

# Attachment A

## Conditional Use Permit and CPIO Adjustment

June 11, 2020

**Applicant:**

7-Eleven, Inc.  
330 E. Lambert Rd.  
Brea, CA 91403

**Site Address:**

110 W. Imperial Hwy  
Los Angeles, CA 90061

**Representative:**

ASI Development / Adan Madrid  
5932 Bolsa Ave., Suite 107  
Huntington Beach, CA 92649  
(949)235-9538  
adan@asidvm.com

**Community Plan Area:** Southeast Los Angeles

**Zone:** C2-2D-CPIO

**CD:** 15 - Joe Buscaino

**APN:** 6087-001-015,030, and 033

**Project Overview/Request:**

The applicant, 7-Eleven, is requesting Zoning Administrator (Z.A.) approval of a conditional use permit (CUP) pursuant to Los Angeles Municipal Code (LAMC) Section 12.24 W 4. to allow the development and operation of automotive fueling and service station and a “dry” convenience store open 24-hours daily. Section 12.14. A.6.(j) of the LAMC requires Automobile Fueling Stations to comply with the development standards and operating conditions set forth in Section 12.22 A.28 of the LAMC. Section 12.22 A.28(b)(5) limits the hours of operation for Automotive Uses located in the C2 zone to Monday through Friday, 7:00 AM to 7:00 PM; Saturday, 9:00 a.m. to 8:00 p.m.; and Sunday, 11:00 AM to 8:00 PM.

The applicant is also requesting a CPIO Administrative Adjustment from the Southeast Los Angeles Community Plan Implementation Overlay (CPIO) Transit-Oriented Development (TOD) subarea “E” development regulations pursuant to Section 13.14 G. 2. of the LAMC to allow for a 20% reduction in the minimum required lot coverage.

Lastly, the applicant is also requesting a Class 32 “Infill” Categorical Exemption from CEQA pursuant to Guideline Section 15332.

**Existing Site Conditions:**

The subject property is located on the southwest corner of Imperial Highway and Main Street and consists of three (3) parcels of land<sup>1</sup> with an aggregate size of approximately 27,708 sq. ft. in size with approximately 112 linear ft. of frontage on Imperial Highway and 200 linear ft. of frontage on Main

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<sup>1</sup> APN 6087-001-033, 030 and 015 / Por. of Lots 12 thru 16 and Lots 17 thru 20 of TR 3039

Street. The subject property also borders what appears to be an unused 15 ft. wide public alley along the westerly property line. Parcel 033 including Lots 12 thru 16 is developed with a 2-story 513 sq. ft. office building currently occupied by Avalos Income Tax Service. Parcel 030 including Lots 17 thru 19 is developed with a 70 ft. x 20 ft. car wash canopy currently occupied by Imperial Hand Car Wash & Auto Detail and the most southerly Parcel 015 is developed with an auto-related 1-story 727 sq. ft. garage currently occupied by 1 Stop Tire Shop.

**Background:**

The applicant met with the Harbor Gateway North Neighborhood Council (HGNNC) Planning and Land Use (PLU) Committee on March 2, 2019 and again on November 2, 2019. The applicant also met with Captain Louis Paglialonga (Pags), Sergeant II John Moreno and Senior Lead Officer Angelo Stewart of the LAPD Southeast Area Division on November 20, 2019. Although discussions with the HGNNC PLU Committee and the LAPD have not concluded, below is a list of conditions and objectives for the proposed development of which some were initiated by the applicant and of which some were requested by the Committee and/or the LAPD.

- a. The proposed convenience store shall not engage in the off-sale of alcoholic beverages and a condition of approval prohibiting the off-sale of alcoholic beverages shall be included as a condition of approval on the Zoning Administrator (Z.A.) Letter of Determination approving the request for 24-hours.

Commentary: 7-Eleven has agreed to not engage in the off-sale of alcoholic beverages in perpetuity at this store location and is agreeable to a condition of approval to achieve this objective.

- b. The proposed convenience store shall have a security guard.

Commentary: 7-Eleven has budgeted and agreed to provide twelve (12) hours of security guard services on a daily basis.

- c. A minimum 6 ft. tall block wall shall be maintained along the interior westerly and southerly property lines.

Commentary: The proposed development includes a new 7 ft. high block wall along the interior westerly and southerly property lines (see keynote 28 on sheet A0.0)

- d. A decorative wrought iron fence shall be installed along both street frontages with the exception of the driveway entrances and exits and landscaping shall be installed to soften its appearance.

Commentary: The proposed development includes a 3 ft. high decorative wrought iron fence dark green in color to help soften its appearance and blend with the proposed landscaping (see keynote 34 on sheet A0.0) Please also refer to sheet L1.0 for landscape details.

- e. The LAPD suggested that all curbs to the off-street parking stalls be painted green and stenciled with “20 minute parking” along with signs posted limiting parking to 20 minutes with the risk of vehicle towing.

Commentary: The applicant is agreeable to painting the curbs green, stenciling “20 minute parking” and the proposed signs.

- f. There shall be no public restrooms provided it is allowed by the LAMC and any other applicable State or local regulations.

Commentary: Section 91.6303 of Article 1 Building Code of the LAMC requires every service station located within 600 ft. of an accessible right-of-way of any interstate or primary highway, as defined in the California Business and Professions Code Sections 5215 and 5220 to provide, during business hours, public restrooms for use by its customers. The restroom door will remain locked requiring a key that may be retrieved from the point of sale counter for customers to use. A sign may also be placed on the restroom door that reads “Customer Use Only”.

- g. The LAPD suggested that the applicant file a LAMC Section 41.24 Trespass Authorization Form which requests and authorizes the LAPD to enter the subject property and enforce LAMC Section 41.24.

Commentary: The applicant agrees this is a good idea and will file a Trespass Authorization Form with the LAPD.

- h. The LAPD suggested that the trash enclosure be secured.

Commentary: The proposed trash enclosure will be fully secured (see details on sheet A2.5).

- i. The LAPD suggested that the project include a robust security surveillance system with coverage of the street intersection in addition to coverage of the subject property and interior of the store as normally provided at 7-Eleven convenience stores and gas stations. They also requested that the system be made available to their police officers.

Commentary: The proposed project includes exterior security cameras at each corner of the store front elevation providing video surveillance of the store entrance and storefront parking. The interior of the store will also have security cameras covering the entrance/exit, the point of sales counter, and the rear exit door. In addition, 3 security cameras providing 360 degree video surveillance will be mounted on poles located at each drive entrance to the property. These pole mounted cameras will provide video surveillance of the subject property as well as portions of Imperial Highway, Main Street, and the street corner.

- j. The project shall include adequate lighting without spillover onto adjacent properties.

Commentary: A photometric plan has been prepared for the project (see sheet E1.0) that illustrates a minimum 0.01 foot candles (fc), maximum 15.13 fc and average of 2.51 fc in the parking lot and a maximum 3.2 fc and average 0.5 fc off property.

- k. The HGNNC PLU Committee requested defensive landscape to soften the streetscape while also deterring loitering.

Commentary: We believe the proposed landscape plan meets this criterion while also complying with the City's landscape requirements.

On February 21, 2020, the applicant and property owners also met with Reuben Caldwell, Senior City Planner with Community Planning, Helen Jadali, Planning Assistant, Sergio Ibarra, City Planner and Aksel Palacios, Planning Deputy for the 15<sup>th</sup> Council District to discuss the project and requirements of the Southeast Los Angeles Community Plan Implementation Overlay (CPIO).

At this meeting of February 21<sup>st</sup> and in the email correspondence that followed, it was confirmed that Table III-1 of Chapter 3 of the Southeast Los Angeles CPIO setting forth the use regulations for TOD Subareas allows for the development of a new convenience store and automobile fueling service station at the subject property on the basis that the property has a long history of "Auto-Related Uses" including operating as a gas station circa 1945, and as an auto service repair facility from 1981 to 2014 and on the basis that it is currently developed with a tire shop and hand car wash.

At this meeting of February 21<sup>st</sup> and in the email correspondence that followed, it was also confirmed that the project will not be subject to Section III-3 B. 2. (a) of the CPIO requiring that the ground floor be located along the Primary Lot Line for at least 75% of the length of the Primary Frontage because the subject property is a corner lot and involves the development of a gas station. For the same reasons, it was also confirmed that the project will not be subject to Section III-3 D. 5. of the CPIO requiring a street-oriented entrance be located parallel to the Primary Lot Line and within 20 ft. from the Primary Lot Line.

On February 26, 2020 Topher Komancheck, Building and Safety Office Manager for the San Pedro office, confirmed that the fueling canopy is considered a "building" and can be included in calculating the minimum lot coverage.

**Surrounding Zones:**

- North: C2-2D-CPIO
- South: C2-2D-CPIO
- East: C2-2D-CPIO
- West: C2-2D-CPIO / R2-1

**Surrounding Land Uses:**

- North: Main St. Gas and Smog Check
- South: Auto garage

East: 1-story retail and 2-story multi-family residential  
West: Vacated public alley with 2-story multi-family residential beyond

### **Project Description:**

The proposed development will consist of a new convenience store, fueling canopy, pumps and underground storage tanks, surface parking and landscaping, lighting, security cameras, a new trash enclosure, perimeter fencing and new signage.

The proposed convenience store will be 4,277 sq. ft. in size and located at the southwest corner of the property in a “Homeplate” configuration with the front entrance oriented to face northeast towards proposed fueling canopy and pumps and the street corner. The building elevations will incorporate various architectural features including a varied roofline over the entrance, complimentary smooth stucco finishes with decorative expansion screeds, stone veneer and trim up to 3 feet – 6 inches above finish grade along all street facing elevations, and aluminum awnings over the store front entrance and utility entrance doors.

The proposed fueling canopy will measure 25 ft. wide by 95 ft. long and will accommodate four (4) Multiple Product Dispenser (MPD) pump islands each having one (1) pump on either side for a total of eight (8) pumps. The top of the fueling canopy will be 17.5 feet above finish grade and the bottom of the canopy will be 14.5 feet above finish grade. The northwest, northeast and southeast sides of the fueling canopy will have an internally illuminated 3 ft. x 3ft. 7-Eleven logo as well as non-illuminated striping decals that are part of 7-Eleven’s branding.

The project includes two (2) underground storage tanks each 20,000 gallons in size. The first tank will carry regular unleaded and the second tank will be split to hold 8,000 gallons of supreme unleaded and 12,000 gallons of diesel. Midgrade gasoline will be blended at the (MPD) Multi-Product Dispenser.

The proposed surface parking area will be paved with asphalt and will accommodate fourteen (14) standard parking spaces and one (1) handicap stall for a total of fifteen (15) parking spaces. Two (2) of the parking spaces will have stenciling that reads “LAPD” and will be posted with signage that reads “LAPD parking only”. All curb faces parallel with the wheel stops at all remaining parking spaces will be painted green and posted with signage that limits parking to 20 minutes.<sup>2</sup> The required American Disability Act (ADA) path of travel from an adjoining public right-of-way will be from Main Street near the south end of the subject property.

The proposed development will contain approximately 5,512 sq. ft. of landscape area, which is approximately 19.9% of the total site area. The proposed landscape plan includes a variety of trees, shrubs, and plants to compliment the architecture of the building and to soften the street frontages.

The property will be illuminated by five (5) parking lot light standards located around the perimeter of the property and throughout the parking lot area. The proposed convenience store and fueling canopy will also provide additional lighting.

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<sup>2</sup> Recommended by Captain Louis Paglialonga (Pags) and Sergeant II John Moreno of the LAPD Southeast Area Division

The proposed signage consists of a primary business identification wall sign over the main entrance to the store, an ATM sign located just inside the store front glazing, a business identification sign on the northwest, northeast and southeast sides of the fueling canopy, and a monument pricing sign near the street corner.

All of the proposed signs will be internally illuminated polycarbonate. The primary business identification sign over the main entrance to the store will measure 18'- 11 15/16" in length x 33 1/4" in height for a total display area of 52 1/2 sq. feet. The interior ATM sign will measure 4'- 13/16" in length x 2'- 5 13/16" in height for a total display area of 10.1 sq. feet. The business identification signs on the north, west and east sides of the fueling canopy will each measure 3'-0" x 3'-0" for a total display area of 9 sq. feet per sign. The proposed monument business identification and fuel pricing sign near the street corner will have an overall height of 7'- 9 1/2" and an overall width of 10'- 2 3/4" with a combined display area of 49.8 sq. feet.

### **Operational Characteristics:**

- a. The applicant has agreed to not engage in the off-sale of alcoholic beverages in perpetuity at this store location and is agreeable to a condition of approval to achieve this objective.
- b. The applicant has budgeted and agreed to provide twelve (12) hours of security guard services on a daily basis.
- c. The proposed convenience store will be equipped with security cameras located inside the store as well as outside along with a 2-week DVR that covers all common areas of the store, high-risk areas, entrances and exits and views to the parking lot to deter criminal activity. In addition, 3 security cameras providing 360 degree video surveillance will be mounted on poles located at each drive entrance to the property. These pole mounted cameras will provide video surveillance of the subject property as well as portions of Imperial Highway, Main Street, and the street corner.
- d. The store front windows will also be maintained free from any obstructions to allow maximum visibility into the store, as well as out of the store.
- e. The applicant will prohibit loitering on and around the premises of the proposed convenience store and will install signage on the exterior walls of the store in compliance with the City's Municipal Code. Store employees will also be instructed to enforce these regulations and to call local law enforcement if necessary. In addition, the applicant will file a LAMC Section 41.24 Trespass Authorization Form which requests and authorizes the LAPD to enter the subject property and enforce LAMC Section 41.24.
- f. The applicant will maintain its premises in a neat and orderly fashion and maintain free of litter all areas under which the applicant has control.

## Findings for General Conditional Use pursuant to Section 12.14 E:

- i. *That the project will enhance the built environment in the surrounding neighborhood or will perform a function or provide a service that is essential or beneficial to the community, city, or region.*

The proposed project will enhance the built environment by replacing several existing older obsolete auto-related structures with a new architecturally pleasing and updated store building, fueling canopy, and new underground fuel storage tanks that are in full compliance with current environmental code requirements. The proposed development will also include new landscaping, which the property currently lacks, a new surface parking lot, new parking lot light standards improving the illumination of the subject property, a new secured trash enclosure, and a robust security surveillance camera system.

The addition of an automotive fueling and service station at this location will also be beneficial to the community by establishing a newer and safer alternative location where residents of the community and the area's daytime population, may purchase gasoline and diesel fuel as well as convenience products 24-hours daily. Although there are two (2) existing gas stations on two (2) of the other three (3) street corners at the intersection of Imperial Highway and Main Street, those gas stations are older and do not offer the same amenities as the proposed development.

- ii. *That the project's location, size, height, operations, and other significant features will be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety.*

The City's adopted General Plan and the Southeast Los Angeles Community Plan Implementation Overlay (CPIO) promotes an arrangement of land uses, streets, and services which will encourage and contribute to the health, safety, welfare and convenience of the people who live and work in the community. The proposed development and use will not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, welfare, and safety insofar as the C2-2D zone is consistent with the General Plan and CPIO land use designation for the subject property and insofar as automobile fueling and service stations and convenience stores are a permitted use in the C2 zone and subject to development standards and operating conditions set forth in Section 12.22 A.28 of the Los Angeles Municipal Code (LAMC). Automobile fueling service stations that do not comply with the development standards and/or the operating conditions set forth in Section 12.22 A.28 of the LAMC are subject to approval of a Conditional Use Permit (CUP) application.

In addition, Table III-1 of Chapter 3 of the Southeast Los Angeles CPIO setting forth the use regulations for TOD Subareas allows for the development of a new convenience store and automobile fueling service station at the subject property on the basis that the property has a long history of "Auto-Related Uses" including operating as a gas station circa 1945, and as an auto service repair facility from 1981 to 2014 and on the basis that it is currently developed with a tire shop and hand car wash.

The proposed project location, size and operations will also be compatible with and will not adversely affect or further degrade adjacent properties, the surrounding neighborhood or the public health, welfare and safety insofar as the property has a long history of auto-related uses including operating as a gas station circa 1945, and as an auto service repair facility from 1981 to 2014 and is currently developed with a tire shop and hand car wash. In addition, there is an existing older gas station, food mart and auto-related smog-check facility located to the north of the subject property across Imperial Highway and second gas station and food mart located catty-corner of the subject property to the northeast across Imperial Highway and Main Street, which is open 24-hours.<sup>3</sup>

The proposed 7-Eleven convenience store and gas station will replace several existing older obsolete auto-related structures with a new architecturally pleasing and updated store building, fueling canopy, and new underground fuel storage tanks that are in full compliance with current environmental code requirements. The proposed development will also include new landscaping, which the property currently lacks, a new surface parking lot, new parking lot light standards improving the illumination of the subject property, a new secured trash enclosure, and a robust security surveillance camera system.

The proposed convenience store and automotive fuel and service station will also not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area for the following reasons:

- a. The applicant has agreed to not engage in the off-sale of alcoholic beverages in perpetuity at this store location and is agreeable to a condition of approval to achieve this objective.
- b. The applicant has budgeted and agreed to provide twelve (12) hours of security guard services on a daily basis.
- c. The proposed convenience store will be equipped with security cameras located inside the store as well as outside along with a 2-week DVR that covers all common areas of the store, high-risk areas, entrances and exits and views to the parking lot to deter criminal activity. In addition, 3 security cameras providing 360 degree video surveillance will be mounted on poles located at each drive entrance to the property. These pole mounted cameras will provide video surveillance of the subject property as well as portions of Imperial Highway, Main Street, and the street corner.
- d. The store front windows will also be maintained free from any obstructions to allow maximum visibility into the store, as well as out of the store.
- e. The applicant will prohibit loitering on and around the premises of the proposed convenience store and will install signage on the exterior walls of the store in compliance with the City's Municipal Code. Store employees will also be instructed to enforce these regulations and to call local law enforcement if necessary. In addition, the applicant will

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<sup>3</sup> Main St. Gas to the north and VP Racing Fuels to the northeast



file a LAMC Section 41.24 Trespass Authorization Form which requests and authorizes the LAPD to enter the subject property and enforce LAMC Section 41.24.

- f. The applicant will maintain its premises in a neat and orderly fashion and maintain free of litter all areas under which the applicant has control.

- iii. *That the project substantially conforms with the purpose, intent and provisions of the General Plan, the applicable community plan, and any applicable specific plan.*

The General Plan land use designation for the subject property is Community Commercial and the current zoning is C2-2D-CPIO which corresponds to the General Plan land use designation. Automobile fueling service stations are a permitted use in the C2 zone subject to development standards and operating conditions set forth in Section 12.22 A.28 of the Los Angeles Municipal Code (LAMC). Automobile fueling service stations that do not comply with the development standards and/or the operating conditions set forth in Section 12.22 A.28 of the LAMC are subject to approval of a Conditional Use Permit (CUP) application. To this end, the project substantially conforms with the purpose, intent, and provisions of the General Plan.

The subject property is also located within the Southeast Los Angeles Community Plan and the Transportation Overlay District (TOD) Low – Subarea E of the corresponding Community Plan Implementation Overlay (CPIO). Although “Auto-Related Uses” are prohibited in the TOD Low – Subarea E of the CPIO, the expansion, re-modeling, or replacement of existing Auto-Related Uses, or new accessory uses are exempt from the prohibition provided the project complies with all applicable development standards of the CPIO and the project is allowed by the underlying zone.<sup>4</sup> On February 21, 2020, the applicant and property owners met with Reuben Caldwell, Senior City Planner with Community Planning, Helen Jadali, Planning Assistant, Sergio Ibarra, City Planner and Aksel Palacios, Planning Deputy for the 15th Council District to discuss the project and requirements of the Southeast Los Angeles Community Plan Implementation Overlay (CPIO). At this meeting of February 21st and in the email correspondence that followed, it was confirmed that Table III-1 of Chapter 3 of the Southeast Los Angeles CPIO setting forth the use regulations for TOD Subareas allows for the development of a new convenience store and automobile fueling service station at the subject property on the basis that the property has a long history of "Auto-Related Uses" including operating as a gas station circa 1945, and as an auto service repair facility from 1981 to 2014 and on the basis that it is currently developed with a tire shop and hand car wash. Therefore, the proposed project is for a use that is permitted by both the underlying zone, as well as the CPIO.

At this meeting of February 21<sup>st</sup> and in the email correspondence that followed, it was also confirmed that the project will not be subject to Section III-3 B. 2. (a) of the CPIO requiring that the ground floor be located along the Primary Lot Line for at least 75% of the length of the Primary Frontage because the subject property is a corner lot and involves the development of a gas station. For the same reasons, it was also confirmed that the project will not be subject to

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<sup>4</sup> Table III-1: Use Regulations of the Southeast Los Angeles CPIO

Section III-3 D. 5. of the CPIO requiring a street-oriented entrance be located parallel to the Primary Lot Line and within 20 ft. from the Primary Lot Line.

The proposed project also substantially conforms with the purpose and intent of the development standards for the Transportation Overlay District (TOD) Low – Subarea E of the CPIO set forth in Section III-3 with the exception of the minimum 30% lot coverage requirement.<sup>5</sup> The applicant is requesting a CPIO Adjustment to reduce the required minimum lot coverage by a factor of 20% as allowed by Section 13.14 G. 2. of the LAMC

The subject property is also located in the South Los Angeles Alcohol Sales Specific Plan area enacted by the City Council by way of Ordinance No.171,681 which was adopted on September 13, 1997 for the sole purpose of reducing the number of off-site beer and wine licenses within the crime laden South-Central Area of the City. The proposed convenience store will not engage in the off-sale of alcoholic beverages and is therefore in compliance with the South Los Angeles Alcohol Sales Specific Plan.

**Additional Findings Specific to Automotive Uses in C Zones that do not comply with the Development Standards and Operating Conditions in Section 12.22 A.28:**

- a. *That the project will not create or add to a detrimental concentration of automotive uses in the vicinity of the proposed automotive use;*

The subject property has a long history of "Auto-Related Uses" including operating as a gas station circa 1945, and as an auto service repair facility from 1981 to 2014 and it is currently developed with a tire shop and hand car wash. The applicant is merely seeking to replace the existing older auto-related uses on the subject property with a new auto-related use.

- b. *That based on data provided by the Department of Transportation or a licensed traffic engineer, ingress to, egress from and associated parking of the automotive use will not constitute a traffic hazard or cause significant traffic congestion or disruption of vehicular circulation on adjacent streets.*

Pending.

- c. *That the any spray painting will be conducted within a fully enclosed structure located at least 500-feet away from a school or A or R zone, and that all spray painting will be conducted in full compliance with the provisions of Article 7, Chapter 5 of this code, as well as South Coast Air Quality Management District Rules 1132 and 1151, regulating these installations.*

Not applicable.

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<sup>5</sup> Section III-3 C.3. of the Southeast Los Angeles CPIO

- d. *That the applicant has submitted an appropriate landscape plan setting forth all plant materials and irrigation systems, and a written maintenance schedule indicating how the landscaping will be maintained.*

See Planting Plan on sheet L1.0, Irrigation Plan on sheet L2.0 and Irrigation Details on Sheet L3.0 of the project plans.

### **CPIO Adjustment Findings pursuant to LAMC Section 13.14 G 3.(b)**

- i. *There are special circumstances applicable to the project or project site which make the strict application of the CPIO regulation(s) impractical;*

The project entails the development of a convenience store and automobile fueling service station on a property consisting of three (3) parcels of land approximately 27,708 sq. ft. in size with approximately 112 linear ft. of frontage on Imperial Highway and 200 linear ft. of frontage on Main Street. Automobile fueling service stations need less building area than the minimum 30% lot coverage requirement set forth in the CPIO and need more undeveloped and open paved areas to allow for safe ingress and egress to and from the property as well as safe on-site circulation patterns for automobiles and fuel delivery tanker trucks. Therefore the strict application of the minimum 30% lot coverage requirement of the CPIO is impractical as it pertains to the proposed development.

- ii. *The project, as approved, is consistent with the purpose and intent of the CPIO and substantially complies with the applicable CPIO regulations;*

The proposed project is consistent with the purpose and intent of the Transportation Overlay District (TOD) Low – Subarea E of the CPIO insofar as the stated intent of development regulations for the TOD subareas is to provide for well-designed, pedestrian-oriented projects that are appropriate to scale and context of each transit neighborhood and insofar as existing Auto-Related Uses may be replaced with new Auto-Related Uses on the same lot or parcel. The proposed development is well designed, pedestrian friendly and 1-story in height as are the other commercial buildings in the area. The project also substantially complies with the applicable CPIO regulations with the exception of the minimum required 30% lot coverage for which this CPIO Adjustment is being requested.

- iii. *In granting the adjustment, the Director has considered and found no detrimental effects of the adjustment on surrounding properties or public rights-of-way;*

The minimum 30% lot coverage requirement of the CPIO equates to 8,312 sq. ft. based on the aggregate project lot area of 27,708 square feet. The combined area of the proposed 4,277 sq. ft. convenience store and 2,375 sq. ft. fueling canopy equals 6,652 square feet which is approximately 1,660 sq. ft. and 20% less than the 30% minimum lot coverage

requirement. Such a minor reduction in lot coverage will have no detrimental effects on surrounding properties or to the public rights-of-way.

- iv. *The project incorporates mitigation measures, monitoring of measures when necessary, or alternatives identified in the environmental review which would mitigate the negative environmental effects of the project, to the extent physically feasible; and*

A reduction in the minimum lot coverage will not result in negative environmental effects necessitating mitigation measures.

- v. *The project is compatible with the neighborhood character of the CPIO District Subarea.*

The project is compatible with the neighborhood character of the CPIO District Subarea insofar as the property has a long history of "Auto-Related Uses" including operating as a gas station circa 1945, and as an auto service repair facility from 1981 to 2014 and on the basis that it is currently developed with a tire shop and hand car wash. The applicant is merely seeking to replace the existing older auto-related uses on the subject property with a new auto-related use. There are also two (2) existing older gas stations on two (2) of the other three (3) street corners at the intersection of Imperial Highway and Main Street. The project is also compatible with the neighborhood character of the CPIO District Subarea insofar as it substantially complies with the applicable development standards which are set forth to insure project compatibility.