



**CITY OF MANHATTAN BEACH  
DEPARTMENT OF COMMUNITY DEVELOPMENT  
STAFF REPORT**

**DATE:** June 26, 2024

**TO:** Planning Commission

**FROM:** Talyn Mirzakhanian, Community Development Director

**THROUGH:** Adam Finestone, AICP, Planning Manager

**BY:** Austin Chavira, Assistant Planner

**SUBJECT:** Consideration of a Use Permit Amendment to allow off-sale of distilled spirits in addition to the existing allowance for off-sale beer and wine in conjunction with the operation of an existing service station and convenience store located at 3633 North Sepulveda Boulevard, and associated environmental determination finding the project exempt from the California Environmental Quality Act. (Chevron).

**RECOMMENDATION**

Staff recommends that the Planning Commission conduct the Public Hearing and adopt the attached resolution approving the Use Permit Amendment, subject to conditions, and finding the project exempt from the California Environmental Quality Act (CEQA).

**APPLICANT**

Steve Rawlings (on behalf of Chevron), 26023 Jefferson Avenue, Suite D, Murieta, CA 9256

**BACKGROUND**

On August 16, 2023, the Community Development Department received an application requesting to allow off-sale of distilled spirits in addition to the existing allowance for off-sale beer and wine in conjunction with the operation of an existing service station and convenience store ("Project") located at 3633 N. Sepulveda Blvd. ("Property"). The Property is currently governed by a Use Permit (Planning Commission Resolution 06-13, included as Attachment "B" to this staff report) which conditionally permitted the replacement of an existing service station

with a new service station and convenience store with beer and wine sales. The site has been occupied by Chevron since 2002 (prior to and after the replacement of the prior service station) and has maintained an ABC license for off-sale beer and wine since 2007.

#### Site Overview

The Property is an approximately 32,878 square foot parcel (APN: 4173-008-036) located on the southwest corner of North Sepulveda Boulevard and Rosecrans Avenue. It is in the General Commercial (CG) zoning district, Area District II, and has a General Plan designation of General Commercial. In addition, the Property is located within the Sepulveda Boulevard Corridor Overlay District (D8). The Property is currently occupied by an existing service station and a 1,976 square-foot convenience store, 16 parking stalls, landscaping, and associated site improvements.

The existing service station on the Property is currently operated by Chevron. The ancillary convenience store (Food and Beverage Sales) provides for off-site consumption of food and beverages, including beer and wine. The existing building has a cashier counter area, food and retail display areas, a walk-in cooler and refrigerators, an office, and a storage room.

The Property is surrounded by commercial, residential, and industrial uses, including a refinery (industrial) to the north, a hotel to the south, commercial offices to the west, and a vacant commercial building to the east. The Vicinity Map, included as Attachment “C,” demonstrates the Property location and surrounding uses.

PROJECT OVERVIEW		
Location:	3633 N. Sepulveda Blvd.	
Legal Description:	PM 212-23-24 EX OF STS LOT 1	
General Plan Land Use:	General Commercial	
Zoning Designation:	CG-D8 (General Commercial, Sepulveda Boulevard Overlay District)	
Area District:	II	
Parking for subject property:	<u>Existing</u>	<u>Proposed</u>
	16	No change

Use	Service Station and Convenience Store	No Change
Lot Size	32,878 sq. ft.	No Change
Building Size	1,976 sq. ft.	No Change
Alcohol License	Off-Sale Beer & Wine (Type 20 ABC License)	Off-Sale Beer, Wine & Distilled Spirits (Type 21 ABC License)
Hours of Service Station Operations*	24 Hours/Day; 7 Days/Week	No Change
Hours of Store Operations*	6 AM to 2 AM Daily	No Change
Hours of Alcohol Sale*	6 AM to 12 AM Daily	No Change
Neighboring Zoning & Land Uses	<u>North</u> : Refinery (Industrial)	
	<u>South</u> : Hotel (Commercial)	
	<u>East</u> : Vacant Commercial Building (Commercial)	
	<u>West</u> : Office (Commercial)	

\*Pursuant to Planning Commission Resolution 06-13 Condition No. 18

## Governing Regulations

The Project is reviewed for compliance with applicable regulations, including the City's General Plan and Municipal Code.

### *Manhattan Beach General Plan*

The General Plan is a long-range policy document, adopted in 2003, that identifies the community's vision for its collective future and establishes the fundamental framework to guide decision-making about development, resource management, public safety, public services, and general community well-being. The General Plan contains a series of goals and policies that allow this vision to be implemented. All projects are reviewed to ensure alignment with the General Plan's goals and policies. General Plans contain required "elements," or chapters, including a Land Use Element which is used to guide the City's development, maintenance, and improvement of land and properties. The Project was evaluated for conformance with relevant Land Use Element goals and policies, as described later in this report.

### *Manhattan Beach Municipal Code*

The Manhattan Beach Municipal Code (“MBMC”) serves, in part, to implement the vision established by the General Plan. Within the MBMC, Title 10 (Planning and Zoning) establishes regulations related to land use and development. Title 10 has several intended functions which include, but are not limited to:

- Providing a precise guide for the physical development of the City in order to foster convenient, harmonious, and workable relationships among land uses;
- Promoting the economic stability of existing land uses that are consistent with the General Plan, and protecting them from intrusions by inharmonious or harmful land uses;
- Permitting the development of office, commercial, industrial, and related land uses that are consistent with the General Plan in order to strengthen the City’s economic base.

The overall purpose of these regulations is to protect and promote the public health, safety, and general welfare of the community through implementation of goals and policies contained in the General Plan.

Development projects that are subject to discretionary reviews, such as Use Permits and Use Permit Amendments, are regulated by Section 10.84 of the MBMC. The Property is zoned CG, which permits a variety of commercial uses. Use classifications for commercial uses are defined in section 10.08.050 of the MBMC, and commercial use allowances are established by Section 10.16.020. Pursuant to Section 10.16.020(L), any new alcohol license or modification to an existing alcohol license requires a use permit.

### **PROJECT DESCRIPTION**

Steve Rawlings, on behalf of Chevron, submitted an application for a Use Permit Amendment to request the allowance of off-sale of distilled spirits (Type 21 ABC License) in addition to the existing allowance for off-sale beer and wine (Type 20 ABC License) in conjunction with the operation of an existing service station and convenience store located at 3633 N. Sepulveda Blvd. No modifications to the existing structure are proposed and no changes in operating hours have been requested. The floor plan of the convenience store will remain unchanged and is described in further detail below and depicted on the Project plans which are included as Attachment “E” to this report.

### Alcohol Sales

The applicant is requesting a Use Permit Amendment to allow off-sale of distilled spirits in addition to the existing allowance for off-sale beer and wine, in conjunction with the operation of the existing service station and convenience store. Such a request is allowed in the CG zone subject to the approval of a Use Permit. Conditions of approval have been included in the draft Planning Commission resolution (Attachment “A” to this staff report) to minimize the potential for negative impacts to surrounding community. A corresponding alcohol license upgrade (from a Type 20 ABC license to a Type 21 ABC license) would have to be obtained through the California Department of Alcoholic Beverage Control, and the applicant will be required to abide by all ABC license requirements in addition to all conditions established by this use permit. In instances where there are conflicts between the ABC license and this use permit, the more restrictive conditions would apply.

### Floor Plan

The existing convenience store is 1,976 square feet and no structural or architectural modifications are proposed. The existing alcohol display area within the convenience store is within three refrigerators measuring a total of 31 square feet (1.5% of the interior floor area). The applicant proposes to display distilled spirits along six square feet of shelf space behind the cashier. The location proposed for the display of distilled spirits is only accessible by store employees.

## **DISCUSSION**

### Consistency and Compliance with Governing Regulations

#### *Manhattan Beach General Plan*

As noted above, the Project is governed by the Manhattan Beach General Plan. As such, it was reviewed for consistency with applicable General Plan goals and policies. The Project has been determined to be consistent with the following goal for the reason described below:

- *Land Use Plan Goal LU-6: Maintain the viability of the commercial areas of Manhattan Beach.*

Sepulveda Boulevard has a variety of commercial uses, including markets, restaurants, and convenient stores with associated alcohol licenses. The expansion to a Type 21 ABC License will allow for greater viability of the convenience store at the Property.

#### *Manhattan Beach Municipal Code*

As previously noted, the existing use of the Property is a service station with a convenience store, including beer and wine sales as an accessory use. The Property’s current primary and accessory uses are regulated by an existing use permit (Resolution 06-13), consistent with the land use regulations specified in Section 10.16.020 of the MBMC and are legal and conforming

to zoning regulations. To comply with the regulations stated in the MBMC for commercial uses related to alcohol sales, the applicant is required to amend their use permit to allow off-sale of distilled spirits in addition to the existing allowance for off-sale beer and wine.

As mentioned in the site overview section of this report, the Property is located within the Sepulveda Boulevard Corridor Overlay District (D8). As specified in MBMC Section 10.44, the Sepulveda Boulevard Corridor Overlay District is a design overlay intended to provide, “more flexible development standards..in order to continue to promote desirable development, uses and economic vitality within the General Commercial (CG) zone.” Given that no new development or expansion of existing structures is proposed, the overlay district provisions identified in the MBMC are not applicable to this request.

As specified in MBMC Section 10.84.010, “[u]se permits are required for use classifications typically having unusual site development features or 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.” The sale of alcohol in the CG zone has been identified as such a use. The applicant’s request to allow sales of distilled spirits would supplement existing beer and wine sales at the Property and would not result in a significant change in use because of the relatively small portion of the store dedicated to both the existing and proposed alcohol sales areas. As evidenced by the minimal floor area dedicated to alcohol sales, the sale of said beverages is intended to be a convenience to those already at the Property, and not a means to draw additional customers to the Property. Additionally, conditions of approval have been proposed to address public safety concerns associated with crime or abnormal police activity.

#### Interdepartmental Review

The Traffic and Building Divisions, along with the Public Works, Fire, and Police Departments, have reviewed the request. As part of that review, the Public Works Department identified a potential concern related to the size of the existing trash enclosure, specifically if it is large enough to accommodate the type and quantity of refuse containers needed for the site. To address that concern, a condition of approval has been included that would require the applicant to construct a larger trash enclosure as part of the Project. Additionally, the Police Department looked at the potential for increased crime related to the request and determined that there have been no notable issues related to alcohol sales at the site. They are in agreement that the conditions of approval related to public safety concerns are sufficient and appropriate for the Project. The other divisions and departments expressed no concerns related to the Project.

#### Required Findings

Pursuant to MBMC Section 10.84.060, in order to approve a use permit or an amendment thereto, the Planning Commission must make certain findings in order to ensure that the use

operates in a manner that is compatible with uses on adjacent properties and in the surrounding area. The required findings are addressed below.

### ***Use Permit***

- 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 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 the location. Food and beverage stores are essential community businesses that provide food, beverages and other household items to residents and visitors. The convenience store is an existing food and beverage use, and the sale of alcoholic beverages is common at such a store. Additionally, the Property's primary use is and will remain a service station, and the convenience store is accessory to the service station, meaning that the convenience store and accompanying sale of alcoholic beverages is not the primary reason that customers would visit the Property. 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 primary use of the commercial property.

- 2. The proposed location of the use and the proposed conditions under which the uses 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 uses; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city.*

The General Plan encourages a broad range of retail, service, and professional office uses intended to meet the needs of local residents and businesses and to provide goods and services for the regional market. The Property's General Plan land use designation is General Commercial, and ancillary food and beverage uses are consistent with that designation. The Project proposes an expansion to an existing alcohol license and will not change the primary use of the Property. The Project is compatible with neighboring uses, as neighboring lots to the south, east, and west are developed with commercial uses, and the neighboring lot to the north (across Rosecrans Avenue) is industrial.

The Property's existing alcohol license currently permits the sale of beer and wine for off-site consumption and this use permit amendment would expand that allowance to include distilled spirits. The sale of alcoholic beverages is and will continue to be an accessory use, and operational characteristics will remain significantly the same as

they currently are. Since 2006, the Property's convenience store has contributed to this goal of meeting the food and beverage needs of local and regional residents and will continue to do so. Additionally, the Police Department did not have any objections to this request.

3. *The proposed use will comply with the provisions of this title, including any specific condition required for the proposed uses in the district in which they would be located.*

The primary use of the Property is a service station, with food and beverage sales as an accessory use. The primary and accessory uses are not changing and were subject to approval of a Use Permit prior to construction and commencement of operations, pursuant to the applicable provisions of the MBMC. The existing use permit applies to both the primary use (service station) and the sale of alcoholic beverages. Approval of the Use Permit Amendment will be in compliance with all provisions of MBMC.

4. *The proposed use will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.*

The existing service station and convenience store has included a food and beverage use and has sold beer and wine under a Type 20 ABC license for 18 years. The current request to expand its alcohol offerings to include distilled spirits will not materially change the use of the Property because it will not significantly increase customer volume, and is compatible with the Property's existing accessory use (food and beverage sales, including off-sale beer and wine). Conditions of approval have been included in the draft resolution (Attachment "A") to address potential crime and safety concerns. These include conditions requiring that distilled spirits be accessible only to store employees (behind the counter) until the time of purchase, that the Property and areas adjacent to it be kept free of litter and debris, and measures to address loitering and other security concerns in and around the business. Additionally, a Type 21 ABC license must be obtained from the California Department of Alcohol Beverage Control prior to commencement of sale of distilled spirits. These safety measures are structured to reduce opportunities for adverse impacts to the community.

## ENVIRONMENTAL DETERMINATION

The City has reviewed the Project for compliance with the California Environmental Quality Act (CEQA). Staff has determined that the Project qualifies for a Class I categorical exemption pursuant to Section 15301 (Existing Facilities) of the State CEQA Guidelines, which exempts the



operation, permitting, licensing, etc., 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.

## **PUBLIC NOTIFICATION AND COMMENT**

A public notice for this hearing was published in The Beach Reporter on June 13, 2024, 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 have not received any public comments.

## **CONCLUSION**

Staff recommends that the Planning Commission conditionally approve the proposed Use Permit Amendment to allow off-sale of distilled spirits in addition to the existing allowance for off-sale beer and wine in conjunction with the operation of an existing service station and convenience store located at 3633 N. Sepulveda Blvd., and find the project exempt from the California Environmental Quality Act pursuant to CEQA Guidelines Section 15301.

## **ATTACHMENTS:**

- A. Draft Planning Commission Resolution No. PC 24-XXXX
- B. Planning Commission Resolution No. 06-13
- C. Vicinity Map
- D. Applicant's Written Materials
- E. Site Plan and Floor Plan

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# ATTACHMENT A

## RESOLUTION NO. PC 24-\_\_

**A RESOLUTION OF THE MANHATTAN BEACH PLANNING COMMISSION APPROVING A USE PERMIT AMENDMENT TO ALLOW OFF-SALE OF DISTILLED SPIRITS IN ADDITION TO THE EXISTING ALLOWANCE OF OFF-SALE BEER AND WINE IN CONJUNCTION WITH THE OPERATION OF AN EXISTING SERVICE STATION AND CONVENIENCE STORE LOCATED AT 3633 NORTH SEPULVEDA BOULEVARD, AND FINDING THE PROEJCT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

### **THE MANHATTAN BEACH PLANNING COMMISSION DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. On October 11, 2006, the Planning Commission of the City of Manhattan Beach adopted Planning Commission Resolution No. 06-13, approving a Use Permit to replace an existing service station with a new service station, including a convenience store with beer and wine sales located at 3633 N. Sepulveda Boulevard ("Property").

SECTION 2. On August 16, 2023, Steve Rawlings, on behalf of Chevron ("Applicant"), applied for a Use Permit Amendment to allow off-sale of distilled spirits (Type 21 ABC License) in addition to the existing allowance for off-sale beer and wine (Type 20 ABC License) in conjunction with the operation of an existing service station and convenience store ("Project"). Pursuant to the Manhattan Beach Municipal Code ("MBMC"), the existing and proposed uses are classified as service station and food and beverage sales.

SECTION 3. Pursuant to MBMC Section 10.16.020(L), a Use Permit Amendment is required for any modification to an existing alcohol license previously established by a Use Permit. Use Permits and Amendments are governed by Chapter 10.84 of the MBMC. Section 10.84.010 specifies that, "[U]se permits are required for use classifications typically having unusual site development features or 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." Thus, a request to allow sales of distilled spirits in addition to sales of beer and wine is processed as a Use Permit Amendment under the purview of the Planning Commission

SECTION 4. On June 26, 2024, the Planning Commission conducted a duly noticed public hearing to consider the Project, during which the Planning Commission received a presentation by staff and testimony from the Applicant, and provided an opportunity for the public to provide evidence and testimony. The Planning Commission also received and reviewed written testimony received by the City prior to the public hearing.

SECTION 5. The Project qualifies for a Categorical Exemption from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, Existing Facilities, which is a Class 1 exemption. The proposed Use Permit Amendment involves a request to allow off-sale of distilled spirits (Type 21 ABC License) in addition to the existing allowance for off-sale beer and wine (Type 20 ABC License) in conjunction with the operation of an existing service station and convenience store. There are no features that distinguish this project from others in the exempt class; therefore, there are no unusual circumstances. No modifications to the existing structure are proposed and no changes in operating hours have been requested. Thus, no further environmental review is necessary, and the Planning Commission finds the Project exempt from CEQA.

SECTION 6. The record of the public hearing indicates:

- A. The legal description of the site is: PM 212-23-24 EX OF STS LOT 1, in the City of Manhattan Beach, County of Los Angeles. The site is located in Area District II and is zoned CG, General Commercial, Sepulveda Boulevard Corridor Overlay (D8). The Property is surrounded by commercial and industrial uses, including a refinery to the north, a hotel to the south, commercial offices to the west, and a vacant commercial building to the east.
- B. The use is conditionally permitted in the CG zone subject to a Use Permit and is in compliance with the City's General Plan designation of General Commercial. The General Plan designation of General Commercial 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."
- C. The Property is located within the Sepulveda Boulevard Corridor Overlay District (D8) which is a design overlay district. Given that no new development or expansion of existing structures are proposed, the overlay district provisions identified in the MBMC are not applicable to the Project.
- D. The use is currently governed by a Use Permit approved by the Planning Commission in 2006. The use has been operated in compliance with the current use permit.
- E. The Applicant is requesting approval of a Use Permit Amendment to allow off-sale of distilled spirits (Type 21 ABC License) in addition to the existing allowance for off-sale beer and wine (Type 20 ABC License) in conjunction with the operation of an existing service station and convenience store.
- F. The Project is consistent with following General Plan Goal, as described in the staff report prepared for the Project:

Land Use Plan Goal LU-6: Maintain the viability of the commercial areas of Manhattan Beach.

Sepulveda Boulevard has a variety of commercial uses, including markets, restaurants, and convenient stores with associated alcohol licenses. The expansion to a Type 21 ABC License will allow for greater viability of the convenience store at the Property.

SECTION 7. Based upon substantial evidence in the record, and pursuant to MBMC Section 10.84.060, the Planning Commission hereby makes the following findings related to the Use Permit Amendment:

- A. 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 for the following reasons:

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 the location. Food and beverage stores are essential community businesses that provide food, beverages and other household items to residents and visitors. The convenience store is an existing food and beverage use, and the sale of alcoholic beverages is common at such a store. Additionally, the Property's primary use is and will remain a service station, and the convenience store is accessory to the service station, meaning that the convenience store and accompanying sale of alcoholic beverages is not the primary reason that customers would visit the Property. 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 primary use of the commercial property.

- B. The proposed location of the use and the proposed conditions under which the uses 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 uses; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city for the following reasons:

The General Plan encourages a broad range of retail, service, and professional office uses intended to meet the needs of local residents and businesses and to provide goods and services for the regional market. The Property's General Plan land use designation is General Commercial, and ancillary food and beverage uses are consistent with that designation. The Project proposes an expansion to an existing alcohol license and will not change the primary use of the Property. The Project is compatible with neighboring uses, as neighboring lots to the south, east, and west are developed with commercial uses, and the neighboring lot to the north (across Rosecrans Avenue) is industrial.

The Property's existing alcohol license currently permits the sale of beer and wine for off-site consumption and this use permit amendment would expand that allowance to include distilled spirits. The sale of alcoholic beverages is and will continue to be an accessory use, and operational characteristics will remain significantly the same as they currently are. Since 2006, the Property's convenience store has contributed to this goal of meeting the food and beverage needs of local and regional residents and will continue to do so. Additionally, the Police Department did not have any objections to this request.

- C. The proposed use will comply with the provisions of this title, including any specific condition required for the proposed uses in the district in which they would be located for the following reasons:

The primary use of the Property is a service station, with food and beverage sales as an accessory use. The primary and accessory uses are not changing and were subject to approval of a Use Permit prior to construction and commencement of operations, pursuant to the applicable provisions of the MBMC. The existing use permit applies to both the primary use (service station) and the sale of alcoholic beverages. Approval of the Use Permit Amendment will be in compliance with all provisions of MBMC.

- D. The proposed use will not adversely impact or be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated for the following reasons:

The existing service station and convenience store has included a food and beverage use and has sold beer and wine under a Type 20 ABC license for 18 years. The current request to expand its alcohol offerings to include distilled spirits will not materially change the use of the Property because it will not significantly increase customer volume, and is compatible with the Property's existing accessory use (food and beverage sales, including off-sale beer and wine). Conditions of approval have been included in the draft resolution (Attachment "A") to address potential crime and safety concerns. These include conditions requiring that distilled spirits be accessible only to store employees (behind the counter) until the time of purchase, that the Property and areas adjacent to it be kept free of litter and debris, and measures to address loitering and other security concerns in and around the business. Additionally, a Type 21 ABC license must be obtained from the California Department of Alcohol Beverage Control prior to commencement of sale of distilled spirits. These safety measures are structured to reduce opportunities for adverse impacts to the community.

SECTION 8. Based upon the foregoing, the Planning Commission hereby **APPROVES** the Project, subject to the conditions below. All conditions applied to PC Resolution No. 06-13 remain in full effect unless expressly modified by the conditions contained herein:

**General**

- 1. The Project shall be in substantial conformance with the plans and project description submitted to, and

approved by, the Planning Commission on June 26, 2024, as amended by these conditions. Any substantial deviation from the approved plans and project description, as conditioned, 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. At any time in the future, the Planning Commission or City Council may review the Use Permit for the purpose of revocation or modification in accordance with the requirements of the Manhattan Beach Municipal Code (MBMC) Chapter 10.104. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.
- 4. Community Development Department staff shall be allowed to inspect the site at any time to determine compliance with conditions imposed and Local Coastal Program requirements.
- 5. Future modifications and improvements to the site, including modifications made to the convenience store and trash enclosure enlargement, shall be in compliance with applicable Planning Division, Building Division, Public Works, Waste Management, Fire Department, and Health Department regulations, when applicable.
- 6. Any modifications to the site that necessitate accessibility improvements must comply with the accessibility requirements found in Title 24 of the California Code of Regulations, or successor code.

**Operational**

- 7. The Project shall be operated in conformance with all applicable provisions of the MBMC and this use permit.
- 8. The operator of the business shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject business.
- 9. The operator of the business shall police the Property and all areas adjacent to the business during the hours of operation to keep it free of litter and debris.
- 10. The operator shall be permitted to sell beer, wine and distilled spirits within the existing convenience store. Display of distilled spirits for sale shall only be permitted behind the cashier area.
- 11. Distilled spirits shall only be accessible to store employees until the time of purchase.
- 12. The hours allowed for sale of alcoholic beverages shall be limited to 6:00 a.m. to 12:00 a.m. daily.

**Public Works/Refuse**

- 13. The operator must construct a trash enclosure sufficient to accommodate an increase of type and quantity of refuse and enhance its current service level needed for the site as follows:  
  
One 4-yard recycle, three times a week – Monday, Wednesday, Friday.  
Two 96-gallon MSW carts, three times a week – Monday, Wednesday, Friday.  
One 64-gallon organic cart, one time a week – Tuesday.
- 14. Building plans shall be submitted for said trash enclosure and shall demonstrate compliance with all trash enclosure requirements established by the MBMC and the Public Works department. The City will not provide its consent to ABC for issuance of the Type 21 ABC license until the trash enclosure is constructed.

**Alcohol**

- 15. A Type 21 ABC license must be obtained from the State Department of Alcoholic Beverage Control prior to commencement of off-sale distilled spirits.
- 16. The operation shall abide by all ABC license requirements and conditions at all times. If conflicts exist between conditions contained in the ABC license and those contained in this Use Permit Amendment, the stricter conditions shall govern.

**Procedural**

- 17. Terms and Conditions are Perpetual; Recordation of Covenant. The provisions, terms and conditions set forth herein are perpetual, and are binding on the owner, its successors-in-interest, and, where applicable, all tenants and lessees of the site. Further, the 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. 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 owner, grant

an extension to the 30-day time limit. The Project approval shall not become effective until recordation of the covenant.

- 18. 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 MBMC Chapter 10.104. Modification may consist of conditions deemed reasonable to mitigate or alleviate impacts to adjacent land uses.

SECTION 9. 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 owner of any claim, action, or proceeding and the City shall reasonably cooperate in the defense. If the City fails to promptly notify the owner of any claim, action, or proceeding, or if the City fails to reasonably cooperate in the defense, the owner 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 owner 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 owner 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 owner shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

SECTION 10. 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 11. This Resolution shall become effective when all time limits for appeal as set forth in MBMC Section Chapter 10.100 have expired.

SECTION 12. The Secretary of the Planning Commission shall certify to the adoption of this Resolution and shall forward a copy of this Resolution to the Applicant. The Secretary shall make this resolution readily available for public inspection.

[Continued on following page]

SECTION 13. This Use Permit Amendment shall lapse two years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code.

June 26, 2024

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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 **June 26, 2024**, and that said Resolution was adopted by the following vote:

- AYES:**
- NOES:**
- ABSTAIN:**
- ABSENT:**

\_\_\_\_\_  
**Talyn Mirzakhanian**  
Secretary to the Planning Commission

\_\_\_\_\_  
**Rosemary Lackow**  
Recording Secretary

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# ATTACHMENT B

## RESOLUTION NO. PC 06-13

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH APPROVING A USE PERMIT TO REPLACE AN EXISTING CHEVRON SERVICE STATION WITH A NEW SERVICE STATION TO INCLUDE A CONVENIENCE STORE WITH BEER AND WINE SALES ON THE PROPERTY LOCATED AT 3633 SEPULVDA BOULEVARD (Chevron Products Co.)**

**THE PLANNING COMMISSION OF THE CITY OF MANHATTAN BEACH DOES HEREBY RESOLVE AS FOLLOWS:**

SECTION 1. The Planning Commission of the City of Manhattan Beach hereby makes the following findings:

- A. The Planning Commission of the City of Manhattan Beach conducted a public hearing on September 13, and October 11, 2006, considered an application for a use permit to replace an existing service station with a new service station to include convenience store with beer and wine sales on the property legally described as Portions of Lots 3-6, 15-16, & 18-19, Block 1, Tract 1638 located at 3633 Sepulveda Boulevard in the City of Manhattan Beach.
- B. The application was filed on June 19, 2006. The applicant for the subject project is Chevron Products Co., the owner of the property.
- C. The project is Categorically Exempt from the requirements of CEQA pursuant to Sections 15303 and 15332, since the project involves reconstruction and minor infill development within an urbanized area.
- D. The project will not individually nor cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.
- E. The property is located within Area District II and is zoned CG Commercial General. The surrounding private land uses consist of CG and Commercial/Industrial uses in the City of El Segundo.
- F. The General Plan designation for the property is General Commercial. The General Plan encourages private investment in the city's commercial areas, and encourages the use of landscaping, notches, and architectural details as provided in this project.
- G. Approval of the replacement of an existing service station with a new service station, subject to the conditions below, will not be detrimental to the public health, safety or welfare of persons residing or working 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 since it is in compliance with all regulations, improves existing circulation design with respect to Sepulveda Boulevard, and provides aesthetic enhancements with conforming landscaping and signage including removal of two pole signs.
- H. The project shall be in compliance with applicable provisions of the Manhattan Beach Municipal Code.
- I. The service station replacement will not create adverse impacts on, nor be adversely impacted by, the surrounding area, or create demands exceeding the capacity of public services and facilities.
- J. A determination of public convenience and necessity is made for the proposed off-sale beer and wine license (as conditioned below), which shall be forwarded to the California Department of Alcohol Beverage Control upon the effectiveness of this project approval.
- K. This Resolution is intended to supersede all previous use permit approvals for the subject service station use.

## RESOLUTION NO. PC 06-13

Section 2. The Planning Commission of the City of Manhattan Beach hereby **APPROVES** the subject Use Permit application subject to the following conditions (\*indicates a site specific condition):

### Site Preparation / Construction

1. \* The project shall be constructed and operated in substantial compliance with the submitted plans as approved by the Planning Commission on October 11, 2006. Any substantial deviation from the approved plans must be reviewed and approved by the Planning Commission.
2. A Traffic Management Plan shall be submitted in conjunction with all construction and other building plans, to be approved by the Police and Public Works Departments prior to issuance of building permits. The plan shall provide for the management of all construction related traffic during all phases of construction, including delivery of materials and parking of construction related vehicles.
3. All electrical, telephone, cable television system, and similar service wires and cables shall be installed underground to the appropriate utility connections in compliance with all applicable Building and Electrical Codes, safety regulations, and orders, rules of the Public Utilities Commission, the serving utility company, and specifications of the Public Works Department.
4. During building construction of the site, the soil shall be watered in order to minimize the impacts of dust on the surrounding area.
5. The siting of construction related equipment (job site offices, trailers, materials, etc.) shall be subject to the approval from the Director of Community Development prior to the issuance of any building permits.
6. A site landscaping plan, consistent with the project rendering on file with the Community Development Department, utilizing drought tolerant native plants shall be submitted for review and approval concurrent with the building permit application. All plants shall be identified on the plan by the Latin and common names. The current edition of the Sunset Western Garden Book contains a list and description of drought tolerant plants suitable for this area. This plan shall be prepared by a licensed landscape architect, as required by state law.
7. A low pressure or drip irrigation system shall be installed in the landscaped areas, which shall not cause any surface run-off under normal operating conditions. Details of the irrigation system shall be noted on the landscaping plans. The type and design shall be subject to the approval of the Public Works and Community Development Departments.
8. Project driveway entrances shall be constructed or modified in conformance with the requirements of the Public Works Department and Caltrans.
9. \* Circulation and parking improvement design shall be subject to the review of the City's Traffic Engineer and Director of Community Development.
10. \* A corner cut-off street dedication at the Sepulveda Boulevard and Rosecrans Avenue intersection, shall be provided prior to issuance of project building permits, subject to the review and procedures of the Public Works Department.
11. \* Security lighting for the site shall be provided in conformance with Municipal Code requirements including applicable height limits and glare prevention design.
12. \* Property line clean outs, mop sinks, erosion control, and other sewer and storm water items shall be installed and maintained as required by the Department of Public Works. Oil

## RESOLUTION NO. PC 06-13

clarifiers and other post construction SUSMP items shall be required for the project.

13. Backflow prevention valves shall be installed as required by the Department of Public Works, and the locations of any such valves or similar devices shall be subject to approval by the Community Development Department prior to issuance of building permits.
14. Sidewalks shall be replaced or installed around the entire site pursuant to the requirements of the Public Works Department.
15. \* An appropriate merger document eliminating antiquated property lines within the site shall be recorded subject to the review and approval of the Community Development Department prior to issuance of building permits.

### Operational Restrictions

16. \* The facility shall operate as a vehicle service station use with food and beverage sales. Auto maintenance use and vehicle storage shall be prohibited.
17. \* Alcohol sales shall be limited to retail beer and wine sales.
18. \* Operation of the fueling facility shall be permitted 24 hours daily. Operation of the convenience (food and beverage sales) store shall be permitted from 6am to 2am daily, except alcohol sales shall be prohibited between midnight and 6am daily.
19. \* The management of the facility shall police the property and all areas immediately adjacent to the businesses during the hours of operation to keep it free of litter.
20. The operators of the facility shall provide adequate management and supervisory techniques to prevent loitering and other security concerns outside the subject businesses.
21. \* A covered trash enclosure(s), with adequate capacity shall be provided and available on the site subject to the specifications and approval of the Public Works Department, Community Development Department, and City's waste contractor. A trash and recycling plan demonstrating diversion of at least 50% of solid waste shall be provided as required by the Public Works Department.
22. \* The site shall allow reciprocal vehicle access with adjacent properties for any future City approved project upon which a similar reciprocal access condition is imposed. Such access shall be through the site's parking lot and driveways. The parking lot configuration shown on the subject plans shall be modified (at the expense of the subject property owner) at the time of implementation of the reciprocal access condition of the project.
23. \* Parking shall be provided in conformance with the current Manhattan Beach Municipal Code. Future parking lot modifications for the purposes of providing reciprocal access to a neighboring commercial property, and any parking requirement modifications that are warranted, shall be subject to approval of the Planning Commission in association with its review of the neighboring project.
24. \* The facility operator shall prohibit employees from parking personal vehicles on the surrounding public streets. Employees must park on-site or be transported to the site from other off-street parking facilities subject to Community Development Department approval. Prior to building permit issuance, a written employee parking program shall be submitted for Community Development Department approval.
25. \* All signs shall be in compliance with the City's Sign Code. Pole signs and internally illuminated awnings or other architectural elements shall be prohibited.
26. \* Noise emanating from the site shall be in compliance with the Municipal Noise Ordinance.

**RESOLUTION NO. PC 06-13**

27. \* Any outside sound or amplification system or equipment is prohibited, except speakers used exclusively to communicate individually with customers at gasoline pumps and the cashier on an as needed basis.
28. The operation shall comply with all South Coast Air Quality Management District Regulations and shall not transmit excessive emissions or odors across property lines.
29. The operation shall remain in compliance with all Fire and Building occupancy requirements at all times.

**Procedural**

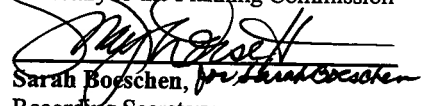
30. All provisions of the Use Permit are subject to review by the Community Development Department 6 months after occupancy and yearly thereafter.
31. This Use Permit shall lapse two years after its date of approval, unless implemented or extended pursuant to 10.84.090 of the Municipal Code.
32. Pursuant to Public Resources Code section 21089(b) and Fish and Game Code section 711.4(c), the project is not operative, vested or final until the required filing fees are paid.
33. The applicant agrees, as a condition of approval of this project, to pay for all reasonable legal and expert fees and expenses of the City of Manhattan Beach, in defending any legal actions associated with the approval of this project brought against the City. In the event such a legal action is filed against the project, the City shall estimate its expenses for the litigation. Applicant shall deposit said amount with the City or enter into an agreement with the City to pay such expenses as they become due.

**SECTION 3.** Pursuant to Government Code Section 65009 and Code of Civil Procedure Section 1094.6, any action or proceeding to attack, review, set aside, void or annul this decision, or concerning any of the proceedings, acts, or determinations taken, done or made prior to such decision or to determine the reasonableness, legality or validity of any condition attached to this decision shall not be maintained by any person unless the action or proceeding is commenced within 90 days of the date of this resolution and the City Council is served within 120 days of the date of this resolution. The City Clerk shall send a certified copy of this resolution to the applicant, and if any, the appellant at the address of said person set forth in the record of the proceedings and such mailing shall constitute the notice required by Code of Civil Procedure Section 1094.6.

I hereby certify that the foregoing is a full, true, and correct copy of the Resolution as adopted by the Planning Commission at its regular meeting of October 11, 2006 and that said Resolution was adopted by the following vote:

**AYES:** Bohner, Lesser, Powell,  
Chairman Schlager  
**NOES:** Cohen  
**ABSTAIN:** None  
**ABSENT:** None

  
**RICHARD THOMPSON,**  
Secretary to the Planning Commission

  
Sarah Boesch, for Sarah Boesch  
Recording Secretary

# ATTACHMENT C

## VICINITY MAP

3633 N. SEPULVEDA BOULEVARD



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# ATTACHMENT D



## MASTER APPLICATION FORM

CITY OF MANHATTAN BEACH  
COMMUNITY DEVELOPMENT DEPARTMENT

### Office Use Only

Date Submitted:  
Received By:  
F&G Check Submitted:

3633 N Sepulveda Blvd

### Project Address

Please see attached grant deed.

### Legal Description

General Commercial

### General Plan Designation

CG

### Zoning Designation

08

### Area District

For projects requiring a Coastal Development Permit, select one of the following determinations<sup>1</sup>:

Project located in Appeal Jurisdiction

Project not located in Appeal Jurisdiction

☐ Major Development (Public Hearing required)

☐ Public Hearing Required (due to UP, Var, ME, etc.)

☐ Minor Development (Public Hearing, if requested)

☐ No Public Hearing Required

### Submitted Application (check all that apply)

- |   |      |   |      |
|---|------|---|------|
| <input type="checkbox"/> Appeal to PC/PPIC/BBA/CC       | 4225 | <input type="checkbox"/> Use Permit (Residential)     | 4330 |
| <input type="checkbox"/> Coastal Development Permit     | 4341 | <input type="checkbox"/> Use Permit (Commercial)      | 4330 |
| <input type="checkbox"/> Continuance                    | 4343 | <input type="checkbox"/> Use Permit Amendment         | 4332 |
| <input type="checkbox"/> Cultural Landmark              | 4336 | <input type="checkbox"/> Variance                     | 4331 |
| <input type="checkbox"/> Environmental Assessment       | 4225 | <input type="checkbox"/> Park/Rec Quimby Fee          | 4425 |
| <input type="checkbox"/> Minor Exception                | 4333 | <input type="checkbox"/> Pre-application meeting      | 4425 |
| <input type="checkbox"/> Subdivision (Map Deposit)      | 4300 | <input type="checkbox"/> Public Hearing Notice        | 4339 |
| <input type="checkbox"/> Subdivision (Tentative Map)    | 4334 | <input type="checkbox"/> Lot Merger/Adjust./\$15 rec. | 4225 |
| <input type="checkbox"/> Subdivision (Final)            | 4334 | <input type="checkbox"/> Zoning Business Review       | 4337 |
| <input type="checkbox"/> Subdivision (Lot Line Adjust.) | 4335 | <input type="checkbox"/> Zoning Report                | 4340 |
| <input type="checkbox"/> Telecom (New or Renewed)       | 4338 | <input type="checkbox"/> Other                        |      |

### Fee Summary: (See fees on reverse side)

Total Amount: \$ \_\_\_\_\_ (less Pre-Application Fee if applied within past 3 months)

Receipt Number: \_\_\_\_\_ Date Paid: \_\_\_\_\_ Cashier: \_\_\_\_\_

### Applicant(s)/Appellant(s) Information

Chevron Stations, Inc c/o Rawlings Consulting

### Name

P.O. Box 6003 San Ramon, CA 94583

### Mailing Address

Owner

### Applicant(s)/Appellant(s) Relationship to Property

Steve Rawlings, Representative

951-667-5152/ser@rawlingspm.com

### Contact Person (include relation to applicant/appellant)

Phone number / email

26023 Jefferson Ave, Ste D, Murietta, CA 92562

### Address

*Steven P. Rawlings*

925-842-0002/enickaranda@chevron.com

### Applicant(s)/Appellant(s) Signature

Phone number / email

### Complete Project Description- including any demolition (attach additional pages as necessary)

Permit to allow the sale of beer, wine, and distilled spirits for off-site consumption (ABC Type 21 License) at an existing convenience store that currently sells beer and wine.

<sup>1</sup> An Application for a Coastal Development Permit shall be made prior to, or concurrent with, an application for any other permit or approvals required for the project by the City of Manhattan Beach Municipal Code. (Continued on reverse) ◆

# OWNER'S AFFIDAVIT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA  
COUNTY OF LOS ANGELES

I/We Chevron USA, Inc being duly sworn, depose  
and say that I am/we are the owner(s) of the property involved in this application and that the  
foregoing statements and answers herein contained and the information herewith submitted are in  
all respects true and correct to the best of my/our knowledge and belief(s).

Brennan P. Beatty  
Signature of Property Owner(s) – (Not Owner in Escrow or Lessee)

Brennan P. Beatty  
Print Name

PO Box 6003 San Ramon, CA 94583

Mailing Address

erickaranda@chevron.com

Telephone/email

Subscribed and sworn to (or affirmed) before me this 6<sup>th</sup> day of July, 2023  
by Brennan P. Beatty proved to me on

the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature [Signature]  
Notary Public



## Fee Schedule Summary

Below are the fees typically associated with the corresponding applications. Additional fees not shown on this sheet may apply – refer to current City Fee Resolution (contact the Planning Division for assistance.) Fees are subject to annual adjustment.

### Submitted Application (circle applicable fees, apply total to Fee Summary on application)

#### Coastal Development Permit

Public hearing – no other discretionary approval required:	\$ 3,948	✉
Public hearing – other discretionary approvals required:	1,940	✉
No public hearing required – administrative:	1,509	✉
Transfer:	155	

#### Use Permit

Use Permit:	\$ 8,393	✉
Master Use Permit:	10,908	✉
Master Use Permit Amendment:	7,414	✉
Master Use Permit Conversion:	5,035	✉

#### Variance

Filing Fee:	\$ 8,421	✉
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#### Minor Exception

Without notice:	\$ 353	
With notice:	1,575	✉

#### Subdivision

Certificate of Compliance:	\$ 1,652	
Final Parcel Map + mapping deposit:	601	
Final Tract Map + mapping deposit:	601	
Mapping Deposit (paid with Final Map application):	500	
Merger of Parcels or Lot Line Adjustment:	1,184	
Quimby (Parks & Recreation) fee (per unit/lot):	1,817	
Tentative Parcel Map (4 or less lots / units) No Public Hearing:	1,397	
Tentative Parcel Map (4 or less lots / units) Public Hearing:	3,546	✉
Tentative Tract Map (5 or more lots / units) No Public Hearing:	4,074	✉

#### Environmental Review (contact Planning Division for applicable fee)

Environmental Assessment (no Initial Study prepared):	\$ 215	
Environmental Assessment (if Initial Study is prepared):	3,133	

✉ Public Hearing Notice applies to all projects with public hearings and covers the City's costs of envelopes, postage and handling the mailing of public notices. Add this to filing fees above, as applicable:

Coastal Permit – 100 ft. Radius	\$ 182	
Large Family Daycare – 100 ft. Radius	56	
Minor Exception – 300 ft. Radius	129	
Other Permits – 300 to 500 ft. Radius	263	
Code, General Plan, Zoning Amendments	588	

Effective 07/01/2020





# ENVIRONMENTAL ASSESSMENT FORM

(to be completed by applicant)

## CITY OF MANHATTAN BEACH COMMUNITY DEVELOPMENT DEPARTMENT

1400 HIGHLAND AVENUE, MANHATTAN BEACH, CA 90266  
Telephone: (310) 802-5500 Fax: (310) 802-5501 TDD: (310) 546-3501

Date Filed: 8/16/23

### APPLICANT INFORMATION

Name: Chevron Stations, Inc  
Address: PO Box 6003 San Ramon, CA 94583  
Phone number: 925-842-9002  
Relationship to property: Owner

Rawlings Consulting, Attn:

Contact Person: Steve Rawlings  
Address: 26023 Jefferson Ave, Ste D, Murrieta, CA 92562  
Phone number: 951-667-5152  
Association to applicant: Representative

### PROJECT LOCATION AND LAND USE

Project Address: 3633 N Sepulveda Blvd  
Assessor's Parcel Number: 4173-008-036  
Legal Description: Please see attached grant deed.  
Area District, Zoning, General Plan Designation: 08, CG, General Commercial  
Surrounding Land Uses:  
North Oil refinery West Commercial  
South Hotel East Vacant building  
Existing Land Use: Existing gas station and convenience store.

### PROJECT DESCRIPTION

Type of Project: Commercial X Residential \_\_\_\_\_ Other \_\_\_\_\_  
If Residential, indicate type of development (i.e.; single family, apartment, condominium, etc.) and number of units: N/A

If Commercial, indicate orientation (neighborhood, citywide, or regional), type of use anticipated, hours of operation, number of employees, number of fixed seats, square footage of kitchen, seating, sales, and storage areas: Neighborhood, convenience store with beer/wine/distilled spirit sales for off-site consumption, alcohol sales from 6 am - 12 am daily, 2-4 employees, 1,976 sq ft store.

If use is other than above, provide detailed operational characteristics and anticipated intensity of the development: N/A

	<u>Existing</u>	<u>Proposed</u>	<u>Required</u>	<u>Removed/ Demolished</u>
Project Site Area:	<u>N/A: Existing building, no new construction proposed.</u>			
Building Floor Area:	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
Height of Structure(s)	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
Number of Floors/Stories:	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
Percent Lot Coverage:	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
Off-Street Parking:	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
Vehicle Loading Space:	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>
Open Space/Landscaping:	<u>                    </u>	<u>                    </u>	<u>                    </u>	<u>                    </u>

Proposed Grading: N/A: Existing building, no new construction proposed.

Cut            Fill            Balance            Imported            Exported           

Will the proposed project result in the following (*check all that apply*):

<u>Yes</u>	<u>No</u>	
<u>          </u>	<u>X</u>	Changes in existing features or any bays, tidelands, beaches, lakes, or hills, or substantial alteration of ground contours?
<u>          </u>	<u>X</u>	Changes to a scenic vista or scenic highway?
<u>          </u>	<u>X</u>	A change in pattern, scale or character of a general area?
<u>          </u>	<u>X</u>	A generation of significant amount of solid waste or litter?
<u>          </u>	<u>X</u>	A violation of air quality regulations/requirements, or the creation of objectionable odors?
<u>          </u>	<u>X</u>	Water quality impacts (surface or ground), or affect drainage patterns?
<u>          </u>	<u>X</u>	An increase in existing noise levels?
<u>          </u>	<u>X</u>	A site on filled land, or on a slope of 10% or more?
<u>          </u>	<u>X</u>	The use of potentially hazardous chemicals?
<u>          </u>	<u>X</u>	An increased demand for municipal services?
<u>          </u>	<u>X</u>	An increase in fuel consumption?
<u>          </u>	<u>X</u>	A relationship to a larger project, or series of projects?

Explain all "Yes" responses (*attach additional sheets or attachments as necessary*):

N/A

**CERTIFICATION:** I hereby certify that the statements furnished above and in attached exhibits present the data and information required for this initial evaluation to the best of my ability, and that the facts, statements, and information presented are true and correct to the best of my knowledge and belief.

Signature: 

Prepared For: Chevron Stations, Inc

Date Prepared: 8/16/23

Revised 07/01/18

## Findings

Chevron

3633 N Sepulveda Blvd

August 16, 2023

- 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.**

This property is located within the General Commercial district. The purpose of a General Commercial District is to provide opportunities for the full range of retail and service businesses deemed suitable for location in Manhattan Beach, including businesses not permitted in other commercial districts because they attract heavy vehicular traffic or have certain adverse impacts.

This project is consistent with the goals and policies of the district because it provides a retail service (alcohol sales for off-site consumption) that has already proved suitable for the location, as this store has been selling beer and wine for off-site consumption since 2008.

- 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 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.**

The sale of beer, wine, and distilled spirits for off-site consumption will not be detrimental to the community. This location has been selling beer and wine for 15 years and has proved to be compatible with the surrounding neighborhood. Therefore, there is no reason to believe that the addition of distilled spirit sales will be detrimental to the general welfare of the City.

- 3. The proposed use will comply with the provisions of this title, including any specific condition required for the proposed use in the district in which it would be located.**

This location is a corporate owned store, and Chevron will comply with all conditions the City imposes.

- 4. The proposed use will not adversely impact nor be adversely impacted by nearby properties. Potential impacts are related but not necessarily limited to: traffic, parking, noise, vibration, odors, resident security and personal safety, and aesthetics, or create demands exceeding the capacity of public services and facilities which cannot be mitigated.**

The sale of beer, wine, and distilled spirits for off-site consumption is well buffered from surrounding commercial uses. Chevron also has implemented extensive security measures outlined in the operations statement that will prevent any nuisance to the surrounding area.

**Chevron Extra Mile Store  
3633 N Sepulveda Blvd**

**Statement of Operations  
8/16/23**

**Request:** Permit to allow the sale of beer, wine, and distilled spirits for off-site consumption (ABC Type 21 License) at an existing Chevron Extra Mile store that currently sells beer and wine.

**Overall Store Size:** Approximately 1,976 sq ft

**Hours of Operation:** 24 hours daily, alcohol sales from 6 am – 12 am

**Key Security Measures:**

- Policy signs will be posted on premises: “No Open Containers”, “No Consumption of Alcoholic Beverage on the Premises” and “No Loitering”.
- No exterior advertising or window signs will advertise alcohol products.
- No alcoholic beverage advertisement located on the motor fuel island.
- 3 coolers are used for beer/wine display and are visible to cashier.
- No fortified wines or malt liquor will be sold.
- Chevron currently operates a surveillance camera system.
- Surveillance video is stored for at least 30 days and be made available to law enforcement upon request.
- Cooler doors containing beer will be locked from 12 am to 6 am daily.
- All persons that appear younger than 30 years old must provide ID in order to purchase alcohol.
- Point of sale system requires cashier to scan the ID to validate age. No alcohol will be sold if customer is a minor.

**Employee Training:**

- Employees are required to complete the corporate training program and pass the course test.
- Employees engaged in the sale of alcohol will complete the LEAD training class that is approved by ABC.
- LEAD Training includes looking for signs of intoxication, proper identification checking, procedures for dealing with various situations as well as general behavior observance training.

**More information regarding security and training is attached.**

**About Chevron Extra Mile**

Chevron USA operates over 300 Extra Mile Stores in CA and approximately 130 of those stores sell beer and wine. Chevron is one of the largest corporations in the world.

# **Security and Training Procedures**

## **Chevron - Extra Mile Stores**

### **Summary:**

Chevron Stations Inc. (CSI) maintains an extremely robust security and crime prevention posture. Numerous security protocols and policies were developed through the partnership with Chevron Global Security to incorporate best practices, and a fit for purpose plan to be integrated into each corporate owned store. CSI's highest priority is to provide a safe and secure environment for its employees and customers.

### **Security and Safety by Design:**

The Extra Mile site provides a design that lends itself features that incorporate Crime Prevention Through Environmental Design (CPTED).

Our site will maintain operations 24 hours a day; therefore, adequate lighting is necessary for the safe operation during times of darkness. This site is equipped with the necessary lighting, inside and out, and provides a safe environment for our customers, employees, and discourages loitering.

Outside lighting is the responsibility of Chevron management. All lighting concerns, such as inadequate lighting or burned-out lights, will be addressed promptly by contacting our maintenance provider.

The convenience store is designed with full height glass windows to provide clear and unobstructed views from inside and out. All signage affixed to the windows will not obstruct these views.

### **Trash and Graffiti Removal**

Any and all trash accumulating on the property and landscape areas will be removed promptly. Graffiti will be removed from any wall, fence, building, structure, window, equipment, or other location within 48 hours.

### **Loitering & Panhandling:**

Loitering and panhandling will not be tolerated and Chevron will maintain a zero-tolerance policy. Loitering signs will be posted in conspicuous places containing wording (Spanish and English) that aligns with state and local law (work with MBPD to obtain proper language). All loitering and panhandling issues will be dealt with in a swift and consistent manner by notifying local police.

No consumption or open alcoholic beverages will be permitted on the premises. Signs specifically prohibiting this activity will also be placed in conspicuous places in both Spanish and English.

Chevron employees are trained and directed to immediately deal with individuals attempting to or consuming alcohol on store property. If safe to do so, employees will instruct the person(s) to cease and desist consuming the alcoholic beverage and ask the person to leave the premises. If the employee deems it unsafe to approach the subject(s), law enforcement will be promptly called to assist.

### **Security Equipment and Crime Deterrent:**

This station is currently equipped with multiple interior and exterior color cameras with a 24-hour operational CCTV DVR system. The system is capable of archiving a minimum of 30 days+ of stored video coverage (industry standard). The station cameras are strategically positioned to capture activity at the critical areas of the store, including the alcohol coolers. CCTV maintenance issues are handled with high priority and rectified in an expeditious fashion.

Robbery and crime deterrence is a meticulous process where each new hire is provided specific crime deterrence training and also receives an annual refresher. A daily checklist (Steps to Sundown) is provided to employees as a tool to guide them in crime deterrence as they prepare for the night shifts.

Any coolers containing alcoholic beverages will automatically lock at 12 am and unlock at 6 am daily.

### **ABC Compliance Training:**

Chevron employees are provided rigorous training in alcohol beverage sale rules, laws, and regulations. Chevron employees adhere to the stringent guidelines associated with the control and sale of alcoholic beverages.

All new hires and existing employees are required to attend New Employee Orientation/Annual Recertification. This includes Station Managers, Assistant Station Managers and Customer Service Representative (Cashier). This is our policy at Chevron Stations Inc. On the second day of the New Employee Orientation/Annual Recertification the employees are trained on Age Restricted Products. They are trained on the following:

- What's the legal age for purchasing alcohol/tobacco products Lotto and Lottery?
- What are the fines and penalties?
- List acceptable forms of ID that CSI accepts as valid
- Locate and review the ID Checking Guide
- What to look for on an ID and how to spot an alternated ID?
- How to verify the customer's age by properly entering their birthday in EPOS?
- What are the legal sale hours of alcohol? 6:00 A M to 2:00 A M
- CSI employees will ID all persons who appear under the age when they attempt to purchase age restricted products
- What to do if the customer's ID is expired?
- What types of payment we accept for purchasing Lotto/Lottery?
- How to handle a beer run?
- What to do if customer appears intoxicated?
- What to do if customer attempt or consume alcohol on the property?

If an employee fails to attend annual recertification, the employee will be removed from the schedule. The employee will not be scheduled to work until he or she complete the training.

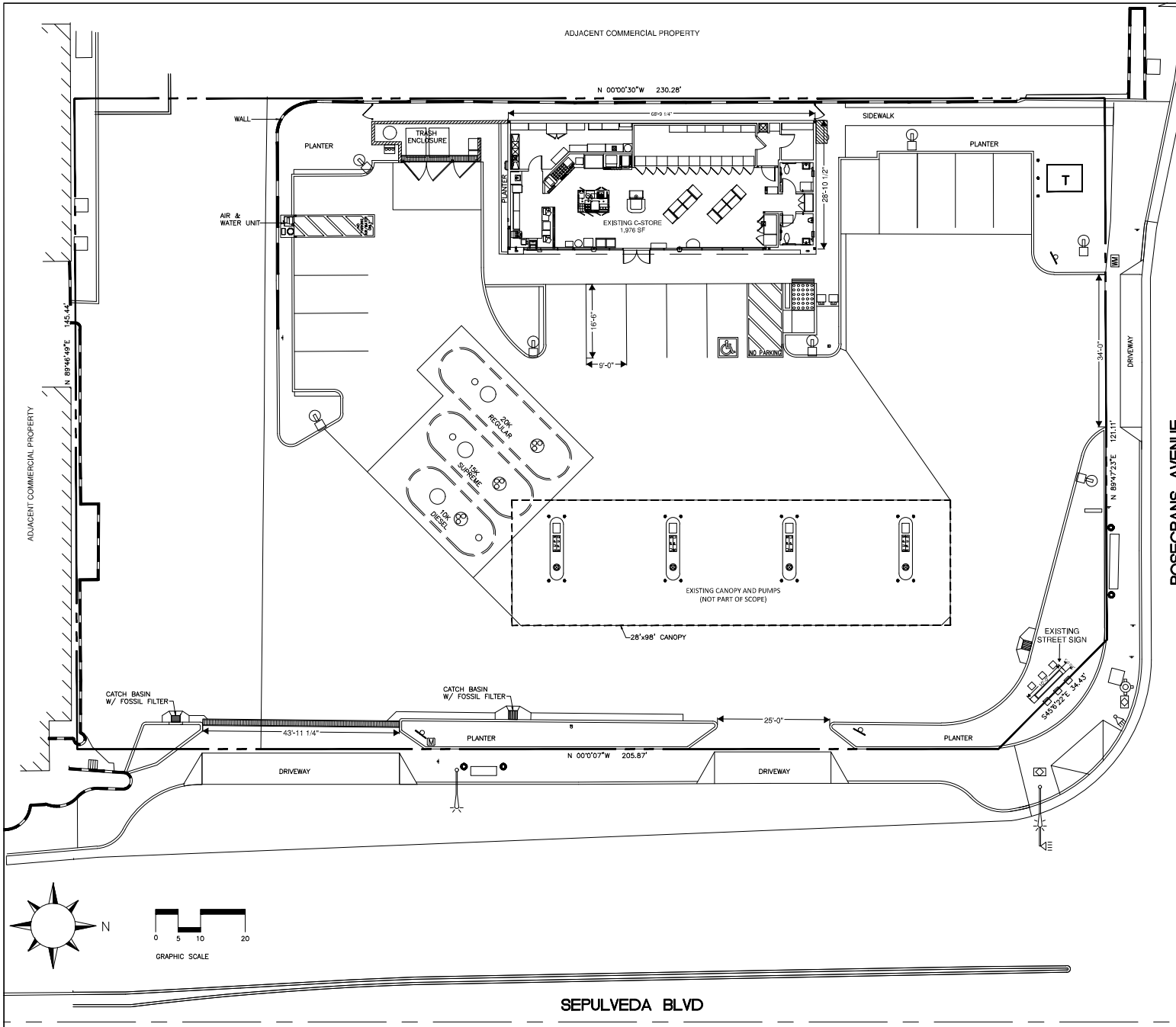
Upon completion: Manager: Review ABC-299 Clerk's Affidavit and Sign; employee must complete part 2 and manager must sign part 3.

It is very important that Chevron Company Operated Store employees comply with all laws prohibiting the sale of alcohol and tobacco products to underage customers. The failure to comply with such laws could constitute grounds for termination.

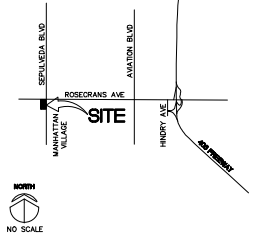
Chevron has retained Maritz to perform alcohol/tobacco compliance checks at Chevron's Company Operated Stations to enhance Chevron's compliance with laws prohibiting age sensitive product sales to minors. Maritz does compliance checks quarterly for both alcohol and tobacco and do the checks without notice. Checks occur any time during the day or night.

Swift consequences are given to any employee including the station manager who fails a compliance check. In reference to Law Enforcement Mystery Shop: Failed Shop 1: Any employee (inclusive of management) who fails a law enforcement mystery shop (aka "sting") will generally be **terminated upon notification** by the law enforcement agency of the failed shop, regardless of previous violation history.

# ATTACHMENT E



## VICINITY MAP



APN: 4173-008-036

LOT SIZE: 32,878 SF

STORE SIZE: 1,976 SF

ZONING: CG D8

### PROPOSED USE:

PERMIT TO SELL BEER, WINE AND DISTILLED SPIRITS FOR OFF-SITE CONSUMPTION (ABC TYPE 21 LICENSE) AT AN EXISTING CONVENIENCE STORE THAT SELLS BEER & WINE. **NO PROPOSED CHANGES TO THE EXTERIOR OR EXTERIOR SITE ELEMENTS.**

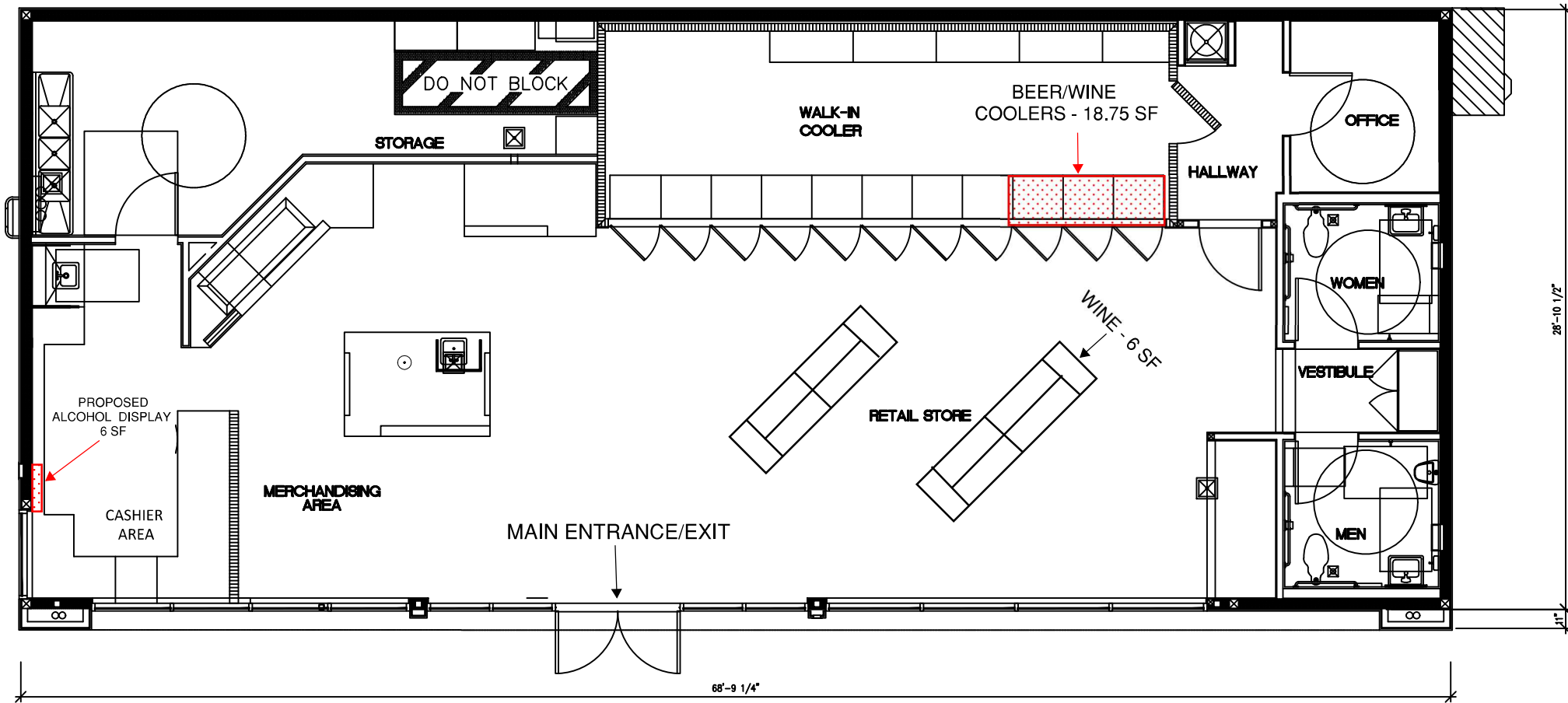
### PROPERTY OWNER:

CHEVRON USA  
PO Box 6003  
San Ramon, CA 94583

### APPLICANT

CHEVRON STATIONS INC  
C/O RAWLINGS CONSULTING  
26023 JEFFERSON AVE., SUITE D  
MURRIETA, CA 92562

CHEVRON EXTRA MILE STORE #202019/1959



STORE SIZE:	1,976 SF
ALCOHOL DISPLAY AREA:	31 SF
% OF STORE AREA:	1.5%

FLOOR PLAN  
3633 N Sepulveda Blvd.  
Manhattan Beach, CA