



Agenda Item #: _____

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: May 16, 2006

SUBJECT: Consideration of a Planning Commission Denial of a Use Permit for Sav-on Drug Store, including a Parking Reduction, 24-Hour Operation, and Sale of Alcoholic Beverages, and for a Variance from Maximum Allowable Building Height, Located at 1100 Manhattan Beach Boulevard

RECOMMENDATION:

Staff recommends that the City Council **RECEIVE and FILE** this report.

FISCAL IMPLICATION:

There are no fiscal implications associated with the recommended action.

BACKGROUND:

At the April 12, 2006 Planning Commission meeting staff presented a proposal which consisted of the construction of a 9,161 square foot retail drug store, without a drive-thru, which included a 1,000 square foot mezzanine storage area with unpartitioned office space. 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, is requesting a new alcohol beverage license and a parking reduction, a Use Permit approval is required. Along with the Use Permit application, the applicant is seeking a Variance approval from maximum allowable building height.

At the Planning Commission meeting of April 12, 2006, the Commission voted (3-0-2) to deny the subject applications. After holding the public hearing and discussing the item the Commission felt that the project as proposed does not meet the required findings to approve a Use Permit and Variance.

Commission Concerns:

- a) That the scale of the project should be reduced and redesigned to: 1) meet the parking requirement, 2) meet the maximum allowable building height, 3) provide adequate pedestrian access off Manhattan Beach Boulevard, 4) have less visual impacts along

- Sepulveda Boulevard and Manhattan Beach Boulevard, 5) provide building articulation/windows, reduce building mass, and 6) provide additional landscape buffer.
- b) The proposal would not comply with specific conditions required for the proposed use in the district in which it would be located. Any deficiency in parking would have an adverse impact on future uses on the site. The current code required parking supply for general retail/mezzanine storage uses must be maintained to provide sufficient parking when future tenants change, since there may be no discretionary action to guarantee adequate parking supply.
 - c) The Planning Commission felt that the proposed use would have adverse impacts to nearby residents or commercial properties related to parking, building height, hours of operation, loading hours, sale of alcohol, pedestrian access, building scale and visual impacts.

With the above concerns raised, the Commission asked the applicant if they were willing to revise the project in order to address the adverse impacts and the applicant responded that they were not be willing to change the project. At this meeting there were three people that spoke in support of the project and one who spoke against.

At this meeting, the Commission closed the public hearing and passed a motion to direct Staff to prepare a 'Resolution of Denial' for review at the next Planning Commission meeting of April 26, 2006. This Resolution is attached for the City Councils review.

ALTERNATIVE

1. **REMOVE** this item from the Consent Calendar, **APPEAL** the decision of the Planning Commission and schedule a public hearing.

Attachments: A. Resolution No. PC 06-05 (available electronically)
B. Planning Commission Minutes, Reports and attachments, dated 4/12/06 and 4/26/06, except attachments and plans (available electronically)

cc: Mike MacFarland, Tait & Associated, Applicant/Consultant
Smail Nayebdadash, Property Owner

**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: April 12, 2006

SUBJECT: Consideration of a Use Permit for a Sav-on Drug Store to Allow Parking Reduction, 24-Hour Operation, Alcohol Beverage License, Variance from Maximum Allowable Building Height and an Initial Study and Negative Declaration of Environmental Impacts, Proposed at 1100 Manhattan Beach Boulevard

RECOMMENDATION

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

APPLICANT

Albertsons/Sav-on, Inc.
250 Parkcenter Boulevard
Boise, ID. 83706

PROPERTY OWNER

Smail Nayebdadash
28002 Beechgate Drive
Rancho Palos Verdes

BACKGROUND

The subject site is presently improved with a 1,736 square foot gas station (Manhattan Beach Fuel) with three service bays and surface parking. The project proposal consists of the demolition of all existing improvements on the site and construction of a 9,161 square foot retail drug store, without a drive-thru, which includes a 1,000 square foot mezzanine storage area which includes incidental unpartitioned office space. 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, is requesting a new alcohol beverage license and a parking reduction, a Use Permit approval is required. Along with the Use Permit application, the applicant is also seeking a Variance approval from maximum allowable building height.

PROJECT OVERVIEW

LOCATION

Location: 1100 Manhattan Beach Boulevard located at the southeast corner of Sepulveda Boulevard and Manhattan Beach Boulevard (see Site Location Map, Exhibit A)

Legal Description: (Parcel 1) that portion of Lots 9, 10, 11, 12, 15, 16, 17, and 18, Block 2 of Tract 142, (Parcel 2) a non-exclusive easement for ingress and egress over that portion of Lot 15, Block 2 of Tract 142 in the City of Manhattan Beach (easement is on the south side of the property)

Area District: I (Sepulveda Corridor)

LAND USE

General Plan: General Commercial

Zoning: CG, General Commercial

<u>Land Use:</u>	<u>Existing</u>	<u>Proposed</u>
	1,736 sq. ft.	8,161 sq. ft. (retail area)
	Gas station	<u>1,000 sq. ft.</u> (mezz. area-office/storage)
		9,161 sq. ft. total area

<u>Neighboring Zoning/Land Uses:</u>	
North, across MBB	CG, General Commercial (Target, Blockbuster Video, Cingular Wireless, Framestore)
East,	CG, General Commercial (Office, Personal Service Commercial)
South,	CG, General Commercial (Peak Fitness, Mr. D's Food Mart)
West, across Sep. Blvd.	CG, General Commercial (Jiffy Lube)

PROJECT DETAILS

<u>Parcel Size:</u>	<u>Proposed</u>	<u>Allowed/Required</u>
	24,956 sq. ft. (after street dedication)	5,000 sq. ft. min.

	<u>Proposed</u>	<u>Allowed/Required</u>
<u>Building Area:</u>	8,161 sq. ft. (.32) 1,000 sq. ft. mezzanine	37,434 sq. ft. (lot area x1.5)
<u>Building Height:</u>	22'-2" – 25' feet*	22 feet*
<u>Parking:</u>	35 spaces	39 spaces
<u>Building Setbacks:</u>		
North,	0'	0'
East,	61.90'	0'
South,	68.20'	0'
West,	0'	0'
<u>Landscape Area:</u>	2,013 sq. ft. (8% of lot area)	1,997 sq. ft. (8% of lot area)
<u>Vehicle Access:</u>	1 Sepulveda Blvd. 1 MBB	n/a
<u>Signage:</u>	313 sq. ft.	334 sq. ft.
<u>Hours of Operation:</u>		
Retail Store/Pharmacy	24-hours (7-days)	Requires Use Permit
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 146.25' (N/W - average of 146.16/146.33), 143.65' (N/E), 139.12' (S/W) and 140.95' (S/E). These elevations will be verified during the plan check process.

ENVIRONMENTAL DETERMINATION

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

DISCUSSION

The preliminary site plan (Exhibit H) shows the proposed building to be located at the corner of Manhattan Beach Boulevard and Sepulveda Boulevard, as recommended by the Sepulveda Boulevard Development Guidelines. Sav-on Drugs is seeking approval to bring a new, state-of-the-art, full service drug store to the community of Manhattan Beach. This retail use will provide full pharmacy service in addition to one-hour photo processing along with a wide variety of other goods and services to meet the pharmaceutical and convenience shopping needs of the community.

Land Use Compatibility

The existing parcel, which is under a single ownership, consists of a single lot located on the southeast corner of Sepulveda Boulevard and Manhattan Beach Boulevard along the Sepulveda Commercial Corridor. This lot 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, east, south and west are similarly zoned (CG) General Commercial. The property to the north across Manhattan Beach Boulevard is developed with the Target Store and a separate building which contains a Blockbuster Video, Cingular Wireless and Framestore; the property to the east is developed with a mixed use of office and personal services; the property to the south is developed with a food mart and personal fitness; and the property to the west across Sepulveda Boulevard is developed with a Jiffy Lube.

Street Dedication/Corner cut-off/Egress-Ingress Easement

The existing property currently contains approximately 26,240 square feet of lot area (175' x 150.46'). Engineering Division has determined that the project must provide an 8-foot dedication on Sepulveda Boulevard for the future widening of the right-of-way for an additional left-hand turn pocket for traffic traveling west onto Manhattan Beach Boulevard (no schedule at this time). In addition, the project is required to provide an additional corner cut-off 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 24,956 square feet of lot area. Tentative Parcel Map No. 65079, which will be recorded with the country, is attached (Exhibit C) which shows the new boundary area.

The subject site also contains a non-exclusive easement for ingress and egress purposes for the property to the south. This easement, which is located at the southwest portion of the property is 10 feet wide by 100 feet in length and accommodates access to the Peak Fitness and Food Mart businesses which face northerly on the adjoining property.

Sepulveda Corridor Guidelines

The applicant has made substantial efforts to address the Sepulveda Boulevard Development Guidelines (attached, Exhibit D). The aesthetic oriented guidelines generally favor building/store frontages oriented toward Sepulveda, as opposed to vehicle dominated frontages. A pedestrian entry path is provided from the Sepulveda Boulevard sidewalk and not from Manhattan Beach Boulevard (see attached site plan).

The building as designed will be oriented towards Sepulveda Boulevard as recommended by the guidelines; however the building storefront, windows and pedestrian entrance would be located on the southerly and easterly side of the building. This is due in part to the building location, the proposed interior office/storage mezzanine area and the maximum allowable building height. The trash area/loading dock would be located on the easterly side of the building and most of the parking area will be in a less prominent location on the easterly and southerly sides of the building as recommended by the

Sepulveda Corridor Guidelines when viewed from both Sepulveda Boulevard and Manhattan Beach Boulevard. The applicant will provide colored elevations and materials details/boards for review by the Planning Commission at tonight's meeting.

Driveway access for the existing gasoline service station consists of four driveways; two on both Sepulveda Boulevard and Manhattan Beach Boulevard. The project traffic circulation will substantially improve with the elimination of the two existing corner driveways. The remaining driveway on Sepulveda Boulevard will be relocated to align with the parking access for the property.

The shared Sepulveda driveway with the property to the south, as shown on the project plan is an acceptable design for reciprocal access between the subject site and the neighboring site to the south as required by the guidelines.

Landscaping

Municipal Code Section 10.16.030, Minimum Site Landscaping, requires that a minimum of 8% of planting area or 1,996.48 square feet be provided for the site based on the lot area of 24,956 square feet. Code Section 10.60.070 (D), Design Standards, additionally requires that parking lots adjoining street property lines that are more than 100 feet in length shall have a 10 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 10-foot wide perimeter landscape areas at the driveway entry areas, landscaping is also provided at the outer parking stalls and perimeter areas along the easterly and southerly property lines which buffer the parking spaces to the adjoining properties. (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. In this case, the property frontage is 167 feet in length on Manhattan Beach Boulevard; therefore 334 square feet of signage would be permitted.

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

Parking Lot Lighting

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

located more than 25 feet from a residentially zoned property. The nearest residentially zoned property are located 175' to the east and 110' to the south. The submitted lighting and photometric plan (attached, exhibit F) shows that four light poles will be located within the parking area. Two light poles will be located along the easterly property line and two along the southerly property line all adjacent to the proposed parking area. The photometric plans shows that the illumination levels from these poles will average from 1.2 – 2.9 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

Sav-on's goal is to provide a wide variety of good and services and offer the customer the value and convenience of a true "one-stop" opportunity. Sav-on proposes to operate the drug store 24-hours seven (7) days a week, depending on customer need at the location. Store deliveries will typically occur between the hours of 6:00 a.m. and 10:00 p.m. at the dock area which is proposed on the east side of building. Two delivery trucks are expected per week with the unloading duration estimated at one hour. The smaller vendor delivery trucks (i.e. Coca-Cola, Frito-Lay) will also service the store and will have a shorter duration for unloading; however the applicant has not provided information regarding the frequency and duration of these deliveries.

In addition to the state-of-the-art pharmacy department, the new store will include departments for school supplies, cosmetics, greeting cards, one-hour photo processing, general merchandise/sundry items and an ancillary department for food mart, sodas, juices, and milk and refrigerated alcohol beverages. The gross floor area devoted to alcohol beverage sales will not exceed 10% of the stores overall gross floor area and would be sold 7 days a week between the hours of 6:00 a.m. – 2:00 a.m. Alcohol beverage sales typically accounts for 7% - 10% of the store's total sales. Their internal policies and procedures commit the company to responsible sale of alcohol beverages.

The Sav-on store would typically be staffed with 8-10 employees, including a licensed pharmacist, depending on time of day and shift, and will create approximately 12-15 new full and part time jobs.

Building Height

The proposed structure will appear as a two level building from all elevations (see Elevation Plans, attached). The proposed building is designed with a flat roof line and per MBMC Section 10.16.030 (F), Maximum Height of Structures, if the roof pitch is less than 4:12 the maximum building height is limited to 22 feet. Because the building height is determined by the average of the four property corners the average elevation would be at a 142.49' elevation. Therefore, with the average property corner elevation of 142.49 plus 22 feet of height limit, the proposed building is limited to a 164.50' height

elevation. The submitted elevation plans show that the proposed building will be designed at a height elevation of 166.66' – 167.50', or 2'-2" – 3'- 0" above the allowable building height which requires a Variance approval. The applicant has indicated that these building heights are needed to accommodate the proposed 1,000 square foot mezzanine which is necessary for storage/office purposes due to the limited building square footage and minimal backroom area.

As an alternative to the 22 foot height limit the Municipal Code permits a building height of 30 feet if parking is provided at or below the ground level and provides a minimum 4:12 roof pitch. The applicant has provided elevation plans (see attached building plans), which shows a building with the 4:12 roof pitch, but have indicated that it is not a desired option because it doesn't provide desired articulation and architectural relief. Additionally, it is not a desire option because a portion of the structure would exceed the maximum allowable building height and would also need a Variance approval for relief of building height.

At tonight's meeting the applicant and staff will provide the following information:

1. Height of proposed building and how it relates to the existing sidewalk (i.e. how high the walls are exposed as measured from the sidewalk elevations).
2. How the proposed building height compares to other buildings on the other three property corners and the adjacent building to the east and south.

Variance Findings

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

1. Because of special circumstances or conditions applicable to the subject property including narrowness and hollowness or shape, exceptional topography, or the extraordinary or exceptional situations or conditions, strict application of the requirements of this title would result in peculiar and exceptional difficulties to, or exceptional and/or undue hardship upon, the owner of the property.
2. The relief may be granted without substantial detriment to the public good; without substantial impairment of affected natural resources; and not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety or general welfare.
3. Granting the application is consistent with the purposes of this title and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district and area district.

On the applicant's project narrative, dated 2/26/06 (attached, Exhibit G) it states that they are seeking relief from maximum allowable building height for the following reasons:

- a. There are constraints in meeting the maximum height limit of 22 feet due to the topography of the site
- b. Location of building as recommended by the Sepulveda Boulevard Development Guidelines has created a constraint on the building design
- c. The existing egress/ingress access easement creates many constraints on the site design including the finish elevation of the structure
- d. The proposed roof elements, which vary in height, provide architectural relief to the building
- e. The highest roof element occurs at the southeast portion of the structure which is the furthest from the street
- f. The parapet design will house the mechanical equipment that will be shielded from public view
- g. As an alternative to the 22 foot maximum height limit, the Municipal Code permits a building height of 30 feet with a minimum 4/12 roof pitch. This is not a desired design option and relief from maximum allowable building height would also be needed as the building would also exceed the building height limit.
- h. Strict adherence to the height limitation would preclude the inclusion of the mezzanine which is an essential area to the operation of the store
- i. The request is for a height Variance to a maximum of 3 feet and this increase in height is not detrimental as the building location is so far removed from any other structures in the area.
- j. The project design is consistent with the Sepulveda Boulevard Corridor Guidelines as to building location and common drive with the property to the south, however, compliance with the guidelines is creating the need for relief from building height

Parking/Traffic Circulation:

The applicant proposes to provide 33 standard parking spaces, 2 disabled access spaces for a total of 35 spaces. The project provides a 9,161 square foot retail store which includes a 1,000 square foot mezzanine 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 1 space per 1,000 square feet of storage/office area, and therefore is required to provide 39 on-site parking spaces ($5,000/200 = 25$ spaces; $3,161/250 = 13$ spaces; $1,000/1 = 1$ space; total of 39 spaces).

Vehicle access to the site will be provided via two driveways, one on Sepulveda Boulevard and one on Manhattan Beach Boulevard. The two existing driveways located closer to the intersection will be closed which the City Traffic Engineer indicates will improve traffic flow.

As a result of the existing egress/ingress easement, as described above, the three existing parking spaces on the adjacent property to the south in front of the Peak Fitness business will be reconfigured perpendicular to the building, such that the Sav-on development can design parking along their southerly property line. As a result, internal access to the parking areas will be shared between the two properties. However, this proposal would result in the Sav-on development providing less than required on-site parking spaces.

Use Permit Findings

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

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

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

The applicant is requesting a parking reduction and has submitted a Parking Demand Study (attached, Exhibit H) prepared by Linscott, Law & Greenspan. This study concludes that the proposed parking supply of 35 parking spaces for the Sav-on Drug store is sufficient to accommodate the peak weekday and peak weekend day parking demand of 28 spaces and 21 spaces, respectively. With a proposed parking supply of 35 parking spaces a weekday of 7 spaces and a weekend day surplus of 14 spaces is anticipated.

City Traffic Engineer, Erik Zandvliet, has reviewed the Parking Demand Study 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, particularly the internal access to the parking areas shared between the two properties, were acceptable. The traffic engineer has also indicated that the proposed project closure of the two existing driveways located closer to the intersection will improve vehicular movement for the site.

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 one correspondence (attached, Exhibit I) in opposition to the proposed development as they do not believe that approval of another drug store is needed. 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.

Staff Concerns:

In evaluating the proposal, particularly with the size of the property and the additional reduction due to the required 8-foot dedication, corner cut-off and the design constraint with the existing egress/ingress easement, staff's concern is that the scale of the project may be too large for the site. Additionally, the proposed building may not be visually compatible at the intersection with other surrounding buildings located at the other adjoining corners. The height of the building directly to the north across Manhattan Beach Boulevard (Target site) varies from 16 – 22 feet; the building canopy to the northwest at the Shell gasoline station is 22 feet; and the Jiffy Lube located across Sepulveda Boulevard is 30 feet with parking area below and a minimum 4:12 roof pitch. None of these existing buildings are located at the property corner. The proposed building is designed at a height between 24'-2" – 25'. Height comparison information with the surrounding buildings will be provided at tonight's meeting based on information gathered by staff and the applicant.

CONCLUSION

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

Use Permit

1. Determine whether the proposed use of the property is appropriate for the site, serves the public interest, and meets the required finding per MBMC Section 10.84.060 (A), and forward a corresponding recommendation to the City Council.

Building Height Variance

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

Parking Reduction

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

Sepulveda Boulevard Corridor Guidelines

4. Determine whether the proposed building design and visual impact is appropriate and consistent with the Sepulveda Corridor Development Guidelines which encourages storefronts and windows to be oriented towards Sepulveda Boulevard.
5. Determine whether a 24-hour operation with the sale of beer and wine is appropriate for this site.
6. Approve the Initial Study and Negative Declaration of Environmental Impacts.

Attachments:

- Exhibit A – Site location Map
- Exhibit B – Initial Study/Negative Declaration
- Exhibit C – Tentative Parcel Map No. 65079 – n/a
- Exhibit D – Sepulveda Boulevard Corridor Guidelines
- Exhibit E – Proposed Sign Plan
- Exhibit F – Site Lighting and Photometric Plan – n/a
- Exhibit G- Applicant’s Variance Narrative Findings
- Exhibit H – Linscott, Law & Greenspan, Parking Study
- Exhibit I – Letter in Opposition to the Proposal, 4/7/06
- Exhibit J - Project Plans - n/a

n/a – not available electronically

cc: Sav-onDrugsStfRpt 4-12-06

CITY OF MANHATTAN BEACH
MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION
APRIL 12, 2006

1 A regular meeting of the Planning Commission of the City of Manhattan Beach was held on
2 Wednesday, April 12, 2006, at 6:35 p.m. in the City Council Chambers, City Hall, 1400
3 Highland Avenue.

4
5 **ROLL CALL**

6
7 Vice-Chairman Schlager called the meeting to order.

8
9 Members Present: Lesser, Savikas, Vice-Chairman Schlager
10 Members Absent: Bohner, Chairman Simon
11 Staff: Richard Thompson, Director of Community Development
12 Daniel Moreno, Associate Planner
13 Sarah Boesch, Recording Secretary
14

15 **APPROVAL OF MINUTES** March 29, 2006

16
17 Commissioner Lesser requested that language be added on page 2, line 22, to state: "In response
18 to a question from Commissioner Lesser, Associate Planner Moreno said that the issue of
19 noncompliance would be addressed with the property owner, and not just the applicant
20 drycleaner, which is a tenant."

21
22 In response to a comment from Commissioner Lesser, Director Thompson pointed out that the
23 discussion regarding the pole sign at the last meeting was not closed, as it was not an official
24 public hearing.

25
26 A motion was MADE and SECONDED (Lesser/Schlager) to **APPROVE** the minutes of March
27 29 2006, as amended.

28
29 AYES: Lesser, Vice-Chairman Schlager
30 NOES: None
31 ABSENT: Bohner, Chairman Simon
32 ABSTAIN: Savikas
33

34 **AUDIENCE PARTICIPATION** None

35
36 **BUSINESS ITEMS**

37
38 **PUBLIC HEARINGS**

39
40 **06/0412.1 Consideration of a Use Permit for a Sav-on Drug Store to Allow Parking**
41 **Reduction, 24 Hour Operation, and Sale of Alcoholic Beverages, a**
42 **VARIANCE from Maximum Allowable Building Height, and an Initial**

PLANNING COMMISSION MINUTES

April 12, 2006

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**Study and Negative Declaration of Environmental Impacts, Proposed at 1100
Manhattan Beach Boulevard**

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4 Associate Planner Daniel Moreno summarized the staff report. He commented that the
5 Commissioners have been provided with conceptual elevations of the building and elevations of
6 the adjoining property corner buildings which were not included with the staff report. He
7 indicated that the proposal includes a retail use of a 9,161 square foot building with a mezzanine
8 area of 1,000 square feet. He stated that a retail store is a permitted use in the General
9 Commercial zone; however, a Use Permit is required because the buildable area exceeds 5,000
10 square feet; because the lot exceeds 10,000 square feet; and because a liquor license and parking
11 reduction are being requested. He stated that a Variance is also being requested which seeks
12 approval of a maximum building height for the site. He indicated that the applicant is required to
13 provide an 8 foot dedication off of Sepulveda Boulevard to allow for the future widening of the
14 street to accommodate an additional left hand turn pocket onto Manhattan Beach Boulevard. He
15 stated that the applicant is also required to provide a corner cutoff to allow for a disabled access
16 ramp to provide proper pedestrian access and to provide for existing and future street lighting.
17 He said that there is also a 10 foot wide by 100 foot long easement located on the south westerly
18 portion of the building to provide access to the property to the south, which also creates
19 constraints in the design of the building.
20

21 Associate Planner Moreno commented that the applicant has attempted to comply with the
22 Sepulveda Corridor guidelines which recommend placing the building and store front towards
23 the front of the site. He indicated that the site is required to have 8 percent of landscaping,
24 which is approximately 2,000 square feet. He said that there is also a requirement for a 10 foot
25 landscape buffer at the corner of Manhattan Beach Boulevard and Sepulveda Boulevard. He
26 commented that there is a pedestrian access area on Sepulveda Boulevard, and there is none
27 proposed on Manhattan Beach Boulevard. He indicated that a maximum of 334 square feet of
28 signage is permitted, and the proposal is for slightly over 300 square feet of signage. He said
29 that a lighting and photometric plan has been submitted by the applicant, and the foot candles of
30 the lighting as proposed are well below the maximum. He stated that the store is proposed to
31 operate 24 hours seven days a week with delivery hours between 6:00 a.m and 10:00 p.m. He
32 commented that the applicant has submitted that there would be approximately two deliveries
33 per week between the hours proposed, and the unloading would take approximately an hour.
34

35 In response to a question from Vice-Chairman Schlager regarding the number of employees,
36 Associate Planner Moreno said that the applicant plans to have approximately eight to ten
37 employees per shift.
38

39 In response to a question from Commissioner Lesser, Associate Planner Moreno indicated that
40 the adjoining liquor store does not have a Use Permit and has no restriction on the hours of
41 selling alcohol. He said that staff's understanding is that they sell liquor until 2:00 a.m.

PLANNING COMMISSION MINUTES

April 12, 2006

Page 3

1
2 He indicated that they are proposing to sell alcoholic beverages between 6:00 a.m and 2:00 a.m.
3 seven days a week. He stated that the area devoted to alcohol sales would not exceed 10 percent
4 of the floor area, and the alcohol sales typically account for 7 to 10 percent of the total sales of
5 the store. He indicated that the structure would appear as two levels from all elevations. He
6 stated that the height restriction is 22 feet, and the building is proposed 2 feet above the
7 permitted height. He commented that an alternative plan has been provided for a design of 30
8 feet, which the applicant does not prefer because of the architectural features and elements. He
9 commented that there are a limited number of areas for the placement of the mechanical
10 equipment because of the small size of the site, and the equipment is proposed on the roof area.

11
12 Associate Planner Moreno stated that the parking requirement is for 1 parking space for the first
13 5,000 square foot of retail area plus 1 per 250 square feet thereafter and 1 space per 1,000 square
14 feet of storage/office area, or 39 spaces. He commented that the proposal shows 35 spaces, in
15 part because of the easement that applies to the side and the property to the south. He indicated
16 that a parking study using an existing Sav-on store in Hermosa Beach concludes that 35 spaces
17 for peak weekend and weekday hours is sufficient for the site, and the City’s Traffic Engineer
18 concurs with the conclusion of the study. He said that the Traffic Engineer has also looked at the
19 project layout and has found it to be acceptable. He stated that two of the four access points to
20 the existing gas station will be removed, which would provide better parking circulation for the
21 project. He said that the project was noticed to properties within 500 feet of the site, and only
22 one comment was received by a resident of 11th Street stating that there was not a need for an
23 additional drug store in the City. He indicated that staff has concerns regarding the scale of the
24 project; the visual impact of the building; the loading area; and pedestrian access. He
25 commented that staff would assume that the delivery vehicles would access the site from
26 Manhattan Beach Boulevard, and there is a concern that they would block some of the parking
27 spaces. He stated that staff also has a concern that pedestrian access is only provided off of
28 Sepulveda Boulevard and not Manhattan Beach Boulevard. He indicated that staff is asking the
29 Commission to consider whether the proposed use of the property is appropriate for the site,
30 serves the public interests, and meets the required findings. He indicated that staff is also
31 directing the Commission to consider whether the request for relief from maximum allowable
32 building height is appropriate and meets the findings; whether the reduction in parking
33 requirements is adequate based on the Code requirements and meets the required findings;
34 whether the proposed building design and visual impact is appropriate and consistent with the
35 Sepulveda Corridor Guidelines; and whether the 24 hour operation with the sale of beer and
36 wine is appropriate.

37
38 Director Thompson indicated that the Sepulveda Guildelines encourage buildings to be pushed to
39 the corner of the property which is a concern staff has raised. He indicated, however, that staff
40 believes the proposal is the only way the project can be designed at the subject location because
41 of the reciprocal easement requirement for the liquor store to the rear of the property. He

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1 indicated that it is doubtful that the project could be designed differently without blocking the
2 parking for the liquor store. He stated that the guidelines do encourage buildings to be located
3 close to the front; however, there are other projects that comply which provide certain setbacks
4 and landscaping areas that seem to soften the impact to the intersection.

5
6 Commissioner Savikas asked regarding a requirement for proper removal of the tanks at the
7 existing gas station.

8
9 Associate Planner Moreno said that the Fire Department has indicated that the applicant would
10 have to meet all County public works requirements for removal of the tanks should the project be
11 approved.

12
13 Director Thompson commented that he would suggest documenting in the Negative Declaration
14 that the removal of the tanks has been addressed as an environmental concern which is properly
15 mitigated by the requirements of other agencies. He indicated that staff is confident that the
16 issue is being addressed.

17
18 Commissioner Savikas commented that she would want to be certain that the Fire Department
19 would conduct soil tests after the tanks are removed.

20
21 In response to a question from Commissioner Lesser, Associate Planner Moreno indicated that
22 the existing sidewalk on Manhattan Beach Boulevard would remain.

23
24 Commissioner Lesser commented that his understanding is that the Capital Improvement budget
25 includes a project to widen Manhattan Beach Boulevard for traffic heading eastbound to provide
26 an additional left hand turn pocket for traffic traveling northbound onto Sepulveda Boulevard.
27 He asked if the project would allow for space in the future if there was ever a desire to also allow
28 an additional left hand turn lane for traffic westbound on Manhattan Beach Boulevard for traffic
29 turning south onto Sepulveda Boulevard.

30
31 Associate Planner Moreno commented that the existing right-of-way is sufficient to allow such
32 an expansion. He said that the engineering division has not indicated that there is any future
33 plans to ask for additional dedications of the private property.

34
35 In response to a question from Commissioner Lesser, Associate Planner Moreno said that the
36 applicant has not specified where employees for the store would park. He indicated that it is
37 typical to include a condition that all employees park on site. He indicated that employee
38 parking has been taken into account as part of the parking.

39
40 In response to a question from Vice-Chairman Schlager, Director Thompson stated that staff
41 concurs that the second alternative submitted for the project is not a desirable option. He said

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1 that staff's main concern is that the building is too large for the smaller site, and staff would still
2 have the same concerns if the roof were changed.

3
4 In response to a question from Commissioner Savikas, Director Thompson stated that an
5 alternative design with a smaller structure has been discussed, and the applicant has indicated
6 that the current size is the smallest that they are able to propose.

7
8 **Cheryl Vargo**, representing the applicant, indicated that the site was chosen because customers
9 have demanded additional service from the existing Sav-on store in Manhattan Village, and that
10 store cannot satisfy all of their customers. She said that it was not easy to find a location that is
11 large enough for such a store, and the site is desirable because of its location adjacent to two
12 major streets. She stated that a much larger structure could locate on the site; however, it would
13 not be practical. She indicated that the project size is 20 percent less than is permitted by Code,
14 and any commercial building that would near the maximum would be a use such as an office
15 building that includes subterranean parking. She said that they feel the scale of the building is
16 not inordinate with what could be placed on the site. She pointed out that a building with a flat
17 roof would be permitted up to 30 feet high if subterranean parking were included. She indicated
18 that the mechanical equipment and articulation of the façade are the only portions that would
19 extend above the 22 foot height limit. She commented that the building is slightly over 20 feet
20 from grade closest to the street corner, and the highest point is near the interior of the structure.
21 She stated that the intent of the mezzanine area is for office space and storage.

22
23 **Ms. Vargo** indicated that constraints of building on the site include the topography and the 8
24 foot dedication along Sepulveda Boulevard. She said that there also is a 10 foot wide easement
25 along the south of the property. She commented that shifting the driveway access point on
26 Sepulveda 20 feet north of its current location as proposed requires them to grant the owner of
27 the property to the south an additional easement in order to allow adequate access to his site. She
28 indicated that the dedication and easements create special and unusual circumstances by
29 reducing the amount of usable site area. She commented that they considered a shared parking
30 agreement with the property to the south that could allow them a 15 percent reduction, which
31 would have probably resulted in a requirement of fewer parking spaces than is being proposed.
32 She indicated that the Sav-on store in Hermosa Beach is similar to the proposed store, and a
33 traffic study conducted over an extended period of time at that location identified a peak demand
34 of 28 spaces during weekdays and 21 during weekends. She indicated that City staff concurred
35 with the findings of the study. She pointed out that the adjacent uses would not use the parking
36 for the subject site, as the fitness center only has two occupants at any one time and the liquor
37 store has nine parking spaces for their store. She pointed out that the parking requirement does
38 take into consideration employee parking. She commented that they feel the visual impact study
39 that was prepared for the four corners helps illustrate that the proposal is not obtrusive and not
40 out of scale for the intersection. She stated that they have attempted to soften the look of the
41 building from the Manhattan Beach Boulevard and Sepulveda Boulevard by incorporating

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1 landscaped trellises along the side elevations.

2

3 In response to a question from Vice-Chairman Schlager, **Ms. Vargo** said that no windows are
4 proposed on the north side of the structure which is where the pharmacy is located because it is
5 not advisable to have windows looking into the pharmacy area for security reasons. She
6 indicated that the area along the west side of the store includes storage, which is also not a
7 desirable location for windows.

8

9 In response to a question from Vice-Chairman Schlager, **Ms. Vargo** stated that the Hermosa
10 Beach Sav-on store which was used in the parking study has over 13,000 square feet and has a
11 drive through window and 59 parking spaces.

12

13 **Ms. Vargo** said that they could probably gain two parking spaces if they used compact spaces,
14 but they prefer to use regular spaces for easier access. She also commented that larger cars will
15 frequently use two compact spaces when parking, which reduces the efficiency of the parking.
16 She indicated that the Sepulveda Guidelines allow the Commission flexibility to determine
17 whether a store front and windows are essential to a project design based on the project. She
18 pointed out that the store does require full height walls to allow for shelving. She commented
19 that it is not a pedestrian oriented use from Sepulveda Boulevard and Manhattan Beach
20 Boulevard and is mainly a destination use. She said that the front door must be located adjacent
21 to the parking lot, and the side of the building cannot be made to look like the front entrance.

22

23 In response to a question from Commissioner Savikas, **Ms. Vargo** indicated that she does not
24 think that any more parking spaces could be added by reconfiguring the landscaped areas.

25

26 In response to a question from Commissioner Lesser, **Ms. Vargo** indicated that the applicant
27 would not be willing to consider a reduction in size for the project from the current proposal.
28 She commented that the proposal is already smaller than other Sav-on locations.

29

30 **Michael MacFarland**, Tait & Associates, representing the applicant indicated that sidewalk
31 access to the store from Manhattan Beach Boulevard that would meet ADA standards would not
32 be feasible because of the large series of switchback ramps that would be required. He
33 commented that they would use a smaller truck to access the site, as a larger truck would not be
34 able to get into the parking area. He pointed out that the unloading time is shorter for the smaller
35 trucks. He stated that there is access for cars to enter and exit the site with the trucks in the
36 loading area. He indicated that they are requesting loading hours between 6:00 a.m. to 10:00
37 p.m. twice a week. He commented that the adjacent property owner to the south has agreed to
38 the proposed parking configuration.

39

40 Vice-Chairman Schlager opened the public hearing.

41

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1 **Phillip Gingrich**, a resident of 11th Street, said that there is an issue regarding parking with the
2 configuration around 11th Street. He commented that there has been discussion for 15 years get a
3 dual left turn to the west off of Sepulveda Boulevard. He indicated that there also has been a
4 concern expressed regarding the trend of buildings becoming higher and exceeding the height
5 limit. He said that continually adding liquor stores is one of the largest problems in many cities.
6 He commented that he is also uncertain of the need for additional drug stores in the City.

7
8 **Ned Fox**, a resident of John Street, said that he has a concern with the effect of having a large,
9 unbroken wall along Sepulveda Boulevard and Manhattan Beach Boulevard. He said that having
10 flat walls is poor massing of the structure on the street level, is inconsistent with the Sepulveda
11 Boulevard Development guidelines, is not pedestrian friendly, is visually obtrusive, and is poor
12 urban planning. He indicated that it is important to have relief of density and massing,
13 particularly from the street level.

14
15 **Tommy Hablucian**, a resident of 14th Street, stated that he is planning to start a family in the
16 near future, and it would be comforting to him and others in the community to know that there
17 would be a pharmacy open 24 hours a day in case of any emergencies.

18
19 Director Thompson pointed out that the Sav-on in Manhattan Village is currently planning to be
20 open 24 hours.

21
22 **Tom Sercuither**, a resident of Marine Avenue, commented that he works nights, and a 24 hour
23 Sav-on would be beneficial to accommodate the hours during which he works.

24
25 Vice-Chairman Schlager closed the public hearing.

26
27 Commissioner Savikas indicated that she understands that the applicant considers the store more
28 of a destination use, which brings with it a demand that sufficient parking be provided. She
29 stated that 8 to 10 employees per shift would reduce the number of available parking spaces for
30 customers to 25, and the traffic survey indicated that a minimum of 28 spaces would be needed
31 for the proposed use. She suggested the possibility of using tandem spaces for employee
32 parking. She indicated that she would like for more thought to be given regarding the parking.
33 She stated that the corner seems perfect for a smaller Sav-on express store rather than a larger
34 store. She commented that the building is 20 percent less than is permitted; however the
35 maximum allowable would not be able to accommodate sufficient parking. She stated that she is
36 concerned about a potential blind spot caused by the structure for traffic on Sepulveda Boulevard
37 turning onto Manhattan Beach Boulevard. She said that a driver turning into the parking lot
38 from Manhattan Beach Boulevard could potentially have a blind spot of a driver turning the
39 corner on Sepulveda Boulevard.

40
41 Commissioner Lesser commented that a great deal of thought has gone into the design; however

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1 he cannot support the project on the basis of staff's concerns and the specific findings that the
2 Commission must make. He indicated that the size of the project is too large for the site and has
3 led to problems with attempting to provide pedestrian access. He stated that although Manhattan
4 Beach Boulevard and Sepulveda Boulevard are major traffic thoroughfares, the City does want
5 to encourage pedestrian access to its buildings as much as possible. He commented that the site
6 is on a prominent corner. He indicated that the proposed building design and the Blockbuster
7 building across Sepulveda Boulevard do not allow for pedestrian access at either site. He stated
8 that there is not sufficient parking for employees and customers to allow for any future growth.
9 He commented that he feels there are problems meeting the preliminary findings that are
10 necessary for a Use Permit, without even addressing the findings required for a Variance.

11
12 Vice-Chairman Schlager indicated that the proposal would be a vast improvement to what exists
13 currently on the site. He commented, however, that the west and north elevations of the
14 structure must be improved visually in order for him to consider approval. He stated that the site
15 is a prominent corner and is the entrance and exit to Manhattan Beach. He said that the
16 Sepulveda Guidelines suggest that building storefronts and windows should be oriented toward
17 Sepulveda Boulevard when possible and include designs that relate to the street to create a more
18 attractive, comfortable, and interesting environment. He said that he feels the design of the
19 structure is the reason that they are subject to unforeseen circumstances that are creating a
20 problem in meeting requirements. He also suggested that the applicant consider redesigning the
21 structure to provide a walkway along the entire building. He commented that it is extremely
22 important that the appropriate agencies regulate cleanup of the prior gas station tanks. He
23 indicated that he would accept staff's opinion that the parking study is sufficient.

24
25 Commissioner Savikas indicated that she would like more information regarding previous
26 approvals for hours that liquor sales have been permitted for other projects and for other Sav-on
27 locations. She said that she would also want further input regarding the hours of deliveries. She
28 suggested that a four hour time frame for deliveries may be more appropriate than having the
29 hours be open ended between 6:00 a.m. and 10:00 p.m. She said that she is concerned with the
30 visual impact the project would have on the corner.

31
32 Vice-Chair Schlager asked whether the applicant would be willing to address further improving
33 the visual impact of the west and north elevations of the structure; lowering the height of the
34 building; providing a pedestrian walkway; adding an environmental clause regarding the
35 requirement that the site be cleaned properly before construction; and readdressing the parking.

36
37 **Kristen Holst**, representing the applicant, commented that the delivery trucks would be smaller
38 vehicles rather than semi trucks. She said that the proposal is 7,000 square feet less than their
39 typical stores, and reducing the size of the structure would make the project not viable.

40
41 Director Thompson stated that staff feels addressing the issues that have been raised by the

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1 Commission would result in reducing the size of the building. He indicated that a lot of work
2 has been done to arrive at the best possible option considering the size of the structure. He
3 indicated that the Commissioners should deny the project if they feel it is simply too large for the
4 site.

5
6 Commissioner Lesser stated that he understands why the applicant would not want to reduce the
7 size further; however, he fundamentally feels the project is too large. He said that he does not
8 feel the issues that have been raised can be addressed without the applicant presenting a smaller
9 structure, and he is inclined to deny the project.

10
11 A motion was MADE and SECONDED (Lesser/Savikas) to direct staff to prepare a Resolution
12 to **DENY** consideration of a Use Permit for a Sav-on Drug Store to allow parking reduction, 24
13 hour operation, and sale of alcoholic beverages, a Variance from Maximum Allowable Building
14 Height, and an Initial Study and Negative Declaration of Environmental Impacts, proposed at
15 1100 Manhattan Beach Boulevard.

- 16
- 17 AYES: Lesser, Savikas, Vice-Chair Schlager
- 18 NOES: None
- 19 ABSENT: Bohner, Chairman Simon
- 20 ABSTAIN: None

21
22 Director Thompson explained that after the Resolution is approved at the meeting of April 26,
23 there will be a he 15-day appeal period during which time the applicant may appeal the decision
24 to the City Council for a public hearing.

25
26 **DIRECTOR'S ITEMS** None

27
28 **PLANNING COMMISSION ITEMS**

29
30 Commissioner Savikas stated that she is planning to attend the American Planning Association
31 Conference in San Antonio.

32
33 **TENTATIVE AGENDA: April 26, 2006**

- 34
- 35 A. Use Permit and Coastal Development Permit for the Proposed Construction of a New
- 36 Duplex at 320 Rosecrans Avenue
- 37
- 38 B. Sign Exception for a Church at 624 15th Street

39
40 **ADJOURNMENT**

41

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1 The meeting of the Planning Commission was **ADJOURNED** at 8:40 p.m. in the City Council
2 Chambers, City Hall, 1400 Highland Avenue, to Wednesday, April 26, 2006, at 6:30 p.m. in the
3 same chambers.

4

5

6 _____
7 RICHARD THOMPSON
Secretary to the Planning Commission

SARAH BOESCHEN
Recording Secretary

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

TO: Planning Commission

THROUGH: Richard Thompson, Director of Community Development

FROM: Daniel A. Moreno, Associate Planner

DATE: April 26, 2006

SUBJECT: Consideration of a Use Permit for a Sav-on Drug Store to Allow Parking Reduction, 24-Hour Operation, Alcohol Beverage License, Variance from Maximum Allowable Building Height and an Initial Study and Negative Declaration of Environmental Impacts, Proposed at 1100 Manhattan Beach Boulevard

BACKGROUND

At the Planning Commission meeting of April 12, 2006, the Commission voted (3-0-2) to deny the subject applications. After holding the public hearing and discussing the item the Commission felt that the project as proposed does not meet the required findings to approve a Use Permit and Variance.

Commission Concerns:

- a) That the scale of the project should be reduced and redesigned to: 1) meet the parking requirement, 2) meet the maximum allowable building height, 3) provide adequate pedestrian access off Manhattan Beach Boulevard, 4) have less visual impacts along Sepulveda Boulevard and Manhattan Beach Boulevard, 5) provide building articulation/windows, reduce building mass, and 6) provide additional landscape buffer.
- b) The proposal would not comply with specific conditions required for the proposed use in the district in which it would be located. Any deficiency in parking would have an adverse impact on future uses on the site. The current code required parking supply for general retail/mezzanine storage uses must be maintained to provide sufficient parking when future tenants change, since there may be no discretionary action to guarantee adequate parking supply.
- c) The Planning Commission felt that the proposed use would have adverse impacts to nearby residents or commercial properties related to parking, building height, hours of operation, loading hours, sale of alcohol, pedestrian access, building scale and visual impacts.

With the above concerns raised, the Commission asked the applicant if they were willing to revise the project in order to address the adverse impacts and the applicant responded that they were not be willing to change the project.

At this meeting, the Commission closed the public hearing and passed a motion to direct Staff to prepare a 'Resolution of Denial' for review at the next Planning Commission meeting of April 26, 2006. This 'Draft' Resolution is attached for the Commissions review.

At this meeting there were three people that spoke in support of the project and one who spoke against.

ALTERNATIVES

1. **ADOPT** the attached 'Draft' Resolution
2. **ADOPT** the attached 'Draft' Resolution with revised and/or additional findings

Attachments:

Exhibit A – 'Draft' Resolution No. PC 06-

D R A F T CITY OF MANHATTAN BEACH D R A F T
MINUTES OF THE REGULAR MEETING OF THE PLANNING COMMISSION
APRIL 26, 2006

1 A regular meeting of the Planning Commission of the City of Manhattan Beach was held on
2 Wednesday, April 26, 2006, at 6:40 p.m. in the City Council Chambers, City Hall, 1400
3 Highland Avenue.

4
5 **ROLL CALL**

6
7 Chairman Simon called the meeting to order.

8
9 Members Present: Lesser, Schlager, Simon, Chairperson Savikas
10 Members Absent: Bohner
11 Staff: Richard Thompson, Director of Community Development
12 Rosemary Lackow, Senior Planner
13 Eric Haaland, Associate Planner
14 Sarah Boesch, Recording Secretary
15

16 **APPROVAL OF MINUTES** April 12, 2006

17
18 Commissioner Lesser, requested that language be added on page 8, line 12 of the April 12
19 minutes to state:, “He commented that he feels there are problems meeting the preliminary
20 findings that are necessary for a Use Permit, without even addressing the findings required for a
21 Variance.”

22
23 A motion was MADE and SECONDED (Savikas/Lesser) to **APPROVE** the minutes of April 12,
24 2006, as amended.

25
26 AYES: Lesser, Schlager, Savikas
27 NOES: None
28 ABSENT: Bohner
29 ABSTAIN: Chairman Simon
30

31 **AUDIENCE PARTICIPATION** None

32
33 **BUSINESS ITEMS**

34
35 **A. Adopt Resolution Denying a Use Permit and Variance for a Proposed Sav-on Drug**
36 **Store at 1100 Manhattan Beach Boulevard**

37
38 Director Thompson indicated that there is a draft Resolution before the Commission to deny the
39 application as a result of the deliberations during the public hearing conducted at the last
40 meeting. He stated that the Commissioners asked the applicant at the previous hearing if they
41 would be willing to revise the project to address some of the concerns that were raised. He

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1 stated that based on the fact that the applicant was not willing to make the necessary changes, the
2 Commission directed staff to prepare a Resolution for denial.

3
4 Commissioner Savikas commented that the Resolution correctly reflects the discussion at the last
5 meeting.

6
7 Commissioner Lesser indicated that it is unfortunate that the applicant chose not to modify their
8 proposal. He stated that it is simply too large for its location at the corner of Manhattan Beach
9 Boulevard and Sepulveda Boulevard. He stated that he supports the proposed Resolution as
10 drafted.

11
12 A motion was MADE and SECONDED (Schlager/Lesser) to **ADOPT** the draft Resolution
13 **DENYING** a Use Permit and Variance for a Proposed Sav-on Drug Store at 1100 Manhattan
14 Beach Boulevard

15
16 AYES: Lesser, Schlager, Savikas
17 NOES: None
18 ABSENT: Bohner
19 ABSTAIN: Chairman Simon

20
21 Director Thompson explained the 15-day appeal period of the item to the City Council.
22

23 **B. Consideration of a Sign Exception Regarding the Installation of Two Electronic**
24 **Changeable Copy Signs Above the Entrance to the Parking Garage of a Church at**
25 **624 15th Street.**

26
27 Associate Planner Haaland summarized the staff report. He said that concerns expressed at the
28 March 29 hearing were regarding lighting intensity, safety, and visual obtrusiveness to the
29 neighborhood. He commented that the applicant had submitted further information regarding
30 LED sign lighting and has provided the Commissioners with photos of LED sign examples. He
31 stated that conditions in the draft Resolution for approval of the request include that the signs be
32 screened from sensitive neighborhood views and that new trees or other screening may be
33 required upon installation or in the future. He stated that if the Commission determines that
34 screening is not feasible in every instance that is desirable, it may be appropriate to consider not
35 approving both signs or relocating one or both of the signs to provide better screening. He
36 indicated that there is also a condition prohibiting the sign from using scrolling, flashing and
37 changing of colors. He said that there is also a condition that obtrusive or unsafe brightness be
38 prohibited and that the Community Development Director has the discretion to determine
39 whether the brightness of the signs is appropriate. He commented that a condition that
40 background lighting not be permitted and that the display not be lit to the maximum extent
41 feasible at any time. He stated that the hours of operation for the signs would be limited from