



Staff Report

City of Manhattan Beach

TO: Honorable Mayor Tell and Members of the City Council

THROUGH: David N. Carmany, City Manager

FROM: Richard Thompson, Director of Community Development
Eric Haaland, Associate Planner

DATE: November 15, 2011

SUBJECT: Consideration of Planning Commission Approval of a Proposed Bank Use Replacing a Retail Use in a Commercial Development on the Property Located at 1130 Sepulveda Boulevard (Chase Bank).

RECOMMENDATION:

Staff recommends that the City Council receive and file the decision of the Planning Commission.

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

DISCUSSION:

The Planning Commission, at its regular meeting of October 26, 2011, approved (4-1, Paralusz dissenting) a new bank use replacing a retail use (Blockbuster Video) in an existing commercial center. The master use permit for the development generally requires retail use for the site, but permits the Planning Commission to approve other uses without formally amending the use permit. Records from the original master use permit indicate some concerns for restaurant use at the time, but not specifically for bank or other lower intensity uses.

The submitted plans show a 6,567 square-foot tenant improvement to an existing vacant retail space converting it to bank use with exterior additions of an entry tower element, and a rear emergency exit. Retail uses on the site would then be reduced to 105,820 square feet (primarily Target). The project is in conformance with all of the City's requirements, including parking,

The Planning Commission expressed some concern for losing retail use at this prominent commercial location due to the more passive bank use proposed, and probable loss of tax revenue. The Commission questioned whether there had been adequate marketing to potential retail tenants of the vacant space. One message opposing the non-retail use was received, and one Commissioner voted against the proposal for these reasons.

The Planning Commission approved the bank use for the following reasons:

1. The bank use is consistent with the purposes of the General Commercial district.
2. The bank use would serve and employ area residents.
3. The bank use would vary the types of uses within the subject site similar to other large commercial properties, and would be the only non-retail tenant on this property.
4. Banks commonly do occupy prominent street corners as evidenced by the recently constructed bank across Sepulveda Boulevard from the subject location.
5. Vacant commercial space is prevalent due to economic factors.
6. Parking capacity for the site should benefit, particularly at night and weekends.

ALTERNATIVE:

The alternative to the staff recommendation is:

Remove this item from the Consent Calendar, discuss the decision of the Planning Commission, and direct staff as determined to be appropriate.

Exhibits:

- A. P.C. Minutes excerpt, dated 10/26/11
- B. P.C. Staff Report and attachments, dated 10/26/11
- C. Message of opposition, dated 10/26/11
- D. Plans (separate)

c: Stantec, Applicant
Cypress Creek Co. L.P., Owner

**CITY OF MANHATTAN BEACH
[DRAFT] PLANNING COMMISSION
MINUTES OF REGULAR MEETING
OCTOBER 26, 2011**

A Regular Meeting of the Planning Commission of the City of Manhattan Beach, California, was held on the 26th day of October, 2011, at the hour of 6:30 p.m., in the City Council Chambers of City Hall, at 1400 Highland Avenue, in said City.

1. ROLL CALL

Present: Andreani, Conaway, Gross, Seville-Jones, Chairperson Paralusz
Absent: None
Staff Present: Richard Thompson, Director of Community Development
Eric Haaland, Associate Planner
Recording Secretary, Sarah Boesch

2. APPROVAL OF MINUTES – October 12, 2011

A motion was MADE and SECONDED (Seville-Jones/Andreani) to **APPROVE** the minutes of September 28, 2011.

AYES: Andreani, Conaway, Gross, Seville-Jones
NOES: None
ABSENT: None
ABSTAIN: Chairperson Paralusz

3. AUDIENCE PARTICIPATION

4. BUSINESS ITEMS

10/26/11-2 Consideration of a Proposed Bank Use Replacing a Retail Use in a Commercial Development on the Property Located at 1130 North Sepulveda Boulevard

Associate Planner Haaland summarized the staff report. He indicated that the proposal does meet Code requirements. He commented that an email from Gary Osterhout in opposition to the proposal was received after the staff report was written and has been distributed to the Commissioners. He stated that the opposition expressed in the e-mail is because the proposal is not for retail use.



In response to a question from Commissioner Andreani, Associate Planner Haaland said that the entry tower as proposed for the bank is lower than the primary tower on the corner of Manhattan Beach Boulevard and Sepulveda Boulevard.

In response to a question from Commissioner Seville-Jones, Associate Planner Haaland indicated that he has no information on the amount of tax revenue that was generated by Blockbuster. He commented that the bank would probably not generate sales tax revenues for the City. He said that he is not certain how the property was marketed to potential tenants.

In response to a question from Commissioner Seville-Jones, Associate Planner Haaland indicated that two ATM machines that are shown in the plans would be located outside of the structure.

In response to a question from Commissioner Gross, Associate Planner Haaland stated that there is an existing sign program for the site. He commented that a sign would be permitted on the three faces of the structure.

In response to a question from Commissioner Andreani, Director Thompson indicated that marketing for tenants is done by the real estate agents for the private property owner and not by the City.

In response to a question from Chairperson Paralusz, Associate Planner Haaland commented that the site may have been vacant for approximately a year.

In response to a question from Chairperson Paralusz, Associate Planner Haaland pointed out that Wells Fargo, which is located across Manhattan Beach Boulevard from the subject site, was built as an entirely new project. He said that the sign program for the site may have been added since the original Use Permit was approved.

In response to a question from Commissioner Seville-Jones, **Jeff Liederman**, Stantec Architecture Inc., the project architect, stated that he is not certain the length of time that the subject property has been vacant.

In response to a question from Commissioner Seville-Jones, **Mr. Liederman** indicated that there would be an ATM machine located inside of the structure as well as two located outside of the structure. He indicated that the ATM machines located on the exterior of the building would provide easy access, and the one in the building would provide additional security.

In response to a question from Commissioner Gross, **Mr. Liederman** said that the ATM machines would operate 24 hours daily.

In response to a question from Commissioner Gross, **Mr. Liederman** stated that his understanding is that the existing Chase Bank locations downtown and at the corner of Marine Avenue would remain open in addition to the proposed bank.

In response to a question from Commissioner Conaway, **Mr. Liederman** said that they intend to meet the City's green building initiatives.

Commissioner Conaway said that he would encourage the applicant to meet the LEED silver standard which is requested by the City for projects.

In response to a question from Chairperson Paralusz, **Mr. Liederman** commented that he is not certain if there were previously signs on the site indicating that it was for rent. He said that Chase has a real estate representative who search areas for potential locations and contact the property owners or developers.

Commission Discussion

Commissioner Andreani said that she initially felt that it would be better for the subject property to be rented by a bank than to remain vacant. She indicated, however, that the current economy presents more of a policy question. She commented that the City currently does not get involved in the renting of properties, and she feels the City should be more involved in marketing.

Director Thompson commented that many cities have economic development staff that recruit businesses. He said that Manhattan Beach has plenty of real estate brokers who look for the right fit for the available sites. He indicated that the vacancy rate along Sepulveda Boulevard is very low. He commented that he does not feel an economic development department is necessary for the City.

Commissioner Seville-Jones indicated that there currently are two vacant properties at the subject intersection. She commented that she is disappointed that the applicant was not prepared to answer some of the Commission's questions regarding marketing and the time period that the property has been vacant. She indicated that she supports the project because the proposal is for a small portion of the lot which has a large amount of retail uses. She stated that the employees of the bank would spend money at Target and other nearby local businesses. She pointed out that there are other locations that retailers could choose to rent along Sepulveda Boulevard. She suggested requesting the input of the police for any future bank projects regarding the safety of ATM machines outside as opposed to inside of buildings. She commented that she agrees with Director Thompson that the City does not need an economic development staff. She said that the chamber of commerce in many cities also seek out businesses to locate in their cities. She indicated that she supports the project.

Commissioner Conaway indicated that the proposed bank is a logical use for the site, and he does not have any objections to the project. He stated that he is concerned with generating sales revenue, but the project includes only a small portion of the shopping center. He commented that he would be concerned with the City interfering with private property owners by participating in marketing. He stated that having the property leased by the bank is better than having an empty store front, and Chase Bank would be a marquee tenant for the center.

Commissioner Gross said that he also is in favor of the proposal. He indicated that tax sales revenue is very important to the City. He commented that there was an article in the Wall Street Journal which indicated that mall owners must include other uses besides retail, as retail stores and restaurants have been overbuilt over the last 20 years. He said that people have overspent at retail stores over the past several years, which was unsustainable. He indicated that the bank is a good alternative use to retail for the site.

Chairperson Paralusz stated that she is not in favor of the proposed change in use. She indicated that the Use Permit focuses on retail use. She commented that she is concerned that the site may not have been marketed at all for retail use. She said that she feels it is important for the City to encourage retail use. She stated that she would be concerned with establishing a concentration of banks similar to Manhattan Village. She indicated that she would rather see a retail use for the site that would help generate sales tax revenue for the City.

Commissioner Seville-Jones pointed out that the shopping center would still have a very small percentage of non-retail use with the project.

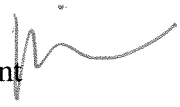
Chairperson Paralusz commented that she would feel more comfortable if the property owner were present at the hearing to answer some of the questions of the Commissioners. She indicated, however, that she is not certain that her vote would change with the input of the property owner. She said that she has a concern regarding security with customers using the ATM machines late at night. She indicated, however, that the machines at the Wells Fargo bank across the street operate 24 hours.


Commissioner Seville-Jones commented that she would be concerned with the City overregulating the type of use that a property owner can have on their property. She commented that having the site remain vacant is an economic impact to the property owner. She said that she feels the City should not interfere with property rights to the extent possible.

In response to a comment from Chairperson Paralusz, Director Thompson pointed out that the Use Permit for the site does not prohibit commercial uses that are not retail. He indicated that the zoning along Sepulveda Boulevard is Commercial General which allows office uses as well as retail uses. He said that good planning principals dictate a mix of uses along the corridor which includes retail and office uses. He restated that the existing Use Permit for the site does not prohibit non-retail uses.

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

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development 

BY: Eric Haaland, Associate Planner 

DATE: October 26, 2011

SUBJECT: Consideration of a Proposed Bank Use Replacing a Retail Use in an Commercial Development on the Property Located at 1130 Sepulveda Boulevard (Chase Bank)

RECOMMENDATION

Staff recommends that the Planning Commission **DETERMINE** that the proposed Bank use is appropriate pursuant to the subject site's existing master use permit.

APPLICANT

Stantec Architecture Inc.
19 Technology Dr. Ste.200
Irvine, CA 92618

OWNER

Cypress Creek Co. L.P.
8095 Othello Ave.
San Diego, CA 92111

BACKGROUND

The subject site consists of a two-building commercial development operating under a master use permit approved in the attached Resolution No. 5292. A Target store occupies the main building on the property, and three retail spaces occupy the smaller building near the street corner of the site. The applicant proposes to replace a previous retail tenant (Blockbuster Video) in the smaller building with a Chase Bank branch. The existing use permit requires that this building be used for retail use only, unless the Planning Commission approves a different use, therefore the request for bank use was scheduled for the Commission's review.

**EXHIBIT B
CC MTG 11-15-11**

DISCUSSION

The submitted plans show a tenant improvement to an existing vacant retail space converting it to bank use with exterior additions of an entry tower element, and a rear emergency exit. The site would then contain 105,820 square feet of retail uses, and 6,567 square feet of bank use. The rear 3,433 square feet of the 10,000 square-foot pad building contains picture frame and phone store tenants. Parking, driveways, landscaping, and pedestrian access would not change for the site.

Bank and Savings and Loan uses without drive-through aisles are permitted uses in all commercial zones, and their parking requirement (1 space/300 sf) is lower than standard retail (1 space/200 sf). The attached Planning Commission Minutes from its consideration of what is now the existing site use permit on June 26, 1996, appear to primarily mention concerns for restaurant use relative to retail use. It is not clear that the Commission had concerns for less intensive uses such as banks and personal services occupying the subject building. Retail use typically is more desirable in prominent commercial locations, as it is more interesting, interactive, and revenue generating for the public, than lower intensity uses.

The proposal is compliant with all zoning and other City regulations. The primary issue for the Planning Commission to consider is whether this use is appropriate in this location. Applicable purposes stated by the zoning code for this location include the following:

10.16.010 - Specific purposes.

In addition to the general purposes listed in Chapter 10.01, the specific purposes of commercial district regulations are to:

- A.** Provide appropriately located areas consistent with the General Plan for a full range of office, retail commercial, and service commercial uses needed by residents of, and visitors to, the City and region.
- B.** Strengthen the City's economic base, but also protect small businesses that serve City residents.
- C.** Create suitable environments for various types of commercial and compatible residential uses, and protect them from the adverse effects of inharmonious uses.
- D.** Minimize the impact of commercial development on adjacent residential districts.
- E.** Ensure that the appearance and effects of commercial buildings and uses are harmonious with the character of the area in which they are located.
- F.** Ensure the provision of adequate off-street parking and loading facilities.
- G.** Provide sites for public and semipublic uses needed to complement commercial development or compatible with a commercial environment.

and,

CG General Commercial District. To provide opportunities for the full range of retail and service businesses deemed suitable for location in Manhattan Beach, including

businesses not permitted in other commercial districts because they attract heavy vehicular traffic or have certain adverse impacts; and to provide opportunities for offices and certain limited industrial uses that have impacts comparable to those of permitted retail and service uses to occupy space not in demand for retailing or services.

While the proposed bank use may be less visually interesting and sales tax generating than retail, staff believes that it is appropriate for the following reasons:

1. The bank use would serve residents, and vary the types of uses within the subject site.
2. Banks commonly do occupy prominent street corners as evidenced by the recently constructed bank across Sepulveda Boulevard from the subject location.
3. Vacant commercial space is prevalent due to the weak economy.
4. Parking capacity for the site should benefit, particularly at night and weekends.
5. The anticipated added emergency exit facing Manhattan Beach Boulevard will be visually buffered by landscaping.

ENVIRONMENTAL DETERMINATION

The Project is Categorically Exempt from the requirements of the California Environmental Quality Act (CEQA), pursuant to Sections 15303 and 15332 based on staff's determination that the project is a small infill development within an urbanized area.

CONCLUSION

Staff recommends that the Planning Commission accept public testimony, discuss the proposal, and direct staff to approve the proposed bank use.

Attachments:

- A. Resolution No. 5292
- B. Vicinity Map
- C. Applicant description
- D. P.C. Minutes, dated 6/26/96
Plans (separate)

c: Stantec, Applicant
Cypress Creek Co. L.P., Owner

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RESOLUTION NO. 5292

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH APPROVING A MASTER USE PERMIT AMENDMENT TO ALLOW THE CONSTRUCTION OF A 10,000 SQUARE FOOT RETAIL BUILDING WHICH WOULD REPLACE AN EXISTING 6,700 SQUARE FOOT TIRE SHOP ON THE PROPERTY LOCATED AT 1200 N. SEPULVEDA BOULEVARD IN THE CITY OF MANHATTAN BEACH (Latigo/West Development Company)

WHEREAS, this Resolution shall amend, supersede, and replace Resolution No. PC 95-29 adopted by the Planning Commission on September 27, 1995; and,

WHEREAS, the Planning Commission of the City of Manhattan Beach conducted a public hearing on June 26, August 14, and August 28, 1996, pursuant to applicable law, to consider an Amendment to an approved Master Use Permit (Resolution PC No. 95-29), for the property legally described as That portion of Lot 7, in Section 19, as shown on the Partition Map showing property formerly of the Redondo Land Company, and located at 1200 N. Sepulveda, in the City of Manhattan Beach; and,

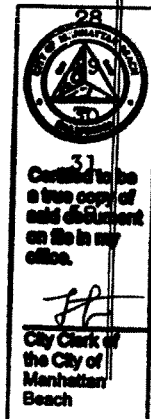
WHEREAS, the Planning Commission approved the subject Master Use Permit Amendment and adopted Resolution No. PC 96-23 at their hearing of August 28, 1996; and,

WHEREAS, the City Council of the City of Manhattan Beach appealed the decision of the Planning Commission, pursuant to Section 10.100.040 (B) of the Manhattan Beach Municipal Code (MBMC), at their regular meeting of September 17, 1996; and,

WHEREAS, the City Council presented findings consistent with the provisions of Section 10.100.040 (B) of the MBMC as the basis for the appeal; and,

WHEREAS, the City Council conducted an appeal hearing on October 1, 1996 and November 5, 1996, pursuant to applicable law, to consider Resolution No. PC 96-23; and,

**EXHIBIT A
PC MTG 10-26-11**



1 WHEREAS, on November 5, 1996, the City Council affirmed
2 the decision of the Planning Commission with modifications; and,

3 WHEREAS, the applicant for said project is Latigo/West
4 Development Company, property owner's representative; and,

5 WHEREAS, all public hearings were advertised pursuant
6 to applicable law, testimony was invited and received; and,

7 WHEREAS, an Initial Study was prepared, and a Negative
8 Declaration was issued in accordance with the California
9 Environmental Quality Act (CEQA), as amended by the City of
10 Manhattan Beach CEQA Guidelines, finding no significant
11 environmental impacts associated with the project; and,



12 WHEREAS, the City Council finds that, based upon the
13 Initial Study and hearing record, the project will not
14 individually or cumulatively have an adverse effect on wildlife
15 resources, as defined in Section 711.2 of the Fish and Game Code;
16 and,

17 WHEREAS, the subject property is located along the
18 Sepulveda Boulevard corridor, a commercial arterial, and is zoned
19 (CG) General Commercial and is designated "General Commercial" in
20 the General Plan.

21 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF
22 MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE, DECLARE, FIND,
23 DETERMINE AND ORDER AS FOLLOWS:

24 SECTION 1. That the City Council does hereby make the
25 following findings:
26

- 27 1. The applicant requests approval of a Master
Use Permit Amendment to allow the construction of a new
10,000 square foot single story retail building, which would
replace an existing 6,700 square foot tire shop.


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2. The Planning Commission approved the Master Use Permit Amendment at a duly noticed public hearing on August 28, 1996 and adopted Resolution No. PC 96-23.

3. The City Council appealed the decision of the Planning Commission, pursuant to the provisions of Section 10.100.040 of the MEMC, at their regular meeting of September 17, 1996.

4. The City Council conducted a duly noticed appeal hearing on October 1, 1996 and November 5, 1996.

5. The City Council affirmed the decision of the Planning Commission subject to the following modifications:

A. Require the construction of a right turn lane along Sepulveda Boulevard and sufficient land dedication to accommodate said lane; and,

B. The applicant shall enter into a Development Bond agreement with the City of Manhattan Beach for the construction of the right turn lane prior to the issuance of any building permits. The bond agreement shall be reviewed and approved subject to the satisfaction of the City of Manhattan Beach; and,

C. 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.

6. Based on testimony from the City's Traffic Engineer, construction of a right turn lane would improve commuter traffic along Sepulveda Boulevard and improve access to the subject site.



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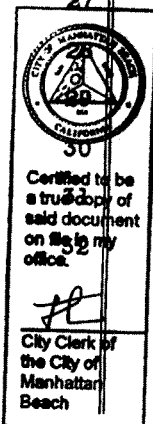
7. The condition to require a right turn lane is consistent with the Goals and Policies of the General Plan, specifically Policy 2.1 which requires, where applicable, additional traffic lanes at the entry of new developments along Sepulveda Boulevard to improve traffic flow and safety.

8. The previous approval for the subject property allowed the primary tenant on the site, Target Greatland, to remodel and increase square footage. The Target building contains 135,957 square feet of building area, of which 104,482 square feet is used for retail and incidental food and beverage sales (1,395 square feet), 19,150 square feet is used as storage area and 12,325 square feet is used for a garden center area. No change in use, or enlargement/alteration to interior/exterior conditions are proposed for the Target Greatland establishment.

9. The property is located in Area District II along the Sepulveda Boulevard corridor, and is zoned General Commercial (CG) as are the properties to the north and west. The properties to the east are zoned (RS) Residential Single Family; and the properties to the south are zoned (CG) General Commercial and (RH) Residential High Density.

10. The project will not result in any significant adverse impacts to traffic, including access to site and circulation, as mitigated by the conditions of this Resolution and based upon the review of the project by the City's Traffic Engineer.

11. Based upon State law, the proposed project will meet the required findings as follows:



1 A. The proposed project is consistent with
2 the development standards of Title 10 (Zoning
3 Ordinance), and is in accordance with the objectives of
4 the "CG" zoning district (Chapter 10.16) and Area
5 District II.

6 B. The proposed project is consistent with
7 the Land Use Element of the General Plan which
8 identifies retail as a desired use in the General
9 Commercial district.

10 C. The proposed project is consistent with
11 similar uses in the "CG" zoning district, and along the
12 Sepulveda Boulevard corridor.

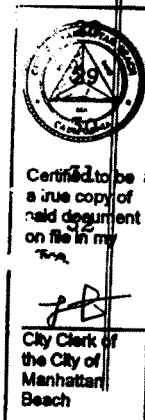
13 D. The proposed project will comply with
14 all applicable provisions of Title 10, and with all
15 applicable conditions of this Resolution.

16 E. The proposed project, as mitigated by
17 the conditions of this Resolution, will not create any
18 significant adverse impacts upon public
19 services/facilities, nor upon traffic circulation, and
20 new demand can be adequately met by existing and
21 proposed public facilities.

22 SECTION 2. The City Council does hereby approve the
23 subject Master Use Permit Amendment for the property located at
24 1200 N. Sepulveda Boulevard, subject to the following conditions:
25 (*Denotes conditions of approval specifically applicable to this
26 project).
27

Site Preparation

1. During building construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.



1 Traffic/Circulation


2 2. A Traffic Management Plan shall be submitted by
3 the applicant or contractor, subject to approval from the Director
4 of Community Development, in conjunction with the building plan
5 check. The plan shall provide for the management of all
6 construction related traffic during all phases of the project,
7 including delivery of materials and parking.

8 3.* The siting of construction related equipment (job
9 site offices, trailers, materials, etc.) shall be subject to the
10 approval from the Director of Community Development prior to the
11 issuance of any building permits.

12 4. As part of this project, the applicant shall be
13 required to upgrade the traffic signal on Manhattan Beach
14 Boulevard to a hard-wire interconnect with the existing traffic
15 signal on Sepulveda Boulevard and Manhattan Beach Boulevard. This
16 provision will synchronize both traffic signals to improve traffic
17 flow on both eastbound and westbound traffic on Manhattan Beach
18 Boulevard (PC 95-29, Condition #3).

19 5.* The property owner shall remove the two most
20 southerly driveway entrances adjacent to the Sepulveda Boulevard
21 property line and the two most westerly driveway entrances
22 adjacent to Manhattan Beach Boulevard and reconstruct the curb and
23 sidewalk subject to approval from the City Engineer.

24 6.* In order to provide greater driveway accessibility
25 on Sepulveda Boulevard, the northerly most driveway (located at
26 14th Street) shall provide a twenty-five (25) foot radius; the
27 southerly driveway (second driveway south from the north property
line) shall provide a twenty five (25) foot radius (PC 95-29,
Condition #4, modified by Condition #7 below).


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
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7.* The applicant shall be responsible for all public improvements associated with the project, as diagrammed on Exhibit A-1 (attached -- formerly known as Scheme 2). Such improvements include, but are not limited to, the construction of a right turn lane subject to Caltrans specifications and approval, alignment of the northern curb cut and circulation aisle (south of the 14th Street curb cut), and an increased curb radius to twenty five (25) feet for the subject curb cut.

8.* The applicant shall enter into a Development Bond agreement with the City of Manhattan Beach for the construction of the right turn lane and associated improvements prior to the issuance of any building permits. The Bond agreement shall establish a time frame for the initial construction and ultimate completion of the proposed improvements. The Development Bond agreement shall be subject to the approval of the City Attorney and the City Engineer.

9. Prior to being issued building permits for the project, the property owner shall dedicate property sufficient in the opinion of the City Engineer to build the required right turn lane regardless of its specific design. At the time the dedication and improvements are formally accepted by the City, the City shall only accept dedication of the property on which the right turn lane has been constructed and shall formally reject the offer of dedication for property unnecessary for the improvement.

10.* The property owner shall be responsible for providing a "Right Turn Only" sign at the southern driveway (south of the 14th Street driveway), subject to the review of the Community Development Department.


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1 Lighting

2 11. The applicant shall be responsible for the design
3 and construction of a parking lot lighting system which shall be
4 in compliance with Section 10.64.170 of the Municipal Code for
5 parking lot lighting. The approved lighting system shall be
6 installed and operational prior to the issuance of the Certificate
7 of Occupancy for the development. The plan shall indicate
8 compliance with zoning code requirements, mitigation of light and
9 glare impacts upon residential neighbors, and security concerns in
10 a manner that is non-intrusive into adjacent residential
11 properties.

12 12. All parking lot lights shall have hoods installed
13 to direct the glare away from the residential areas, meeting the
14 approval of the Community Development Department.



15 Landscaping

16 13. A site landscaping plan utilizing drought tolerant
17 native plants shall be submitted for review and approval
18 concurrent with the building permit application. All plants shall
19 be identified on the plan by the Latin and common names. The
20 current edition of the Sunset Western Garden Book contains a list
21 and description of drought tolerant plants suitable for this area.

22 This plan shall be prepared by a licensed landscape architect, as
23 required by state law.

24 14. A low pressure or drip irrigation system shall be
25 installed in the landscaped areas. Details of the irrigation
26 system shall be noted on the landscaping plans. The type and
27

design shall be subject to the approval of the Public Works and
Community Development Departments.


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1 15. Erosion of the existing landscaped area along the
2 easterly property line shall be controlled by proper landscaping
3 and irrigation (PC 95-29, Condition #10).

4 16.* The landscaped area along Sepulveda Boulevard, and
5 between Sepulveda Boulevard and the first driveway, east along
6 Manhattan Beach Boulevard, shall be sufficient in height in order
7 to mask out the parking lot asphalt subject to the approval of the
8 Community Development Department (PC 95-29, Condition #11,
9 modified by this Resolution).

10 **Signage**

11 17. All signs (permanent or temporary) must obtain a
12 permit prior to installation and shall be subject to the governing
13 Comprehensive Sign Program (PC 96-13).

14 **Business Operation**

15 18.* The hours of operation shall be between 7:00 a.m.
16 and 11:00 p.m., seven days a week for Target Greatland (PC 95-29
17 Condition #14) and between 7:00 am and 12 Midnight for the 10,000
18 square foot retail building.

19 19.* Deliveries to the Target building shall be
20 conducted after 7:30 a.m. and before 12:00 midnight (on a six-
21 month trial basis). If complaints are received six months after
22 completion of the work, the delivery hours may be reduced to 10:00
23 p.m. Deliveries to the 10,000 square foot retail building shall
24 only be permitted between 7:30 a.m. and 6 p.m. (PC 95-29,
25 Condition #15, modified by this Resolution).

26 20.* The proposed building shall be used for retail use
27 only. Any future change of use, other than retail, shall be
subject to review and approval by the Planning Commission.

28 21. Noise emanating from the site shall be in
29 compliance with the Municipal Noise Ordinance.

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22. A trash bin enclosure shall be constructed of a size and location subject to the approval of the Public Services Department.

23. Any future proposal for a Satellite Dish shall meet the current Code requirement for setbacks, maximum height, maximum dish dimension, screening, undergrounding and surface material and finishes, subject to the approval of the Community Development Department.

24. The back of all raised parapets shall be provided with finished materials.



25. During the Christmas Holiday Season all sales of Christmas trees and related items shall be contained within the proposed "garden center". No parking, pedestrian or automobile access areas shall be utilized (PC 95-29, Condition #20).

Procedural

26. The project shall be constructed and maintained in substantial compliance with the plans as approved by the City Council on November 5, 1996.

27. The Master Use Permit shall lapse one year (November 5, 1997) after its effective date unless implemented or renewed as specified in Section 10.84.090 of the Municipal Code.

28. Applicant agrees, as a condition of approval of this project, to pay all reasonable legal and expert fees and expenses of the City of Manhattan Beach, up to \$20,000, in defending any legal action brought against the City within 90 days after the City's final approval of the project, other than one by the applicant, challenging the approval of this project, or any action or failure to act by the City relating to the environmental review process pursuant to the California Environmental Act. In the event such a legal action is filed against the City, the City


Certified to be a true copy of said document on file in my office.

City Clerk of the City of Manhattan Beach



1 shall estimate its expenses for the litigation and Applicant shall
2 deposit said amount with the City or enter into an agreement with
3 the City to pay such expenses as they become due (PC 95-29,
4 Condition #24).

5 29. The applicant/business owner shall cooperate with
6 the Department of Community Development in its conduct of periodic
7 reviews of the subject use permit.

8 SECTION 3. Pursuant to Government Code Section 65907
9 and Code of Civil Procedure Section 1094.6, any action or
10 proceeding to attack, review, set aside, void or annul this
11 decision, or concerning any of the proceedings, acts, or
12 determinations taken, done or made prior to such decision or to
13 determine the reasonableness, legality or validity of any
14 condition attached to this decision shall not be maintained by any
15 person unless the action or proceeding is commenced within 90
16 days of the date of this resolution and the City Council is served
17 within 120 days of the date of this resolution. The City Clerk
18 shall send a certified copy of this resolution to the applicant,
19 and if any, the appellant at the address of said person set forth
20 in the record of the proceedings and such mailing shall constitute
21 the notice required by Code of Civil Procedure Section 1094.6.

22 SECTION 4. The City Clerk shall make this Resolution
23 reasonably available for public inspection within thirty (30)
24 days of the date this Resolution is adopted.

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


31 Certified to be
a true copy of
said document
on file in my
office.

City Clerk of
the City of
Manhattan
Beach

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PASSED, APPROVED, and ADOPTED this 5th day of November,


1996.

Ayes:
Noes:
Absent:
Abstain:

/s/ Steve Barnes
Mayor, City of Manhattan Beach,
California

ATTEST

/s/ Win Underhill
City Clerk



Certified to be a true copy
of the original of said
document on file in my
office.

Ugo Tammer, Dist.
City Clerk of the City of
Manhattan Beach, California

Vicinity
1130 Sepulveda Blvd.



EXHIBIT B
PC MTG 10-26-11

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Stantec Architecture Inc.
19 Technology Drive Suite 200
Irvine CA 92618-2334
Tel: (949) 923-6000
Fax: (949) 923-6121

Stantec

August 08, 2011
File: 2007690062: Use Permit Application

1400 Highland Avenue
Manhattan Beach, CA 90266

Attention: City of Manhattan Beach Community Development Department

Dear City of Manhattan Beach Community Development Department:

**Reference: Chase Bank #17216
1130 A North Sepulveda
Manhattan Beach Blvd. & PCH**

Scope of Work

We are proposing a Tenant improvement of an existing one story retail building for a new bank branch consisting of minor exterior and site modifications (new entry existing tower, replacing existing storefront, stucco infill, new exterior exit and accessible curb cut). Interior work will include new interior partitions, mechanical, plumbing, electrical, and telecommunications.

Employee Count

There will be approximately 6 employees working at this branch during the largest shift.

Parking

21 parking stalls were required for the existing use (1:250).
15 parking stalls are required for the new bank use (1:300).
Total of 6 excess parking stalls are available for the shopping center.

Findings

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.

2. *The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety, or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.*
 - The proposed Chase Bank will operate and be maintained consistent with the City of Manhattan Beach, general plan. The proposed Chase Bank hours are 9:00 am to 5:00 pm Monday through Saturday with deliveries during specified hours from the city to not disturb adjacent residential areas or cause a traffic flux.
 - 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 and Policies of the General Plan:

August 08, 2011
City of Manhattan Beach Community Development Department
Page 2 of 2

**Reference: Chase Bank #17216
1130 A North Sepulveda
Manhattan Beach Blvd. & PCH**

- Goal LU-3: Achieve a strong, positive community aesthetic.
 - Policy LU-3.1: Continue to encourage quality design in all construction.
 - Goal LU-6: Maintain the viability of the commercial areas of Manhattan Beach.
 - 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 use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located.*
- The proposed Chase Bank will meet said provisions.
 - The proposed Chase Bank will maintain safe pedestrian access to the building through parking lot and from public sidewalks as outlined in the Sepulveda Development Guide.
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 Chase Bank will not adversely impact nor be adversely impacted by nearby properties. Chase will provide the community with a reliable and consistent banking partner to meet the financial needs of residents, visitors and local businesses.

Respectfully,

STANTEC ARCHITETURE INC.

Oscar Perla
Job Captain
Tel: (949) 923-6255
Fax: (949) 923-6171
Oscar.Perla@stantec.com

Attachment:

c.

oap document2

96/0626.2 MASTER USE PERMIT AMENDMENT to Allow the Construction of a 10,000 Square Foot Retail/Restaurant Building Which Would Replace an Existing 6,700 Square Foot Tire Shop on the Property Located at 1200 N. Sepulveda Boulevard (Latigo/West Development Company)

Assistant Planner Lait advised that a few telephone calls and nine letters in opposition to the project were received and that the concerns expressed by opposing parties primarily focused on parking, traffic circulation and environmental review. He modified the staff report as follows: page 3, paragraph 5 "...The proposed project was evaluated for a 2,400 square foot..." and page 6, paragraph 3 "...restrict the hours of operation (7:00 AM TO 11:00 PM)..."

With regard to parking and traffic circulation, Assistant Planner Lait advised that staff recognizes the existing site conditions do not present the most optimal circulation patterns both on the site and on the surrounding streets; that the project would improve traffic conditions at the site by eliminating four existing curb cuts nearest the intersection of Manhattan Beach and Sepulveda Boulevards; and that the City Traffic Engineer determined a deceleration lane would not be necessary.

Assistant Planner Lait explained that the County approved the clean up of the site in 1994, but the City does not have a record of that decision and, therefore, staff recommends adding a Condition of Approval stating that "A third party environmental assessment of the site shall indicate that all contaminated soil has been removed. A "Closure Report" shall be submitted from the project Geologist and approved by the Los Angeles County Public Works Department, approving the clean up of the former gas station use. This requirement shall be approved by the Fire Marshal prior to the issuance of any building permit." Staff supported an approval, subject to Conditions.

In answer to questions from the Commission, Assistant Planner Lait clarified that the setback requirement in Commercial zones is 15 feet along Sepulveda Boulevard; that the cart locations would be situated so that a compact parking space would abut them; and that the addition of an acceleration/deceleration lane would result in the loss of parking;

Chairman Blanton questioned if anything could be done to discourage the parking of truck trailers in the parking lot, thereby reducing the number of parking spaces available. Assistant Planner Lait replied that staff could check with Target and that, in the past, they have been responsive to the City's concerns.

Commissioner Fahey asked if any tenants have been established for the site. Assistant Planner Lait advised that no official confirmation for tenants has been received. He clarified that a drive-through fast-food establishment is not anticipated; that no alcohol would be served; and that there is a possibility retail uses could occupy the whole building.

EXHIBIT D
PC MTG 10-26-11

Chairman Blanton recalled that, when the Target remodel was previously approved, there was much discussion about the possibility of a deceleration lane. Assistant Planner Lait advised that, at that time, Conditions were added to the Resolution to alleviate concerns related thereto.

Traffic Engineer Garland provided input about the internal flow of traffic on the site, as well as ingress/egress on Sepulveda Boulevard. He advised that the two driveways are designed at the point where there is a low grade in the parking lot to match up with Sepulveda Boulevard and, if the driveways were to be moved, there would have to be some contouring which would result in the loss of parking spaces.

Commissioner Hall recalled that the Commission previously deferred dealing with the parking/traffic issues until such time as the parcel on the corner comes before the Planning Commission. He related concern over how the southernmost driveway on Sepulveda Boulevard would work. Assistant Planner Lait clarified that it would work more smoothly if it were to be lined up with one of the circulation aisles.

Traffic Engineer Garland supported the idea of lining the driveway up with one of the circulation aisles; verified that approximately 20 parking spaces would be lost should a decision be made to install a deceleration lane; and explained that the applicant would be adding 3,000 square feet so the incremental impact at the driveway would not be enough of an increase to justify asking for the loss of 20 parking spaces.

Commissioner Hall expressed his concern over the piecemeal nature in which projects at this location have been presented for approval. He said he would have no problem asking the applicant for a deceleration lane in return for reducing the number of parking spaces if it would remedy the traffic difficulties.

Commissioner Vining questioned what the preferred solution would be from a traffic stand point. Traffic Engineer Garland advised that, if this were an empty lot, he would favor having a deceleration lane into the property.

Should a decision be made to install a deceleration lane, Commissioner Fahey asked where it would be. Traffic Engineer Garland advised that it would begin approximately 20 to 30 feet north of Manhattan Beach Boulevard.

Chairman Blanton opened the Public Hearing.

On behalf of the applicant, **Mr. Keith Palmer, Neil Stanton Palmer Architects, 2601 Airport Drive, Torrance**, presented detailed information on the project. He explained that the request is an Amendment to a previously approved Master Use Permit for an additional 3,300 square feet; that the project would dramatically improve the location; that the property owner has decided to reduce the amount of square feet for restaurant space to 2,400, with it being used for a take-out coffee use; that a video store is one of the primary candidates for 6,700 square feet; that the coffee use would have no outside table or seating areas and the number of seats on the inside of the facility would be limited; and that there would be 14 parking spaces in excess of the Code requirements.

Mr. Palmer asked that the hours of operation be extended to 12:00 AM. He confirmed that the property owner received clearance for the clean up of the site from the County and the State; that the 4-Day Tire Store site would be cleaned up and certified prior to demolition; and that the documents pertaining to the clean up as required in the additional Condition of Approval recommended by staff would be provided.

Commissioner Hall asked if the applicant would agree with the idea of moving the driveway on Sepulveda Boulevard 20 feet to the south. **Mr. Palmer** indicated that the applicant would be willing to examine the idea.

Commissioner Fahey questioned how many parking spaces would be eliminated should the driveway on Sepulveda Boulevard be moved 20 feet to the south and a deceleration lane added. **Mr. Palmer** contended that the cost of a deceleration lane would not be economically feasible and he stressed that, after working with staff on this project for three months, this is the first time he has heard about the idea of a deceleration lane. He confirmed that the owner of the subject property also owns the Target property. Traffic Engineer Garland anticipated that a deceleration lane would cost approximately \$50,000 to \$100,000.

Commissioner Hall favored the idea of the developer and the City looking into the idea of installing a deceleration lane.

Chairman Blanton advised that 15 foot radiuses on the south driveway and 25 foot radiuses on the north driveway were required with the previous approval, so there might be some changes which involve utilities.

Mr. Alan Rothels, 2208 Lynngrove Drive, requested that the idea of a deceleration lane be examined.

Ms. Lynn Olson, 1107 Loma Drive, Hermosa Beach, commented on traffic problems on northbound Sepulveda Boulevard during peak morning hours; disagreed with Mr. Palmer's contention that the impact of this project would be minimal and stated her understanding that Starbucks is one of the proposed tenants; and voiced concern that only two entrances/exits at the site would be hazardous and cause confusion.

Mr. Joe Romero, 532 Rosecrans Avenue, discussed traffic difficulties on northbound Sepulveda Boulevard during peak morning hours. He said that the project would result in additional traffic difficulties and related his agreement with examining the idea of a deceleration lane.

Mr. Sam Steib, 1213 Magnolia Avenue, noted that his home faces the Target property. He expressed his concern over the noise which could result from a video store or a mini mart.

Ms. Betty Steib, 1213 Magnolia Avenue, stressed the noise emanating from the construction currently under way on the site. **Ms. Steib** noted that construction sometimes begins at 6:30 A.M. and she voiced concern over the addition of retail businesses on the subject property.

Ms. Jeannie Collins, 1501 Magnolia Avenue, offered input about the noise emanating from activities relevant to Target.

Commissioner Hall suggested that Ms. Collins discuss the noise problems with Target management.

Mr. Earl Keegan, 572 - 18th Street, acknowledged the merits of the project. However, he called attention to the fact that the rents obtained would be increased as a result of the project.

Mr. Todd Cohen, 117 Kelp, stated his concerns over the traffic flow in the vicinity of the subject property.

Mr. Michael Keegan, owning a business at 1812 North Sepulveda Boulevard, supported a deceleration lane for this project and emphasized the increased traffic resulting from the expansion of Target. He related his understanding that, many years ago, the Council mandated 35 foot setbacks along Sepulveda Boulevard; that, with regard to parking, the applicant was erroneously given credit for storage space; and that a video store would be going in where the 4-Day Tire Store is.

Mr. Patrick Foo, 1159 Magnolia Avenue, called attention to the noise resulting from the unloading of trucks at Target early in the morning. He asked that businesses which would like to operate late at night not be allowed and requested that landscaping be required to help mitigate noise.

Chairman Blanton closed the Public Hearing.

Discussion

Commissioner Hall supported a continuance to give the developer and staff the opportunity to examine the idea of installing a deceleration lane or realigning the driveway to the north or south.

Commissioner Vining favored looking into the idea of a deceleration lane, as well as other possible alternatives.

Commissioner Fahey observed that the location is one of the most dangerous traffic situations in the City. He discussed the need for the developer and staff to further look at the traffic problems and supported a continuance to do so.

The Commission agreed to reopen the Public Hearing to continue discussion of this matter to the meeting on July 26, 1996.

Prior to roll call vote, discussion continued with Chairman Blanton relating his feeling that an acceleration lane would be a hardship; but, it would be so much more valuable than a deceleration lane.

Community Development Director Thompson advised that staff will provide the Commission with information concerning deceleration lanes and related costs, as well as some possible alternatives the developer and/or Traffic Engineer might propose.

AYES: Hall, Fahey, Vining and Chairman Blanton.
NOES: None.
ABSENT: Kaplan.
ABSTAIN: None.

ADJOURNMENT

The meeting of the Planning Commission was ADJOURNED at 9:35 P.M. in the City Council Chambers, City Hall, 1400 Highland Avenue, to 7:30 P.M. on Wednesday, July 10, 1996, in the same Chambers.

RICHARD THOMPSON
Secretary to the Planning Commission

WENDY SELOGIE
Minute Secretary

PLANNING COMMISSION
June 26, 1996

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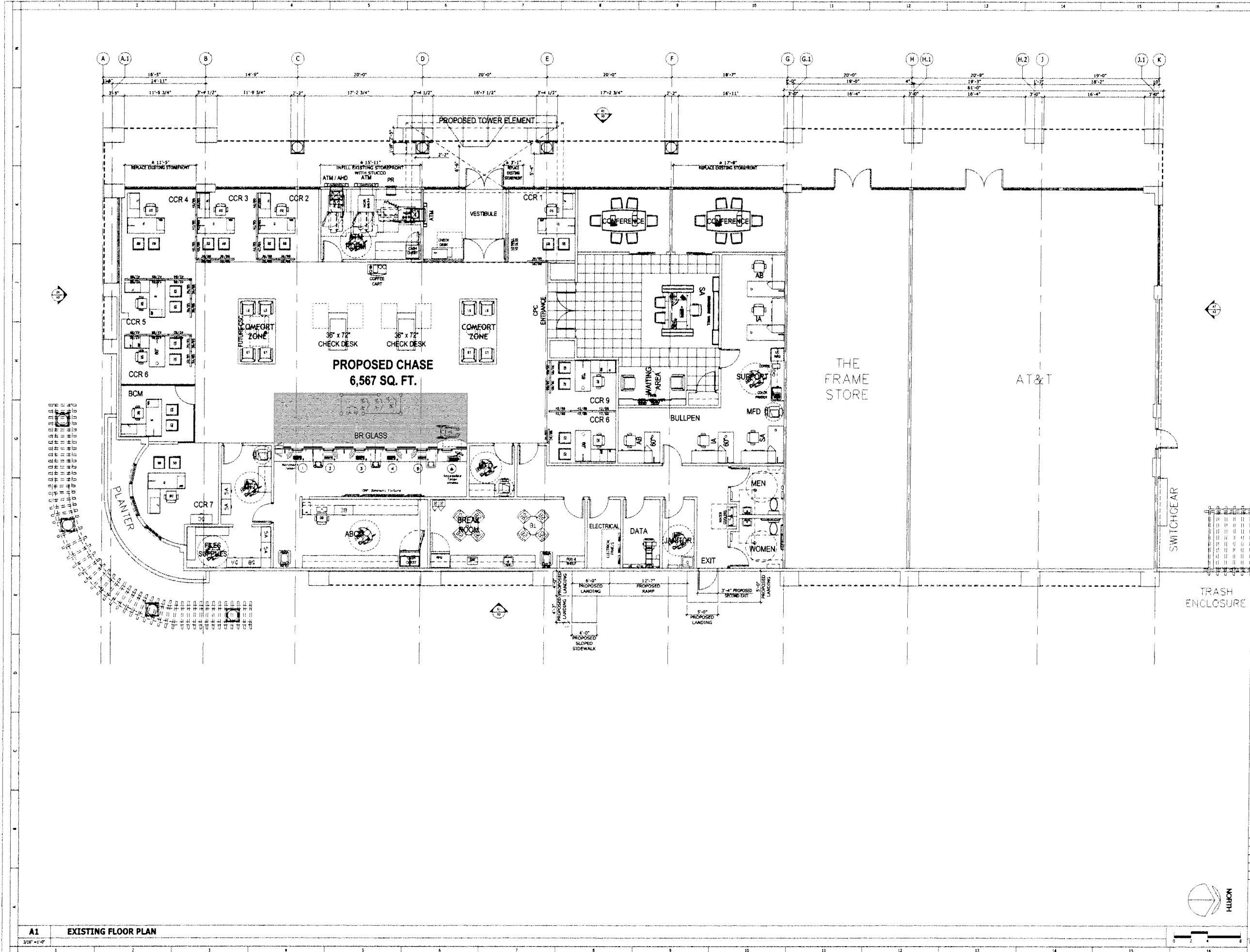
Stantec
 Stantec Architecture Inc.
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CHASE
IN-LINE STORE
 #17216 - MANHATTAN BEACH & PCH
 1130-A N. SEPULVEDA BLVD.
 MANHATTAN BEACH, CA 90254

Project No.	2007690062
Scale	1/4" = 1'-0"
Drawn	DP
Checked	
Date	08/08/2011
Drawing Title	

PROPOSED FLOOR PLAN

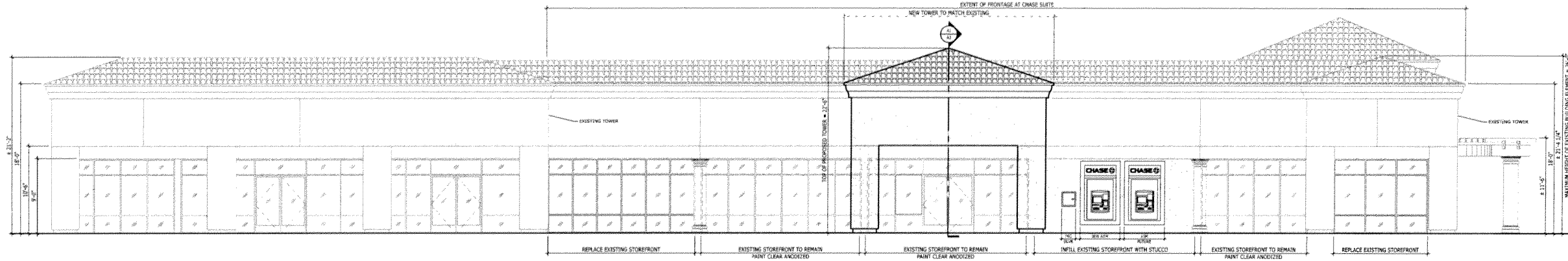
Drawing No. **A2**



A1 EXISTING FLOOR PLAN
 3/16" = 1'-0"

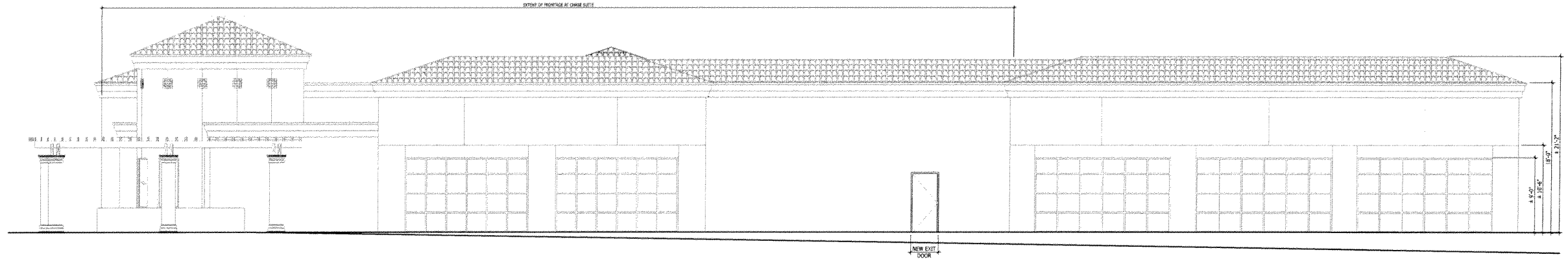
V:\2007\active\2007690062\architecture\drawing\2007690062.dwg, 10/19/2011 11:40:21 AM, OPR/BA

V:\2007\user\2007990062\work\2007990062\A1_NORTH.dwg, 10/19/2011 11:35:05 AM, OPENIA



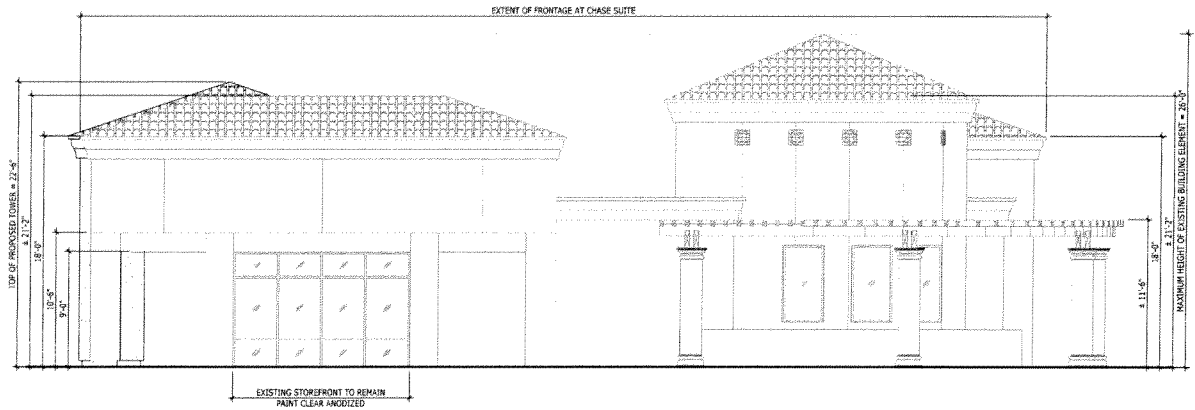
K1 NORTH ELEVATION

3/16" = 1'-0"



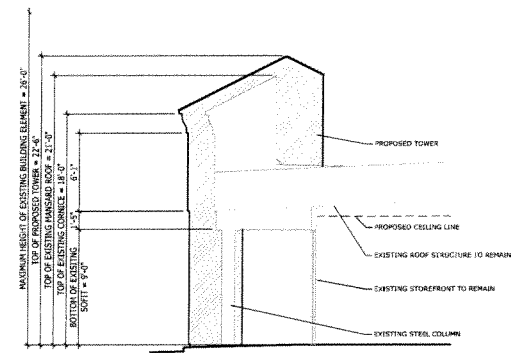
G1 SOUTH ELEVATION

3/16" = 1'-0"



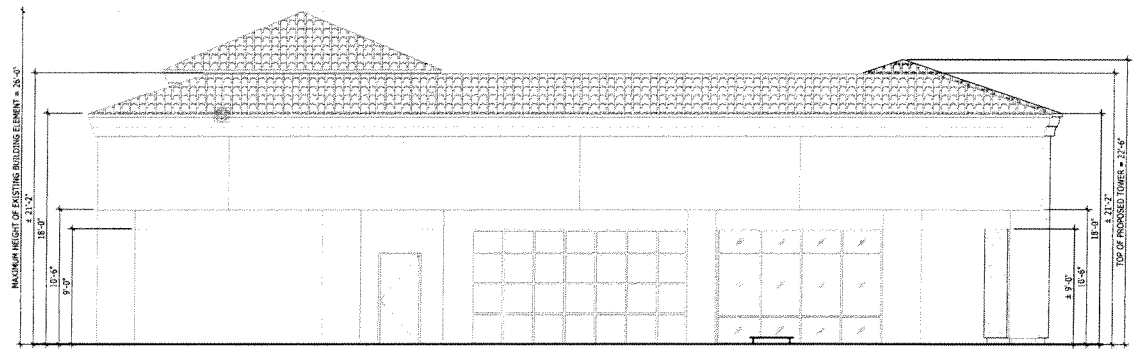
D1 WEST ELEVATION

3/16" = 1'-0"



A1 PROPOSED TOWER SECTION

3/16" = 1'-0"



A7 EAST ELEVATION

3/16" = 1'-0"

CHASE
24085 El Toro Road,
Laguna Hills, CA 92653

10/16/2011	DATE
08/08/2011	PLANNING SUBMITTAL
	PLANNING SUBMITTAL
	Rev. Name: [unclear]

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CHASE
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1130-A N. SEPULVEDA BLVD.
MANHATTAN BEACH, CA 90254

2007690062	PROJECT NO.
3/16" = 1'-0"	SCALE
OP	DATE
08/08/2011	DATE

PROPOSED ELEVATIONS

Drawing No. **A3**

Eric Haaland

From: Richard Thompson
Sent: Wednesday, October 26, 2011 4:33 PM
To: Eric Haaland
Subject: Fwd: Chase Bank

Sent from my iPhone

Begin forwarded message:

From: Gary Osterhout <garyosterhout@verizon.net>
Date: October 26, 2011 3:58:03 PM PDT
To: PlanningCommission@citymb.info
Subject: Chase Bank

Commissioners:

Apologies for the late input on this item in tonight's agenda: Consideration of a Proposed Bank Use Replacing a Retail Use in a Commercial Development on the Property Located at 1130 N. Sepulveda Boulevard (Chase Bank).

I am against this approval.

As it suggests in the Staff Report, this space should be retail, as in sales-tax-producing. Any of you who take responsibility for better fiscalization of the land within our borders should take that usage seriously. It is difficult to hear council candidates, for instance, talk about wanting to stimulate Sepulveda corridor businesses for revenue-generation, then to have a proposal like the one before you. Banks (after medical and real estate offices) are one of the worst fiscal uses of this vital community artery. We are already missing so much on Sepulveda in respect to revenue production--and this space is great (in respect to parking) for that.

As a planning commission, such community planning should be front of mind.

In respect to the Wells Fargo building across the boulevard that Staff somehow suggests supports this approval: the Wells Fargo building is an aesthetic deficit to the area. From all appearances, it seems this site was selected only for the ability to advertise their bank on the tower. Approving Chase would be compounding the error. From my perspective, there is no need for a bank branch, or branches, to occupy one of the busiest corners in Manhattan Beach.

Regards,
Gary Osterhout
598 31st St.

Richard Thompson
Director of Community Development
P: (310) 802-5502

