

**CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Planning Commission

THROUGH: Richard Thompson, Director of Community Development

FROM: Eric Haaland, Associate Planner

DATE: July 27, 2011

SUBJECT: Request for a One-Year Time Extension of a Master Use Permit and Associated Applications for 1000-1008 Sepulveda Boulevard (1008 Investment Group, LLC)

RECOMMENDATION

Staff recommends that the Planning Commission **APPROVE** the requested one-year time extension.

APPLICANT / OWNER

1008 Investment Group, LLC
1001 6th Street, #100
Manhattan Beach, CA 90266

BACKGROUND

On July 17, 2007, the City Council adopted Resolution No. 6107, approving a Master Use Permit (attached) for construction of a 25,350 square-foot medical and retail use building, to include 22,970 square feet of medical office condominiums; a 665 square-foot pharmacy and a 1,715 square foot coffee shop with outdoor patio area. A parking requirement reduction from 127 spaces to 119 spaces was also granted as a component of the use permit. This approval was valid for a three-year period. Additional approvals for the project included a General Plan Amendment, zone change, variance, and vesting tentative tract map. The General Plan Amendment and zone change took permanent effect in September, 2007, and the tract map has been automatically extended by the State of California, as is common during significant economic recession periods.

Section 10.84.090(E) of the Zoning Code permits the applicant to request a twelve-month extension to the use permit prior to the expiration of the project. On August 25, 2010, the Planning Commission granted a one-year extension of the project approval to July 17, 2011. On

June 30, 2011, the applicant submitted an additional twelve-month extension request for Planning Commission approval.

DISCUSSION

The subject request is to extend the life of the Master Use Permit to construct the commercial condominium building until July 17, 2012. Substantial construction or an additional extension request must occur prior to that date to maintain the existing project approval. The applicant had proceeded with project design and submitted to plan check on December 18, 2008, but allowed that application to expire, and a new plan check would be required to resume the development process. Due to time and economic constraints, the applicant determined that substantial construction could not be completed prior to the plan check and use permit deadlines.

In order to grant the extension, the Planning Commission must determine that the original project findings required by Zoning Code Section 10.84.060 remain valid. The City Council approved the project in July 2007, based on the following findings:

1. The proposed project, with approval of the General Plan Amendment and Zone change for the rear 50 feet of the lot from Residential to Commercial, is located within the (CG) General Commercial district. The subject proposal would replace a former 5,400 square foot restaurant use and the business is in accord with the objectives of this title, and the purpose of the district in which it is located since the project is a commercial zone consistent with Section 10.16.010 of the Manhattan Beach Zoning Code which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses. With the exception of the number of required parking spaces and a smaller loading space, the subject proposal would be in compliance with all applicable regulations as detailed in the staff report.

Because the parking design includes mostly full-size parking spaces to facilitate parking access, a parking reduction was requested. A reduction of 8 parking spaces (from 127 to 119) is approved based on the proposed uses and a parking forecast analysis which indicates a maximum hourly demand of 109 spaces. Additionally, the probable long-term occupancy of the building, based on its design and proposed uses will not generate additional parking demand.

Therefore the Use Permit findings as required by MBMC Section 10.64.050 (B), Reduced Parking for Certain Districts and Uses, which allows a reduction in the number of parking spaces through a Use Permit, can be made as follows:

1. The parking demand will be less than the requirement for off-street parking regulations.
 2. The probable long-term occupancy of the building or structure, based on its design, will not generate additional parking demand.
2. The proposed office/retail building poses no detrimental effects to the public health, safety, or welfare of persons residing or working on the proposed project site, or to the adjacent 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.

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

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

Goal LU-1.2: Encourage the use of notches, open space, setbacks, landscaping, or other architectural details to reduce building bulk.

Goal LU-2.1: Encourage landscaping standards for commercial areas.

Goal LU-3.1: Encourage quality design in all new construction.

Goal LU-3.2: Encourage the use of Sepulveda Boulevard Corridor Guidelines.

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

Goal LU-5.4: Discourage the outdoor commercial use of property adjacent to a residential neighborhood.

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

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

3. The proposed medical office/retail uses on the existing site will be in compliance with applicable provisions of the (CG) General Commercial zone.
4. The proposed change in use from a restaurant to a medical office/retail/restaurant use will not adversely impact nearby properties due to landscaping, screening, setbacks, and the site design and layout of the parking, access and circulation, loading and trash, as well as the conditions of approval. The proposed change in use will increase the parking demand; however it will be accommodated as part of the proposed project design. It is not anticipated that the proposed office/retail uses 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.

Staff is not aware of any changes in requirements or circumstances since the project's approval, or last year's extension approval, that would invalidate these findings, and therefore recommends that the Planning Commission grant the requested extension.

The relevant minutes and staff reports (without attachments) to the Planning Commission and City Council from 2007, are attached for reference. The Planning Commission's approval of the project at that time was subsequently repeated by the Council since the project was dependent upon the related zone change ordinance converting a portion of the property that was residentially zoned to commercial zoning.

Attachments:

- A. Request for Time Extension
- B. Resolution No. 6107
- C. Ordinance No. 2105
- D. 2007 City Council & Planning Commission Minutes and Staff Reports (w/o attachments)
- E. 2007 Presentation/graphic excerpt

c: 1008 Investment Group, LLC, Property Owner/Applicant

1008 INVESTMENT
GROUP, LLC

June 23, 2011

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

Attn: Richard Thompson, Director of Community Development

Re: 1008 Sepulveda Blvd. – Master Use Permit & VTTM 68175 Extension Request

Dear Richard:

Resolution No. PC-07-08 approving the Master Use Permit & VTTM 61875 for a 25,350 square foot mixed use medical office/retail/restaurant development was adopted on June 27, 2007, and subsequent Council Resolution No. 6107 & 6108. Based upon Planning Commission approval, it is set to expire July 17, 2011. It is our intention to proceed with development pursuant to that approval in the near future. The building permit has not been issued.

We are hereby requesting that the City Planning Department grant a one year extension of the original entitlement for Master Use Permit and VTTM 61875 pursuant to Section 10.84.090.E, of the Municipal code. Attached is a check for the extension renewal fee in the amount of \$2,195.

Please let me know if anything further is needed. Thank you for your consideration.

Sincerely,

1008 Investment Group LLC


George Apostol
Managing Member

EXHIBIT A

PC Mtg. 7/27/11

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RESOLUTION NO. 6107

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING A MASTER USE PERMIT INCLUDING PARKING REDUCTION, GENERAL PLAN AMENDMENT FROM "MEDIUM DENSITY RESIDENTIAL" TO "GENERAL COMMERCIAL", LOADING SPACE SIZE VARIANCE AND VESTING TENTATIVE TRACT MAP NO. 68175 FOR OFFICE CONDOMINIUM, AT 1000 SEPULVEDA BOULEVARD


THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH HEREBY RESOLVE AS FOLLOWS:

SECTION 1. The City Council 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 May 23, 2007 and June 27, 2007, to consider applications for a Master Use Permit; reduction of parking requirements; Variance for a reduction in size of a commercial loading space, and Vesting Tentative Tract Map No. 68175, to allow construction of a 25,350 square foot mixed use medical office/retail/restaurant development; for the property legally described as Lots 15, 16, 17 and 18, Block 7, Tract 142, located at the northeast corner of Sepulveda Boulevard and 10th Street, at 1000 Sepulveda Boulevard in the City of Manhattan Beach. The Planning Commission approved the application on June 27, 2007 by adopting Resolution No. PC 07-08.
- B. The applicant is 1008 Investment Group, LLC.
- C. The City Council conducted a public hearing and received public testimony on these matters on July 17, 2007. All decisions set forth in this resolution are based upon substantial evidence received at said public hearing.
- D. 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.
- E. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- F. The applicant has submitted application for a Master Use Permit for a commercial development and a request for parking reduction. Additionally, the applicant has filed a request for a zone change from "RM" to "CG" consistent with the requirements of Section 10.32.060 of the MBMC, for the rear 50-feet of the property; and a Variance for relief from a required 12' x 35' x 14' commercial loading space.
- G. The applicant has submitted an application requesting consideration of an amendment to the General Plan Land Use Element and Land Use Policy Map reclassifying the rear 50-feet of the project site from a "Residential Medium Density" land use designation to a "General Commercial" land use designation.
- H. The project will provide a maximum of thirty (30) commercial condominium units or less for individual ownership of varying sizes.
- I. The City Council made the following findings with respect to this application:
 - 1. The project consists of a 25,350 square foot mixed use medical office/retail/restaurant structure, which includes 22,970 square feet of medical condominium offices, 665 square feet of pharmacy area or similar retail use, and 1,715 square feet of coffee shop or similar retail use which includes outdoor dining area.



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



City Clerk of the City of Manhattan Beach

EXHIBIT B
PC Mtg. 8/25/10

EXHIBIT B
PC Mtg. 7/27/11

- 2. The project is located in Area District I and is zoned (CG) General Commercial. The uses are permitted by the zoning code and are 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 Residential Medium Density.
- 3. The General Plan designation for the front 138 feet of the property is General Commercial; the rear 50 feet of the property is designated as Medium Density Residential. The General Plan encourages commercial development such as this that provides for businesses which serve city residents.
- 4. The majority of the property that is being rezoned is landscaped and provides adequate separation between residential and commercial activities.

Use Permit

- 1. The proposed project, with approval of the General Plan Amendment and Zone change for the rear 50 feet of the lot from Residential to Commercial, is located within the (CG) General Commercial district. The subject proposal would replace a former 5,400 square foot restaurant use and the business is in accord with the objectives of this title, and the purpose of the district in which it is located since the project is a commercial zone consistent with Section 10.16.010 of the Manhattan Beach Zoning Code which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses. With the exception of the number of required parking spaces and a smaller loading space, the subject proposal would be in compliance with all applicable regulations as detailed in the staff report.

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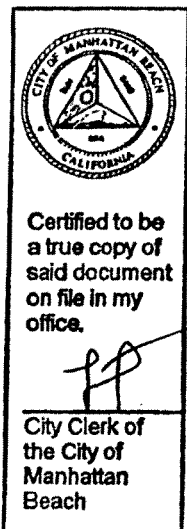
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Goal LU-2.1: Encourage landscaping standards for commercial areas.



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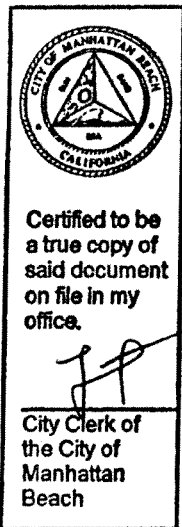
- 3. The proposed medical office/retail uses on the existing site will be in compliance with applicable provisions of the (CG) General Commercial zone.
- 4. The proposed change in use from a restaurant to a medical office/retail/restaurant use will not adversely impact nearby properties due to landscaping, screening, setbacks, and the site design and layout of the parking, access and circulation, loading and trash, as well as the conditions of approval. The proposed change in use will increase the parking demand; however it will be accommodated as part of the proposed project design. It is not anticipated that the proposed office/retail uses 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.

I. The project shall be in compliance with following Sepulveda Corridor Design Guideline Goals:

- Establish standards for low-rise commercial arterial development such as retail/office uses.
- Based on the building design restrict the height limit.
- Provide, when possible, a right-turn deceleration pocket on Sepulveda Boulevard to improve safety and circulation.
- Buildings, storefronts, and windows should be oriented toward Sepulveda Boulevard when possible. 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, 2) use landscape planters and other decorative treatments around buildings to avoid direct building-to-asphalt contact areas, and 3) provide tree-lined landscape buffers in parking lots along residential boundaries.
- 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 is designed to create minimal bulk and impact on the neighboring residential area by providing adequate open space for light, air and fire safety through increased setbacks and innovative building design.

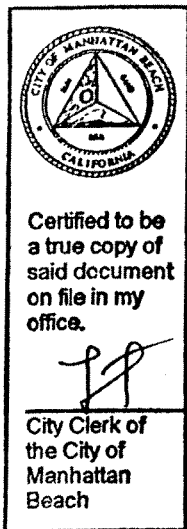


- The proposed project includes convenient off-street parking facility which is enhanced by an effective on-site traffic circulation system.
 - The efficiently designed parking areas are comprised mostly of full size parking spaces (except 3-compact spaces which are 8-feet wide and 19-feet in length), which provides ample covered parking and excellent vehicular flow that minimizes impact to the adjacent residential neighborhood.
- J. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- K. This Resolution upon its effectiveness constitutes the Master Use Permit for the subject project.

SECTION 2. The City Council of the City of Manhattan Beach hereby APPROVES the subject Master Use Permit, Variance and Vesting Tentative Tract Map No. 68175 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 June 27, 2007. Any other substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
2. The project will provide 119 on-site parking spaces which includes; 9 disabled parking spaces, 3 modified compact spaces (8' x 18'), commercial loading space (12' x 31' x 14') and 107 full-size spaces.
3. A Traffic Management Plan shall be submitted in conjunction with all construction and other building plans, to be approved by the Police and Public Works Departments prior to issuance of building permits. The plan shall provide for the management of all construction related traffic during all phases of construction, including delivery of materials and parking of construction related vehicles.
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 building construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.
6. The siting of construction related equipment (job site offices, trailers, materials, etc) shall be subject to the approval from the Director of Community Development prior to the issuance of any building permits.
7. Any future change from office/retail uses shall be reviewed by the Traffic Engineer for consistency with the approved Parking Demand Study to ensure compliance with parking requirements.
8. A site landscaping plan utilizing drought tolerant native plants shall be submitted for review and approval concurrent with the building permit application. All plants shall be identified on the plan by the Latin and common names. The current edition of the Sunset Western Garden Book contains a list and description of drought tolerant plants suitable for this area.
9. A low pressure or drip irrigation system shall be installed in the landscaped areas, which shall not cause any surface run-off. Details of the irrigation system shall be noted on the landscape plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments.



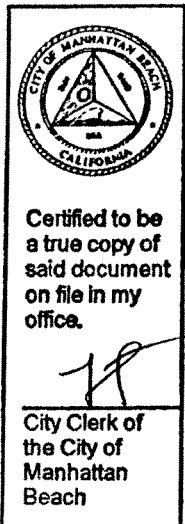
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- 10. A covered enclosure(s) with adequate capacity for both trash and recycling for all tenants shall be constructed for this site. This trash enclosure must be constructed with a concrete, asphalt, or similar base and must have drainage to the sanitary sewer system. The enclosure is subject to specifications and approval of the Public Works Department, Community Development Department, and the City's waste contractor. A trash and recycling plan shall be required by the Public Works Department.
- 11. Management of the retail uses shall police the property and all areas immediately adjacent to the businesses during the hours of operation to keep it free of litter.
- 12. The operator of the pharmacy and coffee shop 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. 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.
- 15. The applicant shall submit a lighting and photometric plan which shows the location of the proposed light pole and maximum foot candles 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 east, 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.
- 16. The hours of operation for the proposed uses shall be as follows:

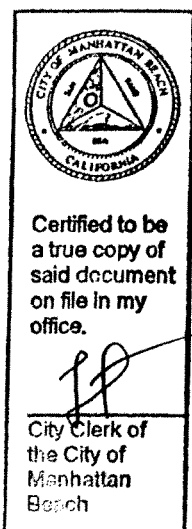
Medical Office Uses:	7:00 a.m. – 7:00 p.m. Monday through Friday
	8:00 a.m. – 5:00 p.m. Saturday
Pharmacy Use:	7:00 a.m. – 7:00 p.m. Monday through Friday
Coffee Shop/Retail Use	6:00 a.m. – 11:00 p.m. Seven days a week
- 17. Delivery hours shall be prohibited between the hours of 7:00 p.m. and 7:00 a.m.

Parking Related Conditions

- 18. The developer shall provide a fair-share contribution towards a future traffic study to determine the feasibility and impacts of a new traffic signal at Sepulveda Boulevard and 10th Street. If a signal is determined to be required, the applicant shall be required to pay for their fair share towards the installation.
- 19. A Parking Management Plan shall be submitted for approval by the City Traffic Engineer prior to issuance of building permits. The plan shall consist, at a minimum, of time-limit parking restrictions for customer use, designated areas for employees and customers use, details of security gate locations, specifications, hours of operation, and an override of any restricted or gated areas during peak or other designated periods. This Plan shall include provisions for closing and securing parking areas, particularly the lower level of the parking structure, after hours. All required measures shall be installed per the approved plan prior to occupancy.
- 20. The lower parking area shall remain unrestricted for all users during business hours. All parking spaces on the upper surface lot shall be reserved for visitor/customer use only. There shall be no assigned parking for anyone associated with the commercial uses. Employees and tenants shall be encouraged to park in the lower parking area. At no time shall the employees or visitors be charged for parking.



21. Each parking level driveway entrance shall provide signage to direct motorists to the designated parking areas for that level (i.e. customers, patients and employees). The entrance to each patient/customer parking area shall provide directional signage for the designated parking area.
22. At least one vehicle must be able to queue outside the proposed security access gates in both directions without blocking the sidewalk.
23. Key or code controlled ingress must be provided at any gate, including an intercom system connected to individual units if visitor/customer parking is allowed behind the gate. Automatic exiting using vehicle detection must be provided when vehicles leave the gated area. Details shall be provided as part of the Parking Management Plan.
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. Convex mirrors or other sensing device shall be used on all vehicle ramp corners to warn drivers of vehicles approaching in opposite directions.
26. Parking stall cross-slope shall not exceed 5%.
27. All two-way driveways and approaches shall be as wide as the aisle it serves. Both driveway approaches for the project must be at least 25 feet wide.
28. Any two-way aisles or ramps adjacent to a wall or obstruction must be at least 22 feet wide.
29. Staircases shall not exit directly onto a vehicle aisle or street without a landing.
30. 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. Note that total height of planter and landscaping shall not exceed 36 inches high.
31. No portion of a column may encroach into the minimum parking stall dimensions. Column placement must be at least 2 feet inside the end of stall and not obstruct vehicle door opening. Alternately, the parking stall may be at least one foot wider than a standard space (MBMC 10.64.100).
32. All parking spaces adjacent to an obstruction, except columns located as specified in condition #32, must be at least one foot wider than a standard space.
33. Wheel stops are necessary for all parking spaces inside a parking lot or structure except those spaces abutting a masonry wall or protected by a 6-inch high planter curb (MBMC 10.64.100 D).
34. Provide height clearance signs and clearance warning bar for subterranean parking area at entrance to level.
35. All unused driveways shall be reconstructed with curb, gutter and sidewalk.
36. Provide and identify the commercial loading area on site plan and label with approved signage.
37. Doors and gates along property frontages shall not open across the public right-of-way.

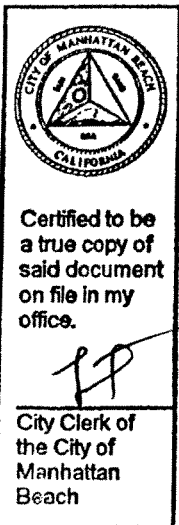


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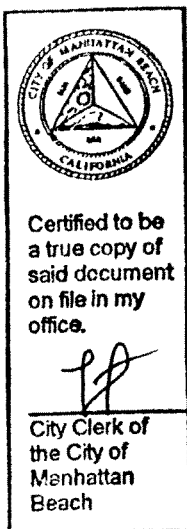
- 38. Any compact spaces shall be labeled with a sign and a stencil marking at the back of each space.
- 39. All wall extensions at the end of each ramp must be removed to maximize driver/pedestrian visibility.
- 40. The driveway on Sepulveda Boulevard shall be restricted to Right Turn In/Right Turn Out and posted with signs as directed by the City Traffic Engineer and Caltrans.
- 41. Outbound traffic at the driveway at 10th Street shall be restricted to Right Turn Out only and posted with signs as directed by the City Traffic Engineer.
- 42. Bicycle parking shall be provided at a rate of five percent (5% - 6 spaces) of all parking spaces (MBMC 10.64.80). Location shall be shown on the plans subject to Planning review and approval.
- 43. All roof top equipment shall be screened from public view.

Public Works Requirements

- 44. All landscape irrigation backflow devices must meet current City requirements for proper installation.
- 45. No discharge of construction wastewater, building materials, debris, or sediment from the site is permitted.
- 46. 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.
- 47. 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 and must be shown on plans if applicable (See City Standard Plan ST-24).
- 48. 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, replacing, 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.
- 49. Required mop sinks must be installed and shown on the plumbing plans.
- 50. 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 MBMC 5.84.060. 5.84.090.
- 51. Any unused water or sanitary sewer laterals must be shown on the plans and abandoned at the City main.
- 52. A grease interceptor must be installed and placed into a maintenance program with regular inspections and removal of grease buildup.
- 53. All trash enclosures shall be enclosed, have a roof, built in such a manner that stormwater will not enter, and a drain installed that empties into the sanitary sewer system. Floor drain or similar traps directly connected to the drainage system shall be provided with an approved automatic means of maintaining their water seals. See 1007.0 Trap seal Protection in the Uniform Plumbing Code. Contact the City's refuse contractor for sizing of the enclosure. Drawings of the trash enclosure must be on the plan, and must be approved by the Public Works Department before a permit is issued. See Standard Plan ST-25. Trash pick-up shall be from Sepulveda Boulevard and not 10th Street.



54. 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.
55. 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, % of slope on driveway, and driveway elevations. In the case where the garage level is below the street drainage flow lines, the combined slope of public and private approach shall not exceed 15%.
56. Weekly sweeping will be required for all parking areas.
57. A disabled access ramp must be installed on the public sidewalk. See City Standard Plan ST-9. Ramp must be shown on plans.
58. The sidewalk must be replaced from the north property line to the south property line on Sepulveda and from the west to the east property line on 10th Street and shown on the plans.
59. Backflow preventers for fire and domestic water services must be installed per Public Works Department requirements.
60. Water meters shall be placed near the property line and out of the driveway approach whenever possible. Water meter placement must be approved by the City and shown on the plans, and all utility meters screened from view.
61. If the water meter box is replaced, it must be purchased from the City, and must have a traffic rated lid if the box is placed in the driveway.
62. 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 plan. Control measures must also be taken to prevent street surface water entering the site.
63. Any new storm water, nuisance water, etc. drain lines installed within the street right of way must be constructed of ductile iron pipe. Drains must be shown on plans.
64. Enclosed parking area drains must be connected to oil water separators/clarifiers, and drain into the sanitary sewer system. Storm water must not enter the enclosed parking areas. Details must be shown on plans and approved by the Public Works Dept.
 - a. The on site operator must maintain a log of weekly measurements of the amount of material in the clarifier.
 - b. The log of measurements must be available for review by City employees during business hours.
 - c. If the clarifier is not connected to the sanitary sewer, the clarifier must be pumped and maintained promptly, but in no more that 72 hours following any measurement showing that the tank is filled to 75% of capacity. In no event shall the clarifier be pumped and maintained less frequently than once quarterly.
 - d. City staff must be allowed to inspect the clarifier at reasonable times for compliance.
 - e. Proof of adequate maintenance of the clarifier and proper disposal of the contaminated silt is required, and must be sent to the City of Manhattan Beach on a quarterly basis.



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- 65. If any parkway trees are removed, they must be replaced with trees selected from the City's approved parkway tree list, and planted in root barrier boxes. Any new tree in the Caltrans right-of-way requires Caltrans approval.
- 66. This project must meet construction and post construction SUSMP requirements.
- 67. Plan holder must have the plans rechecked and stamped for approval by the Public Works Department before the building permit is issued.

Building Division

- 68. All paths of travel areas for the project shall meet the Disabled Access requirements.
- 69. All work shall comply with the 2001 California Codes which includes: 2004 California Electrical Code, 2001 Building Code, 2001 Mechanical Code and 2001 Plumbing Code.

Fire Department

- 70. All food heat processing equipment that produces grease-laden vapors shall have hood, duct and fire extinguishing systems according to 2001 California Fire Code Section 1006.

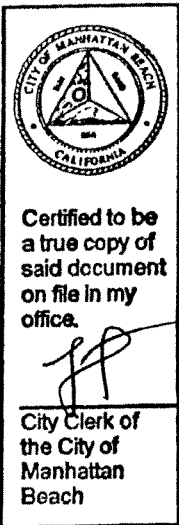
Procedural

- 71. *Interpretation.* Any questions of intent or interpretation of any condition will be resolved by the Planning Commission.
- 72. *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.
- 73. *Effective Date.* This Resolution shall become effective when all time limits for appeal as set forth in MBCM Section 10.100.030 have expired.
- 74. This Use Permit shall lapse three years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code.
- 75. 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.

SECTION 4. This resolution shall take effect immediately. The City Clerk shall make this resolution readily available for public inspection within thirty (30) days of the date this resolution is adopted.

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



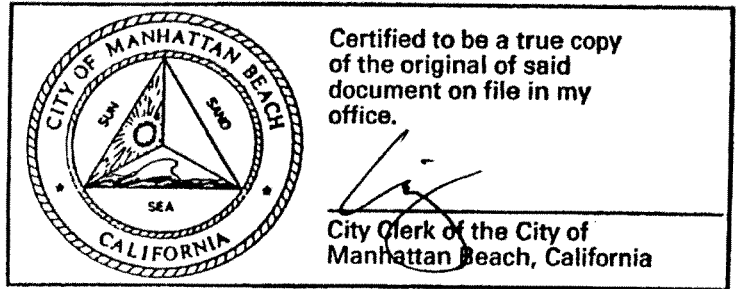
PASSED, APPROVED and ADOPTED this 17th day of July, 2007.

Ayes: Montgomery, Cohen, Aldinger and Mayor Tell.
Noes: Ward.
Absent: None.
Abstain: None.

/s/ Nicholas W. Tell, Jr.
Mayor, City of Manhattan Beach, California

ATTEST:

/s/ Liza Tamura
City Clerk



ORDINANCE NO. 2105

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING AN AMENDMENT TO THE CITY ZONING MAP AMENDING THE ZONING DESIGNATION FROM "RM" (RESIDENTIAL MEDIUM DENSITY) TO "CG" (GENERAL COMMERCIAL), FOR THE REAR 50 FEET OF THE PROPERTY LOCATED AT 1000 SEPULVEDA BOULEVARD IN THE CITY OF MANHATTAN BEACH (Manhattan Medical Building)

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council hereby makes the following findings:

- A. The Planning Commission conducted public hearings on the proposed amendment on May 23, 2007 and June 27, 2007, and subsequently adopted Resolution No. PC 07-07, recommending the subject ordinance.
- B. A subsequent City Council public hearing was held; public testimony was invited and received on July 17, 2007.
- C. An Initial Study and Negative Declaration were prepared for a comprehensive office/retail, of which this proposal is a component, to address the potential environmental impacts, which might result from changing the land use designations for the property, pursuant to the California Environmental Quality Act (CEQA) and the City of Manhattan Beach CEQA Guidelines.
- D. The proposed revision is consistent with the goals and policies of the City of Manhattan Beach General Plan, specifically including the following:

- LU-3.2: Encourage the use of the Sepulveda Boulevard Design Guidelines
- 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.
- LU-8.1: Encourage commercial uses serving a broad market area, including visitor-serving uses.


SECTION 2. The City Council of the City of Manhattan Beach hereby approves the proposed Amendment to the City Zoning Map by removing the "RM" zoning district designation, and establishing the "CG" Zoning District designation for the rear 50 feet of the subject property which is legally described as Lots 15, 16, 17, and 18, Block 7 of Tract 142, located at the northeast corner of Sepulveda Boulevard and 10th Street in the City of Manhattan Beach as depicted in Exhibit A (attached).

SECTION 3. If any sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

SECTION 4. That the time within which judicial review of this ordinance maybe sought is not later than 90 days after the decision becomes final pursuant to California Code Section 65009.

SECTION 5. Any provisions of the Manhattan Beach Municipal Code, or appendices thereto, or any other ordinances of the City, to the extent that they are inconsistent with this ordinance, and no further, are hereby repealed.

SECTION 6. This notice shall be published by one insertion in The Beach Reporter, the official newspaper of the City, and this ordinance shall take effect and be in full force and operation thirty (30) days after its final passage and adoption.



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

JF

City Clerk of the City of Manhattan Beach

EXHIBIT C
PC MH 8/25/10

EXHIBIT C
PC MH 7/27/11

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SECTION 7. The City Clerk shall certify to the adoption of this ordinance; shall cause the same to be entered in the book of original ordinances of said City; shall make a minute of the passage and adoption thereof in the records of the meeting at which the same is passed and adopted; and shall within fifteen (15) days after the passage and adoption thereof cause the same to be published by one insertion in The Beach Reporter, the official newspaper of the City and a weekly newspaper of general circulation, published and circulated within the City of Manhattan Beach hereby designated for that purpose.

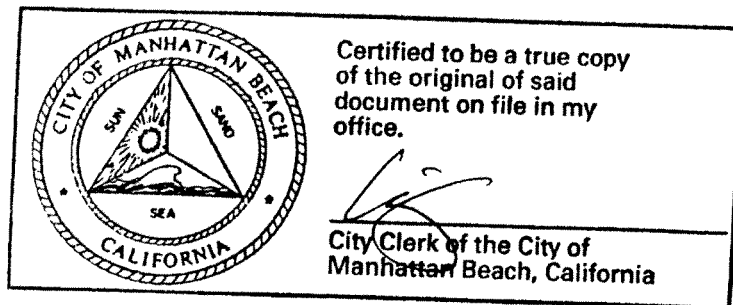
PASSED, APPROVED AND ADOPTED this 7th day of August, 2007.

Ayes: Cohen, Ward, Tell, Montgomery and Mayor Aldinger.
Noes: None.
Absent: None.
Abstain: None.

/s/ Jim Aldinger
Mayor, City of Manhattan Beach, California

ATTEST:

/s/ Liza Tamura
City Clerk



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

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development *[Signature]*

BY: Daniel A. Moreno, Associate Planner *[Signature]*

DATE: May 23, 2007

SUBJECT: Consideration of a Proposed Mixed-Use 30-unit MEDICAL and RETAIL COMMERCIAL DEVELOPMENT at 1008 Sepulveda Boulevard

RECOMMENDATION

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

APPLICANT

1008 Investment Group, LLC
1001-6th Street
Manhattan Beach, Ca. 90266

BACKGROUND

On January 19, 2007 an application was received by the Community Development Department for the property located at 10th Street and Sepulveda Boulevard. The applicant seeks entitlements to allow the development of a mixed-use (office/retail) project. The site encompasses 28,053 square feet and is currently developed with a 5,400 square foot single story restaurant with outdoor patio area and 65 parking spaces. The front 138-feet of the site is currently zoned "CG" (Commercial General) and the rear 50-feet is zoned "RM" (Residential Medium Density). The Land Use Element of the City of Manhattan Beach General Plan designates the property as General Commercial and Medium Density Residential.

The project proposal consists of the demolition of all existing improvements and construction of a four level 25,350 square foot mixed use medical and retail uses (no residential), which includes 22,970 square feet of office medical condominium use; 665 square foot pharmacy and a 1,715 square foot coffee shop with outdoor patio area. The proposed uses are permitted in the CG zone; however, because the project exceeds more than 5,000 square feet of buildable floor area and more than 10,000 square feet of land area, and is requesting a parking reduction, a Use Permit approval is required. Along with the Use Permit application, the applicant also seeks approval of a zone change from "RM" to "CG" and a General Plan Amendment from Medium Density Residential to General Commercial for the rear 50-feet of the existing site' and a Variance approval for relief from a required 12' x 35' x 14' commercial loading space.

EXHIBIT D
PC. Mtg. 8/25/10

PC Mtg. 7/27/11

PROJECT OVERVIEW

Location:

1008 Manhattan Beach Boulevard located at the northeast corner of Sepulveda Boulevard and 10th Street (see Site Location Map, Exhibit A)

Legal Description:

Lots 15, 16, 17, and 18, Block 7 of Tract 142, in the City of Manhattan Beach

Area District:

I (Sepulveda Corridor)

LAND USE

General Plan:

General Commercial (front 138 feet)
Medium Density Residential (rear 50 feet)

Zoning:

CG, General Commercial/RM, Residential Medium Density

Land Use:

Existing

5,400 sq. ft.
(Restaurant)

Proposed

22,970 (office area)
665 sq. ft. (pharmacy)
1,715 sq. ft. (coffee shop)
25,350 total area

Neighboring Zoning/Land Uses:

North,

CG, General Commercial
(Care Station/Little Co. of Mary)

East,

RM, Residential Medium Density

South, across 10th Street

CG, General Commercial
(Szechwan Rest./Back Home to LaHaina Rest.)

West, across Sep. Blvd.

CG, General Commercial
(Corner Cottage, United States Postal Service, Thai Dishes Restaurant)

PROJECT DETAILS

Parcel Size:

Proposed

28,053 sq. ft.
(After 12' street dedication)

Allowed/Required

5,000 sq. ft. min.

	<u>Proposed</u>	<u>Allowed/Required</u>
<u>Building Area:</u>	25,350 sq. ft. (.60)	42,080 sq. ft. (Lot area x 1.5)
<u>Building Height:</u>	137.00**	137.20**
<u>Parking:</u>	116 spaces	127 spaces
<u>Building Setbacks:</u>		
North,	5'-11'	0'
East,	32.50'-41.50'	0'
South,	6.50'-15'	0'
West,	2'-5'	0'
<u>Landscape Area:</u>	3,593 sq. ft. (12.80% of lot area)	2,244 sq. ft. (8% of lot area)
<u>Vehicle Access:</u>	1- Sepulveda Blvd. 1-10 th Street	n/a
<u>Signage:</u>	67.50 sq. ft. (All wall signs)	376 sq. ft.
<u>Hours of Operation:</u>		
Office/Medical	8:00 a.m.-6:00 p.m. (Mon.-Fri.)	
Pharmacy	(None proposed)	
Coffee Shop	(None proposed)	

* The maximum allowable building height elevation was calculated using the four corner elevations of the property of 100.04' (N/W); 107.70' (average of 106.00/109.40 S/W); 117.36' (S/E); and 103.70 (N/E). These elevations will be verified during the plan check process.

ENVIRONMENTAL DETERMINATION

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

DISCUSSION

The preliminary site plan (Exhibit H) shows the proposed building to be located at the front of the property along Sepulveda Boulevard, as recommended by the Sepulveda Boulevard Development Guidelines. The applicant is seeking approval for a medical office/retail use that is designed to meet the needs of the local community.

The project is designed as a single building: with an office medical condominium concept providing thirty (30) individual ownership of varying size office spaces. The applicant is also proposing two retail uses which include a 665 square foot pharmacy and a 1,715 square foot retail coffee shop in recognition of the City desire to maintain a retail component which would replace a restaurant use which supported local tax base and the economic needs of the community.

The project conforms to the City's requirements for use, height, landscaping, and floor area. No setbacks are required in the CG zone. The project issues that warrant discussion include parking reduction, compatibility of proposed uses, hours of operation, delivery hours and Sepulveda Corridor Guidelines.

Land Use Compatibility

The existing parcel, which is under a single ownership, consists of a single lot located on the northeast corner of Sepulveda Boulevard and 10th Street along the Sepulveda Commercial Corridor. The first 138 feet of the lot is zoned (CG) General Commercial and the rear 50 feet is zoned (RM) Residential Medium Density. The entire site has been used historically for commercial use which has included several restaurant uses. The rear 50 feet has been used to meet the parking requirement for the restaurant uses.

The properties to the north, south and west are similarly zoned (CG) General Commercial, while the properties to the east are zoned Medium Density Residential. The property to the north is developed with the Little Company of Mary Care Station; the property to the south is developed with both the "Szechwan" and "Back Home in LaHaina" restaurants; the properties to the west across Sepulveda Boulevard are developed with the Corner Cottage retail store, the United States Postal Service and Thai Dishes Restaurant, and the properties to the east are developed with one and two story duplex units.

Street Dedication/Corner cut-off

In 1986, as part of a building expansion and remodel of the then existing restaurant, the project was required to dedicate a 12-foot strip of land along Sepulveda Boulevard for future street widening and a 25-foot property line corner radius at the intersection of Sepulveda Boulevard and 10th Street. As a result of these dedications the parcel size is now 149.92' wide (Sepulveda Boulevard) x 188' in length (10th Street) and contains approximately 28,053 square feet of lot area.

Traffic/Circulation/Site Access

The site is a triangular shape located on the northeast corner of Sepulveda Boulevard and 10th Street. Proposed site access for the commercial development is provided from two driveway locations along 10th Street and Sepulveda Boulevard.

A Traffic and Parking Study for the project, dated April 9, 2007, was prepared by Linscott, Law and Greenspan (attached Exhibit C). The purpose of this study was to evaluate the potential traffic impacts of the proposed project on the streets and intersections within the vicinity of the site. The report is intended to address the City's

requirements as well as the traffic impact assessment guidelines set forth in the 2004 Congestion Management Program (CMP) for Los Angeles County. The following intersections were studied:

- Sepulveda Boulevard at Manhattan Beach Boulevard
- Sepulveda Boulevard at 10th Street
- Sepulveda Boulevard at 8th Street
- Sepulveda Boulevard at 2nd Street
- Poinsettia Avenue at 10th Street
- Meadows Avenue at 10th Street

This evaluation identified three study intersections which currently operate at Level of Service (LOS) D or better during the AM and PM peak hours. The remaining intersections of Sepulveda Boulevard at Manhattan Beach Boulevard and 10th Street currently operate at LOS F for the AM peak, and LOS F for the PM peak. The intersection of Sepulveda Boulevard at 2nd Street currently operates at LOS E for the AM peak and LOS D for the PM peak.

The Traffic Impact Study prepared by Linscott, Law and Greenspan was found to be complete and satisfactory by the City Traffic Engineer. The study also considered left turn exiting the project driveway on 10th Street and if the project is conditioned to prohibit outbound left turns, a small percentage of traffic would be redirected away from the residential neighborhood which would incrementally impact the intersection of Sepulveda Boulevard at 10th Street. A condition should be imposed to have the developer provide a fair-share contribution towards a future traffic study to determine the feasibility and possible adverse affects of a new traffic signal at this location.

The result of the traffic analysis found that the proposed project will not significantly impact any of the six key study intersections, when compared to the City of Manhattan Beach LOS (Level of Service) standards and significant impact criteria specified in the report.

Sepulveda Corridor Guidelines

Sepulveda Boulevard is the only State Highway in Manhattan Beach and as a major transportation corridor it functions as a commercial corridor. With the heavy traffic volumes and associated noise impacts, adequate buffering of the residential uses behind Sepulveda Boulevard from such impacts is important. The scale and character of commercial development along this corridor is as important and for these reasons the City adopted the "Sepulveda Corridor Design Guidelines" (attached, Exhibit D) to provide a framework for future development along this corridor.

The goals of the guidelines are as follows:

- Establish standards for low-rise commercial arterial development such as retail/office uses.
- Based on the building design restrict the height limit.

- Provide, when possible, reciprocal vehicle access between neighboring sites within the same block.
- Provide, when possible, a right-turn deceleration pocket on Sepulveda Boulevard to improve safety and circulation.
- Buildings, storefronts, and windows should be oriented toward Sepulveda Boulevard when possible. 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, 2) use landscape planters and other decorative treatments around buildings to avoid direct building-to-asphalt contact areas, and 3) provide tree-lined landscape buffers in parking lots along residential boundaries.
- 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.

The applicant has made substantial efforts to address the Sepulveda Boulevard Development Guidelines. The aesthetic oriented guidelines generally favor building/store frontages oriented toward Sepulveda, as opposed to vehicle dominated frontages. A pedestrian entry path is provided from the Sepulveda Boulevard sidewalk and 10th Street (see attached site plan).

The building, storefront, windows and pedestrian entrance as designed will be oriented towards Sepulveda Boulevard as recommended by the guidelines. The trash area would be housed and located on the northwesterly side of the building at the lower level parking area for easy access and pick-up.

Most of the parking area is located below grade or on street level adjacent to 10th Street which is a less prominent location as recommended by the Sepulveda Corridor Guidelines. The applicant will provide colored elevations and materials details/boards for review by the Planning Commission at tonight's meeting.

Driveway access for the former restaurant use consisted of three driveways; two on 10th Street and one on Sepulveda Boulevard. The proposed project traffic circulation will eliminate the easterly most driveways on 10th street to reduce impacts to the adjacent residential properties to the east. The remaining driveway on 10th Street will be more centrally located to ease access to surface and lower level parking areas. The proposed

driveway access on Sepulveda Boulevard will access a lower level, semi-subterranean parking area.

The applicant's project narrative (attached, Exhibit E) states that the project will satisfy the Sepulveda Corridor requirements for the following reasons:

- The proposed structure is designed to create minimal bulk and impact on the neighboring residential area 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 covered parking and excellent vehicular flow that minimizes impact to the adjacent residential neighborhood.

Landscaping

Municipal Code Section 10.16.030, Minimum Site Landscaping, requires that a minimum of 8% of planting area or 2,244 square feet be provided for the site based on the lot area of 28,053 square feet. The submitted site plans shows that 3,593 square feet (or 12.80%) will be provided and distributed throughout the site. Code Section 10.60.070 (D), Design Standards, additionally requires that parking lots adjoining street property lines up to 100 feet in length shall have a 3-foot perimeter landscaping area buffer and 3 feet when adjoining the residential district to the rear.

Although no setbacks are required for the proposed building, the project is designed to provide landscape buffers on all sides of the building including a 3-foot wide landscape buffer on Sepulveda Boulevard; a five-foot wide buffer along the northerly property line; an 8-foot landscape buffer along the easterly property line (adjacent to the residential properties); and a 5-15 foot buffer on the southerly property line adjacent to 10th Street (see attached Site Plan).

The existing restaurant parking area currently abuts the neighboring residential property to the east and is separated by a six foot high block wall. The applicant is proposing an approximately 42-foot building separation from the rear property line. The buffer begins with an 8-foot wide landscaped area that will contain vertical mature plants. The remaining portion of the buffer includes a driveway ramp to the lower deck parking area and additional landscaped areas at the upper deck. This project will also include a 6-foot high property line wall to further buffer the project from the residential properties. In addition, parking on the upper lot, adjacent to 10th Street will be limited to 12 vehicles and will include a 40 inch high wall and additional landscaping.

Signage

Pursuant to the Sign Code, the amount of signage allowed for the subject property is based on two square feet per one linear foot of the longest property frontage. In this case, the longest property frontage is located on 10th Street and is 167 feet in length. A total of 334 square feet of signage would be permitted.

The applicant has provided staff with a preliminary sign program for the site, which includes primary and secondary signage on the westerly and southerly sides of the building that total approximately 67.50 square feet (see attached Elevation Plans). Staff is not aware whether these signs will have illuminated backgrounds which are discouraged by the Sepulveda Boulevard Corridor Guidelines. There are no proposed monument or pole signs at this time. All business identification signs must obtain review and approval by the Community Development Department prior to issuance of a building permit.

Parking Lot Lighting

Pursuant to MBMC Section 10.64.170, Lighting, the regulations are intended to ensure that adequate lighting is provided for personal and traffic safety, to protect nearby residential uses from undue glare and to ensure that the existing low-scale pedestrian friendly character of commercial areas is maintained. Additionally, outdoor parking area lighting (light poles) shall not employ a light source higher than twenty (20) feet if the light source is located more than 25 feet from a residentially zoned property. Based on the proposed location of the building, the nearest residential property is located approximately 45 feet to the east. The applicant has submitted a lighting plan (no photometric plan) which shows three (3) light poles located at the surface parking area adjacent to 10th Street. All outside lighting will be required to be directed away from the public right-of-way and shall minimize spill-over onto the sidewalks and street. Per MBMC Section 10.64.170 (C) (7), the maximum foot-candles from light poles located within the parking lot, including loading and service areas at any location, shall not exceed 10 foot-candles. Shields and directional lighting shall also be used where needed.

The applicants project narrative (attached, Exhibit E), indicates that directional lighting will be designed to shine away from the residential properties and will include wall lights as well as down lights that will silhouette surfaces and reduce the effect on the neighboring residential properties.

Per MBMC Section 10.64.170, the applicant is required to submit a separate comprehensive lighting plan including an exterior photometric plan prepared by a registered electrical engineer for review by staff. The project, if approved, will be conditioned to submit a lighting plan which includes all exit and security lighting on the property and shall cover the entire parking, loading and service areas. During the building plan check process staff will ensure that the proposed lighting plans meet all lighting requirements as established under MBMC Section 10.64.170.

Hours of Operation

The goal of the applicant in proposing the mixed-use building is to provide a facility which will be used by an array of medical professionals to service the needs of the community. The facility will be managed by a professional property management company with anticipated hours of operation between 8:00 a.m. and 6:00 p.m., Monday through Friday.

Because the project will include a pharmacy and coffee shop, hours of operation would be crucial as these types of uses could potentially create parking, circulation and noise impacts to the abutting residential neighborhood. No hours of operation have been identified by the applicant for these two new proposed uses.

Building Height/Design/Use of Rear Residential Portion

The proposed structure will appear as a three level building from the north, east and west elevations, and as a two level building from the south elevation (see Elevation Plans, attached). The roof, which incorporates flat and slope roof areas, will include a recessed well which will allow mechanical systems and any future antennas or dishes to be placed out of sight and within the allowable building height limit. Per MBMC Section 10.16.030 (F), Maximum Height of Structures, the building is allowed a 30-foot height limit when the structure parking is provided at or below the ground level. Because the building height is determined by the average of the four property corners the average elevation would be at a 107.20' elevation. Therefore, with the average property corner elevation of 107.20 plus 30 feet of height limit, the proposed building is limited to a 137.20' height elevation. The submitted elevation plans show that the proposed building will be designed at a height elevation of 137.00' which complies with the maximum allowable height.

The applicants project narrative (attached, Exhibit E) states that the proposed building design will be a benefit to the City and its surrounding areas for the following reasons:

- The proposed building will have an architecturally significant Class A office building and will replace an old and tired Class C restaurant building.
- The L-shape building concept minimizes the bulk of the building.
- The variation in the building façade eliminates the block look of the structure.
- The deck and planters, the textured facades, and the flat and sloped roofs serve to lighten the effect of the structure.
- In order to create a more pedestrian friendly and visually inviting project, planters have been designed along Sepulveda Boulevard, with terraced planters on the corner. In addition, pedestrian stair access to the retail and first floor has been incorporated near the corner of Sepulveda Boulevard and 10th Street.
- The roof design includes a recessed area which will allow mechanical systems and any future antennas or dishes to be placed out of line of sight.
- The proposed location of the trash area would be located at the northwest corner of the lower level parking area and is not visible from the public right-of-way. The location is designed for easy access and pick-up, but is also hidden and less prominent as viewed from Sepulveda Boulevard, which is recommended by the Sepulveda Boulevard Guidelines.

Historically the rear residential portion of the property has been used as a parking area for several restaurant uses. The applicant proposes to utilize and improve this area with landscaping and a driveway to buffer the neighbors from the building. The buffer begins with a six-foot high wall with an 8-foot wide landscape area that will contain mature

))

planting. The remaining portion includes a driveway ramp buffer which provides access to the upper and lower level parking areas. The proposed building is "L" shaped in design which softens the building impact at the southeast corner of the property adjacent to the residential properties. Additionally, this design creates a view corridor and increases the amount of sunlight for the adjacent residential properties. By moving the mass of the building towards the front of the property, the design has created an effective sound buffer for 10th Street against street and traffic noise from Sepulveda Boulevard.

Commercial Loading Space

Per MBMC Section 10.64.030, Schedule B: Loading Spaces, requires that medical offices buildings proposed between 15,001 to 50,000 square feet (Use Classification Group 1) provide one (1) 12' wide x 35' long x 14' high commercial loading space. The purpose of this requirement is to ensure that proper loading spaces are provided for new land uses to facilitate drop-off and pick-up of goods for the site.

The applicants project narrative (attached, Exhibit E) requests relief from the loading space requirement for the following reasons:

- They believe that with the proposed uses the types of deliveries tend to be small. The applicant believes that the commercial deliveries that are expected to occur will be minimal and can be restricted to the early morning hours.
- Strict application of the requirement for the type of uses is not practical and would decrease access to the site.
- The requirement would force the applicant to devote the entire upper parking area to a commercial loading space as the height requirement of 12-feet would render the lower portion inaccessible to commercial deliveries.
- The loading space cannot be incorporated in the lower parking area, and therefore, would restrict the loading space above grade which would impede accessibility and force all handicap access via the elevator through the garage.

Variance Findings

Per MBMC Section 10.84.060 (B), in order to approve a Variance application, the Planning Commission must make the following findings:

1. Because of special circumstances or conditions applicable to the subject property including narrowness and hollowness or shape, exceptional topography, or the extraordinary or exceptional situations or conditions, strict application of the requirements of this title would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardship upon, the owner of the property.
2. The relief may be granted without substantial detriment to the public good; without substantial impairment of affected natural resources; and not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare.

3. Granting the application is consistent with the purposes of this title and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district and area district.

Parking:

Base on the proposed mix of uses the site is required to provide 124 on-site parking spaces (Office Use, 1-per 200 sq. ft.; retail use, 1 per 200 sq. ft., and restaurant use with take-out, 1/75 of gross floor area). The project proposes to provide 116 full-size on-site parking spaces. Parking will be provided in two areas of the site including 104 spaces at the two level subterranean parking garage and 12 surface parking spaces adjacent to the 10th Street driveway entry area. A parking forecast analysis completed as part of the traffic and parking study indicates a maximum hourly demand of 109 spaces.

Manhattan Beach Zoning Code Section 10.64.040 allows up to a 15% parking reduction for the collective provision of parking for multi-use developments, therefore the City can approve a parking reduction from the required 124 required spaces to 116 spaces. Additionally, Section 10.64.050 (B) allows for an unspecified reduction, through the Use Permit process, based upon evidence provided in a parking demand study. The overall traffic, circulation and parking design for the project has been reviewed by the City's Traffic Engineer and found to be adequate.

Use Permit Findings

MBMC Section 10.64.050 (B), Reduced Parking for Certain Districts and Uses, allows a reduction in the number of parking spaces through a Use Permit provided that the following findings are made:

1. The parking demand will be less than the requirement for off-street parking regulations.
2. The probable long-term occupancy of the building or structure, based on its design, will not generate additional parking demand.

In reaching such a decision, the Planning Commission should consider the submitted parking study.

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. At the writing of this report, staff has received an e-mail correspondence (attached, Exhibit F) in support of the proposed development.

Over the last several months the applicant has had two meetings with the neighbors during which they presented architectural plans and computer generated renderings of the proposed building. Subsequent to this meeting they have revised the plan to incorporate their initial concerns to minimize the impact to the residential neighborhood. In a letter to staff, dated May 7, 2007 (attached Exhibit G), the applicant reports that overall the residents were pleased with the project and supported the proposed development.

Staff has received minor comments from other departments, and those issues raised are concerns that can be handled as regular building plan check items.

General Plan Goals and Policies:

Manhattan Beach is made up of various unique neighborhoods, each with distinct features and character that reflect the history and culture of this community. Future development and improvements must respect these unique qualities. As mentioned previously, in response to these issues, the City adopted the Sepulveda Boulevard Design Guidelines to provide a framework for future development along the corridor.

In order to approve the requested Master User Permit, findings must be made that the project: is consistent with zoning code and General Plan, will not be detrimental to the city or surrounding area, and will not adversely impact or be impacted by nearby properties.

- The submitted plans conform to the Zoning Code as reviewed and detailed in the project staff report, and consistent with the General Plan, specifically with the following policies:

- LU-1.2: Encouraging the use of notches, open space, setbacks, landscaping, or other architectural details to reduce building bulk
- LU-2.1: Encourage landscaping standards for commercial areas.
- LU-3.1: Encourage quality design in all new construction
- LU-3.2: Encourage the use of the Sepulveda Boulevard Design Guidelines
- LU-5.1: Require the separation or buffering of residential areas from businesses which produce noise, odors, high traffic volumes, light or glare, and parking through the use of landscaping, setbacks, or other techniques.
- LU-5.4: Discourage the outdoor commercial use of property adjacent to a residential neighborhood.
- 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.
- LU-8.1: Encourage commercial uses serving a broad market area, including visitor-serving uses.

- Encourage private investment in the City's commercial areas, and as provided in this project.
- Except for the required loading area and required parking, the project is in compliance with all regulations, provides adequate circulation design, provides desirable aesthetic enhancements, and will not result in significant traffic impacts.

Pursuant to Section 10.84.020 of the Manhattan Beach Municipal Code, the Planning Commission has the authority to approve, conditionally approve, or deny the Master Use Permit application and Variance for the commercial development.

Responsibility of the Planning Commission

General Plan Amendment/Zone Change

The General Plan Amendment is a policy determination of the City Council. The Planning Commission, pursuant to Government Code Section 65354, is required to forward a written recommendation on the General Plan Amendment, Zoning Map Amendment to the City Council. The General Plan Amendment is a policy determination which can be approved if deemed "to be in the public interest". Action on the Zoning Map Amendment must be based on specific findings as to whether the proposal is consistent with the policies of the General Plan and the purposes of Title 10.

Pursuant to Section 10.96.060 of the Manhattan Beach Municipal Code, and Government Code Section 65856, the Commission has the authority to deny the requested zoning map amendment. If the Commission selects to deny the amendment, such action must be accompanied by specific findings. A denial by the Commission also means that the application cannot be resubmitted within two years of the date of denial, unless the denial is made without prejudice.

CONCLUSION

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

Use Permit

1. Determine whether the proposed uses of the property are appropriate for the site, serves the public interest, and meets the required finding per MBMC Section 10.84.060 (A), and forward a corresponding recommendation to the City Council.
2. Determine whether the proposed uses are consistent with goals and policies of the General Plan with regards to commercial development in the Sepulveda Boulevard corridor.
3. Determine if other retail uses other than a pharmacy and coffee shop are appropriate for this site.

General Plan Amendment/Zone Change

4. Determine whether the use of the rear residential portion and change to a commercial use is appropriate and consistent with the surrounding commercial properties, and forward a written recommendation to the City Council

Parking Reduction

5. Determine whether the reduction in parking is adequate based on the Code requirements and the project parking study submitted and meets required findings per MBMC Section 10.64.050 (B).

Commercial Loading Space Variance

6. Determine whether the request for relief from maximum allowable building height is appropriate and meets the required findings per MBMC Section 10.84.060 (B).

Sepulveda Boulevard Corridor Guidelines

7. Determine whether the proposed building design and visual impact is appropriate and consistent with the Sepulveda Corridor Development Guidelines which encourages storefronts and windows to be oriented towards Sepulveda Boulevard.
8. Approve the Initial Study and Negative Declaration of Environmental Impacts.

Attachments:

- Exhibit A – Site location Map
- Exhibit B – Initial Study
- Exhibit C – Linscott, Law & Greenspan, Parking Study n/a
- Exhibit D – Sepulveda Boulevard Corridor Guidelines
- Exhibit E- Applicant's Narrative/Use Permit and Variance Findings
- Exhibit F – Letter in Support, 4/11/07
- Exhibit G – Applicants Letter of Support, 5/7/07
- Exhibit H – Tentative Tract Map No. 68175 – n/a
- Exhibit I - Project Plans

n/a – not available electronically

cc: ManMedical\008SepBlvdStRpt 5-23-07

**CITY OF MANHATTAN BEACH
MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION
MAY 23, 2007**

1 A regular meeting of the Planning Commission of the City of Manhattan Beach was held on
2 Wednesday, May 23, 2007, at 6:35p.m. in the City Council Chambers, City Hall, 1400 Highland
3 Avenue.

4
5 **ROLL CALL**

6
7 Chairman Bohner called the meeting to order.

8
9 Members Present: Lesser, Powell, Schlager, Seville-Jones, Chairman Bohner
10 Members Absent: None
11 Staff: Richard Thompson, Director of Community Development
12 Daniel Moreno, Associate Planner
13 Eric Haaland, Associate Planner
14 Sarah Boeschen, Recording Secretary
15

16 **APPROVAL OF MINUTES** May 9, 2007

17
18 A motion was MADE and SECONDED (Lesser/Powell) to **APPROVE** the minutes of March
19 28, 2007.

20
21 AYES: Lesser, Powell, Schlager, Chairman Bohner
22 NOES: None
23 ABSENT: None
24 ABSTAIN: Seville-Jones
25

26 **AUDIENCE PARTICIPATION** None

27
28 **BUSINESS ITEMS**

29
30 **PUBLIC HEARINGS**

31
32 **07/0523.1 Consideration of Proposed 30-Unit Mixed Use Medical and Retail
33 Commercial Development at 1008 Sepulveda Boulevard**
34

35 Commissioner Lesser disclosed that he is friends with the project architect; however, he has no
36 financial interest in the project and feels he can be fair in considering the issue.
37

38 Associate Planner Moreno summarized the staff report. He commented that in addition to the
39 information included with the staff report, the Commissioners have also been provided with a
40 map showing the medical uses on the properties in the Sepulveda corridor and a copy of staff's
41 presentation. He indicated that staff had concerns with the applicant's original design regarding

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1 the buffer to the residents to the rear and with the use of compact spaces for the proposed type of
2 development. He indicated that staff recommended that all of the parking spaces be full sized
3 even though the Code allows for the use of compact spaces. He commented that the types of
4 uses proposed are permitted, except that a Use Permit is required for any structure over 5,000
5 square feet or lot area over 10,000 square feet. He indicated that a parking reduction is being
6 requested, which is included in the Use Permit application. He said that a General Plan
7 Amendment and Zone Change are being requested for the use of the back 50 feet of the property
8 which is currently zoned medium density residential. He indicated that a Variance is also being
9 requested for relief from the commercial loading space that is required based on the size of the
10 structure. He indicated that approval of a tentative tract map is also required for the
11 development of an office condominium.

12

13 Associate Planner Moreno said that the site has historically been used for retail use, with the
14 front portion of the property zoned CG and the rear portion zoned RM. He said that in 1986 as
15 part of an addition to the previous restaurant use, a 12 foot area was required to be dedicated for
16 future widening of Sepulveda Boulevard and a corner radius was also required to be provided.
17 He indicated that the existing structure on the site is a 5,400 square foot vacant restaurant space
18 with 65 existing parking spaces. He said that the new project would encompass 25,350 square
19 feet of building area, which would include 22,970 square feet of office space, 665 square feet for
20 a pharmacy, and 1,750 square feet for a proposed coffee shop and outdoor dining. He
21 commented that there is a severe slope to the site. He indicated that the highest elevation of the
22 site is on the southeast corner, with a drop of approximately 17 feet to the northwest corner and a
23 drop of about 11 ½ feet to the easterly and southerly property lines.

24

25 Associate Planner Moreno indicated that staff feels the applicant has made a substantial effort to
26 meet the Sepulveda Corridor design guidelines. He stated that most of the glass on the building
27 is located toward the front of the building, and there is a sidewalk entrance to the proposed
28 coffee shop at the corner of 10th Street and Sepulveda Boulevard. He indicated that an effort was
29 made to locate the structure away from the residences to the rear of the site. He commented that
30 a commercial site does not require setbacks; however the proposed structure has setbacks of 6
31 feet to the north, from 32 ½ feet to 41 ½ feet on the east, 6 ½ to 15 feet on the south, and 3 feet
32 in the front. He stated that two driveways are proposed for the project, one off of Sepulveda
33 Boulevard and one off of 10th Street. He indicated that a parking and traffic study dated April 9,
34 2007, was conducted to evaluate the potential traffic impacts on the streets and intersections in
35 the area. He stated that the City's traffic engineer found the study to be satisfactory. He
36 commented that the applicant is requesting a parking reduction, and a 15 percent reduction
37 would be allowed by the Code. He said that 104 spaces of subterranean parking are proposed, as
38 well as 12 spaces of surface parking off of 10th Street. He said that the applicant has submitted a
39 lighting plan, and a photometric plan would be required if the project is approved. He indicated
40 that most of the lighting as proposed would be low intensity. He said that three light poles are
41 proposed for security which would be restricted in height and would be shielded away from the

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1 residential properties to the east.

2

3 Associate Planner Moreno commented that the parking standards require that medical office
4 buildings between 15,001 square feet and 50,000 square feet provide one commercial loading
5 space of 12 feet in height, 35 feet long, and 14 feet wide in order to ensure that the proper
6 loading spaces are provided for the land uses to facilitate drop off and pick up of deliveries. He
7 stated that the applicants have expressed that they should be granted relief from the requirement
8 for a loading space because the types of deliveries for the proposed uses would be small; the
9 commercial deliveries would be minimal and would be restricted to the early morning hours;
10 strict application of the requirements are not practical and would decrease access to the site; the
11 requirement would force the applicant to devote the entire parking area to commercial loading
12 space; and the loading space could not be incorporated in the lower parking area and would
13 restrict the loading space above grade which would impede accessibility. He said that the trash
14 area would be located underneath the parking area off of Sepulveda Boulevard which would be
15 shielded and would provide proper access for pickup. He pointed out that the hearing was
16 noticed to properties within 500 feet of the site and advertised in the newspaper. He indicated
17 that a letter in support has been received since the report was written.

18

19 In response to a question from Commissioner Powell, Associate Planner Moreno indicated that
20 the requirement is for 124 parking spaces as indicated on page 11 of the staff report rather than
21 127 as indicated in the project overview on page 3 of the staff report. He indicated that the
22 request is for relief from eight parking spaces.

23

24 In response to a question from Commissioner Powell, Associate Planner Moreno said that the
25 City typically does not receive approval from Caltrans until the plan check process regarding any
26 proposed roadway improvements. He pointed out that the proposed driveway is very close to the
27 location of the existing driveway, and it may not have a large impact to Sepulveda Boulevard.

28

29 In response to a question from Commissioner Powell, Associate Planner Moreno indicated that
30 the number of spaces that would be approved would be for the entire development rather than
31 allocated for each individual unit.

32

33 Director Thompson pointed out that a condition can be included to restrict parking spaces from
34 being designated for specific tenants.

35

36 **Louie Tomaro**, the project architect, said that the City has imposed certain requirements that
37 they feel should be standards for future developments. He described the design of the proposed
38 building. He indicated that the sloped perimeter roofs allow the center of the roof to be
39 depressed and hide all of the roof equipment. He said that the setback to the easterly neighbor is
40 42 feet, the setback to the north is 10 feet. He indicated that there is a 12 foot dedication along
41 Sepulveda Boulevard, and there is an additional 3 foot setback along the street. He indicated that

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1 landscaping would encompass the entire building. He stated that the setbacks and landscape
2 buffer were created to eliminate bulk, provide the extensive roof overhangs, and provide privacy
3 for neighboring properties. He commented that the project meets and exceeds the minimum
4 requirement of landscaping. He indicated that they feel the retail component would add to the
5 visual aesthetics and be a benefit to the project. He stated that the parking area along 10th Street
6 is meant to be used for short term parking for dropping off and picking up passengers rather than
7 parking for long durations. He indicated that the parking structure has been designed to allow
8 for a constant flow of traffic coming off of Sepulveda Boulevard through the structure without
9 the necessity for cars to turn around or back up. He commented that they are asking for a
10 parking reduction because of the requirement by staff to provide full sized parking spaces rather
11 than 30 percent compact as permitted by Code. He pointed out that they were fully compliant
12 with the required amount of parking spaces with their previous submittal which included
13 compact spaces. He commented that 11 handicapped parking spaces would be provided, and
14 eight are required. He stated that cars leaving the drop off area would not be permitted to travel
15 eastbound on 10th Street and would only be allowed to travel westbound on 10th Street and onto
16 Sepulveda Boulevard. He indicated that two community meetings were held regarding the
17 project, and input from adjacent residents was incorporated into the design. He indicated that a
18 letter in support was received from one of the main members of the community group.

19
20 **Geoff Captain**, the project architect, said that there is another restaurant and parking use
21 opposite the subject site off of 10th Street. He indicated that the residences would be 100 feet
22 away from the building on the south side and 60 feet away on the north side of 10th Street.

23
24 In response to a question from Chairman Bohner, **Mr. Tomaro** commented that doctors who
25 would potentially locate in the facility would most typically have UPS or DHL deliveries, and
26 the delivery trucks would park on the street and run in to drop off or pick up packages. He said
27 that it is likely that any designated loading area would not be utilized by the delivery drivers. He
28 indicated that they anticipate any restaurant use to be a small coffee house, and their deliveries
29 would be minimal. He commented that a study has not been done on the potential impact to
30 parking and traffic on 10th Street from any delivery vehicles parking to access the facility.

31
32 In response to a question from Chairman Bohner, **Mr. Captain** indicated that they discussed the
33 issue of hours permitted for deliveries with the residents and that they not occur too early. He
34 indicated that deliveries would occur only during specified morning hours. He said that the
35 placement of the trash on Sepulveda Boulevard was also discussed with the residents. He
36 indicated that the issue of parking for loading and unloading deliveries was not discussed.

37
38 **Mr. Tomaro** stated that most of the concerns expressed by the residents were related to the
39 odors which spill over to the residences from the trash bin of the existing restaurant use. He
40 commented that the existing restaurant on the site is still active, and the employees generate
41 noise at the back of the restaurant.

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1

2 In response to a question from Commissioner Seville-Jones, **Mr. Tomaro** indicated that the
3 deliveries would be finished by 7:30 a.m. and would potentially be permitted to occur by 6:00
4 a.m. He commented that trash is picked up along Sepulveda Boulevard between 4:00 a.m. and
5 5:00 a.m.

6

7 Commissioner Seville-Jones said that she has a concern with the noise generated by the early
8 morning deliveries and asked regarding any mitigation that would prevent the noise from
9 reaching the adjacent residences.

10

11 **Mr. Tomaro** said that there would be landscaping as well a 6 foot wall between the proposed
12 structure and the adjacent residences. He also indicated that there would be a significant setback
13 from the adjacent residential properties.

14

15 **Mr. Captain** pointed out that vehicles would have sufficient space to turn around without
16 backing up in the short term parking area off of 10th Street. He said that it would be a small type
17 of office use that would only require courier deliveries and would not have the need for a large
18 loading area.

19

20 In response to a question from Commissioner Lesser, **Mr. Tomaro** said that the CC&Rs would
21 require that any major deliveries or moving changes would occur prior to the operating hours of
22 the building.

23

24 In response to a question from Commissioner Lesser, **Mr. Tomaro** said that because of the
25 height requirement for a loading dock, it is not possible to provide sufficient clearance to locate a
26 loading area underneath in the parking area. He said that any large loading area would need to
27 be located in the upper level, or a setback would need to be created within the structure which
28 would consist of a paved surface with no landscaping. He said that it would be possible to
29 designate an area for delivery trucks within the drop off area off of 10th Street in lieu of four
30 parking spaces.

31

32 Commissioner Schlager commented that although the building may not have deliveries from
33 large semi trucks, there is a concern with smaller UPS type delivery vehicles parking on 10th
34 Street and the surrounding streets at the expense of safety and traffic impacts. He said that
35 allowing for a specified area for delivery vehicles within the drop off area would provide a
36 solution to the concern.

37

38 **Mr. Tomaro** commented that the building would be state of the art facility, would be easily
39 accessible, and would provide for a full size parking structure. He commented that the
40 additional revenue and business that would be generated from the proposed use through the
41 restaurant and pharmacy would be a benefit to the City.

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1

2 In response to a question from Chairman Bohner, **Mr. Tomaro** said that the hours of operation
3 for a coffee shop would be between 5:30 a.m. to 9:30 p.m., and the pharmacy would be open the
4 same hours as the offices from 8:00 a.m. to 6:00 p.m.

5

6 In response to a question from Commissioner Powell, **Mr. Tomaro** said that they do not have a
7 specific tenant but have arrived at the concept of a coffee shop as a perfect use for the corner.
8 He indicated that the coffee shop would have an access from the outside of the building and
9 could remain open during weekend hours.

10

11 In response to a question from Commissioner Powell, **Mr. Tomaro** stated that they are
12 anticipating low profile back lit type of signage. He said that they do not anticipate any need for
13 a large monument type of sign. He said that there would be no need for signage for the medical
14 use except to identify the location of the building. He commented that they are anticipating that
15 the coffee shop and pharmacy would be utilized by visitors to the medical offices in the facility.

16

17 Commissioner Lesser commented that he would have a concern that there would not be
18 sufficient plumbing or space within the units to accommodate medical specialists in radiology,
19 sports medicine, orthopedics, internal medicine, neurology, oral surgery, dermatology and
20 dentistry as indicated in the business plan for the project.

21

22 **Mr. Tomaro** commented that they anticipate maybe two or three large type of uses and a mix of
23 smaller uses that would require approximately 1,000 square feet. He indicated that they
24 anticipate the number of units to be lower than 30.

25

26 In response to a question from Commissioner Seville-Jones, **Mr. Tomaro** said that the parking
27 garage would need to remain open 24 hours because there would likely be some late use of the
28 facility on occasion. He said that there is the possibility of closing off the lowest level parking
29 and informing people that it would not be accessible after a certain hour. He said that the
30 parking would be well lit and open. He indicated that they have not considered at this point what
31 type of security would be provided for the parking structure. He commented that he is certain
32 that there are methods for closing off the parking after certain hours and having a mechanism to
33 allow cars still inside the structure to exit.

34

35 In response to a question from Commissioner Seville-Jones, **Mr. Tomaro** said that the parking
36 would be unassigned to specific units.

37

38 In response to a question from Commissioner Seville-Jones, **Mr. Captain** indicated that the
39 project included approximately 129 to 132 parking spaces before it was changed to provide only
40 full sized parking stalls. He said that the parking study identifies 107 as the maximum number
41 of spaces that would be utilized at any peak time.

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1

2 Chairman Bohner opened the public hearing.

3

4 **Steve Taylor**, a resident of the 1100 block of 10th Street, said that he likes the design of the
5 building; however, he is concerned with the reduction in parking and the elimination of a loading
6 zone. He pointed out that delivery trucks would not be able to park along Sepulveda Boulevard
7 and would have to park on 10th Street. He commented that he would anticipate that a coffee
8 shop type of use would be very busy. He pointed out that many pharmacies now remain open 24
9 hours in order to compete for business, and pharmacies typically receive deliveries from large
10 Coca-Cola trucks. He suggested that the parking of semi trucks be restricted on 10th Street. He
11 requested that a red zone buffer be considered for 10th Street on the sides of the residential
12 driveways. He said that he would also support restricting access to the parking structure after
13 hours so that vehicles within the structure could exit but additional cars could not enter.

14

15 **John Chang**, a resident of the 1100 block of 11th Street, said that he is concerned with the
16 impact to parking in the adjacent neighborhood. He commented that 30 individual medical
17 offices would each have one doctor, one nurse and patients who would utilize approximately 120
18 parking spaces, not including the retail use. He stated that the Little Company of Mary Care
19 Station located next to them is open seven days a week from approximately 8:00 a.m. to 7:00
20 p.m. with numerous employees that do not park in the specified lot because it is used to serve
21 patients. He said that he is concerned that the proposed zone change of the rear portion from
22 residential to commercial would set a precedent for expansion of the commercial zone into the
23 residential zone to the rear.

24

25 **Kim Taylor**, a resident of the 1300 block of 19th Street, said that her concern is with the parking.
26 She said that parking for employees in the proposed facility would not leave many spaces for the
27 public. She indicated that there has been an issue on 10th Street with restaurant employees
28 parking on the street. She said that it does not appear that any red curbs along 10th Street are
29 proposed to be incorporated as part of the project.

30

31 **Joe Ward**, a resident of the 1800 block of 9th Street, said that there has been a problem of
32 restaurant employees parking on the adjacent streets, and it would be the same with employees
33 for a medical facility. He said that the doctors would tell their employees to park on the street in
34 order to save the parking for patients. He stated that closing off the parking structure after hours
35 should be mandatory for security. He commented that he has reported drug deals occurring in
36 the lower part of the parking lot to the police for years. He commented that the tenants of his
37 two units on 10th Street complained that there is no street parking available whatsoever. He
38 stated that the intersection of 10th and Sepulveda Boulevard is one of the worst intersections in
39 the City for accidents. He indicated that a traffic light is needed, as well as a sign for right turn
40 only out of the parking lot.

41

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1 **Scott Rackett**, a resident of the 400 block of 1st Street, said that he is in the process of relocating
2 his dermatology practice to Manhattan Beach. He said that there is great difficulty in finding
3 medical office space in the City, and it took him a large amount of time to find a location for his
4 practice. He said that if the proposed building were available, many doctors would be interested.
5 He said that the facility would allow local residents to walk to their doctor. He commented that
6 most small medical practices do not have the space to store large quantities of supplies, and their
7 deliveries only require small trucks.

8
9 **Arthur Natvig**, a resident of 200 block of South Lucia in Redondo, said that he has been a
10 dentist in Manhattan Beach for more than 35 years. He indicated that people like to go to a local
11 dentist, and there is a need for a quality medical facility in the City. He commented that his
12 employees have basically demanded that parking be provided because they do not want to park
13 on the street. He said that he feels parking for the facility as proposed is more than adequate.

14
15 **Mark Libiano**, a resident of the 1200 block of 10th Street, said that he did not receive notice
16 regarding the proposal before the public hearing. He said that there are many children in the
17 adjacent neighborhood. He stated that parking is an issue, and he feels the square footage of the
18 structure possibly should be scaled down further in order to meet the required parking. He
19 commented that he knows that employees for adjacent restaurants do park on the surrounding
20 streets. He commented that he is not certain that single family residences should be located so
21 close to commercial uses. He indicated that he does not oppose having a medical facility, and he
22 does feel it is a convenience and benefit for the community. He stated that he would like for
23 consideration to be given for installing a streetlight at the intersection of Sepulveda Boulevard
24 and 10th Street.

25
26 **Leland Craig**, a resident of the 1200 block of 3rd Street, said that cars and vans typically do the
27 deliveries to laboratories for dentists or doctors. He indicated that the physicians will insist on
28 having a reserved parking space. He said that dentists typically have three patients at a time, and
29 doctors typically see more patients. He said that at full capacity 120 spaces would be utilized by
30 the doctors and patients, and the doctors will end up asking their employees to park on the street.
31 He said that he feels the parking for 30 units would be inadequate as proposed.

32
33 **Beatrice Wilbanks**, a resident of the 200 block of Lucia in Redondo Beach, said that she feels
34 the design of the building is gorgeous. She said that in all her years as a dental assistant and
35 dental hygienist, she has never been asked by the dentists she has worked with to park on the
36 street. She said that there is not much activity in the pharmacy and cafeteria before and after
37 normal office hours at the Torrmmed building in Torrance, and she does not feel there would be a
38 problem with parking for the proposed facility. She commented that the employees are always
39 asked to be considerate to the neighbors and park in the designated area for the building in all of
40 the offices where she has worked.

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1 Chairman Bohner closed the public hearing.

2

3 Commissioner Seville Jones indicated that the issues of parking, installing a traffic signal at
4 Sepulveda and 10th Street, and requiring a loading zone are major concerns which warrant
5 further discussion. She commented that she feels the applicant has designed a beautiful design;
6 has reached out to the neighbors; has attempted to incorporate the Sepulveda Boulevard
7 guidelines; has provided more than the required landscaping; and has considered the traffic flow
8 in the underground garage. She said that she is not convinced that all 30 doctors who may
9 occupy the proposed facility would be seeing patients during the same hours. She commented
10 that she feels the parking study was well done, and she is not certain that there is a need to
11 increase the number of parking spaces. She indicated that she would not be in favor of changing
12 the restaurant use in order to lower the parking demand because she feels it would provide a very
13 nice patio area that people visiting the facility could utilize. She commented that if there were a
14 desire to address parking she would be more in favor of including compact spaces because she is
15 not convinced that they are not used.

16

17 Commissioner Schlager said that there was a reason that staff increased the size of the parking
18 spaces. He commented that the parking requirement could be met if compact parking spaces
19 were incorporated in the design. He said that he also doubts that all of the doctors for 30
20 separate units would be at the building at any one particular time. He indicated that he feels
21 installing a traffic light at the intersection of Sepulveda Boulevard and 10th Street, incorporating
22 red zones along driveways on 10th Street, and providing a loading zone are important issues for
23 further consideration.

24

25 Commissioner Powell said that he commends the project architect on the design of the building
26 and appreciates that consideration was given to providing setbacks and landscaping. He
27 indicated that compact spaces tend to remain under utilized because they are too small, and he
28 would not want to see them incorporated in the project. He pointed out that it was felt through
29 staff and public review that compact spaces should be avoided. He commented that most of the
30 time there would not be a competition for parking spaces, but there would be occasions when
31 there are peak hours where all of the doctors and dentists would be busy with customers. He
32 said that he supports the suggestion of dedicating space for a loading area, which would not
33 significantly detract from the number of parking spaces provided. He commented that the issue
34 of providing a traffic light at the intersection of 10th Street and Sepulveda should be addressed.
35 He indicated that providing red curbs next to the driveways along 10th Street is necessary to
36 prevent people from parking too close to the residences. He commented that he feels the current
37 design for parking as proposed is generally adequate, and he is not certain that it could be
38 changed further without significantly altering the design of the building. He stated that the
39 facility would most likely have fewer than 30 units because some would be combined.

40

41 Commissioner Lesser said that he also appreciates the design of the project and feels the use

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1 meets a community need. He indicated that he appreciates that the applicant has been responsive
2 to staff and members of the community and arriving at multiple revisions as necessary. He
3 commented that the Code considers parking based on square footage. He said that it could be
4 that some of the space of the units would be filled by equipment rather than doctors and patients,
5 which would help to mitigate the concern regarding the parking demand. He indicated that he
6 has a concern the compact spaces would not be very functional and are not realistic with the
7 current trend of larger vehicles. He said that it might be appropriate, however, to provide a small
8 number of compact spaces if parking spaces are taken away to provide for a loading area.
9

10 Chairman Bohner stated that a parking study has been provided for the project, which has been
11 done by experts and appears to be reasonable. He pointed out that the report indicates a
12 maximum hourly demand of 109 parking spaces, and there is a further indication by the City that
13 the parking is appropriate. He stated that the City's Traffic Engineer has reviewed and found the
14 parking design and circulation to be adequate. He said that he sees his role as ensuring that
15 professionals have reviewed the issues and reached reasonable conclusions, which he feels is the
16 case for this project. He stated that there will always be a concern by residents regarding street
17 parking, which is the reason for conducting such parking studies to determine that they are in
18 compliance with the opinion of staff and the City's Traffic Engineer. He indicated that he
19 supports incorporating full sized parking spaces rather than compact spaces because it is
20 frustrating to attempt to maneuver in and out of the smaller spaces.
21

22 Commissioner Seville-Jones said that she feels requiring a loading zone is appropriate for the
23 project. She indicated that she would need more information on the peculiar and exceptional
24 difficulties in order to grant a variance for relief from the requirement of a loading zone. She
25 stated that she would be willing to consider allowing a loading area the size of two or three
26 parking spaces that are next to the building. She said that there will be a necessity for deliveries
27 for the restaurant and offices. She commented that a loading zone could possibly provide space
28 for the Dial-a-Ride bus to drop off people who cannot necessarily drive to the facility. She said
29 that she would like for the hours permitted for early morning deliveries to be considered further,
30 and she would have a concern with the neighbors being woken up at 5:00 in the morning from
31 the noise of large delivery trucks.
32

33 Chairman Bohner pointed out that there appears to be a consensus by the Commissioners that an
34 area should be set aside to allow for a loading zone, although there may be differences as to
35 opinions on the size of the space to be allocated.
36

37 Commissioner Seville-Jones said that she would not be opposed to possibly allowing a few
38 compact spaces to balance the loss of the spaces resulting from incorporating a loading area.
39

40 Commissioner Lesser suggested that staff work with the applicant to arrive at creative solutions
41 for balancing out the loss of parking spaces resulting from creating a loading area.

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1
2 Commissioner Seville-Jones said that she would like further study of installing a traffic signal at
3 10th Street and Sepulveda Boulevard. She said that she has a concern that the project has a
4 cumulative impact with other projects at the intersection of 10th Street and Sepulveda Boulevard,
5 and the decisions about the size and use of the subject project impact the need for the traffic
6 light. She said that she feels it would be useful to have the Traffic Engineer study the issue
7 further regarding a stoplight at the intersection. She pointed out that there have been a number
8 of residents who have also expressed their concerns, and it is included as a recommendation in
9 the traffic report.

10
11 Commissioner Lesser pointed out that the intersection of Sepulveda Boulevard and 10th Street is
12 located two blocks south of Manhattan Beach Boulevard, and there may be traffic impacts of
13 installing a light so near a major intersection.

14
15 Director Thompson indicated that if Caltrans agrees that a signal should be located at the
16 intersection, the developer would be held responsible for paying their share of the cost of
17 installing the signal.

18
19 In response to a question from Commissioner Schlager, Director Thompson indicated that staff
20 will also discuss the issue of painting red curbs next to the driveways along 10th Street with the
21 Traffic Engineer. He commented that the City does regulate the painting of red curbs.

22
23 Commissioner Powell commented that he would want the City's Traffic Engineer to consider the
24 issue of installing a traffic signal. He commented that there can be unintended consequences on
25 traffic of installing signals too close to a major intersection, which can result in impatient drivers
26 using alternate routes within neighborhoods to avoid being stopped at the signal.

27
28 Commissioner Seville-Jones commented that there are not a large number of properties zoned
29 General Commercial as far back from Sepulveda Boulevard as the portion that is proposed to be
30 changed, and she would be concerned with setting a precedent by allowing the zone change. She
31 said, however, that the existing parking lot has previously been used for commercial purposes.
32 She said that the setbacks that are provided make the proposed structure more attractive;
33 however, she would want to be certain that any future commercial developments have the same
34 setbacks and do not abut immediately adjacent to the neighboring property.

35
36 Commissioner Schlager commented that he agrees with the comments of Commissioner Seville-
37 Jones and indicated that he does not have a concern with the zone change because the applicant
38 has done a tremendous job in providing a setback area and much more than is required. He said,
39 however, that he would want to be proactive and include any necessary constraints for future
40 developments.

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1 Commissioner Seville-Jones indicated that she would like for the parking structure not to remain
2 open 24 hours. She said that allowing cars in the parking garage after hours also is a noise factor
3 for the residents behind the property.

4
5 Commissioner Schlager requested that staff discuss with the applicant the impact of including a
6 requirement in the CC&Rs that there be no assigned parking spaces. He said that closing the
7 garage after hours and limiting the hours of operation for the pharmacy and coffee shop are
8 obvious solutions.

9
10 Commissioner Lesser commented that there appears to be a tension between the desire in the
11 General Plan and the Sepulveda Boulevard Guidelines to encourage retail uses and the concern
12 regarding hours and the impact to the adjacent residents. He said that the goal of the Sepulveda
13 Boulevard Guidelines is to provide a vibrant street rather than just concrete structures, but it does
14 raise concerns with the hours of retail uses and the impact to the neighbors. He said that he is
15 conditionally accepting of the present proposed use of a coffee shop, but he imagines that the
16 retail use could conceivably change.

17
18 In response to a question from Commissioner Seville-Jones, Director Thompson indicated that
19 approval for up to 30 units would allow staff the ability to approve fewer but not a larger number
20 of units. He said that the Commission may decide that it is appropriate to approve less than 30
21 units.

22
23 Commissioner Powell said that he would prefer that regulations be included in conditions of the
24 Use Permit rather than in the CC&Rs regarding hours of operation; trash pick-up; the type of use
25 for a pharmacy and coffee shop; the signage; the location of the trash area as proposed; the
26 loading area; and deliveries only being permitted early in the morning.

27
28 Commissioner Lesser said that his concerns with the subject project and future projects
29 collectively have an impact on the tax revenue base of the City on its leading corridor where tax
30 revenue can be generated. He stated that he does not believe the issue of tax revenue should be
31 considered as part of the subject proposal because it has been demonstrated that there is a need
32 for the subject use.

33
34 Director Thompson commented that the issue of tax revenue continues to be raised as the tax
35 base has eroded along Sepulveda Boulevard. He commented that there are sites which are
36 appropriate and others that are not appropriate on Sepulveda Boulevard for high activity retail
37 centers. He said that ultimately it will be the decision of the City Council, and he wants to be
38 certain that the reasoning of the Commission in supporting the project with less than 10 percent
39 retail is documented. He said that it will be an important issue for the Commission to consider
40 with the subject project as well as with the next proposal that is to be considered.

41

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1 Commissioner Seville-Jones said that she does not have sufficient information to judge a
2 comparison between the property tax generated by the condominium units as proposed and the
3 tax revenue generated from a different development which includes more retail space.

4
5 Director Thompson said that the balance of the revenue generated from sales tax and property
6 tax needs to be considered and whether it is adequate for the particular site or if there is a desire
7 to consider a greater percentage of the building to accommodate a retail use.

8
9 Commissioner Schlager said both retail and the proposed use generate property tax as well as
10 sales tax. He said that property tax is generated by ownership, and retail generates additional
11 sales tax revenue. He said that in the case of the subject proposal, the question is whether the
12 sum total of revenue generated from properties being sold within the development would be
13 greater in market value than the revenue generated from one large retail center and how much
14 sales tax a small retail component would generate as opposed to a larger retail site.

15
16 A motion was MADE and SECONDED (Schlager/Powell) to REOPEN the public hearing and
17 CONTINUE the meeting to June 27, 2007

18
19 AYES: Lesser, Powell, Schlager, Seville-Jones, Chairman Bohner
20 NOES: None
21 ABSENT: None
22 ABSTAIN: None

23
24 At 9:05, a 10 minute break was taken.

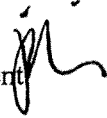
25
26 **07/0523.2 Consideration of Proposed Construction of a 53-Unit Medical Office**
27 **Condominium at 222 North Sepulveda Boulevard**


28
29 Associate Planner Haaland summarized the staff report. He indicated that the proposal is for a
30 three story medical office building of 21,000 square feet which would consist of 53
31 condominium unit ownerships. He said that a traffic study was conducted for the project, which
32 determined that it would not result in a significant impact based on City and County standards to
33 traffic on Sepulveda Boulevard and the surrounding streets and most specifically the intersection
34 of Sepulveda Boulevard and 2nd Street. He said that 105 parking spaces are required and 111
35 underground spaces are proposed. He commented that 26 of the parking spaces are proposed to
36 be compact, which is below the 30% limit allowed by the Code. He said that staff is suggesting
37 a condition be included that employees be required to park on site and prohibited from parking
38 along the adjacent streets. He said that the project does attempt to conform with the Sepulveda
39 Boulevard guidelines. He indicated that the parking area, including trash and equipment, would
40 be enclosed and located underground and would be well hidden. He commented that the project
41 is not large enough to warrant or accommodate a deceleration lane. He indicated that the



**CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Planning Commission

THROUGH: Richard Thompson, Director of Community Development 

FROM: Daniel A. Moreno, Associate Planner 

DATE: June 27, 2007

SUBJECT: Consideration of a Proposed Mixed-Use Medical and Retail Commercial Development at 1000 Sepulveda Boulevard (Manhattan Medical Center)

RECOMMENDATION

Staff recommends that the Planning Commission **CONTINUE** the public hearing, **DISCUSS** the project and **ADOPT** the attached "draft" Resolutions **APPROVING** the subject request.

BACKGROUND

At the May 23, 2007 Planning Commission meeting staff presented a proposal which consisted of a request to allow the development of a mixed-use (office/retail) project. The site encompasses 28,053 square feet and is currently developed with a 5,400 square foot single story restaurant with outdoor patio area and 65 parking spaces. The front 138-feet of the site is currently zoned "CG" (Commercial General) and the rear 50-feet is zoned "RM" (Residential Medium Density). The Land Use Element of the City of Manhattan Beach General Plan designates the property as General Commercial and Medium Density Residential.

The project proposal consists of the demolition of all existing improvements and construction of a four level 25,350 square foot mixed use medical and retail uses (no residential), which includes 22,970 square feet of office medical condominium use; 665 square foot pharmacy and a 1,715 square foot coffee shop with outdoor patio area. The proposed uses are permitted in the CG zone; however, because the project exceeds more than 5,000 square feet of buildable floor area and more than 10,000 square feet of land area, and is requesting a parking reduction, a Use Permit approval is required. Along with the Use Permit application, the applicant also seeks approval of a zone change from "RM" to "CG" and a General Plan Amendment from Medium Density Residential to General Commercial for the rear 50-feet of the existing site' and a Variance approval for relief from a required 12' x 35' x 14' commercial loading space.

At this meeting, after opening the hearing and taking testimony, the Planning Commission passed a motion to continue the public hearing and continue the item to the June 27, 2007 Planning Commission meeting. Although the Commission expressed their appreciation for the design and layout of the proposed project, the Commission did continue the public hearing due to the following concerns:

- Location of commercial loading space
- Traffic signal on Sepulveda Blvd./10th Street
- Garage security
- Hours of operation
- Red curb on 10th Street

Staff provides the following information regarding the above items:

Commercial Loading Space

The original design called for the required 12' wide x 35' long x 14' high commercial loading space to be located in the back-up/access aisle of the upper level parking area adjacent to the 10th Street entrance area. Concerns were raised that this location would cause circulation, parking and safety issues and that a separate area should be set aside to provide this loading space.

The applicant has relocated the loading space in the same parking area but is designed to be located adjacent to the building away from the back-up/vehicle access area. This location will not conflict with parking demand for the site (See Sheet A-00.1, Site Plan – First Floor). However, this loading space is designed as 12' wide x 31' long which is 4-feet short of the required length. The applicant contends that with the proposed uses the types of deliveries will be minimal and not require large delivery trucks.

Staff Comments: Staff has evaluated the proposed location of the loading space and finds its location and design to be appropriate despite its reduced size. The proposed location is designed in a more practical area and would not decrease access to the site. Condition #18 of the 'Draft' Resolution prohibits larger delivery vehicles that cannot fit into the loading space after 7:30 a.m. daily. Additionally, no deliveries shall be permitted on Sundays and Holidays.

Traffic Signal on Sepulveda Boulevard/10th Street

The Commission expressed a concern that the proposed project has a cumulative impact with other projects at the intersection of Sepulveda Boulevard and 10th Street. They expressed a desire to have staff further study the feasibility of installing a traffic signal at this intersection as recommended in the submitted traffic report.

Staff Comments: In response to the Commission's concern the applicant has agreed to provide a fair-shared contribution towards a future study to determine the feasibility and impacts of a new traffic signal at the intersection of Sepulveda Boulevard and 10th Street (See Condition #19 of the 'Draft' Resolution). Should the study determine that a traffic signal is required; the applicant would be required to pay their fair share towards the installation. The City Traffic Engineer does not recommend that a traffic signal be installed at this time.

Garage Security

A concern arose from the public and the Commission regarding the parking structure remaining open on a 24-hour basis. They requested that the applicant look into restricting access to the garage after hours.

Staff Comments: In order to address the Commission's concern the applicant is proposing security gates at the two main entry points to the lower level parking areas (See Sheet A-00.1, Site Plan – Basement Level). Conditions numbers 20 through 24 of the 'Draft' Resolution provides detailed requirements for the operation of the lower level during non-business hours. Key or code controlled ingress would be provided at the gates including an intercom system to individual units should the visitor be allowed behind the gates. Automatic exiting using vehicle detection would also be provided when vehicles exit the parking areas.

Hours of Operation:

At the May 23, 2007 Planning Commission meeting, in response to a question from the Commission regarding the proposed hours of operation, the applicant requested hours of operation between the hours of 5:30 a.m. through 11:00 p.m. (seven days a week) for the coffee shop/retail use; 7:00 a.m. through 7:00 p.m. for the pharmacy, and from 7:00 a.m. through 7:00 p.m. for the office medical condominiums (Monday through Friday) and on Saturday from 8:00 a.m. through 2:00 p.m.

Staff Comments: Condition #17 of the 'Draft' Resolution address the hours of operation as requested by the applicant. Staff believes that these are reasonable operation hours for the proposed uses.

Red Curb on 10th Street

In addition to the concern about further studying the need for a traffic signal on Sepulveda Boulevard and 10th Street, the Commission discussed painting a "red" curb on 10th Street to ease traffic flow and restrict parking.

Staff Comments: Staff has discussed the issue with the City Traffic Engineer and has conducted a site visit to verify existing street restrictions. The northerly curb between the center driveway towards Sepulveda Boulevard is already painted "red" and would not change as a result of the proposed project. Staff feels that this portion of the curb must remain "red" to facilitate vehicle access and exiting for vehicles traveling westerly onto Sepulveda Boulevard. Staff points out that all vehicles exiting the site on 10th Street will be prohibited from turning left towards the residential neighborhood to alleviate traffic and safety concerns (See Condition #42 of 'Draft' Resolution).

At the May 23, 2007 Planning Commission meeting several people spoke in favor of granting the approval of the subject request, but raised concerns regarding security, reduction in parking and loading space, hours of operation, parking restriction on 10th Street, and the need for a traffic signal on Sepulveda Boulevard/10th Street, which have been addressed in the conditions of approval in the attached 'Draft' Resolution.

Attached for the Commission review are 'draft' Resolutions of approval and background information and minutes from the May 23, 2007, Planning Commission meeting.

Attachments:

- Exhibit A – 'Draft' Resolution No. PC 07- (General Plan Amendment/Zone Change)
- Exhibit B – 'Draft' Resolution No. PC 07- (Master Use Permit)
- Exhibit C – Background Information, Staff Report, dated 10/25/06
- Exhibit D – Planning Commission Minutes, dated 10/25/06

ManMedical1008SepBlvdPCMemo 6-27-07

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1 ABSENT: Schlager

2 ABSTAIN: None

3

4 **AUDIENCE PARTICIPATION** None

5

6 **BUSINESS ITEMS**

7

8 **PUBLIC HEARINGS**

9

10 **06/0726.1 Consideration of Proposed 30-Unit Mixed-Use Medical and Retail**
11 **Commercial Development at 1008 Sepulveda Boulevard**

12

13 Commissioner Lesser disclosed that he is a friend of the architect, but he has no personal interest
14 in the project and feels he can consider the item fairly.

15

16 Associate Planner Moreno summarized the staff report. He said that concerns were raised at the
17 previous meeting regarding the location of a commercial loading space; installing a traffic signal
18 at the intersection of 10th Street and Sepulveda Boulevard; security for the parking garage; hours
19 of operation; and placing a red curb to restrict parking on 10th Street. He commented that
20 concerns were raised at the last hearing that the proposed location of the commercial loading
21 space would cause circulation, parking, and safety concerns and that a separate loading space be
22 provided. He indicated that the applicant has provided a separate loading area adjacent to the
23 building. He said that the loading space is deficient in length by 4 feet; however, staff has
24 evaluated the location and finds the design of the space to be appropriate. He pointed out that
25 Condition 17 of the draft Resolution prohibits larger delivery vehicles that cannot fit into the
26 loading space after 7:30 a.m. daily, and no deliveries would be allowed on Sundays or holidays.
27 He said that three compact spaces are proposed to be provided, which would each only be
28 deficient in width by 6 inches. He said that staff and the City's Traffic Engineer have found the
29 parking layout to be appropriate. He indicated that the Commissioners expressed concern to
30 staff that a study should be conducted for installing a traffic signal at Sepulveda Boulevard and
31 10th Street, and the applicant has agreed as reflected in Condition 18 of the draft Resolution to
32 provide a fair share contribution towards a future traffic study to determine the feasibility and
33 impact of a traffic signal at the intersection. He commented that the applicant would also be
34 required to pay a fair share for installing a signal if it is determined that it should be required.
35 He said that the Traffic Engineer does not recommend that the signal be installed at this time.

36

37 Associate Planner Moreno indicated that the Commissioners expressed concern at the last
38 meeting regarding security with the parking garage remaining open 24 hours. He said that the
39 applicant has proposed two security gates at the two main entry points off of Sepulveda
40 Boulevard. He commented that Conditions 19 to 23 provide detailed requirements for the
41 operation of the lower parking area. He said that an intercom system from the garage to the

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1 individual units and automatic exit using a vehicle detection system would be provided. He said
2 that the applicant is requesting hours of operation for the coffee shop use of 5:30 a.m. to 11:00
3 p.m. seven days a week; for the pharmacy of 7:00 a.m. to 7:00 p.m. Monday through Friday; and
4 for the medical offices of 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 2:00
5 p.m. on Saturday. He indicated that Condition 16 of the draft Resolution addresses the hours of
6 operation. He commented that staff feels the hours are adequate for the proposed uses on the
7 site. He said that the Commissioners also suggested placing a red curb on the southerly curb of
8 10th Street between the driveway for the development and Sepulveda Boulevard. He said that
9 there currently is a red curb on the area of concern, and Condition 41 also restricts vehicles
10 exiting the project driveway onto 10th Street from turning left toward the residential area. He
11 stated that the traffic engineer is recommending that the existing red curb remain in the area.
12

13 Commissioner Lesser asked the impact if the applicant decides to change the retail component.
14

15 Associate Planner Moreno said if it is determined that a pharmacy would not be successful at the
16 site, staff would work with the applicant to produce a type of business that would work. He
17 pointed out that a pharmacy would only be about 700 square feet. He said that a change in the
18 type of business from a pharmacy would not necessarily come back before the Planning
19 Commission.
20

21 Commissioner Lesser said that he has a concern that a security gate at the entrance of the parking
22 structure from Sepulveda Boulevard could create an issue with stacking of cars. He asked
23 whether staff feels one gate would be sufficient.
24

25 Associate Planner Moreno said that the traffic engineer indicated that he did not feel the backing
26 up of cars on Sepulveda Boulevard to enter the parking structure would create an issue.
27

28 In response to a question from Commissioner Lesser, Associate Planner Moreno said that the
29 parking requirement for the site is 127 spaces. He indicated that 119 parking spaces are
30 proposed to be provided, of which 3 would be compact. He commented that staff feels that
31 compact spaces normally are not very functional; however, staff feels in this case they act more
32 as full size spaces and are only 6 inches narrower than a full size space. He said that the
33 compact spaces have been located in strategic areas where they can be more easily accessed.
34

35 Commissioner Lesser asked staff's policy regarding compact spaces.
36

37 In response to a question from Commissioner Lesser, Associate Planner Moreno indicated that
38 the consideration of incorporating compact spaces is determined on a case by case basis
39 according to the circulation and design of the parking area.
40

41 In response to a question from Commissioner Lesser, Associate Planner Moreno said that there

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1 would not be a right turn deceleration lane from Sepulveda Boulevard to the project. He pointed
2 out that the size of the development is not sufficient to justify a deceleration lane. He
3 commented that the driveway would be made wider to allow easier access from Sepulveda
4 Boulevard.

5
6 In response to a question from Commissioner Lesser, Associate Planner Moreno said staff feels
7 the length of the loading area as proposed would be sufficient to allow for deliveries to the
8 development, and staff feels the types of delivery vehicles visiting the site can be controlled. He
9 indicated that restricting larger vehicles accessing the site after 7:30 a.m. will also help to
10 mitigate concerns.

11
12 Commissioner Powell stated that page 2 of the staff report indicates that Condition 18 of the
13 draft Resolution prohibits larger delivery vehicles that cannot fit into the loading space after 7:30
14 a.m. daily and that no deliveries shall be permitted on Sundays and holidays. He pointed out that
15 the condition referred to actually is Condition 17 rather than 18. He indicated that he has a
16 concern with deliveries occurring on Saturdays. He also asked whether a photometric plan had
17 been submitted and whether it is part of the total lighting plan.

18
19 Associate Planner Moreno said that the photometric plan is handled as part of the plan check
20 process. He indicated that there is a condition requiring that a complete plan be submitted to the
21 City which meets Code requirements. He commented that the photometric plan is a component
22 of the overall comprehensive lighting plan. He said that there is very low level lighting proposed
23 that would be shielded away from the residential properties to the east.

24
25 Commissioner Powell asked whether a signage plan is included as part of the conditions.

26
27 Associate Planner Moreno said that there is a condition requiring a signage program for the site.

28
29 Commissioner Powell asked about hours that have been approved for other medical offices and
30 pharmacies within the City.

31
32 Associate Planner Moreno said that hours for offices vary according to the type of use. He
33 indicated that closing hours for coffee shops within the City vary based on location from
34 approximately 11:00 p.m. to 1:00 a.m. He said that the pharmacy is in conjunction with the
35 medical office use.

36
37 Commissioner Seville-Jones said that she felt the proposal for large deliveries to occur before
38 7:30 a.m. would work when the office building was proposed to begin operating hours at 8:00
39 a.m. because patients would arrive after deliveries occur. She indicated that with operating
40 hours now proposing to begin at 7:00 a.m., she has a concern that large deliveries would occur
41 while patients are parking during the same time. She said that she is concerned that patients

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1 would park at the upper level and large trucks would not be able to pull into the loading area.
2 She indicated that the trucks would instead park on 10th Street, which could disturb the
3 neighbors.

4
5 Associate Planner Moreno said that the applicant intends to control the size of delivery vehicles
6 that visit the site. He indicated that the applicant does not anticipate large vehicles coming to the
7 site. He commented that staff also does not anticipate that there would be large delivery vehicles
8 visiting the site. He stated that the CC&Rs could control any conflict between patient parking
9 for the medical offices and delivery vehicles.

10
11 Commissioner Seville-Jones asked whether some parking spaces on the upper level could
12 possibly be restricted for parking and allocated for deliveries during early morning hours. She
13 asked whether any other coffee shops located near residences open at 5:30 a.m.

14
15 Associate Planner Moreno commented that the only coffee shop that staff is aware of that opens
16 at 5:30 a.m. near residences is the Manhattan Bread & Bagel at 1800 Sepulveda Boulevard.

17
18 In response to a question from Commissioner Seville-Jones, Associate Planner Moreno said that
19 119 parking spaces are proposed for the site.

20
21 Commissioner Seville-Jones said that one of the fundamental premises for allowing the
22 requested zoning change was that a large commercial structure could not be built directly behind
23 the existing residences as part of any future development. She asked whether it can be ensured
24 that the zoning change will not result in any future large commercial development on the site
25 abutting up to the property line and that the setbacks and landscaping as proposed would
26 continue to remain.

27
28 Associate Planner Moreno pointed out that any new project would need to go through the public
29 hearing process, and staff would take into consideration the sensitivity of any future project to
30 issues concerning the adjacent residences to the east.

31
32 Director Thompson commented that documenting the intent of granting the Zoning Change can
33 be included in the findings of the Use Permit as well as in the Zoning Change Amendment. He
34 said that a condition of approval can also be included which specifies the importance of
35 maintaining the setback to the adjacent residences.

36
37 **Louie Tomaro**, the project architect, said that the compact parking spaces would be 8 feet wide
38 by 18 feet long between the columns and have an additional width that is part of the area behind
39 the column. He indicated that the analysis by their traffic engineer show a peak demand of 109
40 parking spaces, and 119 are proposed. He indicated that two gates to the parking garage are
41 proposed to have key codes. He stated that the loading zone as proposed would be sufficient for

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1 the intended use, and they would not anticipate any trucks larger than could be accommodated.
2 He commented that they do not anticipate any trucks larger than UPS type delivery trucks at any
3 time. He said that if the Commission felt that 35 feet is necessary for a loading area, another
4 parking space could be eliminated to lengthen the loading zone which would eliminate the need
5 for a Variance. He said that the loading area would be in a strategic spot to allow for easy
6 access to speed up deliveries and for trucks to maneuver with a large turning radius. He stated
7 that in talking to potential tenants, they felt office hours of 8:00 a.m. to 5:00 p.m. on Saturday
8 would be more appropriate than 8:00 a.m. to 2:00 p.m.

9
10 **Jeff Captain**, the project architect, showed an animation of the proposed building design.

11
12 In response to a question from Commissioner Lesser, **Mr. Tomaro** said that the glass used on
13 the structure would be non reflective.

14
15 Commissioner Seville-Jones asked whether opening at 5:30 a.m. is necessary for the commercial
16 feasibility of a coffee house use in the development or whether a later opening time would be
17 acceptable to the applicant.

18
19 In response to a question from Commissioner Seville-Jones, **George Apostol**, 1000 block of 6th
20 Street, said that no specific tenant is proposed at this time, and they wanted to allow the most
21 flexibility in order to maximize the potential viability of the space. He indicated that they felt
22 any limitation would potentially limit the ability to operate a business at the site, and they
23 wanted to offer the maximum for hours of operation. He commented that employees of major
24 chains of coffee shops tend to arrive fairly early in order to prepare to open. He indicated that
25 people will sit at some coffee shops until midnight or 1:00 a.m.; however, they decided to
26 request hours for the proposed use until 11:00 p.m. because of the close proximity to residences.
27 He stated that the physicians who perform outpatient procedures tend to begin seeing patients at
28 earlier hours. He indicated that he has spoken with a pediatrician who prefers to offer hours until
29 5:00 p.m. on Saturdays when children are not at school. He said that they would like for the
30 office hours to be permitted from 7:00 a.m. until 7:00 p.m. during the week and 8:00 a.m. to 5:00
31 p.m. on Saturdays in order to allow doctors the flexibility to see patients after working hours. He
32 said that they would like the coffee shop to have the flexibility of being open seven days a week.

33
34 **Steve Taylor**, a resident of the 1100 block of 10th Street, said that he likes the design of the
35 project. He indicated that his concern is regarding larger delivery trucks visiting the
36 development that would park on 10th Street adjacent to his driveway. He commented that it is
37 difficult to exit from his driveway with a large truck blocking the view along Sepulveda
38 Boulevard.

39
40 Director Thompson said that staff can evaluate the subject section of 10th Street and have
41 portions of the curb painted red to increase visibility if there is an issue. He commented that

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1 staff does not feel it would be appropriate to require placing an additional area of red curbing on
2 10th Street as a condition, as it is important to have flexibility for changes to the public right-of-
3 way when the need arises. He commented that in some cases there is an issue with the loss of
4 parking resulting from increasing the amount of red curb on a street, but it may not be as much
5 of an issue in the subject area.

6
7 In response to a question from Chairman Bohner, Director Thompson said that staff will work
8 with **Mr. Taylor** to evaluate the incorporation of additional red curbing.

9
10 Chairman Bohner closed the public hearing.

11
12 Commissioner Lesser indicated that the proposed design takes advantage of existing topography,
13 and the scale does not overwhelm the neighboring properties. He said that he would be in favor
14 of the zoning change from residential to commercial as proposed. He commended the architect
15 and applicant for trying to work with the neighbors. He also commended the architect in
16 arriving at a design which complies with the General Plan and takes advantage of the Sepulveda
17 Boulevard guidelines, which has resulted in a better project. He said that he appreciates the full
18 size parking spaces and the incorporation of a small retail use. He said that he can make the
19 findings to support the project.

20
21 Commissioner Powell said that he concurs with the comments of Commissioner Lesser and
22 commended the architect for working with the neighbors and providing more than the required
23 setbacks. He said that he feels the design is outstanding and that the concerns expressed at the
24 last meeting have been appropriately addressed. He said that he feels the findings can be
25 sustained, and the project is in compliance with the General Plan. He said that he also has a
26 concern with maintaining the buffer to the neighboring residential properties into the future, and
27 he would want to be sure that the buffer as proposed remains permanent in order to conclude that
28 it is appropriate to rezone. He commented that the buffer to the adjacent residential properties
29 provided by the setback and landscaping allows him to support the project, and he would hate to
30 see it lost in the future. He said that as long as it is clearly specified in the findings, the buffer
31 should remain for future developments. He said that he feels all of the findings can be sustained
32 for the Variance, the Zoning Code Amendment, the General Plan Amendment, and the
33 Conditional Use Permit. He indicated that he supports the project.

34
35 Commissioner Seville-Jones said that she also supports the project. She indicated that she agrees
36 with the comments of the other Commissioners regarding the project and the manner in which
37 the architect has worked with the community. She said that she has a concern with
38 memorializing the determinations with respect to why the zoning change is being permitted. She
39 suggested adding wording to finding E on page 1 of the draft Resolution for the Zoning Change
40 to state: "The effect of the proposed amendment is to provide for the underlying General Plan
41 and Zoning land use designations to accommodate a request to allow the development of a mixed

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1 use office/retail use for the site with low impact structures and setbacks from the residential area
2 on the rezoned property.” She suggested adding language to Finding F to read: “The changes are
3 consistent with the existing development patterns on the subject site and on the surrounding sites
4 as the area has historically been, and is currently used as a commercial parking lot, which is also
5 compatible with the property located south of the subject site. The new building will be 42 feet
6 from the rear property line with an 8 foot wide landscaped area and a driveway ramp on the rear
7 of the property that would step down the intensity of the use from the commercial district to the
8 MR district on the east, and this was an important consideration of the Planning Commission.”
9

10 Chairman Bohner suggested placing the language in the Resolution for the Use Permit as well as
11 the Resolution for the Zone Change Amendment.

12
13 Commissioner Lesser asked whether the additional language as suggested may be too specific.

14
15 In response to a question from Commissioner Seville-Jones, Director Thompson commented that
16 the Commissioners can propose specific language to the draft Resolution, with the understanding
17 that staff may edit it. He said that the language as proposed would provide justification for the
18 Commission allowing the Zone Change, and it would also be appropriate to include in the
19 findings for the Use Permit. He commented that staff might suggest including language in the
20 findings of the Zone Change Amendment that was more general and including more specific
21 language for the Use Permit.

22
23 Commissioner Seville-Jones said that she would like the language to be included in the findings
24 for the Zoning Change Amendment as well as the Use Permit.

25
26 Director Thompson commented that the language in the Zoning Change may not be as specific
27 as in the Use Permit. He suggested language to state that the majority of the property that is
28 being rezoned is being dedicated to a separation between residential and commercial activities
29 and buildings, and landscaping is provided in this area.

30
31 Chairman Bohner said that he agrees with the other Commissioners that it is appropriate to make
32 sure that any future project on the site not become a large commercial development that
33 encroaches into the residential area. He commented that he feels it is appropriate to include
34 language in the findings for the Use Permit and Zoning Change Amendment to clarify the
35 concern expressed by the Commission that the buffer which is provided by the subject project be
36 maintained in the future. He stated that he feels the applicant has worked well with the staff and
37 community to address the concerns previously expressed by the Commission at the prior hearing.
38 He said that the loading dock area has been addressed adequately. He commented that he does
39 not believe that large delivery trucks would visit the site very often given the nature of the
40 project, and he does not feel that an issue would arise with the restriction that any large
41 deliveries are to occur before 7:30 a.m. He said that he does not oppose opening hours for the

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1 coffee shop at 5:30 a.m. He commented that he would not anticipate that there would be many
2 customers at that hour but rather only a few employees. He commented that considering the
3 possibility of placing a red curb along the east side of the building would address **Mr. Taylor's**
4 concern. He said that he does not oppose hours of operation for the offices of 8:00 a.m. to 5:00
5 p.m. on Saturdays. He stated that he feels security for the garage has been addressed. He said
6 that the scale of the development would fit in with the neighborhood; the building would not be
7 overly bulky; and the project would be a great addition to the community.

8
9 Commissioner Seville-Jones said that she imagines there would be some large deliveries, and she
10 is still concerned with large trucks visiting the site. She commented that having large deliveries
11 occur early in the morning in order to not interfere with parking on the upper level is a good
12 solution. She said that she would want to restrict deliveries from occurring too early in order to
13 avoid disturbing the neighboring residences. She suggested restricting parking in two of the
14 parking spaces on the upper level to allocate them for delivery trucks during early morning
15 hours. She commented that she is concerned that deliveries occurring up to 7:30 a.m. would
16 overlap and conflict with parking for the medical offices with hours beginning at 7:00 a.m. as
17 proposed.

18
19 Chairman Bohner said that he does not imagine that the development would have large deliveries
20 except on a very infrequent basis, and he is not sure it is necessary to limit parking spaces on the
21 upper level. He commented that he would support restricting deliveries from occurring too early
22 and suggested permitting hours for deliveries between 6:30 a.m. and 7:30 a.m. He said that he
23 has not seen any evidence that large delivery trucks are anticipated to visit the site.

24
25 Commissioner Lesser said that he shares the concerns of Commissioner Seville-Jones, but he
26 feels the Commissioners should defer to whether staff is comfortable that large delivery trucks
27 would not become an issue. He commented that he imagines that any moving trucks that would
28 visit the site would use Sepulveda Boulevard during hours when they would not impact traffic.

29
30 Director Thompson stated that typical complaints staff receives regarding deliveries are when
31 they occur too early and generate noise. He commented that a coffee shop use might have
32 deliveries with larger trucks. He said that he would suggest that large deliveries be permitted to
33 occur between 6:30 a.m. and 8:00 a.m. He pointed out that the management of the building
34 would place restrictions on large delivery trucks if they do interfere with the office uses.

35
36 Commissioner Seville-Jones said that she is concerned that large delivery trucks would park on
37 10th Street because they could not be accommodated in the loading area with patients parking at
38 the same time. She questioned the reasoning behind the conflict of restricting large deliveries to
39 occur before 7:30 a.m. and allowing hours for the offices to begin at 7:00 a.m. She said that she
40 would rather have the findings specify that no large deliveries to the site shall occur unless it is
41 off of Sepulveda Boulevard during appropriate hours. She said that it appears inconsistent to

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1 allow deliveries until 7:30 with people parking for the offices at 7:00 a.m.

2
3 Director Thompson said that staff does not feel a conflict would occur during early hours at 7:00
4 a.m. He pointed out that allowing operating hours at 7:00 a.m. for the offices does not
5 necessarily mean that there would be a large number of patients arriving at that hour. He said
6 that the large majority of patients would arrive at 9:00 a.m. or 10:00 a.m., which are the hours
7 that any large trucks should be restricted. He suggested that the deliveries be restricted to occur
8 no earlier than 7:00. a.m. to avoid creating a noise concern to the neighbors. He indicated that
9 the building managers would restrict deliveries from occurring during later hours if it becomes a
10 conflict. He pointed out that it would not be a facility that would have many large deliveries.
11 He said that most complaints staff receives are regarding deliveries occurring too early.

12
13 Chairman Bohner suggested restricting deliveries before 7:00 a.m.

14
15 Commissioner Seville-Jones said that she would suggest restricting parking in two parking
16 spaces on the upper level between 7:00 a.m. and 9:00 a.m. and designate them for loading only
17 in order to accommodate larger trucks.

18
19 In response to a comment from Commissioner Powell, Director Thompson said that a
20 requirement for appropriate signage restricting parking and designating the spaces for loading
21 only between 7:00 a.m. and 9:00 a.m. can be included as part of the condition.

22
23 Commissioner Seville-Jones asked regarding the latest time which deliveries would be
24 permitted.

25
26 **Mr. Apostol** stated that he has researched the loading zone and has spoken with representatives
27 of UPS, Federal Express, and the U.S. Postal Service. He indicated that the size of delivery
28 trucks that visit the site would be the same as those that deliver in residential neighborhoods,
29 which are no more than 21 feet in length and 7 ½ feet in width. He commented that it would not
30 be feasible for a 35 foot vehicle to drive in and back out of the upper parking area. He indicated
31 that he would prefer to permanently remove a parking space and make the loading area 35 feet
32 rather than restrict parking in two spaces. He indicated that it would be very difficult to enforce
33 a condition allocating two parking spaces for loading only during early hours. He said that he
34 does not feel there is a problem with restricting delivery hours to not intrude on the neighbors,
35 but he would not perceive a need to designate additional parking spots for loading only.

36
37 In response to a question from Chairman Bohner, **Mr. Apostol** said that the units would have
38 fresh items that are replenished often which only requires smaller deliveries. He stated that he
39 feels the space would be adequate for deliveries as proposed. He pointed out that delivery
40 companies use smaller vehicles as much as possible in order to avoid high fuel costs.

41

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1 Chairman Bohner commented that he does not feel there would be any issue of deliveries
2 occurring late at night given the anticipated use of the building only opened for a limited period
3 of time.

4
5 **Mr. Apostol** commented that deliveries would occur only when occupants of the building are
6 present to receive them, and it is unlikely that any would occur late in the evening. He indicated
7 that they would also have a concern with the prime spaces on the upper level being further
8 limited, as it could restrict the coffee shop tenant's ability to run their business. He suggested
9 possibly painting a yellow curb on the eastern portion of 10th Street to allow for loading and
10 unloading only.

11
12 Commissioner Seville-Jones stated that the Commissioners comments are on the record as
13 having struggled with the issue of parking for large delivery trucks, and the solution is not really
14 known. She pointed out that it has been presented that large deliveries are not anticipated for the
15 site. She commented that the Commissioner's comments are on record, and the residents
16 understand that the Commission has a concern. She stated that the issue can be addressed in the
17 future if it turns out there are complaints. She commented that she would prefer not to lose a
18 handicapped or other parking space located close to the building in order to allow for deliveries.

19
20 Commissioner Seville-Jones suggested including wording in the findings to state that the project
21 as presented to the Commission as proposed does not include large delivery trucks.

22
23 Director Thompson stated that staff does not feel that large delivery trucks would create a
24 problem. He suggested including a finding that a reason the project is compatible with the area
25 is that it is anticipated the development would not generate large deliveries as proposed, which
26 staff could then refer to if a problem does arrive with large trucks. He pointed out that there are
27 other sections of the Code which restrict noise. He suggested no deliveries occurring between
28 7:00 p.m. and 7:00 a.m.

29
30 Commissioner Seville-Jones said that 5:30 for the restaurant seems early, and she would be more
31 comfortable with opening hours of 6:00 a.m. or 6:30 a.m. given that the lot is adjacent to
32 residences.

33
34 The Commissioner expressed support for opening hours for the coffee shop at 6:00 a.m..

35
36 In response to a question from Commissioner Seville-Jones, Director Thompson stated that the
37 intent of the wording in Conditions 20 and 21 of the Use Permit is to encourage employees to
38 park in the lowest levels of the parking area. He pointed out that no spaces are proposed to be
39 assigned to specific offices, and Condition 20 includes that there be no assigned parking.

40
41 Commissioner Seville-Jones suggested adding a finding that rooftop equipment be screened.

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Commissioner Lesser summarized that the commissioners suggested changes to include wording to item E on page 1 of the draft Resolution to include: “. . . with low impact structures and setbacks from the residential area on the rezoned property.”

Director Thompson suggested language be included in item F to read: “. . . The project as proposed provides that the majority of the area being proposed for rezoning is open space which is set back substantially to provide landscaping and a separation between commercial and residential buildings.”

A motion was MADE and SECONDED (Lesser/Powell) to **ADOPT** the draft Resolution to **APPROVE** Amendment No. 2007-1 to the Land Use Policy Map of the City of Manhattan Beach General Plan amending the Land Use Designation from “Medium Density Residential” to “General Commercial”; and Amendment to the City Zoning Map Amending the Zoning Designation from “RM” (Residential Medium Residential) to “CG” (General Commercial) for the rear 50 feet of the property located at 1000 Sepulveda Boulevard, with an amendment to include the additions to Items E and F as proposed.

- AYES: Lesser, Powell, Seville-Jones, Chairman Bohner
- NOES: None
- ABSENT: Schlager
- ABSTAIN: None

A motion was MADE and SECONDED (Lesser/Powell) to **ADOPT** the draft Resolution to **APPROVE** a Master Use Permit and Parking Reduction for a 25,350 Square Foot Medical Office, Retail, and Restaurant Center, Variance for Size Reduction for a Commercial Loading Space, Vesting Tentative Tract Map No. 68175 for Office Condominiums, and an Initial Study and Negative Declaration of Environmental Impacts at 1000 Sepulveda Boulevard, with amendments to include the addition of a finding with similar language to the Zoning Change Amendment regarding maintaining a buffer and setback between commercial and residential properties; to include a finding that the project will not attract large delivery trucks; to include a restriction of deliveries between 7:00 p.m. and 7:00 a.m.; to include a requirement that the rooftop equipment be screened; to include changes in the hours of operation of the coffee shop to be permitted from 6:00 a.m. to 11:00 p.m. daily and medical offices to be permitted from 8:00 a.m. to 5:00 p.m. on Saturdays; and that 119 parking spaces be provided.

- AYES: Lesser, Powell, Seville-Jones, Chairman Bohner
- NOES: None
- ABSENT: Schlager
- ABSTAIN: None





Agenda Item #:

07/0717.15

Staff Report City of Manhattan Beach

TO: Honorable Mayor Tell and Members of the City Council

THROUGH: Geoff Dolan, City Manager

FROM: Richard Thompson, Director of Community Development
Daniel A. Moreno, Associate Planner

DATE: July 17, 2007

SUBJECT: Consideration of Planning Commission Approval of a General Plan Amendment, Zone Change, Master Use Permit including Parking Reduction, Vesting Tentative Tract Map, Loading Space Size Variance, and a Negative Declaration of Environmental Impacts for a 30-Unit Mixed-Use, Medical, Retail and Restaurant Commercial Condominium Development at 1000 Sepulveda Boulevard

RECOMMENDATION:

Staff recommends that the City Council **CONDUCT** the Public Hearing; **APPROVE** the proposed project; and take the following action:

1. **ADOPT** Resolution No. 6107 approving a Master Use Permit including parking reduction, General Plan Amendment from "Medium Density Residential" to "General Commercial" for the rear 50-feet of the property, loading space size Variance and Vesting Tentative Tract Map No. 68175 for an office condominium.
2. **ADOPT** Resolution No. 6108 certifying the California Environmental Quality Act Negative Declaration of Environmental Impacts for the comprehensive project.
3. **INTRODUCE** Ordinance No. 2105 amending the Zoning Map to change the zoning district of the rear 50-feet of the property from "RM" (Residential Medium Density) to "CG" (Commercial General).

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

At the May 23, 2007 Planning Commission meeting staff presented a proposal which consisted of a request to allow the development of a mixed-use (medical office/retail/restaurant) project. The site encompasses 28,053 square feet and is currently developed with a 5,400 square foot single story restaurant with outdoor patio area and 65 parking spaces. The front 138-feet of the site is currently zoned "CG" (Commercial General) and the rear 50-feet is zoned "RM" (Residential Medium Density). The Land Use Element of the City of Manhattan Beach General Plan designates the property as General Commercial and Medium Density Residential.

The project proposal consists of the demolition of all existing improvements and construction of a four level 25,350 square foot mixed use medical and retail use building (no residential), which includes a 22,970 square feet of medical office condominium; 665 square foot pharmacy and a 1,715 square foot coffee shop with outdoor patio area. The proposed uses are permitted in the CG zone; however, because the project exceeds more than 5,000 square feet of buildable floor area and more than 10,000 square feet of land area, and is requesting a parking reduction, a Master Use Permit approval is required. Along with the Use Permit application, the applicant also seeks approval of a Zone Change from "RM" to "CG" and a General Plan Amendment from Medium Density Residential to General Commercial for the rear 50-feet of the existing site' and a Variance approval for a reduction in the size of the required 12' x 35' x 14' commercial loading space.

At this meeting, after opening the hearing and taking testimony, the Planning Commission passed a motion to continue the public hearing and continued the item to the June 27, 2007 Planning Commission meeting. Although the Commission expressed their appreciation for the design and layout of the proposed project, the Commission did continue the public hearing due to a number of concerns. At the June 27th meeting the Planning Commission reviewed the revised plans which addressed the Commissions concerns and approved the modified project subject to a number of conditions.

DISCUSSION

The attached Planning Commission staff reports provide the background and issues of the proposed project in detail. Minute excerpts from those meetings, and all written material received from the public are also attached.

The primary project issues discussed and addressed by the public and the Planning Commission included the following issues:

- General Plan Goals and Policies
- Sepulveda Corridor Guidelines
- Commercial loading space
- Traffic/Circulation/Site Access
- Traffic signal on Sepulveda Blvd./10th Street
- Red curb on 10th Street
- Retail Uses
- Garage security
- Hours of operation

General Plan Goals and Policies:

Manhattan Beach is made up of various unique neighborhoods, each with distinct features and character that reflect the history and culture of this community. Future development and improvements must respect these unique qualities. As mentioned previously, in response to these issues, the City adopted the Sepulveda Boulevard Design Guidelines to provide a framework for future development along the corridor.

In order to approve the requested Master User Permit, findings must be made that the project: is consistent with zoning code and General Plan, will not be detrimental to the city or surrounding area, and will not adversely impact or be impacted by nearby properties.

- The project is consistent with the General Plan, specifically with the following policies:

- LU-1.2: Encouraging the use of notches, open space, setbacks, landscaping, or other architectural details to reduce building bulk
- LU-2.1: Encourage landscaping standards for commercial areas.
- LU-3.1: Encourage quality design in all new construction
- LU-3.2: Encourage the use of the Sepulveda Boulevard Design Guidelines
- LU-5.1: Require the separation or buffering of residential areas from businesses which produce noise, odors, high traffic volumes, light or glare, and parking through the use of landscaping, setbacks, or other techniques.
- LU-5.4: Discourage the outdoor commercial use of property adjacent to a residential neighborhood.
- 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.
- LU-8.1: Encourage commercial uses serving a broad market area, including visitor-serving uses.

Sepulveda Corridor Guidelines

Sepulveda Boulevard is the only State Highway in Manhattan Beach and as a major transportation corridor it functions as a commercial corridor. With the heavy traffic volumes and associated noise impacts, adequate buffering of the residential uses behind Sepulveda Boulevard from such impacts is important. The scale and character of commercial development along this corridor is as important and for these reasons the City adopted the “Sepulveda Corridor Design Guidelines” to provide a framework for future development along this corridor.

The applicant has made substantial efforts to address the Sepulveda Boulevard Development Guidelines. The aesthetic oriented guidelines generally favor building/store frontages oriented toward Sepulveda, as opposed to vehicle dominated frontages. A pedestrian entry path is provided from the Sepulveda Boulevard sidewalk and 10th Street (see attached site plan).

The building, storefront, windows and pedestrian entrance as designed will be oriented towards Sepulveda Boulevard as recommended by the guidelines. The trash area would be housed and located on the northwesterly side of the building at the lower level parking area for easy access and pick-up. Most of the parking area is located below grade or on street level adjacent to 10th Street which is a less prominent location as recommended by the Sepulveda Corridor Guidelines.

Driveway access for the former restaurant use consisted of three driveways; two on 10th Street and one on Sepulveda Boulevard. The proposed project traffic circulation will eliminate the easterly most driveways on 10th street to reduce impacts to the adjacent residential properties to the east. The remaining driveway on 10th Street will be more centrally located to ease access to surface and lower level parking areas. The proposed driveway access on Sepulveda Boulevard will access a lower level, semi-subterranean parking area.

Parking:

Based on the proposed mix of uses the site is required to provide 124 on-site parking spaces (Office Use, 1-per 200 sq. ft.; retail use, 1 per 200 sq. ft., and restaurant use with take-our, 1/75 of gross floor area). The project proposes to provide 119 on-site parking spaces (115 full-size, 3 compact and 1 loading space). Parking will be provided in two areas of the site including 107 spaces at the second level subterranean parking garage and 12 surface parking spaces adjacent to the 10th Street driveway entry area. A parking forecast analysis completed as part of the traffic and parking study indicates a maximum hourly demand of 109 spaces.

Manhattan Beach Zoning Code Section 10.64.040 allows up to a 15% parking reduction for the collective provision of parking for multi-use developments, therefore the City can approve a parking reduction from the required 124 required spaces to 119 spaces. Additionally, Section 10.64.050 (B) allows for an unspecified reduction, through the Use Permit process, based upon evidence provided in a parking demand study. The overall traffic, circulation and parking design for the project has been reviewed by the City's Traffic Engineer and found to be adequate.

Commercial Loading Space

The original design called for the required 12' wide x 35' long x 14' high commercial loading space to be located in the back-up/access aisle of the upper level parking area adjacent to the 10th Street entrance area. Concerns were raised that this location would cause circulation, parking and safety issues and that a separate area should be set aside to provide this loading space.

The applicant relocated the loading space adjacent to the building away from the back-up/vehicle access area. This location will not conflict with parking demand for the site (See Sheet A-00.1, Site Plan – First Floor). However, this loading space is designed as 12' wide x 31' long which is 4-feet short of the required length. The applicant contends that with the proposed uses the types of deliveries will be minimal and not require large delivery trucks.

The Planning Commission evaluated the proposed location of the loading space and found its location and design to be appropriate despite its reduced size. The proposed location is designed in a more practical area and would not decrease access to the site. Condition #17 of Resolution No. 6107 prohibits deliveries between the hours of 7:00 p.m. and 7:00 a.m.

Traffic/Circulation/Site Access

The site is a triangular shape located on the northeast corner of Sepulveda Boulevard and 10th Street. Proposed site access for the commercial development is provided from two driveway locations along 10th Street and Sepulveda Boulevard.

A Traffic and Parking Study for the project, dated April 9, 2007, was prepared by Linscott, Law and Greenspan. The purpose of this study was to evaluate the potential traffic impacts of the proposed project on the streets and intersections within the vicinity of the site. The report is intended to address the City's requirements as well as the traffic impact assessment guidelines set forth in the 2004 Congestion Management Program (CMP) for Los Angeles County. The following intersections were studied:

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- Sepulveda Boulevard at Manhattan Beach Boulevard
- Sepulveda Boulevard at 10th Street
- Sepulveda Boulevard at 8th Street
- Sepulveda Boulevard at 2nd Street
- Poinsettia Avenue at 10th Street
- Meadows Avenue at 10th Street

This evaluation identified three study intersections which currently operate at Level of Service (LOS) D or better during the AM and PM peak hours. The remaining intersections of Sepulveda Boulevard at Manhattan Beach Boulevard and 10th Street currently operate at LOS F for the AM peak, and LOS F for the PM peak. The intersection of Sepulveda Boulevard at 2nd Street currently operates at LOS E for the AM peak and LOS D for the PM peak.

The Traffic Impact Study prepared by Linscott, Law and Greenspan was found to be complete and satisfactory by the City Traffic Engineer. The study also considered left turn exiting the project driveway on 10th Street and if the project is conditioned to prohibit outbound left turns, a small percentage of traffic would be redirected away from the residential neighborhood which would incrementally impact the intersection of Sepulveda Boulevard at 10th Street.

Traffic Signal on Sepulveda Boulevard/10th Street

The Commission expressed a concern that the proposed project has a cumulative impact with other projects at the intersection of Sepulveda Boulevard and 10th Street. They expressed a desire to have staff further study the need of installing a traffic signal at this intersection.

In response to the Commission's concern the applicant has agreed to provide a fair-share contribution towards a future study to determine the feasibility and impacts of a new traffic signal at the intersection of Sepulveda Boulevard and 10th Street (See Condition #18 of Resolution No. 6107). Should the study determine that a traffic signal is required; the applicant would be required to pay their fair share towards the installation. The City Traffic Engineer does not recommend that a traffic signal be installed at this time.

The result of the traffic analysis found that the proposed project will not significantly impact any of the six key study intersections, when compared to the City of Manhattan Beach LOS (Level of Service) standards and significant impact criteria specified in the report.

Garage Security

A concern arose from the public and the Commission regarding the parking structure remaining open on a 24-hour basis. They requested that the applicant look into restricting access to the garage after hours.

In order to address the Commission's concern the applicant is proposing security gates at the two main entry points to the lower level parking areas. Conditions numbers 19 through 23 of the Resolution No. 6107 provides detailed requirements for the operation of the lower level during non-business hours. Key or code controlled ingress would be provided at the gates including an intercom system to individual units should the visitor be allowed behind the gates. Automatic exiting using vehicle detection would also be provided when vehicles exit the parking areas.

Hours of Operation:

At the May 23, 2007 Planning Commission meeting, in response to a question from the Commission regarding the proposed hours of operation, the applicant requested hours of operation between the hours of 5:30 a.m. through 11:00 p.m. (seven days a week) for the coffee shop/retail use; 7:00 a.m. through 7:00 p.m. for the pharmacy, and from 7:00 a.m. through 7:00 p.m. for the office medical condominiums (Monday through Friday) and on Saturday from 8:00 a.m. through 2:00 p.m.

At the June 27, 2007 Planning Commission meeting the applicant discussed alternative operating hours for both the office medical condominiums and the restaurant use. The Commission felt that these hours were reasonable operation hours based on the proposed uses. Condition #16 of Resolution No. 6107 address the revised hours of operation as requested by the applicant.

Red Curb on 10th Street

In addition to the concerns raised by neighbors about further studying the need for a traffic signal on Sepulveda Boulevard and 10th Street, the Commission discussed painting a "red" curb on 10th Street to ease traffic flow and restrict parking.

Staff has discussed the issue with the City Traffic Engineer and has conducted a site visit to verify existing street restrictions. The northerly curb between the center driveways towards Sepulveda Boulevard is already painted "red" and would not change as a result of the proposed project. Staff feels that this portion of the curb should remain "red" to facilitate vehicle access and exiting for vehicles traveling westerly onto Sepulveda Boulevard. Staff points out that all vehicles exiting the site on 10th Street will be prohibited from turning left towards the residential neighborhood to alleviate traffic and safety concerns (See Condition #41 of Resolution No. 6107).

Public Meeting

A public notice for the project was mailed to property owners within 500 feet of the site and published in the Beach Reporter newspaper.

Over the last several months the applicant has had two meetings with the neighbors during which they presented architectural plans and computer generated renderings of the proposed building. Subsequent to this meeting they have revised the plan to incorporate their initial concerns to minimize the impact to the residential neighborhood. In a letter to staff, dated May 7, 2007, the applicant reports that overall the residents were pleased with the project and supported the proposed development.

CONCLUSION

Staff recommends that the City Council approve the project by adopting the provided Environmental, General Plan Amendment, Variance, Tract Map and Use permit resolutions; and introduce the Zone Change Ordinance. The Zone Change Ordinance would then return to the City Council at its August 7, 2007 meeting for final adoption.

Agenda Item #: _____

Attachments:

- Resolution No. 6107 - Master Use Permit, General Plan Amendment, Variance and Vesting Tentative Tract Map (available electronically)**
- Resolution No. 6108 - Negative Declaration (available electronically)**
- Ordinance No. 2105 - Zone Change (available electronically)**
- Background Information, Staff Reports and materials, dated 5/23/07 and 6/27/07 (available electronically)**
- Planning Commission Minutes, dated 5/23/07 and 6/27/07 (available electronically)**
- Project Plans**



PUBLIC HEARINGS

07/0717.15 Consideration of Planning Commission Approval of a General Plan Amendment, Zone Change, Master Use Permit Including Parking Reduction, Vesting Tentative Tract Map, Loading Space Size Variance, and a Negative Declaration of Environmental Impacts for a 30-Unit Mixed-Use, Medical, Retail and Restaurant Commercial Condominium Development at 1000 Sepulveda Boulevard

With the aid of a PowerPoint presentation, Associate Planner Dan Moreno provided an overview of the project. He advised that the proposal is for a 25,350 square-foot mixed use office condominium/retail/restaurant on a 28,000 square-foot lot and that the existing restaurant on the site would be demolished. Associate Planner Moreno explained that the application includes requests for the following: a Master Use Permit, which is required because the building is over 5,000 square feet and the lot is over 10,000 square feet; a 9.5% reduction in parking (15% reduction is allowed under the Code); a General Plan Amendment and Zone Change, because a portion of the property at the rear is zoned residential medium density (RM); a Variance for a reduction in the size of the required commercial loading zone; approval of Tentative Tract Map 68175 for the medical office condominiums; and approval of an Initial Study and Negative Declaration. He clarified the official address of the property as 1000 Sepulveda Boulevard.

Referring to aerial and conventional photos, Associate Planner Moreno described the site and surrounding properties, noting that the L-shaped design of the proposed building would reduce impact on residential properties to the east. He explained the following: that the rear 50 feet of the lot has historically been used for parking; that the twelve-foot dedication in the front of the property would remain; that there are currently three driveways (two on Tenth Street are both entrances and exits and one on Sepulveda Boulevard is an exit only); and that the property has severe topographical changes.

Associate Planner Moreno related staff's approval of the Parking Circulation Study provided by the applicant. He advised that the parking forecast for the project indicated a maximum hourly demand of 109 parking spaces, and 119 are proposed; that the commercial loading zone was relocated, but it would be four feet short of the required length; that the proposed location of the trash area off of Sepulveda Boulevard was approved by the Public Works Department; that there are no required setbacks for buildings in commercial zones, but a minimum of six-foot setbacks are proposed, with over 40-foot setbacks, a six-foot high wall, an 8-foot landscape buffer, a driveway and a Condition of Approval requiring mature landscaping at the rear of the property to help reduce impact on the residential area; that the building would be within the required height; that the mechanical equipment would be housed in a well on the roof in the center of the property; that 8% site-wide landscaping is required and 13% is proposed; and that the hours of operation would be 7:00 a.m. to 7:00 p.m. Monday through Friday and 8:00 a.m. to 5:00 p.m. Saturday for the medical use, 7:00 a.m. to 7:00 p.m. Monday through Friday for the pharmacy, and 5:30 a.m. to 11:00 p.m. seven days a week for the coffee shop/retail use. He reviewed the goals of the General Plan and expressed staff's opinion that the project meets the Plan's intent. He confirmed that the Council's consideration of this item was advertised as required by law; that the developer met twice with neighboring residents and incorporated many of their suggestions; and that the Planning Commission supported the project.

Associate Planner Moreno stated staff's understanding that the proposed restaurant would be a neighborhood-type coffee shop and he assured the Council that, should this change, staff would work with the applicant to make certain the use would be appropriate. He clarified that the parking forecast assumed a restaurant; that the existing restaurant at the location is 5,400 square feet; that the Planning Commission felt the proposed pharmacy and restaurant/coffee shop would compliment the other uses proposed on the site; that lighting was not a major issue with residents and it will be reviewed by staff as part of the lighting plan; and that the rear 50 feet of the lot is currently zoned RM but has historically been used for parking, which is why the applicant is requesting a zone change to General Commercial (GC) for that portion.

City Manager Dolan advised that, based on the General Plan, staff encouraged diverse uses (such as the restaurant/coffee shop) that would generate some revenue for the City; but, the applicant preferred all medical offices.

During discussion, the Council voiced concerns over the negative impact that a proliferation of medical buildings along Sepulveda Boulevard could have, as well as the possibility that the proposed restaurant/coffee shop might become a cafeteria for a "mini hospital" instead of a neighborhood-type coffee shop which is supposed to serve the community, and not just the building tenants. The Council questioned whether medical buildings fit into the future framework of the Sepulveda Corridor and the intent of the General Plan; expressed discomfort with approving a restaurant/coffee shop without knowing specifically how it would impact the City's tax base and observed that the negative impact from parking would be reduced because drivers would no longer be able to park adjacent to the residential property to the east.

Architect Louie Tomaro, 1000 Block of 6th Street, Manhattan Beach, explained that research showed a strong need for medical facilities in the area. Referring to a "fly by" and renderings of the project, **Mr. Tomaro** presented information on: the modern design of the building and the type of materials to be used; the efforts to reduce impact on adjacent residential properties; the energy efficiencies incorporated into the design; the support of the project by the property owner to the east; and the proposed parking design and access to the site.

Mr. Tomaro voiced his understanding that the pharmacy could exist strictly from tenant use and the location could easily support a restaurant/coffee shop separate from the medical uses. He verified that signage for the restaurant/coffee shop would be necessary; that the size of the proposed restaurant/coffee shop coincides with the size of some well-known coffee establishments; and that tenants would be required to comply with Title 24 (Energy Use).

Architect Geoff Captain, No Address provided, presented input about the proposed signage. He affirmed that the lighting would be energy efficient and that an effort would be made to use low water use plants.

Developer George Apostol, 1000 Block of 6th Street, Manhattan Beach, commended City staff's collaborative efforts toward this project. He explained the following: that every member of the development team is a Manhattan Beach resident; that much thought was given to constructing a viable development having the least impact on neighboring residents; that Starbuck's declined a store at the location due to their concerns over various traffic-related issues; that research showed a strong need for medical space in Manhattan Beach and he would prefer all medical with no retail; that preliminary interest in this development has been expressed by numerous medical uses, but very few retail; that the restaurant/coffee shop was driven by the focus group and it would be a higher end, family-run type establishment with internet access that serves both the community and the building, and could be an "extended

medical office" with a buzzer system to alert patients of their appointments; that the pharmacy was also driven by the focus group, but its size could possibly be reduced with the square footage being added to the restaurant/coffee shop and the pharmacy space could end up being another type of retail; that the proposed hours of operation for the restaurant/coffee shop are important and they are similar to the hours of the previous restaurant at the location; that the restaurant/coffee shop could be accessed both internally and externally; that the total size of the retail component of the building would be fixed, but it could be larger, and the only flexible square footage of that component would be the pharmacy; and that the developer plans to build out the entire facility.

Stating his viewpoint that a solely retail use at this location would not be viable, **Mr. Apostol** pointed out that there is currently no Class A medical space in Manhattan Beach. As a resident of Manhattan Beach, he maintained that the convenience of medical offices would be well received by the community. **Mr. Apostol** also clarified that the previous restaurant on the site was listed and advertised for sale.

Developer Brian Smith, 2300 Block of Poinsettia Avenue, Manhattan Beach, presented information on the amount of retail space proposed and the estimated sales tax base which, he estimated, would be approximately one-half of the revenue generated from the previous retail use at the location. However, the reduction in the sales tax base would be more than offset by an increase in the assessed value of the property, for a net effect to the City of approximately twice as much revenue.

Further Council discussion included the importance of consistency and considering common and objective criteria, such as sales tax revenue, when making determinations on future projects similar to the proposed, the difficulty of maintaining a small-town atmosphere and, at the same time, developing projects that are viable; and the type of taxes to which the medical office condominiums would be subjected when they are sold. The Council questioned why the applicant's Traffic Impact Analysis excluded the intersection of Sepulveda Boulevard and Marine Avenue and, referring to information in the Analysis, voiced concern over the potential impact on traffic, especially given the existing traffic difficulties in the area. Expressing concerns over the setting of a precedent for this type of use should the project be approved, the Council commented on the City's long-term marketing goals for the Sepulveda Corridor and the City's prerogative to dictate the type of project constructed on the subject property since a Master Use Permit is required.

City Traffic Engineer Erik Zandvliet explained that, from the point where impact on traffic is diminished, intersections away from the site would not be impacted; that the number of trips affecting Marine Avenue as a result of the project would be very insignificant; and that approximately 100 trips would be added at peak hours, which the City does not consider to be significant since it is less than a two percent change.

Associate Planner Moreno clarified that on-street parking is currently prohibited from the existing middle driveway to Sepulveda Boulevard, and that it would remain as such with the proposed development.

City Manager Dolan related his understanding of the information pertaining to the projected increase in sales tax revenue to be generated as reflected above by **Mr. Smith**. He advised that it was necessary for the applicant to estimate the sales tax base generated by the previous retail use because sales tax information is proprietary and that, typically, the City does not evaluate the viability of private developments.

Community Development Director Richard Thompson explained that, as included in the General Plan, it is the City's responsibility to ensure diverse uses along Sepulveda Boulevard; that compatibility of projects is a balance and it is market driven; that the applicant and City staff went to great efforts to incorporate retail uses that would be viable to the site; that the applicant has addressed the issue of retail as best they could for this particular site; that it would make perfect sense to rezone the rear portion of the lot from RM to CG, which allows for this type of use, and this property should have been designated as such in the General Plan; that City restrictions, along with the diversity of lot sizes and patterns along Sepulveda Boulevard, make it difficult to dictate a certain type of development along the Sepulveda Corridor, meaning it is very unlikely that there will be a proliferation of this type of development along Sepulveda Boulevard; that the amount of square footage allotted for retail would work for this site and the applicant was given flexibility for the retail in order to respond to the market; and that residential uses along Sepulveda Boulevard are not, and should not be, permitted in Manhattan Beach.

Returning to the podium, **Mr. Apostol** confirmed his understanding that 2,400 square feet of retail space would be viable and he explained efforts to determine an appropriate amount of retail square footage.

Mayor Tell opened the Public Hearing at 9:02 p.m.

Dave Wachtfogel, No Address Provided, commended the developer's efforts towards the project. He contended that an approval would be precedent-setting.

As a Manhattan Beach Resident and President of the Manhattan Beach Resident's Association, Martha Andreanni, No Address Provided, stated her concern that, should the project be approved, a precedent would be set for commercial developments along the Sepulveda Corridor and that increased truck traffic would be generated by the development. **Ms. Andreanni** related the Association's opinion that additional medical buildings are not needed in Manhattan Beach. She objected to the proposed zone change for the rear portion of the property, the General Plan Amendment and the idea of allowing less than the required number of parking spaces as well as exceptions to the Code in general. She supported the retail component of the building.

Viet Ngo, No Address Provided, said that the property owner has invested in the land and deserves to develop it and it is the City's responsibility to uphold the zoning laws, the General Plan and land use requirements.

Dr. Scott Rackett, No Address Provided, commented on the need for medical offices in Manhattan Beach and the convenience it would provide for many residents, as well as the importance of allowing a retail element that is not trendy.

Mayor Tell Closed the Public Hearing at 9:15 p.m.

Councilmember comments began with Councilmember Ward commending **Mr. Tomaro's** work in general. It was his opinion that the issue is centered around the type of developments that should be allowed along the Sepulveda Corridor; that additional information about the tax base the development would generate should be provided prior to making a determination; that the approval of medical offices in Manhattan Beach should be curtailed; and that the Sepulveda Corridor should be composed of small boutique-type entities such as the diverse types of uses that are there now.

Expressing his indecision as to whether the project should be approved, Mayor Pro Tem Aldinger stated his feeling that, because an approval of the project would be somewhat precedent-setting, the Council should be provided a list of other proposed medical offices (which City staff is aware) prior to making a determination.

Councilmember Montgomery reviewed the parking requirements for sit-down and take-out restaurants and he related his understanding that a drive-thru restaurant/coffee shop would not be allowed. He voiced his appreciation of the developer's efforts to obtain input from the community and stated his concerns over the loss of retail along the Sepulveda Corridor, as well as the precedent that would be set should the project be approved.

Councilmember Cohen expressed her support for the project. She explained her viewpoints that, due to variations in the lot sizes and patterns, each development along the Sepulveda Corridor should be considered on its own merits; that this project would not impact the adjacent residences any more than previous developments on the property; and that, even though the height of the building would exceed the existing building, parking would no longer be permitted next to the adjacent residence and the proposed traffic circulation would result in the least impact on adjacent residences. Councilmember Cohen agreed with the developer's analysis of the tax base that would be generated by the development and it was her feeling that the benefits of this type of development to the community and the demand for medical offices in Manhattan Beach should be considered along with finances. She supported the proposed mixed use and offered suggestions in the event that parking problems in the adjacent neighborhood occur as a result of the development.

Relating his understanding of the Council's purview with regard to this type of request along the Sepulveda Corridor, Mayor Tell commented on the importance of consistency and considering diversity in uses. He voiced his appreciation of the applicant's thoughtful proposal and indicated that he could support the project in that something other than retail would be appropriate for this site, particularly since retail has failed in the past; that the revenue generated would be more than that generated from the previous use; that the impact on residences would be less and the neighbors are in favor of the project; that the medical offices would be better than the previous use because a resident service component would be provided; and that, while he recognizes the potential for setting a precedent, this project makes sense and the applicant should not be penalized because of concerns that future projects similar to this might not.

Associate Planner Moreno provided information about parking requirements for sit-down and take-out restaurants. He affirmed that a drive-thru restaurant/coffee shop would not be allowed.

Community Development Director Thompson clarified that, even though a Variance, Zone Change and General Plan Amendment are needed to construct this project as it is proposed, it would be a great improvement over the existing development and the uses on the property have always been commercial; that the General Plan does not dictate that all uses along the Sepulveda Corridor must be retail, but it does say they should be diverse; that medical uses along the Sepulveda Corridor are permitted, but the Council has discretion over this project due to the need for a Master Use Permit, which is required because the building is over 5,000 square feet and the lot is over 10,000 square feet. With regard to concerns expressed about the setting of a precedent with this project, Community Development Director Thompson advised that the Community Development Department has received inquiries about development along the Sepulveda Corridor from many diverse uses; that they have been contacted by more retail uses than office or medical; and that the demand along the Corridor is not for medical offices on each and every site.

Councilmember Ward explained that the proposed medical use with some retail does not make sense to him; that the building would be bulky when compared to the existing building and adjacent residences would adversely be impacted; that the small-town atmosphere would not be preserved; that additional information about how this project would affect the City as a whole should be obtained prior to making a determination; and that the intent of both the General Plan and the Sepulveda Corridor Guidelines would not be met.

Mayor Pro Tem Aldinger reiterated his indecision about the project and his desire for additional information about other proposed developments along the Sepulveda Corridor. He questioned if the project would meet the intent of the General Plan and the Sepulveda Corridor Guidelines. He said that he does not have a problem with the building as proposed; that he appreciates the process through which the applicant has gone; that the Council should provide direction to staff as to the type of future developments they would like to see along the Sepulveda Corridor; and that he would prefer more retail on the first floor of the project.

Councilmember Cohen recalled Community Development Director Thompson's input about the type of inquiries received with regard to development along the Sepulveda Corridor. Concerning the preservation of the small-town atmosphere as called out in the General Plan, she explained her feeling that the type of developments allowed in the Downtown area should be different than those allowed along the Sepulveda Corridor; insisted that the project would meet the intent of the General Plan; emphasized that each project along the Sepulveda Corridor should be looked at individually; and mentioned that the development standards for the Sepulveda Corridor could be agendized.

Mayor Tell commented again on the importance of consistency and diversity in uses and he noted the applicant's efforts to improve the site and lessen impact. He related his understanding that the proposed medical use would be consistent with the intent of the General Plan and the Sepulveda Corridor Guidelines and stated his support for maintaining suitable retail sites as such.

Councilmember Montgomery noted the failure of two restaurants previously at the location. He pointed out that a project having much more of a negative impact on the neighborhood could be constructed on this property and that the buffer between the proposed development and the adjacent residence would be much better than before.

City Manager Dolan advised that the only other medical office use in the "pipeline" that City staff is aware was denied by the Planning Commission and will come to the Council on appeal. He advised that City staff supports future discussion of the Sepulveda Corridor development standards, preferably after the mansionization issues are resolved.

City Attorney Wadden advised that two separate motions would be appropriate, one adopting Resolution Nos. 6107 and 6108 and one introducing and waiving further reading of Ordinance No. 2105.

MOTION: Councilmember Cohen moved to adopt Resolution Nos. 6107 and 6108. The motion was seconded by Councilmember Montgomery and passed by the following roll call vote:

Ayes: Montgomery, Cohen, Aldinger and Mayor Tell.
Noes: Ward.
Abstain: None.
Absent: None.

RESOLUTION NO. 6107

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, APPROVING A MASTER USE PERMIT INCLUDING PARKING REDUCTION, GENERAL PLAN AMENDMENT FROM "MEDIUM DENSITY RESIDENTIAL" TO "GENERAL COMMERCIAL", LOADING SPACE SIZE VARIANCE AND VESTING TENTATIVE TRACT MAP NO. 68175 FOR OFFICE CONDOMINIUM, AT 1000 SEPULVEDA BOULEVARD

RESOLUTION NO. 6108

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, CERTIFYING A NEGATIVE DECLARATION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR A MASTER USE PERMIT, ZONING CHANGE, GENERAL PLAN AMENDMENT, AND LOADING SPACE VARIANCE (Manhattan Medical Building)

MOTION: Councilmember Cohen moved to waive further reading and introduce Ordinance No. 2105 amending the City Zoning Map to change the zoning designation of the rear 50-foot of the property at 1000 Sepulveda Boulevard from "RM" (Residential Medium Density) to "CG" (Commercial General). The motion was seconded by Councilmember Montgomery and passed by the following roll call vote:

Ayes: Montgomery, Cohen, Aldinger and Mayor Tell.
Noes: Ward.
Abstain: None.
Absent: None.

RECESS AND RECONVENE

At 10:00 p.m. the Council recessed and reconvened at 10:10 p.m. with all Councilmembers present.

GENERAL BUSINESS

07/0619.12-16 Consideration of Parking and Public Improvements Commission Recommendation to Approve Installation of Pedestrian Signal Indications in All Directions and Deny the Request for Protected Left Turn Arrows at the Intersection of Manhattan Beach Boulevard and Redondo Avenue

With the aid of a PowerPoint Presentation, City Traffic Engineer Erik Zandvliet explained the previous and recent actions taken to improve safety at the intersection of Manhattan Beach Boulevard and Redondo Avenue and provided input on traffic accident histories and low traffic volumes at the intersection. He affirmed that a flashing beacon could be installed and programmed to raise awareness of the intersection on school days.



Manhattan Medical 1000 Sepulveda Boulevard

City Council Meeting
July 17, 2007

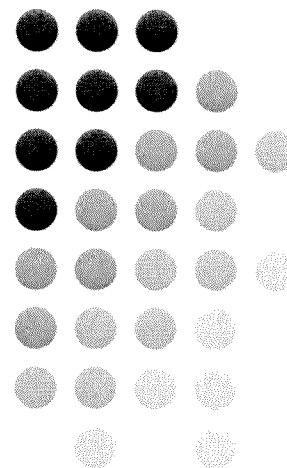
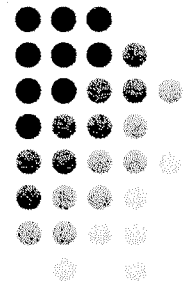
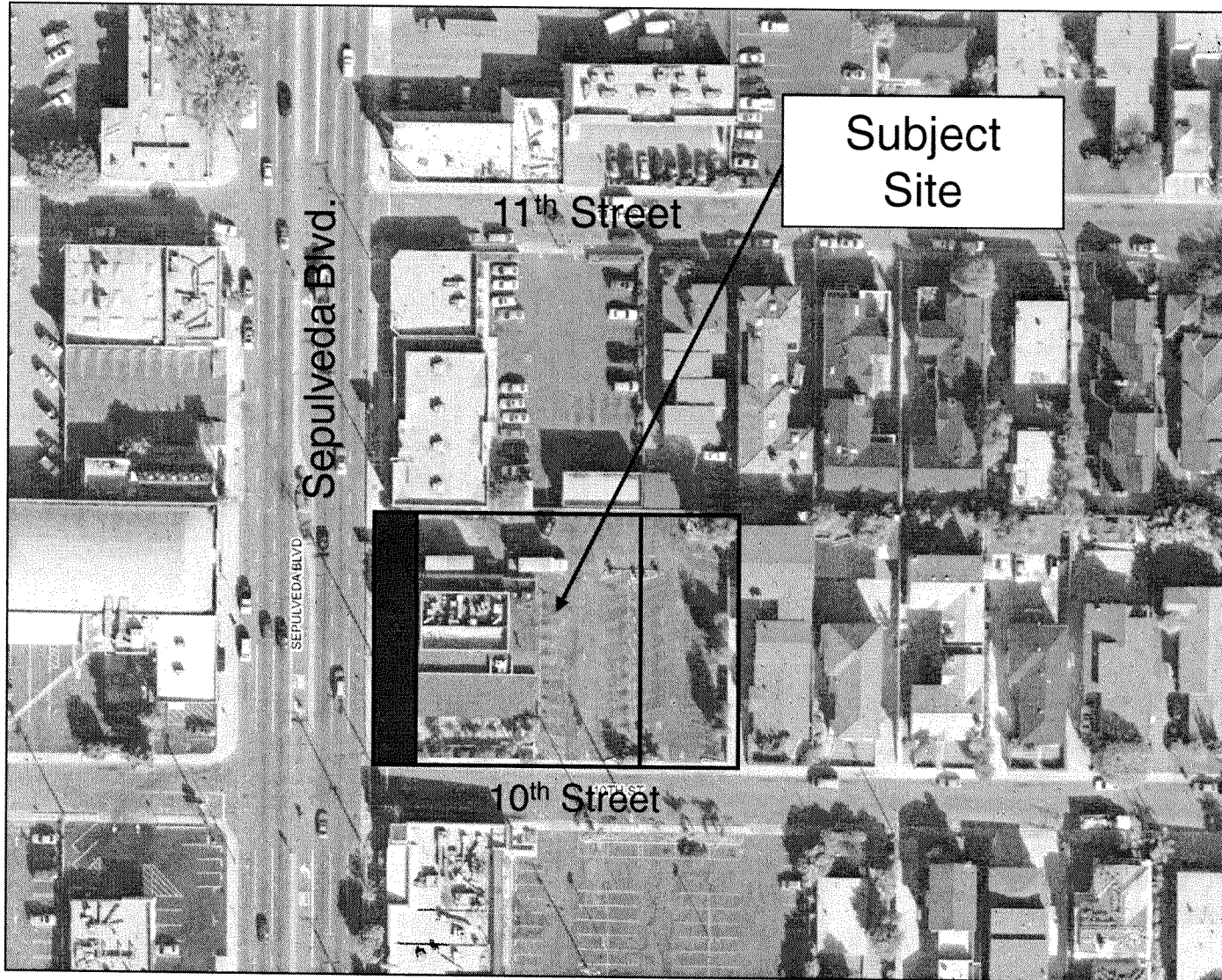
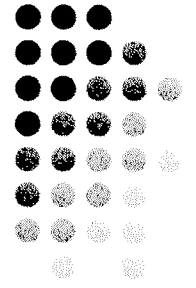


EXHIBIT E
PCMH. 7/27/11

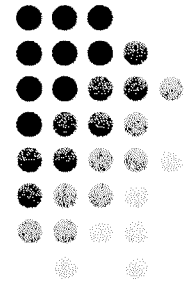
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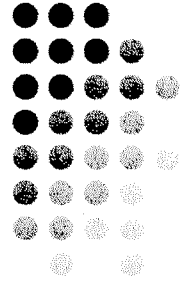
Existing Conditions



Site Photos

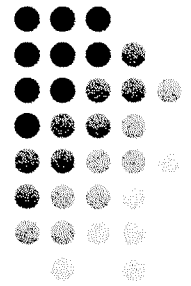


Site Photos



Site Plan

44 ft.



Trash Area

Proposed Loading Space

Light Poles

107 spaces –
subterranean garage

12 surface parking spaces

