



City of Huntington Beach Planning and Building Department
STAFF REPORT

TO: Planning Commission
FROM: Scott Hess, AICP, Director of Planning and Building
BY: Ethan Edwards, AICP, Associate Planner *EE*
DATE: September 11, 2012

SUBJECT: CONDITIONAL USE PERMIT NO. 12-014 (CHEVRON STATION – SALE OF ALCOHOL)

APPLICANT: Amlex – The American Liquor License Exchange, c/o Lorrie Hoel, 13127 Chukar Court, Chino, CA 91710

PROPERTY

OWNER: G&M Oil Company, LLC, 16868 A Street, Huntington Beach, CA 92647

LOCATION: 17472 Beach Boulevard, 92647 (Northeast corner of Beach Boulevard and Slater Avenue)

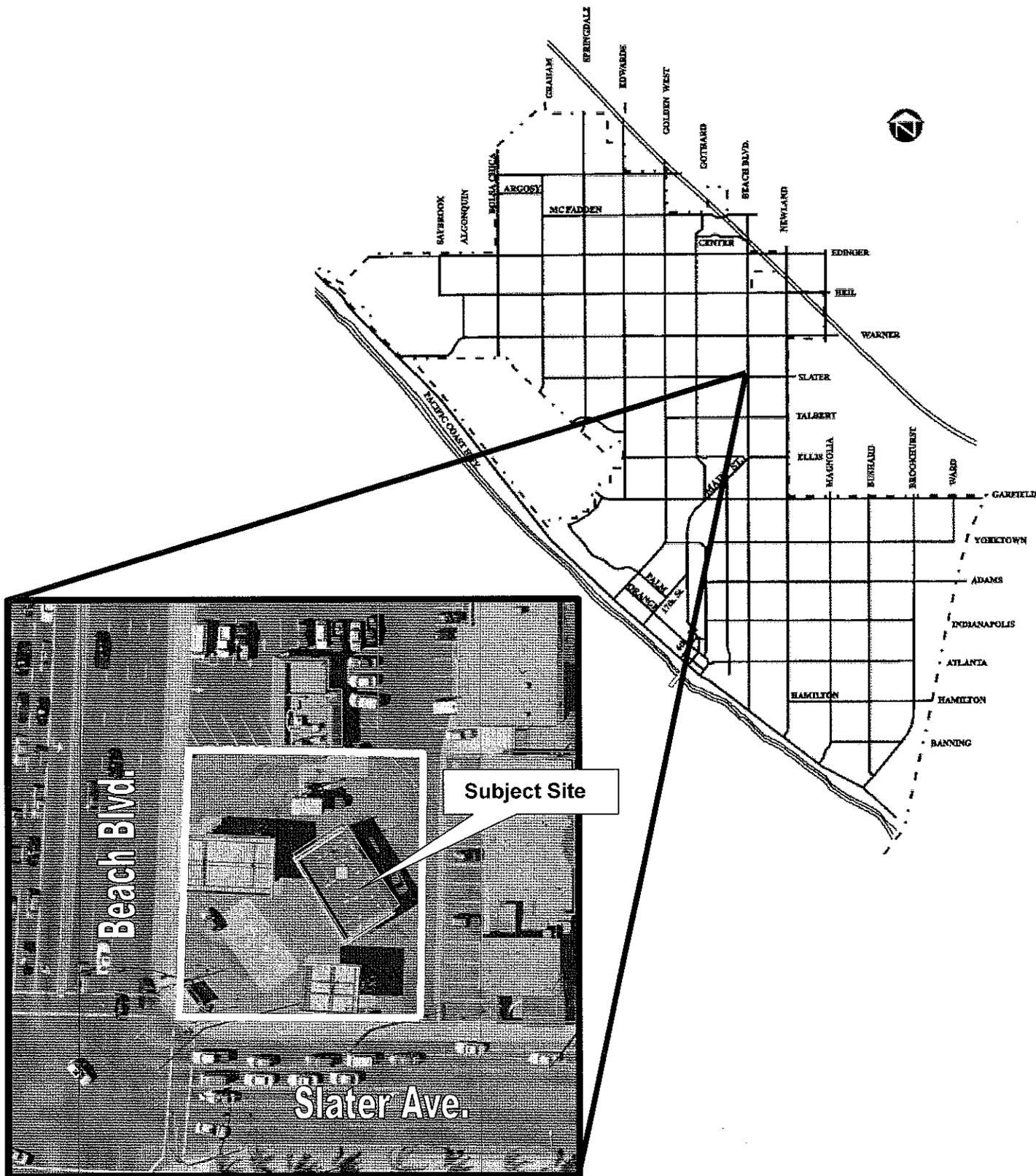
STATEMENT OF ISSUE:

- ◆ Conditional Use Permit No. 12-014 request:
 - To permit the sale of beer and wine for off-site consumption at an existing 1,439 sq. ft. gas station convenience store.
- ◆ Staff's Recommendation: Approve Conditional Use Permit No. 12-014 based upon the following:
 - The proposed use is in compliance with the General Plan designation of Mixed Use.
 - The existing service station use with a convenience store and proposed ancillary beer and wine sales, as conditioned, will not generate negative impacts to adjacent uses.

RECOMMENDATION:

Motion to:

“Approve Conditional Use Permit No. 12-014 with suggested findings and conditions of approval (Attachment No. 1).”



**VICINITY MAP
 CONDITIONAL USE PERMIT NO. 12-014
 (CHEVRON STATION ALCOHOL – 17472 BEACH BOULEVARD)**

ALTERNATIVE ACTION(S):

The Planning Commission may take alternative actions such as:

- A. "Continue Conditional Use Permit No. 12-014 and direct staff accordingly."
- B. "Deny Conditional Use Permit No. 12-014 with findings for denial."

PROJECT PROPOSAL:

Conditional Use Permit No. 12-014 represents a request to permit an existing approximately 1,439 sq. ft. gas station convenience store to sell beer and wine only for off-site consumption pursuant to Section 2.2 of the Beach & Edinger Corridors Specific Plan. The existing convenience store currently operates 24-hours a day, seven days a week and the proposed hours of alcohol sales is between 6:00 AM and 2:00 AM, seven days a week. The convenience store currently utilizes a camera security system and will have a minimum of two employees on-site at all times. No interior/exterior building or site improvements are proposed. The establishment of alcohol sales (beer and wine) requires review and approval of a conditional use permit by the Planning Commission.

Study Session: Not Applicable.

ISSUES:

Subject Property And Surrounding Land Use, Zoning And General Plan Designations:

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Site:	M – sp – d (Mixed Use – Specific Plan Overlay – Design Overlay)	SP14 (Beach and Edinger Corridors Specific Plan – Neighborhood Boulevard)	Gas Station with Convenience Store
North of Subject Site:	M – sp – d	SP14 (Beach and Edinger Corridors Specific Plan – Neighborhood Boulevard)	Commercial
East of Subject Site:	M – sp – d	SP14 (Beach and Edinger Corridors Specific Plan – Neighborhood Boulevard)	Pharmacy
South of Subject Site (across Slater Ave.):	M – sp – d	SP14 (Beach and Edinger Corridors Specific Plan – Neighborhood Boulevard)	Restaurant/Commercial
West of Subject Site (across Beach Blvd.):	M – sp – d	SP14 (Beach and Edinger Corridors Specific Plan – Neighborhood Boulevard)	Commercial

General Plan Conformance:

The General Plan Land Use Map designation on the subject property is M – sp – d (Mixed Use – Specific Plan Overlay – Design Overlay). The proposed project is consistent with this designation and the policies, objective, and goal of the City’s General Plan as follows:

A. Land Use Element

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

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 – 10.1.8 Require that entertainment, drinking establishments, and other similar uses provide adequate physical and safety measures to prevent negative impacts on adjacent properties.

The proposed project will permit the sale of alcoholic beverages (beer and wine) for off-site consumption within an existing gas station convenience store. The site is located within the Beach and Edinger Corridors Specific Plan designation and the use is consistent with the Building Use Regulations and is compatible with the surrounding mix of uses. The proposed conditional use permit will provide for the business needs for a successful gas station with a convenience store in a safe manner for customers and residents of the surrounding area.

B. Economic Element

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 place.

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

The project is located along a focal corridor of the City that contains a range of uses. The project serves to strengthen the existing business and facilitate continued viability of the gas station and convenience store.

Zoning Compliance:

The proposed project is located on a site within the Neighborhood Boulevard segment of the Beach and Edinger Corridors Specific Plan (BECSP) and the request complies with the requirements of that designation. The existing gas station use with a convenience store and proposed alcohol sales requires review and approval of a conditional use permit by the Planning Commission. The project does not include any site or building improvements.

Urban Design Guidelines Conformance: Not Applicable.

Environmental Status:

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1—*Existing Facilities*, because the project involves the operation and permitting of the existing development involving negligible expansion of an existing use.

Coastal Status: Not Applicable.

Redevelopment Status: Not Applicable.

Design Review Board: Not Applicable.

Subdivision Committee: Not applicable.

Other Departments Concerns and Requirements:

The Police Department has reviewed the project proposal and has identified suggested conditions of approval associated with the proposed alcohol sales (Attachment No. 4). The applicant has reviewed the proposed conditions and expressed their understanding and willingness to comply with these conditions.

Public Notification:

Legal notice was published in the Huntington Beach/Fountain Valley Independent on August 30, 2012, and notices were sent to property owners and occupants of record within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning and Building Department’s Notification Matrix), tenants, applicant, and interested parties. As of September 4, 2012, staff has received no comments in support or opposition to the request.

Application Processing Dates:

<u>DATE OF COMPLETE APPLICATION:</u>	<u>MANDATORY PROCESSING DATE(S):</u>
July 30, 2012	September 30, 2012

Conditional Use Permit No. 12-014 was filed on June 6, 2012 and deemed complete on July 30, 2012. The application is scheduled for public hearing before the Planning Commission on September 11, 2012.

ANALYSIS:

The proposed alcohol sales (beer and wine) for off-site consumption is located within an existing gas station convenience store. The location is suitable for alcohol sales due to compatibility with the existing convenience store operations and mix of surrounding uses. It is anticipated that no nuisance noise will occur with alcohol sales because no on-site consumption will be permitted. The operation of the existing gas station convenience store with proposed alcohol sales will occur only within the interior of the building. Approximately 10% of the sales area will be devoted to alcohol sales. The use will be required to comply with conditions of approval pertaining to the operation to assure that any potential impacts to the surrounding properties are minimized. The Police Department has reviewed the request and suggests conditions of approval to ensure the use provides adequate security and complies with City and State law regarding alcohol sales.

With the suggested conditions of approval, the subject request will not result in noise or safety issues and therefore be compatible with the surrounding area. The BECSP and General Plan land use designation anticipated convenience stores with offsite alcohol sales. The request for alcohol is ancillary to the existing gas station convenience store use and will serve to augment the variety of convenience goods for sale. The request to permit the sale of alcohol within an existing gas station convenience store is consistent with the scope and intent of development in the BECSP designation and supported by the General Plan.

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval – CUP No. 12-014
2. Site Plans and Floor Plan received and dated June 6, 2012
3. Project Narrative received and dated June 6, 2012
4. Code Requirements Letter dated August 21, 2012

SH:HF:EE:kd

ATTACHMENT NO. 1

SUGGESTED FINDINGS AND CONDITIONS OF APPROVAL

CONDITIONAL USE PERMIT NO. 12-014

SUGGESTED FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Planning Commission finds that the project will not have any significant effect on the environment and is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1—*Existing Facilities*, because the project involves a minor modification to the operation of the existing development involving negligible expansion of an existing use.

SUGGESTED FINDINGS FOR APPROVAL – CONDITIONAL USE PERMIT NO. 12-014:

1. Conditional Use Permit No. 12-014 to permit the sale of beer and wine for off-site consumption at an existing 1,439 sq. ft. gas station convenience store in the Beach and Edinger Corridors Specific Plan zoning designation will not be detrimental to the general welfare of persons working or residing in the vicinity or detrimental to the value of the property and improvements in the neighborhood. The proposed sales of alcoholic beverages is regulated by the provisions of Chapter 9.44 of the Huntington Beach Municipal Code. The subject request will not result in noise or safety issues. Furthermore, the consumption of alcoholic beverages will not be permitted on-site and will not generate detrimental impacts onto surrounding properties.
2. The request to permit alcohol sales for off-site consumption within an existing gas station convenience store will be compatible with the mix of surrounding uses. The convenience store is surrounded by commercial, office, and restaurant uses and therefore will be consistent with the existing land use pattern and compatible to its surroundings. The use will be required to comply with conditions of approval pertaining to alcohol sales to assure that any potential impacts to the surrounding properties are minimized.
3. The request to permit alcohol sales for off-site consumption within an existing gas station convenience store will comply with the Neighborhood Boulevard segment of the Beach and Edinger Corridors Specific Plan (BECSP), and other applicable provisions in Titles 20-25 of the Huntington Beach Zoning and Subdivision Ordinance (HBZSO). The BECSP allows gas stations with alcohol sales subject to approval of a conditional use permit. There is no physical expansion that includes additional floor area to the existing building as part of this request and the proposed use will comply with all building occupancy/exiting requirements.
4. The granting of the conditional use permit alcohol sales (beer and wine) is consistent with the General Plan. The General Plan Land Use Map designation on the subject property is M – sp – d (Mixed Use – Specific Plan Overlay – Design Overlay). The proposed project is consistent with this designation and the policies, objective, and goal of the City's General Plan as follows:

A. Land Use Element

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The proposed project will permit the sale of alcoholic beverages (beer and wine) for off-site consumption within an existing gas station convenience store. The site is located within the Beach and Edinger Corridors Specific Plan designation and the use is consistent with the Building Use Regulations and is compatible with the surrounding mix of uses. The proposed conditional use permit will provide for the business needs for a successful gas station with a convenience store in a safe manner for customers and residents of the surrounding area.

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

The project is located along a focal corridor of the City that contains a range of uses. The project serves to strengthen the existing business and facilitate continued viability of the gas station and convenience store.

SUGGESTED CONDITIONS OF APPROVAL – CONDITIONAL USE PERMIT NO. 12-014:

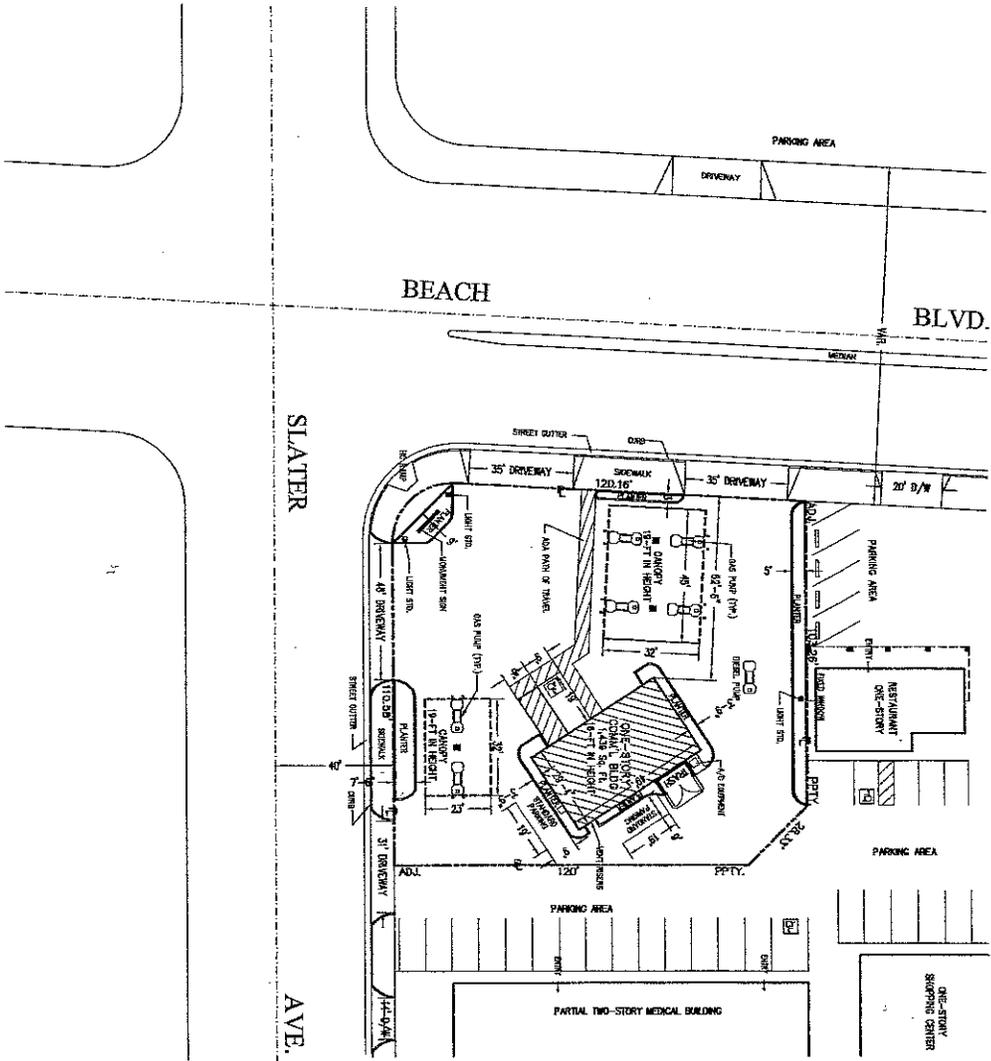
1. The site plan and floor plan received and dated June 6, 2012, shall be the conceptually approved design.
2. The use shall comply with the following:
 - a. Hours of alcohol sales is limited to between 6:00 AM and 2:00 AM, seven days a week.
 - b. The facility shall employ a video surveillance security system and a one-month video library. The minimum requirements for the cameras shall be: color, digital recording to DVR and able to record in low light. Electronic copies of video shall 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)**
 - c. Prior to the sale of alcoholic beverages, a copy of the Alcoholic Beverage Control Board (ABC) license, along with any special conditions imposed by the ABC, shall be submitted to

the Planning and Building Department for the file. Any conditions that are more restrictive than those set forth in this approval shall be adhered to. **(PD)**

3. 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 Planning and Building 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 Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18.
4. Conditional Use Permit No. 12-014 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 Planning and Building Department a minimum 30 days prior to the expiration date.
5. The Planning Commission reserves the right to revoke Conditional Use Permit No. 12-014 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance, or Municipal Code occurs.
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/index.cfm?fuseaction=guidelines>).

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.



AREAS	
SITE =	17443 SF
BUILDING =	1429 SF
CANOPY =	2172 SF
RETAL =	903 SF
LANDSCAPING =	1,829 SF

LEGAL: SEC 26 T 6 R 11 POR, NW/4 DESG. AS PARCEL 1 IN DD 6834/240 OR. SEE APPLICATION A.P.N. 187-312-03 ZONE: SP14, BEACH AND EDINGER CORRIDORS SPECIFIC PLAN, NEIGHBORHOOD BLDG SEGMENT ALL STRUCTURES AND IMPROVEMENTS EXISTING TO REMAIN

ZONING CONFORMANCE MATRIX			
SUBJECT	CODE SECTION / SPECIFIC PLAN	REQUIRED	PROVIDED
PARKING	231.04 SPECIFIC PLAN	RETAIL 1 SPACE / 200 SF = 3 SPACES	3 SPACES
LANDSCAPING	232.08 SPECIFIC PLAN	OPEN SPACE 2 SPACES / 1000 SF = 2 SPACES (2 STANDARD SPACES 1 VAN ACCESSIBLE)	1,944 SF
SITE COVERAGE	210.08 SPECIFIC PLAN	80% SITE AREA = 8,531 SF	1629 / 17062 = 10.7%
FRONTAGE COVERAGE	SPECIFIC PLAN	50% FRONTAGE = 0.8 X 140' = 70 FT	(1438 + 2178) / 17062 = 21.2%
FRONTYARD SETBACK	SPECIFIC PLAN	15 FT	12 / 15 FT
			62' - 8"

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 & Building

SITE PLAN
 SCALE: 1" = 20'

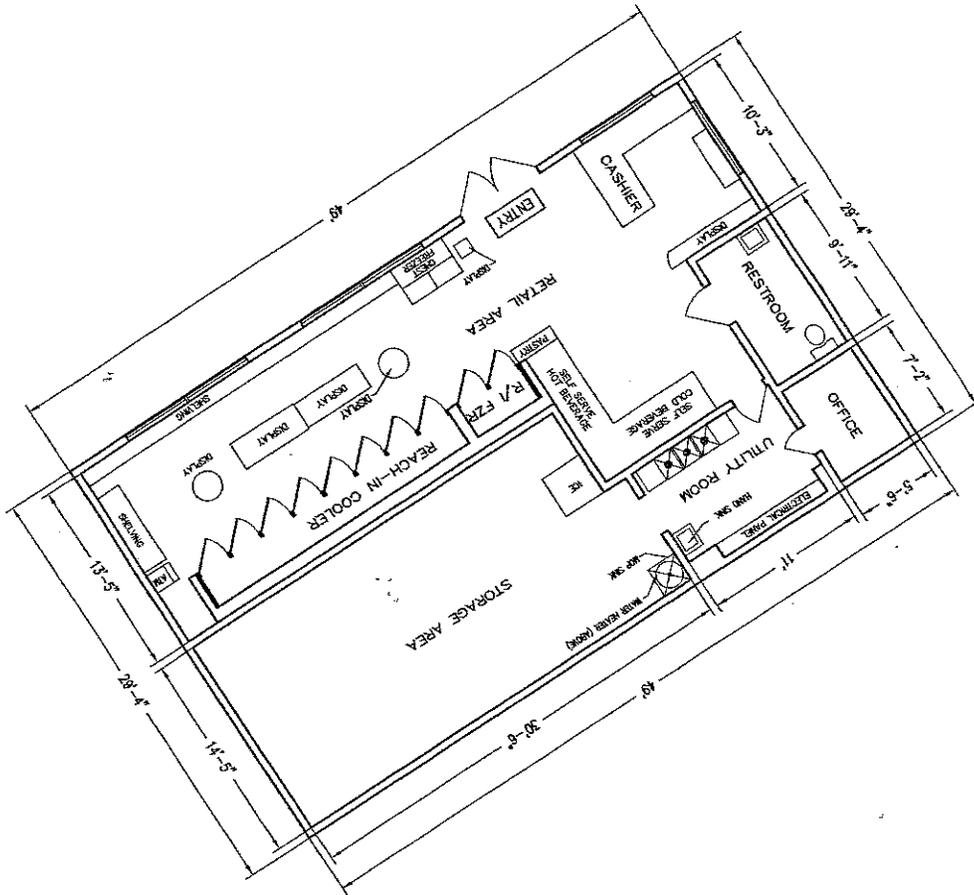
THE AMERICAN LIQUOR LICENSE EXCHANGE
 450 NORTH BRAND BLVD., SUITE 600
 GLENDALE, CA 91203
 800-711-2114

SITUS: G & M FOOD MART
 17472 BEACH BOULEVARD
 HUNTINGTON BEACH, CA 92647
 JOB # AMLEX-142

OWNER: G & M OIL CO. LLC
 16888 A STREET
 HUNTINGTON BEACH, CA 92647
 714-575-4700

APPLICANT: G & M OIL CO. LLC
 17472 BEACH BOULEVARD
 HUNTINGTON BEACH, CA 92647
 714-698-0972

CASE No:
 DATE: MAY 25, 2012



ATTACHMENT NO. 2.2

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Dept. of Planning
& Building

CADTEL HB0AS-PP-FP-ELEV

FLOOR PLAN

SCALE: 1/4" = 1'-0"



THE AMERICAN LIQUOR LICENSE EXCHANGE
450 NORTH BRAND BLVD., SUITE 600
GLENDALE, CA 91203
800-711-2114

SITUS: G & M FOOD MART
17472 BEACH BOULEVARD
HUNTINGTON BEACH, CA 92647
JOB # AMLEX-142

OWNER: G & M OIL CO. LLC
16888 A STREET
HUNTINGTON BEACH, CA 92647
714-375-4700

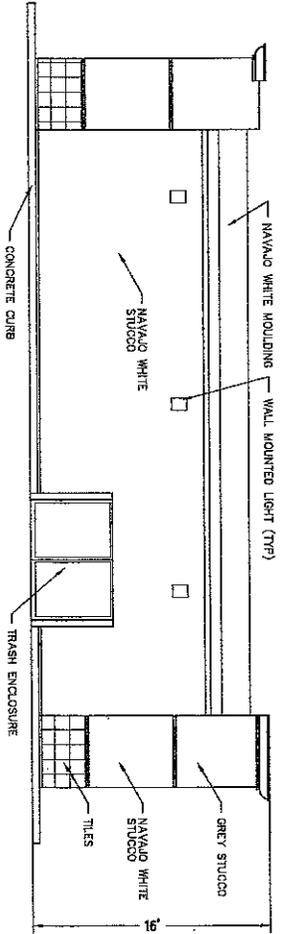
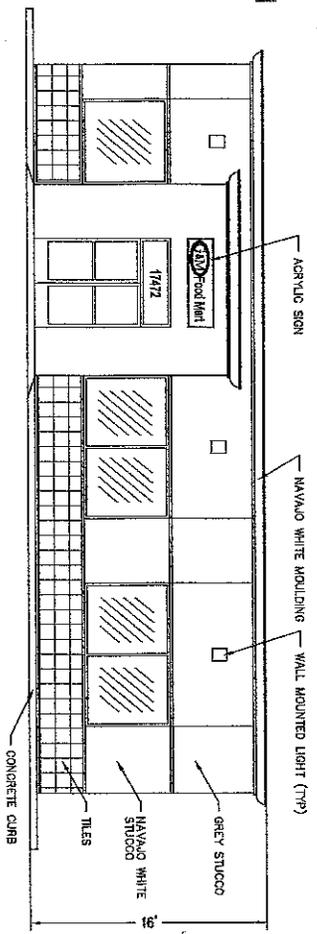
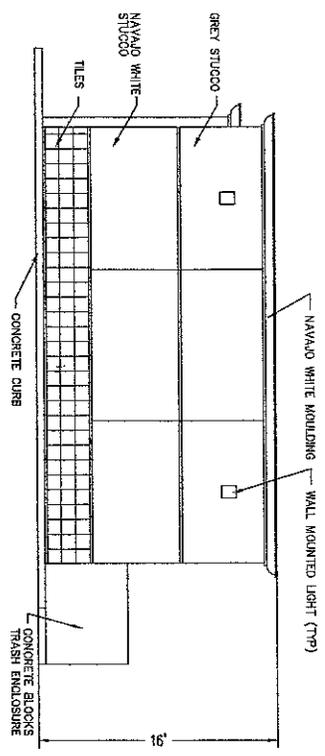
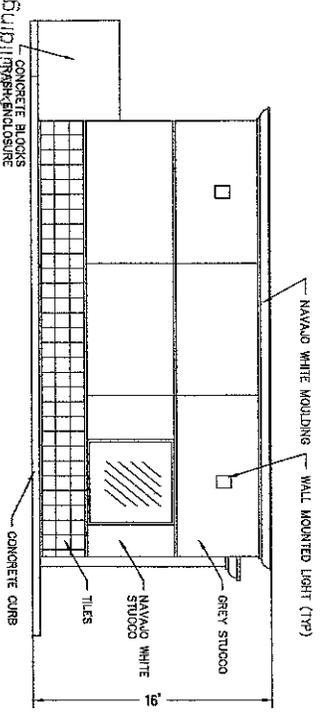
APPLICANT: G & M OIL CO. LLC
17472 BEACH BOULEVARD
HUNTINGTON BEACH, CA 92647
714-698-0972

CASE No:
DATE: MAY 25, 2012

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 Building Permits & Enclosure

NORTHWEST ELEVATION

SOUTHWEST ELEVATION



NORTHEAST ELEVATION

SOUTHWEST ELEVATION

ELEVATIONS

SCALE: 1/4" = 1'-0"

THE AMERICAN LIQUOR LICENSE EXCHANGE
 450 NORTH BRAND BLVD, SUITE 600
 GLENDALE, CA 91203
 800-711-2114

SUITS: G & M FOOD MART
 17472 BEACH BOULEVARD
 HUNTINGTON BEACH, CA 92647
 JOB # AMLEX-142

OWNER: G & M OIL CO. LLC
 16888 A STREET
 HUNTINGTON BEACH, CA 92647
 714-375-4700

APPLICANT: G & M OIL CO. LLC
 17472 BEACH BOULEVARD
 HUNTINGTON BEACH, CA 92647
 714-698-0972

CASE No:
 DATE: MAY 25, 2012

**City of Huntington Beach
Supplemental Application**

Applicant:

G&M Oil Co., LLC
17472 Beach Blvd.
Huntington Beach, California 92647
Parcel: 167-312-05

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& Building

Request:

To permit the sale of beer and wine only for off-site consumption; in conjunction with an existing 1,439 square-foot convenience market; with the hours of operation being 24 hours a day, seven days a week and hours of alcohol sales from 6:00 am to 2:00 am, seven days a week; in the SP-14 zone.

Description of project and services, including proposed use, square footage, hours and days of operation, number of employees, and other information as appropriate.

The subject premises is an existing Chevron gasoline station with a 1,439 square-foot convenience market operating 24 hours a day, seven days a week that is proposing to sell beer and wine for off-site consumption from 6:00 am to 2:00 am, seven days a week. The store is equipped with a state-of-the-art camera system and will have 2 employees on site at all times.

Reasons for initiating this application:

The approval of this project will allow the applicant to expand their market to include a full beverage department with beer and wine. The addition of a beer and wine is a logical extension of their current offering and will prove valuable to a clientele looking for a broader range of beverage choices. This grant will enhance the financial health of the community; improve the economic base of the area through the exchange of goods and services with other commercial uses and generate tax revenue to various municipalities.

Description of surrounding uses to the north, south, east and west:

North, adjoining property is located in Neighborhood Blvd. segment of the Beach/Edinger Specific Plan is improved with a strip mall.

East, across Slater Avenue and located in Neighborhood Blvd. segment of the Beach/Edinger Specific Plan is improved with a pharmacy.

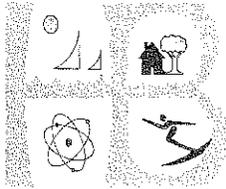
West, adjoining property is located in Neighborhood Blvd. segment of the Beach/Edinger Specific Plan is improved with a strip mall.

South, across Beach Blvd. and located in Neighborhood Blvd. segment of the Beach/Edinger Specific Plan is improved with a restaurant and strip mall.

Description of population served by the proposed use or project:

This is an established gas station and convenience market that serves nearby residents and commuters. The addition of beer and wine will provide new and existing customers with a broader range of beverage choices, an enhanced shopping experience and the convenience of one-stop shopping.

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& Building



City of Huntington Beach

2000 MAIN STREET

CALIFORNIA 92648

DEPARTMENT OF PLANNING AND BUILDING

www.huntingtonbeachca.gov

Planning Division

714.536.5271
August 21, 2012

Building Division

714.536.5241

Lorrie Hoel
13127 Chukar Ct.
Chino, CA 91710

SUBJECT: Conditional Use Permit No. 12-014 (Chevron Station Alcohol)

Dear Ms. Hoel,

In order to assist you with your development proposal, staff has reviewed the project and identified applicable city policies, standard plans, and development and use requirements, excerpted from the City of Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes. This list is intended to help you through the permitting process and various stages of project implementation should the Planning Commission approve your project.

It should be noted that this requirement list is in addition to any "conditions of approval" adopted by the Planning Commission if the project is approved. Please note that if the design of your project or site conditions change, the list may also change.

The Director of Planning and Building has interpreted the relevant Sections of the Zoning and Subdivision Ordinance to require that your project satisfy the following development standards. If you would like a clarification of any of these requirements, an explanation of the Huntington Beach Zoning & Subdivision Ordinance and Municipal Codes, or believe some of the items listed do not apply to your project, and/or you would like to discuss them in further detail, please contact me at 714-536-5561 or at ethan.edwards@surfcity-hb.org and/or the respective source department (contact person below).

Sincerely,

Ethan Edwards, AICP
Associate Planner

Enclosure

xc: Kevin Kesler, Police Department – 714-536-5960
Herb Fauland, Planning Manager
Jason Kelley, Planning Department
Project File



HUNTINGTON BEACH PLANNING DIVISION

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: AUGUST 20, 2012
PROJECT NAME: CHEVRON STATION ALCOHOL SALES
PLANNING APPLICATION NO. PLANNING APPLICATION NO. 12-100
ENTITLEMENTS: CONDITIONAL USE PERMIT NO. 12-014
DATE OF PLANS: JUNE 6, 2012
PROJECT LOCATION: 17472 BEACH BOULEVARD (NORTH EAST SIDE CORNER OF BEACH BLVD. AND SLATER AVE.)
PLAN REVIEWER: ETHAN EDWARDS
TELEPHONE/E-MAIL: (714) 536-5561, ETHAN.EDWARDS@SURFCITY-HB.ORG
PROJECT DESCRIPTION: CUP: TO PERMIT THE SALE OF BEER AND WINE FOR OFF-SITE CONSUMPTION AT AN EXISTING 1,439 SQ. FT. GAS STATION CONVENIENCE STORE.

The following is a list of code requirements deemed applicable to the proposed project based on plans stated above. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided should final project approval be received. If you have any questions regarding these requirements, please contact the Plan Reviewer.

CONDITIONAL USE PERMIT NO. 12-014:

1. The site plan, floor plans, and elevations approved by the Planning Commission shall be the conceptually approved design.
2. The use shall comply with the following:
 - a. Storage of Materials and Equipment. The provisions of Section 230.74, Outdoor Facilities, shall apply, except that a display rack for automobile products no more than 4 feet wide may be maintained at each pump island of a service station and a single tire storage display no more than 8 feet high and 16 feet long may be located on the site of a service station. If display racks are not located on pump islands, they shall be placed within 3 feet of the principal building, and shall be limited to 1 per street frontage. Outside storage of motor vehicles for more than 24 hours (7 days if the vehicle is actively being serviced) is prohibited, except as provided for truck and utility trailer rentals. The location of display racks and

vending machines shall be specified by the conditional use permit. **(HBZSO Section 230.32.E)**

3. The Development Services Departments (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 Planning & Building 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 Planning Commission's action. If the proposed changes are of a substantial nature, an amendment to the original entitlement reviewed by the Planning Commission may be required pursuant to the provisions of HBZSO Section 241.18. **(HBZSO Section 241.18)**
4. Conditional Use Permit No. 12-014 shall become null and void unless exercised within one year 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 Planning and Building Department a minimum 30 days prior to the expiration date. **(HBZSO Section 241.16.A)**
5. Conditional Use Permit No. 12-014 shall not become effective until the appeal period following the approval of the entitlement has elapsed. **(HBZSO Section 241.14)**
6. The Planning Commission reserves the right to revoke Conditional Use Permit No. 12-014 pursuant to a public hearing for revocation, if any violation of the conditions of approval, Huntington Beach Zoning and Subdivision Ordinance or Municipal Code occurs. **(HBZSO Section 241.16.D)**
7. The project shall comply with all applicable requirements of the Municipal Code, Building & Safety Department and Fire Department, as well as applicable local, State and Federal Fire Codes, Ordinances, and standards, except as noted herein. **(City Charter, Article V)**
8. Construction shall be limited to Monday – Saturday 7:00 AM to 8:00 PM. Construction shall be prohibited Sundays and Federal holidays. **(HBMC 8.40.090)**
9. The applicant shall submit a check in the amount of \$50.00 for the posting of the Notice of Exemption/Determination at the County of Orange Clerk's Office. The check shall be made out to the County of Orange and submitted to the Planning Department within two (2) days of the Planning Commission's approval of entitlements. **(California Code Section 15094)**
10. All permanent, temporary, or promotional signs shall conform to Chapter 233 of the HBZSO. Prior to installing any new signs, changing sign faces, or installing promotional signs, applicable permit(s) shall be obtained from the Planning & Building Department. Violations of this ordinance requirement may result in permit revocation, recovery of code enforcement costs, and removal of installed signs. **(HBZSO Chapter 233)**



CITY OF HUNTINGTON BEACH

PROJECT IMPLEMENTATION CODE REQUIREMENTS

DATE: July 3, 2012

ENTITLEMENTS: Planning Application No. 12-100: CUP No. 12-014

PROJECT LOCATION: 17472 Beach Blvd

PROJECT PLANNER: Ethan Edwards, Associate Planner

PLAN REVIEWER: Kevin Kesler, Detective Vice Unit

TELEPHONE/E-MAIL: KESLER@HBPD.ORG

PROJECT DESCRIPTION: To permit the sale of beer and wine for off-site consumption at an existing 1,439 sq. ft. gas station convenience store.

The following is a list of code requirements deemed applicable to the proposed project based on plans received and dated December 16, 2011. The list is intended to assist the applicant by identifying requirements which must be satisfied during the various stages of project permitting and implementation. A list of conditions of approval adopted by the Planning Commission in conjunction with the requested entitlement(s), if any, will also be provided upon final project approval. If you have any questions regarding these requirements, please contact the Plan Reviewer.

The Police Department does not believe the modification of the business will drastically affect the business activity or increase the potential to create public nuisances, as the location's primary business and emphasis will continue to be operating as a convenience store.

To preserve the current atmosphere and to reduce the likelihood of disturbances created by intoxicated patrons, reduce noise disturbances and to reduce the risk of minors obtaining alcoholic beverages, the police department recommends the following conditions be applied to the proposed Conditional Use Permit.

1. Prior to the sale of alcoholic beverages, a license shall be obtained from the Alcoholic Beverage Control (ABC). All conditions contained in the ABC license shall be adhered to. The ABC License shall be limited to "off-sale" only.
2. 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.
- ~~3. Entertainment and dancing shall be prohibited.~~ NOT APPLICABLE