

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

TO: Planning Commission

FROM: Laurie B. Jester, Acting Director of Community Development

BY: Eric Haaland, Associate Planner

DATE: January 13, 2010

SUBJECT: Use Permit for the Demolition of an Existing Service Station and Food Mart and Construction of a New Service Station with a Convenience Store with Beer and Wine Sales and 24-Hour Operation and a Sign Exception at 1002 Manhattan Beach Blvd. (CJC Design Inc.)

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT** the Public Hearing and **PARTIALLY APPROVE** the proposed project, subject to certain conditions.

APPLICANT/OWNER

ARCO/CJC Design, Inc.
140 N. Maple Street, Suite 101
Corona, CA 92880

BACKGROUND

The subject site presently consists of a vehicle service station with a small convenience store and a vacant vehicle repair facility. The applicant proposes to demolish the 1,785 square foot building and construct new fuel pumps and a 2,400 square foot building primarily devoted to food and beverage sales. Existing beer and wine sales would continue. On-site consumption of food and beverages, and vehicle repair service are not proposed. Expansion of operation from a 10pm closing time to 24-hours daily, and expansion of beer and wine sales from 7pm to 10pm to 6am to 2am are also proposed. Relocating and expanding the building, and extending hours of operation, each require use permit approval (Section 10.16.020) by the Planning Commission. Sign exception approval for changeable poster cabinet signs is also required (Section 10.72.020E).

PROJECT OVERVIEW

LOCATION

Location	1002 Manhattan Beach Blvd. at the southeast corner of Manhattan Beach Blvd & Dianthus St. (See Site Location Map).
Legal Description	Lots 10, 11, & 12, Block 3, Tract 142.
Area District	I

LAND USE

General Plan	Local Commercial
Zoning	CL, Local Commercial

	<u>Existing</u>	<u>Proposed</u>
Land Use	1,785 sq. ft. mini-market & 6 gasoline pumps	2,400 sq. ft. mini-market w/ 6 gasoline pumps
Neighboring Zoning/Land Uses		
North (across MBB)	CL/Medical Office	No change
South	RS/Residential	No change
East	CL/Office Building	No change
West (across Dianthus)	CL/ Office Building	No change

PROJECT DETAILS

	<u>Proposed</u>	<u>Requirement (Staff Rec)</u>
Parcel Size:	16,753 sq. ft.	4,000 sq. ft. min
Building Floor Area:	2,400 sq. ft.	16,753 sq. ft.
Height:	19 ft. 9 in.	22 ft. max.
Setbacks:		
Front (MBB)	4 ft (pump canopy)	None
Rear	0 ft	None
Corner side (Dianthus)	7 ft (pump canopy)	None
Interior side	0 ft.	None
Parking:	15 spaces	15 Spaces
Hours of Operation:	24 hours/day	7am – 10pm (current use permit & staff rec.)
Vehicle Access:	2 Dianthus driveways 1 Manhattan Beach driveway	N/A

DISCUSSION

The submitted plans show the existing service station to be reconstructed with 2 fuel pump islands at the front portions of the lot, and a convenience store at the rear/interior portion (southeast corner) of the corner site. This reconstruction roughly matches the existing facility except that the existing convenience store building would be enlarged and relocated from a somewhat central location on the site to the interior corner, and a canopy would be added to the westerly fuel pump island. Additional physical changes include elimination of a driveway on Manhattan Beach Boulevard and a pole sign, relocation of some large vent pipes, and addition of 5 poster display frames. New parking spaces, landscaping, an air/water station, and a trash enclosure are also proposed.

The proposed building location at the rear is intended to improve parking and circulation on the site, and to eliminate hidden, unmonitored outdoor space adjacent to residential neighbors. Access would be improved for parking, deliveries, maneuvering, and trash storage by providing more continuous space in front of the building. The zero building setback increases building bulk visible from the rear of abutting residential properties, but provides a physical buffer from commercial activities and is consistent with neighboring commercial properties.

The project conforms to the city's requirements for use, height, floor area, setbacks, parking, and landscaping. A summary of vehicle service stations in Manhattan Beach is attached (Exhibit D) for reference and comparison. The project issues that warrant discussion include traffic, hours of operation, signs and public input.

Traffic:

The project primarily represents a replacement of the existing service station and does not include a substantial increase in traffic generation, therefore a formal traffic study was not required by the City's traffic engineer. The increased building size from approximately 1,800 to 2,400 square feet does not cause a significant percentage increase in vehicle trips since fuel purchase trips represent much higher volumes than, and often overlap with, retail trip generation. The project's design does however include substantial attention to traffic safety and efficiency. The City's traffic engineer's comments are attached to this report as Exhibit E.

Traffic improvements to the existing site include consolidation of two adjacent Manhattan Beach Boulevard driveway curb cuts to one near the northeast corner of the site. The City Traffic Engineer believes that consolidating these curb cuts simplifies traffic movements on Manhattan Beach Boulevard adjacent to the site, and improves pedestrian safety and aesthetics. It is typically desirable to space curb cuts away from the street corner as occurs with this consolidation. Staff and the applicant considered a similar driveway consolidation for Dianthus Street, however, it was determined that those two existing curb cuts must remain for fuel tanker-truck access and adequate on-site vehicle circulation. Residential neighbor concerns are common for commercial corner-side driveways; however, trips on Dianthus Street into the residential neighborhood are

not expected to increase as a result of the eliminated Manhattan Beach Boulevard driveway. A corner cut-off street dedication is recommended to allow a handicap access ramp.

Hours of Operation:

The applicant currently sells gasoline, food and beverages (some prepared; no on-site consumption) including packaged beer and wine from 7am to 10pm daily. Any new or change in alcohol sales require use permit approval, however no change in the type of alcohol license or service is proposed. Late night operation is typically a concern for convenience store operations and previous 24-hour requests have been denied for the subject establishment (see attached Resolutions – Exhibit C). This location is zoned Local Commercial, and the only other service station (76 Station) in the City in the CL Zone has hours limited to 6am to 10pm and no alcohol sales. Exhibit D provides a summary of the gas stations in the City including zone, hours, alcohol and sign information.

Proximity to residential, small site size, zoning and land use, lower traffic volumes on surrounding streets, office-oriented commercial character of surrounding uses, and minimal residential buffering make this site inappropriate for 24-hour operation. The most prominent concern expressed in the attached correspondence from neighbors is the impact on the adjacent residential area from late night operation. Similar concerns prevented approval of 24-hour operation in the attached 1970's and 1980's use permit Resolutions. Proposed Condition No. 19 limits hours of operation from 7am to 10pm.

Signs:

The site is allowed up to 320 square feet of sign area and the plans propose 254 square feet. The existing site contains 567 square feet of sign area primarily due to a 30' tall pole sign abutting the street intersection. The pole sign is also unusually prominent for the subject commercial/residential corridor. Previous signs on the site have also included the use of corporate colors on large portions of the building. The proposal would replace the pole sign with a more compatible monument sign and install typical wall signs. The submitted color renderings include some use of orange and yellow surfaces, and the Planning Commission may wish to decide if these treatments should be considered signage that is promoting the applicant's sunrise/sunset color theme.

In addition to typical conforming signs, the applicant is proposing five changeable poster frame locations on the new building. Changeable copy signs are prohibited by the sign code (Section 10.72.070E) unless a sign exception is approved by the Planning Commission. The attached applicant request indicates that these signs are to promote store products in a more visually pleasing manner than temporary signs that are commonly installed without permits. Staff supports this sign exception proposal subject to the condition that it be included in total allowable site signage.

Public Input:

A public notice for the project was mailed to property owners within 500 feet of the site. Staff has received a number of responses (attached) from neighbors located behind the service station on 11th Street and Dianthus Avenue. In addition to the late night hours discussed above, concerns are expressed for traffic, parking, noise, loitering, glare, and trash.

Staff believes that the design of the project is appropriate as it does not substantially increase vehicle trips, neighborhood disturbances will be limited due to the reduced parking area (i.e., loitering, lighting) adjacent to residences, orienting the building to the rear provides a noise buffer, eliminating the rear hidden outdoor area behind the building reduces security and safety concerns, trash, air and water is moved away from residences, and the pole sign is eliminated. Increased landscaping and updated use permit conditions with greater restrictions on the business would also benefit the surrounding area.

REQUIRED FINDINGS

In order to approve the requested use permit, Section 10.84.060 specifies that findings must be made that the project: is consistent with the Zoning Code and General Plan, will not be detrimental to the City or surrounding area, and will not adversely impact or be impacted by nearby properties. These findings might be made as follows:

- 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 sites for businesses serving the daily needs of nearby residential areas while establishing development standards that prevent significant adverse effects on residential uses, since the proposed project is located within the (CL) Local Commercial district, and will replace an existing service gas station and mini-mart.
- 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, since the proposed new gas station and food mart, as conditioned is in compliance with all Manhattan Beach Municipal Code regulations, dedicating street improvements, providing aesthetic enhancements with conforming landscaping and signage, limiting hours, lighting and noise impacts and will incorporate sustainable building components.
- 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, since 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 Local Commercial which allows for businesses serving the daily needs of nearby residential areas.

- 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, since the existing site is already developed as a gas station, and mini-mart and the proposed new gas station and food mart will not adversely impact nearby properties as conditioned, and as analyzed in the City Traffic Engineer's review. The new use will comply with all of the City's Code requirements and conditions have been placed in this resolution to ensure any impacts do not affect the surrounding residences and neighborhood. It is not anticipated that the proposed new use will exceed the capacity of public services and facilities, as conditioned.

ENVIRONMENTAL DETERMINATION

Pursuant to the California Environmental Quality Act (CEQA), and the Manhattan Beach CEQA Guidelines, the subject project has been determined to be exempt as reconstruction of an existing facility, and in-fill development within an urbanized area per Sections 15302 and 15332 of CEQA

CONCLUSION

Staff recommends that the Planning Commission accept public hearing testimony, discuss the project issues, and adopt the attached Resolution partially approving the proposed use permit by allowing reconstruction of the building, continuing to limit hours of operation to 7am to 10pm daily, and imposing conditions consistent with recent service station projects including: prohibit off-site employee parking, prohibit outdoor amplified sound, and require property supervision.

Attachments:

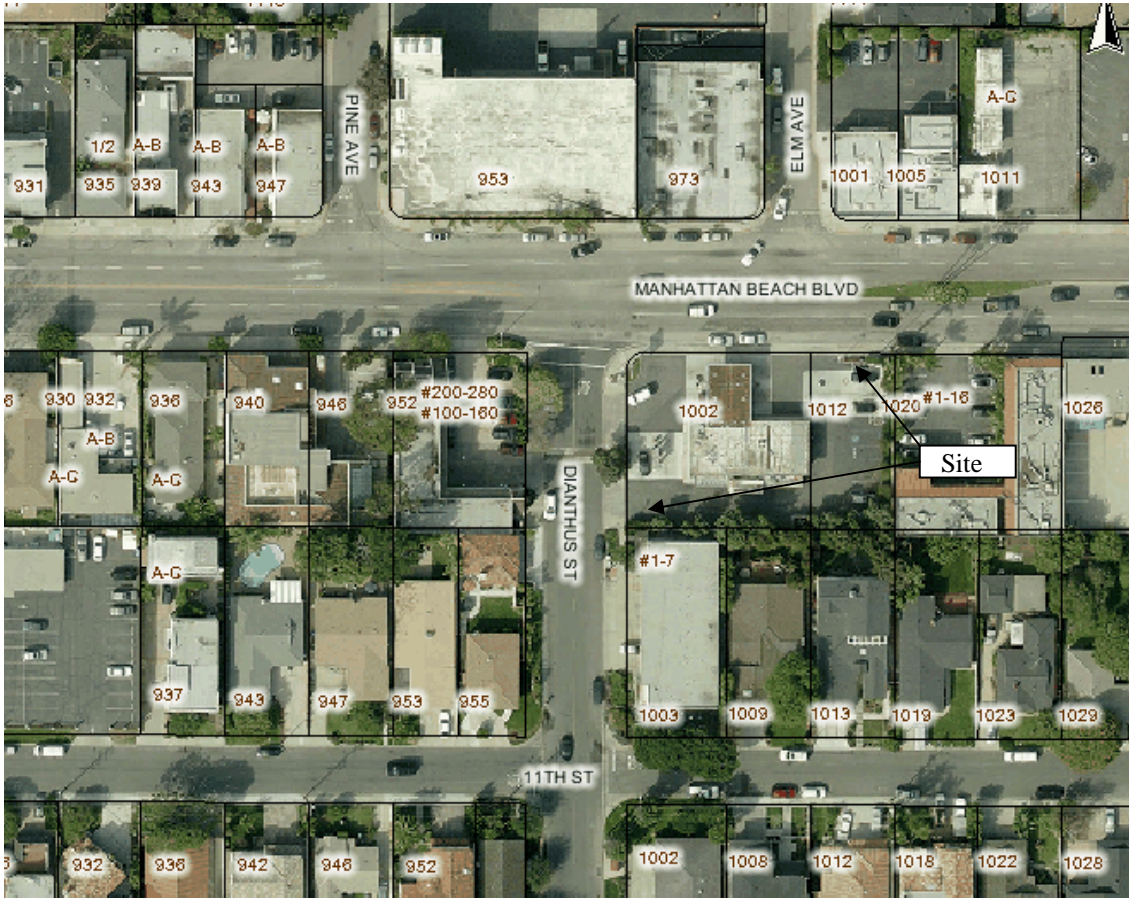
- | | |
|--|-------------------------------|
| A. Site Location Map | c: CJC Design Inc., Applicant |
| B. Draft Resolution No. PC 10- | |
| C. Resolution Nos. 3564, 78-24, 82-39, 4257, 99-25 | |
| D. Service station summary & map of Stations | |
| E. Traffic Engineer memo. dated 10/27/09 | |
| F. Applicant description | |
| G. Neighbor letters | |

Plans (separate)

(NAE = not available electronically)

1002 Manhattan Beach Blvd.

Vicinity



RESOLUTION NO. PC 10-

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT TO REPLACE AN EXISTING SERVICE STATION WITH A NEW SERVICE STATION AND TO INCLUDE A CONVENIENCE STORE WITH BEER AND WINE SALES AND A SIGN EXCEPTION ON THE PROPERTY LOCATED AT 1002 MANHATTAN BEACH BOULEVARD (CJC Design 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 conducted a public hearing on January 13, 2010, considered an application for a use permit to replace an existing service station with a new service station to include convenience store with beer and wine sales on the property legally described as Lots 10, 11, & 12, Block 3, Tract 142 located at 1002 Manhattan Beach Boulevard in the City of Manhattan Beach.
- B. The application was filed on October 8, 2008. The applicant for the subject project is ARCO/CJC Design, Inc..
- C. The project is Categorically Exempt from the requirements of CEQA pursuant to Sections 15303 and 15332, since the project involves reconstruction and minor infill development within an urbanized area.
- D. 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.
- E. The property is located within Area District I and is zoned CL Commercial Local. The surrounding private land uses consist of Commercial office, apartments and single-family residences.
- F. The application includes a request for 24-hour operation and sales of beer and wine from 6am to 2am, which the Planning Commission hereby denies, due to the potential disruption to the adjacent residential area and relatively low intensity surrounding commercial area. Similar proposals have previously been denied with similar neighbor opposition.
- G. The subject property is 16,753 square feet in area. The proposed convenience store building size is 2,400 square feet and the service station use is 6 gasoline pump locations.
- H. The application includes a sign exception request for 5 changeable poster frames for promotion of on-site merchandise. The Planning Commission hereby approves the sign exception for the changeable copy signs by making the following findings in accordance with Section 10.72.080 of the Manhattan Beach Municipal Code:

Approval of the sign exception, subject to the conditions below: will not be detrimental to, nor adversely impact, the neighborhood or district in which the property is located since the signs will be relatively small, non-prominent, aesthetically maintained and within the total amount of allowable site sign area; is necessary for reasonable use of the subject property as a food and beverage sales establishment since such uses traditionally have temporary signs promoting specific merchandise; and is consistent with the intent of City's sign code in that the signs will not harm aesthetics or exceed general sign areas permitted; as detailed in the project staff report.

- I. The Planning Commission made findings with respect to the subject use permit application as follows:

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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 sites for businesses serving the daily needs of nearby residential areas while establishing development standards that prevent significant adverse effects on residential uses, since the proposed project is located within the (CL) Local Commercial district, and will replace an existing service gas station and mini-mart.
 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, since the proposed new gas station and food mart, as conditioned is in compliance with all Manhattan Beach Municipal Code regulations, dedicating street improvements, providing aesthetic enhancements with conforming landscaping and signage, limiting hours, lighting and noise impacts and will incorporate sustainable building components.
 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, since 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 Local Commercial which allows for businesses serving the daily needs of nearby residential areas.
 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, since the existing site is already developed as a gas station, and mini-mart and the proposed new gas station and food mart will not adversely impact nearby properties as conditioned, and as analyzed in the City Traffic Engineer's review. The new use will comply with all of the City's Code requirements and conditions have been placed in this resolution to ensure any impacts do not affect the surrounding residences and neighborhood. It is not anticipated that the proposed new use will exceed the capacity of public services and facilities, as conditioned.
- J. The General Plan designation for the property is Local Commercial. 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-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.3.5: Ensure that the sign ordinance provides for commercial signage that is attractive, non-intrusive, safe, and consistent with overall City aesthetic goals.

Policy LU-5.1: Require the separation or buffering of residential areas from businesses which produce noise, odors, high traffic volumes, light or glare, and parking through the use of landscaping, setbacks, or other techniques.

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Policy LU-5.7: Recognize the unique qualities of mixed use areas, and balance the needs of both the residential and commercial uses.

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

Policy 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.

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 I-2.3: Upgrade all major intersections and arterial streets to keep traffic moving efficiently.

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

Policy I-3.4: Review development proposals to ensure potential adverse parking impacts are minimized or avoided.

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.

- K. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- L. The service station replacement 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.
- M. A determination of public convenience and necessity is made for the proposed off-sale beer and wine license (as conditioned below), which shall be forwarded to the California Department of Alcohol Beverage Control upon the effectiveness of this project approval.
- N. This Resolution is intended to supersede all previous use permit approvals for the subject service station use including Resolution Nos. 3564, 78-24, 82-39, 4257, 99-25.

Section 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Use Permit application subject to the following conditions (*indicates a site specific condition):

Site Preparation / Construction

1. * The project shall be constructed and operated in substantial compliance with the submitted plans as approved by the Planning Commission on January 13, 2010. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
2. A Construction Traffic Management and Staging Plan shall be submitted in conjunction with all construction and other building plans, to be approved by the Community Development Department prior to issuance of building permits. The plan shall provide for the management of all construction related traffic and operation during all phases of construction, including delivery and storage of materials and parking of construction related vehicles.

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3. 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 specifications of the Public Works Department.
4. During building construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.
5. The siting of construction related equipment (job site offices, trailers, materials, etc.) shall be subject to the approval from the Director of Community Development prior to the issuance of any building permits.
6. A site landscaping plan, consistent with the project rendering on file with the Community Development Department, utilizing drought tolerant plants and mature box sized trees 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. Landscaping shall be installed per the approved plans prior to building final. The landscaping site plan shall be to the satisfaction and approval of the Community Development Director.
7. A low pressure or drip irrigation system shall be installed in the landscaped areas, which shall not cause any surface run-off under normal operating conditions. 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 and shall be installed per the approved plans prior to building final.
8. Plans shall incorporate sustainable building components into the building and site design. The plans may include, but not be limited to LEED (Leadership in Energy and Environmental Design) and Built-It-Green components, permeable pavement, energy efficient plumbing, mechanical and electrical systems, and retention of storm water on the site. Plans shall require review and approval by the Community Development and Public Works Departments.
9. Project driveway entrances shall be constructed or modified in conformance with the requirements of the Public Works Department.
10. * Circulation and parking improvement design shall be subject to the review of the City's Traffic Engineer and Director of Community Development.
11. * A 15-foot corner cut-off street dedication at the Manhattan Beach Boulevard and Dianthus Street intersection, shall be provided prior to issuance of project building permits, subject to the review and procedures of the Public Works Department. Pedestrian easements shall be granted to the City for continuous sidewalk disabled access adjacent to the site as required by the City's Traffic Engineer.
12. * Security lighting for the site shall be provided in conformance with Municipal Code requirements including applicable height limits, glare prevention design. The applicant shall submit a lighting and photometric plan which shows the location of the proposed low level lights, wall packs and light pole standards 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. All outside site lighting shall be directed away from residential and the public right-of-way and shall minimize spill-over onto the sidewalk and street. Shields and directional lighting shall be used where necessary.
13. * Property line clean outs, mop sinks, grease interceptors, erosion control, and other sewer and

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storm water items shall be installed and maintained as required by the Department of Public Works. 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.

14. Backflow prevention valves shall be installed as required by the Department of Public Works, and the locations of any such valves or similar devices shall be subject to approval by the Community Development Department prior to issuance of building permits.
15. Sidewalks shall be replaced or installed around the entire site pursuant to the requirements of the Public Works Department.
16. * An appropriate merger document eliminating antiquated property lines within the site shall be submitted subject to the review and approval of the Community Development Department prior to issuance of building permits. All required documents shall be recorded prior to building final.

Operational Restrictions

17. * The facility shall operate as a vehicle service station use with food and beverage sales. Restaurant use, auto maintenance use and vehicle storage shall be prohibited.
18. * Alcohol sales shall be limited to retail beer and wine sales for off-site consumption only. No singles will be sold, no advertised beer and wine "specials" signs will be displayed and there will be no separate displays of beer and wine.
19. * Operation of the fueling facility and the convenience (food and beverage sales) store shall be permitted from 7am to 10pm daily.
20. * Deliveries shall be between the hours of 7:00 a.m. and 9:00 p.m. for non-petroleum (fuel) deliveries.
20. * The management of the facility shall police the property and all areas immediately adjacent to the business during the hours of operation to keep it free of litter.
21. The operators of the facility shall provide adequate management and supervisory techniques to prevent loitering and other security concerns inside and outside the subject businesses, including but not limited to security cameras and graffiti coating/resistant surfaces on the outside of the buildings.
22. * A covered trash enclosure(s), with adequate capacity shall be provided and available on the site subject to the specifications and approval of the Public Works Department, Community Development Department, and City's waste contractor. A trash and recycling plan demonstrating diversion of at least 50% of solid waste shall be provided as required by the Public Works Department.
23. * The facility operator shall prohibit employees from parking personal vehicles on the surrounding public streets. Employees must park on-site or be transported to the site from other off-street parking facilities subject to Community Development Department approval. Prior to building permit issuance, a written employee parking program shall be submitted for Community Development Department approval.
24. * All signs shall be in compliance with the City's Sign Code except for the five approved changeable poster frames approved by Sign Exception. Poster frames shall be counted toward allowable wall sign area and their design, maintenance, and content shall be subject to periodic Community Development Department approval. Pole signs and internally illuminated awnings or other architectural elements shall be prohibited. All new signs shall

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be subject to Community Development Department approval as part of a comprehensive sign program.

25. * Noise emanating from the site shall be in compliance with the Municipal Noise Ordinance.
26. * Any outside sound or amplification system or equipment is prohibited, except speakers used exclusively to communicate individually with customers at gasoline pumps and the cashier on an as needed basis.
27. A permit is required for any outdoor display of merchandise.
28. The operation shall comply with all South Coast Air Quality Management District Regulations and shall not transmit excessive emissions or odors across property lines.
29. The operation shall remain in compliance with all Fire and Building occupancy requirements at all times.
30. An accessible walkway shall be provided between the main doors of the convenience store and public sidewalk (See ADA requirements).
31. All raised landscaping planters along the property frontages shall begin or end perpendicular to the lower portion of the driveway wings. Revise landscaping planters to conform to requirement.
32. All outside site lighting shall be directed away from the public right-of-way and shall minimize spill-over onto the sidewalks and street. Shields and directional lighting shall be used where necessary. Rotate lighting at driveways to face away from sidewalk.
33. A lighting illumination plan shall be submitted for the surface parking lot for approval by the Community Development Department. (MBMC 10/64.170) (COA)
34. A 15' corner cut-off street dedication on the southeast corner of Manhattan Beach Boulevard and Dianthus Street shall be granted to the City as approved by the Public Works Department.
35. A 2 feet overhang shall be included in the stall length when calculating walkway widths across the front and side of the MiniMart building. Increase walkway width by 2 feet to provide vehicle overhang.
36. 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 walls or landscaping over 36 inches high. (MBMC 10.64.150) All planters and walkways must conform to this requirement. (COA)
37. Provide a 15' unobstructed triangle of sight visibility on the northeast corner of Manhattan Beach Boulevard at Dianthus Street behind the property line extensions without walls, columns or landscaping over 36 inches high, tree trunks excepted. (MBMC 3.40.010) (COA)
38. All landscape irrigation backflow devices must meet current City requirements for proper installation.
39. No discharge of construction wastewater, building materials, debris, or sediment from the site is permitted.

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40. A property line cleanout must be installed on the sanitary sewer lateral. See City Standard Plan ST-5. Cleanout must be added to the plumbing plan.
41. A backwater valve is required on the sanitary sewer lateral if the discharges from fixtures with flood level rims are located below the next upstream manhole cover of the Public sewer. See City Standard Plan ST-24. Must be shown on the plan if applicable.
42. If any existing sewer lateral is used, it must be televised to check its structural integrity. The tape must be made available for review by the Public Works Department. The Public Works Department will review the tape and determine at that time if the sanitary sewer lateral needs repairing, replaced, or that it is structurally sound and can be used in its present condition. The lateral must not be cleaned before it is video taped.
43. A mop sink must be installed and shown on the plumbing plan.
44. Commercial enterprises must comply with the National Pollution Discharge Elimination System (NPDES) clean water requirements. Discharge of mop water, floor mat washing, trashcan cleaning and washing out trash enclosures into the street or storm drain system is prohibited. M.B.M.C. 5.84.060, 5.84.090.
45. Any unused water or sanitary sewer laterals must be shown on the plans and abandoned at the City main.
- 46.* A grease interceptor must be installed and placed into a maintenance program with regular inspections and removal of grease buildup, if required by the Public Works Department.
47. All trash enclosures shall be enclosed, have a roof, built in such a manner that stormwater will not enter, and a drain installed that empties into the sanitary sewer system. Floor drain or similar traps directly connected to the drainage system shall be provided with an approved automatic means of maintaining their water seals. See 1007.0 Trap seal Protection in the Uniform Plumbing Code. Contact the City's refuse contractor for sizing of the enclosure. Drawings of the trash enclosure must be on the plan, and must be approved by the Public Works Department, Community Development Department and City's waste contractor before a permit is issued. See Standard Plan ST-25.
48. Commercial establishments are required, by 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.

Procedural

49. All provisions of the Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
50. 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.
51. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.
52. 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

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for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 3. Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of January 13, 2010 and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

LAURIE B. JESTER,
Secretary to the Planning Commission

Sarah Boeschen,
Recording Secretary

1 RESOLUTION NO. 3564

2 A RESOLUTION OF THE CITY COUNCIL OF THE
3 CITY OF MANHATTAN BEACH, CALIFORNIA,
4 APPROVING THE DECISION OF THE BOARD OF
5 ZONING ADJUSTMENT MADE IN ITS RESOLUTION
6 NO. 77-37, AND GRANTING A CONDITIONAL USE
7 PERMIT FOR PROPERTY LOCATED AT 1002
8 MANHATTAN BEACH BOULEVARD

9 WHEREAS, there was filed with the Board of Zoning
10 Adjustment of the City of Manhattan Beach, California, on the
11 15th day of June, 1977, an application by Atlantic-Richfield (ARCO)
12 for a Conditional Use Permit to permit the conversion of an exist-
13 ing service station to a "Mini-Market" including a self-service
14 gas station and the sale of beer and wine on the real property
15 hereinafter described, pursuant to the provisions of the Municipal
16 Code of the City of Manhattan Beach; and

17 WHEREAS, after duly processing said application and
18 holding a public hearing thereon, the Board of Zoning Adjustment
19 did duly and regularly adopt its Resolution No. 77-37 (which is
20 now on file in the office of the Secretary of said Commission
21 in the City Hall of said City, open to public inspection and
22 hereby referred to in its entirety and by this reference incor-
23 porated herein and made part hereof) on the 12th day of July,
24 1977, approving said request for a Conditional Use Permit; and

25 WHEREAS, the City Council appealed the decision and
26 pursuant to the provisions of the Municipal Code held a public
27 hearing thereon on the 23rd day of August, 1977, receiving and
28 filing all written documents and hearing oral argument for and
29 against; thereafter on said 23rd day of August, 1977, the Council
30 directed that the decision of said Commission as reflected in
31 Resolution No. 77-37, be approved, and that said Conditional Use
32 Permit be granted,

33 NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF
34 MANHATTAN BEACH, CALIFORNIA, DOES HEREBY RESOLVE AND ORDER AS
35 FOLLOWS:

EXHIBIT C

PC Mtg 1/13/10

1 SECTION 1. That the said application is an application
2 which was properly made to the Planning Commission pursuant to
3 the provisions of the Municipal Code.

4 SECTION 2. That the Conditional Use Permit applied for
5 and the real property affected thereby are set forth in the
6 application as follows:

7 Request: Permit to convert an existing service
8 station to a "Mini-Market" including
9 a self-service gas station and the
 sale of beer and wine on the real prop-
 erty.

10 Legal Description:

11 Lots 10, 11, & 12, Block 3, Tract 142,
12 in the City of Manhattan Beach, County
13 of Los Angeles, State of California,
14 as per map recorded in Book 13, Pages
15 182 and 183 of Maps, in the office of
 the Recorder of the County of Los Angeles
 (more commonly known as 1002 Manhattan
 Beach Boulevard.

16 SECTION 3. That the City Council does hereby approve
17 the findings of the Board of Zoning Adjustment contained in its
18 Resolution No. 77-37, and does hereby grant the Conditional Use
19 Permit subject to the following conditions:

- 20 1. That all deliveries to food store take place
21 between the hours of 7:00 a.m. and 4:00 p.m.
- 22 2. That bicycle racks for at least 10 bicycles be
 provided at a safe location.
- 23 3. That suitable restroom screens be provided.
- 24 4. That all food or beverages sales take place within
25 the building.
- 26 5. That adequate trash receptacles be provided on
 site.
- 27 6. Trees spaced not less than 20 feet apart shall be
28 provided adjacent to the south property line concrete block wall
 in addition to required landscaping.
- 29 7. That all signs comply with the City's adopted Sign
30 Code.
- 31 8. That all noise emanating across residential property
 lines shall conform to Ordinance 1362.

32 / / /

1 9. Refrigeration compressor shall be enclosed within
2 a sound-attenuating concrete block structure.

3 10. Any exterior storage required shall be enclosed in
4 an architectural designed building.

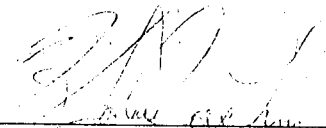
5 11. Hours of operation shall be limited to 7:00 a.m.
6 to 10:00 p.m., seven days per week.

7 12. Street trees shall be installed on both the Manhat-
8 tan Beach Boulevard and Dianthus Street frontages at spacings no
9 greater than 20 feet intervals in accordance with trees previously
10 installed adjacent to other business development in this area.

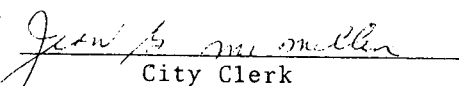
11 SECTION 4. The City Clerk shall certify to the passage
12 and adoption of this resolution; shall cause the same to be
13 entered in the book of original resolutions of said City; shall
14 make a minute of the passage and adoption thereof in the records
15 of the meeting at which the same is passed and adopted; and
16 shall forward a certified copy of this resolution to the Community
17 Development Department of said City.

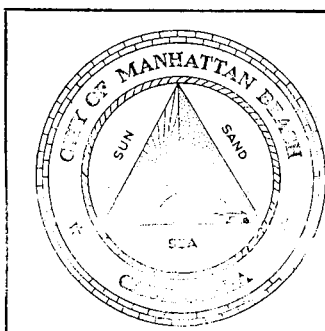
18 PASSED, APPROVED and ADOPTED this 6th day of
19 September, 1977.

20 Ayes: Blumberg, Nordeck, Sweeney, and Mayor Cashin
21 Noes: None
22 Absent: Switzer
23 Abstain: None


24 
25 Mayor, City of Manhattan Beach,
26 California.

27 ATTEST:

28 
29 City Clerk



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


City Clerk of the City of
Manhattan Beach, California

RESOLUTION 78-24

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENT
OF THE CITY OF MANHATTAN BEACH AMENDING THE
CONDITIONAL USE PERMIT FOR THE PROPERTY CONS-
ISTING OF LOT 10, 11, and 12, BLOCK 3, TRACT 142,
IN THE CITY OF MANHATTAN BEACH (1002 Manhattan
Beach Blvd. -Atlantic Richfield Co.)

WHEREAS, the Board of Zoning Adjustment of the City of Manhattan Beach conducted a hearing to consider the Conditional Use Permit amendment for the property located at 1002 Manhattan Beach Blvd. ; and

WHEREAS, the application was filed by Atlantic Richfield Co. ; and

WHEREAS, the applicant proposes to extend the existing hours of business from 7:00 a. m. to 10:00 p. m. to 6:00 a. m. to 12:00 p. m. midnight; and

WHEREAS, the Board of Zoning Adjustment made the following findings with respect to the subject property:

1. That the Board of Zoning Adjustment originally adopted Resolution 77-37 which authorized the operation of a self-service gas station and a mini-market grocery store selling beer and wine.
2. The business is conforming to all conditions of the existing conditional use permit except for one minor variation which has been corrected.
3. The staff attempted to contact adjacent property owners to determine if they had any complaints relative to the operation of the existing business and to obtain comments relative to the proposed hour change. No person was at home, but a letter was left explaining the proposed changes and requesting comments from the concerned residents. A total of 12 residents were contacted by letter and none of those residents made a reply.
4. A verbal call was made to the Department of Community Development by Mrs. Trotter, 912 Dianthus, M. B., who complained about the traffic and trash problems that would be increased due to the extended hours.
5. The applicant presented a petition signed by over 200 citizens of the City of Manhattan Beach. Most of those citizens were residents within probably a six block circle of the business. The petition stated that the applicant was requesting later hours of operation.
6. The applicant stated that the main reason for the requested extension of hours was to remain competitive with the businesses in the area that are not restrained by CUP's.

NOW, THEREFORE, BE IT RESOLVED, that based on the above findings, the Board of Zoning Adjustment grants the applicant an amendment to the Conditional Use Permit to allow operation from 6:00 a. m. to 12:00 midnight each day.

I hereby certify that the foregoing is a full, true, and correct copy of the resolution adopted by the Board of Zoning Adjustment at their regular meeting of April 11, 1978, and that such Resolution was adopted by the following vote:

AYES: Commissioners Armistead, Clancy; Logan
Pettitt,

NCES: Chairman Hayden

ABSENT: None

NOT VOTING: None

THOMAS H. CORLEY, Secretary to the Board

NOV 23, 1982

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENT OF
THE CITY OF MANHATTAN BEACH APPROVING THE CON-
DITIONAL USE PERMIT TO ALLOW THE EXPANSION OF
GASOLINE SERVICE CAPACITY AT AN EXISTING LIMITED
SELF-SERVICE GASOLINE STATION/MINI-MARKET, FOR
THE PROPERTY LOCATED AT 1002 MANHATTAN BEACH
BOULEVARD (Arco)

WHEREAS, the Board of Zoning Adjustment of the City of Manhattan Beach conducted a public hearing pursuant to applicable law to consider an application for a Conditional Use Permit for the property legally described as Lots 10, 11, and 12, Block 3, Tract 142, located at 1002 Manhattan Beach Boulevard in the City of Manhattan Beach; and,

WHEREAS, the applicant for said Conditional Use Permit is D. B. Miller for Atlantic Richfield Company, owner of the property; and,

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

WHEREAS, an Initial Study/Environmental Assessment was prepared and a Negative Declaration was filed in compliance in all respects with CEQA and the City of Manhattan Beach Guidelines, finding no significant environmental impacts associated with the project; and,

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

1. The applicant is requesting a Conditional Use Permit to allow an existing limited self-service gasoline station/mini-market to expand its gasoline service capacity by the reinstallation of a second gasoline island, that was previously removed in 1977.
2. The business now operates under a Conditional Use Permit, City Council Resolution No. 3564, which includes conditions by which the business operates.
3. The existing self-service gasoline station/mini-market operation is in compliance with all previous conditions of approval.
4. The installation of underground gasoline storage tanks will not be necessary, since the existing storage capacity will be adequate.
5. Traffic circulation in and around the property will be improved as a result of the installation of the new island.
6. The new proposed lighting shall be designed so as to preclude any nuisance to the adjoining residential properties.
7. The City is preparing plans to widen Manhattan Beach Boulevard between Sepulveda Boulevard and Pine Avenue, which will affect this property.

NOW, THEREFORE, BE IT RESOLVED that the Board of Zoning Adjustment hereby APPROVES the Conditional Use Permit subject to the following conditions:

1. All conditions of previously approved Conditional Use Permits shall remain effective.

2. All outdoor lighting shall be arranged so as to reflect the light away from all residential properties.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Board of Zoning Adjustment at its regular meeting of November 23, 1982, and that said Resolution was adopted by the following vote:

AYES: Cole, Duffy, Hollingsworth,
Johnson, Archuletta

NOES: None

ABSENT: None

ABSTAIN: None

Terry Stambler-Wolfe

TERRY STAMBLER-WOLFE

Secretary to the Board of Zoning Adjustment

Arlette Tirman

Arlette Tirman, Recording Secretary

1 RESOLUTION NO. 4257

2 A RESOLUTION OF THE CITY COUNCIL OF THE
3 CITY OF MANHATTAN BEACH, CALIFORNIA,
4 APPROVING THE DECISION OF THE BOARD OF
5 ZONING ADJUSTMENT MADE IN ITS RESOLUTION
6 NO. 85-28 DENYING A CONDITIONAL USE PERMIT
7 AMENDMENT PURSUANT TO THE APPLICATION OF
8 ATLANTIC RICHFIELD CORPORATION FOR PROPERTY
9 LOCATED AT 1002 MANHATTAN BEACH BOULEVARD
10 IN SAID CITY

11 WHEREAS, there was filed with the Board of Zoning
12 Adjustment of the City of Manhattan Beach, California, an
13 application by Atlantic Richfield Corporation, owner of the
14 property, for a Conditional Use Permit Amendment affecting the
15 use of real property hereinafter described; and

16 WHEREAS, after duly processing said application and
17 holding a public hearing on July 9, 1985, the Board of Zoning
18 Adjustment adopted its Resolution No. 85-28 denying the
19 Conditional Use Permit Amendment; and

20 WHEREAS, within the time permitted by law and pursuant
21 to the provisions of Section 10-3.1614 of the Manhattan Beach
22 Municipal Code, the applicant appealed the decision of the
23 Board of Zoning Adjustment; and

24 WHEREAS, the City Council of said City held a duly
25 noticed public hearing on September 3, 1985, continued to
26 September 17, 1985, receiving and filing all written documents
27 and hearing oral argument for and against; thereafter on said
28 September 17, 1985, the Council directed that said decision of
29 the Board of Zoning Adjustment as reflected in Resolution No.
30 85-28 be sustained and that said Conditional Use Permit Amend-
31 ment be denied;

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

SECTION 1. That the application for Conditional Use
Permit Amendment was properly made to the Board of Zoning

1 Adjustment and that thereafter the appeal was timely filed.

2 SECTION 2. That the Conditional Use Permit Amendment
3 applied for and the real property affected thereby are as follows:

4 Request: To allow an existing self service
5 gasoline service station and
6 mini-market to expand its hours
7 of operation to provide for
8 24-hour service.

9 Legal Lots 10, 11, and 12, Block 3,
10 Description: Tract 142, in the City of
11 Manhattan Beach, County of
12 Los Angeles, State of California,
13 commonly known as 1002 Manhattan
14 Beach Boulevard.

15 SECTION 3. That after receipt and consideration of
16 the evidence presented to the City Council at its hearing con-
17 ducted on said application, the City Council makes the following
18 findings:

19 1. The property is zoned C-P-D, Commercial Planned
20 Development, and is located within Area District I.

21 2. In 1980 the City Council denied a similar request
22 primarily due to the impact of the proposed 24-hour operation
23 on adjacent residential properties, as well as Arco's failure
24 to show clear need or significant benefit to the City. It was
25 determined that the conditions pertaining to this current
26 application have not changed since the previous request for
27 expanded hours.

28 3. Residents of the surrounding area testified that
29 they were concerned with increased traffic, litter, crime, and
30 sudden loud noises, rather than ambient noise, during the
31 proposed expanded hours.

32 4. Service stations that have received approval to
maintain 24-hour operation are all located on Sepulveda
Boulevard. The Arco mini-mart is located on Manhattan Beach
Boulevard west of Sepulveda. Properties surrounding the service
station are commercially zoned with the exception of properties
to the south which are single-family residential. Use of the
facilities in the late evening and early morning hours will
intensify commercial activity in a predominately residential
and daytime commercial area.

SECTION 4. Based upon the foregoing findings of
fact, it is the determination of the City Council that the
Conditional Use Permit Amendment be denied, and that the condi-
tions of operation remain consistent with all previous City
approvals.

///

RESOLUTION NO. PC 99 - 25

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING A SIGN EXCEPTION FOR THE PROPERTY LOCATED AT 1002 MANHATTAN BEACH BOULEVARD (Arco)

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. Pursuant to applicable law, the Planning Commission of the City of Manhattan Beach reviewed the application on August 25, 1999 at the request of the property owners (Arco Products Company) to consider a sign exception for the property located at 1002 Manhattan Beach Boulevard (Lots 10, 11, 12, Block 3, Tract No. 142).
- B. The proposed project involves the placement of two internally illuminated wall signs totaling 53.24 square feet, fascia signage totaling 241.98 square feet, and the maintenance of one pole sign totaling 272 square feet, for a total sign area of 567.22 square feet.
- C. The property is located within the "CL" (Commercial, Local) - Area District I, and is designated "Local Commercial" within the Land Use Element of the Manhattan Beach General Plan .
- D. The total signage allowed for this site is 321 square feet based upon 160.5 linear feet of property frontage along Manhattan Beach Boulevard.
- E. The applicant is seeking to exceed this allowed sign area by 246.22 square feet.
- F. A sign exception, pursuant to Section 10.72.080 of the Manhattan Beach Municipal Code (MBMC) is required for approval of the proposed sign program due to the total square footage of the sign area.
- G. Pursuant to Section 15311 (a) of the California Environmental Quality Act (CEQA) Guidelines, and the City of Manhattan Beach CEQA Guidelines, the project is exempt (Class 11) from the environmental review provisions of CEQA.

Section 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the proposed variance subject to the following:

- 1. The project shall be developed in substantial compliance with the plans and materials presented to the Planning Commission at their regular meeting of August 25, 1999.
- 2. The project shall be developed in compliance with all applicable regulations of Title 10 of the MBMC.
- 3. There shall be no external illumination of the fascia, and no vendor logo (wall sign), located adjacent to Dianthus Street.
- 4. Unless appealed, the sign exception shall become effective after expiration of the time limits established by Section 10.100.030 (15 days from the date of approval).
- 5. The sign exception shall be effective for one year following the date of approval (August 25, 2000).
- 6. 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, other than one by the Applicant, challenging the approval of the project, or any action or failure to act by

EXHIBIT 1

RESOLUTION NO. PC 99 - 25

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. The 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 August 25, 1999 and that said Resolution was adopted by the following vote:

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

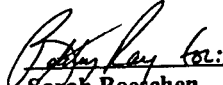
NOES: None

ABSTAIN: None

ABSENT: None



Richard Thompson
Director of Community Development



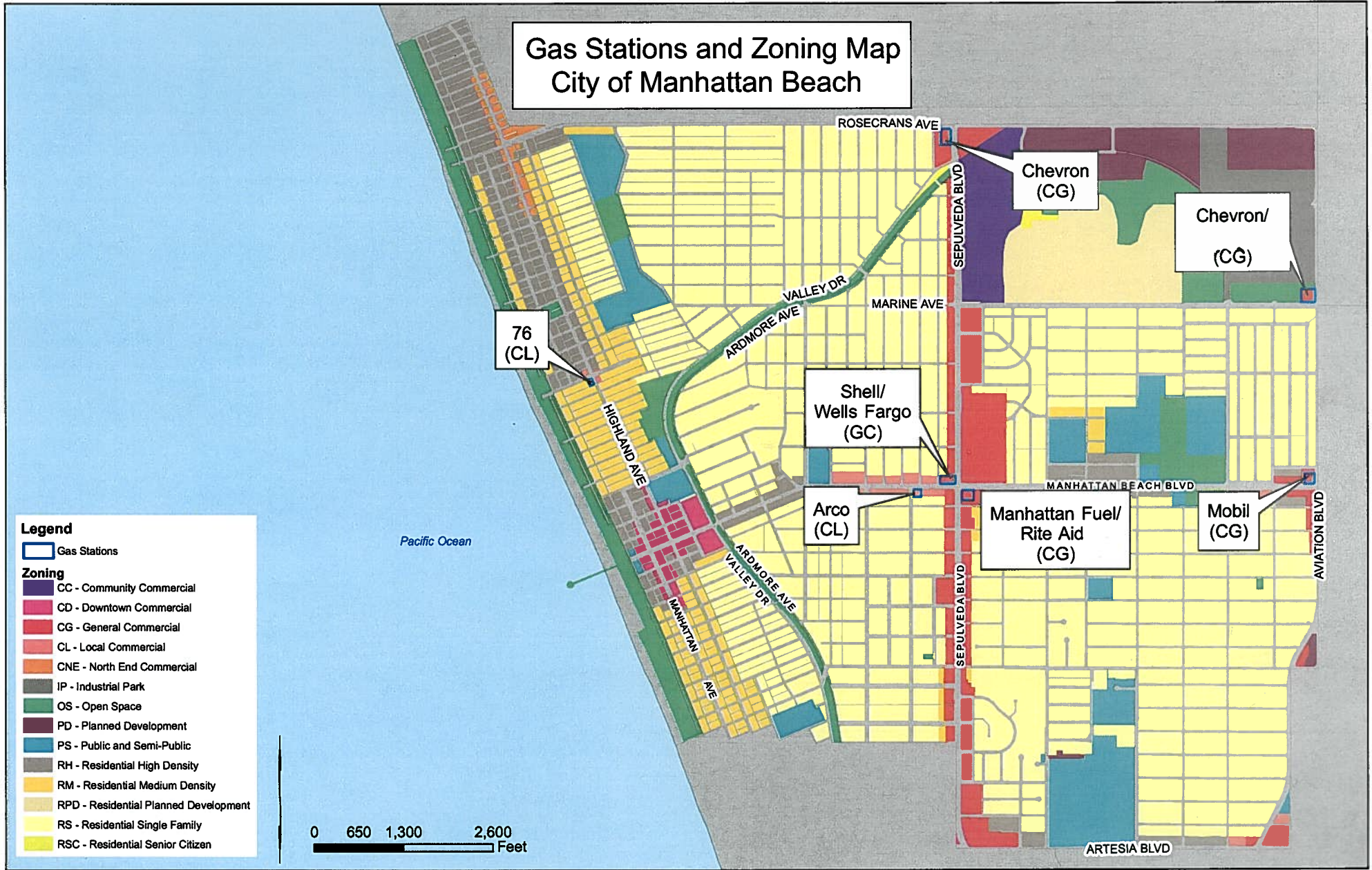
Sarah Boeschen
Recording Secretary

City of Manhattan Beach Gas Stations

Gas Station	Type	Address	Zoning	District	Hours	Use Permit	Alcohol	Signs
Arco (subject site)	Gas Station/Mini Market	1002 Manhattan Beach Blvd.	CL	1	Gas and mini-market 7am to 10pm	Approved Oct. 1, 1985	Beer and Wine	1 Pole Sign Height 30 ft.
Mobil	Gas Station/Mini Market/Car Wash	1865 Manhattan Beach Blvd.	CG	2	Gas - 24 hours Mini-market - 6am to 12 midnight Car wash - 7am to 9pm (M-F), 8am to 8pm (Sat, Sun, Hol)	Approved July 5, 1988	Beer and Wine	1 Pole Sign Height 20-25 feet
76	Gas Station/Kiosk	2121 Highland Avenue	CL	3	Gas and Kiosk 6am to 10pm	Approved July 6, 1976	No	1 Pole Sign Height 15 feet
Shell (demolished, new use)	Gas Station/Food Mart/Auto Repair	1129 N. Sepulveda Blvd.	CG	2	Gas - 24 hours Mini-market - 6am to 12 midnight Auto Repair - 8am to 7pm	Approved Jan. 26, 1994	Beer and Wine	1 Pole Sign Height 30 ft.
Manhattan Fuel (demolished, new use)	Gas Station/Auto Repair	1100 Manhattan Beach Blvd.	CG	1	No limits	Approved April 6, 1976	No	1 Pole Sign Height 20 ft.
Chevron	Gas Station/Food Mart	3633 N. Sepulveda Blvd.	CG	2	Gas - 24 hours Food Mart - 6am to 2am Alcohol - 6am to midnight	Approved Oct. 11, 2006	Beer and Wine	Monument Sign Height 6 ft.
Chevron	Gas Station/Food Mart	2301 Aviation Blvd.	CL	2	Gas - 24 hours Food Mart - 6am to 2am Alcohol - 6am to midnight Car Wash - 7am to 9pm (M-F), 8am to 8pm (S, S)	Approved May 27, 2009	Beer and Wine	Pole Sign Height 25 ft.

<COLOR MAP>

Gas Stations and Zoning Map City of Manhattan Beach



Legend

- Gas Stations

Zoning

- CC - Community Commercial
- CD - Downtown Commercial
- CG - General Commercial
- CL - Local Commercial
- CNE - North End Commercial
- IP - Industrial Park
- OS - Open Space
- PD - Planned Development
- PS - Public and Semi-Public
- RH - Residential High Density
- RM - Residential Medium Density
- RPD - Residential Planned Development
- RS - Residential Single Family
- RSC - Residential Senior Citizen



76
(CL)

Chevron
(CG)

Chevron/
(CG)

Shell/
Wells Fargo
(GC)

Arco
(CL)

Manhattan Fuel/
Rite Aid
(CG)

Mobil
(CG)

Pacific Ocean

ROSECRANS AVE

SEPULVEDA BLVD

VALLEY DR

MARINE AVE

ARDMORE AVE

HIGHLAND AVE

MANHATTAN BEACH BLVD

AVIATION BLVD

MANHATTAN VALLEY DR
ARDMORE AVE
MANHATTAN AVE

ARTESIA BLVD

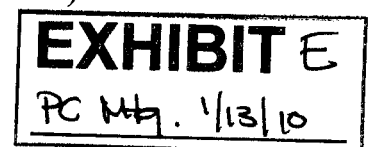
CITY OF MANHATTAN BEACH

DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: Eric Haaland, Associate Planner
FROM: Erik Zandvliet, Traffic Engineer
DATE: October 27, 2009
**SUBJECT: Proposed Convenience Store / Gas Station
1002 Manhattan Beach Boulevard
Site Plan Review**

An existing multi-use Convenience Store and Gas Station is proposed to be renovated on the southeast corner of Manhattan Beach Boulevard and Dianthus Street . A review of the site plan dated April 10, 2008 has been made. The following comments have been prepared to address traffic engineering concerns:

1. An accessible walkway shall be provided between the main doors of the convenience store and public sidewalk (See ADA requirements).
2. All raised landscaping planters along the property frontages shall begin or end perpendicular to the lower portion of the driveway wings. Revise landscaping planters to conform to requirement.
3. All outside site lighting shall be directed away from the public right-of-way and shall minimize spill-over onto the sidewalks and street. Shields and directional lighting shall be used where necessary. Rotate lighting at driveways to face away from sidewalk.
4. A lighting illumination plan shall be submitted for the surface parking lot for approval by the Community Development Department. (MBMC 10/64.170) (COA)
5. A 15' corner cut-off street dedication on the southeast corner of Manhattan Beach Boulevard and Dianthus Street shall be granted to the City as approved by the Public Works Department.
6. A 2 feet overhang shall be included in the stall length when calculating walkway widths across the front and side of the MiniMart building. Increase walkway width by 2 feet to provide vehicle overhang.
7. 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 walls or landscaping over 36 inches high. (MBMC 10.64.150) All planters and walkways must conform to this requirement. (COA)
8. Provide a 15' unobstructed triangle of sight visibility on the northeast corner of Manhattan Beach Boulevard at Dianthus Street behind the property line extensions without walls, columns or landscaping over 36 inches high, tree trunks excepted. (MBMC 3.40.010) (COA)





MASTER APPLICATION FORM

CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

Office Use Only
Date Submitted: 10/8/08
Received By: ED
F&G Check Submitted: yes

\$50.00 pd

1002 Manhattan Beach Blvd @ Dianthus St.
Project Address
See attached Title Report
Legal Description

General Plan Designation _____ CL Local Commercial _____
Zoning Designation _____ Area District _____

For projects requiring a Coastal Development Permit, select one of the following determinations¹:
Project located in Appeal Jurisdiction
 Major Development (Public Hearing required)
 Minor Development (Public Hearing, if requested)
Project not located in Appeal Jurisdiction
 Public Hearing Required (due to UP, Var., etc.)
 No Public Hearing Required

Submitted Application (check all that apply)
 Appeal to PC/PWC/BBA/CC _____
 Coastal Development Permit _____
 Environmental Assessment 215
 Minor Exception _____
 Subdivision (Map Deposit)4300 _____
 Subdivision (Tentative Map) _____
 Subdivision (Final) _____
 Subdivision (Lot Line Adjustment) _____
 Use Permit (Residential) _____
 Use Permit (Commercial) 5200
 Use Permit Amendment _____
 Variance _____
 Public Notification Fee / \$65 65
 Park/Rec Quimby Fee 4425 _____
 Lot Merger/Adjustment/\$15 rec. fee _____
 Other _____

\$5480 Total

Fee Summary: Account No. 4225 (calculate fees on reverse)
Pre-Application Conference: Yes _____ No _____ Date: _____ Fee: _____
Amount Due: \$ _____ (less Pre-Application Fee if submitted within past 3 months)
Receipt Number: _____ Date Paid: _____ Cashier: _____

Applicant(s)/Appellant(s) Information

CJC Design, Inc.
Name
140 N. Maple Street, Suite 101, Corona, Ca. 92880
Mailing Address
Consultant for Property owner (BP West products LLC.)
Applicant(s)/Appellant(s) Relationship to Property
Fred Cohen | 951-371-1400 fcohen@cjccorp.com
Contact Person (include relation to applicant/appellant) Phone number / e-mail
140 N. Maple Street, Suite 101, Corona, Ca. 92880
Address,
951-371-1400
Applicant(s)/Appellant(s) Signature Phone number

Complete Project Description- including any demolition (attach additional pages if necessary)
Removal of Exist. am/pm Building & install New 2400 sq
am/pm Mini mart w/ BEER & WINE OPERATING 24 hrs.

¹ An Application for a Coastal Development Permit shall be made prior to, or concurrent with, an application for any other permit or approvals required for the project by the City of Manhattan Beach Municipal Code. (Continued on reverse)

10-08-2008
1/001-01230465
101



ENVIRONMENTAL INFORMATION FORM

(to be completed by applicant)

CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

Date Filed: _____

APPLICANT INFORMATION

Name: CJC Design, Inc.

Contact Person: Fred Cohen

Address: 140 N. Maple Street, Suite 101, Corona, 92880

Address: 140 N. Maple Street, Suite 101, Corona, 92880

Phone number: 951-371-1400

Phone number: 714-920-9643

Relationship to property: Agent

Association to applicant: Agent

PROJECT LOCATION AND LAND USE

Project Address: 1002 Manhattan Beach Blvd. @ Dianthus street

Assessor's Parcel Number: 4170-026-025

Legal Description: See Attached

Area District, Zoning, General Plan Designation: _____

Surrounding Land Uses: _____

North Commercial

West Commercial

South Residential

East Commercial

Existing Land Use: Commercial

PROJECT DESCRIPTION

Type of Project: Commercial XX 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: Local Commercial
Orientation with new 2400sf am/pm minimart at existing gas station to be operated 24hrs with 3 employees
at each shift

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

Removed/

	<u>Existing</u>	<u>Proposed</u>	<u>Required</u>	<u>Demolished</u>
Project Site Area:	16753 sf			
Building Floor Area:		2400sf		1785sf
Height of Structure(s)		17'-9"		14'-0"
Number of Floors/Stories:		One		One
Percent Lot Coverage:		14.3%		10.6%
Off-Street Parking:		12		None
Vehicle Loading Space:				
Open Space/Landscaping:	850sf	1349sf		

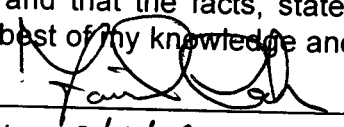
Proposed Grading:
 Cut <100 CY Fill <100 CY Balance Imported _____ Exported _____

Will the proposed project result in the following (check all that apply):

- | | | |
|------------|-------------------------------------|--|
| <u>Yes</u> | <u>No</u> | |
| _____ | <input checked="" type="checkbox"/> | Changes in existing features or any bays, tidelands, beaches, lakes, or hills, or substantial alteration of ground contours? |
| _____ | <input checked="" type="checkbox"/> | Changes to a scenic vista or scenic highway? |
| _____ | <input checked="" type="checkbox"/> | A change in pattern, scale or character of a general area? |
| _____ | <input checked="" type="checkbox"/> | A generation of significant amount of solid waste or litter? |
| _____ | <input checked="" type="checkbox"/> | A violation of air quality regulations/requirements, or the creation of objectionable odors? |
| _____ | <input checked="" type="checkbox"/> | Water quality impacts (surface or ground), or affect drainage patters? |
| _____ | <input checked="" type="checkbox"/> | An increase in existing noise levels? |
| _____ | <input checked="" type="checkbox"/> | A site on filled land, or on a slope of 10% or more? |
| _____ | <input checked="" type="checkbox"/> | The use of potentially hazardous chemicals? |
| _____ | <input checked="" type="checkbox"/> | An increased demand for municipal services? |
| _____ | <input checked="" type="checkbox"/> | An increase in fuel consumption? |
| _____ | <input checked="" type="checkbox"/> | A relationship to a larger project, or series of projects? |

Explain all "Yes" responses (attach additional sheets or attachments as necessary):

CERTIFICATION: I hereby certify that the statements furnished above and in attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Signature: 
 Date Prepared: 2/8/08
 Revised 7/97

Prepared For: APCO 1002 Manhattan Beach

EXHIBIT "A"

All that certain real property situated in the County of Los Angeles, State of California, described as follows:

Lots 11 and 12 in Block 3 of Tract No. 142, in the City of Manhattan Beach, County of Los Angeles, State of California, as per map recorded in Book 13, Pages 182 and 183 of Maps, in the Office of the County Recorder of said County.

Except the Northerly 20 feet thereof.

Also except that portion granted to the City of Manhattan Beach in deed recorded March 7, 1983, as Instrument No. 83-253153, Official Records.

Assessor's Parcel Number: **4170-026-025**



CJC Design, Inc.

Design

Planning

Permitting

Date: December 29, 2009

To: City of Manhattan Beach Planning Department

Attn: Mr. Eric Haaland

Project: Arco#1846
1002 Manhattan Beach Blvd.
Manhattan Beach, CA

Re: Promotional Signs (POP Signs)

Mr. Holland

Per your request, this letter is to serve as informational purpose for the proposed promotional signs on the new am/pm building.

The promotional signs are utilized to inform the patrons of the available product promotion which am/pm franchise facility continuously provide to its customers. These fixed frames will hold changeable posters.

One of the main basis of these promotional signs is to keep the store front of building clear of obstacles and clutter. Unlike other convenient store facilities, am/pm takes pride in up keeping the store front and its surrounding free of clutter to provide a better security from outside visibility into the store.

These signs are externally illuminated by "Goose Neck" down lighting which also compliments the architecture of the building.

If you need any additional information, please do not hesitate to give me a call.

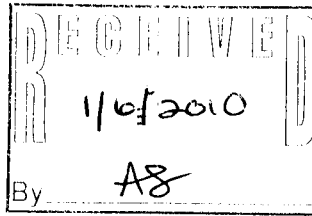
Sincerely,

Fred Cohen

140 N. Maple Street, Suite 101
Corona, Ca. 92880
Tel: (951) 371-1400
Fax: (951) 371-1414
www.cjccorp.com

05 January 2010

City of Manhattan Beach City Hall
1400 Highland Avenue
Manhattan Beach, CA 90266



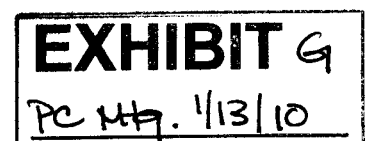
Attention: Richard Thompson, Director of Community Development

Subject: ARCO Gas Station and Food Mart Construction Use Permit

Dear Mr. Thompson:

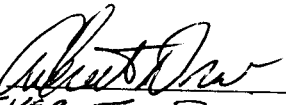
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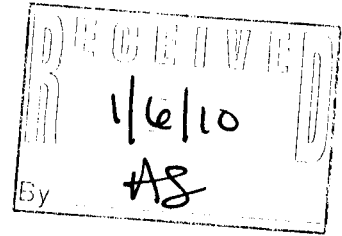
Sincerely,

Signature  Barbara Drake
Name EVERETT DRAKE BARBARA DRAKE
Address 916 11TH ST MANHATTAN BEACH 90266
Phone 310-545-9200
Email BE_DRAKE_5@VERIZON.NET

cc: Eric Haaland, Associate Planner

05 January 2010

City of Manhattan Beach City Hall
1400 Highland Avenue
Manhattan Beach, CA 90266



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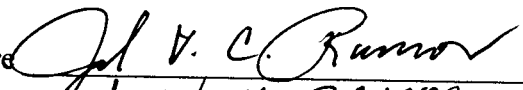
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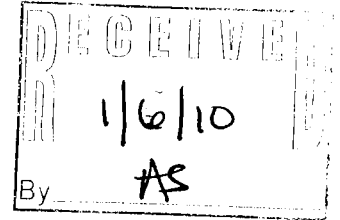
Sincerely,

Signature 
Name JOHN V. RAMOS
Address 9431TH MANHATTAN BEACH
Phone 310-796-0076
Email Johnvramos@verizon.net

cc: Eric Haaland, Associate Planner

05 January 2010

City of Manhattan Beach City Hall
1400 Highland Avenue
Manhattan Beach, CA 90266



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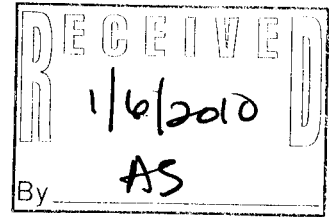
Sincerely,

Signature Jennifer Claman / Jennifer A. Claman
Name Jennifer Claman
Address 906 11th St MB CA 90266
Phone (310) 251-6656
Email JClaman

cc: Eric Haaland, Associate Planner

05 January 2010

City of Manhattan Beach City Hall
1400 Highland Avenue
Manhattan Beach, CA 90266



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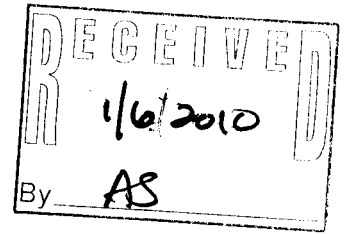
Sincerely,

Signature Beth Woolley
Name BETH WOOLLEY
Address 946 11TH ST., M.B.
Phone 310-545-9619
Email _____

cc: Eric Haaland, Associate Planner

05 January 2010

City of Manhattan Beach City Hall
1400 Highland Avenue
Manhattan Beach, CA 90266



Attention: Richard Thompson, Director of Community Development

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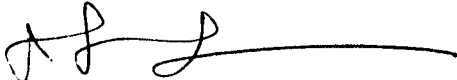
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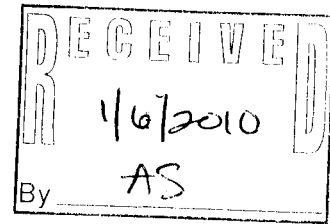
Sincerely,

Signature 
Name JENNY LEE & SHIJIN LEE
Address 1002 11 ST M.B
Phone _____
Email _____

cc: Eric Haaland, Associate Planner

05 January 2010

City of Manhattan Beach City Hall
1400 Highland Avenue
Manhattan Beach, CA 90266



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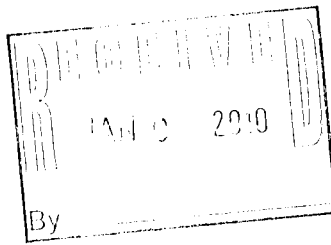
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Sincerely,

Signature Ronald W. delvalle
Name RON DEL VALLE
Address 910 MANHATTAN BEACH BLVD., M.B.
Phone 310-545-5055
Email delvalle.ron@gmail.com

cc: Eric Haaland, Associate Planner



January 4, 2010

City of Manhattan Beach Planning Commission
1400 Highland Ave
Manhattan Beach, Ca 90266

To Whom It May Concern:

The purpose of this letter is to voice our, Todd and Samantha Wohl's, objection to the proposed expansion of building and operation of the ARCO station at 1002 Manhattan Beach Blvd. As homeowners (1013 11th Street), whose property sits directly behind the existing ARCO station, our concerns are as follows:

1. **Loitering** - The parking lot that serves the current ARCO station is often subject to loitering during after business hours (5pm on). Daily, the southeast corner of the parking lot is used by individuals as a place to congregate, drink, and play music from their parked automobiles. This activity invariably results in noise trespass and trash being thrown over the fence into our yard.
2. **Trash**- Bottles, cans, and cigarettes are constantly being disposed of in our yard, much to the danger of our children who use this yard as their play area. The increase of trash generated by the existing station and the use of large dumpsters also results in a significant increase in rodent (i.e. Rats, Possums, Squirrels, and Raccoons) activity. A larger store with an increase of business hours will create an increase of waste and rodent activity.
3. **Noise Trespass** - Currently on any given day, customers parking in the ARCO station often set and trigger their car alarm. Additionally noise is already generated in the morning and late evening hours from various delivery trucks (food, beverage, and gasoline tankers). This is a noise disturbance that is tolerated during the *normal* business hours, yet unacceptable at night or early in the morning. Please note the following California Health and Safety Code:

CALIFORNIA HEALTH AND SAFETY CODE

SECTION 46000-46002

46000. The Legislature hereby finds and declares that:

- (a) Excessive noise is a serious hazard to the public health and welfare.*
- (b) Exposure to certain levels of noise can result in physiological, psychological, and economic damage.*
- (c) There is a continuous and increasing bombardment of noise in the urban, suburban, and rural areas.*
- (d) Government has not taken the steps necessary to provide for the control, abatement, and prevention of unwanted and hazardous noise.*
- (e) The State of California has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise.*

(f) All Californians are entitled to a peaceful and quiet environment without the intrusion of noise, which may be hazardous to their health or welfare.

(g) It is the policy of the state to provide an environment for all Californians free from noise that jeopardizes their health or welfare. To that end it is the purpose of this division to establish a means for effective coordination of state activities in noise control and to take such action as will be necessary to achieve the purposes of this section.

4. **Lights-** Presently the lights at the ARCO station are lit from 6am-10pm daily. These lights are bright, intrusive, and shine into our home until they are shut off at 10pm. If the proposed expansion plan goes through, these lights will create a nuisance to the neighborhood and our home during typical sleeping hours. As our bedrooms and windows face the southern side of the ARCO property, we will be subjected to continuous light trespass.
Def: Light trespass occurs when unwanted light enters one's property, for instance, by shining over a neighbor's fence. A common light trespass problem occurs when a strong light enters the window of one's home from the outside, causing problems such as sleep deprivation or the blocking of an evening view.

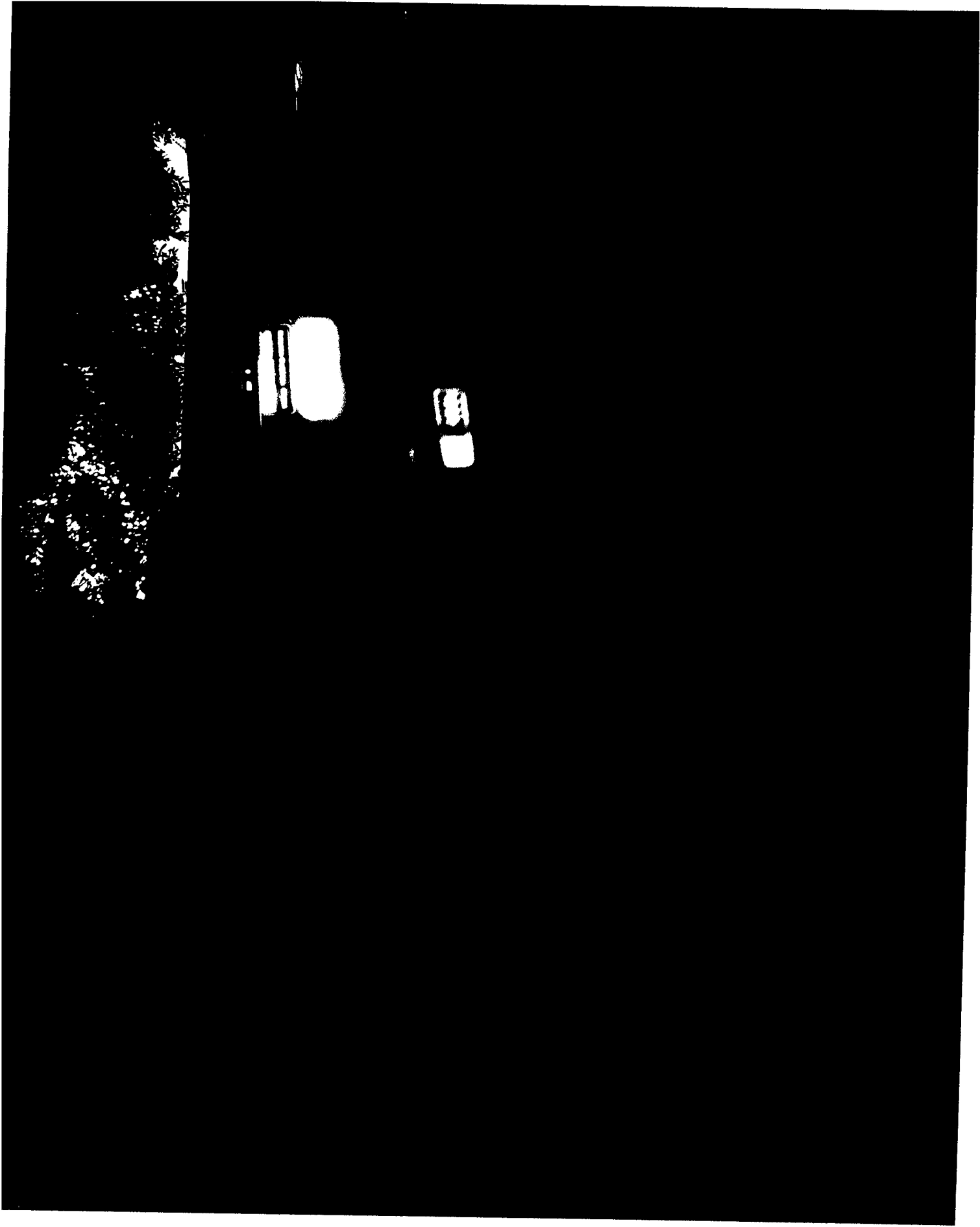
**Please see attached photos taken January 4, 2010 at 6pm from one of the bedrooms in our home.
5. **Potential of increase in crime-** One of our biggest concerns is that of an increase in crime. Statistics show that a convenience store in a moderate crime location during the day can increase its crime foresee ability level to a crime high level between the hours 10:00 PM and 2:00 AM when all surrounding businesses are closed and traffic counts are reduced.
6. **Increase of traffic on Dianthus and 11th street.** - It is our understating that the proposed changes also include the closure of one of two driveways on Manhattan Beach Blvd. Yet the two existing driveways on Dianthus will remain unchanged. The decrease of driveways on Manhattan Beach Blvd will result in more traffic congestion on the corner or Dianthus and Manhattan Beach Blvd as people turn onto Dianthus and into the ARCO station. Additionally, those who miss the turn of the one proposed driveway on Manhattan Beach Blvd, will circle around on 11th street. Additionally, space along Dianthus and 11th street are subjected to employee parking for those businesses along Manhattan Beach Blvd. This offsite parking already creates a decrease in visibility and a hazardous personal situation, as there are no sidewalks to safely walk along. Thus, business expansion of ARCO will adversely affect the residential streets of Dianthus and 11th with greater traffic and parking congestion as well as physical risk.
7. **Decrease in property value-** In the event that we the homeowners wish to sell our property, the possibility of a 24 hour gas/food mart will not only decrease the market value of the neighborhood homes, it will make it difficult for the homeowners to find and secure a buyer.

Thank you for taking into consideration our many concerns regarding this proposed project. Should you have any questions regarding our concerns we can be reached at (310)546-2974 or (310)704-3616.



Todd and Samantha Wohl

1013 11th street, Manhattan Beach







Nancy Peterson and Dick Chun
936 Eleventh Street
Manhattan Beach, CA 90266
310-545-7646

January 5, 2010

Attention: Richard Thompson, Director of Community Development

Subject: ARCO Gas Station and Food Mart Construction Use Permit

Dear Mr. Thompson:

As residents living near the proposed gas station and food mart expansion, we are very concerned about several things:

- The new proposed hours: This market is far too close to residential areas to be selling liquor (or anything) around the clock. We do not need people wandering our neighborhood looking for liquor (or money to buy liquor) in the middle of the night. Surely ten or even better nine o'clock is an appropriate closing time for this area.
- Traffic: The traffic is already heavy on Dianthus and Eleventh Street as people bypass Sepulveda and Manhattan Beach Boulevards. Closing an entrance on MB Blvd. will just encourage more people to bypass the main thoroughfares and use our residential streets.
- Parking: Employees and customers of businesses on Manhattan Beach Blvd. and the existing ARCO market already park on our residential streets, often for all day. Any new business construction definitely should include adequate parking for their employees AND customers, including large vans and trucks. The expansion in size of the proposed market implies that there will be LESS parking on the site, not more.
- Noise: The existing market and gas station already contribute to the noise in the neighborhood: tankers filling the gas pumps, car alarms, loud conversations, backup alarms, etc. Extending the hours allows this noise to continue into our main sleeping hours. This is a residential area and we do not need more noise, especially at night!!

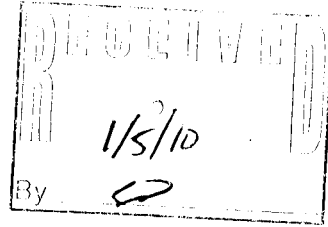
In summary, we hope that the City will carefully consider this proposal, taking into consideration the concerns of the neighbors. This proposal needs to be denied, or at least downsized to a business appropriate for a residential area.

Thank-you in advance for your consideration.

Nancy Peterson
Richard Chun

05 January 2010

City of Manhattan Beach City Hall
1400 Highland Avenue
Manhattan Beach, CA 90266



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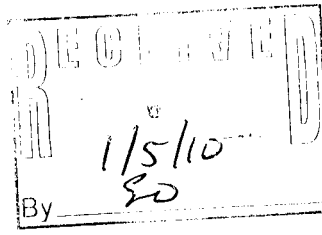
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2. **Parking overflow problems** - We already have parking overflow issues with the existing gas station and food mart. Large trucks and cars park on Dianthus and Eleventh Street while they go into the food mart. Expansion of the food mart would increase traffic and reduce space available for large moving, delivery, and construction trucks to park on ARCO's property.
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Sincerely,

Signature Mr. & Mrs. Sam J. Uskovich
Name Mr. & Mrs. Sam J. Uskovich
Address 1011 Dianthus St.
Phone 310 - 372-8042
Email _____

cc: Eric Haaland, Associate Planner



05 January 2010

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Manhattan Beach, CA 90266

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5. **Lower Property Values** - Due to increasing all of the above existing problems.

Allowing ARCO gas station and food mart to expand and increase all of the current issues we have is unacceptable. We hope the City agrees that this expansion would not be in the best interest of the neighboring residents nor for the City of Manhattan Beach.

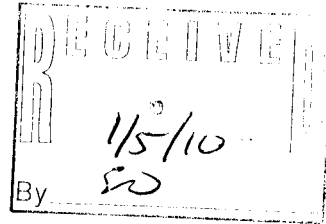
Sincerely,

Signature Mr. and Mrs. David Ballantine
Name David and Lilike Ballantine
Address 932 11th Street
Phone 310-939-0988
Email lilballantine@verizon.net

cc: Eric Haaland, Associate Planner

05 January 2010

City of Manhattan Beach City Hall
1400 Highland Avenue
Manhattan Beach, CA 90266



Attention: Richard Thompson, Director of Community Development

Subject: ARCO Gas Station and Food Mart Construction Use Permit


Dear Mr. Thompson:

We strongly believe that the City of Manhattan Beach **should not** approve the application for a use permit at 1002 Manhattan Beach Boulevard and Dianthus to reconstruct and expand the existing gas station and food mart for the following reasons:

1. **Traffic Congestion** - We already have too much congestion on Manhattan Beach Boulevard and Dianthus due to the existing gas station and food mart. Dianthus is a residential street with lots that have been rezoned to R1 (residential) in order to reduce traffic and improve the residential neighborhood. Closing one of the Manhattan Beach entrances would add even more congestion on Dianthus, a residential street.
2. **Parking overflow problems** - We already have parking overflow issues with the existing gas station and food mart. Large trucks and cars park on Dianthus and Eleventh Street while they go into the food mart. Expansion of the food mart would increase traffic and reduce space available for large moving, delivery, and construction trucks to park on ARCO's property.
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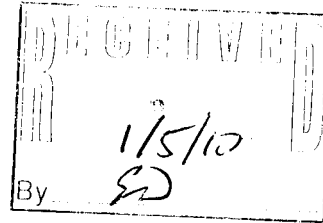
Sincerely,

Signature 
Name Margaret Jane Franklin
Address 1009 15th M.B.
Phone 310 545-1940
Email Janehome@mail@gmail.com

cc: Eric Haaland, Associate Planner

05 January 2010

City of Manhattan Beach City Hall
1400 Highland Avenue
Manhattan Beach, CA 90266



Attention: Richard Thompson, Director of Community Development

Subject: ARCO Gas Station and Food Mart Construction Use Permit

Dear Mr. Thompson:

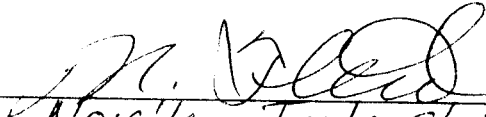
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Allowing ARCO gas station and food mart to expand and increase all of the current issues we have is unacceptable. We hope the City agrees that this expansion would not be in the best interest of the neighboring residents nor for the City of Manhattan Beach.

Sincerely,

Signature



Name

Noriko Fukushima

Address

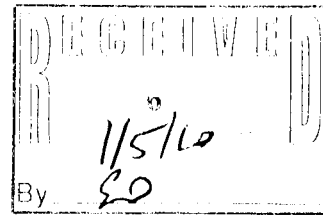
942 11th St. MB., CA 90266

Phone

310-546-1318

Email

cc: Eric Haaland, Associate Planner



05 January 2010

City of Manhattan Beach City Hall
1400 Highland Avenue
Manhattan Beach, CA 90266

Attention: Richard Thompson, Director of Community Development

Subject: ARCO Gas Station and Food Mart Construction Use Permit

Dear Mr. Thompson:

We are the residents of 955 Eleventh Street which is located kitty corner from the existing ARCO AM/PM Gas Station and Food Mart. We met with Eric Haaland, Associate Planner on December 31, 2009, to review the proposed site plan for the proposed expansion project. We strongly believe that the City of Manhattan Beach **should not** approve the application for a use permit at 1002 Manhattan Beach Boulevard and Dianthus to reconstruct and expand the existing gas station and food mart for the following reasons:

1. **Traffic Congestion** - We already have too much congestion on Manhattan Beach Boulevard and Dianthus due to the existing gas station and food mart. Dianthus is a residential street with lots that have been rezoned to R1 (residential) in order to reduce traffic and improve the residential neighborhood. Closing one of the Manhattan Beach entrances would add even more congestion on Dianthus, a residential street.
2. **Parking overflow problems** - We already have parking overflow issues with the existing gas station and food mart. Large trucks and cars park on Dianthus, Eleventh Street, and in front of our driveway while they go into the food mart. Expansion of the Food Mart would increase traffic and reduce the space available for large moving, delivery, and construction trucks to park on ARCO's property.
3. **Noise Problem** - We already have a noise problem with the existing gas station and food mart from ARCO's large gas and food trucks, customer's cars and trucks, car alarms and people loitering. ARCO's delivery trucks often honk their horns signaling their arrival regardless of the time.
4. **Business Closing Time Issue** - Increasing hours will attract the wrong crowd. There will be a high risk of increased crime, drunks loitering, noise, and lights at hours that are not acceptable to the surrounding residents. We believe that the closing hours for the gas station and food mart should be 9:00 pm in lieu of the existing 10:00 pm closure time. This time is better suited or children's bedtimes, as well as, some adults.
5. **Lower Property Values** - Due to increasing all of the above existing problems.

Allowing ARCO gas station and food mart to expand and increase all of the current issues we have is unacceptable. We hope the City agrees that this expansion would not be in the best interest of the neighboring residents nor for the City of Manhattan Beach.

Please place our names on the agenda for the public comment period.

Sincerely,



Robert and Charlene Brykalski
955 11th Street
Manhattan Beach, CA 90266
Phone: 310-880-9673
bryk19@msn.com

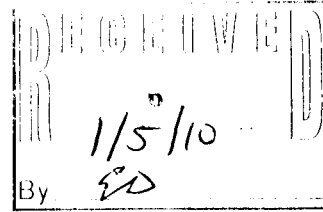
cc: Eric Haaland, Associate Planner

Endorsement:

Signature Sharon Face Conrad
Name Sharon Face Conrad
Address 947 11^m St. M.B.

05 January 2010

City of Manhattan Beach City Hall
1400 Highland Avenue
Manhattan Beach, CA 90266



Attention: Richard Thompson, Director of Community Development

Subject: ARCO Gas Station and Food Mart Construction Use Permit

Dear Mr. Thompson:

We strongly believe that the City of Manhattan Beach **should not** approve the application for a use permit at 1002 Manhattan Beach Boulevard and Dianthus to reconstruct and expand the existing gas station and food mart for the following reasons:

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Allowing ARCO gas station and food mart to expand and increase all of the current issues we have is unacceptable. We hope the City agrees that this expansion would not be in the best interest of the neighboring residents nor for the City of Manhattan Beach.

Sincerely,

Signature Patrice Reiss
Name Patrice Reiss
Address 912 11th st. MB 90266
Phone 310-546-1811
Email Perphd@gmail.com

cc: Eric Haaland, Associate Planner

January 6, 2010

City of Manhattan Beach
1400 Highland Ave.
Manhattan Beach, CA 90266
Attn: Eric Haaland, Associate Planner
Email: ehaaland@citymb.info

RE: ARCO Station Expansion
1002 Manhattan Beach Blvd.
Manhattan Beach, CA 90266

We are residents who live on 11th Street behind the ARCO station as well as business owners that lease a unit in the building (1020 MB Blvd) next to the ARCO station.

We are opposed to this station becoming a 24-hour business as well as expanding their square feet for the following reasons:

- There is no need for a 24-hour business in a residential area/neighborhood.
- Ralph's is located ½ mile from ARCO in a Commercial area and is open 24 hours and can meet any need a resident may have after 10pm.
- Painters regularly park in the Southeast corner of the parking area drinking late into the evening.
- We have frequently called the police regarding a homeless man who consistently loiters between the Arco and our office building.
- By expanding the square feet this will only increase the traffic on the corner of Manhattan Beach Blvd and Dianthus which is already dangerous and extremely congested.

We support their desire to update the facility but disagree with an expansion or a change in their use permit to extend their closing time past 10 pm.

Thank you in advance for your consideration

Jerry and Julie Carew
1019 11th Street
Manhattan Beach, CA 90266
310-714-1416

Eric Haaland

From: Michael Lebbin [mlebbin@pacificscience.com]
Sent: Wednesday, January 06, 2010 10:22 PM
To: Eric Haaland
Cc: Jane Lebbin
Subject: Expansion of the Arco station on portions of lot 11 & 12 in block 3 of tract # 142

Eric,

My name is Michael Lebbin and I live at 1018 11th St. in Manhattan Beach. I received notice of the hearing to consider this project and wanted to get my comments into you before the deadline of 1/6/10.

I am opposed to the project for the following reasons:

1. Generating additional traffic and congestion at the intersection of Dianthus and MB Blvd. is a bad idea. The area is clogged with cars cutting through/shortcutting the overcrowded corner of MB Blvd. and Sepulveda. Tripling the size of a destination convenience store will exacerbate a problem the city acknowledges and struggles to resolve. Please do not forget the neighborhood impact of service vehicles needed to resupply fuel and store shelves. Where will all this traffic go if the building triples in size and the land stays the same dimension? Parking is a nightmare around that store in its current configuration.
2. 24-hour convenience stores are not part of Manhattan Beach and should not be promoted. These extended hours will invite visitors from outside our city when it's not desirable.
3. Calling this exempt per CEQA (Replacement of Existing Facilities) is difficult to comprehend. They are proposing to triple the size of the structure on the same piece of land while providing expanded services. Is Costco the same as an Arco Food Mart? Both sell fuel and food.

Please contact me with comments or questions.

Regards,
Michael Lebbin
1018 11th St.
Manhattan Beach, CA 90266
Cell: 310-503-1504
mlebbin@pacificscience.com

Eric Haaland

From: Franklin, Jane [JFranklin@semprautilities.com]

Sent: Tuesday, January 05, 2010 11:55 AM

To: Eric Haaland

Subject: opposition to expansion of ARCO mini market at Manhattan Beach Blvd and Dianthus

Eric: Thank you for talking with me today. As I told you I am very much opposed to the expansion of the ARCO mini market particularly opposed to the 24 hour operation.

Noise and light issues augmented by the 24 hour operation with little value to the City revenue or franchisee:

1. ARCO has tried to expand to 24 hours at least three times since we have lived here. It has been shown in the past during a trial period that the 25 hour operation is not economically viable for the franchise owner.
2. We have been told the main reason for the 24 hour request is that it is consistent with the ARCO image.
3. Unfortunately this image does not blend well with a residential neighborhood of million dollar plus homes.
4. During the operating hours of this facility there is intermittent car alarms accidentally set off, cars with loud music pull in, trucks with air brakes delivery beer and trucks with air horn announce gasoline deliveries. In addition to that there is very bright lighting that shines into the surrounding homes.
5. The demographic drawn to this location between 10pma and 6 am is not a demographic that will add value and well bringing to the City of Manhattan Beach.
6. Potential to draw crime into the residential neighborhood.

ARCO has not shown themselves to be good neighbor and should not be trusted with extended hours:

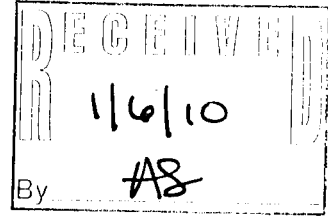
1. Trees required for the current conditional use permit to cut noise and light have not been maintained, or trimmed and the trees that have died have not been replaced.
2. The fence extension required by the city for the current condition use permit has broken boards that have not been replaced in years.
3. Their agreed upon hours for gasoline delivery have been ignored with trucks coming at all hours.
4. Despite repeated requests from the neighbors the gas delivery truck announces their arrival with an air horn and loud music from the cab.
5. Day laborers' beer parties after work are routine, when we ask them to leave they are rude and belligerent. We have asked for help from the ARCO workers and they say call the police. (our police are busy and should not have to take care of this issue it is Arcos responsibility.

Traffic issues:

1. The traffic at this intersection is terrible with illegal U turns left turners trying to get to their homes are blocked or cut off by people lined up to go into the station.
2. Many accidents at this intersection, one every couple of weeks.

Property value:

1. A large retail market open 24 hours with lights, traffic and noise will greatly impact the property value of those near this location.
2. Personally my property is a large portion of my net worth and to damage that asset for ARCO corporate image of consistency does not seem to be a fair trade.



06 January 2010

City of Manhattan Beach City Hall
1400 Highland Avenue
Manhattan Beach, CA 90266

Attention: Richard Thompson, Director of Community Development

Subject: ARCO Gas Station and Food Mart Construction Use Permit

Reference: Brykalski Letter date 05 January 2010

Dear Mr. Thompson:

We are the residents of 955 Eleventh Street which is located kitty corner from the existing ARCO AM/PM Gas Station and Food Mart. Please find attached photo examples of Traffic Congestion, Parking Overflow Problems, Loitering, and noise problems. These are some of the issues that we explained in our previous letter date 05 January 2010.

The existing ARCO Gas and Food Mart has become a major Truck Stop. They cannot handle the current traffic of their customers. It would be in the best interest of the community and ARCO Gas and Food Mart to find a different location that is better suited for their current needs.

Sincerely,

Mr. & Mrs. Brykalski

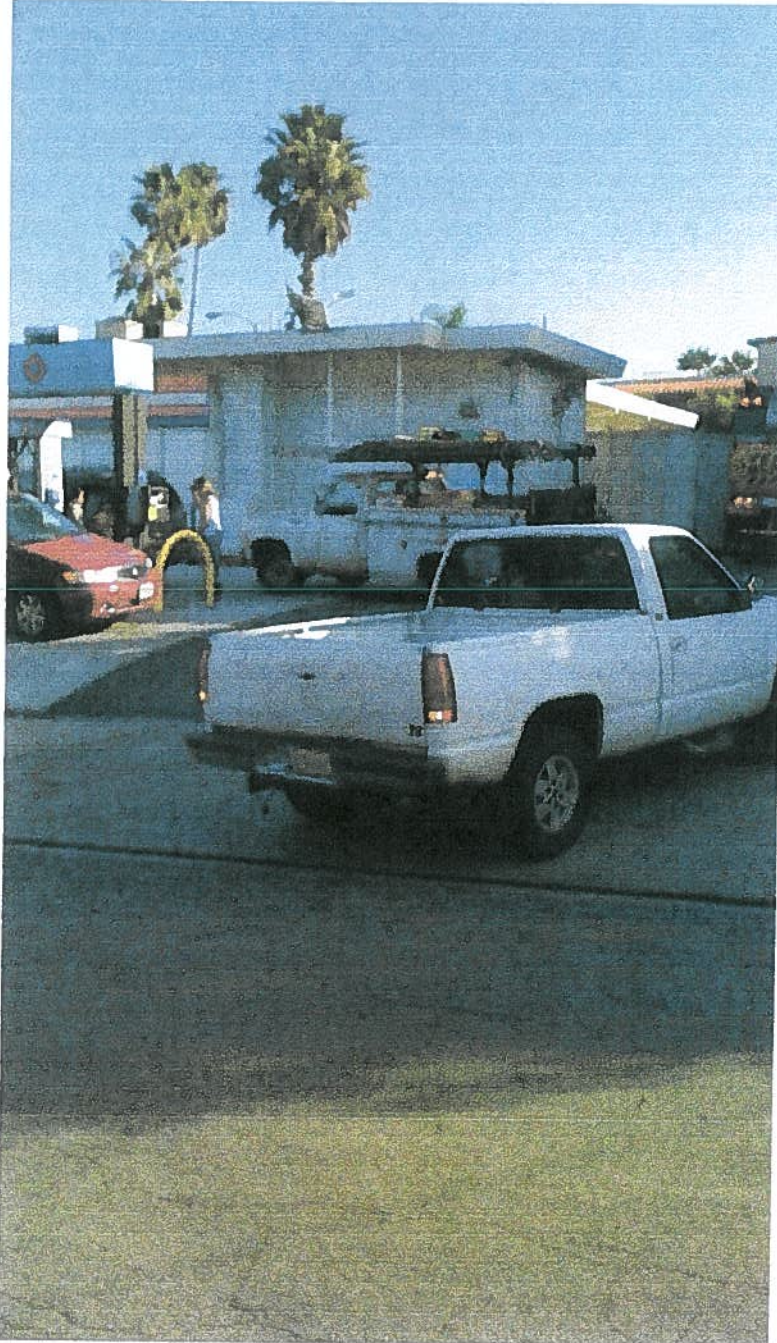
Mr. and Mrs. Brykalski
955 11th Street
Manhattan Beach, CA 90266
Phone: 310-880-9673
bryk19@msn.com

cc: Eric Haaland, Associate Planner

TRAFFIC CONGESTION - DIANTHUS
ACROSS FROM OUR DRINEWAY
ARCO LOCATED HERE



TRAFFIC CONGESTION
DIANTHUS



Dianthus - Across from Our House/DRIVEWAY
955 11th St.

PARKING OVERFLOW

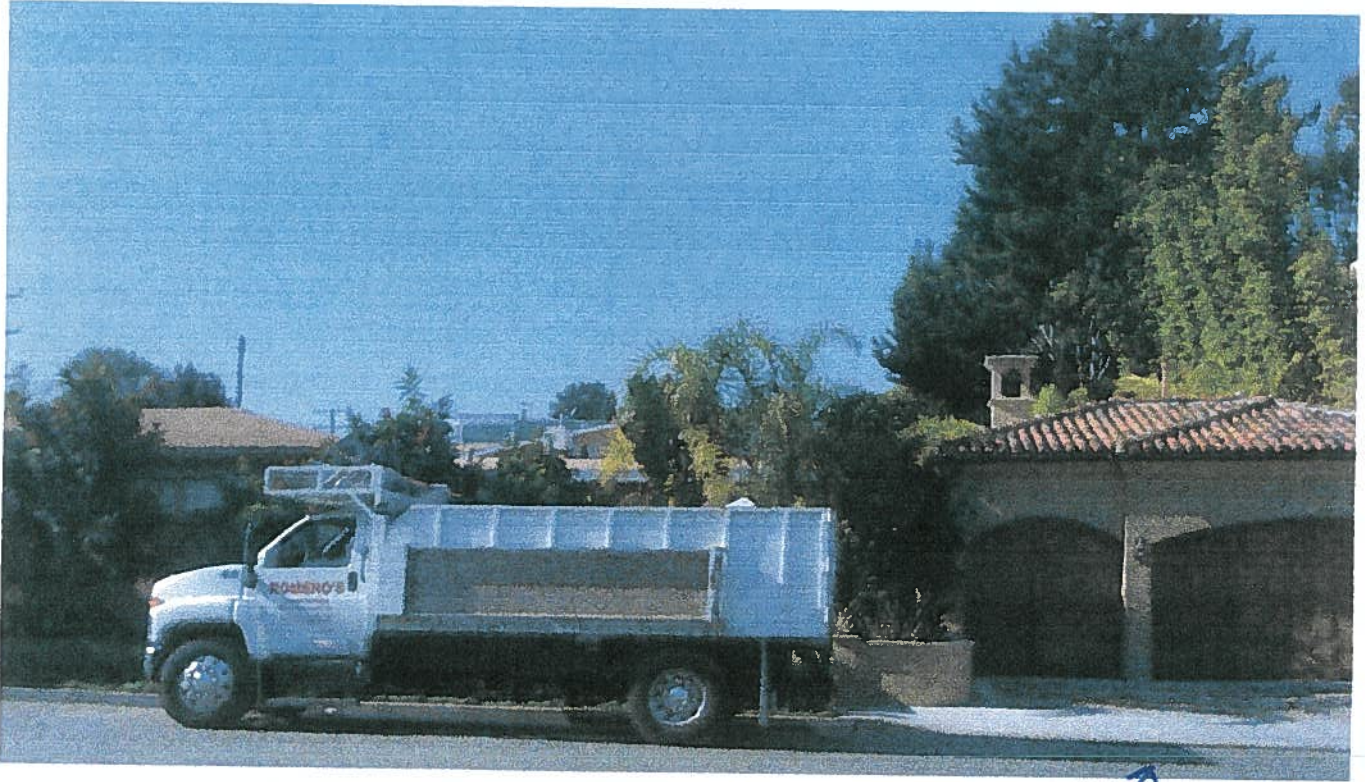
TRUCKS BLOCK OUR DRIVEWAY + GO INTO ARCO
FOOD MART



DIANTHUS



PARKING OVERFLOW



OUR GARAGE

PARKING OVERFLOW - TRUCKS PARK ON DIANTHU
& GO INTO ARCO FOOD MI

ARCO LOCATED



ARCO LOCATED



SIDE PROPERTY OF OUR HOUSE

Page 6 of 10

PARKING OVER FLOW - TRUCKS PARK & GO INTO
ARCO FOOD MART

ARCO
IS
LOCATED
HERE
*



PHOTOS TAKEN FROM OUR SIDE PROPERTY
Page 7 of 10

NOISE



DIANTHUS - DELIVERY TRUCK - HONKS HORN
APON ARRIVAL

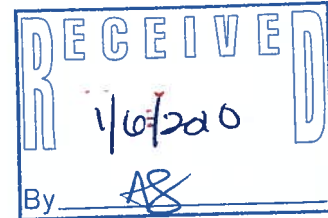
LOITERING



LOITERING



Everett and Barbara Drake
916 11th St.
Manhattan Beach, CA 90266



January 6, 2010

Att: Mr. Eric Haaland, Associate Planner

Re: ARCO Project, 1002 Manhattan Beach Boulevard

Dear Mr. Haaland,

As opponents of the ARCO Project as it is currently being proposed we respectfully submit our observations and comments for your consideration.

1. As proposed, a Gas station/Food Mart with regulated business hours will be replaced with a 33% larger Convenience Store/Gas Station operating 24/7. The most likely result of this action will be reduced parking areas, more vehicles of all kinds (customer's and service) in those areas and increased congestion at the intersection of Manhattan Beach Boulevard and Dianthus during peak morning, noon and evening rush hours.

2. This intersection has become more and more difficult to navigate safely as traffic continues to increase - unlike Poinsettia and Pacific, it lacks a stoplight to regulate flow.

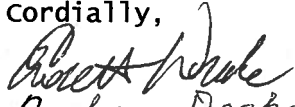
3. A 24/7 operation often tends to attract more "Strangers in the Night" than normal during early AM hours. Let's not encourage cruising the neighborhood to see what's going on. We contend with more than sufficient daytime traffic for that purpose.

4. Ours is a residential zone bordering a busy commercial zone and as such experience daily more all day parking and other activities including more thru and heavy traffic than surrounding residential areas.

Please consider modifications to this project which will limit its impact on our neighborhood by:

1. Keeping closing time @ 10:00pm
2. Reducing sq/ft of new structure to allow for more off-street parking.
3. Do not close either Manhattan Beach Boulevard entrances.

Cordially,


Barbara Drake
Everett Drake
Barbara Drake