

RESOLUTION NO. 13-0027

RESOLUTION OF THE MANHATTAN BEACH CITY COUNCIL APPROVING A USE PERMIT, COASTAL DEVELOPMENT PERMIT, AND LOT LINE ADJUSTMENT, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE QUITCLAIM AGREEMENT FOR AN EXCHANGE OF LAND THROUGH A LOT LINE ADJUSTMENT, QUITCLAIMING CITY LAND TO THE COUNTY, ACCEPTING AN EQUAL AMOUNT OF LAND FROM THE COUNTY AND ACCEPTING A UTILITY EASEMENT, TO ALLOW THE DEMOLITION OF THE EXISTING PUBLIC LIBRARY AND CONSTRUCTION OF A NEW PUBLIC LIBRARY AND RELATED IMPROVEMENTS, AT THE CIVIC CENTER SITE- 1320 HIGHLAND AVENUE. (County of Los Angeles and City of Manhattan Beach)

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY FIND, ORDER, AND RESOLVE AS FOLLOWS:

Section 1. The City Council of the City of Manhattan Beach, California, hereby makes the following findings:

- A. The County and City are seeking approval of a Use Permit, Coastal Development Permit, and Lot Line Adjustment to allow the demolition of the existing public Library and construction of a new public Library and related improvements, at 1320 Highland Avenue in the City of Manhattan Beach.
- B. In accordance with the Manhattan Beach Local Coastal Program MBLCP (Section A.28.030) a Library is classified as a Cultural Institution (Section A.08.040 C.) and a Use Permit approval is required for the project in the Public and Semi-Public (PS) Zone.
- C. The subject property is located within the City of Manhattan Beach Coastal Zone, in the non-appealable area, and is subject to a Coastal Development Permit (Section A.96.040).
- D. The applicant/property owner is the County of Los Angeles and the City of Manhattan Beach is a co-applicant as some of the related improvements are on the adjacent Civic Center property owned by the City of Manhattan Beach at 1400 Highland Avenue.
- E. The Planning Commission of the City of Manhattan Beach conducted a public hearing regarding the project at their regular scheduled meeting of March 27, 2013. The public hearing was publicly noticed pursuant to applicable law and testimony was invited and received. After consideration of the whole record, the Planning Commission adopted Resolution No. PC 13-02 with specific findings of fact and approved the application, memorializing the Commission's decision regarding the Use Permit, Coastal Development Permit, and Lot Line Adjustment subject to conditions of approval.
- F. The City Council of the City of Manhattan Beach conducted a public hearing regarding the project at their regular scheduled meeting of April 16, 2013. The public hearing was publicly noticed pursuant to applicable law and testimony was invited and received.
- G. An Environmental Impact Report for the Civic Center/ Metlox project was certified by the City of Manhattan Beach City Council on April 17, 2001 (State Clearinghouse No. 99121090), which includes the environmental clearance for the public Library project. The Library portion of the project described in the EIR was a 30,018-square foot Library plus a 10,000-square foot, 99-seat Cultural Arts Center, in addition to the Public Safety Facility and Metlox commercial developments. The Environmental Impact Report is on file and available for public review for the 2013 Planning Commission and City Council hearings at the City of Manhattan Beach Community Development Department, City Clerk's office, public Library and on the City's website. The County prepared an Addendum to the Environmental Impact Report to confirm that the current project will not result in any new or increased impacts from those identified in the certified Environmental Impact Report. On March 12, 2013 the Los Angeles County Board of Supervisors adopted and certified the Addendum to the Civic Center/Metlox EIR and a Statement of Overriding Considerations. The Addendum to the Environmental Impact Report is on file and available for public review at the City of Manhattan Beach Community Development Department, City Clerk's office, public Library and on the City's website.
- H. On March 12, 2013 the Los Angeles County Board of Supervisors approved the project budget, awarded the contract, and approved a utility easement and a quitclaim for the Lot Line Adjustment.

- I. The property is located within Area District III and is zoned Public and Semi Public. The properties to the west and south are zoned Downtown Commercial, the Civic Center property to the north and east is also zoned Public and Semi Public, properties further to the north across 15th Street are zoned Medium Density Residential, and the properties to the east across Valley Drive are zoned Open Space.
- J. The General Plan designation for the property is Public Facilities.
- K. The proposed project is to implement a portion of the Facilities Strategic Plan by demolishing the existing single-story, 12,188-square foot Manhattan Beach County Library and constructing a new two-story, 21,500-square foot Manhattan Beach County Library, on a 0.69 acre (30,056 square feet) County-owned site. The project also includes hardscape and landscape improvements to the existing adjacent Civic Center site at 1400 Highland Avenue, to blend the sites together. A Lot Line Adjustment is necessary for the exterior improvements between the Civic Center and Library sites, as well as to provide minimum distances between the building and property lines. The Lot Line Adjustment will not result in an increase or decrease in the square footage of either the Civic Center (City) property or the Library (County) property. The utility easement to the City across County property is necessary to accommodate existing City and other utilities located on County property.
- L. Construction of the project is currently estimated to span a total of one year and ten months from start to finish, and the project schedule is categorized by project activity. The current schedule anticipates that the Library will close in Summer 2013, demolition to begin July 2013, and construction to begin September 2013 with the new Library Grand Opening scheduled for Spring 2015.
- M. During construction of the new Library, temporary services will continue to be provided, beginning when the Library closes in the summer 2013. A bookmobile will be provided within the Downtown area at a site mutually agreed to by the City and the County. Customers will be able to order books and other materials on-line and pick them up at the temporary facility. Children's story time will continue to be provided on a regular basis. Additionally, there are a number of other County and other public libraries that participate in the State Library's universal borrowing program that Manhattan Beach residents are able to use. County Libraries in Hermosa Beach and Lawndale and the El Segundo public Library are all within 2 to 3 ½ miles of the existing Manhattan Beach Library.
- N. 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.
- O. This Resolution, upon its effectiveness, constitutes the Use Permit, Coastal Development Permit and Lot Line Adjustment for the subject property.
- P. Based upon State law, and MBLCP Section A.84.060, relating to the Use Permit application for the proposed project, the following findings are hereby made:
 - 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 since, the proposed public Library project is consistent with the MBLCP Section A.01.030, Purposes, as the project will:
 - a) Foster convenient, harmonious, and workable relationships among land uses.
 - b) Achieve progressively the arrangement of land uses described in the Local Coastal Plan since the new public Library will replace the existing public Library with a modern, full service facility that will continue to be an integral part of the Downtown Civic Center complex.
 - c) Prevent excessive overcrowding of land or buildings, since the project will be a two-story building, providing a large public open space area to the rear that will tie in with the existing Civic Center Plaza, as well as integrate the Civic Center site along Highland Avenue with a new Plaza.
 - d) Ensure the provision of adequate open space for light, air, and fire safety, since the project will provide the open space described above as well as a wide setback on the south side for pedestrian and delivery vehicle access, as well as fire safety access.

- e) Require the provision of adequate off street parking and loading facilities, and promote a safe, effective traffic circulation system, since the Civic Center provides over 200 existing public parking spaces (many free) immediately adjacent to the site and additionally over 700 public spaces within a few blocks, loading and unloading for deliveries is provided adjacent to the Library . Book returns are provided in the on-site parking lot as well as adjacent to the entrance, short-term parking is provided adjacent to the Library, the pedestrian crosswalk at Highland Avenue and 14th Street will be relocated south of the intersection to provide direct access from the public parking lot across Highland Avenue directly to the Library entrance, two public transit stops are directly in front of City Hall adjacent to the Library, and bicycle and stroller parking will be provided on-site.
 - f) Ensure that service demands of new development will not exceed the capacities of existing streets, utilities, or public services, since the Certified EIR evaluated all of these service demands and concluded that all capacities could be met, which has been confirmed in the subsequent EIR Addendum. The most current 2011 traffic volume counts are less than the traffic volumes anticipated in 2005, as identified in the 2000 EIR, with a 4 to 46% reduction. Additionally, the proposed Library project is 1/3 smaller in building area than approved in the EIR and the 99-seat Cultural Arts Center was eliminated from the project, so the impacts are further reduced.
 - g) Conserve and enhance the Coastal Zone's architectural and cultural resources, since the new public Library will be a new modern design that is compatible with the eclectic and diverse architecture of the Downtown, will incorporate design elements and materials to integrate the building with the existing Civic Center site, and existing art elements will be addressed.
 - h) Conserve and enhance key visual features of Manhattan Beach's coastal setting, including its low profile character consistent with the Local Coastal Plan, since the new public Library will be lower in height than the existing adjacent City Hall building by about 4 feet, and about 12.75 feet lower than the hose tower on the adjacent Fire Station site, and there will be no rooftop equipment, it will all be incorporated into the building, so neighbors looking down on the site will see a clean rooftop. Additionally, the project will be compatible with other objectives and provisions of the Zoning Code in that the project will provide shielded lighting, minimal signage, landscaping and irrigation, underground utilities and other applicable code standards will be met.
2. The proposed location of the use and the proposed conditions under which it 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 use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City. Since the project is consistent with the Local Coastal Program (LCP), as discussed below, and the LCP is consistent with the General Plan, the project is also consistent with the General Plan. The Library is consistent with the following General Plan Goals and Policies:

LAND USE

Goal LU-1: Maintain the low-profile development and small town atmosphere of Manhattan Beach.

Policy LU 1.2: Require the design of all new construction to utilize notches, balconies, rooflines, open space, setbacks, landscaping, or other architectural details to reduce the bulk of buildings and to add visual interest to the streetscape.

Goal LU-2: Encourage the provision and retention of private landscaped open space.

Goal LU-3: Achieve a strong, positive community aesthetic.

Policy LU-3.1: Continue to encourage quality design in all new construction.

Policy LU-3.2: Promote the use of adopted design guidelines for new construction in Downtown, along Sepulveda Boulevard, and other areas to which guidelines apply.

Goal LU-7: Continue to support and encourage the viability of the Downtown area of 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.

Policy LU-7.2: Encourage the use of the Downtown Design Guidelines to improve the Downtown's visual identification as a unique commercial area.

Policy LU-7.3: Support pedestrian-oriented improvements to increase accessibility in and around Downtown.

INFRASTRUCTURE

Goal I-1: Provide a balanced transportation system that allows the safe and efficient movement of people, goods and services throughout the City.

Policy I- 2.7: Monitor and minimize traffic issues associated with construction activities.

Goal I-3: Ensure that adequate parking and loading facilities are available to support both residential and commercial needs.

Policy I-3.4: Review development proposals to ensure potential adverse parking impacts are minimized or avoided.

Policy I-3.9: Work to retain on-street parking in the Beach Area, particularly on Highland Avenue.

Goal I-6: Create well-marked pedestrian and bicycle networks that facilitate these modes of circulation.

Policy I-6.6: Incorporate bikeways and pedestrian ways as part of the City's circulation system where safe and appropriate to do so.

Policy I-6.7: Encourage features that accommodate the use of bicycles in the design of new development, as appropriate.

COMMUNITY RESOURCES

Goal CR-1: Maintain a park, recreation, and open space system that provides a variety of recreational opportunities accessible to all residents and meets the needs of all residents.

Goal CR-2: Enhance cultural arts programs in the community.

Policy CR-2.2: Continue to encourage and support cultural arts programs and events.

Policy CR-2.6: Provide cultural arts programs that offer a variety of opportunities to all age groups.

Policy CR-4.3: Recognize that landscaping, and particularly trees, provide valuable protection against air pollution, noise, soil erosion, excessive heat, and water runoff, and that they promote a healthy environment.

Goal CR-5: Conserve and protect the remaining natural resources in Manhattan Beach.

Policy CR-5.1: Employ principles of a sustainable environment in the development, operation, and maintenance of the community, emphasizing the importance of respecting and conserving the natural resources.

Policy CR-5.3: Encourage water conservation, including landscaping with drought-tolerant plants, use of reclaimed water, and recycling of cooling system water, in all development.

Policy CR-5.6: Encourage drainage designs which retain or detain stormwater run-off to minimize volume and pollutant concentrations.

Policy CR-5.7: Encourage the use of energy-saving designs and devices in all new construction and reconstruction.

Policy CR-5.8: Encourage utilization of “green” approaches to building design and construction, including use of environmentally friendly interior improvements.

Policy CR-5.11: Support sustainable building practices.

COMMUNITY SAFETY

Goal CS-1: Minimize the risks to public health, safety, and welfare resulting from natural and human caused hazards.

Policy CS-1.5: Require that new developments minimize stormwater and urban runoff into drainage facilities by incorporating design features such as detention basins, on-site water features, or other strategies.

NOISE

Goal N-2: Incorporate noise considerations into land use planning decisions.

Policy N-2.4: Encourage acoustical design in new construction.

Goal N-3: Minimize the impact of non-transportation noise sources.

Policy N-3.6: Monitor and minimize noise impacts associated with construction activities on residential neighborhoods.

Additionally, the public Library 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 in that the proposed facility is replacing an existing public Library with minimal expansion of personnel and the design and conditions of the project ensure that any potential impacts will be minimized. The project will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City, in that the facility will be designed to meet the public Library needs of the community for the next 25+ years. Mitigation Measures in the EIR and conditions of approval will ensure that project impacts are minimized.

3. The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located since, the required notice and public hearing requirements have been met, all of the required findings have been addressed, and conditions will be required to be met prior to the County's completion of the project.
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, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated. All of the potential impacts related to the proposed project were evaluated and addressed in the Certified EIR and have been confirmed in the EIR Addendum. The Mitigation Measures applicable to the public Library portion of the EIR will all be complied with. Conditions to conform to applicable Code standards will apply. A temporary construction plan will ensure that construction impacts will be minimized to the extent feasible. The project will expand Public Facilities and services in order to meet current and future demands.

Q. Based on the MBLCP Sections A.96.150, relating to the Coastal Development Permit application for the proposed public Library project, the following findings are made:

1. The project, as described in the application and accompanying materials, as modified by any conditions of approval, conforms to the certified Manhattan Beach Local Coastal Program. The Certified EIR for the Civic Center/Metlox project provides a discussion on consistency with the policies of the LCP. The proposed public Library is consistent with the following applicable policies from Chapter 4 of the Local Coastal Program, as follows:

Access Policies

Policy I.A.1: The City shall maintain the existing vertical and horizontal accessways in the Manhattan Beach Coastal Zone.

Policy I.A.2: The City shall encourage, maintain, and implement safe and efficient traffic flow patterns to permit sufficient beach and parking access.

Policy I.A.3: The City shall preserve pedestrian access systems including the Spider Web park concept (Spider Web park concept: a linear park system linking the Santa Fe railroad right-of-way jogging trail to the beach with a network of walkstreets and public open spaces.

Transit Policies

Policy I.B.3: The City shall encourage pedestrian and bicycle modes as a transportation means to the beach.

Policy I.B.4: The City shall maintain the use of the Santa Fe right-of-way as a non-automobile transportation corridor between the northern city boundary and the intersection of Valley-Ardmore and Manhattan Beach Boulevard, as the closest link to the commercial business district and beach use.

Policy I.B.5: The City shall maintain a pathway to facilitate jogging and pedestrian usage along the Santa Fe right-of-way.

Parking Policies

Policy I.C.2: The City shall maximize the opportunities for using available parking for weekend beach use.

Policy I.C.3: The City shall encourage additional off-street parking to be concentrated for efficiency relative to the parking and traffic system.

Policy I.C.10: Concentrate new parking in the Downtown Commercial District to facilitate joint use opportunities (office and weekend beach parking uses).

Policy I.C.11: Maintain the existing public parking system in the vicinity of Valley/Ardmore/Manhattan Beach Boulevard to provide parking out of the downtown area.

Policy I.C.15: Continue management of existing parking facilities through enforcement to improve efficiency by keeping on-street spaces available for short-term users and encouraging the long-term parkers to use off-street parking lots.

Policy I.C.16: Improve information management of the off-street parking system through improved signing, graphics and public information and maps.

Policy I.C.17: Provide signing and distribution of information for use of the Civic Center parking for beach parking on weekend days.

Coastal Locating and Planning New Development Policies

Policy II.1: Control Development within the Manhattan Beach coastal zone.

2. The public Library project is not located between the first public road and the sea. The public Library project is consistent with the public access and recreation policies of Chapter 3 of the California Coastal Act of 1976, because the proposed structure does not impact public access to the shoreline and adequate public access is provided and shall be maintained along Highland Avenue, 13th Street, 15th Street, and Valley Drive/Ardmore Avenue.

The Certified Final EIR for the Civic Center/Metlox project also provides a discussion on consistency with the policies of the LCP.

- R. In accordance with Californian Government Code Section 66412 (Subdivision Map Act), the parcels resulting from the lot line adjustments will conform to local zoning and building ordinances since the lot line adjustment involves quitclaim exchanges of exactly 629 square feet of real property between the County of Los Angeles and the City of Manhattan Beach. In addition, the County will grant a utility easement to the City for existing underground utilities that serve the Civic Center and surrounding area.

- S. The project, as described in the application and accompanying materials, as modified by any conditions of approval, conforms with the Downtown Design Guidelines. Although the Guidelines are primarily applicable to development in the Downtown Commercial (CD) Zone, the Library project is within the area defined by the Guidelines and it is therefore important to consider the Guidelines. The project is consistent with the following applicable Goals and Guidelines:

Goals:

Goal 1: Preserve the small-town village character of downtown Manhattan Beach.

Goal 2: Preserve and enhance the pedestrian orientation of downtown Manhattan Beach.

Goal 3: Protect and encourage streetscape amenities.

Guidelines:

1.2 The first occupiable floor of non-residential development should be located at the sidewalk's general elevation;

1.3 Driveways should be located on alley frontages in order to conserve existing on street parking.

2.1 Compatibility with neighboring development should be given strong consideration in the design of new structures. The relationship between existing and new development should demonstrate contextual consistency and attempt to create positive relationships. The degree to which existing development should be considered will depend upon the following characteristics:

1. Architectural quality of existing development; and,
2. Estimated tenure of existing development.

2.2 New development should complement adjacent structures. Architectural diversity is encouraged, however common elements should be recognized. Elements, such as wall heights, eaves, parapets, awnings, entryways, and/or window styles could be adjusted to compliment adjacent development.

4.1 On larger width lots the inclusion of public plazas and courtyards can extend the continuity of pedestrian activity internally.

4.2 Well-defined entries at street-facing building elevations should be used to facilitate public access.

5.1 Where feasible, incorporate landscaped areas into new development and existing development. Such landscaped areas could utilize window boxes and similar landscape amenities.

5.2 Landscaping should be designed to enhance and accentuate the architecture of the development.

Section 2. The City Council has independently reviewed and considered the contents of the Addendum prepared by the County prior to deciding whether to approve the Project. The City Council hereby finds that:

- A. There are no substantial changes proposed in the revised Project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,
- B. No substantial changes will occur with respect to the circumstances under which the Project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,
- C. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 1. That the revised Project will have one or more significant effects not discussed in the previous EIR;
 2. That significant effects previously examined will be substantially more severe than shown in the previous EIR;

3. That mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the revised Project, but the project proponents decline to adopt the mitigation measure or alternative; or,
4. That mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Thus, the City Council hereby determines that the Addendum prepared by the County adequately analyzes the Project, and that no new environmental effects or any of the conditions contained in State CEQA Guidelines 15162 and 15163 exist that would require the preparation of a subsequent or supplemental EIR.

Section 3. The City Council of the City of Manhattan Beach hereby APPROVES the subject Use Permit, Coastal Development Permit and Lot Line Adjustment, and ACCEPTS a utility easement and quitclaim deed and AUTHORIZES the City Manager to execute the Quitclaim Agreement for an exchange of land through a Lot Line Adjustment, subject to the following conditions.

General Conditions

1. The proposed project shall be in substantial conformance with the plans submitted and the project description, as approved by the City Council on April 16, 2013. Any substantial deviation from the approved plans must be reviewed by the Director of Community Development to determine if Planning Commission review is required.

Site Preparation/Construction

2. A Traffic and Parking Management and Construction Plan shall be submitted in conjunction with any construction and other building plans for review by the Police and Public Works Departments prior to the County's issuance of building permits. The plan shall provide for the management of all construction related traffic during all phases of construction, including but not limited to delivery of materials and parking of construction related vehicles.
3. During the demolition and construction phases of development, a daily clean-up program for all areas affected by the project shall occur, including the pickup of all debris (utilizing an approved trash dumpster or other trash control method) 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.

Operational

4. Operations shall comply with all South Coast Air Quality Management District Regulations and shall not transmit excessive emissions or odors across property lines.

Noise

5. Post construction (operational) noise emanating from the site shall be in compliance with the Manhattan Beach Municipal Code Noise Ordinance, Chapter 5.48.

Signage

6. A sign program shall be submitted for review of the Director of Community Development in accordance with the MBMC requirements. Signs shall be installed per the approved plans.

Lighting

7. An outdoor lighting program shall be submitted for review of the Director of Community Development. Outdoor lighting shall be shielded and meet all other requirements of the MBMC. Lighting shall be installed per the approved plans.

Public Works

8. The plans shall be reviewed by the City Public Works Department prior to the County's issuance of building permits. Right of way permits will be issued by the City.
9. The use of the adjacent Civic Center trash enclosure(s) shall meet all Public Works requirements. Trash must be picked up by a refuse company as often as necessary to ensure that the trash enclosure has adequate space to accommodate the needs of the entire site. No trash storage/disposal shall take place in the public right-of-way on Highland Avenue, 15th Street, 13th Street or Valley Drive.

Landscaping/Irrigation

10. A site landscaping plan, utilizing drought tolerant plants to the extent feasible, shall be submitted for review. The landscaping shall be in substantial compliance with the June 15, 2012 concept planting plan, and the requirements of the MBMC. All plants shall be identified on the plan by the Latin and common names. The current edition of the Sunset Western Garden Book contains a list and description of drought tolerant plants suitable for this area. This plan shall be reviewed by the Public Works and Community Development Departments. Landscaping shall be installed per the approved plans.
12. A low pressure, drip or other low water use 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 review by the Public Works and Community Development Departments. Irrigation shall be installed per the approved plans.

Procedural

13. Unless appealed to the City Council, the subject Use Permit, Coastal Development Permit and Lot Line Adjustment shall become effective after expiration of the time limits established by Manhattan Beach Municipal Code and Local Coastal Program.
14. Pursuant to Public Resources Code Section 21089 (b) and Fish and Game Code Section 711.4 (c), the project is not operative, vested, or final until the required filing fees are paid.

Design Review

15. Plans, material boards, color samples, renderings, and other visual displays have been submitted for review to the Community Development Department, prior to the County's issuance of building permits. The plans and details addressed linkage to the Downtown, the Civic Center, and public parking, pedestrian orientation, the Downtown Design Guidelines, and other design details of the project. The plans addressed the following design issues and details:
 - Facades/elevations
 - Colors, textures, and materials
 - Landscaping, lighting, signage, and public art
 - Civic Center linkage, relationship and compatibility
 - Streetscape design- pavement treatment, sidewalks, pedestrian crosswalks, street furniture
 - Pedestrian orientation

The general location of the building footprint, as shown on the plans approved by the Planning Commission on March 27, 2013, are approved with this Use Permit, Coastal Development Permit and Lot Line Adjustment and are not subject to Design Review.

Indemnification

16. The County shall defend, indemnify, and hold harmless the City, its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul these permit approvals, which action is brought within the applicable limitation period. The City shall notify the County of any such claim, action, or proceeding and the City shall reasonably cooperate in the defense. If the City fails to notify the County of any claim, action, or proceeding, or the City fails to reasonably cooperate in the defense, the County shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

Section 4. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the

reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

Section 5. This resolution shall take effect immediately. The City Clerk shall make this resolution readily available for public inspection.

Section 6. The City Clerk shall certify to the adoption of this resolution and thenceforth and thereafter the same shall be in full force an effect.

PASSED, APPROVED AND ADOPTED this 16th day of April, 2013

Ayes:
Noes: .
Absent: .
Abstain:

Mayor, City of Manhattan Beach, California

ATTEST:

City Clerk