

**CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Planning Commission

THROUGH: Richard Thompson, Director of Community Development

RT/by CJ

FROM: Daniel A. Moreno, Associate Planner



DATE: May 14, 2008

SUBJECT: Consideration of a Use Permit Application for a Retail Drug Store, with Drive-Thru Pharmacy, Located at 2400 Sepulveda Boulevard (Walgreens)

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT THE CONTINUED PUBLIC HEARING** and **ADOPT** the attached 'draft' Resolution **APPROVING** the subject request.

BACKGROUND

At the April 23, 2008 Planning Commission meeting staff presented a proposal to allow the development of a 14,820 square foot retail pharmacy, with drive-thru service operating 24-hours a day, 7-days a week. The proposal would replace a one-story 1,800 square foot vacant supermarket.

After opening the hearing and taking testimony, the Planning Commission, on a 5-0-0 vote, continued the public hearing to the May 14, 2008 meeting and directed staff to prepare a Resolution of approval.

Although the Commission indicated their support of the project, concerns were raised regarding the following issues:

- Late night noise impacts from vehicles exiting eastbound from the 22nd Street driveway. Both the applicant's and City's Traffic Engineers do not recommend restricting outbound left turns at the driveway on 22nd Street during evening hours in part because the traffic volume is very low, would unnecessarily affect local residents, enforcement would be difficult to monitor, and the project traffic that intends to use 22nd Street could still circumvent the restriction by driving around the block via Cedar Avenue. (See attached memos from Scott Schell, Associated Transportation Engineers; dated 5/1/08; and from Erik Zandvliet, City Traffic Engineers, dated 5/6/08)
- Retention of the existing pole sign (Condition #15)
- Closure or disruption of traffic on Sepulveda Boulevard as a result of construction (Condition #8)
- Future closure of drive-thru (Condition #22)

At the April 23, 2008 Planning Commission meeting three members of the public addressed the Commission. Two people spoke in opposition to the subject request citing concerns for the need of an additional pharmacy. The third member asked if the project included the sales of alcohol and staff confirmed that no alcohol sales are proposed.

Attached for the Commissions review is a 'Draft' Resolution of approval, and background information and minutes from the April 23, 2008, Planning Commission meeting.

Attachments:

Exhibit A – 'Draft' Resolution No. PC 08-

Exhibit B – Memos from Associated Transportation Engineers, dated 5/1/08 and City Traffic Engineer, dated 5/6/08

Exhibit C – Background Information, Staff Report, dated 4/23/08 (no attachments)

Exhibit D – Planning Commission 'Draft' Minutes, dated 4/23/08

WalgreensPharmacyPCMemo 5-14-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT, AND NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS, FOR A RETAIL DRUG STORE WITH A DRIVE-THRU PHARMACY, LOCATED AT 2400 SEPULVEDA BOULEVARD (Walgreens)

THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:

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

- A. The Planning Commission of the City of Manhattan Beach conducted public hearings pursuant to applicable law on April 23, 2008 and May 14, 2008, to consider an application for a Use Permit to allow construction of a 14,820 square foot Walgreens retail pharmacy; for the property legally described as Partition Map Showing Property formerly of Redondo Land Company, Lot 6, Sec. 19T, 3S, R. 14W., at 2400 Sepulveda Boulevard in the City of Manhattan Beach.
- B. The April 23, 2008 Planning Commission public hearing was advertised pursuant to applicable law, testimony was invited and received. At this meeting the Planning Commission, on a (5-0-0) vote, continued the public hearing to the May 14, 2008 meeting in order that staff prepare a resolution of approval.
- C. The applicant is Sharon L. Douglas, agent for Walgreens.
- D. The proposed use is permitted in the CG (General Commercial) Zone subject to a Use Permit approval as the project exceeds 5,000 square feet of buildable floor area and is greater than 10,000 square feet of land area (69,260 square feet existing lot area).
- E. An Initial Study was prepared in compliance with the provisions of the California Environmental Quality Act (CEQA). Based upon this study it was determined that the project is not an action involving any significant impacts upon the environment, and a Negative Declaration was prepared and is hereby adopted.
- F. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- G. The Planning Commission made the following findings with respect to this application:
 1. The project consists of 14,820 square feet of retail area including a drive-thru pharmacy, operating 24-hours a day, 7-days a week. No alcohol beverage sales are proposed for this retail use.
 2. The project is located in Area District II and is zoned (CG) General Commercial. The use is permitted by the zoning code and is appropriate as conditioned for the general commercial area. The properties to the north, south and west are similarly zoned; the properties to the east are zoned (RS) Residential Single Family. The property is located on the northeast corner of Sepulveda Boulevard and 22nd Street.
 3. The General Plan designation for the properties is General Commercial. The General Plan encourages commercial development such as this that provides for businesses which serve city residents.
 4. The subject site contains severe grade changes including a 20-foot drop from the northeast corner to the sidewalk at the southwest corner, therefore creating a constraint on the placement of the structure. Additionally, the topography dictated the location of the driveway approaches as they are located at the most level areas of the site.

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5. The placement of the building at the center of the property for the subject site is the optimal location as it promotes a safer pedestrian entrance, site drainage, site circulation and visual presence in scale with the surrounding buildings, which effectively addresses the intent of the Sepulveda Corridor Guidelines.

Use Permit

1. The proposed location of the use is in accord with the objectives of this title, and the purpose of the district in which it is located since the project is a commercial zone consistent with Section 10.16.010 of the Manhattan Beach Zoning Code which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses.

The proposed project is located within the (CG) General Commercial district, and would replace a vacant supermarket

2. The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.

The proposed one-story retail use poses no detrimental effects to the public health, safety, or welfare of persons residing or working on the proposed project site, or to the adjacent neighborhood; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city as the site continues to operate as a commercial use. The new use is intended to provide a better variety of services to the community.

General Plan

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

Policy LU-1.2: Encourage the design of all new construction to utilize notches or other architectural details to reduce building bulk.

Policy LU-1.3: Require the use of landscaping and setbacks to reduce the bulk in new buildings and add visual interest to the streetscape.

Policy LU-2.1: Develop landscaping standards for commercial areas that unify and humanize each district.

Policy LU-3.1: Continue to encourage quality design in all new construction.

Policy LU-3.2: Promote the use of adopted design guidelines for new construction along Sepulveda Boulevard.

Policy LU.3.5: Ensure that the sign ordinance provides for commercial signage that is attractive, non-intrusive, safe, and consistent with overall City aesthetic goals.

Policy LU-6: Support and encourage small businesses throughout the City.

PolicyLU-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.

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Policy 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.

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

Policy LU-9.1: Provide zoning regulations that encourage neighborhood-oriented businesses within these areas.

Policy LU-9.2: Encourage and support ground floor retail and service uses on properties designated for commercial use.

Policy I-2.7: Monitor and minimize traffic issues associated with construction activities.

Policy I-3.8: Monitor and minimize parking issues associated with construction activities.

Policy I-4.2: Carefully review commercial development proposals with regard to planned ingress/egress, and enforce restrictions as approved.

3. The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located.

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

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

The existing site has historically been used as a retail use and the proposed retail pharmacy use will not adversely impact nearby properties. The proposed change from a supermarket to a pharmacy retail use will require a slight increase in the parking demand; however it will be accommodated as part of the proposed use. It is not anticipated that the proposed retail use will exceed the capacity of public services and facilities. Minor comments from the Building Division, Fire Department, Police Department, Engineering and Public Works Department will be addressed during regular plan check.

Sepulveda Corridor Design Guidelines

The project will be in compliance with following Sepulveda Corridor Design Guideline Goals:

- Establish standards for low-rise commercial arterial development such as retail uses.
- Site and building design should focus and relate to the street and create a more attractive, comfortable and interesting environment for the Boulevard.
- Visually less desirable elements such as large parking areas, parking structures, vehicle service areas, blank walls, storage areas, and trash areas should be hidden or made less prominent along Sepulveda Boulevard.
- The building design should take into consideration extreme noise, and odor generating activities near residential boundaries.
- Safe pedestrian access to buildings should be provided through parking lots, particularly from public sidewalks.

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- Landscaping should enhance the property with the following: 1) install landscaping in areas that would otherwise be unused pavement, and 2) use landscape planters and other decorative treatments around buildings to avoid direct building-to-asphalt contact areas.
- Proposed signs and sign copy should be compatible with their related building(s) and not be crowded within their locations or backgrounds. Harsh plastic or illuminated backgrounds should be avoided.

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

- The proposed structure and location is designed to create minimal bulk and impact on the neighboring residential area to the east by providing adequate open space for light, air and fire safety through increased setbacks and innovative building design.
 - The proposed project includes convenient off-street parking facility which is enhanced by an effective on-site traffic circulation system.
 - The efficiently designed parking areas are comprised of full size parking spaces, which provides ample parking and excellent vehicular flow that minimizes impact to the residential neighborhood to the east.
- H. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- I. This Resolution upon its effectiveness constitutes the Use Permit and CEQA approvals for the subject project.

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

Site Preparation/Construction

1. The project shall be constructed and operated in substantial conformance with the submitted plans and project description submitted to, and approved by the Planning Commission on May 14, 2008. Any other substantial deviation from the approved plans must be reviewed and approved by the Planning Commission. Caltrans approval is required prior to the issuance of a building permit.
2. The project will provide 75 standard parking spaces and 4 disabled access spaces for a total of 79 spaces (no compact spaces proposed).
3. A Traffic Management Plan shall be submitted in conjunction with all construction and other building plans, to be approved by the Traffic Engineer and Police and Public Works Departments prior to issuance of building permits. The plan shall provide for the management of all construction related traffic during all phases of construction, including delivery of materials and parking of construction related vehicles.
4. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility connections in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specification of the Public Works Department.
5. During construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.
6. The location of construction related equipment (job site offices, trailers, materials, etc) shall be subject to the approval from the Director of Community Development prior to the issuance of any building permits.

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7. Prior to the commencement of any construction activity that would cause a disruption to traffic or lane closure on Sepulveda Boulevard; the applicant shall submit plans for review and approval by the Community Development Department.
8. A site landscaping plan utilizing drought tolerant native plants shall be submitted for review and approval concurrent with the building permit application. All plants shall be identified on the plan by the Latin and common names. Mature shade trees shall be incorporated into the plan. Landscaping shall be installed per the approved plans prior to building final.
9. A low pressure, low-flow or drip irrigation system shall be installed in the landscaped areas, which shall not cause any surface run-off. Details of the irrigation system shall be noted on the landscape plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments and shall be installed per the approved plans prior to the building final.
10. A covered enclosure(s) with adequate capacity for both trash and recycling for all tenants shall be constructed for this site. This trash enclosure must be constructed with a concrete, asphalt, or similar base and must have drainage to the sanitary sewer system. The enclosure is subject to specifications and approval of the Public Works Department, Community Development Department, and the City's waste contractor. A trash and recycling plan shall be required to be submitted to the Public Works Department. Applicant shall also provide information of how medical waste is handled and disposed of.
11. Commercial establishments are required, in accordance with Municipal Code 5.24.030 (C)(2) to have a sufficient refuse and recycling storage space to enclose a commercial lift container(s). The refuse storage space or facility must be screened from public view and be either constructed within the building structure or in a screened enclosure on private property.
12. Management of the retail use shall police the property and all areas immediately adjacent to the business during the hours of operation to keep it free of litter.
13. The operator of the retail pharmacy shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject business.
14. The property owner(s) shall be responsible for prohibiting employees from parking personal vehicles on the surrounding public streets. Owners and employees must park on-site while visiting the site.
15. The existing pole sign located on Sepulveda Boulevard shall be removed and replaced with a monument sign at the southwest corner of the project and shall not be located within the sight visibility triangle.
16. All signs shall be in compliance with the Sign Code. A comprehensive sign program must be submitted to the Community Development Department for review and approval prior to the issuance of a building permit.
17. The applicant shall submit a lighting and photometric plan which shows the location of the proposed light poles, existing public right-of-way lights and maximum foot candles to the Department of Community Development prior to the issuance of a building permit. These plans shall be in compliance with all provisions of the parking lot lighting regulations. Due the proximity of the proposed project to the residential properties to the southeast, the maximum pole heights shall not exceed 20 feet. Security lighting for the site shall be provided in conformance with Municipal Code requirements including glare prevention design.

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18. All outside site lighting shall be directed away from the public right-of-way and shall minimize spill-over onto the sidewalk and street. Shields and directional lighting shall be used where necessary.
19. The proposed retail store/pharmacy use may operate 24-hours, 7-days a week. Alcohol beverage sales shall be prohibited for the proposed use.
20. Deliveries shall be prohibited between the hours of 7:00 p.m. and 7:00 a.m.
21. In the future, should the drive-thru window cease to operate, the current business operator shall remove all associated structures and shall submit a plan for review and approval by the Community Development Department.
22. Prior to the issuance of a building permit, the applicant shall provide a detailed explanation of how deliveries are handled for the subject site, for review and approval by the Community Development Department.
23. All mechanical equipment visually on the building roof shall not be visible from the public right-of-way and visual screening shall be provided. Antenna dishes or similar items shall be restricted to the same requirements. The building roof shall have a gravel or comparable decorative treatment.
24. Plans shall incorporate sustainable building components into the building and site design. The plans may include, but not limited to LEED (Leadership in Energy and Environmental Design) and other recognized sustainable building components, permeable pavement, energy efficient plumbing, mechanical and electrical systems, and retention of storm water on the site. Plans shall require review and approval by the Community Development and Public Works Departments.

Parking Related Conditions

25. Slopes and transitions for all vehicle ramps shall not exceed 15 percent grade and shall conform to City standards, subject to City review and approval. All ramps over 8 percent grade must include transition slopes at the beginning and end of the ramp and must meet the required slope setbacks behind the property line. Show slopes and cross-sections on approved plans.
26. Parking stall cross-slope shall not exceed 5%.
27. All two-way driveways and approaches shall be as wide as the aisle it serves. Both driveway approaches for the project shall be widened to at least 30-feet to provide sufficient turning access to/from the public streets.
28. All raised landscaping planters along the property frontages shall begin or end perpendicular to the lower portion of the drive wings.
29. Provide unobstructed triangle of sight visibility (5' x 15') adjacent to each driveway and behind the ultimate property line when exiting the parking areas without wall, columns or landscaping over 36 inches high (MBMC 10.64.150). All planters next to both driveways must conform to this requirement.
30. Provide a 25' unobstructed triangle of sight visibility on the northeast corners of Sepulveda Boulevard and 22nd Street behind the ultimate property line extensions without walls, columns or landscaping over 36 inches high.
31. The driveway on Sepulveda Boulevard shall be restricted to Right Turn In/Right Turn Out and posted with signs subject to approval by the City Traffic Engineer and Caltrans.

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32. Bicycle parking shall be provided at a rate of five percent (5% - 3 spaces) of all parking spaces (MBMC 10.64.80). Location shall be shown on the plans subject to Planning review and approval.
33. The parking lot shall be signed and marked to the satisfaction of the City Traffic Engineer. One-way and Do Not Enter signs shall be posted on the pharmacy drive-thru aisle.

Public Works Requirements

34. This is a SUSMP project and an Operating and Maintenance Agreement Form regarding on-site storm water pollution BMP's and mitigation devices must be completed and submitted to the City before a building or grading permit is issued.
35. Required mop sinks must be installed and shown on the plumbing plans.
36. If the utility pole located at the southwest corner of the lot on Sepulveda Boulevard be relocated, approval from the Parking and Public Improvement Commission and City Council and a building permit must be obtained.
37. Plan holder must have the plans rechecked and stamped for approval by the Public Works Department before the building permit is issued.

Building Division

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

Procedural

40. *Interpretation.* Any questions of intent or interpretation of any condition will be resolved by the Planning Commission.
41. *Terms and Conditions are Perpetual.* These terms and conditions shall be perpetual, and it is the intention of the Director of Community Development and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
42. *Effective Date.* This Resolution shall become effective when all time limits for appeal as set forth in MBCM Section 10.100.030 have expired.
43. 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.
44. 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.
45. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

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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 **May 14, 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



ASSOCIATED TRANSPORTATION ENGINEERS

100 N. Hope Avenue, Suite 4, Santa Barbara, CA 93110 • (805) 687-4418 • FAX (805) 682-8509

Richard L. Pool, P.E.
Scott A. Schell, AICP

May 1, 2008

07094L02.WP

Amy Ciolek
Walgreens Company
160 Wilmot Road
Deerfield, IL 60015



pc

DRIVEWAY ACCESS FOR THE WALGREENS PHARMACY PROJECT - CITY OF MANHATTAN BEACH, CA

The Walgreens Pharmacy Project, proposed on Sepulveda Boulevard in the City of Manhattan Beach, was reviewed at the City of Manhattan Beach Planning Commission at the hearing held on April 23, 2008. One of the issues raised at the hearing was the need to possibly restrict outbound movements at the 22nd Street driveway during the evening-overnight periods in order to prevent vehicles from traveling through the adjacent residential area south and east of the site.

The concern was that traffic exiting the 22nd Street driveway would turn left and travel around the block to the Sepulveda Boulevard/Marine Avenue intersection or south to the Sepulveda Boulevard/18th Street intersection to turn left since it is difficult to turn left from 22nd Street onto Sepulveda Boulevard. However, traffic on Sepulveda Boulevard is lighter during the evening-overnight periods and there are gaps in the traffic stream that are sufficient to allow the left turns from 22nd Street. Thus, there would be no reason for patrons to circle around the block to turn left. The circulation pattern with the driveway open is shown on Figure 1 (attached).

In addition, there is no way to physically prohibit outbound left-turns from using the driveway during the evening-overnight periods without prohibiting the left-turns during the other hours of the day. Thus, the driveway would need to be closed during the evening periods to prevent this movement. The pharmacy will be open during the evening-overnight periods as a convenience to the customers, including those that live south and east of the site. Closing the driveway during the evening-overnight hours would be an inconvenience to those patrons.

They would be required to exit at the Sepulveda Boulevard driveway and circle around the block as shown on Figure 2 (attached)

Based on the circulation patterns anticipated and the traffic volumes that occur in the area during the evening-overnight hours, it is recommended that the 22nd Street driveway be constructed as a full access connection and not restricted to certain movements during certain time periods.

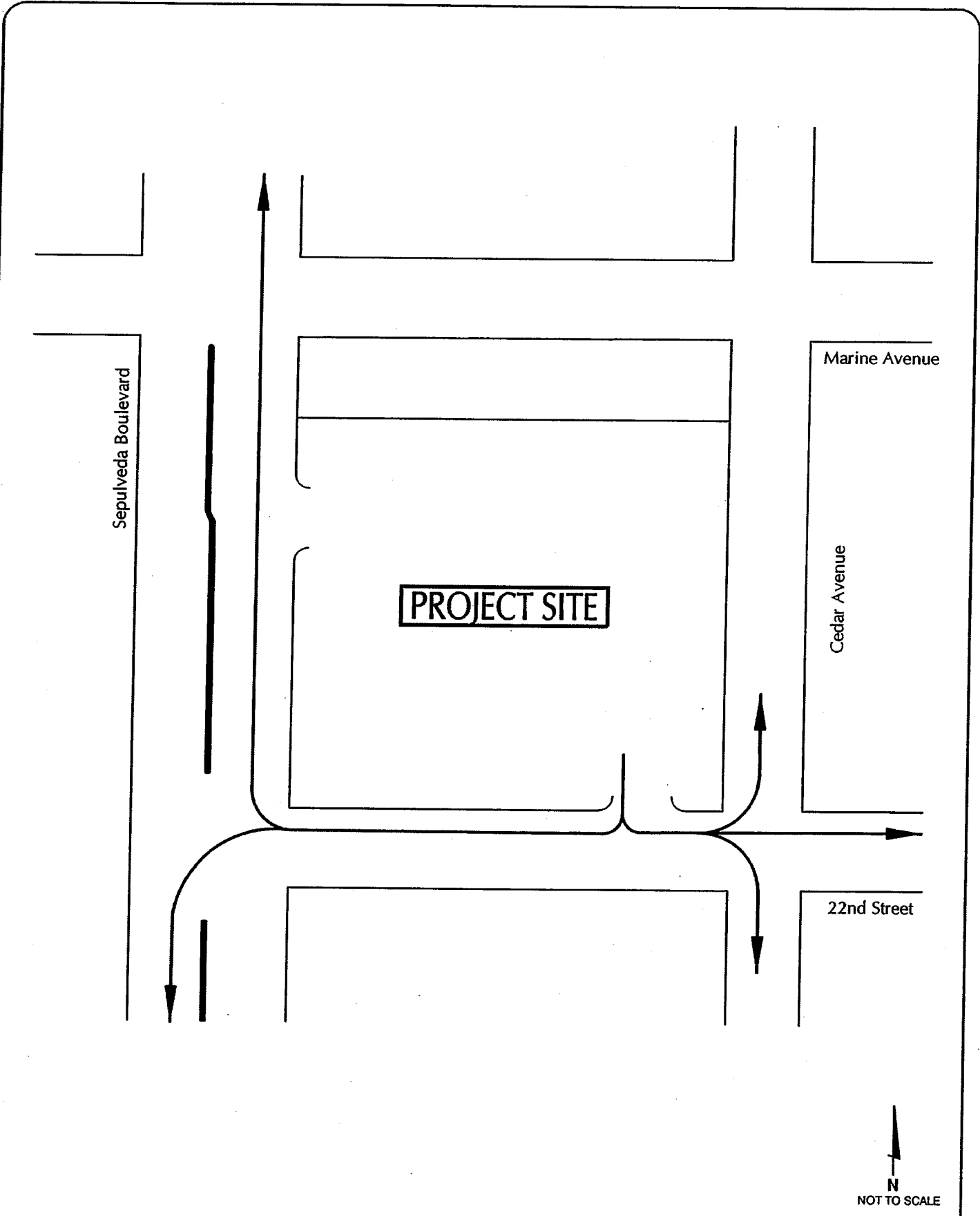
Associated Transportation Engineers

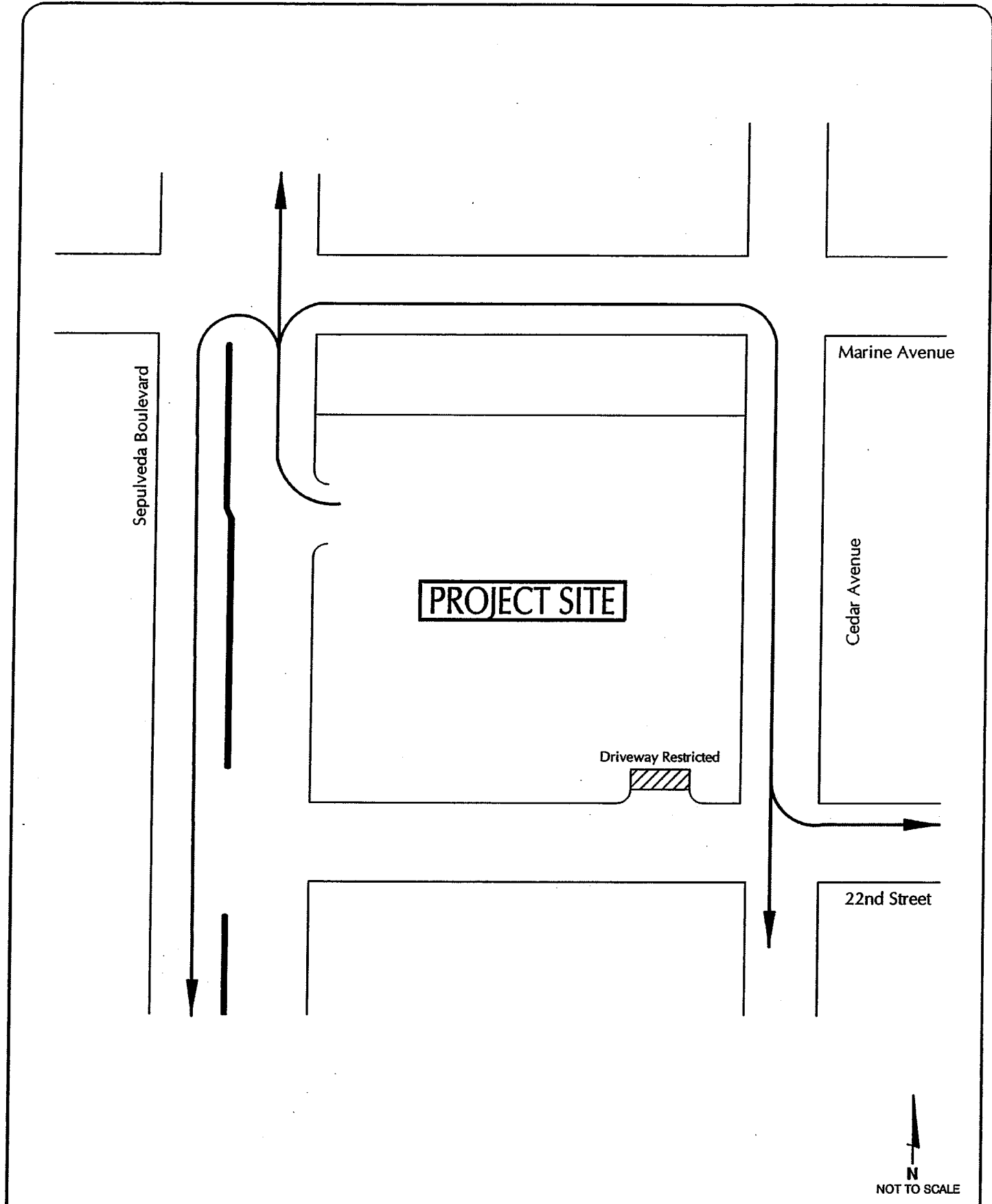
A handwritten signature in black ink, appearing to read 'SAS', written over a horizontal line.

Scott A. Schell, AICP, PTP
Principal Transportation Planner

SAS/DLD

attachments





PROJECT SITE

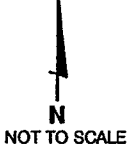
Sepulveda Boulevard

Marine Avenue

Cedar Avenue

Driveway Restricted

22nd Street



ASSOCIATED
TRANSPORTATION
ENGINEERS


EXITING TRAVEL ROUTES WITH RESTRICTIONS AT DRIVEWAY

FIGURE B

LDH-07094

CITY OF MANHATTAN BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Dan Moreno, Associate Planner
FROM: Erik Zandvliet, Traffic Engineer 
DATE: May 6, 2008
SUBJECT: Development Review-2400 N. Sepulveda Boulevard
Walgreens Driveway at 22nd Street
Traffic Engineering Comments

On April 23, 2008, the Planning Commission reviewed the proposed Walgreens project located at 2400 N. Sepulveda Boulevard. At the meeting, an issue was raised concerning the possibility of restricting outbound left turns at the driveway on 22nd Street during the evening and overnight. After careful evaluation, it is my recommendation that the left turn be allowed, based on the following findings:

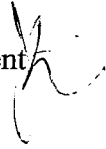
1. Expected traffic volumes for pharmacy/drug store uses are very low at night and would not contribute towards any measurable increase in volume on 22nd Street.
2. A percentage of left turning exiting traffic would also be expected to use northbound and southbound Cedar Avenue, further reducing any potential impact on 22nd Street.
3. Lighter traffic on all surrounding streets at night would make it very unlikely that customers would use the neighborhood streets to avoid any congestion or exiting onto major streets.
4. Project traffic would be less likely to use residential streets because it would take longer than major streets at night, particularly since there are at least three stop signs along 22nd Street/Magnolia Avenue and several turns required within the neighborhood.
5. Any physical barrier to left turns would require a left turn prohibition to be effective all the time.
6. Enforcement of any left turn prohibition would be difficult to monitor at night.
7. Project traffic that intends to use 22nd Street could still circumvent the restriction by driving around the block via Cedar Avenue.
8. A left turn restriction would unnecessarily affect local residents by forcing them to drive farther to return home.


EXHIBIT
B

PC

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

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development 

BY: Daniel A. Moreno, Associate Planner 

DATE: April 23, 2008

SUBJECT: Consideration of a Use Permit Application for a Retail Drug Store, with Drive-Thru Pharmacy, Located at 2400 Sepulveda Boulevard (Walgreens)

RECOMMENDATION

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

APPLICANT/AGENT

Sharon L. Douglas
2058 N. Mills Avenue
Claremont, Ca. 91711

BACKGROUND

The subject site, which is located at the northeast corner of Sepulveda Boulevard and 22nd Street, is presently improved with a vacant one-story supermarket building (formerly Smiths, Lucky and Albertsons). The project proposal consists of the demolition of all existing improvements and construction of a 14,820 square foot retail pharmacy, with drive-thru service operating 24-hour a day, 7-days a week. No alcohol service is proposed for this retail store.

The proposed retail use is permitted in the CG zone; however, because the project will exceed more than 5,000 square feet of buildable floor area and more than 10,000 square feet of land area, a Use Permit approval is required.

PROJECT OVERVIEW

LOCATION

Location: 2400 Sepulveda Boulevard located at the northeast corner of Sepulveda Boulevard and Manhattan Beach Boulevard (see Site Location Map, Exhibit A)



Legal Description: Partition Map Showing Property formerly of Redondo Land Company, Lot 6, Sec. 19T, 3S, R.14W.

Area District: II (Sepulveda Corridor)

LAND USE

General Plan: General Commercial

Zoning: CG, General Commercial

Land Use: **Existing** 23,250 sq. ft.
(vacant market) **Proposed** 14,820 sq. ft.

Neighboring Zoning/Land Uses:

North,	CG, General Commercial (Red Carpet Car Wash)
East,	RS, Residential Single Family (One and two-story single family homes)
South, across 22 nd Street	CG, General Commercial (Vacant Blockbuster Bldg.)
West, across Sep. Blvd.	CG, General Commercial (Mixed Use Commercial)

PROJECT DETAILS

<u>Parcel Size:</u>	<u>Proposed</u> 69,260 sq. ft. (1.59 acres)	<u>Allowed/Required</u> 5,000 sq. ft. min.
<u>Building Area:</u>	<u>Proposed</u> 14,820 sq. ft. (.14)	<u>Allowed/Required</u> 103,890 sq. ft. (lot area x1.5)
<u>Building Height:</u>	71.18'	71.18'
<u>Parking:</u>	79 spaces (75 standard 8.5' x 18') (no compact) (4 disabled access)	64 spaces

	<u>Proposed</u>	<u>Allowed/Required</u>
<u>Building Setbacks:</u>		
North,	84'	0'
East,	77'	0'
South,	39'	0'
West,	72'	0'
 <u>Landscape Area:</u>	 10,660 sq. ft. (10% of lot area)	 5,541 sq. ft. (8% of lot area)
 <u>Vehicle Access:</u>	 1 - Sepulveda Blvd. 1 - 22nd Street	 n/a
 <u>Signage:</u>	 519 sq. ft.	 520 sq. ft.
 <u>Hours of Operation:</u>		
Retail Store/Pharmacy	24-hours (7-days)	Permitted by Code
Drive-Thru	24-hours (7-days)	Permitted by Code

* The maximum allowable building height elevation was calculated using the four corner elevations of the property. Maximum building height of 71.18 is the average of 49.26' (N/W), 59.26' (N/E), 36.58' (S/W average of 37.04/36.12) and 51.61' (S/E average of 53.09/50.12). These elevations will be verified during the plan check process.

ENVIRONMENTAL DETERMINATION

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

DISCUSSION

The preliminary site plan shows the proposed building to be located at the center of the property. Walgreens Pharmacy is seeking approval to bring a new, state-of-the-art, full service retail drug store to the community of Manhattan Beach. This retail use will provide full pharmacy service in addition to one-hour photo processing along with a wide variety of other goods and services to meet the pharmaceutical and convenience shopping needs of the community.

Land Use Compatibility

The existing site is located along the Sepulveda Commercial Corridor on the northeast corner of Sepulveda Boulevard and 22nd Street and bordered by Cedar Avenue to the east. This lot is zoned (CG) General Commercial and is consistent with areas' General Plan designation of "General Commercial" which allows a retail use. The project as proposed complies with all zoning requirements.

The properties to the north, south and west are similarly zoned (CG) General Commercial. The properties to the east across Cedar Avenue are zoned (RS) Single Family Residential. The property to the north is developed with the Red Carpet Car Wash; the property to the south (across 22nd Street) is currently occupied by the vacant Blockbuster Building; and to the west (across Sepulveda Boulevard) is a mixed-use commercial center.

Sepulveda Corridor Guidelines

The Guidelines are intended to encourage certain desirable elements to be included within development projects on the Sepulveda Boulevard Corridor. They are to be used as a supplement to the City Zoning Code requirements during the discretionary review process. The Planning Commission “may” decide if any of the guidelines are unnecessary or inappropriate for incorporation within a certain project.

The “Building Orientation” guideline recommends that buildings, storefronts, and windows should be oriented towards Sepulveda Boulevard, “when possible”. Visually less desirable elements such as large parking areas, parking structures, vehicle service areas, blank walls, storage areas, and trash areas should be hidden, or be less prominent as viewed from Sepulveda Boulevard.

The applicant has made substantial efforts to address the Sepulveda Boulevard Development Guidelines (attached, Exhibit D). However, due to the proposed floor plan, the building would be located at the center of the property when the guidelines recommend, when possible, that the building/store frontages be oriented toward Sepulveda, as opposed to vehicle dominated frontages. A pedestrian entry path is provided from the sidewalk on both Sepulveda Boulevard and 22nd Street (see attached site plan).

Although the proposed structure is located at the center of the property, the building storefront, window and pedestrian entrance will be oriented towards Sepulveda Boulevard on the northwest corner of the building. This is also due in part as the proposed drive-thru pharmacy would be located at the southeast corner of the building. The trash/recycle area will be located at the rear of the building.

Building Location/Orientation

The subject site has a severe change in elevation (as much as 20-feet) from the northeast corner to the sidewalk at the southwest corner and therefore creates a constraint on the placement of the structure. Additionally, the topography dictates the location of the driveway approaches as they are located at the most level areas of the site.

During the many discussions with staff, several building layouts were considered by the applicant to address safe pedestrian access, allows for a design which meets requirements for site drainage, provides efficient and safe vehicular circulation and provides a building which through proper placement and enhanced landscaping does not appear imposing along Sepulveda Boulevard.

The following is a summary of the analysis of different building placements reviewed by the applicant and City Staff:

Building Location - Site Plan #1 (Exhibit E) – building located at the southwest corner of the site adjacent to Sepulveda Boulevard with the drive-thru window located to the rear (easterly side of building).

1. Due to the height of the grade at the southwest corner of the property, the structures appearance would be very imposing as viewed from the Sepulveda Boulevard – a condition very similar to the issue raised with the southerly wall of the proposed Rite Aid retail store located at 1100 Manhattan Beach Boulevard.
2. Congestion and potential unsafe conditions would be created for pedestrians and vehicles as the storefront entrance would be located at the northwest portion of the building.
3. Proper drainage would not be as desirable with this configuration as water needs to flow and filter across as much pervious area of the site.

Building Location - Site Plan #2 (Exhibit E) – building located more centrally but still adjacent to Sepulveda Boulevard with the drive-thru window located at the front of the building.

1. This building location removes the front door from Sepulveda Boulevard and places it at the northeast corner of the building which is contrary to the Sepulveda Corridor Guidelines which recommends that the building storefront be oriented towards Sepulveda Boulevard.
2. The drive-thru window would be located at the front of the building which is not a desirable location and goes against the Sepulveda Corridor Guidelines which recommends that safe access to buildings should be provided through parking lots, particularly from public sidewalks.

Building Location - Site Plan #3 (Exhibit E) – building located at the center of the property with the drive-thru window located at the southerly side of the building (applicant's proposed location). Staff supports this proposed location for the following reasons:

1. Although the building would not be located at the front of the property the storefront would be oriented towards the front as recommended by the Sepulveda Boulevard Guidelines.
2. The placement of the building allows for a design that focuses on, and directly relates to the street thus creating a more attractive, comfortable, and interesting environment for the boulevard.
3. The proposed building layout proposes a parking area that is functionally divided on the site. The proposed layout does not propose placing all the parking in the front nor does it propose a parking structure along Sepulveda Boulevard.

4. The delivery loading/trash storage area would be located at the rear of the building (east side) which is a less prominent location as recommended by the Sepulveda Boulevard Guidelines.
5. Because the customer entry area would be located at the northwest corner of the building, the placement of the building would provide a greater noise buffer to the residential properties to the east as recommended by the Sepulveda Corridor Guidelines.
6. Safe pedestrian access to the site, as recommended by the Sepulveda Boulevard Guidelines, would be provided through the parking areas from public sidewalks. Two pedestrian ramps would provide access to the front entry doors from Sepulveda Boulevard and 22nd Street.
7. A tree-lined landscape buffer, as recommended by the Sepulveda Corridor Guidelines, would be provided along residential boundaries to the east which reduces extreme noise levels.

Staff believes that the placement of the building at the center of the property for the subject site is the optimal location as it promotes a safer pedestrian entrance, site drainage, site circulation and visual presence in scale with the surrounding buildings, which effectively addresses the intent of the Sepulveda Corridor Guidelines.

Landscaping

Municipal Code Section 10.16.030, Minimum Site Landscaping, requires that a minimum of 8% of planting area or 5,541 square feet be provided for the site based on the lot area of 69,260 square feet. Based on the property layout, 10,660 (15%) square feet of dedicated landscape area will be provided (see landscape Plan, Sheet L0.1) Code Section 10.60.070 (D), Design Standards, additionally requires that parking lots adjoining street property lines up to 100 feet in length shall have a 3-foot perimeter landscaping area. Furthermore, 5% of the parking lot area, excluding the perimeter planting strips shall be devoted to interior landscaping areas distributed throughout the parking lot. The subject parking lot design provides a 15-33-foot perimeter landscape area buffer along the westerly property line (adjacent to Sepulveda Boulevard) including the driveway entrance at the southwest corner; 9-feet on the northerly and easterly property lines; and 7'-9" 22' buffer along the southerly property line and driveway entrance (See attached Landscape Plan, Sheet L0.1).

Signage

Pursuant to the Sign Code, the amount of signage allowed for the subject property is based on two square feet per one linear foot of the longest property frontage. In this case, the property frontage is 260-feet in length along 22nd Street; therefore 520-square feet of signage would be permitted.

The applicant has provided staff with a sign program for the site, which includes 519 square feet of primary and secondary signage on the north, south and westerly sides of the building including the retention of the existing pylon sign (see attached plan, Sign Program, Exhibit F). All business identification signs must obtain review and approval by the Community Development Department prior to issuance of a building permit.

Parking Lot Lighting

Pursuant to MBMC Section 10.64.170, Lighting, the regulations are intended to ensure that adequate lighting is provided for personal and traffic safety, to protect nearby residential uses from undue glare and to ensure that the existing low-scale pedestrian friendly character of commercial areas is maintained. Additionally, outdoor parking area lighting shall not employ a light source higher than twenty (20) feet if the light source is located more than 25 feet from a residentially zoned property. The nearest residentially zoned property are located 50' to the east. The submitted lighting and photometric plan (Exhibit G) shows that eight light poles will be located within the parking area. Three light poles (double fixtures) will be located along the northerly property line; three light poles (double fixtures) adjacent to Sepulveda Boulevard; and two light poles (single fixture) adjacent to the easterly property line. The photometric plans shows that the illumination levels from these poles will average from 0.6 – 11.40 foot-candles.

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

Store Operation/Store Deliveries/Trash-Recycling

Walgreens goal is to provide a wide variety of good and services and offer the customer the value and convenience of a true “one-stop” opportunity. Walgreens proposes to operate 24-hours a day (7) days a week which includes the drive-thru pharmacy.

Due to the building location, the loading area would be located at the east side of the building, between two trash compactor areas, which creates a natural elevation change to enable large trucks to enter the site from Sepulveda Boulevard, and to back into the loading area. After unloading the truck would exist via the 22nd Street driveway westbound on Sepulveda Boulevard.

The applicant has indicated in the project narrative (attached, Exhibit H) that operational deliveries would take place during daytime hours. The corporate truck would deliver once a week while other trucks would deliver twice a week also during daytime hours. Walgreens will require that all vendors use the delivery doors at the rear of the building and not the front doors. Should the project be approved, as with other similar projects, the deliveries hours shall be prohibited between the hours of 7:00 p.m. and 7:00 a.m.

Walgreens does not utilize a “loading dock” rather deliveries are done via a roll-up door at the back of the building. Staff, however, has a concern that once the trucks back up against the building, it would extend into the parking aisle and impede parking and on-site traffic circulation. At tonight’s meeting, the applicant will provide information of what time of the day the deliveries will take place and how they will handle traffic circulation.

Building Height

The proposed building is designed with a flat roof line and per MBMC Section 10.16.030 (F), Maximum Height of Structures, if the roof pitch is less than 4:12 the maximum building height is limited to 22 feet. Because the building height is determined by the average of the four property corners the average elevation would be at a 49.18' elevation. Therefore, with the average property corner elevation of 49.18 plus 22 feet of height limit, the proposed building is limited to a 71.18' height elevation. The submitted elevation plans shows that the proposed building will be designed at the maximum allowable height elevation of 71.18' (see attached elevation plans, sheet A2.1).

The height of the proposed building would be 11.98' – 20.68' above the adjacent roadway directly to the east (Cedar Avenue). All of the proposed mechanical equipment would be located on the rooftop below the parapet wall and screened from the residential properties to the east (see attached section plans, sheet A2.2). No information has been provided by the applicant that compares the proposed building height to the surrounding buildings.

Building Design

The proposed building design is customized for this site and for the City of Manhattan Beach. The elevations are articulated with a parapet design not only to keep the building within the maximum allowable building height, but to fit the scale and the context of the surrounding buildings. The building exterior is designed with the use of varied material to reduce the massing of the building. However, these materials are also complementary which allows the building to be cohesive and unified.

The proposed exterior finishes include stucco, masonry and stone with neutral color schemes. Windows provide natural light to the interior primarily at the north and west elevations (see elevation plans, Sheet A2.1). Where vision glazing is not appropriate the rhythm of windows is continued by the use of show windows primarily at the east and south elevations.

The overall building height has been kept within the allowable building height and still maintains a 13-foot ceiling height on the sales floor while providing screening for the roof top mechanical equipment.

The applicant will provide colored elevations for review by the Planning Commission at tonight’s meeting.

Drive-up Window

The pick-up window, which is located on the southeast corner of the building adjacent to 22nd Street, will be for drop-off and pick-up of prescription only. The pick-up window will be easily accessible from Sepulveda Boulevard and 22nd Street by entering on the northwest portion of the parking area and traveling counter clockwise to the pick-up window. There are four other existing retail pharmacy uses located in the City, and the proposed Walgreens store would have the only pick-up window.

It is Walgreens experience that the daily average customer usage is 4-5 cars per hour. Peak time use is generally 7:00 a.m. – 9:00 a.m. and 4:00 p.m. – 6:00 p.m. and generates approximately 7-9 cars per hour. Any queuing is rarely more than 2 vehicles but can easily accommodate many more vehicles due to the length of the queuing lanes. Late night/early morning use is infrequent but necessary for those in need of emergency or pain medications.

Communication from the pharmacist to the customer is via a device similar to that used by banks with the exception that the sound level is regulated by federal law (i.e. Health Insurance Portability and Accounting Act [HIPPA] which requires confidentiality of communication between pharmacist and customer.

Parking/Traffic Circulation:

The applicant proposes to provide 75 standard parking spaces and 4 disabled access spaces for a total of 79 spaces (no compact spaces). The project provides a 14,820 square foot one-story retail store with drive-thru window. Municipal Code Section 10.64.030, Off-Street Parking Spaces, requires that a retail use provide 1 parking space for the first 5,000 square feet; plus 1 per 250 square feet thereafter and therefore is required to provide 64 on-site parking spaces ($5,000/250 = 25$ spaces; $9,820/250 = 39$ spaces, for a total of 64 spaces).

Vehicle access to the site will be provided via two existing driveways, one on Sepulveda Boulevard and one on 22nd Street.

At the request of the City Traffic Engineer, the applicant was required to prepare a “limited” Traffic Impact Analysis, to determine the potential traffic impacts of the proposed development in accordance with CEQA (California Quality Act), CMP (Congestion Management Plan) and city guidelines. This analysis, prepared by Associated Transportation Engineers dated 10/31/07 (attached, Exhibit I) was done to determine the potential change in traffic due to the change in land use.

City Traffic Engineer, Erik Zandvliet, has reviewed the Trip Generation Report and found it to be satisfactory. The report concludes that the proposed Walgreens development is expected to generate approximately 1,046 daily vehicle trips and 102 vehicle trips in the PM peak hour. Additionally, the traffic engineer has reviewed the parking plan and determined that the proposed project’s layout, parking stalls and dimensions, access and circulation patterns were acceptable.

Walgreens would typically employ 40 staff members per store and 8-10 employees per shift. Should the project be approved the employees would be required to park on-site.

Use Permit Findings

MBMC 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 proposed project is located within the (CG) General Commercial district. The proposed would replace a vacant supermarket and the business is in accord with the objectives of this title, and the purpose of the district in which it is located since the project is a commercial zone consistent with Section 10.16.010 of the Manhattan Beach Zoning Code which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses.

2. *The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.*

The proposed one-story retail building poses no detrimental effects to the public health, safety, or welfare of persons residing or working on the proposed project site, or to the adjacent or neighborhood; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city as the site continues to operate as a commercial retail use. The new use is intended to provide a better variety of product and services to the community.

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

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

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.

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

3. *The proposed use will comply with all provisions of this title, including any specific condition required for the proposed use in the district in which it would be located.*

The proposed retail use on an existing commercial site will be in compliance with applicable provisions of the (CG) General Commercial zone, and the required notice, hearing and findings for the Use Permit.

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 existing site has historically been used as a retail use and the proposed retail pharmacy use will not adversely impact nearby properties. The proposed change from a supermarket to a pharmacy retail use will require a slight increase to the parking demand in the General Commercial zone however it will be accommodated as part of the proposed use. It is not anticipated that the proposed retail use will exceed the capacity of public services and facilities. The Building Division is not opposed to approval of subject request provided that they adhere to all disabled parking requirements and path of travel access, and that restroom compliance is met with current applicable Codes. Staff has received minor comments from other department but those issues raised are concerns that can be handled as regular building plan check items.

Public Input:

A public notice for the project was mailed to the property owners within 500 feet of the site and published in the Beach Reporter newspaper. At the writing of this report, staff has not received any correspondence or phone calls in support or in opposition to the proposed development.

Back in December 2007, the applicant sent a notice and scheduled a meeting with the neighbors to discuss the proposed building. The applicant advised staff that only one couple attended the meeting and were in support of the proposal.

CONCLUSION

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

Use Permit

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

Sepulveda Boulevard Corridor Guidelines

2. Determine whether the proposed building design and visual impact is appropriate and consistent with the Sepulveda Corridor Development Guidelines which encourages the building, storefronts and windows to be oriented towards Sepulveda Boulevard.

Other

3. Determine if the proposed loading area is appropriate for the proposed development.
4. Approve the Initial Study and Negative Declaration of Environmental Impacts.
5. Require that the project include environment practices in the development of the site.

Attachments:

Exhibit A – Site location Map

Exhibit B – Initial Study/Negative Declaration

Exhibit C – Sepulveda Boulevard Corridor Guidelines

Exhibit D – Building Location Exhibits

Exhibit E – Proposed Sign Plan – n/a

Exhibit F – Site Lighting and Photometric Plan (Sheet ~~E-100~~ ^{DAG}) n/a

Exhibit G- Applicant's Use Permit Narrative Findings, Building Design Narrative

Exhibit H – Associated Transportation Engineers, Parking Study, dated October, 31, 2007

Exhibit I – Project Plans - n/a

n/a – not available electronically

cc: WalgreensPharmacyPCStfRpt 4-23-08

DRAFT

1 NOES: None
2 ABSENT: None
3 ABSTAIN: None
4

5 Director Thompson stated that the item will not be reviewed further by the City Council.
6

7 **08/0423.2 Consideration of a Use Permit for a Retail Drug Store, With Drive-thru**
8 **Pharmacy, Located at 2400 Sepulveda Boulevard (Walgreens)**
9

10 Associate Planner Moreno summarized the staff report. He commented that the subject site
11 currently includes a vacant supermarket. He said that the proposal is for a 14,820 square foot
12 pharmacy with a drive-thru window with 24 hour operation. He pointed out that the applicant is
13 not proposing to include alcohol sales. He indicated that the applicant has made a substantial
14 effort in working with staff to address the Sepulveda Corridor Guidelines. He said that the
15 largest change in elevation is from the northeast corner to the southwest corner with a drop of 23
16 feet. He stated that the applicant has considered keeping the existing driveways because they are
17 located on the higher side of the property.
18

19 Associate Planner Moreno said that the applicant has provided three different site plan options
20 for the project. He commented that the first plan shows the location of the structure at the
21 southwest corner of the site adjacent to Sepulveda Boulevard with the drive-thru window located
22 to the rear and the store front on the northwest corner; the second plan would place the structure
23 toward the center of the property but forward toward Sepulveda Boulevard with the drive-thru
24 located at the front and the store front to the rear; and the third plan would place the structure
25 toward the center of the property with the store front oriented toward the front. He indicated that
26 the issues with the first site plan are that the structure would appear imposing from Sepulveda
27 Boulevard due to the height of the grade at the southwest corner of the property; the location of
28 the store front would draw customers to park in the front spaces which would create a safety
29 concern with traffic and pedestrians in the area; and a high retaining wall would be required in
30 order to retain the structure. He commented that issues with the second proposed site plan are
31 that it would not meet the Sepulveda Corridor Guidelines with regard to the location of the store
32 front away from Sepulveda Boulevard; and there would possibly be a noise impact to the
33 residents to the east of the site. He indicated that the advantages of the third design are that it
34 would allow for the design that relates to the street which would create a more attractive and
35 interesting environment; the layout does not propose placing all of the parking in the front along
36 Sepulveda Boulevard; and the placement of the entrance toward the northwest corner of the
37 building would provide a greater noise buffer to the residential properties to the east. He
38 indicated that pedestrian access areas would be provided off of Sepulveda Boulevard and off of
39 22nd Street. He indicated that staff believes the placement of the building at the center of the
40 property would promote a safer pedestrian entrance; would provide proper site drainage and
41 proper scale with the surrounding buildings; and would be more effective in addressing the issues



1 of the Sepulveda Corridor Guidelines.

2
3 Commissioner Fasola commented that the advantage of the first site plan is that the building
4 would be adjacent to Sepulveda Boulevard. He asked regarding the possibility of moving the
5 store front to the northeast corner with that site plan option.

6
7 Associate Planner Moreno said that placing the entrance at the northeast corner violates the
8 recommendation of the Sepulveda Corridor Guidelines that the store front be placed toward the
9 front of the property. He said that there also may be concerns in locating the store front on the
10 northeast corner with noise spilling to the neighboring residents located to the east of the site.

11
12 Associate Planner Moreno commented that 64 parking spaces are required, and the applicant is
13 proposing 75 standard parking spaces and 4 disabled spaces. He pointed out that no compact
14 spaces are proposed. He indicated that the applicant is allowed 520 square feet of sign area based
15 on the largest frontage. He stated that the applicant is requesting to retain the existing pole sign.
16 He indicated that the applicant is also required to provide 8 percent or approximately 5,000
17 square feet of landscaping based on the size of the property, and the applicant is proposing to
18 provide 15 percent. He commented that the mechanical equipment would be housed on the roof
19 and not visible from the street and the residential properties to the east. He indicated that notice
20 was provided to properties within 500 feet and published in the Beach Reporter. He said that one
21 comment was received with concerns regarding 24 hour operation and the sale of alcohol. He
22 stated that a meeting was held for the neighbors, and the two people who attended were in
23 support.

24
25 In response to a question from Chairman Lesser, Associate Planner Moreno said that there are
26 four existing pharmacies in the City and the proposal would be the only which would operate 24
27 hours and include a drive-thru window. He indicated that the site has historically been used as a
28 retail use which would generate revenue for the City.

29
30 Director Thompson stated that staff was concerned with the noise impacts that could result to the
31 adjacent neighbors from a 24 hour operation. He said that staff typically receives complaints
32 from neighbors regarding noise generated by microphones at drive-thru windows and smells
33 associated with the food at drive-thru restaurants. He said that staff was satisfied with the subject
34 project because the window would only service the pharmacy and not for other items in the store.
35 He commented that there are regulations regarding the volume from any microphone at the
36 window because of privacy concerns of patients picking up prescriptions. He said that there
37 would not be a very large demand for use of such a window and would be a customer benefit.

38
39 Commissioner Fasola said that three large drug stores would be located in close proximity along
40 Sepulveda Boulevard if this project is approved, which may exceed the demand for such a use.
41 He asked whether there was a requirement that Walgreens remain open 24 hours.

1
2 Director Thompson indicated that there is no requirement that they would remain open 24 hours.

3
4 In response to a question from Commissioner Fasola Director Thompson indicated that only a
5 small portion of the store's use is for the pharmacy but it is much more of a general retail store.

6
7 Commissioner Bohner asked to what extent the Commission should consider whether or not a
8 store would be successful or whether the market is saturated.

9
10 Director Thompson indicated that such questions are good to have on the record. He said that the
11 purview of the Commission is to ensure the project is consistent with the Zoning Code and the
12 General Plan. He said that there is no language in the Code or General Plan that requires that a
13 business be profitable and remain open for 20 or 30 years.

14
15 Commissioner Powell commented that he has a concern that the noise generated from the two
16 proposed trash compactors could impact the adjacent neighbors.

17
18 Associate Planner Moreno said that staff would recommend that the applicant be restricted from
19 receiving deliveries between 7:00 p.m. and 7:00 a.m. He commented that the applicant has
20 indicated that deliveries would occur during the day at off peak hours. He said that a landscaping
21 berm would be provided to buffer any noise to the neighbors. He indicated that he is not certain
22 whether there would be an enclosure for the compactors.

23
24 In response to a question from Commissioner Powell, Associate Planner Moreno said that the
25 City's Traffic Engineer felt that a deceleration lane from Sepulveda Boulevard was not
26 appropriate because of the topography of the site and the length of the site.

27
28 Commissioner Seville-Jones suggested the possibility of restricting cars from exiting from the
29 drive-thru onto 22nd Street during early morning hours in order to minimize the impact to the
30 adjacent residents.

31
32 In response to a question from Commissioner Seville-Jones, Director Thompson said that the
33 Commission would have the discretion to not allow the use of the existing pole sign.

34
35 Commissioner Seville-Jones commented that she sees advantages to the first site plan which
36 would place the trash enclosures further from the adjacent residents.

37
38 Commissioner Seville-Jones asked about the possibility of placing a condition that any
39 construction not result in the disruption of traffic on Sepulveda Boulevard. She commented that
40 there was an issue regarding the disruption of traffic on Sepulveda Boulevard with the
41 construction of the Chevron station.

1
2 Commissioner Fasola commented that with three large drug stores located in such close
3 proximity along Sepulveda Boulevard would seem to make it likely that one would fail.
4

5 Director Thompson said that staff feels the use is more than only a pharmacy but rather is more
6 of a general store. He pointed out that it is a permitted use along Sepulveda Boulevard.
7

8 Chairman Lesser asked if staff has any concerns with the project placing additional strains
9 Sepulveda Boulevard traffic, which currently is impacted.
10

11 Director Thompson pointed out that the proposal would generate less of a traffic demand than
12 other uses that could locate at the site.
13

14 **John Peruzzi**, the project architect, stated that they began the project 18 months ago, and they
15 have explored many options on the site. He said that they have worked extensively with staff in
16 learning the issues with the City in order to arrive at a successful project. He commented that the
17 main issue with the site is regarding the topography. He said that the existing building on the site
18 is 42 feet above the level of Sepulveda Boulevard because of the 12 foot retaining wall at the
19 southern corner at 22nd Street and Sepulveda Boulevard. He indicated that they feel their
20 proposed design complies with the Sepulveda Corridor Guidelines by orienting the building and
21 entry toward Sepulveda Boulevard and by lowering the grade and eliminating the retaining wall
22 to provide landscaping and two pedestrian access paths. He commented that their interpretation
23 of the Zoning Code is that the height limit on the site would be 30 feet for any structure. He said
24 that they learned, however, that the 30 foot height limit only applied if the roof of the entire
25 structure was pitched and only a portion of the roof of their original design was pitched. He
26 commented that they then designed a building that was up to the 30 foot height limit with a
27 pitched roof for the entire structure, which was quite massive. He said that they then again
28 redesigned the project with the input of staff. He said that they feel the current design conforms
29 with all of the regulations including the Sepulveda Corridor Guidelines. He stated that they have
30 lowered the height of the ceiling as much as possible in order to bring the height of the structure
31 to 22 feet. He pointed out that they are also screening the roof equipment below the parapet.
32

33 **Mr. Peruzzi** said that the store front and windows would face the street which is in keeping with
34 the Sepulveda Corridor Guidelines. He stated that they have lowered the retaining wall along
35 Sepulveda Boulevard to allow for pedestrian access. He commented that they have used a lot of
36 different materials and colors in the design in order to break up the massing. He pointed out that
37 they would provide 15 parking spaces above the requirement, and their spaces are 5 percent
38 larger than the City requirement for standard spaces. He indicated that their design includes no
39 compact parking spaces. He indicated that they would provide 15 percent landscaping, which is
40 twice the amount of the requirement. He commented that they are not proposing a loading dock,
41 and they would receive deliveries from their warehouse once a week. He indicated that the

1 trucks instead pull up parallel to the store and use an expanding conveyor to unload the boxes
2 and transport them into the store. He said that the trucks would not be able to back up to the
3 door in order to unload. He indicated that the trash compactors would be surrounded by an 8
4 foot high masonry enclosure. He commented that Walgreens receives much of their delivered
5 merchandise in reusable bins, and the empty containers would also be stored behind an
6 enclosure.

7
8 In response to questions from Chairman Lesser, **Mr. Peruzzi** indicated that the 65-foot truck
9 would only fit if it is brought in parallel to the store. He said that deliveries would occur once a
10 week. He commented that the rear parking would generally be used by employees, and there
11 would not be a concern with them being blocked during deliveries. He stated that the windows
12 would be real glass along the façade of the building.

13
14 In response to a question from Commissioner Bohner, **Mr. Peruzzi** said that deliveries from
15 separate vendors would occur through the front of the store.

16
17 Commissioner Powell commended the applicants for keeping the structure within the maximum
18 height limit.

19
20 In response to a question from Commissioner Powell, **Mr. Peruzzi** indicated that the roofing
21 equipment would be placed below the parapet.

22
23 In response to a question from Commissioner Powell, **Mr. Peruzzi** said that in order to save
24 energy they would use dual glazing for their windows; they would use energy efficient HVAC
25 units with economizers; they would use LED lighting for their signage; and they would place
26 doors on all of their coolers. He commented that they also incorporate an energy management
27 system for the HVAC unit. He indicated that they also have photocell controls for the exterior
28 lighting; they would install bicycle racks, and they use bins for the delivery of much of their
29 merchandise that can be reused.

30
31 In response to a question from Commissioner Powell, **Mr. Peruzzi** indicated that the glass in the
32 windows would show some reflection; however, it is a clear glass and not mirrored.

33
34 **Mr. Peruzzi** commented that the drive-thru window would be used for picking up or dropping
35 off prescriptions, and there would be no speaker.

36
37 Commissioner Seville-Jones commented that the first site plan would comply with the Sepulveda
38 Corridor Guidelines by placing the building on Sepulveda Boulevard. She asked why the
39 drainage would be more of a challenge with the first site plan as opposed to the third.

40
41 **Mr. Peruzzi** indicated that he is not certain that drainage was the main consideration in favoring

1 the third site plan option. He commented that the goal of the Sepulveda Corridor Guidelines is
2 for the building to be located on the street, which is not feasible on the subject site because of the
3 difference in grade. He indicated that placing the building on Sepulveda Boulevard would also
4 compound the issues regarding traffic flow and pedestrian access.

5
6 Commissioner Seville-Jones commented that the benefit of placing the store on Sepulveda
7 Boulevard is that it would mitigate any issues of noise to the residents of Cedar Avenue. She
8 said that she understands the concern with that site plan is that more of the traffic would be
9 placed behind the store toward Cedar Avenue with more of the parking to the rear.

10
11 **Mr. Peruzzi** commented that any retailer greatly prefers parking at the front of the store rather
12 than the rear because it reduces the opportunities for theft and because it is more convenient for
13 accessing the entrance. He indicated that placing the entrance at the northeast corner would
14 orient the front of the store away from 22nd Street and Sepulveda Boulevard and more toward the
15 adjacent residents.

16
17 In response to a question from Commissioner Seville-Jones, **Mr. Peruzzi** said that the use of the
18 drive-thru would be very low during late hours, and they do not feel there would be a noise
19 concern to the adjacent residents with vehicles exiting the site onto 22nd Street early in the
20 morning. He commented that the drive-thru window is as a convenience to the customers, and it
21 would not be highly utilized in the middle of the night.

22
23 Commissioner Seville-Jones commented that she understands the position expressed by **Mr.**
24 **Peruzzi** but also feels a 24 hour drive-thru window would be very convenient and would be
25 utilized by customers who have difficulty going into the store because of health reasons.

26
27 Commissioner Fasola commented that it appears the Sepulveda Corridor Guidelines are
28 addressed better in the first site plan option rather than the third as proposed. He indicated that
29 the building height would be the same regardless of its location on the property. He said that
30 using the first plan and changing the entry of the store on the north side would allow the building
31 front to face the parking and would move the trash enclosures, the loading area, and the drive-
32 thru window further from the residents on Cedar Avenue.

33
34 **Mr. Peruzzi** pointed out that the building would be slightly higher if it were moved onto
35 Sepulveda Boulevard because there is more opportunity toward the center of the site to create
36 better grading. He commented that they also would be forced to keep the retaining wall if it were
37 placed onto Sepulveda Boulevard. He said that accommodating the drive-thru window is not the
38 main reason that they are favoring the third site plan.

39
40 **Bob Roscoe**, representing the applicant, commented that customers typically utilized the drive-
41 thru window to pick up prescriptions on their drive home from work or from the doctor's office.

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1 He commented that the peak hours are from 5:00 p.m. to 7:00 p.m. with approximately 25 cars
2 per hour using the window at a typical store. He indicated that there are very few customers who
3 utilize the drive-thru window during late hours. He pointed out that the intent of the window is
4 not for profit but only as a convenience to the customers. He indicated that there are fewer
5 existing pharmacies in Manhattan Beach than in other cities in the Los Angeles area, and the
6 supermarkets in the area do not include pharmacies. He pointed out that Ralph's in the
7 Manhattan Village is open 24 hours a day and does not include a pharmacy. He commented that
8 they have not had to close any of their approximately 300 stores in the Los Angeles area. He
9 indicated that they are very confident that the store would be successful.

10
11 In response to a question from Commissioner Bohner, **Mr. Roscoe** indicated that they would be
12 willing to change from a pole sign to a monument sign if it were a condition of approval.

13
14 In response to a comment from Commissioner Seville-Jones, **Mr. Roscoe** said that a sign
15 prohibiting right turns after a certain hour could be placed at 22nd Street; however, it would make
16 it more of an inconvenience for someone who happened to live in the area that was visiting the
17 store to get back to their house.

18
19 Commissioner Seville-Jones asked whether Walgreens has a program for recycling expired
20 pharmaceuticals, as there is a concern with them going into the ocean if they are flushed into the
21 City's sewage system.

22
23 **Mr. Roscoe** said that they do have a recycle program, and there are Federal and State guidelines
24 for discarding drugs. He said that he is not certain if there is a program for customers to bring in
25 expired drugs for recycling.

26
27 In response to a question from Commissioner Bohner, **Mr. Roscoe** indicated that they receive
28 one delivery a week from their distribution center which stocks 80 percent of the store. He said
29 that the conveyor is extended out of the truck and into the receiving door for unloading. He
30 indicated that other smaller deliveries would occur through the front door.

31
32 Chairman Lesser opened the public hearing.

33
34 **Beth Morse**, a resident of the 900 block of 1st Street, asked whether Walgreens would sell
35 alcohol.

36
37 Chairman Lesser commented that alcohol sales are not included as part of the proposal.

38
39 **Jacki May** said that having three major drug stores located on Sepulveda Boulevard would be a
40 bad idea.

1 **Bill Victor** said that he does not feel there is a demand in the City to accommodate three large
2 drug stores on Sepulveda Boulevard. He commented that the residents suffer along with a failing
3 business because the community is deprived of other more needed uses that could locate at the
4 site. He said that he would encourage the Commission to think of the future if the store ends up
5 not being successful.

6
7 Chairman Lesser closed the public hearing.

8
9 Commissioner Seville-Jones indicated that staff has prepared an excellent report and the
10 applicant has done an excellent job in anticipating questions which have been asked previously
11 for other projects. She indicated that it is apparent that the applicant has spent a great deal of
12 time and money to arrive at a good project. She stated that it is important for the City to have a
13 strong commercial base. She said that the store would be a store that sells a variety of
14 merchandise rather than only pharmaceuticals. She commented that she does feel that the City is
15 arriving at the saturation point of small pharmacies located within medical buildings because
16 they are unable to compete with the larger chain stores. She commented that retail uses have
17 historically been located on the site, and she is glad that a new retail store is being proposed
18 along Sepulveda Boulevard rather than an office building. She said that she feels a 24 hour
19 drive-thru window for the pharmacy would be a service to the community in allowing people to
20 pick up a prescription without leaving the car. She indicated that she feels the applicant has
21 considered the neighbors, landscaping, access, building height, the size of the building, and
22 parking. She commented that she has a concern with the entrance and exit of cars off of 22nd
23 Street during late hours because there could be a potential noise impact to the adjacent neighbors.
24 She indicated that he would request that the City's Traffic Engineer consider whether it is a valid
25 concern. She commented that she has a concern regarding the pole sign and would like for the
26 staff to work with the applicant. She stated that she would also like for a condition to be
27 included regarding any closure or disruption to Sepulveda Boulevard during construction. She
28 said that she feels after considering the other options that she can support the third site plan
29 which places the building at the center of the property. She indicated that while not complying
30 completely with the Sepulveda Corridor Guidelines, she is convinced it is the best option after
31 hearing the testimony of staff and the applicant.

32
33 Commissioner Bohner indicated that he is satisfied that the third site plan as presented is the best
34 option. He commented that he does not envision that traffic exiting onto 22nd Street during late
35 night hours would be a major concern because he does not imagine that the store would have a
36 large number of customers during that time. He said, however, that he would not object to the
37 Traffic Engineer providing his opinion regarding Commissioner Seville-Jones' concern. He said
38 that he supports the project.

39
40 Commissioner Fasola said that there are features of the first site plan that he prefers and that do
41 address the Sepulveda Corridor Guidelines to a larger extent than the third site plan. He

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1 commented that the building could be set back slightly from the street with the first option. He
2 indicated, however, that he would defer to staff's opinion if they feel the third site plan is much
3 preferable. He commented that he would hope that staff and the applicant are not supporting the
4 third site plan simply because it accommodates the drive-thru window. He commented that he
5 would not want to see a large number of additional buildings on Sepulveda Boulevard be located
6 away from the street. He stated that he does have a concern with approving another store which
7 is very similar in use to the previous application for Rite Aid.

8
9 Commissioner Powell commended the applicant and architect on the design which appears to
10 have been revised many times and carefully considered. He commented that the applicant has
11 listened to the discussion of the previous project and took the comments of the Commissioners
12 into consideration with this proposal. He stated that the project includes twice the amount of
13 landscaping than is required; the building is within the maximum height limit; and the design
14 aids in the circulation of traffic through the site. He commented that he would also like for the
15 City's Traffic Engineer to consider the issue of traffic from the store exiting onto 22nd Street
16 during late night hours. He commented that the store would sell general merchandise, and he
17 feels it would be a vibrant business. He also said that people with small children who would be
18 able to utilize the drive-thru window rather than have to take their children into the store. He
19 indicated that he would support the project.

20
21 Chairman Lesser commented that he welcomes a new use for the site which has been an eyesore
22 in the community for some time. He said that he would echo the comments of the other
23 Commissioners. He stated that he also was concerned with having another national chain
24 pharmacy locating into the community and had questions as to the responsibility of the
25 Commission in considering the type of use. He indicated that he is persuaded that the pharmacy
26 is a broader retail store, and an additional retail on Sepulveda Boulevard would be a welcome
27 addition to the community particularly with the 24 hour drive-thru window. He said that he had
28 concerns with noise from the drive-thru window impacting the residents on Cedar Avenue. He
29 stated, however, that he feels it would be a service in the community for people who may need
30 their prescriptions filled late at night. He commented that locating the building in the center of
31 the property as proposed is the best solution to reducing the scale of the building given the
32 challenges of the site. He said that he would be in favor of the project.

33
34 A motion was MADE and SECONDED (Fasola/Powell) to **REOPEN** and **CONTINUE** the
35 public hearing regarding a Use Permit for a Retail Drug Store, With Drive-Thru Pharmacy,
36 Located at 2400 Sepulveda Boulevard to May 14, 2008.

37
38 AYES: Bohner, Fasola, Powell, Seville-Jones, Chairman Lesser
39 NOES: None
40 ABSENT: None
41 ABSTAIN: None

1
2 Director Thompson commented that staff will draft a resolution of approval for the May 14
3 meeting based on the comments that have been received.

4
5 Commissioner Fasola requested that elevations be provided that are shown in context with the
6 street.

7
8 At 8:55 p.m., a 10-minute recess was taken.
9

10 ~~00/0423.3~~ ~~Consideration of a Zoning Code (Title 10) Amendment and Local Coastal~~
11 ~~Program Amendment Regarding the Prohibition of Medical Marijuana~~
12 ~~Dispensaries in All Zones~~
13

14 Associate Planner Haaland summarized the staff report. He indicated that the City Council has
15 previously adopted a temporary moratorium with the intention of permanently prohibiting the
16 establishment of medical marijuana dispensaries. He commented that State law allows such
17 dispensaries, which is in conflict with Federal law that prohibits the use of marijuana in general.
18 He commented that there are dispensaries in some cities throughout California. He stated that
19 the City Council did direct that the Code be amended, and the role of the Commission is to
20 review the Municipal Code and Local Coastal Program Amendments and make a
21 recommendation to the City Council regarding adoption of an Ordinance. He said that the City
22 Attorney has drafted an Ordinance prohibiting marijuana dispensaries within the City, and staff
23 has adapted that Ordinance into a Resolution for the Commission to forward to the City Council.
24 He stated that the Council is scheduled to take final action to conduct a public hearing and adopt
25 the Ordinance prior to the expiration of the temporary moratorium.

26
27 Chairman Lesser asked regarding the function of the Commission regarding the issue and the
28 findings that the Commission must make to be able to adopt the draft Resolution.

29
30 Associate Planner Haaland said that the role of the Commission is to conduct the hearing and
31 forward a recommendation to the City Council.

32
33 Commissioner Bohner asked if the Commission has any discretion regarding whether they feel
34 there should be an Ordinance or if the direction of the City Council was simply for the
35 Commission to arrive at an Ordinance prohibiting such dispensaries.

36
37 Director Thompson said that the direction of the Council was for an Ordinance to be prepared
38 prohibiting marijuana dispensaries.

39
40 Commissioner Seville-Jones stated that the Commission does not have much discretion if the
41 ~~direction of the Council was simply to draft an Ordinance prohibiting dispensaries. She~~