



# Staff Report

## City of Manhattan Beach

**TO:** Honorable Mayor Fahey and Members of the City Council

**THROUGH:** Geoff Dolan, City Manager

**FROM:** Richard Thompson, Director of Community Development  
Rosemary Lackow, Senior Planner

**DATE:** November 15, 2005

**SUBJECT:** Consideration of Planning Commission Approval of a Use Permit and Vesting Tentative Parcel Map No. 063242 to Allow Construction of 4 Condominium Units for the Property Located at 623 Aviation Way

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**RECOMMENDATION:**

Staff recommends that the City Council **RECEIVE and FILE** this report.

**FISCAL IMPLICATION:**

There are no fiscal implications associated with the recommended action.

**BACKGROUND:**

On October 26, 2005 the Planning Commission conducted a public hearing and adopted Resolution PC 05-15 (5-0 vote), approving a Use Permit and Vesting Tentative Parcel Map No. 063242 for a four-unit condominium project at 623 Aviation Way.

The subject property is zoned CL (Local Commercial) and is located in Area District I. The site is one of four properties on the west side of Aviation Way, a two-block street that forms the boundary with Redondo Beach east of Aviation Boulevard. These four properties were re-classified Local Commercial from General Commercial during the recent General Plan Update. They may have originally been zoned General Commercial due to their proximity to two major thoroughfares, Artesia and Aviation Boulevards, and the fact that their uses are split between commercial and residential.

The change to Local Commercial allows for development of either residential or neighborhood serving commercial uses, or mixed use (combination of both). Under the Local Commercial zoning, a Use Permit is required for all residential projects and this gives the Planning Commission the opportunity to review whether a residential use will be compatible with the surrounding neighborhood. Prior to filing his Use Permit application, the developer worked with Staff in considering various types of projects, including a mixed-use project as well as the subject condominium use. It was determined that the development of residential units would be

more appropriate, due to the relatively small size of the site and orientation of the site away from nearby major thoroughfares commercial streets (Artesia and Aviations Boulevards) that are more suitable for commercial uses.

**DISCUSSION:**

Prior to the public hearing Staff reviewed the project with two neighbors who had general inquiries and concerns regarding the project. No objections were expressed to the Planning Commission at or before the public hearing.

The Planning Commission approved the proposed residential condominium project based on the following findings:

1. The project location and condominium use is in accord with the objectives of the zoning code and the purposes of the Local Commercial zone in that the existing lots nearest the site on Aviation Way are developed individually, and trend toward a residential use. In addition, this particular lot lacks frontage and visibility on a main street such as Aviation Boulevard, and therefore a commercial use is not viable for the site.
  
2. The project and future operation will be consistent with the General Plan and in particular, the following polices or goals:  
  
Goal LU-4 in that the residential features of the neighborhood which includes similar multi-family development.  
  
Goal LU-5 in that the proposed use will protect the surrounding properties from the intrusion of inappropriate and incompatible uses.  
  
Goal LU-6-4 in that the proposed condominium use recognizes the unique lot and use patterns in the larger surrounding neighborhood between Artesia Boulevard to the terminus of Aviation Way, being a mixed-use area. The residential use will balance the needs of both the commercial and residential uses.  
  
Policy 4-1 of the Housing Element which seeks to works with developers to identify opportunities for residential development.
  
3. The project will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City, in that the project will be in compliance with all applicable building regulations, including RH (High Density Residential) provisions of the zoning code.
  
4. The proposed use will not adversely impact nor be adversely impacted by nearby properties. The project will meet all applicable building setbacks, which are equivalent to those applicable in low density residential districts. There will be a net increase of three units on this site, however, this is not expected to result in a significant impacts such as (but not restricted to) traffic, noise, odors, or personal safety. The project will represent a significant investment in the area and will not

create demands that would exceed the capacity of public services and facilities which cannot be mitigated such as (but not limited to) police, fire, and roadway maintenance.

The Planning Commission imposed several conditions on the project. Conditions 4 and 5 in particular will mitigate traffic impacts that might occur while the site is under construction by restricting the storage of building materials within the Aviation Way roadway and prohibiting construction vehicles from using narrow local residential streets east of Aviation Way.

**ALTERNATIVES:**

The alternative to the staff recommendation includes:

1. Remove this item from the “Consent Calendar” portion of the agenda, and appeal the Planning Commission’s approval.

- Attachments:
- A. Resolution PC 05-15
  - B. PC minutes 10-26-05
  - C. Staff Report to PC 10-12-05 (some attachments NAE)
  - D. Plans (folded)

NAE – not available electronically

cc: Applicant

## RESOLUTION NO. PC 05-15

### RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT AND VESTING TENTATIVE PARCEL MAP NO. 063242 TO ALLOW DEMOLITION OF AN EXISTING SINGLE FAMILY RESIDENCE AND CONSTRUCTION OF A 4 UNIT ATTACHED RESIDENTIAL CONDOMINIUM PROJECT LOCATED AT 623 AVIATION WAY, (RICH HOMES INC)

#### 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 October 26, 2005, received testimony, and considered an application for a Use Permit and Vesting Tentative Parcel Map No. 063242 for a proposed 4-unit condominium project on the property legally described as Lot 2, Block 103, Redondo Villa Tract "B" located at 623 Aviation Way in the City of Manhattan Beach.
- B. The applicant and owner of the subject project is Rich Homes Inc.
- C. The subject site is currently developed with a single family home that will be demolished.
- D. A Use Permit is required for the project in accordance with the following sections of the Manhattan Beach Municipal Code: Section 10.12.020 (B) because it is a multi-family project with four or more dwelling units, and Section 10.16.020, because it is a residential development in a CL (Local Commercial) zone.
- E. The project is Categorically Exempt (Class 3, Section 15303 b) from the requirements of the California Environmental Quality Act (CEQA).
- F. 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.
- G. The property is located within Area District I and is zoned CL, Local Commercial and designated Local Commercial in the General Plan. The surrounding private land uses consist of single family and multi-family residential uses as well as small offices. The Zoning Ordinance and General Plan both permit residential uses consistent with high density development standards, subject to discretionary review, for properties zoned/classified as Local Commercial.

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- H. The proposed condominium project would be contained in one building. Units A and D will contain 2,009 square feet of living area and Units B and C will contain 1,946 square feet of living area. The project will provide on-site parking and open space consistent with zoning requirements and in all respects will be in conformity with applicable development standards.
- I. Based upon State law and MBMC Section 10.84.0606, relating to the use permit application for the proposed 4-unit condominium, the following findings are hereby made:
1. The subject location and multi-family condominium use is in accord with the objectives of the zoning code and the purposes of the CL district in that the existing pattern of lots in the 600 block of Aviation Way are developed individually, and trend toward a residential use. The CL zone provides that residential uses may be developed pursuant to high density standards.
  2. The subject project and future operation will be consistent with the General Plan which designates the site as Local Commercial. In addition, the project will be consistent with the following General Plan polices or goals:

Goal LU-4 which seeks to preserve the features of each community neighborhood, and develop solutions tailored to each neighborhood's unique characteristics.

Goal LU-5 which seeks to protect neighborhoods from the intrusion of inappropriate and incompatible uses.

Goal LU-6-4 which seeks to recognize the unique qualities of mixed-use areas and balance the needs of both the commercial and residential uses.

Policy 4-1 of the Housing Element which seeks to works with developers to identify opportunities for residential development.
  3. The project will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City, in that the project will be in compliance with all applicable zoning and building regulations.
  4. The proposed use will comply with the applicable RH (High Density Residential) provisions of the zoning code.
  5. The proposed use will not adversely impact nor be adversely impacted by nearby properties. The project will meet all applicable building setbacks, which are

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equivalent to those applicable in low density residential districts. There will be a net increase of three units on this site, however, this is not expected to result in a significant impacts such as (but not restricted to) traffic, noise, odors, or personal safety. Construction traffic will be prohibited from using narrow residential streets to the south in the City of Redondo Beach. The project will represent a significant investment in the area and will not create demands that would exceed the capacity of public services and facilities which cannot be mitigated such as (but not limited to) police, fire, and roadway maintenance.

- J. In accordance with MBMC Section 11.24.020, Subdivision Vesting Tentative Maps, the vesting map is consistent with the General Plan, the Zoning Ordinance (Title 10) and any other applicable provisions of the Municipal Code in effect at the time the map is approved or conditionally approved, as detailed above.

**SECTION 2.** The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Use Permit and Vesting Tentative Parcel Map applications subject to the following conditions.

### **Parcel Map/Survey Conditions**

1. A Civil Engineer or Land Surveyor licensed in the State of California shall perform a survey suitable for purposes of recordation, including permanent monumentation of all property corners and the establishment or certification of centerline ties at the intersections of:
  - a. Aviation Way and Mathews Avenue
  - b. Aviation Way and Nelson Avenue
2. Final Parcel Map No. 063242 shall be submitted for City approval and recorded by the Los Angeles County Records Office prior to the issuance of a condominium “certificate of occupancy”. The map shall bear the following certificates for City signature: Director of Finance, City Engineer, Planning Commission and City Clerk.

### **Site preparation/ Construction**

3. The project shall be in substantial conformance with the plans approved by the Planning Commission on October 26, 2005. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
4. The applicant’s contractor will not be permitted to store building materials within the roadway of Aviation Way. No construction related vehicles or dumpsters shall be parked

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in the public right-of-way without obtaining prior approval from the Community Development Department.

5. A Traffic Management and Construction Plan shall be submitted in conjunction with the building plans, to be approved by the Police, Public Works and Community Development Departments prior to issuance of building permits. The plan shall provide for the management of all construction traffic during all phases of construction, including delivery of materials and parking of construction related vehicles. Vehicles blocking neighbors' driveways without written authorization, and overnight storage of materials in the roadway shall be prohibited. This plan may also regulate and limit the hours of construction deliveries on weekend mornings where such activities including driving, parking and loading/unloading in areas adjacent to residential uses. In addition, the one-way residential streets located to the east in the City of Redondo Beach (Nelson Avenue and Mathews Avenue) shall be prohibited for all construction related vehicles.
6. No discharge of construction wastewater, building materials, debris, or sediment from the site is permitted.
7. Public improvements including but not limited to construction of standard curb and gutter and sidewalk shall be required as determined by the Director of Public Works for the entire length of the subject site. Submitted plans must have a profile of the project driveway, % of slope on driveway, and driveway elevations.
8. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility pole(s) 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. Any utility pole relocation must be resolved before a building permit is issued.
9. Each condominium unit shall have separate water and sewer laterals as approved by the Director of Public Works, and the sewer lines shall feed into a common sanitary sewer lateral where connecting to the City main. The lateral pipe installation shall conform to U.B.C. 717.0 using Table 7-8. A property line cleanout must be installed on each sanitary sewer lateral. See City Standard Plan ST-5. Cleanout must be added to the plumbing plan. Any unused water lines or sanitary laterals must be shown on the plans and abandoned at the City main line.
10. A backwater valve is required on the sanitary sewer lateral if the discharges from fixtures with flood level rims that are located below the next upstream manhole cover of the public sewer. See City Standard Plan ST-24. This must be shown on plans if applicable.

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11. If an existing sewer lateral is used, it must be videotaped to check its structural integrity. The tape must be made available for review by the Public Works Department. The Public Works Department will review the tape and determine at that time if the sanitary lateral needs repairing replaced, or that it is structurally sound and can be used in its present condition.
12. Erosion and sediment control devices BMPs (Best Management Practices) must be implemented around the construction site to prevent discharges to the street and adjacent properties. BMPs must be identified and shown on the plan. Control measures must also be taken to prevent street surface water entering the site.
13. All storm water, nuisance water, etc., drain lines installed within the street right-of-way must be constructed of ductile iron pipe. Drains, including the sump pump must be shown on the plans submitted for building permit approval.
14. All landscaping irrigation must meet current City requirements for proper installation. Approved landscape areas must be planted and irrigation system must be operational prior to certificate of occupancy.
15. The water meter box must be purchased from the City, and must have a metal lid if the box is located in the driveway.
16. To mitigate potential problems with the proposed “guest” parking spaces, which are located in front of the enclosed parking spaces, roll-up doors shall be provided.
17. All trash areas shall be enclosed, have a roof, built in such a manner that stormwater will not enter, and a drain installed that empties into the sanitary sewer system. Floor drain or similar traps directly connected to the drainage system shall be provided with an approved automatic means of maintaining their water seals. See 1007.0 Trap Seal Protection in the Uniform Plumbing Code. Contact the City's refuse contractor for sizing of the enclosure. Drawing of the trash enclosure must be on the approved plans, and must be approved by the Public Works Department before a permit is issued. See Standard Plan ST-25.
18. During the demolition and construction phases of development, a daily clean-up program for the site shall occur, including the pick-up of all debris (utilizing an approved trash dumpster) at day's end and the sweeping and continued watering down of the site to assist in mitigating the movement of dirt and dust upon adjoining properties.
19. There shall be no intrusions into any of the proposed parking spaces. This includes, but not limited to, any utility and plumbing fixtures.



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20. All Residential Condominium Standards per Municipal Code Section 10.52.110 shall be imposed, and considered as part of this Resolution.
21. Flat roof surfaces shall have pea gravel or comparable textured treatments.
22. All proposed side and rear property line retaining walls should not exceed a maximum height of 6' as measured from the adjacent lowest finished grade. If required for safety reasons, an open guardrail may be placed above the retaining wall, which shall not exceed a height of 36". Fences/walls within the front yard setback, including required guardrail/handrail, shall not exceed 42" as measured from the lowest adjacent finished grade.

### **Building Division**

23. The proposed condominium project shall conform fully with the 2001 California Building Code, Plumbing Code, Mechanical Code, Electrical Code and City of Manhattan Beach Building Amendments.
24. The maximum driveway slope shall not exceed 15%. A driveway profile shall be provided on plans submitted for building permit approval.
25. Utilities shall pass only through common use areas. No plumbing shall be permitted in "party walls."
26. The project shall comply with Senate Bill 1025 relating to disabled access requirements specifically for town homes, pursuant to the latest interpretation promulgated by the State Department of Housing and Community Development.

### **Fire Department**

27. A sprinkler system shall be provided fully for all condominium units, including any "carport" overhangs.
28. Any proposed fire check valves must be screened within the proposed building subject to the approval of the Fire and Community Development Departments.

### **Landscaping/Irrigation**

29. A site landscaping plan shall be submitted for review and approval concurrent with the building permit application. The Latin and common names shall identify all plants on the plan. 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

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by a licensed landscape designer/architect, as required by state law. This plan shall be reviewed and approved by the Public Works and Community Development Departments. The plan shall provide for landscaping, including ground cover, shrubs (both rear and front yards) and a minimum of two trees (minimum 36-inch box size) within the front yard. The plan shall provide for certain outdoor living amenities in the rear yard for the units, including but not necessarily limited to a patio area with barbecue and tables.

30. A low pressure or drip irrigation system shall be installed in landscaped areas. Details of the irrigation system shall be noted on the landscape plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments.

### **Traffic/Circulation/Parking**

31. The installation of a security gate at the entry area of the driveway is prohibited.
32. A door bell/intercom system shall be provided at the exterior guest parking spaces to assist guest tenants with better access to each unit from the guest parking/driveway area directly into the units.

### **Standard/Procedural**

33. The applicant will be required to eliminate any Congestion Management Plan (CMP) debits created by this project prior to “certificate of occupancy”.
34. The Use Permit shall lapse three years after its date of approval, consistent with the lapsing period for the accompanying parcel map, unless implemented or extended pursuant to Section 10.84.090 of the Municipal Code.
35. Vesting Tentative Parcel Map No. 063242 shall be approved for an initial period of 3 years with the option of future extensions.
36. Any questions of intent or interpretation of any conditions will be resolved by the Planning Commission.
37. The Community Development Staff shall be permitted to inspect the site and the development during construction subject to 24-hour advance notice.
38. These terms and conditions shall be perpetual, and it is the intention of the Director of Community Development and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
39. Effective Date. Unless appealed to the City Council, the subject Use Permit and Vesting

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Tentative Parcel Map No. 063242 shall become effective after expiration of the time limits established by Manhattan Beach Municipal Code Section 10.84.090 (A).

- 40. 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 requiring filing fees are paid.
- 41. The applicant agrees, as a condition of approval of this project, to pay all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal action 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 Department of Community Development shall send a 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 October 26, 2005 and that said Resolution was adopted by the following vote:

**AYES:** Bohner, Lesser, Schlager, Simon  
and Chairperson Savikas  
**NOES:** None  
**ABSTAIN:** None  
**ABSENT:** None

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**Richard Thompson**  
Secretary to the Planning Commission

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**Sarah Boeschen**

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Recording Secretary

RL: H/usepermits/623\_Aviation\_ResoPC05-15

**D R A F T      CITY OF MANHATTAN BEACH      D R A F T**  
**MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION**  
**OCTOBER 26, 2005**

1 A regular meeting of the Planning Commission of the City of Manhattan Beach was held on  
2 Wednesday, October 26, 2005, at 6:30 p.m. in the City Council Chambers, City Hall, 1400  
3 Highland Avenue.

4  
5 **ROLL CALL**

6  
7 Chairperson Savikas called the meeting to order.

8  
9 Members Present:            Bohner, Lesser, Schlager, Simon, Chairperson Savikas  
10 Members Absent:            None  
11 Staff:                         Richard Thompson, Director of Community Development  
12                                 Laurie Jester, Senior Planner  
13                                 Rosemary Lackow, Senior Planner  
14                                 Eric Haaland, Associate Planner  
15                                 Sarah Boeschen, Recording Secretary  
16

17 **APPROVAL OF MINUTES**            October 12, 2005

18  
19 A motion was MADE and SECONDED (Lesser/Schlager) to **APPROVE** the minutes of  
20 October 12, 2005.

21  
22 AYES:            Bohner, Lesser, Schlager, Simon  
23 NOES:            None  
24 ABSENT:        None  
25 ABSTAIN:       Chairperson Savikas  
26

27 **AUDIENCE PARTICIPATION**    None

28  
29 **BUSINESS ITEMS**

30  
31 **PUBLIC HEARINGS**

32  
33 **05/1026.1      Use Permit and Vesting Tentative Parcel Map 063242 to Allow Construction**  
34 **of Four Residential Condominium Units at 623 Aviation Way (Rich Homes,**  
35 **Inc.)**  
36

37 Senior Planner Lackow summarized the staff report. She indicated that the subject area was  
38 redesignated by the General Plan from general commercial to local commercial, which allows  
39 residential as well as commercial uses. She stated that staff is supportive of a residential use as  
40 opposed to a mixed or commercial use for the site. She commented that it is required to have a

1 Use Permit because of the proposed number of condominium units. She stated that the project  
2 meets the Code in all respects; is consistent with the General Plan; and will be compatible with  
3 the neighborhood. She stated that staff is recommending a condition that a traffic management  
4 construction plan be implemented which includes a requirement for construction trucks to use  
5 main streets like Aviation and Artesia and not non-residential streets, to access the construction  
6 site. She said that there is also a condition included that public street improvements (curb/gutter  
7 and sidewalk) be constructed on Aviation Way adjacent to the subject property. She commented  
8 that there is also a condition included that a security gate not be installed along the property  
9 because of a concern that a gate would block access to the required guest parking spaces.

10  
11 In response to a question from Commissioner Bohner, Ms. Lackow indicated that staff received  
12 two calls regarding the project. She stated that one call was from an adjoining owner who  
13 needed clarification about the location of his side property line that is common with the project  
14 site. She indicated that the other call was an owner of a neighboring condominium unit in  
15 Redondo Beach who had a concern regarding the number of units that would be developed. She  
16 said that she believes the majority of that neighbor's concerns were addressed after the actual  
17 number of dwelling units being proposed was clarified.

18  
19 Director Thompson commented that the developer considered and submitted options for mixed  
20 use at the request of staff. He indicated, however, that staff agrees that the proposed use for  
21 residential is the best option because of the size of the site and fact that this site does not have  
22 any frontage along Aviation Boulevard.

23  
24 Chairperson Savikas opened the public hearing.

25  
26 **Elizabeth Srouer**, representing the applicant, commented that the property is isolated from the  
27 main corridor and has no visibility in terms of commercial use. She indicated that the previous  
28 use for the site was high density, and it could accommodate a higher number of units that are  
29 proposed. She stated that the units are intended to be owner occupied, which results in the  
30 residents having a greater commitment to the neighborhood. She indicated that the proposal  
31 does comply with all standards, and the use is compatible with the neighborhood. She stated that  
32 the conditions are acceptable to the applicant including the traffic management plan and the  
33 improvements to the curb and gutter along the width of the property. She commented that there  
34 is a condition prohibiting construction vehicles from blocking the private driveways of the  
35 neighboring properties unless specific permission is given by the neighboring owner. She  
36 pointed out that there will be some use of the parking along the street by construction vehicles,  
37 which is common for projects and does not appear to be prohibited by the conditions. She stated  
38 that there is a condition that no materials be stored in the street.

39  
40 There being no other speakers, Chairperson Savikas closed the public hearing.

41  
42 Commissioner Bohner said that staff has made it clear that the proposal meets all zoning and  
43 other requirements, and he feels the residential units will fit in well with the area. He said that  
44 he is impressed that the applicant is agreeable to the requirements of staff and was willing to  
45 consider a mixed use with an office space. He said that he would support the proposal.

1  
2 Commissioner Lesser said that he agrees with the comments of Commissioner Bohner. He said  
3 that the project is consistent with the requirements of staff and appropriate for the area. He  
4 indicated that he is also pleased that the applicant has worked responsibly with staff.

5  
6 Commissioner Simon commented that he also agrees with the comments of the other  
7 Commissioners, and he is pleased that the density of the site would be reduced. He said that he  
8 has no problems making the necessary findings and supports the proposal.

9  
10 Commissioner Schlager stated that he also agrees with the comments of the other  
11 Commissioners.

12  
13 Chairperson Savikas said that she also supports the proposal.

14  
15 A motion was MADE and SECONDED (Schlager/Bohner) to **APPROVE** Use Permit and  
16 Vesting Tentative Parcel Map 063242 to allow construction of four residential condominium  
17 units at 623 Aviation Way with the conditions as outlined by staff

- 18  
19 AYES: Bohner, Lesser, Schlager, Simon, Chairperson Savikas  
20 NOES: None  
21 ABSENT: None  
22 ABSTAIN: None

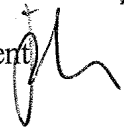
23  
24 Director Thompson explained the 15-day appeal period and stated that the item will be placed on  
25 the City Council's Consent Calendar for their review on November 15, 2005.


26  
27 **5/1026.2 Coastal Development Permit to Allow Construction of a Storm Drain Low**  
28 **Flow Diversion Under the Public Beach Between 27<sup>th</sup> Street and 28<sup>th</sup> Street**  
29 **(Los Angeles County Public Works Dept.)**

30  
31 Associate Planner Haaland summarized the staff report. He said that the proposal is to install  
32 250 feet of concrete pipe underneath the sand on the beach west of the existing bike path. He  
33 stated that the purpose is to connect the existing storm drain facility at 28<sup>th</sup> Street to the sewer  
34 system located south of 27<sup>th</sup> Street to improve water quality for storm water entering the ocean.  
35 He commented that the items that would be visible to the public after construction include  
36 manhole and vault covers with concrete slabs next to the bike path and a 6 foot tall metal control  
37 panel cabinet. He said that the current location proposed for the cabinet is in an open beach area,  
38

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

**TO:** Planning Commission

**FROM:** Richard Thompson, Director of Community Development 

**BY:** Alex Plascencia, Assistant Planner  
Rosemary Lackow, Senior Planner 

**DATE:** October 26, 2005

**SUBJECT:** Use Permit and Vesting Tentative Parcel Map No. 063242 to Allow Construction of 4 Residential Condominium Units at 623 Aviation Way (Rich Homes Inc.).

**RECOMMENDATION**

Staff recommends that the Planning Commission **CONDUCT** the public hearing, and subject to testimony, **ADOPT** the attached draft resolution **APPROVING** the subject application (Exhibit A).

**APPLICANT/OWNER**

Rich Homes Inc.  
311 Meadows Ave  
Manhattan Beach, CA 90266

**BACKGROUND**

The subject site is located at 623 Aviation Way in Area District I. It is zoned CL (Local Commercial) and is currently developed with a single family residence built in 1952. The applicant has submitted an application requesting approval of a Use Permit and Tentative Parcel Map to demolish the existing residence and construct a new building containing four condominium units. Section 10.12.020(B) of the Manhattan Beach Municipal Code requires a Use Permit for development of three or more condominium units and Section 10.16.020 requires a Use Permit for residential development in the CL zone. Pursuant to Section 11.12.020.C. the Planning Commission also has the authority to review and approve the associated subdivision map by which four new condominium parcels would be created.



**PROJECT OVERVIEW**

**LOCATION**

Address: 623 Aviation Way, west side of street, north of  
 Artesia Blvd., (Exhibit B, Site Location Map)  
 Legal Description: Lot 2, Block 103, Redondo Villa Tract "B"  
 Area District: I

**LAND USE**

General Plan: Local Commercial  
 Zoning: CL, Local Commercial  
 Neighboring Uses & Zoning  
 North: (CL) Local Commercial and Residential  
 South: (CL) Local Commercial (office)  
 East: (across Aviation Way) High Density Residential (Redondo Beach)  
 West: (CL) Mixed Use (offices and one home)

**PROJECT DETAILS**

Parcel Size: 7,500 sq. ft. (7,500 sq. ft. minimum required)

	<u>Allowed</u>	<u>Proposed</u>
Buildable Floor Area:	9,000 sf	7,910 sf
Residential Density:	7 units (1 unit/1000 sf lot area)	4 units (1 unit/1,865 sf lot area)

Building Height: 30 ft (3 story) 30 ft (3 story)

	<u>Required</u>	<u>Proposed</u>
Parking:	2 enclosed/unit 1 guest space/unit	2 enclosed/unit 1 guest space/unit

Driveway Access: N/A Aviation Way

	<u>Required</u>	<u>Proposed</u>
Building Setbacks:		
Front Yard	20'	20'
Side Yard (north)	5'	5'
Side Yard (south)	5'	5'
Rear Yard	25'	25'
Usable Open Space:	1,186 sq. ft.	1,250 square feet

## DISCUSSION

### *Overview*

The subject property is a 7,500 square foot lot (50' x 150') that fronts on Aviation Way (see Exhibit B). Aviation Way is a forty foot wide right-of-way that is located east of Aviation Boulevard. It is a relatively short street, two blocks long that is accessible from Artesia and that terminates just before its intersection with Ruhland Avenue to the north. The centerline of Aviation Way forms the boundary between Manhattan Beach and Redondo Beach. There is a mix of uses on both sides of Aviation Way including low and high density residential, small and moderate sized commercial (small accounting office, Auto Club) and one church.

The proposed units are attached in a single structure which has three levels, including two stories of living area which are located above grade. The first level is set below street grade and contains privately accessed garages which are served by a long driveway along the east side of the building. Therefore the project will appear as two stories from all sides except on the east side where the driveway is located.

The units will have 3-bedroom, 3-bathroom floor plans with living areas ranging in size from 1,946 square feet (Units B and C) to 2,009 square feet (Units A and D). Each unit will have 150 cubic feet of secured personal storage in each garage, tucked under the access stairs to the unit living areas. The proposed building is set back 20 feet from the front property line and 25 feet from the rear property line, forming traditional yards at both ends, as required by zoning regulations.

A total of 1,192 square feet of "usable open space" must be provided in the form of outdoor or unenclosed area on the ground, or on a balcony, deck, porch, or terrace designed and accessible for outdoor living, recreation, and pedestrian access or landscaping. The required amount for the project is an aggregate based on 15% of the living area of each unit. The required open space is provided in the large rear yard which will be designated as common area. All four units will have access to the rear common area. The 20-foot front yard setback will also provide landscaping and buffer the living areas from the public street, however this open area, per the code, cannot be counted in the amount of required "usable open space".

### *Parking*

Section 10.64.030 of the M.B.M.C. requires that three parking spaces be provided (two enclosed plus one exterior guest space) per unit. The project's parking design features lower level parking with two enclosed parking spaces per unit and one open guest parking space for each unit. Each guest space is located parallel to a roll-up garage door. This guest parking configuration has commonly been used. The roll-up doors are a convenience and will minimize pedestrian/vehicle conflicts in the parking areas.

### *Drainage*

As is common, rain gutters will be used to direct water to a collection point on-site and out to the street via an approved drainage system. Because the lowest level (garage) will be subterranean, the drainage system will include a sump pump. This device will be located under ground in the rear yard and will mechanically pump water up to and emptying out onto Aviation Way.

### *Land Use*

The subject property is one of four properties on the south side of Aviation Way that is zoned CL, Local Commercial. The block to the south, closer to Artesia Boulevard is zoned CG, General Commercial. The purpose of the CL district is to provide sites for neighborhood-oriented, small-scale businesses and services, but to also allow residential uses through a use permit subject to the RH (High Density Residential) development standards. Through the public hearing process, the appropriate use is reviewed and determined.

Staff inspected the site and surrounding area to see how residential development would fit into the neighborhood. In this short CL-zoned block, the property directly to the north, 617 Aviation Way, is developed with a home. The property abutting on the south, 627 Aviation Way, is an office use in an older but well maintained converted residential building. Across the street, in Redondo Beach the properties are mostly improved with multi-family residences, including at least one three-unit condominium project.

If all four CL zoned parcels on Aviation Way in Manhattan Beach were to be combined to make one property of approximately 32,860 square feet, Staff might recommend that a mixed-use development (commercial with residential) be approved. However, based on the existing pattern of lots fronting onto Aviation Way and the fact that they are developed as individual lots that are mostly residential, Staff believes that the proposed residential use will blend with the neighborhood and is appropriate. One adjoining CL parcel to the west has frontage on Aviation Boulevard and in this case, Staff believes that commercial development should continue along Aviation Boulevard because of that street character and large traffic volumes. Residential uses, on the other hand should be permitted for those lots adjacent to Aviation Way.

### *Required Findings*

In order to approve the subject application, four findings must be made. These findings are as follows:

1. The subject location and multi-family condominium use is in accord with the objectives of the zoning code and the purposes of the CL district in that the existing pattern of lots in the 600 block of Aviation Way are developed individually, and trend toward a residential use. The CL zone provides that residential uses may be developed pursuant to high density standards.

2. The subject project and future operation will be consistent with the General Plan which designates the site as Local Commercial. In addition, the project will be consistent with the following General Plan polices or goals:

Goal LU-4 which seeks to preserve the features of each community neighborhood, and develop solutions tailored to each neighborhood's unique characteristics.

Goal LU-5 which seeks to protect neighborhoods from the intrusion of inappropriate and incompatible uses.

Goal LU-6-4 which seeks to recognize the unique qualities of mixed-use areas and balance the needs of both the commercial and residential uses.

Policy 4-1 of the Housing Element which seeks to works with developers to identify opportunities for residential development.

3. The project will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City, in that the project will be in compliance with all applicable zoning and building regulations. .
4. The proposed use will comply with the applicable RH (High Density Residential) provisions of the zoning code.
5. The proposed use will not adversely impact nor be adversely impacted by nearby properties. The project will meet all applicable building setbacks, which are equivalent to those applicable in low density residential districts. There will be a net increase of three units on this site, however, this is not expected to result in a significant impacts such as (but not restricted to) traffic, noise, odors, or personal safety. Construction traffic in the immediate area will be regulated helping to mitigate impacts while the site in under construction. The project will represent a significant investment in the area and will not create demands that would exceed the capacity of public services and facilities which cannot be mitigated such as (but not limited to) police, fire, and roadway maintenance.

#### *Public Notice and Input*

Pursuant to legal requirements Staff mailed a notice of the project and public hearing to all owners of property within a 300 foot radius of the project (Exhibit C). Those notified included owners in the neighboring city of Redondo Beach. Staff received two phone calls. One adjoining owner in Manhattan Beach was concerned about possible physical encroachment on his property during construction. Another neighbor who lives across the street in Redondo Beach was generally concerned about construction and future impacts due to the fact that the number of units is being increased. In speaking with this caller, Staff learned that there was a misunderstanding about the number of units being proposed, and Staff believes that the caller's concerns about impacts have been allayed. Concerns remain regarding construction impacts. Staff has included condition number 5

in the Draft Resolution which requires a Traffic Management Plan during construction which includes a restriction prohibiting construction vehicles from exiting the site on the more narrow residential streets south of the project.

## **ENVIRONMENTAL DETERMINATION**

According to the California Environmental Quality Act (CEQA), as modified by the Manhattan Beach CEQA Guidelines (Section VI d. 4), use permits for residential condominium projects of four units or less, have been determined to be categorically exempt (Class 3 Categorical Exemption, Section 15303 d, Date CEQA Guidelines).

## **CONCLUSION**

The project is consistent with City's General Plan, Zoning Ordinance and Subdivision Map Act requirements and will be a compatible use that will blend with surrounding properties. In addition, the project meets all the condominium requirements and development standards of Title 10 (Zoning Ordinance). Attached is a draft resolution recommending approval of the Use Permit application and Vesting Tentative Parcel Map No.063242.

## **ALTERNATIVES**

Subject to further input in the public hearing the alternatives available to the Planning Commission, other than the recommendation include:

1. **APPROVE** the subject application and **ADOPT** the attached "draft" Resolution with revised and/or additional findings and conditions.
2. **DENY** the subject application based on appropriate findings.

### Attachments:

Exhibit A      Draft Resolution  
Exhibit B      Site Location Map/Aerial Photograph of Site  
Exhibit C      Public Notice  
Plans (folded)

cc:      Applicant c/o Srour and Associates

**RESOLUTION NO. PC 05-XX  
( D R A F T )**

**RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF MANHATTAN BEACH APPROVING A USE  
PERMIT AND VESTING TENTATIVE PARCEL MAP NO.  
063242 TO ALLOW DEMOLITION OF AN EXISTING  
SINGLE FAMILY RESIDENCE AND CONSTRUCTION OF  
A 4 UNIT ATTACHED RESIDENTIAL CONDOMINIUM  
PROJECT LOCATED AT 623 AVIATION WAY, (RICH  
HOMES INC)**

**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 October 26, 2005, received testimony, and considered an application for a Use Permit and Vesting Tentative Parcel Map No. 063242 for a proposed 4-unit condominium project on the property legally described as Lot 2, Block 103, Redondo Villa Tract "B" located at 623 Aviation Way in the City of Manhattan Beach.
- B. The applicant and owner of the subject project is Rich Homes Inc.
- C. The subject site is currently developed with a single family home that will be demolished.
- D. A Use Permit is required for the project in accordance with the following sections of the Manhattan Beach Municipal Code: Section 10.12.020 (B) because it is a multi-family project with four or more dwelling units, and Section 10.16.020, because it is a residential development in a CL (Local Commercial) zone.
- E. The project is Categorically Exempt (Class 3, Section 15303 b) from the requirements of the California Environmental Quality Act (CEQA).
- F. 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.
- G. The property is located within Area District I and is zoned CL, Local Commercial and designated Local Commercial in the General Plan. The surrounding private land uses consist of single family and multi-family residential uses as well as small offices. The Zoning Ordinance and General Plan both permit residential uses consistent with high density development standards, subject to discretionary review, for properties zoned/classified as Local Commercial.



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- H. The proposed condominium project would be contained in one building. Units A and D will contain 2,009 square feet of living area and Units B and C will contain 1,946 square feet of living area. The project will provide on-site parking and open space consistent with zoning requirements and in all respects will be in conformity with applicable development standards.
- I. Based upon State law and MBMC Section 10.84.0606, relating to the use permit application for the proposed 4-unit condominium, the following findings are hereby made:
1. The subject location and multi-family condominium use is in accord with the objectives of the zoning code and the purposes of the CL district in that the existing pattern of lots in the 600 block of Aviation Way are developed individually, and trend toward a residential use. The CL zone provides that residential uses may be developed pursuant to high density standards.
  2. The subject project and future operation will be consistent with the General Plan which designates the site as Local Commercial. In addition, the project will be consistent with the following General Plan polices or goals:

Goal LU-4 which seeks to preserve the features of each community neighborhood, and develop solutions tailored to each neighborhood's unique characteristics.

Goal LU-5 which seeks to protect neighborhoods from the intrusion of inappropriate and incompatible uses.

Goal LU-6-4 which seeks to recognize the unique qualities of mixed-use areas and balance the needs of both the commercial and residential uses.

Policy 4-1 of the Housing Element which seeks to works with developers to identify opportunities for residential development.
  3. The project will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City, in that the project will be in compliance with all applicable zoning and building regulations.
  4. The proposed use will comply with the applicable RH (High Density Residential) provisions of the zoning code.
  5. The proposed use will not adversely impact nor be adversely impacted by nearby properties. The project will meet all applicable building setbacks, which are equivalent to those applicable in low density residential districts. There will be a

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net increase of three units on this site, however, this is not expected to result in a significant impacts such as (but not restricted to) traffic, noise, odors, or personal safety. Construction traffic will be prohibited from using narrow residential streets to the south in the City of Redondo Beach. The project will represent a significant investment in the area and will not create demands that would exceed the capacity of public services and facilities which cannot be mitigated such as (but not limited to) police, fire, and roadway maintenance.

- J. In accordance with MBMC Section 11.24.020, Subdivision Vesting Tentative Maps, the vesting map is consistent with the General Plan, the Zoning Ordinance (Title 10) and any other applicable provisions of the Municipal Code in effect at the time the map is approved or conditionally approved, as detailed above.

**SECTION 2.** The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Use Permit and Vesting Tentative Parcel Map applications subject to the following conditions.

### **Parcel Map/Survey Conditions**

1. A Civil Engineer or Land Surveyor licensed in the State of California shall perform a survey suitable for purposes of recordation, including permanent monumentation of all property corners and the establishment or certification of centerline ties at the intersections of:
  - a. Aviation Way and Mathews Avenue
  - b. Aviation Way and Nelson Avenue
2. Final Parcel Map No. 063242 shall be submitted for City approval and recorded by the Los Angeles County Recorders Office prior to the issuance of a condominium "certificate of occupancy". The map shall bear the following certificates for City signature: Director of Finance, City Engineer, Planning Commission and City Clerk.

### **Site preparation/ Construction**

3. The project shall be in substantial conformance with the plans approved by the Planning Commission on October 26, 2005. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
4. The applicant's contractor will not be permitted to store building materials within the roadway of Aviation Way. No construction related vehicles or dumpsters shall be parked in the public right-of-way without obtaining prior approval from the Community Development Department.



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5. A Traffic Management and Construction Plan shall be submitted in conjunction with the building plans, to be approved by the Police, Public Works and Community Development Departments prior to issuance of building permits. The plan shall provide for the management of all construction traffic during all phases of construction, including delivery of materials and parking of construction related vehicles. Vehicles blocking neighbors' driveways without written authorization, and overnight storage of materials in the roadway shall be prohibited. This plan may also regulate and limit the hours of construction deliveries on weekend mornings where such activities including driving, parking and loading/unloading in areas adjacent to residential uses. In addition, residential streets located to the south in the City of Redondo Beach (Mathews Avenue) shall be prohibited for all construction related vehicles.
6. No discharge of construction wastewater, building materials, debris, or sediment from the site is permitted.
7. Public improvements including but not limited to construction of standard curb and gutter and sidewalk shall be required as determined by the Director of Public Works. Submitted plans must have a profile of the project driveway, % of slope on driveway, and driveway elevations.
8. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility pole(s) 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. Any utility pole relocation must be resolved before a building permit is issued.
9. Each condominium unit shall have separate water and sewer laterals as approved by the Director of Public Works, and the sewer lines shall feed into a common sanitary sewer lateral where connecting to the City main. The lateral pipe installation shall conform to U.B.C. 717.0 using Table 7-8. A property line cleanout must be installed on each sanitary sewer lateral. See City Standard Plan ST-5. Cleanout must be added to the plumbing plan. Any unused water lines or sanitary laterals must be shown on the plans and abandoned at the City main line.
10. A backwater valve is required on the sanitary sewer lateral if the discharges from fixtures with flood level rims that are located below the next upstream manhole cover of the public sewer. See City Standard Plan ST-24. This must be shown on plans if applicable.
11. If an existing sewer lateral is used, it must be videotaped to check its structural integrity. The tape must be made available for review by the Public Works Department. The Public

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Works Department will review the tape and determine at that time if the sanitary lateral needs repairing replaced, or that it is structurally sound and can be used in its present condition.

12. Erosion and sediment control devices BMPs (Best Management Practices) must be implemented around the construction site to prevent discharges to the street and adjacent properties. BMPs must be identified and shown on the plan. Control measures must also be taken to prevent street surface water entering the site.
13. All storm water, nuisance water, etc., drain lines installed within the street right-of-way must be constructed of ductile iron pipe. Drains, including the sump pump must be shown on the plans submitted for building permit approval.
14. All landscaping irrigation must meet current City requirements for proper installation. Approved landscape areas must be planted and irrigation system must be operational prior to certificate of occupancy.
15. The water meter box must be purchased from the City, and must have a metal lid if the box is located in the driveway.
16. To mitigate potential problems with the proposed "guest" parking spaces, which are located in front of the enclosed parking spaces, roll-up doors shall be provided.
17. All trash areas shall be enclosed, have a roof, built in such a manner that stormwater will not enter, and a drain installed that empties into the sanitary sewer system. Floor drain or similar traps directly connected to the drainage system shall be provided with an approved automatic means of maintaining their water seals. See 1007.0 Trap Seal Protection in the Uniform Plumbing Code. Contact the City's refuse contractor for sizing of the enclosure. Drawing of the trash enclosure must be on the approved plans, and must be approved by the Public Works Department before a permit is issued. See Standard Plan ST-25.
18. During the demolition and construction phases of development, a daily clean-up program for the site shall occur, including the pick-up of all debris (utilizing an approved trash dumpster) at day's end and the sweeping and continued watering down of the site to assist in mitigating the movement of dirt and dust upon adjoining properties.
19. There shall be no intrusions into any of the proposed parking spaces. This includes, but not limited to, any utility and plumbing fixtures.
20. All Residential Condominium Standards per Municipal Code Section 10.52.110 shall be imposed, and considered as part of this Resolution.

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21. Flat roof surfaces shall have pea gravel or comparable textured treatments.
22. All proposed side and rear property line retaining walls should not exceed a maximum height of 6' as measured from the adjacent lowest finished grade. If required for safety reasons, an open guardrail may be placed above the retaining wall, which shall not exceed a height of 36". Fences/walls within the front yard setback, including required guardrail/handrail, shall not exceed 42" as measured from the lowest adjacent finished grade.

### **Building Division**

23. The proposed condominium project shall conform fully with the 2001 California Building Code, Plumbing Code, Mechanical Code, Electrical Code and City of Manhattan Beach Building Amendments.
24. The maximum driveway slope shall not exceed 15%. A driveway profile shall be provided on plans submitted for building permit approval.
25. Utilities shall pass only through common use areas. No plumbing shall be permitted in "party walls."
26. The project shall comply with Senate Bill 1025 relating to disabled access requirements specifically for town homes, pursuant to the latest interpretation promulgated by the State Department of Housing and Community Development.

### **Fire Department**

27. A sprinkler system shall be provided fully for all condominium units, including any "carport" overhangs.
28. Any proposed fire check valves must be screened within the proposed building subject to the approval of the Fire and Community Development Departments.

### **Landscaping/Irrigation**

29. A site landscaping plan shall be submitted for review and approval concurrent with the building permit application. The Latin and common names shall identify all plants on the plan. 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 designer/architect, as required by state law. This plan shall be reviewed and approved by the Public Works and Community Development Departments.

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The plan shall provide for landscaping, including ground cover, shrubs (both rear and front yards) and a minimum of two trees (minimum 36-inch box size) within the front yard. The plan shall provide for certain outdoor living amenities in the rear yard for the units, including but not necessarily limited to a patio area with barbecue and tables.

30. A low pressure or drip irrigation system shall be installed in landscaped areas. Details of the irrigation system shall be noted on the landscape plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments.

### **Traffic/Circulation/Parking**

31. The installation of a security gate at the entry area of the driveway is prohibited.
32. A door bell/intercom system shall be provided at the exterior guest parking spaces to assist guest tenants with better access to each unit from the guest parking/driveway area directly into the units.

### **Standard/Procedural**

33. The applicant will be required to eliminate any Congestion Management Plan (CMP) debits created by this project prior to "certificate of occupancy".
34. The Use Permit shall lapse three years after its date of approval, consistent with the lapsing period for the accompanying parcel map, unless implemented or extended pursuant to Section 10.84.090 of the Municipal Code.
35. Vesting Tentative Parcel Map No. 063242 shall be approved for an initial period of 3 years with the option of future extensions.
36. Any questions of intent or interpretation of any conditions will be resolved by the Planning Commission.
37. The Community Development Staff shall be permitted to inspect the site and the development during construction subject to 24-hour advance notice.
38. These terms and conditions shall be perpetual, and it is the intention of the Director of Community Development and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
39. Effective Date. Unless appealed to the City Council, the subject Use Permit and Vesting Tentative Parcel Map No. 063242 shall become effective after expiration of the time limits established by Manhattan Beach Municipal Code Section 10.84.090 (A).

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40. 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 requiring filing fees are paid.
41. The applicant agrees, as a condition of approval of this project, to pay all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal action 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 Department of Community Development shall send a 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 October 26, 2005 and that said Resolution was adopted by the following vote:

**AYES:**  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

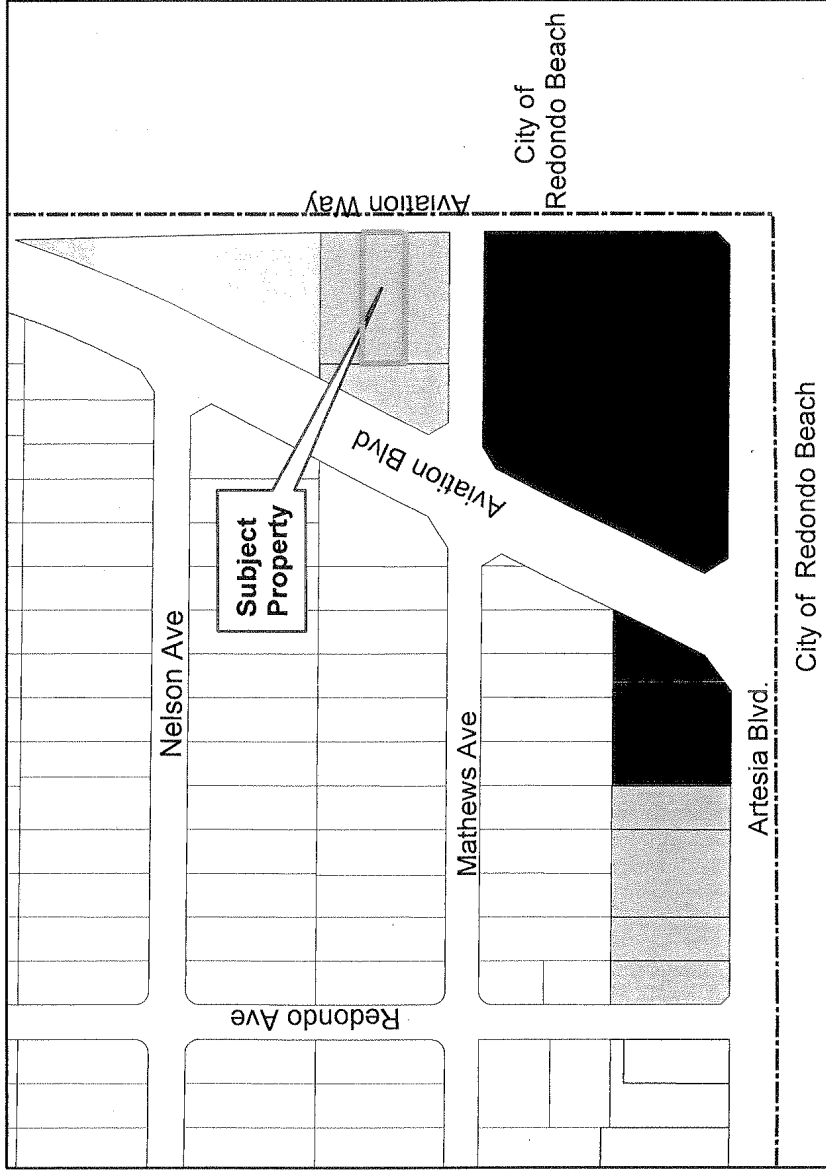
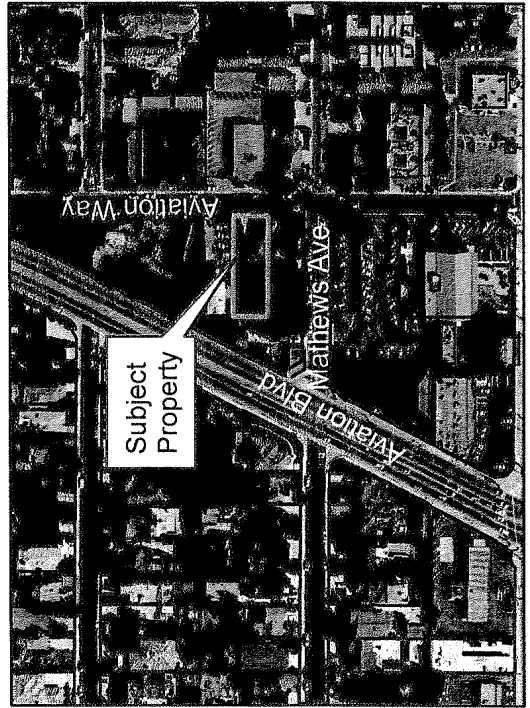
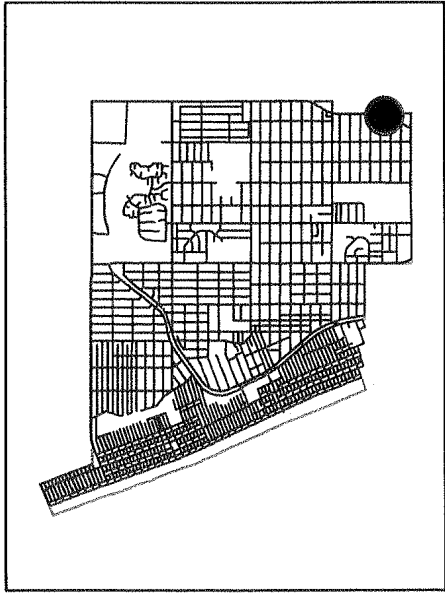
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**Richard Thompson**  
Secretary to the Planning Commission

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**Sarah Boeschen**  
Recording Secretary

# Vicinity Map 623 Aviation Way



-  RS - Residential Single Family
-  CG - General Commercial
-  CL - Commercial Local
-  PS - Public and Semi-Public



**CITY OF MANHATTAN BEACH**  
**NOTICE OF A PUBLIC HEARING BEFORE THE PLANNING COMMISSION OF THE CITY OF**  
**MANHATTAN BEACH TO CONSIDER A USE PERMIT AND VESTING TENTATIVE TRACT**  
**MAP 063242**

A public hearing will be held before the Planning Commission regarding the subject application for a Use Permit described below.

**Applicant:** Rich Homes, Inc.  
**Project Location:** 623 Aviation Way  
**Legal Description:** Lot 2, Block 103, Redondo Villa Tract B

**Project Description:** Construction of a 3-story residential condominium development consisting of 4 units, and required parking

**Environmental Determination:** Exempt (Class 3) per Section 15303(b) and (Class 32) Section 15332 of the California Environmental Quality Act (CEQA)

**Public Hearing Date:** Wednesday, October 26, 2005  
**Time:** 6:30 p.m.  
**Location:** City Council Chambers at 1400 Highland Avenue

**Project Planner:** Alex Plascencia, Assistant Planner; 802-5511 aplascencia@citymb.info

**Further Information:** Proponents and opponents may be heard at that time. For further information contact project Planner. The project file is available for review at the Community Development Department at City Hall.

A Staff Report will be available for public review at the Civic Center Library on Saturday, October 22, 2005 or at the Community Development Dept. at City Hall on Monday, October 24, 2005, or City website: <http://www.citymb.info> on Friday, October 21, 2005 after 5 p.m.

**Public Comments:** Anyone wishing to provide written comments for inclusion in the Staff Report must do so by October 19, 2005. Written comments received after this date will be forwarded to the Planning Commission at, or prior to, the public hearing, but will not be addressed in the Staff Report. Oral and written testimony will be received during the public hearing.

If you challenge the proposed actions in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this Notice, or in correspondence delivered to the Planning Commission, at or prior to, the public hearing.

**RICHARD THOMPSON**  
Director of Community Development

Publish: October 13, 2005 – Beach Reporter

