

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

TO: Planning Commission

FROM: Jeffrey W. Gibson, Interim Director of Community Development

THROUGH: Laurie B. Jester, Planning Manager

BY: Ted Fatuross, Assistant Planner

DATE: October 23, 2019

SUBJECT: Adoption of a Resolution Approving a Use Permit to Allow an Office Use on the Ground Floor of a Building Previously Occupied by a Bank at 1419 Highland Avenue (Brett Zebrowski)

RECOMMENDATION

Staff recommends that the Planning Commission **ADOPT** the attached resolution approving the Use Permit subject to certain conditions, consistent with the direction provided by the Commission on October 9, 2019.

APPLICANT/OWNER

Brett Zebrowski
1419 Highland Avenue
Manhattan Beach, CA 90266

BACKGROUND

The Planning Commission conducted a public hearing on October 9, 2019 to hear a Use Permit request to allow a ground floor office use in a vacant building at 1419 Highland Avenue. The Commission received public testimony from two speakers in support of the project. The Planning Commission closed the public hearing and asked Staff to return to the Planning Commission with a draft resolution approving the Use Permit, with the Commissioners directing Staff to incorporate common sense conditions into the Use Permit to regulate the rooftop deck.

Staff has prepared a draft resolution (Attachment A) that contains conditions on how the rooftop deck is used, as well as other standard conditions. These conditions regulate the use of the rooftop deck, hours, number of people on the deck, and restrictions on amplified sound. The draft resolution also has a condition that requires that the majority of the building's windows facing Highland Avenue not be covered in order to ensure that there is a relationship between the building's interior and pedestrian activity on the street.

PUBLIC INPUT

A public notice for the project's October 9, 2019 Planning Commission hearing was mailed to property owners within 500 feet of the site and published in the Beach Reporter newspaper. Staff has not received additional public comment since the Planning Commission hearing on October 9, 2019.

ENVIRONMENTAL DETERMINATION

The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 based on staff's determination that the project is a small infill development within an urbanized area.

CONCLUSION

Staff recommends that the Planning Commission adopt the attached resolution approving the Use Permit subject to certain conditions.

Attachments:

- A. Draft Resolution
- B. Planning Commission Staff Report w/ Attachments- October 09, 2019

c: Brett Zebrowski, Applicant

Attachment A

RESOLUTION NO. PC 19-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT FOR A NEW GROUND FLOOR OFFICE USE AT 1419 HIGHLAND AVENUE (ZEBROWSKI)

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. On October 9, 2019, the Planning Commission of the City of Manhattan Beach conducted a duly noticed public hearing, received testimony, and considered an application for a Use Permit to allow a new ground floor office at 1419 Highland Avenue. The Planning Commission closed the public hearing and directed staff to return to the Planning Commission with a draft resolution approving the Use Permit.
- B. On October 23, 2019, the Planning Commission of the City of Manhattan Beach considered a resolution approving a Use Permit to allow a new ground floor office at 1419 Highland Avenue.
- C. The subject property is legally described as Lots 2 and Portion of Lot 1, Verano Beach Tract in the City of Manhattan Beach, County of Los Angeles.
- D. The applicant for the subject project is Brett Zebrowski, the owner of the business (hereafter referred to as “the owner”).
- E. The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Existing Facilities Section 15301 based on Staff’s determination that there is no expansion of use associated with the Project.
- 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 existing tenant space was formerly used as a bank use (Pacific Premier Bank).
- H. The subject property is located in Area District III and is zoned CD, Downtown Commercial. The surrounding properties are zoned RM Medium-Density Residential to the North (across 15th Street), CD Downtown Commercial to the South (across 14th Place), PS Public and Semi-Public to the East (across Highland Avenue), and RM Residential Medium Density to the West.
- I. The use is permitted in the CD Downtown Commercial zone subject to a Use Permit and is in compliance with the City’s General Plan designation of Downtown Commercial.
- J. The General Plan identifies the Downtown Commercial land use as an area “that provides 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. Visitor-oriented uses are limited to low-intensity businesses providing goods and services primarily to beachgoers.”

The project is specifically consistent with General Plan Policies as follows:

- LU-5 Protect residential neighborhoods from the intrusion of inappropriate and incompatible uses.
- LU-6 Maintain the viability of the commercial areas of Manhattan Beach.
- 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.
- LU-7 Continue to support and encourage the viability of the Downtown area of Manhattan Beach.
- 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.
- K. The Planning Commission makes the following findings required to approve the Use Permit pursuant to MBMC Section 10.84.060:

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 proposed use, Business and Professional Office, is a commercial use located on a parcel that is on the northern boundary of the Downtown, and immediately adjacent to properties that are zoned and used as residential to the west and across the street to the north, in the CD Downtown Commercial zone.

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.**

The Business and Professional Office use will be a commercial use consistent with the General Plan's Downtown Commercial land use designation assigned to the project lot and the neighboring lots. The proposed use is consistent and complimentary with neighboring uses, as many of the neighboring lots have also been developed with commercial uses, and there are residential uses immediately adjacent to the west and to the north across 15th Street.

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.**

The proposed use will be a Business and Professional Office use that complies with all provisions of the Municipal Code's Title 10 Planning and Zoning.

4. **The proposed use will not adversely impact or 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 Business and Professional Office, as conditioned, is a low-impact use that generates relatively low levels of noise, traffic, trash, and other negative impacts. The proposed use is also consistent with some of the surrounding uses in the CD Downtown Commercial zone and residential zones.

- L. The project shall comply with all applicable provisions of the Manhattan Beach Municipal Code.
- M. This Resolution, upon its effectiveness, constitutes the Use Permit for the subject project.

SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the Use Permit subject to the following conditions:

1. The project shall be in substantial conformance with the plans and project description submitted to, and approved by the Planning Commission on October 23, 2019 as amended and conditioned. 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.
2. Any questions of intent or interpretation of any condition will be reviewed by the Community Development Director to determine if Planning Commission review and action is required.

Operation

3. The rooftop deck shall only be used by the tenant for their own private use for activities related to their office use. The rooftop deck shall not be offered to other parties or entities for private events and gatherings. Gatherings on the rooftop deck shall only occur during the following hours:

Sunday – Thursday: 9am – 9pm*
Friday – Saturday: 9am – 10pm

*The tenant will be allowed to hold a gathering on the rooftop deck till 9:30pm on the one Sunday in December associated with the annual Manhattan Beach Holiday Fireworks show.

4. Amplified sound shall be allowed on the rooftop deck only during the following hours:

Sunday – Thursday: 10am – 7pm

Friday – Saturday: 10am – 8pm
5. No more than 30 people can be on the rooftop deck at any one time.
6. The majority of the building's windows facing Highland Avenue will not be significantly covered. The intent of this condition is to ensure there is a relationship between the building's interior and the pedestrian activity on the street.
7. All rooftop mechanical equipment shall be screened from the public right-of-way.
8. Noise emanating from the property shall not create a nuisance to nearby property owners, and will also be within the limitations prescribed by Chapter 5.48 Noise Regulations of the Manhattan Beach Municipal Code.
9. At any time in the future, the Planning Commission or City Council may review the Use Permit for the purpose of revocation or modification in accordance with the requirements of the MBMC Chapter 10.104. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.

Refuse

10. The management shall arrange for special on-site pickup as often as necessary to ensure that the refuse area has adequate space to accommodate the needs of the subject business.
11. No refuse generated at the subject site shall be located in the non-alley Public Right-of-Way for storage or pickup, including the disposal of refuse in any refuse container established for public use.

Signage

12. All new signs and alterations to existing signs shall receive permits, and shall be in compliance with the City's sign code.
13. A-frame or other sidewalk signs in the public right-of-way shall be prohibited.
14. No temporary banner or other signs shall be placed on the site without City permit and approval.

Procedural

15. This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section 10.100.030 have expired
16. This Use Permit shall lapse two years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code.
17. 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.
18. 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.
19. The Secretary of the Planning Commission shall certify to the adoption of this Resolution and shall forward a copy of this Resolution to the owner. The Secretary shall make this resolution readily available for public inspection.
20. 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 Department of Community Development within 30 days of the adoption of this Resolution.

Notwithstanding the foregoing, the Director may, upon a request by owner, grant an extension to the 30-day time limit. The project approval shall not become effective until recordation of the covenant.

21. *Indemnity, Duty to Defend and Obligation to Pay Judgments and Defense Costs, Including Attorneys' Fees, Incurred by the City.* The owner shall 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 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 owner of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. If the City fails to promptly notify the owner of any claim, action, or proceeding, or if the City fails to reasonably cooperate in the defense, the 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 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 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 owner shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

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 **October 23, 2019** and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

JEFFREY W. GIBSON
Secretary to the Planning Commission

Rosemary Lackow
Recording Secretary

Attachment B

CITY OF MANHATTAN BEACH DEPARTMENT OF COMMUNITY DEVELOPMENT STAFF REPORT

TO: Planning Commission

FROM: Jeffrey W. Gibson, Interim Director of Community Development

THROUGH: Laurie B. Jester, Planning Manager

BY: Ted Fatuross, Assistant Planner

DATE: August 28, 2019

SUBJECT: Consideration of a Use Permit to Allow an Office Use on the Ground Floor of a Building Previously Occupied by a Bank at 1419 Highland Avenue (Brett Zebrowski)

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT** the Public Hearing and **DIRECT** staff to draft a resolution either approving or denying the Use Permit request.

APPLICANT/OWNER

Brett Zebrowski
1419 Highland Avenue
Manhattan Beach, CA 90266

BACKGROUND

The subject site consists of a 1,666 square foot bank building with a 750 square foot roof top deck on a 3,537 square foot lot located on the southwest corner of Highland Avenue and 15th Street on the northern edge of Downtown Manhattan Beach. The applicant proposes an office use to occupy a building that was formerly occupied by a bank. Section 10.16.020 of the City's Zoning Code requires a Use Permit for any office use that is adjacent to pedestrian areas in the CD Downtown Commercial zone.

PROJECT OVERVIEW

LOCATION

Location	1419 Highland Avenue between 14 th Place and 15 th Street (See Vicinity Map- Attachment A)
Legal Description	Lot 2 and Portion of Lot 1, Verano Beach Tract

LAND USE

General Plan: Downtown Commercial
Zoning: CD, Downtown Commercial
Area District III

	<u>Existing</u>	<u>Proposed</u>
Land Use:	Vacant (formerly bank)	Office
Neighboring Zoning/ Land Uses:	North (across 15 th Street) South (across 14 th Place) East (across Highland Ave) West	RM/Multi-family Homes CD/Office RH/Condominiums PS/City Hall RH/Multi-family Homes

PROJECT DETAILS

	<u>Proposed</u>	<u>Requirement</u>
Parcel Size:	3,537 sq. ft.	2,700 sq. ft. min.
Building Floor Area:	2,416 sq. ft.	5,305 sq. ft. max
Parking:	4 spaces	0 spaces

DISCUSSION

The plans show an existing building consisting of 1,666 square foot proposed office with a 750 square foot existing roof top deck on a 3,537 square foot lot. The applicant, Brett Zebrowski, is proposing an office use for a ground floor space that occupies an entire building located in the CD Downtown Commercial zone. The applicant is a local real estate broker who proposed to use the site for his firm's real estate office (Attachment B).

The applicant does not propose any physical changes to the building besides interior paint and the rearranging of office furniture, neither of which requires a permit. The site was previously occupied by a bank (Pacific Premier Bank). The building was extensively altered and remodeled when the bank took over the site in 2012. A retail tenant occupied the building prior to the bank. The existing building meets all requirements for height, setbacks, landscaping, and other development standards. The site has four parking spaces even though there is no required parking for the site.

A Use Permit is required for any newly established ground floor office use located in the CD Downtown Commercial zone (MBMC 10.16.020). The bank occupying the site previously never obtained a Use Permit to establish a ground floor presence in the CD Downtown Commercial zone, as the bank's presence at the site predates the Use Permit requirement for ground floor office and bank uses. The Use Permit requirement for ground floor bank and office uses in the CD zone was only recently added to the Municipal Code in November 2018 (Ordinance 18-0022). A bank use is considered a different land use classification than an office use under

Limiting Office on the Ground Floor- History and Context

After the Great Recession of 2008, several office and/or bank uses took over vacant ground floor Downtown commercial spaces that were previously occupied by pedestrian-oriented uses (food and beverage sales, retail, interior design, etc). This phenomenon of office and bank uses occupying more and more ground floor Downtown commercial space, along with other trends, contributed to a concern in the community and among policy makers that the Downtown was losing its small town character and pedestrian-oriented land uses.

One specific concern was that if more and more ground floor pedestrian-oriented uses were being replaced with office and bank uses, the Downtown would lose its energy on weekday evenings and on weekends when offices are typically closed. Furthermore, there was a concern that offices and banks could afford higher rents than most retail business, and an unchecked flood of ground floor office and bank uses could potentially raise the rents in the Downtown area.

In response to these concerns, the City started an intensive multi-year process that studied the issues in the Downtown and explored regulatory changes aimed at preserving the Downtown's small town character. This process was eventually centered on the drafting of a Downtown Specific Plan, which was adopted by the City Council December 2016, but then repealed in 2018 after the California Coastal Commission required revisions to both the Plan and the City's Local Coastal Program that the City was not prepared to make.

Arguably the most important and widely agreed upon change the Downtown Specific Plan proposed was to require a Use Permit for any ground floor office use and bank use in the CD zone. The Use Permit process was thought as the City's most effective tool in exercising discretion over where ground floor offices could be located, with the ability to deny requests for locations that perhaps were not well suited for a ground floor office use. Despite the abandonment of the Downtown Specific Plan, the City Council wanted to still be able to control potential ground floor office uses in the Downtown, and the Code was amended in December 2018 to require a Use Permit for ground floor office and bank uses in the CD zone. This gave the City the discretion over Downtown ground floor office uses it had sought for several years.

By allowing potential ground floor office uses to apply for a Use Permit, there is an implicit understanding that there could be possible locations where a ground floor office use could be acceptable in the CD zone. Had the City Council wanted to prohibit all ground floor office uses from the CD zone, the Code would have been amended to reflect that policy direction. The question before the Planning Commission then is whether a ground floor office use is an appropriate use at this specific site.

Staff's Neutral Position

Staff usually recommends the approval or denial of projects that come before the Planning Commission. Staff has taken a neutral position on the applicant's request, and presents both positive and negative aspects of the applicant's request that the Planning Commission can consider when giving direction to Staff. The Planning Commission must determine whether the

applicant's request meets the required Use Permit findings. The Planning Commission should also be mindful of the City's General Plan as well as the Downtown Manhattan Beach Design Guidelines (Attachment C) when reviewing the applicant's request.

The applicant is the first to request a Use Permit for a ground floor office use in the Downtown since the Code was amended in December 2018 to require Use Permits for any new ground floor office uses in the CD zone. Each use permit is reviewed on its individual merits, and thus the Planning Commission's decision on this site will not necessarily set a precedent for other ground floor office uses in the Downtown.

Reasons to Approve Request

Low Impact to Neighbors

Different types of businesses have different types of impacts on neighbors. For instance, restaurants and bars that have late night hours can be noisy, produce large amounts of trash, and generate significant foot traffic. An office use, on the other hand, has relatively limited impacts on neighbors due to its operational characteristics. The properties to the west and north of the site all have residential zoning. A low-impact land use like an office use might be considered a more appropriate land use for a site that is located so close to these residential areas.

Office Use Acts as a "Buffer" and Transition

The site is on the northernmost edge of the CD Downtown Commercial zone, being the last property zoned CD Downtown Commercial before the zone changes on the northern side of 15th Street to RM Residential Medium Density. The properties immediately west of the site are zoned RH Residential High Density. The commercial uses along Highland Avenue become more intensive as one travels south along Highland Avenue from 15th Street to Manhattan Beach Boulevard. An office use, as the applicant proposes, could act as a gentle "buffer" between the residential properties surrounding the site and the more intensive commercial uses closer to the core of Downtown Manhattan Beach.

Impose Conditions on Roof Top Deck

The site contains a 750 square foot uncovered roof deck. Because the site is not governed by a Use Permit, the operations of the roof top deck are not controlled beyond the rules that restrict any other business. These restrictions include the City's Noise regulations (MBMC Chapter 5.48), Entertainment Permit requirements (MBMC 4.20.050), and/or Temporary Use Permit requirements (MBMC 10.84.110). The Police Department has had four dispatch calls to the site between August 2012 to August 2019, with two of the dispatch calls occurring on the same night. All four dispatch calls were for loud parties with music, with the calls occurring between 9pm to 10:30pm on either a Friday or a Saturday.

The Planning Commission could use the Use Permit process as an opportunity to place common sense restrictions on the use of the roof deck by placing conditions related to hours, amplified sound, and other operational characteristics. These regulations could balance the needs of the tenant with the needs of the surrounding neighbors.

Reasons to Deny Request

Gateway to Downtown

The site is located at the northern gateway to the Downtown, as people traveling south along Highland Avenue see the applicant's site as the first commercial building when entering the Downtown area. One could argue that other uses, such like retail, personal service, or food and beverage sales, would be a more exciting use that could greet people as they entered the Downtown area.

Pedestrian Oriented Uses

Pedestrian oriented uses like retail and personal service uses tend to have longer hours and create more foot traffic than office uses. These pedestrian-oriented uses bring more energy to the street than an office use. Office uses that close on the weekends and around 5pm on weekdays can create pedestrian dead zones that break up the energy and rhythm of commercial districts.

Use Permit

Section 10.16.020 of the City's Zoning Code requires a Use Permit for ground floor offices located in the CD zone. The Planning Commission must make the following findings in order to approve a Use Permit for each project:

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;
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;
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; and
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.

General

The General Plan identifies the Downtown Commercial land use as an area "that provides 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. Visitor-oriented uses are limited to low-intensity businesses providing goods and services primarily to beachgoers."

Staff has identified some General Plan goals and policies that the Planning Commission should be mindful of as the Commission weighs the applicant's request. These General Plan goals and policies include:

- LU-5 Protect residential neighborhoods from the intrusion of inappropriate and incompatible uses.
- LU-6 Maintain the viability of the commercial areas of Manhattan Beach.
- 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.
- LU-7: Continue to support and encourage the viability of the Downtown area of Manhattan Beach.
- 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.

PUBLIC INPUT

A public notice for the project was mailed to property owners within 500 feet of the site and published in the Beach Reporter newspaper. As of the writing of this report, Staff has received one public comment from a neighbor who does not object to the office use at the site, but asks the commission to prohibit events on the rooftop (Attachment D).

ENVIRONMENTAL DETERMINATION

The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15332 based on staff's determination that the project is a small infill development within an urbanized area.

CONCLUSION

Staff recommends that the Planning Commission conduct the public hearing, discuss the project, and direct Staff to return to the Planning Commission at a later date with a resolution either approving the project subject to certain conditions or denying the project.

Attachments:

- A. Vicinity Map
- B. Applicant's Written Materials
- C. Downtown Design Guidelines
- D. Public Comment
- E. Plans- 1419 Highland Avenue

c: Brett Zebrowski, Applicant

Attachment A

VICINITY MAP



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Attachment B



August 5, 2019

Dear Planning Commission,

My name is Brett Zebrowski and I have been a resident of Manhattan Beach for the past twenty-two years. I have been a Realtor for the past eighteen years. And, I opened Palm Realty Boutique thirteen years ago. I am a deeply rooted member of our community and I love our city.

It is my hope that you will allow me to open my office at the building located at 1419 Highland Ave. It is my understanding that a use permit is required for a ground floor office. And, I understand the rationale for wanting to maintain the fabric of our city and I think that we exemplify the spirit of our small town, small business, feel. We are actively involved in Manhattan Beach youth sports, charities, downtown Business and Professionals association, events and schools. We are a founding member, and the largest Real Estate donor, to the Manhattan Beach Education Foundation.

The property at 1419 Highland Ave is currently vacant. The previous two tenants were banks, the tenant before that was a furniture store and the tenant before that was a real estate office. We feel that this space is ideally suited for our company and that a use permit would benefit the city. There are many reasons why we feel this way and one of the main reasons is that every time we make a real estate sale, the city generates revenue.

There are five additional reasons why we feel that a use permit would benefit the city.

- 1) **We don't require much parking:** The nature of our business is such that we don't require much parking (Realtors spend most of their day in the field). This is important to note because, in the past, this property has had challenges maintaining tenants because of the lack of parking. Parking will not be an issue for us.
- 2) **We don't require foot traffic:** Because this property is on the fringe of the downtown area, it requires a business that is not dependent on foot traffic. This eliminates most, if not all, retail options. This will also not be a factor for us as our business is not dependent upon foot traffic.
- 3) **We will make great neighbors:** We will make great neighbors to the surrounding property owners and tenants. Our agents are local residents, many 2nd and 3rd generation, we are polite, respectful, hard working and we understand the value of community. We believe that kindness matters.

4) We don't have a lot of trash: Many businesses produce a tremendous amount of trash, waste, food, recyclables as a result of constant inventory turnover. We don't have any of this as our business is almost entirely paperless. The neighbors will appreciate us not having the alley constantly full of trash cans and waste.

5) We are Low Impact: 1419 Highland is surrounded by mostly residential properties. These residents will appreciate our low impact "Quiet" use. We don't work late hours. We don't have people constantly coming and going and we don't make a lot of noise.

It is our sincere hope that you approve the use permit for our office at 1419 Highland Ave. We feel that because this property is on the fringe of the downtown area, and surrounded by residential properties, it is best suited for office use. Also, if you approve our use permit, we will be vacating our current ground floor office at 1145 Highland Ave and moving our agents to 1419 Highland Ave. This will free up the ground floor office space at 1145 Highland Ave and give the landlord an opportunity to explore a potential retail use.

We want to assure you that we will make a wonderful addition to the neighborhood. Our low impact footprint is ideal for this location. We are quiet, respectful and proud members of our local community. We feel that our company exemplifies the fabric of our town and we thank you for your time and consideration.

Respectfully,



Brett Zebrowski



DOWNTOWN DESIGN GUIDELINES

Adopted September 4, 2018 by the City Council

DESIGN GUIDELINES

The following design guidelines are intended to perpetuate quality development that will complement and enhance the project area's eclectic style and small town character. The guidelines apply to all private development that occurs in the project area, addressing the design of both new buildings and renovations to existing structures. The guidelines are organized into several categories that specify how buildings should be located and oriented on a site as well as describe how architectural elements should be incorporated into building designs to perpetuate a pervasive sense of high architectural quality throughout the area. The guidelines also provide direction on how new development should interact with and complement the planning area's historic resources, and encourage sustainable practices such as stormwater management and water efficiency measures.

Conformance with the guidelines is strongly encouraged, but not necessarily required. Alternative design solutions are permitted provided that they meet the overall objectives of this document.

SITE DESIGN

Downtown Manhattan Beach is characterized by buildings and outdoor spaces that directly address the adjoining streets. Buildings are typically located adjacent to or near the sidewalk, creating an intimately scaled, pedestrian-oriented streetscape. Doors and windows face onto the street, providing the streetscape with a sense of activity and vibrancy. To sustain this ambiance, site, building, and outdoor space design should address the following guidelines.

SITE LAYOUT AND BUILDING ORIENTATION



Figure 1 Buildings are located at the property line

- Along commercial streets, ground-floor retail and restaurant uses should be located at key intersections.
- Building frontages facing a street or public space should be located on or near the corresponding property line and/or sidewalk edge, unless space between the building and sidewalk is to be used for outdoor pedestrian spaces, such as plazas and forecourts, and landscaping. Where such spaces exist, at least 70 percent of the building's façade should be located along the property line or sidewalk edge.
- Buildings should be oriented so that the primary façades and key pedestrian entries face major streets and plazas and entries are at sidewalk level.
- To emphasize the presence of buildings at corners, the structures should be accentuated by height, articulation, and unique roof silhouettes.

DESIGN GUIDELINES

- Buildings on corners should include storefront design features that activate the street level and engage pedestrians for at least 50 percent of the wall area on the side street elevation.
- Building walls facing public streets and walkways should provide visual interest to pedestrians. Variations such as display windows, changes in building form, and changes in material, texture, and/or color are encouraged.
- Pedestrian passages that enable through-block pedestrian circulation, such as paseos, are encouraged.
- To support active pedestrian streetscapes, private parking lots, driveways, and loading areas should be located behind buildings and only be accessed from side or rear streets and alleys.
- Loading facilities should not be located at the front of buildings where it is difficult to adequately screen them from view. Such facilities are more appropriately located at the rear of the site.
- Where commercial buildings back up to residential properties, loading and delivery should be planned so that they will occur at the side of the building away from residences where feasible.
- Site designs should be configured to minimize the appearance of driveways and garages or parking relative to the pedestrian access, landscape, and livable portions of the building (e.g., locate driveways and garages along alleys).
- Limit gaps between buildings solely to those necessary for pedestrian access and/or usable outdoor space.
- Encourage positive transitions in scale and character at the interface between residential and nonresidential land uses.



Figure 2 Corner entrance emphasized through unique articulation and materials



Figure 3 Metlox Plaza features a green space and fountain surrounded by retail and restaurants.

OUTDOOR SPACES

- Recognize views, climate, and the nature of outdoor activities and users in the design of outdoor spaces.
- Outdoor spaces should be located adjacent to sidewalks, walk streets, pedestrian and multiuse pathways, retail, and outdoor dining areas to maximize visibility.
- To activate the streetscape and provide “eyes on the street,” semiprivate open spaces such as forecourts should be oriented to face major streets.
- To facilitate the inclusion of outdoor spaces along the project area’s narrow sidewalks, building entrances can be recessed.

- Open spaces shall incorporate landscaping that provides shade, softens hard edges, and creates an aesthetically appealing environment that complements the surrounding buildings.
- Outdoor spaces should be designed to incorporate Crime Prevention Through Environmental Design (CPTED) principles. This includes making outdoor spaces visible from the street and providing pedestrian-scale lighting to enhance nighttime security.

BUILDING DESIGN

Downtown Manhattan Beach is predominantly composed of compact blocks and narrow parcels that mostly occupy limited street frontage. The massing and scale of Downtown’s existing buildings reflect these dimensions, contributing to the area’s vibrant, pedestrian-oriented streetscape. Building heights range from one to three stories and building setbacks are limited. The Downtown contains a number of finely detailed buildings in a variety of styles which contribute to the area’s unique quality and help define its pedestrian scale. To complement the project area’s massing, scale, and character; new development should consider the following guidelines.



Figure 4 Inviting corner entrance with tower feature



Figure 5 Building mass has been broken into smaller forms

MASSING AND SCALE

- New development located on highly visible corner parcels should incorporate special features such as rounded or cut corners, corner towers, inviting corner entrances, corner roof features, special show windows, and special base designs.
- Projects built adjacent to existing lower-scale residential development should respect the scale and privacy of the adjacent properties. This can be accomplished by varying the massing within a project, stepping back upper stories, and varying sizes of elements to transition to smaller-scale buildings.
- The scale of new infill developments should complement existing structures while providing a sense of human scale and proportion.
- The mass of large-scale buildings should be broken up. This can be accomplished by integrating one or more of the following approaches into a building’s design:
 - » Use articulation in form including changes in wall planes, upper-story building stepbacks, and/or projecting or recessed elements.
 - » Incorporate architectural elements and details such as adding notches, grouping windows, adding loggias, dormers, and balconies, and varying cornices and rooflines.

- » Vary materials and colors to enhance key components of a building's façade (e.g., window trims, entries, projecting elements).
- Larger mixed-use developments should incorporate memorable open space(s) that are accessible to the public. Appropriate spaces include forecourts, paseos, and plazas.
- Large buildings should be designed to appear as an aggregation of smaller "building blocks" rather than a single large block or box.
- Long horizontal rooflines on buildings with flat or low-pitched roofs should be broken up. This can be accomplished through the use of architectural elements such as parapets, varying cornices, and rooflines.
- All rooflines, regardless of pitch, should be broken at intervals of no more than 30 feet. Appropriate approaches to meeting this guideline include varying the roof's height and/or form.
- The design of a rear/side façade should follow the general scale, proportion, and detailing of the front façade.
- Strong building forms such as towers, gables, turrets, and loggias should be used to accent buildings located at important gateways, intersections, and street corners.

BUILDING HEIGHTS AND STEPBACKS

- To preserve and reinforce the project area's pedestrian scale and encourage design compatibility and variety, upper-story street-facing façades may be stepped back.
- Decks and roof gardens should be used to activate upper-story stepback areas, and designed with sensitivity for the surrounding residential uses.
- Building heights should relate to adjacent sites to allow maximum sun and ventilation as well as provide protection from prevailing winds, and to enhance public views.
- Emphasize horizontal elements to make a taller building appear less overwhelming.



Figure 6 Upper story steps back



Figure 7 Balconies and roof gardens activate stepback areas

BUILDING SETBACKS

- Varied, articulated spaces between buildings and along the street should be encouraged.
- Commercial and mixed-use development should occur at the front edge of the property line unless outdoor dining or a recessed entry is proposed.

- To provide adequate space for pedestrian movement and activity, building designs should utilize building setbacks and arcaded or galleried spaces as an extension of the sidewalk. This space can be used for outdoor seating, street furniture, landscaping, and public art that can enliven the streetscape.

BUILDING FAÇADE ARTICULATION

- Façades should be broken down into a series of appropriately proportioned structural bays or components.
- Large, blank façades should be avoided. The use of opaque glass is discouraged, and the use of reflective glass is not allowed.
- Commercial façades should include elements that form a complete storefront, including doors, display windows, bulkheads, signage areas, and awnings. Entrances should be recessed from the façade, creating a small alcove area.
- Designs should use architectural elements to enhance building façades. These can include cornices, lintels, sills, balconies, awnings, porches, and stoops.
- Upper stories are encouraged to include expressive design features such as balconies and bay windows.



Figure 8 Detailed architectural treatments enhance the facade



Figure 9 Transparent windows along ground-floor retail

- For upper-floor residential uses, balconies should include transparent or semitransparent railings to enhance natural lighting and maximize “eyes on the street.”
- Designs should differentiate between the amount of the façade reserved for windows and doors for street-level storefronts versus upper stories. Typically, street-level storefronts include a much greater area for openings (70 percent) than upper stories (40 percent).
- Designs should maximize transparent windows on street facing building facades, particularly for ground-floor uses. Views into building interiors should not be significantly obstructed.
- Operable windows should be used wherever possible to allow passive ventilation, heating, and cooling.
- Provide storefront windows, doors, entries, transoms, awnings, cornice treatments, and other architectural features that complement the surrounding existing structures without exactly duplicating a past architectural style.
- Roofs may be flat or sloped. The visible portion of sloped roofs should be sheathed with a roofing material complementary to the architectural style of the building and other surrounding buildings.

DESIGN GUIDELINES

- Roof-mounted and ground-mounted mechanical equipment should be screened by a parapet wall or similar structural feature that is an integral part of the building's architectural design.
- Orient main building entrances to directly face streets and/or public spaces. Buildings that front multiple streets should provide a main entrance along each street.
- Design entries to be clearly visible from the street, accentuated from the overall building façade, and to provide visual interest. This can be accomplished through the use of a differentiated roof, awning or portico, trim details, recessed entries, doors and doorway with design details, decorative lighting, or other techniques.
- Clearly define entrances to second-story residential uses in mixed-use buildings, so that they are easily approachable from a public street or sidewalk.
- Vary materials and colors to enhance key components of a building's façade (e.g., window trims, entries, projecting elements). Material changes should occur preferably at the inside corners of changing wall planes.

MATERIALS

- Use materials, colors, and details to unify a building's appearance.
- All building materials should be selected with the objectives of quality and durability as well as to produce a positive effect on the pedestrian environment through scale, color, and texture.
- Material for exterior walls should incorporate two aspects: color and texture. If the building's exterior design is intricate, with many articulation, columns, and design features, the wall texture should be simple and subdued. If the building design is relatively simple, a finely textured material, such as patterned masonry, should be used to enrich the building's overall character.
- For ground-floor building façades, especially those associated with a storefront, glass should be clear or lightly tinted. Opaque and dark-tinted glass is discouraged, and reflective glass is not allowed.



Figure 10 Mix of high-quality building materials



Figure 11 A variety of materials, colors, and textures creates visual interest

AWNINGS

- Provide overhead cover along the sidewalk for pedestrian comfort, especially where there are few mature street trees. Canopies and awnings are encouraged but require encroachment permits if awnings project into the public right-of-way.



Figure 12 Awnings provide cover for pedestrians



Figure 13 Awning shape relates to window and door openings

- Size canopies and awnings to the scale of the building and sidewalk.
- Awnings and canopies (functional weather protection) can generally encroach into the public right-of-way with an Encroachment Permit. These elements should never extend beyond the curb face and should be compatible with the design character of the neighborhood.
- Awnings style and colors should be complementary to and compatible with the building design, architecture, and character.
- Awning shape should relate to the window or door opening. Barrel-shaped awnings should only be used to complement arched windows, while square awnings should be used on rectangular windows.
- Aluminum awnings or brow canopies are only allowed when consistent with the original design character of the building.
- Where the façade is divided into distinct structural bays (sections defined by vertical architectural elements such as masonry piers), awnings should be placed within the vertical elements rather than overlapping them. The awning design should respond to the scale, proportion and rhythm created by these structural bay elements, and nestle into the space created by the structural bay.
- Glossy finish vinyl or similar awning material is discouraged.

ARCHITECTURAL CHARACTER

- Design visually attractive buildings that contribute architectural richness and variety to the Downtown's eclectic visual character, including creative contemporary architectural solutions.
- Integrate new development with its surroundings, emphasizing functional and visual continuity. Building forms should complement the rhythms established by buildings in the immediate vicinity by respecting the scale, massing, and materials of adjacent buildings and landscape.
- New buildings and building renovations should complement the architectural character and history of adjacent development, without imitating historical styles.



- Development on either side of streets (facing each other) should be designed at a compatible scale and massing to encourage a comfortable pedestrian environment and maintain a sense of visual cohesion along the street.

Figures 14 - 16
Downtown features an eclectic mix of architectural styles

HISTORIC PRESERVATION

Downtown Manhattan Beach's buildings incorporate a variety of architectural styles, inspiring the district with an eclectic identity. To perpetuate the project area's architectural variety, development should seek to preserve historic structures. In addition to the City's Historical Preservation Code, the following guidelines should be considered, where feasible, in the alteration of historic buildings and construction of new buildings and additions adjacent to such resources. For information pertaining to voluntary historic preservation regulations, refer to the Manhattan Beach Municipal Code - Historic Preservation Code Section 10.86 and A.86 of the Local Coastal Program (pending final Coastal Commission Approval).



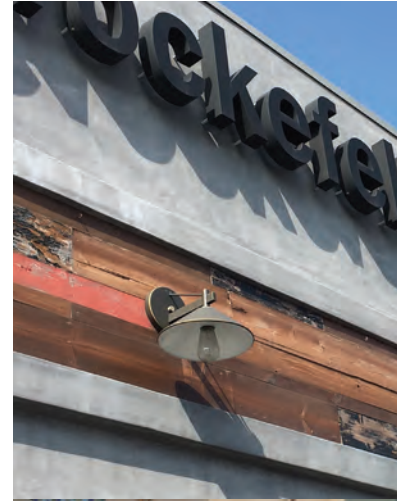
Figure 17 1101 Manhattan Ave is the oldest commercial building in the Downtown

GUIDELINES FOR ALTERATIONS TO HISTORIC RESOURCES

- Where possible, follow the Secretary of the Interior's Standards for Rehabilitation.
- Avoid the removal of historic materials.
- Avoid covering historic architectural details with modern cladding, awnings, or signage.
- Continue a building's original use if possible.
- Preserve building's significant façades, if feasible.
- Use historical photographs where possible to inform accurate rehabilitation projects.
- Use paint colors that complement, rather than detract from, the historic character of the property; if possible, consult historical photographs or specifications to determine whether a paint scheme is historically appropriate.
- Second-floor additions should be architecturally integrated, visually subordinate to the original building, and carefully proportioned.

GUIDELINES FOR NEW CONSTRUCTION AND HISTORIC RESOURCES

- Consider how the style, massing, rhythm, setbacks, and materials of new construction may affect the character of adjacent historical resources.
- Near historic residential properties, consider setting new construction back from the street and preserve the open space and rhythm between residences.
- Near historic commercial buildings, abut adjacent buildings with new construction to create a solid block face, if compatible with the surrounding character.
- If an addition or new construction is under consideration, reference the information for adjacent historical resources to verify that the proposed change is compatible with both the subject property and the adjacent historical resources.
- Consult the building and zoning codes and the Local Coastal Program for additional regulations on historic resources.



LIGHTING

Well-placed exterior lighting helps to improve visibility, provide safety, and create ambiance. Lighting also has the ability to define an area's character by illuminating architectural details, landscaping, sidewalks, pedestrian paths, and open spaces. To ensure that private development in the Downtown maximizes opportunities to use exterior lighting, the following guidelines should be addressed. For information pertaining to lighting regulations, refer to Sections 10.60.120 and 10.64.170 of the MBMC and Sections A.10.60.120 and A.10.64.170 of the LCP.

- Lighting should be designed to satisfy both functional and decorative needs.
- All project exterior lighting, with the exception of lighting for public streets, should be consistent with the architectural style of the building. On each project site, all lighting fixtures should be from the same family of fixtures with respect to design, materials, color, fixture, and color of light.
- Designs should include pedestrian-scale lighting.
- Lighting fixtures should be dark sky-compliant.
- Lighting sources must be shielded, diffused, or indirect to avoid glare to pedestrians and motorists. To minimize the total number of freestanding pedestrian-scale lighting fixtures, decorative wall-mounted lights are encouraged.

Figures 18 - 20

Lighting fixtures should be compatible with building architecture

- Building entrances should be well lit with appropriately scaled light fixtures.
- Lighting fixtures may not cast light directly into adjacent residential windows. It is recommended that fixtures employ a translucent or optical lens diffuser globe or shield.
- Lighting solutions should balance the need to provide illumination and security in the following ways:
 - » General lighting levels should use the minimum brightness for the illumination of large areas. Brighter light may be used to punctuate and accent important areas such as building entries and special architectural features.
 - » Building-mounted lighting should be used, particularly in pedestrian-oriented and high-visibility areas, and should be designed and placed to accent the building's architectural details.
- The color and finish of lighting metalwork should harmonize with building metalwork.
- Architectural lighting should be used to enhance a building during twilight and nighttime hours in the following ways:
 - » Lighting should accent the unique characteristics that provide texture and form, such as doors, window openings, detail cornices, columns, and arcades.
 - » A “close-in” lighting approach should be used for stone and brick building façades. This approach grazes the light across the façade surface, bringing attention to the wall's textural quality by creating shadows and drama.
 - » Lighting should emphasize the building's base, middle, and top. This facilitates the building appearing natural from all vantage points.
 - » All fixtures and wiring should be well hidden in the architectural details so that the lighting fixture and appurtenances have minimal impact during the day. Fixture size, shape, color, and mounting details are important considerations in the integration process.
 - » A building façade should not be washed with bright light from a distant location. This approach “flattens” out the building's texture and causes unnecessary glare to nighttime users.
 - » Light fixtures should be designed so that the light goes exactly where it's intended. Special care should be taken to include louvers, glare shields, or barn doors to the front of floodlight fixtures to prevent light pollution.
 - » Light levels should be appropriate for the amount of illumination intended. This will help ensure that the lighting enhances the building's best qualities.
 - » Lighting fixtures should be mounted in strategic locations to facilitate necessary maintenance.
- As a security device, lighting should be adequate but not overly bright.



LANDSCAPING

Landscaping provides shade, enhances the appearance and enjoyment of outdoor spaces, and helps soften the visual impact of buildings and paving. The City encourages innovation in planting design and choice of landscape materials with the following guidelines. For information pertaining to landscaping regulations, refer to Sections 10.60.070 and 10.64.180 of the MBMC and Sections A.10.60.070 and A.10.64.180 of the LCP.

- Landscaping should incorporate native and drought-tolerant species to the greatest extent possible.
- Landscaping should be properly maintained and trimmed to maximize visibility.
- Development should provide landscaping and open space amenities such as patios, courtyards, or rooftop gardens. Open spaces should incorporate landscaping that provides shade, softens hard edges, and creates an aesthetically appealing environment that complements the surrounding buildings.

Figures 21 - 23
Landscaping should be native and/or drought-tolerant



Figure 24 Landscaped character complements adjacent architecture



Figure 25 Vegetated bioswale filters stormwater

- Utilize a landscape palette that reflects the history, culture, and climate of the project area.
- Landscape treatment should reflect an urban character with the strategic use of planting areas, street trees, planter boxes and pots, hanging baskets, and appropriate foundation plantings where practicable. Hardscaped areas should be softened with the use of plants, shrubs, and trees.
- Encourage the use of on-site planting, furniture, lighting, and site details that complement the landscape character of the immediate area and support the design intentions of the building architecture.
- Landscaping should be designed to enhance existing vistas or provide new vista corridor opportunities.
- Stormwater runoff should be detained and retained by maximizing the use of pervious surfaces, vegetated bioswales, and vegetative groundcover to the greatest extent practicable.
- The use of recycled water for landscaping is encouraged.
- Turf areas should be minimized except where recreation areas are required.
- Provide opportunities for installation of public art in the landscape; designer/artist collaborations are encouraged.
- The landscaping character of the site should be extended to adjacent parking lots.
- Landscaping should be used to provide effective screening of parking areas, retaining walls, utility enclosures, utility cabinets, service areas, service corridors, and similar areas to reduce negative visual impacts.
- Landscaping should be provided along fences and walls.

SIGNAGE

Building signage is integral to conveying information and emphasizing a building's architecture and Downtown's character. Because the Downtown area is pedestrian-oriented, signage also helps contribute to the area's pedestrian scale.

To ensure that a project's signage is achieving the aforementioned goals, the following guidelines must be addressed. For information pertaining to signage regulations, refer to Chapter 10.72 of the MBMC and A.72 of the LCP.

- Signs should reflect a crafted, high-quality, detailed design approach.
- Sign shapes, type styles, materials, and color combinations should complement building styles and reflect the business that they represent in creative and fun, as well as functional ways.
- Signs should be scaled to fit and complement the project area's pedestrian-oriented environment.
- Corporate signage should be modified to fit the scale and character of the project area.
- Signs should be modestly scaled to fit the casual visual character of alleys and rear parking areas.
- Signs should not obstruct or obscure building architecture, lighting, or view corridors.
- Signs should reflect the uses that they represent in creative and fun, as well as functional, ways.
- Signage should be wall-mounted or suspended from awnings above the sidewalk. Appropriate wall-mounted signs include, but are not limited to, blade signs. It is encouraged that all hanging signs be located perpendicular to the site wall.
- Façade signs should include individual letters.
- Building-mounted signs must be located on wall areas or architectural features that are specifically designed for them. Appropriate architectural features include recessed wall areas, towers, turrets, or parapets.
- Pole-mounted signs and can signs are prohibited.
- Signs should be subtle, rather than dominate a space.



Figures 26 - 27
Signage should be high-quality, pedestrian-oriented, and compatible with the building style

OUTDOOR DINING

Outdoor dining areas provide vital outdoor space and activity on private property adjacent to the project area's narrow sidewalks, walk streets, and pedestrian spaces, and help promote the project area's small town character. To ensure that restaurant and property owners maximize the opportunities associated with the installation of private property outdoor dining areas, the following guidelines should be addressed, in addition to any development regulations such as Use Permit requirements. For information pertaining to City's outdoor dining encroachment permit requirements for dining in the public right-of-way, refer to Sections 7.36.160 of the MBMC.

- Appropriate outdoor dining configurations include ground floor outdoor spaces along and/or within sidewalks, pedestrian spaces, and ground floor indoor spaces located along a building frontage that features a retractable façade, provided any impacts to surrounding residents are addressed and sufficient pedestrian access is provided.
- Tables and chairs should be constructed and/or fabricated from durable, high-quality materials, such as aluminum, wrought iron, fabricated steel, wood, or similar materials. The use of plastic and resin furniture is discouraged.
- It is encouraged that tables be arranged in rows, preferably parallel to the adjacent building.
- Umbrellas and other sun shades are encouraged to provide shade. Wherever utilized, these devices should incorporate durable, high-quality materials such as cloth, aluminum, wrought iron, fabricated steel, or wood. Vinyl or plastic materials should be avoided. Umbrella stands should be a heavy solid material. Shade devices are to maintain a minimum height clearance of 8 feet. All shade devices should be brought in at night.
- Outdoor dining areas should incorporate appropriate lighting for safety and ambiance.
- Outdoor dining areas should include at least one enclosed trash receptacle.
- Fencing may be used to demarcate outdoor dining areas where there is adequate space. Fencing should comply with the following guidelines:
 - » Fencing should be decorative and complement the building architecture, character and design.
 - » Fencing should be constructed from durable, high-quality materials.
 - » Solid and/or opaque walls adjacent to public pedestrian areas are discouraged.
 - » Fencing may incorporate planters.
 - » Fencing located at the building frontage should not exceed 42 inches in height. Plants associated with fencing should not exceed a combined total of 48 inches in height.
- Outdoor dining areas located in side or rear yards may be fenced for security and screened for privacy. Fencing may be constructed to a height of 6 feet, and feature solid or open construction.

DESIGN GUIDELINES



Figures 28 - 33
Outdoor dining arrangements



- The design, materials, and colors of all outdoor dining furnishings should complement the associated restaurant/café.
- The operator and/or owner of an outdoor dining space must maintain the space in a safe, clean condition.
- Outdoor dining furniture, shade structures, fencing, and appliances may not be stored within the public right-of-way.
- Furniture and fixtures may not be secured or attached to trees, lampposts, street signs, hydrants, or any other street infrastructure.



Figures 34 - 35
Sculpture garden artwork

PRIVATE REALM ART

Art installed on buildings and within private outdoor spaces foster a unique identity for the project area and elevate the district's aesthetic quality. The following guidelines address the selection of art installed within the private realm.

- Both functional art (aesthetic objects that serve a utilitarian purpose, such as a decorative bench) and fine art are encouraged within the district.
- Sculptures and murals are encouraged. A mural that includes lettering or a theme that is oriented to a business on the site is considered a sign and subject to the requirements of MBMC Chapter 10.72 and LCP Chapter A.72.
- Artwork should relate to and enhance the quality of the site's buildings and open space, and other public art and street furnishings within close proximity.
- Artwork should be crafted from high-quality, durable materials, and be well maintained throughout its installation.
- Artwork should be secured to a building and/or the site.



Figure 36 Green roofs absorb heat and rainwater

WATER AND ENERGY USE

The following guidelines support the City's sustainability goals and objectives to increase water and energy efficiency throughout the City, as described in the City's General Plan in goals such as GOAL CR-5: Conserve and protect the remaining natural resources in Manhattan Beach of the Community Resources Element.

- Site designs should incorporate drought-tolerant and native landscaping that requires little irrigation and low maintenance.
- Landscaping should be irrigated through a drip, microspray, or other low water usage irrigation system, using recycled water when possible.
- Planting strips along the street edges can be designed to act as functional stormwater management systems in the form of "urban bioswales." Stormwater is directed into planter strips that irrigate landscaping while filtering and reducing stormwater runoff.
- Solar panels may be installed on rooftops and/or façades to supplement the energy source.
- Adjustable external shading devices are encouraged to help control the climate inside buildings.
- To increase surface areas for windows and opportunities to maximize the use of natural lighting, skylights and façade articulations are encouraged.
- Cool and/or green roofs are encouraged reduce the heat island effect and thereby reduce the heat transferred into the building below. Cool roofs consist of materials that effectively reflect the sun's energy. Alternatively, green roofs achieve the same purpose and include vegetation to harvest rainwater for reuse and diminish runoff. Any vegetation that is part of a green roof cannot exceed the maximum height limit.



Figures 37 - 38
Planting strips and bioswales help reduce and filter stormwater

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Attachment D

Public Comment

From: Ron Lyons [mailto:rtl007@aol.com]
Sent: Thursday, September 26, 2019 8:58 AM
To: Ted Faturros <tfaturros@citymb.info>
Subject: 1419 Highland Avenue comment

Mr. Faturros,

I am contacting you in response to the public hearing notice concerning the above referenced address. I would like to offer my written comments on the proposed application as I am unable to attend the public hearing. My only concern with the intended use of the premises is that the applicant and landowner not be permitted to host rooftop events as this has been problematic in the past. The previous events have been disruptive to the neighborhood negatively impacting parking availability and noise levels. Office use is complementary to the neighborhood, rooftop entertaining is not typical of said use and as such should be restricted.

I ask that the Planning Commission take my concerns seriously as they contemplate their decision. The impacted residents are already asked to sacrifice their quality of life and quiet enjoyment of their property too much with the numerous community events currently held in and around 15th Street.

Thank you for your consideration.

Ron Lyons
329 15th Street
Manhattan Beach, CA 90266
(310) 308-9227

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FLOOR AREA CALCULATIONS

SEE A0.1 FOR DIAGRAMS

PROPOSED FLOOR AREA:	Existing Floor Area:	1666 Sq. Ft.
	Proposed New Deck Floor Area	750 Sq. Ft.
	Total:	2416 Sq. Ft.

MAXIMUM BUILDABLE FLOOR AREA (1.5 x 3537) = 5305.5 SQ. FT.

TOTAL B.F.A. : 2,416 SQ. FT.

2,416 < 5,305.5 Sq ft = OK

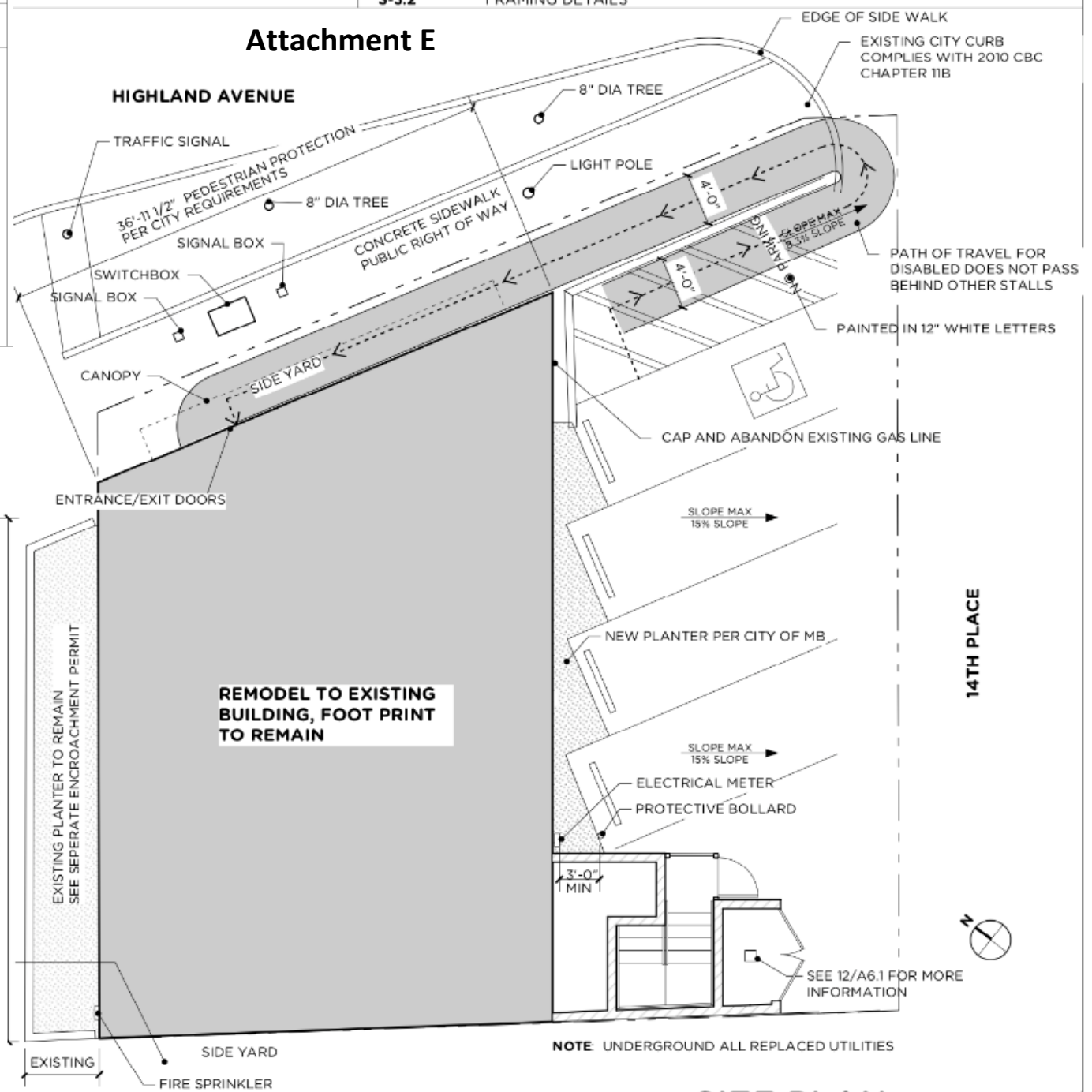
PARKING REQUIREMENTS

Total Floor Area	2,416 Sq.Ft. < 10,000 Sq.Ft.
Lot Area	3,537 Sq.Ft. 2,416 Sq.Ft./ 3,537 LESS THAN 1:1 FAF RATIO
ZERO PARKING SPACE REQUIREMENTS	

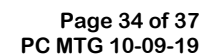
SETBACK THE STRUCTURES -0" IN ALL WAY

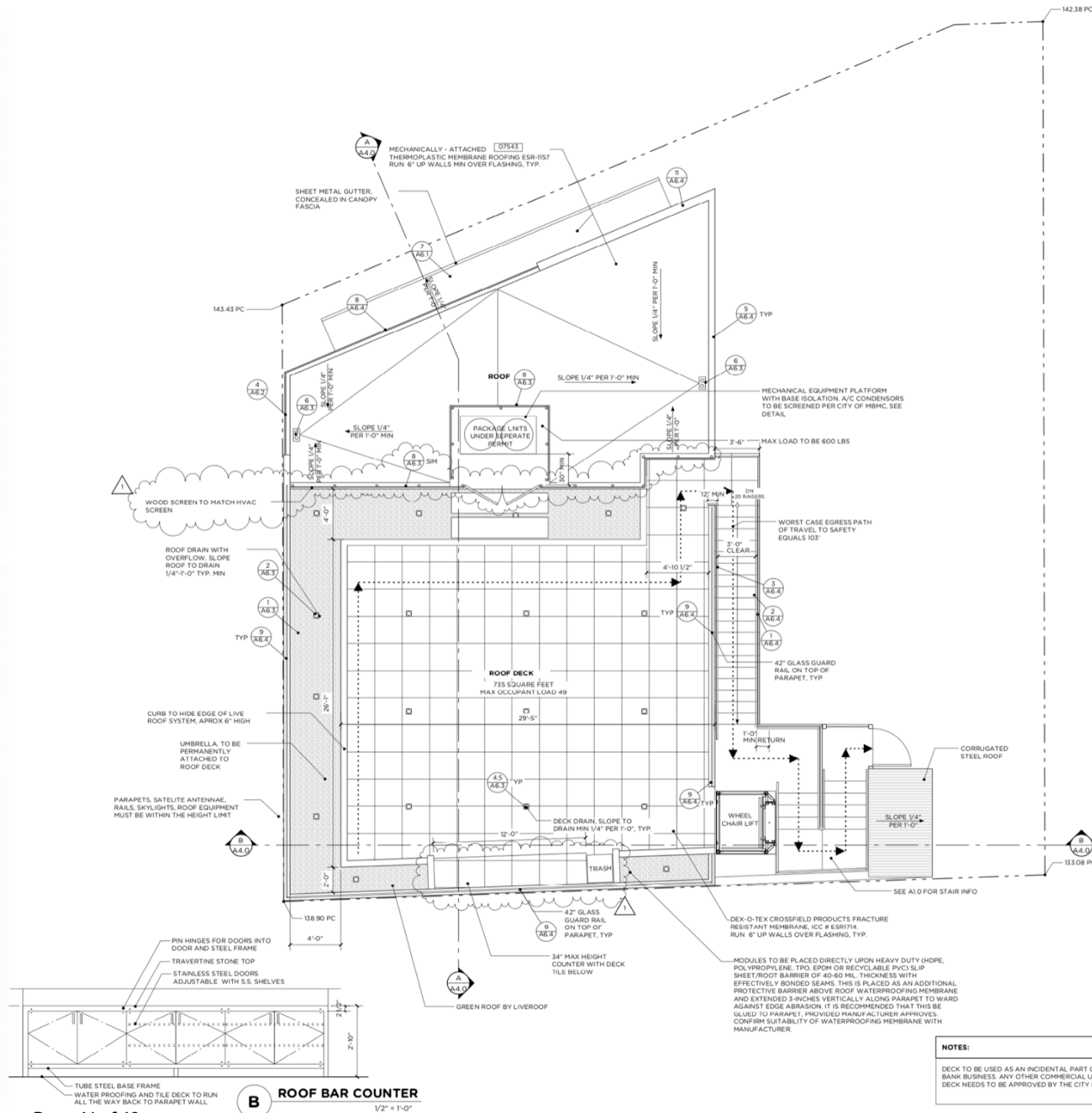
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HIGHLAND AVENUE



LOT OR PROPERTY LINE, FRONT: THE STREET OR ALLEY PROPERTY LINE OF AN INTERIOR LOT. THE FRONT PROPERTY LINE OF A CORNER LOT SHALL BE THE SHORTER STREET OR ALLEY PROPERTY LINE, PROVIDED THAT WHERE ONE STREET OR ALLEY PROPERTY LINE IS AT LEAST SEVENTY-FIVE PERCENT (75%) OF THE LENGTH OF THE OTHER STREET OR ALLEY PROPERTY LINE, THE COMMUNITY DEVELOPMENT DIRECTOR SHALL DETERMINE THE LOCATION OF THE FRONT PROPERTY LINE.





1

SITE SIGNAGE

HIGHLAND PROPERTY FRONTAGE 64 FT
 MAXIMUM SITE SIGNAGE EQUALS 64 SQFT.
 ACTUAL SITE SIGNAGE EQUALS 12 SQFT.

