



Agenda Item #: 06/0815.13

Staff Report

City of Manhattan Beach

TO: Honorable Mayor Ward and Members of the City Council

THROUGH: Geoff Dolan, City Manager

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

DATE: August 15, 2006

SUBJECT: Consideration of Planning Commission Approval of a Use Permit to Allow a Proposed New 5,800 Square Foot Retail Center Which Includes a Convenience Store with 24-Hour Operation and Alcohol Beverage License, and an Initial Study and Negative Declaration of Environmental Impacts, Located at 1727 Artesia Boulevard

RECOMMENDATION:

Staff recommends that the City Council **CONDUCT** the Public Hearing, **DISCUSS** the proposal and **ADOPT** the attached Resolution.

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

At the July 12, 2006 Planning Commission meeting staff presented a proposal which consist of the demolition of a former gasoline service station which includes a mini-market, and construction of a 5,800 square foot single story retail center which includes a 3,000 square foot convenience store with 24-hour operation and sale of beer and wine. The proposed retail use is permitted in the CG zone; however, because the project would exceed more than 5,000 square feet of buildable floor area and more than 10,000 square feet of land area, and is requesting a new alcohol beverage license, a Use Permit approval is required.

At the Planning Commission meeting of July 12, 2006, the Commission voted (5-0-0) to approve the subject application. At this meeting there were several property owners whose properties abut the subject site that spoke in favor of the project but had concerns about the 24-hour operation, hours of sale for alcoholic beverages until 2:00 a.m. and hours of trash pick-up. Based on these concerns the Planning Commission added the following conditions to the project:

1. Condition #10 – Trash pick-up shall be limited between the hours of 8:00 a.m. to 6 p.m., Monday through Friday, and between 9:00 a.m. to 6:00 p.m. on Saturday.

2. Condition #11 - The hours of operation for the convenience store are 24-hours, 7-days a week with alcohol beverage sales limited between the hours of 6:00 a.m. to midnight.

The City's current trash contract allows trash pick-up between 7:30 a.m. and 6:00 p.m. Because Condition #10 of the Planning Commission Resolution provided more restrictive hours, specifically on weekends, the condition needed to be modified to coincide with the City's trash contract.

Normally this project would be placed on the City Council consent calendar for review. However, since a public hearing is required to amend condition #10, a public hearing was scheduled which also provides the City Council the opportunity to review the entire project. Attached for the Councils review is the Planning Commission report and minutes for the meeting it was considered.

Attachments: A. CC Resolution No. 6055 (available electronically)
B. Planning Commission Minutes, Report, attachments and plans, dated 7/12/06 (available electronically except plans)

cc: Stuart Sackley, Property Owner
Marks Architects, Applicant, Project Architect

RetailCenterCCMemo 8-15-06

RESOLUTION NO. 6055

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MANHATTAN BEACH, CALIFORNIA, APPROVING A USE PERMIT
FOR A 5,800 SQUARE FOOT RETAIL CENTER WHICH INCLUDES A
CONVENIENCE STORE WITH 24-HOUR OPERATION AND ALCOHOL
BEVERAGE LICENSE AT 1727 ARTESIA BOULEVARD

THE CITY COUNCIL OF THE CITY OF MANHATTAN BEACH, CALIFORNIA, DOES
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 a public hearing pursuant to applicable law on July 12, 2006, to consider an application for a Use Permit for the property legally described as Lot 27 and 28 and that portion of Lots 29 and 30, Block 108, Redondo Villa Tract B, located at 1727 Artesia Boulevard in the City of Manhattan Beach.
 - B. The application was filed on November 3, 2005. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
 - C. The applicant/representative for the Use Permit is Marks Architect. The property owner is Stuart Sackley.
 - D. The proposed use is permitted in the CG (General Commercial) Zone subject to a Use Permit approval as the project exceeds more than 5,000 square feet of buildable floor area; more than 10,000 square feet of land area, and is requesting a new alcohol beverage license.
 - E. An Initial Study was prepared in compliance with the provisions of the California Environmental Quality Act (CEQA). Based upon this study it was determined that the project is not an action involving any significant impacts upon the environment, and a Negative Declaration was prepared and is hereby adopted.
 - F. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
 - G. The Planning Commission made the following findings with respect to this application:
 1. The applicant requests approval to build a 5,800 square foot retail center which includes a 3,000 square foot convenience store which will operate 24-hours, 7-day a week with sale of beer and wine.
 2. The project is located in Area District I and is zoned (CG) General Commercial. The properties to the north are zoned single family residential; the property to the east (across Aviation Boulevard) is zone (CG) General Commercial; the properties to the south are located in the City of Redondo Beach, and the property to the west is zoned (CL) Local Commercial.
 3. The General Plan designation for the property is General Commercial.
- Use Permit*
1. The proposed project is located within the (CG) General Commercial district. The proposed would replace an former gasoline service station and the business is in accord with the objectives of this title, and the purpose of the district in which it is located since the project is a commercial zone consistent with Section 10.16.010 of the

Manhattan Beach Zoning Code which states that the district is intended to provide opportunities for commercial retail uses for a full range of retail and service businesses.

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

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

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

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

Goal LU-6/2: Encourage a diverse mix of businesses that support the local tax base, are beneficial to residents, and support the economic needs of the community.

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

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

3. The proposed retail use on an existing commercial site will be in compliance with applicable provisions of the (CG) General Commercial zone, and the required notice, hearing and findings for the Use Permit.
4. The proposed change in use from a gasoline service station to a retail use will not adversely impact nearby properties. The proposed change to the retail use will require a slight increase to the parking demand in the General Commercial zone however it will be accommodated as part of the proposed use. It is not anticipated that the proposed retail use will exceed the capacity of public services and facilities. The Building Division is not opposed to approval of subject request provided that they adhere to all disabled parking requirements and path of travel access, and that restroom compliance is met with current applicable Codes. Minor comments from the Building Division, Fire Department, Police Department, Engineering and Public Works Department will be addressed during regular plan check.

H. This Resolution upon its effectiveness constitutes the Use Permit for the subject site and rescinds the previously approved Resolution No. BZA 89-34 for the gasoline service station/mini-market/self-service car wash.

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

- 1.* The project shall be in substantial conformance with the submitted plans and project description submitted to, and approved by the Planning Commission on July 12, 2006. Any other substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.

- 2.* The project will provide 25 standard parking spaces; 2 compact spaces and 2 disabled parking spaces for a total of 29 on-site spaces.

Convenience Store

- 3.* No tables and chairs shall be placed on the exterior of the building. No outdoor dining is permitted. Any future change from retail uses shall be reviewed by the Traffic Engineer for consistency with the approved Parking Demand Study to ensure compliance with parking requirements.
4. The management of the retail store shall police the property and all areas immediately adjacent to the businesses during the hours of operation to keep it free of litter.
5. The operator of the retail store shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject business.
- 6.* The property owner shall prohibit employees from parking personal vehicles on the surrounding public streets. Owners and employees must park on-site.
- 7.* All signs shall be in compliance with the Sign's Sign Code. The proposed roof top sign located atop the tower element is a prohibited sign that is not permitted. A sign program must be submitted to the Community Development Department for review and approval prior to the issuance of a building permit.
- 8.* 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 to the proximity of the proposed project to the residential properties to the north, the maximum pole heights shall not exceed 20 feet.
9. Any outside sound or amplification system or equipment is prohibited.
- 10.* Routine trash collection on the entire site shall be consistent with the hours that are specified in the City's trash contract (which is currently after 7:30 a.m. and before 6:00 p.m.),

Beer and Wine License

- 11.* The hours of operation for the convenience store are 24-hours, 7-days a week with alcohol beverage sales limited between the hours of 6:00 a.m. to midnight.
12. The property owner shall obtain approval from the Alcoholic Beverage Control Board and shall be in compliance with all conditions of approval.
- 13.* The sale of beer and wine shall be for off-sale consumption shall not be advertised on the exterior of the building. No on-site consumption of alcohol beverage shall be permitted.

Operational Restrictions

- 14.* No outdoor storage shall be permitted on the subject site at any time unless used for construction purposes and approval by the Community Development Department.
15. Prior to issuance of building permit, a construction management plan, relative to construction equipment and storage container(s), shall be provided and approved by the Community Development Department.

- 16.* Delivery hours for all uses shall take place between 7:30 a.m. and 6:00 p.m., Monday through Friday and 9:00 a.m. and 6:00 p.m., Saturday and no deliveries allowed on Sunday and Holidays.

Public Works

17. All landscape irrigation backflow devices must meet current City requirements for proper installation.
18. No discharge of construction wastewater, building materials, debris, or sediment from the site is permitted.
19. 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.
20. 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 is applicable.
21. If any existing sewer lateral is used, it must be televised to check its structural integrity. The tape must be made available or 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.
22. A mop sink must be installed and shown on the plumbing plan.
23. Commercial enterprises must comply with the National Pollution Discharge Elimination System (NPDES) clean water requirements. Discharge of mop water, floor mat washing, trash can cleaning, and washing out trash enclosures into the street or storm drain system is prohibited. MBMC 5.84.060, 5.84.090. Project must meet SUSMP requirements. A suggested BMP for this site would be a system designed to direct the first flush runoff into the landscaping and then to the storm drain system.
24. An unused water or sanitary sewer laterals must be shown on the plans and abandoned at the City main.
25. 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. Drawing 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.
26. 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.
27. Sidewalk, driveway, curb, and gutter repairs or replacement must be completed per Public Works specifications. See City Standard Plans ST-1, ST-2 and ST-3. The plans must have a profile of the driveway, percent of slope on driveway, and driveway elevations.
28. Weekly parking lot sweeping shall be required.

29. A disabled access ramp must be installed on the public sidewalk at the corner. See City Standard ST-9. Ramp must be shown on plans.
30. * The sidewalk must be replaced from the west property line on Artesia Boulevard to the north property line on Aviation Boulevard and shown on the plans.
31. Backflow preventers for fire and domestic water services must be installed per Public Works Department requirements.
32. Water meters shall not be placed in the area of the driveway approach. Water meter placement must be shown on the plans.
33. 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.
34. Erosion and sediment control devices BMP's (Best Management Practices) must be implemented around the construction site to prevent discharges to the street and adjacent properties. BMP's must be identified and shown on the plan. Control measures must also be taken to prevent street surface water entering the site.
35. A 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.
36. Before the utility pole located at the west corner of the lot on Artesia Boulevard can be relocated. Approval from PPIC and City Council and a building permit must be obtained.
37. Plan holder must have the plans rechecked and stamped for approval by the Public Works Department before the building permit is issued.
38. * An 8-foot dedication and improvements shall be required on Aviation Boulevard for future widening of the right-of-way for an additional right-hand turn pocket for traffic traveling west onto Artesia Boulevard to the satisfaction of the City Engineer.

Building Division

39. All paths of travel areas for the remodel/addition shall meet the Disabled Access requirements.
40. All work shall comply with the 2001 California Codes which includes: 1999 National Electrical Code, 1997 Uniform Building Code, 2000 Uniform Mechanical Code and Uniform Plumbing Code.

Fire Department

41. 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

42. Pursuant to Public Resources Code Section 21089 (b) and the Fish and Game Code Section 711.4 (c), the project is not operative, vested, or final until the requiring filing fees are paid.
43. *Assignment.* The permit may be assigned to any qualified person(s) subject to submittal of the following information to the Director of Community Development:
 - a. A complete application and application fee as established by the City's Fee Resolution;

- b. An affidavit executed by the assignee attesting to the assignee's agreement to comply with the terms and conditions of the permit;
- c. Evidence of the assignee's legal interest in the property involved and legal capacity to undertake the development as approved and to satisfy the conditions required in the permit;
- d. The original permittee's request to assign all rights to undertake the development to the assignee; and
- e. A copy of the original permit showing that it has not expired.

- 44. *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.
- 45. *Effective Date.* This Resolution shall become effective when all time limits for appeal as set forth in MBCM Section 10.100.030 have expired.
- 46. All provisions of the Use Permit are subject to review by the Community Development Department six (6) months after occupancy and yearly thereafter.
- 47. 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.
- 48. At any time in the future, the Planning Commission or City Council may review the Planned Development Amendment approval for purposes of revocation or modification. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.
- 49. 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 15th day of August, 2006.

Ayes:
Noes:
Absent:
Abstain:

Mayor, City of Manhattan Beach, California

ATTEST:

City Clerk

APPROVED AS TO FORM:

By 

City Attorney

PLANNING COMMISSION MINUTES

July 12, 2006

Page 6

1 A motion was MADE and SECONDED (Lesser/Bohner) to **ADOPT** the draft Resolution for a
2 Culturally Significant Landmarks Ordinance

- 3
- 4 AYES: Bohner, Cohen, Lesser, Powell, Chairman Schlager
- 5 NOES: None
- 6 ABSENT: None
- 7 ABSTAIN: None

8
9 A motion was MADE and SECONDED (Lesser/Bohner) a recommendation to the City Council
10 carefully evaluate the costs and benefits of adopting a Mills Act program to supplement the
11 Culturally Significant Landmark Ordinance.

- 12
- 13 AYES: Bohner, Cohen, Lesser, Powell, Chairman Schlager
- 14 NOES: None
- 15 ABSENT: None
- 16 ABSTAIN: None

17
18 **PUBLIC HEARINGS**

19
20 **06/0712.1 Consideration of a USE PERMIT to Allow a Proposed New 5,800 Square**
21 **Foot Retail Center Which Includes a Convenience Store With 24 Hour**
22 **Operation and Alcohol Beverage License, and an Initial Study and Negative**
23 **Declaration of Environmental Impacts at 1727 Artesia Boulevard**

24
25 Associate Planner Moreno summarized the staff report. He said that staff has worked with the
26 property owner and architect to arrive at a project that is a compatible use for the property; that
27 provides a unique design for the site; and that mitigates impact to neighboring residential
28 properties. He commented that the proposal would replace a previous gas station and mini mart
29 with a new 5,800 square foot retail center. He indicated that Famima has been identified as one
30 of the tenants of the center, and the remaining two tenant spaces have not been identified. He
31 commented that the proposed structure would be located on the back side of the site which is
32 away from the street which would mitigate the impact to the residential properties to the north.
33 He commented that the Famima convenience store is requesting 24 hour operation and the sale of
34 beer and wine between the hours of 6:00 a.m. and 2:00 a.m. He indicated that 28 parking spaces
35 are required for the site, and 29 are proposed. He indicated that the Engineering Division is
36 requiring an 8 foot dedication to be provided adjacent along Aviation Boulevard to allow for a
37 future right hand turn pocket onto westbound Artesia Boulevard. He said that 8 percent of the
38 site is required to provide landscaping, and 10 percent is proposed. He indicated that two of the
39 four existing driveways to the site would be eliminated with the proposal which would help to
40 increase traffic flow. He commented that the trash enclosure would be housed within the

PLANNING COMMISSION MINUTES

July 12, 2006

Page 7

1 structure and would not be visible from the right-of-way or from the properties to the north. He
2 said that six light poles are permitted at 20 feet in height provided they are a minimum of 25 feet
3 away from residential properties. He indicated that the entrance to the center would be located
4 off of Artesia Boulevard. He indicated that the proposed structure is 5,800 square feet, and the
5 site could have up to 30,000 square feet.

6
7 In response to a question from Commissioner Bohner, Associate Planner Moreno indicated that
8 the parking requirement does include two future retail uses for the other tenant spaces.

9
10 Associate Planner Moreno indicated that the building is permitted a 30 foot height limit provided
11 that there is a roof pitch of 4:12, and any flat area of the roof is limited to 22 feet in height. He
12 indicated that the proposed tower element is the only portion of the building that would be
13 permitted to reach 30 feet. He indicated that the applicants are proposing wall signs, logo signs,
14 and an 11' by 6' foot monument sign. He stated that Famima Corporation is a high end Japanese
15 style convenience store, which is a unique type of retail use for the City. He commented that the
16 store would have seven employees during peak hours and they would be required to park on site.
17 He stated that staff feels the project meets the required findings. He said that notice was
18 provided to the adjacent properties and published in the Beach Reporter. He commented that
19 staff has received comments from several residents, particularly regarding the 24 hour operation.

20
21 In response to a question from Commissioner Lesser, Associate Planner Moreno stated that the
22 previous gas station did have approval of beer and wine sales until midnight. He indicated that
23 staff did not have a concern with expansion of the permitted hours for the sale of alcohol until
24 2:00 a.m. because of the type of business. He said that the Council has approved alcohol sales
25 until 2:00 a.m. for other similar types of businesses in the past. He pointed out that alcohol sales
26 would not be permitted to be advertised on the outside of the building. He stated that drinking of
27 alcohol would also not be permitted on the premises and no tables and chairs would be allowed.

28
29 Director Thompson commented that the Commission can limit further the hours permitted for
30 alcohol sales if they feel appropriate, particularly if they feel there is a concern for the adjacent
31 residential properties. He commented that there is an issue of the trash trucks blocking the flow
32 of traffic if trash pickup is done later when there are more cars. He said, however, that a
33 condition can be imposed if the Commission feels the trash pickup should not occur too early.

34
35 Associate Planner Moreno pointed out that the hours that would be permitted for deliveries to the
36 center would be similar to the hours permitted for construction of 7:30 a.m. to 6:00 p.m. during
37 the week and 9:00 a.m. to 6:00 p.m. on Saturday.

38
39 In response to a question from Commissioner Powell, Associate Planner Moreno said that the
40 applicant has confirmed that the County has approved the cleanup of the existing site.

PLANNING COMMISSION MINUTES

July 12, 2006

Page 8

1
2 Director Thompson commented that the Commission can be assured that the cleaning of the site
3 will be addressed by the appropriate agencies.

4
5 In response to a question from Commissioner Cohen, Associate Planner Moreno indicated that if
6 the proposal is approved, the tenants for the other spaces can be approved administratively
7 provided that they meet the same parking guidelines as a retail use.

8
9 Chairman Schlager opened the public hearing.

10
11 In response to a question from Commissioner Lesser, **Gabriella Marks**, representing Marks
12 Architects, the architect for the project, stated that the tenant operator does not want to deny
13 customers the ability to purchase alcohol between midnight and 2:00 a.m.. She indicated that
14 since alcohol cannot be consumed on the premises they do not feel it would create an impact to
15 the neighbors. She said that they would only sell beer and wine.

16
17 In response to a question from Commissioner Lesser, **Robert Harra**, the leasing agent for the
18 subject property, said that the sale of alcohol is important in order to meet the sales requirements.

19
20 In response to a question from Commissioner Bohner, **Mr. Harra** said that several prospective
21 tenants have shown interest in the other two retail spaces, but a decision has not been finalized.
22 He said that a few cell phone companies and two banks have expressed in locating at the site.

23
24 **Jeff Goodrich**, a resident of Mathews Avenue, indicated that his concerns are that the 24 hour
25 operation would impact the adjacent homes. He commented that they did not particularly have
26 an issue when the gas station was in operation, but they have a concern with a convenience store
27 operating 24 hours. He commented that their bedrooms of the adjoining residents are at the back
28 of their properties and closest to the subject property. He stated that he is also concerned
29 regarding the location of the trash area. He indicated that trash pickup occurs at the neighboring
30 shopping center across Aviation Boulevard every Saturday before 7:00 a.m., and Saturday pickup
31 for the proposed center would create more noise and would definitely disturb the adjoining
32 residents.

33
34 **Eric Sumen**, a resident of the 1700 block of Mathews Avenue, also stated that the hours of trash
35 pickup is a concern. He commented that the retaining wall between the subject site and his
36 property is only 5 or 6 feet high and does not muffle the noise from the intersection of Artesia
37 Boulevard and Aviation Boulevard. He said that his bedroom looks over the proposed location
38 of the trash bin, and he would definitely be impacted by the noise of trash pickup. He
39 commented that he also has a concern with the potential noise impact people driving to the store
40 late at night to purchase alcohol.

PLANNING COMMISSION MINUTES

July 12, 2006

Page 9

1
2 In response to a question from Commissioner Bohner, Director Thompson indicated that the
3 trash bin was originally located in the open area next to Aviation, but was moved inside the
4 structure in order to minimize the impact of noise and odors to the adjacent neighbors. He said
5 that the trash pickup can be restricted from occurring on weekends.

6
7 **Douglas Magua**, a resident of the 1700 block of Mathews Avenue, commented that in addition
8 to the comments of the other neighbors, he indicated that he has a concern with the extended
9 hours of alcohol sales from midnight until 2:00 in the morning. He commented that although the
10 proposed store would not have a sign indicating that they sell alcohol, they would gain a
11 reputation in the community for selling liquor until late hours. He commented that he
12 appreciates that the design of the building would result in most of the noise being directed into
13 the street, however it could still create an impact. He said that he is concerned with the type of
14 clientele that would visit the store during the early morning hours.

15
16 **Stewart Sackley**, the property owner, commented that the site is not in an area where there are
17 many people who turn up their car stereos and create a noise disturbance. He said that the
18 proposed tenant would not be different than 7-Eleven, which is permitted to be open 24 hours.
19 He suggested that the hours for beer and wine be permitted until 2:00 a.m. and then reduced if
20 any complaints are received. He pointed out that construction hours are permitted to begin at
21 7:30 a.m., and the same should apply for trash pickup.

22
23 **Happy Mizutani**, representing the tenant Famima Corporation, said that they made the request
24 to sell alcohol until 2:00 a.m. because that was the limits imposed by the Alcoholic Beverage
25 Commission. He indicated that they do not have any objection to limiting the hours of alcohol
26 sales to midnight.

27
28 Chairman Schlager closed the public hearing.

29
30 Commissioner Lesser stated that he supports the project. He said that he is concerned that there
31 has not been a justification for extending alcohol sales beyond midnight. He said that he would
32 suggest restrictions on the hours of trash pickup similar to construction hours. He indicated that
33 he has concerns about the potential for increased noise caused by the 24 hour operation of the
34 convenience store. He stated, however, that the previous gas station operated 24 hours and there
35 are other businesses in the area that operate 24 hours.

36
37 Commissioner Bohner commented that he is pleased that the City will be one of the locations
38 chosen for Famima to open their unique style of store. He stated that the project meets all Code
39 requirements; is consistent with the General Plan; and would generate less traffic than the
40 previous gas station at the site. He commented that the parking requirement has included the

PLANNING COMMISSION MINUTES

July 12, 2006

Page 10

1 other two units that have not yet been leased. He said that the entrance point and major activity
2 area of the center would be located away from the neighboring residences, as would the lighting.
3 He said that he feels the trash pickup should be restricted to reasonable hours. He said that he
4 would support permitting alcohol sales until midnight, since the applicant does not have an
5 objection.

6
7 Commissioner Cohen said that she is pleased with the project and is happy that the site will be
8 developed after four years of vacancy. She said that adding the Japanese style convenience store
9 will add diversity to the businesses in the City. She said that she would support permitting
10 alcohol sales until midnight. She indicated that she would also support accommodating the
11 residents by restricting the hours of trash pickup later than 7:00 a.m.

12
13 Commissioner Powell said that the project design provides great architectural articulation. He
14 commented that the project meets all Code requirements and environmental regulations. He said
15 that he would also support restricting alcohol sales to midnight and restricting trash pickup hours.

16
17 Chairman Schlager said that he agrees with the comments of the other Commissioners and
18 supports the project. He commented that he feels the architectural design is wonderful.

19
20 A motion was MADE and SECONDED (Powell/Bohner) to **APPROVE** a Use Permit to allow a
21 proposed new 5,800 square foot retail center which includes a convenience sore with 24 hour
22 operation and alcohol beverage license, and an initial study and Negative Declaration of
23 Environmental Impacts at 1727 Artesia Boulevard with the conditions that the hours of alcohol
24 sales be restricted between the hours of 6:00 a.m. and midnight and that trash pickup be restricted
25 between the hours of 8:00 a.m. and 6:00 p.m. Monday through Friday, and 9 a.m. to 6 p.m. on
26 Saturdays.

- 27
28 AYES: Bohner, Cohen, Lesser, Powell, Chairman Schlager
29 NOES: None
30 ABSENT: None
31 ABSTAIN: None

32
33 Director Thompson explained the 15-day appeal period and stated that the item will be placed on
34 the City Council’s Consent Calendar for their review on August 1, 2006.

35
36 **DIRECTOR’S ITEMS**

37
38 Director Thompson stated that the City Council approved the appeal of the American Martyrs
39 sign exception that was previously denied by the Commission.

PLANNING COMMISSION MINUTES

July 12, 2006

Page 11

1 Director Thompson indicated that the Commissioners will be provided with nametags to wear at
2 any City functions they attend.

3

4 **PLANNING COMMISSION ITEMS**

5

6 Commissioner Lesser commented that he was very pleased to attend the opening of the City's
7 new Farmers Market. He said that it takes place every Tuesday from noon until 4:00 p.m. and is
8 a wonderful addition to the community.

9

10 **TENTATIVE AGENDA: July 26, 2006**

11

12 A. Variance for Proposed Addition and Remodel to an Existing Three-Story Single Family
13 Residence at 214 21st Street

14

15 **ADJOURNMENT**

16

17 The meeting of the Planning Commission was **ADJOURNED** at 8:50 p.m. in the City Council
18 Chambers, City Hall, 1400 Highland Avenue, to Wednesday, July 26, 2006, at 6:30 p.m. in the
19 same chambers.

20

21

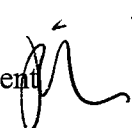
22 _____
23 RICHARD THOMPSON
Secretary to the Planning Commission

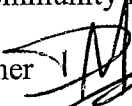
SARAH BOESCHEN
Recording Secretary

06/08/15.13

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

TO: Planning Commission

FROM: Richard Thompson, Director of Community Development 

BY: Daniel A. Moreno, Associate Planner 

DATE: July 12, 2006

SUBJECT: Consideration of a Use Permit for a 5,800 Square Foot Retail Center Which Includes a Convenience Store with 24-Hour Operation and Alcohol Beverage License and an Initial Study and Negative Declaration of Environmental Impacts, Proposed at 1727 Artesia Boulevard

RECOMMENDATION

Staff recommends that the Planning Commission **CONDUCT** the public hearing and **APPROVED** the subject request.

APPLICANT

Marks Architects
2643 Fourth Avenue
San Diego, Ca. 92103

PROPERTY OWNER

Stuart Sackley
4108 The Strand
Manhattan Beach, Ca. 90266

BACKGROUND

The subject site, which has been vacant since July 2002, was formerly occupied by a Mobil gasoline service station which included a self-service car wash, mini-market and surface parking. The project consists of the demolition of all existing improvements on the site and construction of a 5,800 square foot single story building which includes a 3,000 square foot convenience store which proposes 24-hour operation and sale of beer and wine. The proposed retail use is permitted in the CG zone, however, because the project will exceed more than 5,000 square feet of buildable floor area and more than 10,000 square feet of land area, and is requesting a new alcohol beverage license, a Use Permit approval is required.

PROJECT OVERVIEW

LOCATION

Location: 1727 Artesia Boulevard located at the northwest corner of Artesia Boulevard and Aviation Boulevard (see Site Location Map, Exhibit A)

Legal Description: Lot 27 and 28 and that portion of Lots 29 and 30, Block 108, Redondo Villa Tract B, in the City of Manhattan Beach

Area District: I

LAND USE

General Plan: General Commercial

Zoning: CG, General Commercial

Land Use:

	<i>Existing</i>	<i>Proposed</i>
	Former gas station/ Mini-market/car wash	5,800 sq. ft. retail area

Neighboring Zoning/Land Uses:

North,	RS, Residential Single Family
East, across Aviation Blvd.	CG, General Commercial (Mixed Use Commercial Center)
South, across Artesia Blvd.	City of Redondo Beach (Multi-Family Residential)
West,	CL, Local Commercial (General Office Use)

PROJECT DETAILS

	<u>Proposed</u>	<u>Allowed/Required</u>
<u>Parcel Size:</u>	20,717 sq. ft. (after street dedication)	5,000 sq. ft. min.
<u>Building Area:</u>	5,800 sq. ft. (.30)	31,075 sq. ft. (lot area x1.5)
<u>Building Height:</u>	22'- 30' feet*	30 feet*
<u>Parking:</u>	29 spaces	28 spaces

	<u>Proposed</u>	<u>Allowed/Required</u>
<u>Building Setbacks:</u>		
North,	6'	0'
East,	45'	0'
South,	63'	0'
West,	5'-2"	0'
 <u>Landscape Area:</u>		
	2,192 sq. ft. (10% of lot area)	1,657 sq. ft. (8% of lot area)
 <u>Vehicle Access:</u>		
	1 Artesia Blvd. 1 Aviation Blvd.	n/a
 <u>Signage:</u>	237 sq. ft.	290 sq. ft.
 <u>Hours of Operation:</u>		
Convenience Store	24-hours (7-days)	Permitted
Beer and Wine Sales	6:00 a.m. -2:00 a.m. (7-days)	Requires Use Permit

* The maximum allowable building height elevation was calculated using the four corner elevations of the property of 104.62' (S/E - average of 104.46/104.78), 102.62' (N/E), 110.92' (S/W) and 110.31' (N/W). 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 C) shows the proposed building to be located at the northwest corner of the property. The property owner is seeking approval to build a new one-story retail building containing three separate retail uses. The westerly most retail use would contain a 3,000 square foot convenience store which will be operated by the Famima Corporation which brings a Japanese-style convenience store to the community. The other two remaining retail uses have not been identified by the property owner at this time. The project application states that Famima concept is categorized as a convenience store from the perspective of store size and price range, however this highly sophisticated Japanese model provides upscale food and merchandise products and targets not only Japanese but Americans to the Japanese experience. Attached for the Commissions review is a Famima brochure which details the business plan (Exhibit D).

Land Use Compatibility

The existing parcel, which is under a single ownership, consists of a single lot located on the northwest corner of Artesia Boulevard and Aviation Boulevard. This property is zoned (CG) General Commercial and is consistent with areas' General Plan designation of "General Commercial" and allows a retail use on the property.

The properties to the north are zoned residential single family; the property to the east (across Aviation Boulevard) is zoned (CG) General Commercial; the properties to the south (across Artesia Boulevard) are located in the City of Redondo Beach; and the property to the west is zoned (CL) Local Commercial. The properties to the north are developed with one and two story single family residences; the property to the east is developed with a mixed use commercial center; the properties to the south are developed with multi-tenant apartment and condo units; and the property to the west is developed with a two-story office building.

Street Dedication/Utility Pole

The existing property currently contains approximately 21,850 square feet of lot area. The Engineering Division has determined that the project must provide an 8-foot dedication on Aviation Boulevard for the future widening of the right-of-way for an additional right-hand turn pocket for traffic traveling west onto Artesia Boulevard (no schedule at this time). In addition, the project is required to provide an area at the property corner to accommodate a disabled access ramp, pedestrian access area and existing/future street furniture. As a result of these dedications the new parcel size will now contain approximately 20,717 square feet of lot area.

Building Design/Location

The project architect has made substantial efforts to design and create an aesthetically pleasing building with modern forms and high-end materials that represent the contemporary nature of western cities. The structure is designed with extensive natural lighting (see project elevations) which opens the building to the small plaza facing Artesia Boulevard. Complimentary landscaping is also provided which enhances the design of the building. In the evening hours the architect will also choose lighting that highlights the architectural elements and complement the building design.

The building is designed with the frontage facing Artesia Boulevard with parking along Artesia Boulevard and Aviation Boulevard. A pedestrian entry path is provided from the Artesia Boulevard sidewalk and not from Aviation (see attached site plan).

The building as designed will be oriented south towards Artesia Boulevard as well as the building storefront, windows and pedestrian entrances away from the residential uses to the north. Additional windows will be provided on the easterly side of the building but will have no direct pedestrian access. The trash area would be located on the northeasterly side of the building and will be screened from public view. 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 gasoline service station consists of four driveways; two on both Artesia Boulevard and Aviation Boulevard. The project traffic circulation will substantially improve with the elimination of the two existing corner driveways. The two remaining driveways will be reduced in width to provide better parking and traffic circulation.

Landscaping

Municipal Code Section 10.16.030, Minimum Site Landscaping, requires that a minimum of 8% of planting area or 1,657 square feet be provided for the site based on the lot area of 20,717 square feet. The subject site will provide 2,192 square feet of landscaping. Code Section 10.60.070 (D), Design Standards, additionally requires that parking lots adjoining street property lines up to 100 feet in length shall have a 3-foot perimeter landscaping area. Furthermore, 5% of the parking lot area, excluding the perimeter planting strips shall be devoted to interior landscaping areas distributed throughout the parking lot.

In addition to the two 3-foot wide perimeter landscape areas along the southerly and easterly property line boundaries, landscaping is also provided at the outer parking stalls and perimeter areas along the westerly and northerly property lines. (See attached Site Plan).

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 property frontage. On a corner lot “property frontage” is the width of a property measured from one (1) property line to the other along the longest street frontage. In this case, the property frontage is 145 feet in length on Aviation Boulevard; therefore 290 square feet of signage would be permitted. The total sign area proposed for all wall, window and awning sign is 237 square feet.

The applicant has provided staff with a sign program for the site, which includes primary and secondary signage on the south and east sides of the building (see attached Sign Plan, Sheet A3). All business identification signs must obtain review and approval by the Community Development Department prior to issuance of a building permit.

The applicant proposes a non-illuminated sign on top of a proposed roof tower element (see attached Sign Plan, Sheet A3) that is defined as a “roof sign” per MBMC Section 10.72.030. Per MBMC Section 10.72.070, a “roof sign” is prohibited sign, therefore staff has conditioned that that this type of sign will not be permitted.

Parking Lot Lighting

Pursuant to MBMC Section 10.64.170, Lighting, the regulations are intended to ensure that adequate lighting is provided for personal and traffic safety, to protect nearby residential uses from undue glare and, to ensure that the existing low-scale pedestrian friendly character of commercial areas is maintained. Additionally, outdoor parking area lighting shall not employ a light source higher than twenty (20) feet if the light source is

located within 25 feet from a residentially zoned property. The nearest residentially zoned property are located adjacent to the subject site to the north. The submitted lighting and photometric plans (attached, exhibit E) show that six light poles will be located within the parking area. The photometric plans shows that the illumination levels from these poles will average from 1.0 – 13.50 foot-candles. Per MBMC Section 10.64.170 (C (7)), the maximum foot-candles from light poles located within the parking lot, including loading and service areas at any location, shall not exceed 10 foot-candles. All outside lighting will be required to be directed away from the public right-of-way and shall minimize spill-over onto the sidewalks and street. Shields and directional lighting shall also be used where needed. During the building plan check process staff will ensure that the proposed light poles meet all lighting requirements as established under MBMC Section 10.64.170.

Store Operation/Store Deliveries/Alcohol Beverage Sales

The property owner goal is to provide a mix of commercial uses that are compatible with surrounding area. Because the property owner has only secured one tenant at this time, staff can only respond to the proposed use. Future change in uses shall be reviewed by the Traffic Engineer which shall be consistent with the parking demand study approved by the City. The proposed “Famima” convenience store will provide a wide variety of good and services and offer the customer the value and convenience of a true “one-stop” opportunity. This retail store would operate 24-hour seven (7) days a week. Staff points out to the Commission that the previous service station/mini-market use was permitted a 24-hour operation per Resolution No. BZA 89-34 (attached, Exhibit F).

Based on the size of the proposed retail building no loading space is required, however the applicant proposes deliveries hours before 7:00 a.m. Staff has concerns with the proposed hours of delivery as the site is located adjacent to residential use to the north. No information has been provided regarding the size of delivery trucks and the frequency and duration of these deliveries. A condition has been added that deliveries shall take place between the hours of 7:30 a.m. and 6:00 p.m., Monday through Friday, and 9:00 a.m. and 6:00 p.m. and no deliveries allowed on Sunday.

In addition to providing food service the convenience store proposes to sell beer and wine between the hours of 6:00 a.m. and 2:00 a.m. As mentioned above the previous use was permitted a 24-hour, seven (7) days a week operation but limited the sale of beer and wine from 6:00 a.m. to midnight. With the proposed high end retail convenience store staff does not feel that the alcohol beverage sales should be restricted to midnight and therefore have incorporated a condition in the attached Resolution to allow sale of beer between 6:00 a.m. and 2:00 a.m. as requested by the applicant.. No finding of public convenience and necessity is necessary because the site has an existing license.

The “Famima” convenience store will staff 7 employees at its highest shift period. As with all commercial projects all employees will be required to park on-site.

Building Height

The proposed structure will appear as a single story building from all elevations (see Elevation Plans, attached). The proposed building is designed with a tower element and flat parapet roof lines. Per MBMC Section 10.16.030 (F), Maximum Height of Structures, if the roof pitch is at least 4:12 the maximum building height is 30 feet, however, if less than 3:12, then the maximum building height is limited to 22 feet. Because the tower element proposes a roof pitch of 4:12 the building height of that portion of the structure is permitted at a height of 30 feet. The remaining flat roof areas of the building are limited to 22 feet in height. Building height is determined by the average of the four property corners of the property and the average elevation would be at a 107.11' elevation. Therefore, with the average property corner elevation of 107.11' plus 30 feet of height limit, the proposed building tower element is limited to a 137.11' height elevation; the remainder of the building plus a 22 foot height limitation is limited to a 129.11' height limit. The submitted elevation plans (Sheet A3) show that the flat portions of the building will be designed at a height elevation of 1125.91' – 129.11'.

Parking/Traffic Circulation:

The applicant proposes to provide 25 standard parking spaces, 2 compact spaces and 2 disabled access spaces for a total of 29 spaces. The proposed project will provide 5,800 square feet of leasable retail store area. Municipal Code Section 10.64.030, Off-Street Parking Spaces, requires that a retail use provide 1 parking space for the first 5,000 square feet; plus 1 per 250 square feet thereafter, and therefore is required to provide 28 on-site parking spaces ($5,000/200 = 25$ spaces; $800/250 = 3$ spaces; total of 28 spaces).

City Traffic Engineer, Erik Zandvliet, has reviewed the Parking Demand Study (attached, Exhibit G) and found it to be complete and satisfactory. Additionally, the traffic engineer has reviewed the parking plan and determined that the proposed project's layout, parking stalls and dimensions, access and circulation patterns were acceptable. Vehicle access to the site will be provided via two driveways, one on Artesia Boulevard and one on Aviation Boulevard. The two existing driveways located closer to the intersection will be closed which the City Traffic Engineer indicates will improve traffic flow and vehicular movement for the site.

Use Permit Findings

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

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

The proposed project is located within the (CG) General Commercial district. The proposed would replace a former gasoline service station and the business is in accord with the objectives of this title, and the purpose of the district in which it is located since the project is a commercial zone consistent with Section 10.16.010 of the Manhattan Beach Zoning Code which states that the district is intended to provide

opportunities for commercial retail uses for a full range of retail and service businesses.

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

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

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

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

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

Goal LU-6/2: Encourage a diverse mix of businesses that support the local tax base, are beneficial to residents, and support the economic needs of the community.

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

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

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

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

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

The proposed change in use from a gasoline service station to a retail use will not adversely impact nearby properties. The proposed change to the retail use will require a slight increase to the parking demand in the General Commercial zone however it will be accommodated as part of the proposed use. It is not anticipated that the proposed retail use will exceed the capacity of public services and facilities. The Building Division is not opposed to approval of subject request provided that they adhere to all disabled parking requirements and path of travel access, and that restroom compliance is met with current applicable Codes. There were minor comments from the Building Division, Fire Department, Police Department, Engineering and Public Works Department.

Public Input:

A public notice for the project was mailed to the property owners within 500 feet of the site and published in the Beach Reporter newspaper. At the writing of this report, staff has received three phone calls seeking information about the subject proposal. Staff has received minor comments from other department (attached, Exhibit H) but those issues raised are concerns that can be handled as regular building plan check items.

CONCLUSION

Staff recommends that the Planning Commission conduct the public hearing, consider the information presented, and approve the subject Use Permit application subject to the finding and condition in the attached Resolution.

Attachments:

- Exhibit A – Site location Map
- Exhibit B – Initial Study/Negative Declaration
- Exhibit C – Site Plan
- Exhibit D – Famima’s Brochure
- Exhibit E – Site Lighting and Photometric Plan – n/a
- Exhibit F – Resolution No. BZA 89-34
- Exhibit G- Urban Crossroads, Parking Study
- Exhibit H –Comments from Other Departments
- Exhibit I - Project Plans - n/a

n/a – not available electronically

cc: RetailCenterStfRpt 7-12-06

06/08/15.13

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT FOR A 5,800 SQUARE FOOT RETAIL CENTER WHICH INCLUDES A CONVENIENCE STORE WITH 24-HOUR OPERATION AND ALCOHOL BEVERAGE LICENSE AND AN INITIAL STUDY AND NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACTS, PROPOSED AT 1727 ARTESIA BOULEVARD

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

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

- A. The Planning Commission of the City of Manhattan Beach conducted a public hearing pursuant to applicable law on July 12, 2006, to consider an application for a Use Permit for the property legally described as Lot 27 and 28 and that portion of Lots 29 and 30, Block 108, Redondo Villa Tract B, located at 1727 Artesia Boulevard in the City of Manhattan Beach.
- B. The public hearing was advertised pursuant to applicable law, testimony was invited and received.
- C. The applicant/representative for the Use Permit is Marks Architect. The property owner is Stuart Sackley.
- D. The proposed use is permitted in the CG (General Commercial) Zone subject to a Use Permit approval as the project exceeds more than 5,000 square feet of buildable floor area; more than 10,000 square feet of land area, and is requesting a new alcohol beverage license.
- E. An Initial Study was prepared in compliance with the provisions of the California Environmental Quality Act (CEQA). Based upon this study it was determined that the project is not an action involving any significant impacts upon the environment, and a Negative Declaration was prepared and is hereby adopted.
- F. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- G. The Planning Commission made the following findings with respect to this application:

- 1. The applicant requests approval to build a 5,800 square foot retail center which includes a 3,000 square foot convenience store which will operate 24-hours, 7-day a week with sale of beer and wine.
- 2. The project is located in Area District I and is zoned (CG) General Commercial. The properties to the north are zoned single family residential; the property to the east (across Aviation Boulevard) is zone (CG) General Commercial; the properties to the south are located in the City of Redondo Beach, and the property to the west is zoned (CL) Local Commercial.
- 3. The General Plan designation for the property is General Commercial.

Use Permit

- 1. The proposed project is located within the (CG) General Commercial district. The proposed would replace an former gasoline service station 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

'Draft' Resolution No. PC 06-

intended to provide opportunities for commercial retail uses for a full range of retail and service businesses.

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

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

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

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

Goal LU-6/2: Encourage a diverse mix of businesses that support the local tax base, are beneficial to residents, and support the economic needs of the community.

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

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

3. The proposed retail use on an existing commercial site will be in compliance with applicable provisions of the (CG) General Commercial zone, and the required notice, hearing and findings for the Use Permit.
4. The proposed change in use from a gasoline service station to a retail use will not adversely impact nearby properties. The proposed change to the retail use will require a slight increase to the parking demand in the General Commercial zone however it will be accommodated as part of the proposed use. It is not anticipated that the proposed retail use will exceed the capacity of public services and facilities. The Building Division is not opposed to approval of subject request provided that they adhere to all disabled parking requirements and path of travel access, and that restroom compliance is met with current applicable Codes. Minor comments from the Building Division, Fire Department, Police Department, Engineering and Public Works Department will be addressed during regular plan check.

H. This Resolution upon its effectiveness constitutes the Use Permit for the subject site and rescinds the previously approved Resolution No. BZA – 89-34 for the gasoline service station/mini-market/self-service car wash.

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

1. The project shall be in substantial conformance with the submitted plans and project description submitted to, and approved by the Planning Commission on July 12, 2006. Any other substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.

'Draft' Resolution No. PC 06-

2. The project will provide 25 standard parking spaces; 2 compact spaces and 2 disabled parking spaces for a total of 29 on-site spaces.

Convenience Store

3. No tables and chairs shall be placed on the exterior of the building. No outdoor dining is permitted. Any future change from retail uses shall be reviewed by the Traffic Engineer for consistency with the approved Parking Demand Study to ensure compliance with parking requirements.
4. The management of the retail store shall police the property and all areas immediately adjacent to the businesses during the hours of operation to keep it free of litter.
5. The operator of the retail store shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject business.
6. The property owner shall prohibit employees from parking personal vehicles on the surrounding public streets. Owners and employees must park on-site.
7. All signs shall be in compliance with the Sign's Sign Code. The proposed roof top sign located atop the tower element is a prohibited sign that is not permitted. A sign program must be submitted to the Community Development Department for review and approval prior to the issuance of a building permit.
8. 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 to the proximity of the proposed project to the residential properties to the north, the maximum pole heights shall not exceed 12 feet.
9. Any outside sound or amplification system or equipment is prohibited.

Beer and Wine License

10. The hours of operation for the convenience store are 24-hours, 7-days a week with alcohol beverage sales limited between the hours of 6:00 a.m. to 2:00 a.m.
11. The property owner shall obtain approval from the Alcoholic Beverage Control Board and shall be in compliance with all conditions of approval.
12. The sale of beer and wine shall be for off-sale consumption shall not be advertised on the exterior of the building. No on-site consumption of alcohol beverage shall be permitted.

Operational Restrictions

13. No outdoor storage shall be permitted on the subject site at any time unless used for construction purposes and approval by the Community Development Department.
14. Prior to issuance of building permit, a construction management plan, relative to construction equipment and storage container(s), shall be provided and approved by the Community Development Department.
15. Delivery hours for all uses shall take place between 7:30 a.m. and 6:00 p.m., Monday through Friday and 9:00 a.m. and 6:00 p.m., Saturday and no deliveries allowed on Sunday and Holidays.

Public Works

'Draft' Resolution No. PC 06-

16. All landscape irrigation backflow devices must meet current City requirements for proper installation.
17. No discharge of construction wastewater, building materials, debris, or sediment from the site is permitted.
18. 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.
19. 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 is applicable.
20. If any existing sewer lateral is used, it must be televised to check its structural integrity. The tape must be made available or 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.
21. A mop sink must be installed and shown on the plumbing plan.
22. Commercial enterprises must comply with the National Pollution Discharge Elimination System (NPDES) clean water requirements. Discharge of mop water, floor mat washing, trash can cleaning, and washing out trash enclosures into the street or storm drain system is prohibited. MBMC 5.84.060, 5.84.090. Project must meet SUSMP requirements. A suggested BMP for this site would be a system designed to direct the first flush runoff into the landscaping and then to the storm drain system.
23. An unused water or sanitary sewer laterals must be shown on the plans and abandoned at the City main.
24. 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. Drawing 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.
25. 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.
26. Sidewalk, driveway, curb, and gutter repairs or replacement must be completed per Public Works specifications. See City Standard Plans ST-1, ST-2 and ST-3. The plans must have a profile of the driveway, percent of slope on driveway, and driveway elevations.
27. Weekly parking lot sweeping shall be required.
28. A disabled access ramp must be installed on the public sidewalk at the corner. See City Standard ST-9. Ramp must be shown on plans.
29. The sidewalk must be replaced from the west property line on Artesia Boulevard to the north property line on Aviation Boulevard and shown on the plans.

'Draft' Resolution No. PC 06-

30. Backflow preventers for fire and domestic water services must be installed per Public Works Department requirements.
31. Water meters shall not be placed in the area of the driveway approach. Water meter placement must be shown on the plans.
32. 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.
33. Erosion and sediment control devices BMP's (Best Management Practices) must be implemented around the construction site to prevent discharges to the street and adjacent properties. BMP's must be identified and shown on the plan. Control measures must also be taken to prevent street surface water entering the site.
34. A 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.
35. Before the utility pole located at the west corner of the lot on Artesia Boulevard can be relocated. Approval from PPIC and City Council and a building permit must be obtained.
36. Plan holder must have the plans rechecked and stamped for approval by the Public Works Department before the building permit is issued.
37. An 8-foot dedication and improvements shall be required on Aviation Boulevard for future widening of the right-of-way for an additional right-hand turn pocket for traffic traveling west onto Artesia Boulevard to the satisfaction of the City Engineer.

Building Division

38. All paths of travel areas for the remodel/addition shall meet the Disabled Access requirements.
39. All work shall comply with the 2001 California Codes which includes: 1999 National Electrical Code, 1997 Uniform Building Code, 2000 Uniform Mechanical Code and Uniform Plumbing Code.

Fire Department

40. 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

41. This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section 10.100.030 have expired.
42. Pursuant to Public Resources Code Section 21089 (b) and the Fish and Game Code Section 711.4 (c), the project is not operative, vested, or final until the requiring filing fees are paid.
43. *Assignment.* The permit may be assigned to any qualified person(s) subject to submittal of the following information to the Director of Community Development:
 - a. A complete application and application fee as established by the City's Fee Resolution;
 - b. An affidavit executed by the assignee attesting to the assignee's agreement to comply with the terms and conditions of the permit;

'Draft' Resolution No. PC 06-

- c. Evidence of the assignee's legal interest in the property involved and legal capacity to undertake the development as approved and to satisfy the conditions required in the permit;
 - d. The original permittee's request to assign all rights to undertake the development to the assignee; and
 - e. A copy of the original permit showing that it has not expired.
44. *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.
45. *Effective Date.* This Resolution shall become effective when all time limits for appeal as set forth in MBCM Section 10.100.030 have expired.
46. All provisions of the Use Permit are subject to review by the Community Development Department six (6) months after occupancy and yearly thereafter.
47. 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.
48. At any time in the future, the Planning Commission or City Council may review the Planned Development Amendment approval for purposes of revocation or modification. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.
49. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

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

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of **June 12, 2006** and that said Resolution was adopted by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Richard Thompson
Secretary to the Planning Commission

'Draft' Resolution No. PC 06-

Sarah Boeschen
Recording Secretary

RetailCenterRes 7-12-06

VICINITY MAP

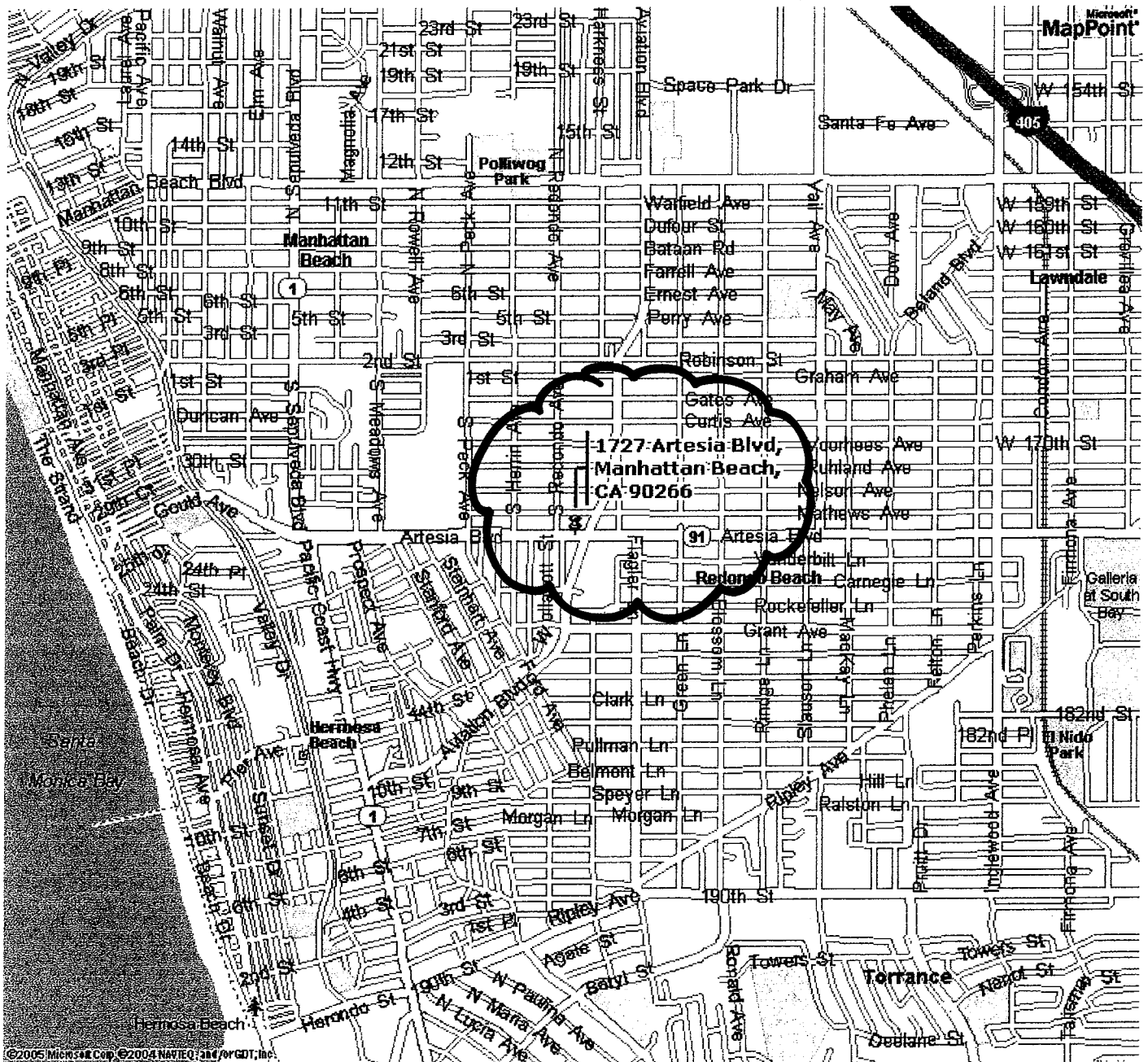


EXHIBIT
A

**CITY OF MANHATTAN BEACH
PROPOSED NEGATIVE DECLARATION**

In accordance with the California Environmental Quality Act of 1970, as amended, and the City of Manhattan Beach CEQA Guidelines, the Community Development Department after conducting an Initial Study found that the following project would not have a significant effect on the environment and that possible environmental impacts have been mitigated and has instructed that this Negative Declaration be prepared.

1. **Project Title:** Artesia Boulevard Retail Center
2. **Project Location:** 1727 Artesia Boulevard
3. **Project Description:** The applicant proposes to construct a 5,800 square foot retail center which includes a 3,000 square foot convenience store with 24-hour operation with beer and wine alcohol beverage license. The proposed retail use will contain surface parking and provide 29 parking spaces as required by Code. The proposed use would replace an abandoned gasoline service station; mini-mart and self service car wash. The project is located in the "CG" General Commercial General Plan area and is zoned "CG" General Commercial. A retail use is permitted in the "CG" zoning district subject to a Use Permit approval
4. **Support Findings:** Based upon the Initial Study, which is attached hereto and made a part hereof, it is the finding of the Community Development Department that the above mentioned project is not an action involving any significant environmental effects.

Prepared by the Community Development Department on June 20, 2006



Richard Thompson, Director of Community Development





ENVIRONMENTAL CHECKLIST FORM

CITY OF MANHATTAN BEACH
COMMUNITY DEVELOPMENT DEPARTMENT

PROJECT INFORMATION

Project Title: Artesia Boulevard Retail Center
Project Location: 1727 Artesia Boulevard
Project Description: Proposed 5,800 square foot retail center which includes a 3,000 square foot convenience store with 24-hour operation and beer and wine alcohol beverage license. The proposed use replaces an abandoned gas station, mini-mart and self-service car wash. The project site will contain surface parking and will provide 29 parking spaces. The project is located within the "General Commercial" General Plan area, and is zoned "CG" General Commercial. A retail use is permitted in the "CG" zoning district subject to a Use Permit approval.

Lead Agency
Name: City of Manhattan Beach, Community Development Dept.
Address: 1400 Highland Avenue, Manhattan Beach, CA 90266
Contact: Daniel Moreno, Associate Planner, (310) 802-5516

Applicant
Name: Marks Architects, Agent for Property Owner
Address: 2643 Fourth Street, San Diego, California, 92103
Contact: Gabriela Marks

Other agencies whose approval is required: Caltrans

LAND USE DESIGNATIONS

General Plan: General Commercial

Local Coastal Program: N/A

Area District: I

Zoning: CG

Surrounding Land Uses and Setting: Properties to the west (adjacent to the subject site are zoned Local Commercial and contain general office and personal services; properties to the north are zoned single-family residential; property to the east (across Aviation Boulevard) is zoned General Commercial and contains a mixed use commercial center, and properties to the south (across Artesia Boulevard), are located in the City of Redondo Beach.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | | | | |
|----------------------------|--------------------------|---------------------------|--------------------------|--------------------------|--------------------------|
| Land Use and Planning | <input type="checkbox"/> | Biological Resources | <input type="checkbox"/> | Aesthetics | <input type="checkbox"/> |
| Population and Housing | <input type="checkbox"/> | Energy/Mineral Resources | <input type="checkbox"/> | Cultural Resources | <input type="checkbox"/> |
| Geological Problems | <input type="checkbox"/> | Hazards | <input type="checkbox"/> | Recreation | <input type="checkbox"/> |
| Water | <input type="checkbox"/> | Noise | <input type="checkbox"/> | Mandatory | <input type="checkbox"/> |
| Air Quality | <input type="checkbox"/> | Public Services | <input type="checkbox"/> | Findings of Significance | <input type="checkbox"/> |
| Transportation/Circulation | <input type="checkbox"/> | Utilities/Service Systems | <input type="checkbox"/> | | |

DETERMINATION (to be completed by the Lead Agency)

On the basis of this initial evaluation:

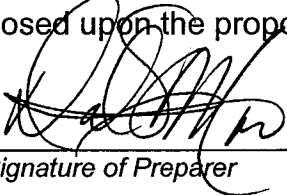
I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the proposed project. A NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a significant effect(s) on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards; and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets, if the effect is a "potentially significant impact" or "potentially significant unless mitigated". An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, there WILL NOT be a significant effect in this case because all potentially significant effects (a) have been analyzed adequately in an earlier EIR pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, including revisions or mitigation measures that are imposed upon the proposed project.



Signature of Preparer

6/20/2006
Date

Daniel Moreno, Associate Planner
Printed Name

Richard Thompson, Director of Community Development
Prepared For

Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

ENVIRONMENTAL IMPACTS

1. Earth. Will the proposal result in:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Unstable earth conditions or in changes in geological substructures? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Disruptions, displacements, compaction or over covering of the soil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Change in topography or ground surface relief features? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. The destruction, covering or modification of any unique geologic or physical features? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Any increase in wind or water erosion of soils, either on or off the site? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Changes in deposition or erosion of beach sand, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Exposure of people or property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: The subject site is currently occupied by a vacant gasoline service station with a structure that contained a mini-market. The remainder of the property is covered with impervious material (paved surface) which contains 8 parking spaces and perimeter landscaping. No significant topography changes other than excavation for the building, which will be located at the northwest portion of the property, therefore changes to the geological substructure, soil, or drainage are not significantly anticipated. Although all of southern California is identified as a seismically active region, there are no known geologic hazards, including faults, present at the project site.

2. Air. Will the proposal result in:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Substantial air emissions or deterioration of ambient air quality? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. The creation of objectionable odors? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Alteration of air movement, moisture, or temperature, or any change in climate, either locally or regionally? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: Preparation of the site may result in short-term exhaust emissions from construction vehicles and dust from temporarily exposed soil. However, these short-term effects will be mitigated through soil watering, compliance with applicable South Coast Air

Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

Quality Management District regulations, and use of emission sensitive equipment practices. Because the site currently contains a gas station removal of the tanks must meet Los Angeles County Public Works and Los Angeles County Fire Department requirements for remediation. The proposed retail use is not anticipated to generate a significant amount of emissions. The 5,800 square foot retail center's emissions will also be incidental compared to the existing gas station use on the site. The proposed project is anticipated to produce a parking demand of 29 which is proposed for the site. The development is expected to draw employees locally from a housing rich urbanized area resulting in shorter than average vehicle trip environment.

3. Water. Will the proposal result in:
- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Changes in currents, or the course or direction of water movements, in either marine or fresh waters? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Changes in absorption rates, drainage patterns, or the rate and amount of surface runoff? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Alterations to the course or flow of flood waters? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Change in the amount of surface water in any water body? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Discharge into surface waters, or in any alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Alteration of the direction or rate of flow of ground waters? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| g. Change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| h. Substantial reduction in the amount of water otherwise available for public water supplies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| i. Exposure of people or property to water related hazards such as flooding or tidal waves? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j. Significant changes in the temperature, flow, or chemical content of surface thermal springs? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: There is no adjacent body of water that will be affected by the project. The Pacific Ocean will continue to receive storm water run-off without a change or affect on the water body. The proposed project will decrease the amount of impervious ground coverage at the site and therefore will improve absorption rates. Storm water will still flow into local storm drains. Compliance with the Public Works Department's guidelines for refuse bins and drainage shall assist in prevention of any adverse alteration of surface water quality. The project would not result in any significant topographical alterations or increase in run-off at the site and therefore the direction and rate of flow of ground water will remain unchanged. There will no significant demand for water generated by the retail use and therefore, there will be no impact on any local aquifer. The City generally experiences only local ponding associated with severe rain storms. The proposed project will not exacerbate flooding conditions at the subject site or in the surrounding area. There are no surface springs in the surrounding area.

4. Plant Life. Will the proposal result in:

	Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, crops, and aquatic plants)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Reduction of the numbers of any unique, rare or endangered species of plants? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Reduction in acreage of any agricultural crop? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: The existing site contains no native plants or agricultural use. Typical landscaping materials are proposed.

5. Animal Life. Will the proposal result in:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms or insects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Reduction of the numbers of any unique, rare or endangered species of animals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Introduction of new species of animal into an area, or result in a barrier to the migration or movement of animals? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Deterioration to existing fish or wildlife habitat? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: There are no known animals existing at the site, nor are any proposed resulting from the development. There are no identified unique, rare, or endangered species on the site or in the surrounding area. No new species or animals will be introduced by the proposed project. There are no fish or wildlife habitat in the area of the project site.

6. Noise. Will the proposal result in:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Increases in existing noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Exposures of people to severe noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

DISCUSSION: There will be short-term increase in noise levels during construction of the retail building. This is a short-term impact that is regulated by applicable City codes and ordinances that limit construction hours and levels of noise of construction equipment to a City designated acceptable level. Parking area is provided on the easterly and southerly areas of the property adjacent to the streets (Artesia Boulevard and Aviation Boulevard) and will be buffered from residential property by the proposed building. Mechanical equipment will be located at the roof of the structure and noise will be buffered by parapet walls as mechanical units must not exceed the allowable building height.

The City's Noise Element shows that the vicinity of Artesia Boulevard and Aviation Boulevard at a noise contour level of 70 db. Motor vehicle noise is the primary source of ambient noise levels in the vicinity of the site. The Noise Element "Land Use Compatibility Matrix" identifies retail com-

Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

mercial uses as "normally acceptable" with a a 70dbsCNEL. This level is judged compatible with surrounding land uses. Compliance with the City's Noise Ordinance will further insure that the surrounding area is not significantly impacted by noise generated by the project.

7. Light and Glare.

- a. Will the proposal produce new light or glare?

DISCUSSION: The project would create new light sources (external and internal lighting). Exterior lighting will be proposed and will be required to be directed and shielded to eliminate any glare potential. New indirect light will be produced by the project primarily in the form of interior space lighting transmitting through windows. Such light is typically not a concern but will be minimized through required lighting efficiency design. A lighting plan will be submitted for review and approval.

8. Land Use.

- a. Will the proposal result in a substantial alteration of the present or planned land use of an area?

DISCUSSION: The proposed retail use is consistent with the Commercial Genreal zone. The proposal complies with the development standards and land use regulations established in the City's Zoning Code and is consistent with the Goals and Policies of the City's General Plan. Consistency with these documents insures that the proposaed project does not represent an incompatible use, nor does it substantially alter the present or planned use of the area.

9. Natural Resources. Will the proposal result in:

- a. Increase in the rate of use of any natural resources?
- b. Substantial depletion of any nonrenewable natural resources?

DISCUSSION: The project will not result in the loss of open space and will not utilize significant amounts of non-renewable resources. Other than use of normal construction mateiars and plantings, no other significant amount of resources will be used as a result of the project. The project would result in an increase of existing water supply, however, the impact of this development is not considered significant since the City's existing water supply can adequately supply this increase.

10. Risk of Upset. Will the proposal involve:

- a. A risk of an explosion or the release of hazardous substances (including, but not limited to oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?
- b. Possible interference with an emergency response plan or an emergency evacuation plan?

	Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

DISCUSSION: There is nothing associated with this project that would result in the release of hazardous materials or create a risk of explosion. Additionally, the project will not interfere with emergency response/vacuation plans.

11. Population.

- a. Will the proposal alter the location, distribution density, or growth rate of the human population of an area?

DISCUSSION: The proposal involves the construction of a retail drug store that would not increase the density or growth rate of human population of the area.

12. Housing.

- a. Will the proposal affect existing housing, or create a demand for additional housing?

DISCUSSION: The proposed project would not affect existing housing units or generate demand for housing. The site has never been designated or intended for residential use, therefore the project does not eliminate any presumed housing opportunities.

13. Transportation/Circulation. Will the proposal result in:

- a. Generation of substantial additional vehicular movement?
- b. Effects on existing parking facilities, or demand for new parking?
- c. Substantial impact upon existing transportation systems?
- d. Alterations to present patterns of circulation or movement of people and/or goods?
- e. Alterations to waterborne, rail or air traffic?
- f. Increase in traffic hazards to motor vehicles, bicycles or pedestrians?

DISCUSSION: 13a,b - The proposed project is a retail drug store, which increases vehicle movement in the area. The vehicle movement creates a demand for new on-site parking spaces and additional movement. However, the project location on a major arterial, would not significantly increase vehicular movements to a point that adversely effects the adjoining streets. Vehicular movement southbound on Aviation will be facilitated as an 8-foot dedication is required for a future right turn lane. Furthermore, the attached projects parking plan analysis from the project traffic consultant indicates that the 29 on-site parking spaces will adequately deal with the parking demand for the proposed use.

The City Traffic Engineer has reviewed the parking analysis which concludes that the retail use would generate 347 fewer daily trips, 9 more AM peak hour trips and 16 fewer PM peak hour trips

Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

than the former gas service station, and therefore would have a lesser impact on the surrounding street system. Additionally, the proposed parking supply of 29 parking spaces will be sufficient to accommodate the demand for the new retail use. The project improves traffic related design of the existing site by eliminating one driveway on both Aviation Boulevard and Artesia Boulevard. The remaining driveway approaches would be moved to align to provide for greater egress/ingress circulation. The overall vehicle and pedestrian circulation design for the project has been reviewed and found to be appropriate for the site.

The traffic associated with site clearance and construction will short-term. All trucks will be required to use routes to/from the project site approved by the City of Manhattan Beach. Construction activities and construction staging area will located entirely within the project site. Therefore, there will not be any increase in traffic hazards to motorist, bicyclists, or pedestrian during construction.

13c,d - The increase in traffic will occur on existing improved streets and would not significantly alter the present circulation pattern. No aspect of the proposal would impede or create a change to existing patterns of circulation of movement of people or goods. Access to the site and surrounding properties would remain unaffected by the subject proposal

13e - There are no waterborne, rails, or air traffic trips on or through the site.

13f - Parking access would take place from two realigned driveways on Aviation Boulevard and Artesia Boulevard. Bicycle and pedestrian movement would be maintained with an existing wide sidewalk area on both Aviation Boulevard and Artesia Boulevard. Once completed, the retail use would not contribute to impacts on traffic hazards to motorist, bicyclists, or pedestrians.

14. Public Services: Will the proposal have an effect upon, or result in a need for new or altered governmental services in any of the following areas:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Fire protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Police protection? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Schools? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Parks or other recreational facilities? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Maintenance of public facilities, including roads? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Other governmental services? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: 14a - The subject site is already served by the City's public services. It is not anticipated that the new use would require additional Fire Department services.

14b - The subject site is already served by the City's public services. It is not anticipated that the new use would create any additional or new demand for police protection by the Manhattan Beach Police Department.

14c - The proposed project would not generate an increase in population nor consequential student population in the City and, therefore, no new schools would be required.

Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--------------------------------	---	------------------------------	-----------

14e - There will be no impact on the maintenance of the road system.

14f - The project is located in an existing urban environment and it is not expected that other governmental services would be impacted by the proposed development.

15. Energy. Will the proposal result in:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Use of substantial amounts of fuel or energy? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Substantial increase in demand upon existing sources or energy, or require the development of new sources of energy? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: The proposed project will not create an increase in demand upon existing energy sources.

16. Utilities. Will the proposal result in a need for new systems, or substantial alterations to the following utilities:

- | | | | | |
|------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Power or natural gas? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Communications systems? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Sewer or septic tanks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Storm water drainage? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f. Solid waste and disposal? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: The proposed project will not result in a need for a new utility system.

17. Human Health. Will the proposal result in:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Creation of any health hazard or potential health hazard (excluding mental health)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Exposure of people to potential health hazards? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

DISCUSSION: The proposed project would not create nor have the potential to create any health hazard.

18. Aesthetics.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Will the proposal result in the obstruction of any scenic vista or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

DISCUSSION: The proposed project will not create any aesthetically offensive view. The proposed retail building is a one story structure with an architectural tower element designed withing the 30 foot height limit. The design and scale of the building is in keeping with similar uses in the surrounding district.

	Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

19. Recreation.

- a. Will the proposal result in an impact upon the quality or quantity of existing recreational opportunities?

DISCUSSION: The proposed project will not impact the quality of quantity of recreational/open space.

20. Cultural Resources.

- a. Will the proposal result in the alteration of or the destruction of a prehistoric or historic archaeological sites?
- b. Will the proposal result in adverse physical or aesthetic effects to a prehistoric or historic building, structure, or object?
- c. Does the proposal have the potential to cause a physical change which would affect unique ethnic cultural values?
- d. Will the proposal restrict existing religious or sacred uses within the potential impact area?

DISCUSSION: The project site has no historical, architectural, ethnic, or religious significance which could be potentially impacted by the commercial development.

21. Mandatory Findings of Significance.

- a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?
- b. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definite period of time while long-term impacts will endure well into the future.)
- c. Does the project have impacts which are individually limited, but cumulatively considerable? (A project may impact on two or more separate resource is relatively small, but where the effect

	Potentially Significant Impact	Potentially Significantly Impact Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
--	--------------------------------	---	------------------------------	-----------

- of the total of those impacts on the environment is significant.)
- d. Does the project have environmental effects which all cause substantial adverse effects on human beings, either directly or indirectly?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DISCUSSION: 21a,b,c,d - The proposed project does not have the potential to degrade the quality of the physical environment including the reduction of fish and wildlife habitats. The project is located within an urban environment with no known sensitive habitats. The project does not contain short-term goals that are being realized to the disadvantage of long term environmental goals. There are no substantial cumulative impacts associated with the project.



1773 ARTESIA BLVD. CA 90266
 MANHATTAN DRAFTING & DESIGN
 PLANNING DEPARTMENT: 17733
 DATE: _____
 REVISIONS: _____
 PLANNING DEPARTMENT: 17733
 4/28
 1773 ARTESIA BLVD. CA 90266
 MANHATTAN DRAFTING & DESIGN



near certified
 www.manhattanfirm.com
 310-316-1000
 2014
 1773

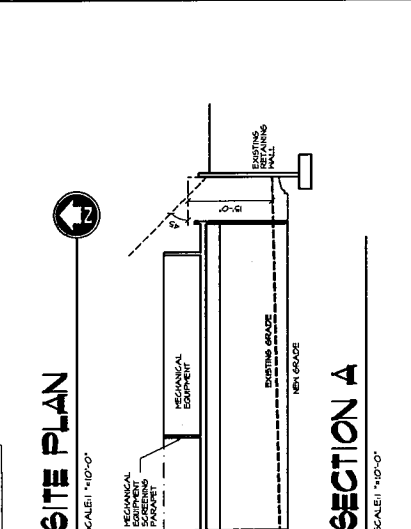
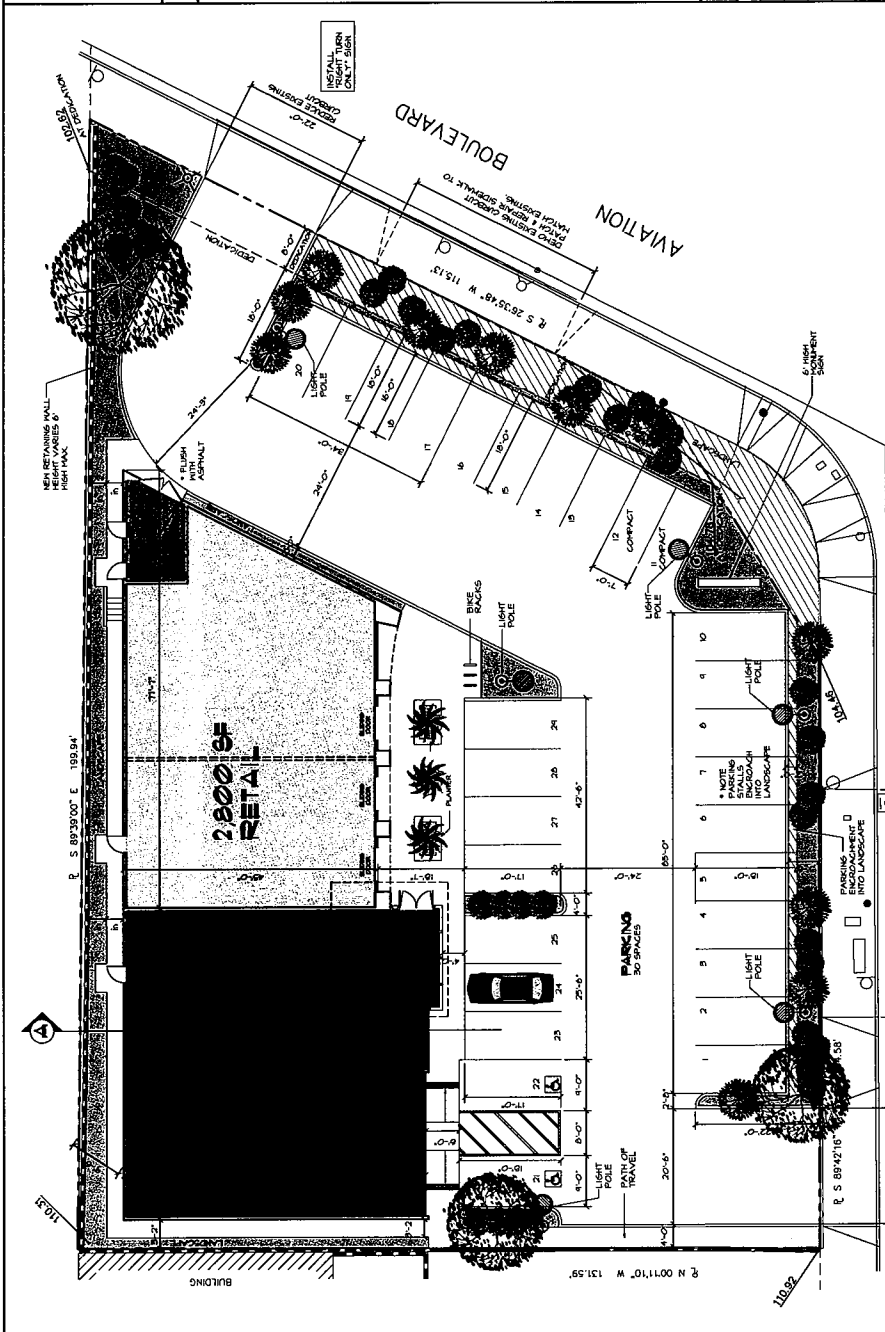
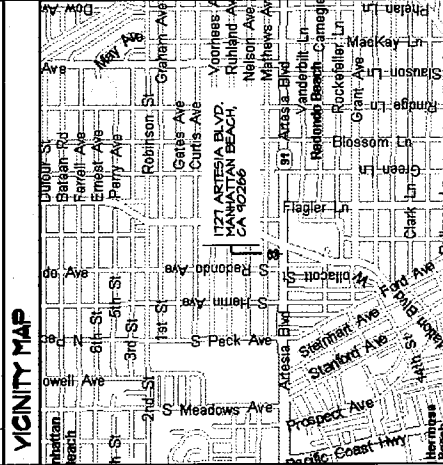
USE PERMIT APPLICATION FOR
RETAIL CENTER
 1727 ARTESIA BLVD.
 MANHATTAN BEACH, CA 90266

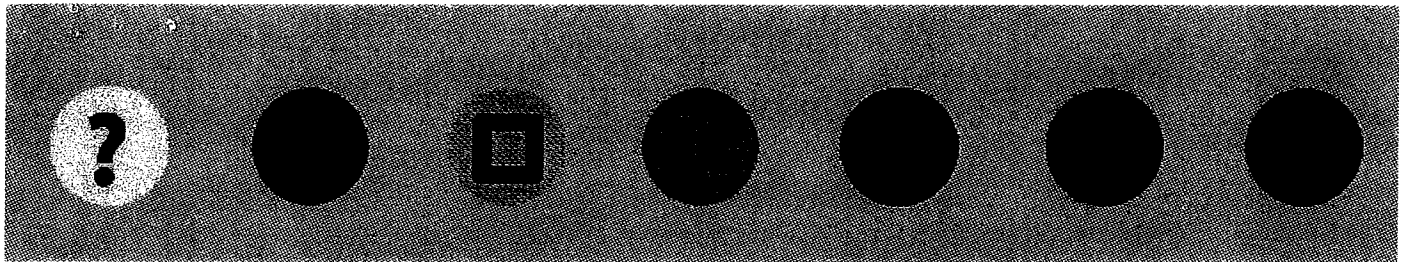
PROJECT DATA

ADDRESS:	1727 ARTESIA BLVD. MANHATTAN BEACH, CA 90266
OWNER:	STUART SAGLEY MANHATTAN BEACH, CA 90266 MOBILE: 310-305-0200
APPLICANT:	MARKS ARCHITECTS 2643 4TH AVE. #200S TEL: 619-752-4418
ZONE:	C6 - COMMERCIAL GENERAL
LOT AREA:	21,800 SF BEFORE DEDICATION
LOT AREA:	20,711 SF AFTER DEDICATION
USE ALLOWED:	YES
SETBACKS:	NONE
PARKING REQUIRED:	1 SPACE PER 200 SF
PARKING PROVIDED:	5800 SF / 200 * 24 SPACES REQUIRED
LANDSCAPE REQUIRED:	8% OF SITE AREA
LANDSCAPE PROVIDED:	1,746 SF REQUIRED
OTHER LANDSCAPE:	2,192 SF
	496 SF

SHEET INDEX

A1	COVER SHEET AND SITE PLAN
A2	ARCHITECTURAL RENDERINGS
A3	BUILDING ELEVATIONS AND NOTES
G1	PRELIMINARY GRADING PLAN
E1	PHOTOMETRIC ANALYSIS





+ Now HIRING for exciting career opportunities!!

OUR STORES

+ Pasadena Raymond 06/05/2006 OPEN!!

+ Torrance

+ Santa Monica

+ Westwood

+ West Hollywood

+ MENU (Panini | Sandwich | Sushi)

+ PRESS RELEASE (06/05/2006)

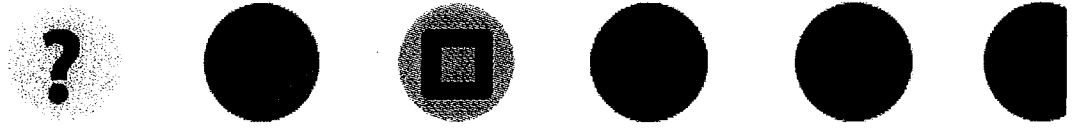
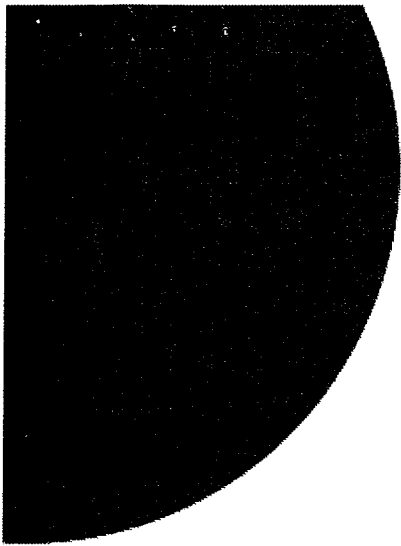
+ REAL ESTATE OPPORTUNITIES (3/10/06)

+ PRESS RELEASE (2/21/2006)

+ PRESS RELEASE (12/13/2005)

+ PRESS RELEASE(06/20/2005)





The best of ALL worlds.

While every consumer deserves the best, the savvy American consumer has developed awareness that commands attention. We are becoming a culture that discards the norm and demands the premium. Rather than settle for the norm, America is a country that values productivity, awareness and innovation. The Famima concept is integration: The best

Differentiation



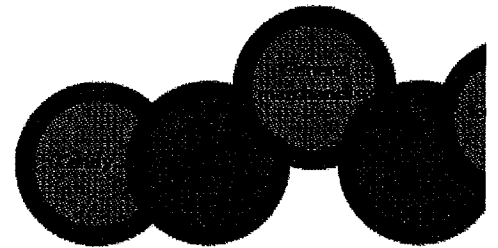
A unique store

Premium products & the Strategic layout with pic category. Unique imported tobacco products.

VS.

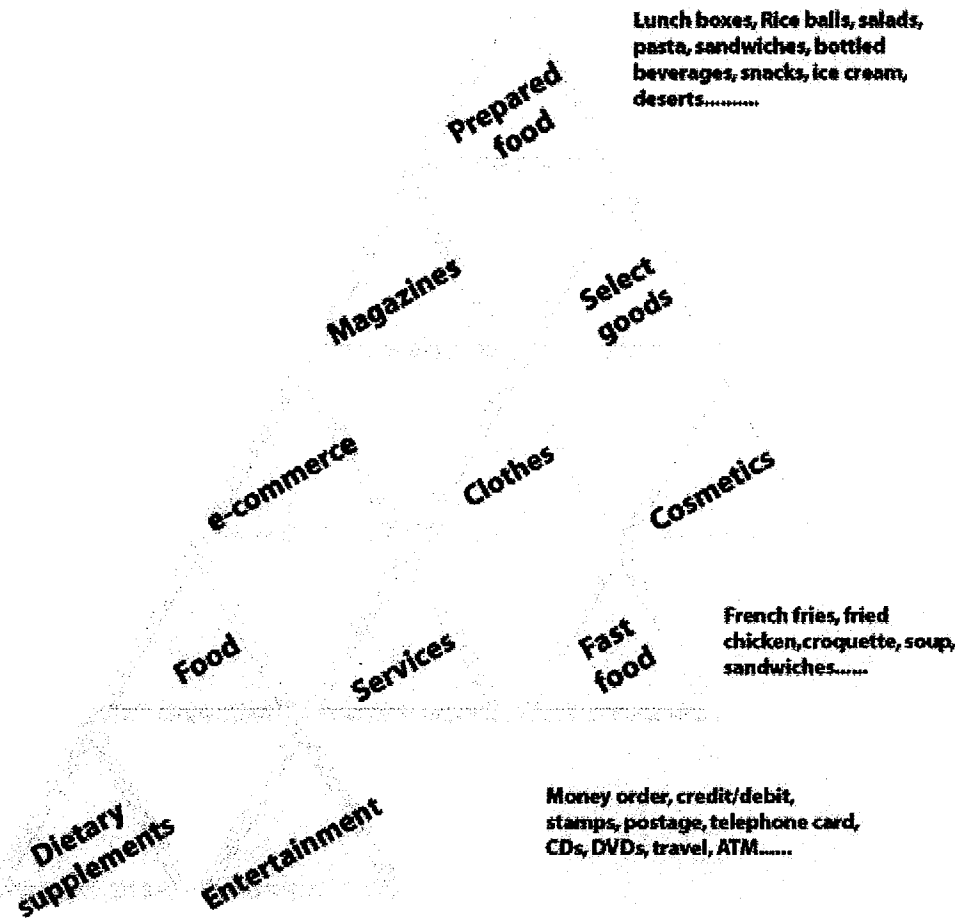
Typical convenience store

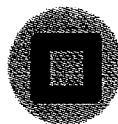
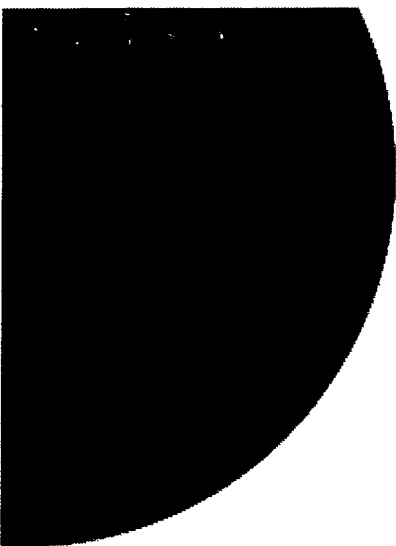
Manufacturer controls display store layout. Layout/display ignores store traffic flow. Processed foods & drinks. cigarettes, beer & wine



Products

Famima is an alternative for the intelligent, concerned or curious customer. A wide variety of both unique and familiar products made available with the primary objective of improving the well-being of the consumer.





Positioning

Anything but typical. Our exciting, sophisticated store concept based on the extremely successful Japanese model, enhanced with upscale delicatessen and premium foods tailored for the savvy American consumer, represents the future shopping experience. It provides the "need," and satisfies the "want."



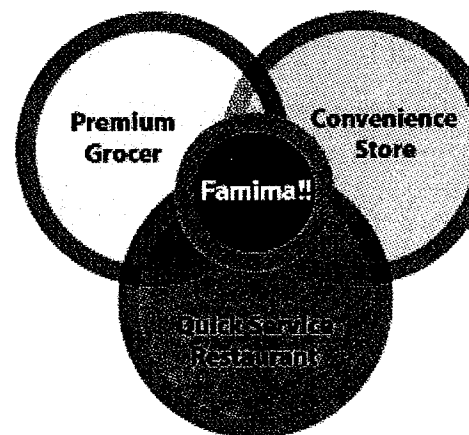
Settling for MORE

High-end food and merchandise that meet everyday needs place Famima!! in the same demographic of specialty markets and retailers, with increased variety and unique access.

POP, HIP, GenX!!

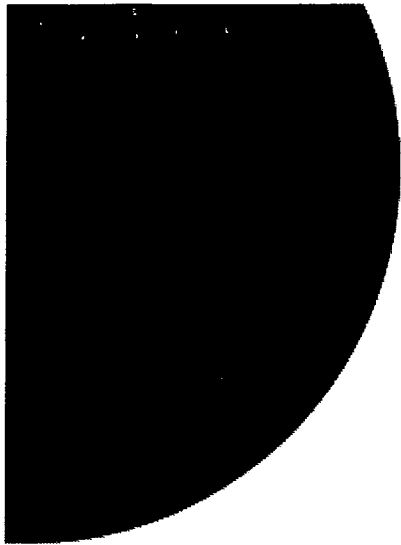
The consumer

Premium goods appeal to all segments of the population: those that have, and those that want. Everyone knows the importance of what we consume. However, everyday needs are often sacrificed to time constraints, accessibility and other short and long-term goals. Famima!! offers the opportunity to experience life's finer things, everyday.



Middle and Upper level incomes
21 - 41 years of age
American and Asian* Communities
Women

*Family Mart is prolific in Asia; subsequently, as an immediate client base, Asian people living and traveling in America are also part of the target consumer group. Ensuring it is understood that Famima!! is the American brand of Family Mart in Asia provides unequivocal credibility.



Famima challenge

Product and Services Strategy for success



- Fresh, delicious, wide variety of products coupled with supreme store sales will be deli-related.



- Tailor a combination of proven international and American prod market.
- Entice premium grocery and quick-service clientele with quality convenience.

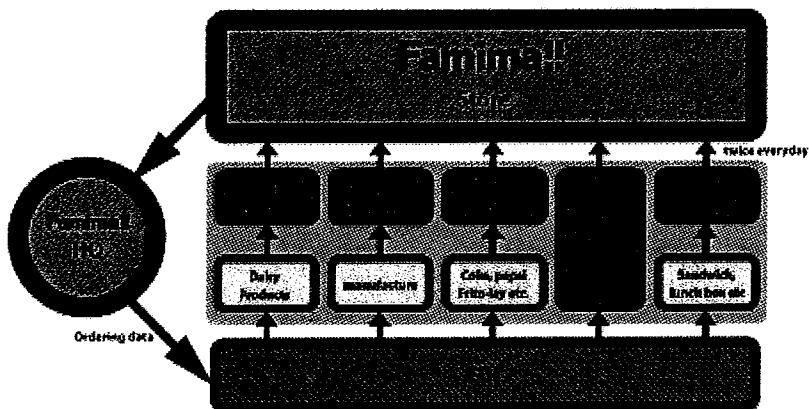


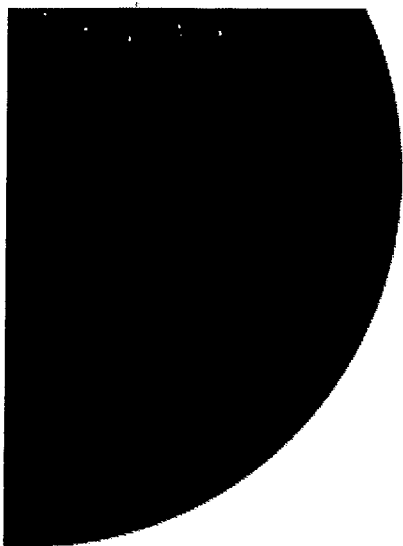
DESIGN, SYSTEMS, TRAINING; SERVICE . . . SUCCESS.

- A wide variety of products organized and displayed for easy, flu understanding.
- Vendor and product delivery systems to ensure fresh, quality g
- Management and staff training with incentive programs to ensu customer service and store image.

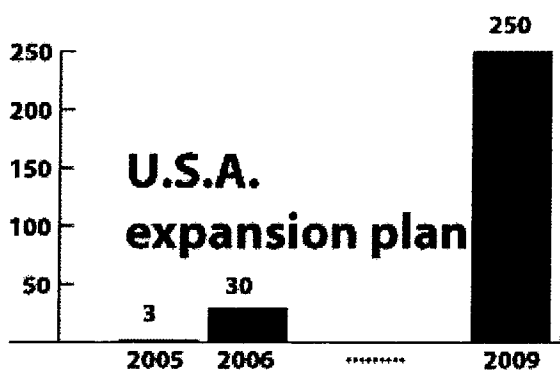
Distribution

Flow A





Full-scale roll-out plan (Fiscal 2006 Roll-Out in L.A. County)



Test store positioning

- Construct
- Test MD
- Operations and attractions.
- Determine services and goods for targeted consumer segment.

Basic strategies

- Establish stores in safe locations.
- Develop a secure, consumer-friendly store environment.

Area with high living standards...

- West L.A. (Santa Monica, West Los Angeles, Westwood, Beverly Hills,
- Brentwood, West Hollywood, Sawtelle.)
- North L.A. (Pasadena, Hollywood)
- South Bay (Torrance, Palos Verdes, Rolling Hills, Beach City)
- South East (Long Beach, Lakewood)

Los Angeles



High traffic streets... intersections leading between main traffic streets and areas.

- Wilshire Blvd., Santa Monica Blvd., P.C.H., La Cienega Blvd., Crenshaw Blvd.

Famima World wide

Korea

Bokwang FamilyMart Co., LTD.

2591 stores

China/Shanghai

Shanghai FamilyMart Co., LTD.

28 stores

Thailand

Siam FamilyMart Co., LTD.

474 stores

Japan

FamilyMart Co., LTD.

5844 stores

Okinawa FamilyMart Co., LTD.

162 stores

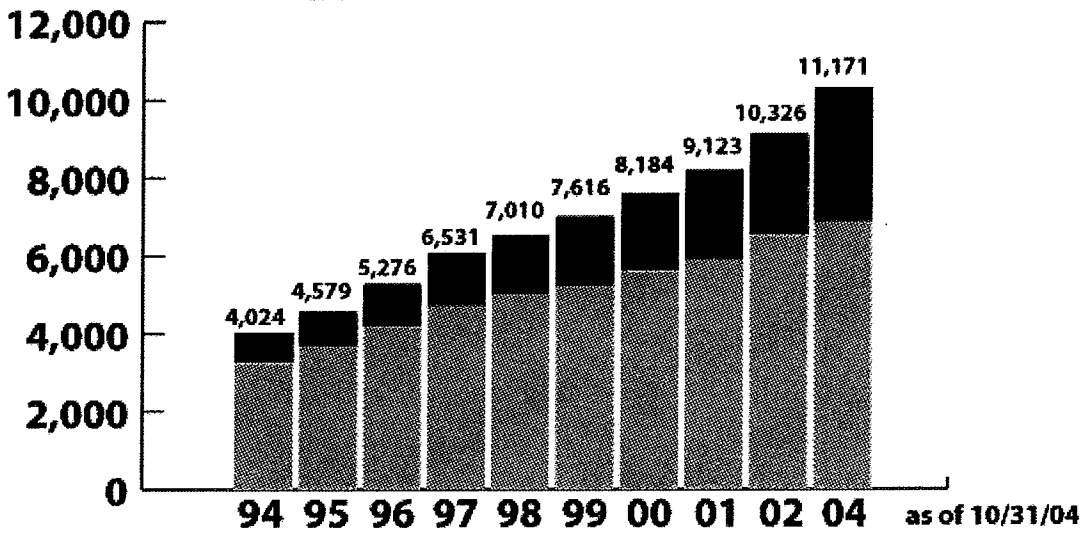
Minami Kyushu FamilyMart Co., LTD.

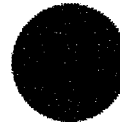
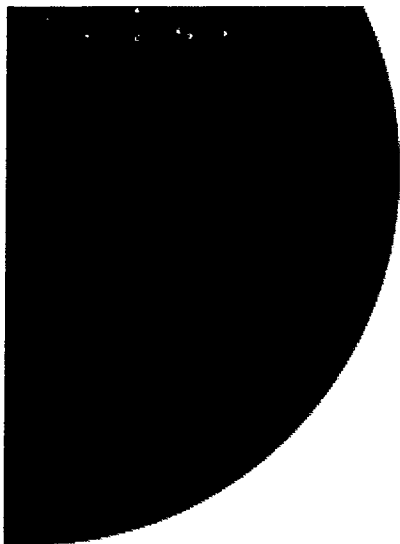
262 stores

Taiwan

Taiwan FamilyMart Co., LTD.

1638 stores





FAMIMA CORPORATION

Established	Sept. 17, 2004
Major activities	Operating a chain of specialty stores in U.S. using the franchise system.
Address	20000 Mariner Avenue, Suite 100, Torrance, CA 90503
Tel	310-214-1001
Fax	310-214-7200

FamilyMart

FamilyMart Co., Ltd. (Japan)

Established	Sept. 1, 1981
Capital	Yen 16,658 million (Approx. US\$151million)
Major activities	Operating a chain of convenience stores using the Far franchise system
Employees	2,318
Number of stores	11,003 including area franchise stores
Net sales of total Family Mart stores	¥954.4 billion as of FY2003 (Approx. US\$8.7 billion)
Web Site	http://www.family.co.jp/

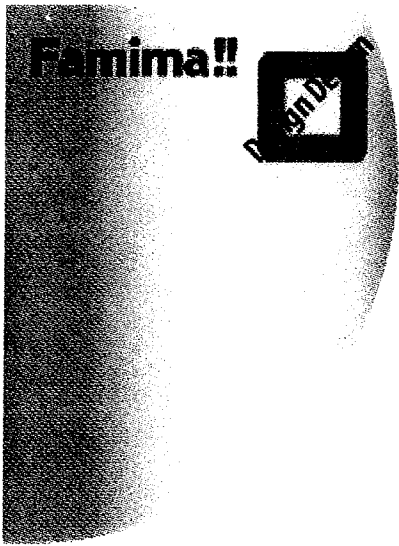
ITOCHU

ITOCHU Corporation (Japan) ITOCHU International Inc.(US)

Founded as a trading and trading services company, ITOCHU is also a leader in telecommunications, technology, internet, retail and media

- Consumer-Related Products and Services
- Distribution
- Operations, Service and Maintenance
- Financial Services
- Information Technology and Aerospace
- Healthcare
- Security Solutions

Web Site:
ITOCHU Corporation (Japan)



Design



Gondola

Best-sellers. What you want NOW.



Island Merchandiser

"I'm hungry" 360-degree accessible display.



Soup

Nutrition-on-the-go!



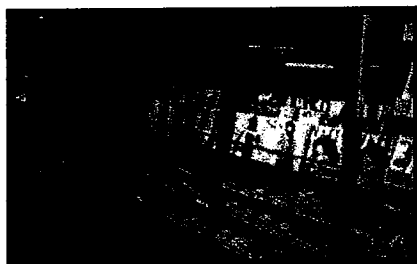
Open cooler

Spacious and energy efficient.



ATM

24 hours services.



Publications

Trendy, interesting publications and difficult to find "anime" from Japan.



Expression

An untapped market segment. Personal or Business, these stationery products offer daily expression of personality and creativity.

EXHIBIT

F

RESOLUTION NO. BZA 89-34

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENT APPROVING AN AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT TO ALLOW THE EXTENSION OF HOURS OF OPERATION FOR AN EXISTING SERVICE STATION/MINI-MART LOCATED AT 1727 ARTESIA (MOBIL OIL)

WHEREAS, the Board of Zoning Adjustment of the City of Manhattan Beach conducted a public hearing pursuant to applicable law to consider an application for an amendment to existing Conditional Use Permit for the property legally described as Parcel 1, Lot 27 and the westerly 30 feet of Lot 28, Block 108, Redondo Villa Tract B; and,

WHEREAS, the applicant for the subject Conditional Use Permit is Mobil Oil Corp., owner of the subject property; and,

WHEREAS, the public hearing was advertised pursuant to applicable laws, testimony was invited and received; and,

WHEREAS, the subject application has been determined to be Categorically Exempt in accordance with CEQA and the Manhattan Beach Guidelines; and,

WHEREAS, the Board of Zoning Adjustment made the following findings with regard to the application:

1. The Mobil Oil Corporation is requesting approval of a Conditional Use Permit Amendment to extend the hours of operation at 1727 Artesia to 24 hours, Monday through Sunday.
2. Retail sale of gasoline is viewed as the primary service and may be intensified by attracting vehicular traffic, which may result in additional noise.
3. The secondary service, the retailing of "mini-mart" products, including beer and wine, may be intensified by attracting customers that would otherwise bypass the property if it only provided retail gasoline.
4. With the retailing of beer and wine past 12 midnight, the mini-mart might assume the primary characteristics of a late-night party store.
5. A condition that restricts the "sale of alcoholic beverages" between 12 midnight (rather than 2 a.m.) and 6 a.m., would mitigate potential loitering and other impacts to the nearby residential area.
6. Staff concludes that a conditioned review of the request six (6) months later would better reveal any negative impacts.
7. The property is currently approved and conforms to a "Self-service Station/mini-market and Car Wash", as regulated by Resolution No. BZA 86-6.

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

1. The hours of operation shall be 24 hours a day, seven (7) days a week; except the retail sale of beer and wine, which is limited to 6 a.m. to 12 midnight.
2. All deliveries, except that of gasoline, shall be limited to the hours between 7 a.m. through 8 p.m., seven (7) days a week.

3. The applicant shall provide the Community Development Department with a written statement describing how they propose to prohibit the public's purchase of beer and wine during the hours of 12 midnight through 6 a.m.
4. All outdoor lighting shall be arranged so as to reflect the light away from residential properties.
5. The use of all power and air compression equipment located in the accessory areas shall be prohibited between 10 p.m. and 7 a.m.
6. Noise emanating from the property shall not create a nuisance to the adjoining properties.
7. Access to the public restrooms shall be controlled by the station attendant. The restrooms, when unused, shall remain locked. The attendant shall distribute the key upon request.
8. The public restrooms on the property shall be permanently available to the public and kept in a sanitary and working condition at all times of operation.
9. All signs shall conform to Code and a revised sign program shall be submitted.
10. An initial review of the conditions of approval shall be conducted by the Department of Community Development in conjunction with the Police Department within six (6) months of the initial date of operation and then annually thereafter.

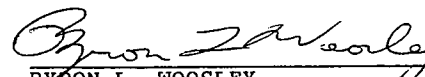
I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Board of Zoning Adjustment at their regular meeting of September 27, 1989, and that said Resolution was adopted by the following vote:

AYES: Blanton, Haggard, Tucker,
Hankwitz

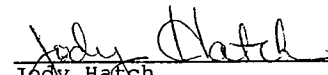
NOES: Brindley

ABSTAIN: None

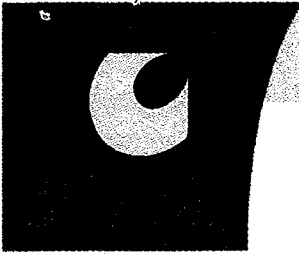
ABSENT: None



BYRON L. WOOSLEY
Secretary to the Board of Zoning
Adjustment



Jody Hatch
Recording Secretary



March 15, 2006

Mr. Stuart Stackley
4108 The Strand
Manhattan Beach, CA 90266

Subject: Traffic Assessment Letter for the Proposed Manhattan Beach Retail Development
Manhattan Beach, California

Dear Mr. Stackley:

As requested, Urban Crossroads, Inc. is pleased to submit this Traffic Assessment Letter for Manhattan Beach Retail Development located on the northwest corner of Artesia Boulevard and Aviation Boulevard in the City of Manhattan Beach, California. This letter provides a description of existing conditions and the proposed project, summarizes the traffic generation forecast for the proposed retail center in comparison to the existing land use, and determines the parking requirement based on the *City of Manhattan Beach Municipal code* and comments on the project's site access and internal circulation.

PROJECT DESCRIPTION AND LOCATION

The project is proposed as 5,800 square feet of commercial retail located on the northwest corner of Artesia Boulevard and Aviation Boulevard in the City of Manhattan Beach, California. Exhibit A, located at the end of this letter report presents a Location Map, which illustrates the general location of the proposed project and depicts the surrounding street system.

Existing Land Uses

The project site is currently occupied by a gasoline service station with twelve vehicle-fueling positions. Access for the existing gasoline service station consists of two driveways on both Artesia Boulevard and Aviation Boulevard.

Proposed Project

Exhibit B presents the site plan for the proposed Manhattan Beach Retail Development prepared by Marks Architects. As shown, the proposed project consists of 5,800 square-feet (SF) of retail use. Parking for the proposed project will be provided via a surface lot with a total of 29 parking spaces. Access to the proposed project site will be provided via one "right-turn in/out only" driveway along Artesia Boulevard and one "right-turn in/out only" driveway along Aviation Boulevard.

TRIP GENERATION ANALYSIS

Project Traffic Generation Forecast

Traffic generation is expressed in vehicle trip ends, defined as one-way vehicular movements, either entering or exiting the generating land use. Generation factors and equations used in this analysis are based on information found in the 7th Edition of *Trip Generation*, published by the Institute of Transportation Engineers (ITE) [Washington, D.C., 2003]. The trip generation rates for specialty retail under AM peak hour conditions are not available in the ITE Trip Generation manual and have been substituted with SANDAG rates.

The trip generation potential of the existing use was estimated using ITE Land Use 944: Gasoline Service Station trip rates. The trip generation potential of the proposed project was estimated using ITE Land Use 852: Convenience Market (Open 15-16 Hours) trip rates for the Japanese Market, and ITE Land Use 814: Specialty Retail Center trip rates for retail uses which are currently unknown. The traffic generated by the "Existing Land Use" represents a "trip budget" for the project site, against which the impact of the proposed Manhattan Beach Retail development might be compared.

Table 1 and Table 2, located at the end of this letter following the figures, summarizes the trip generation rates and forecast, respectively, for the existing land use and the

proposed Manhattan Beach Retail project. As shown, the existing gasoline service station has a trip generation potential of approximately 1,821 daily trips, with 60 trips (30 inbound, 30 outbound) forecast during the AM peak hour and 96 trips (48 inbound, 48 outbound) forecast during the PM peak hour.

The proposed Manhattan Beach Retail project is forecast to generate 1,474 daily trips, with 69 trips (35 inbound, 34 outbound) forecast during the AM peak hour and 80 trips (39 inbound, 41 outbound) forecast during the PM peak hour.

Please note that the aforementioned trip generation includes adjustments for pass-by trips that come directly from the everyday traffic stream on the adjoining streets (i.e. Artesia Boulevard and Aviation Boulevard). Pass-by reduction factors were applied to the existing gasoline service station and the proposed Japanese Market based on the study included in the *Trip Generation Handbook*, 2nd Edition, published by ITE, June 2004 and discussions with City staff.

Comparison of the trips generated by the proposed Manhattan Beach Retail project with the traffic generation potential of the existing gasoline service station indicates that the proposed Manhattan Beach Retail project will generate significantly less traffic on a daily and PM peak hour basis than the existing land use. The proposed Manhattan Beach Retail project is forecast to generate 347 fewer daily trips, 9 more AM peak hour trips and 16 fewer PM peak hour trips than the existing gasoline service station.

PARKING ANALYSIS

City Code Parking Requirements

To determine the number of parking spaces required to support the proposed project, the parking demand was calculated using parking codes per the *City of Manhattan Beach Municipal Code, Section 10.64.030 (Off-Street Parking and Loading Spaces Required)*.

The City of Manhattan Beach municipal code specifies a parking ratio of one parking space for each 200 SF of floor area in a retail building for the first 5,000 SF and one space for each 250 SF over 5,000 SF. As a result, direct application of the City Municipal Code to the proposed 5,800 SF Manhattan Beach Retail project results in a code-parking requirement of 28 parking spaces.

With a proposed parking supply of 29 parking spaces, the proposed project will have sufficient parking when compared to the City of Manhattan Beach Municipal Code parking requirements.

SITE ACCESS AND INTERNAL CIRCULATION EVALUATION

Site Access

Access to the proposed Manhattan Beach Retail project will be provided via one "right-turn in/out only" driveway along Artesia Boulevard and one "right-turn in/out only" driveway along Aviation Boulevard. Adequate sight distance is provided at both driveways

Internal Circulation

The on-site circulation layout of the Manhattan Beach Retail project, on an overall basis, is adequate. The internal circulation was evaluated in terms of vehicle-pedestrian conflicts, and truck loading and unloading capabilities throughout the site. Based on our review of the proposed site plan, the overall layout does not create any unsafe vehicle-pedestrian conflict points.

CONCLUSIONS

- The proposed Manhattan Beach Retail project is forecast to generate 347 fewer daily trips, 9 more AM peak hour trips and 16 fewer PM peak hour trips than the existing gasoline service station. Given the results of the trip generation forecast

Mr. Stuart Stackley
March 15, 2006
Page 5


comparison, we conclude that the proposed Manhattan Beach Retail project will have a lesser impact on the surrounding street system than the existing land use.

- Direct application of the City Municipal Code to the proposed 5,800 SF Manhattan Beach Retail project results in a code-parking requirement of 28 parking spaces. With a proposed parking supply of 29 parking spaces, the proposed project will have sufficient parking when compared to the City of Manhattan Beach Municipal Code parking requirements.
- Based on the internal circulation evaluation, the on-site circulation layout of the Manhattan Beach Retail project is adequate and the overall layout does not create any unsafe vehicle-pedestrian conflict points. In addition, adequate sight distance is provided at both driveways.

We appreciate the opportunity to prepare this investigation. Should you have any questions regarding this analysis, please call us at (949) 6601994 x. 204.

Respectfully submitted,

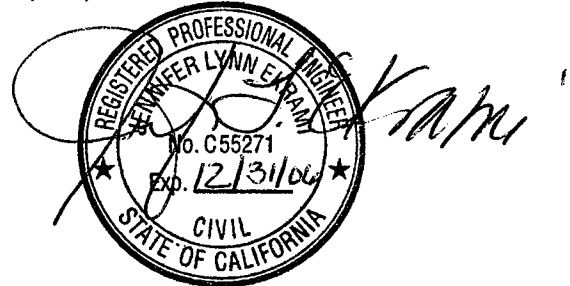
URBAN CROSSROADS, INC.



Aric Evatt
Principal

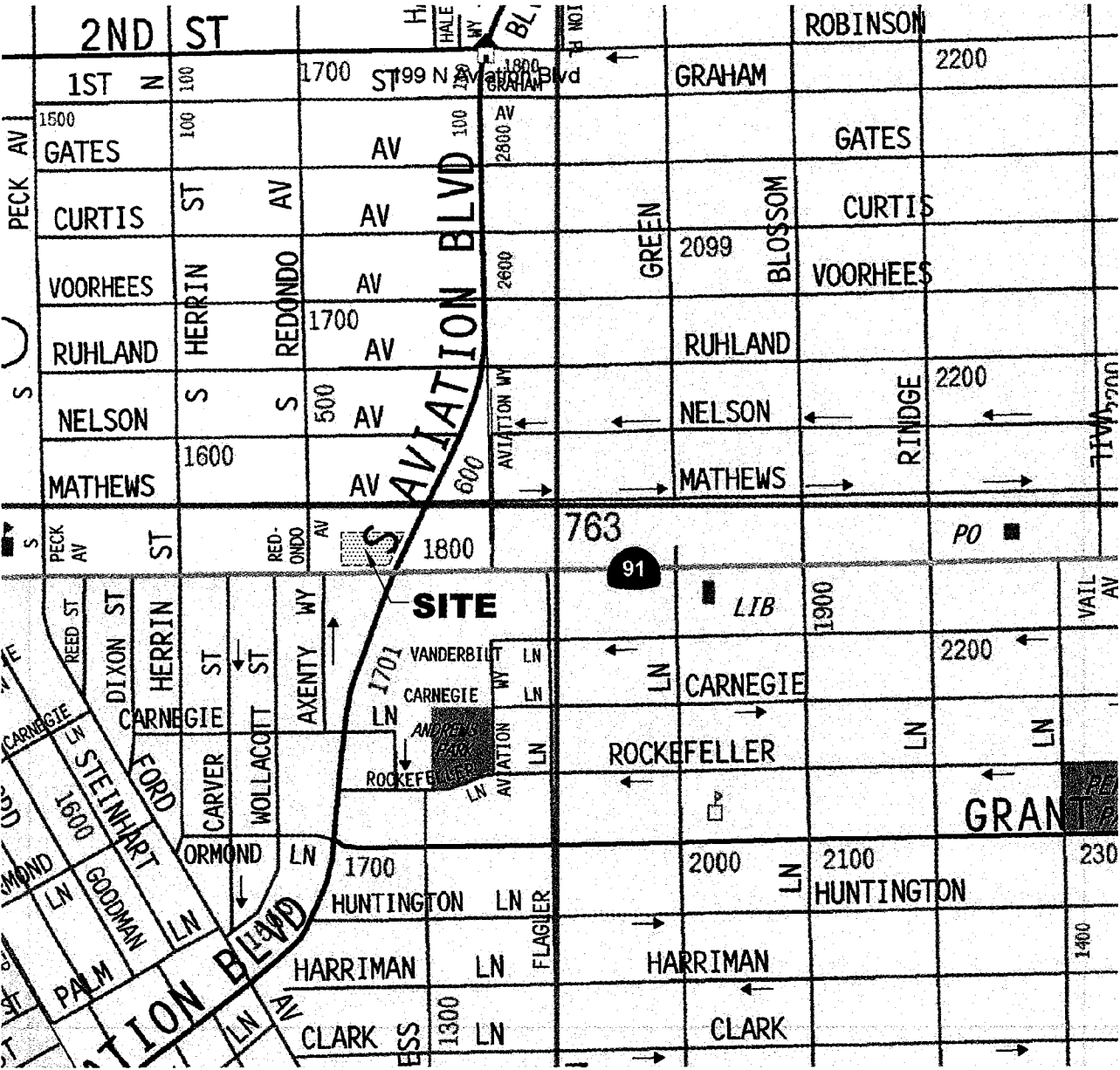
AE:JW:CH:JE:js
JN: 03535-04

Attachments



Jennifer Ekrami, P.E.
Senior Engineer

EXHIBIT A
LOCATION MAP



LEGEND:
 = PROJECT SITE



EXHIBIT B SITE PLAN

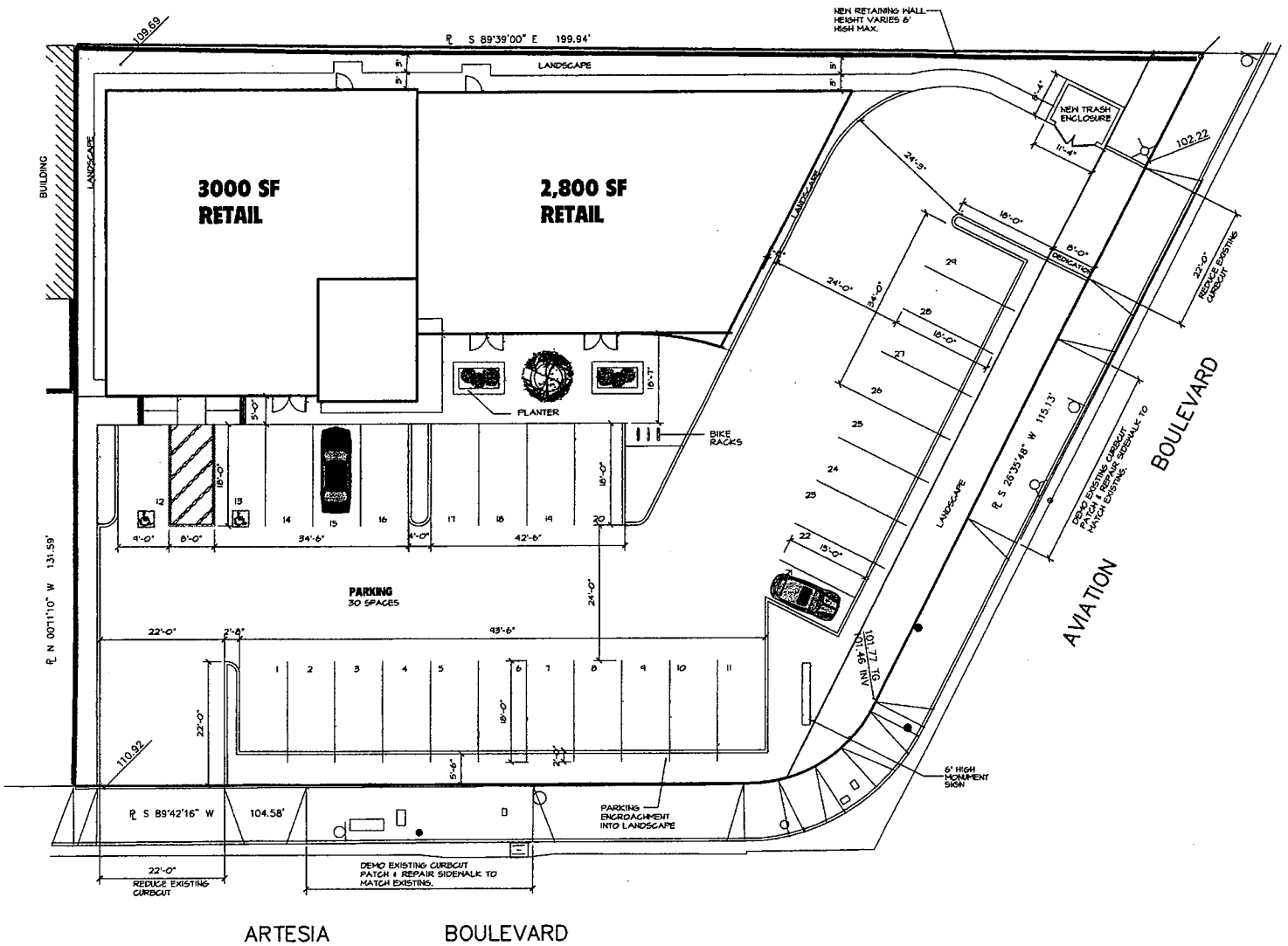


TABLE 1
TRIP GENERATION RATES¹

LAND USE	ITE CODE	UNITS ²	PEAK HOUR						DAILY
			AM			PM			
			IN	OUT	TOTAL	IN	OUT	TOTAL	
Project Trip Rates:									
Gasoline Service Station	944	VFP	6.04	6.04	12.08	6.93	6.93	13.86	168.56
Pass-By Trip Percentage ³			58%	58%	58%	42%	42%	42%	10%
Convenience Market (Opening 15-16 Hours)	852	TSF	15.51	15.51	31.02	16.94	17.63	34.57	500.00
Pass-By Trip Percentage ³			30%	30%	30%	30%	30%	30%	10%
Specialty Retail Center ⁴	814	TSF	0.72	0.48	1.20	1.19	1.52	2.71	44.32
Pass-By Trip Percentage ³			--	--	--	--	--	--	--

¹ Source: Institute of Transportation Engineers (ITE), Trip Generation, Seventh Edition, 2003.

² VFP = Vehicle Fueling Positions; TSF = Thousand square feet

³ Source: Institute of Transportation Engineers (ITE), Trip Generation Handbook, Second Edition, 2004.

³ The AM trip rates were not available in the ITE Trip Generation manual for Specialty Retail. SANDAG rates were used for the AM peak hour only.

TABLE 2
TRIP GENERATION SUMMARY

Scenarios	LAND USE	QUANTITY	UNITS ¹	PEAK HOUR						DAILY
				AM			PM			
				IN	OUT	TOTAL	IN	OUT	TOTAL	
Existing Use Generation Forecast	Gasoline Service Station	12	VFP	72	72	144	83	83	166	2,023
	Pass-By Reductions			(42)	(42)	(84)	(35)	(35)	(70)	(202)
Total Existing Land Use				30	30	60	48	48	96	1,821
Proposed Project Generation Forecast	Convenience Market (Opening 15-16 Hours)	3.0	TSF	47	47	94	51	53	104	1,500
	Pass-By Reductions			(14)	(14)	(28)	(15)	(16)	(31)	(150)
	Specialty Retail Center ⁴	2.8	TSF	2	1	3	3	4	7	124
	Pass-By Reductions			--	--	--	--	--	--	--
Total Proposed Project				35	34	69	39	41	80	1,474
Trip Generation Difference (Proposed Minus Existing)				5	4	9	(9)	(7)	(16)	(347)

¹ VFP = Vehicle Fueling Positions; TSF = Thousand Square Feet

CITY OF MANHATTAN BEACH
DEPARTMENT OF COMMUNITY DEVELOPMENT

TO: See distribution below
FROM: May Dorsett, Planning Secretary
DATE: NOVEMBER 3, 2005
SUBJECT: Review Request for Proposed Project at:

1727 ARTESIA BLVD.

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 **NOVEMBER 14** we will conclude there are no conditions from your department.

Comments/Conditions (attach additional sheets as necessary):

- comply w/ ALL 2001 CALIFORNIA CODES & CITY AMENDMENTS.
- comply w/ SUMP REQUIREMENTS
- PROVIDE DISABLE ACCESS FROM THE STREET TO THE ENTRY DOORS OF EACH SPACE.

Diaz

Distribution:

- X Building Official
- X Fire Dept
- X Public Works



06/0815.13

City of Manhattan Beach
Department of Public Works
Memorandum

To: May Dorsett, Planning Division Secretary
Through: Neil Miller, Director of Public Works
From: Clarence Van Corbach, Public Works Utilities Manager
3621 Bell Avenue. Phone No. (310) 802-5315
Subject: 1727 Artesia Blvd.
Permit No.
Date: November 4, 2005

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 November 4, 2005 and the following items are required and must be added to the plans. Indicate location of correction on blanks at left.

- _____ 1. All landscape irrigation backflow devices must meet current City requirements for proper installation.
- _____ 2. No discharge of construction wastewater, building materials, debris, or sediment from the site is permitted.
- _____ 3. 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.
- _____ 4. 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.
- _____ 5. 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.
- _____ 6. A mop sink must be installed and shown on the plumbing plan.
- _____ 7. Commercial enterprises must comply with the National Pollution Discharge Elimination System (NPDES) clean water requirements. Discharge of mop water, floor mat washing, trash can 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. Project must meet SUSMP requirements. A suggested BMP for this site would be a system designed to direct the first flush runoff into the landscaping and then to the storm drain system.
- _____ 8. Any unused water or sanitary sewer laterals must be shown on the plans and abandoned at the City main.

- _____ 9. 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.**
- _____ 10. 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
- _____ 11. 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.
- _____ 12. If there is a parking lot with 25 or more spaces, weekly sweeping will be required.
- _____ 13. If the property is located on a corner lot, a disabled access ramp must be installed on the public sidewalk, See City Standard Plan ST-9. Ramp must be shown on plans if applicable.
- _____ 14. The sidewalk must be replaced from the West property line on Artesia Blvd. to the North property line on Aviation Blvd. and shown on the plans.
- _____ 15. Backflow preventers for fire and domestic water services must be installed per Public Works Department requirements.
- _____ 16. 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.
- _____ 17. 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.
- _____ 18. 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.
- _____ 19. 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.
- _____ 20. Before the utility pole located at the West corner of the lot on Artesia Blvd. can be relocated, approval from PPIC and City Council and a building permit must be obtained.
- _____ 21. 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
Lee Morlet