

RESOLUTION NO. 15-0063

**A RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL
APPROVING, SUBJECT TO CONDITIONS, A COASTAL
DEVELOPMENT PERMIT FOR THE DEMOLITION OF AN
EXISTING STRUCTURE AND DEVELOPMENT OF TWO
CONDOMINIUM UNITS AND A TWO-UNIT CONDOMINIUM
SUBDIVISION LOCATED AT 2616 ALMA AVENUE (CEQA
CATEGORICAL EXEMPTION)**

THE MANHATTAN BEACH CITY COUNCIL HEREBY RESOLVES, DETERMINES, AND FINDS AS FOLLOWS:

Section 1. On February 26, 2015, Matt Morris Development ("Applicant") submitted an application for a coastal development permit ("CDP") to demolish an existing duplex and develop two condominiums and a subdivision parcel map ("Parcel Map") to subdivide the property for two condominium units ("Project") at 2616 Alma Avenue. The lot is legally described as Lot 7, Block 28 of Peck's Manhattan Beach Tract. Pursuant to applicable provisions of the Manhattan Beach Municipal Code and Manhattan Beach Local Coastal Program, the Community Development Director ("Director") may issue a CDP and approve Parcel Maps, subject to reasonable conditions. Staff provided notice of the Project on July 8, 2015 to the owners and residents of all property within 100 feet of the subject property. On July 23, 2015, the Director issued the CDP and approved the Parcel Map for the demolition of the existing duplex and development of two condominium units, subject to the City's standard CDP and parcel map conditions, and two "special conditions" that are typically imposed on all similar projects. On August 6, 2015, Suzanne and Hugh Kretschmer appealed the CDP. The Kretschmers reside at 420 27th Street, located to the east (the rear) of the subject property. The Kretschmers attached additional documentation to the appeal, indicated that a number of Manhattan Beach residents oppose the demolition and construction of the proposed condominiums.

Section 2. On October 14, 2015, the Planning Commission held a duly noticed hearing to consider the appeal. After considering the evidence presented and listening to public comments, the Planning Commission approved the Project, subject to the conditions imposed by the Director and two additional conditions: The Applicant shall widen the pavement within the existing public right-of-way for 27th Street by four feet; and the Applicant shall provide landscaping within the existing public right-of-way.

Section 3. Pursuant to the Municipal Code, any Councilmember may request review of a Planning Commission quasi-judicial decision within 20 days following the decision. The Mayor timely requested that the item be reviewed by the City Council. For all requests for review, it shall be presumed that the reason for the request is that the decision may have significant and material effects on the quality of life within the City, or that the subject matter of the decision may have City-wide importance

warranting review and determination by the City's elected officials. Bias shall not be presumed or inferred due to a request for review. The Applicant was notified, as well as all property owners and residents within 100 feet of the properties, of the request for review and hearing.

Section 4. On December 15, 2015, the City Council conducted a duly noticed hearing *de novo* on the Project. The Council considered the evidence, both written and oral, presented at the meeting, including the staff report and all of its attachments, and comments made by members of the public.

Section 5. Based upon the foregoing, and substantial evidence in the record, the City Council hereby adopts the findings set forth in the Community Development Director's approval of Project No: CA 15-05 and VTPM 73511, which are hereby incorporated by this reference.

Section 6. Pursuant to the California Environmental Quality Act (CEQA) Guidelines, the project is Categorically Exempt under CEQA Section 15303 (Class 3 – New Construction).

Section 7. Based on the foregoing facts and findings and the substantial evidence entered into the record, and pursuant to State law and the City's Municipal Code, the City Council hereby exercises its independent judgment and approves the Project, subject to the conditions set forth in the Director's approval of Project No: CA 15-05 and VTPM 7351. The Director's conditions are hereby incorporated by this reference.

Section 8. The Applicant shall record a covenant, satisfactory in form and content to the City Attorney, accepting the conditions of approval set forth in this Resolution. The covenant shall include a copy of this Resolution as an exhibit. The executed covenant shall be delivered to the Department of Community Development within 30 days of the date of this Resolution. At the time of delivery of the covenant, all fees necessary to record the document with the County Recorder shall be paid to the City.

Section 9. Section 1094.6 of the California Code of Civil Procedure governs the time within which judicial review, if available, of the City Council's decision must be sought, unless a shorter time is provided by other applicable law. The City Clerk shall send a certified copy of this Resolution to the Applicant and other interested parties.

Section 10. The City Clerk shall certify to the adoption of this Resolution.

PASSED, APPROVED AND ADOPTED December __, 2015.

Ayes:

Noes:

Absent:

Abstain:

Mark Burton, Mayor
City of Manhattan Beach

Attest:

Liza Tamura, City Clerk