

## **ADMINISTRATIVE USE PERMIT FINDINGS**

**6090 Long Beach Boulevard  
Application No. 2004-08 (AUP20-004)  
February 8, 2021**

Pursuant to Section 21.25.206 of the Long Beach Municipal Code, a Conditional Use Permit can be granted only when positive findings are made consistent with the following criteria set forth in the Zoning Ordinance. These findings and staff analysis are presented for consideration, adoption and incorporation into the record of proceedings:

- 1. THE APPROVAL IS CONSISTENT WITH AND CARRIES OUT THE GENERAL PLAN, ANY APPLICABLE SPECIFIC PLANS SUCH AS THE LOCAL COASTAL PROGRAM AND ALL ZONING REGULATIONS OF THE APPLICABLE DISTRICT;**

The site is located at the northeast corner of Long Beach Boulevard and Victoria Street with an aggregate size of approximately 22,530 square feet. The parcel has approximately 205 linear feet of street frontage along Long Beach Boulevard, approximately 60 linear feet of street frontage along Cambridge Street to the north and approximately 85 linear feet of street frontage along Gordon Street to the south. The property also borders a 20-ft. wide public alley to the east. The parcel is currently developed with a s-story 2,145 SF auto repair garage, diesel fuel pumps and underground storage tanks constructed circa 1966, as well as a 1-story fast-food restaurant towards the north end of the parcel. The site has an underlying General Plan PlaceType designation of Neighborhood-Serving Center or Corridor-Low (NSC-L) which encourages low-rise, low-intensity mixed-use commercial centers and corridors designed to meet consumers' daily needs for goods and services close to residential areas, and is zoned Community Commercial Automobile-Oriented (CCA) which is intended for retail and service uses for an entire community including convenience and comparison shopping for goods and associated services. The CCA zoning district allows gasoline sales by right and diesel fuel sales through and administrative use permit; therefore, the proposed project is consistent with the zoning regulations. The zoning district further corresponds to and implements site's General Plan PlaceType and the goals of the General Plan.

The project proposes the sale of diesel fuel strictly for standard (Class C) passenger vehicles in conjunction with a future 2,960 square foot 7-Eleven convenient store with a 1,340 sq. ft. fueling canopy with two (2) new underground 20,000 gallon fuel storage tanks, six (6) fueling positions and ancillary improvements including new landscaping, a surface parking lot with eighteen (17) parking spaces, new parking lot light standards, trash enclosure and signage.

The project is not within the coastal zone. Therefore, the Local Coastal Program does not apply.

**2. THE PROPOSED USE WILL NOT BE DETRIMENTAL TO THE SURROUNDING COMMUNITY INCLUDING PUBLIC HEALTH, SAFETY OR GENERAL WELFARE, ENVIRONMENTAL QUALITY OR QUALITY OF LIFE; AND**

The proposed convenience store and automobile fueling service station will be replacing an existing diesel fueling service station and the new development substantially complies with all applicable sections of the Long Beach Municipal Code. Conditions of approval have been incorporated to mitigate potential negative effects on the surrounding community. These conditions include measures pertaining to site circulation, on-site queuing, vehicular access, idling, security, and hours of operation. By imposing these conditions, the proposed use shall operate in a manner that is compatible with the surrounding uses.

**3. THE APPROVAL IS IN COMPLIANCE WITH THE SPECIAL CONDITIONS FOR THE USE ENUMERATED IN CHAPTER 21.52.**

Section 21.52.222 states that the following conditions shall apply diesel fuel sales requiring an Administrative Use Permit unless waived with written findings:

***A. Diesel fuel sales shall only be permitted on designated truck routes.***

The site is located along Long Beach Boulevard which is a designated local truck route per Long Beach General Plan Mobility Element 2013. Therefore, the use complies with this condition.

***B. A solid masonry wall not less than eight feet (8') in height shall be provided where the site abuts, or is across an alley from, a residential district.***

The plans for the proposed 7-Eleven convenient store show a new 8-foot CMU wall abutting the alley located on the east side of the property satisfying this condition.

***C. An on-site queuing lane no less than one hundred twenty feet (120') shall be provided on-site for each pump dispensing diesel fuel.***

The proposed site plan and use does not cater to large commercial tractor trailer trucks. The proposed project will only cater to Class C passenger vehicles. Therefore, One-hundred and twenty-feet (120) ft. of queuing for an automobile fueling service station is unprecedented and not necessary for this use and this condition need not apply.

***D. A site circulation and queuing diagram prepared by a traffic engineer shall be submitted with the application demonstrating the feasibility of truck access to and from each pump dispensing diesel fuel.***

A traffic impact analysis prepared by a registered traffic engineer was submitted with this application. The results concluded that traffic circulation impact is considered “insignificant” based on the “100 peak hour trip” threshold. Therefore, this condition need not apply.

***E. Local streets may not be used for vehicular access to pumps dispensing diesel fuel.***

The existing curb cuts located on East Gordon Street and East Cambridge Street will be closed and replaced with full height curb and gutter, leaving the only vehicular access from Long Beach Boulevard to the west of the site and from the alley to the east of the site, thus satisfying this condition.

***F. No on-site idling shall be permitted for vehicles queuing for pumps dispensing diesel fuel.***

This requirement is included in the Conditions of Approval.

***G. No overnight parking or on-site maintenance of truck tractors or truck trailers shall be permitted.***

The proposed project only caters to class C vehicles. Additionally, this requirement is included in the Conditions of Approval.

***H. No exterior telephones or security bars shall be permitted.***

This requirement is included in the Conditions of Approval.

***I. Hours of operation shall be established and shall be appropriate based on adjacent land uses.***

The proposed 7-Eleven will be a 24-hour operation. A noise impact analysis was completed and reviewed for this project site. The analysis concluded that construction-related and operation-related noise will have less than significant impacts on the surrounding residential homes. In the event that substantiated complaints of noise in excess of the Noise Ordinance are received, the applicant would be required to work with the City to implement and document measures to monitor noise levels at adjacent residential uses, including but not limited to an annual noise monitoring study, amending operating hours, noise baffling construction methods, or implementing new technology to attenuate noise.

**4. THE RELATED DEVELOPMENT APPROVAL, IF APPLICABLE, IS CONSISTENT WITH THE GREEN BUILDING STANDARDS FOR PUBLIC AND PRIVATE DEVELOPMENT, AS LISTED IN SECTION 21.45.400.**

This project is below the 50,000 sq. ft. threshold for nonresidential development enumerated in Section 21.45.400 and is not subject to the Green building standards.