

**CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT**

**TO:** Planning Commission

**THROUGH:** Richard Thompson, Director of Community Development

**FROM:** Michael P. Rocque, Assistant Planner

**DATE:** March 23, 2011

**SUBJECT:** Consideration of a Use Permit Amendment to allow the sale of beer at Walgreens located at 2400 North Sepulveda Boulevard.

---

**RECOMMENDATION**

Staff recommends that the Planning Commission **CONDUCT THE PUBLIC HEARING** and adopt the attached Draft Resolution **APPROVING** the subject request with conditions.

**APPLICANT**

Robert M. Silverman  
The Walgreen Company  
104 Wilmot Road MS 1420  
Deerfield, IL 60015

**PROPERTY OWNER**

Union Bank of California  
PO Box 85816  
San Diego, CA 92186

**SURROUNDING LAND USES**

North: CG-Commercial/Car Wash  
South: CG-Medical Office/Retail (Across 22<sup>nd</sup> Street)  
East: RS-Single Family Residential (Across Cedar Avenue)  
West: CG-Commercial Retail (Across Sepulveda Boulevard)

**BACKGROUND**

The Planning Commission previously approved a Use Permit in 2008 (PC 08-06 Exhibit B), allowing for a new retail drug store with drive thru pharmacy at the subject property. The Planning Commission approval allowed for the store to operate 24 hours a day, 7-days a week, with alcoholic beverage sales prohibited (Condition No. 18). The applicant is requesting to amend the existing Use Permit to allow for a Type 20 (Off-sale beer and wine) license from the State Department of Alcoholic Beverage Control (ABC).

## **DISCUSSION**

The Walgreens Company is a full service, retail store including a full pharmacy which opened in June of 2010 and is located within the City's General Commercial district (CG zone). The subject application proposes to amend Resolution PC 08-06 to allow for the sale of beer and wine for off-site consumption only. The Walgreens Company has always operated and will continue to operate as a full service retail store. The reason and intent behind the offering of beer and wine is to allow Walgreens customers the convenience of one-stop shopping and being able to provide more options while shopping. There will be no selling of distilled spirits or malt liquor of any kind. The applicant is not proposing to expand the existing space. The project involves no structural changes to the building and minimal cost (other than some minor internal rearrangement of merchandise, shelving and coolers). The applicant is proposing to utilize the existing coolers for the sale of beer and wine and using only four (4) product display shelves/coolers located between the photo center and pharmacy along the south building wall as seen on the floor plan (Exhibit C). The display shelves area will occupy less than 1 percent of the 14,820 square foot store sales area or 148 square feet. Lucky and then Albertsons supermarkets previously occupied the site and they had a license to sell full alcohol for off-site consumption.

The Manhattan Beach Municipal Code (MBMC) Section 10.16.020 (L) requires a Use Permit or Use Permit Amendment when there is a new alcohol license issued or amended. The existing Use Permit contains many conditions which ensure that the location remains a full service retail pharmacy. The Amendment would revise condition No. 18 and include new conditions to address the sale of beer and wine as described below and in Section 2 of the Draft resolution PC 11-04. All other conditions of the previous Resolution PC 08-06 will generally remain the same. Prior to City action on the Use Permit Amendment, the ABC pre-maturely issued Walgreens their Alcohol license in error. Staff was made aware of this, and informed Walgreens and they promptly removed all alcohol.

A chart of all the existing businesses in town with off-sale alcohol licenses businesses hours of operations has been provided in this report (Exhibit D). The Chart provides a list of other similar businesses with off-site alcohol sales and allowed hours of alcohol sales along with their normal operating hours. Some of the businesses either do not have a Use Permit or do not have conditions for specific hours related to alcohol sales and operation in the resolution. Most of the businesses in the chart generally stop selling alcohol between 10pm-12am.

The Manhattan Beach Police, Fire, and Pubic Works Departments, as well as the Building and Safety Division, had no comments or concerns regarding the proposed amendment.

### ***Alcohol License Conditions***

The following conditions have been added to the Draft Resolution PC 11-04 (Exhibit A) as it pertains to the sales of beer and wine at the subject site:

1. *Beer and wine sales shall be limited to retail beer and wine sales for off-site consumption only. On-site alcoholic beverage service is prohibited. No singles shall be sold.*
2. *Temporary or permanent signs, visible from the outside of the building, advertising the sale of alcohol is prohibited.*
3. *The sale area for all beer and wine sales shall be limited to four (4) product display shelves/coolers. The display shelves/coolers shall occupy no more than 148 square feet.*
4. *Alcohol sales shall be limited to the following hours: 7am-12 midnight.*

### ***Use Permit Findings***

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

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

The proposed amendment to the use permit is consistent with the Commercial General (CG) zoning designation. The addition of limited sales of beer and wine is consistent with Section 10.16.010 of the Manhattan Beach Zoning Code which states that the district is intended to provide opportunities for a full range of retail and service businesses.

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

The existing use and proposed amendment pose no detrimental effects to public health, safety, or welfare of persons residing or working at the project site or to the adjacent neighborhood; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City, due to the conditions of approval and the fact that the site will continue to operate as a drug retail store. Walgreens proposes to offer a limited selection of beer and wine that will make up a small portion of the existing floor area. The store will not sell distilled spirits, malt liquor, single servings, or any other variation.

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. The proposed amendment is consistent with the following goals and policies:

*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.

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

The request to amend the existing Use Permit to allow for a Type 20 (Off-sale beer and wine) license is consistent with the existing use as a drug retail store at this location. This application follows MBMC Section 10.16.020 (L) which requires a use permit amendment when there is new alcohol license being issued or amended. Specific conditions of approval are incorporated into the amended resolution to ensure safe and responsible sales of beer and wine.

- 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, personal safety, and aesthetic, or create demands exceeding the capacity of public services and facilities which cannot be migrated.*

The proposed amendment will not alter the fundamental use, purpose or character of the existing business as there will be a negligible change in the existing space and layout of the store. The proposed amendment will not create any adverse impacts of the above mentioned.

### ***Other Findings***

The California Department of Alcoholic Beverage Control (ABC) requires the City Council finds that the issuance of an alcohol license at the subject property is a public convenience and necessity. Staff believes the finding can be met in that it is limited sales of beer and wine that will provide a convenient community service to the existing retail use.

### ***Public Input***

A public notice for the project was mailed to property owners within 500 feet of the site and published in the Beach Reporter newspaper. Staff did not receive any comments at the writing of this report.

## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

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

## **CONCLUSION**

Staff recommends that the Planning Commission conduct the public hearing, consider the information presented, and adopt the attached draft resolution approving the subject Use Permit Amendment with conditions.

## **ALTERNATIVES**

Other than the stated recommendation, the Planning Commission may:

1. **DENY** the project subject to public testimony received, based upon appropriate findings, and **DIRECT** Staff to return with a draft Resolution.

## **EXHIBITS:**

- A. Draft Resolution PC 11-04
- B. PC Resolution No. 08-06
- C. Floor plan of beer and wine sales area
- D. Chart of businesses with Off-sale Alcohol Licenses
- E. Project application

**DRAFT  
RESOLUTION NO. PC 11-04**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE  
CITY OF MANHATTAN BEACH APPROVING A USE PERMIT  
AMENDMENT, TO ALLOW THE SALE OF BEER AND WINE  
FOR OFF-SITE CONSUMPTION (TYPE 20-OFF-SALE BEER  
AND WINE) FOR A RETAIL DRUG STORE AT 2400  
SEPULVEDA BOULEVARD (Walgreens)**

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

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

- A. The Planning Commission of the City of Manhattan Beach conducted a public hearing on March 23, 2011, to consider an Amendment to the approved Use Permit (Resolution PC 08-06) for the property legally described as Partition Map Showing Property formerly of Redondo Land Company, Lot 6, Sec. 19T, 3S, R. 14W., at 2400 Sepulveda Boulevard in the City of Manhattan Beach.
- B. The March 23, 2011, Planning Commission public hearing was advertised pursuant to applicable law, testimony was invited and received. The Planning Commission adopted Resolution PC 11-04 on March 23, 2011 approving the subject project.
- C. The applicant for said use permit amendment is Robert M. Silverman, agent for Walgreens.
- D. Section 10.16.020L of the Manhattan Beach Municipal Code (MBMC) requires that a Use Permit Amendment when there is a new alcohol license being issued.
- E. The Planning Commission of the City of Manhattan Beach conducted public hearings pursuant to applicable law on April 23, 2008 and May 14, 2008, to consider an application for a Use Permit to allow construction of a 14,820 square foot Walgreens retail pharmacy; for the property legally described as Partition Map Showing Property formerly of Redondo Land Company, Lot 6, Sec. 19T, 3S, R. 14W., at 2400 Sepulveda Boulevard in the City of Manhattan Beach.
- F. The April 23, 2008, Planning Commission public hearing was advertised pursuant to applicable law, testimony was invited and received. At this meeting the Planning Commission, on a (5-0-0) vote, continued the public hearing to the May 14, 2008 meeting in order that staff to prepare a resolution of approval. On May 14, 2008 the Planning Commission adopted PC 08-06 for a Use Permit approving construction of a new 14,820 square foot retail pharmacy.
- G. The proposed use is permitted in the CG (General Commercial) Zone subject to a Use Permit approval as the project exceeds 5,000 square feet of buildable floor area and is greater than 10,000 square feet of land area (69,260 square feet existing lot area).
- H. An Initial Study was prepared in compliance with the provisions of the California Environmental Quality Act (CEQA). Based upon this study it was determined that the project is not an action involving any significant impacts upon the environment, and a Negative Declaration was prepared and is hereby adopted.
- I. 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.
- J. The applicant is requesting an amendment to the existing Use Permit Resolution PC 08-06 which governs the use of this site. Once Resolution PC 11-04 is adopted and approved it will supersede previous resolution PC 08-06.

K. The Planning Commission made the following findings with respect to this application:

1. The project consists of 14,820 square feet of retail area including a drive-thru pharmacy, operating 24-hours a day, 7-days a week and allows for the sale of beer and wine for off-site consumption only (Type 20 License).
2. The project is located in Area District II and is zoned (CG) General Commercial. The use is permitted by the zoning code and is appropriate as conditioned for the general commercial area. The properties to the north, south and west are similarly zoned; the properties to the east are zoned (RS) Residential Single Family. The property is located on the northeast corner of Sepulveda Boulevard and 22<sup>nd</sup> Street.
3. The General Plan designation for the properties is General Commercial. The General Plan encourages commercial development such as this that provides for businesses which serve city residents.
4. The subject site contains severe grade changes including a 20-foot drop from the northeast corner to the sidewalk at the southwest corner, therefore creating a constraint on the placement of the structure. Additionally, the topography dictated the location of the driveway approaches as they are located at the most level areas of the site.
5. The placement of the building at the center of the property for the subject site is the optimal location as it promotes a safer pedestrian entrance, site drainage, site circulation and visual presence in scale with the surrounding buildings, which effectively addresses the intent of the Sepulveda Corridor Guidelines.

***Use Permit Findings***

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

The proposed amendment to the use permit is consistent with the Commercial General (CG) zoning designation. The use to the sales of alcoholic beverages are consistent with Section 10.16.010 of the Manhattan Beach Zoning Code which states that the district is intended to provide opportunities for a full range of retail and service businesses including retail and the sale of alcoholic beverages.

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

The existing use and proposed amendment pose no detrimental effects to public health, safety, or welfare of persons residing or working at the project site or to the adjacent neighborhood; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City, due to the conditions of approval and the fact that the site will continue to operate as a drug retail store. Walgreens proposes to offer a limited selection of beer and wine that will make up a small portion of the existing floor area. The store will not sell distilled spirits, malt liquor, single servings, or any other variation.

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. The proposed amendment is consistent with these goals and policies.

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

The request to amend the existing Use Permit to allow for a Type 20 (Off-sale beer and wine) license is consistent with the existing use as a drug retail store at this location. This application follows MBMC Section 10.16.020 (L) which requires a use permit amendment when there is new alcohol license being issued or amended. Specific conditions of approval are incorporated into the amended resolution to ensure safe and responsible sales of beer and wine.

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, personal safety, and aesthetic, or create demands exceeding the capacity of public services and facilities which cannot be migrated.*

The proposed amendment will not alter the fundamental use, purpose or character of the existing business and due to the fact that there will be a negligible change in the existing space and layout of the store. The proposed amendment will not create any adverse impacts of the above mentioned.

### ***Other Findings***

1. 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 Alcoholic Beverage Control upon the effectiveness of this project approval.
2. The findings stated in Resolution PC 08-06 are still applicable.

### ***General Plan***

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

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

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

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

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

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

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

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

*PolicyLU-6.2: Encourage a diverse mix of businesses that support the local tax base, are beneficial to residents, and support the economic needs of the community.*

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



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

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

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

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

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

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

***Sepulveda Corridor Design Guidelines***

1. The project will be in compliance with following Sepulveda Corridor Design Guideline Goals:
  - Establish standards for low-rise commercial arterial development such as retail uses.
  - Site and building design should focus and relate to the street and create a more attractive, comfortable and interesting environment for the Boulevard.
  - Visually less desirable elements such as large parking areas, parking structures, vehicle service areas, blank walls, storage areas, and trash areas should be hidden or made less prominent along Sepulveda Boulevard.
  - The building design should take into consideration extreme noise, and odor generating activities near residential boundaries.
  - Safe pedestrian access to buildings should be provided through parking lots, particularly from public sidewalks.
  - Landscaping should enhance the property with the following: 1) install landscaping in areas that would otherwise be unused pavement, and 2) use landscape planters and other decorative treatments around buildings to avoid direct building-to-asphalt contact areas.
  - Proposed signs and sign copy should be compatible with their related building(s) and not be crowded within their locations or backgrounds. Harsh plastic or illuminated backgrounds should be avoided.
2. Additionally, the project will satisfy the Sepulveda Corridor requirements for the following reasons:
  - The proposed structure and location is designed to create minimal bulk and impact on the neighboring residential area to the east by providing adequate open space for light, air and fire safety through increased setbacks and innovative building design.
  - The proposed project includes convenient off-street parking facility which is enhanced by an effective on-site traffic circulation system.
  - The efficiently designed parking areas are comprised of full size parking spaces, which provides ample parking and excellent vehicular flow that minimizes impact to the residential neighborhood to the east.
- L. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- M. This Resolution upon its effectiveness constitutes the Use Permit Amendment and CEQA approvals for the subject project and supersedes all previous use permit approvals for the subject site (PC Resolution No.08-06).

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

Alcohol License-\* New conditions

1. Beer and wine sales shall be limited to retail beer and wine sales for off-site consumption only. On-site alcoholic beverage service is prohibited. No singles shall be sold.
2. Temporary or permanent signs, visible from the outside of the building, advertising the sale of alcohol is prohibited.
3. The sale area for all beer and wine sales shall be limited to four (4) product display shelves/coolers. The display shelves/coolers shall occupy no more than 148 square feet.
4. Alcohol sales shall be limited to the following hours: 7am-12 midnight.

Site Preparation/Construction

1. The project shall be constructed and operated in substantial conformance with the submitted plans and project description submitted to, and approved by the Planning Commission on May 14, 2008 and March 23, 2011. Any other substantial deviation from the approved plans must be reviewed and approved by the Planning Commission. Caltrans approval is required prior to the issuance of a building permit.
2. The project will provide 75 standard parking spaces and 4 disabled access spaces for a total of 79 spaces (no compact spaces proposed).
3. A Traffic Management Plan shall be submitted in conjunction with all construction and other building plans, to be approved by the Traffic Engineer and Police and Public Works Departments prior to issuance of building permits. The plan shall provide for the management of all construction related traffic during all phases of construction, including delivery of materials and parking of construction related vehicles.

Prior to the commencement of any construction activity that would cause a disruption to traffic or lane closure on Sepulveda Boulevard; the applicant shall submit plans which shall minimize traffic impacts associated with the proposed development for review and approval by the Community Development Department.

4. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility connections in compliance with all applicable Building and Electrical Codes, safety regulations and orders, rules of the Public Utilities Commission, the serving utility company, and specification of the Public Works Department.
5. During construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.
6. The location of construction related equipment (job site offices, trailers, materials, etc) shall be subject to the approval from the Director of Community Development prior to the issuance of any building permits.
7. A site landscaping plan utilizing drought tolerant native plants shall be submitted for review and approval concurrent with the building permit application. All plants shall be identified on the plan by the Latin and common names. Mature shade trees shall be incorporated into the plan. Landscaping shall be installed per the approved plans prior to building final.

8. A low pressure, low-flow or drip irrigation system shall be installed in the landscaped areas, which shall not cause any surface run-off. Details of the irrigation system shall be noted on the landscape plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments and shall be installed per the approved plans prior to the building final.
9. A covered enclosure(s) with adequate capacity for both trash and recycling for all tenants shall be constructed for this site. This trash enclosure must be constructed with a concrete, asphalt, or similar base and must have drainage to the sanitary sewer system. The enclosure is subject to specifications and approval of the Public Works Department, Community Development Department, and the City's waste contractor. A trash and recycling plan shall be required to be submitted to the Public Works Department. Applicant shall also provide information of how medical waste is handled and disposed of.
10. Commercial establishments are required, in accordance with Municipal Code 5.24.030 (C)(2) to have a sufficient refuse and recycling storage space to enclose a commercial lift container(s). The refuse storage space or facility must be screened from public view and be either constructed within the building structure or in a screened enclosure on private property.
11. Management of the retail use shall police the property and all areas immediately adjacent to the business during the hours of operation to keep it free of litter.
12. The operator of the retail pharmacy shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject business.
13. The property owner(s) shall be responsible for prohibiting employees from parking personal vehicles on the surrounding public streets. Owners and employees must park on-site while visiting the site.
14. The existing pole sign located on Sepulveda Boulevard shall be removed and replaced with a monument sign at the southwest corner of the project and shall not be located within the sight visibility triangle.
15. All signs shall be in compliance with the Sign Code. A comprehensive sign program must be submitted to the Community Development Department for review and approval prior to the issuance of a building permit.
16. The applicant shall submit a lighting and photometric plan which shows the location of the proposed light poles, existing public right-of-way lights and maximum foot candles to the Department of Community Development prior to the issuance of a building permit. These plans shall be in compliance with all provisions of the parking lot lighting regulations. Due to the proximity of the proposed project to the residential properties to the southeast, the maximum pole heights shall not exceed 20 feet. Security lighting for the site shall be provided in conformance with Municipal Code requirements including glare prevention design.
17. All outside site lighting shall be directed away from the public right-of-way and shall minimize spill-over onto the sidewalk and street. Shields and directional lighting shall be used where necessary.
18. The proposed retail store/pharmacy use may operate 24-hours, 7-days a week.
19. Deliveries shall be prohibited between the hours of 7:00 p.m. and 7:00 a.m.

20. In the future, should the drive-thru window cease to operate, the current business operator shall remove all associated structures and shall submit a plan for review and approval by the Community Development Department.
21. Prior to the issuance of a building permit, the applicant shall provide a detailed explanation of how deliveries are handled for the subject site, for review and approval by the Community Development Department.
22. All mechanical equipment visually on the building roof shall not be visible from the public right-of-way and visual screening shall be provided. Antenna dishes or similar items shall be restricted to the same requirements. The building roof shall have a gravel or comparable decorative treatment.
23. Plans shall incorporate sustainable building components into the building and site design. The plans may include, but not limited to LEED (Leadership in Energy and Environmental Design) and other recognized sustainable building components, permeable pavement, energy efficient plumbing, mechanical and electrical systems, and retention of storm water on the site. Plans shall require review and approval by the Community Development and Public Works Departments.

Parking Related Conditions

24. Slopes and transitions for all vehicle ramps shall not exceed 15 percent grade and shall conform to City standards, subject to City review and approval. All ramps over 8 percent grade must include transition slopes at the beginning and end of the ramp and must meet the required slope setbacks behind the property line. Show slopes and cross-sections on approved plans.
25. Parking stall cross-slope shall not exceed 5%.
26. All two-way driveways and approaches shall be as wide as the aisle it serves. Both driveway approaches for the project shall be widened to at least 30-feet to provide sufficient turning access to/from the public streets.
27. All raised landscaping planters along the property frontages shall begin or end perpendicular to the lower portion of the drive wings.
28. Provide unobstructed triangle of sight visibility (5' x 15') adjacent to each driveway and behind the ultimate property line when exiting the parking areas without wall, columns or landscaping over 36 inches high (MBMC 10.64.150). All planters next to both driveways must conform to this requirement.
29. Provide a 25' unobstructed triangle of sight visibility on the northeast corners of Sepulveda Boulevard and 22<sup>nd</sup> Street behind the ultimate property line extensions without walls, columns or landscaping over 36 inches high.
30. The driveway on Sepulveda Boulevard shall be restricted to Right Turn In/Right Turn Out and posted with signs subject to approval by the City Traffic Engineer and Caltrans.
31. Bicycle parking shall be provided at a rate of five percent (5% - 3 spaces) of all parking spaces (MBMC 10.64.80). Location shall be shown on the plans subject to Planning review and approval.
32. The parking lot shall be signed and marked to the satisfaction of the City Traffic Engineer. One-way and Do Not Enter signs shall be posted on the pharmacy drive-thru aisle.

*Public Works Requirements*

33. 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.
34. 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.
35. 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 Standard Plan ST-24). Must be shown on approved plans.
36. If an existing sewer lateral is used, it must be televised to check its structural integrity. The tape must be made available for review by the Public Works Department. The Public Works Department will review the tape and determine at that time if the sanitary sewer lateral needs repairing, 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.
37. Commercial enterprises must comply with the National Pollution Discharge Elimination System (NPDES) clean water requirements. Discharge of mop water, floor mat washing, and trash can cleaning and washing out trash enclosures into the street or storm drain system is prohibited.
38. Any unused water or sanitary sewer laterals must be shown on the plans and abandoned at the City main.
39. Sidewalk, driveway, curb and gutter repairs or replacement must be completed per Public Works specifications (See City Standard Plans ST-1, ST-2 and ST-3). The plans must have a profile of the driveway, percent of slope and driveway elevations.
40. Weekly sweeping of the parking lot is required.
41. The sidewalk on Sepulveda Boulevard must be replaced from the north property line to the south property line and shown on the plans to the satisfaction of the Public Works Department.
42. A disabled access ramp must be protected on the public sidewalk (See City Standard Plan ST-9). Ramp must be shown on plans as required by the Public Works Department.
43. Erosion and sediment control devices BMPS (Best Management Practices) must be implemented around the construction site to prevent discharges to the street and adjacent properties. BMPs must be identified and shown on the approve plans. Control measures must also be taken to prevent street surface water entering the site.
44. Any new storm water, nuisance water, etc. and drain lines installed within the street right-of-way must be constructed of ductile iron pipe. Drains must be shown on approved plans.
45. Required mop sinks must be installed and shown on the plumbing plans.
46. Plan holder must have the plans rechecked and stamped for approval by the Public Works Department before the building permit is issued.

*Building Division*

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

*Procedural*

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

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

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of **March 23, 2011** and that said Resolution was adopted by the following vote:

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

---

**Richard Thompson**  
Secretary to the Planning Commission

---

**Sarah Boeschen**  
Recording Secretary

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

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

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

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

**EXHIBIT B**  
PC MH. 3/23/11



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

*Use Permit*

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

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

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

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

*General Plan*

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

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

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

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

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

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

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

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

*PolicyLU-6.2: Encourage a diverse mix of businesses that support the local tax base, are beneficial to residents, and support the economic needs of the community.*

RESOLUTION NO. PC 08-06

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

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

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

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

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

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

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

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

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

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

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

***Sepulveda Corridor Design Guidelines***

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

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

RESOLUTION NO. PC 08-06

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

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

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

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

Site Preparation/Construction

1. The project shall be constructed and operated in substantial conformance with the submitted plans and project description submitted to, and approved by the Planning Commission on May 14, 2008. Any other substantial deviation from the approved plans must be reviewed and approved by the Planning Commission. Caltrans approval is required prior to the issuance of a building permit.
2. The project will provide 75 standard parking spaces and 4 disabled access spaces for a total of 79 spaces (no compact spaces proposed).
3. A Traffic Management Plan shall be submitted in conjunction with all construction and other building plans, to be approved by the Traffic Engineer and Police and Public Works Departments prior to issuance of building permits. The plan shall provide for the management of all construction related traffic during all phases of construction, including delivery of materials and parking of construction related vehicles.

Prior to the commencement of any construction activity that would cause a disruption to traffic or lane closure on Sepulveda Boulevard; the applicant shall submit plans which shall minimize traffic impacts associated with the proposed development for review and approval by the Community Development Department.

4. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility connections in compliance with all applicable Building and Electrical Codes, safety regulations and orders, rules of the Public Utilities Commission, the serving utility company, and specification of the Public Works Department.
5. During construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.

RESOLUTION NO. PC 08-06

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

RESOLUTION NO. PC 08-06

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

Parking Related Conditions

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

RESOLUTION NO. PC 08-06

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

*Public Works Requirements*

33. 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.
34. 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.
35. 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 Standard Plan ST-24). Must be shown on approved plans.
36. If an existing sewer lateral is used, it must be televised to check its structural integrity. The tape must be made available for review by the Public Works Department. The Public Works Department will review the tape and determine at that time if the sanitary sewer lateral needs repairing, 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.
37. Commercial enterprises must comply with the National Pollution Discharge Elimination System (NPDES) clean water requirements. Discharge of mop water, floor mat washing, and trash can cleaning and washing out trash enclosures into the street or storm drain system is prohibited.
38. Any unused water or sanitary sewer laterals must be shown on the plans and abandoned at the City main.
39. Sidewalk, driveway, curb and gutter repairs or replacement must be completed per Public Works specifications (See City Standard Plans ST-1, ST-2 and ST-3). The plans must have a profile of the driveway, percent of slope and driveway elevations.
40. Weekly sweeping of the parking lot is required.
41. The sidewalk on Sepulveda Boulevard must be replaced from the north property line to the south property line and shown on the plans to the satisfaction of the Public Works Department.
42. A disabled access ramp must be protected on the public sidewalk (See City Standard Plan ST-9). Ramp must be shown on plans as required by the Public Works Department.
43. Erosion and sediment control devices BMPS (Best Management Practices) must be implemented around the construction site to prevent discharges to the street and adjacent properties. BMPs must be identified and shown on the approve plans. Control measures must also be taken to prevent street surface water entering the site.
44. Any new storm water, nuisance water, etc. and drain lines installed within the street right-of-way must be constructed of ductile iron pipe. Drains must be shown on approved plans.

RESOLUTION NO. PC 08-06

45. Required mop sinks must be installed and shown on the plumbing plans.
46. Plan holder must have the plans rechecked and stamped for approval by the Public Works Department before the building permit is issued.

*Building Division*

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

*Procedural*

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

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

RESOLUTION NO. PC 08-06



I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of **May 14, 2008** and that said Resolution was adopted by the following vote:

**AYES:** Powell, Seville-Jones, Fasola, Bohner and Chairman Lesser

**NOES:**

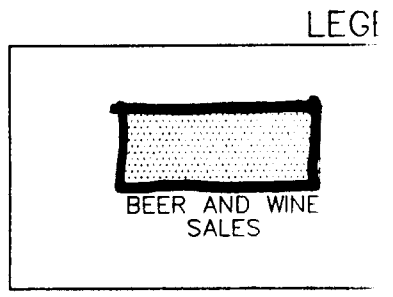
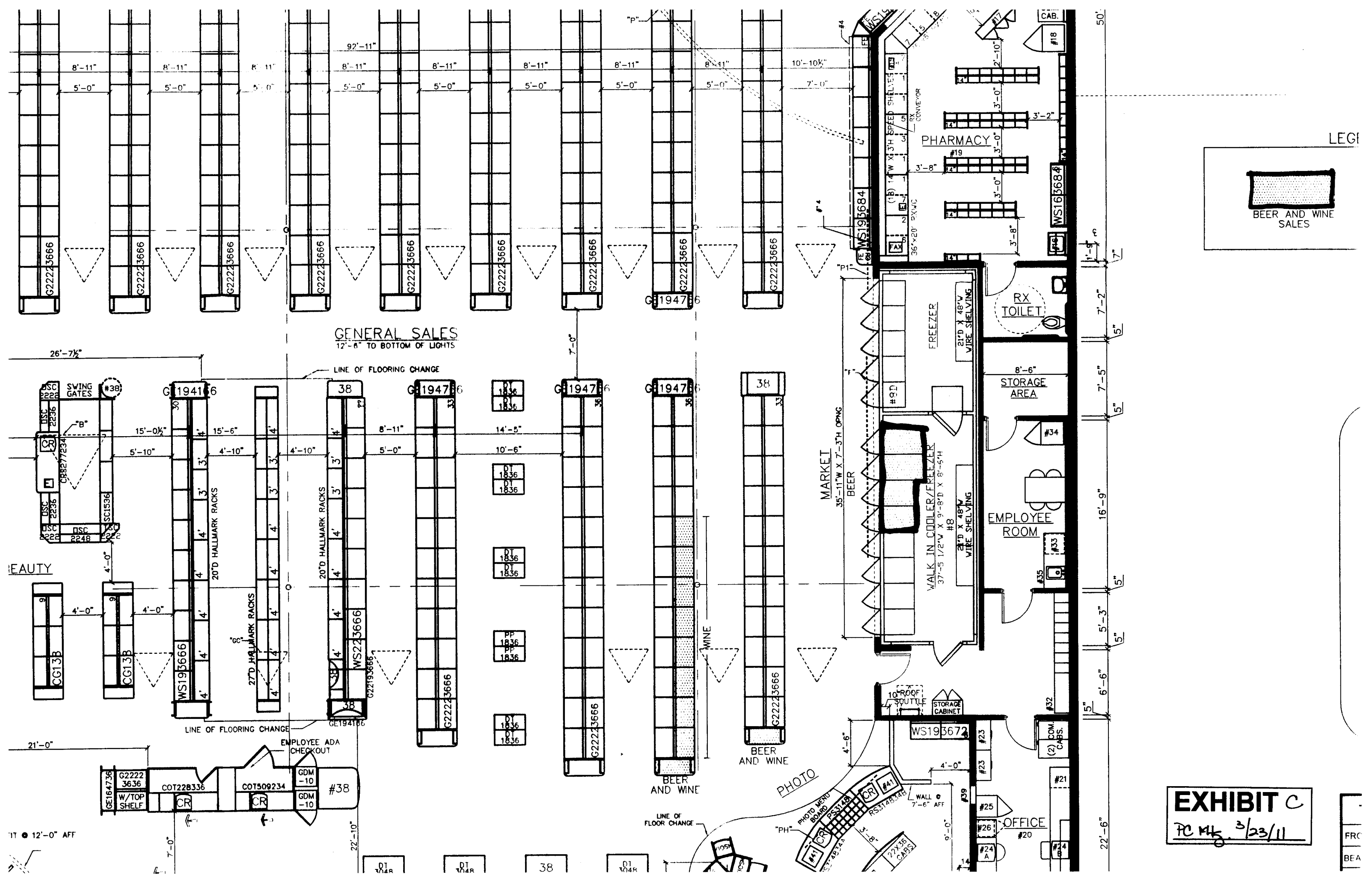
**ABSTAIN:**

**ABSENT:**

  
Richard Thompson  
Secretary to the Planning Commission  
  
Sarah Boeschen  
Recording Secretary

WalgreensPharmacyPCRes 5-14-08





**EXHIBIT C**  
 PC #45 3/23/11

FRC  
 BEA

1" = 12'-0" AFF

**CITYWIDE SURVEY OF OFF SITE LIQUOR SALES**

	<b>Establishment</b>	<b>Address</b>	<b>Allowed Hours of Alcohol Sales</b>	<b>Operating Hours</b>	<b>Use Permit</b>	<b>Notes</b>	<b>Type of Licence</b>
	Manhattan Fine Wines	1157 ARTESIA BLVD, A	-		No UP		Full Alcohol
	7-11 Convenience Store	1221 ARTESIA BLVD	-	-		No UP that discusses off-site alcohol sales	Beer/Wine
	Smart Store	1727 ARTESIA BLVD, A	6am - 12am Daily	24/7	CC 6055 (2006)		Beer/Wine
	E & A Wine & Cigar	1751 ARTESIA BLVD, D	-	-	No UP		Beer/Wine
	Speedi Mart	975 N AVIATION BLVD	-	-	No UP		Beer/Wine
	Chevron Gas Station	2301 N AVIATION BLVD	7am - 10pm Daily	Food Mart: 6am - 10pm Daily Limited Sales through Window: 10pm - 6am Fueling: 24/7	PC 09-05		Beer/Wine
	Moon's Market	3307 HIGHLAND AVE	-	-	No UP	-	Full Alcohol
	Beach Shop, The	3504 HIGHLAND AVE	-	-	No UP	-	Beer/Wine
	Player's Liquor	3804 HIGHLAND AVE	-	-	No UP		Full Alcohol
	El Porto Liquor Market Deli	4103 HIGHLAND AVE	Hours for Alcohol Sales Not Specified		PC 85-10 PC 85-11		Full Alcohol
	Bacchus Wine Shop	1000 MANHATTAN AVE	Sun - Wed 11am - 8 pm Thur - Sat 11am - 9pm	Sun - Wed, 11am - 8pm Thur - Sat, 11am - 9pm	PC 05-02	-	Beer/Wine
	Manhattan Beach Market	1111 MANHATTAN AVE	-	-	No UP		Full Alcohol
	VONS	410 MANHATTAN BEACH BLVD	6am - 10pm Daily	6am - 10pm Daily	No UP	-	Full Alcohol
	ARCO	1002 MANHATTAN BEACH BLVD	-	7am-10pm	CC 77-32 (1985)	Hours for Alcohol Sales Not Specified	Beer/Wine
	Trader Joes	1821 MANHATTAN BEACH BLVD	-	-	No UP		Full Alcohol
	Mobil Gas Station	1865 MANHATTAN BEACH BLVD	6am - 12am Daily	Mini Market: 6am - 12am Daily Fueling: 24/7	CC 4505 (1988)	Hours for Alcohol Sales Not Specified	Beer/Wine

**CITYWIDE SURVEY OF OFF SITE LIQUOR SALES**

	<b>Establishment</b>	<b>Address</b>	<b>Allowed Hours of Alcohol Sales</b>	<b>Operating Hours</b>	<b>Use Permit</b>	<b>Notes</b>	<b>Type of Licence</b>
	Bristol Farms	1570 ROSECRANS AVE, H	-	-	PC 90-29 PC 89-61	Operating/Alcohol Sales Hours Not Specified	Full Alcohol
	CVS	1570 ROSECRANS AVE, L	-	-	PC 89-61	Operating/Alcohol Sales Hours Not Specified	Full Alcohol
	Fresh & Easy	1700 ROSECRANS AVE, C	-	-	CC 5203 (1995)	Operating/Alcohol Sales Hours Not Specified	Full Alcohol
	BevMo	1700 ROSECRANS AVE, B	9am - 10pm Daily	9am - 10pm Daily	PC 08-12		Full Alcohol
	Trader Joes	1800 ROSECRANS AVE	10am - 12am Daily	10am - 12am Daily	PC 98-25		Full Alcohol
	Sepulveda Wine Co	917 N SEPULVEDA BLVD	Tues - Sat: 10am - 8pm Sun - Mon: 12pm - 5pm	Tues - Sat: 10am - 8pm Sun - Mon: 12pm - 5pm	PC 04-11		Full Alcohol
	Mr. D's Liquor Market	1100 N SEPULVEDA BLVD	-	-	No UP	-	Full Alcohol
	Ralphs	2700 N SEPULVEDA BLVD	6am - 2am Daily	24/7	PC 01-27 and PC 07-12	Hours restricted for wine tasting only	Full Alcohol
	CVS	2900 N SEPULVEDA BLVD	6am - 2am Daily	24/7	PC 01-27		Full Alcohol
	Macy's	3400 N SEPULVEDA BLVD	6am - 2am Daily	24/7	PC 01-27	-	Beer/Wine
	Chevron Gas Station	3633 N SEPULVEDA BLVD	6am - 12am Daily	Mini Market: 6am - 2am Daily Fueling: 24/7	PC 06-13		Beer/Wine
	Manhattan Car Wash	300 S SEPULVEDA BLVD	-	-	No UP	-	Beer/Wine



# MASTER APPLICATION FORM

CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT

*Office Use Only*

Date Submitted: 10/21/10

Received By:

F&G Check Submitted:

2400 North Sepulveda Boulevard

*Project Address*

See attached Exhibit 'A' for legal description

*Legal Description*

General Commercial

C-G

Area II

*General Plan Designation*

*Zoning Designation*

*Area District*

For projects requiring a Coastal Development Permit, select one of the following determinations<sup>1</sup>:

Project located in Appeal Jurisdiction

Project not located in Appeal Jurisdiction

Major Development (Public Hearing required)

Public Hearing Required (due to UP, Var., etc.)

Minor Development (Public Hearing, if requested)

No Public Hearing Required

**Submitted Application (check all that apply)**

Appeal to PC/PWC/BBA/CC

Use Permit (Residential)

Coastal Development Permit

Use Permit (Commercial)

Environmental Assessment \$215

Use Permit Amendment \$4,720

Minor Exception

Variance

Subdivision (Map Deposit)4300

Public Notification Fee / \$65 \$65

Subdivision (Tentative Map)

Park/Rec Quimby Fee 4425

Subdivision (Final)

Lot Merger/Adjustment/\$15 rec. fee

Subdivision (Lot Line Adjustment)

Other

**Fee Summary: Account No. 4225 (calculate fees on reverse)**

Pre-Application Conference: Yes \_\_\_\_\_ No \_\_\_\_\_ Date: \_\_\_\_\_ Fee: \_\_\_\_\_

Amount Due: \$ 5,010 (less Pre-Application Fee if submitted within past 3 months)

Receipt Number: \_\_\_\_\_ Date Paid: \_\_\_\_\_ Cashier: \_\_\_\_\_

## Applicant(s)/Appellant(s) Information

Robert M. Silverman, The Walgreen Co.

*Name*

104 Wilmot Rd, MS 1420 Deerfield, IL 60015

*Mailing Address*

Walgreen Co. leases the site from the Property Owner

*Applicant(s)/Appellant(s) Relationship to Property*

Matt Dzurec, Armbruster Goldsmith & Delvac (Applicant Representative)

310-254-9052

*Contact Person (include relation to applicant/appellant)*

*Phone number / e-mail*

11671 San Vicente Boulevard, Los Angeles, CA 90049

*Name*

(847) 315-4574

*Applicant(s)/Appellant(s) Signature*

*Phone number*

**Complete Project Description- including any demolition (attach additional pages if necessary)**

Applicant requests a Conditional Use Permit to allow for the sale of beer and wine for off-site

consumption at an existing Walgreens store. See Exhibit 'B' for detailed project description.

**EXHIBIT E**

<sup>1</sup> 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)

PC Mtg. 3/23/11

#91085

## OWNER'S AFFIDAVIT

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

I/We UNION BANK AS TRUSTEE OF KING TRUSTS being duly sworn, depose and say that I am/we are the owner(s) of the property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my/our knowledge and belief(s).

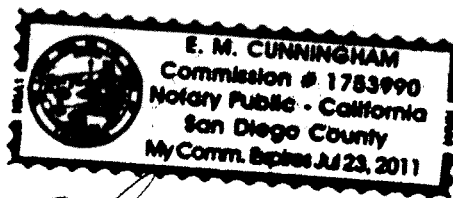
James A. Seelamp V.P.  
Signature of Property Owner(s) - (Not Owner in Escrow or Lessee)

JAMES A. SEELAMP V.P. UNION BANK AS TRUSTEE  
Print Name

PO BOX 85552 SAN DIEGO, CA. 92186 - 5552  
Mailing Address

619-230-4652  
Telephone

Subscribed and sworn to before me,  
this 30th day of Sept, 2010  
in and for the County of San Diego  
State of CALIFORNIA



E. M. Cunningham Notary Public

### Fee Schedule Summary

Below are the fees typically associated with the corresponding applications. Additional fees not shown on this sheet may apply - refer to current City Fee Resolution (contact the Planning Department for assistance.) Fees are subject to annual adjustment.

**Submitted Application (circle applicable fees, apply total to Fee Summary on application)**

**Coastal Development Permit**

Filing Fee (public hearing - no other discretionary approval required): \$ 4,275   
Filing Fee (public hearing - other discretionary approvals required): \$ 815   
Filing Fee (no public hearing required): \$ 560

**Use Permit**

Use Permit Filing Fee: \$ 5,200   
Master Use Permit Filing Fee: \$ 8,145   
Amendment Filing Fee: \$ 4,730   
Master Use Permit Conversion: \$ 4,080

**Variance**

Filing Fee: \$ 4,925

**Minor Exception**

Filing Fee (with notice): \$ 1,095   
Filing Fee (without notice): 547.50

**Subdivision**

Certificate of Compliance \$1,505  
Final Parcel Map / Final Tract Map 585  
Lot Line Adjustment or Merger of Parcels 1,010  
Mapping Deposit (paid with Final Map application) 473  
Quimby (Parks & Recreation) fee (per unit/lot) 1,817  
Tentative Parcel Map (less than 4 lots / units) No Public Hearing 805  
Tentative Parcel Map (less than 4 lots / units) Public Hearing 3,180\*\*   
Tentative Tract Map (more than 4 lots / units) 3,770\*\*

**Environmental Review (contact Planning Division for applicable fee)**

Environmental Assessment: \$ 215  
Environmental Assessment (if Initial Study is prepared): \$ 2,210  
Fish and Game County Clerk Fee<sup>2</sup>: \$ 75

**Public Notification Fee** applies to all projects with public hearings and covers the city's costs of envelopes, postage and handling the mailing of public notices. Add this to filing fees above, as applicable. \$ 65

<sup>2</sup> Make \$75 check payable to LA County Clerk, (DO NOT PUT DATE ON CHECK)

#0106

EXHIBIT "A"

LEGAL DESCRIPTION

File No: 06156640

EXHIBIT "A"

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

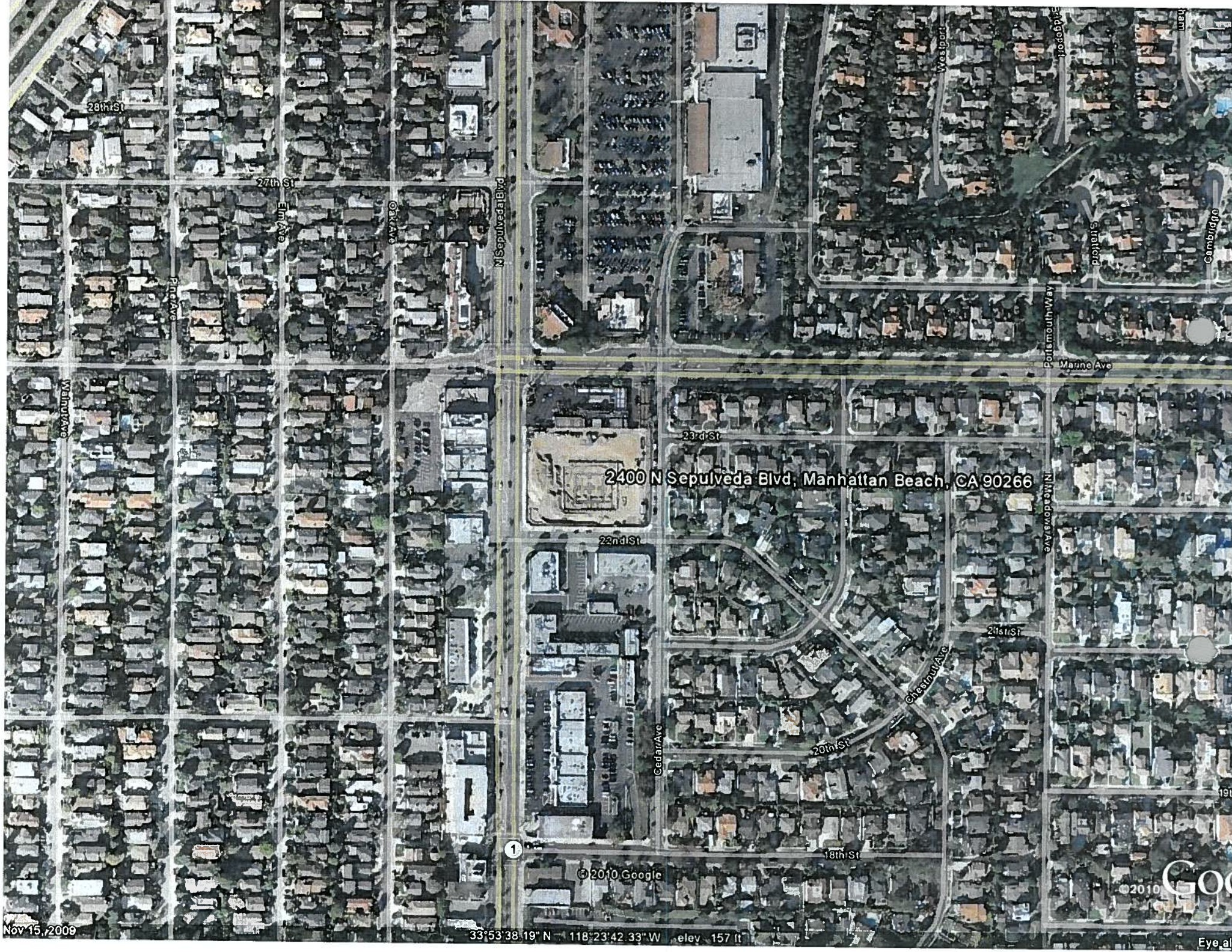
Parcel 1:

That portion of Section 19, Township 3 South, Range 14 West, Rancho Sausal Redondo, in the City of Manhattan Beach, County of Los Angeles, State of California, bounded on the West by the Easterly line of Sepulveda Boulevard, 90 feet wide, on the East by the Westerly line of Cedar Avenue, as shown on map of Tract No. 14123, recorded in Book 294, Page(s) 44 et seq., of Maps, Records of said County, on the Southeast, South and Southwest, by the Northwesterly, Northerly and Northeasterly line of Twenty Second Street, as shown on map of said Tract No. 14123, and on the North, by a line parallel with and distant Northerly 185 feet (measured parallel with said Cedar Avenue), from the tangent portion and its prolongations of the Northerly line of that portion of said Twenty Second Street extending from Cedar Avenue to Sepulveda Boulevard.

Parcel 2:

That portion of Section 19, Township 3 South, Range 14 West, Rancho Sausal Redondo, in the City of Manhattan Beach, County of Los Angeles, State of California, bounded on the West by the Easterly line of Sepulveda Boulevard, 90 feet wide on the East, by the Westerly line of Cedar Avenue as shown on map of Tract No. 14123, recorded in Book 294, Page(s) 44 et seq., of Maps, in the Office of the County Recorder of said County, on the North by a line parallel with and distant Northerly 235 feet (measured parallel with said Cedar Avenue), from the tangent portion and its prolongation of the Northerly line of that portion of 22<sup>nd</sup> Street as shown on map of said Tract No. 14123; extending from Cedar Avenue to Sepulveda Boulevard, and on the South by the North line of the land conveyed to Max Ray by deed dated October 4, 1949, and recorded November 23, 1949, in Book 31548, Page 151, Official Records.

Assessor's Parcel Number: 4166-019-024; 4166-019-025



2400 N Sepulveda Blvd, Manhattan Beach, CA 90266

© 2010 Google

© 2010 Google

Nov 15, 2009

33°53'38.19" N 118°23'42.33" W elev 157 ft

Eye al

**EXHIBIT B**  
**CONDITIONAL USE PERMIT FOR OFF-SITE SALES OF BEER AND WINE**  
**WALGREENS**  
**2400 SEPULVEDA BOULEVARD**

**THE APPLICANT**

This application is made by The Walgreen Company ("Walgreens"). Walgreens is the second largest drugstore chain in the country and operates 7,000 stores in all 50 states, the District of Columbia and Puerto Rico and provides access to consumer goods and services and pharmacy, health and wellness services through its retail drugstores, Walgreens Health Services division and Walgreens Health and Wellness division. These drugstores sell prescription and non-prescription drugs, and general merchandise. Walgreens general merchandise comprises beauty care, personal care, household items, candy, photofinishing, greeting cards, seasonal items, and convenience food. Walgreens is an active member in each community performing outreach that revolves around access to health services and education. In 2008, Walgreens worked with the nation's largest network of food banks to provide \$24 million worth of products and provided more than a million free health screenings as part of the Take Care Health Tour 2008. Walgreens was founded in 1901 and is based in Deerfield, Illinois.

**PROJECT DESCRIPTION**

Walgreens seeks an amendment to its existing Use Permit pursuant to Municipal Code Sec. 17.44.025 for the existing store located at 2400 Sepulveda Boulevard. In 2008, the City of Manhattan Beach (the "City") approved a Use Permit for a Walgreens store with drive-thru pharmacy by Resolution No. PC 08-06. Walgreens proposes to offer a limited selection of beer and wine that will make up a small portion of the existing Store floor area (the "Project"). The modest selection will be tailored to provide a safe, convenient alternative to meet the needs existing customers. Walgreens will not sell distilled spirits, malt liquor, single servings or any other variation. Storage and display areas for beer and wine will occupy less than 1 percent 14,820 square foot store. The Project involves no structural change to the interior space (other than some minor internal rearrangement of merchandise, shelving and coolers) nor to the building envelope, building exterior, parking or landscaping. These minor interior changes will involve no grading or construction.

**LOCATION**

The store is a freestanding building with associated parking, physically located northeast of the intersection of North Sepulveda Boulevard and 22<sup>nd</sup> Street.

**ZONING AND GENERAL PLAN DESIGNATION**

The Store is zoned CG General Commercial. The CG zoning permits retail sales and a use permit is required for any new alcohol license or modification to an existing alcohol license. MMC Sec. 17.44.025.

**SURROUNDING ZONING/LAND USE**

- North – Zoned CG and consists of a car wash.



- West – Zoned and CG and consists of a church, bike shop, doggy day care and car rental agency along Sepulveda Boulevard
- South – Zoned CG and consists of a radiology center, Repo center, restaurant, and silk screening business
- East – Zoned RS and consists of single family residential units.

## **SALES POLICIES AND SECURITY MEASURES**

As in hundreds of locations across the country where Walgreens currently sells beer and wine, beer and wine will be merchandised and sold with a high degree of responsibility and conscientiousness. As a pharmacy, Walgreens possesses significant experience selling regulated products and complying with laws governing them. This expertise will ensure lawful and responsible beer and wine sales. Detailed policies and procedures are already in place and are strictly enforced without exception. Walgreens employees for each eligible store must undergo extensive training prior to beer and wine availability at an individual location. Once trained, all employees regardless of age must sign a Sale of Alcoholic Beverages Policy acknowledgement letter at the beginning of each shift. All employees will also complete any local or state required training before they can sell beer or wine. Alcohol sales training and policy acknowledgements are conducted annually every March. Employees are automatically enrolled in these training courses and new employees also will complete the alcohol sales training and policy procedures on their first day of employment. Walgreens established policy states that employees must request identification for any customer attempting to purchase alcohol who appears to be under the age of 40. The register prompts the employee before proceeding with the transaction and all under age employees are required to seek the assistance of a manager.

Walgreens uses a variety of security strategies at other store with sales of alcohol to ensure the safety of their customers as well as the security of their merchandise. Security cameras and public view monitors are installed to deter criminal activity and promote a safe environment. The digital images captured from these devices are stored for up to 90 days on a Digital Video Recorder and give Loss Prevention the capability to share images of thieves with the stores and local law enforcement agencies. Additionally, beer and wine will be positioned a significant distance from where the store entrance is located. This will force customers to walk the length of the store serving as an additional deterrent.

## **USE PERMIT FINDINGS**

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

The existing Walgreens store is zoned CG, General Commercial which allows for a wide range of neighborhood and community serving commercial uses. The store is located on Sepulveda Boulevard which is a significant commercial corridor that is comprised of a wide range of community and neighborhood-supporting retail and commercial services that includes the existing Walgreens. The immediate surrounding area is characterized by a variety of commercial development with single-family residences to the east across Cedar Avenue.

A Use Permit was recently approved for the store and has already been determined not detrimental to the character of development in the immediate neighborhood. The modest addition of wine and beer

will provide an additional amenity for the neighborhood in a safe, convenient location operated by a trusted brand. The addition of beer and wine will not contain any type of use which may typically be associated with adverse effects upon the economic health of a neighborhood, such as a liquor store, stand-alone bar or nightclub.

The selling of a limited selection of beer will make up a small portion of the overall store floor area and sales and is tailored to provide a safe, convenient alternative to meet the needs for existing customers of the store. The safest and most desirable manner of selling beer and wine is from within a larger store whose merchandise is varied, thereby precluding some of the loitering and public safety issues that can arise with liquor sales. The modest selection of beer and wine will add to the variety of products available to customers that include non-prescription and prescription drugs, and general merchandise that includes beauty care, personal care, household items, candy and convenience food, photofinishing, and greeting cards. The addition of beer and wine will add a desired amenity sold in a safe, convenient location by a trusted brand with over 100 years of experience.

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

The modest addition of beer and wine to the existing Walgreens will not adversely affect the health, peace, comfort or welfare to the people living or working in the surrounding area. Walgreens proposes to offer a limited selection of beer and wine that will make up a small portion of the existing floor area. The modest selection will be tailored to provide a safe, convenient alternative to meet the needs of the Applicant's existing customers. The store will not sell distilled spirits, malt liquor, single servings or any other variation. Beer and wine storage and display areas will comprise less than 1% of the total floor area in the existing store. Walgreens has adopted extensive Sales and Security Measures that are designed to protect the customers and the general public in the vicinity of the Store. Detailed policies and procedures are already in place and are strictly enforced without exception. Employees for each eligible store must undergo extensive training prior to beer and wine availability at an individual location. Once trained, all employees regardless of age must sign a Sale of Alcoholic Beverages Policy acknowledgement letter at the beginning of each shift. All employees will also complete any local or state required training before allowed to sell beer or wine. Alcohol sales training and policy acknowledgements are conducted annually every March. Employees are automatically enrolled in these training courses and new employees also will complete the alcohol sales training and policy procedures on their first day of employment. Walgreens established policy states that employees must request identification for any customer attempting to purchase alcohol who appears to be under the age of 40. The register prompts the employee before proceeding with the transaction and all under age employees are required to seek the assistance of a manager.

Walgreens uses a variety of security strategies at other store with sales of alcohol to ensure the safety of their customers as well as the security of their merchandise. Security cameras and public view monitors are installed to deter criminal activity and promote a safe environment. The digital images captured from these devices are stored for up to 90 days on a Digital Video Recorder and give Loss Prevention the capability to share images of thieves with the stores and local law enforcement agencies. Additionally, beer and wine will be positioned on the opposite end of the store from where the entrance is located. This will force customers to walk the length of the store serving as an additional deterrent.

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

Walgreens proposes to offer off-sales of beer and wine at an established store located at 2400 Sepulveda Boulevard. The store is located in a significant commercial area that offers a wide range of community and neighborhood-supporting retail, commercial and services. The Use Permit is proper in relation to adjacent uses and the development of the community in that it will be located entirely within a carefully controlled, existing Walgreens already found to be appropriate for the area. Walgreens is a retail drugstore selling prescription and over-the-counter medicines as well as a variety of general merchandise, sundries and grocery items to the public. The selling of a limited selection of beer and wine will make up a small portion of the overall store floor area and sales and is tailored to provide a safe, convenient alternative to meet the needs for existing customers. The store will continue to serve the public convenience and is compatible with the character of the surrounding uses. Conditions of approval are incorporated to ensure safe and responsible sales of beer and wine.

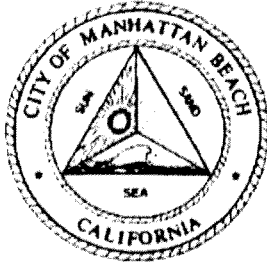
**4. The proposed use will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public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

The modest addition of beer and wine will not adversely impact the nearby residential area east of the store that is buffered from the store by fencing and Cedar Avenue. The proposed off-site sales of beer and wine will be conducted within the store and will be positioned a significant distance from where the entrance is located. This will force customers to walk the length of the store serving as an additional deterrent. There will be no external evidence that alcoholic beverages are sold at the store. Otherwise, there will be no on-site consumption, loitering or littering permitted in connection with the sales of alcoholic beverages. Walgreens has in place strict security measure and sales policies that will ensure safe and responsible sales of beer and wine.

The minor addition of beer and wine involves no structural change to the interior space (other than some minor internal rearrangement of merchandise, shelving and coolers) nor to the building envelope, building exterior, parking or landscaping. These minor interior changes will involve no grading, construction or construction equipment to the exterior of the store. It is likely that no one will notice any change without actually entering the Store to shop. The store abuts streets and highways that are properly designed and adequate in width and pavement type to carry the type and quantity of traffic generated by the proposed off-site sales of beer and wine use.

The intent behind offering beer and wine at this store fulfills Walgreens commitment to save its customers time and money with the convenience of one-stop shopping. Thus, the same customers who currently shop at the store will continue to shop there, with the new option of being able to purchase beer and wine at the Store as opposed to some other possibly more distant and inconvenient location. As such, the sale of beer and wine for off-site consumption will not change the existing numbers of customers at the store and because of the volume of goods sold on a daily basis, devoting this small amount of shelf and refrigerator space to sell beer and wine will not materially increase the number of truck deliveries or vehicles that currently come to the store. In addition, there will be no additional traffic generated by the addition of beer and wine, and as a result, there will be no need for additional parking or loading spaces.

There are no proposed changes to the existing floor area or the intensity of uses for the store that would cause any additional traffic generation and therefore necessitate any changes to the streets and highways that abut the store as originally approved. The proposed use does not require any special public or private facilities because for the proposed off-site sales of beer and wine will be incorporated into the existing store and will require no changes to any of the existing service facilities which were deemed to be adequate at the time the store was built.



# ENVIRONMENTAL INFORMATION FORM

(to be completed by applicant)

CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT

Date Filed: \_\_\_\_\_

### APPLICANT INFORMATION

Name: Robert M. Silverman, The Walgreen Co.

Contact Person: Matt Dzurec, Armbruster Goldsmith & Delvac

Address: 104 Wilmot Rd, MS 1420 Deerfield, IL 60015

Address: 11611 San Vicente Boulevard, Los Angeles, CA 90049

Phone number: 847-315-4574

Phone number: 310-254-9052

Relationship to property: Lessee

Association to applicant: Representative

### PROJECT LOCATION AND LAND USE

Project Address: 2400 North Sepulveda Boulevard

Assessor's Parcel Number: 4166-019-024-025

Legal Description: See Exhibit 'A'

Area District, Zoning, General Plan Designation: Area III, CG, Commercial General

Surrounding Land Uses:

North car wash

West church, bike shop, doggy day care and car rental agency

South radiology center, Repo center, restaurant, and silk screening business

East single family residences

Existing Land Use: Walgreens drugstore

### PROJECT DESCRIPTION

Type of Project: Commercial  Residential \_\_\_\_\_ Other \_\_\_\_\_

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

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

Walgreens proposes the off-site sale of beer and wine from an existing store. Sales area for beer and wine would occupy 97 square feet and storage area for beer and wine (stock room) would occupy 22 square feet of the total floor area.

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

See attached Exhibit B

Removed/

	<u>Existing</u>	<u>Proposed</u>	<u>Required</u>	<u>Demolished</u>
Project Site Area:	69,188	No change	_____	_____
Building Floor Area:	14,820	No change	_____	_____
Height of Structure(s)	23.2 feet	No change	_____	_____
Number of Floors/Stories:	1	No change	_____	_____
Percent Lot Coverage:	21%	No change	_____	_____
Off-Street Parking:	69	No change	_____	_____
Vehicle Loading Space:	2	No change	_____	_____
Open Space/Landscaping:	N/A	No change	_____	_____

Proposed Grading:

Cut None Fill None Balance None Imported None Exported None

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

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

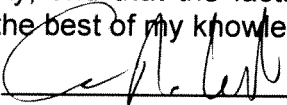
Explain all "Yes" responses (*attach additional sheets or attachments as necessary*):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**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:  Prepared For: WALGREENS

Date Prepared: 9/30/10

Revised 7/97