

**MANHATTAN BEACH  
PLANNING COMMISSION  
MINUTES OF REGULAR MEETING  
MAY 24, 2023**

**A. CALL MEETING TO ORDER**

A Regular meeting of the Planning Commission of the City of Manhattan Beach, California was held in a hybrid format (Zoom and in person at City Hall, 1400 Highland Avenue) on the 24<sup>th</sup> day of May, 2023. Chair Ungoco announced protocols and called the meeting to order at the hour of 3:00 p.m.

**B. PLEDGE TO FLAG**

**C. ROLL CALL**

Present: Commissioners Morton, Sistos, Dillavou, Vice Chair Tokashiki, Chair Ungoco  
Absent: None  
Others Present: Talyn Mirzakhonian, Director of Community Development  
Brendan Kearns, Assistant City Attorney  
Tatiana Manokian, Agenda Host

**D. APPROVAL OF AGENDA**

A motion was made and seconded (Morton/Dillavou) to approve the agenda with no changes.

Roll Call:

Ayes: Dillavou, Morton, Sistos, Vice Chair Tokashiki, Chair Ungoco

Noes: None

Absent: None

Abstain: None

Agenda host Manokian announced the motion passed 5-0.

**E. PRESENTATION - Commendation for outgoing Planning Commissioner Gerry Morton**

Community Development Director Mirzakhonian commemorated Commissioner Gerry Morton, expressing appreciation for his two terms of service on the Planning Commission (2017 – 2023) including serving as Chair (2020 – 2022). Commissioner Morton expressed his gratitude for his fellow commissioners and staff support; Chair Ungoco joined in expressing appreciation for his leadership on behalf of the Commission.

**F. AUDIENCE PARTICIPATION – None**

**G. APPROVAL OF THE MINUTES**

5/24/23-1 Regular Meeting – April 26, 2023

It was moved and seconded (Tokashiki/Sistos) to approve the minutes as submitted.

Roll Call:

Ayes: Chair Ungoco, Vice Chair Tokashiki, Morton, Sistos

Noes: None

Absent: None

Abstain: Dillavou

Agenda host Manokian announced the motion passed 4-0-0-1, with Commissioner Dillavou abstaining as he was not present at the April 26, 2023 meeting.

**H. PUBLIC HEARING**

05/24/23-2. Consideration of a Coastal Development Permit, a Use Permit, and a Vesting Tentative Parcel Map (No. 84084) for: 1) demolition of a commercial building and construction of a new two-unit multi-family residential condominium structure located at 4103 Highland Avenue, 2) demolition of a parking lot and construction of a new two-unit multi-family residential condominium structure located at 229 41st Street, 3) adjustment of lot lines associated with the subject parcels (4137-008-058 and 4137-008-057) and subsequent subdivision of both parcels into air parcels for condominium purposes; and adoption of an

environmental determination for the project in accordance with the California Environmental Quality Act (Tim Agee, Didi LLC).

Chair Ungoco disclosed that he lives within 500 feet of the project site. Upon consulting with the City Attorney, it has been determined that he has no conflict of interest in that as a tenant, he has no financial stake in the property in which he resides, and is able to approach this deliberation without bias.

**Director Mirzakhania** welcomed **Associate Planner Ted Faturos** who presented the staff report, covering the project background, scope of proposal, entitlements requested, analysis and lastly the recommendation that the Commission conduct a public hearing and adopt resolution approving the project subject to conditions and adopt a determination of exemption (Class 1) under CEQA.

Associate Planner Faturos reported that two written public comments have been received, both expressing concern about construction impacts.

Chair Ungoco invited questions of staff. Associate Planner Faturos responded to questions:

- 1) Regarding conversion from commercial to exclusively residential use, the CNE zoning allows residential uses on properties subject to compliance with standards of the City's Local Coastal Plan, including Use Permit findings and development standards (setbacks, height, etc.)s.
- 2) Regarding building height and view impacts: the City does not have a "view ordinance" for the purpose of preserving an existing view. The city confirms proposed height during plan check and construction with confirmation from a surveyor that the project, including finished roof materials complies with the height limit.
- 3) Regarding neighborhood construction impacts: a construction management and parking plan is required prior to issuance of a building permit; such plan regulates activities such as deliveries, truck routes and parking and is evaluated by the City Traffic Engineer, and is strictly enforced.
- 4) Regarding setbacks, the project meets all required applicable development standards, and the building inspector confirms compliance during construction.
- 5) Regarding parking impacts: if driveways are being blocked by construction related vehicles, this can be reported to the City residential construction officer, and during afterhours, may also be reported to the Police Department.

The Chair opened the public hearing and invited public comment.

**Brandon Strauss**, Srour and Associates, spoke representing the applicant. The applicant agrees with the staff report analysis and accepts all proposed conditions. He emphasized that the existing 91-year old building is well beyond its useful life and the two new buildings will be fully compliant and energy efficient and fully parked.

**Mary Ellen**, resident across the street, inquired as to the duration of the project and whether there are any known delays between phases such as demolition and new construction.

**David Archer**, President of Manhattan Beach Chamber of Commerce, expressed the Chamber's concern regarding a loss of a commercial business in that such uses are sparse in the North End area.

**Assistant City Attorney Brendan Kearns** advised that the public hearing should remain open during rebuttal and questioning by the Commission.

**Chair Ungoco** invited the applicant's representative to respond to public comments.

**Brandon Strauss**, Srour and Associates, commented:

- 1) While unfamiliar with the construction specifications, the contractor will be required to adhere to all City requirements;
- 2) Regarding Chamber of Commerce concern, he is not aware whether the existing businesses on the site will relocate within Manhattan Beach, but believes that residential is a good land use because: it appears that demand for housing in the area is stronger than commercial (citing a nearby long term vacancy), the project will result in a net gain of four units, advancing housing element objectives and the location within the CNE zone is surrounded on three sides by residences.

It was confirmed there were no others in-person or participating remotely wishing to speak.

**Chair Ungoco** closed the public hearing and invited Commission deliberation.

**Commissioner Morton** stated support for the project in that the project will architecturally be an upgrade, and it seems that this specific location is appropriate for residential versus commercial.

**Chair Ungoco** added that as a separate policy issue to be directed to the Director, not directly germane to this project is the issue of mixed use in such a zone as CNE. He feels it is important to find out if there are City incentives that could encourage mixed use development in this area. Chair Ungoco then responded to a public comment received for this case which implied that while there are building standards, they are not either not applied or not applied evenly. He believes this to be an unfair assessment and strongly supports the City staff in doing a good job enforcing the development codes.

**A motion was made and seconded (Morton /Dillavou) to approve** the subject application, subject to conditions in draft Resolution PC 23-04 including the environmental determination.

Roll Call:

Ayes: Dillavou, Morton, Sistos, Vice Chair Tokashiki, Chair Ungoco  
Noes: None  
Absent: None  
Abstain: None

**I. DIRECTOR’S ITEMS** – Update on previous Commission project

Director Mirzakhian reported:

- Congratulations to Commissioners Ungoco and Tokashiki for their reappointment to the Planning Commission.
- Outdoor Dining Task Force: a second meeting (open to the public) will be held Tuesday May 30<sup>th</sup>, in the library meeting room from 1:00 – 3:00 p.m.
- Housing Element Update: revisions were posted yesterday for public review for seven days after which staff will submit them to state HCD for a 60-day review. Staff will learn from the state at the end of the 60 days whether the City has a certified 6<sup>th</sup> Cycle Housing Element.
- Residential Overlay District: adopted by the City Council in March, is in effect as of April 20.
- The Capital Improvement Program (CIP) has been reviewed twice by the City Council and will go back to the Council in June for final approval along with the overall city budget.

**J. PLANNING COMMISSION ITEMS**

**Commissioner Morton** iterated what a great pleasure and honor it was to serve on the Commission.

**Chair Ungoco** inquired as to agendizing at some time in the future, the issue of commercial/residential uses in the CNE zone. **Director Mirzakhian** acknowledged the request and agreed to agendize this for a future discussion.

**Vice Chair Tokashiki** inquired as to whether a tour of the Community Development Department could be arranged to learn about the development and planning process. **Director Mirzakhian** will contact the Vice Chair to discuss.

**K. TENTATIVE AGENDA** – June 14, 2023

**Director Mirzakhian** noted two scheduled items: 1) reorganization of the Commission, and 2) Brown Act training by the City Attorney’s office.

Assistant City Attorney Kearns advised that the Commission may be offered multiple Brown Act trainings and advised that the Commissioners attend the June 14<sup>th</sup> training.

**L. ADJOURNMENT**

At 3:50 p.m. it was moved and seconded (Morton/Dillavou) to adjourn the meeting to Wednesday, June 14<sup>th</sup> at 3:00 p.m. The motion passed 5-0.