



## Legislation Text

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**File #:** 19-0468, **Version:** 1

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**TO:**  
Honorable Mayor and Members of the City Council

**THROUGH:**  
Bruce Moe, City Manager

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

**SUBJECT:**  
Recent Planning Commission Quasi-Judicial Decisions:  
Use Permit and Vesting Tentative Parcel Map for 1446 12<sup>th</sup> Street, and Separate Use Permit and Vesting Tentative Parcel Map for 1450 12<sup>th</sup> Street (Interim Community Development Director Gibson).

### **INFORMATION ITEM ONLY**

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On November 13, 2019 (after the posting of the November 19, 2019 City Council agenda), the Planning Commission considered the item described below. **In the event the Commission takes action on the item, staff will inform the Council of the decision no later than Monday, November 18, 2019.**

Use Permit and Vesting Tentative Parcel Map for Three New Residential Condominium Units Located at 1446 12th Street and a Separate Use Permit and Vesting Tentative Parcel Map for Three New Residential Condominium Units located at 1450 12th Street (Manhattan Construction, LLC)

On February 12, 2019, the City received an application requesting a Use Permit and Vesting Tentative Tract Map for a three-unit residential condominium development at 1446 12<sup>th</sup> Street, and a separate application requesting a Use Permit and Vesting Tentative Tract Map for a three-unit residential condominium development on the adjacent property at 1450 12<sup>th</sup> Street. The Planning Commission held a public hearing on October 23, 2019 and continued the hearing to November 13<sup>th</sup>.

At the October 23<sup>rd</sup> meeting, a neighbor expressing concern about privacy, rear retaining wall access, and how the proposed accessory structure in the rear of 1446 12<sup>th</sup> Street affects the neighbor's property. The Commissioners discussed how the projects fit into the City's housing obligations, and also discussed the projects' different design elements and the neighbor's concerns. The Commissioners asked Staff to return to the November 13, 2019 Planning Commission hearing with modified resolutions containing conditions addressing General Plan Housing Element findings and the neighbors design concerns. The Commission held the continued public hearing, discussed and adopted the revised resolutions on November 13<sup>th</sup>.

Link to the Planning Commission Staff Report:

[http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning\\_commission/2019/20191113/20191113-2.pdf](http://cms6ftp.visioninternet.com/manhattanbeach/commissions/planning_commission/2019/20191113/20191113-2.pdf)

### **STAFF'S RECOMMENDATION: APPROVE PROJECT WITH CONDITIONS**

Planning Commission quasi-judicial decisions can be called up for review by any two Councilmembers or appealed by any member of the public within 15 days of the decision. The appeal period for this item ends on Thursday, November 28, 2019, however City Hall is closed on November 28<sup>th</sup> and 29<sup>th</sup> for the Thanksgiving Holiday, as well as Saturday and Sunday, so the appeal period is extended until Monday, December 2<sup>nd</sup>. For all requests for review, it shall be presumed that the reason for the request is that the decision may have significant and material effects on the quality of life within the City, or that the subject matter of the decision may have Citywide importance warranting review and determination by City's elected officials. Bias shall not be presumed or inferred due to a request for review.