



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

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development 

BY: Esteban Danna, Assistant Planner 

DATE: April 9, 2008

SUBJECT: Consideration of a Master Use Permit Amendment to Allow the Incidental Sale of Alcoholic Beverages for Off-Site Consumption at an Existing Grocery Store Located at 1830 N. Sepulveda Boulevard.

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT** the public hearing and adopt the attached Draft Resolution **APPROVING** the subject request.

APPLICANT

Kathleen and Barry Fisher
1830 N. Sepulveda Blvd
Manhattan Beach, CA 90266

PROPERTY OWNER

Nicholas M. Brown
8929 Wilshire Blvd, Suite 400
Beverly Hills, CA 90211

BACKGROUND

The Planning Commission had previously approved a Master Use Permit, Sign Program Amendment and Parking Reduction (Exhibit A) at its regular meeting in May of 2000 (PC 00-12) for the subject property. Subsequently, the Planning Commission approved two Master Use Permit Amendments: the first to allow a drive-up teller use for the existing bank facility on May 8, 2002 (PC 02-15), and the second, currently the governing Resolution for the entire commercial site, to allow interior/exterior remodel and redesign of an existing outdoor dining area at an existing restaurant/bakery located at 1808 Sepulveda Boulevard on April 13, 2005 (PC 05-06). The current Master Use Permit does not allow sales of alcoholic beverages for off-site consumption at 1830 N. Sepulveda Boulevard.

DISCUSSION

The subject application proposes to amend Resolution PC 05-06 to allow the sale of beer and wine for off-site consumption at Grow the Produce Shop located at 1830 N. Sepulveda Boulevard (Exhibit B), which is located within a commercial shopping center. The applicant proposes to dedicate approximately 7-8% of total shelf area to the sales of beer and wine.

Grow the Produce Shop is located in a 36,557 square-foot shopping center that offers a variety of uses such as retail, services, offices, and restaurants. All uses must be in compliance with Condition 3 of Section 2 in Resolution No. PC 05-06. The property is located in the General Commercial (CG) zone in Area District II. The surrounding properties are CG to the North, Single-Family Residential (RS) to the East across Cedar Avenue, CG and RS to the South across 18th Street, and CG to the West across Sepulveda Boulevard.

The subject business consists of an 1800 square-foot sales floor, 150 square-foot kitchen/prep area, and a 170 square-foot storage area. The space does not have any seating area. Grow the Produce Shop offers a full line of produce items as well as some meat, dairy and grocery products. No other tenant in this shopping center provides the sale of beer and wine for off-site consumption. The only alcohol sales license within the property is for beer and wine for on-site consumption with food service at the restaurant (Rubio's) located at 2000 Sepulveda Boulevard.

The Manhattan Beach Municipal Code (MBMC) Section 10.16.020(L) requires a use permit or use permit amendment when there is a new alcohol license issued or amended. The proposed amendment to the current resolution would allow the sale of beer and wine for off-site consumption based on the following conditions: the sales area dedicated to alcoholic beverages would be limited to a maximum of 10% of the total floor area and permanent sign modifications or additions advertising the sale of alcohol would not be permitted. Additions to the Draft Resolution (Exhibit C) include conditions 37-39 on page 5. All other conditions of the previous resolution will generally remain the same. The Master Use Permit findings have been expanded in the Draft Resolution.

The City's Traffic Engineer reviewed the proposal and concluded that there will not be a negative impact on parking demand as a result of the addition of sales of beer and wine. Similarly, the Manhattan Beach Police and Fire Departments, as well as Public Works and Building and Safety had no comments or concerns regarding the proposed amendment. Furthermore, the applicant submitted a petition signed by 407 customers/residents who support the subject Use Permit Amendment (Exhibit D).

Master Use Permit Findings

Section 10.84.060 of the Manhattan Beach Zoning Code provides the findings that are necessary to approve a Use Permit. Staff believes all findings can be met as follows:

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 building is located within the CG district. The existing uses and proposed sales of alcoholic beverages are consistent with Section 10.16.010 of the Manhattan Beach Zoning Code which states that the district is intended to provide opportunities for a full range of retail and service businesses as well as professional office uses. The proposed sale of alcoholic beverages is consistent with the purpose of this section.

- 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 existing uses and proposed sales of alcoholic beverages pose 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.

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:

Goal LU-6.1: Support and encourage small businesses throughout the City.

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-6.3: Recognize the need for a variety of commercial development types and designate areas appropriate for each. Encourage development proposals that meet the intent of these designations.

- 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 existing uses and proposed sales of alcoholic beverages will comply with the conditions required for the district in which it is located. This application follows MBMC Ssection 10.16.020(L) which requires a use permit or use permit amendment when there is a new alcohol license issued or amended.

- 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 sale of alcoholic beverages for off-site consumption would not adversely impact nearby resident or commercial properties as they are related to traffic, parking, noise, vibration, odors, personal safety, aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated. The proposed change will not affect the required on-site parking and will not create an additional demand for public services and facilities which cannot be mitigated.

Other Findings

The California Department of Alcoholic Beverage Control (ABC) requires the City of Manhattan Beach to find that the incidental sales of alcoholic beverages at the subject property is a public convenience and necessity. Staff supports the proposed use in that it will provide a convenient community service. The applicant has demonstrated a public necessity through a signed petition by residents and customers in support of the use permit amendment.

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. Staff did not receive any comments at the writing of this report.

ENVIRONMENTAL DETERMINATION

This application is Categorical Exempt, in accordance with Class 1, Section 15301, of the California Environmental Quality Act (CEQA) Guidelines, as the subject amendment is determined to be categorically exempt from environmental review in that it is a minor change in the operation of the business and thus a negligible change of use in the existing site. The sales of beer and wine are an ancillary use to the existing produce store.

CONCLUSION

Staff recommends that the Planning Commission conduct the public hearing, consider the information presented, and approve the subject Master Use Permit Amendment.

Attachments:

- Exhibit A – Previous Resolutions
- Exhibit B – Vicinity Map
- Exhibit C – Draft Resolution
- Exhibit D – Petition
- Exhibit E – Application Materials

RESOLUTION NO. PC 05-06

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A MASTER USE PERMIT AMENDMENT TO ALLOW AN INTERIOR/ EXTERIOR REMODEL AND REDESIGN OF AN EXISTING OUTDOOR DINING AREA FOR THE EXISTING BAKERY/RESTAURANT LOCATED AT 1808 SEPULVEDA BOULEVARD (Manhattan Beach Bagel Company)

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 considered an application for a master use permit amendment to allow an interior/exterior remodel and redesign of an existing outdoor dining area for the existing bakery/restaurant at the subject site, on the property legally described as Portion of Lot 6, Section 19, Partition of Property formerly of The Redondo Land Co. located at 1808 Sepulveda Boulevard in the City of Manhattan Beach.
- B. The applicant/ tenant for the subject project is Michael Keegan.
- C. The Planning Commission of the City of Manhattan Beach conducted a public hearing regarding the proposed Master Use Permit Amendment at its regular meeting of April 13, 2005. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- D. The Planning Commission had previously approved a Master Use Permit, Sign Program Amendment and Parking Reduction at its regular meeting of May 10, 2000 (PC 00-12). Subsequently the Planning Commission previously approved a Master Use Permit Amendment to allow a drive-up teller use for the existing bank facility on May 8, 2002 (PC 02-15) which is currently the governing Resolution for the entire commercial site.
- E. Pursuant to the California Environmental Quality Act (CEQA), and the Manhattan Beach CEQA Guidelines, the subject project has been determined to be exempt (Class 32) as infill development within an existing urbanized area per Section 15332 of CEQA.
- 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 property is located within Area District I and is zoned CG Commercial General. The surrounding private land uses consist of general commercial to the north, west, and south; and single-family residential to the east.
- H. The General Plan designation for the property is General Commercial.
- I. Based upon State law, and MBMC Section 10.84.060, relating to the Use Permit application for the commercial center, the following findings are hereby made:
 - a) The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. The deletion of two parking spaces and the proposed increase in outdoor dining area and building area would meet the required parking and would be in compliance with the Planning Commissions parking reduction approved in May 2000. The proposed business changes would still be based on the site's sharing of parking by multiple commercial tenants, and utilization study of low parking demand.
 - b) The proposed upgrade of the bakery/restaurant use and the proposed conditions under which it would be operated or maintained would be consistent with the General Plan, specifically, with Goal 5, Policy 5.1, which encourages high quality, appropriate private investment in areas of the City and recognizes the need for a variety of commercial development types. This project would not be

EXHIBIT A

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detrimental to the public health, safety or welfare or persons residing or working on the proposed project site or in the adjacent neighborhood of such use: and would not be detrimental to properties or improvements in the vicinity or to the general welfare of the City.

- c) The project would comply with specific conditions required for the proposed use in the district in which it would be located. The proposed interior/exterior remodel is in concert with the overall façade remodel of Building "A" as part of the property owners overall remodel of the entire shopping center. The proposed change is reflective of the upgrade of the commercial center in order to improve the look and create a more attractive business.
 - d) The proposed use would not adversely impact nearby resident or commercial properties as they related to traffic, parking, noise, vibration, odors, personal safety, aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated. The proposed work would not have an impact to the existing residential neighborhood to the east and adjoining commercial properties as all the building improvements would be contained at the front of the building. The proposed project improvements would provide the required on-site parking and not create an additional demand for public services and facilities which cannot be mitigated.
- J. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- K. This Resolution, upon its effectiveness, incorporates previous approvals and constitutes the Master Use Permit and Sign Program for the subject property.

Section 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject master use permit amendment application subject to the following conditions:

Site Wide Conditions

- 1. This Resolution includes all pertinent conditions of approval as specified in preceding Use Permits for the Manhattan Center and shall supersede previous Use Permit approvals (PC 02-15, PC 01-02, PC 00-12, PC 94-19, PC 93-6, PC 93-5 and PC 93-4).
- 2. The project shall be operated in substantial compliance with the submitted plans as approved by the Planning Commission on May 10, 2000 (Master Use Permit and Sign Program and April 13, 2005 (Master Use Permit Amendment). Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
- 3. The subject site shall be limited to 6,801 square feet of total restaurant space, 14,772 square feet of total retail space, 826 square feet of total personal improvement service space, 1,244 square feet of total food & beverage space, 2,310 square feet of total Dance/Music studio space, 3,204 square feet of total office space and 7,400 square feet of banking use. The subject site received approval for a series of mixed uses with a parking requirement of 176 parking spaces. Future applications to establish new uses within the multiple tenant project shall not require an amendment of the Master Use Permit provided that the new uses are permitted uses in the zoning district, do not exceed the parking requirement approved for this site and conforms to the conditions imposed on the project, subject to approval by the Director of Community Development.
- 4. A Traffic Management Plan shall be submitted in conjunction with any 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.

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5. Covered trash enclosure(s), with adequate capacity shall be maintained on the site subject to the timing, specifications and approval of the Public Works Department, Community Development Department, and City's waste contractor. A trash and recycling plan shall be maintained as required by the Public Works Department.
6. The site shall maintain reciprocal vehicle access with the adjacent northerly property for any future City approved project upon which a similar reciprocal access condition is imposed. The parking lot configuration shown on the subject plans shall be modified (at the expense of the subject property owner) at the time of implementation of the reciprocal access condition of the project.
7. Parking shall be provided in conformance with the current Manhattan Beach Municipal Code, except that the automobile parking requirement may be reduced to 176 parking spaces based on site uses and submitted parking demand analysis (Linscott Law & Greenspan Engineers dated 2/15/00). Parking spaces shall not be labeled or otherwise restricted for use by any individual tenant of the project. Future parking lot modifications for the purposes of providing reciprocal access to the neighboring commercial property, and any parking requirement modifications that are necessary, shall be subject to approval of the Planning Commission in association with its review of the neighboring project.
8. Prior to the issuance of a building permit for the subject amendment, the approved parking lot re-stripping shall be completed and field inspected by staff.
9. Employees shall be prohibited from parking on the surrounding public streets. As a minimum, the owner of the site shall include prohibitions against employee parking on local streets in any future lease and/or rental agreements excluding renewals.
10. Noise emanating from the site shall be in compliance with the Municipal Noise Ordinance.
11. Any outside sound or amplification system or equipment is prohibited.
12. Operations shall comply with all South Coast Air Quality Management District Regulations and shall not transmit excessive emissions or odors across property lines.
13. Operations shall remain in compliance with all Fire and Building occupancy requirements at all times. The project shall conform to all disabled access requirements subject to the approval of the Building Official.
14. The management of the property shall police the property and all areas immediately adjacent to the businesses during the hours of operation to keep it free of litter.
15. The operators of the facility shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject businesses.
16. No wastewater shall be permitted to be discharged from the premises. Wastewater shall be discharged into the sanitary sewer system.
17. Any future site landscaping plans shall utilize drought tolerant native plants and shall be submitted for review and approval. All plants shall be identified on the plan by the Latin and common names. The current edition of the Sunset Western Garden Book contains a list and description of drought tolerant plants suitable for this area. A low pressure 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 landscaping plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments.

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18. The property owner shall maintain an irrigation system within existing landscaped areas on the entire site, and shall maintain landscaping in the parkway in the Cedar Avenue public right-of-way adjacent to the project site. The Cedar Avenue improvement shall include an irrigation system, and plans shall be submitted for review and approval by the Departments of Community Development and Public Works and Public Services Department.
19. Landscaping along the perimeter of the site shall be maintained such that there shall be no sight obstructions at driveway entrances.
20. The property owner shall maintain all security lighting facing the residential neighborhood(s) so that there shall be no glare to homes or vehicular traffic. Security lighting for the site shall be provided in conformance with Municipal Code requirements including glare prevention design.
21. All curb, ramps, parking, walkways, etc. shall meet Title 24 of Disabled Access standards.
22. Fire Department will require that the access areas between Building A and B and Building A and D be painted as a "Fire Lane- No Parking". These access areas shall be maintained for Fire Department access at all times.

Banking Facility (Building D)

23. Security measures, including but not limited to cameras and lighting, shall be included in the design of the subject project subject to approval by the City of Manhattan Beach Police Department.
24. The hours of operation shall be limited from 5:00 a.m. – 10:00 p.m. for the subject building. The drive-up teller shall be limited to the typical banking hours of 9:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 1:00 p.m. on Saturdays. The ATM machines may be permitted to operate 24 hours.
25. The existing bakery/restaurant building contains 3,655 square feet of area. With the subject proposal of adding 70 square feet of new building storefront area and 38 square feet of additional outdoor dining area, the total gross floor area for calculating the parking requirement will consist of 3,975 square feet.

Restaurant Use (Manhattan Bread Company)-1808-1812 Sepulveda Boulevard

26. A-frame or sidewalk signs and painted window signs shall be prohibited.
27. The applicant shall place a business identification sign at the rear entrance (Manhattan Bread Company). The sign shall include copy to encourage entrance at the rear as well as the front. This sign shall not exceed an area of 9 square feet.
28. The proposed business shall be developed in substantial compliance with the plans as approved by the Planning Commission on April 13, 2005.
29. The hours of operation for the restaurant shall be 5:00 a.m. to 1:00 a.m. seven days a week.
30. There shall be no alcohol served at the restaurant.
31. Live entertainment shall be strictly prohibited in the business.

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32. If deemed necessary by the Public Works Department or the Building Official, the applicant shall install a grease trap in the new tenant space.
33. Access requirement in front of the existing tables and chairs (for both the Manhattan Bagel Co. and Bread Co.) must be a minimum of 4' clear.

Restaurant (Rubio's) – 2000 Sepulveda Boulevard

34. The landscaped planter area adjacent to Rubio's Sepulveda Boulevard frontage shall be retained.
35. A maximum of four video games shall be permitted.
36. The sale of beer and wine shall be solely in conjunction with the serving of food in a bona fide restaurant.

Site-Wide Sign Program

37. Buildings A, B and C (1812-2010 Sepulveda Boulevard) shall be limited to a maximum of 860 square feet, which includes a maximum of 9 square feet of business identification for each tenant at the rear of Building A. Rear directional signs shall be limited to 8 square feet in area per tenant. Proposed building signs (on the south and east side of Building D-1800 Sepulveda Boulevard) identified on the approved sign plans (dated, 4/21/00) shall be incorporated into this sign program approval. No signs shall be permitted on the westerly façade of the building. The existing pole sign in front of Building D may be retained as approved by Planning Commission on May 8, 2002. No alterations shall be allowed which increase the sign's square footage or height. In lieu of the pole sign for building D, a monument sign may be installed at the front of the building so long as the dimensions of the sign do not exceed 6 feet in height and 8 feet in length. All new signs and sign changes shall be in compliance with the City's Sign Code. A sign program identifying allocation and restrictions of signs shall be submitted to and approved by the Community Development Department prior to the subject permit issuance or occupancy. The sign program shall include a prohibition of future internally illuminated awnings. All rear facing signs for all buildings shall be non-illuminated.

Procedural Requirements

38. All provisions of the Master Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
39. 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
40. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 11.4(c), the project is not operative, vested or final until the required filing fees are paid.
41. The 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, 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 Quality Act. In the event such a legal action is filed against the City, 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.

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42. 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.

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 **April 13, 2005** and that said Resolution was adopted by the following vote:

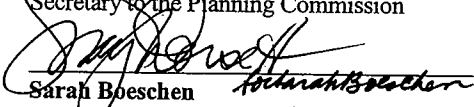
AYES: Savikas, Kuch, Chairman O'Connor

NOES:

ABSTAIN:

ABSENT: Simon


RICHARD THOMPSON
Secretary to the Planning Commission


Sarah Boeschen
Recording Secretary

RESOLUTION NO. PC 02-15

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A MASTER USE PERMIT AMENDMENT TO ALLOW A NEW DRIVE-UP TELLER USE FOR A NEW BANKING FACILITY AT 1800 SEPULVEDA BOULEVARD (First Coastal Bank.)

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 considered an application for a master use permit amendment to allow a new drive-up teller for a new banking facility to replace an approved private fitness use at the subject site, on the property legally described as Portion of Lot 6, Section 19, Partition of Property formerly of The Redondo Land Co. located at 1800-2010 Sepulveda Boulevard in the City of Manhattan Beach.
- B. The applicant/ tenant for the subject project is First Coastal Bank.
- C. The Planning Commission of the City of Manhattan Beach conducted a public hearing regarding the proposed Master Use Permit Amendment at its regular meeting of May 8, 2002. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- D. The Planning Commission had previously approved a Master Use Permit, Sign Program Amendment and Parking Reduction at its regular meeting of May 10, 2000 (PC 00-12). Subsequently the Planning Commission previously approved a new fitness center at its regular meeting of January 10, 2001 (PC 01-02) which expires on 1/10/03.
- E. Pursuant to the California Environmental Quality Act (CEQA), and the Manhattan Beach CEQA Guidelines, the subject project has been determined to be exempt (Class 32) as infill development within an existing urbanized area per Section 15332 of CEQA.
- 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 property is located within Area District I and is zoned CG Commercial General. The surrounding private land uses consist of general commercial to the north, west, and south; and single-family residential to the east.
- H. The General Plan designation for the property is General Commercial.
- I. Based upon State law, and MBMC Section 10.84.060, relating to the Use Permit application for the commercial center, the following findings are hereby made:
 - a) The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. A reduction of thirty-two commercial parking spaces is approved based on the site's sharing of parking by multiple commercial tenants, and utilization study of low parking demand.
 - b) The location of proposed mixed uses and the proposed conditions under which it would be operated or maintained would be consistent with the General Plan, specifically, with Goal 5, Policy 5.1, which encourages high quality, appropriate private investment in areas of the City and recognizes the need for a variety of commercial development types. This project would not be detrimental to the public health, safety or welfare or persons residing or working on the proposed project site or in the adjacent neighborhood of such use: and would not be detrimental to properties or improvements in the vicinity or to the general welfare of the City. No building enlargements are proposed as part of this application.

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- c) The project would comply with specific conditions required for the proposed use in the district in which it would be located.
 - d) The proposed use would not adversely impact nearby resident or commercial properties as they related to traffic, parking, noise, vibration, odors, personal safety, aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.
- J. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- K. The project will not create adverse impacts on, nor be adversely impacted by, the surrounding area, or create demands exceeding the capacity of public services and facilities
- L. This Resolution, upon its effectiveness, constitutes the Master Use Permit and Sign Program for the subject property.

Section 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject master use permit amendment application subject to the following conditions:

Site Wide Conditions

1. This Resolution includes all pertinent conditions of approval as specified in preceding Use Permits for the Manhattan Center and shall supersede previous Use Permit approvals (PC 01-02, PC 00-12, PC 94-19, PC 93-6, PC 93-5, PC 93-4, BZA 82-4, BZA 71-40).
2. The project shall be operated in substantial compliance with the submitted plans as approved by the Planning Commission on May 10, 2000 (Master Use Permit and Sign Program and May 8, 2002 (Master Use Permit Amendment). Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
3. The subject site shall be limited to 6,496 square feet of total restaurant space, 8,500 square feet of total retail space, 7,247 square feet of total personal service space, 1,244 square feet of total food & beverage space, 2,310 square feet of total personal improvement space, 3,204 square feet of total office space and 7,400 square feet of banking use. The subject site received approval for a series of mixed uses with a parking requirement of 176 parking spaces. Future applications to establish new uses within the multiple tenant project shall not require an amendment of the Master Use Permit provided that the new uses are permitted uses in the zoning district, do not exceed the parking requirement approved for this site and conforms to the conditions imposed on the project, subject to approval by the Director of Community Development.
4. A Traffic Management Plan shall be submitted in conjunction with any 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.
5. Covered trash enclosure(s), with adequate capacity shall be maintained on the site subject to the timing, specifications and approval of the Public Works Department, Community Development Department, and City's waste contractor. A trash and recycling plan shall be maintained as required by the Public Works Department.
6. The site shall maintain reciprocal vehicle access with the adjacent northerly property for any future City approved project upon which a similar reciprocal access condition is imposed. The parking lot configuration shown on the subject plans shall be modified (at the expense of the subject property owner) at the time of implementation of the reciprocal access

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condition of the project.

7. Parking shall be provided in conformance with the current Manhattan Beach Municipal Code, except that the automobile parking requirement may be reduced to 176 parking spaces based on site uses and submitted parking demand analysis (Linscott Law & Greenspan Engineers dated 2/15/00). Parking spaces shall not be labeled or otherwise restricted for use by any individual tenant of the project. Future parking lot modifications for the purposes of providing reciprocal access to the neighboring commercial property, and any parking requirement modifications that are necessary, shall be subject to approval of the Planning Commission in association with its review of the neighboring project.
8. Employees shall be prohibited from parking on the surrounding public streets. As a minimum, the owner of the site shall include prohibitions against employee parking on local streets in any future lease and/or rental agreements excluding renewals.
9. Noise emanating from the site shall be in compliance with the Municipal Noise Ordinance.
10. Any outside sound or amplification system or equipment is prohibited.
11. Operations shall comply with all South Coast Air Quality Management District Regulations and shall not transmit excessive emissions or odors across property lines.
12. Operations shall remain in compliance with all Fire and Building occupancy requirements at all times. The project shall conform to all disabled access requirements subject to the approval of the Building Official.
13. The management of the property shall police the property and all areas immediately adjacent to the businesses during the hours of operation to keep it free of litter.
14. The operators of the facility shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject businesses.
15. No wastewater shall be permitted to be discharged from the premises. Wastewater shall be discharged into the sanitary sewer system.
16. Any future site landscaping plans shall utilize drought tolerant native plants and shall be submitted for review and approval. All plants shall be identified on the plan by the Latin and common names. The current edition of the Sunset Western Garden Book contains a list and description of drought tolerant plants suitable for this area. A low pressure 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 landscaping plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments.
17. The property owner shall maintain an irrigation system within existing landscaped areas on the entire site, and shall maintain landscaping in the parkway in the Cedar Avenue public right-of-way adjacent to the project site. The Cedar Avenue improvement shall include an irrigation system, and plans shall be submitted for review and approval by the Departments of Community Development and Public Works and Public Services Department.
18. Landscaping along the perimeter of the site shall be maintained such that there shall be no sight obstructions at driveway entrances.
19. The property owner shall maintain all security lighting facing the residential neighborhood(s) so that there shall be no glare to homes or vehicular traffic. Security lighting for the site shall be provided in conformance with Municipal Code requirements

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including glare prevention design.

20. All curb, ramps, parking, walkways, etc. shall meet Title 24 of Disabled Access standards.
21. Fire Department will require that the access areas between Building A and B and Building A and D be painted as a "Fire Lane- No Parking". These access areas shall be maintained for Fire Department access at all times.

Banking Facility (Building D)

22. Security measures, including but not limited to cameras and lighting, shall be included in the design of the subject project subject to approval by the City of Manhattan Beach Police Department.
23. The hours of operation shall be limited from 5:00 a.m. – 10:00 p.m. for the subject building. The drive-up teller shall be limited to the typical banking hours of 9:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 1:00p.m. on Saturdays. The ATM machines may be permitted to operate 24 hours.

Restaurant Uses (Manhattan Bread Company)-1808-1812 Sepulveda Boulevard

26. A-frame or sidewalk signs and painted window signs shall be prohibited.
27. The applicant shall place a business identification sign at the rear entrance (Manhattan Bread Company). The sign shall include copy to encourage entrance at the rear as well as the front. This sign shall not exceed an area of 9 square feet.
28. The proposed business shall be developed in substantial compliance with the plans as approved by the Planning Commission on June 22, 1994.
29. The hours of operation for the restaurant shall be 5:00 a.m. to 1:00 a.m. seven days a week.
30. There shall be no alcohol served at the restaurant.
31. Live entertainment shall be strictly prohibited in the business.
32. If deemed necessary by the Public Works Department or the Building Official, the applicant shall install a grease trap in the new tenant space.
33. Access requirement in front of the existing tables and chairs (for both the Manhattan Bagel Co. and Bread Co.) must be a minimum of 4' clear.

Restaurant (Rubio's)

34. The landscaped planter area adjacent to Rubio's Sepulveda Boulevard frontage shall be retained.
35. A maximum of four video games shall be permitted.
36. The sale of beer and wine shall be solely in conjunction with the serving of food in a bona fide restaurant.

RESOLUTION NO. PC 02-15

Site-Wide Sign Program

37. Buildings A, B and C (1812-2010 Sepulveda Boulevard) shall be limited to a maximum of 860 square feet, which includes a maximum of 9 square feet of business identification for each tenant at the rear of Building A. Rear directional signs shall be limited to 8 square feet in area per tenant. Proposed building signs (on the south and east side of Building D-1800 Sepulveda Boulevard) identified on the approved sign plans (dated, 4/21/00) shall be incorporated into this sign program approval. No signs shall be permitted on the westerly façade of the building. The existing pole sign in front of Building D may be retained as approved by Planning Commission on May 8, 2002. No alterations shall be allowed which increase the sign's square footage or height. In lieu of the pole sign for building D, a monument sign may be installed at the front of the building so long as the dimensions of the sign do not exceed 6 feet in height and 8 feet in length. All new signs and sign changes shall be in compliance with the City's Sign Code. A sign program identifying allocation and restrictions of signs shall be submitted to and approved by the Community Development Department prior to the subject permit issuance or occupancy. The sign program shall include a prohibition of future internally illuminated awnings. All rear facing signs for all buildings shall be non-illuminated.

Procedural Requirements

38. With the consolidation of the two contiguous commercial sites, the applicant shall record a "Certificate of Compliance" for merger of parcels with the Los Angeles County Recorder's Office prior to the issuance of any building permits. Permits may be issued prior to the completion of a "Certificate of Compliance" if the City receives a \$5,000 deposit to ensure completion. The deposit will be returned upon satisfaction of the requirement.
39. All provisions of the Master Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
40. 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
41. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 11.4(c), the project is not operative, vested or final until the required filing fees are paid.
42. The 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, 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 Quality Act. In the event such a legal action is filed against the City, 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.
43. 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.

RESOLUTION NO. PC 02-15

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 **May 8, 2002** and that said Resolution was adopted by the following vote:

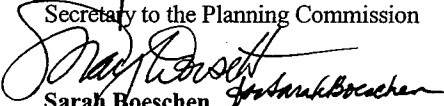
AYES: Chairman Ward, Kirkpatrick,
Simon, Milam, Kuch

NOES:

ABSTAIN:

ABSENT:


RICHARD THOMPSON
Secretary to the Planning Commission


Sarah Boeschen
Recording Secretary

RESOLUTION NO. PC 01-02

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A MASTER USE PERMIT AMENDMENT TO ALLOW A PERSONAL HEALTH/FITNESS CENTER USE AT 1800 SEPULVEDA BOULEVARD (Axis Personal Trainers, Inc.)

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 considered an application for a master use permit amendment to allow a private fitness club to replace an approved retail/office use at the subject site, on the property legally described as Portion of Lot 6, Section 19, Partition of Property formerly of The Redondo Land Co. located at 1800-2010 Sepulveda Boulevard in the City of Manhattan Beach.
- B. The applicant/ tenant for the subject project is Axis Personal Trainers, Inc..
- C. The Planning Commission of the City of Manhattan Beach conducted a public hearing regarding the proposed Master Use Permit Amendment at their regular meeting of January 10, 2001. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- D. The Planning Commission had previously approved a Master Use Permit, Sign Program Amendment and Parking Reduction at their regular meeting of May 10, 2000.
- E. Pursuant to the California Environmental Quality Act (CEQA), and the Manhattan Beach CEQA Guidelines, the subject project has been determined to be exempt (Class 32) as infill development within an existing urbanized area per Section 15332 of CEQA.
- 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 property is located within Area District I and is zoned CG Commercial General. The surrounding private land uses consist of general commercial and single-family residential.
- H. The General Plan designation for the property is General Commercial.
- I. Based upon State law, and MBMC Section 10.84.060, relating to the Use Permit application for the commercial center, the following findings are hereby made:
 - a) The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. A reduction of thirty-two commercial parking spaces is approved based on the site's sharing of parking by multiple commercial tenants, and utilization study of low parking demand.
 - b) The location of proposed mixed uses and the proposed conditions under which it would be operated or maintained would be consistent with the General Plan, specifically, with Goal 5, Policy 5.1, which encourages high quality, appropriate private investment in areas of the City and recognizes the need for a variety of commercial development types. This project would not be detrimental to the public health, safety or welfare or persons residing or working on the proposed project site or in the adjacent neighborhood of such use: and would not be detrimental to properties or improvements in the vicinity or to the general welfare of the City. No building enlargements are proposed as part of this application.
 - c) The project would comply with specific conditions required for the proposed use in the district in which it would be located.
 - d) The proposed use would not adversely impact nearby resident or commercial properties as they related to traffic, parking, noise, vibration, odors, personal

RESOLUTION NO. PC 01-02

safety, aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.

- J. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- K. The project will not create adverse impacts on, nor be adversely impacted by, the surrounding area, or create demands exceeding the capacity of public services and facilities
- L. This Resolution, upon its effectiveness, constitutes the Master Use Permit and Sign Program for the subject property.

Section 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject master use permit amendment application subject to the following conditions:

Site Wide Conditions

1. This Resolution includes all pertinent conditions of approval as specified in preceding Use Permits for the Manhattan Center and shall supersede previous Use Permit approvals (Resolution No. PC 00-12).
2. The project shall be operated in substantial compliance with the submitted plans as approved by the Planning Commission on May 10, 2000 (Master Use Permit and Sign Program and January 10, 2001 (Master Use Permit Amendment). Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
3. The subject site shall be limited to 6,496 square feet of total restaurant space, 18,500 square feet of total retail space, 7,247 square feet of total personal service space, 1,244 square feet of total food & beverage space, 2,310 square feet of total personal improvement space, 3,204 square feet of total office space and 7,400 square feet of private fitness center. The restaurant uses shall conform to previous applicable permits and plans approved by the Planning Commission and Board of Zoning Adjustment. The subject site received approval for a series of mixed uses with a parking requirement of 176 parking spaces. Future applications to establish new uses within the multiple tenant project shall not require an amendment of the Master Use Permit provided that the new uses conforms to the approved mix of uses, does not exceed the parking requirement approved for this site and conforms to the conditions imposed on the project.
4. A Traffic Management Plan shall be submitted in conjunction with any 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.
5. Covered trash enclosure(s), with adequate capacity shall be provided on the site subject to the timing, specifications and approval of the Public Works Department, Community Development Department, and City's waste contractor. A trash and recycling plan shall be provided as required by the Public Works Department.
6. The site shall allow reciprocal vehicle access with the adjacent northerly property for any future City approved project upon which a similar reciprocal access condition is imposed. The parking lot configuration shown on the subject plans shall be modified (at the expense of the subject property owner) at the time of implementation of the reciprocal access condition of the project.

RESOLUTION NO. PC 01-02

7. Parking shall be provided in conformance with the current Manhattan Beach Municipal Code, except that the automobile parking requirement may be reduced to 176 parking spaces based on site uses and submitted parking demand analysis (Linscott Law & Greenspan Engineers dated 2/15/00). Parking spaces shall not be labeled or otherwise restricted for use by any individual tenant of the project. Future parking lot modifications for the purposes of providing reciprocal access to the neighboring commercial property, and any parking requirement modifications that are necessary, shall be subject to approval of the Planning Commission in association with its review of the neighboring project.
8. Employees shall be prohibited from parking on the surrounding public streets. As a minimum, the owner of the site shall include prohibitions against employee parking on local streets in any future lease and/or rental agreements excluding renewals.
9. Noise emanating from the site shall be in compliance with the Municipal Noise Ordinance.
10. Any outside sound or amplification system or equipment is prohibited.
11. Operations shall comply with all South Coast Air Quality Management District Regulations and shall not transmit excessive emissions or odors across property lines.
12. Operations shall remain in compliance with all Fire and Building occupancy requirements at all times. The project shall conform to all disabled access requirements subject to the approval of the Building Official.
13. The management of the property shall police the property and all areas immediately adjacent to the businesses during the hours of operation to keep it free of litter.
14. The operators of the facility shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject businesses.
15. No wastewater shall be permitted to be discharged from the premises. Wastewater shall be discharged into the sanitary sewer system.
16. Any future site landscaping plans shall utilize drought tolerant native plants and shall be submitted for review and approval. All plants shall be identified on the plan by the Latin and common names. The current edition of the Sunset Western Garden Book contains a list and description of drought tolerant plants suitable for this area. A low pressure 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 landscaping plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments.
17. The property owner shall maintain an irrigation system within existing landscaped areas on the entire site, and shall maintain landscaping in the parkway in the Cedar Avenue public right-of-way adjacent to the project site. The Cedar Avenue improvement shall include an irrigation system, and plans shall be submitted for review and approval by the Departments of Community Development and Public Works and Public Services Department.
18. Landscaping along the perimeter of the site shall be maintained such that there shall be no sight obstructions at driveway entrances.
19. The property owner shall maintain all security lighting facing the residential neighborhood(s) so that there shall be no glare to homes or vehicular traffic.

RESOLUTION NO. PC 01-02

20. Security lighting for the site shall be provided in conformance with Municipal Code requirements including glare prevention design.
21. All curb, ramps, parking, walkways, etc. shall meet Title 24 of Disabled Access standards.
22. Fire Department will require that the access areas between Building A and B and Building A and D be painted as a "Fire Lane- No Parking". These access areas shall be maintained for Fire Department access at all times.

Private Fitness Center

23. As required by the City's Massage/Bodyworks Ordinance 1946, each person employed as a massage/bodywork practitioner including every person conducting, owning, or operating a massage/bodywork business, shall be required to obtain a bodyworks permit through the Community Development Department.
24. The subject operation shall be limited to one-on-one personal training, massage and skin care and ancillary retail sales. A single group class for no more than six clients is permitted at any one time.
25. The hours of operation shall be limited from 5:00 a.m. - 10:00 p.m.

Restaurant Uses (Manhattan Bread Company)-1808-1812 Sepulveda Boulevard

26. A-frame or sidewalk signs and painted window signs shall be prohibited.
27. The applicant shall place a business identification sign at the rear entrance (Manhattan Bread Company). The sign shall include copy to encourage entrance at the rear as well as the front. This sign shall not exceed an area of 9 square feet.
28. The proposed business shall be developed in substantial compliance with the plans as approved by the Planning Commission on June 22, 1994.
29. The hours of operation for the restaurant shall be 5:00 a.m. to 1:00 a.m. seven days a week.
30. There shall be no alcohol served at the restaurant.
31. Live entertainment shall be strictly prohibited in the business.
32. If deemed necessary by the Public Works Department or the Building Official, the applicant shall install a grease trap in the new tenant space.
33. Access requirement in front of the existing tables and chairs (for both the Manhattan Bagel Co. and Bread Co.) must be a minimum of 4' clear.

Restaurant (Rubio's)

34. The landscaped planter area adjacent to Rubio's Sepulveda Boulevard frontage shall be retained.
35. A maximum of four video games shall be permitted.

RESOLUTION NO. PC 01-02

Site-Wide Sign Program

36. Buildings A, B and C (1812-2010 Sepulveda Boulevard) shall be limited to a maximum of 860 square feet, which includes a maximum of 9 square feet of business identification for each tenant at the rear of Building A. Rear directional signs shall be limited to 8 square feet in area per tenant. Proposed building signs (on the south and east side of Building D-1800 Sepulveda Boulevard) identified on the approved sign plans (dated, 4/21/00) shall be incorporated into this sign program approval. No signs shall be permitted on the westerly façade of the building. The existing pole sign in front of Building D shall be retained and shall not be permitted to increase the existing sign square footage. All new signs and sign changes shall be in compliance with the City's Sign Code. A sign program identifying allocation and restrictions of signs shall be submitted to and approved by the Community Development Department prior to the subject permit issuance or occupancy. The sign program shall include a prohibition of future internally illuminated awnings. All rear facing signs for all buildings shall be non-illuminated.

Procedural Requirements

37. With the consolidation of the two contiguous commercial sites, the applicant shall record a "Certificate of Compliance" for merger of parcels with the Los Angeles County Recorder's Office prior to the issuance of any building permits.
38. All provisions of the Master Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
39. 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
40. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 11.4(c), the project is not operative, vested or final until the required filing fees are paid.
41. The 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, 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 Quality Act. In the event such a legal action is filed against the City, 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.
42. 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.

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 01-02


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 **January 10, 2001** and that said Resolution was adopted by the following vote:

AYES: Kirkpatrick, Kuch, Milam, Ward
and Chairman Simon

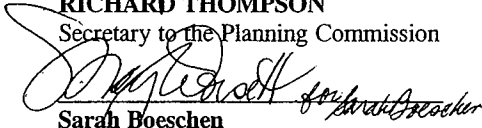
NOES: None

ABSTAIN: None

ABSENT: None



RICHARD THOMPSON
Secretary to the Planning Commission



Sarah Boeschen
Recording Secretary

AxisRes

RESOLUTION NO. PC 00-12

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A MASTER USE PERMIT, SIGN PROGRAM AMENDMENT AND PARKING REDUCTION FOR PROPOSED CONVERSION OF A VACANT BUILDING TO RETAIL/OFFICE USE, AT AN EXISTING SHOPPING CENTER AT 1800-2010 SEPULVEDA BOULEVARD (Leahy Associates, LLC)

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 considered an application for a master use permit, sign program amendment and reduction of parking requirements for conversion of a vacant building to retail/office use on the property legally described as Portion of Lot 6, Section 19, Partition of Property formerly of The Redondo Land Co. located at 1800-2010 Sepulveda Boulevard in the City of Manhattan Beach.
- B. The applicant for the subject project is Nicholas Brown, Leahy Associates, LLC, owner of the property.
- C. The Planning Commission of the City of Manhattan Beach conducted a public hearing regarding the proposed Master Use Permit, Sign Program Amendment and Parking Reduction at their regular meeting of May 10, 2000. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- D. Pursuant to the California Environmental Quality Act (CEQA), and the Manhattan Beach CEQA Guidelines, the subject project has been determined to be exempt (Class 32) as infill development within an existing urbanized area per Section 15332 of CEQA.
- E. 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.
- F. The property is located within Area District I and is zoned CG Commercial General. The surrounding private land uses consist of general commercial and single-family residential.
- G. The General Plan designation for the property is General Commercial.
- H. Based upon State law, and MBMC Section 10.84.060, relating to the Use Permit application for the commercial center, the following findings are hereby made:
 - a) The proposed location of the use is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. A reduction of thirty-two commercial parking spaces is approved based on the site's sharing of parking by multiple commercial tenants, and utilization study of low parking demand.
 - b) The location of proposed mixed uses and the proposed conditions under which it would be operated or maintained would be consistent with the General Plan, specifically, with Goal 5, Policy 5.1, which encourages high quality, appropriate private investment in areas of the City and recognizes the need for a variety of commercial development types. This project would not be detrimental to the public health, safety or welfare or persons residing or working on the proposed project site or in the adjacent neighborhood of such use: and would not be detrimental to properties or improvements in the vicinity or to the general welfare of the City. No building enlargements are proposed as part of this application.
 - c) The project would comply with specific conditions required for the proposed use in the district in which it would be located.

RESOLUTION NO. PC 00-12

- d) The proposed use would not adversely impact nearby resident or commercial properties as they related to traffic, parking, noise, vibration, odors, personal safety, aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.
- I. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- J. The project will not create adverse impacts on, nor be adversely impacted by, the surrounding area, or create demands exceeding the capacity of public services and facilities
- K. This Resolution, upon its effectiveness, constitutes the Master Use Permit and Sign Program for the subject property.

Section 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject master use permit, sign program amendment and parking reduction application subject to the following conditions:

Site Wide Conditions

1. This Resolution includes all pertinent conditions of approval as specified in preceding Use Permits for the Manhattan Center and shall supersede previous Use Permit approvals (Resolutions No. PC 93-4, 93-5 and 94-19).
2. The project shall be operated in substantial compliance with the submitted plans as approved by the Planning Commission on May 10, 2000. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
3. The subject site shall be limited to 6,496 square feet of total restaurant space, 14,250 square feet of total retail space, 7,247 square feet of total personal service space, 1,244 square feet of total food & beverage space, 2,310 square feet of total personal improvement space and 4,854 square feet of total office space. The restaurant uses shall conform to previous applicable permits and plans approved by the Planning Commission and Board of Zoning Adjustment. The subject site received approval for a series of mixed uses with a parking requirement of 176 parking spaces. Application to establish new uses within the multiple tenant project shall not require an amendment of the Master Use Permit provided that the new uses conforms to the approved mix of uses, does not exceed the parking requirement approved for this site and conforms to the conditions imposed on the project.
4. A Traffic Management Plan shall be submitted in conjunction with any 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.
5. Covered trash enclosure(s), with adequate capacity shall be provided on the site subject to the timing, specifications and approval of the Public Works Department, Community Development Department, and City's waste contractor. A trash and recycling plan shall be provided as required by the Public Works Department.
6. The site shall allow reciprocal vehicle access with the adjacent northerly property for any future City approved project upon which a similar reciprocal access condition is imposed. The parking lot configuration shown on the subject plans shall be modified (at the expense of the subject property owner) at the time of implementation of the reciprocal access condition of the project.

RESOLUTION NO. PC 00-12

7. Parking shall be provided in conformance with the current Manhattan Beach Municipal Code, except that the automobile parking requirement may be reduced to 176 parking spaces based on site uses and submitted parking demand analysis (Linscott Law & Greenspan Engineers dated 2/15/00). Parking spaces shall not be labeled or otherwise restricted for use by any individual tenant of the project. Future parking lot modifications for the purposes of providing reciprocal access to the neighboring commercial property, and any parking requirement modifications that are necessary, shall be subject to approval of the Planning Commission in association with its review of the neighboring project.
8. Employees shall be prohibited from parking on the surrounding public streets. As a minimum, the owner of the site shall include prohibitions against employee parking on local streets in any future lease and/or rental agreements excluding renewals.
9. Noise emanating from the site shall be in compliance with the Municipal Noise Ordinance.
10. Any outside sound or amplification system or equipment is prohibited.
11. Operations shall comply with all South Coast Air Quality Management District Regulations and shall not transmit excessive emissions or odors across property lines.
12. Operations shall remain in compliance with all Fire and Building occupancy requirements at all times. The project shall conform to all disabled access requirements subject to the approval of the Building Official.
13. The management of the property shall police the property and all areas immediately adjacent to the businesses during the hours of operation to keep it free of litter.
14. The operators of the facility shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject businesses.
15. No wastewater shall be permitted to be discharged from the premises. Wastewater shall be discharged into the sanitary sewer system.
16. Any future site landscaping plans shall utilize drought tolerant native plants and shall be submitted for review and approval. All plants shall be identified on the plan by the Latin and common names. The current edition of the Sunset Western Garden Book contains a list and description of drought tolerant plants suitable for this area. A low pressure 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 landscaping plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments.
17. The property owner shall install and/or maintain an irrigation system within existing landscaped areas on the entire site, and shall landscape the parkway in the Cedar Avenue public right-of-way adjacent to the project site. The Cedar Avenue improvement shall include an irrigation system, and plans shall be submitted for review and approval by the Departments of Community Development and Public Works and Public Services Department.
18. Landscaping along the perimeter of the site shall be maintained such that there shall be no sight obstructions at driveway entrances.
19. The property owner shall maintain all security lighting facing the residential neighborhood(s) so that there shall be no glare to homes or vehicular traffic.
20. Security lighting for the site shall be provided in conformance with Municipal Code requirements including glare prevention design.

RESOLUTION NO. PC 00-12

21. All curb, ramps, parking, walkways, etc. shall meet Title 24 of Disabled Access standards.
22. Fire Department will require that the access areas between Building A and B and Building A and D be painted as a "Fire Lane- No Parking". These access areas shall be maintained for Fire Department access at all times.

Restaurant Uses (Manhattan Bread Company)-1808-1812 Sepulveda Boulevard

23. A-frame or sidewalk signs and painted window signs shall be prohibited.
24. The applicant shall place a business identification sign at the rear entrance (Manhattan Bread Company). The sign shall include copy to encourage entrance at the rear as well as the front. This sign shall not exceed an area of 9 square feet.
25. The proposed business shall be developed in substantial compliance with the plans as approved by the Planning Commission on June 22, 1994.
26. The hours of operation for the restaurant shall be 5:00 a.m. to 1:00 a.m. seven days a week.
27. There shall be no alcohol served at the restaurant.
28. Live entertainment shall be strictly prohibited in the business.
29. If deemed necessary by the Public Works Department or the Building Official, the applicant shall install a grease trap in the new tenant space.
30. Access requirement in front of the existing tables and chairs (for both the Manhattan Bagel Co. and Bread Co.) must be a minimum of 4' clear.

Restaurant (Rubio's)

31. The landscaped planter area adjacent to Rubio's Sepulveda Boulevard frontage shall be retained.
32. A maximum of four video games shall be permitted.

Sign Program

33. Buildings A, B and C (1812-2010 Sepulveda Boulevard) shall be limited to a maximum of 860 square feet, which includes a maximum of 9 square feet of business identification for each tenant at the rear of Building A. Rear directional signs shall be limited to 8 square feet in area per tenant. Proposed building signs (on the south and east side of Building D-1800 Sepulveda Boulevard) identified on the approved sign plans (dated, 4/21/00) shall be incorporated into this sign program approval. No signs shall be permitted on the westerly façade of the building. The existing pole sign in front of Building D shall be retained and shall not be permitted to increase the existing sign square footage.
34. All new signs and sign changes shall be in compliance with the City's Sign Code. If the existing pole sign remains in place, any other freestanding pole signs on the site shall be removed prior to issuance of any permits or occupancy for the subject space. A sign program identifying allocation and restrictions of signs shall be submitted to and approved by the Community Development Department prior to the subject permit issuance or occupancy. The sign program shall include a prohibition of future internally illuminated awnings.

RESOLUTION NO. PC 00-12

35. All rear facing signs for all buildings shall be non-illuminated.

Procedural Requirements

36. With the consolidation of the two contiguous commercial sites, the applicant shall record a "Certificate of Compliance" for merger of parcels with the Los Angeles County Recorder's Office prior to the issuance of any building permits.
37. All provisions of the Master Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
38. 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
39. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 11.4(c), the project is not operative, vested or final until the required filing fees are paid.
40. The 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, 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 Quality Act. In the event such a legal action is filed against the City, 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.
41. 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.

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 00-12

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 May 10, 2000 and that said Resolution was adopted by the following vote:

**AYES: Kuch, Milam, Ward, Simon,
Chairman Kirkpatrick**

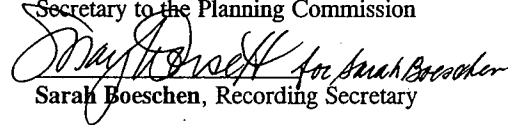
NOES:

ABSTAIN:

ABSENT:



RICHARD THOMPSON,
Secretary to the Planning Commission



Sarah Boeschen, Recording Secretary

LeahyRes

Resolution No. PC 94-19

AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT TO ALLOW THE EXPANSION OF AN EXISTING BAKERY/RESTAURANT AND A REDUCTION IN THE NUMBER OF REQUIRED PARKING SPACES AT AN EXISTING COMMERCIAL SITE LOCATED AT 1808 - 1812 N. SEPULVEDA BOULEVARD (Keegan and Olson/ Manhattan Bread)

WHEREAS, the Planning Commission of the City of Manhattan Beach conducted a public hearing pursuant to applicable law to consider an application for an Amendment to an existing Use Permit and a reduction in the number of required parking spaces, for the property legally described as Lot 6, Section 19, Partition of Property formerly of the Redondo Land Company; in the City of Manhattan Beach; and,

WHEREAS, the application was filed by Michael Keegan and Lynn Olson, tenants of the subject site; and,

WHEREAS, the public hearing was advertised pursuant to applicable law, testimony was invited and received; and,

WHEREAS, an Initial Study and a Negative Declaration have been prepared in accordance with the California Environmental Quality Act (CEQA) and City of Manhattan Beach Guidelines, finding no significant environmental impacts associated with the project. The Planning Commission hereby affirms the findings of said Initial Study and adopts said Negative Declaration; and,

WHEREAS, a "de minimis" impact finding was made by the Planning Commission in that the project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the State of California Fish and Game Code; and,

WHEREAS, the subject property is located along the Sepulveda Corridor, a commercial arterial, is designated "General Commercial" in the General Plan, and, is zoned "CG", "General Commercial"; and,

WHEREAS, the following specific findings were made with respect to this application:

1. The applicant requests approval of an Amendment to an existing Use Permit and requests relief from the required parking (deficit of one parking space).
2. The Amendment would allow the expansion of an existing bakery/restaurant into the tenant space to the south of the existing space. The proposed expansion is considered a more intense use than the prior retail use.
3. The proposed location of the use is in accord with the objectives of Title 10 (Zoning Ordinance) and the purposes of the district in which the site is located. The project site is zoned "CG - General Commercial", this district allows for a full range of retail and service businesses.
4. 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. The subject site is designated "General Commercial" by the General Plan and is proposed to be developed with land uses consistent with this land use designation.
5. The proposed use will comply with the provisions of Title 10 (Zoning Ordinance) with the exception of required parking. The proposed expansion creates a deficit of one parking space on the subject site.

6. The proposed restaurant expansion would add 2,200 square feet to the existing 1,470 square feet, for a total square footage of 3,670 square feet.
7. The site currently provides 168 parking spaces. The current mix of uses requires 140 parking spaces. With the expansion of the take out restaurant, the use would require an additional 29 parking spaces for a total of 169 parking spaces. This is one space more than that provided on site.
8. The applicant is requesting a reduction in the number of parking spaces to accommodate the additional required space.
9. Due to the different hours of operation and different peak hours of operation of the existing businesses on the site, the requested reduction in parking would not adversely impact the existing parking supply.
10. The existing business currently provides seating for 22 people, 14 inside the business and 8 on the exterior walkway. The proposed expansion will provide 43 seats, 35 seats inside and 8 seats on the exterior walkway.

NOW, THEREFORE, BE IT RESOLVED that based on the above findings, the Planning Commission hereby APPROVES the Subject Use Permit Amendment subject to the following conditions:

1. This Resolution includes all pertinent conditions of approval as specified in the original Use Permit (Resolution No. PC 93-6) and shall supersede it.
2. A-frame or sidewalk signs and painted window signs shall be prohibited.
3. The applicant shall place a business identification sign at the rear entrance of the new space. The sign shall include copy to encourage entrance at the rear as well as the front. The sign shall not exceed an area of 8 square feet.
4. Noise emanating from the site shall be in compliance with the Municipal Noise Ordinance.
5. The proposed business shall be developed in substantial compliance with the plans as approved by the Planning Commission on June 22, 1994.
6. The hours of operation for the restaurant shall be 5:00 am to 1:00 am seven days a week.
7. There shall be no alcohol served at the restaurant.
8. Live Entertainment shall be strictly prohibited in the business.
9. If deemed necessary by the Public Works Department or the Building Official the applicant shall install a Grease Trap in the new tenant space.
10. This Resolution shall become effective on July 22, 1994 unless appealed to the City Council within the required 30 day appeal period.
11. This Use Permit Amendment shall lapse one year (June 22, 1995) after its date of approval unless implemented or renewed as specified in Section 10.84.090 of the Municipal Code.
12. Pursuant to Public Resources Code Section 21089 (b) and the Fish and Game Code Section 711.4 (c), the project is not operative, vested, or final until the required filing fees are paid.

12. 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 Quality Act. In the event such a legal action is filed against the City, the City shall estimate its expenses for the litigation and Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of June 22, 1994, and that said Resolution was adopted by the following votes:

AYES: Blanton, Fahey, Hall,
Kaprielian, Chairman Adamek

NOES: none

ABSTAIN: none

ABSENT: none

Byron L. Woosley
Byron L. Woosley, *by mlw*
Secretary to the Planning Commission

Sylvia Root
Sylvia Root, *by TKW*
Recording Secretary

RESOLUTION NO. PC 93-6

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
MANHATTAN BEACH APPROVING A USE PERMIT TO ALLOW THE
ESTABLISHMENT OF A BAGEL BAKERY/RESTAURANT AT AN EXISTING
COMMERCIAL SITE ON THE PROPERTY LOCATED AT 1812 NORTH
SEPULVEDA BOULEVARD
(Keegan and Olson)

WHEREAS, the Planning Commission of the City of Manhattan Beach conducted a public hearing pursuant to applicable law to consider an application for a Use Permit for the property legally described as Portion of Lot 6, Section 19, Partition of Property formerly of the Redondo Land Company; in the City of Manhattan Beach; and,

WHEREAS, the applicants for said Use Permit are Michael Keegan and Lynn Olson, tenants of the subject site; and,

WHEREAS, the public hearing was advertised pursuant to applicable law, testimony was invited; and,

WHEREAS, an Initial Study and a Negative Declaration have been prepared in compliance with all respects of CEQA and the City of Manhattan Beach Guidelines, finding no significant environmental impacts associated with the project. The Planning Commission hereby affirms the findings of said Initial Study and adopts said Negative Declaration; and,

WHEREAS, a de minimis impact finding was made by the Planning Commission in that the project will not individually or cumulatively have an adverse effect on the wildlife resources, as defined in Section 711.2 of the Fish and Game Code; and,

WHEREAS, the following findings were made with respect to this application:

1. The applicant requests approval of a Use Permit to allow the operation of a bagel bakery/restaurant within an existing commercial center.
2. The proposed bagel bakery/restaurant would be replacing a retail use. The bagel bakery/restaurant is considered a more intense use than the prior retail use.
3. Based upon City law, the proposed project will meet the required findings as follows:
 - a. The subject restaurant is in accord with Section 10.16 of the Zoning Ordinance, Commercial Districts.
 - b. The proposed use will be consistent with the General Plan General Commercial designation, and will facilitate Goals 1, 4, and 5 of the Land Use Element of the General Plan.
 - c. The proposed use, with an appropriate condition which limits expansion of the use, will be consistent with the provisions and intent of the Zoning Ordinance.
 - d. The subject project will be compatible with the surrounding neighboring uses, and will not have a significant adverse impact on traffic or public services.
4. The property is located within Area District II, along the Sepulveda Boulevard Commercial Corridor, and is zoned CG, General Commercial, as are the properties to the north, south, and west. The properties to the east are zoned RS, Residential Single Family.

RESOLUTION NO. PC 93-6

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5. The site currently has seven (7) retail uses, two (2) personal services, two (2) personal improvement services, three (3) professional offices, and one (1) restaurant.
6. The entire commercial center 2.45 Acres or 106,722 square feet of lot area, with 30,611 square feet of building area. The applicant proposes no changes to the building area. No structural alterations are proposed.
7. The site uses currently require 129 parking spaces and with this use the site would need 149. The site provides 168 parking spaces on site.
8. Currently there are two existing discretionary approvals for other uses on the property. The Cimarron Cafe has a Use Permit approved for a restaurant use, as well as an amendment for general interior remodel.
9. The subject application has been filed concurrently with a Use Permit (Resolution No. PC 93-5) for a site-wide use and another for a Sign Appeal (Resolution No. PC 93-4) to allow a pole sign to exceed the maximum allowable height and the site to exceed the maximum allowable sign area.

NOW, THEREFORE, BE IT RESOLVED that based on the above findings, the Planning Commission of the City of Manhattan Beach hereby APPROVES the Use Permit subject to the following conditions:

1. All future signs and alterations to existing signs shall receive permits and shall be in compliance with the City's Sign Ordinance, except certain Code deviations as approved through Resolution PC 93-4 for amount of sign copy and placement of signs.
2. The proposed business shall be constructed in compliance with plans as approved by the Planning Commission on this date.
3. Service of alcohol shall be prohibited.
4. A grease trap shall not be required with this proposed tenant. However, if the menu or business ownership changes in the future, and the new business or menu warrants a grease trap, the business owner shall install the grease trap subject to the review and approval of the Community Development and Public Services Departments.
5. Live music or entertainment shall be prohibited.
6. The Use Permit shall become effective 30 days from the date of approval, January 13, 1993, by the Planning Commission, unless appealed.
7. The Use Permit shall lapse one year after its date of Resolution Adoption, January 13, 1993, unless implemented or renewed as specified by Section 10.84.090 of the Municipal Code.
8. Compliance with all conditions of approval are subject to annual verification by City Staff.

RESOLUTION NO. PC 93-6

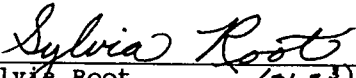
Page 3 of 3

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 January 13, 1993, and that said Resolution was ADOPTED by the following votes:

AYES: Kaprielian, Ketchum, Meadors, Vargo, and
Chairperson Hall
NOES: None
ABSTAIN: None
ABSENT: None



BYRON L. WOOSLEY,
Secretary to the Planning Commission



Sylvia Root, (S.R.)
Recording Secretary (Acting)

RESOLUTION NO. PC 93-5

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
MANHATTAN BEACH APPROVING A USE PERMIT FOR AN EXISTING
COMMERCIAL DEVELOPMENT ON THE PROPERTY LOCATED AT 1808 -
2012 NORTH SEPULVEDA BOULEVARD
(Leahy & Assoc.)

WHEREAS, the Planning Commission of the City of Manhattan Beach conducted a public hearing pursuant to applicable law to consider an application for a Use Permit for the property legally described as Portion of Lot 6, Section 19, Partition of Property formerly of the Redondo Land Company; in the City of Manhattan Beach; and,

WHEREAS, the applicant for said Use Permit is Leahy and Associates, owner of the site; and,

WHEREAS, a public hearing was advertised pursuant to applicable law, testimony was invited and received; and,

WHEREAS, an Initial Study and a Negative Declaration have been prepared in compliance with all respects of CEQA as modified by the City of Manhattan Beach Guidelines, finding no significant environmental impacts associated with the project. The Planning Commission hereby affirms the findings of said Initial Study and adopts said Negative Declaration; and,

WHEREAS, a de minimis impact finding was made by the Planning Commission in that the project will not individually or cumulatively have an adverse effect on the wildlife resources, as defined in Section 711.2 of the Fish and Game Code; and,

WHEREAS, the following findings were made with respect to this application:

1. The applicant requests approval of a site-wide use permit for an existing 2.45 acre, mixed-use commercial center containing approximately 31,000 square feet of floor area distributed in three separate buildings. The site is non-conforming for a Use Permit due to both building size and total land area. The site is also non-conforming with respect to parking space depth, commercial loading spaces, overage of allowed compact parking spaces, and landscaping perimeter strips for the parking area(s). The applicant also requests to maintain the landscaping and parking space non-conformities which are infeasible to abate.
2. The subject Use Permit has been triggered due to a filing of a Use Permit application for a new bagel bakery/restaurant in the same center because 1) the new restaurant constitutes a land use intensification, and 2) the intensification may impact the existing site-wide parking non-conformity.
3. The subject application has been considered concurrently with two applications for the same center, including a Use Permit for a new bagel bakery/restaurant and a Sign Appeal to allow the installation of an overheight pole sign (see Resolution Nos. PC 93-6 and PC 93-4, respectively).
4. There is one active Use Permit existing for the site for the Cimarron Cafe, 2000 Sepulveda Boulevard.
5. The property is located within Area District II, along the Sepulveda Boulevard Commercial Corridor, and is zoned CG, General Commercial, as are the properties to the north, south, and west. The properties to the east are zoned RS, Residential Single Family.
6. Code Section 10.68.060 entitled "Occupancy on a Site Having Certain Non-Conforming Site Features", requires the Director of Community Development shall not require a commitment to

RESOLUTION NO. PC 93-5

Page 2 of 4

abate certain non-conformities, including planting areas, where it is shown that the non-conformity has minor impact and would be costly to eliminate due to the configuration of the site and the location of existing structures. The location of the main building near the street front (Sepulveda Boulevard) renders the site infeasible economically for the abatement of a landscaping perimeter strip non-conformity, and the impact of this lack of landscaping is minor. The Director of Community Development therefore waives the commitment for abatement.

7. The site currently has the following mix of uses: retail 7 spaces, personal improvement: 2 spaces, professional offices: 3 spaces, restaurant: 1 space, vacant spaces: 1 (proposed as a bagel restaurant, see Resolution No. PC 93-6).
8. The following findings are made pursuant to Code Section 10.84.060, Required Findings:
 - A. 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 in that the center contains uses that serve the local residential neighborhood. The center is located in the "General Commercial" zoning district, which has as its purpose the provision of "opportunities for a full range of retail and service businesses, deemed suitable in Manhattan Beach, including businesses not permitted in other commercial districts because they attract heavy vehicular traffic or have certain adverse impacts".
 - B. The proposed location of the use and the proposed conditions under which it would be operated 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. The proposed use will be consistent with the General Plan Commercial General designation, and will specifically facilitate Goals 1, 4 and 5 of the Land Use Element of the General Plan. These goals, respectively, seek to maintain the low profile development and small town atmosphere of Manhattan Beach, support and encourage the viability of the commercial areas of Manhattan Beach, and encourage appropriate private investment in commercial areas. The subject center is significantly below the level of intensity allowed in the CG zone both because of building size and type of uses. Appropriate conditions have been attached to the use permit.
 - C. The proposed use will comply with the provisions of this chapter (of the Zoning Code), including any specific condition required for the proposed use in the district in which it would be located. The proposed use, with appropriate conditions imposed, will be consistent with the provisions and intent of the Zoning Ordinance.
 - D. The proposed use will not create adverse impacts on traffic or create demands exceeding the capacity of public services and facilities which cannot be mitigated. The existing landscaping non-conformity has minor impact, and the size of building area, which will not be increased, is relatively small.

RESOLUTION NO. PC 93-5

Page 3 of 4

NOW, THEREFORE, BE IT RESOLVED that based on the above findings, the Planning Commission of the City of Manhattan Beach hereby APPROVES the subject Use Permit, subject to the following conditions:

1. All future signs and alterations to signs shall be in accordance with sign regulations of the Municipal Code, except as permitted by Resolution PC 93-4.
2. All existing and future landscaped area shall be provided an irrigation system and maintained with drought tolerant plants. The applicant shall submit irrigation and landscaping plans, as necessary for review and approval by the Departments of Community Development and Public Works and Public Services Department.

Within eighteen (18) months of this approval (January 13, 1993), or no later than July 13, 1994, the property owner shall install an irrigation system within existing landscaped areas on the entire site, and shall landscape the parkway in the Cedar Avenue public right-of-way adjacent to the project site. The Cedar Avenue improvement shall include an irrigation system, and plans shall be submitted for review and approval by the Departments of Community Development and Public Works and Public Services Department.

3. The parking lots on the site shall be re-stripped within 5 years from the date of approval (January 13, 1993), or no later than January 13, 1998, and in doing so, be brought into conformity with parking space dimensional and loading zone regulations, to the degree feasible. A re-stripping plan shall be submitted to the Departments of Community Development and Public Works for prior review and approval.
4. The property owner shall maintain all security lighting facing the residential neighborhood(s) so that there shall be no glare to homes or vehicular traffic.
5. Landscaping along the perimeter of the site shall be maintained such that there shall be no sight obstructions at driveway entrances.
6. The Use Permit shall lapse one year after its date if Resolution Adoption, January 13, 1993, unless implemented or renewed as specified by Section 10.84.090 of the Municipal Code. The Use Permit for the entire center shall be implemented when all conditions are met for this document and when the Use Permit for 1812 No. Sepulveda Boulevard is implemented.
7. Compliance with all conditions of approval are subject to annual verification by Staff upon implementation.

RESOLUTION NO. PC 93-5

Page 4 of 4

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 January 13, 1993, and that said Resolution was ADOPTED by the following votes:

AYES: Kaprielian, Ketchum, Meadors, Vargo,
and Chairman Hall

NOES: None

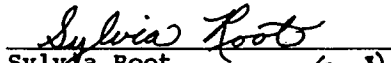
ABSTAIN: None

ABSENT: None



BYRON L. WOOSLEY

Secretary to the Planning Commission

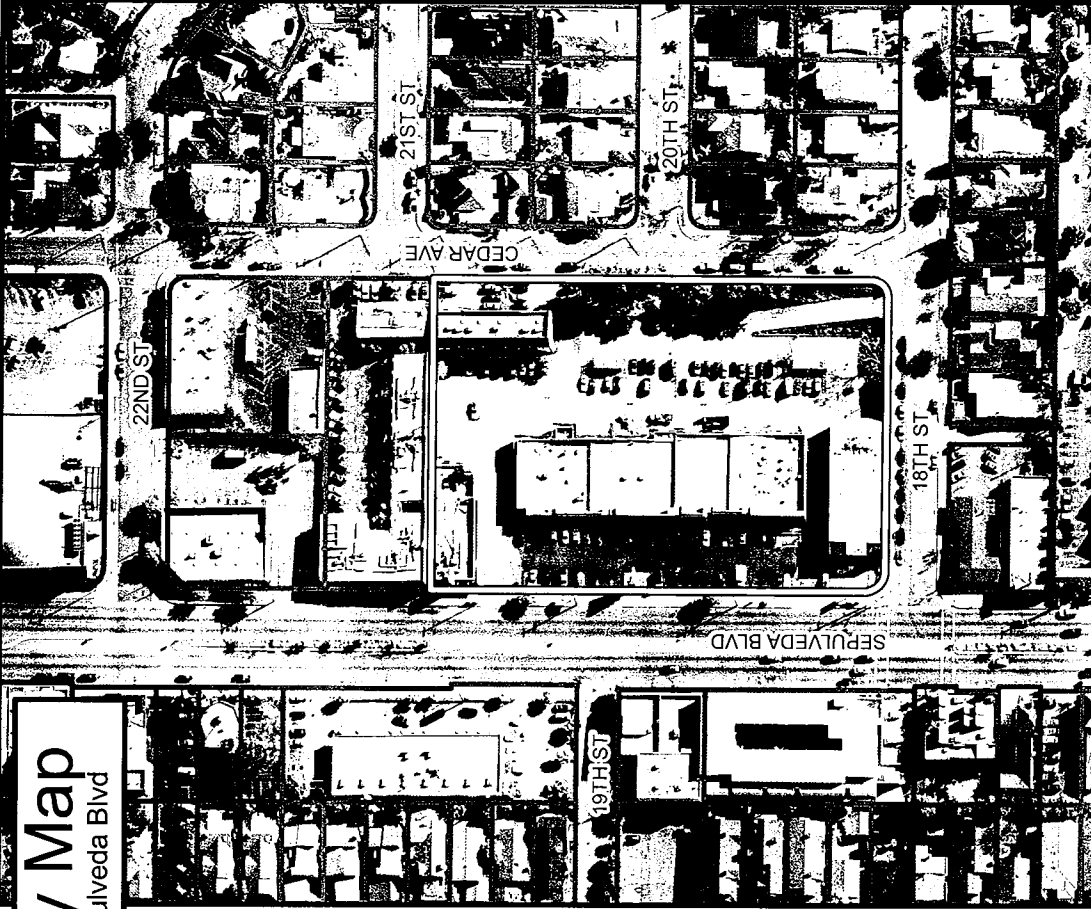
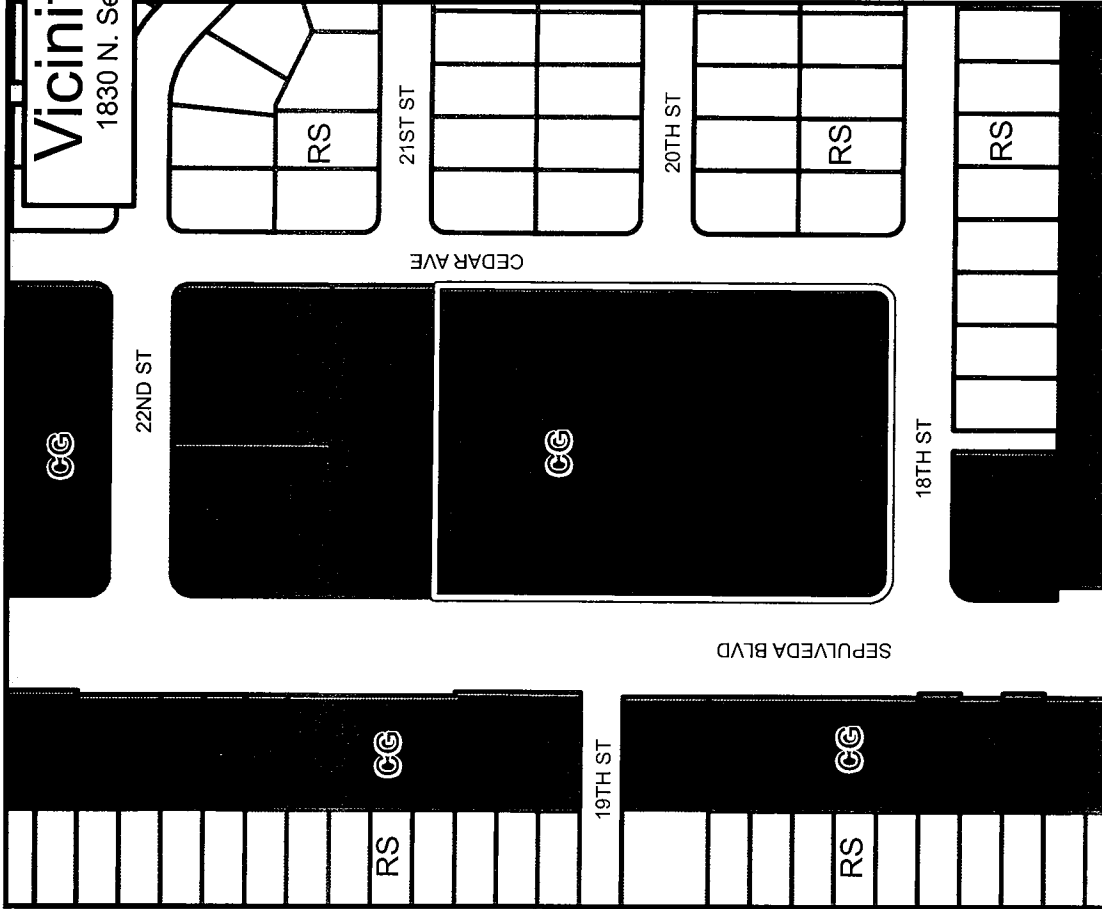






Sylvia Root

Recording Secretary (BY 83)

Vicinity Map

1830 N. Sepulveda Blvd



- Legend**
-  1830 N. Sepulveda Blvd
 -  Parcels
- Zoning**
-  RS - Residential Single Family
 -  CG - General Commercial

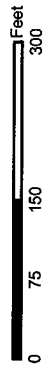
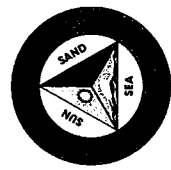


Exhibit B



City of Manhattan Beach
Community Development

RESOLUTION NO. PC 08-XX

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A MASTER USE PERMIT AMENDMENT TO ALLOW SALES OF ALCOHOLIC BEVARAGES FOR OFF-SITE CONSUMPTION FOR THE EXISTING GROCERY STORE LOCATED AT 1830 N. SEPULVEDA BOULEVARD AND INCORPORATING APPROVAL OF AN EXISTING MASTER USE PERMIT, USE PERMIT AMENDMENT, SIGN PROGRAM AMENDMENT, AND PARKING REDUCTION AT 1800-2010 N. SEPULVEDA BOULEVARD AND 2007-2011 CEDAR AVENUE

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 considered an application for a master use permit amendment to allow sales of alcoholic beverages for off-site consumption for the existing grocery store at the subject site, on the property legally described as Portion of Lot 6, Section 19, Partition of Property formerly of The Redondo Land Co. located at 1830 N. Sepulveda Boulevard in the City of Manhattan Beach.
- B. The applicant/tenant for the subject project is Kathleen and Barry Fisher / Grow the Produce Shop.
- C. The Planning Commission of the City of Manhattan Beach conducted a public hearing regarding the proposed Master Use Permit Amendment at its regular meeting of April 9, 2008. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- D. The Planning Commission had previously approved a Master Use Permit, Sign Program Amendment and Parking Reduction at its regular meeting of May 10, 2000 (PC 00-12), which superseded previous resolutions PC 93-5, PC 93-6, and PC 94-19. Subsequently, the Planning Commission previously approved three Master Use Permit Amendments: one to allow a health and fitness studio at 1800 N. Sepulveda Boulevard on January 10, 2001 (PC 01-02), which lapsed two years after its date of approval, one to allow a drive-up teller use for the existing bank facility on May 8, 2002 (PC 02-15), and one to allow interior/exterior remodel and redesign of an existing outdoor dining area at an existing restaurant/bakery located at 1808 Sepulveda Boulevard on April 13, 2005 (PC 05-06) which is currently the governing Resolution for the entire commercial site.
- E. Pursuant to the California Environmental Quality Act (CEQA), and the Manhattan Beach CEQA Guidelines, this application is Categorically Exempt, Class 1, Section 15301, California Environmental Quality Act (CEQA) Guidelines.
- F. The proposed change 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 property is located within Area District II and is zoned CG Commercial General. The surrounding private land uses consist of general commercial to the north, west, and south; and single-family residential to the east.
- H. The General Plan designation for the property is General Commercial.
- I. Based upon State law, and MBMC Section 10.84.060, relating to the Use Permit application for the commercial center, the following findings are hereby made:
 - a) The proposed location of the uses is in accord with the objectives of the Zoning Ordinance and the purposes of the district in which the site is located. The building is located within the CG district. The proposed uses are consistent with



RESOLUTION NO. PC 08-XX

Section 10.16.010 of the Manhattan Beach Municipal Code which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses as well as professional office uses. The proposed sale of alcoholic beverages is consistent with the purpose of this section.

- b) The proposed sales of alcoholic beverages for off-site consumption at Grow the Produce Shop is consistent with the General Plan, is not detrimental to the public health, safety or welfare or persons residing or working on the proposed project site or in the adjacent neighborhood of such use: and is not detrimental to properties or improvements in the vicinity or to the general welfare of the City.

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:

Goal LU-6.1: Support and encourage small businesses throughout the City.

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-6.3: Recognize the need for a variety of commercial development types and designate areas appropriate for each. Encourage development proposals that meet the intent of these designations.

- c) The existing uses and proposed sales of alcoholic beverages will comply with the conditions required for the district in which it is located. This application follows MBMC section 10.16.020(L) which requires a use permit or use permit amendment when there is a new alcohol license issued or amended.
 - d) The sale of alcoholic beverages for off-site consumption does not adversely impact nearby resident or commercial properties as they related to traffic, parking, noise, vibration, odors, personal safety, aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated. The proposed change does not affect the required on-site parking and does not create an additional demand for public services and facilities which cannot be mitigated.
- J. The City of Manhattan Beach finds that the limited sales of beer and wine for off-site consumption at the subject property is a public convenience and necessity in accordance with California Department of Alcoholic Beverage Control (ABC) regulations.
 - K. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
 - L. This Resolution, upon its effectiveness, incorporates previous approvals and constitutes the Master Use Permit and Sign Program for the subject property.

Section 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject master use permit amendment application subject to the following conditions:

RESOLUTION NO. PC 08-XX

Site Wide Conditions

1. This Resolution includes all pertinent conditions of approval as specified in preceding Use Permits for the Manhattan Center and shall supersede previous Use Permit approvals (PC 05-06, PC 02-15, PC 01-02, PC 00-12, PC 94-19, PC 93-6, PC 93-5, and PC 93-4).
2. The project shall be operated in substantial compliance with the submitted plans and project description as approved by the Planning Commission on May 10, 2000 (Master Use Permit and Sign Program), May 8, 2002 (Master Use Permit Amendment), April 13, 2005 (Master Use Permit Amendment) and April 9, 2008 (Master Use Permit Amendment). Any substantial deviation from the approved plans and project description must be reviewed and approved by the Planning Commission.
3. The subject site shall be limited to 6,801 square feet of total restaurant space, 14,772 square feet of total retail space, 826 square feet of total personal improvement service space, 1,244 square feet of total food & beverage space, 2,310 square feet of total Dance/Music studio space, 3,204 square feet of total office space and 7,400 square feet of banking use. The subject site received approval for a series of mixed uses with a parking requirement of 176 parking spaces. Future applications to establish new uses within the multiple tenant project shall not require an amendment of the Master Use Permit provided that the new uses are permitted uses in the zoning district, do not exceed the parking requirement approved for this site and conforms to the conditions imposed on the project, subject to approval by the Director of Community Development.
4. A Traffic Management Plan shall be submitted in conjunction with any 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.
5. Covered trash enclosure(s), with adequate capacity shall be maintained on the site subject to the timing, specifications and approval of the Public Works Department, Community Development Department, and City's waste contractor. A trash and recycling plan shall be maintained as required by the Public Works Department.
6. The site shall maintain reciprocal vehicle access with the adjacent northerly property for any future City approved project upon which a similar reciprocal access condition is imposed. The parking lot configuration shown on the subject plans shall be modified (at the expense of the subject property owner) at the time of implementation of the reciprocal access condition of the project.
7. Parking shall be provided in conformance with the current Manhattan Beach Municipal Code, except that the automobile parking requirement may be reduced to 176 parking spaces based on site uses and submitted parking demand analysis (Linscott Law & Greenspan Engineers dated 2/15/00). Parking spaces shall not be labeled or otherwise restricted for use by any individual tenant of the project. Future parking lot modifications for the purposes of providing reciprocal access to the neighboring commercial property, and any parking requirement modifications that are necessary, shall be subject to approval of the Planning Commission in association with its review of the neighboring project.
8. Prior to the issuance of a building permit for the subject amendment, the approved parking lot re-stripping shall be completed and field inspected by staff.
9. Employees shall be prohibited from parking on the surrounding public streets. As a minimum, the owner of the site shall include prohibitions against employee parking on local streets in any future lease and/or rental agreements excluding renewals.

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10. Noise emanating from the site shall be in compliance with the Municipal Noise Ordinance.
11. Any outside sound or amplification system or equipment is prohibited.
12. Operations shall comply with all South Coast Air Quality Management District Regulations and shall not transmit excessive emissions or odors across property lines.
13. Operations shall remain in compliance with all Fire and Building occupancy requirements at all times. The project shall conform to all disabled access requirements subject to the approval of the Building Official.
14. The management of the property shall police the property and all areas immediately adjacent to the businesses during the hours of operation to keep it free of litter.
15. The operators of the facility shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject businesses.
16. No wastewater shall be permitted to be discharged from the premises. Wastewater shall be discharged into the sanitary sewer system.
17. Any future site landscaping plans shall utilize drought tolerant native plants and shall be submitted for review and approval. All plants shall be identified on the plan by the Latin and common names. The current edition of the Sunset Western Garden Book contains a list and description of drought tolerant plants suitable for this area. A low pressure 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 landscaping plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments.
18. The property owner shall maintain an irrigation system within existing landscaped areas on the entire site, and shall maintain landscaping in the parkway in the Cedar Avenue public right-of-way adjacent to the project site. The Cedar Avenue improvement shall include an irrigation system, and plans shall be submitted for review and approval by the Departments of Community Development and Public Works and Public Services Department.
19. Landscaping along the perimeter of the site shall be maintained such that there shall be no sight obstructions at driveway entrances.
20. The property owner shall maintain all security lighting facing the residential neighborhood(s) so that there shall be no glare to homes or vehicular traffic. Security lighting for the site shall be provided in conformance with Municipal Code requirements including glare prevention design.
21. All curb, ramps, parking, walkways, etc. shall meet Title 24 of Disabled Access standards.
22. Fire Department will require that the access areas between Building A and B and Building A and D be painted as a "Fire Lane- No Parking". These access areas shall be maintained for Fire Department access at all times.

Banking Facility (Building D)

23. Security measures, including but not limited to cameras and lighting, shall be included in the design of the subject project subject to approval by the City of Manhattan Beach Police Department.

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24. The hours of operation shall be limited from 5:00 a.m. – 10:00 p.m. for the subject building. The drive-up teller shall be limited to the typical banking hours of 9:00 a.m. to 6:00 p.m. Monday through Friday and 9:00 a.m. to 1:00 p.m. on Saturdays. The ATM machines may be permitted to operate 24 hours.
25. The existing bakery/restaurant building contains 3,655 square feet of area. With the subject proposal of adding 70 square feet of new building storefront area and 38 square feet of additional outdoor dining area, the total gross floor area for calculating the parking requirement will consist of 3,975 square feet.

Restaurant Use (Manhattan Bread Company)-1808-1812 Sepulveda Boulevard

26. A-frame or sidewalk signs and painted window signs shall be prohibited.
27. The applicant shall place a business identification sign at the rear entrance (Manhattan Bread Company). The sign shall include copy to encourage entrance at the rear as well as the front. This sign shall not exceed an area of 9 square feet.
28. The proposed business shall be developed in substantial compliance with the plans as approved by the Planning Commission on April 13, 2005.
29. The hours of operation for the restaurant shall be 5:00 a.m. to 1:00 a.m. seven days a week.
30. There shall be no alcohol served at the restaurant.
31. Live entertainment shall be strictly prohibited in the business.
32. If deemed necessary by the Public Works Department or the Building Official, the applicant shall install a grease trap in the new tenant space.
33. Access requirement in front of the existing tables and chairs (for both the Manhattan Bagel Co. and Bread Co.) must be a minimum of 4' clear.

Restaurant (Rubio 's) – 2000 Sepulveda Boulevard

34. The landscaped planter area adjacent to Rubio's Sepulveda Boulevard frontage shall be retained.
35. A maximum of four video games shall be permitted.
36. The sale of beer and wine shall be solely in conjunction with the serving of food in a bona fide restaurant.

Grocery Store (Grow the Produce Shop) – 1830 Sepulveda Boulevard

37. Alcoholic beverage sales shall be limited to retail beer and wine for off-site consumption only. On-site alcoholic beverage and/or food service and/or seating are prohibited.
38. The sales floor area dedicated to the sales of alcoholic beverages shall be limited to 10% of the total sales floor area.
39. Permanent sign modifications and/or additions advertising the sale of alcohol are prohibited. Any temporary signage requires a Temporary Sign Permit.

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Site-Wide Sign Program

40. Buildings A, B and C (1812-2010 Sepulveda Boulevard) shall be limited to a maximum of 860 square feet, which includes a maximum of 9 square feet of business identification for each tenant at the rear of Building A. Rear directional signs shall be limited to 8 square feet in area per tenant. Proposed building signs (on the south and east side of Building D-1800 Sepulveda Boulevard) identified on the approved sign plans (dated, 4/21/00) shall be incorporated into this sign program approval. No signs shall be permitted on the westerly façade of the building. The existing pole sign in front of Building D may be retained as approved by Planning Commission on May 8, 2002. No alterations shall be allowed which increase the sign's square footage or height. In lieu of the pole sign for building D, a monument sign may be installed at the front of the building so long as the dimensions of the sign do not exceed 6 feet in height and 8 feet in length. All new signs and sign changes shall be in compliance with the City's Sign Code. A sign program identifying allocation and restrictions of signs shall be submitted to and approved by the Community Development Department prior to the subject permit issuance or occupancy. The sign program shall include a prohibition of future internally illuminated awnings. All rear facing signs for all buildings shall be non-illuminated.

Procedural Requirements

41. All provisions of the Master Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
42. 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
43. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 11.4(c), the project is not operative, vested or final until the required filing fees are paid.
44. The 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, 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 Quality Act. In the event such a legal action is filed against the City, 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.
45. 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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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 **April 9, 2008** 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



Petition of those in favor of Grow The Produce Shop's Change of Use permit to allow grow to sell beery & wine.

	Name	Address
1	RUTH NELSON	421 20 TH PL MB
2	Hilary Rosen	3901 Highland Ave #2 MB
3	Jane Waxman	612 35th St MB CA 90266
4	Cecily Bray	20 Westport MB 90266
5	Larry Inouye	93 Village Circle MB 90266
6	Bill Charlavoyne	1721 ELM AVE, MB 90266
7	Eileen Neill	611 Larson St. MB 90266
8	KAT Hogan	8103 Redlands St. #47 PDR 90293
9	Susan Portudex	2230 Nelson Ave. Redondo Beach, CA 90278
10	Todd Cleary	2230 Nelson Redondo ^{MB} 90278
11	[Signature]	3020 Sunitelle Blvd #302 LA, CA 90066
12	Richard Neff	425 27TH ST, MB 90266
13	Chris Bremer	1410 10th St, MB CA 90266
14	Kim Digilio	668 35th St " " "
15	Chris Hoffmann	419 28th, MB
16	JOHN HOREBI J.H.	2412 MAGNOLIA AV MB 90266
17	Lisa Beroud	217 39th St. MB CA 90266
18	Aron Beroud	217 39th St. MB CA 90266
19	DIANE ISGUR	1853 S. BENJAMIN AVE #103
20	Stuart Brody	3918 Lompkin Ave, Culver City, CA 90232
21	Barbara Brody	3988 LAMARR AV CULVER CITY 90232
22	KARIN FURE	3525 Walnut, MB 90266
23	Heidi Scheid	502 21st. St. MB 90266

EXHIBIT D

24	Tricia Ryan	222 S. Frena Ave RB, CA 90277
25	Ellyse Gura	
26	Lisa Myers	
27	Ken GANLADZ	
28	Jennifer Meanley	
29	Susan Rubenm	
30	Amy Champ	
31	Arthur Milton	
32	Kate Brouner	
33	Christi Hill	
34	Leslie Hill	
35	Fred R. Grant	
36	Nick Mey	
37	Sara Robinson	
38	Nicole Badgwick	
39	Shirley	
40	Barbara	
41	John Fisher	
42	Fredrick Lee	
43	Gregg Kirkpatrick	
44	Nancy Kolbe	
45	Laura Rollins	MB
46	Kevin Kullias	489 5 th MB 90266
47	Ronnie Williams	
48	Dalia Vera	20 Geneva Court MB CA 90260
49	DIANE MORSE	744 12 th St. MB.
50	Kathlene Rullo	1608 Elm Ave MB 90266
51	JOE RULLO	SAMB
52	Ilene Ziff	2112 Chestnut Ave MB 90266

NAME

Address

53		
54	Laura Stout	464 31 st Manhattan Beach
55	Jennifer Williams	1724 Walnut MB 90266
56	Jenn Wells	118 Whiting St ES 90284
57	Joy Hign	2208 Elm Ave, MB 90266
58	Enri Snippay	2000 Palm, MB 90266
59	Seyal Sozd	1825 Pansetta MB 90266
60	Tiffany Trann	417 23rd Place, MB 90266
61	Mark Kwon	1726 2 nd St MB 90266
62	Tom Hawkins	3015 Agnew Ave 90045
63	Mauricette Blaney	1507 21st MB 90266
64	Alison Maden	1638 Armour Ln, Redondo Beach 90278
65	Alicia Kling	2500 Pacific Ave MB 90266
66	Ann Samarillo	556 3 rd St N.B 90266
67	Julia Kowal	811 10 th St MB 90266
68	Karen Tomiyaga	221 24 th St. MB 90266
69	Sandy Schuff	417 20 th St, MB. 90266
70	Claudia Lavin	720 24 th St, HB 90254
71	KATHY (WID)	1305 Amphit St Apt D Red Beach 90277
72	Ann Schutte	2010 N. Sepulveda Blvd 90266
73	Carl Beaverton	1717 Walnut MB 90266
74	Teresa White	3501 Laurel Ave MB 90266
75	Madelaine Frey	2600 HIGHLAND AVE. M.B. 90266
76	Jeri Putnam	413 6 th St. MB 90266
77	Blade	6350 Regis P. W. CA 90045
78	Kate S. Neun	3609 OAK AVE MB, CA 90266
79	Allen	" " " "
80	Karen Mantoy	3113 Laurel Ave, MB

81	Tina Steck	865 11th St., MB 90266
82	Becca Dalton	2623 Palm Ave MB 90266
83	Fabert	6039 W 75 th St CA 90045
84	CLARE BENDEROLI	3508 Pacific Ave, Manhattan Beach 90266
85	Anne Smith	537 Avenir St. MB, CA 90266
86	Nancy Young	4 Furway Dr. mb, ca 90266
87	Rebecca Weber	64 Larsson street MB CA 90266
88	Theresa	2804 Faber St. Redondo Beach CA 90278
89	Carol Hatley	916 N Rowell Ave MB 90266
90	Laura Spencer	3604 Elm Ave MB 90266
91	Krishna Berkes	1460 18th St, MB 90266
92	Susan Leavitt	2204 The Strand 90266
93	Vickie Mc Cortendale	2501 Walnut Ave, MB 90266
94	Kari Estrin	910 14th St, MB 90266
95	Donna	22 Furway Dr 90266
96	Marion Hamilton	1215 17th Street MB 90266
97	Jeri Grae	2925 Longwood Tr
98	Christa Colvin	1905 Poinsettia Ave MB
99	Kerry Oslenta	1222 21st St. M.B.
100	Mona Foster	901 N. Dianthus St. M.B.
101	Amy Chiviper	1410 23rd St MB
102	Debra	4216 The Strand 4/15
103	Brad Johnson	4216 The Strand MB
104	Andy Johnson	R.B., 90278
105	Michelle Matali	HB 90254.
106	Justin Presser	1400 Magnolia Ave MB
107	Ryan Re	1400 Magnolia Ave MB
108	Oliver	1103 6th St Hermosa Beach
109	Chris	2407 W Sepulveda MB

- | | | |
|-----|----------------------|---|
| 110 | | |
| 111 | | |
| 112 | | |
| 113 | Origi Mc Mullis | 1421 9th St MB 90266 |
| 114 | Elizabeth Ann James | 825 1st St. MB 90266 |
| 115 | Dora Mc Cormick | 1733 Oak Ave. Man. Bch. |
| 116 | Chaire Benbeni | 425 9th Man Bch 90266 |
| 117 | Meg Russell | 228 9th St Man Bch 90266 |
| 118 | Marcel Cullen | 2004 Laurel A MB 90266 |
| 119 | Lisa R. [unclear] | 1211 14th St. HB CA 90254 |
| 120 | Dan Webster | 1911 Ecorse Ave RB 90278 |
| 121 | [unclear] | 2208 5th Street HB 90266 |
| 122 | [unclear] | [unclear] (90078) |
| 123 | Cynthia Amy | 22114 Warfield RB, 90278 |
| 124 | [unclear] | 1155 Wollens St RB 90278 |
| 125 | Glynn Bailey | 593 7th St MB 90266 |
| 126 | Trina Sured | 821 Highland Ave MB |
| 127 | Mel [unclear] | 1804 Elm MB CA 90266 |
| 128 | Eric [unclear] | 2523 N Valle, Drive, MB CA 90266 |
| 129 | [unclear] | 1161st St MB 90266 |
| 130 | [unclear] | 137 34th St Hermosa Beach CA |
| 131 | [unclear] | 1729 Oak Ave Hermosa Beach CA 90266 90284 |
| 132 | [unclear] | 1729 Oak MB 90266 |
| 133 | [unclear] | 2105 Westnut Ave MB 90266 |
| 134 | Janisha Marjan | 473 32nd St, MB 90266 |
| 135 | Georgia Tracy | 2216 Nelson Ave, #3, RB 90278 |
| 136 | Derrick Tracy | 2216 Nelson Ave, #3, RB 90278 |
| 137 | Lon Baker | 609 John St MB |



ENVIRONMENTAL INFORMATION FORM

(to be completed by applicant)

CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

Date Filed: 2/8/08

APPLICANT INFORMATION

Name: Grow The Produce Shop
Address: 1830 N. Sepulveda Blvd
Phone number: 310 545-2904
Relationship to property: Tenant

Contact Person: Barry Fisher
Address: 591 33rd St
Phone number: 310 908-1388
Association to applicant: Owner

PROJECT LOCATION AND LAND USE

Project Address: 1830 N. Sepulveda Blvd

Assessor's Parcel Number: 4166 020 034

Legal Description: RF 140 FOR DFGC SEE ASSESSOR'S MAPS FOR OF LOT 687 IN SEC 19 T3S R14W

Area District, Zoning, General Plan Designation: General Commercial

Surrounding Land Uses:

North Commercial

West Commercial

South Commercial

East Residential

Existing Land Use: Commercial

PROJECT DESCRIPTION

Type of Project: Commercial Residential Other

If Residential, indicate type of development (i.e.; single family, apartment, condominium, etc.) and number of units: _____

If Commercial, indicate orientation (neighborhood, citywide, or regional), type of use anticipated, hours of operation, number of employees, number of fixed seats, square footage of kitchen, seating, sales, and storage areas: _____

Grocer, 8am-8pm Mon-Sat + 8am-6pm Sun, 7 employees, no fixed seats,
kitchen/prep area - 150 sq', seating 0'sq', sales 1800sq', storage 170 sq'

If use is other than above, provide detailed operational characteristics and anticipated intensity of the development: _____

Removed/



Grow The Produce Shop is a full line produce supplier. In addition we offer our customers, meat, dairy and select grocery items.

Hours:

Fall/Winter- Monday-Saturday 8:00am-7:00pm, Sunday 8:00am-6:00pm

Spring/Summer- Monday-Saturday 8:00am-8:00pm, Sunday 8:00am-6:00pm

Peak Hours.

Fall/Winter-

Monday-Friday- 11am-1:00pm, 4:00pm-6:00pm

Saturday 10:00am-5:00pm

Sunday 12:00pm-4:00pm

Spring/Summer

Same

Unique characteristics. Grow has become to several clients their local grocer. Grow selects products based on quality as well as by recommendation of our customers. Grow listens to its customers, and many have recommended the addition of a small selection of wine and beer. This has motivated Grow to seek a Change of Use permit with the City of Manhattan Beach to allow for off sale ABC license 20.



10.84.060 Required Findings:

1. Yes, the proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located.
2. Grow and its owners are members of the Manhattan Beach community. Living in Manhattan Beach, and having children who attend Grand View Elementary, we feel it is vital that what Grow does is a benefit to the community. Therefore, the Change of Use permit which Grow seeks is in line with the General Plan.
3. Yes, 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 is located.
4. The impact of Grow's Change of Use, will not adversely impact nor be adversely impacted by nearby properties. Grow's structure with the City of Manhattan Beach is that of a grocer. The location of our shop exceeds the necessary parking requirements set by the city to insure no undue impact of traffic, parking, noise, resident security or personal safety. Due to the extensive parking within Manhattan Center our Change of Use will not exceed the capacity of public service and facilities.