



City of Huntington Beach

File #: 19-1287

MEETING DATE: 1/28/2020

PLANNING COMMISSION STAFF REPORT

TO: Planning Commission
FROM: Ursula Luna-Reynosa, Community Development Director
BY: Nicolle Aube, AICP, Associate Planner

SUBJECT:
CONDITIONAL USE PERMIT NO. 19-014 (7-11 GAS STATION AND CONVENIENCE STORE)

REQUEST:

To demolish an existing auto repair building and construct a 2,323 s.f. convenience store operating 24 hours per day with Type 20 (Off-Sale Beer and Wine) ABC license and an eight pump fueling station.

LOCATION:

16171 Beach Boulevard (west side of Beach Boulevard at the intersection of Stark Drive)

APPLICANT:

Adan Madrid, ASI Development, 5932 Bolsa Avenue, Suite 107, Huntington Beach, CA 92649

**PROPERTY
OWNER:**

Cathy Hoover, AF HGBM, LLC, 2521 Fairmount Street, Dallas, TX 75201

**BUSINESS
OWNER:**

Not applicable.

STATEMENT OF ISSUE:

1. Is the project proposal consistent with the City of Huntington Beach land use regulations (i.e., General Plan land use designation, Zoning Map and Zoning Code including any specific plans and overlay districts where applicable)?
2. Does the project proposal satisfy all the findings required for approving a Conditional Use Permit?
3. Has the appropriate level of environmental analysis been determined?

RECOMMENDATION:

That the Planning Commission take the following actions:

- A) Find the proposed project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303, Class 3 - New Construction or Conversion of Small Structures.
 B) Approve Conditional Use Permit No. 19-014 with suggested findings and conditions of approval (Attachment No. 1)

ALTERNATIVE ACTION(S):

- A) Don't make the suggested findings, which will result in a mandatory denial per Section 241.10 (c) of the Zoning Code.
 B) Continue Conditional Use Permit No. 19-014 and direct staff accordingly.

PROJECT PROPOSAL:

The project site is approximately 0.50 acre and consists of one existing vacant building that formerly operated as a Firestone auto repair business. The existing building will be demolished in order to construct a proposed 2,323 s.f. single story convenience store with an eight pump fueling station. The convenience store and fueling station propose to operate 24 hours per day. The convenience store requests approval of a Type 20 (Off-Sale Beer and Wine) ABC License and will adhere to the suggested conditions of approval regarding alcohol sales, such as prohibiting alcohol sales between 2:00 A.M. - 6:00 A.M. and limiting the sale of small bottle sizes.

ISSUES AND ANALYSIS:**Subject Property And Surrounding General Plan Designations, Zoning And Land Uses:**

LOCATION	GENERAL PLAN	ZONING	LAND USE
Subject Property:	M-sp (Mixed Use - Specific Plan Overlay)	SP14 (BECSP - Town Center Boulevard Segment)	Vacant - former Firestone Auto Repair
North, East, and South of Subject Property:	M-sp (Mixed Use - Specific Plan Overlay)	SP14 (BECSP - Town Center Boulevard Segment)	Bank, Commercial Shopping Center, Pet Hospital and Restaurant
West of Subject Property:	RMH (Residential Medium High Density)	RMH (Residential Medium High Density)	Multi-family Residential

General Plan Conformance:

The General Plan Land Use Map designation on the subject property is M-sp (Mixed Use - Specific Plan Overlay). The proposed project is consistent with this designation and the goals, policies, and objectives of the City's General Plan as follows:

Land Use Element

Goal LU-1: New commercial, industrial, and residential development is coordinated to ensure that the land use pattern is consistent with the overall goals and needs of the community.

Policy LU-1(D): Ensure that new development projects are of compatible proportion, scale, and character to complement adjoining uses.

Goal LU-11: Commercial land uses provide goods and services to meet regional and local needs.

Policy LU-11 (B): Encourage new businesses to locate on existing vacant or underutilized commercial properties where these properties have good locations and accessibility.

Policy LU-12(B): Encourage renovation or revitalization of deteriorating and struggling nonresidential areas and corridors, particularly commercial locations.

The proposed convenience store and fueling station is coordinated to ensure the land use pattern is consistent with the goals and needs of the community because the project is compatible in the proportion, scale, and character of the adjoining uses in that a single story building is proposed similar in height and scale to the existing adjacent single story commercial buildings on Beach Boulevard. The height of the proposed building does not exceed the adjacent three story multifamily residential building to the west. The proposed architectural elements such as the pronounced corner with clerestory windows, awnings, and stone veneer is compatible with and enhances the character of the adjoining uses and aesthetics of commercial centers on Beach Boulevard. Furthermore, the proposed development of a new, approximately 2,323 s.f. convenience store with Type 20 (Off-Sale Beer and Wine) ABC license and an eight pump fueling station offers a service that meets the regional and local community needs on an underutilized commercial property with an optimal location and accessibility along a major commercial corridor.

Zoning Compliance:

The project site is located within the Town Center Boulevard Segment of SP 14, which allows for gas stations with the approval of a conditional use permit by the Planning Commission. Although convenience stores are permitted by right, the request for a Type 20 (Off-Site Beer and Wine) ABC License is also subject to approval of a conditional use permit by the Planning Commission.

The proposed convenience store and gas station development complies with the development standards of SP 14. In addition, the use will provide a service for the local community in an area of the City that is ideal for such use, as it is adjacent to Beach Boulevard, a state highway and major commercial/mixed use corridor, with adequate accessibility to the site from local streets such as Stark Drive and Holt Drive. The surrounding uses to the north, east, and south are commercial uses, with multi-family uses located adjacent to the west of the subject site. As conditioned, the proposed approximately 2,323 s.f. one-story commercial building with an eight pump fueling station will be compatible with the surrounding uses. The proposed site layout orients access to the property and the fueling pumps towards Beach Boulevard, further from the multi-family residences to the west. In addition, an existing six ft. high block wall along the western property line provides a buffer to the residential use, and impacts to the residences are not anticipated. Operation of the convenience store and fueling station will comply with the suggested conditions of approval (Attachment No. 1), including prohibiting alcohol sales between 2:00 A.M. - 6:00 A.M.

In accordance with SP 14, corner parcels have two front yard setback requirements. The primary street front yard setback is Beach Boulevard, and the secondary street front yard setback is Stark Drive. Single story commercial buildings have a minimum required 15 ft. front yard setback along a primary street and a minimum 10 ft. front yard setback along a secondary street. The building is proposed to be constructed with a 15 ft. setback from Beach Boulevard and a 10 ft. 1 in. setback from Stark Drive. The building also meets the 25 ft. by 25 ft. visibility triangle per the HBZSO, which is required for buildings sited on a corner lot for vehicular visibility reasons.

The project site currently has four vehicular driveway access points, two on Beach Boulevard and two on Stark Drive. The project proposes to close off one driveway on each street, resulting in a total of two driveway access points on the property. Patrons will have the ability to enter or exit the site from either Beach Boulevard or Stark Drive. Convenience uses are required to provide four parking spaces per 1,000 s.f. of building area. The proposed building provides 11 parking spaces, which exceeds the 10 parking spaces required by SP14.

Urban Design Guidelines Conformance:

The project is required to comply with the architectural regulations and guidelines of the BECSP. The proposed architectural elements such as the pronounced corner with clerestory windows, awnings, and stone veneer is compatible with and enhances the character of the adjoining uses. The building design also complies with other SP14 requirements which create visually interesting architecture, such as a building notch and major façade offset. Furthermore, the proposed building height, required top and base architectural elements, landscaping, and parking layout is consistent with the architectural and development regulations of SP 14.

Environmental Status:

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

Coastal Status:

Not applicable.

Design Review Board:

Not applicable.

Subdivision Committee:

Not applicable.

Other Departments Concerns and Requirements:

The Departments of Community Development, Public Works, Police and Fire have reviewed the project and identified a list of code requirements (Attachment No. 5) applicable to the project. The Police Department has included suggested conditions of approval related to alcohol sales.

Public Notification:

Legal notice was published in the Huntington Beach Wave on January 16, 2020, and notices were

sent to property owners of record and tenants within a 500 ft. radius of the subject property, individuals/organizations requesting notification (Planning Division's Notification Matrix), applicant, and interested parties. As of January 21, 2020, no communication supporting or opposing the request has been received.

Application Processing Dates:

DATE OF COMPLETE APPLICATION:	MANDATORY PROCESSING DATE(S):
December 18, 2019	February 18, 2019

SUMMARY:

Staff recommends that the Planning Commission approve the proposed project based on the following:

- Consistent with the M-sp (Mixed Use - Specific Plan Overlay) Land Use Designation of the General Plan and the SP 14 - Beach and Edinger Corridors Specific Plan zoning designation.
- Implements the objectives of the BECSP to improve the vitality of the Beach Boulevard corridor.
- Provides a commercial development that is consistent with the BECSP development code and compatible with the surrounding existing and anticipated land uses.

ATTACHMENTS:

1. Suggested Findings and Conditions of Approval for Conditional Use Permit No. 19-014
2. Vicinity Map
3. Project Narrative received April 19, 2019
4. Site plan, floor plans, and elevations received November 22, 2019
5. Code Requirements Letter