



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

DATE: February 9, 2022

TO: Planning Commission

FROM: Carrie Tai, AICP, Director of Community Development

THROUGH: Talyn Mirzakhanian, Planning Manager

BY: Elaine Yang, Associate Planner

SUBJECT: Consideration of a Use Permit to upgrade an existing alcohol license from allowing Off-Sale Beer and Wine to allow Off-Sale Beer, Wine and Distilled Spirits in conjunction with the operation of an existing convenience store at 1221 Artesia Boulevard, Suite 101, and associated environmental determination in accordance with the California Environmental Quality Act. (7-Eleven)

RECOMMENDATION

Staff recommends that the Planning Commission CONDUCT the Public Hearing and ADOPT the attached resolution approving the Use Permit subject to conditions, and adopting a determination of exemption under CEQA.

APPLICANT

7-Eleven, Inc
3200 Hackberry Road
Irving, TX 75063

BACKGROUND

In 1983, the City approved building plans for a 5,000 square-foot three-tenant commercial center (Suites 101, 102 and 103) at the subject property. The approved building plans show 7-Eleven as an anticipated tenant for Suite 101. In 1984, the City approved 7-Eleven's business license, and the California Department of Alcoholic Beverage Control approved their alcohol

license for off-sale beer and wine. At that time, the Manhattan Beach Municipal Code (MBMC) did not require a Use Permit for the sale of alcohol, and so 7-Eleven’s business license was sufficient for the entire operation, including the ancillary sale of alcohol. However, City records include a memorandum dated March 6, 1984, acknowledging the person-to-person alcohol license transfer, during which 7-Eleven acquired their off-sale beer and wine license. The MBMC has since been changed to require a Use Permit for a new or modified alcohol license. Therefore, 7-Eleven’s current alcohol sales are a legal non-conforming use.

Past entitlements for this property include a 1983 Use Permit (Resolution BZA 83-37), granted for the establishment of a restaurant, China Deli, which was later replaced by Amigo’s Tacos. The 1983 Use Permit did not establish any conditions of approval that govern 7-Eleven specifically (Attachment B).

The applicant wishes to upgrade to 7-Eleven’s alcohol license from Type 20 (off-sale beer and wine) to Type 21 (off-sale beer, wine and distilled spirits), which requires approval of a Use Permit pursuant to [MBMC Section 10.16.020\(C\) Districts: Additional Land Use Regulations](#)(L). As a proactive measure, and to minimize potential adverse impacts on the community, the applicant proposes to keep distilled spirits locked in a cabinet that is accessible only to employees. No physical exterior modifications or expansion of the convenience store are proposed.

DISCUSSION

The subject tenant (7-Eleven) is located within an existing commercial center located at 1221 Artesia Boulevard, in the City’s General Commercial (CG) zoning district. Currently, the commercial center is occupied by the following tenants: 7-Eleven (Food and Beverage Sales-convenience store), Sports Clips (Personal Improvement Service-barber), and Amigos Tacos (Eating and Drinking Establishment-restaurant). Neighboring properties are occupied with the following uses: multi-family residential apartments (north), religious institution/church complex (east), fast food restaurant (west), and office complex (south). A detailed **project overview** is included in the following table:

PROJECT OVERVIEW	
Location:	1221 Artesia Boulevard, Suite 101
Legal Description:	AMENDED MAP OF SEASIDE PARK E 135 FT OF S 125 FT EX OF STS LOT 10
General Plan Land Use:	General Commercial
Zoning:	General Commercial

Area District:	I	
Parking for Commercial Center:	<u>Existing</u>	<u>Proposed</u>
	23	No change
Applicant Tenant (7-Eleven):		
<i>Use</i>	Food and Beverage Sales (i.e., Convenience Store)	No Change
<i>Size</i>	2,400 sq. ft.	No Change
<i>Alcohol License</i>	Off-Sale Beer & Wine	Off-Sale Beer, Wine & Distilled Spirits
<i>Hours of Store Operation</i>	24 Hours/Day; 7 Days/Week	No Change
<i>Hours of Alcohol Sale</i>	6 AM to 2 AM Daily	No Change
<i>Neighboring Zoning & Land Uses</i>	<u>North</u> : General Commercial (Apartments)	
	<u>South (Hermosa Beach)</u> : General and Highway Commercial (Office)	
	<u>East</u> : High Density Residential/Residential Medium (Church)	
	<u>West</u> : General Commercial (Fast Food)	

Throughout its 37 years of operation, the applicant has had no notable issues pertaining to alcohol license violations. The Police Department has reviewed the request and has raised no concerns or objections. The applicant’s request is solely focused on upgrading its existing alcohol license to include the off-sale of distilled spirits, and will not involve any other changes to the existing primary use (Food and Beverage Sales), nor will it expand the physical tenant space. Such a request is allowed in the CG zone subject to the approval of a Use Permit. Conditions 4 through 14 in the corresponding project resolution represent conditions designed to minimize the potential for negative impacts to surrounding uses (See attachment A).

[MBMC Section 10.84.010](#) provides that, “[u]se permits are required for use classifications typically having unusual...operating characteristics requiring special consideration so that they

may be designed, located, and operated compatibly with uses on adjoining properties and in the surrounding area.” Alcohol sales in the CG zone constitute an unusual operating characteristic that necessitate special consideration. Furthermore, pursuant to [MBMC 10.84.060\(A\)](#), an application for a Use Permit shall be approved by the decision-making authority only if all of the required findings below can be made:

1. The proposed location of the site is in accord with the objectives of this title and the purposes of the district in which the site is located.
2. The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.
3. The proposed use will comply with the provisions of the City’s Planning and Zoning Title, including any specific conditions required for the proposed use in the district in which it would be located.
4. The proposed use will not adversely impact or be adversely impacted by nearby properties.

As demonstrated in Section 7 of the attached draft Resolution and in the discussion herein, staff evaluated the request in light of the required Use Permit findings and concludes that there is sufficient evidence that all four findings can be made.

First, the MBMC’s stated purpose for the CG zone is that the district is intended to provide opportunities for the full range of retail businesses that are suitable for location in Manhattan Beach. Food and beverage stores are quintessential community businesses that provide food, beverages and other household goods to residents and visitors. The sale of alcoholic beverages, including beer, wine and distilled spirits, alongside food is a common component of a convenience store operation. The proposal to upgrade the existing alcohol license to include the sale of distilled spirits in addition to beer and wine is incidental to, and does not alter, the existing primary use of the commercial space.

Second, 7-Eleven’s food and beverage use is consistent with the General Plan’s General Commercial land use designation of the subject property. The project proposes an upgrade to an existing alcohol license and will not change the primary use of the business. The proposed project is compatible with neighboring uses, as neighboring lots to the west are developed with commercial uses. Some of those businesses sell alcohol, including El Sombrero (restaurant) and Manhattan Fine Wines (beverage sales). The General Plan encourages a

broad range of retail and service commercial and professional office uses intended to meet the needs of local residents and businesses and to provide goods and services for the regional market. Since 1984, 7-Eleven has contributed to this goal of meeting the food and beverage needs of local and regional residents, and will continue to do so if their requested Use Permit is approved.

Third, the primary use of the 7-Eleven convenience store, food and beverage, is not changing and is permitted by right in the subject property's zone (CG) per [MBMC Section 10.16.020](#). If the Use Permit is approved, 7-Eleven will be in compliance with all provisions of [MBMC Title 10 Planning and Zoning](#). Furthermore, conditions 4 through 14, which are included in Section 8 of the resolution, are designed to promote caution and safety (See Attachment A). No exterior changes are proposed as a part of this project.

Fourth, the 7-Eleven has operated as a food and beverage business and has sold beer and wine under a Type 20 alcohol license for more than three decades, and now requests to expand its alcoholic offerings to include distilled spirits. As mentioned previously, the applicant proposes safety measures that limit the direct accessibility of distilled spirits to employees; thereby, minimizing opportunities for adverse impacts to the community. As shown on the floor plan, the distilled spirits are located behind the cash register in an area only accessible to employees (Attachment E). Condition 7 in Section 8 of the resolution requires that distilled spirits must be kept in a location that is inaccessible to customers and directly accessed only by employees (Attachment A). Additionally, full alcohol service will not create demands exceeding the capacity of public services and facilities. The project, as proposed was reviewed by the Police Department; no issues of concern were raised.

PUBLIC NOTIFICATION AND COMMENT

A public notice for this hearing was published in The Beach Reporter on January 27, 2022, mailed to all property owners within a 500-foot radius, posted at City Hall, and posted on the City's website. As of the writing of this report, staff has received no public comments from neighbors.

ENVIRONMENTAL DETERMINATION

The City has reviewed the proposed project for compliance with the California Environmental Quality Act (CEQA) and has determined that the project qualifies for a Class 1 categorical exemption pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines, which exempts the permitting and licensing of existing private structures involving negligible expansion of existing or former use. Furthermore, there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances. Thus, no further environmental review is necessary.

CONCLUSION

Staff recommends that the Planning Commission approve the proposed Use Permit request, allowing 7-Eleven to upgrade their existing off-sale beer and wine alcohol license to an off-sale beer, wine, and distilled spirits alcohol license in conjunction with the continued operation of the food and beverage sales use and adopt a determination of exemption pursuant to CEQA.

ATTACHMENTS:

- A. Draft Resolution No. PC 21-XXXX
- B. Resolution No. BZA 83-37
- C. Vicinity Map
- D. Applicant's Written Materials
- E. 7-Eleven Floor and Site Plan

RESOLUTION NO. PC 22-__

**RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION APPROVING
A USE PERMIT AT 1221 ARTESIA BOULEVARD, SUITE 101 TO ALLOW OFF-SALE
BEER, WINE AND DISTILLED SPIRITS IN CONJUNCTION WITH THE OPERATION
OF AN EXISTING CONVENIENCE STORE (7-ELEVEN)**

THE MANHATTAN BEACH PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1. According to a City of Manhattan Beach memorandum written on March 6, 1984, 7-Eleven at 1221 Artesia Boulevard obtained authorization for a person-to-person transfer of an Alcoholic Beverage Control (ABC) off-sale beer and wine license. On April 27, 1984, staff approved a business license application that granted 7-Eleven the right to operate its business (food and beverage sales use) at 1221 Artesia Boulevard. A Use Permit for alcohol sales was not required pursuant to the City's requirements at that time.

SECTION 2. On October 18, 2021, 7-Eleven, Inc. applied for a Use Permit to allow for the modification of their existing off-sale beer and wine alcohol license to include off-sale distilled spirits for the 7-Eleven store at 1221 Artesia Boulevard. The convenience store is part of a multi-tenant building located at 1221 Artesia Boulevard ("the site"). The property is owned by Cotenants, L.P.

SECTION 3. 7-Eleven is required to obtain a Use Permit per [MBMC Section 10.16.020 \(C Districts: Additional Land Use Regulations\)\(L\)](#), as the applicant is modifying its existing alcohol license.

SECTION 4. On February 9, 2022, the Planning Commission conducted a duly noticed public hearing to consider the Use Permit application. The Commission provided an opportunity for the public to provide evidence and testimony at the public hearing.

SECTION 5. The Project is qualified for a Class 1 categorical exemption pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines, which exempts the permitting and licensing of existing private structures involving negligible expansion of existing or former use. Furthermore, there are no features that distinguish this project from others in the exempt class, and therefore, there are no unusual circumstances. Thus, no further environmental review is necessary.

SECTION 6. The record of the public hearing indicates:

- A. The legal description of the site is Amended Map of Seaside Park E 135 Ft of S 125 Ft Ex of Sts Lot 10 in the City of Manhattan Beach, County of Los Angeles, which is located in the CG (General Commercial) zone. The surrounding properties are zoned CG to the North, High-Density Residential/ Medium-Density Residential (RH/RM) to the East (across Prospect Avenue), and CG to the West. The property south of the subject property (across Artesia Boulevard) is not in the City and is within the jurisdiction of Hermosa Beach.
- B. 7-Eleven's primary use, food and beverage sales, is permitted by right, but ancillary alcohol sales are subject to a Use Permit. These uses are in compliance with the objectives outlined in the City's General Plan for the General Commercial land use designation. The General Plan encourages that the CG area provide opportunities for a broad range of retail and services intended to meet the needs of local residents and businesses, and to provide goods and services for the regional market. The project is consistent with General Plan Goal LU-6, which encourages maintaining the viability of the commercial areas of Manhattan Beach.
- C. A food and beverage sales use has been operating at 1221 Artesia Boulevard since 1984 under a business license approved by staff and an Alcoholic Beverage Control (ABC) license allowing the off-sale of beer and wine. The use is located on the commercial portion of Artesia Boulevard, between South Sepulveda Boulevard and South Prospect Avenue, with some of the surrounding businesses having similar operating characteristics.
- D. The applicant is requesting approval to modify their existing alcohol license from allowing only off-sale of beer and wine to allowing full alcohol service (off-sale of beer, wine, and distilled spirits) within an existing convenience store.

- E. The Police Department has reviewed the request and has raised no concerns or objections.

SECTION 7. Based upon substantial evidence in the record, and pursuant to [Manhattan Beach Municipal Code Section 10.84.060\(A\)](#), the Planning Commission hereby finds:

- 1. The proposed location of the use is in accord with the objectives of this title and the purposes of the district in which the site is located.**

The applicant requests to upgrade an existing alcohol license from off-sale beer and wine to off-sale beer, wine and distilled spirits. This upgrade triggers the need for a Use Permit according to [MBMC Section 10.16.020\(C Districts: Additional Land Use Regulations\)\(L\)](#). 7-Eleven is an existing convenience store (use: food and beverage sales) located in the General Commercial (CG) zone. The Municipal Code's stated purpose for the CG zone is that the district is intended to provide opportunities for the full range of retail businesses that are suitable for location in Manhattan Beach. Food and beverage stores are quintessential community businesses that provide food, beverages and other household goods to residents and visitors. The sale of alcoholic beverages, including beer, wine and distilled spirits, alongside food is a common component of a convenience store operation. The proposal to upgrade the existing alcohol license to include the sale of distilled spirits in addition to beer and wine is incidental to, and does not alter, the existing primary use of the commercial space.

- 2. The proposed location of the use and the proposed conditions under which it would be operated or maintained will be consistent with the General Plan; will not be detrimental to the public health, safety or welfare of persons residing or working on the proposed project site or in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.**

7-Eleven's food and beverage use is consistent with the General Plan's General Commercial land use designation of the subject property. The project proposes an upgrade to an existing alcohol license and will not change the primary use of the business. The proposed project is compatible with neighboring uses, as the west neighboring lots are developed with commercial uses, many of which are eating and drinking establishments that serve food and alcohol. The General Plan encourages a broad range of retail and service commercial and professional office uses intended to meet the needs of local residents and businesses and to provide goods and services for the regional market. Since 1984, 7-Eleven has contributed to this goal of meeting the food and beverage needs of local and regional residents, and will continue to do so if their requested Use Permit is approved.

- 3. The proposed use will comply with the provisions of the City's Planning and Zoning Title, including any specific conditions required for the proposed use in the district in which it would be located.**

The primary use of the 7-Eleven convenience store, food and beverage, is not changing and is permitted by right in the subject property's zone, General Commercial (CG), per [MBMC Section 10.16.020](#). The applicant's request is to upgrade their alcohol license from Type 20 (off-sale beer and wine) to Type 21 (off-sale beer, wine and distilled spirits), which requires a Use Permit according to [MBMC Section 10.16.020\(C Districts: Additional Land Use Regulations\)\(L\)](#). The store does not have a Use Permit for its existing alcohol license, as a Use Permit was not required when the alcohol license was first obtained in 1984. If the Use Permit is approved, 7-Eleven will be in compliance with all provisions of [Municipal Code Title 10 Planning and Zoning](#). Furthermore, conditions 4 through 14, which are included in Section 8 of this resolution are designed to promote caution and safety. No exterior changes are proposed as a part of this project.

- 4. The proposed use will not adversely impact or be adversely impacted by nearby properties.**

The 7-Eleven has operated as a food and beverage business and has sold beer and wine for off-site consumption for more than three decades, and now requests to expand its alcohol

sales to include distilled spirits. The applicant proposes safety measures that limit the direct accessibility of distilled spirits to staff; thereby, minimizing opportunities for adverse impacts to the community. As shown on the floor plan, the distilled spirits are located behind the cash register in an area only accessible to staff. Condition 7 in Section 8 of this resolution requires that distilled spirits must be kept in a location that is inaccessible to customers and directly accessed only by employees. Additionally, full alcohol service will not create demands exceeding the capacity of public services and facilities. The project, as proposed was reviewed by the Manhattan Beach Police Department; no issues of concern were raised.

SECTION 8. Based upon the foregoing, the Planning Commission hereby **APPROVES** the Use Permit to allow the service of full alcohol at an existing convenience store space at 1221 Artesia subject to the following conditions:

1. The project shall be in substantial conformance with the project description that was submitted to the Planning Commission on February 9, 2022, and as amended and conditioned. Any substantial deviation from the approved project description, shall require review by the Community Development Director to determine if approval from the Planning Commission is required.
2. Any questions of intent or interpretation of any condition will be reviewed by the Community Development Director to determine if Planning Commission review and action is required.
3. Modifications and improvements to the tenant space shall be in compliance with applicable Building Division and Health Department regulations when applicable.

Operation

4. The subject business shall obtain approval from the California Department of Alcoholic Beverage Control and comply with all required conditions of approval for the license.
5. Alcoholic beverage sales shall be limited to off-site consumption only. On-site consumption of alcoholic beverages and/or seating is prohibited
6. Sales of alcoholic beverages are allowed from 6 A.M. to 2 A.M. or as specified by the alcohol license issued by the Department of Alcoholic Beverage Control.
7. Distilled spirits must be kept in a location that is inaccessible to customers and directly accessed only by employees.
8. The operators of the business shall train staff how to properly address and prevent loitering and other security concerns outside the subject business.
9. A security and lighting plan shall be submitted to the Police and Community Development Departments for review and approval.
10. The management of the property shall police the property during its tenants' hours of operation to keep it free of litter and food debris.
11. Store windows must remain clear of obstructions as to allow interior visibility of store from the outside for safety and security purposes.
12. Noise emanating from the property shall be within the limitations prescribed by the City Noise Ordinance and shall not create a nuisance to nearby property owners.
13. The business shall maintain compliance with all Fire and Building occupancy requirements at all times.

Procedural

14. The Community Development Department and City enforcement staff shall be allowed to inspect the subject business at any time.

15. City staff will periodically review the approved use to determine compliance with conditions imposed and Municipal Code requirements.
16. Upon determination that there are reasonable grounds for revocation or modification of the Use Permit, the Planning Commission or City Council may review the Use Permit in accordance with the requirements of the [MBMC Chapter 10.104](#). Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.
17. Terms and Conditions are Perpetual; Recordation of Covenant. The provisions, terms and conditions set forth herein are perpetual, and are binding on the property owner, its successors-in-interest, and, where applicable, all tenants and lessees of the site. Further, the property owner shall submit the covenant, prepared and approved by the City, indicating its consent to the conditions of approval of this Resolution, and the City shall record the covenant with the Office of the County Clerk/Recorder of Los Angeles. Property owner shall deliver the executed covenant, and all required recording and related fees, to the Department of Community Development within 30 days of the adoption of this Resolution. Notwithstanding the foregoing, the Director may, upon a request by property owner, grant an extension to the 30-day time limit. The project approval shall not become effective until recordation of the covenant.
18. *Indemnity, Duty to Defend and Obligation to Pay Judgments and Defense Costs, Including Attorneys' Fees, Incurred by the City.* The operator shall defend, indemnify, and hold harmless the City, its elected officials, officers, employees, volunteers, agents, and those City agents serving as independent contractors in the role of City officials (collectively "Indemnitees") from and against any claims, damages, actions, causes of actions, lawsuits, suits, proceedings, losses, judgments, costs, and expenses (including, without limitation, attorneys' fees or court costs) in any manner arising out of or incident to this approval, related entitlements, or the City's environmental review thereof. The operator shall pay and satisfy any judgment, award or decree that may be rendered against City or the other Indemnitees in any such suit, action, or other legal proceeding. The City shall promptly notify the operator of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. If the City fails to promptly notify the operator of any claim, action, or proceeding, or if the City fails to reasonably cooperate in the defense, the operator shall not thereafter be responsible to defend, indemnify, or hold harmless the City or the Indemnitees. The City shall have the right to select counsel of its choice. The operator shall reimburse the City, and the other Indemnitees, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Nothing in this Section shall be construed to require the operator to indemnify Indemnitees for any Claim arising from the sole negligence or willful misconduct of the Indemnitees. In the event such a legal action is filed challenging the City's determinations herein or the issuance of the approval, the City shall estimate its expenses for the litigation. The operator shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 9. The Planning Commission's decision is based upon each of the totally independent and separate grounds stated herein, each of which stands alone as a sufficient basis for its decision.

SECTION 10. This Resolution shall become effective when all time limits for appeal as set forth in [MBMC Chapter 10.100](#) have expired.

SECTION 11. The Secretary of the Planning Commission shall certify to the adoption of this Resolution and shall forward a copy of this Resolution to the property owner. The Secretary shall make this resolution readily available for public inspection.

SECTION 12. This Use Permit shall lapse two years after its date of approval, unless implemented or extended pursuant to [MBMC 10.84.090](#).

(Votes and signatures on next page)

February 9, 2022

Planning Commission Chair

I hereby certify that the following is a full, true, and correct copy of the Resolution as **ADOPTED** by the Planning Commission at its regular meeting on **February 9, 2022** and that said Resolution was adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Carrie Tai, AICP,
Secretary to the Planning Commission

Rosemary Lackow,
Recording Secretary

THIS PAGE
INTENTIONALLY
LEFT BLANK

Attachment B

RESOLUTION NO. BZA 83-37

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENT OF THE CITY OF MANHATTAN BEACH APPROVING A CONDITIONAL USE PERMIT TO ESTABLISH A RESTAURANT WITHIN AN EXISTING COMMERCIAL CENTER WITHOUT PROVIDING THE TOTAL NUMBER OF REQUIRED ON-SITE PARKING SPACES FOR THE PROPERTY LOCATED AT 1221 ARTESIA BOULEVARD, IN THE CITY OF MANHATTAN BEACH (CHINA DELI)

WHEREAS, the Board of Zoning Adjustment of the City of Manhattan Beach conducted a public hearing, pursuant to applicable law to consider an application for a Conditional Use Permit for the property legally described as a portion of Lot 20, Block 3, Seaside Park, in the City of Manhattan Beach; and,

WHEREAS, the applicant for said Conditional Use Permit is Monte Field, lessee of the subject property; and,

WHEREAS, a public hearing was advertised pursuant to applicable law, testimony was invited and received; and,

WHEREAS, an Initial Study/Environmental Assessment was prepared and a Negative Declaration was filed in compliance with all respects with CEQA and the City of Manhattan Beach Guidelines, finding no significant environmental impact associated with this project; and,

WHEREAS, the following findings were made with regard to this application:

- 1) The applicant requests approval of a Conditional Use Permit to establish a 1,500 square foot restaurant, with emphasis on take-out service, within a 5,000 square foot development currently under construction at the northwest corner of Artesia Boulevard and Prospect Avenue. A Zone Variance is required because the appurtenant parking facilities planned within the commercial center will not meet Code requirements for all proposed uses on the property. Through the variance procedure, it is requested that the Board approve a 15 percent reduction in parking requirements as is allowed by Code pursuant to Section 10-3.1315(D) - Common Facilities.
- 2) The property is zoned C-2, General Commercial and is located with Area District I.
- 3) The existing land use is a 5,000 square foot retail commercial center, which is currently under construction.
- 4) The proposed restaurant will contain 1,500 square feet of gross floor area. The kitchen and service area of the business will encompass 75 percent (1,129 square feet) of the total floor area.
- 5) The proposed seating area of the restaurant is designed to accommodate between 20 to 25 persons. The UBC 1979 edition will permit a total seating occupancy of 30 persons.
- 6) The proposed hours of operation are Monday through Saturday, 11:00 a.m. to 9:00 p.m. The anticipated peak hours are from 11:30 a.m. to 1:30 p.m. and between 6:00 p.m. to 7:00 p.m. daily.
- 7) The on-site consumption of alcoholic beverages or entertainment are not proposed in conjunction with this application.
- 8) The total parking requirements for all uses on the property, assuming the remaining tenants of the center are retail, is 32 spaces. The applicant proposes to install 26 spaces, which is an 18 percent reduction in the total number of required stalls.

RESOLUTION NO. BZA 83-37
(Continued)

- 9) Should the undetermined 1,100 square foot tenant space be limited to a personal service or office use, the total on-site parking requirement will be reduced to 31 spaces. The proposal of 26 spaces is the equivalent of a 15 percent reduction in parking requirements. The Municipal Code, Section 10-3.1315(D) allows the applicant to request up to a 15 percent reduction in parking through the zone variance procedure, when more than one use is served by common parking facility.
- 10) The proposed uses on the property, a 7-Eleven Convenience Store and the subject restaurant, emphasize take-out service. The incidence of turnover in customer parking will be more frequent, thus allowing more parking to be available on a continual basis.
- 11) The proposed dining capacity of 20 to 25 persons will limit the possible inducement to establish a full service restaurant which in turn will tie up parking for extended periods of time, negating the assertion above.
- 12) The lack of an on-site consumption of alcoholic license and entertainment will also aid to limit a possible expanded focus of the restaurant. The proposed on-site parking facilities should provide adequate parking for uses on the property. The subject business should be compatible to all neighboring land uses.
- 13) Approval of the Conditional Use Permit shall be subject to corresponding approval of the requested Zone Variance, Resolution No. BZA 83-36, and the continued compliance with all conditions of approval of said resolution.

NOW, THEREFORE, BE IT RESOLVED that the Board of Zoning Adjustment hereby APPROVES the Conditional Use Permit subject to the following conditions:

1. A refuse bin enclosure(s) shall be constructed pursuant to City standards and subject to the approval of the Sanitation Superintendent for future bin service by the Public Works Department.
2. The management of the restaurant shall police the property and all areas immediately adjacent to the business during the hours of operation to keep it free of litter.
3. The business proprietor shall provide adequate management and supervisory techniques to prevent loitering, unruliness and boisterous activities of patrons outside the subject business or in the immediate vicinity.
4. The conditions of approval shall be reviewed annually to verify continued compliance.
5. The third or remaining tenant space within the commercial center of approximately 1,100 square feet shall be limited to a personal service or office use, or similar use where the parking requirement is no greater than one space for every 300 feet of gross floor area.
6. A street tree shall be planted on the Prospect Avenue frontage. The precise location of the tree well, and the size and variety of the tree species shall be approved by the Public Works Department.

RESOLUTION NO. BZA 83-37
(Continued)

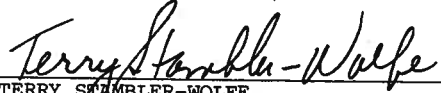
I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Board of Zoning Adjustment at its regular meeting of July 12, 1983, and that said Resolution was adopted by the following vote:

AYES: Cole, Duffy, Hollingsworth

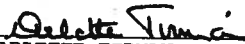
NOES: None

ABSTAIN: None

ABSENT: Archuletta, Johnson



TERRY STAMBLER-WOLFE
Secretary to the Board of Zoning Adjustment

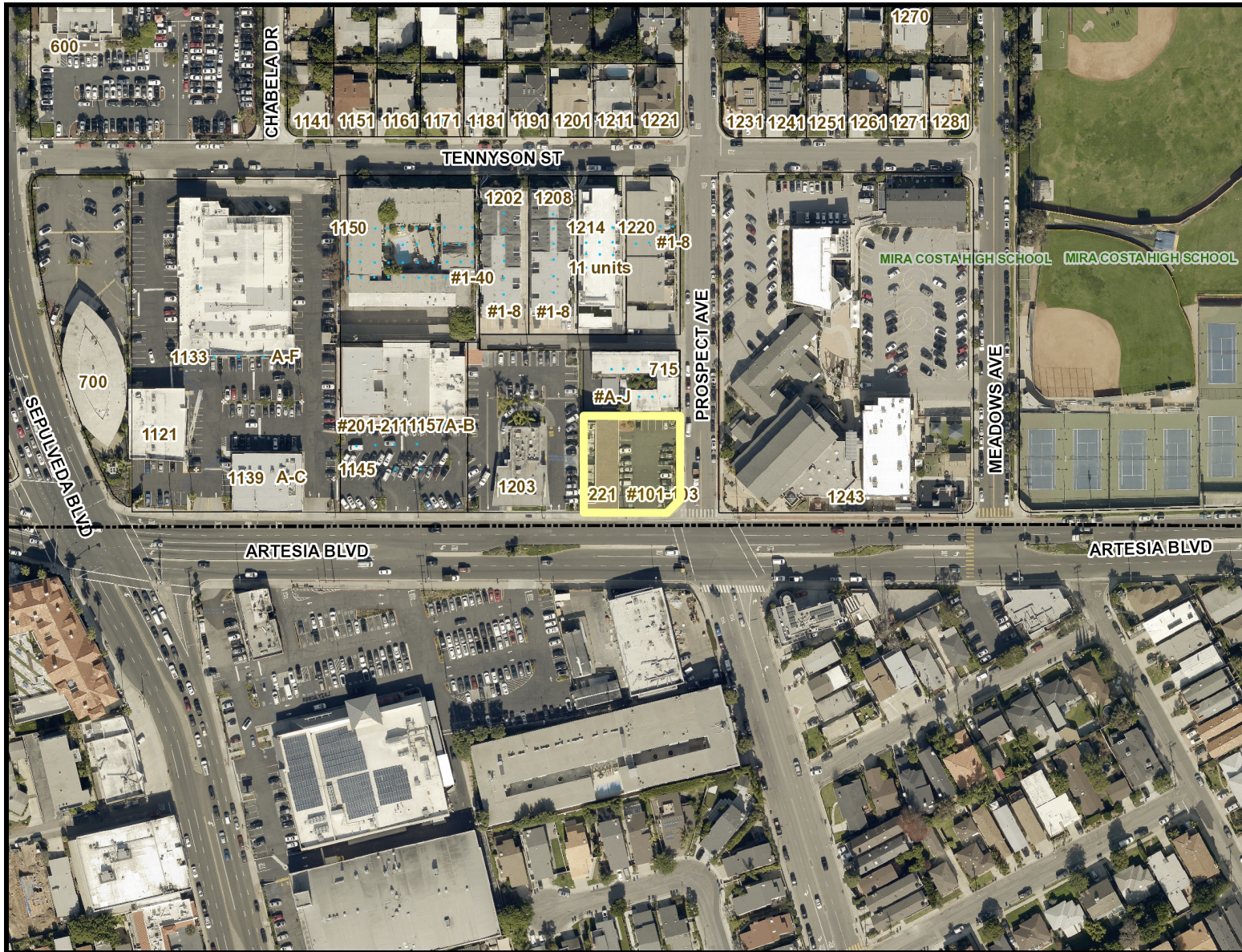


ARLETTE TIRMAN
Recording Secretary

THIS PAGE
INTENTIONALLY
LEFT BLANK



1221 Artesia Boulevard



476.1 0 238.05 476.1 Feet



Legend

Parcels



Scale: 1:2,857

This map is a user generated static output from the "MB GIS Info" Intranet mapping site and is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

© Latitude Geographics Group Ltd.

Notes

THIS PAGE
INTENTIONALLY
LEFT BLANK

Attachment D

Project Description and Written Statement for 7-Eleven Store #24549 Use Permit Application for Type 21 Alcoholic Beverage Sales

This 7-Eleven has been selling beer and wine for off-site consumption for decades. Now, 7-Eleven and the franchisee, Mr. Chadha, are applying to upgrade their Alcoholic Beverage Control (“ABC”) Type 20 (off-sale beer and wine) license to a Type 21 (off-sale beer, wine, and distilled spirits) license in order to provide a “one-stop” shopping experience and best serve the neighborhood. The sale of distilled spirits will be limited to a very small area behind the register measuring approximately three (3) feet wide by six (6) feet tall. The proposed distilled spirits will not be directly accessible to customers without assistance from store personnel.

Project Description and Written Statement for 7-Eleven Store #24549 Use Permit Application for Type 21 Alcoholic Beverage Sales	
Days/Hours of Operation	24 hours, daily/7 days per week
Merchandise or Food Service	7-Eleven offers a full range of grocery and household items including, but not limited to fresh and healthy food options, salads and sandwiches, dairy items, and bakery items, in addition to the expanded line of products sold at 7-Eleven convenience markets.
Alcohol Service	Applicant currently offers the off-site sale of beer and wine, and requests with this CUP Application to allow for the off-site sale of a full line of alcoholic beverage sales. Sales of distilled spirits will be limited to a small sales area that is only accessible by store personnel and will remain incidental to the overall product offering at the store.
Alcohol Sales Hours	6. a.m. - 2 a.m., daily
Type of Alcohol Sales	Currently: Type 20 for Off-Site Beer & Wine Proposed: Type 21 for Off-Site Full Line
Number of Employees per Shift	1-4 Employees, depending on the day/time
Deliveries (merchandise, fuel, etc.)	Deliveries of products are delivered to 7-Eleven daily.
Parking Operations or Layout	There are 23 on-site parking spaces for the 7-Eleven customers.

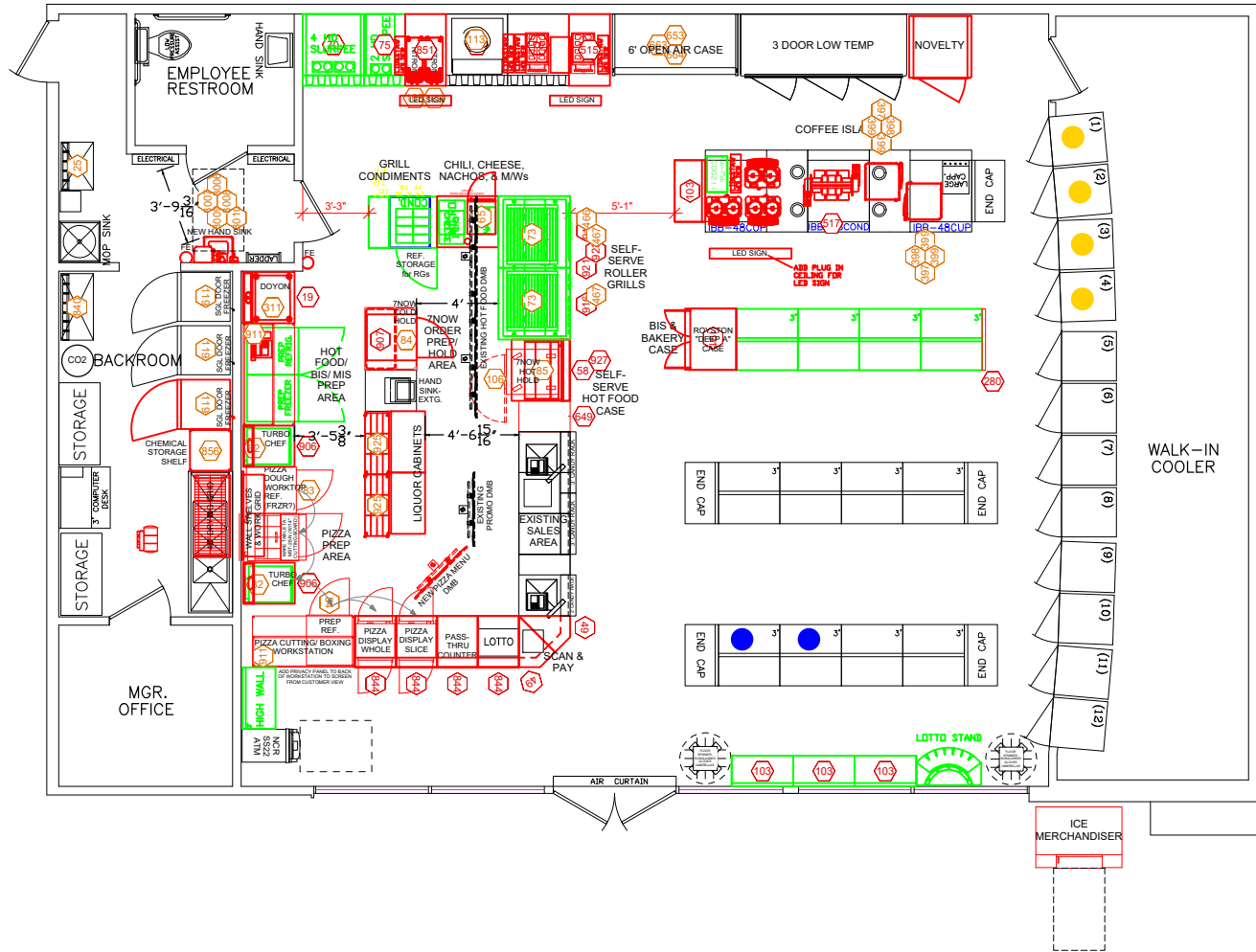
The subject business is an existing 7-Eleven located on the northwest corner of S. Prospect Avenue and Artesia Boulevard in the city of Manhattan Beach. This 7-Eleven is franchised by Antar Chadha and has been in successful operations at this location for over thirty years. In over three decades, this local 7-Eleven store has proven itself to be a reliable and responsible retailer of alcoholic beverages. 7-Eleven and Mr. Chadha are now applying for an upgrade in the ABC License type. The Applicant requests with the submission of this Conditional Use Permit Application to upgrade from the current Type 20 off-sale beer and wine license to a Type 21 off-sale full line of alcoholic beverages for this store.

7-Eleven Inc. is a nationally recognized brand of convenience stores, operating with adherence to strict corporate policies to ensure the responsible retailing of alcoholic beverages. The Applicant has existed at this location since the store first opened, enabling customers to purchase everyday essential grocery items, including fresh food items, and is requesting approval for an upgrade in ABC License type to further the convenience provided to the surrounding community.

7-Eleven and Mr. Chadha take their responsibility as alcohol retailers very seriously in order to ensure the sale of alcohol does not negatively impact surrounding residents, businesses or sensitive uses. The following are some of the many ways in which the Applicant operates responsibly to ensure 7-Eleven is a safe and beneficial local store for its customers and the surrounding community:

1. **Trash/Litter/Graffiti/Site Maintenance, etc.** 7-Eleven and Mr. Chadha maintain the premises in a safe, clean, and responsible manner. Management and employees regularly monitor the interior and exterior of the premises. Staff conducts regular site walks and inspections of the premises throughout the day in order to clean up any trash or debris as well as to promptly deter any loitering, panhandling or other objectionable activity. Additionally, if any graffiti occurs, the franchisee immediately addresses the matter in order to have the graffiti cleaned and/or painted over within 24-48 hours.
2. **Security and Police Issues.** Initial and continued training is an important and fundamental element necessary to operate this store in a safe and responsible manner. All employees must complete training courses on security, safety, deterrent strategies to discourage loitering, facility maintenance and operations, responsible sales of age-restricted products, accident prevention, and workplace safety. Digital surveillance cameras maintain recorded footage for at least thirty (30) days and are situated in both the interior and the exterior of the store. The security footage is shared with law enforcement upon request. Additionally, the windows and low-profile displays are appealing to customers and law enforcement as it improves their ability to view the interior of the convenience store day and night. Further, exterior advertising is minimized in order to allow law enforcement the ability to view the store interior from the street.
3. **Loitering and Panhandling.** 7-Eleven and Mr. Chadha do not tolerate loitering and/or panhandling at this business. Management and staff are required to monitor the interior and exterior of the premises, which helps to promptly deter any loitering, panhandling or other objectionable activity. Additionally, proper and adequate signage are posted which clearly state the business policy prohibiting loitering.
4. **Addressing Neighborhood Concerns.** The franchisee, Mr. Chadha, has owned and operated this local 7-Eleven store for many years. As such, if there were ever any concerns or complaints from neighbors, Mr. Chadha would take immediate action in order to resolve the matter. Mr. Chadha would work with the neighbors in order to address the concern and find a mutually beneficial solution.
5. **Lighting and Windows.** 7-Eleven and Mr. Chadha maintain a well-lit and clean store. All lighting is sufficient to ensure that individuals are easily identifiable, but the lighting is not too bright to disturb any nearby neighbors. The windows have low-profile displays which are appealing to customers and law enforcement as it improves their ability to view the interior of the convenience store day and night. Further, exterior advertising is minimized in order to allow law enforcement the ability to view the store interior from the street.
6. **Noise.** 7-Eleven, a small and local convenience store, does not generate excessive noise or noise-related complaints. 7-Eleven will continue to obey all noise-related standards pursuant to the Manhattan Beach Municipal Code and continue its effort to limit any unnecessary noise coming from the business. Staff also makes sure there are no open containers of alcoholic beverages or consumption of alcohol on the premises to further deter noise and objectionable activities.
7. **Employee Training.** The Applicant conducts training segments on security, safety, deterrent strategies to discourage loitering, facility maintenance and operations, responsible sales of age-restricted products, accident prevention, and workplace safety. Additionally, consistent with Business and Professions Code section 25658.4, 7-Eleven requires employees to sign the Clerk's Affidavit informing employees of the laws related to selling alcoholic beverages. 7-Eleven corporate policies require that employees request an identification from any person who appears 30 years of age or younger. Training segments also include identifying acceptable forms of identification and detecting false identifications. Further, cash registers are programmed to identify age-restricted products, like alcohol, requiring employees to check identification and enter a date of birth or scan the identification of the purchaser before completing the sale.

Attachment E



LAYOUT INFORMATION

ROLLER GRILLS	2 (LG)
SANDWICH CASE	6'
VAULT DOORS	12 E.T.R.
LOW TEMP DOORS	3
ICE MERCH. DOORS	1 EXTR. ONLY
NOVELTY CASE	1 (ENDCAP)
BAKERY CASE	1 (LG)
SLURPEE BARRELS	6
GONDOLA UNITS (60" H)	24
END CAPS (60" H)	05
POWER WINGS	(02) - N.I.C.
24" W ENDCAPS (60" H)	00
LOW WALLS (36" H)	04
HIGH WALLS (72" H)	01
TOTAL	34

GAS: YES LIQUOR: YES
 BEER: YES WINE: YES

WALL TYPE LEGEND

EXISTING WALL	
EXISTING COLUMN	
NEW WALL	
NEW PARTIAL HEIGHT WALL	
NEW COOLER WALL	

COLOR LEGEND

- BLACK = EXISTING TO REMAIN
- GREEN = EXISTING RELOCATED
- RED = NEW
- Beer
- Wine

7-ELEVEN
 STORE # 24549
 1221 ARTESIA BLVD
 MANHATTAN BEACH, CA. 90266

Revisions
Verify By
Drawn L.WARE
Scale
Date 7/15/2021
Sheet 1 of 1
Drawing Number 24549

