

RESOLUTION NO. PC 26-XX

A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION APPROVING A MASTER USE PERMIT AMENDMENT TO ALLOW THE ON-SITE SALES AND SERVICE OF BEER AND WINE IN CONJUNCTION WITH AN EATING AND DRINKING ESTABLISHMENT LOCATED AT 451 MANHATTAN BEACH BOULEVARD SUITE B102, AND FINDING THE PROJECT EXEMPT FROM ENVIRONMENTAL REVIEW PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

THE MANHATTAN BEACH PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. On July 17, 2002, the City Council for the City of Manhattan Beach ("City") adopted Resolution No. 5770 approving a Master Use Permit ("MUP") and on February 11, 2003, the California Coastal Commission issued a Coastal Development Permit ("CDP") to the City (A5-MNB-02-257), to allow the development of a 63,850 square-foot, two-story commercial development, 40,000 square feet of grade-level public areas including a Town Square, and a two-level, public subterranean parking structure at 451 Manhattan Beach Boulevard, commonly referred to as Metlox ("Property"), subject to the terms and conditions of that certain "Disposition and Development Agreement and Ground Lease Between the City of Manhattan Beach & Metlox LLC" dated May 15, 2002, and subsequently amended ("Ground Lease").

SECTION 2. Amendments to the MUP and Ground Lease since 2003:

- May 25, 2005: Planning Commission adopted Resolution No. PC 05-08, approving a Master Use Permit Amendment to modify the previously-approved alcohol sales and special events permitted to occur at the hotel use.
- December 13, 2006: Planning Commission adopted Resolution No. PC 06-20, approving a Master Use Permit Amendment to modify the previously-approved hours of operation and allowed off-site sales and consumption of wine at the Petros restaurant tenant space (Suite B110).
- May 14, 2008: Planning Commission adopted Resolution No. PC 08-08, approving a Master Use Permit Amendment to allow limited on-site sales and consumption of beer and wine at the Le Pain Quotidien tenant space (Suite A132).
- September 7, 2010: City Council adopted Resolution No. 6275, approving a Master Use Permit Amendment to modify the previously-approved hours of operation, notification for events, allow expanded food service operations, and approved various noise mitigation measures at the hotel use.
- October 7, 2014: City Council adopted Resolution No. 14-0064, approving a Master Use Permit Amendment to modify the eating, drinking, and banquet services associated with the hotel, allow special events to be conducted on the terrace, modify conditions regulating marketing, and allow installation of noise mitigation measures at the hotel use.
- June 5, 2018: City Council adopted Resolution No. 18-0074, approving a Master Use Permit Amendment and the Third Amendment to the Ground Lease to allow personal improvement uses in certain locations and the conversion of one restaurant into two restaurants within its existing footprint at the Property.
- June 3, 2025: City Council adopted Resolution No. 25-0024, approving a Master Use Permit Amendment and Coastal Development Permit to allow modifications to the established size limitations applicable to specific land uses at the overall property, including for eating and drinking establishments.

SECTION 3. On January 20, 2026, Pietro Brembilla, on behalf of Sogno Toscano, ("Applicant") applied for a Master Use Permit Amendment to allow the on-site sales and service of beer and wine in conjunction with food service at a proposed eating and drinking establishment, including an outdoor dining patio, with hours of operation from 8:30 a.m. to 11:00 p.m. daily (indoor and outdoor) ("Project") located at 451 Manhattan Beach Boulevard, Suite B102 ("Property").

SECTION 4. Master use permits and amendments thereto are governed by Chapter A.84 of the LCP. Section A.84.010 specifies that, "[U]se permits are required for use classifications typically having unusual site development features or operating characteristics requiring special consideration so that they may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area." The Applicant's request includes allowing beer and wine service for the first time at a new eating and drinking establishment that would occupy an existing tenant space and to allow a closing time of 11:00 p.m. for the

new outdoor dining area (where the existing approvals for the overall property only allow outdoor dining operations until 10:00 p.m.); thus, a master use permit amendment is required. Additionally, Resolution No. 18-0074 requires a master use permit amendment to allow alcoholic beverage service at any eating and drinking establishment that occupies a tenant space other than the previously-approved ones in Suites B110 and D126.

SECTION 5. On June 24, 2026, the Planning Commission conducted a duly noticed public hearing to consider the Project, during which the Planning Commission received a presentation by staff and testimony from the Applicant, and provided an opportunity for the public to provide evidence and testimony. The Planning Commission also received and reviewed written testimony received by the City prior to the public hearing.

SECTION 6. The Planning Commission finds that the Project qualifies for a Categorical Exemption from the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines Section 15301 (Existing Facilities), which is a Class 1 exemption. The project, which involves tenant improvements to an existing commercial building to accommodate a new eating and drinking establishment with beer and wine service, represents a negligible expansion of use. Furthermore, there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances. Thus, the Planning Commission finds the project exempt from CEQA, and no further environmental review is necessary.

SECTION 7. The record of the public hearing indicates:

- A. The Property (as described in Exhibit A attached to this Resolution) is located in Area District III and is zoned Downtown Commercial (CD), with a General Plan land use designation of Downtown Commercial. The Property is within the non-appealable portion of the City's Coastal Zone, and surrounding properties are zoned CD to the south and west, Public and Semipublic (PS) to the north, and Open Space (OS) to the east.
- B. The uses authorized by this Master Use Permit amendment are conditionally permitted in the CD zoning district and are in compliance with the Property's General Plan land use designation of Downtown Commercial. The General Plan encourages the Downtown Commercial land use category to "provide locations for a mix of commercial businesses, residential uses with discretionary review, and public uses, with a focus on pedestrian-oriented commercial businesses that serve Manhattan Beach residents."
- C. The Property is currently governed by a Master Use Permit (Resolution No. 5770) and subsequent amendments (including, but not limited to, the most recent amendment approved by Resolution No. 25-0024) approved by the City Council, and a Coastal Development Permit approved by the California Coastal Commission (Permit No. A5-M8-02-257).
- D. The Applicant is requesting approval of a Master Use Permit Amendment to allow the following changes:
 - 1. On-site sale and service of beer and wine at an eating and drinking establishment, including an outdoor dining area
 - 2. Hours of operation for the outdoor dining area until 11:00 p.m. daily
- E. The Project is consistent with the following General Plan goals and policies:

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

The viability of commercial areas depends on a range of factors, including having various types of services and restaurants. The proposed eating and drinking establishment use will continue to offer a dining option at this location for the community and visitors, supporting the Downtown commercial businesses.

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

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

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

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

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

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

Policy LU-7.1: Encourage the upgrading and growth of businesses in the Downtown area to serve as a center for the community and to meet the needs of local residents and visitors.

Allowing the addition of beer and wine service in an existing tenant space within an existing multi-tenant commercial development for a new eating and drinking establishment in a central location in Downtown Manhattan Beach encourages the development to adapt to gradual neighborhood changes and evolving market conditions over time.

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

The existing interior tenant space is a vacant, first-floor commercial with its façade facing a commercial corridor (Manhattan Beach Boulevard) in the heart of Downtown Manhattan Beach. The establishment proposes to maintain that orientation and further activate its frontage by adding outdoor seating. The proposed eating and drinking establishment use will be open during daytime and evening hours, encouraging pedestrian activity.

SECTION 8. Based upon substantial evidence in the record, and pursuant LCP Section A.84.060, the Planning Commission hereby makes the following findings related to the Master Use Permit Amendment:

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

The subject tenant space is within an existing commercial development (Metlox) and is currently vacant, but has been previously permitted with retail/specialty food service uses, in accordance with the existing land use entitlements, in the CD zoning district. The applicant is proposing beer and wine service for on-site service and consumption in conjunction with food service at their proposed eating and drinking establishment, including an outdoor dining patio. As stated in LCP Section A.16.020, and "Eating and Drinking Establishment" use is permitted through a Use Permit in the CD zoning district. Furthermore, eating and drinking establishments are a permitted use for this overall property under the existing land use entitlements.

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

The General Plan encourages a "vibrant downtown" that offers "services and activities for residents and visitors." The Property's General Plan land use designation is Downtown Commercial, and eating and drinking establishment uses are consistent with the intended mix of uses in the district and at this multi-tenant commercial development. The overall property is currently permitted with two eating and drinking establishments with alcoholic beverage service and outdoor dining areas where that service is allowed. The Project is compatible with neighboring uses, as neighboring lots are developed with commercial uses to the south and west, public and semi-public uses to the north, and open space to the east. Furthermore, the Project was reviewed by the Traffic Division and the Police Department, none of whom raised concerns

or objections. Therefore, with the proposed conditions of approval, the Project will not be detrimental to the public health, safety or welfare of persons residing or working on the site, or in or adjacent to the neighborhood of such use, and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

When taken together, the requested physical and operational changes from the previous operators of this tenant space, as described above (the addition of on-site beer and wine service, including at a new outdoor patio), do not result in a significant intensification of use because the site will continue to operate primarily as a food-oriented establishment. Additionally, the existing tenant space is on a commercial street and would operate in a similar manner to other eating and drinking establishments in the vicinity, and conditions of approval, including conditions regarding alcohol service, have been proposed to address any potentially adverse impacts. Sound attenuation measures have also been incorporated into the design of the patio. The subject request does not alter the primary use of the proposed establishment or the overall commercial property, which currently accommodates other eating and drinking establishments with on-site beer and wine service.

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 Applicant proposes to change the use of the tenant space to an eating and drinking establishment, which is permitted under the existing land use entitlements for the overall commercial development. Per LCP Sections A.16.020 and A.84.100, and the existing land use entitlements, allowing a new alcohol license for the proposed project and modifying the existing conditions of approval to do so requires a use permit amendment.

The project site is located within an existing, multi-tenant commercial property. The project scope is limited to on-site beer and wine service, with hours of service to match the hours of operation, within the interior restaurant tenant space and at the proposed outdoor patio. There is no proposed expansion of the existing building where the tenant space is located. Conditions of approval have been proposed which will ensure compliance with the required findings for a Master Use Permit and serve as an additional governing entitlement with the prior land use entitlements (including, but not limited to, Resolution Nos. 25-0024, 18-0074, and 5770) for the development and operation of this tenant space and the overall property.

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 project is located on a previously-developed site along Manhattan Beach Boulevard and is consistent with uses surrounding the site, which include commercial, public and semi-public, and open space uses. Project characteristics related to noise, vibration, odors, security, and personal safety are addressed through LCP and Manhattan Beach Municipal Code requirements, and conditions of approval.

The Project is limited to the on-site sale and service of beer and wine and expansion of outdoor dining hours is being applied to a land use category (eating and drinking establishment) that is permitted to occur at the subject site under existing land use entitlements. Furthermore, the use will not create demands exceeding the capacity of public services and facilities.

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

General

1. All conditions applied to Resolution No. 5770 and subsequent amendments, including but not limited to City Council Resolution Nos. 25-0024 and 18-0074 and Coastal Development Permit No. A5-MB-02-257, remain in full effect unless expressly modified by the conditions contained herein.
2. The Project shall be in substantial conformance with the plans and project description submitted to, and approved by, the Planning Commission on June 24, 2026, 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 approval from the Planning Commission is required.

3. Any questions of intent or interpretation of any condition will be reviewed by the Community Development Director to determine if further Planning Commission review and action is required.
4. At any time in the future, the Planning Commission or City Council may review the Master Use Permit Amendment for the purpose of revocation or modification in accordance with the requirements of MBMC Chapter 10.104. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.
5. Modifications and improvements to the site, whether as approved by these amendments or proposed in the future shall be in compliance with all applicable Planning Division, Building Division, Public Works Department, Waste Management, Fire Department, and Los Angeles County Health Department regulations.
6. Any modifications to the site that necessitate accessibility improvements must comply with the accessibility requirements found in Title 24 of the California Code of Regulations, or successor code.
7. The Project shall be operated in conformance with all applicable provisions of the MBMC, LCP and this Master Use Permit Amendment.
8. A Construction Management and Parking Plan ("CMPP") shall be submitted by the applicant with the submittal of building plans to the Building Division. The CMPP shall be reviewed and approved by the City, including but not limited to, the City Traffic Engineer, Planning, Fire, Police and Public Works, prior to permit issuance. The Plan shall include, but not be limited to, provisions for the management of all construction-related traffic, parking, staging, materials delivery, materials storage, and buffering of noise and other disruptions. The Plan shall minimize construction-related impacts to the surrounding neighborhood and shall be implemented in accordance with the requirements of the Plan.
9. 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.

Operational

10. The hours of operation for the eating and drinking establishment in Suite B102 shall be limited to:

Indoor: 8:30 a.m. – 11:00 p.m. daily
Outdoor: 8:30 a.m. – 10:00 p.m. daily
11. Noise emanating from the Property shall be within the limitations prescribed by the City's Noise Ordinance at all times, as specified in Chapter 5.48 of the MBMC, and shall not create a nuisance to nearby residents and property owners.
12. Sound attenuation measures shall be incorporated into the final outdoor patio design and be approved by the Community Development Director prior to issuance of a building permit.
13. The operator of the business shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject business.
14. The operator of the business shall police the Property and all areas adjacent to the business during the hours of operation to keep it free of litter and debris.

Alcohol

15. The eating and drinking establishment shall obtain a Type 41 On-Sale Beer and Wine ABC license from the California Department of Alcoholic Beverage Control ("ABC") prior to commencement of on-site sales and service of beer and wine.
16. The operation shall abide by all ABC license requirements and conditions at all times. If conflicts exist between conditions contained in the ABC license and those contained in this Use Permit Amendment, the more stringent conditions shall govern.
17. The eating and drinking establishment's kitchen shall remain open, and food shall be available for purchase, at all times when alcohol is available for purchase. Alcohol service shall only be allowed within the enclosed building and in outdoor dining areas located on private property unless amendments to the LCP allow for alcohol service in the public right-of-way adjacent to the Tenant Space.

Refuse

18. No refuse generated at the subject site shall be stored in the Public Right-of-Way for storage or pick-up, including the disposal of refuse in any refuse container established for public use. All refuse shall be stored within the approved trash enclosure area(s).

Procedural

19. 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.
20. Indemnity, Duty to Defend and Obligation to Pay Judgments and Defense Costs, Including Attorneys' Fees, Incurred by the City. The operator and owner shall each 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 and/or 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 and 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 and owner of any claim, action, or proceeding, or if the City fails to reasonably cooperate in the defense, the operator and 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 and/or 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 and 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 and/or 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 10. 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 11. This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section Chapter 10.100 have expired.

SECTION 12. This entitlement shall lapse two years after its date of approval, unless implemented or extended pursuant to Section A.84.090 of the LCP.

SECTION 13. 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.

June 24, 2026

Rachel Hackett
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 **June 24, 2026**, and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Adam Finestone, AICP
Secretary to the Planning Commission

Rayvin Dennis
Recording Secretary