

Planning Commission

September 21, 2023



CITY of CALABASAS

Request for a Conditional Use Permit (CUP) to expand alcohol sales at an existing gas station/convenience store (Rocket-Chevron) to include distilled spirits. Request entails upgrading the existing ABC Type 20 license (beer and wine only) to an ABC Type 21 license for sale of beer, wine, and distilled spirits for off-site consumption at the convenience store located at 4807 Las Virgenes (APN: 206-4002-048), within the Commercial Retail (CR) zoning district and Scenic Corridor (SC) Overlay Zone.

Aerial



File No. CUP-2023-006, 4807 Las Virgenes Road

Request for a Conditional Use Permit to allow sale of beer, wine, and spirits for off-site consumption via a Type 21 liquor license from the State Department of Alcoholic Beverage Control in conjunction with the operation of an existing convenience store.

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Project Description and Applicable Code

- The Applicant requests a Conditional Use Permit to allow sales of beer and wine (already permitted under a prior CUP), and now spirits as well, via a Type 21 liquor license, at an existing convenience store/gas station.
- Calabasas Municipal Code section 17.11.020 includes alcohol sales as a conditionally permitted use in the CR zone.
- CMC Section 17.62.060 requires Conditional Use Permit requests to be reviewed by the Planning Commission.



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Site Photograph

(as viewed from Las Virgenes)



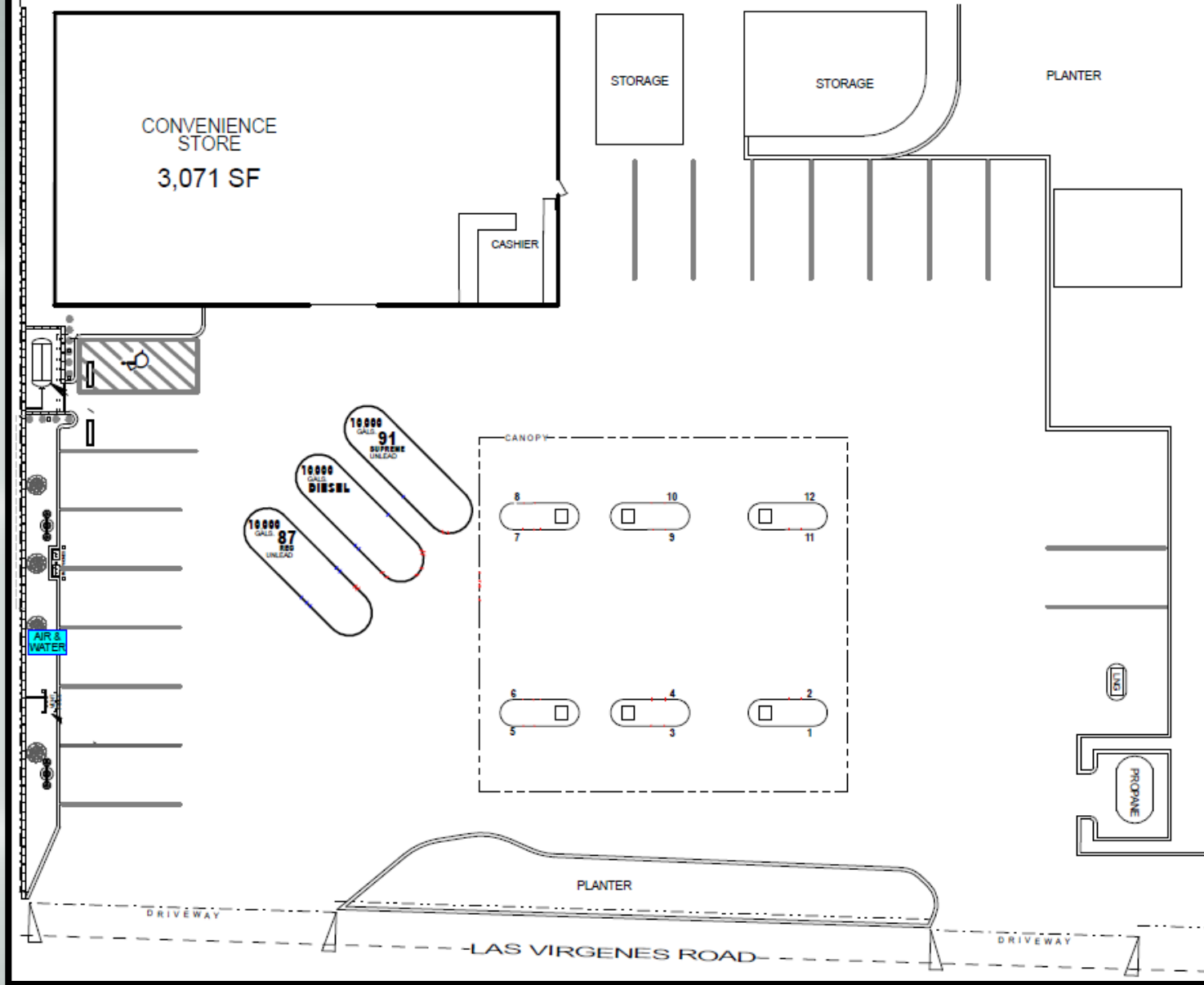
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Site Plan



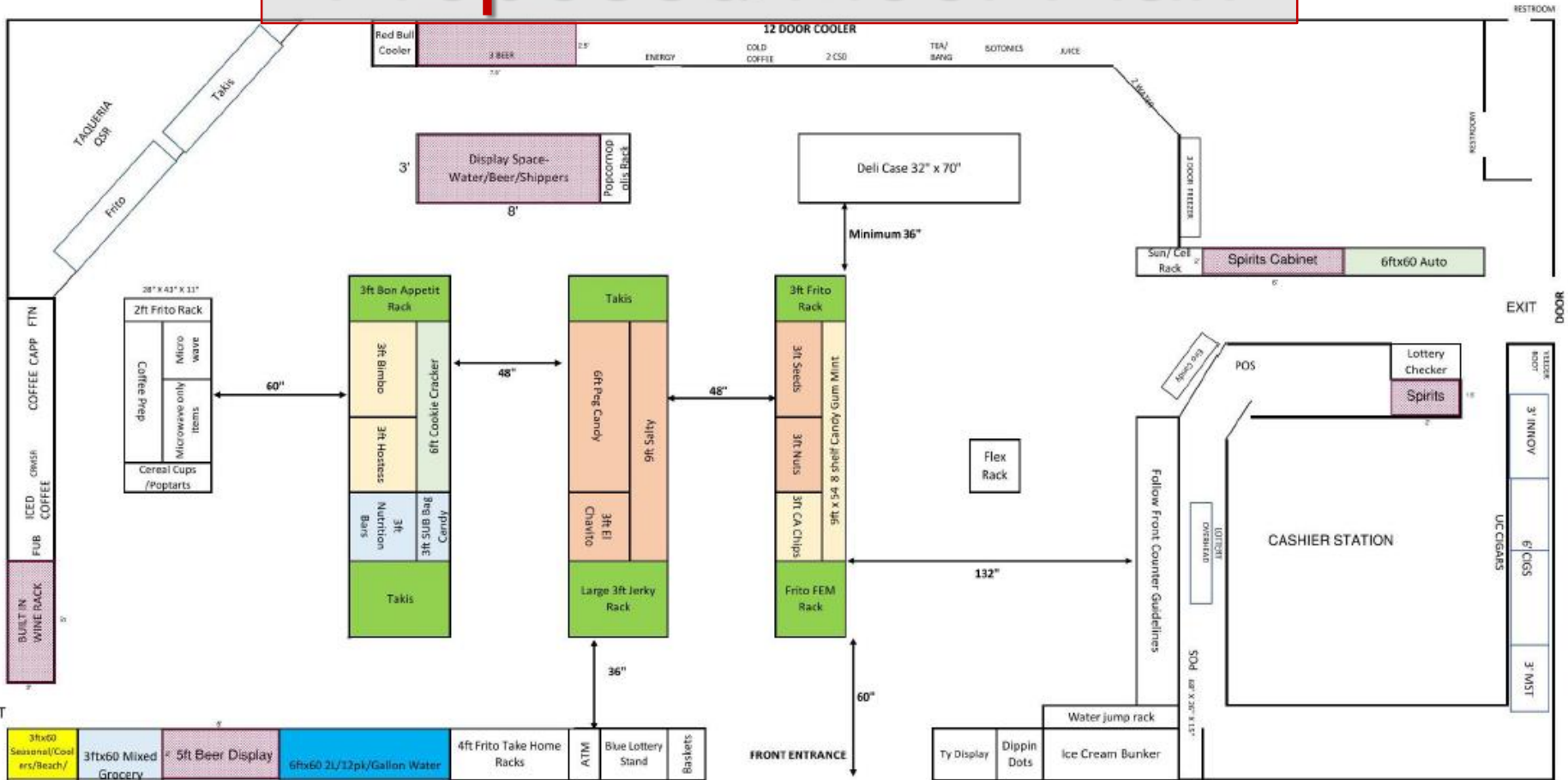
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Proposed Floor Plan



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Alcohol Sales at Subject Location

- Existing store operates 24 hours a day; available products include beer and wine, as permitted under a prior CUP.
- Sale of alcohol is limited to hours specified in State law (currently prohibited between 2:00 a.m. and 6:00 a.m.).
- Six alcohol display areas are proposed (2.7% of the sales floor).
- No changes to the exterior of the building.
- The store currently has two to three employees per shift, all of whom receive training for security policies and procedures related to alcohol sales.



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Table of off-sale liquor licenses in Calabasas

License No.	License Type	Original Date Issued	Address	Business Name
154079	20	04/12/1984	24025 Calabasas Rd	Calabasas Mobil
211382	20	02/03/1988	4830 Las Virgenes Rd	Las Virgenes Mobil
312803	21	12/13/1995	22277 Mulholland Hwy	Gelsons Market
347366	21	12/07/1998	4710 Commons Way	Rite Aid 6327
531233	21	11/02/2013	26521 Agoura Rd	Albertsons
538940	20	02/21/2014	26767 Agoura Rd	Erehwon Market
540387	21	09/19/2018	23741 Calabasas Rd	Trader Joes 254
602868	20	03/18/2019	4831 Las Virgenes Rd	United Pacific 235
604319	21	08/20/2019	4754 Commons Way	Ralphs 205
606922	21	12/03/2019	4937 Las Virgenes Rd	Malibu Liquor
614984	20	05/27/2021	4807 Las Virgenes Rd	#0234
617650	20	04/07/2021	24115 Calabasas Rd	Calabasas Union Corp
622624	20	04/07/2021	5346 Wellesley Dr	Sacred River
634144	21	01/06/22	5657 Las Virgenes	Calabasas Liquor Market
651597	20	09/18/2023	4919 Las Virgenes	7 Eleven Store



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Required CUP Findings

- The proposed use is conditionally permitted within the subject zoning district and complies with all of the applicable provisions of this development code;
- The proposed use is consistent with the General Plan and any applicable specific plan or master plan;
- The approval of the conditional use permit for the proposed use is in compliance with the California Environmental Quality Act (CEQA); and
- The location and operating characteristics of the proposed use are compatible with the existing and anticipated future land uses in the vicinity.



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Staff Conclusions

- The proposed project will not alter the existing convenience store/gas station use of the subject site, which is conditionally permitted in the CR zoning district.
- The project is exempt from CEQA review in accordance with Section 15061 (b)(3) (General Rule Exemption) and Section 15301 (Existing Facilities).



Recommended Action

That the Commission direct Staff to develop findings in support of approval or denial of the project.

Note: A resolution of denial must include an explanation as to why at least one of the required findings for a Conditional Use Permit cannot be made.

