



# APPLICATION FOR CONDITIONAL USE PERMIT

City of La Habra Planning Department  
110 East La Habra Blvd., P.O. Box 337, La Habra Ca 90633-0337  
Phone: (562) 383-4100 Fax: (562) 383-4476  
www.lahabracity.com

Office Use Only  
CUP 21-04

APPLICANT

**Property Owner(s)** (use mailing address)  
Name ABS CA-O LLC  
Address 250 Parkcenter Blvd. Boise, ID 83706  
Phone: Home ( ) \_\_\_\_\_  
Work (208) 395-6200  
Fax ( ) \_\_\_\_\_  
E-mail \_\_\_\_\_

**Representative** (acting on behalf of the property owner(s))  
Name Tait & Associates - Greg Fick  
Address 701 N Parkcenter Dr  
Santa Ana, CA 92705  
Phone (714) 560-8678  
Work: ( ) \_\_\_\_\_  
Fax: ( ) \_\_\_\_\_  
E-mail gfick@tait.com

CONTACT

Send all **short-term** correspondence to: Property Owner ( ) Representative ( x )  
Send all **long-term** correspondence to: Property Owner ( x ) Representative ( )

INFORMATION

Location of Property 1800 West Whittier Blvd La Habra, CA 90631  
Legal Description of Property Parcel Map ~~98-142~~ Tract No. 98-142 Parcel Lot No. 2 or Attached ( )  
Assessors Parcel Number 018-041-55  
Present Use Albertsons Grocery Store Present Zoning C-2SH

REQUEST

Please state what is intended to be done with the property which does not comply with the provisions of the Zoning code: Proposed Starbucks within the interior of the existing Albertsons. Coffee shops are classified as a "restaurant." In the City's land use Matrix, all restaurants are subject to review of a CUP.

PROPERTY OWNERS AFFIDAVIT

STATE OF ~~CALIFORNIA~~ IDAHO  
COUNTY OF ~~ORANGE~~ Ada  
CITY OF LA ~~HABRA~~ Boise

I, (We) ABS CA-O LLC, being duly sworn, depose and say that I am (we are) the owner (s)\* of the property involved in this petition and that the 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 and that I (we) have the intention to proceed with the application and understand that the application shall become null and void within six (6) months from the date this application is deemed incomplete as required by L.H.M.C. Section 18.08.130. In addition, I (we) have the intention to proceed with the actual construction work in accordance with these plans within one (1) year from the date of granting of the Conditional Use Permit and understand that this Conditional Use Permit if granted, becomes null and void if I (we) do not proceed with the actual construction work in accordance with these plans within one (1) year from the granting of this Conditional Use Permit.

SIGNED ABS CA-O LLC  
By: Joel H. Guth, Authorized Signatory *rgw*  
SIGNED \_\_\_\_\_

Subscribed and sworn to before me on this 2nd day of August 2021

by Joel H. Guth proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

*Joel H. Guth*  
Signature

KANDI L WALTERS  
Notary Public - State of Idaho  
Commission Number 67857  
My Commission Expires Jun 6, 2022

\*Power of attorney must accompany affidavit if signed by other than the actual owner of record

REQUIRED FINDINGS

The City Planning Commission is required to make a "Finding of Fact" based upon the following questions and answers and such other evidence as many be established at a public hearing. Granting of the request is dependent upon proof that all four conditions have been met.

- A. That the granting of such Conditional Use Permit will not be detrimental to the public welfare and will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties and will not impair the character of the zone in which it is to be located.
- B. The subject site is physically suitable for the type of land use being proposed.
- C. The use is conditionally permitted within the subject zone and complies with the intent of all applicable provisions of this title.
- D. The granting of this Conditional Use Permit is consistent with the Comprehensive General Plan.

OPERATIONAL CHARACTERISTICS

Please list all relevant characteristics of your proposal/business including, but not limited to the following: days and hours of operation, number of employees and a complete description of services provided.

The proposed project is the construction of a Starbucks kiosk inside of an existing Albertsons store. The Starbucks kiosk will provide additional goods in services in the form of beverages and food for existing Albertsons customers.

The hours of operation for the Starbucks kiosk will be from 6:00am-8:00pm, Sunday through Monday. The total number of employees will be approximately 10 baristas with 4-5 shifts per day. Albertsons employees will be operating the Starbucks kiosk.

NOTICE

Approval of your plans and specifications are subject to all conditions and requirements which may be imposed by the City of La Habra Planning Commission and/or City Council. This application shall become null and void within six months from the date of the project being deemed initially incomplete. An extension of six months may be approved by the Director of Community and Economic Development upon the submittal of a Continuance request fee, as per the fee schedule to cover the costs of extending the application.

The approval of your plot plans and specifications SHALL NOT be held to permit or approve any omission or deviation from, or any violation of the provisions of any city codes or ordinances or state laws except for the above specifically requested conditional use under a section of the City of La Habra Zoning Code.

FOR OFFICE USE ONLY:

Application and Fee Received By DAVID LOPEL Date 8/4/21

## Conditional Use Permit Findings

- 1. The granting of such Conditional Use Permit will NOT be detrimental to the public welfare and will not unreasonably interfere with the use, possession and enjoyment of surrounding and adjacent properties and will not impair the character of the zone in which it is to be located.**

The proposed Starbucks will not be detrimental to the public welfare. The kiosk will be placed in the interior of the existing Albertsons. It will provide additional goods and services for existing Albertsons customers to conveniently be able to enjoy a cup of coffee or snack while shopping for other goods. The kiosk will be in an area that does not block the internal circulation of the store.

- 2. The subject site is physically suitable for the type of land use being proposed.**

The shopping center and Albertsons store is existing. The use of a coffee shop within a grocery is a common accessory use and provides an additional amenity for the customer base. The coffee shop is allowed with the approval of a Conditional Use Permit. The Albertsons store square footage is remaining the same; the proposed Starbucks is just an interior tenant improvement.

- 3. The use is conditionally permitted within the subject zone and complies with the intent of all applicable provisions of this title.**

The site is zoned as Community Shopping Center High Density (C2sH), which allows a restaurant to be built with a conditional use permit. As a coffee kiosk, the Starbucks acts as another opportunity for goods and services to be utilized and consumed by customers, which is suitable for a Community Shopping Center High Density zone.

- 4. The granting of this Conditional Use Permit is consistent with the Comprehensive General Plan.**

Community Shopping Center (0.50 – 0.8 FAR) is characterized by a variety of commercial uses serving the larger citywide area as well as the immediate surrounding communities. These centers typically have a principal outlet or anchor that includes a variety store, supermarket, or home improvement store and a range of food, convenience goods, and specialty retail/merchandise commercial uses. The use of a Starbucks is consistent with the goals of the General Plan because it is an accessory commercial use to the existing Albertsons store.

**ABS CA-O LLC**

GROUP VICE PRESIDENT, REAL ESTATE & BUSINESS LAW  
and ASSISTANT SECRETARY'S CERTIFICATE

The undersigned, Bradley R. Beckstrom, Group Vice President, Real Estate & Business Law and Assistant Secretary of ABS CA-O LLC, a Delaware limited liability company (the "Company") hereby certifies the following:

- That Joel Guth is Vice President, Real Estate Law & Assistant Secretary of Albertson's LLC.
- That Joel Guth is authorized to sign on behalf of ABS CA-O LLC.
- That the undersigned has the power and authority to execute this Certificate on behalf of the Company, and that he so executed this Certificate this 3rd day of August, 2021.

ABS CA-O LLC  
a Delaware limited liability company

DocuSigned by:  
By Brad Beckstrom  
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Bradley R. Beckstrom  
Group Vice President, Real Estate &  
Business Law and Assistant Secretary