



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: DECEMBER 9, 2013

ITEM NUMBER: PH-1

SUBJECT: PLANNING APPLICATION AMENDMENT PA-08-12 A1 TO ALLOW SALES OF ALCOHOLIC BEVERAGES AT AN EXISTING SERVICE STATION WITH A CONVENIENCE STORE AND A FINDING OF PUBLIC CONVENIENCE OR NECESSITY AT 1512 BRISTOL STREET

DATE: NOVEMBER 27, 2013

FROM: PLANNING DIVISION/DEVELOPMENT SERVICES DEPARTMENT

PRESENTATION BY: ANTONIO GARDEA, SENIOR PLANNER

FOR FURTHER INFORMATION CONTACT: ANTONIO GARDEA (714) 754-5692
antonio.gardea@costamesaca.gov

PROJECT DESCRIPTION

The applicant is requesting to amend Conditional Use Permit PA-08-12 for the following:

- To allow the sale of alcoholic beverages with the concurrent sale of gasoline with a premise to premise transfer of an existing State of California Department of Alcoholic Beverage Control (ABC) License to an existing convenience store; and
- Adoption of a resolution making a Finding of Public Convenience or Necessity in conjunction with a premise to premise transfer of an existing ABC License Type 20 (Off-Sale Beer and Wine) to allow the sales of alcoholic beverages at a service station with a convenience store (mini-mart).

APPLICANT

The applicant is Abid Ali Malik, representing AGO Corporation, the property owner.

RECOMMENDATION

Adopt a Resolution approving the amendment to the Conditional Use Permit to allow sales of alcoholic beverages at the service station convenience store and making a finding of Public Convenience or Necessity, subject to conditions of approval.

BACKGROUND

Project Site

The property is located on the southeast corner of Bristol Street and Santa Ana Avenue. The site contains an existing Shell Service Station with a self-serve car wash and convenience store. The property is zoned C2 (General Business District) and has a general plan land use designation of General Commercial.

Prior land use approvals

In 2008, the Planning commission approved Conditional Use Permit PA-08-12 which allowed the reconstruction of the service station with a self-serve car wash. Approval of a conditional use permit is required for construction of a convenience store or mini-market, whether or not the business engages in retail sales of alcoholic beverages. The service station was approved to operate 24 hours a day but did not include sales of alcoholic beverages. In 2010, the Planning Commission granted a permit extension for the approval. In 2011, the convenience store was demolished and replaced with a new building and service station. As part of the renovations, two driveways were removed and a larger landscaped area was added to improve the aesthetics of the site. The existing development meets all applicable standards and is compliant with the conditions of approval.

ANALYSIS

Amendment to Conditional Use Permit

As noted earlier, an amendment to the conditional use permit is requested to allow the sale of alcoholic beverages and a premise to premise transfer of an existing ABC License to this location. Either one of these actions would have triggered the need for a conditional use permit.

Finding of Public Convenience or Necessity (PC or N Finding)

The applicant has initiated the process of obtaining a license from ABC and was informed that a Finding of Public Convenience or Necessity (PC or N) would be required. According to ABC, the ratio of the number of off-sale alcoholic beverage licenses to population within the Census Tract (631.01) exceeds the countywide ratio: 1 off-sale license is allowed; 3 off-sale licenses exist. Table No. 1 below shows the current ABC licenses issued in Census Tract 631.01; ABC requires adoption of a PC or N Finding in cases where the number of licenses exceed the allowable ratio in the census tract. In accordance with City Council Policy 500-8, the Planning Commission may make a PC or N Finding for the requested license. As a condition of approval for making the PC or N Finding, the business owner is required to obtain and transfer an existing license for the sale of beer and wine from ABC.

Owner and Premises	Business Name	Type
Vahe Poladian 3530 Irvine Ave. Newport Beach, CA 92660	Minute King Market 3530 Irvine Ave. Newport Beach, CA 92660	21 General Off Sale
7 Eleven Inc. 20034 Santa Ana Ave. Costa Mesa, CA 92626	7 Eleven – Store 2174 20034 Santa Ana Ave. Costa Mesa, CA 92626	20 Beer & Wine Off Sale
IBR Inc. 2100 SE Bristol St. Newport Beach, CA 92660	Arco Bristol 300 Bristol St. Costa Mesa, CA 92626	20 Beer & Wine Off Sale

Staff Justifications for Approval

Staff supports the above requests based on the following:

The existing service station with the convenience store and self-serve car wash meets and/or exceeds all applicable Zoning Code requirements and the prior site upgrades for the property are conducive for the proposed use. The proposed project complies with zoning code provisions for on-site landscaping, allowable Floor Area Ratio, building setbacks and prior conditions of approval. The number of on-site parking spaces complies with current code requirements based on the square footage of the building (i.e., excluding the car wash tunnel). Additionally, the building has been recently renovated, is well maintained, and all onsite signage complies with current code requirements. The building renovations included installation of a full surveillance security system.

A PC or N finding can be made for this license because the recommended conditions of approval are suitable for the proposed use. The use would be subject to applicable requirements to ensure that no adverse impact to adjacent uses and properties is created. The following are standard conditions for off-sales of alcoholic beverages:

- All sales and service staff within 90 days of hire complete Responsible Beverage Service training (Condition of approval no. 6).

- Beer or wine shall not be displayed or sold from an ice tub or any other type of portable refrigerated unit (Condition of approval no. 13).
- Exterior advertising (including window signs) shall comply with the City's sign regulations, and exterior advertisements shall be prohibited which indicate the availability of alcoholic beverages. Interior displays of alcoholic beverages or signs which are clearly visible from the exterior at the closest public street or sidewalk are not permitted (Condition of approval no. 23).

Staff also recommends, as a condition of approval, that alcoholic beverage sales be restricted between the hours of 2 a.m. and 6 a.m. (Condition of Approval No. 7). The service station and convenience store is currently open 24 hours a day.

The Police Department does not have any objections to the proposed use. The Police Department has reviewed the proposed use and has no objections to the proposal as long as the applicant obtains an existing ABC license from another business within the City. The Police Department does not anticipate elevated rates of alcohol-related crime (i.e., disturbing the peace, public intoxication, vandalism, graffiti, etc.).

The proposed use, with the recommended conditions of approval, will be consistent with the other uses in the immediate vicinity. Compliance with the conditions of approval will allow this use to operate with minimal impact on surrounding properties and uses.

The services station/convenience market is within a commercial area, more than 500 feet from any residentially zoned properties in the City. Staff is not anticipating any negative impacts from the alcoholic beverages sales at this location.

ENVIRONMENTAL DETERMINATION

If approved, the project would be exempt from the provisions of the California Environmental Quality Act under Section 15301 for Existing Facilities. If the use is denied, they would be exempt from the provisions of the California Environmental Quality Act (CEQA) Section 15270(a) for projects which are disapproved.

ALTERNATIVES

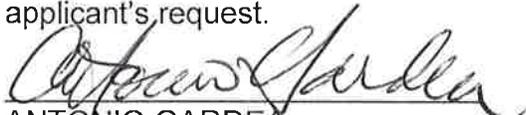
The Commission has the following alternatives:

1. Approve the use with the recommended conditions of approval to ensure any impacts to the adjacent properties and uses is minimized; or
2. Deny the use. If the project is denied, the property may still operate under the same limitations and conditions of approval for PA-08-12 A1.

CONCLUSION

The proposed use, with the recommended conditions of approval, will be consistent with the City's Zoning Code and General Plan. The proposed project, as conditioned, will not

have an adverse impact to surrounding properties. Therefore, staff supports the applicant's request.



ANTONIO GARDEA
Senior Planner



GARY ARMSTRONG, AICP
Economic & Development Services Director /
Deputy CEO

- Attachments:
1. Draft Planning Commission Resolutions
 2. Applicant's Description of the Use
 3. Location Map
 4. Plans

cc:

- Director of Economic & Development / Deputy CEO
- Sr. Deputy City Attorney
- Public Services Director
- City Engineer
- Transportation Services Manager
- Fire Protection Analyst
- Staff (6)
- File (2)

Abid Ali Malik
AGO Corporation
26831 Moore Oaks Road
Laguna Hills, CA 92653

RESOLUTION NO. PC-13-___

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COSTA MESA APPROVING CONDITIONAL USE PERMIT AMENDMENT PA-08-12 A1 AND MAKING A FINDING OF PUBLIC CONVENIENCE OR NECESSITY FOR A TYPE 20 ABC LICENSE.

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Abid Ali Malik, the property owner, requesting approval of an amendment to Conditional Use Permit PA-08-12, located at 1512 Bristol Street, for the following:

- Sale of alcoholic beverages with the concurrent sale of gasoline with a premise to premise transfer of an existing State of California Department of Alcoholic Beverage Control (ABC) License to an existing convenience store; and,
- Finding of Public Convenience or Necessity to allow the sales of alcoholic beverages at a service station with a convenience store (mini-mart).

WHEREAS, a duly noticed public hearing was held by the Planning Commission on December 9, 2013, with all persons having the opportunity to speak for and against the proposed project.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, the Planning Commission hereby **APPROVES** PA-08-12 A1 with respect to the property described above **AND MAKES A FINDING OF PUBLIC CONVENIENCE OR NECESSITY** for a premise to premise transfer of a Type 20 ABC License.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the staff report for PA-08-12 A1 and upon applicant's compliance with each and all of the conditions contained in Exhibit B as well as with compliance of all applicable federal, state, and local laws. Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 9th day of December, 2013

Jim Fitzpatrick, Chair

Costa Mesa Planning Commission

EXHIBIT A**FINDINGS**

- A. The proposed project complies with Costa Mesa Municipal Code Section 13-29(e) because:
1. A compatible and harmonious relationship exists between the proposed use and existing buildings, site development, and uses on surrounding properties.
 2. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation.
 3. The proposed use will comply with the performance standards as prescribed in the Zoning Code.
 4. The proposed use is consistent with the General Plan and Redevelopment Plan.
 5. The planning application is for a project-specific case and does not establish a precedent for future development.
 6. The cumulative effect of all the planning applications have been considered.
- B. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(2) with regard to the conditional use permit amendment in that the proposed use is substantially compatible with developments in the same general area. Granting the proposal will not be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to properties or improvements within the immediate neighborhood. Specifically, the proposed use complies with the intent of the Zoning Code, the General Plan, and, as conditioned, will ensure compatibility with the surrounding neighborhood.
- C. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines; and the City's environmental procedures, and has been found to be exempt from CEQA under Section 15301 for Existing Facilities.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.
- E. The finding of Public Convenience or Necessity for the Type 20 ABC License is based on the following:
- The Police Department does not anticipate elevated rates of alcohol-related crime (i.e., disturbing the peace, public intoxication, vandalism, graffiti, etc.).
 - The City may gain tangible economic benefits from the proposed use, including site upgrades for an older service station/car wash/mini-market facility.

EXHIBIT B**CONDITIONS OF APPROVAL**

- Plng. 1. The applicant, or successor in interest, shall comply with the original conditions of approval for PA-08-12 dated September 22, 2008 attached as Exhibit C.
2. The use shall be limited to the type of operation as described in the staff report. Any change in the operational characteristics including, but not limited to, the hours of operation and additional services provided, shall require review by the Planning Division and may require an amendment to the conditional use permit, subject to either Zoning Administrator or Planning Commission approval, depending on the nature of the proposed change. The applicant is reminded that Code allows the Planning Commission to modify or revoke any planning application based on findings related to public nuisance and/or noncompliance with conditions of approval [Title 13, Section 13-29(o)].
3. The project is subject to compliance with all applicable Federal, State, and local laws. A copy of the applicable Costa Mesa Municipal Code requirements has been forwarded to the Applicant and, where applicable, the Authorized Agent, for reference.
4. Alcoholic beverage sales shall be limited to only beer and wine.
5. Prior to alcohol sales at this location, the applicant shall purchase and transfer an existing Alcoholic Beverage Control license from a location within the City limits of Costa Mesa.
6. All sales and service staff (within 90 days of hire) shall complete Responsible Beverage Service training with a provider approved by the California Department of Alcoholic Beverage Control. A copy of the training certificates shall be kept on premises and presented to any authorized City official upon request.
7. Alcoholic beverage sales shall coincide with the hours of the mini-mart and store hours (and alcohol sales) shall not occur between 2 a.m. and 6 a.m.
8. Truck deliveries shall not occur between the hours of 8:00 pm and 7:00 a.m.
9. Music or other entertainment shall not be audible beyond the area under the control of the licensee.
10. No wine shall be sold with an alcoholic content of greater than 15% by volume except for "dinner wines" which have been aged 2 years or more and maintained in corked bottles.
11. Wine, beer and other distilled spirit shall be sold in the factory manufactured packages for retail sales. Factory multiple-packed bottles or cans shall not be unpackaged to be sold individually. This restriction is not intended to prohibit the sale of beverages in a single container packaged by the manufacturer for individual sale.
12. No alcoholic beverage shall be displayed or offered for sale outside the building or within five feet of the cash register or any public entrance.
13. Beer or wine shall not be displayed or sold from an ice tub or any other type of portable refrigerated unit.
14. Applicant shall post signs inside and outside the premises prohibiting the on-site consumption of alcoholic beverages and loitering.

15. Applicant shall post signs inside and outside the premises in compliance with the City of Costa Mesa Municipal Code notifying the public with regard to the prohibition of open containers of alcohol beverages.
16. The business operator shall contract with a security company to provide a roving security patrol for the store in an effort to prevent the loitering of persons about the premises. Specifically, the security guard must be on-site to monitor the property with a minimum of one on-site visit per hour from 4:00 p.m. to closing. The applicant shall make reasonable efforts to prevent loitering during other hours the business is open. These on-site patrols shall be documented in security report(s) which shall be made available upon request by the Development Services Director.
17. Applicant shall secure the premises with appropriate security lighting and employee scrutiny of adjacent areas under which applicant has control, to prevent trash, graffiti and littering. Any lighting under the control of applicant shall be directed in such a manner so as not to unreasonably interfere with the quiet enjoyment of nearby residences. Applicant shall further provide adequate lighting above the entrance to the premises sufficient in intensity to make visible the identity and actions of all persons entering and leaving the premises.
18. The applicant shall maintain free of litter all areas of the premises under which applicant has control.
19. Exterior public telephones shall be prohibited.
20. Any graffiti painted or marked upon the premises shall be removed or painted over within 48 hours of being applied.
21. The business operator shall power wash all outdoor areas under which the applicant has control a minimum of once a week.
22. The outdoor storage of boxes, equipment, materials, merchandise, and other similar items shall be prohibited.
23. Exterior advertising shall comply with the City's sign regulations, and exterior advertisements which indicate the availability of alcoholic beverages shall be prohibited. Interior displays of alcoholic beverages or signs which are clearly visible from the exterior at the closest public street or sidewalk, shall constitute a violation of this condition.
24. Exposed neon signage is strictly prohibited. This excludes the "open/close" sign for business.
25. Except as permitted by the City of Costa Mesa Municipal Code for window signs, windows shall not be blocked or obscured.
26. Temporary window signage shall not exceed 10% of the contiguous window area. Window panes separated by mullions shall be considered contiguous window area.
27. A copy of the conditions of approval for the conditional use permit must be kept on premises and presented to any authorized City official upon request. New business/property owners shall be notified of conditions of approval upon transfer of business or ownership of land.

CODE REQUIREMENTS:

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- | | |
|--------------|---|
| Plng. | <ol style="list-style-type: none"> 1. Approval of the zoning application is valid for one (1) year from the effective date of this approval and will expire at the end of that period unless applicant establishes the use by obtaining a business license and legally establishes the business. If the applicant is unable to establish the use within the one-year time period, the applicant may request an extension of time. The Planning Division must receive a written request for the time extension prior to the expiration of the planning application. 2. Permits shall be obtained for all signs according to the provisions of the Costa Mesa Sign Ordinance. 3. Use shall comply with all requirements of Code Sections 13-43 Article 3, Chapter V, Title 13 of the Costa Mesa Municipal Code relating to commercial development standards. 4. All requirements of the California Alcoholic Beverage Control Board shall be complied with. |
| Bus.
Lic. | <ol style="list-style-type: none"> 5. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections, final occupancy and utility releases will not be granted until all such licenses have been obtained. 6. Business license(s) shall be obtained. |
| Bldg. | <ol style="list-style-type: none"> 7. Comply with the requirements of the 2010 California Building Code, 2010 California Electrical Code, 2010 California Mechanical Code , 2010 California Plumbing Code, 2010 California Green Building Standards Code, and 2010 California Energy Code (or the applicable adopted California Building Code, California Electrical Code, California Mechanical Code, California Plumbing Code, California Green Building Standards and California Energy Code at the time of plan submittal) and California Code of Regulations also known as the California Building Standards Code, as amended by the City of Costa Mesa. 8. Provide a plan to the County of Orange Health Dept. for review and approval. |

SPECIAL DISTRICT REQUIREMENTS

The requirement of the following special districts are hereby forwarded to the applicant:

- | | |
|-------|--|
| Sani. | <ol style="list-style-type: none"> 1. It is recommended that the applicant contact the Costa Mesa Sanitary District at 949.645.8400 for current district requirements. |
| AQMD | <ol style="list-style-type: none"> 4. Applicant shall contact the Air Quality Management District 800.288.7664 for potential additional conditions of development or for additional permits required by the district. |

RESOLUTION NO. PC-13__

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA DENYING CONDITIONAL USE PERMIT
AMENDMENT PA-08-12 A1**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by Abid Ali Malik, the property owner, requesting approval of an amendment to Conditional Use Permit PA-08-12, located at 1512 Bristol Street, for the following:

- Sale of alcoholic beverages with the concurrent sale of gasoline with a premise to premise transfer of an existing State of California Department of Alcoholic Beverage Control (ABC) License to an existing convenience store; and
- Finding of Public Convenience or Necessity to allow the sales of alcoholic beverages at a service station with a convenience store (mini-mart).

WHEREAS, a duly noticed public hearing was held by the Planning Commission on December 9, 2013, with all persons having the opportunity to speak for and against the proposed project.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in Exhibit A, the Planning Commission hereby **DENIES** PA-08-12 A1 with respect to the property described above.

PASSED AND ADOPTED this 9th day of December, 2013.

Jim Fitzpatrick, Chair
Costa Mesa Planning Commission

EXHIBIT A

FINDINGS (DENIAL)

- A. The proposed project does not comply with Costa Mesa Municipal Code Section 13-29(e) because:
 - 1. A compatible and harmonious relationship does not exist between the proposed use and existing buildings, site development, and uses on surrounding properties.
 - 2. The proposed use is not consistent with the General Plan or Redevelopment Plan.
- B. The information presented does not comply with Costa Mesa Municipal Code Section 13-29(g)(2) with regard to the conditional use permit amendment in that the proposed use is not compatible with developments in the same general area. Granting the request will be materially detrimental to the health, safety, and general welfare of the public or otherwise injurious to properties or improvements within the immediate neighborhood.
- C. The Costa Mesa Planning Commission has denied Planning Application PA-08-12 A1. Pursuant to Public Resources Code Section 21080(b)(5) and CEQA Guidelines Section 15270(a) CEQA does not apply to this project because it has been rejected and will not be carried out.
- D. The project is exempt from Chapter XII, Article 3, Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

September 9, 2013

To whom it may concern,

RE: Conditional Use Permit

We, AGO Corporation dba SouthCoast Shell, would like to formally request a Conditional Use Permit, from City of Costa Mesa, in order to obtain a New Type 20 Beer & Wine License from Department of Alcoholic Beverage Control (ABC).

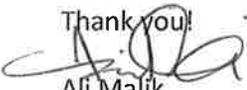
Our request is substantially compatible with uses permitted in the general area due to the following:

- Low neighborhood crime rate
- Our business hours are from 5am to 12am (no threat of after hour sales) which is presented by well-lit signs
- Industrial zoned surroundings (office buildings, restaurants, etc)
- Under age individuals never loiter this area
- Close to hotels for their customers (ie Ayres Hotel)
- Brand new building with full security surveillance
- Property is cleaned daily and is well-lit
- Contract with Frontier Defence Service to ensure one on-site visit after 9pm daily (see attached)

The proposed use would not be materially detrimental to other properties as we have full surveillance to monitor alcohol sales and daily security visits from Frontier Defence Service to ensure sure that there is no consumption or loitering on our or neighboring properties.

We look forward to getting the CUP approved by the City of Costa Mesa. Please contact us with any questions or concerns.

Thank you!



Ali Malik

President

AGO Corporation dba SouthCoast Shell
1512 S Bristol, Costa Mesa CA 92626

PROJECT DESCRIPTION – PLANNING APPLICATION FOR CITY OF COSTA MESA

SouthCoast Shell is in need of a Conditional Use Permit to obtain a Type 20 Beer & Wine License. This license will give customers an added service benefit when purchasing gasoline, car wash and items from the convenient store. We will be in full compliance with all “Standard Conditions of Approval for Liquor Stores, Convenience Stores, and Mini-Markets”, presented by Mel Lee, Senior Planner on 1/14/2013.



State License
PPO 17115

This agreement is dated as of **24TH DAY OF SEPTEMBER, 2013** by and between **ABID MALIK of SOUTH COAST SHELL, 1512 BRISTOL STREET, COSTA MESA, CA 92626** Hereinafter called the "**CLIENT**" and **FRONTIER DEFENSE SERVICES Inc.** Hereinafter called the "**FDS Inc.**

Client requests and **FDS Inc** agrees to provide the Client with random patrol of one (1) unarmed Security Officer, for there Shell Gas Station at the above mentioned site. According to the following terms and conditions of this agreement.

TERM

This contract shall become effective on **1ST OCTOBER 2013** and shall remain in full force and effect for twelve (12) calendar months, or until terminated by either party.

Either party here to may terminate this contract by providing the other party with (10) Ten days written notice of termination.

INVOICING

The Invoices shall be submitted on bi- monthly bases, for the amount of hours worked in that billing period. All the invoices are due upon receipt.

An interest charge at the rate of 1 and ½ % per month or the maximum percentage as may be allowed by law will be added to all invoices not paid within 30 days of the invoice date. Client agrees to pay all reasonable attorney's fees and other costs which may be incurred to collect any unpaid invoices and all applicable interest charges.

TIMING

3 VEHICLE AND IF NEEDED FOOT PATROL OF THE PROPERTY BETWEEN
9:00PM---12:00AM

Initial: 



RATE
\$25.00 PER VISIT, (\$75.00 PER DAY)

HOLIDAY RATE
\$35.00 PER VISIT (\$105.00 PER DAY)

HOLIDAYS

FDS Inc., recognizes and celebrates six designated holidays which are

- | | | |
|---------------------|------------------|-------------------|
| 1. Independence Day | 2. Labor Day | 3. Memorial Day |
| 4. Thanksgiving Day | 5. Christmas Day | 6. New Year's Day |

The client shall be billed at the holiday rate of time worked on the above mentioned holidays. Over time is billed 1.5 times your regular rate, and only if authorized by the client for other than scheduled hours.

Security Officers who are required to appear in the court as a witness as a result of any occurrence at the client's facility shall be compensated and billed at the overtime rate for those amount of hours spent in court.

RATE CHANGE

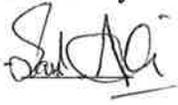
The rates herein are for the hours quoted in this contract and shall remain in effect for entire term of the contract or twelve months from the start date, whichever is shorter; or till the reduction in the work schedule.

In the event of any changes in the Federal, State, or Municipal Legislation, regulation, administrative ruling or collective bargaining agreement effecting any change in work hours, pay rates, employer taxes, mandatory insurance, or working conditions, FDS Inc. may modify the rates and notify the Client in writing of the effective date of change. Any such increases will be at cost only.

LIMITS OF LIABILITY

Client acknowledges that FDS Inc., is not an insurer, and that the security services provided hereby do not constitute maximum security. The security services are intended to act only as a deterrent and to provide only a degree of security.

The services provided under this agreement are solely for the benefit of the client and neither this agreement nor any services rendered hereunder shall give rise to, or shall be deemed to, or construed so, as to confer any rights on any other party as a third party beneficiary or otherwise, and Client agrees to indemnify and hold FDS Inc., harmless against any and all claims by such third parties. Under this agreement FDS Inc shall be liable only within the following limits of liability:

Initial: 

AGO CORPORATION
2551 WEST CALIFORNIA



LEON E. HELLER, ARCHITECT
1500 N. GARDEN STREET
SUNNYVALE, CA 94086
PHONE: 415.354.4343
FAX: 415.354.4343
WWW: WWW.AGO.COM

NO.	DATE	REVISION/DESCRIPTION
1	11.14.09	ISSUE FOR PERMITS
2	11.14.09	ISSUE FOR PERMITS



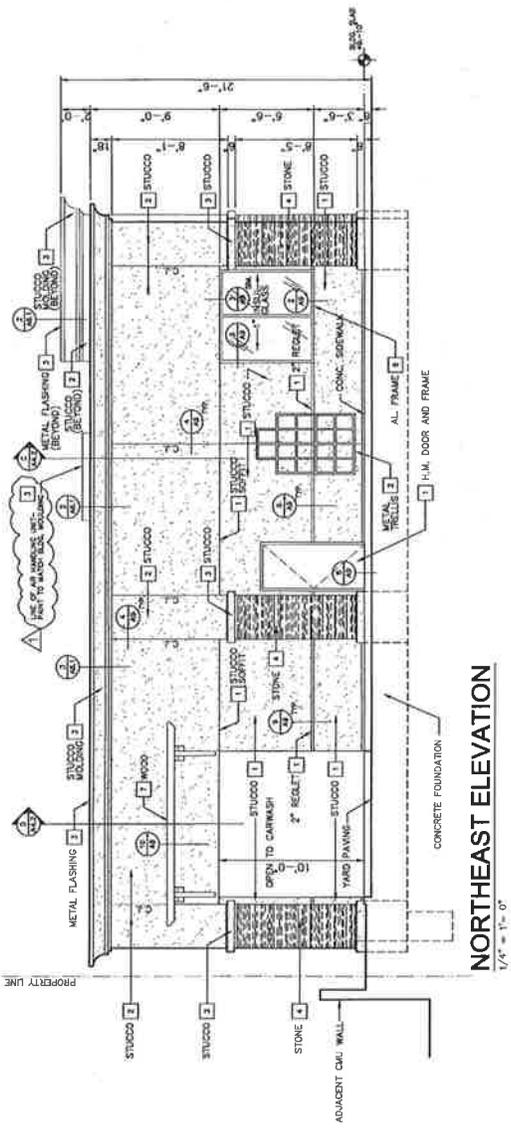
NEW CONVENIENCE
FOOD MART
AND CARWASH

1512 S BRISTOL STREET
SUNNYVALE
CALIFORNIA

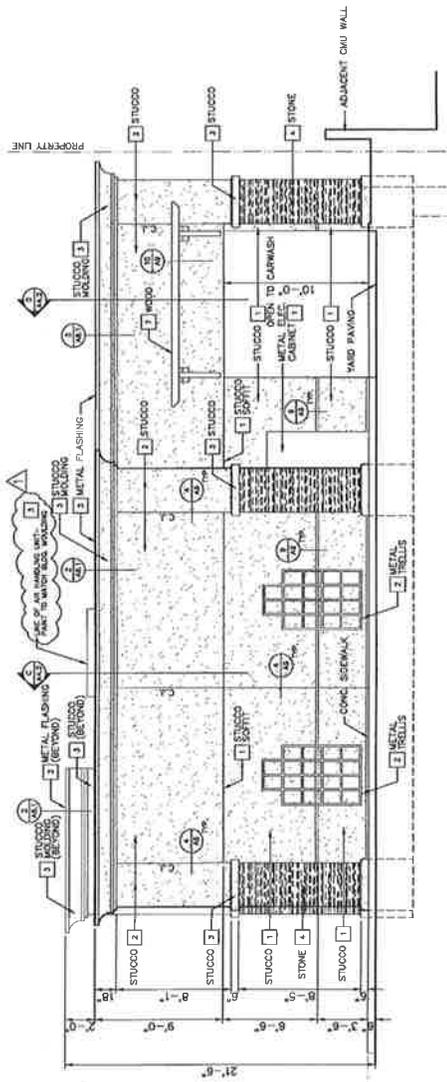
2.19.09 | LEF 0812

ELEVATIONS

A32



NORTHEAST ELEVATION
1/4" = 1'-0"



SOUTHWEST ELEVATION
1/4" = 1'-0"

MATERIAL AND COLOR LEGEND

MARK	DESCRIPTION
1	PANT - FRAZEE #221W * SAWYER FENCE *
2	PANT - FRAZEE #221M * OVALUM *
3	PANT - FRAZEE #221V * HAVRESD *
4	CULTURED STONE - OWENS CORNING (R) 44-044 STYLE: COUNTY LEMASTONE
5	CERAMIC TILE - DALLIE (F) 15 SZ-801 COLOR: #6775 YUTUMI MET
6	ALUMINUM EXTRUSION - SOUTHWEST ALUMINUM (R) 255-177 COLOR: TWIN BRONZE ANODIZES FINISH
7	WOOD STAIN - OLYMPIC STAIN #73 SEMI-TRANSPARENT