



## Legislation Details (With Text)

<b>File #:</b>	18-289	<b>Version:</b>	1
<b>Type:</b>	Project Review (Future Agenda Items)	<b>Status:</b>	Staff Review; No Action Taken
<b>File created:</b>	8/16/2018	<b>In control:</b>	Planning Commission
<b>On agenda:</b>	9/11/2018	<b>Final action:</b>	9/11/2018
<b>Title:</b>	CONDITIONAL USE PERMIT NO. 17-026 (G & M OIL): To introduce a request to construct a new service station; establish beer and wine sales; and allow reduced building setbacks at 16990 Beach Blvd.		
<b>Attachments:</b>	1. ATT #1 Vicinity Map, 2. ATT #2 Site Plans, Floor Plans, and Elevations dated 6.20.18, 3. ATT #3 Project Narrative - 7.19.18		

Date	Ver.	Action By	Action	Result
9/11/2018	1	Planning Commission	staff reviewed; no action taken	

### PLANNING COMMISSION STUDY SESSION

**TO:** Planning Commission  
**FROM:** Ursula Luna-Reynosa, Community Development Director  
**BY:** Joanna Cortez, Associate Planner

**SUBJECT:**  
**CONDITIONAL USE PERMIT NO. 17-026 (G & M OIL):** To introduce a request to construct a new service station; establish beer and wine sales; and allow reduced building setbacks at 16990 Beach Blvd.

**APPLICANT:**  
Karl Huy, Travis Companies, 4430 E. Miraloma Ave., Suite F, Anaheim, CA 92807

**PROPERTY OWNER:**  
G & M Oil Company, Inc., 16868 A St., Huntington Beach, CA 92647

**BUSINESS OWNER:**  
G & M Oil Company, Inc., 16868 A St., Huntington Beach, CA 92647

**LOCATION:**  
16990 Beach Blvd., 92647 (northeast corner of Beach Blvd. and Warner Ave.)

### PROJECT PROPOSAL:

The proposed project to reconstruct an existing gas service station includes the following entitlement request:

- Conditional Use Permit No. 17-026 to:

- a) Construct a new 4,412 sq. ft. service station canopy and a 2,168 sq. ft. retail building;
- b) Allow a reduced building setback of eight ft. instead of the required minimum 15 ft. setback;
- c) Allow a reduced architectural feature setback of seven ft. for a metal awning instead of the required minimum nine ft. setback; and
- d) Allow off-sale beer and wine sales (ABC License Type 20)

This item was originally scheduled for a public hearing before the Planning Commission on August 14, 2018. The item was postponed at staff's request because it was determined that the reduced building setback could be achieved through a conditional use permit in accordance with the Beach and Edinger Corridors Specific Plan (BECSP). Additionally, it was determined that the landscape planter widths comply with the provisions of the specific plan and no variances are necessary. The postponement gave staff time to properly describe the request and introduce the item at a study session.

The existing service station is surrounded by three streets (Beach Blvd., Warner Ave., and A St.) as well as commercial uses to the north, south, east, and west. The site currently consists of service station pumps, canopy, and a detached liquor store with an off-sale general license (ABC Type 21) selling full alcohol. The applicant proposes to demolish the existing buildings and construct a new service station, including a new 4,412 sq. ft. canopy and a 2,168 sq. ft. retail building with a new off-sale beer and wine license (ABC Type 20). Street improvements will be consistent with the specific plan and will include installation of new street and pedestrian lights, wider sidewalks and parkways, and enhanced landscaping. Existing wide driveway approaches from both Beach Blvd. and Warner Ave. will be reduced and consolidated to minimize ingress and egress points to the street system. The applicant proposes a 24-hour operation for both the service station and retail store.

The proposed development triggers dedication of property for street widening as follows:

- 3 ft. along Beach Blvd.
- A 25 ft. radius at the corner of Beach Blvd. and Warner Ave./Beach and A St
- 14 ft. along Warner Ave. (irrevocable offer) to account for a future right turn lane from westbound Warner Ave. to northbound Beach Blvd. (Note: a 10 ft street easement has previously been dedicated to the City)
- 5 ft. along the length of A St

The Public Works Department has indicated that implementation of the right turn lane is not necessary at this time because the current traffic conditions at that location meet established intersection Level-of-Service criteria. The right turn lane is identified in the BECSP as a planned future intersection improvement needed to mitigate anticipated traffic impacts if Level-of-Service criteria become deficient. Therefore, an irrevocable offer to dedicate the property in the future will be required. The City will then accept the land dedication when construction of the right turn lane is imminent. The property owner may continue to utilize the property until it is needed for the right turn lane but is required to design the new service station to function from the ultimate right-of-way and ultimate property lines that will result after dedication. Therefore, the project will include interim landscaping and sidewalk improvements along Warner Ave. until such time as the City accepts the land dedication. The City will then construct the right turn lane and corresponding sidewalk and landscape improvements in the right-of-way.

The BECSP requires a 15 ft. front yard setback for single story commercial buildings but allows for reduced setbacks with approval of a Conditional Use Permit (CUP) by the Planning Commission. When measuring setbacks from the current property lines (prior to any street dedications), the

setbacks for the commercial building and architectural metal awning both exceed the minimum 15 ft setback from Warner Ave. Therefore, in the interim property condition (prior to the street dedication on Warner), the proposed setbacks will be as follows:

Setbacks from Current Property Line along Warner (Interim Condition)

- New building = 22 ft.
- New metal awning = 21 ft.

After the 14 ft. Warner Ave. street dedication and widening for the right turn lane, the proposed setbacks will be as follows:

Setbacks from Ultimate Right-of-Way along Warner

- New building = 8 ft.
- New metal awning = 7 ft.

The existing general alcohol ABC license was not established with approval of a CUP. The new license for beer and wine sales will replace the existing license and will be conditioned with recommendations from the Police Department. The applicant is proposing to dedicate 3.8% of the retail floor area to the display and sale of beer and wine. The sale of beer and wine is for off-site consumption only and the service station will continue to provide fuel sales and convenience goods.

**CEQA:**

The proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3 - New Construction or Conversion of Small Structures because the project involves the construction of one commercial building that is less than 10,000 sq. ft. in an urban area where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

**PLANNING ISSUES:**

- Land use compatibility of the proposed commercial project with the surrounding properties;
- Compliance of the proposed commercial project with provisions of SP14 and HBZSO;
- Architectural design, site layout, access, circulation, and parking; and
- Conditional Use Permit request to allow reduced building setbacks and establish beer and wine sales

**PUBLIC HEARING DATE:**

The Planning Commission public hearing is tentatively scheduled for September 25, 2018.

**ATTACHMENTS:**

1. Vicinity map
2. Site plans, floor plans, and elevations dated and received June 20, 2018
3. Project Narrative received and dated July 19, 2018