



Agenda Item #:

08/0205.19

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Aldinger and Members of the City Council

THROUGH: Geoff Dolan, City Manager

FROM: Richard Thompson, Director of Community Development
Daniel A. Moreno, Associate Planner

DATE: February 5, 2008

SUBJECT: Consideration of an Appeal of the Planning Commission Decision Denying a Use Permit, Alcohol Beverage License and Variance from Maximum Allowable Building Height for a Proposed Rite Aid Retail Pharmacy at 1100 Manhattan Beach Boulevard

RECOMMENDATION:

Staff recommends that the City Council **CONDUCT** the public hearing, **DISCUSS** the subject request and provide **DIRECTION**

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

At the November 28, 2007 Planning Commission meeting staff presented a proposal which consisted of a request to allow the development of a 13,370 square foot retail use and pharmacy without a drive-thru, which includes a 1,000 square foot mezzanine storage/utility area. The proposal would replace a 1,736 square foot gas station (Manhattan Beach Fuel) with three service bays and surface parking on the north end of the property, and a 8,638 square foot commercial retail/office/personal service building (Mr. D's Liquor Mart, General Office Uses, Peak Fitness) at the south end of the property. The site, after an 8-foot dedication on Sepulveda Boulevard, would encompass 40,250 square feet of area.

As a result of combining two parcels, severe grade changes occur in the development of the site. This includes: 12.37' of drop from the N/W corner to the S/W corner; 19.25' of drop from the N/W corner to the S/E corner; and 16.41' of drop from the N/E corner to the S/E corner. This change in grades, in effect, has hampered the ability of the structure to be designed within the allowable height limit based on the four-corner elevations of the property.

The proposed retail use is permitted in the CG zone; however, because the project exceeds more than 5,000 square feet of buildable floor area and more than 10,000 square feet of land area, and requests an alcohol beverage license, a Use Permit approval is required. Along with the Use Permit application, the applicant also seeks a Variance approval from the maximum allowable building height.

At the November 28, 2007 Planning Commission meeting, after opening the hearing and taking testimony, the Commission passed a motion to continue the public hearing to the December 12, 2007 Planning Commission meeting. Although the Commission indicated that the design and layout of the proposed project was generally acceptable, the Commission did continue the public hearing due to the following concerns:

- Scale of proposed project and how it relates visually to other surrounding buildings
- Aesthetic and visual appearance of the westerly elevation

The Commission directed the applicant to provide additional information which shows a visual comparison of the proposed building height to other surrounding buildings and to redesign the façade of the Sepulveda Boulevard elevation to provide more visual interest. More specifically, the Commission directed the applicant to extend the glass, which is shown on the northerly elevation, to wrap around the westerly elevation.

At the December 12, 2007 Planning Commission meeting the applicant submitted revised plans which showed colored renderings of the proposed building and the reduction of the overall building height by one foot. The submitted plans show the building corners to be exposed from grade as follows: 28.50' at both the S/W and S/E corners; 23.50' at the N/W corner and 25' at the N/E corner. Per MBMC Section 10.16.030 (F), a building with a roof pitch of less than 4:12 is limited to 22-feet in height based on the averaging of the four-corner elevations of the property.

Additionally, "streetscape" elevation plans were submitted (Sheets A-202, A-203), which showed a building height comparison with the surrounding buildings. These plans show that the highest portion of the proposed building would have the following heights compared to the surrounding buildings: 9 inches above the "Blockbuster" building; 2'-3" below the Jiffy Lube building; 18' above the medical building to the south (across 11th Street), and approximately 7' below the office building to the east. At this meeting the applicant provided "photo simulation" photos which showed the proposed building with the surrounding area, as well as photos of other recent projects. Cross-sections were also provided which showed details of the interior building heights and how these related to the exterior heights.

At this meeting the Commission voted (3-1-0) to deny the subject applications. After holding the public hearing and discussing the item the Commission felt that they could support the proposed use, however the majority of the Commissioners had concerns approving a Variance to allow the structure 10.50' above the maximum allowable building height. The topography of the site has created a constraint in meeting the maximum building height limit of 22-feet. The building height methodology, which takes the average of the four corners of the property and establishes a height horizontal plane, restricts the ability to design a building within the maximum allowable building height.

Commission Concerns:

Use Permit Findings:

- a) The proposed project is not in accord with the objectives of the Zoning Ordinance and the purposes of the district in which it is located due to the scale and visual impact of the proposal building on the highly visible and prominent commercial corner; the scale of the building is too large for the site. Additional building articulation and storefront orientation towards Sepulveda Boulevard as recommended by the Sepulveda Boulevard Corridor Guidelines would further reduce the building mass. Having flat walls with no windows is poor massing of the structure on street level. This is inconsistent with the Sepulveda Boulevard Development Guidelines, is not pedestrian friendly and is visually obtrusive.
- b) The request for additional building height of 10.50' above the height limit would result in a substantial detriment to the public good or improvements in the vicinity.

Variance Findings:

- a) There are no special circumstances or conditions applicable to the subject property whereby strict application of the requirements for maximum allowable building height would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardship upon the owner of the property to justify exceeding building height by 10.50 feet.
- b) The relief for building height cannot be granted without substantial detriment to the public good as the scale of the building is not appropriate for the size of the property. Additionally, the scale of the project would not be visually compatible at the intersection with other surrounding buildings located at the other adjoining corners.

With the above concerns raised, the Commission asked the applicant if they were willing to revise the project in order to address the visual appearance and height concerns. The applicant responded that they were willing to make changes to the building elevations to address the Commission's concern regarding the building mass, but could not lower the building any further as it would affect the viability of the business. At this meeting there was one person who spoke in opposition to the proposed project.

Staff Recommendation

Staff believes that the applicant has made substantial efforts to address the Sepulveda Boulevard Corridor Guidelines. Staff recommends that the City Council approve the subject request for the following reasons:

1. As recommended by the Sepulveda Boulevard Corridor Guidelines, the building has been designed to be located at the front of the property, which screens less desirable elements such as large parking areas, vehicle service areas, blank walls, and storage and trash areas.

2. Minimum site landscaping for the site is 8% of the lot area or 3,220 square feet. The proposed development would provide 13% site wide landscaping or 5,198 square feet which includes a 10-foot perimeter setback landscape area at both entrances. The project would provide an 8-foot landscape setback from the northerly and westerly property lines (16-feet if you also include the 8-foot dedication on Sepulveda Boulevard), the building is visually compatible at the intersection with other surrounding buildings located at other adjoining corners. The proposed building height is compatible with surrounding buildings.
3. Staff believes that the proposed design of the project provides visual interest and is compatible with the surrounding buildings (i.e. corner Target building located across Manhattan Beach Boulevard to the north and the Jiffy Lube building located across Sepulveda Boulevard to the west).
4. Staff supports approval of the Variance for the following reasons:
 - a) The topography of the site creates a constraint in meeting the maximum height limit of 22 feet.
 - b) The building height methodology, which takes the average of the four corners of the property, restricts the ability to design a building within the maximum allowable height limit.
 - c) The Sepulveda Boulevard Corridor Guidelines, which recommends that the building be located towards the front of the property, creates a constraint on the building design and requires Variance approval.
5. Attached is Resolution No. 6122 approving the project subject to certain conditions including:
 - a) An 8-foot dedication along the entire length of Sepulveda Boulevard for future street widening.
 - b) The hours of operation shall limited to:
7:00 a.m. -10:00 p.m. Seven days a week
 - c) The project is required to incorporate sustainable building components into the building and site design.

ALTERNATIVE

1. **APPROVE** the proposed project subject to the conditions and findings contained in the attached Resolution.
2. **UPHOLD** the Planning Commission's decision and **DENY** the project.

- Attachments:
- A. Resolution No. 6122 (available electronically)
 - B. Resolution No. PC 07-18 (available electronically)
 - C. Planning Commission Minutes, Reports and attachments, dated 11/28/07 and 12/12/07, except attachments and plans (available electronically)
 - D. Appeal letter from applicant, dated 12/21/07

cc: Bob Superneau, RHL Design Group, Applicant/Consultant
Smail Nayebdadash, Property Owner
Stuart Sackley, Property Owner

RESOLUTION NO. 6122

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT, ALCOHOL BEVERAGE LICENSE, VARIANCE FROM MAXIMUM ALLOWABLE BUILDING HEIGHT AND AN INITIAL STUDY AND NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS, FOR A PROPOSED RITE AID RETAIL PHARMACY AT 1100 MANHATTAN BEACH BOULEVARD

FOLLOWS: THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH HEREBY RESOLVE AS

SECTION 1. The City Council of the City of Manhattan Beach hereby makes the following findings:

- A. The Planning Commission of the City of Manhattan Beach conducted public hearings pursuant to applicable law on November 28, 2007 and December 12, 2007, to consider applications for a Use Permit; Alcohol Beverage License and Variance from maximum allowable building height, to allow construction of a 13,370 square foot Rite Aid pharmacy; for the property legally described as (Parcel 1), that portion of Lots 15, 16, 17 and 18, Block 2, Tract 142; (Parcel 2) a non-exclusive easement for ingress and egress over that portion of Lot 15, Block 2 of Tract 142, and (Parcel 3) that portion of Lots 9, 10, 11, 12, 15, 16, 17 and 18 in Block 2, Tract No. 142., at 1100 Manhattan Beach Boulevard in the City of Manhattan Beach.
- B. At the December 12, 2007 Planning Commission meeting, the Commission voted (3-1-0) to deny the subject applications.
- C. The applicant is RHL Design Group, Inc.
- D. On December 21, 2007, the applicant filed an appeal of the decision of the Planning Commission denying the subject request.
- E. The City Council conducted a public hearing and received public testimony on these matters on February 5, 2008.
- F. The proposed use is permitted in the CG (General Commercial) Zone subject to a Use Permit approval as the project exceeds 5,000 square feet of buildable floor area; is greater than 10,000 square feet of land area; requests an alcohol beverage license and a Variance is required to exceed the maximum allowable building height.
- G. An Initial Study was prepared in compliance with the provisions of the California Environmental Quality Act (CEQA). Based upon this study it was determined that the project is not an action involving any significant impacts upon the environment, and a Negative Declaration was prepared and is hereby adopted.
- H. 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.
- I. The City Council made the following findings with respect to this application:
 1. The project consists of 13,370 square feet of retail area including 1,000 square feet of mezzanine storage/utility area.
 2. The project is located in Area District I and is zoned (CG) General Commercial. The use is permitted by the zoning code and is appropriate as conditioned for the general commercial area. The properties to the north, east and west are similarly zoned; the properties to the south are zoned (CG) General Commercial and Residential Medium Density. The property is located on the southeast corner of Manhattan Beach Boulevard and Sepulveda Boulevard.



3. The General Plan designation for the properties is General Commercial. The General Plan encourages commercial development such as this that provides for businesses which serve city residents.
4. The subject site is the combination of two parcels and as a result contains severe grade changes. These include: 12.37' of drop from the N/W corner to the S/W corner; 19.25' of drop from the N/W corner to the S/E corner, and 16.41' feet of drop from the N/E corner to the S/E corner.

Use Permit

1. The proposed project is located within the (CG) General Commercial district. The subject proposal would replace an existing 1,736 square foot gas station (Manhattan Beach Fuel) with three service bays and surface parking on the north end of the property, and a 8,638 square foot commercial retail/office/personal service building (Mr. D's Liquor Mart, General Office Uses, Peak Fitness) at the south end of the property. The proposed retail use is in accord with the objectives of this title, and the purpose of the district in which it is located since the project is a commercial zone consistent with Section 10.16.010 of the Manhattan Beach Zoning Code which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses. With the exception of the proposed building height, the subject proposal would be in compliance with all applicable regulations as detailed in the staff report.
2. The proposed retail use poses no detrimental effects to the public health, safety, or welfare of persons residing or working on the proposed project site, or to the adjacent neighborhood; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city as the site continues to operate as a commercial use. The new use is intended to provide a better variety of services to the community.

The proposed location of the use and the proposed conditions under which it will be operated or maintained is consistent with the General Plan, since the project site is classified as General Commercial which allows for a full range of retail and service businesses.

The General Plan of the City of Manhattan Beach poses certain goals and policies, which reflect the expectations and wishes of the City, with respect to land uses. Specifically, the project is consistent with the following Goals of the General Plan as summarized below:

Goal LU-1.2: Encourage the use of notches, open space, setbacks, landscaping, or other architectural details to reduce building bulk.

Goal LU-2.1: Encourage landscaping standards for commercial areas.

Goal LU-3.1: Encourage quality design in all new construction.

Goal LU-3.2: Encourage the use of Sepulveda Boulevard Corridor Guidelines.

Goal 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.

Goal LU-8.1: Ensure that applicable zoning regulations allow for commercial uses that serve a broad market area, including visitor-serving uses.
3. The proposed retail use will be in compliance with applicable provisions of the (CG) General Commercial zone.
4. The proposed change in use from a service station/retail store/fitness studio/office uses will not adversely impact nearby properties due to landscaping, screening, setbacks, and the site design and layout of the parking, access and circulation, loading and trash, as well as the conditions of approval. It is not anticipated that the proposed retail use

will exceed the capacity of public services and facilities. Minor comments from the Building Division, Fire Department, Police Department, Engineering and Public Works Department will be addressed during regular plan check.

- J. The project shall be in compliance with following Sepulveda Corridor Design Guideline Goals:
- Establish standards for low-rise commercial arterial development such as retail/office uses.
 - Site and building design should focus and relate to the street and create a more attractive, comfortable and interesting environment for the Boulevard.
 - Visually less desirable elements such as large parking areas, parking structures, vehicle service areas, blank walls, storage areas, and trash areas should be hidden or made less prominent along Sepulveda Boulevard.
 - The building design should take into consideration extreme noise, and odor generating activities near residential boundaries.
 - Safe pedestrian access to buildings should be provided through parking lots, particularly from public sidewalks.
 - Landscaping should enhance the property with the following: 1) install landscaping in areas that would otherwise be unused pavement, and 2) use landscape planters and other decorative treatments around buildings to avoid direct building-to-asphalt contact areas.
 - Proposed signs and sign copy should be compatible with their related building(s) and not be crowded within their locations or backgrounds. Harsh plastic or illuminated backgrounds should be avoided.

Additionally, the project will satisfy the Sepulveda Corridor requirements for the following reasons:

- The proposed structure and its location is designed to create minimal bulk and impact on the neighboring residential area to the southeast by providing adequate open space for light, air and fire safety through increased setbacks and innovative building design.
- The proposed project includes convenient off-street parking facility which is enhanced by an effective on-site traffic circulation system.
- The efficiently designed parking areas are comprised mostly of full size parking spaces (except 10-compact spaces which are 8.5-feet wide and 15-feet in length and located at the rear of the building), which provides ample parking and excellent vehicular flow that minimizes impact to the residential neighborhood to the southeast. Additionally the project does not propose any egress/ingress driveway on 11th Street which alleviates noise, traffic and circulation concerns to the residential neighborhood.

Variance

- K. A variance from maximum allowable building height, MBMC Section 10.60.050, is approved based on the following facts and findings per MBMC Section 10.84.060 (B):
1. Because of special circumstances or conditions applicable to the subject property including narrowness and hollowness or shape, exceptional topography, or the extraordinary or exceptional situations or conditions, strict application of the requirements of this title would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardship upon the owner of the property. The exceptional change in topography, shape and size of lot, height methodology which is based on the four-corner elevation of the property, and the Sepulveda Boulevard Guidelines, which recommends the placement of building towards the front of the property which is the highest elevation, poses strict constraints on meeting the maximum allowable building height.
 2. The relief may be granted without substantial detriment to the public good; without substantial impairment of affected natural resources; and not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare, since the height requirement would severely restrict the site from being developed with a commercial use with the building location at the front in conformance with the Sepulveda Boulevard Guidelines.

3. Granting the application is consistent with the purposes of this title and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district and area district, since the proposed building height will be in scale and compatible with the surrounding buildings.
- L. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- M. This Resolution upon its effectiveness constitutes the Use Permit, Variance and CEQA approvals and the for the subject project.

SECTION 2. The City Council of the City of Manhattan Beach hereby APPROVES the subject Use Permit and Variance applications and Negative Declaration subject to the following conditions:

Site Preparation/Construction

1. The project shall be constructed and operated in substantial conformance with the submitted plans and project description submitted to, and approved by the Planning Commission on December 12, 2007. Any other substantial deviation from the approved plans must be reviewed and approved by the Planning Commission. Caltrans approval is required prior to the issuance of a building permit.
2. The project will provide 54 on-site parking spaces which includes; 3 disabled parking spaces, 10 compact spaces (8.5' x 15'), and 41 standard spaces.
3. A Traffic Management Plan shall be submitted in conjunction with all construction and other building plans, to be approved by the Police and Public Works Departments prior to issuance of building permits. The plan shall provide for the management of all construction related traffic during all phases of construction, including delivery of materials and parking of construction related vehicles.
4. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility connections in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specification of the Public Works Department.
5. During construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.
6. The siting of construction related equipment (job site offices, trailers, materials, etc) shall be subject to the approval from the Director of Community Development prior to the issuance of any building permits.
7. A site landscaping plan utilizing drought tolerant native plants shall be submitted for review and approval concurrent with the building permit application. All plants shall be identified on the plan by the Latin and common names. Mature shade trees shall be incorporated into the plan. Landscaping shall be installed per the approved plans prior to building final.
8. A low pressure, low-flow or drip irrigation system shall be installed in the landscaped areas, which shall not cause any surface run-off. Details of the irrigation system shall be noted on the landscape plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments and shall be installed per the approved plans prior to the building final.
9. A covered enclosure(s) with adequate capacity for both trash and recycling for all tenants shall be constructed for this site. This trash enclosure must be constructed with a concrete, asphalt, or similar base and must have drainage to the sanitary sewer system. The enclosure is subject to specifications and approval of the Public Works Department,

Community Development Department, and the City's waste contractor. A trash and recycling plan shall be required to be submitted to the Public Works Department.

10. Commercial establishments are required, in accordance with Municipal Code 5.24.030 (C)(2) to have a sufficient refuse and recycling storage space to enclose a commercial lift container(s). The refuse storage space or facility must be screened from public view and be either constructed within the building structure or in a screened enclosure on private property.
11. Management of the retail use shall police the property and all areas immediately adjacent to the business during the hours of operation to keep it free of litter.
12. The operator of the pharmacy shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject business.
13. The property owner(s) shall be responsible for prohibiting employees from parking personal vehicles on the surrounding public streets. Owners and employees must park on-site while visiting the site.
14. Proposed monument signs on Manhattan Beach Boulevard and Sepulveda Boulevard shall not be located within the sight visibility triangles for either driveway.
15. All signs shall be in compliance with the Sign Code. A comprehensive sign program must be submitted to the Community Development Department for review and approval prior to the issuance of a building permit.
16. The applicant shall submit a lighting and photometric plan which shows the location of the proposed light pole and maximum foot candles to the Department of Community Development prior to the issuance of a building permit. These plans shall be in compliance with all provisions of the parking lot lighting regulations. Due to the proximity of the proposed project to the residential properties to the southeast, the maximum pole heights shall not exceed 20 feet. Security lighting for the site shall be provided in conformance with Municipal Code requirements including glare prevention design.
17. The hours of operation for the proposed retail use shall be as follows:
 - 7:00 a.m. – 10:00 p.m. Seven days a week
 - 7:00 a.m. – 10:00 p.m. Alcohol Beverage sales
18. Deliveries shall be prohibited between the hours of 7:00 p.m. and 7:00 a.m.
19. All mechanical equipment visually on the building roof shall not be visible from the public right-of-way and visual screening shall be provided. Antenna dishes or similar items shall be restricted to the same requirements. The building roof shall have a gravel or comparable decorative treatment.
20. Plans shall incorporate sustainable building components into the building and site design. The plans may include, but not limited to LEED (Leadership in Energy and Environmental Design) and Built-it-Green components, permeable pavement, energy efficient plumbing, mechanical and electrical systems, and retention of storm water on the site. Plans shall require review and approval by the Community Development Department and Public Works Department.

Parking Related Conditions

21. Slopes and transitions for all vehicle ramps shall not exceed 15 percent grade and shall conform to City standards, subject to City review and approval. All ramps over 8 percent grade must include transition slopes at the beginning and end of the ramp and must meet the required slope setbacks behind the property line. Show slopes and cross-sections on approved plans.

22. Parking stall cross-slope shall not exceed 5%.
23. All two-way driveways and approaches shall be as wide as the aisle it serves. Both driveway approaches for the project must be at least 25 feet wide and shall be constructed in alignment with parking aisles.
24. All raised landscaping planters along the property frontages shall begin or end perpendicular to the lower portion of the drive wings.
25. Doors shall not exit directly onto a vehicle aisle or street without a landing.
26. Provide unobstructed triangle of sight visibility (5' x 15') adjacent to each driveway and behind the ultimate property line when exiting the parking areas without wall, columns or landscaping over 36 inches high (MBMC 10.64.150). All planters next to both driveways must conform to this requirement.
27. Provide a 25' unobstructed triangle of sight visibility on the northeast corners of Sepulveda Boulevard at Manhattan Beach Boulevard and at 11th Street behind the ultimate property line extensions without walls, columns or landscaping over 36 inches high, tree trunks accepted.
28. All parking spaces adjacent to an obstruction, except columns, must be at least one foot wider than a standard space.
29. Provide and identify the commercial loading area on site plan and label with approved signage.
30. Any compact spaces shall be labeled with a sign and a stencil marking at the back of each space.
31. Both driveways shall be restricted to Right Turn In/Right Turn Out and posted with signs as directed by the City Traffic Engineer and Caltrans.
32. Vehicle access to the property along 11th Street shall be prohibited.
33. All outside site lighting shall be directed away from the public right-of-way and shall minimize spill-over onto the sidewalk and street. Shields and directional lighting shall be used where necessary.
34. Bicycle parking shall be provided at a rate of five percent (5% - 3 spaces) of all parking spaces (MBMC 10.64.80). Location shall be shown on the plans subject to Planning review and approval.
35. A retaining wall along the parking lot shall be constructed with a pedestrian barrier or railing at least 36" high to prevent falling over the retaining wall.
36. An 8-foot dedication shall be provided along the entire length of Sepulveda Boulevard for the future widening of the right-of-way for an additional left-hand turn pocket for traffic traveling west onto Manhattan Beach Boulevard. In addition, the project is required to provide an additional corner cut-off dedication to accommodate a disabled access ramp, pedestrian access area and existing /future street furniture at the corner of Sepulveda Boulevard and Manhattan Beach Boulevard and Sepulveda Boulevard and 11th Street.
37. A disabled access ramp must be installed on the public sidewalk, See City Standard Plan ST-9. Ramp must be shown on plans.
38. The developer shall provide a fair-share contribution towards the construction of the right-of-way to accommodate an additional left-hand turn pocket for traffic traveling northbound Sepulveda Boulevard to westbound Manhattan Beach Boulevard.

Public Works Requirements

39. This is a SUSMP project and an Operating and Maintenance Agreement Form regarding on-site storm water pollution BMP's and mitigation devices must be completed and submitted to the City before a building or grading permit is issued.
40. Required mop sinks must be installed and shown on the plumbing plans.
41. Commercial enterprises must comply with the National Pollution Discharge Elimination System (NPDES) clean water requirements. Discharge of mop water, floor mat washing, and trash can cleaning and washing out trash enclosures into the street or storm drain system is prohibited (MBMC Section 5.84.060, 5.84.090).
42. The sidewalk must be replaced from the north property line on Manhattan Beach Boulevard to the south property line on Sepulveda Boulevard and shown on the plans.
43. Weekly sweeping will be required for all parking areas.
44. Before the utility pole located at the south corner of the lot on Sepulveda Boulevard can be relocated, approval from the Parking and Public Improvement Commission and City Council and a building permit must be obtained.
45. Plan holder must have the plans rechecked and stamped for approval by the Public Works Department before the building permit is issued.

Building Division

46. Project shall comply with all Disabled Access regulations.
47. All work shall comply with all current California Building Codes which includes: California Electrical Code, Mechanical Code, Plumbing Code and Fire Code, at the time of submittal.

Procedural

48. *Interpretation.* Any questions of intent or interpretation of any condition will be resolved by the Planning Commission.
49. *Terms and Conditions are Perpetual.* These terms and conditions shall be perpetual, and it is the intention of the Director of Community Development and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
50. *Effective Date.* This Resolution shall become effective when all time limits for appeal as set forth in MBCM Section 10.100.030 have expired.
51. 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.
52. At any time in the future, the Planning Commission or City Council may review the Use Permit for the purposes of revocation or modification. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.
53. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 3. 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 4. This resolution shall take effect immediately. The City Clerk shall make this resolution readily available for public inspection within thirty (30) days of the date this resolution is adopted.

SECTION 5. The City Clerk shall certify to the adoption of this resolution and thenceforth and thereafter the same shall be in full force and effect.

PASSED, APPROVED and ADOPTED this 5th day of February, 2008.

AYES:
NOES:
ABSTAIN:
ABSENT:

Mayor, City of Manhattan Beach, California

ATTEST:

City Clerk

APPROVED AS TO FORM...

By _____

City Attorney

RESOLUTION NO. PC 07-18

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DENYING A USE PERMIT, ALCOHOL BEVERAGE LICENSE, VARIANCE FROM MAXIMUM ALLOWABLE BUILDING HEIGHT AND AN INITIAL STUDY AND NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS, FOR A PROPOSED RITE AID PHARMACY AT 1100 MANHATTAN BEACH BOULEVARD

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. The Planning Commission of the City of Manhattan Beach conducted public hearings pursuant to applicable law on November 28, 2007 and December 12, 2007, to consider applications for a Use Permit; Alcohol Beverage License and Variance from maximum allowable building height, to allow construction of a 13,370 square foot Rite Aid pharmacy; for the property legally described as (Parcel 1), that portion of Lots 15, 16, 17 and 18, Block 2, Tract 142; (Parcel 2) a non-exclusive easement for ingress and egress over that portion of Lot 15, Block 2 of Tract 142; and (Parcel 3) that portion of Lots 9, 10, 11, 12, 15, 16, 17 and 18 in Block 2, Tract No. 142., at 1100 Manhattan Beach Boulevard in the City of Manhattan Beach.
- B. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- C. The applicant is RHL Design Group, Inc.
- D. The proposed use is permitted in the CG (General Commercial) Zone subject to a Use Permit approval as the project exceeds 5,000 square feet of buildable floor area; is greater than 10,000 square feet of land area; requests an alcohol beverage license and a Variance is required to exceed the maximum allowable building height by 10.50'.
- E. The Use Permit application is a request to construct a 13,370 square foot single story retail pharmacy, without a drive-thru, including a 1,000 square feet of mezzanine storage/utility area.
- F. The project is located in Area District I and is zoned (CG) General Commercial. The properties to the north, east and west are similarly zoned; the properties to the south are zoned (CG) General Commercial and Residential Medium Density. The property is located on the southeast corner of Manhattan Beach Boulevard and Sepulveda Boulevard.
- G. The General Plan designation for the properties is General Commercial. The General Plan encourages commercial development that provides for businesses which serve city residents.
- H. The subject site is the combination of two parcels and as a result contains severe grade changes. These include: 12.37' of drop from the N/W corner to the S/W corner; 19.25' of drop from the N/W corner to the S/E corner, and 16.41' feet of drop from the N/E corner to the S/E corner.
- I. The Sepulveda Boulevard Corridor Guidelines recommends that the building and store frontage be oriented towards Sepulveda Boulevard. The building as designed is proposed to be oriented towards Manhattan Beach Boulevard and the westerly elevation does not provide a visual interest along Sepulveda Boulevard. Additionally, the proposed building height of 10.50' above the allowable height is not compatible with the surrounding developments on the other corners of Manhattan Beach Boulevard and Sepulveda Boulevard.



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J. Based upon State law and MBMC Section 10.84.060, relating to the Use Permit and Variance applications for the commercial center, the Planning Commission is unable to make the necessary findings to approve the Use Permit and Variance applications. The Planning Commission hereby makes the following findings.

Use Permit Findings:

- a) The proposed location of the use is not in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located due to the scale and visual impact of the proposal building on the highly visible and prominent commercial corner; the scale of the building is too large for the site. Additional building articulation and storefront orientation towards Sepulveda Boulevard as recommended by the Sepulveda Boulevard Corridor Guidelines would further reduce the building mass. Having flat walls with no windows is poor massing of the structure on street level. This is inconsistent with the Sepulveda Boulevard Development Guidelines, is not pedestrian friendly and is visually obtrusive.
- b) The proposed request for additional building height of 10.50' would result in a substantial detriment to the public good or improvements in the vicinity.

Variance Findings:

- a) There are no special circumstances or conditions applicable to the subject property whereby strict application of the requirements for maximum allowable building height would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardship upon the owner of the property.
- b) The relief for building height cannot be granted without substantial detriment to the public good as the scale of the building is not appropriate for the size of the property. Additionally, the scale of the project would not be visually compatible at the intersection with other surrounding buildings located at the other adjoining corners.

SECTION 2. The Planning Commission of the City of Manhattan Beach hereby **DENIES** the subject Use Permit and Variance applications.

SECTION 3. 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.

RESOLUTION NO. PC 07-18

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of **December 12, 2007** and that said Resolution was adopted by the following vote:

AYES: Lesser, Powell and Seville-Jones

NOES: Chairman Bohner

ABSTAIN:

ABSENT:



Richard Thompson
Secretary to the Planning Commission


Sarah Boeschen
Recording Secretary

**CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Planning Commission

THROUGH: Richard Thompson, Director of Community Development 

FROM: Daniel A. Moreno, Associate Planner 

DATE: December 12, 2007

SUBJECT: Consideration of a Use Permit, Alcohol Beverage License, Variance from Maximum Allowable Building Height, and an Initial Study and Negative Declaration of Environmental Impacts, for a Proposed Rite Aid Pharmacy at 1100 Manhattan Beach Boulevard

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT THE CONTINUED** the public hearing, **DISCUSS** the project and **ADOPT** the attached "draft" Resolution **APPROVING** the subject request.

BACKGROUND

At the November 28, 2007 Planning Commission meeting staff presented a proposal which consisted of a request to allow the development of a 13,370 square foot retail use and pharmacy without a drive-thru, which includes a 1,000 square foot mezzanine storage/utility area. The proposal would replace a 1,736 square foot gas station (Manhattan Beach Fuel) with three service bays and surface parking on the north end of the property, and a 8,638 square foot commercial retail/office/personal service building (Mr. D's Liquor Mart, General Office Uses, Peak Fitness) at the south end of the property. The site, after an 8-foot dedication on Sepulveda Boulevard, would encompass 40,250 square feet of area.

The proposed retail use is permitted in the CG zone; however, because the project exceeds more than 5,000 square feet of buildable floor area and more than 10,000 square feet of land area, and requests an alcohol beverage license, a Use Permit approval is required. Along with the Use Permit application, the applicant also seeks a Variance approval from the maximum allowable building height.

At this meeting, after opening the hearing and taking testimony, the Planning Commission passed a motion to continue the public hearing indicating to the December 12, 2007 Planning Commission meeting. Although the Commission indicated that the design and layout of the proposed project was generally acceptable, the Commission did continue the public hearing due to the following concerns:

- Scale of proposed project and how it relates visually to other surrounding buildings
- Aesthetic and visual appearance of the westerly elevation

EXHIBIT


The Commission directed the applicant to provide additional information which shows a visual comparison of the proposed building height to other surrounding buildings and to redesign the façade of the Sepulveda Boulevard elevation to provide more visual interest. More specifically, the Commission directed the applicant to extend the glass, which is shown on the northerly elevation, to wrap around the westerly elevation.

Attached for the Commissions review are revised plans submitted by the project architect which show colored rendering of the proposed building, and more specifically the redesigned of the west elevation and the reduction of the overall building height by one foot. Additionally, "streetscape" elevation plans have been submitted (Sheets A-202, A-203), which show a building height comparison with the surrounding buildings. These plans show that the highest portion of the proposed building would have the following heights with the surrounding buildings: 9 inches above the "Blockbuster" building; 2'-3" below the Jiffy Lube building; 18' above the medical building to the south (across 11th Street), and approximately 7' below the office building to the east. For tonight's meeting the applicant will provide "photo simulation" photos which show the proposed building with the surrounding area, as well as photos of other recent projects. Cross-sections are also provided which detail the interior building heights and how these relate to the exterior heights. The applicant has also indicated to staff that they will address the loading dock, loading space and truck access at the public hearing.

The project, if approved, will be required to incorporate sustainable principles. The project architect has mentioned to staff that the RHL Design group is a national member of the US Green Building Council (USGBC) which has become the nationally accepted benchmark for the design, construction and operation of sustainable buildings. RHL is working with staff architects to train and improve their knowledge in this area to ensure they are keeping up with the latest options and rating.

At the November 28, 2007 Planning Commission meeting no one from the public spoke in favor or in opposition to the subject request.

Attached for the Commission review are 'draft' Resolution of approval and background information and minutes from the November 28, 2007, Planning Commission meeting.

Attachments:

- Exhibit A – 'Draft' Resolution No. PC 07-
- Exhibit B – Background Information, Staff Report, dated 11/28/07 – n/a
- Exhibit C – Planning Commission 'Draft' Minutes, dated 11/28/07 –n/a
- Exhibit D – Colored Rendering, Streetscape Elevations Plans n/a
n/a – not available electronically

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT, ALCOHOL BEVERAGE LICENSE, VARIANCE FROM MAXIMUM ALLOWABLE BUILDING HEIGHT AND AN INITIAL STUDY AND NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS, FOR A PROPOSED RITE AID PHARMACY AT 1100 MANHATTAN BEACH BOULEVARD

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. The Planning Commission of the City of Manhattan Beach conducted public hearings pursuant to applicable law on November 28, 2007 and December 12, 2007, to consider applications for a Use Permit; Alcohol Beverage License and Variance from maximum allowable building height, to allow construction of a 13,370 square foot Rite Aid pharmacy; for the property legally described as (Parcel 1), that portion of Lots 15, 16, 17 and 18, Block 2, Tract 142; (Parcel 2) a non-exclusive easement for ingress and egress over that portion of Lot 15, Block 2 of Tract 142, and (Parcel 3) that portion of Lots 9, 10, 11, 12, 15, 16, 17 and 18 in Block 2, Tract No. 142., at 1100 Manhattan Beach Boulevard in the City of Manhattan Beach.
- B. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- C. The applicant is RHL Design Group, Inc.
- D. The proposed use is permitted in the CG (General Commercial) Zone subject to a Use Permit approval as the project exceeds 5,000 square feet of buildable floor area; is greater than 10,000 square feet of land area; requests an alcohol beverage license and a Variance is required to exceed the maximum allowable building height.
- E. An Initial Study was prepared in compliance with the provisions of the California Environmental Quality Act (CEQA). Based upon this study it was determined that the project is not an action involving any significant impacts upon the environment, and a Negative Declaration was prepared and is hereby adopted.
- 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 Planning Commission made the following findings with respect to this application:
 1. The project consists of 13,370 square feet of retail area including 1,000 square feet of mezzanine storage/utility area.
 2. The project is located in Area District I and is zoned (CG) General Commercial. The use is permitted by the zoning code and is appropriate as conditioned for the general commercial area. The properties to the north, east and west are similarly zoned; the properties to the south are zoned (CG) General Commercial and Residential Medium Density. The property is located on the southeast corner of Manhattan Beach Boulevard and Sepulveda Boulevard.
 3. The General Plan designation for the properties is General Commercial. The General Plan encourages commercial development such as this that provides for businesses which serve city residents.

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4. The subject site is the combination of two parcels and as a result contains severe grade changes. These include: 12.37' of drop from the N/W corner to the S/W corner; 19.25' of drop from the N/W corner to the S/E corner, and 16.41' feet of drop from the N/E corner to the S/E corner.

Use Permit

1. The proposed project is located within the (CG) General Commercial district. The subject proposal would replace an existing 1,736 square foot gas station (Manhattan Beach Fuel) with three service bays and surface parking on the north end of the property, and a 8,638 square foot commercial retail/office/personal service building (Mr. D's Liquor Mart, General Office Uses, Peak Fitness) at the south end of the property. The proposed retail use is in accord with the objectives of this title, and the purpose of the district in which it is located since the project is a commercial zone consistent with Section 10.16.010 of the Manhattan Beach Zoning Code which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses. With the exception of the proposed building height, the subject proposal would be in compliance with all applicable regulations as detailed in the staff report.
2. The proposed retail use poses no detrimental effects to the public health, safety, or welfare of persons residing or working on the proposed project site, or to the adjacent neighborhood; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city as the site continues to operate as a commercial use. The new use is intended to provide a better variety of services to the community.

The proposed location of the use and the proposed conditions under which it will be operated or maintained is consistent with the General Plan, since the project site is classified as General Commercial which allows for a full range of retail and service businesses.

The General Plan of the City of Manhattan Beach poses certain goals and policies, which reflect the expectations and wishes of the City, with respect to land uses. Specifically, the project is consistent with the following Goals of the General Plan as summarized below:

Goal LU-1.2: Encourage the use of notches, open space, setbacks, landscaping, or other architectural details to reduce building bulk.

Goal LU-2.1: Encourage landscaping standards for commercial areas.

Goal LU-3.1: Encourage quality design in all new construction.

Goal LU-3.2: Encourage the use of Sepulveda Boulevard Corridor Guidelines.

Goal 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.

Goal LU-8.1: Ensure that applicable zoning regulations allow for commercial uses that serve a broad market area, including visitor-serving uses.

3. The proposed retail use will be in compliance with applicable provisions of the (CG) General Commercial zone.
4. The proposed change in use from a service station/retail store/fitness studio/office uses will not adversely impact nearby properties due to landscaping, screening, setbacks, and the site design and layout of the parking, access and circulation, loading and trash, as well as the conditions of approval.

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It is not anticipated that the proposed retail use will exceed the capacity of public services and facilities. Minor comments from the Building Division, Fire Department, Police Department, Engineering and Public Works Department will be addressed during regular plan check.

H. The project shall be in compliance with following Sepulveda Corridor Design Guideline Goals:

- Establish standards for low-rise commercial arterial development such as retail/office uses.
- Site and building design should focus and relate to the street and create a more attractive, comfortable and interesting environment for the Boulevard.
- Visually less desirable elements such as large parking areas, parking structures, vehicle service areas, blank walls, storage areas, and trash areas should be hidden or made less prominent along Sepulveda Boulevard.
- The building design should take into consideration extreme noise, and odor generating activities near residential boundaries.
- Safe pedestrian access to buildings should be provided through parking lots, particularly from public sidewalks.
- Landscaping should enhance the property with the following: 1) install landscaping in areas that would otherwise be unused pavement, and 2) use landscape planters and other decorative treatments around buildings to avoid direct building-to-asphalt contact areas.
- Proposed signs and sign copy should be compatible with their related building(s) and not be crowded within their locations or backgrounds. Harsh plastic or illuminated backgrounds should be avoided.

Additionally, the project will satisfy the Sepulveda Corridor requirements for the following reasons:

- The proposed structure and it's location is designed to create minimal bulk and impact on the neighboring residential area to the southeast by providing adequate open space for light, air and fire safety through increased setbacks and innovative building design.
- The proposed project includes convenient off-street parking facility which is enhanced by an effective on-site traffic circulation system.
- The efficiently designed parking areas are comprised mostly of full size parking spaces (except 10-compact spaces which are 8.5-feet wide and 15-feet in length and located at the rear of the building), which provides ample parking and excellent vehicular flow that minimizes impact to the residential neighborhood to the southeast. Additionally the project does not propose any egress/ingress driveway on 11th Street which alleviates noise, traffic and circulation concerns to the residential neighborhood.

Variance

I A variance from maximum allowable building height, MBMC Section 10.60.050, is approved based on the following facts and findings per MBMC Section 10.84.060 (B):

1. Because of special circumstances or conditions applicable to the subject property including narrowness and hollowness or shape, exceptional topography, or the extraordinary or exceptional situations or conditions, strict application of the requirements of this title would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardship upon the owner of the property. The exceptional change in topography, shape and size of lot, height methodology which is based on the four-corner elevation of the property, and the Sepulveda Boulevard Guidelines, which recommends the placement of building towards the front of the property which is the highest elevation, poses strict constraints on meeting the maximum allowable building height.
2. The relief may be granted without substantial detriment to the public good; without substantial impairment of affected natural resources; and not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare, since the height requirement would

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severely restrict the site from being developed with a commercial use with the building location at the front in conformance with the Sepulveda Boulevard Guidelines.

3. Granting the application is consistent with the purposes of this title and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district and area district, since the proposed building height will be in scale and compatible with the surrounding buildings.
- J. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- K. This Resolution upon its effectiveness constitutes the Use Permit, Variance and CEQA approvals and the for the subject project.

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

Site Preparation/Construction

1. The project shall be constructed and operated in substantial conformance with the submitted plans and project description submitted to, and approved by the Planning Commission on December 12, 2007. Any other substantial deviation from the approved plans must be reviewed and approved by the Planning Commission. Caltrans approval is required prior to the issuance of a building permit.
2. The project will provide 54 on-site parking spaces which includes; 3 disabled parking spaces, 10 compact spaces (8.5' x 15'), and 41 standard spaces.
3. A Traffic Management Plan shall be submitted in conjunction with all construction and other building plans, to be approved by the Police and Public Works Departments prior to issuance of building permits. The plan shall provide for the management of all construction related traffic during all phases of construction, including delivery of materials and parking of construction related vehicles.
4. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility connections in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specification of the Public Works Department.
5. During construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.
6. The sitting of construction related equipment (job site offices, trailers, materials, etc) shall be subject to the approval from the Director of Community Development prior to the issuance of any building permits.
7. A site landscaping plan utilizing drought tolerant native plants shall be submitted for review and approval concurrent with the building permit application. All plants shall be identified on the plan by the Latin and common names. Mature shade trees shall be incorporated into the plan. Landscaping shall be installed per the approved plans prior to building final.
8. A low pressure, low-flow or drip irrigation system shall be installed in the landscaped areas, which shall not cause any surface run-off. Details of the irrigation system shall be noted on the landscape plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments and shall be installed per the approved plans prior to the building final.

9. A covered enclosure(s) with adequate capacity for both trash and recycling for all tenants shall be constructed for this site. This trash enclosure must be constructed with a concrete, asphalt, or similar base and must have drainage to the sanitary sewer system. The enclosure is subject to specifications and approval of the Public Works Department, Community Development Department, and the City's waste contractor. A trash and recycling plan shall be required to be submitted to the Public Works Department.
10. Commercial establishments are required, in accordance with Municipal Code 5.24.030 (C)(2) to have a sufficient refuse and recycling storage space to enclose a commercial lift container(s). The refuse storage space or facility must be screened from public view and be either constructed within the building structure or in a screened enclosure on private property.
11. Management of the retail use shall police the property and all areas immediately adjacent to the business during the hours of operation to keep it free of litter.
12. The operator of the pharmacy shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject business.
13. The property owner(s) shall be responsible for prohibiting employees from parking personal vehicles on the surrounding public streets. Owners and employees must park on-site while visiting the site.
14. Proposed monument signs on Manhattan Beach Boulevard and Sepulveda Boulevard shall not be located within the sight visibility triangles for either driveway.
15. All signs shall be in compliance with the Sign Code. A comprehensive sign program must be submitted to the Community Development Department for review and approval prior to the issuance of a building permit.
16. The applicant shall submit a lighting and photometric plan which shows the location of the proposed light pole and maximum foot candles to the Department of Community Development prior to the issuance of a building permit. These plans shall be in compliance with all provisions of the parking lot lighting regulations. Due the proximity of the proposed project to the residential properties to the southeast, the maximum pole heights shall not exceed 20 feet. Security lighting for the site shall be provided in conformance with Municipal Code requirements including glare prevention design.
17. The hours of operation for the proposed retail use shall be as follows:
 - 7:00 a.m. – 10:00 p.m. Seven days a week
 - 7:00 a.m. – 10:00 p.m. Alcohol Beverage sales
18. Deliveries shall be prohibited between the hours of 7:00 p.m. and 7:00 a.m.
19. All mechanical equipment visually on the building roof shall not be visible from the public right-of-way and visual screening shall be provided. Antenna dishes or similar items shall be restricted to the same requirements. The building roof shall have a gravel or comparable decorative treatment.
20. Plans shall incorporate sustainable building components into the building and site design. The plans may include, but not limited to LEED (Leadership in Energy and Environmental Design) and Built-it-Green components, permeable pavement, energy efficient plumbing, mechanical and electrical systems, and retention of storm water on the site. Plans shall require review and approval by the Community Development Department and Public Works Department.

Parking Related Conditions

21. Slopes and transitions for all vehicle ramps shall not exceed 15 percent grade and shall conform to City standards, subject to City review and approval. All ramps over 8 percent grade must include transition slopes at the beginning and end of the ramp and must meet the required slope setbacks behind the property line. Show slopes and cross-sections on approved plans.
22. Parking stall cross-slope shall not exceed 5%.
23. All two-way driveways and approaches shall be as wide as the aisle it serves. Both driveway approaches for the project must be at least 25 feet wide and shall be constructed in alignment with parking aisles
24. All raised landscaping planters along the property frontages shall begin or end perpendicular to the lower portion of the drive wings.
25. Doors shall not exit directly onto a vehicle aisle or street without a landing.
26. Provide unobstructed triangle of sight visibility (5' x 15') adjacent to each driveway and behind the ultimate property line when exiting the parking areas without wall, columns or landscaping over 36 inches high (MBMC 10.64.150). All planters next to both driveways must conform to this requirement.
27. Provide a 25' unobstructed triangle of sight visibility on the northeast corners of Sepulveda Boulevard at Manhattan Beach Boulevard and at 11th Street behind the ultimate property line extensions without walls, columns or landscaping over 36 inches high, tree trunks accepted.
28. All parking spaces adjacent to an obstruction, except columns, must be at least one foot wider than a standard space.
29. Provide and identify the commercial loading area on site plan and label with approved signage.
30. Any compact spaces shall be labeled with a sign and a stencil marking at the back of each space.
31. Both driveways shall be restricted to Right Turn In/Right Turn Out and posted with signs as directed by the City Traffic Engineer and Caltrans.
32. Vehicle access to the property along 11th Street shall be prohibited.
33. All outside site lighting shall be directed away from the public right-of-way and shall minimize spill-over onto the sidewalk and street. Shields and directional lighting shall be used where necessary.
34. Bicycle parking shall be provided at a rate of five percent (5% - 3 spaces) of all parking spaces (MBMC 10.64.80). Location shall be shown on the plans subject to Planning review and approval.
35. A retaining walls along the parking lot shall be constructed with a pedestrian barrier or railing at least 36" high to prevent falling over the retaining wall.
36. An 8-foot dedication shall be provided along the entire length of Sepulveda Boulevard for the future widening of the right-of-way for an additional left-hand turn pocket for traffic traveling west onto Manhattan Beach Boulevard. In addition, the project is required to provide an additional corner cut-off dedication to accommodate a disabled access ramp, pedestrian access area and existing /future

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street furniture at the corner of Sepulveda Boulevard and Manhattan Beach Boulevard and Sepulveda Boulevard and 11th Street.

37. A disabled access ramp must be installed on the public sidewalk, See City Standard Plan ST-9. Ramp must be shown on plans.
38. The developer shall provide a fair-share contribution towards the construction of the right-of-way to accommodate an additional left-hand turn pocket for traffic traveling northbound Sepulveda Boulevard to westbound Manhattan Beach Boulevard.

Public Works Requirements

39. This is a SUSMP project and an Operating and Maintenance Agreement Form regarding on-site storm water pollution BMP's and mitigation devices must be completed and submitted to the City before a building or grading permit is issued.
40. Erosion and sediment control devices BMPs (Best Management Practices) must be implemented around the construction site to prevent discharges to the street and adjacent properties. BMPs must be identified and shown on the plan. Control measures must also be taken to prevent street surface water from entering the site.
41. This project must meet construction and post construction SUSMP requirements.
42. Project shall comply with current SUSUMP and NPDES Municipal Stormwater permit.
43. All landscape irrigation backflow devices must meet current City requirements for proper installation.
44. No discharge of construction wastewater, building materials, debris, or sediment from the site is permitted.
45. A property line cleanout must be installed on the sanitary sewer lateral (See City Standard Plan ST-5). Cleanout must be added to the plumbing plan.
46. A backwater valve is required on the sanitary sewer lateral if the discharges from fixtures with flood level rims are located below the next upstream manhole cover of the public sewer and must be shown on plans if applicable (See City Standard Plan ST-24).
47. If an existing sewer lateral is used, it must be televised to check its structural integrity. The tape must be made available for review by the Public Works Department. The Public Works Department will review the tape and determine at that time if the sanitary sewer lateral needs repairing, replacing, or that it is structurally sound and can be used in its present condition. The lateral must not be cleaned before it is video taped.
48. Required mop sinks must be installed and shown on the plumbing plans.
49. Commercial enterprises must comply with the National Pollution Discharge Elimination System (NPDES) clean water requirements. Discharge of mop water, floor mat washing, and trash can cleaning and washing out trash enclosures into the street or storm drain system is prohibited (MBMC Section 5.84.060, 5.84.090).
50. Any unused water or sanitary sewer laterals must be shown on the plans and abandoned at the City main.
51. All rooftop air conditioning unit condensation lines must drain into the sanitary sewer.

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52. Sidewalk, driveway, curb, and gutter repairs or replacement must be completed per Public Works Specifications. See City Standard Plans, ST-1, ST-2 and ST-3. The plans must have a profile of the driveway, % of slope on driveway, and driveway elevations.
53. The sidewalk must be replaced from the north property line on Manhattan Beach Boulevard to the south property line on Sepulveda Boulevard and shown on the plans.
54. Weekly sweeping will be required for all parking areas.
55. Backflow preventers from fire and domestic water services must be installed per Public Works Department requirements.
56. Water meters shall be placed near the property line and out of the driveway approach whenever possible. Water meter placement must be approved by the City and shown on the plans, and all utility meters screened from view.
57. If the water meter box is replaced, it must be purchased from the City, and must have a traffic rated lid if the box is placed in the driveway.
58. Any new storm water, nuisance water, etc. drain lines installed within the street right-of-way must be constructed of ductile iron pipe. Drains must be shown on plans.
59. Before the utility pole located at the south corner of the lot on Sepulveda Boulevard can be relocated, approval from the Parking and Public Improvement Commission and City Council and a building permit must be obtained.
60. Plan holder must have the plans rechecked and stamped for approval by the Public Works Department before the building permit is issued.

Building Division

61. Project shall comply with all Disabled Access regulations.
62. All work shall comply with all current California Building Codes which includes: California Electrical Code, Mechanical Code, Plumbing Code and Fire Code, at the time of submittal.

Procedural

63. *Interpretation.* Any questions of intent or interpretation of any condition will be resolved by the Planning Commission.
64. *Terms and Conditions are Perpetual.* These terms and conditions shall be perpetual, and it is the intention of the Director of Community Development and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
65. *Effective Date.* This Resolution shall become effective when all time limits for appeal as set forth in MBCM Section 10.100.030 have expired.
66. 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.
67. At any time in the future, the Planning Commission or City Council may review the Use Permit for the purposes of revocation or modification. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.

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68. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 3. 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.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of **December 12, 2007** and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:


ABSENT:


Richard Thompson
Secretary to the Planning Commission

Sarah Boeschen
Recording Secretary

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

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development 

BY: Daniel A. Moreno, Associate Planner 

DATE: November 28, 2007

SUBJECT: Consideration of a Use Permit, Alcohol Beverage License, Variance from Maximum Allowable Building Height, and an Initial Study and Negative Declaration of Environmental Impacts, for a Proposed Rite Aid Pharmacy at 1100 Manhattan Beach Boulevard

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT** the public hearing, **DISCUSS** the project and **DIRECT** staff as determined to be appropriate.

APPLICANT

RHL Design Group, Inc.
2401 E. Katella Avenue
Anaheim, Ca. 92806
Attention: Bob Superneau

PROPERTY OWNERS

Smail Nayebdadash
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Manhattan Beach, Ca. 90266

BACKGROUND

The subject site, which is located at the southeast corner of Manhattan Beach Boulevard and Sepulveda Boulevard, is presently improved with a 1,736 square foot gas station (Manhattan Beach Fuel) with three service bays and surface parking on the north end of the property, and a 8,638 square foot commercial retail/office/personal service building (Mr. D's Liquor Mart, General Office Uses, Peak Fitness) at the south end of the property. The project proposal consists of the demolition of all existing improvements and construction of a 13,370 square foot pharmacy, without a drive-thru, which includes a 1,000 square foot mezzanine storage/utility area. The proposed retail use is permitted in the CG zone; however, because the project will exceed more than 5,000 square feet of buildable floor area and more than 10,000 square feet of land area and requests an alcohol beverage license, a Use Permit approval is required. Along with the Use Permit application, the applicant is also seeking a Variance approval from maximum allowable building height.

PROJECT OVERVIEW

LOCATION

Location: 1100 Manhattan Beach Boulevard located at the southeast corner of Sepulveda Boulevard and Manhattan Beach Boulevard (see Site Location Map, Exhibit A)

Legal Description: (Parcel 1) that portion of Lots 15, 16, 17, and 18, Block 2 of Tract 142,
(Parcel 2) a non-exclusive easement for ingress and egress over that portion of Lot 15, Block 2 of Tract 142 in the City of Manhattan Beach (easement is on the south side of the property)
(Parcel 3) that portion of Lots 9, 10, 11, 12, 15, 16, 17 and 18 in Block 2, of Tract No. 142

Area District: I (Sepulveda Corridor)

LAND USE

General Plan: General Commercial

Zoning: CG, General Commercial

Land Use:

<u>Existing</u>	<u>Proposed</u>
1,736 sq. ft.	13,370 sq. ft. (retail area)
Gas station	950 sq. ft. (mezz. area)
8, 638 sq. ft.	14,320 sq. ft. total area
office/retail/personal service	

Neighboring Zoning/Land Uses:

North, across MBB CG, General Commercial
(Target, Blockbuster Video,
Cingular Wireless, Framestore)

East, CG, General Commercial
(Office, Personal Service Commercial)

South, CG, General Commercial
(Peak Fitness, Mr. D's Food Mart)

West, across Sep. Blvd. CG, General Commercial
(Jiffy Lube)

PROJECT DETAILS

<u>Parcel Size:</u>	<u>Proposed</u> 40,250 sq. ft. (after street dedication)	<u>Allowed/Required</u> 5,000 sq. ft. min.
<u>Building Area:</u>	<u>Proposed</u> 13,370 sq. ft. (.33) 1,000 sq. ft. mezzanine	<u>Allowed/Required</u> 60,381 sq. ft. (lot area x1.5)
<u>Building Height:</u>	171.30* (11.43' above allowable)	159.87' feet*
<u>Parking:</u>	54 spaces (41 standard) (10 compact) (3 disabled access)	54 spaces
<u>Building Setbacks:</u>		
North,	8'	0'
East,	67.00'	0'
South,	65.83'	0'
West,	8'	0'
<u>Landscape Area:</u>	5,198 sq. ft. (13% of lot area)	3,220 sq. ft. (8% of lot area)
<u>Vehicle Access:</u>	1 Sepulveda Blvd. 1 MBB	n/a
<u>Signage:</u>	470 sq. ft.	440 sq. ft.
<u>Hours of Operation:</u>		
Retail Store/Pharmacy	7:00 a.m. - 10:00 p.m. (7-days)	Requires Use Permit
Beer and Wine Sales	7:00 a.m. - 10:00 p.m. (7-days)	Requires Use Permit

* The maximum allowable building height elevation was calculated using the four corner elevations of the property of 146.495' (N/W - average of 146.66/146.33), 143.65' (N/E), 134.12' (S/W) and 127.24' (S/E). These elevations will be verified during the plan check process.

ENVIRONMENTAL DETERMINATION

An Initial Study and Negative Declaration have been prepared in accordance with the California Environmental Quality Act (CEQA), as modified by the Manhattan Beach CEQA Guidelines, finding that the proposed project will not have a significant adverse impact upon the environment (attached, Exhibit B).

DISCUSSION

The preliminary site plan (Exhibit C) shows the proposed building to be located at the corner of Manhattan Beach Boulevard and Sepulveda Boulevard, as recommended by the Sepulveda Boulevard Development Guidelines. Rite-Aid Pharmacy is seeking approval to bring a new, state-of-the-art, full service drug store to the community of Manhattan Beach. This retail use will provide full pharmacy service in addition to one-hour photo processing along with a wide variety of other goods and services to meet the pharmaceutical and convenience shopping needs of the community.

Land Use Compatibility

The existing parcels, each under a separate ownership, consists of the northerly lot located on the southeast corner of Sepulveda Boulevard and Manhattan Beach Boulevard and the southerly lot located on the northeast corner of Sepulveda Boulevard and 11th Street, both along the Sepulveda Commercial Corridor. These lots are zoned (CG) General Commercial and are consistent with areas' General Plan designation of "General Commercial" and allows a retail use on the property.

The properties to the north, south, east and west are similarly zoned (CG) General Commercial. The property to the north across Manhattan Beach Boulevard is developed with the Target Store and a separate building which contains a Blockbuster Video, Cingular Wireless and Framestore; the property to the east is developed with a mixed use of office and personal services; the property to the south is developed with the Little Company of Mary medical office building; and the property to the west across Sepulveda Boulevard is developed with a Jiffy Lube and mixed office uses.

Street Dedication/Corner cut-off

The existing properties currently contain approximately 43,270 square feet of lot area. Engineering Division has determined that the project should provide an 8-foot dedication on Sepulveda Boulevard for the future widening of the right-of-way for an additional left-hand turn pocket for traffic traveling west onto Manhattan Beach Boulevard (no schedule at this time). In addition, the project is required to provide an additional corner cut-off to accommodate a disabled access ramp, pedestrian access area and existing/future street furniture. As a result of these dedications the new parcel size will now contain approximately 40,250 square feet of lot area.

Sepulveda Corridor Guidelines

The applicant has made substantial efforts to address the Sepulveda Boulevard Development Guidelines (attached, Exhibit D). The aesthetic oriented guidelines generally favor building/store frontages oriented toward Sepulveda, as opposed to vehicle dominated frontages. A pedestrian entry path is provided from the sidewalk on Sepulveda Boulevard, Manhattan Beach Boulevard and 11th Street (see attached site plan).

The building as designed will be oriented towards Sepulveda Boulevard as recommended by the guidelines; however the building storefront, windows and pedestrian entrance would be located on the northerly and north-easterly side of the building. This is due in part to the building location on the high side of the property, the proposed interior office/storage mezzanine area and the maximum allowable building height. The trash area will be located at the southeast portion of the property with a proposed loading dock at the south-easterly side of the proposed building. A non-required loading space would also be provided adjacent to the easterly property line across from the proposed loading dock.

The proposed parking area would be located on the easterly and southerly side of the proposed building in a less prominent location as recommended by the Sepulveda Corridor Guidelines when viewed from both Sepulveda Boulevard and Manhattan Beach Boulevard. The applicant will provide colored elevations for review by the Planning Commission at tonight's meeting.

Driveway access for the existing gasoline service station consists of four driveways; two on both Sepulveda Boulevard and Manhattan Beach Boulevard. The project traffic circulation will substantially improve with the elimination of the two existing corner driveways. The remaining driveways on Sepulveda Boulevard and Manhattan Beach Boulevard will be aligned with the parking access for the property.

Landscaping

Municipal Code Section 10.16.030, Minimum Site Landscaping, requires that a minimum of 8% of planting area or 3,220 square feet be provided for the site based on the lot area of 40,254 square feet. Code Section 10.60.070 (D), Design Standards, additionally requires that parking lots adjoining street property lines up to 100 feet in length shall have a 3-foot perimeter landscaping area. Furthermore, 5% of the parking lot area, excluding the perimeter planting strips shall be devoted to interior landscaping areas distributed throughout the parking lot. The subject parking lot design provides a 10-foot perimeter landscape area at both proposed entrances on Sepulveda Boulevard and Manhattan Beach Boulevard.

In addition to the two 10-foot wide perimeter landscape areas at the driveway entry areas, landscaping is also provided at the outer parking stalls and perimeter areas along the easterly and southerly property lines which buffer the parking spaces to the adjoining properties. (See attached Site Plan).

Signage

Pursuant to the Sign Code, the amount of signage allowed for the subject property is based on two square feet per one linear foot of property frontage. In this case, the property frontage is 220-feet in length on Manhattan Beach Boulevard; therefore 440-square feet of signage would be permitted.

The applicant has provided staff with a sign program for the site, which includes 470 square feet of primary and secondary signage on all building sides and two monument signs which exceeds the allowable by 30 square feet (see attached plan, Sign Program, Exhibit E). All business identification signs must obtain review and approval by the Community Development Department prior to issuance of a building permit and staff will work with the applicant to bring the signage into compliance with maximum allowable square footage.

Parking Lot Lighting

Pursuant to MBMC Section 10.64.170, Lighting, the regulations are intended to ensure that adequate lighting is provided for personal and traffic safety, to protect nearby residential uses from undue glare and to ensure that the existing low-scale pedestrian friendly character of commercial areas is maintained. Additionally, outdoor parking area lighting shall not employ a light source higher than twenty (20) feet if the light source is located more than 25 feet from a residentially zoned property. The nearest residentially zoned property are located 175' to the east and 110' to the south. The submitted lighting and photometric plan (Exhibit F) shows that three light poles will be located within the parking area. Two light poles will be located along the southerly property line and one along the easterly property line all adjacent to the proposed parking area. The photometric plans shows that the illumination levels from these poles will average from 0.8 – 13.0 foot-candles.

Per MBMC Section 10.64.170 (C (7)), the maximum foot-candles from light poles located within the parking lot, including loading and service areas at any location, shall not exceed 10 foot-candles, and therefore portions of the illumination levels exceed the maximum code requirements. The applicant has indicated that they would work with staff to comply with maximum foot-candles. In addition to meeting maximum foot-candles, all outside lighting will be required to be directed away from the public right-of-way and shall minimize spill-over onto the sidewalks and street. Shields and directional lighting would be required where needed. During the building plan check process staff will ensure that the proposed light poles meet all lighting requirements as established under MBMC Section 10.64.170.

Store Operation/Store Deliveries/Alcohol Beverage Sales

Rite Aid's goal is to provide a wide variety of good and services and offer the customer the value and convenience of a true "one-stop" opportunity. Rite Aid proposes to operate the drug store between the hours of 7:00 a.m. to 10:00 p.m. seven (7) days a week. The applicant has indicated in the project narrative that operational deliveries would be conducted twice a week during the hours of 6:00 a.m. to 10:00 p.m. They indicate that

this timeframe has been developed by Rite Aid as the most conducive to delivery times, as they consider this to be “off peak” hours for commuters and customers.

Due to the change in topography for the site, the loading dock would be located at the south end of the site which creates a natural elevation change to enable a 62-foot truck to enter the site from Sepulveda Boulevard, and to back into the loading area. After unloading the truck would exist via the Manhattan Beach Boulevard driveway eastbound. This operation would typically take approximately one hour. Deliveries to the site would occur at a rate of one truck every three to four days. The smaller vendor delivery trucks (i.e. Coca-Cola, Frito-Lay) will also service the store and would park in the proposed loading space located along the easterly property line across from the loading dock. While these deliveries would have a shorter duration for unloading the applicant has not provided information regarding the frequency of these deliveries. However, an issue of functionality arises as the proposed loading dock area is not located in close proximity to the loading space, and the elevated loading dock platform does not provide a loading ramp, which would make it difficult to deliver goods.

In addition to the state-of-the-art pharmacy department, the new store will include departments for school supplies, cosmetics, greeting cards, one-hour photo processing, general merchandise/sundry items and an ancillary department for food mart, sodas, juices, and milk and refrigerated alcohol beverages. No information was provided as the gross floor area devoted to alcohol beverage sales; however the amount of liquor sales would not exceed 10% of the stores total sales. Alcohol beverages would be sold between the proposed business hours of operation of 7:00 a.m. – 10:00 p.m. seven (7) days a week. Their internal policies and procedures commit the company to responsible sale of alcohol beverages.

The Rite Aid store would typically be staffed with 8-10 employees, including a licensed pharmacist, depending on time of day and shift. Should the project be approved the employees would be required to park on-site.

Building Height

The proposed structure will appear as a tall building from all elevations (see Elevation Plans, attached, Exhibit J). The proposed building is designed with a flat roof line and per MBMC Section 10.16.030 (F), Maximum Height of Structures, if the roof pitch is less than 4:12 the maximum building height is limited to 22 feet. Because the building height is determined by the average of the four property corners the average elevation would be at a 137.87' elevation. Therefore, with the average property corner elevation of 137.87 plus 22 feet of height limit, the proposed building is limited to a 159.87' height elevation. The submitted elevation plans show that the proposed building will be designed at a height elevation of 171.30 or 11.30' above the allowable building height which requires a Variance approval. The applicant has indicated that these building heights are needed to accommodate the proposed being design.

Because the proposed structure location would provide an 8-foot building setback from the northerly and westerly property lines (16-feet if you also count the 8-foot dedication), the proposed building may not be more visually compatible at the intersection with other surrounding buildings located at the other adjoining corners. The height of the building directly to the north across Manhattan Beach Boulevard (Target site) varies from 16 – 22 feet; the building canopy to the northwest at the Shell gasoline station is 22 feet; and the Jiffy Lube located across Sepulveda Boulevard is 30 feet with parking area below and a minimum 4:12 roof pitch. None of these existing buildings are located at the property corner. The proposed building is designed at a height between 24'-2" – 25'. At the request of staff the applicant was asked to do a building height comparison with the surrounding buildings. This information has not been provided at the writing of this report, however in the applicant's project narrative they indicate that in order to meet Rite Aid standard for minimum building height they are requesting a variance for an additional 11.50'. They believe that this will provide an overall entry building height of 25' which appears to be in line with the adjacent Target and Jiffy Lube buildings.

The proposed building roof mechanical equipment is shown to be slightly higher than the proposed parapet roof line. They believe that because of the location, which is situated far enough away from the perimeter of the building, the line of site will naturally screen the equipment. (see attached height elevation plans - Sheet SS-001).

The applicant states in the project narrative that proposed building would be approximately 5-feet higher than the existing service station and commercial office building on the site. The goal in the design of this building is not to have the tallest building, but rather construct a building that can accommodate both the Manhattan Beach and Rite Aid while blending with the architectural surroundings.

Variance Findings

Per MBMC Section 10.84.060 (B), in order to approve a Variance application, the Planning Commission must make the following findings:

1. Because of special circumstances or conditions applicable to the subject property including narrowness and hollowness or shape, exceptional topography, or the extraordinary or exceptional situations or conditions, strict application of the requirements of this title would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardship upon, the owner of the property.
2. The relief may be granted without substantial detriment to the public good; without substantial impairment of affected natural resources; and not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare.
3. Granting the application is consistent with the purposes of this title and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district and area district.

On the applicant's project narrative/findings, (attached, Exhibit F) it states that they are seeking relief from maximum allowable building height for the following reasons:

- a. There are constraints in meeting the maximum height limit of 22 feet due to the topography of the site
- b. Due to building height determination, which takes the average of the four corners of the property, the building location at the highest part of the property, restrict the building height and therefore would exceed the maximum allowable height and therefore creates a hardship to the site.
- c. The proposed building height would only be approximate 5-feet higher than the existing service station building on site.
- d. The proposed building height and location would not impact current views and would be compatible with existing adjacent buildings at the proposed location.
- e. Location of building as recommended by the Sepulveda Boulevard Development Guidelines has created a constraint on the building design
- f. The existing egress/ingress access easement creates many constraints on the site design including the finish elevation of the structure
- g. The proposed roof elements, which vary in height, provide architectural relief to the building
- h. The highest roof element occurs at the southeast portion of the structure which is the furthest from the street
- i. The parapet design will house the mechanical equipment that will be shielded from public view
- j. As an alternative to the 22 foot maximum height limit, the Municipal Code permits a building height of 30 feet with a minimum 4/12 roof pitch. This is not a desired design option and relief from maximum allowable building height would also be needed as the building would also exceed the building height limit.
- k. Strict adherence to the height limitation would preclude the inclusion of the mezzanine which is an essential area to the operation of the store
- l. The request is for a height Variance to a maximum of 12-feet and this increase in height is not detrimental as the building location is so far removed from any other structures in the area. Additional landscape buffers will be provided at both the Manhattan Beach Boulevard and Sepulveda Boulevard sides of the building to soften the mass of the structure
- m. The project design is consistent with the Sepulveda Boulevard Corridor Guidelines as to building location and common drive with the property to the south, however, compliance with the guidelines is creating the need for relief from building height

Parking/Traffic Circulation:

The applicant proposes to provide 41 standard parking spaces, 10 compact spaces and 3 disabled access spaces for a total of 54 spaces. The project provides a 12,106 square foot retail store which includes a 1,261 square feet of warehouse storage area. Municipal Code Section 10.64.030, Off-Street Parking Spaces, requires that a retail use provide 1 parking space for the first 5,000 square feet; plus 1 per 250 square feet thereafter and 1 space per 1,000 square feet of storage/office area, and therefore is required to provide 54 on-site parking spaces ($5,000/200 = 25$ spaces; $7,106/250 = 28$ spaces; $1,261/1,000 = 1$ space; total of 54 spaces).

Vehicle access to the site will be provided via two driveways, one on Sepulveda Boulevard and one on Manhattan Beach Boulevard. The two existing driveways located closer to the intersection will be closed which the City Traffic Engineer indicates will improve traffic flow.

At the request of the City Traffic Engineer, the applicant was required to prepare a "limited" Traffic Impact Analysis, to determine the potential traffic impacts of the proposed development and the existing projects. This analysis, prepared by Limley-Horn and Associates, Inc, was done to determine the potential change in traffic due to the change in land use.

City Traffic Engineer, Erik Zandvliet, has reviewed the Trip Generation Report and found it to be satisfactory. The report concludes that the proposed Rite Aid development would generate fewer vehicular trips on a daily, morning and evening peak hour than the existing service station/retail/office uses. Additionally, the traffic engineer has reviewed the parking plan and determined that the proposed project's layout, parking stalls and dimensions, access and circulation patterns, particularly the internal access to the parking areas shared between the two properties, were acceptable. The traffic engineer has also indicated that the proposed project closure of the two existing driveways located closer to the intersection will improve vehicular movement for the site.

Public Input:

A public notice for the project was mailed to the property owners within 500 feet of the site and published in the Beach Reporter newspaper. At the writing of this report, staff has not received any correspondence or phone calls in support or in opposition to the proposed development. Staff has received minor comments from other department but those issues raised are concerns that can be handled as regular building plan check items.

CONCLUSION

Staff recommends that the Planning Commission conduct the public hearing, consider the information presented, and direct staff as determined to be appropriate. Specific determinations suggested to be made for the application include the following:

Use Permit

1. Determine whether the proposed use of the property is appropriate for the site, serves the public interest, and meets the required finding per MBMC Section 10.84.060 (A). Determine whether the sale of alcoholic beverages and the proposed hours of sale are appropriate for this site.

Building Height Variance

2. Determine whether the request for relief from maximum allowable building height is appropriate and meets the required findings per MBMC Section 10.84.060 (B).

Sepulveda Boulevard Corridor Guidelines

3. Determine whether the proposed building design and visual impact is appropriate and consistent with the Sepulveda Corridor Development Guidelines which encourages storefronts and windows to be oriented towards Sepulveda Boulevard.
4. Determine if the proposed loading dock and loading space locations are appropriate for the proposed development.

Other

5. Approve the Initial Study and Negative Declaration of Environmental Impacts.
6. Require that the project include environment practices in the development of the site.

Attachments:

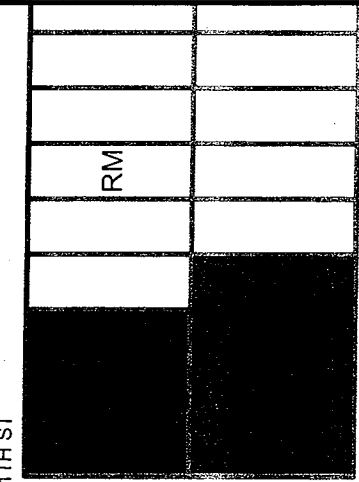
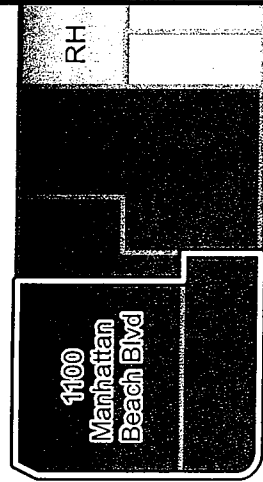
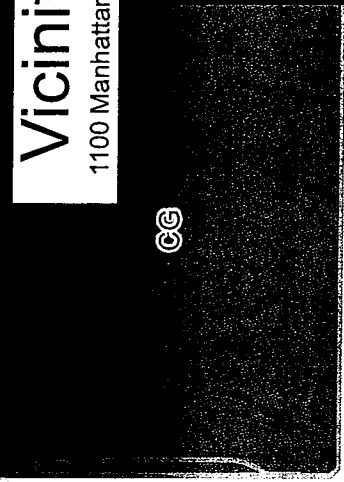
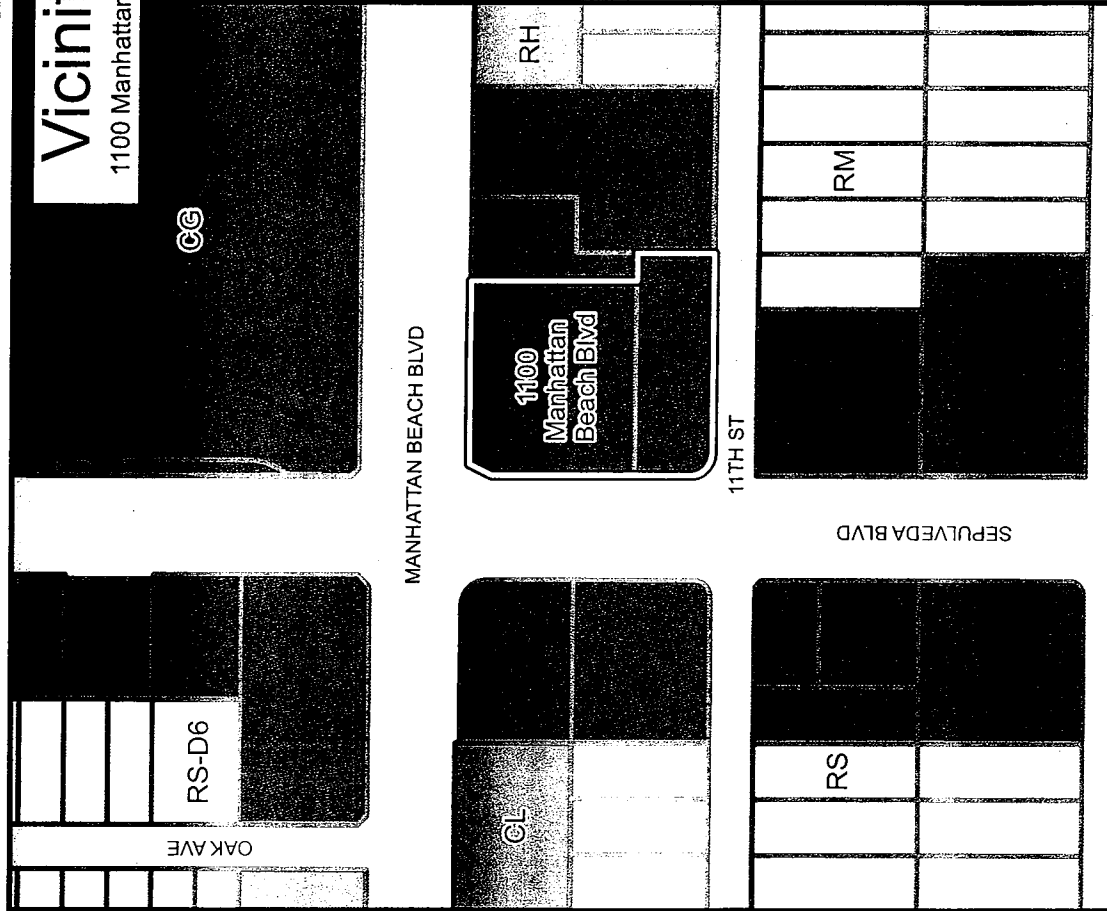
- Exhibit A – Site location Map
- Exhibit B – Initial Study/Negative Declaration
- Exhibit C – Site Plan (Sheet C-101) – n/a
- Exhibit D – Sepulveda Boulevard Corridor Guidelines
- Exhibit E – Proposed Sign Plan – n/a
- Exhibit F – Site Lighting and Photometric Plan (Sheet E-100) n/a
- Exhibit G- Applicant's Use Permit/Variance Narrative Findings, Building Design Narrative
- Exhibit H – Kimley-Horn & Associates, Parking Study, dated October 2007
- Exhibit I – Project Plans – (Floor Plans – Sheet A-101, Exterior Elevations – Sheet A-201, Line of Site Sections – Sheet SS-001, Survey - n/a

n/a – not available electronically






cc: Rite-AidPharmacyPCStfRpt 11-28-07

Vicinity Map

1100 Manhattan Beach Boulevard



Legend

-  1100 Manhattan Beach Bl
-  Parcels
-  CG - General Commercial
-  CL - Local Commercial
-  RH - Residential High Density




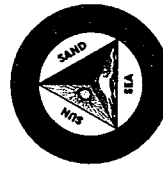
-  RM - Residential Medium Density
-  RS - Residential Single Family
-  RS-D6 - Residential Single Family Design Review

Exhibit A



City of Manhattan Beach
Community Development

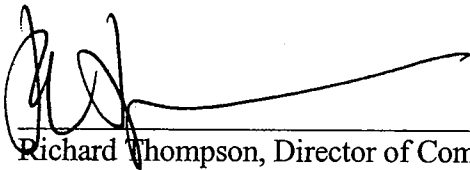


**CITY OF MANHATTAN BEACH
PROPOSED NEGATIVE DECLARATION**

In accordance with the California Environmental Quality Act of 1970, as amended, and the City of Manhattan Beach CEQA Guidelines, the Community Development Department after conducting an Initial Study found that the following project would not have a significant effect on the environment and that possible environmental impacts have been mitigated and has instructed that this Negative Declaration be prepared.

1. **Project Title:** Rite Aid Pharmacy
2. **Project Location:** 1100 Manhattan Beach Boulevard
3. **Project Description:** Demolish an existing gas station with service bays and commercial/retail-office building and construct a 13,370 square foot single story drug store which includes a 1,000 square foot storage/utility area.
4. **Support Findings:** Based upon the Initial Study, which is attached hereto and made a part hereof, it is the finding of the Community Development Department that the above mentioned project is not an action involving any significant environmental effects.

Prepared by the Community Development Department on October 25, 2007



Richard Thompson, Director of Community Development





ENVIRONMENTAL CHECKLIST FORM

CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT INFORMATION

Project Title: Rite Aid Pharmacy
 Project Location: 1100 Manhattan Beach Boulevard
 Project Description: Proposed 13,370 square foot retail store which includes a 1,000 square foot storage/utility area on an existing lot which contains a gas station with service bays and commercial/retail-office building located at 1100 Manhattan Beach Boulevard. The project site will contain surface parking and will provide 54 parking spaces. The project is located within the "General Commercial" General Plan area, and is zoned "CG" General Commercial, with Sepulveda Boulevard Development Guidelines. A retail use is permitted in the "CG" zoning district subject to a Use Permit approval.

Lead Agency

Name: City of Manhattan Beach, Community Development Dept.
 Address: 1400 Highland Avenue, Manhattan Beach, CA 90266
 Contact: Daniel Moreno, Associate Planner, (310) 802-5516

Applicant

Name: RHL Design Group, Inc.
 Address: 2401 E. Katella Avenue, Anaheim, Ca. 92806
 Contact: Bob Superneau, (714) 935-0050

Other agencies whose approval is required: Caltrans

LAND USE DESIGNATIONS

General Plan: General Commercial
 Local Coastal Program: N/A
 Area District: I
 Zoning: CG

Surrounding Land Uses and Setting: All properties to the north, south, east and west are similarly zoned.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

Land Use and Planning	<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>
Population and Housing	<input type="checkbox"/>	Energy/Mineral Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>
Geological Problems	<input type="checkbox"/>	Hazards	<input type="checkbox"/>	Recreation	<input type="checkbox"/>
Water	<input type="checkbox"/>	Noise	<input type="checkbox"/>	Mandatory	<input type="checkbox"/>
Air Quality	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Findings of Significance	<input type="checkbox"/>
Transportation/Circulation	<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>		

DETERMINATION (to be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the proposed project. A NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated". An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.

Signature of Preparer

10/25/2007
Date

Daniel Moreno, Associate Planner
Printed Name

Richard Thompson, Director of Community Development
Prepared For

Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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ENVIRONMENTAL IMPACTS

1. Earth. Will the proposal result in:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Unstable earth conditions or in changes in geological substructures? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Disruptions, displacements, compaction or over covering of the soil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Change in topography or ground surface relief features? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. The destruction, covering or modification of any unique geologic or physical features? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Any increase in wind or water erosion of soils, either on or off the site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: The subject site is currently occupied by two buildings and paved surface. No significant topography changes other than excavation for the building, which will be located at the northwest portion of the property, therefore changes to the geological substructure, soil, or drainage are not anticipated. The existing subject property is primarily covered with impervious material. Although all of Southern California is identified as a seismically active region, there are no known geologic hazards, including faults, present at the project site.

2. Air. Will the proposal result in:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Substantial air emissions or deterioration of ambient air quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. The creation of objectionable odors? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Alteration of air movement, moisture, or temperature, or any change in climate, either locally or regionally? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: Preparation of the site may result in short-term exhaust emissions from construction vehicles and dust from temporarily exposed soil. However, these short-term effects will be mitigated through soil watering, compliance with applicable South Coast Air Quality Management District regulations, and use of emission sensitive equipment

Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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practices. Because the site currently contains a gas station removal of the tanks must meet Los Angeles County Public Works and Los Angeles County Fire Department requirements for remediation. The proposed retail use is not anticipated to generate a significant amount of emissions. The 13,367 square foot drug store's emissions will also be incidental compared to the existing gas station use on the site. The propose project is anticipated to produce a parking demand of 43 spaces during peak weekday and peak weeend periods which is sufficient for the 54 spaces proposed. The development is expected to draw employees locally from a housing rich urbanized area resulting in shorter than average vehicle trip environment.

3. Water. Will the proposal result in:
- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Alterations to the course or flow of flood waters? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Change in the amount of surface water in any water body? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Alteration of the direction or rate of flow of ground waters? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Substantial reduction in the amount of water otherwise available for public water supplies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i. Exposure of people or property to water related hazards such as flooding or tidal waves? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j. Significant changes in the temperature, flow, or chemical content of surface thermal springs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: There is no adjacent body of water that will be affected by the project. The Pacific Ocean will continue to receive storm water run-off without a change or affect on the water body. The proposed project will decrease the amount of impervious ground coverage at the site and therefore will improve absorption rates. Storm water will still flow into local storm drains. Compliance with the Public Works Department's guidelines for refuse bins and drainage shall assist in prevention of any adverse alteration of surface water quality. The project would not result in any significant topographical alterations or increase in run-off at the site and therefore the direction and rate of flow of ground water will remain unchanged. There will no significant demand for water generated by the retail use and therefore, there will be no impact on any local aquifer. The City generally experiences only local ponding associated with severe rain storms. The proposed project will not exacerbate flooding conditions at the subject site or in the surrounding area. There are no surface springs in the surrounding area.

4. Plant Life. Will the proposal result in:

	Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Reduction of the numbers of any unique, rare or endangered species of plants? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Reduction in acreage of any agricultural crop? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: The existing site contains no native plants or agricultural use. Typical landscaping materials are proposed.

5. Animal Life. Will the proposal result in:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms or insects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Reduction of the numbers of any unique, rare or endangered species of animals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Introduction of new species of animal into an area, or result in a barrier to the migration or movement of animals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Deterioration to existing fish or wildlife habitat? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: There are no known animals existing at the site, nor are any proposed resulting from the development. There are no identified unique, rare, or endangered species on the site or in the surrounding area. No new species or animals will be introduced by the proposed project. There are no fish or wildlife habitat in the area of the project site.

6. Noise. Will the proposal result in:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Increases in existing noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Exposures of people to severe noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION: There will be short-term increase in noise levels during construction of the retail building. This is a short-term impact that is regulated by applicable City codes and ordinances that limit construction hours and levels of noise of construction equipment to a City designated acceptable level. The storage/office area is well contained within the proposed retail building and is not expected to generate any exterior noise. Parking area is provided on the easterly and southerly areas of the property away from the streets and will be buffered from residential property by adjoining buildings. The loading area is provided on the easterly side of the building and is also buffered from easterly residential properties by adjoining commercial buildings. Mechanical equipment will be located at the roof of the structure and noise will be buffered by parapet walls as mechanical units must not exceed the allowable building height.

Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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The City's Noise Element shows that the vicinity of Sepulveda Boulevard and Manhattan Beach Boulevard at a noise contour level between 65dbs and 70 dbs. Motor vehicle noise is the primary source of ambient noise levels in the vicinity of the site. The Noise Element "Land Use Compatibility Matrix" identifies retail commercial uses as "normally acceptable" with a 65dbsCNEL. This level is judged compatible with surrounding land uses. Compliance with the City's Noise Ordinance will further insure that the surrounding area is not significantly impacted by noise generated by the project.

7. Light and Glare.

- a. Will the proposal produce new light or glare?

DISCUSSION: The project would create new light sources (external and internal lighting). Exterior lighting will be proposed and will be required to be directed and shielded to eliminate any glare potential. New indirect light will be produced by the project primarily in the form of interior space lighting transmitting through windows. Such light is typically not a concern but will be minimized through required lighting efficiency design. A lighting plan will be submitted for review and approval.

8. Land Use.

- a. Will the proposal result in a substantial alteration of the present or planned land use of an area?

DISCUSSION: The proposed retail use is consistent with the Commercial General zone. The proposal complies with the development standards and land use regulations established in the City's Zoning Code and is consistent with the Goals and Policies of the City's General Plan. Consistency with these documents insures that the proposed project does not represent an incompatible use, nor does it substantially alter the present or planned use of the area.

9. Natural Resources. Will the proposal result in:

- a. Increase in the rate of use of any natural resources?
- b. Substantial depletion of any nonrenewable natural resources?

DISCUSSION: The project will not result in the loss of open space and will not utilize significant amounts of non-renewable resources. Other than use of normal construction materials and plantings, no other significant amount of resources will be used as a result of the project. The project would result in an increase of existing water supply, however, the impact of this development is not considered significant since the City's existing water supply can adequately supply this increase.

10. Risk of Upset. Will the proposal involve:

- a. A risk of an explosion or the release of hazardous substances (including, but not limited to oil, pesti-

	Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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- cides, chemicals or radiation) in the event of an accident or upset conditions?
- b. Possible interference with an emergency response plan or an emergency evacuation plan?

DISCUSSION: There is nothing associated with this project that would result in the release of hazardous materials or create a risk of explosion. Additionally, the project will not interfere with emergency response/evacuation plans.

11. Population.

- a. Will the proposal alter the location, distribution density, or growth rate of the human population of an area?

DISCUSSION: The proposal involves the construction of a retail drug store that would not increase the density or growth rate of human population of the area.

12. Housing.

- a. Will the proposal affect existing housing, or create a demand for additional housing?

DISCUSSION: The proposed project would not affect existing housing units or generate demand for housing. The site has never been designated or intended for residential use, therefore the project does not eliminate any presumed housing opportunities.

13. Transportation/Circulation. Will the proposal result in:

- a. Generation of substantial additional vehicular movement?
- b. Effects on existing parking facilities, or demand for new parking?
- c. Substantial impact upon existing transportation systems?
- d. Alterations to present patterns of circulation or movement of people and/or goods?
- e. Alterations to waterborne, rail or air traffic?
- f. Increase in traffic hazards to motor vehicles, bicycles or pedestrians?

DISCUSSION: 13a,b - The proposed project is a retail drug store, which increases vehicle movement in the area. The vehicle movement creates a demand for new on-site parking spaces and additional movement. However, the project location on a major arterial, would not significantly increase vehicular movements to a point that adversely effects the adjoining streets. The proposed project will utilize two existing driveways on both Sepulveda Boulevard and Manhattan Beach Boulevard. No driveway will be proposed on 11th Street which reduces traffic flow to the residential neighborhood to the east of the subject site. Furthermore, the attached

Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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projects parking plan analysis from the project traffic consultant indicates that the 54 on-site parking spaces will adequately deal with the parking demand for the proposed use.

The City Traffic Engineer has reviewed parking analysis which concludes that the retail use would generate a peak weekday and peak weekend day parking demand of 28 spaces and 21 spaces, respectively and he concurs with the assessment that 54 of the required parking 39 spaces would accommodate the parking demand. The project improves traffic related design of the existing site by eliminating one driveway on both Sepulveda Boulevard and Manhattan Beach Boulevard. The remaining southerly most driveway on Manhattan Beach Boulevard would be moved to align with the proposed southerly parking area for greater egress/ingress circulation. The overall vehicle and pedestrian circulation design for the project has been reviewed and found to be appropriate for the site.

The traffic associated with site clearance and construction will be short-term. All trucks will be required to use routes to/from the project site approved by the City of Manhattan Beach. Construction activities and construction staging area will located entirely within the project site. Therefore, there will not be any increase in traffic hazards to motorist, bicyclists, or pedestrian during construction.

13c,d - The increase in traffic will occur on existing improved streets and would not significantly alter the present circulation pattern. No aspect of the proposal would impede or create a change to existing patterns of circulation of movement of people or goods. Access to the site and surrounding properties would remain unaffected by the subject proposal.

13e - There are no waterborne, rails, or air traffic trips on or through the site.

13f - Parking access would take place from existing driveways on Sepulveda Boulevard and Manhattan Beach Boulevard with no access on 11th Street. Bicycle and pedestrian movement would be maintained with an existing wide sidewalk area on Manhattan Beach Boulevard, Sepulveda Boulevard and 11th Street. Once completed, the retail use would not contribute to impacts on traffic hazards to motorist, bicyclists, or pedestrians.

14. Public Services: Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Parks or other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Other governmental services? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: 14a - The subject site is already served by the City's public services. It is not anticipated that the new use would require additional Fire Department services.

Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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14b - The subject site is already served by the City's public services. It is not anticipated that the new use would create any additional or new demand for police protection by the Manhattan Beach Police Department.

14c - The proposed project would not generate an increase in population nor consequential student population in the City and, therefore, no new schools would be required.

14d - The project will not generate an additional demand on recreational facilities.

14e - There will be no impact on the maintenance of the road system.

14f - The project is located in an existing urban environment and it is not expected that other governmental services would be impacted by the proposed development.

15. Energy. Will the proposal result in:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Use of substantial amounts of fuel or energy? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Substantial increase in demand upon existing sources or energy, or require the development of new sources of energy? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: 15a - It is not anticipated that the proposed retail use would generate any significant impacts on fuel energy consumption.

15b - It is not anticipated that the proposed retail use would generate any significant impacts on existing energy sources or require new energy sources.

16. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:

- | | | | | |
|------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Power or natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Communications systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Sewer or septic tanks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Storm water drainage? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Solid waste and disposal? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: 16a - The project would not create a new demand for electricity or natural gas as the site is already served by a power company.

16b - Access to communication systems is already provided for by existing communication carriers. Minor routine adjustments to serve the specific tenant may be required later in the project.

16c - The site is currently served and would not require a new system.

Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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16d - The project site is connected to the City's sewer network and has no, in the past, demonstrated any problems with the connection. The new use is not anticipated to create a significant demand upon the existing system.

16e - The proposed project replaces an existing gas station and retail/office uses, and therefore it is not anticipated that the proposed development will generate any significant impacts on existing storm water drainage systems.

16f - It is not anticipated that the proposed project will generate any significant impacts on existing solid waste and disposal capacities.

17. Human Health. Will the proposal result in:

- a. Creation of any health hazard or potential health hazard (excluding mental health)?
- b. Exposure of people to potential health hazards?

DISCUSSION: 17a - No aspect of the proposed project would create, or cause to be created, any potential or actual health hazards.

17b - No aspect of the proposed project would create, or cause to be created, any potential or actual exposure to health hazards.

18. Aesthetics.

- a. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?

DISCUSSION: 18a - No visual corridors or scenic views will be obstructed by the proposed development.

19. Recreation.

- a. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?

DISCUSSION: 19a - There is nothing associated with the proposed project that would impact the quality or quantity of existing recreation facilities.

20. Cultural Resources.

- a. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archaeological sites?

	Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Will the proposal restrict existing religious or sacred uses within the potential impact area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: 20a - There are no local, state, or federally designated archaeological sites in the area of the site.

20b - There are no prehistoric or historic buildings, structures, or objects on the site, therefore, there will be no impact.

20c. - There are no objects, which represent unique ethnic cultural values o the site, therefore, there will be no impact.

20d - No religious or sacred uses currently occupy the site, nor are any proposed, therefore there would be no impact.

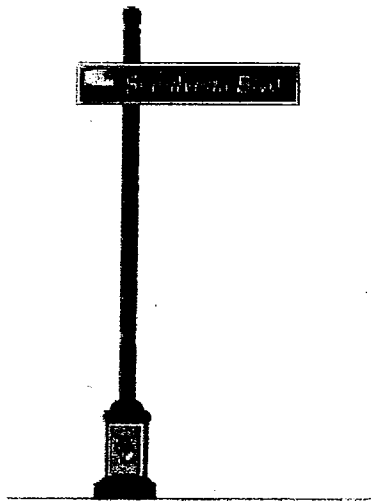
21. Mandatory Findings of Significance.

a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definite period of time while long-term impacts will endure well into the future.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resource is relatively small, but where the effect of the total of those impacts on the environment is significant.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Does the project have environmental effects which all cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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DISCUSSION: 21a,b,c,d - The proposed project does not have the potential to degrade the quality of the physical environment including the reduction of fish and wildlife habitats. The project is located within an urban environment with no known sensitive habitats. The project does not contain short-term goals that are being realized to the disadvantage of long term environmental goals. There are no substantial cumulative impacts associated with the project.

SEPULVEDA BOULEVARD DEVELOPMENT GUIDE



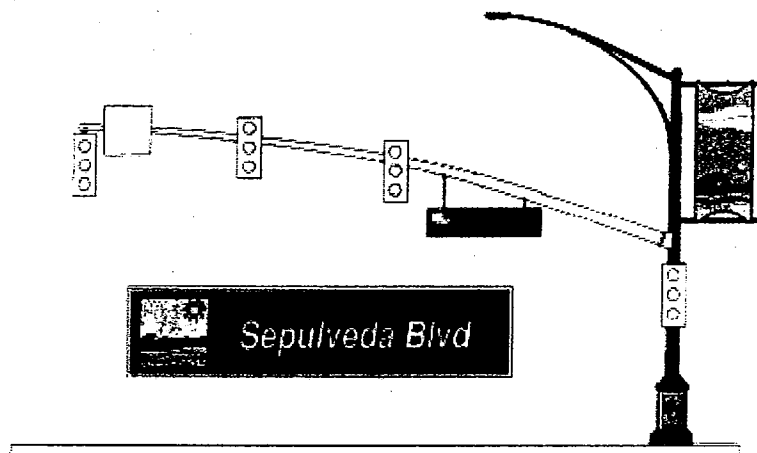
City of Manhattan Beach
Community Development Department
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Updated: January 27, 1998



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BACKGROUND AND PURPOSE

In 1993 the Manhattan Beach City Council initiated the Sepulveda Corridor Study to assess conditions and establish a development improvement strategy for the primary commercial corridor of the City. Issues such as traffic, aesthetics, residential conflicts, small sites, and business vitality had been receiving the City's attention in the preceding years.

A seven member citizen advisory committee was selected in 1994 which held public meetings, reviewed Staff and consultant information, and received public input. The City Planning Commission subsequently conducted a series of public study sessions, and a public hearing in 1995 to review the committee's and other Sepulveda Corridor information.. The Commission made recommendations to initiate Zoning Amendments, a streetscape program, and traffic/parking programs.

The City Council then conducted Study Sessions to review the project, and the Advisory Committee and Planning Commission's recommendations. They concluded the study portion of the project and directed that the Study be implemented as separate Zoning, and Public Works improvement projects.



The Public Works Department subsequently pursued a physical improvement project (landscaping, signs, etc.) for the Boulevard right-of-way while the Community Development Department and Planning Commission conducted hearings to amend the City's zoning regulations and procedures to improve development opportunities for the Sepulveda commercial properties. On October 7, 1997, the City Council adopted the Sepulveda Boulevard Development Guidelines and Zoning Regulation modifications contained herein.

The Guidelines are intended to encourage certain desirable elements to be included within development projects on the corridor. They are to be used as a supplement to the City Zoning Code requirements during Use Permit and other discretionary project reviews. The Planning Commission may decide if any of the guidelines are unnecessary or inappropriate for incorporation within a certain project. The Guidelines may be amended by the Planning Commission at any time subject to City Council review.



Development Procedures

Private Development within the City of Manhattan Beach is regulated by the Community Development Department, located at City Hall, 1400 Highland Avenue (310) 545-5621 extension 277. Development information is available at the public counter Monday through Friday, 8am to 5pm. Please call in advance to learn when certain Planning and Building personnel are unavailable.

The Community Development Department recommends preliminary project designs be brought in to the public counter for **informal review** at the very beginning of the development process. Preliminary comments are typically very valuable in avoiding major project revisions or delays.

Minor remodeling and tenant improvements usually involve plan submittal for **basic plan check review**. Projects which typically involve **Use Permit** or other special Planning review include:

- New developments, major remodels, and additions on sites larger than 10,000 square feet or containing more than 5,000 square feet of building area.
- New or modified uses/businesses that are specially regulated such as eating and drinking establishments, entertainment, automotive uses, schools, etc.
- Tenant changes that require more parking than currently required (e.g. general office to medical office).
- Sign proposals that exceed the Sign Code standards.

Use Permits and other special Zoning applications involve plans, noticing materials, and other project information to be submitted to the Community Development Department in preparation for a **public hearing**. The Planning Commission and/or City Council conduct hearings and use the presented applicant, City staff, and public comment information to make a decision on a discretionary project.

Prior to formal submittal of a Zoning application, the Planning Division offers a **pre-application review** process. A meeting with a Planner to review preliminary application materials is held to assist in their preparation, and to discuss anticipated project issues.

Once a **formal application** is submitted, review and comments are done by all concerned City Departments. Any necessary clarification and additional information are requested until the application is ready for presentation at a public hearing.

Sepulveda Boulevard Zoning Standards

The City regulations for Sepulveda Boulevard development are primarily contained within Chapters 10.16 (commercial districts), 10.64 (parking), and 10.52 and 10.60 (miscellaneous). The Zoning districts found within the Sepulveda Corridor are CG - General Commercial, CC - Community Commercial , and RS-D6 - Single Family Residential with the Oak Avenue Commercial Overlay.

GENERAL COMMERCIAL DISTRICT

The CG district provides for very standard low-rise commercial arterial development. Basic commercial uses such as retail sales, personal services, and offices, are permitted without special regulation. Restaurants, bars, automobile services (other than sales/rentals), schools, and churches require Use Permit approval. Residential development is not permitted. The primary CG design standards are as follows:

Setbacks	None, except for a 10 foot setback along the original westerly Sepulveda boundary line, and an angled residential boundary setback for an upper story level (see Section 10.16.030(E)).
Height	30 feet for a pitched roof or building with a parking structure, or 22 feet for a flat roof.
Floor Area	1.5 multiplied by site area equals total allowable building floor area excluding parking areas.
Landscaping	Minimum 8% of site area. Specific parking lot landscaping requirements (Section 10.60.070) may result in greater than 8% result.

COMMUNITY COMMERCIAL DISTRICT

The CC District contains, and is adapted to the Manhattan Village Mall. It permits the same basic commercial uses as the CG District but does not allow some of the heavier, less typical, uses that are allowed in the CG zone. Most development activity within Manhattan Village is minor alterations and tenant changes. Written approval from Manhattan Village property management is usually required for any construction, including signs. The primary design standards for the CC District are the same as the CG district except for a minimum 12% landscaping requirement.

OAK AVENUE OVERLAY DISTRICT

The Oak Avenue Overlay District consists of 3 separate groups of commercial abutting lots (see Zoning Map) that front on the predominately single family residential street, but have some history of commercial use or intent. Property located within the Oak Avenue Overlay District may be commercially developed, redeveloped, or intensified in conjunction with abutting Sepulveda fronting property subject to strict rules intended to protect the neighboring residential neighborhood. A Use Permit is required for any such development, and design standards include the following:

Site Area	Minimum 25,000 square feet for the entire development site, although portions of the site may be in different ownership.
Access	No vehicle access to Oak Avenue is permitted.
Landscape Buffer	Minimum 5 feet from a street property line to parking area, minimum 20 feet from Oak Avenue to a building.
Height	26 feet for any buildings or building portions proposed on an Oak Avenue lot (consistent with residential).
Building Character	Residential character must be incorporated into the design of any buildings located on an Oak Avenue lot such as pitched roofs, eaves, bay windows, decks.

PARKING

Parking requirements on Sepulveda Boulevard are the City's standard requirements. Multiple tenant sites exceeding 5,000 square feet in area, are eligible for reductions in parking based on alternating usage of parking facilities through the Use Permit process.

The most commonly relevant parking quantity ratios are as follows:

Retail	1 per 200 s.f., 1 per 250 for areas beyond 5,000 square feet
Personal Services	1 per 300 s.f, (hair salons, laundry, dry cleaning)
General Office	1 per 300 s.f
Medical Office	1 per 200 s.f.
Sit-down Restaurant	1 per 50 s.f. of dining area
Take-out Restaurant	1 per 75 s.f. of total floor area (including outdoor seating)

The most commonly relevant parking design standards are as follows:

Standard Stalls	8.5' x 18'
Compact Stalls	8' x 15' (30% maximum)
Back-up Aisle	24' (90 degree angle stalls)
Driveway width	20' - two way, 12' - one way

SIGNS

All new signs, face changes to existing signs, and temporary signs require sign permits. Signs are considered to be any text, graphic, or illumination identifying a business. Each commercial site is allowed a **total amount of sign area** equal to 2 times its street frontage in square feet. Corner sites may use the longer of the two frontages to calculate allowable sign area. Each face of a double faced sign is counted separately toward the total, and each face of a **pole sign** (freestanding sign exceeding 6 feet in height) is counted twice.

Signs not counted toward the total allowable sign area include the following:

Pedestrian oriented signs - one per entrance, 4 square feet maximum

Directional signs - one per entrance, 4 feet high, 4 square feet maximum

Incidental sign - one per business, 4 square feet maximum, 4 inch letters

Prohibited signs include:

Roof signs

Moving signs

Changeable copy signs

Projecting signs

3-Dimensional signs




Pole signs (if any other freestanding signs)

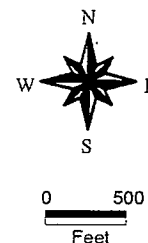
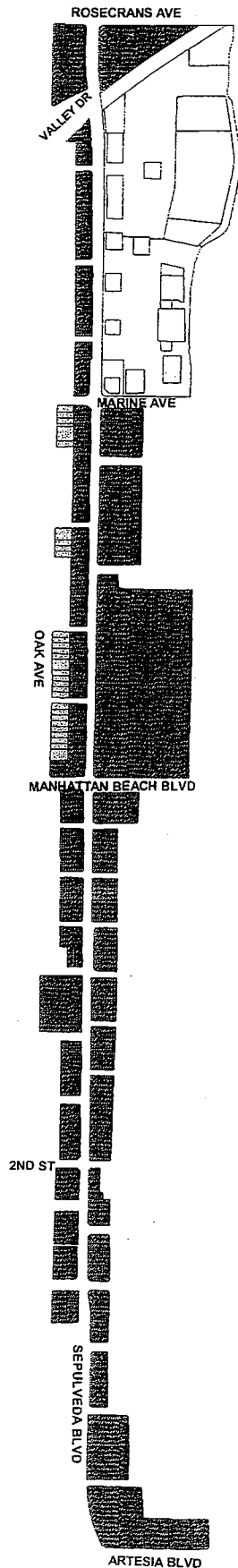
Sign Programs are required to be on file for any commercial property with multiple tenants prior to sign permit issuance. A sign program contains general information describing how the site does, and will, comply with sign requirements. An example is available at the Community Development Department.



SEPULVEDA BOULEVARD
CITY OF MANHATTAN BEACH

ZONING DESIGNATIONS

-  COMMUNITY COMMERCIAL
-  GENERAL COMMERCIAL
-  SINGLE FAMILY RESIDENTIAL WITH OAK AVENUE COMMERCIAL OVERLAY

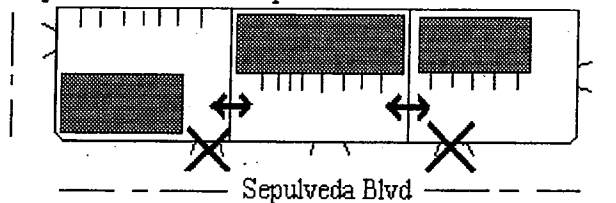


Sepulveda Boulevard Development Guidelines

Reciprocal Access

Reciprocal vehicle access should be provided between neighboring sites within the same block. This makes it possible to consolidate redundant curb cuts and provide continuous circulation throughout each commercial block. Reducing excessive numbers of curb cuts, while providing more access alternatives for each site, improves safety, circulation, attractiveness, and parking efficiency on and around the commercial block. Requirements for the provision of future reciprocal access are sometimes imposed on projects. Whether such access actually occurs depends on the site, design, and other characteristics of the future neighboring project. The photograph below shows an example of neighboring parking lots joined with reciprocal access.

Reciprocal Access Example

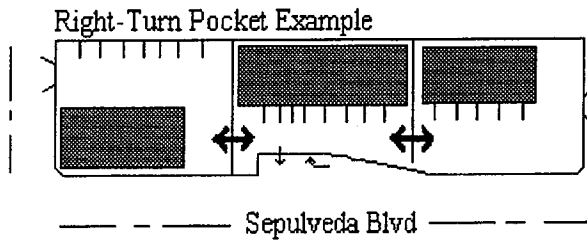


Providing access between parking lots allows two curb cuts to be removed and allows access to each site from three different streets.

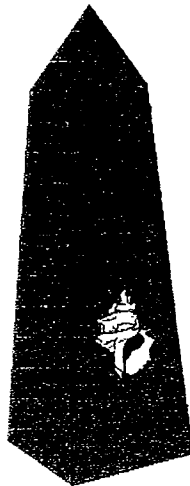
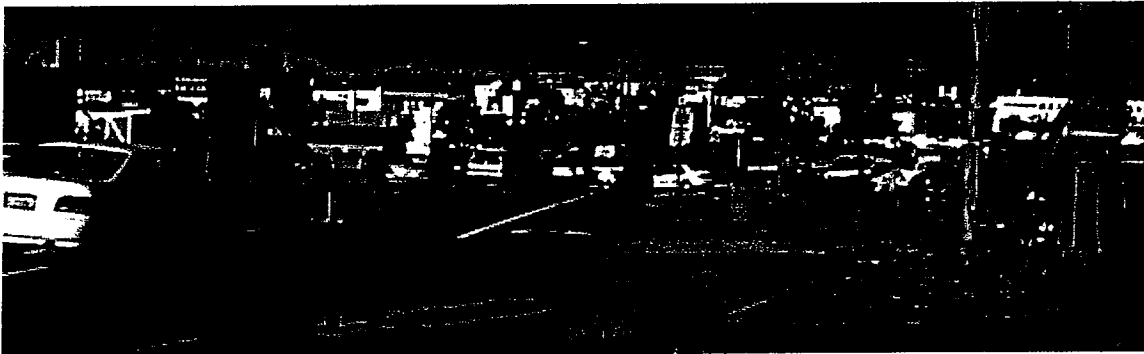


Right-turn pockets

A right-turn deceleration pocket (and bus turnout when applicable) should be provided at the primary vehicle access point for each block from Sepulveda Boulevard to improve safety and circulation. Unusually long block faces should have multiple right-turn pockets. The appropriateness of requiring right-turn pockets will be reviewed individually for each project. The photograph below shows an existing right-turn pocket/bus turn-out.



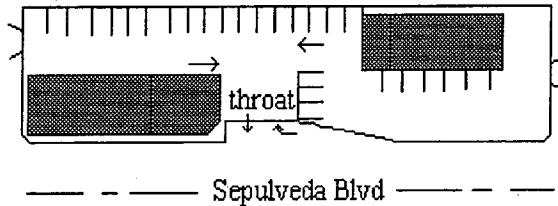
Providing right-turn pocket for Sepulveda driveway allows cars to slow down safely before turning into site without slowing down traffic on street



Driveway Throats

Driveways accessing Sepulveda Boulevard should be provided with a protected "throat" area near the street without intersecting driveways and parking spaces to avoid potential vehicle movement conflicts where cars are entering a site.

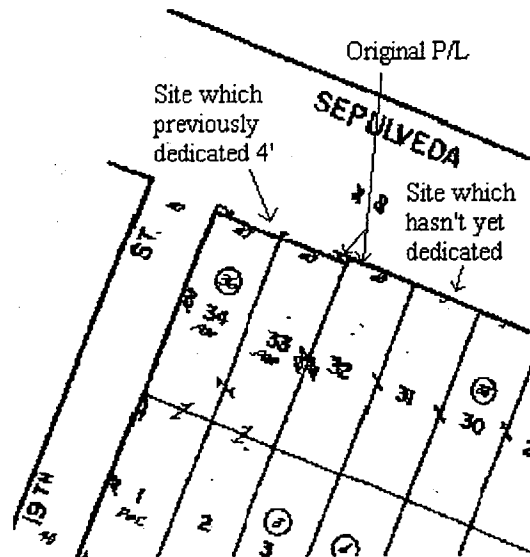
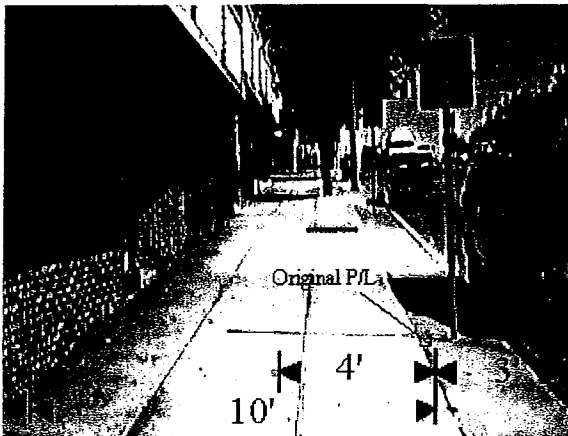
Driveway Throat Example



A protected throat area adjacent to the Sepulveda entrance provides a safety buffer between on-site traffic and traffic entering the site from the street

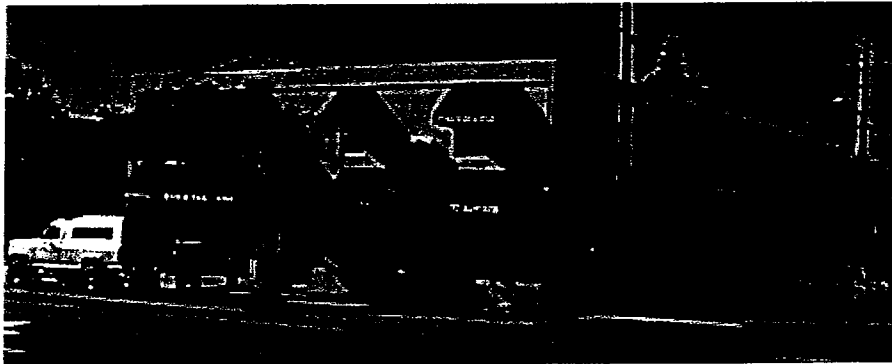
Sidewalk Dedication

On the west side of Sepulveda Boulevard, a 4 foot public sidewalk dedication or easement should be provided for properties that have not already done so. The additional 4 feet is to supplement the original 3 foot public sidewalk width typically along the west side to achieve a minimum 7 foot wide public sidewalk. No sidewalk dedication is presently needed on the east side of the street. The photograph below illustrates sidewalk conditions on the west side of Sepulveda from right to left: 3 foot original public sidewalk, 4 foot sidewalk dedication, and 10 foot building setback (measured from original property line).



Building Orientation

Buildings, storefronts, and windows should be oriented toward Sepulveda Boulevard when possible. Site and building designs that focus on, and directly relate to the street create a more attractive, comfortable, and interesting environment for the Boulevard. The photograph below shows a building with windows and entries oriented toward the street.



Visual Aesthetics

Visually less desirable elements such as large parking areas, parking structures, vehicle service areas, blank walls, storage areas, and trash areas should be hidden, or less prominent as viewed from Sepulveda Boulevard. The photograph below shows a site design with a building located in front to partially hide parking and service facilities

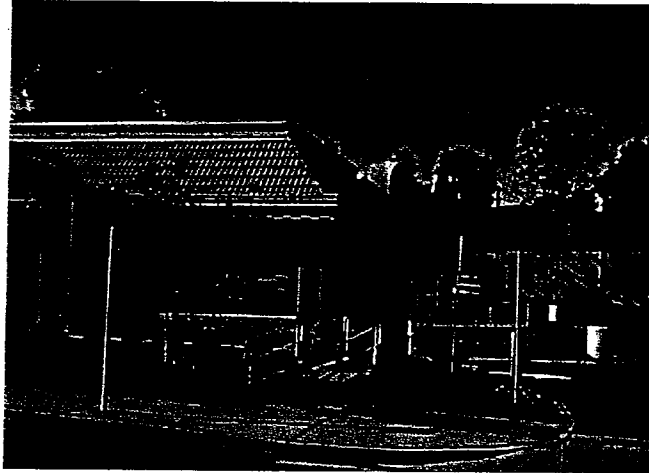


Residential Nuisances

Extreme noise, and odor generating activities near residential boundaries should be avoided.

Pedestrian Access

Safe pedestrian access to buildings should be provided through parking lots, particularly from public sidewalks. The photo below shows a pedestrian path to Sepulveda from a building otherwise oriented toward a parking lot.

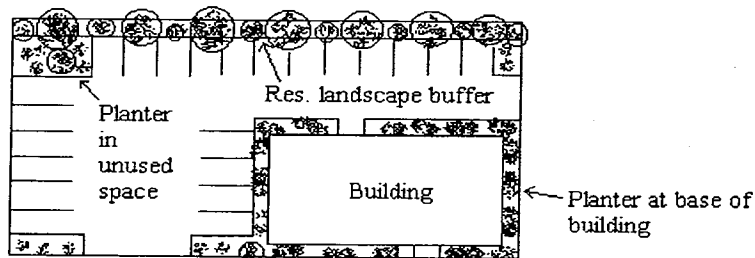


Landscaping

Required landscaping should be enhanced/supplemented as follows:

1. Install landscaping in areas that would otherwise be unused pavement.
2. Use landscape planters and other decorative treatments around buildings to avoid direct building-to-asphalt/concrete contact areas.
3. Provide tree-lined landscape buffers in parking lots along residential boundaries.

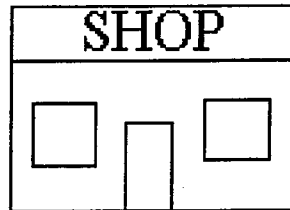
Landscaping Example



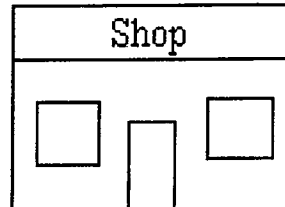
Signs

Signs and sign copy should be compatible with their related buildings, and not be crowded within their locations or backgrounds. Harsh plastic or illuminated backgrounds should be avoided. The photo below shows appropriate use of wall and monument signs.

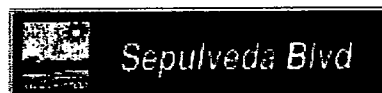
Sign Example



Sign crowded
within background

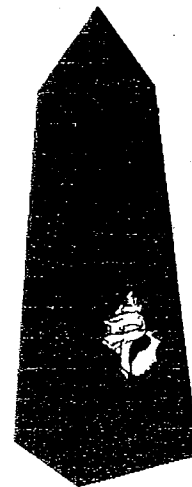
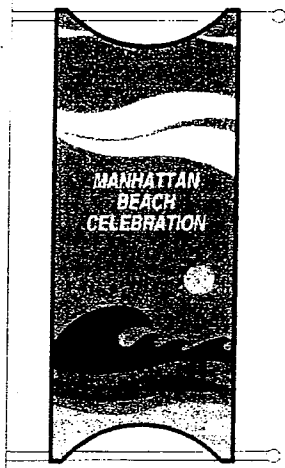
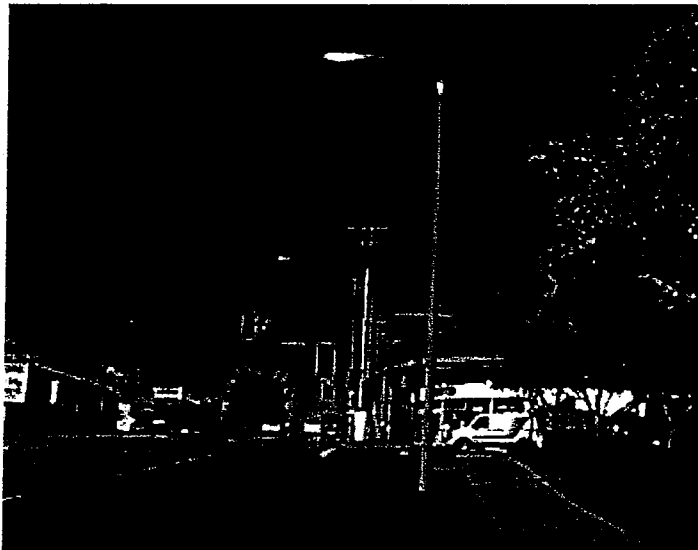


Sign compatible with
building and location



Utility Undergrounding

It is the City's desire to underground the utilities along Sepulveda Boulevard to enhance its appearance. The primary visible existing overhead facilities are located at curb along the east side of the street. Major projects should underground adjacent utilities. The photograph below shows a location where utilities have been undergrounded in the foreground, and remain overhead in the background.



1. Because of special circumstances or conditions applicable to the subject property – including narrowness and hollowness or shape, exceptional topography, or the extraordinary or exceptional situations or conditions – strict application of the requirements of this title would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardships upon, the owner of the property;

- *Per the Sepulveda Boulevard Development Guide, the proposed Rite Aid building is required to be oriented towards the SEC of Sepulveda Blvd. & Manhattan Beach Blvd. The proposed development site has a significant change in grade from north to south, with a difference of approximately 12'. In moving the subject building towards the corner, it places said building on the highest point of the property. As a result, the SBDG requires a grade calculation to determine the elevation of existing grade. In calculating the four corners of the proposed site, the average grade plane is 7'-7" below our proposed finish floor. The City of Manhattan Beach allows for a 20% bldg. variance which only applies below the determined average grade plane. With said calculations, our proposed building could only reach an overall height of 14'-4", which is not sufficient per Rite Aid standards. In order to meet our minimum requirements, we are requesting a variance for an additional 11'-4" in height. This will provide an overall entry height of 25' which appears to be in line with the adjacent Target and Jiffy Lube. To further enhance the subject site and Sepulveda Blvd, the proposed development provides a landscape buffer between the sidewalk and building. We have allowed for a landscape plan to be developed which will correlate with the proposed architectural articulation, materials and colors along Sepulveda Blvd and throughout the subject site.*
- *Currently, the proposed building roof equipment is slightly higher than the proposed parapet height, however, it is situated on the roof far enough away from the perimeter to allow the line of site to naturally screen the equipment. We have provided an analysis (Sheet SS-001) for City of Manhattan Beach to review, which graphically depicts the line of sight.*

EXHIBIT
G

2. The relief may be granted without substantial detriment to the public good; without substantial impairment of affected natural resources; and not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare; and

- The proposed Rite Aid building is currently only 5'-0" +/- higher than the existing service station and commercial office building on site. In review of the adjacent properties, the Blockbuster building and the Jiffy Lube appear to be approximately 25' – 27' in height. The goal is not be the tallest building but rather construct a building that can accommodate both the City of Manhattan Beach and Rite Aid while blending with architectural surroundings.
- Relief of the proposed will not impact current views and will be compatible with existing adjacent buildings at the proposed intersection. The average height of the adjacent buildings seem to be inline with the proposed at 25'-0" +/-.

3. Granting the application is consistent with the purposes of this title and will not constitute a grant of special privilege inconsistent with limitation on other properties in the vicinity and in the same zoning district and area district.

- The proposed Rite Aid building will not impact adjacent buildings or views. The overall height is inline with adjacent buildings at the Manhattan Beach Blvd and Sepulveda Blvd intersection and has implemented all design criteria set by the City of Manhattan Beach and *Sepulveda Boulevard Development Guide* to enhance said intersection.



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

- *The subject site and proposed building use are in compliance with the current zoning district (CG General Commercial District), which is suitable for the proposed project.*
- *There is currently an existing gas / service station on the northern end of the subject site & small retail shops on the southern end. Rite Aid plans to purchase the ABC license from an existing liquor store on site.*

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 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;

- Rite Aid store intends to operate and be maintained consistent with the City of Manhattan Beach, general plan. The proposed Rite Aid store will operate from 7:00 am to 10:00 pm, seven days a week with deliveries once a week during specified hours from the City to not disturb adjacent residential areas or cause a traffic flux.
- Rite Aid promotes wellness to the community with its products and creates a safe environment through its architecture and design, in order to minimize loitering and other unwelcome behavior.

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

- The proposed Rite Aid will meet said provisions; in addition, request the privilege to provide off-site liquor sales to its client base. Liquor sales amount to less than 10% of sales for the proposed store and provide the client base with a one stop shop convenience.



4. The proposed use will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking, noise, vibration, odors, resident, security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.

- The proposed Rite Aid will provide the area with a convenience that does not currently exist. There is a limited convenience and clientele within the existing liquor store.
- In addition, the proposed will do away with the hazardous impact the existing gas/service station currently produce.
- The proposed Rite Aid compliments its surrounding neighbors by providing more than just a convenience store.



Architecture:

The architectural features of the proposed Rite Aid building are in line with and will complement the surrounding developments at the Sepulveda Boulevard and Manhattan Beach Boulevard intersection. The proposed articulation of the building is complementary to the neighboring Target and Jiffy Lube uses which make up the balance of the developed intersection. The fourth corner of the intersection is yet to be determined. The colors, materials, and undulating exterior surfaces (including the landscaping) will help to reinforce the articulation of the proposed building and coordinate with the other uses at this major intersection.

The building height at the intersection hard corner is approximately 25 foot above finished grade at the street. The proposed building elevations will be visually compatible with the existing neighboring developments. The proposed architecture will enhance the intersection as it includes all design criteria as prescribed by the City of Manhattan Beach and the *Sepulveda Boulevard Development Guide*.

Energy:

The store lighting meets or exceeds Title 24 energy requirements. The R-values of ceilings and walls meet California Building Code values of R-30 & R-19. The store operates with energy efficient HVAC units.

Operations:

The store's hours of operation will be 7 AM to 10 PM, seven days per week. Each store typically has two shifts, with varying hours. At any given time period throughout a typical day, including seasonal holiday periods, a maximum of 8 to 10 employees are present. This number includes the required staff for the Pharmacy department.

The store will sell a full offering of alcoholic beverages. As a part of this offering, Rite Aid employees are trained in the specific legalities of alcohol sales as prescribed by California State law. To prevent the sale of alcohol to minors, a customer must appear to be 30 years old or older, or provide a valid photo I.D. showing that they are over the age of 21.

Rite Aid stores are licensed for off-premise sale only. All alcohol must be consumed off the property. No open containers are allowed in the store or in the parking lot. It is company policy that staff is made aware of the penalties and fines for selling alcohol to a minor. These include, but are not limited to, disciplinary action or termination, legal citation or ticket, a fine in excess of \$5,000.00, payable by the employee, or the possibility of arrest.



Deliveries/Loading:

Rite Aid operational deliveries are twice a week during the hours of 6:00 am to 10:00 am. This timeframe has been developed by Rite Aid as the most conducive to delivery times, as it is considered "off peak" hours for commuters and customers.

Due to the change in elevation on the site, the loading dock location at the south end of the site creates a natural elevation change to enable a 62' truck to enter the site from Sepulveda Boulevard, and to back into the loading area, enabling the truck to exit the site via the Manhattan Beach Boulevard driveway eastbound. The truck will back into the loading dock, where it will be off loaded into the store's receiving area. This operation typically takes approximately an hour. The larger truck deliveries occur at a rate of one truck every three to four days.

Smaller delivery vehicles will park in the loading zone located at the rear of the site by the trash enclosure. Merchandise from these trucks will be off loaded by hand cart and delivered into the store via the sidewalk located along the east side of the building.

Public Transportation

Per the request of the City, contact was made with MTA in regard to the closure of the western most driveway, east of Sepulveda Boulevard. Per Pete Serdienis of the Metro Transportation Authority, they do not foresee any bus operational issues with this closure, as long as there is a minimum of an 8 foot wide sidewalk the entire length of the bus zone.



TRIP GENERATION ANALYSIS FOR RITE AID PHARMACY IN THE CITY OF MANHATTAN BEACH

INTRODUCTION

This report has been prepared to address the traffic generation concerns associated with a proposed Rite Aid Pharmacy in the City of Manhattan Beach. The proposed Rite Aid is located at the southeast corner of Manhattan Beach Boulevard and Sepulveda Boulevard in the City of Manhattan Beach. The project address is 1100 Manhattan Beach Boulevard. The site is comprised of four separate parcels and is currently occupied by a gas station/service station with 12 fueling positions, a liquor store, a fitness facility, and a three-story office building.

Rite Aid Pharmacy is proposing to demolish the existing gas station and commercial buildings and construct a new 13,396 square-foot pharmacy on the site. The City of Manhattan Beach is requiring an analysis to determine the potential change in traffic due to the change in land use. **Figure 1** shows the vicinity of the project site. **Figure 2** shows the proposed site plan.

EXISTING USES

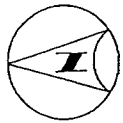
Kimley-Horn and Associates, Inc. visited the project site to observe the existing site uses, confirm current tenant status, and measure existing building sizes. All buildings were occupied and conducting regular business. Existing tenants and the estimated size of each suite in the subject buildings are listed below.

Business Name	Business Type	Size of Suite
Manhattan Beach Fuel	Gas Station	12 Fueling Stations
Mr. D's Liquor Mart	Convenience Market	2,450 square feet ⁽¹⁾
Peak Fitness	Health/Fitness Club	1,500 square feet ⁽¹⁾
Various offices	General Office	5,300 square feet ⁽¹⁾
TOTAL		9,250 square feet ⁽¹⁾ + 12 fueling stations

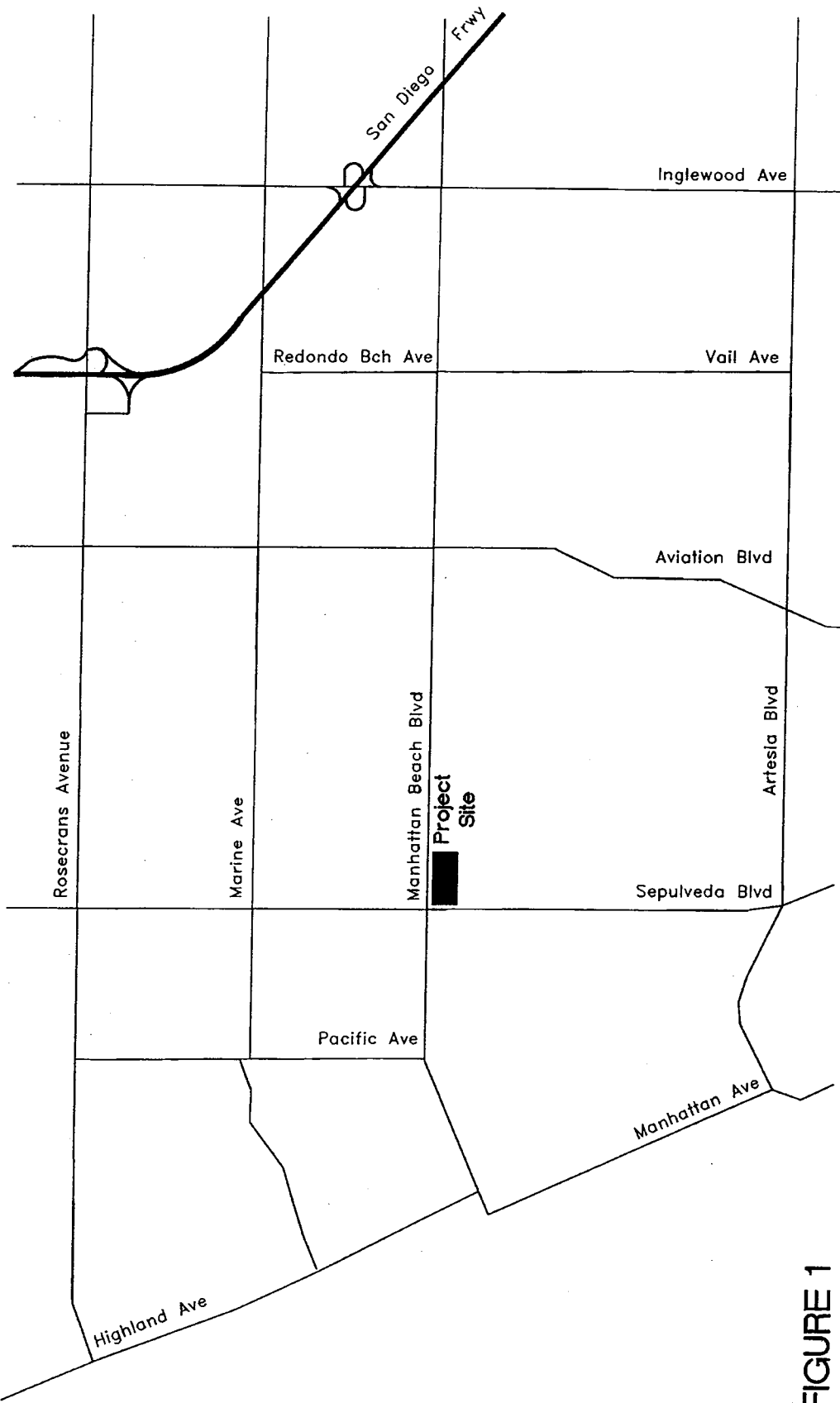
⁽¹⁾ Estimated building sizes based on field measurements. Exact square footages unavailable.

PROPOSED USE

Rite Aid Pharmacy is proposing to build a 13,396 square-foot Rite Aid Pharmacy store on the site. The building will have 11,038 square feet on the sales floor, 792 square feet of pharmacy, 886 square feet on the mezzanine, restrooms, an employee lounge, and other various rooms within the building.



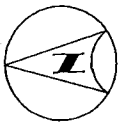
NOT TO SCALE



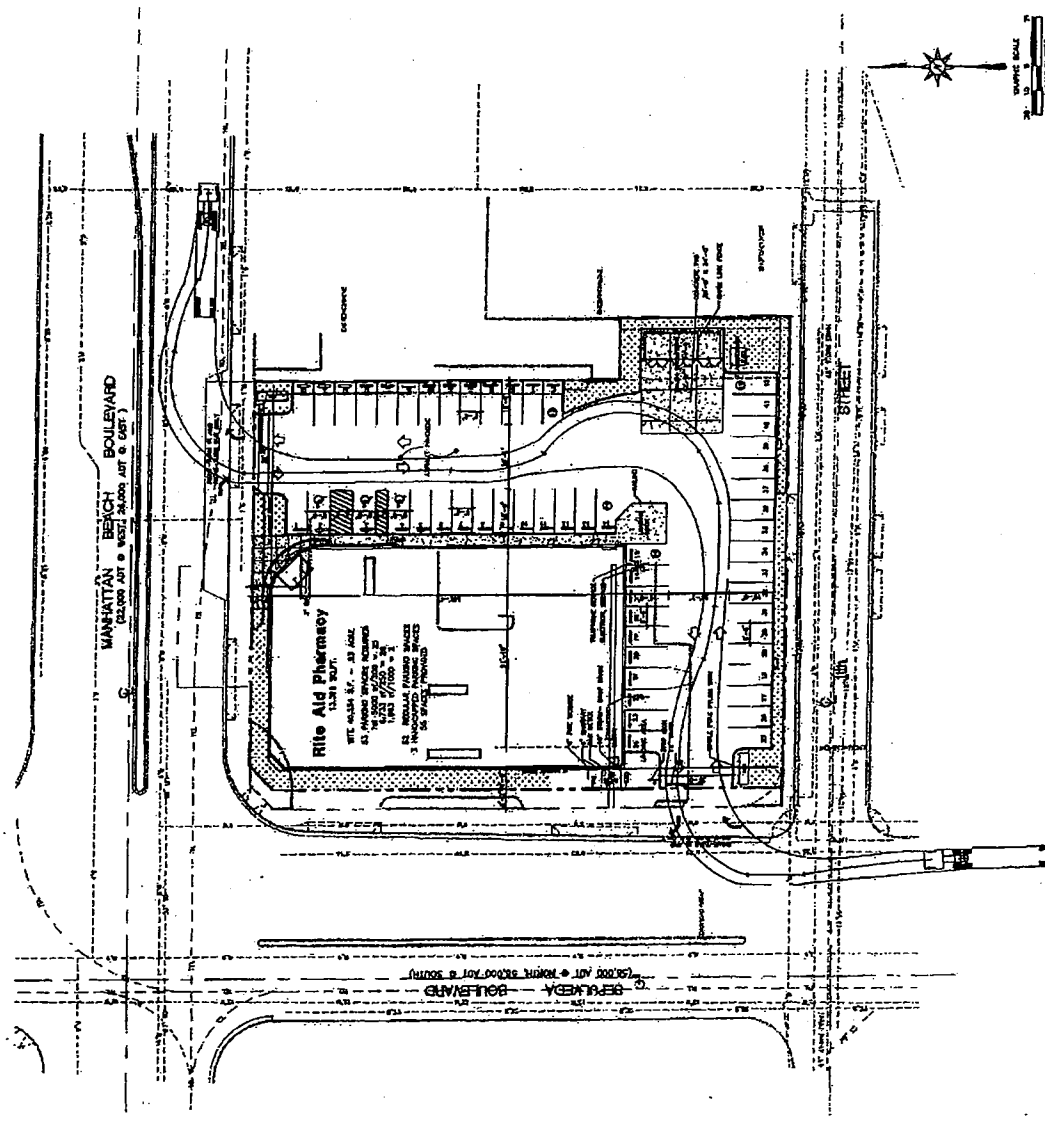
Kimley-Horn and Associates, Inc.

**FIGURE 1
VICINITY MAP**

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NOT TO SCALE



**FIGURE 2
PROJECT SITE PLAN**



Kimley-Horn and Associates, Inc.

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TRIP GENERATION

Daily, morning and evening peak hour trips were estimated for the existing uses and for the proposed Rite Aid project using trip generation rates from the ITE publication entitled Trip Generation, 7th Edition. The morning and evening peak hours correspond to the peak hours of the adjacent street system.

Table 1 shows the trip generation rates used for this analysis and calculates trip generation for the existing uses and the proposed Rite Aid Pharmacy. Table 1 also shows the net difference in traffic generation between the existing uses and the proposed use.

The existing site is comprised of four separate uses. Manhattan Beach Fuel (MBF) is a gas station with 12 fueling stations and 4 service bays. Mr. D's Liquor Mart, a convenience market that is not open 24 hours, is located at the southeast quadrant of the site. It is estimated to be 2450 square feet. A fitness club, Peak Fitness, is located adjacent to the convenience market and is estimated to contain 1,500 square feet. A three-story office building is located at the southwest quadrant of the site. The bottom level of the building is used parking, and offices occupy the top two levels. The office building is estimated have 5,300 square feet. As shown in Table 1, the existing uses is estimated to generate 3,355 daily trips, with 231 trips in the AM peak hour, and 265 trips in the PM peak hour.

For the proposed Rite Aid Pharmacy, ITE Land Use Category 880, Pharmacy/Drug Store without Drive-Through, was used for the daily and peak hour trip estimates. The ITE trip rates were applied to the building square footage of 13,396 square feet. Based on the ITE trip generation rates, the pharmacy is estimated to generate 1,206 trips per day, with 43 in the morning peak hour, and 113 in the evening peak hour.

A review of Table 1 shows that the conversion of the existing gas station / commercial buildings to a Rite Aid Pharmacy is estimated to result in approximately 2,149 fewer trips per day, 188 fewer trips in the morning peak hour, and 152 fewer trips in the evening peak hour.

CONCLUSION

This trip generation analysis has found that the proposed Rite Aid project would generate fewer vehicular trips on a daily, morning and evening peak hour basis than the existing gas station/retail/office uses.

Table 1
Rite Aid Pharmacy, Manhattan Beach
Summary of Project Trip Generation

Land Use	ITE Code	Unit	Qty	Trip Generation Rates						Project Trip Generation							
				AM Peak			PM Peak			AM Peak			PM Peak				
				Total	In	Out	Total	In	Out	Daily	Total	In	Out	Total	In	Out	
Existing Uses																	
Gas Station / Service Station	944	Fueling Stations	12	168.56	12.07	6.04	6.04	13.86	6.93	6.93	2023	145	72	72	166	83	83
General Office (1)	710	KSF	5.3	11.01	1.55	1.36	0.19	1.49	0.25	1.24	58	8	7	1	8	1	7
Convenience Market (Open 15-16 Hours) (1)(2)	852	KSF	2.45	500	31.02	15.51	15.51	34.57	16.94	17.63	1,225	76	38	38	85	42	43
Health/Fitness Club (1)	492	KSF	1.5	32.93	1.21	0.51	0.70	4.05	2.07	1.98	49	2	1	1	6	3	3
Sub-Total											3,355	231	119	112	265	130	136
Proposed Use																	
Rite Aid Pharmacy	880	KSF	13.396	90.06	3.20	1.89	1.31	8.42	4.21	4.21	1,206	43	25	18	113	56	56
Sub-Total											1,206	43	25	18	113	56	56
NET TRIP INCREASE											-2,149	-188	-94	-94	-152	-74	-80

Source: Institute of Transportation Engineers (ITE) Trip Generation (7th Edition)

(1) Estimated building size based on field measurements. Exact square footages unavailable.

(2) Daily trip rate for Land Use 852 is unavailable from ITE. The daily trip generation for the convenience market is from San Diego Associated Government (SANDAG) Brief Guide of Vehicular Traffic Generation Rates (April 2002)

CITY OF MANHATTAN BEACH
[DRAFT]MINUTES OF THE REGULAR MEETING OF THE PLANNING
COMMISSION
NOVEMBER 28, 2007

1 A regular meeting of the Planning Commission of the City of Manhattan Beach was held on
2 Wednesday, November 28, 2007, at 6:35p.m. in the City Council Chambers, City Hall, 1400
3 Highland Avenue.

4
5 **ROLL CALL**

6
7 Chairman Bohner called the meeting to order.

8
9 Members Present: Lesser, Powell, Seville-Jones, Schlager* Chairman Bohner
10 Members Absent: None
11 Staff: Laurie Jester, Senior Planner
12 Daniel Moreno, Associate Planner
13 Sarah Boeschen, Recording Secretary
14

15 *Commissioner Schlager arrived at 6:45 p.m.

16
17 **APPROVAL OF MINUTES** November 14, 2007

18
19 Commissioner Powell requested that page 16, line 2, be revised to read: "Commissioner Powell
20 pointed out merging three lots was ~~being~~ previously considered based on the minimum lot size,
21 ~~where~~ whereas merging two lots is now being based on the typical lot size."

22
23 Chairman Bohner requested that the comma be removed between the words "such" and "lots" on
24 page 3, line 33.

25
26 Chairman Bohner requested that "Cohen's" be corrected to "Cohens" on page 4, line 10.

27
28 Chairman Bohner requested that page 6, line 5 be revised to read, "Laura Cohen, a resident of the
29 3000 block of Ardmore Avenue indicated that she and her husband want to do a modest remodel
30 of their existing home."

31
32 A motion was MADE and SECONDED (Powell/Lesser) to **APPROVE** the minutes of
33 November 14, 2007, as amended.

34
35 AYES: Lesser, Powell, Schlager, Seville-Jones, Chairman Bohner
36 NOES: None
37 ABSENT: None
38 ABSTAIN: None
39

40 **AUDIENCE PARTICIPATION** None

DRAFT

1
2 **BUSINESS ITEMS**

3
4 **PUBLIC HEARINGS**

5
6 **07/1128.1 Consideration of a Use Permit, Alcoholic Beverage License, Variance from**
7 **Maximum Allowable Building Height, and an Initial Study and Negative**
8 **Declaration for a Proposed Rite-Aid Pharmacy at 1100 Manhattan Beach**
9 **Boulevard**

10
11 Associate Planner Moreno summarized the staff report. He stated that the proposal is for a
12 13,400 square foot building that would replace structures on two existing parcels that include a
13 gas station on the northerly property and a liquor store, fitness center, and three-story office
14 building on the southerly property. He indicated that the proposed use is permitted in the
15 commercial zone. He commented that the applicant is asking for a variance from the building
16 height requirement to allow an additional 11.5 feet over the maximum permitted height. He
17 indicated that staff has considered the Sepulveda Corridor Guidelines in addition to the zoning
18 standards in evaluating the proposal. He stated that the guidelines are intended to encourage
19 certain desirable elements to be included for developments along the Sepulveda Boulevard
20 corridor as supplements to the City's Zoning Code requirements which include building
21 orientation; visual aesthetics; minimizing residential nuisances; pedestrian access; landscaping;
22 and signage. He pointed out that the Commission may decide whether any of the guidelines are
23 unnecessary or inappropriate for the type of development that is proposed. He commented that
24 staff feels many of the guidelines have been met with the proposal.

25
26 Associate Planner Moreno said that there is a severe topography change with the subject site,
27 which spreads over the two parcels. He indicated that there is a drop of 12 feet from the
28 northwest corner to the southwest corner; a drop of over 19 feet from the northwest corner to the
29 southeast corner; and a drop of over 16 feet from the northeast corner to the southeast corner. He
30 stated that an 8 foot dedication would be required for the length of the property along Sepulveda
31 Boulevard to allow for a future second left hand turn pocket for traffic traveling westbound onto
32 Manhattan Beach Boulevard as requested by the Engineering Division. He commented that the
33 project would provide 13 percent landscaping, and 8 percent is required. He commented that
34 there would be landscaping along the perimeter of the site. He pointed out that there are no
35 building setback requirements for the Commercial Zone. He stated that an 8 foot setback would
36 be provided on the north side of the structure, and there would be a distance of 67 feet from the
37 structure to the east property line and 66 feet to the south. He commented that an additional 8
38 foot landscape buffer would be provided in addition to the 8 foot dedication along Sepulveda
39 Boulevard.

1 Associate Planner Moreno said that 54 parking spaces are required for the project. He indicated
2 that the applicant is proposing to provide 54 spaces with 41 standard spaces, 10 compact spaces,
3 and 3 disabled spaces. He said that staff normally does not approve of allowing compact parking
4 spaces; however, the compact spaces as proposed would be the same width as normal spaces at
5 8½ feet and would only be reduced in length from 18 to 15 feet. He also pointed out that the
6 compact spaces would be located on the south side of the building rather than near the entry area.
7 He indicated that the City's Traffic Engineer can support the proposal regarding parking, the
8 parking stalls, and circulation.

9
10 In response to a question from Commissioner Powell; Associate Planner Moreno said that the
11 employees would be required to park on-site but would not be restricted to use only certain
12 spaces. He indicated that the management of the store would dictate where the employees would
13 be permitted to park on site.

14
15 Associate Planner Moreno said that entrances to the site would be located off of Manhattan
16 Beach Boulevard and off of Sepulveda Boulevard. He indicated that there would be no entry off
17 of 11th Street, which would help to mitigate issues of traffic resulting from the project for the
18 nearby residences. He stated that pedestrian access to the entrance would be provided from
19 Manhattan Beach Boulevard, from Sepulveda Boulevard, and from the southeast corner of 11th
20 Street. He stated that the loading dock area would be located at the southeast corner of the
21 property, and delivery trucks would enter off of Sepulveda Boulevard. He indicated that
22 deliveries would occur between 6:00 a.m. and 10:00 a.m. approximately twice a week, and the
23 unloading would take approximately an hour. He said that an additional loading space is also
24 proposed for smaller delivery trucks.

25
26 In response to a question from Commissioner Schlager, Associate Planner Moreno indicated that
27 there is a concern of trucks being able to maneuver in and out of the loading area. He said that it
28 is much more preferable for the trucks to access the site from Sepulveda Boulevard rather than
29 Manhattan Beach Boulevard. He stated that there could be an issue of trucks accessing the
30 loading area if cars are parked in the adjacent parking spaces. He commented that parking has
31 been restricted for previous projects during certain hours in order to allow access for delivery
32 trucks.

33
34 In response to a question from Commissioner Powell, Associate Planner Moreno stated that the
35 delivery trucks would enter the site from Sepulveda Boulevard and exit the site from Manhattan
36 Beach Boulevard.

37
38 Commissioner Powell commented that the applicant has proposed that deliveries would occur
39 between 6:00 a.m. and 10:00 a.m. which is when the store has the fewest customers. He pointed
40 out, however, that those hours are during the peak morning commuting time with very heavy

1 traffic on Sepulveda Boulevard.

2
3 Associate Planner Moreno said that the trash area would be enclosed and would not be visible
4 from the street.

5
6 In response to a question from Commissioner Schlager, Associate Planner Moreno stated that
7 there is a parking area to the east of the proposed trash enclosure that would provide a buffer to
8 the neighboring properties.

9
10 Associate Planner Moreno stated that three light poles are proposed for the site, with two off of
11 11th Street and one on the easterly property line. He indicated that the poles would be limited to
12 20 feet in height and would be restricted to a maximum number of 10 foot candles. He
13 commented that the applicant has proposed to exceed the maximum of 10 foot candles in some
14 areas but has indicated that they will work with staff to address the issue. He commented that
15 shielding for the lighting will also be required to mitigate any impacts to the neighbors. He said
16 that the main entry would be located on the northeast corner of the building. He stated that the
17 initial request was for hours of operation between 7:00 a.m. and 10:00 p.m. seven days a week;
18 however, the applicant has since indicated that they may seek approval for 24 hour operation.

19
20 In response to a question from Chairman Bohner, Associate Planner Moreno said that the
21 applicant would restrict the sale of alcohol to the hours of 7:00 a.m. and 10:00 p.m. if the store
22 were to operate 24 hours. He said that the Ralphs in the Manhattan Village Center is the only
23 other business on Sepulveda Boulevard that is open 24 hours, and Target has hours of operation
24 between 8:00 a.m. and 11:00 p.m. daily. He indicated that there is no restriction for businesses in
25 the Sepulveda Corridor from operating 24 hours; however, approval is required in every other
26 commercial area in the City.

27
28 Senior Planner Jester pointed out that the 24 hour operation is a new request that was not
29 included in the initial notice for the hearing and would be renoticed to the neighbors.

30
31 In response to a question from Commissioner Powell, Associate Planner Moreno said that the
32 existing liquor store on the site has no Use Permit and does not have any restrictions other than
33 as required by State law. He commented that Target is able to sell beer and wine during their
34 hours of operation between 8:00 a.m. and 11:00 p.m.

35
36 Associate Planner Moreno said that the applicant has submitted a sign plan. He commented that
37 the applicant is proposing 30 square feet of signage above the maximum allowable; however,
38 they have indicated that they would work with staff to meet the requirement. He said that no
39 pole signs are proposed. He indicated that two monument signs are proposed on the northeast
40 and southwest corners. He said that the project was noticed and no public comments were

1 received. He commented that staff requested that the applicant provide information regarding the
2 relationship of the height of the proposed building to the surrounding structures on adjacent
3 properties, which was not submitted. He stated that the applicant has indicated in their narrative
4 that the building would be 5 feet taller than the existing gas station structure on the site. He
5 commented that the mechanical equipment for the building is proposed to be located on the roof
6 and would extend beyond the proposed building height. He indicated that the applicant has
7 indicated that the equipment should be permitted because it would not be visible from the street.

8
9 Senior Planner Jester pointed out that there is a greater variation in grade because of the large
10 size of the property. She stated that the building wall would be about 24 feet high from the
11 sidewalk along Sepulveda Boulevard, which is the high side of the lot.

12
13 Associate Planner Moreno stated that the three main arguments of the applicant for allowing the
14 increase in building height are the severe topography of the site; the height methodology based
15 on the four corners of the property which establishes a horizontal plane that limits the height of
16 the structure on the high side of the property; and the Sepulveda Corridor Guidelines which state
17 that buildings should be constructed toward the front of the site.

18
19 Senior Planner Jester said that more information could be requested from the applicant as to why
20 they feel the additional height is necessary as well as regarding the relationship of the height of
21 the proposed structure to the other surrounding structures.

22
23 Associate Planner Moreno said that a mezzanine level is proposed on the south side of the
24 structure that would provide for a storage area. He stated that notice was provided to properties
25 within 500 feet of the site, and staff received no public comments. He indicated that minor
26 comments were made by other City departments that could be addressed during the plan check
27 process.

28
29 Commissioner Lesser asked regarding the consistency of the proposed structure with the
30 Sepulveda Corridor Guidelines given that the entrance is oriented toward Manhattan Beach
31 Boulevard rather than Sepulveda Boulevard.

32
33 Associate Planner Moreno stated that placing the only entrance on the west side of the property
34 would require the parking to be located at the back side of the store and would result in
35 customers having to walk around the building in order to reach the entrance. He stated that
36 adding an entrance at the rear of the property would also change the design of the structure. He
37 indicated that staff feels placing the entrance on one corner as proposed is a good design. He
38 commented that staff does have a concern with the westerly façade of the structure and wants to
39 see more articulation.

1 In response to a question from Commissioner Lesser, Associate Planner Moreno said that the site
2 is not conducive to add a deceleration lane for access from Sepulveda Boulevard.

3
4 In response to a question from Commissioner Powell, Associate Planner Moreno stated that
5 staff's only concern with the proposed loading space for smaller delivery trucks is that the
6 loading dock is elevated and has access only from stairs which would make deliveries with a
7 dolly difficult.

8
9 Commissioner Lesser asked regarding the hours of operation of other stores which sell liquor
10 along Sepulveda Boulevard and regarding the hours that staff would feel are appropriate for the
11 proposed store.

12
13 Associate Planner Moreno stated that alcohol is sold at Target during their normal operating
14 hours of 8:00 a.m. and 11:00 p.m.

15
16 In response to a question from Commissioner Lesser, Associate Planner Moreno indicated that
17 the proposed compact parking spaces along the south side of the structure originally were
18 planned to be full sized spaces. He stated that they were reduced in length at the request of staff
19 in order to provide space for a walkway to allow pedestrian access to the store from the street.

20
21 **John Kanig**, the project developer, said that their understanding was that it was felt the previous
22 project proposed on the smaller 26,000 square foot portion of the site was too large, and staff
23 encouraged them to make every effort to acquire the adjacent property. He commented that after
24 they purchased the adjacent property, the site grew from 26,000 square feet to 40,000 square feet.
25 He stated that placing the building along the corner of the property satisfied many of the
26 requirements; however, the level of the streets prevent them from grading and placing the
27 building lower on the property. He indicated that they arrived at a design that would meet their
28 operational requirements and still meet as many of the development guidelines as possible.

29
30 **Bob Superneau**, the project architect, indicated that the proposed design is a new concept that
31 Rite Aid has introduced nationally which includes an interior with an open feel that has higher
32 ceilings. He indicated that ceiling height is based on the special requirements for the various
33 departments within the store. He pointed out that they have met the parking requirements and
34 exceeded the landscaping requirements. He commented that based on the calculations for height,
35 the base elevation is approximately almost 8 feet below the elevation of the finished floor for the
36 proposed structure. He stated that they feel their height is comparable to other adjacent structures
37 including the Jiffy Lube and Target buildings. He commented that the proposed structure is
38 3,000 square feet smaller than the typical prototype for their stores. He pointed out that they also
39 have eliminated a drive-through window for the pharmacy due to the restrictions of the site. He
40 said that changing the parking stalls to compact spaces was done to provide pedestrian access off

1 of Sepulveda Boulevard. He indicated that the large delivery trucks are 62 feet long, and
2 deliveries would be made to the site once or twice a week. He said that the trucks would access
3 the site off of Sepulveda Boulevard and back up to the dock to unload. He commented that it
4 takes approximately an hour to unload the trucks. He stated that the morning during which the
5 deliveries are proposed to occur are the least busy for the store.

6
7 Commissioner Lesser commented that cars could possibly park overnight in the parking spaces
8 adjacent to the loading area which could potentially impede the ability of trucks to access the
9 dock.

10
11 Commissioner Lesser asked whether it would be possible to incorporate a basement for a storage
12 area rather than for storage to be provided on the mezzanine level.

13
14 **Mr. Superneau** said that the typical design for their stores is to have a mezzanine level above
15 the pharmacy. He indicated that the height of the ceiling for the pharmacy area is reduced which
16 allows space above for a mezzanine level. He pointed out that the height of the mezzanine level
17 is not the factor which determines the height of the structure but rather the ceiling height in the
18 sales area of the store.

19
20 In response to a question from Commissioner Lesser, **Mr. Superneau** indicated that placing the
21 entrance as proposed towards Manhattan Beach Boulevard allows it to be located next to the
22 parking area. He commented that they decided it was not feasible to provide two entrances
23 because of security concerns and because of the layout of the interior.

24
25 In response to a question from Commissioner Lesser, **Mr. Superneau** said that the initial
26 proposal was for hours of operation between 7:00 a.m. and 10:00 p.m. daily. He stated that Rite
27 Aid wants flexibility of allowing 24 hour operation in order to provide convenience for their
28 customers. He commented that he does not believe that they have a specific need for the
29 proposed store to operate 24 hours but would like to have the flexibility if it is determined there
30 is a sufficient demand. He said that they would not be opposed to limiting selling of alcohol
31 from 7:00 a.m. to 10:00 p.m.

32
33 Commissioner Seville-Jones commented that the west elevation of the structure that would be
34 visible from Sepulveda Boulevard appears as a false edifice. She asked as to the reason it is not
35 possible to provide more visual interest and pedestrian friendly look to the west side of the
36 structure.

37
38 **Mr. Superneau** said that they have added design elements to the west elevation and added a
39 trellis that extends around the corner. He commented that the interior layout limits the number of
40 windows that can be placed on the wall facing Sepulveda Boulevard.

1
2 In response to a question from Commissioner Schlager, Associate Planner Moreno stated that
3 staff asked the applicant to provide information regarding the relationship of the height of the
4 proposed structure to those on other sites in the area.

5
6 **Mr. Superneau** indicated that they did not understand that staff was requesting drawings
7 comparing the height of the subject site in relation to the surrounding buildings. He said that
8 they considered the height of the buildings across the street and compared them to the proposed
9 structure.

10
11 Commissioner Schlager said that he feels a drawing that compares the height of the proposed
12 structure to the surrounding buildings would be helpful.

13
14 Commissioner Seville-Jones commented that she has difficulty visualizing how the height of the
15 proposed structure would relate to the height of the structure of the buildings across the street.

16
17 In response to a question from Chairman Bohner, **Ray Payne**, representing the applicant,
18 indicated that they would not be opposed to restricting parking for the spaces near the loading
19 dock during the hours that deliveries would occur.

20
21 In response to questions from Commissioner Seville-Jones, **Mr. Payne** said that they feel that the
22 proposed site would be a phenomenal location for their store based on their experience and
23 computer projections. He commented that they do not feel 24-hour operation is essential to the
24 success of the store, and they are withdraw the request at this point due to the fact that the project
25 was not noticed to include 24-hour operation. He said that if they would come back to the City if
26 they were to make a request for 24-hour operation in the future. He commented that he would
27 estimate that alcohol represents less than 5 percent of their total sales. He indicated that they sell
28 beer, wine and distilled spirits. He indicated that the parking of delivery trucks in the loading
29 space across from the loading dock would be monitored by the management of the store.

30
31 In response to a question from Commissioner Powell, **Mr. Payne** said that the proposed design is
32 a unique size for their stores. He indicated that they have attempted to incorporate as many of
33 the design elements for their store prototype as possible while still meeting the requirements of
34 the City. He commented that a lot of work has gone into developing the design features of their
35 stores, and they feel the design elements are important to their success.

36
37 In response to a question from Commissioner Lesser, **Mr. Payne** indicated that they would be
38 willing to consider modifications to the structure; however, staff and the applicant have put in a
39 great amount of work to meet as many requirements as possible and still be economically
40 feasible. He indicated that he believes that almost every other alternative has been considered,

1 and the proposal is the best compromise.

2
3 Chairman Bohner opened the public hearing.

4
5 There being no one to speak on the issue, Chairman Bohner closed the public hearing.

6
7 Commissioner Seville-Jones said that she has a concern with the height of the proposed structure.
8 She commented that she feels the proposal is an appropriate use for the site, and alcohol sales
9 would be more limited in hours than for the existing liquor store. She said that she would
10 support limiting alcohol sales between the hours of 7:00 a.m. and 10:00 p.m., and she would
11 support possibly restricting the hours further starting at 11:00 a.m. if there was support by the
12 other Commissioners. She indicated that she is pleased the applicant is withdrawing the request
13 for 24 hour operation. She said that it would have been helpful to see a comparison of the height
14 of the proposed structure with the existing buildings in the area, and she does not feel she
15 currently has enough information to make a judgment regarding whether to allow the additional
16 height. She indicated that she is also concerned with the additional 3 feet in height for the roof
17 equipment. She indicated that she would want more information from the applicant with a
18 comparison of the height of the proposed structure with the surrounding buildings. She said that
19 she would also like information to provide her with a more precise understanding as to why the
20 additional height is necessary and why alternative locations for the building on the site would not
21 be feasible. She said that she would like more information on the Sepulveda Boulevard frontage
22 and whether it is compatible with the Sepulveda Corridor Guidelines. She said that she supports
23 the loading zone as proposed. She commented that she would support limiting the hours for
24 parking in the spaces next to the loading zone. She commented that she would like further input
25 from the City's Traffic Engineer that sufficient customer parking would be provided given that
26 eight spaces would be used by the employees and parking would be restricted in additional
27 spaces during hours for deliveries.

28
29 Commissioner Schlager indicated that the project is appropriate for the site and meets the
30 required findings. He said that he would support hours of 7:00 a.m. to 10:00 p.m. for alcohol
31 sales. He indicated that he supports the loading dock as proposed. He commented that he would
32 like to see additional articulation provided along the frontage facing Sepulveda Boulevard to
33 make it more inviting to the public. He stated that the topography of the site does create a special
34 circumstance for the height. He commented that he would be inclined to approve the Variance
35 for the request for additional height above the maximum allowable but would want to first see a
36 visual of the surrounding buildings compared with the proposed project. He indicated that he
37 would like for parking restrictions to be placed on the spaces adjacent to the loading zone during
38 the hours that deliveries would occur.

39
40 Commissioner Lesser stated that the use is appropriate for the site and feels the community

1 would welcome having such a store provided that it is consistent with the City's requirements,
2 particularly given its location at a very prominent intersection. He said that he would want to
3 consider the hours that would be appropriate for liquor sales before they are approved. He said
4 that he has concerns with the building height and would like to see a comparison of the height of
5 the proposed structure with the other buildings in the area. He indicated that he has concerns
6 with the scale of the proposed building. He said that he is also concerned that the basis for
7 requesting the additional height is for aesthetic reasons. He said that he feels there are other
8 solutions that may not fit with the applicant's prototype for their stores but would be more
9 appropriate for the subject site. He commented that he is concerned that the store entrance is not
10 being provided off of Sepulveda Boulevard, which is inconsistent with the Sepulveda Corridor
11 Guidelines. He stated that he also feels there is not sufficient articulation and windows on the
12 side of the building that faces Sepulveda Boulevard. He indicated that he would like more
13 information as to whether the loading dock would be feasible. He stated that he has a concern
14 with cars that may be parked overnight preventing trucks from accessing the dock.

15
16 Commissioner Powell said that he agrees with the comments of the other Commissioners. He
17 commented that the intent of the Sepulveda Boulevard Guidelines is to provide vibrant and
18 pedestrian friendly building fronts along Sepulveda Boulevard without the appearance of large
19 warehouse stores. He said that he has concerns with the height and the orientation of the
20 proposed building. He said that it has been stated that the purpose for the additional height of the
21 building is to provide the customers with a spacious area inside of the store, but he does not feel
22 an emphasis has been placed on making the outside of the building more attractive. He said that
23 he would like a façade that is more pedestrian oriented and that does not look like a large
24 warehouse store. He said that there has been effort to provide articulation; however, not enough
25 has been done to reduce the appearance of bulk. He stated that the additional height that is being
26 requested over the maximum permitted is substantial and adds to the bulk of the structure, and he
27 feels there needs to be some architectural redesign. He commented that seeing a comparison of
28 the height of the proposed structure with the height of the surrounding buildings could possibly
29 alleviate some of his concerns, but it is difficult to reach a conclusion with the information that
30 has been presented. He said that he would like for the possibility to be considered of placing the
31 storage area and the HVAC equipment underground. He commented that he would like for the
32 hours permitted for liquor sales to be restricted. He commented that he feels 7:00 a.m. is early to
33 allow liquor sales, although 11:00 a.m. may be too restrictive.

34
35 Chairman Bohner stated that he believes that the proposed use is appropriate for the site and that
36 it would serve the public interest. He indicated that he does not have a concern with permitting
37 hours between 7:00 a.m. to 10:00 p.m. for liquor sales, which is comparable to the hours
38 permitted at Target. He stated that the main concern is regarding the height of the proposed
39 structure. He commented that he feels the applicant has attempted to meet the City's
40 requirements while still designing a store that is functional and economically viable. He said that

1 he feels restrictions could be placed on parking for the spaces next to the loading area during the
2 hours that trucks are making deliveries. He indicated that the topography of the site is unique
3 and creates a hardship for a commercial use. He commented that he feels the additional height is
4 necessary because of the location of the building on the site and because of the topography. He
5 indicated that he does not feel placing the mechanical equipment in a location other than the roof
6 would be viable. He said that placing the entrance along Manhattan Beach Boulevard is
7 necessary under the circumstances. He commented that he would want to see a visual of the
8 relationship of the proposed building height with the height of other structures in the area before
9 he would support a Variance.

10
11 **Robert Superneau** said that they are willing to provide a visual comparison of the height of the
12 proposed structure to the height of the surrounding buildings. He indicated that the articulation
13 of the façade on the west elevation has been enhanced from the original proposal. He said that
14 they can consider providing additional articulation along the façade.

15
16 Commissioner Schlager commented that since the entrance is not able to be placed along
17 Sepulveda Boulevard because of the location of the parking, the façade along the street should at
18 least be made to appear more inviting than has been shown.

19
20 Commissioner Seville-Jones said that she would be interested in viewing other locations of the
21 applicant's in order to see similar design features as are proposed. She indicated, however, that
22 she is not sure that it would help her to answer the question of whether the proposed design is
23 appropriate for the subject location given the constraints and whether the height limit should be
24 increased in order to allow for the high ceilings.

25
26 Commissioner Schlager indicated that the topography would present a hardship for any
27 development that is built on the property, although maybe not to the extent as the subject
28 proposal. He pointed out that the applicant has included additional setbacks and landscaping as
29 well as providing for pedestrian access.

30
31 Chairman Bohner commented that the topography would be an issue for any development on the
32 property, and placing other limitations on the design because of the topography would limit the
33 use of the site.

34
35 Commissioner Seville-Jones said that it would be helpful for her to understand the tradeoffs of
36 changing the location of the building further away from the corner. She commented that staff has
37 indicated that there would be concerns regarding traffic and safety with moving the building, but
38 she does not feel enough information has been provided to weigh other options. She said that
39 more information may allow her to be more comfortable in approving the height Variance as
40 proposed.

1
2 Chairman Bohner indicated that changing the location of the building on the site would create
3 other problems with traffic circulation. He commented that he feels it would be helpful to see a
4 visual of how the height of the proposed structure would relate to the other buildings in the area.
5

6 Senior Planner Jester commented that in interpreting the Sepulveda Corridor Guidelines, staff
7 feels it is important particularly at prominent intersections that buildings rather than parking
8 areas be located at the corner. She commented that moving the building away from the corner
9 would push the access closer to the corner which would create issues with circulation and safety
10 for traffic. She stated that staff feels the location of the structure as proposed is appropriate,
11 although the design could possibly be altered in order to provide more articulation and to break
12 up the height.
13

14 Commissioner Powell suggested the possibility that display windows be used on the elevation of
15 the building facing Sepulveda Boulevard similar to a design of a façade for a Walgreens on the
16 southwest corner of Washington Boulevard and Lincoln Boulevard in the Marina area.
17

18 Commissioner Lesser commented that he is concerned with the placement of the building on the
19 site. He indicated that with the scale of the proposed building, it must reach a certain height in
20 keeping with the applicant's design protocol. He said that the building would potentially not
21 need to exceed the height limit to the extent that is proposed if it were made smaller. He
22 indicated that he would be interested in more information by the applicant regarding other design
23 options.
24

25 At 9:00 a five minute recess was taken.
26

27 **Ray Payne** pointed out that the proposed design is not higher than any commercial building that
28 would be constructed on the site. He said that they placed the building to the corner at the
29 request of staff in order to meet as many of the City's guidelines as possible. He commented that
30 they would consider a design to bring the glass around the side of the building on the Sepulveda
31 Boulevard elevation.
32

33 In response to a question from Commissioner Lesser, **Mr. Payne** said that the height of the
34 structure would remain constant regardless of whether the size of the structure were reduced. He
35 commented that reducing the size of the building would cause their sales revenue to be reduced.
36

37 **Mr. Payne** pointed out that reducing the building height to the amount permitted by the Code
38 would result in the ceiling height for the interior being reduced to 7 feet, which is not practical
39 for the proposed store.
40

1 Chairman Bohner said that the Commissioners would like for the applicant to provide a visual
2 comparing the height of the proposed building with the surrounding commercial structures and
3 consider a redesign of the façade for the Sepulveda Boulevard elevation with glass being
4 wrapped around the side of the building.

5
6 In response to a question from Commissioner Lesser, **Mr. Payne** said that grading the property to
7 lower the height of the structure would change the relation of the building to the street level
8 which would impact the parking.

9
10 Senior Planner Jester indicated that the item will be continued to the meeting of December 12,
11 2007, at the request of the applicant. The applicant will provide the following additional
12 information to staff by next Monday- 1. drawings with more building wall articulation facing
13 Sepulveda, 2- visual comparison of the surrounding properties building height, 3- address
14 loading dock and loading space locations and feasibility of use.

15
16 **DIRECTOR'S ITEMS** None

17
18 **PLANNING COMMISSION ITEMS**

19
20 Commissioner Lesser commended staff on their work with the Green Team report made at the
21 last City Council meeting. He said that he is looking forward to the City Council prioritizing the
22 implementation of the proposals.

23
24 Senior Planner Jester commented that staff is waiting for policy direction from the Council in
25 January for prioritizing the implementation of the recommendations.

26
27 **TENTATIVE AGENDA: December 11, 2007**

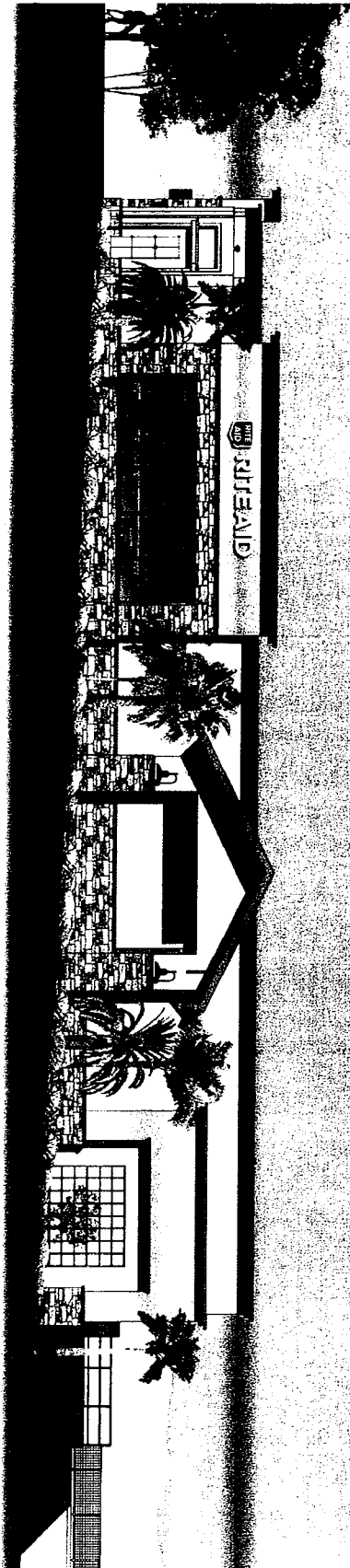
28
29 A. Review of the Steering Committee Recommended Facilities Strategic Plan

30
31 **ADJOURNMENT**

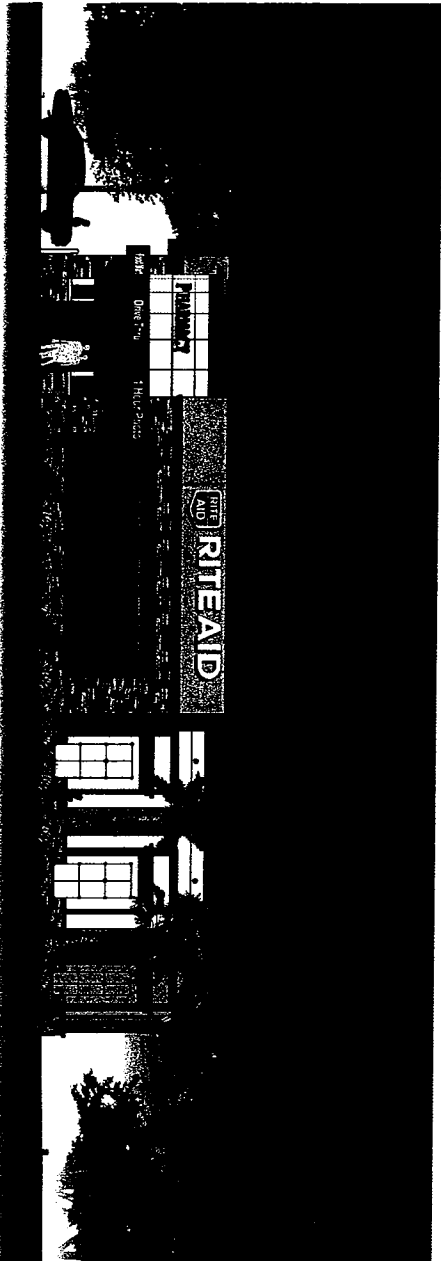
32
33 The meeting of the Planning Commission was **ADJOURNED** at 9:20 p.m. in the City Council
34 Chambers, City Hall, 1400 Highland Avenue, to Tuesday, December 11, 2007, at 6:30 p.m. in
35 the Fire Police Meeting Room.

36
37
38 _____
39 RICHARD THOMPSON
Secretary to the Planning Commission

36
37
38 _____
39 SARAH BOESCHEN
Recording Secretary



WEST ELEVATION



NORTH ELEVATION



RITE AID #6555-01
 S.E.C. MANHATTAN BEACH BLVD.
 & SEPULVEDA BLVD.
 MANHATTAN BEACH, CA

COLOR LEGEND



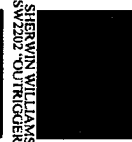
SHERWIN WILLIAMS
 SW2340 "BLUFF"



SHERWIN WILLIAMS
 SW2341 "MISTARD FIELD"



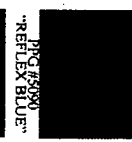
SHERWIN WILLIAMS
 SW2218 "PRICKLY PEAR"



SHERWIN WILLIAMS
 SW2202 "OUTRIGGER"



CULTURED STONE
 SHALE LEDGESTONE



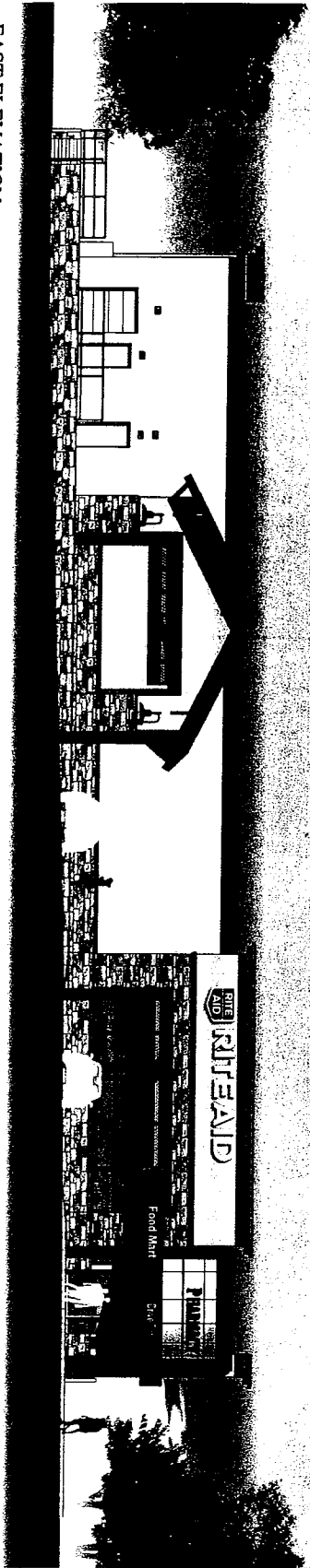
PPG PAINTS
 "REFLEX BLUE"



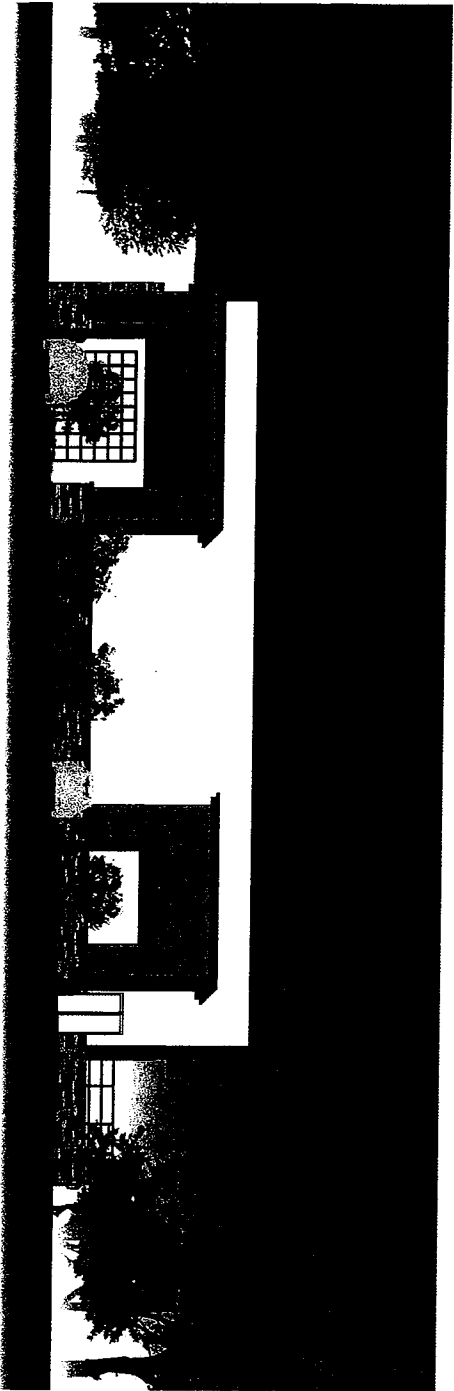
EAGLE ROOF TILE
 PONDEROSA "NEW CEDAR"



EAST ELEVATION



SOUTH ELEVATION



RITE AID #6555-01
 S.E.C. MANHATTAN BEACH BLVD.
 & SEPULVEDA BLVD.
 MANHATTAN BEACH, CA



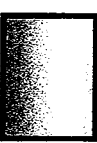
COLOR LEGEND



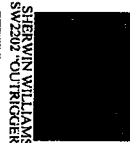
SHERWIN WILLIAMS
 SW2340 "BUFF"



SHERWIN WILLIAMS
 SW2341 "MUSTARD FIELD"



SHERWIN WILLIAMS
 SW2218 "PRICKLY PEAR"



SHERWIN WILLIAMS
 SW2202 "OUTRIGGER"



EAGLE ROOF TILE
 PONDEROSA "NEW CEDAR"



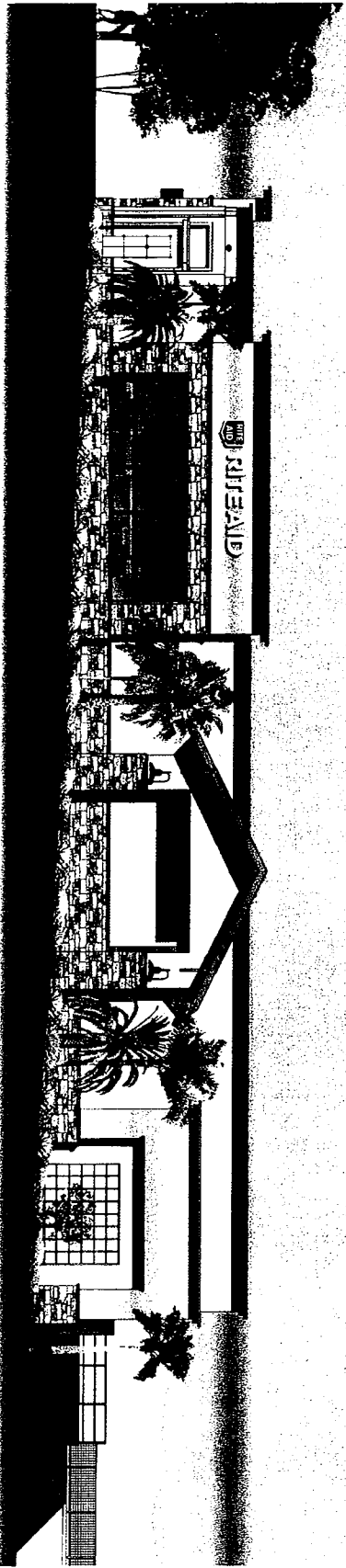
PPG 15090
 "REFLEX BLUE"



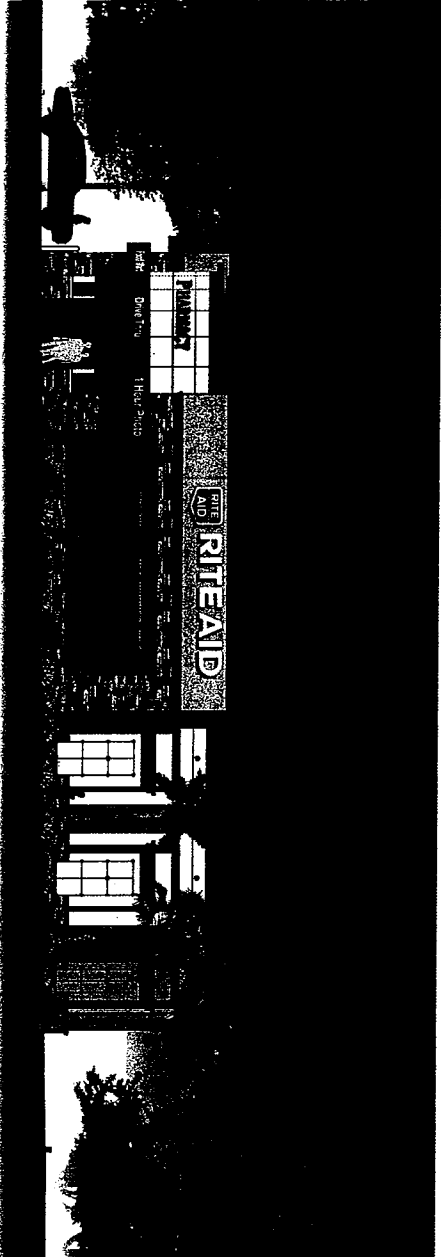
CUI TURED STONE
 SHALE LEDGESTONE



ILLUSTRATIONS



WEST ELEVATION

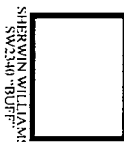


NORTH ELEVATION



RITE AID #6555-01
 S.E.C. MANHATTAN BEACH BLVD.
 & SEPULVEDA BLVD.
 MANHATTAN BEACH, CA

COLOR LEGEND:



SHERWIN WILLIAMS
 SW2340 BUFF



SHERWIN WILLIAMS
 SW2341 "BEST AND FIELD"



SHERWIN WILLIAMS
 SW2218 "PINKLEY PEAR"



SHERWIN WILLIAMS
 SW2202 "OUTRIGGER"



COLORLEDGESTONE
 SHALE LEDGESTONE



PPG #5090
 "REFLEX BLUE"



EAGLE ROOF TILE
 PONDEROSA "NEW CEDAR"



RHL GROUP INC.
 ILLUSTRATIONS



December 21, 2007

City of Manhattan Beach
1400 Highland Ave.

Re: Rite Aid #6555-01
1100 Manhattan Beach Blvd.
Manhattan Beach, CA

To Whom it may Concern:

Due to the special circumstances applicable to the subject property we feel the need to appeal the decision of the Planning Commission Meeting of December 12, 2007 to City Council.

The subject property has extreme topography issues and is subject to the Sepulveda Corridor Guideline Goals. A variance is required to allow the proposed building height to be approved. In the early design stages of this project, several meetings occurred between Rite Aid and the City to discuss the importance of the guidelines as well as the needs of the project.

The guidelines suggest that the building should focus and relate to the street and create a more attractive, comfortable and interesting environment for the boulevard. This property is situated such that the highest elevation of the property is at the street frontage near the intersection. Staff recommended that the building be placed close to the street to meet the guideline requirements.

The height of the building is determined by the four corner elevation calculation method which determines the average elevation from which the height limitation is calculated to 22 feet above the average.

The proposed building height is 2'-9" above the 22 foot allowable height however, based on the extreme topography of the site the average elevation to base the height from requires a variance to allow the increased height above the allowable.

At the Planning Commission Meeting there was concern of the height of the proposed building being higher than other buildings in the immediate surrounding areas. A comparison study was prepared to show the surrounding buildings and was able to show the Commission that the proposed building was comparable to the other existing structures.



