

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

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development

BY: Angelica Ochoa, Assistant Planner

DATE: November 9, 2011

SUBJECT: Consideration of a Use Permit to Demolish an Existing Office Building and Construct a New Pre-School (Daycare), Playground and Parking Lot at 1030 Manhattan Beach Boulevard (Chalk School)

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT** the **PUBLIC HEARING**, **DISCUSS** and **PROVIDE DIRECTION** to staff.

APPLICANT

Patrick Killen, Studio9one2 Architecture, c/o CHALK SCHOOL
930 Manhattan Beach Boulevard
Manhattan Beach, CA 90266

PROJECT OVERVIEW

LOCATION

<u>Location</u>	1030 Manhattan Beach Boulevard (Exhibit A).
<u>Legal Description</u>	Tract #142 Ex of St Lots 4, 5 and Lot 6 Block 3
<u>Area District</u>	I

LAND USE

<u>General Plan</u>	Local Commercial
<u>Zoning (Exhibit B)</u>	CL, Local Commercial

<u>Land Use:</u>	<u>Existing</u> Office Building	<u>Proposed</u> Pre-school (Day Care) Playground/Parking Lot
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Neighboring Land Uses/Zoning

Commercial, Wells Fargo Bank, Asian Restaurant to the North with Single Family Residential further north across Manhattan Beach Boulevard; Jiffy Lube/Auto Repair Shop to the immediate East of the subject site; Commercial, Vacant lot (former Manhattan Fuel site), Single Family/Medium and High Density Residential to the East across Sepulveda Boulevard and Target to the Northeast; Commercial/Offices to the West along Manhattan Beach Boulevard; and Single Family Residential zoning to the South, with Single Family and Multi Family Residential.

PROJECT DETAILS

Parcel Size: 15,785 sf

<u>Building Area:</u>	<u>Existing</u> 4,380 sf (offices)	<u>Proposed</u> 6,880 sf (day care) 7,000 sf (play area)	<u>Allowed</u> 15,785 sf
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<u>Parking:</u>	<u>Existing</u> 14 standard spaces 1 handicap space	<u>Proposed</u> 12 standard spaces 5 compact spaces 1 handicap space	<u>Required</u> 1 space per 7 children 17 spaces total
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<u>Hours of Operation:</u>	<u>Existing</u> M-F 9am to 6pm	<u>Proposed</u> M-F 7am to 6pm	<u>Allowed</u> By use permit
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<u>Employees:</u>		<u>Proposed</u> 6 full time 1-2 part-time	<u>Allowed</u> By use permit
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<u>Students:</u>		<u>Proposed</u> 119	<u>Allowed</u> By use permit
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<u>Landscaping:</u>		<u>Proposed</u> 259 sq. ft.	<u>Required</u> 5% of Parking Area of (5172 sq. ft.)
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ENVIRONMENTAL DETERMINATION

In accordance with the provisions of the California Environmental Quality Act (CEQA) as amended by the City of Manhattan Beach CEQA Guidelines, the Community Development Department found that the subject project is exempt as an in-Fill Development Project, Class 32, Section 15332.

BACKGROUND

The project site is located at 1030 Manhattan Beach Boulevard in the Local Commercial (CL) District, Area District 1. It is currently developed with an existing one-story office building consisting of 5 suites with a surface parking lot at the rear and two driveways. The surrounding area is developed with a mix of commercial, offices, bank, retail, restaurant, and residential uses to the south, north, east and west of the site. The applicant, Patrick Killen of Studio9one2 Architecture, architect of subject project, filed a Use Permit application on July 29, 2011 to replace the existing office building and build a new day care use (CHALK SCHOOL). Per Section 10.16.020 of the Commercial Chapter of the City of Manhattan Beach Municipal Code, the subject application requires a use permit for a change in use from general office to day care. Preschools are classified as day care in the Municipal Code Section 10.08.040 (D).

CHALK Pre-School currently has five other locations, including Westwood, Venice, and three in Chicago. The owners of CHALK Pre-School would like to expand their school to the City of Manhattan Beach and offer a pre-school program in a new facility, with a large playground and an on-site parking area. The pre-school program will offer classes and activities to students ranging in ages 2 through 5 with operating hours from 7am to 6pm.

DISCUSSION

Project Proposal

The subject applicant is proposing to demolish an existing office building of 4,380 square feet, and construct a new pre-school use with 6,800 square feet (Exhibit B). Specifically, the new facility will consist of 6 classrooms (4,191 square feet), a 7,000 square foot outdoor playground and 12 standard, 5 compact and 1 ADA accessible space for a total of 17 parking spaces. The building will be one story from street grade on Manhattan Beach Boulevard and two stories in the rear. The playground will be lowered approximately 6 feet from sidewalk grade, according to the applicant. Currently, the existing parking area at the rear of the site is higher by approximately 4 feet in relationship to the neighboring properties. The neighboring properties consist of a single family residence, a parking lot and an apartment building. After the lot is lowered, the proposed playground will be at about the same grade as the existing properties at the rear of the lot. The playground will be separated by a six and eight foot block wall on the south and west sides of the site. The south wall will be retaining approximately 4 ½ feet at the east part of the lot. The playground will consist of various outdoor equipment and activities for children.

The proposed hours of operation will be from 7am to 6pm to allow for early drop off and pick up of children. The expected peak times for drop off will be between 7am to 9am and peak pick up times between 3pm to 6pm. According to the applicant, about 25% of

the students will attend only half day until noon and the remainder a full day with pick up times ranging from 3pm to 6pm. The applicant feels this will eliminate the crowding of the parking area due to the spreading of times students attend classes. Also, no food service will be provided on-site. The students will be required to bring their own food for consumption. For this reason, no food deliveries will be provided at the subject site.

Employees and Students

The total number of proposed full time employees will be six, plus one to two part-time employees for a total maximum of eight employees. The owners have other locations to manage and they expect to be at the Manhattan Beach pre-school a minimum time of only once or twice a week. When the school has activities or classes that require outside instructors, the arrival and departure times will vary during non-peak times to avoid parking and traffic congestion.

The total number of proposed children for the subject site is 119. The required parking per Section 10.64.030 of the Zoning Code for day care use is 1 parking space per 7 children. Based on 119 children, the total required parking is 17 spaces, which is what is proposed. The California Department of Social Services (DSS) restricts the number of children to 1 child per 35 square feet of classroom space. Based on 4191 square feet of classroom space, the maximum total number of children is 119. Also, 75 square feet of outdoor area for each child is required by DSS. Based on the proposed 7000 square feet of outdoor play area, only 93 children would be allowed. Per the parking chapter of the Zoning Code, 93 children would require only 13 parking spaces. Therefore, the proposed parking spaces of 17 would satisfy the parking requirement. However, if DSS changes their licensing requirements, and the applicant satisfies those requirements, up to 119 children would be allowed.

Parking and Access

In terms of parking, the site will provide a total of 17 parking spaces for employees and visitors. The parking lot will be accessible from Manhattan Beach Boulevard and will allow egress and ingress from one driveway. The pick-up of trash and recycling for the site will be accessed off of Manhattan Beach Boulevard during non-peak times to avoid traffic congestion.

Based on the prior approved Use Permit for Jiffy Lube, located to the east of the project site, reciprocal access is required to be shared through common driveways and Jiffy Lubes site parking lot by all adjacent properties for any future City approved project (PC Res. No. 98-33, Condition No. 7, Exhibit C). This condition would eliminate driveways and traffic congestion of cars entering and exiting on Sepulveda Boulevard. Since Chalk School is a neighboring property requesting a new project, reciprocal access would need to be provided by Chalk School through Jiffy Lube if required by the Use Permit for Chalk School. Staff feels that the difference in grade of approximately 3 feet from the pre-school parking area, which will be located adjacent to Jiffy Lube, and the major differences in uses of a pre-school and auto repair site, reciprocal access would not be feasible or desirable.

The applicant also feels that because of the difference in grade from Jiffy Lube to the subject site, incompatible land uses of a daycare and auto repair shop, reciprocal access is not appropriate. In addition, the applicant states that the safety of young children next to an auto repair site is a major concern and proposing another way of entering and exiting the site is not desirable or matching the grade of Jiffy Lube would be a major re-design.

The existing office building, located to the west of the subject site, has been using a portion of the subject property for parking at the southwest of the lot. The applicant will be using this area and developing a portion of the new playground. This will not negatively impact the parking or circulation on the adjoining property.

Use Permit

The Planning Commission must make the following findings in accordance with Section 10.84.060 for the use permit, if the project is approved:

1. The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located;
2. The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city;
3. The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located; and
4. The proposed use will not adversely impact or be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.

The Planning Commission, as part of approving the use permit for the subject project, in accordance with Section 10.84.070 can impose reasonable conditions as necessary to:

- A. Achieve the general purposes of this ordinance or the specific purposes of the zoning district in which the site is located, or to make it consistent with the General Plan;
- B. Protect the public health, safety, and general welfare, or
- C. Ensure operation and maintenance of the use in a manner compatible with existing and potential uses on adjoining properties or in the surrounding area.
- D. Provide for periodic review of the use to determine compliance with conditions imposed, and Municipal Code requirements.

Public Input (Exhibit D)

The subject project was noticed to residents within 500 feet and was published in the Beach Reporter on October 27, 2011. At the time of writing this report, staff received a comment from the single family residence neighbor to the south at 1043 11th Street. He wants to make sure that during construction of the new block wall at the south property line to accommodate the new playground, that his planter, hardscape and pool is protected during shoring and not damaged. This will be addressed during the plan check process. Staff received another comment from a business tenant at 1120 Manhattan Beach Boulevard with concerns regarding traffic congestion. He is concerned that the subject project will cause more traffic in the peak and afternoon times.

Other Departments Input (Exhibit E)

The Traffic Division of the Police Department is requiring that the applicant install a stop sign and right turn only sign to deter motorists from going across traffic lanes to go westbound on Manhattan Beach Boulevard. The Fire Department and Building and Safety Division had no specific conditions for the project.

The City Traffic Engineer had the following concerns:

- 1) **Drop off and pick up of students during peak times.** Since it is anticipated that bike lanes may be installed along Manhattan Beach Boulevard per the South Bay Bicycle Master Plan, currently under study, the dropping off and picking up of students will not be allowed at the curb and there will no dedicated loading zone on the street. This will result in parents dropping off and picking up in the parking lot. This may encourage employee and visitors parking on residential streets and in the nearby neighborhood, if the parking lot is too congested during peak drop off and pick up times. Per the Manhattan Beach Municipal Code, Section 10.64.030, pre-school/day care use is not required to provide loading spaces.
- 2) **Parking on Manhattan Beach Boulevard.** Because of the future implementation of the South Bay Bicycle Master Plan, there will be parking restrictions on Manhattan Beach Boulevard. This will affect street availability for parking in front of the subject site and require that visitors and deliveries park in the lot, which may full.
- 3) **The number of employees and number of parking spaces.** The Traffic Engineer states that the available 17 parking spaces with approximately six full time employees and 2 part time employees may not be adequate parking to accommodate drop off and pick up activities. This will lead to staff and visitors parking in the surrounding residential streets and affect neighbors availability of parking near their homes. Also, during special events and after school activities, visitors may need to park off-site in nearby residential streets if the on-site parking area is full.

The Planning Commission should discuss the City's Traffic Engineer issues when considering this project. The project meets all Zoning Code parking and loading requirements.

All specific Department conditions will be included in the Resolution should the Planning Commission approve the project. Any Department requirements will be addressed during the plan check process.

CONCLUSION

Staff feels that the Planning Commission should review and take public input on the proposal. Staff has the following concerns with the proposed project:

- 1) The drop off and pick up of students, especially during peak times and
- 2) Parking demand during special events for visitors

If the project is approved, the Use Permit should include conditions in the Resolution to address any issues of concern. The following is a list of possible conditions that staff could be imposed to mitigate impacts:

Resolution Conditions

- 1) Maximum number of students to be 93 per Department of Social Services required play area of 7,000 square feet.
- 2) Maximum number of employees to be 6 full time and 2 part time for a total of 8 employees.
- 3) No on-site food service or food service delivery allowed.
- 4) Hours of operation to be 7am to 6pm Monday through Friday.
- 5) Project to maintain a total of 17 parking spaces on-site.
- 6) No large delivery trucks, only standard UPS and FedEx single unit size, not to exceed 30 feet in length.
- 7) Trash and recycling pick up to be conducted during non-peak times, not between 7-9am and 3-6pm.
- 8) Special activities or events will be limited to a maximum of 3 per year.
- 9) If applicant satisfies all requirements, including the Department of Social Services, then a maximum of 119 students may be enrolled.
- 10) All school employees and visitors shall be required to park on-site. No employee parking shall be allowed on residential streets and shall be a violation of the Use Permit.
- 11) Submit annual parking management plan/program including parent, staff, and vendor parking information. The plan should include regular notification and reminders to all who frequent the site.

ALTERNATIVES

The Planning Commission may:

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

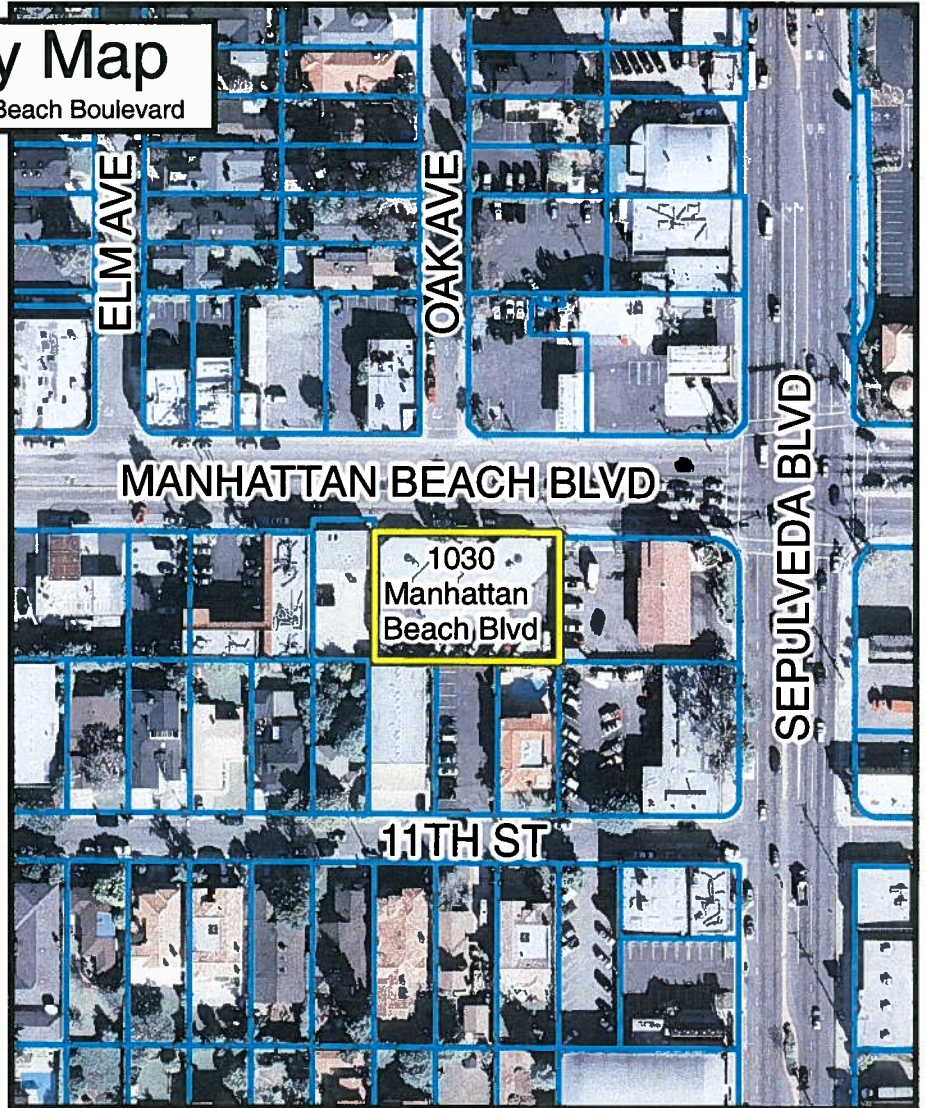
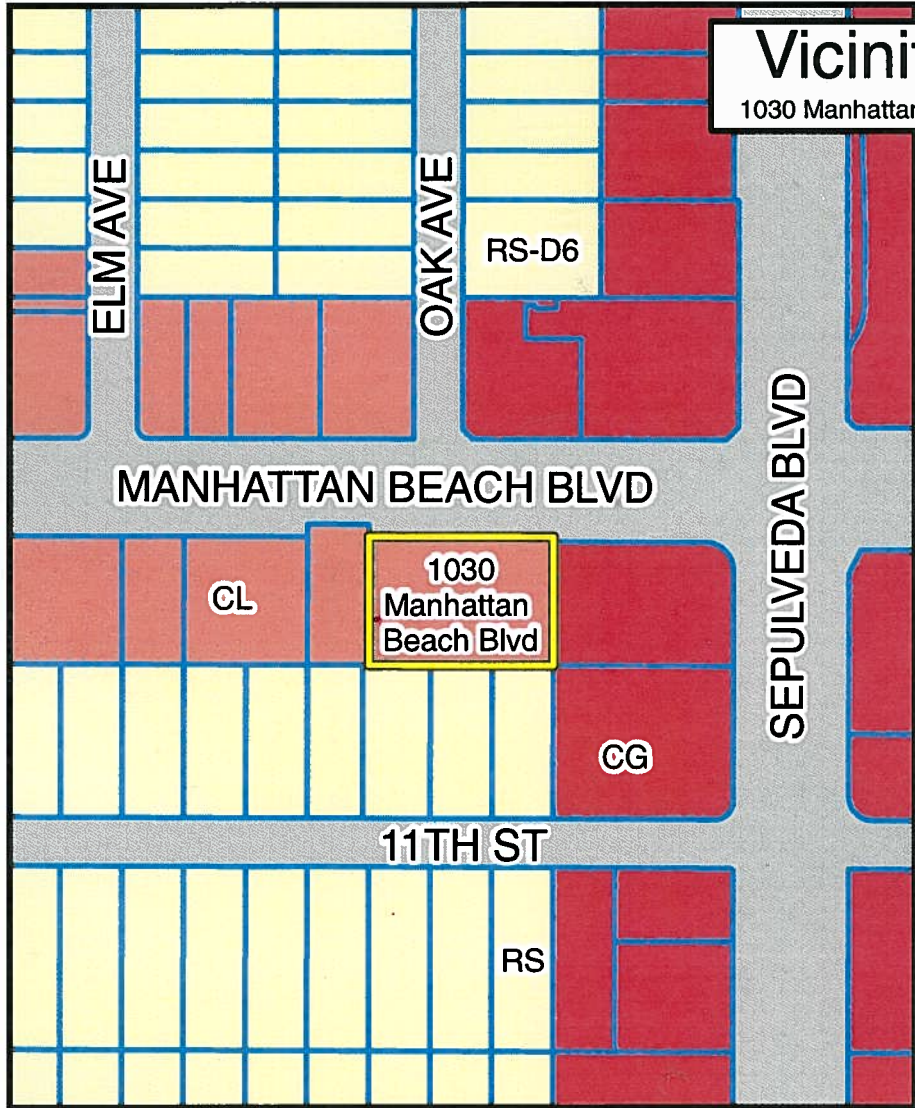
2. **APPROVE** the project subject to public testimony received, based upon appropriate findings, and **DIRECT** Staff to return a draft Resolution.

Attachments:

- A. Vicinity/Aerial Map
 - B. Applicant's Project Proposal
 - C. PC Resolution No. 98-33 – 1119 Sepulveda Boulevard, Jiffy Lube
 - D. Public Input Comments
 - E. Other Department Comments
 - F. Plans (not available electronically, separate)
- cc: Patrick Killen, Studio9one2 Architecture, Project Architect
Bunny Srour, Srour & Associates, Project Representative

Vicinity Map

1030 Manhattan Beach Boulevard



Legend


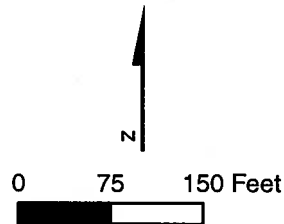
-  1030 Manhattan Beach Bl
-  Parcels
-  CG - General Commercial
-  CL - Local Commercial
-  RS - Residential Single Family

Exhibit **A**



City of Manhattan Beach
Community Development

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ARCHITECTURE

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Patrick J. Killen A.I.A.

July 27, 2011

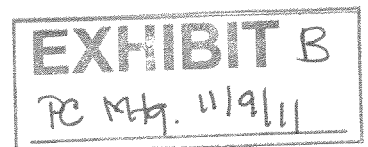
Chalk Preschool
1030 Manhattan Beach Blvd.
Manhattan Beach, CA

CHALK Preschool of Manhattan Beach is proposed at 1030 Manhattan Beach Blvd. in Manhattan Beach, California. This incredible addition to the Manhattan Beach community is a 6,800 square foot sunny facility containing six classrooms surrounding a 7,000 square foot playground. This secured campus is sure to create endless opportunities for on-site explorations and adventures. The school will provide a necessary part time and full time preschool option for the area's many surrounding families having children ages 2-5 years old, with extended hours ranging from 7:00 am - 6:00 pm Monday thru Friday. On site there will be 17 parking spaces for easy drop off and pick up. Drop off peak times will occur between 7:00 am to 9:00 am, with pick up times more varied. Approximately 25% of the children will only attend school for half a day and will be picked up around noon. The remainder will be picked up at times ranging from 3:00 pm to closing, thereby spreading out the car trips entering the parking lot. The school will employ one teacher per classroom full-time. The business owners manage and will also spend time at the facility but as they have six facilities to run, they will only be present once or twice a week for part of those days. The staff count will be 6 full-time and 1 or 2 part time. As do most other local schools, CHALK Preschool will, at times, have special classes and/ or activities for the children. These classes are often taught by outside instructors who typically arrive after the drop-off times and leave prior to the afternoon pick-up times, and as such have little impact on traffic volumes. Roughly 3 times a year, the school will host open house type events where parents are invited to visit the school.

There are presently 5 other CHALK locations in Southern California and Chicago. None of these locations offer food service. All food consumed by the students will be brought to school by the individual. Other supplies used by the school including office and art supplies, are typically purchased by staff at local stores. No large trucks are anticipated to access the site with the possible exception of the intermittent UPS or FedEx deliveries. Trash is currently picked up along the South side of Manhattan Beach Boulevard on Tuesday afternoons. The trash area for this project is designed to allow for curb-side pick up which takes less than 5 minutes to perform. Studio 9one2 will work with Waste Management to ensure the pick up time does not occur during peak traffic hours.

The California Building Code sets the number of occupants at 1 person per 20 square feet of classroom for this building type. Based on this number, the building could have a potential occupancy of 210. The California Department of Social Services, however, restricts the number of children in each classroom to 1 child per 35 square feet. At 4,191 square feet of classroom space, the number of children for which the site could be licensed would be 119. The parking for this development was based on this number (119 at 1 space per 7 = 17 parking spaces required). Moreover, Social Services also requires 75 square feet of outdoor area for each child. With the play area size proposed, it is easily seen that the facility will be licensed for fewer children than the number that could be allowed based on the parking provided (7,000 square feet of play area / 75 square feet per child nets 93 students. Per Manhattan Beach Municipal Code, 93 students would only require 13 parking spaces. In this respect, the facility could be providing more parking than is required by Manhattan Beach Municipal Code.

930 C MANHATTAN BEACH BLVD. MANHATTAN BEACH CA 90266 TEL. 310 / 376-9171 FAX . 310 / 376-1822



Patrick J. Killen A.I.A.

The question of reciprocal access with the neighboring Jiffy Lube has been posed by Planning Staff. In Jiffy Lube's Conditions of Approval there is mention of this provision for adjacent properties "*upon which a similar reciprocal access condition is imposed*". While this project is adjacent to the Jiffy lube, it does not fall within the Sepulveda Boulevard Zoning Map and it's zoning is CL, not either CG or CC – the two commercial zones listed in the Sepulveda Boulevard Development Guide, and therefore should not be subject to the Sepulveda Boulevard requirements. Furthermore, the dissimilarity of the two uses would seem to negate any advantage gained by tying the two parking areas together. Safety is a major concern when dealing with young children, and providing another way off the site is not desirable. Finally, the elevation of the Jiffy Lube parking lot is 4 to 5 feet higher than the grade on our site and trying to match that grade would pose an unreasonable hardship.

Presently, the southwest corner of the site is being used by the neighboring office building. There is no existing easement for this portion of the land and it will be recaptured as part of this development.

RESOLUTION NO. PC 98-33

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT AMENDMENT FOR CONSTRUCTION OF A 4-BAY AUTOMOTIVE LUBE SERVICE STATION WITH EXPRESS SMOG TESTING, REPLACING AN EXISTING VEHICLE SERVICE STATION ON THE PROPERTY LOCATED AT 1119 SEPULVDA BOULEVARD (Jiffy Lube)

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

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

- A. The Planning Commission of the City of Manhattan Beach considered an application for a use permit amendment to allow construction of a 2,706 square foot automotive lube service station replacing an existing service station on the property legally described as Lots 1,2 & 3, Block 3, Tract 142 located at 1119 Sepulveda Boulevard in the City of Manhattan Beach.
- B. The applicant for the subject project is Jiffy Lube, the owner of the property.
- C. The applicant requests an Amendment to existing Resolution No. BZA 83-21 which governed the demolished service station use.
- D. The project is Categorically Exempt (Class 2, Section 15302) from the requirements of the California Environmental Quality Act (CEQA) since it involves a replacement of an existing service station facility.
- E. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- F. The property is located within Area District I and is zoned CG Commercial General. The surrounding private land uses consist of CG, CL (Commercial Local), and RS (Residential Single-Family).
- G. The General Plan designation for the property is General Commercial.
- H. Approval of the conversion of the existing service station use from gasoline/mini-market service to oil change service, subject to the conditions below, will not be detrimental to the public health, safety or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City as detailed in the project Staff Report.
- I. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- J. The service station conversion will not create adverse impacts on, nor be adversely impacted by, the surrounding area, or create demands exceeding the capacity of public services and facilities.
- K. Dedication of a 6 foot strip of property is necessary for traffic improvements to the adjacent portion of Sepulveda Boulevard. This dedication is acceptable as an alternate to dedicating for a right-turn pocket entrance improvement for the site.
- L. This Resolution is intended to incorporate and supersede all previous use permit approvals for the subject restaurant operation including Resolution No. BZA 83-21.

EXHIBIT C
PC 119. 11/9/11

RESOLUTION NO. PC 98-33

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

Site Preparation / Construction

1. * The project shall be constructed and operated in substantial compliance with the submitted plans as reviewed by the Planning Commission on September 23, 1998. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission excepting: revision of roof material to mission tile including related details,
2. 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.
3. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility connections in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department.
4. During building construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.
5. The siting of construction related equipment (job site offices, trailers, materials, etc.) shall be subject to the approval from the Director of Community Development prior to the issuance of any building permits.
6. A site landscaping plan 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. This plan shall be prepared by a licensed landscape architect, as required by state law. Plant sizes installed shall be consistent with the rendering reviewed by the Planning Commission on September 23, 1998.
7. A low pressure or drip irrigation system shall be installed in the landscaped areas, which shall not cause any surface run-off under normal operating conditions. Details of the irrigation system shall be noted on the landscaping plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments.
8. * Project driveway entrances shall be constructed or modified in conformance with the requirements of the Public Works Department and Caltrans.
9. * Security lighting for the site shall be provided in conformance with Municipal Code requirements including 12 foot maximum height light standards and glare prevention design.
10. * An irrevocable offer of dedication of the easterly 6 foot wide strip of the site abutting Sepulveda Boulevard shall be provided prior to issuance of project building permits, subject to the review and procedures of the Public Works Department.
11. * The project building's roof shall be revised to be a tile material compatible with the existing building located at the opposite corner of Sepulveda and Manhattan Beach Boulevards subject to Community Development Department review.

RESOLUTION NO. PC 98-33

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Operational Restrictions

1. * The facility shall operate as a lube service station use. Smog testing and any other auto maintenance use shall be incidental to the primary lube service. Mechanical car lifts shall be prohibited. Retail, personal service, and food and beverage sales shall be prohibited except for a maximum of 3 vending machines.
2. * Vehicle service and storage of vehicles or materials outside of the building shall be prohibited.
3. * Test-driving of customer vehicles shall be limited to Sepulveda Boulevard, Manhattan Beach Boulevard, and other commercial streets.
4. * The facility shall maintain compliance with a waste disposal/recycling program for oil and other vehicle waste, which shall be subject to Public Works Department approval.
5. * A covered trash enclosure(s), with adequate capacity shall be provided on the site subject to the specifications and approval of the Public Works Department, Community Development Department, and City's waste contractor.
6. * A covered trash enclosure(s), with adequate capacity shall be available on the site subject to the specifications and approval of the Public Works Department, Community Development Department, and City's waste contractor. A trash and recycling plan shall be provided as required by the Public Works Department.
7. * The site shall allow reciprocal vehicle access with adjacent properties for any future City approved project upon which a similar reciprocal access condition is imposed. Such access shall be through the site's parking lot and driveways. The Parking lot Configuration shown on the subject plans shall be modified (at the expense of the subject property owner) at the time of implementation of the reciprocal access condition of the project.
8. * Parking shall be provided in conformance with the current Manhattan Beach Municipal Code. Future parking lot modifications for the purposes of providing reciprocal access to the neighboring commercial property, and any parking requirement modifications that are warranted, shall be subject to approval of the Planning Commission in association with its review of the neighboring project.
9. * The facility operator shall prohibit employees from parking personal vehicles on the surrounding public streets. Employees must park on-site or be transported to the site from other off-street parking facilities subject to Community Development Department approval. As a minimum, the owner of the buildings shall include prohibitions against employee parking on local streets in any lease and/or rental agreements. Prior to building permit issuance, a written employee parking program shall be submitted for Community Development Department approval.
10. * All signs shall be in compliance with the City's Sign Code. Pole signs and internally illuminated awnings shall be prohibited.
11. * Noise emanating from the site shall be in compliance with the Municipal Noise Ordinance. No smog testing services shall be provided on the site until a noise analysis of said process by an acoustical expert is provided verifying city noise ordinance compliance subject to Community Development Department review.
12. * Hours of operation shall be limited to 6am to 9pm daily. Delivery and pick-up hours shall be limited to 7:30am to 6pm daily.
13. Any outside sound or amplification system or equipment is prohibited.

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14. The operation shall comply with all South Coast Air Quality Management District Regulations and shall not transmit excessive emissions or odors across property lines.
15. The operation shall remain in compliance with all Fire and Building occupancy requirements at all times.
16. The management of the facility shall police the property and all areas immediately adjacent to the business during the hours of operation to keep it free of litter.
17. The operator of the facility shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject business.
18. * No waste water shall be permitted to be discharged from the premises. Waste water shall be discharged into the sanitary sewer system. A clarifier(s) shall be installed and maintained to capture the first flush (1/10 inch) of rain run off and of sufficient capacity to capture any oil product spillage before entering the storm drain system subject to review by the Public Works Department.

Procedural

19. All provisions of the Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
20. This Use Permit shall lapse two years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code.
21. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.
22. The applicant agrees, as a condition of approval of this project, to pay all reasonable legal and expert fees and expenses of the City of Manhattan Beach, up to \$20,000, in defending any legal action brought against the City within 90 days after the City's final approval of the project, other than one by the Applicant, challenging the approval of this project, or any action or failure to act by the City relating to the environmental review process pursuant to the California Environmental Quality Act. In the event such a legal action is filed against the City, the City shall estimate its expenses for the litigation Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.
23. At any time in the future, the Planning Commission or City Council may review the Use Permit for the purposes of revocation or modification. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.

RESOLUTION NO. PC 98-33

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

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of September 23, 1998 and that said Resolution was adopted by the following vote:

AYES: Blanton, Dougher, Kaplan,
Kirkpatrick, Chairman Milam.

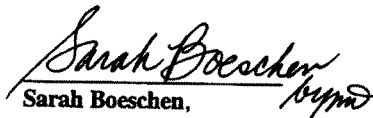
NOES: None

ABSTAIN: None

ABSENT: None



RICHARD THOMPSON,
Secretary to the Planning Commission



Sarah Boeschen,
Recording Secretary

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Angelica Ochoa

From: Marc Strange <mstrange@intelisyn.com>
Sent: Wednesday, November 02, 2011 10:09 AM
To: Angelica Ochoa
Subject: Proposed Development - 1030 Manhattan Beach Blvd.
Attachments: 1043 11th Street at Property line of Proposed Development.pdf; goggle map 1043 11th Street.pdf

Angelica

Thanks for meeting with me on 10.31.11 to review the proposed development at 1030 Manhattan Beach Blvd. (New Pre-School). My residence, 1043 11th Street, borders the eastern third of the south property line of 1030 Manhattan Beach Blvd. (see goggle photo attached). At this time I have no conceptual concerns with the proposed development given the level of detail provided at the counter. However, I would like to make sure some issues are addressed relative to my adjoining property prior to "resolving the issue in the field" during construction. In review of the documents provided by the City, it appears that the survey point taken on my property are elevations of my north planter. Although this may be considered a legal elevation my larger concern is that the structural engineer for the project realizes this is not "grade" for my property and thus utilize this elevation when calculating any loading (surcharge, means and methods of shoring/piles, final loading, etc.). Also to be aware that within 7 and 13 feet of the property line I have a pool and spa. Again, I only bring this up so as to prevent the final design, and in turn the means and methods to comply with that design, from adversely and/or subsequently damaging the existing hardscape and water features on my property. I would like to reserve the opportunity to review the final shoring plan and footings relative to the basement and construction directly adjacent to my north property line. Thanks, it looks like a good project and a welcome refreshment to the existing site. All my information is below if you need to contact me.

Marc Strange | Principal

Intelisyn | 2281 W 190th Street, Suite 100 Torrance, CA 90504
O: 310.939.7777 ext 1110 C: 310.614.6377

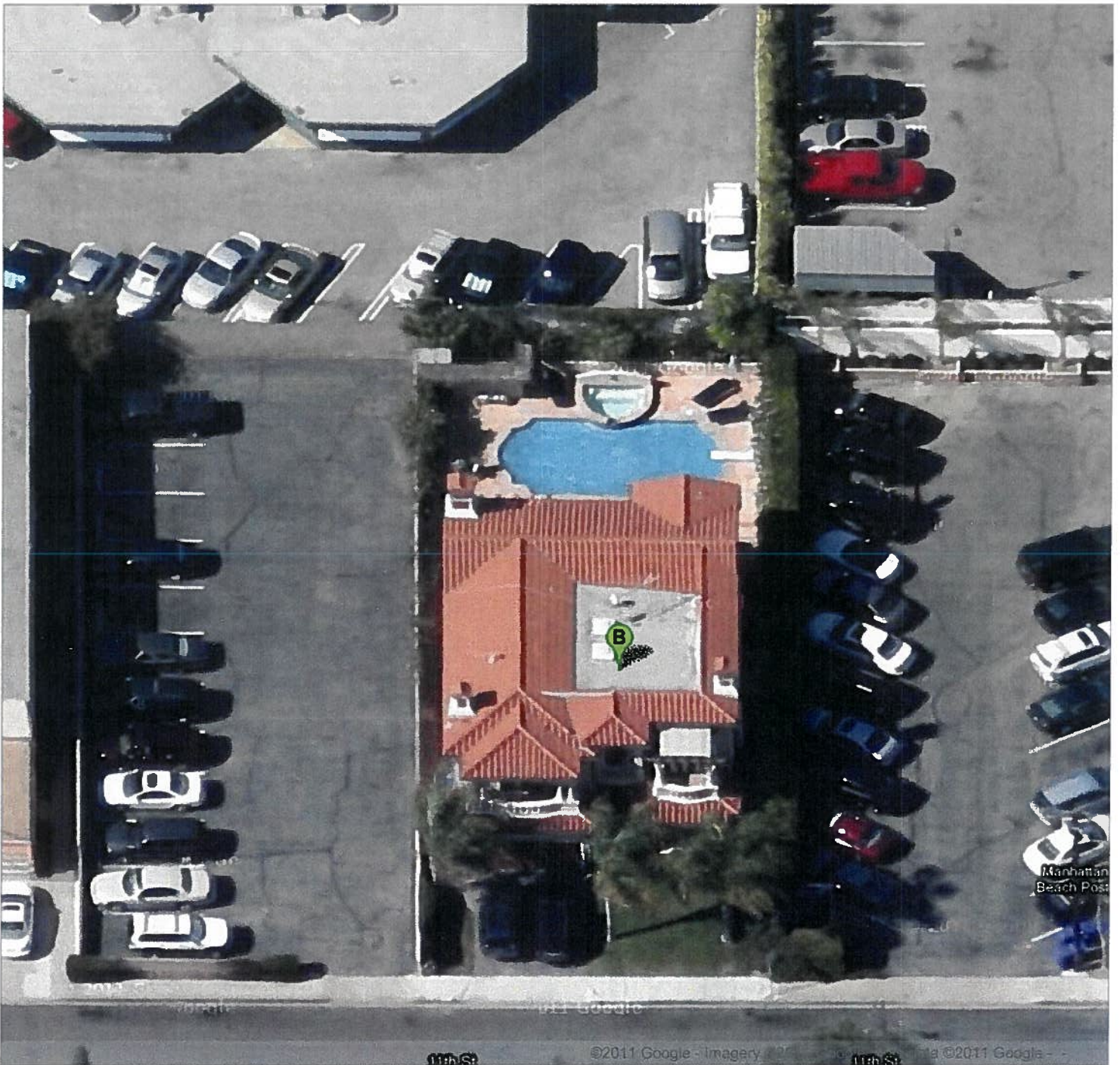
Warning: This message is intended for the use of the person or entity to which it is addressed and may contain information that is privileged and confidential, the disclosure of which is governed by applicable law. If the reader of this message is not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this information is STRICTLY PROHIBITED. If you have received this message in error, please notify us immediately by calling 310.939.7777 and destroy the related message.







To see all the details that are visible on the screen, use the "Print" link next to the map.



A Enter location or right-click on map

Map data ©2011 Google



PACIFIC DEVELOPMENT

1120 Manhattan Beach Blvd., Suite 101

Manhattan Beach, CA 90266 • 310-546-6265 • FAX- 310 546-6275

November 1, 2011

Angelica Ochoa
Planning Department
City of Manhattan Beach
1400 Highland Avenue
Manhattan Beach, CA 90266

RE: Use Permit for 1030 Manhattan Beach Boulevard

Dear Ms. Ochoa,

My office is at 1120 Manhattan Beach Boulevard and since I live in the Tree Section I drive by the subject property at least twice a day.

The morning and evening traffic on East bound Manhattan Beach Boulevard is backed up well past the subject property and many times past Dianthus Street. The morning drop off and evening pick up for a preschool will certainly add to this existing congestion. Since there is no left turn at this site from West bound traffic on Manhattan Beach Boulevard and no U-turn at Dianthus Street it will be very difficult for this traffic to enter the site without congesting the neighborhood to the south.

This type of use does not seem appropriate for this site, especially a preschool of this size and capacity.

I trust you have required a traffic study and maybe there is some magical solution to the traffic problem that will certainly be created. I am anxious to see the report.

My opinion is that the use should be denied.

Sincerely,

Thomas H. Corley

cc: Richard Thompson, Director of Community Development/file

Angelica Ochoa

From: Jack Rydell
Sent: Tuesday, October 25, 2011 1:08 PM
To: Angelica Ochoa
Subject: RE: Chalk School Traffic Comments

Hi Angelica,

The following are my comments regarding the Chalk School project.

- The developer should be conditioned to install a "STOP" sign and "STOP" pavement marking at the project location access driveway to Manhattan Beach Boulevard. The sign and marking should be per Caltrans standards and the location and installation details be approved by the City Traffic Engineer.
- The developer should be conditioned to sign and mark the on-site accessible parking space per Caltrans Standard Plans A90A and A90B, 2010 or current edition. The space should be van accessible.
- It is anticipated that Manhattan Beach Boulevard may have bike lanes installed in the future that will include parking restrictions on both sides of the roadway. This could affect on-street availability in front of the subject development and eliminate the potential for parking or drop-off/pick-up activities that require motorists to leave their vehicles and access the development.
- The project description indicates that there will be 6 full-time and up to 2 part-time staff. Considering the 16 available unrestricted off-street parking spaces (17 total spaces with one accessible parking space), there is a concern that there will be insufficient on-site parking to accommodate drop-off and pick-up activities. This may result in either staff or parents parking on nearby streets, possibly affecting the ability of residents to park adjacent to their homes.

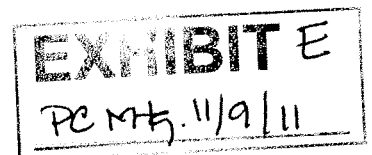
Jack Rydell
Traffic Engineer

P: (310) 802-5515
E: jrydell@citymb.info



Please consider the environment before printing this email.

From: Angelica Ochoa
Sent: Thursday, October 20, 2011 4:52 PM
To: Jack Rydell
Cc: Jack Rydell (JACKRYDELL@CAAPROFESSIONALS.COM)
Subject: Chalk School Traffic Comments



Hi Jack,

Can you please give me your comments for Chalk School at 1030 Manhattan Beach Boulevard? I don't have any comments from you. Next Tuesday, October 25, 2011 would be good or are you coming in Thursday, October 20, 2011?

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

TO: See distribution below

FROM: Angela Soo, Executive Secretary
(Planner to be determined)

DATE: August 3, 2011

SUBJECT: Review Request for Proposed Project at:

1030 MANHATTAN BEACH BLVD.

**Use Permit / demo exstg. 4500sf comml. Bldg./ construct new
7000sf preschool w/playground & 17 car parking lot**

1) RIGHT TURN ONLY ONTO
MBB

2) IT WILL HELP TO HAVE A
S/S ON THEIR PROPERTY

Angela

ng Division.
fic
porated into
primarily
ance.

onclude

sary):

Yes / No Building Div.
Yes / No Fire Dept
Yes / No Public Works (Roy)
Yes / No Engineering (Steve F)
Yes / No Waste Mgmt (Anna)
Yes / No Traffic Engr.(Jack)

Yes / No City Attorney
Yes / No (Police Dept.:
Traffic
 Detectives
 Crime Prevention
 Alcohol License (Chris Vargas)

Handwritten signature and date: 8/2/11

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

TO: See distribution below

FROM: Angela Soo, Executive Secretary
(Planner to be determined)

DATE: August 3, 2011

SUBJECT: **Review Request for Proposed Project at:**
1030 MANHATTAN BEACH BLVD.

**Use Permit / demo exstg. 4500sf comml. Bldg./ construct new
7000sf preschool w/playground & 17 car parking lot**

The subject application has been submitted to the Planning Division. Please review the attached material(s) and provide specific comments and/or conditions you recommend to be incorporated into the draft Resolution for the project. Conditions should be primarily those which are not otherwise addressed by a City Ordinance.

If no response is received by **AUGUST 12, 2011** we will conclude there are no conditions from your department.

Comments/Conditions (attach additional sheets as necessary):

1. ALL WORK IS TO FULLY COMPLY WITH 2010 CBC, CMC, CPC, CEC, CALIF ENERGY STANDARDS & CAL GREEN CODES WITH APPLICABLE CITY OF MANHATTAN BEACH AMENDMENTS.
2. COMPLY WITH "SUSUMP" GUIDELINES FOR PARKING LOT.

Yes / No Building Div.

Yes / No Fire Dept

Yes / No Public Works (Roy)

Yes / No Engineering (Steve F)

Yes / No Waste Mgmt (Anna)

Yes / No Traffic Engr.(Jack)

Yes / No City Attorney

Yes / No Police Dept.:

___ Traffic

___ Detectives

___ Crime Prevention

___ Alcohol License (Chris Vargas)

(REFER TO ATTACHED LIST FOR ADDITIONAL COMMENTS)

1030 MBB

3. CHECK EXITING Requirements For
LOWER LEVEL CLASS ROOMS -
ENSURE THAT EXITS LEAD TO PUBLIC
WAY

EXITING

4. check Requirements AS LISTED
IN TABLE 1015.1, 1016.1 & 1018.1.
5. check EXIT ARRANGEMENTS PER SECTION
1020.2.

6. check EXIT Discharge Protection
& WIDTH TO PUBLIC WAY

7. ENSURE FULL DISABLE ACCESS

8. ENSURE PLUMBING FIXTURES comply
WITH TABLE 4-1 & TABLE 'A' OF
2010 CPC

City of Manhattan Beach
Department of Public Works
Memorandum

AO

To: Angela Soo, Planning Division Secretary
Through: Jim Arndt, Director of Public Works *SJ frv JA*
From: Steve Finton, City Engineer *SK*
Roy Murphy, Public Works Inspector (310) 802-5306 *RVM*
3621 Bell Avenue, Manhattan Beach CA 90266
Subject: 1030 Manhattan Beach Blvd.
Date: August 22, 2011

Entered on
Page or
Sheet #

ALL THE PUBLIC WORKS NOTES AND CORRECTIONS MUST BE PRINTED ON THE PLAN. NO EXCEPTIONS.

This property was inspected by Public Works staff on August 22, 2011 and the following items are required and must be added to the plans. Indicate location of correction on blanks at left.

- _____ 1. This is a SUSMP project and an Operating and Maintenance Agreement Form regarding on-site storm water pollution BMP's and mitigation devices must be completed and submitted to the City before a building or grading permit is issued.
- _____ 2. All landscape irrigation backflow devices must meet current City requirements for proper installation.
- _____ 3. No discharge of construction wastewater, building materials, debris, or sediment from the site is permitted.
- _____ 4. A property line cleanout must be installed on the sanitary sewer lateral. **The sewer lateral must stay with in the job sites property lines.** See City Standard Plan ST-5. Cleanout must be added to the plumbing plan.
- _____ 5. A backwater valve is required on the sanitary sewer lateral if the discharges from fixtures with flood level rims are located below the next upstream manhole cover of the Public sewer. See City Standard Plan ST-24. Must be shown on the plan if applicable.
- _____ 6. If any existing sewer lateral is used, it must be televised to check its structural integrity. The tape must be made available for review by the Public Works Department. The Public Works Department will review the tape and determine at that time if the sanitary sewer lateral needs repairing, replaced, or that it is structurally sound and can be used in its present condition. The lateral must not be cleaned before it is video taped.
- _____ 7. A mop sink must be installed and shown on the plumbing plan.
- _____ 8. Commercial enterprises must comply with the National Pollution Discharge Elimination System (NPDES) clean water requirements. Discharge of mop water, floor mat washing, trashcan cleaning and washing out trash enclosures into the street or storm drain system is prohibited. M.B.M.C. 5.84.060, 5.84.090.
- _____ 9. Any unused water or sanitary sewer laterals must be shown on the plans and abandoned at the City main.

- _____ 10. 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.**
- _____ 11. Commercial establishments are required, by municipal code 5.24.030 (C)(2) to have a sufficient refuse and recycling storage space to enclose a commercial lift container(s). The refuse storage space or facility must be screened from public view and be either constructed within the building structure or in a screened enclosure on private property. Please read the code section for further clarification
- _____ 12. 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%.
- _____ 13. The sidewalk must be replaced from the west property line to the east property line and shown on the plans.
- _____ 14. Water meters shall be placed near the property line and out of the driveway approach whenever possible. Water meter placement must be shown on the plans.
- _____ 15. 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.
- _____ 16. Backflow preventers for fire and domestic water services must be installed per Public Works Department requirements.
- _____ 17. 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.
- _____ 18. All 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.
- _____ 19. 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.
- _____ 20. Plan holder must have the plans rechecked and stamped for approval by the Public Works Department before the building permit is issued.

cc: Roy Murphy