possible future restaurant use on either parcel, Applicant wishes to be approved to serve beer and wine as well, subject to ordinary time restrictions, such as 7 a.m. to 10 p.m. With respect to Condition No. 18, Applicant intends to record an enforceable easement and cross-access agreement for the two parcels so that the ample parking and ingress/egress at the Property can be used by both existing businesses, all subject to compliance with relevant parking codes.

The hours of operation will be consistent with those already approved by Resolution No. PC 08-13 (6 a.m. to midnight). Peak hours are likely during the middle of the day, but this will vary on the type of use and needs of the Tenant. If office /medical use, typical medical clinics and physical therapists do not have any unique operating characteristics from that of a traditional office use. If a restaurant, hours are typically 10 AM to 10PM. No controls will be necessary to ensure compatibility with surrounding land uses.

1129 Sepulveda Blvd., Manhattan Beach, CA (APN 4170-007-025 & 026)

10.84.060 Required Findings

Please allow the following to serve as applicant's written description of how the proposed project meets the findings required by Manhattan Beach Municipal Code Section 10.84.060.

Section 10.84.060(A)(1) – Proposed Location of the Use – Advances Purposes of City Code

Under Section 10.84.060(A)(1), the “decision making authority” must find that “[t]he proposed location of the use is in accord with the objective of this title and the purposes of the district in which the site is located.”

These criteria are met by allowing medical/office or restaurant use on the Property. In fact, allowing office/medical or restaurant use on the Property promotes the following objectives in Section 10.01.030 of the Manhattan Beach Municipal Code:

- Promote the economic stability of existing land uses that are consistent with the General Plan and protect them for intrusions by inharmonious or harmful land uses.
- Permit the development of office, commercial, industrial, and related land uses that are consistent with the General Plan in order to strengthen the city's economic base.
- Ensure that service demands of new development will not exceed the capacities of existing streets, utilities, or public services.
- Conserve and enhance the city's architectural and cultural resources.

Section 10.84.060(A)(2) – Proposed Location of the Use – Consistent with General Plan; Not Detrimental to Public Health or Properties Nearby

Under Section 10.84.060(A)(2), the “decision making authority” must find that “[t]he proposed location of the use and the proposed conditions under which it would be operated or maintaining will be consistent with the General Plan; will not be detrimental 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.”

Here, a proposed office/medical or restaurant use on the Property advances the following goals of the General Plan, just as many of them did in 2008, when the use permit was originally approved:

- **Policy LU-1.2:** Require the design of all new construction to utilize notches, balconies, rooflines, open space, setbacks, landscaping, or other architectural details to reduce the bulk of buildings and to add visual interest to the streetscape.
- **Policy LU-2.1:** Develop landscaping standards for commercial areas that unify and humanize each district.
- **Goal LU-3:** Achieve a strong, positive community aesthetic.
- **Policy LU-3.1:** Continue to encourage quality design in all new construction.

- **Policy LU-5.1:** This use does not produce “noise, odors, high traffic volumes, [or] light or glare.”
- **Goal LU-6:** Maintain the viability of the commercial areas of Manhattan Beach.
- **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.
- **Policy LU-6.3:** Recognize the need for a variety of commercial development types and designate areas appropriate for each.
- **Goal LU-8:** Maintain Sepulveda Boulevard . . . as regional-serving commercial districts.
- **Policy LU-8.1:** Ensure that applicable zoning regulations allow for commercial uses that serve the broad market area, including visitor-serving uses.
- **Policy LU-8.2:** Support the remodeling and upgrading needs of businesses as appropriate within these regional-serving commercial districts.

In addition, office/medical and/or restaurant uses on the Property will not “be detrimental 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.” The construction of the contemplated 2,319 square foot building on Parcel B will be done in compliance with all applicable laws, regulations, codes, and rules. In addition, all business operating on the Property, including those operating as a medical or restaurant use, will comply with all applicable laws.

The development will also *add* value to the neighboring properties and improvements and positively contribute to the general welfare and public health goals of the city

Specifically, the construction of a new office or medical space would have significant implications for Manhattan Beach’s public health model by improving access to healthcare services, promoting preventive care, offering specialized healthcare services, creating job opportunities, and enhancing emergency preparedness and response capabilities. A restaurant use on the Property would similarly create job opportunities, offer additional food options, and improve public infrastructure.

Section 10.84.060(A)(3) – Proposed Use Complies With Provisions of Zoning Code

Under Section 10.84.060(A)(3), the “decision making authority” must also find that “[t]he 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.”

As to these criteria, the proposed office/medical or restaurant use will comply with all conditions imposed by the approved use permit, other than Condition No. 20, which prohibits “office” and “restaurant” uses. Applicant is also willing to comply with any new, reasonable conditions imposed by the City, and, in all events, will comply with City code in its development and operation.

Section 10.84.060(A)(4) – Proposed Use Will Have No Adverse Effect

Under Section 10.84.060(A)(4), the “decision making authority” must find that “[t]he 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.”

Here, an office/medical or restaurant use will not cause extra traffic, noise, vibration, or odors. Nor will be affect resident security or personal safety. The new office/medical building will contribute positively to aesthetic along the Sepulveda corridor. As for parking, the proposed use would comply with City code’s requirement that an office/medical use have one parking spot per 200 sq. ft., as Parcel B has sufficient parking stalls available for that use, as demonstrated by the site plan provided as part of this submission. In addition, the new easement and cross-access agreement that Applicant intends to record will allow for additional parking. As to the restaurant use, Parcel B also has sufficient parking for that use, and will dictate to any future restaurant tenant that the seating area in any restaurant must be the correct size to comply with the City’s parking code requirements.

ZONING INFORMATION

ZONING INFORMATION NOT PROVIDED

BUILDING AREA

4,069 SQ FT

LAND AREA

PARCEL 1: 17,342 SQ FT / 0.40 ACRE
PARCEL 2: 10,751 SQ FT / 0.25 ACRE
TOTAL: 28,075 SQUARE FEET OR 0.65 ACRE

BENCHMARK

MANHATTAN BEACH CITY BENCHMARK: BM9323
ELEVATION: 147.861
DESCRIPTION: BRASS DISK @ NE COR. MANHATTAN BEACH & SEPULVEDA

BASIS OF BEARING

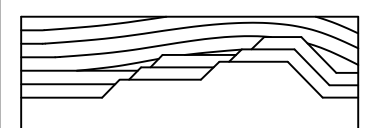
THE BASIS OF BEARING OF THIS SURVEY IS THE CENTERLINE OF OAK AVENUE AS DEPICTED ON LLA NO. 10-1 FILED AS INSTRUMENT NO. 2010-1353081, RECORDS OF LOS ANGELES, CALIFORNIA.
BEARING BEING: N 00° 02' 45" E

FLOOD NOTE

SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING ZONE DESIGNATIONS OF "X" BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA), ON FLOOD INSURANCE RATE MAP NO. 0603701769G HAVING AN EFFECTIVE DATE OF 04/28/2021, IN RIVERSIDE COUNTY, STATE OF CALIFORNIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PREMISES IS SITUATED. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE.

ZONE "X" DENOTES AREA OF MINIMAL FLOOD HAZARD

SURVEYOR

 **SITETECH INC.**
8061 CHURCH STREET, (PO BOX 592) HIGHLAND, CA 92346
PH: (909) 864-3180 FAX: (909) 864-0850
E-mail: jmayer@sitetechinc.com

GENERAL NOTES

1. NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT MONTHS.
2. NO OBSERVABLE EVIDENCE OF CHANGES IN STREET RIGHT OF WAY LINES COMPLETED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION. NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.
3. NO OBSERVABLE EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
4. THE PROPERTY HAS DIRECT PHYSICAL STREET ACCESS TO MANHATTAN BEACH AVENUE, OAK AVENUE AND SEPULVEDA BOULEVARD ALL BEING PUBLIC DEDICATED STREETS.
5. ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO: UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARTY WALLS, PARKING, EASEMENTS, SERVITUDE, AND ENCROACHMENTS; ARE BASED SOLELY ON ABOVE GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.
6. THE ACCOMPANYING SURVEY WAS MADE ON THE GROUND AND CORRECTLY SHOWS THE LOCATION OF ALL BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS SITUATED ON THE ABOVE PREMISES; THERE ARE NO VISIBLE ENCROACHMENTS ON THE SUBJECT PROPERTY OR UPON ADJACENT LAND ABUTTING SAID PROPERTY EXCEPT AS SHOWN HEREON AND WAS MADE IN ACCORDANCE WITH LAWS AND/OR MINIMUM STANDARDS OF THE STATE OF CALIFORNIA.
7. THE SUBJECT PROPERTY CLOSES MATHEMATICALLY, WITH NO GAPS, GORES OR OVERLAPS.
8. BEARINGS AND DISTANCE ARE RECORD AND MEASURED UNLESS SPECIFICALLY NOTED OTHERWISE.

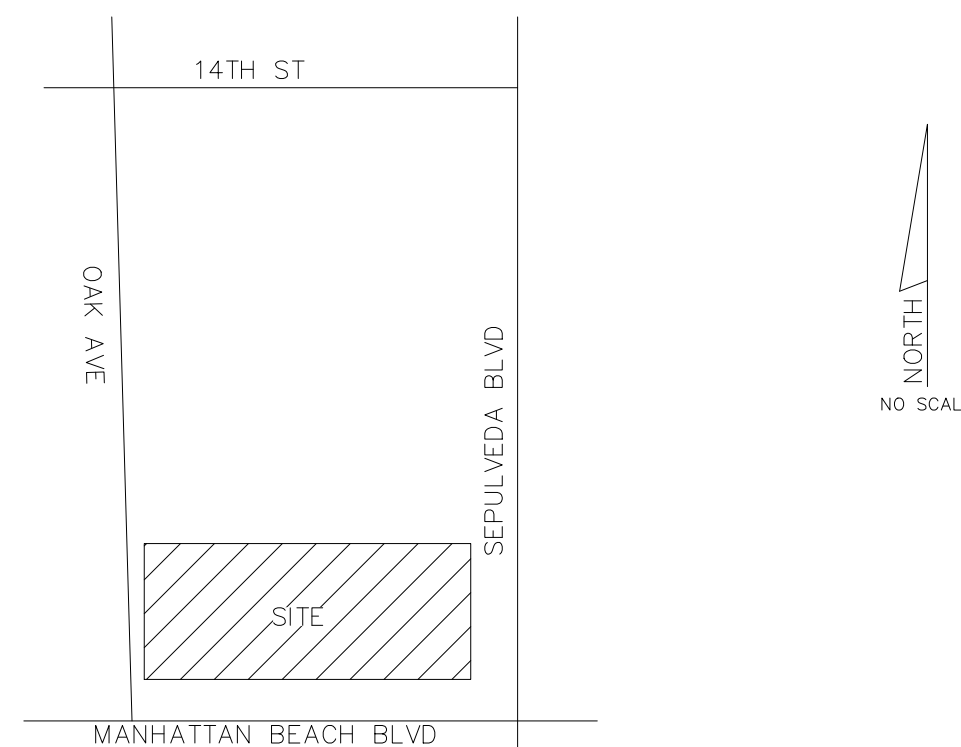
STATEMENT OF ENCROACHMENTS

⚠ PUBLIC SIDEWALK ENCROACHES INTO SUBJECT PROPERTY BY 4.0'

PARKING SPACE COUNT

REGULAR STALLS: 34
DISABLED STALLS: 0
TOTAL STALLS: 35

VICINITY MAP



SCHEDULE B-II NOTES

- ITEM 1 IS NON-SURVEY RELATED - NOT PLOTTED
2. EASEMENT FOR STREET RECORDED ON NOVEMBER 8, 1933 IN BOOK 12475, PAGE 125 AND AMENDED ON NOVEMBER 29, 1933 BY BOOK 12350, PAGE 98 OF OFFICIAL RECORDS - PLOTTED HEREON
 3. EASEMENT FOR STREET RECORDED ON MAY 7, 1956 AS INSTRUMENT NO. 2788 OF OFFICIAL RECORDS - PLOTTED HEREON
 4. EASEMENT FOR STREET RECORDED ON NOVEMBER 8, 1933 IN BOOK 12381, PAGE 345 OF OFFICIAL RECORDS - PLOTTED HEREON
 5. EASEMENT FOR STREET RECORDED ON NOVEMBER 8, 1933 IN BOOK 12381, PAGE 346 OF OFFICIAL RECORDS - PLOTTED HEREON
 6. EASEMENT FOR STREET RECORDED ON NOVEMBER 8, 1933 IN BOOK 12406, PAGE 304 OF OFFICIAL RECORDS - PLOTTED HEREON
 7. EASEMENT FOR POLES RECORDED ON DECEMBER 2, 1946 IN BOOK 23999, PAGE 174 OF OFFICIAL RECORDS - LOCATION COULD NOT BE DETERMINED - DOCUMENT ILLEGIBLE - NOT PLOTTED
 8. EASEMENT FOR STREET RECORDED ON NOVEMBER 29, 1933 IN BOOK 12543, PAGE 40 OF OFFICIAL RECORDS - PLOTTED HEREON
 9. EASEMENT FOR STREET RECORDED ON FEBRUARY 19, 1935 IN BOOK 13277, PAGE 106 OF OFFICIAL RECORDS - LOCATION COULD NOT BE DETERMINED - DOCUMENT ILLEGIBLE - NOT PLOTTED
 10. EASEMENT FOR STREET RECORDED ON JULY 15, 1966 AS INSTRUMENT NO. 923 OF OFFICIAL RECORDS - PLOTTED HEREON
- ITEM 11 IS NON-SURVEY RELATED - NOT PLOTTED
12. MATTERS CONTAINED IN ACCESS AGREEMENT RECORDED ON MAY 16, 2008 AS INSTRUMENT NO. 20080874751 - BLANKET IN NATURE - NOT PLOTTED
- ITEM 13 IS NON-SURVEY RELATED - NOT PLOTTED
14. EASEMENT FOR PUBLIC UTILITIES RECORDED ON JUNE 17, 2009 AS INSTRUMENT NO. 20090913770 OF OFFICIAL RECORDS - PLOTTED HEREON
- ITEM 15 THROUGH 18 ARE NON-SURVEY RELATED - NOT PLOTTED

TITLE SECTION B EXCEPTIONS LISTED ABOVE ARE THE SAME AS DESCRIBED IN THE AMERICAN LAND TITLE ASSOCIATION PRELIMINARY REPORT ORDER NO. 30114676-995-MAL-2AA DATED AS OF MARCH 04, 2024.

UTILITY NOTE

THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE ONLY. WHILE THE INFORMATION IS ASSUMED TO BE ACCURATE, NO GUARANTEE IS MADE TO THE EXACT LOCATION OF THE UNDERGROUND UTILITIES. PRIOR TO ANY CONSTRUCTION, THE SITE SHOULD BE POTHOLED TO DETERMINE THE EXACT LOCATION OF ANY OR ALL UTILITIES.

RECORD DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MANHATTAN BEACH, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:
ALL OF PARCEL A OF LOT LINE ADJUSTMENT NO. 10-1, THE CITY OF MANHATTAN BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS DESCRIBED IN THE CONDITIONAL CERTIFICATE OF COMPLIANCE RECORDED SEPTEMBER 23, 2010, AS INSTRUMENT NO. 2010-1353081 OF OFFICIAL RECORDS, OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL A OF SAID LOT LINE ADJUSTMENT RECITED HEREIN AS FOLLOWS:
IN THE CITY OF MANHATTAN BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING PARCEL A OF CERTIFICATE OF COMPLIANCE FOR PURPOSES OF LOT I-NE ADJUSTMENT, RECORDED FEBRUARY 18, 2009, AS INSTRUMENT NO. 20090220115 OF OFFICIAL RECORDS, THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

TOGETHER WITH THAT PORTION OF PARCEL B OF SAID CERTIFICATE OF COMPLIANCE DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL A; THENCE ALONG THE GENERALLY WESTERLY LINE OF SAID PARCEL, THE FOLLOWING COURSES:
1. SOUTH 00° 08' 09" WEST, 8.95 FEET;
2. NORTH 89° 51' 51" WEST, 17.50 FEET TO THE TRUE POINT OF BEGINNING;
THENCE ALONG THE WESTERLY PROLONGATION OF THE LAST MENTIONED COURSE, NORTH 89° 51' 51" WEST, 0.50 FEET;
THENCE LEAVING SAID PROLONGATION NORTH 00° 08' 09" EAST, 3.00 FEET;
THENCE NORTH 89° 51' 51" WEST, 7.50 FEET;
THENCE SOUTH 00° 08' 09" WEST, 27.50 FEET;
THENCE SOUTH 89° 51' 51" EAST, 8.00 FEET TO THE WESTERLY LINE OF SAID PARCEL A;
THENCE ALONG SAID WESTERLY LINE NORTH 00° 08' 33" EAST, 24.50 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 1A:
A NON-EXCLUSIVE APPURTENANT EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS BY VEHICULAR AND PEDESTRIAN TRAFFIC AND FOR VEHICULAR PARKING AND PROPERTY MAINTENANCE OVER REAL PROPERTY LOCATED IN THE CITY OF MANHATTAN BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING ALL OF PARCEL B OF LOT LINE ADJUSTMENT NO. 08-1 IN THE CITY OF MANHATTAN BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS DESCRIBED IN CONDITIONAL CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 18, 2009, AS INSTRUMENT NO. 20090220115 OF OFFICIAL RECORDS, THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL 2:
ALL OF PARCEL B OF LOT LINE ADJUSTMENT NO. 10-1, IN THE CITY OF MANHATTAN BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS DESCRIBED IN THE CONDITIONAL CERTIFICATE OF COMPLIANCE RECORDED SEPTEMBER 23, 2010, AS INSTRUMENT NO. 2010-1353081 OF OFFICIAL RECORDS, THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

PARCEL B OF SAID LOT LINE ADJUSTMENT RECITED HEREIN AS FOLLOWS:
IN THE CITY OF MANHATTAN BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING PARCEL B OF CERTIFICATE OF COMPLIANCE FOR PURPOSES OF LOT LINE ADJUSTMENT, RECORDED FEBRUARY 18, 2009, AS INSTRUMENT NO. 20090220115 OF OFFICIAL RECORDS, OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

EXCEPTING THEREFROM THAT PORTION DESCRIBED AS FOLLOWS:
BEGINNING AT THE NORTHWEST CORNER OF SAID PARCEL A OF SAID CERTIFICATE OF COMPLIANCE; THENCE ALONG THE GENERALLY WESTERLY LINE OF SAID PARCEL, THE FOLLOWING COURSES:
3) SOUTH 00° 08' 09" EAST, 8.95 FEET;
4) NORTH 89° 51' 51" WEST, 17.50 FEET TO THE TRUE POINT OF BEGINNING;
THENCE ALONG THE WESTERLY PROLONGATION OF THE LAST MENTIONED COURSE, NORTH 89° 51' 51" WEST, 0.50 FEET;
THENCE LEAVING SAID PROLONGATION NORTH 00° 08' 09" EAST, 3.00 FEET;
THENCE NORTH 89° 51' 51" WEST, 7.50 FEET;
THENCE SOUTH 00° 08' 09" WEST, 27.50 FEET;
THENCE SOUTH 89° 51' 51" EAST, 8.00 FEET TO THE WESTERLY LINE OF SAID PARCEL A;
THENCE ALONG SAID WESTERLY LINE NORTH 00° 08' 33" EAST, 24.50 FEET TO THE TRUE POINT OF BEGINNING.

PARCEL 2A:
A NON-EXCLUSIVE APPURTENANT EASEMENT FOR THE PURPOSE OF INGRESS AND EGRESS BY VEHICULAR AND PEDESTRIAN TRAFFIC AND FOR VEHICULAR PARKING AND PROPERTY MAINTENANCE OVER REAL PROPERTY LOCATED IN THE CITY OF MANHATTAN BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, BEING ALL OF PARCEL A OF LOT ADJUSTMENT NO. 08-1, IN THE CITY OF MANHATTAN BEACH, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS DESCRIBED IN THE CONDITIONAL CERTIFICATE OF COMPLIANCE RECORDED FEBRUARY 18, 2009, AS INSTRUMENT NO. 20090220115 OF OFFICIAL RECORDS, THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

APN: 4170-007-025 AND 4170-007-026


THE PROPERTY DESCRIBED HEREON ABOVE IS THE SAME AS DESCRIBED IN THE AMERICAN LAND TITLE ASSOCIATION PRELIMINARY REPORT ORDER NO. 30114676-995-MAL-2AA DATED AS OF MARCH 04, 2024.

ALTA/NSPS LAND TITLE SURVEY

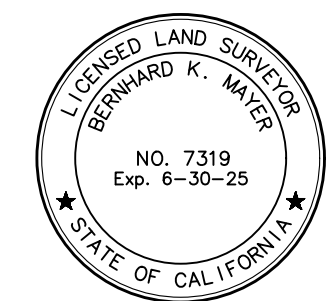
SURVEYOR CERTIFICATION
1129 SEPULVEDA BLVD
COUNTY OF LOS ANGELES

To: AMERICAN LAND TITLE ASSOCIATION:

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes Items 2, 3, 4, 6a, 6b, 7a, 7b1, 7c, 8, 9, 13, 14, 16, 17 and 18 of Table A thereof. The field work was completed on March 15, 2024.


BERNHARD K. MAYER
Registration No. P.L.S. 7319
In the State of California

Date of Plat or Map: 3/22/2024
Date of Revision: 05/08/2024
Date of Revision: 06/05/2024
Date of Revision: 07/24/2024
Date of Revision: 08/19/2024
Date of Revision: 09/26/2024



SITETECH, INC.
8061 CHURCH STREET
Phone: (909) 864-3180 Fax: (909) 864-0850
(MAIL: PO BOX 592) HIGHLAND, CA 92346 Sheet 1 of 2

14TH STREET

FOUND SPIKE & WASHER

LEGEND OF SYMBOLS

- APN ASSESSRS PARCEL NUMBER
- ASPH ASPHALT
- A/W AIR & WATER PUMP
- BFP BACK FLOW PREVENTION DEVICE
- COL COLUMN
- CONC CONCRETE
- EM ELECTRICAL METER
- EV ELECTRICAL VAULT
- FF FINISHED FLOOR
- FS FINISHED SURFACE
- FL FLOWLINE
- FDC FIRE DEPARTMENT CONNECTION
- FH FIRE HYDRANT
- GM GAS METER
- INT INTERCEPTOR MANHOLE
- LS LIGHT STAND
- PA PLANTER AREA
- PB PACIFIC BELL MANHOLE
- PIV STORM DRAIN MANHOLE
- RD ROLLDOR
- SCO SEWER CLEANOUT
- SD STORM DRAIN
- SL STREET LIGHT
- SLV STREET LIGHT VAULT
- SMH SEWER MANHOLE
- SN SIGN
- T TELEPHONE RISER
- TC TOP OF CURB
- TG TOP OF GRATE
- TE TRASH ENCLOSURE
- TR ELECTRICAL TRANSFORMER
- TSV TRAFFIC SIGNAL VAULT
- UR UTILITY RISER
- UT UTILITY CABINET
- UV UTILITY VAULT
- WM WATER METER
- WV WATER VALVE
- BLOCK WALL - TYPICAL
- CONTOUR LINES
- TREE - DECIDUOUS
- TREE - PALM
- PROPERTY LINE
- ZONE LINES

OAK AVENUE

1/2" WIDE PUBLIC STREET
BASIS OF BEARINGS N 0°02'45" E

SEPVLEDA BOULEVARD
VARYING WIDTH PUBLIC STREET

MANHATTAN BEACH BOULEVARD
VARYING WIDTH PUBLIC STREET

392 SQ FT
UTILITY EASEMENT
ST. NO. 20090913770 O.R.

APN: 4170-007-026
RICHMOND LP
NO RECORDING INFO
PARCEL 2
PARCEL B
LLA NO. 10-1
INST. NO. 2010-1353081, O.R.
10,751 SQ FT / 0.25 ACRE
9,759 SQ FT / 0.22 ACRE (EXCLUDING EASEMENTS)
PARCEL 1A

APN: 4170-007-025
RICHMOND LP
DOC. NO. 2011.446896
PARCEL 1
PARCEL A
LLA NO. 10-1
INST. NO. 2010-1353081, O.R.
17,342 SQ FT / 0.40 ACRE
15,601 SQ FT / 0.36 ACRE (EXCLUDING EASEMENTS)
PARCEL 2A

1 STORY
STUCCO BUILDING
4,069 SQ FT (FOOTPRINT)

ROOF PEAK 175.42

FLAT ROOF 167.42

R/W PER
RS 189/01

397 SQ FT
STREET EASEMENT
BK. 12475, PG. 125, O.R.

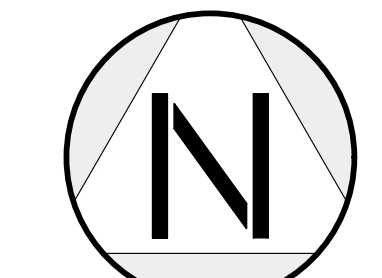
360 SQ FT
STREET EASEMENT
BK. 12381, PG. 395, O.R.

350 SQ FT
STREET EASEMENT
BK. 12381, PG. 396, O.R.

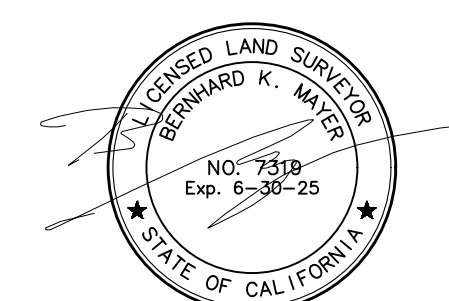
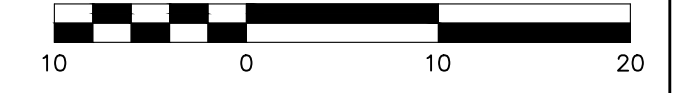
360 SQ FT
STREET EASEMENT
BK. 12406, PG. 304, O.R.

360 SQ FT
STREET EASEMENT
INST. NO. 923 O.R.

403 SQ FT
STREET EASEMENT
BK. 12543, PG. 40, O.R.



SCALE: 1"=10'

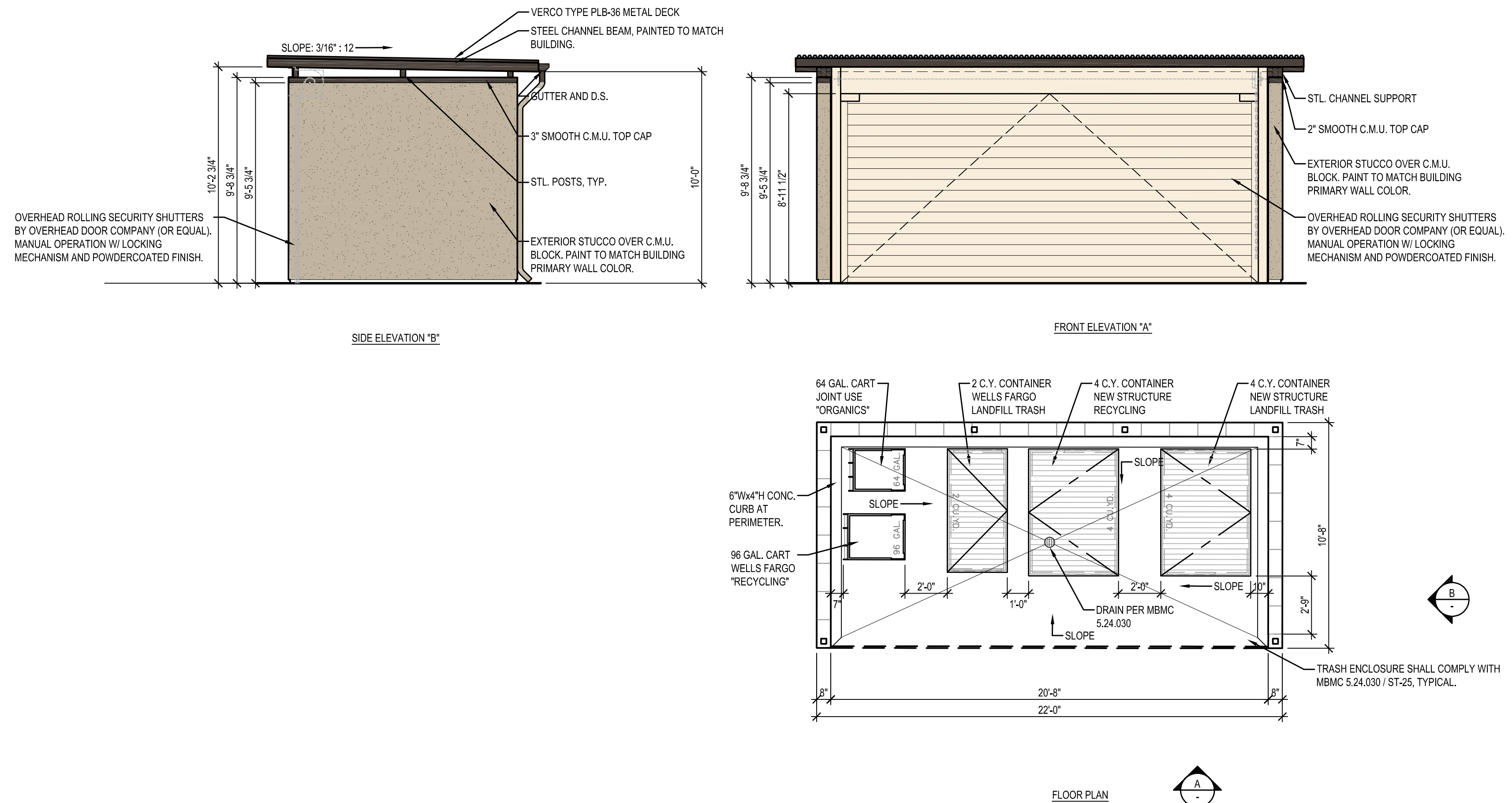


SITE/TECH, INC.
Phone: (909) 864-3180 Fax: (909) 864-0850
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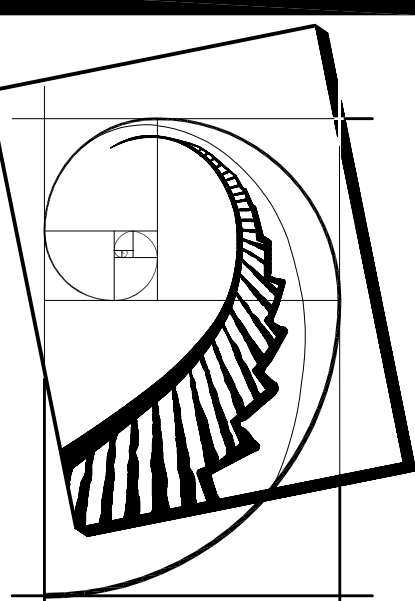
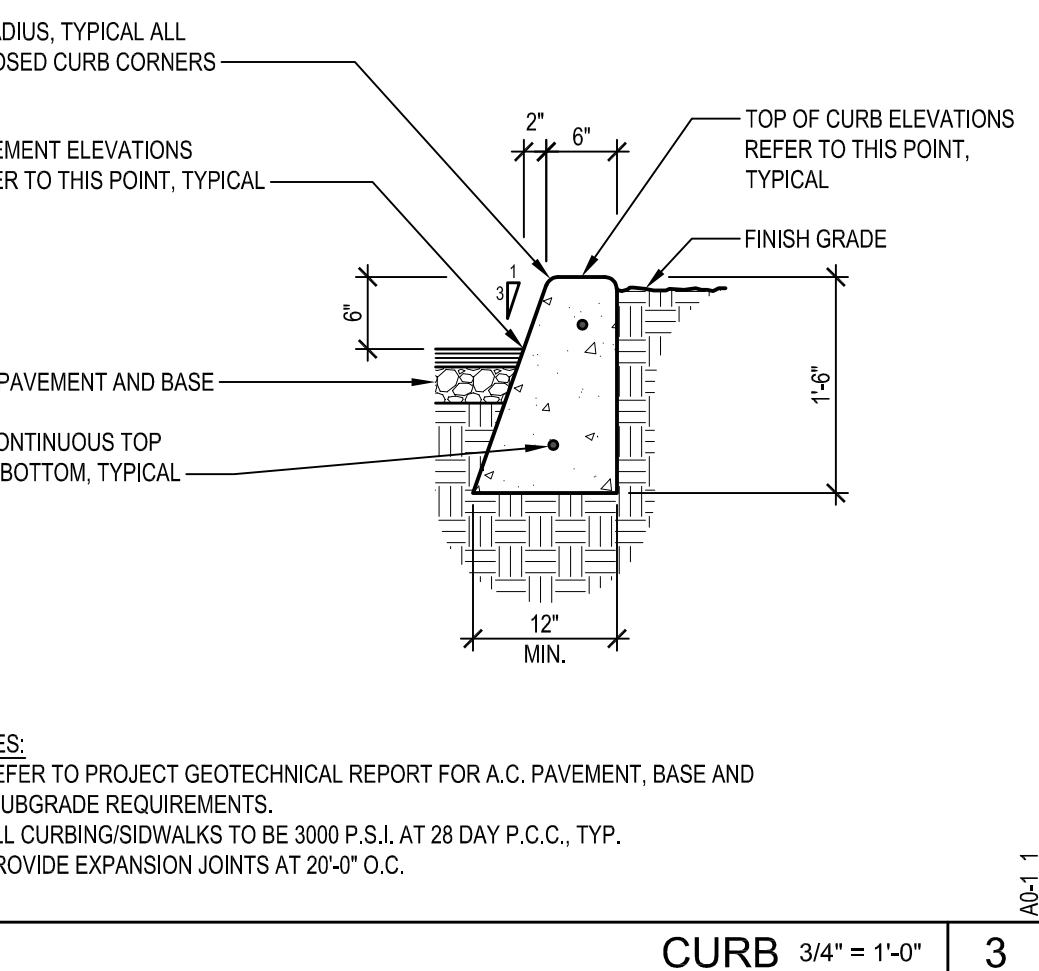
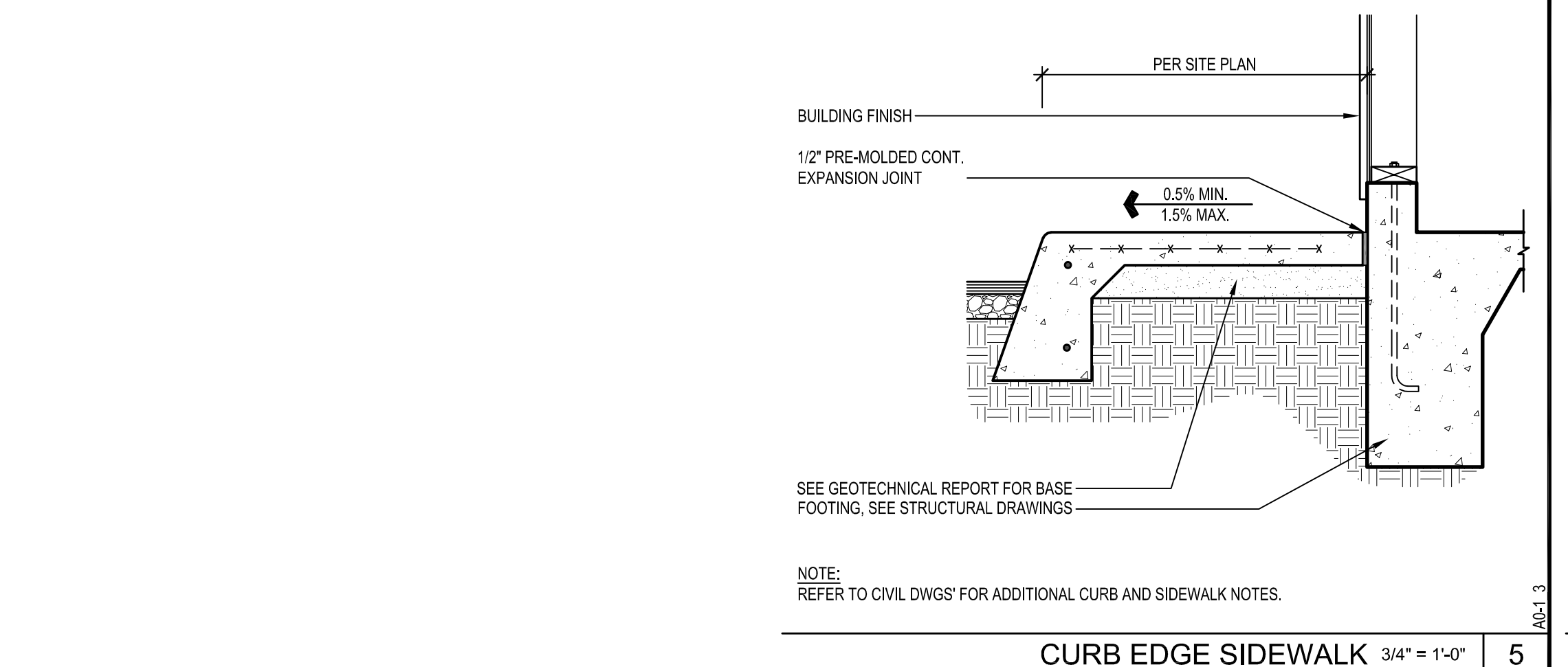
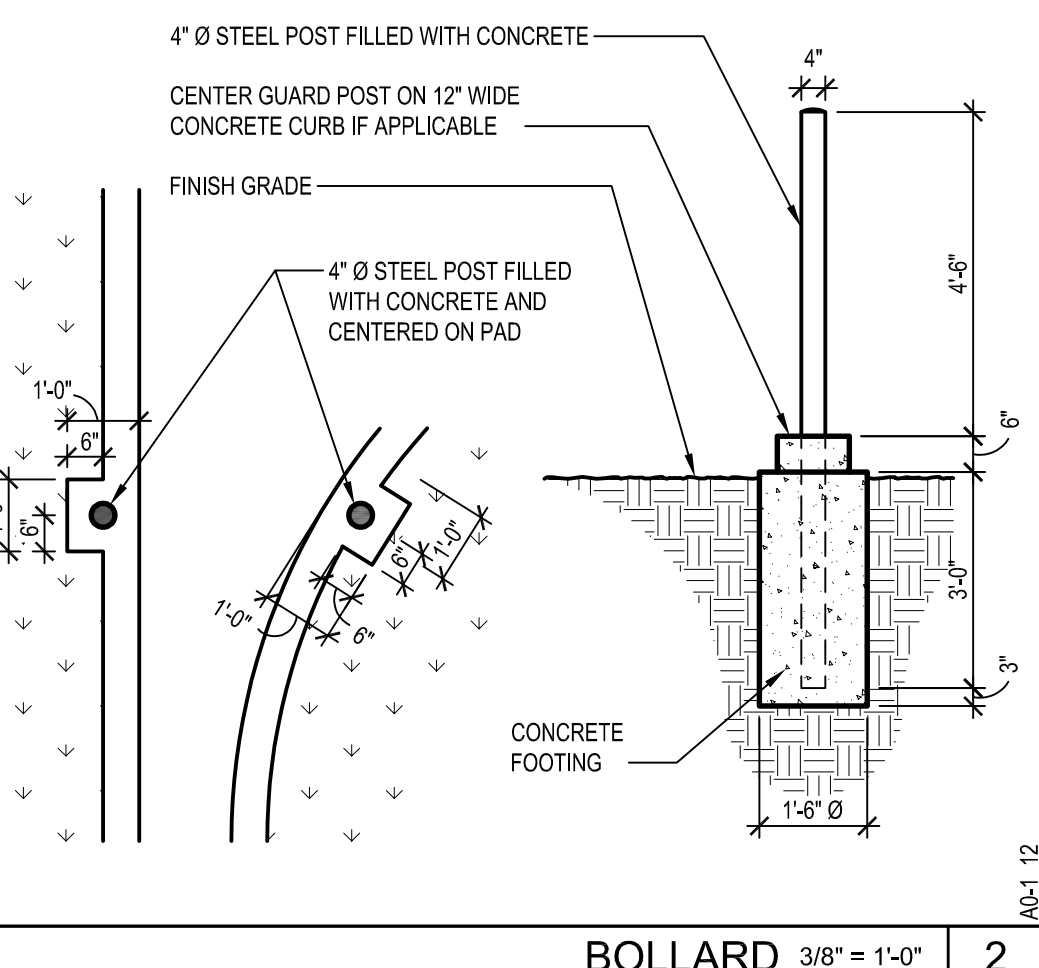
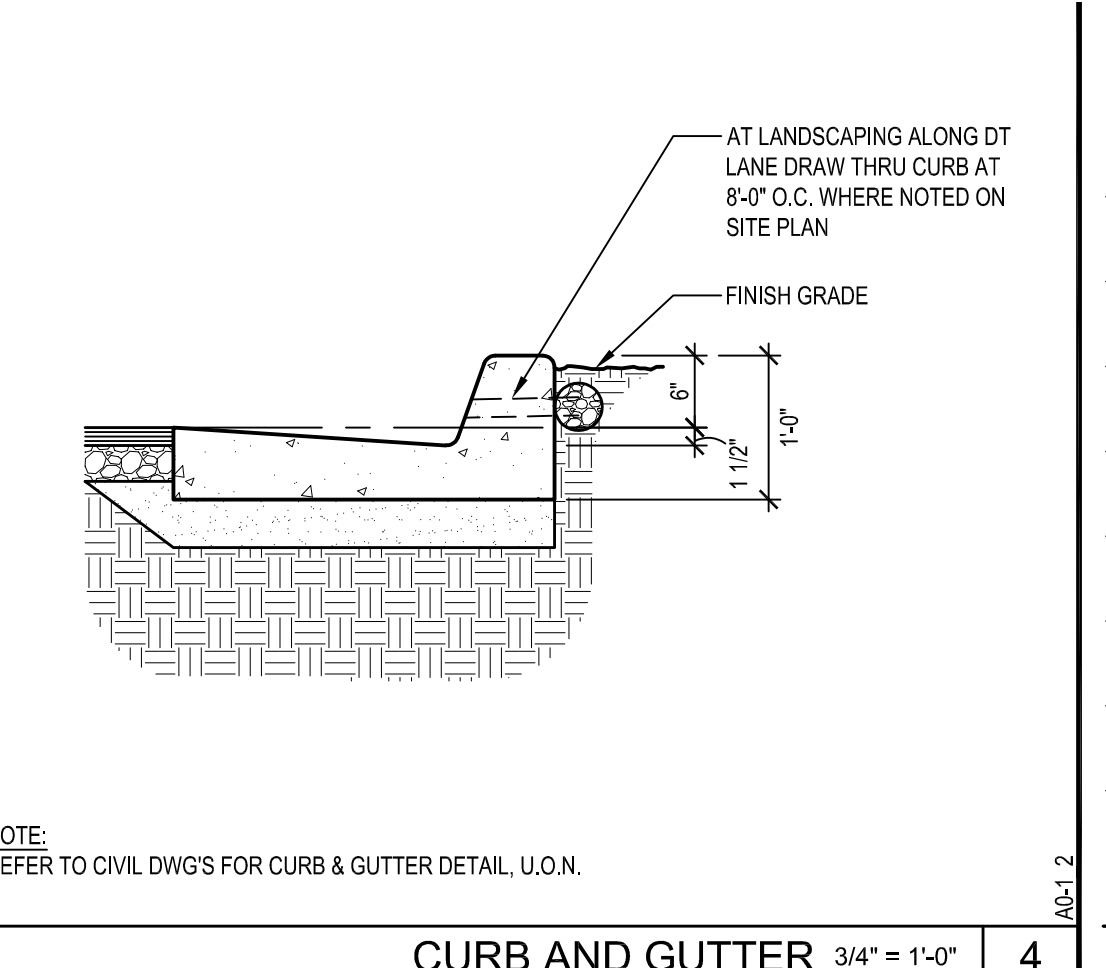
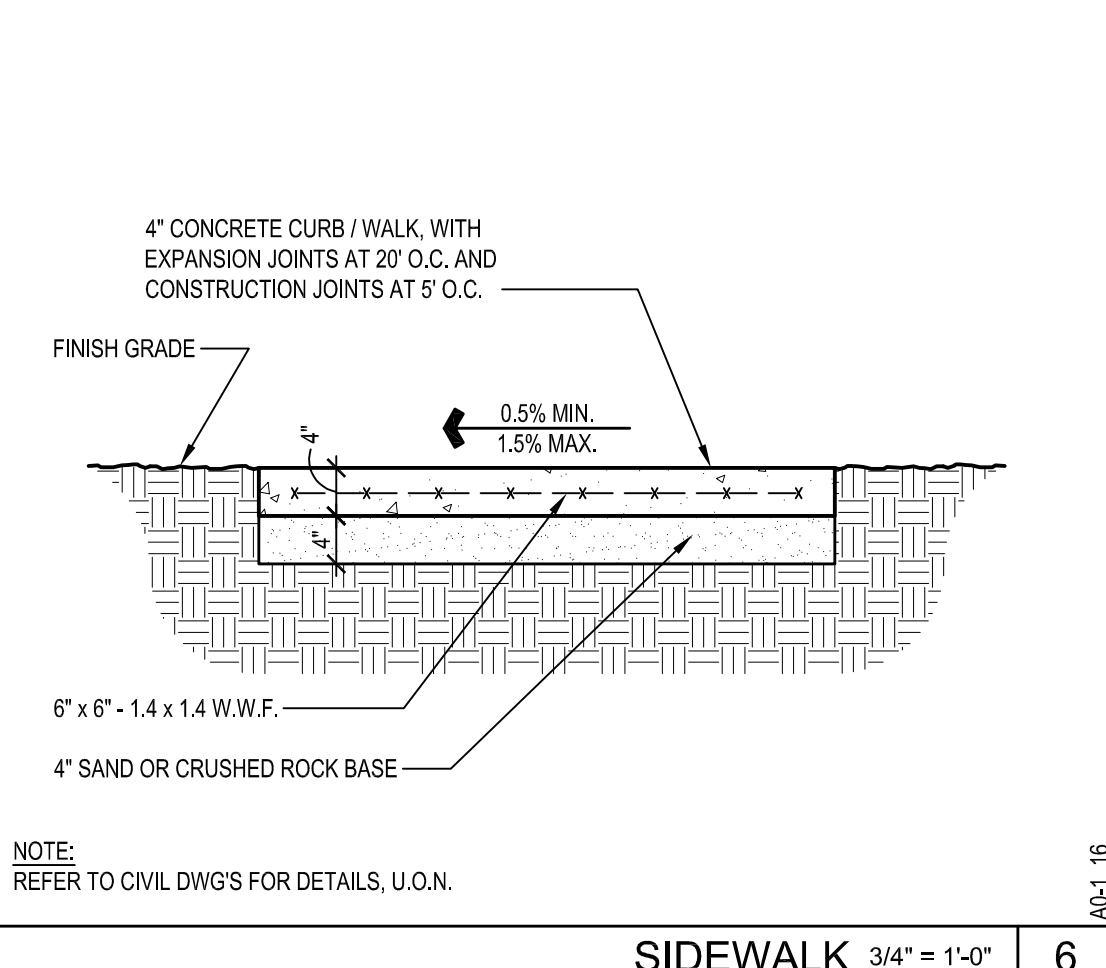


NE CORNER ELEV: 145.82'
SE CORNER ELEV: 147.95'
SW CORNER ELEV: 140.60'
NW CORNER ELEV: 140.79'

W:\Data\Taco_Taco_SoCal\2020_Taco_ManhattanBeach_Sep\level\02_cul_current\050_23020_DD1.dwg By: E.ALEXANDER Saved on: 01/19/2024 2:27:13 PM
 ALL DESIGN, DIMENSIONS AND PLANS INDICATED BY THIS DRAWING ARE THE PROPERTY OF VMI ARCHITECTURE. THIS OFFICE AND ITS PROPERTY ARE NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF VMI ARCHITECTURE. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.



TRASH ENCLOSURE ELEVATIONS 1/4" = 1'-0" 1



VMI architecture
 Design · Planning · Interiors
 2058 N. Mills Ave., #751
 Claremont CA 91711
 909-929-0094 415-595-7921 m
 www.vmiarchitecture.com

VMI JOB NUMBER
23028



RECORD DATES

DD SUBMITTAL	N/A
BLDG. SUBMITTAL	.
BID SET	.
CONTRACT SET	.

REVISIONS

NO.	DESCRIPTION

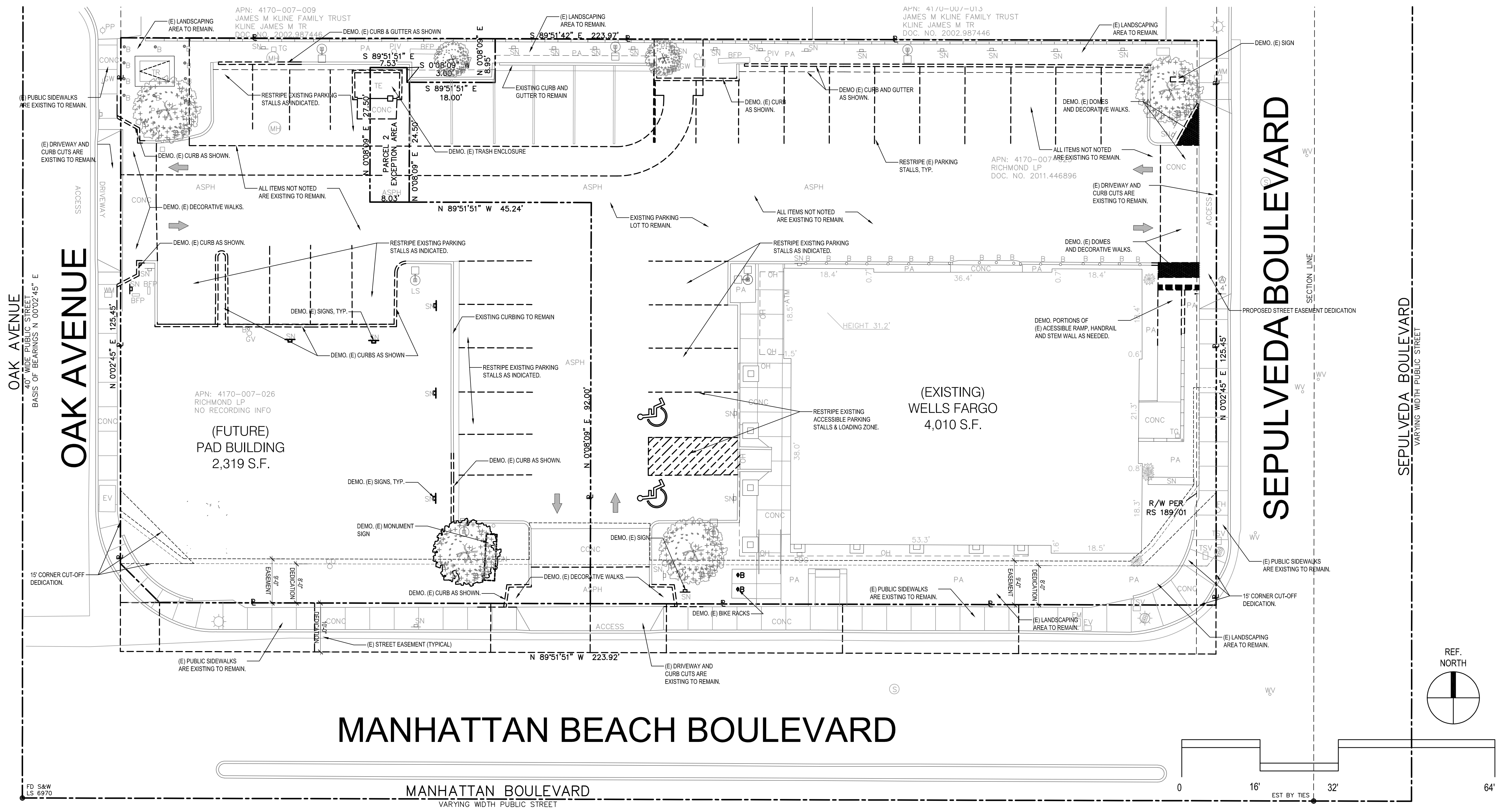
CLIENT
THE FANTICOLA GROUP
 1422 EDINGER AVENUE, SUITE #150
 TUSTIN, CA 92780
 PHONE (949) 241-1812

PROJECT
SHELL CONSTRUCTION
 1039 MANHATTAN BEACH BLVD.
 MANHATTAN BEACH, CA 90266
 APN #4170-007-025, 026

CUSTOM SHELL

SITE DETAILS
DD1.1

W:\Data\T1_Taco_SoCal\2020_T1Taco_ManhattanBeach_SepulvedaBlvd\02_dd1.2_ExistingSitePlan.dwg By: E.ALEXANDER Saved on: 8/19/2024 2:27:06 PM
 ALL DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY ALL DIMENSIONS AND CONDITIONS SHOWN IN THESE DRAWINGS. SHOP DETAILS OF ASSOCIATE SCALE MUST BE SUBMITTED TO THIS OFFICE FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION. CONDITIONS NOTED.

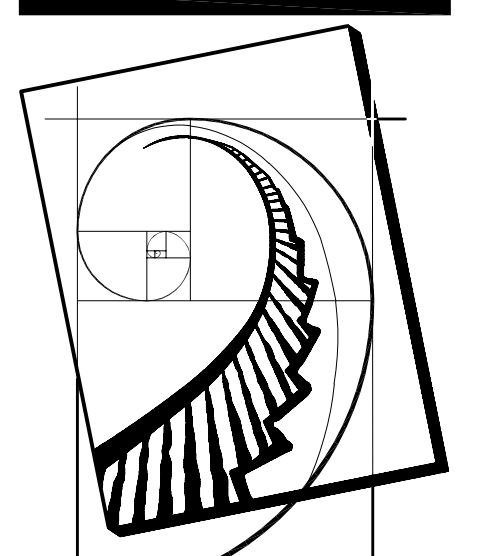


EXISTING SITE PLAN SCALE: 3/32"=1'-0" D



VICINITY MAP A

NOT USED B



VMI architecture
 Design · Planning · Interiors
 2058 N. Mills Ave., #751
 Claremont CA 91711
 909-929-0094 415-995-7921 m
 www.vmiarchitecture.com

VMI JOB NUMBER
23028



RECORD DATES	
DD SUBMITTAL	NA
BLDG. SUBMITTAL	..
BID SET	..
CONTRACT SET	..

REVISIONS	

CLIENT
THE FANTICOLA GROUP
 1422 EDINGER AVENUE, SUITE #150
 TUSTIN, CA 92780
 PHONE (949) 241-1812

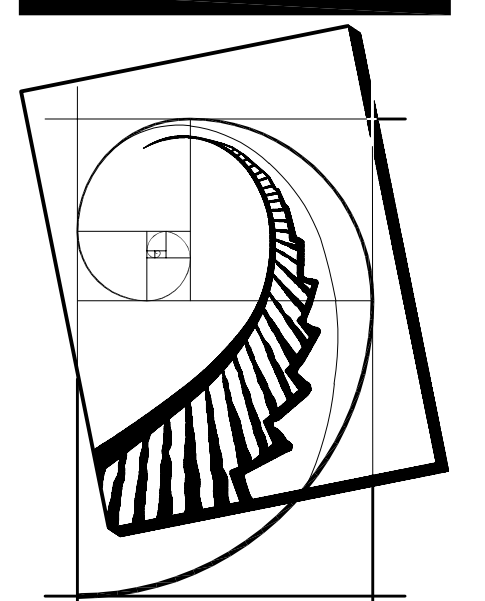
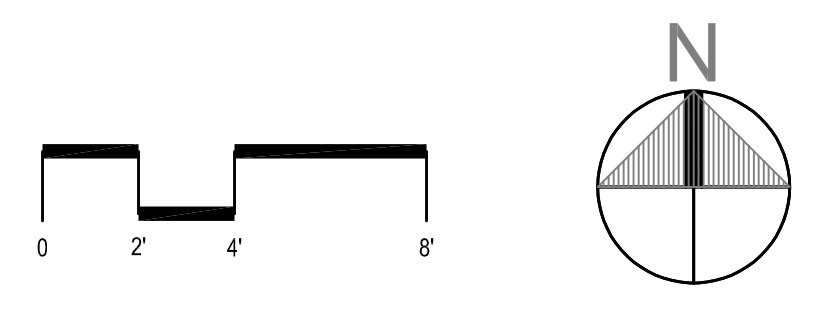
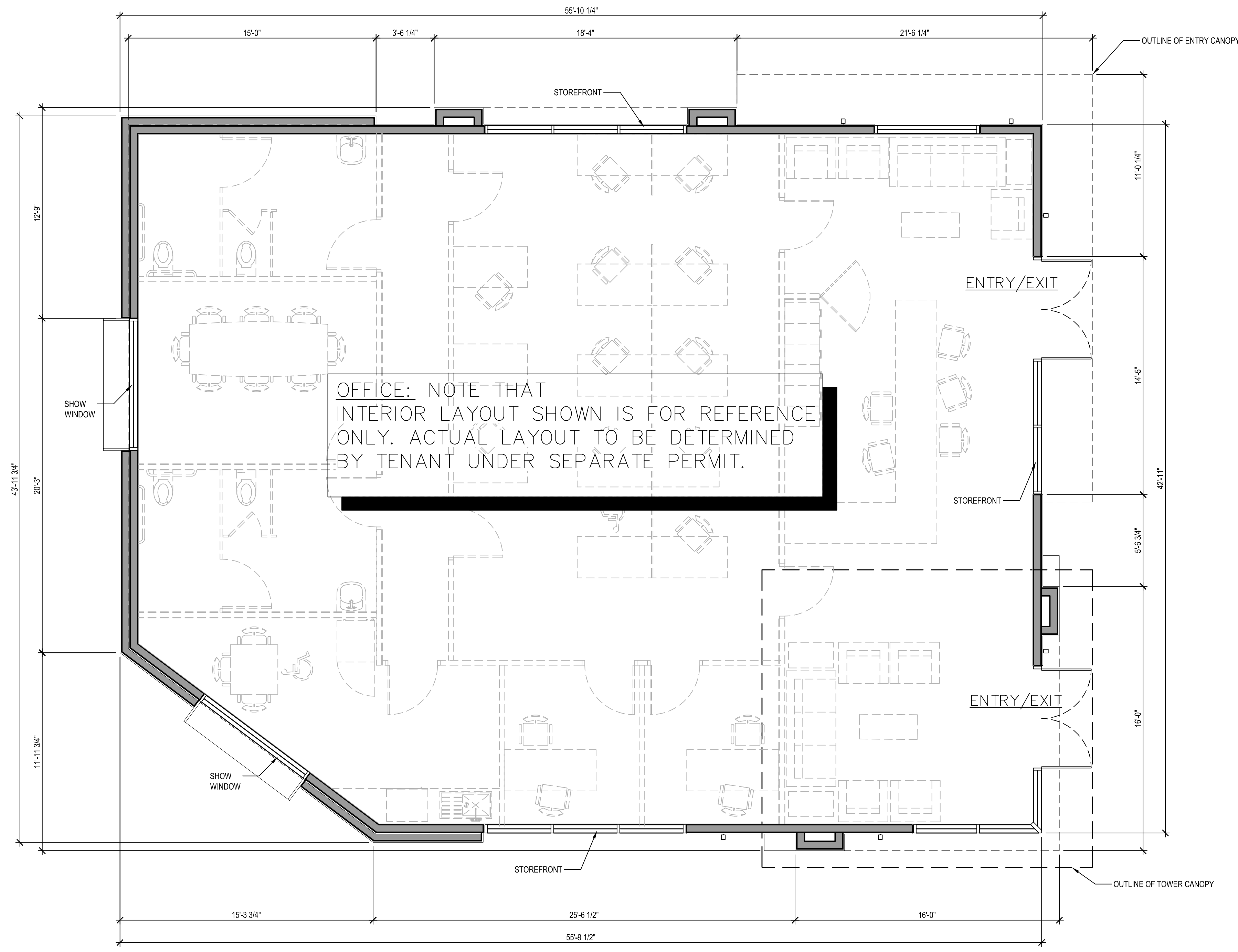
PROJECT
SHELL CONSTRUCTION
 1039 MANHATTAN BEACH BLVD.
 MANHATTAN BEACH, CA 90266
 APN #4170-007-025, 026

CUSTOM SHELL

EXISTING / DEMO SITE PLAN

DD1.2

W:\Data\T1_Taco_SoCal\2020_T1Taco_ManhattanBeach_Sep\live\dd2_02_dtl_current\100_23020_DD2.0_FloorPlan.dwg By: EALEXANDER Saved on: 8/19/2024 2:26:59 PM
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RECORD DATES	
DD SUBMITTAL	N/A
BLDG. SUBMITTAL	
BID SET	
CONTRACT SET	

REVISIONS	

CLIENT
THE FANTICOLA GROUP
 1422 EDINGER AVENUE, SUITE #150
 TUSTIN, CA 92780
 PHONE (949) 241-1812

PROJECT
SHELL CONSTRUCTION
 1039 MANHATTAN BEACH BLVD.
 MANHATTAN BEACH, CA 90266
 APN #4170-007-025, 026

CUSTOM SHELL

PROPOSED
 FLOORPLAN

DD2.0

W:\Data\Taco_SoCal\2020_T&Taco_ManhattanBeach_Sep\level\02_01_curren\00_23020_DD4.0_ExteriorElevations.dwg By: E.ALEXANDER Saved on: 05/05/2024 10:12:07 PM
 ALL DIMENSIONS, MATERIALS AND FINISHES ARE TO BE CONFIRMED BY THE MANUFACTURER AND THE DESIGNER. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AGENCIES.

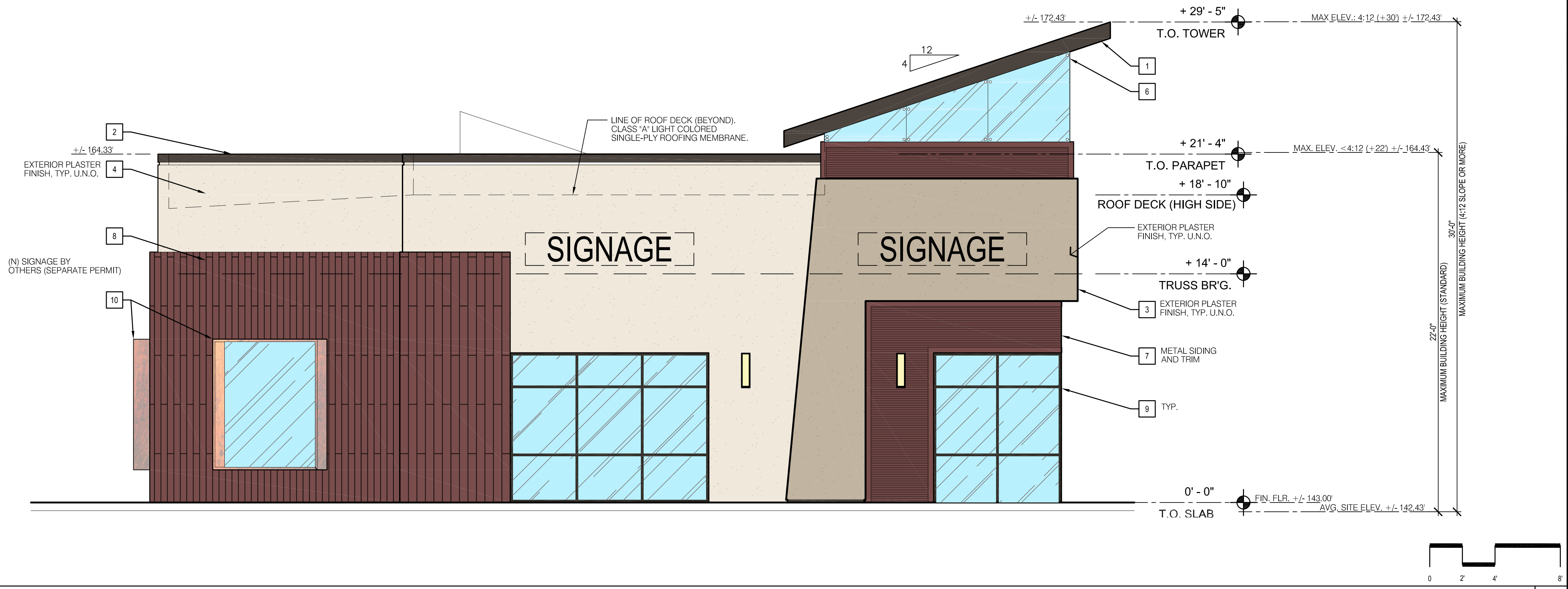
1039 MANHATTAN BEACH BLVD.

AVERAGE SITE ELEVATIONS

N.E. CORNER = 143.73'
 S.E. CORNER = 144.69'
 N.W. CORNER = 140.79'
 S.W. CORNER (AVG. OF 140.40' / 140.60') = 140.50'

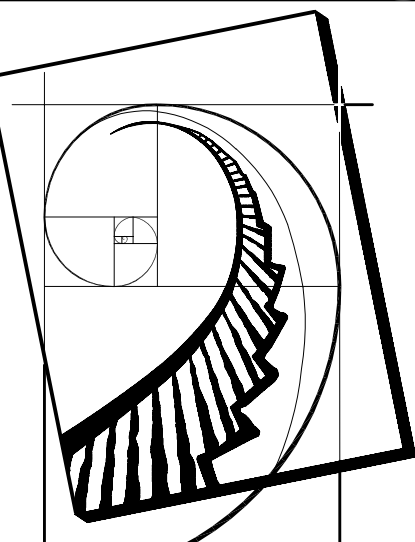
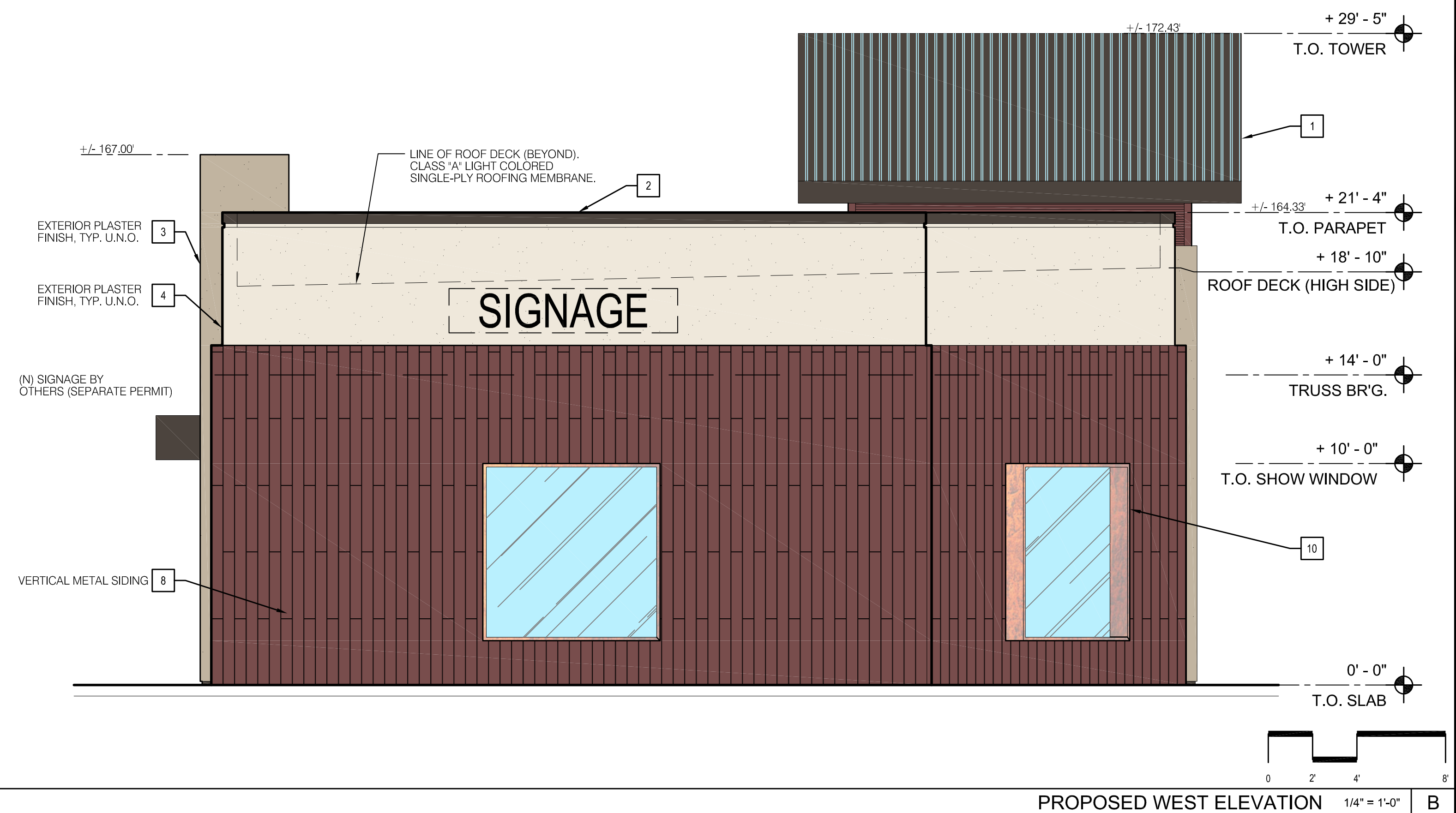
TOTAL CORNER ELEVATION = 569.71' / 4
 AVERAGE SITE ELEVATION = 142.43'

MAXIMUM ELEVATION / FLAT ROOF = 142.43' + 22'-0" = 164.43'
 MAXIMUM ELEVATION 4:12 ROOF = 142.43' + 30'-0" = 172.43'



SYMBOL	AREA	MANUFACTURER	COLOR	ALTERNATE MFR.	REMARKS
1	METAL ROOFING, FASCIA, TRIM	WESTERN STATES METAL ROOFING	WESTERN RIB 7.2 PANELS INTEGRAL COLOR, DARK BRONZE	-	-
2	PARAPET CAP, TRIM	BENJAMIN MOORE	PAINT BM #2134-10 NIGHT HORIZON	-	-
3	TOWER MAIN COLOR	DUNN EDWARDS	PAINT DE-6214 PIGEON GRAY	-	-
4	MAIN WALL COLOR	DUNN EDWARDS	PAINT DE-6176 CREAMY CAMEO	-	-
5	CANOPY CLADDING	PAC CLAD METAL PANEL SYSTEMS	MODULAR AL PANELS, RUNNING BOND DARK BRONZE	-	-
6	UPPER TOWER GLAZING ENVELOPE	OLDCASTLE BUILDING	SPANDREL GLAZING BACKLIT	-	-
7	HORIZONTAL METAL SIDING	PAC CLAD METAL PANEL SYSTEMS	BOX RIB WALL PANELS, HORIZONTAL PAINT DUNN EDWARDS: DEC-705, BURNT CRIMSON	-	-
8	VERTICAL METAL SIDING	WESTERN STATES METAL ROOFING	NARROW GROOVE, BOARD STYLE, METAL WALL PANELS PAINT DUNN EDWARDS: DEC-705, BURNT CRIMSON	-	-
9	STOREFRONT ENVELOPE	OLDCASTLE BUILDING	SERIES 3000 XT DARK BRONZE FRAME	-	-
10	SHOW WINDOW SURROUND	WESTERN STATES METAL ROOFING	T-GROOVE PANELS WEATHERED RUSTIC	-	-

PRELIMINARY PAINT SCHEDULE 1/4" = 1'-0" C



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RECORD DATES

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 BLDG. SUBMITTAL -
 BID SET -
 CONTRACT SET -

REVISIONS

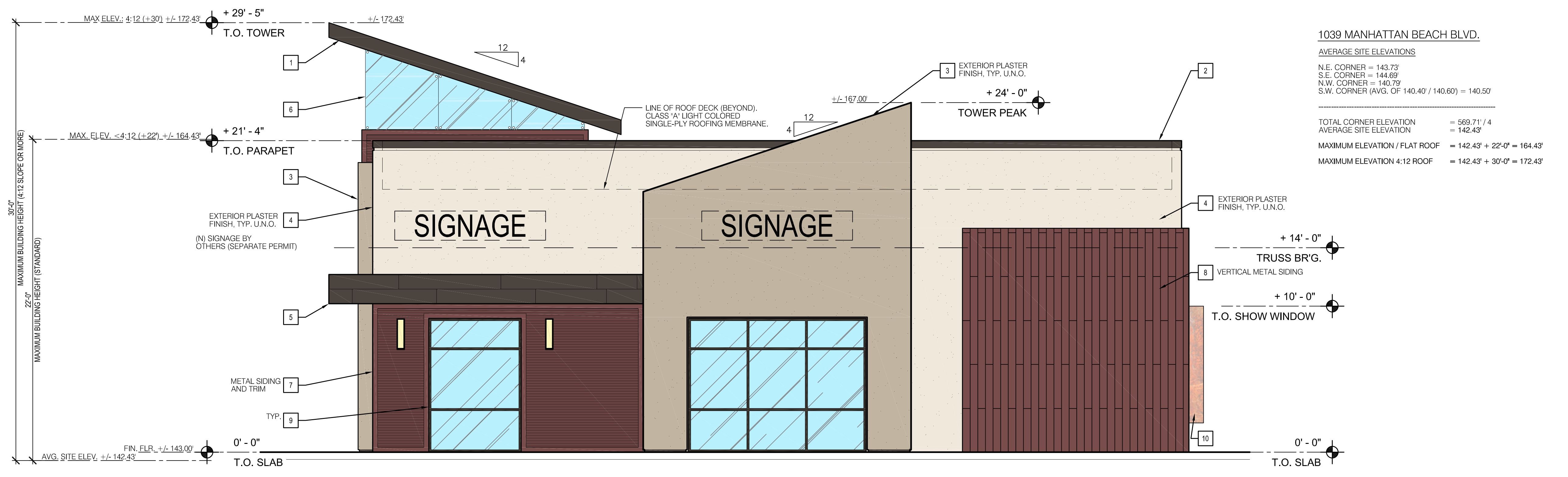
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 APN #4170-007-025, 026

CUSTOM SHELL

PROPOSED EXTERIOR ELEVATIONS
DD4.0

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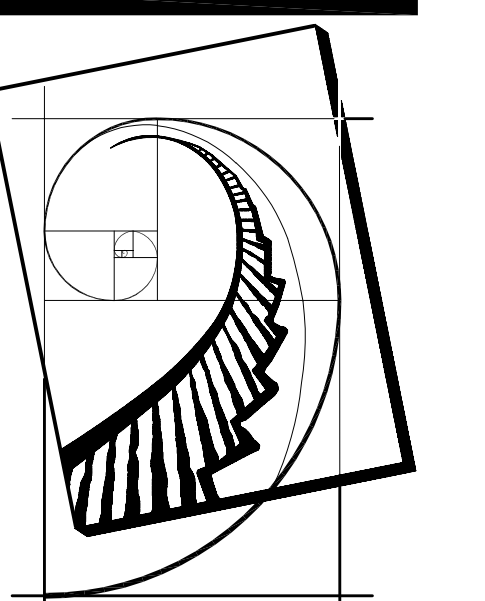


PROPOSED NORTH ELEVATION 1/4" = 1'-0" A



PROPOSED EAST ELEVATION 1/4" = 1'-0" B

NOT USED - C



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PROPOSED
 EXTERIOR ELEVATIONS
DD4.1