

**HUNTINGTON BEACH
OFFICE OF THE ZONING ADMINISTRATOR
EXECUTIVE SUMMARY**

TO: Zoning Administrator
FROM: Kimo Burden, Planning Aide
DATE: June 21, 2017

**SUBJECT: CONDITIONAL USE PERMIT NO. 17-009 (MOBIL GAS STATION
REMODEL)**

LOCATION: 9001 Adams Avenue, 92646 (located at the northeast corner of Magnolia St.
and Adams Ave.)



Applicant: Ben Steckler, 299 North Euclid Avenue, Suite 550, Pasadena, CA 91101

**Property
Owner:** Sun Rise Property LLC, 9001 Adams Avenue, Huntington Beach, CA 92646

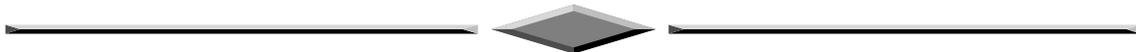
Request: To permit the remodel of an existing service station that will include the
conversion of three repair bays to a 2,019 sq. ft. convenience store with
alcohol beverage sales and construct an 824 sq. ft. automated carwash with
a 341 sq. ft. storage room

**Environmental
Status:** This request is covered by Categorical Exemption, Section 15303, Class 3,
California Environmental Quality Act.

General Plan: (CG-F1) Commercial General – Maximum floor area ratio of 0.35

Zone: (CG) Commercial General

Existing Use: Gas Station and Auto Repair



RECOMMENDATION: Staff recommends approval of the proposed project based upon
the following findings:

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15303 of the CEQA Guidelines, because the project consists of the construction of a commercial building that does not exceed 10,000 sq. ft. in floor area where all

necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

SUGGESTED FINDINGS FOR APPROVAL - CONDITIONAL USE PERMIT NO. 17-009:

1. Conditional Use Permit No. 17-009 to permit the remodel of an existing service station that will include the conversion of three repair bays to a 2,019 sq. ft. convenience store with beer and wine sales and construct an 824 sq. ft. automated carwash with an approximately 205 sq. ft. storage room will not be detrimental to the general welfare or persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed alcohol sales, as conditioned, will not generate noise, traffic, demand for parking or other impacts above that which currently exists and inconsistent with the subject property's commercial zoning. The sale of beer and wine is for off-site consumption only and the service station will continue to provide fuel and convenience goods. The convenience store and carwash facility will meet required setbacks and will not encroach into required pedestrian access areas or vehicular drive aisles. The nearest residential use is located approximately 275 ft. to the north of the subject site and is buffered by a parking lot, a commercial center, and a block wall. As such, the proposed use will not be detrimental to the nearby residential use or the surrounding commercial or to the value of the property and neighborhood as the building design will be compatible with the existing property and will provide an additional service to the surrounding community.
2. Conditional Use Permit No. 17-009 to permit the remodel of an existing service station that will include the conversion of three repair bays to a 2,019 sq. ft. convenience store with beer and wine sales and construct an 824 sq. ft. automated carwash with an approximately 205 sq. ft. storage room will be compatible with surrounding uses because the sale of beer and wine and the addition of the carwash will be ancillary to the existing service station. The carwash will be an additional service and will operate entirely within a building with the proposed vacuum stalls located adjacent to Adams Avenue in front of the service station. The nearest residential use is located approximately 370 ft. to the south of the site.
3. Conditional Use Permit No. 17-009 to permit the remodel of an existing service station that will include the conversion of three repair bays to a 2,019 sq. ft. convenience store with beer and wine sales and construct an 824 sq. ft. automated carwash with an approximately 205 sq. ft. storage room will comply with the provisions of the base district and other applicable provisions in Titles 21-25 of the Huntington Beach Zoning and Subdivision Ordinance and any specific conditions required for the use in the district in which it is located. The existing service station with the addition of the carwash facility and storage room conforms to applicable site development requirements such as setbacks, building height, minimum drive aisle widths, on-site parking and landscaping. Carwash facilities with beer and wine sales is permitted in the CG (Commercial General) zoning district with the approval of a conditional use permit.
4. The granting of Conditional Use Permit No. 17-009 to permit the remodel of an existing service station that will include the conversion of three repair bays to a 2,019 sq. ft. convenience store with beer and wine sales and construct an 824 sq. ft. automated carwash with an approximately 205 sq. ft. storage room will not adversely affect the General Plan. It is consistent with the Land Use Element designation of CG-F1 (General Commercial – 0.35 Floor Area Ratio) on the subject property. In addition, it is consistent with the following objectives and policies of the General Plan:

A. Land Use Element

Goal LU 7: Achieve a diversity of land uses that sustain the City's economic viability, while maintaining the City's environmental resources and scale and character.

Objective LU 7.1: Accommodate the development of a balance of land uses that (a) provides for the housing, commercial, employment, cultural, entertainment, and recreation needs of existing and future residents, (b) provides employment opportunities for residents of the City and surrounding sub region, (c) captures visitor and tourist activity, and (d) provides open space and aesthetic relief from urban development.

Policy LU 7.1.1: Accommodate existing uses and new development in accordance with the Land Use and Density Schedules.

Goal LU 11: Achieve the development of projects that enable residents to live in proximity to their jobs, commercial services, and entertainment, and reduce the need for automobile use.

B. Economic Development Element

Policy ED 2.4.1: Encourage and assist existing and potential commercial owners to modernize and expand their commercial properties.

Policy ED 2.4.3: Encourage the expansion of the range of goods and services provided in Huntington Beach to accommodate the needs of all residents in Huntington Beach and the market area.

The proposed convenience store with beer and wine sales and carwash facility will increase the economic viability of the service station and retail center by offering alcoholic beverages and carwashes in addition to other convenience goods. The expansion of services captures and enhances resident, visitor, and tourist activity within the surrounding areas.

SUGGESTED CONDITIONS OF APPROVAL - CONDITIONAL USE PERMIT NO. 17-009:

1. The site plan, floor plans, elevations, and the shared parking analysis received and dated May 5, 2017 shall be the conceptually approved layout with the following modifications:
 - a. Indicate on the plans that the parallel parking stalls located on the southwest portion of the site have the required 8 ft. maneuvering area. **(HBZSO 231.14)**
 - b. Revise the elevation to incorporate the addition of a cornice to the storage room to enhance the design.
 - c. All proposed signage shall be removed from the plans. Signs are reviewed under a separate permit and applicable processing.
2. Prior to submittal for building permits, the following shall be completed:

- a. One set of revised site plan, floor plan and elevations in accordance with Condition No. 1 shall be submitted to the Community Development Department for review and inclusion in the entitlement file.
 - b. Zoning entitlement conditions of approval, code requirements identified herein and code requirements identified in separately transmitted memorandum from the Departments of Fire, Community Development, and Public Works shall be printed verbatim on one of the first three pages of all the working drawing sets used for issuance of building permits (architectural, structural, electrical, mechanical, and plumbing) and shall be referenced in the sheet index. The minimum font size utilized for printed text shall be 12 point.
3. The use shall comply with the following:
- a. Prior to the sales of alcoholic beverages, the business shall obtain a California Department of Alcoholic Beverage Control (ABC) license authorizing off sale alcohol sales. The ABC license shall be limited to "Off-sale" Type 20 – Beer and Wine Off-sale. All conditions contained in the ABC license shall be adhered to. **(PD)**
 - b. Hours of alcohol sales shall be limited to between 6:00 AM and 2:00 AM. **(PD)**
 - c. Refrigerators and cabinets where alcohol is located must be locked to customers between 2:00 AM to 6:00 AM. **(PD)**
 - d. All persons engaged in the sale of alcohol shall complete a mandatory Responsible Beverage Service (RBS) training and certification. This shall be required for new employees within 90 days of being hired and for existing employees every 12 months. Training shall be provided by an ABC approved RBS trainer and records of the training must be maintained on-site for review. **(PD)**
 - e. The facility shall employ a video surveillance security system and a one-month video library. The minimum requirements for the cameras will be: color, digital recording to DVR and able to record in low light. Electronic copies of video must be made available to the Huntington Beach Police Department within 48 hours of request. Digital recordings shall be made available for viewing on-scene upon request by police officers conducting investigations. **(PD)**
 - f. Live entertainment is prohibited. **(PD)**
 - g. In an effort to reduce the likelihood of alcohol related crimes, the display or sale of the following items shall be prohibited:
 - i. Wine containers of less than 750 milliliters.
 - ii. Wine with alcoholic content greater than 14 percent by volume unless corked bottles and aged at least two years.
 - iii. Beer or malt liquor sold individually in containers of 40 ounces or less, except for small production craft-type beer only available in 40 ounce or less containers.

- iv. Containers of beer or malt liquor not in their original factory packages of six-packs or greater.
 - v. Cooler products, either wine or malt beverage based, in less than four-pack quantities. **(PD)**
4. CUP No. 17-009 shall become null and void unless exercised within two years of the date of final approval or such extension of time as may be granted by the Director pursuant to a written request submitted to the Community Development Department a minimum 30 days prior to the expiration date.
 5. The Development Services Departments and divisions (Building & Safety, Fire, Planning and Public Works) shall be responsible for ensuring compliance with all applicable code requirements and conditions of approval. The Director of Community Development may approve minor amendments to plans and/or conditions of approval as appropriate based on changed circumstances, new information or other relevant factors. Any proposed plan/project revisions shall be called out on the plan sets submitted for building permits. Permits shall not be issued until the Development Services Departments have reviewed and approved the proposed changes for conformance with the intent of the Zoning Administrator's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Zoning Administrator may be required pursuant to the provisions of HBZSO Section 241.18.
 6. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/green-building-guidelines-rating>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.