SPECIAL PLANNING COMMISSION MEETINGS
SPECIAL PLANNING COMMISSION MEETING AGENDA

Wednesday, June 18, 2025 at 6:30 p.m.

SOUTH GATE COUNCIL CHAMBERS
8650 CALIFORNIA AVE
SOUTH GATE, CA 90280

1. **Call to Order**

2. **Pledge of Allegiance**

3. **Roll Call**

4. **City officials**

CHAIRPERSON	COMMISSIONERS
Jimmy Ozaeta	Mayra Castaneda
	Daisy Prieto
	Lizette Ruiz
	Margarita Valenzuela

5. **Report on Posting**
I, Kimberly Hernandez, Housing Assistant, certify that a true and correct copy of the foregoing meeting agenda was properly posted on June 12, 2025, seventy-two hours prior to the scheduled meeting, as required by law.

6. **Meeting Compensation Disclosure**
Pursuant to Government Code Section 54952.3: Disclosure of compensation for meeting attendance by the Planning Commission is $125.00 per meeting.

7. **Consent Calendar**

1. **PLANNING COMMISSION MINUTES FOR MAY 20, 2025**
The Planning Commission will consider approval of the minutes for the Regular Planning Commission meeting of May 20, 2025.

Documents:

PC Minutes 05.20.25.pdf

2. **EXPIRATION OF CONDITIONAL USE PERMIT NO. 23-0032 FOR A PROPERTY LOCATED AT 9501 ATLANTIC AVENUE**
This item is to report that Conditional Use Permit No. 23-0032 approved by the Planning Commission on March 5, 2024, has expired per Condition No. 13 of Resolution No. 2024-01. The project was for a “take out only” building pad café with drive-through for a property located at 9501 Atlantic Avenue. The applicant was informed of the expiration on May 22, 2025.

The recommendation is for the Planning Commission to RECEIVE and FILE.

Documents:

9501 Atlantic Ave-Starbucks-Expiration Letter.pdf

8. Open Sessions Items

1. **REORGANIZATION OF THE PLANNING COMMISSION**
To nominate and select a new Chair and Vice-Chair for the Planning Commission.

Documents:

AB_PC_Reorganization_061825.pdf

2. **WORKSHOP: UNDERSTANDING THE BROWN ACT**
Staff and the City Attorney's Office will give a presentation on understanding the Brown Act.

It is recommended the Planning Commission receive the presentation, ask questions of staff, open the item for public comment, and RECEIVE and FILE the item.

Documents:

PowerPoint - Workshop_Brown Act COSG Presentation_061825.pdf

3. **WORKSHOP: REVIEW TYPES AND RESPONSIBILITIES - MUNICIPAL CODE SECTION 11.51.030**
Staff will give a presentation on permit types.

It is recommended the Planning Commission receive the presentation, ask questions of staff, open the item for public comment, and RECEIVE and FILE the item.

Documents:

PowerPoint - Workshop_Permits_and_Procedures_061825.pdf

9. Comments

At this time, members of the public and staff may address the City Planning Commission regarding any items within the subject matter jurisdiction of the Planning Commission. No action may be taken on items not listed on the agenda unless authorized by law.

AUDIENCE COMMENTS

CITY STAFF COMMENTS

PLANNING COMMISSION COMMENTS

10. Adjournment

In compliance with the American with Disabilities Act, if you need special assistance to participate in the Planning Commission Meetings, please contact Community Development Department.

Notification 48 hours prior to the Planning Commission Meeting will enable the City to make reasonable arrangements to assure accessibility. Any final action of the Planning Commission, on this agenda, is appealable to the City Council upon filling the request with the City Clerk prior to 5:00pm on Monday, July 7, 2025.

Materials related to an item on this Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the Community Development Department, 8650 California Avenue, South Gate, California 90280 (323) 563-9565 * www.cityofsouthgate.org.

AGENDA ITEM NO. 7.1

City of South Gate
Agenda Bill

SPECIAL PLANNING COMMISSION MEETINGS AGENDA ITEM REPORT

DATE:	June 18, 2025
SUBMITTED BY:	John Signo, Community Development Department
ITEM TYPE:	Minutes
AGENDA SECTION:	Consent Calendar
SUBJECT:	**PLANNING COMMISSION MINUTES FOR MAY 20, 2025**
SUGGESTED ACTION:	The Planning Commission will consider approval of the minutes for the Regular Planning Commission meeting of May 20, 2025.

ATTACHMENTS:
PC Minutes 05.20.25.pdf

ACTION MINUTES OF THE REGULAR MEETING
OF THE SOUTH GATE CITY PLANNING COMMISSION
TUESDAY, MAY 20, 2025

I. CALL TO ORDER – 6:36 PM

The Planning Commission of the City of South Gate met in-person on May 20, 2025, at 6:36 PM, Chair Ozaeta presiding.

II. **PLEDGE OF ALLEGIANCE**

Commissioner Ruiz led the Pledge of Allegiance.

Chair Ozaeta welcomed Commissioner Castaneda to the Planning Commission and greeted new Community Development Director Perez.

Director Perez greeted the Commission.

III. ROLL CALL

Commissioners Present:	Chair Jimmy Ozaeta Commissioner Mayra Castaneda Commissioner Daisy Prieto Commissioner Lizette Ruiz
Commissioners Absent:	None

IV. CITY OFFICIALS

Staff Present:	Gabriel Perez, Community Development Director John F. Signo, AICP, Planning Manager Craig Hardwick, Assistant City Attorney Rodrigo Pelayo, Senior Planner Kimberly Hernandez, Housing Assistant

V. REPORT ON POSTING

Housing Assistant Hernandez certified the meeting agenda was properly posted.

VI. MEETING COMPENSATION DISCLOSURE

Housing Assistant Hernandez disclosed the Commissioners' compensation.

VII. CONSENT CALENDAR

1. Planning Commission Minutes For March 18, 2025

ACTION: **Approved 4-0.**
Motion by Commissioner Ruiz.
Seconded by Commissioner Prieto.

COMMISSIONER	VOTE
Jimmy Ozaeta	Yes
Mayra Castaneda	Yes
Daisy Prieto	Yes
Lizette Ruiz	Yes

VIII. OPEN SESSION ITEMS

1. ZONE CHANGE FROM IF TO M3 FOR A PROPERTY LOCATED AT 9313 RAYO AVENUE AND FINDING THAT THIS IS NOT SUBJECT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (PL25-146)

Senior Planner Pelayo gave the staff presentation.

Tom Wong of Commercial Development Resources Inc., on behalf of Mr. C's Towing of South Gate, Inc./FUBAR Properties LLC, spoke on behalf of the project.

Michael Welsh of Mr. C's Towing of South Gate, Inc. spoke on behalf of the project.

Public Comment:

- Bill B., 5328 Rayo Avenue
- Richard Ludt, IRS, 8990 Atlantic Avenue
- Silvestre Gonzales, 9500 Rayo Avenue

Written Correspondence:

- Mario Dominguez
- Maria Chavez

Planning Commission deliberated on the item.

Resolution 2025-06
ACTION: **Approved 4-0.**
Motion by Commissioner Ruiz.
Seconded by Commissioner Prieto.

COMMISSIONER	VOTE
Jimmy Ozaeta	Yes
Mayra Castaneda	Yes
Daisy Prieto	Yes
Lizette Ruiz	Yes

IX. COMMENTS

Audience Comments

None.

City Staff Comments

Planning Manager Signo provided an update on Planning activities and projects that involved the Planning Commission:

- 8530 Alameda Street (Engle): On May 13, 2025, City Council approved an agreement with the applicant to close the facility within one year. In turn, applicant withdrew two appeals and an application for a Zone Change/General Plan Amendment.

- 10130 Adella Avenue (City Ventures): Project was appealed by South Gate Progress Partners. City Council will consider appeal on May 27, 2025.

- Consultant Selection on Code Amendment Project: On May 27, 2025, City Council will consider a contract to hire a consultant to prepare an ordinance amendment addressing industrial land uses and improving properties within commercial corridors and surrounding two future transit centers.

- 9313 Rayo Avenue (Mr C's): Site Plan application has been submitted for administrative review, which staff is currently processing.

Planning Manager Signo welcomed Commissioner Castenada to the Planning Commission and mentioned City Council may be appointing a fifth commissioner at its next meeting.

Planning Commission Comments

None.

X. ADJOURNMENT

The meeting was adjourned at 7:59 PM.

Respectfully submitted by:

John F. Signo, AICP, Planning Manager

APPROVED:

_____

Jimmy Ozaeta, Chair

AGENDA ITEM NO. 7.2

City of South Gate
Agenda Bill

SPECIAL PLANNING COMMISSION MEETINGS AGENDA ITEM REPORT

DATE:	June 18, 2025
SUBMITTED BY:	John Signo, Community Development Department
ITEM TYPE:	Report
AGENDA SECTION:	Consent Calendar
SUBJECT:	**EXPIRATION OF CONDITIONAL USE PERMIT NO. 23-0032 FOR A PROPERTY LOCATED AT 9501 ATLANTIC AVENUE**
SUGGESTED ACTION:	This item is to report that Conditional Use Permit No. 23-0032 approved by the Planning Commission on March 5, 2024, has expired per Condition No. 13 of Resolution No. 2024-01. The project was for a "take out only" building pad café with drive-through for a property located at 9501 Atlantic Avenue. The applicant was informed of the expiration on May 22, 2025. The recommendation is for the Planning Commission to RECEIVE and FILE.

ATTACHMENTS:

9501 Atlantic Ave-Starbucks-Expiration Letter.pdf

Department of Community Development
Planning Division

8650 California Avenue
South Gate, CA 90280-3075
www.cityofsouthgate.org
P: (323) 563-9529
F: (323) 563-5358

May 22, 2025

CalBay Development LLC
Attention: Ryan Shea
120 W. Lime Street
Monrovia, CA 91016

Via email: ryan@calbaycorp.com

Expiration of Conditional Use Permit (CUP) PL23-0032 –1,200 square foot "take out only" building pad café with drive-through.

Address: 9501 Atlantic Avenue
Case #: PL23-0032

Dear Mr. Shea:

On March 5, 2024, the South Gate Planning Commission Issued you Conditional Use Permit No. PL23-0032 (the "CUP"). The CUP allowed you, subject to conditions, to operate a 1,200 square foot "take out only" building pad café with drive-through located at 9501 Atlantic Avenue, in the CDR 2 (Corridor 2) zone.

Although the CUP was issued by the Planning Commission, you did not operate the subject property for the uses authorized by the CUP within the required timeframe. Pursuant to Condition No. 13 of the CUP: "This approval is valid for a period of 12 months from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall terminate and shall be null and void."

Accordingly, the CUP expired on March 5, 2025, and the CUP is now considered null and void.

If you wish to pursue this project further, you must initiate a new entitlement process by submitting your application materials to planninginfo@sogate.org.

If you have any questions, please feel free to contact me at (323) 563-9514 or jvaldez@sogate.org.

Sincerely,

Joshua Valdez
Associate Planner

Attachment A: Resolution No. 2024-01

RESOLUTION NO. 2024-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH GATE, CALIFORNIA CERTIFYING A CLASS 3 CEQA EXEMPTION AND APPROVING CONDITIONAL USE PERMIT NO. 23-0032 FOR THE OPERATION OF A DRIVE-THROUGH FOR A STARBUCKS COFFEE SHOP LOCATED AT 9501 ATLANTIC AVENUE; APN 6222-026-041

WHEREAS, on June 19, 2023 the Department of Community Development received an application from Patrick Griffin ("**Applicant**") for Conditional Use Permit No. 23-0032 for the operation of a drive-through for a Starbucks Coffee Shop at 9501 Atlantic Avenue;

WHEREAS, studies and investigations were made and a report with recommendations was submitted; and

WHEREAS, the Planning Commission determined that the facts of this matter are as follows:

1. The property is located at 9501 Atlantic Avenue, south-west corner of Atlantic Avenue and Southern Avenue. The zoning designation for the property is Corridor 2 (CDR2).
2. The existing commercial buildings and office will be demolished, and in their place a new 1,200 square foot "take out only" building pad café and drive-through, landscaping and parking will be built.
3. There are currently five Starbucks coffee shops in the City of South Gate, located and open for business as follows: Long Beach Boulevard and Cudahy Street (5:00am – 10:00pm); Long Beach Boulevard and Firestone Boulevard (4:30am – 12:00am); Hildreth Avenue and Firestone Boulevard (4:30am – 11:00pm); at the El Paseo Shopping Center – off Garfield Avenue (4:30am – 12:00am); and at the South Gate Target (8:00am – 8:00pm). The Target Starbucks is the only coffee shop without a drive-through component.
4. Once completed, the coffee shop will have a separate drive isle with digital ordering menu and board and pick-up window for drive-through customers. Parking is provided on the southern perimeter and a total of 8 parking stalls. The coffee shop will operate seven days a week from **4:30 am to 12:00 am**.
5. Notice for the Planning Commission hearing was posted and published in the "South Gate Press" newspaper on February 15, 2024.

WHEREAS, the City Planning Commission made the following findings:

1. *Approval of the CUP is consistent with and will not adversely affect the intent and purpose of this title or the City's General Plan.*

   The proposed project will convert an underutilized lot into a new and vibrant development that brings the proposed structure to the street frontage and will enhance pedestrian activity along the intersection of Atlantic and Southern Ave.

2. *The design and development of the land use and conditions of the CUP are compatible*

with the existing and future land uses of the applicable zone.

The proposed development is complaint with the requirements and vision of the Corridor 2 zone.

3. *Approval of the CUP would not result in detrimental impacts to adjacent properties or to the character or function of the neighborhood.*

   The proposed development reduces the visual and noise impact of existing car repair shop, which will be demolished and replaced with a coffee house. The development will enhance walkability and connectivity between the residential neighbors and the existing park. The development site is currently fully paved, the proposed project will include landscaping 40% of the site.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of South Gate, pursuant to the facts, noted above, does hereby approve Conditional Use Permit No. 23-0032 to allow the operation of drive-through for a Starbucks coffee shop, subject to the conditions of approval contained in **Exhibit B**.

This recommendation was adopted by the following vote at the Planning Commission meeting of March 5, 2024.

AYES:

NOES:

ABSENT:

APPROVED and ADOPTED this 5th day of March, 2024.

Meredith T. Elguira
Secretary
City Planning Commission

APPROVED:

Jimmy Ozaeta
Chairperson
City Planning Commission

CUP NO. 23-0032 - CONDITIONS OF APPROVAL
9501 Atlantic Avenue

Planning Conditions:

1. Prior to building permit issuance, the permittee shall conduct a soil vapor survey to determine whether an engineered vapor barrier is necessary to protect the subject building against vapor intrusion.
2. Drive-through lanes must be clearly identified through the use of striping, landscaping, and signs.
3. Service windows with amplified sound shall be regulated to be consistent with South Gate Municipal Code (SGMC) Chapter 11.34 (Noise Control Program).
4. Digital order screens shall be calibrated as to screen brightness and speaker volume to a level so as not to disturb adjacent residential properties.
5. Adequate landscaping and decorative fencing shall be installed to control the effects of noise from facility operations, particularly adjacent to residential uses.
6. Restrooms shall be available to patrons/employees only.
7. Concrete driveway approach shall be stamped and stained concrete.
8. Except as set forth in these conditions, development shall take place substantially as shown on the approved site plan and elevations. Any deviations must be approved by the Director of Community Development, prior to construction.
9. No exterior structural alterations or building color changes, other than the colors or building treatments originally approved, shall be permitted without the prior approval of the Director of Community Development.
10. All signs shall require separate review and approval by the Director of Community Development.
11. Building and site design and maintenance shall be consistent with the standards of the immediate neighborhood so as not to cause blight or deterioration, or to substantially diminish or impair property values within the neighborhood.
12. Within thirty (30) days of approval of the Project, the Permittee and Property Owner shall certify his/her acceptance of the conditions of approval by signing a notarized Affidavit of Acceptance stating that he/she accepts and shall be bound by all of the conditions.
13. This approval is valid for a period of 12 months from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall terminate and shall be null and void.
14. The Permittee shall defend, hold harmless and indemnify the City and its agents, officers and employees from any claim, action or proceeding against the City of its agents, officers, or employees to attack, set aside, void or annul any approval by the City concerning the Project. The City shall promptly notify the Permittee of any filed claim, action or proceeding and shall cooperate fully in the defense of the action.

15. Permittee shall agree to maintain the property and all related on-site improvements and landscaping thereon, including without limitation, buildings, parking areas, lighting, signs, and walls in a first class condition and repair, free of rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all Federal, State, County and local bodies and agencies having jurisdiction, at permittee sole cost and expense. Such maintenance and repair shall include, but not be limited to the following: (i) sweeping and the removal of trash and debris as soon as possible but at least within 24 hours; (ii) the care of all shrubbery, plantings and other landscaping in a healthy condition and replacement of diseased or dead plant material with new material at an age similar to the material being replaced; (iii) maintenance of all irrigation system in properly operating condition; (iv) the removal of graffiti within 24 hours; and (v) the repair, replacement and restriping of asphalt or concrete paving using the same type of material originally installed, to the end that such paving at all times be kept in a level and smooth condition.

16. At the request of the City, the permittee shall provide required traffic studies if onsite drive-through adversely impacts traffic on adjacent streets. Permittee shall be required to mitigate traffic impacts to a level of insignificance.

General Conditions:

17. Cost Recovery
    Reimbursement to the City for all costs and expenses reasonably incurred in investigating, identifying, and documenting the violation, and in processing information concerning the violation, may be imposed as a condition of the continuation, reinstatement, or reissuance of this permit.

18. Violation of Conditional Use Permit
    A public hearing consistent with Chapter 11.50 (Administration) shall be held for the consideration of revocation or modification of this permit. This permit or any associated conditions may be revoked or modified by the Planning Commission subject to any of the following grounds:

    a. The permit or approval was obtained by fraud.

    b. The property is not being used for the purpose which is the subject of the permit.

    c. The use for which the approval was granted has ceased or has been suspended for one (1) year or more.

    d. The permit or conditions of the approval have been violated; exercised contrary to the terms of approval; or in violation of any statute, ordinance, law, or regulation.

    e. The use for which the approval was granted was exercised in a manner detrimental to the public health or safety, or as to constitute a public nuisance.

19. Conditional Use Permit Revocation
    If the application or any conditions of this permit violate the Zoning Code or do not fulfill the intent of the Code, the Planning Commission shall, following a public hearing, be authorized to take the following actions:

    a. Revoke this permit, revoke, and reissue this permit with new or modified conditions, or modify the conditions of this permit as may be appropriate under the circumstances.

b. Impose, as a condition of the continuation, reinstatement, or reissuance of this permit, a requirement that the permittee reimburse the City for all costs and expenses reasonably incurred in investigating, identifying, and documenting the violation, and in processing information concerning the violation for presenting to the Planning Commission, and, upon any appeal, to the City Council.

c. This permit shall be revocable if the exercises of rights granted by this permit are discounted for six (6) consecutive months. The use subject to this permit may not be resumed if this permit is revoked; a new conditional use permit, including processing and public notification, shall be required.

Building and Safety Conditions:

20. Project shall comply with all Americans with Disabilities Act (ADA) accessibility requirements.

21. ADA parking and signage shall be properly identified at all times.

22. Submit soils report and analysis, prior to plan submittal for Building & Safety plan check.

23. All signage shall require Planning and Building & Safety plan checks and reviews.

Public Works Conditions:

General Design Parameters

24. All the streets shall be designed per APWA Standard Specifications ("Green Book") and Standard Plans for Public Works Construction latest editions.

25. All the drainage design criteria shall be per the Los Angles Flood Control District and the APWA Standard Plans for Public Works Construction latest edition.

26. All the grading plans shall be designed to meet the requirements of the City of South Gate, Department Community Development, Building and Safety Division.

27. All public works improvements shall be constructed in accordance with the latest edition of the APWA Standards Specifications for Public Works Construction, and to the satisfaction of the City Engineer prior to the issuance of a Certificate of Use and Occupancy.

General Conditions – prior to the issuance of building and public work permits, the permittee shall:

28. Prepare street, drainage, water, sewer, and grading plans showing all existing and proposed public works improvement and dry utilities as outlined below. Said plans shall be prepared by a registered Civil Engineer on City approved title blocks.

29. Provide an engineer's estimate for all public works improvements and pay all plan-check fees in accordance with the latest fee schedule prior to plan review.

30. Permittee shall deposit $3,000 with the City to cover the City's cost for review of pre-development submittals such as preliminary plans, including traffic, civil, planning, and environmental consultants, etc., prior to submitting to Building and Safety for plan check.

31. The permittee shall pay Road Mitigation fees in accordance with the latest fee schedule. Retail Development fee is calculated at $9.00/square foot, prior to submitting to Building and Safety for plan check.

32. The permittee shall pay LID Plan Check fees. Review is done by City's Environmental Consultant, John Hunter & Associates, prior to submitting to Building and Safety for plan check.

33. Pay permit and inspection fees associated with this project in accordance with the latest Public Improvement Plan Check fee schedule at the time of permit issuance and inspection.

34. Coordinate all Public Works improvements inspection with the Public Works Department at least 48 hours prior to commencing work. Contact Lorenzo Camargo at (323) 363-9594 to arrange for a Public Works Inspection.

35. Permittee's contractor, subcontractors, and consultants working on this project must obtain and pay City Business License and permits fees.

36. Prior to the City's acceptance of the public improvements, permittee shall submit a refundable deposit in the amount of $1,000, which will be refunded upon receipt of "Record Drawings" for all the required improvements on approved Mylar(s) and a CD.

37. Agree to comply with the City's Community Development Ordinance pertaining to construction debris recycling. Contact the Building & Safety Department to obtain Construction & Demolition Debris Waste Reduction Recycling Plan forms.

38. Permittee to contact the City's Waste Hauling Company (Universal Waste Systems) at (562) 334-3660 and obtain approval for the location of waste disposal container(s), including facilities for recycling.

39. Permittee must agree to comply with all applicable South Coast Air Quality Management District (AQMD) regulations.

Streets

40. Remove and reconstruct any and all damaged or deficient existing improvements including but not limited to curb and gutter, sidewalk along the perimeter of the proposed development. Existing sidewalks with non-compliant ADA cross slope exceeding 2% are required to be replaced.

41. All existing driveways that are being replaced with new driveways on Atlantic Avenue and Southern Avenue will require new curb and gutter and full-width sidewalk to match existing.

42. Construct new driveways at least 5 feet away from any above-ground obstructions in the public right-of-way to the top of the driveway. Otherwise, the obstruction shall be relocated at the permittee's expense. Ensure that each driveway provides proper pedestrian access across, in compliance with the ADA. The final layout and site driveway design shall be subject to the review and approval of the City Engineer.

43. Proposed new driveways will meet the classification of commercial driveways (Minimum width required is 26 feet).

44. Grind and overlay a minimum of 2 inches of existing asphalt with Asphalt Rubber Hot

Mix (ARHM) from edge of the gutter line to the center of the street along the property frontage on Atlantic Avenue and Southern Avenue. Restore signing and striping as needed. Limits of work to be identified on the civil improvement plans and approved by the City Engineer.

45. Construct new tree wells every 50 feet apart per City standards and plant new 36-inch boxed street trees on Atlantic Avenue and Southern Avenue. Install decorative cast iron tree well covers. The species of any new street trees shall be in accordance with the Citywide Tree Master Plan. All tree wells shall be irrigated with dedicated irrigation lines.

46. Any damages done to existing public improvements during construction shall be removed and replaced to original condition per the satisfaction of the City Engineer.

47. Any crossflow drainage from the property over the sidewalks is not permitted. Construct parkway drains as required.

48. Where utility cuts on concrete pavement are proposed, the entire concrete panel shall be removed and reconstructed.

49. Centerline ties, property corners and benchmark monuments shall be preserved in the public right of way. In the event that ties, property corners and benchmark monuments are disturbed or removed, a licensed surveyor shall re-establish, and file required corner record survey with the Los Angeles County Surveyors office. All recorded copies of the documents shall be submitted to the City along with the final set of as-built plans.

50. Paint property address on the curb, in front of the proposed development, to the City and Fire Department's satisfaction.

51. Repair any centerline striping, traffic legends, reflective pavement markers, and other traffic delineation as required by the City Engineer.

<u>Right-of Way Dedication, Easements and Lot Merger</u>

52. By no later than 90 days after this permit has been issued, the permittee shall submit a legal description, Plat and boundary closure, prepared by registered land surveyor that shows the following:

    - A 15-foot 5-inches right of way dedication for roadway purpose to the City of South Gate for Public Street purposes along the property frontage on Atlantic Avenue.

53. By no later than 90 days after this permit has been issued, permittee shall provide the City with a preliminary title report for the subject property prepared by a title insurance company, or with other evidence acceptable to the City, showing that all recorded development entitlements and restrictions required by the City – including lot-ties, street dedications, and other items referenced in Condition 51 and Conditions 53 below – have been established.

54. By no later than 90 days after this permit has been issued, permittee shall submit any documents required by the City to effect the roadway dedication or any proposed easements required by the City in connection with development and operation of the subject property pursuant to this permit. Comply with all requirements of the Subdivision Map Act, the City of South Gate Municipal Code and all the applicable state and local laws.

Grading and Drainage

55. Comply with all Federal, State, and local agency requirements pertaining to the Clean Water Act, which establishes regulations, set forth in the Countywide National Pollutant Discharge Elimination System (NPDES) Permit.

56. Comply with the City's Storm Water Management Ordinance. Implement all NPDES requirements and Best Management Practices during and after construction. Provide and obtain approval of a site-specific Erosion Control Plan.

57. Submit Grading and Drainage plans prepared by a Registered Civil Engineer to the satisfaction of the Public Works Department and Building Division. Show all existing and proposed driveways, curb & gutter, sidewalks, handicap ramp, street trees, tree wells, street lights, street signs, power poles, fire hydrants, utility boxes, meters, traffic signal poles, cabinets, parkway drains, etc. on the plans. Provide LID Plan and calculations required to address storm water discharge and NPDES requirements by City's Environmental Consultant, John Hunter, and Associates (See attached requirements).

58. Submit a $10,000 deposit for the City to prepare Geotechnical reports, including but not limited to infiltration, percolation reports; prior to submitting to Building and Safety for plan check. The actual cost of the preparation of the study will be billed to the permittee.

59. All on-site parking and circulation areas shall be paved as required by a pavement engineering or geotechnical report prepared by a Registered Civil Engineer, subject to the review and approval of the Public Works and Community Development Departments.

60. Submit a $15,000 deposit for the City to prepare a detailed drainage study. The study shall include existing and proposed hydrologic conditions as well as hydraulic calculations (per Los Angeles County format) for all drainage control devices and storm drain lines. The actual cost of the preparation of the study will be billed to the permittee.

61. Grading plan will include Geotech certification, stating that grading plan has been reviewed and found to be in conformance with the recommendations as outlined in the soils and geological report.

62. Historical or existing storm water flow from adjacent lots must be received and directed by gravity to the street, a public drainage facility, or an approved drainage easement.

63. Dust control operations shall be performed by the permittee at the time, location and in the amount required and as often as necessary to prevent the excavation or fill work, demolition operation, or other activities from producing dust in amounts harmful to people or causing a nuisance to persons living nearby or occupying buildings in the vicinity of the work. The permittee is responsible for compliance with Fugitive Dust Regulations issued by the Air Quality Management District (AQMD).

Sewer

64. The permittee shall prepare a utility plan to determine if exiting sewer lateral is adequate to serve the proposed development.

65. Install adequate sewer lateral(s) to serve the proposed development and abandon any existing sewer laterals and sewer cleanouts that will not be used, to the satisfaction of the Public Works Department and Building & Safety Division. Sewer laterals will be abandoned in place with either cement slurry backfill, or concrete bulkhead plug per City Standard Plans.

66. The permittee shall consult the City Engineer to determine the sewer location and design requirements. Relocation of any public sewer lines shall be subject to approval by the City Engineer.

Water

67. The permittee shall prepare a utility plan to determine if exiting water lateral is adequate to serve the proposed development and abandon any existing water laterals at the main line to the satisfaction of the Public Works and Water Division. If higher water needs are determined, then the permittee will pay for any water upgrade needed to meet the demand. Permittee to pay for all costs incurred for the review and approval of the capacity study.

68. All proposed improvements shall be served by adequately sized to accommodate the total domestic, landscape and fire flows. Plans shall include size, type and location of the proposed fire hydrants approved by the Los Angeles Fire Department (LAFD). Provide fire flow calculations to justify the size and the velocity in the pipe (not to exceed 10 ft/sec)

69. Coordinate with the City's Water Division regarding removal of all existing water meters that will not be used by the development.

70. Permittee shall pay Water Development Impact Fees per the latest City Fee Schedule. Fee is dependent on new or upgrade of water meter sizes. Development Water Impact fees are paid at the time of obtaining the building permit.

71. Relocation of any public water lines shall be subject to approval by the City Engineer. Pavement moratorium applies, refer to COA No. 39.

Traffic

72. The permittee shall comply with all the mitigations per the Traffic Impact Analysis.

73. Ingress and egress along Atlantic Ave shall be right turn/ right turn out. No left-turns to and from the development on Atlantic Ave shall be allowed. The permittee shall install the necessary signing and striping to accommodate this movement.

74. Sandblast or microgrid all existing crosswalks at Atlantic Avenue and Southern Avenue. Slurry seal crosswalks areas and restripe crosswalks per City's continental design with thermoplastic.

75. Internal circulation, particularly where there are deliveries or trash pick-ups, should be shown accommodating the vehicles that will serve the development.

76. Clear unobstructed sight distance lines shall meet AASHTO guidelines and shall be shown on the improvement plans at intersections and/or driveways.

77. Upon completion of construction, permittee shall remove temporary construction markings (USA marking).

78. Remove and replace any conflicting or damaged signage and striping along the perimeter of the development.

79. As part of the existing driveway closure on Southern Avenue, paint the curb red.

Utilities

80. Permittee is responsible for research on private utility lines (Gas, Edison, Telephone, Cable, Irrigation, etc.) to ensure there are no conflicts with the site.

81. All existing on-site utility lines and existing utility lines serving the proposed development, that conflict with the project, shall be relocated, removed, or abandoned at the permittee's expense to the satisfaction of the City Engineer.

82. For all electrical needs the permittee will coordinate with the assigned SCE Planner.

83. All onsite overhead utilities servicing the development shall be placed underground. Any significant proposed utility underground vaults or meter shall be located away from the proposed driveways.

84. All proposed on-site sewer, water, and drainage facilities shall be private system(s) maintained by the property owner.

Use and Occupancy

85. Complete Public Works improvements prior to issuance of certificate of occupancy. Permittee may consult the Department of Public Works to request approval to implement and/or construct public improvements required in the conditions of approval after the certificate of occupancy is issued. The Department of Public Works may approve and/or deny approval of the request, partially or in its entirety, at the full discretion of the Assistant City Manager/Director of Public Works. Any public improvements not completed prior to issuance of certificate of occupancy shall require the permittee to enter into a development agreement and post the necessary securities in the amount approved by the Assistant City Manager/Director of Public Works and in a form approved by the City Attorney. All public improvements shall be completed at the permittee's cost.

86. Prior to issuance of a Certificate of Occupancy, all the above conditions shall be complied with, and all the improvements are in place.

AGENDA ITEM NO. 8.1

City of South Gate
Agenda Bill

SPECIAL PLANNING COMMISSION MEETINGS AGENDA ITEM REPORT

DATE:	June 18, 2025
SUBMITTED BY:	John Signo, Community Development Department
ITEM TYPE:	Open Session
AGENDA SECTION:	Open Sessions Items
SUBJECT:	**REORGANIZATION OF THE PLANNING COMMISSION**
SUGGESTED ACTION:	To nominate and select a new Chair and Vice-Chair for the Planning Commission.

ATTACHMENTS:
AB_PC_Reorganization_061825.pdf

City of South Gate

PLANNING COMMISSION

AGENDA BILL

For the Regular Meeting of: ***June 18, 2025***

Planning Manager: _____ ***Planning Manager***: _____

John F. Signo, AICP *John F. Signo, AICP*

SUBJECT: REORGANIZATION OF THE PLANNING COMMISSION

PURPOSE: To consider reorganizing the Planning Commission by nominating and selecting a new Chair and Vice-Chair for a one-year term; the selection will be ratified by a majority of the South Gate Planning Commission

RECOMMENDED ACTION: To nominate and select a new Chair and Vice-Chair for the Planning Commission.

AGENDA ITEM NO. 8.2

City of South Gate
Agenda Bill

SPECIAL PLANNING COMMISSION MEETINGS AGENDA ITEM REPORT

DATE:	June 18, 2025
SUBMITTED BY:	John Signo, Community Development Department
ITEM TYPE:	Minutes
AGENDA SECTION:	Open Sessions Items
SUBJECT:	**WORKSHOP: UNDERSTANDING THE BROWN ACT**
SUGGESTED ACTION:	Staff and the City Attorney's Office will give a presentation on understanding the Brown Act. It is recommended the Planning Commission receive the presentation, ask questions of staff, open the item for public comment, and RECEIVE and FILE the item.

ATTACHMENTS:
PowerPoint - Workshop_Brown Act COSG Presentation_061825.pdf

UNDERSTANDING THE BROWN ACT

JUNE 18, 2025

Presented By:
JOHN SIGNO, Planning Manager
CRAIG D. HARDWICK, Assistant City Attorney

For the:
CITY OF SOUTH GATE

Core Purpose of The Brown Act

"The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created." – Government Code § 54950



Why do we need the Ralph M. Brown Act?

- What does it seek to accomplish?
- How does it achieve its purpose?
- What are the key concepts?

3

EFFECTIVENESS

How does the Act accomplish its purpose?

- Regulates meetings
- Regulates public comment
- Regulates access
- Regulates enforcement



HISTORY OF THE BROWN ACT

- Authored by Ralph M. Brown (1908-1966), the Legislature adopted the Brown Act in 1953 to protect and promote the public's right to access and participation in local government meetings.
- "All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body, except as otherwise provided in this chapter."
- Legislative bodies covered by the Brown Act should conduct their affairs as openly and transparent as possible with few exceptions.
- The Brown Act is found at **California Government Code Sections 54950-54963.**

MEETINGS: WHEN DOES THE BROWN ACT APPLY?

Meetings Defined (by current statute):

- Congregation of a majority of the members of a legislative body
- To hear, discuss or deliberate City business
- Can include use of technology (email, phone, Zoom) by a majority of board members to discuss an issue
- Meeting requires quorum to get started and stay in business

MEETINGS:
WHEN DOES THE BROWN ACT NOT APPLY?

- Individual contacts & conversations
- Conferences open to the public (e.g., annual association conferences)
- Open and publicized community meetings (e.g., local service club)
- Other legislative bodies (e.g., members of city council attending meeting of planning commission)
- Social/ceremonial events (e.g. football game, wedding, retirement party, etc.)

7

INTENT OF THE BROWN ACT

City Councils exist to aid in the conduct of the people's business

The intent of the Act is that City Council actions be taken openly and their deliberations be conducted openly


Types Of Meetings
Regular Meetings
Special Meetings
Emergency Meetings
Frost Brown Todd
City of South Gate
9


Agenda Process
City Manager Oversight
Department Recommendations
Posting
Frost Brown Todd
City of South Gate
10



NO SECRET SAUCE

Planning Commission must act for all to see

- 72-Hour Agenda Posting Requirements
- Actions must appear on the Agenda
- Public must be able to comment during or before action is taken by the Planning Commission
- Deliberations must be in public
- Action and Voting must be done in public
- **THERE ARE LIMITED EXCEPTIONS**



PUBLIC COMMENT

Agenda vs Non-Agenda Items

- Comment on Agenda items
- Comments on Non-Agenda items
- Must be tied to City business
- Cannot be disruptive
- Subject to time constraints

WHAT ARE DISRUPTIVE COMMENTS?

WHITE v. CITY OF NORWALK (9th Cir. 1990) 900 F. 2d 1421

- "[A] City Council meeting is still just that, a governmental process with a governmental purpose. The Council has an agenda to be addressed and dealt with.

- "A speaker may disrupt by speaking too long, by being unduly repetitious, or by extended discussion of irrelevancies. The meeting is disrupted because the Council is prevented from accomplishing its business in a reasonably efficient manner. Indeed, such conduct may interfere with the rights of other speakers."

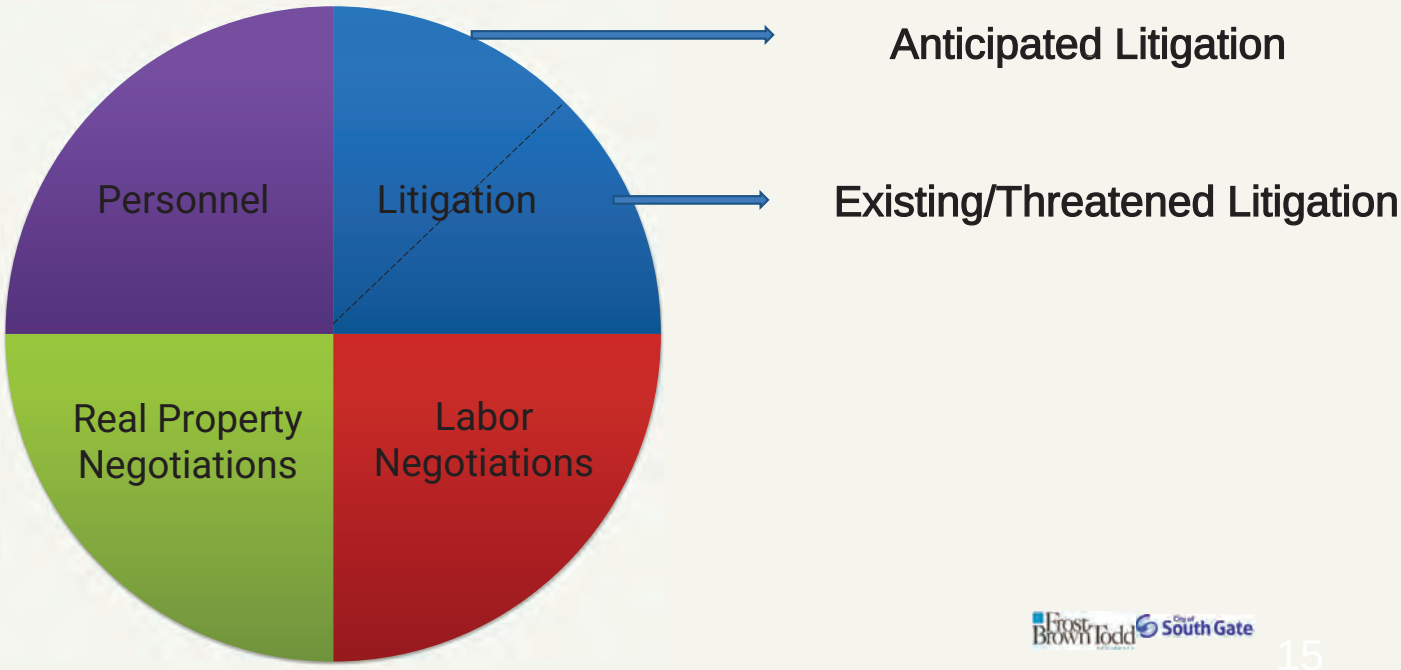
LIMITED CLOSED SESSION MEETINGS

- Why can't the public be "in the room where it happens"?

- How Do Closed Session Items Get Discussed in Closed Session Generally?



EXCEPTIONS PIE CHART



15

CLOSED SESSIONS: LABOR NEGOTIATIONS

- To instruct City negotiators on employee salaries and benefits
- May occur before, during, or after negotiation sessions
- Prior to closed session, must identify the groups involved in the negotiation

16

CLOSED SESSIONS: PENDING LITIGATION

- **Existing Litigation** (Pending Claims)
- **Threatened Litigation** (Future Claims)
- **Potential Litigation** (Claims by the City)

17

CLOSED SESSIONS: REPORTING OUT

- **Not all decisions reported – Avoid loss of leverage**
  - ✓ Approval of lawsuit initiation
  - ✓ Real estate agreements
  - ✓ Settlement of litigation (if action makes it final)
  - ✓ Agreement with labor union actions affecting employee's status

18



NEW ERA:

REMOTE ACCESS ALLOWS FOR GREATER PUBLIC PARTICIPATION



SOCIAL MEDIA

Effective 1/1/2021, For “internet based” social media, Council Members may engage to:

1. Answer questions on City business
2. Provide/Solicit information on City business



SOCIAL MEDIA

- Cannot use Social Media to discuss among themselves
- Cannot respond directly to posts that are made, shared, or posted by other Board/Council Members (Government Code § 54952.2, as modified by AB 992 in 2020)

Frost Brown Todd City of South Gate



SOCIAL MEDIA

DEVELOPING AREA OF LAW

- WHEN DOES A PERSONAL SOCIAL MEDIA ACCOUNT BECOME A PUBLIC FORUM?



Frost Brown Todd City of South Gate



QUESTIONS?

AGENDA ITEM NO. 8.3

City of South Gate
Agenda Bill

SPECIAL PLANNING COMMISSION MEETINGS AGENDA ITEM REPORT

DATE:	June 18, 2025
SUBMITTED BY:	John Signo, Community Development Department
ITEM TYPE:	Minutes
AGENDA SECTION:	Open Sessions Items
SUBJECT:	**WORKSHOP: REVIEW TYPES AND RESPONSIBILITIES - MUNICIPAL CODE SECTION 11.51.030**
SUGGESTED ACTION:	Staff will give a presentation on permit types. It is recommended the Planning Commission receive the presentation, ask questions of staff, open the item for public comment, and RECEIVE and FILE the item.

ATTACHMENTS:
PowerPoint - Workshop_Permits_and_Procedures_061825.pdf

Planning Commission

Workshop – Review Types and Responsibilities
Municipal Code Section 11.51.030

Community Development Department
Plannin
Presented by: John F. Sig

City of South Gate

June 18, 2025

Table 11.51-1

Permit Process	Director	Planning Commission	City Council	Public Hearing Required
Administrative Permit Types	*See Figure 11.51-1 for Process*			
Administrative Permit	D	A	A	Appeals Only
Temporary Use Permit	D	A	A	Appeals Only
Design Review	D	A	A	Appeals Only
Discretionary Permit Process A	*See Figure 11.51-2 for Process*			
Conditional Use Permit		D	A	Yes
Variance		D	A	Yes
Plan Review (Site Plan)		D	A	Yes
Discretionary Permit Process B	*See Figure 11.51-3 for Process*			
Density Bonus		R	D	Yes
Specific Plan		R	D	Yes
Regulating Plan/Zoning Amend.		R	D	Yes
Discretionary Permit Process C	*See Figure 11.51-4 for Process*			
Final Parcel Map			D	Yes
Live Entertainment Permit			D	Yes

City of South Gate

D = Deciding body whose decision is final unless appealed

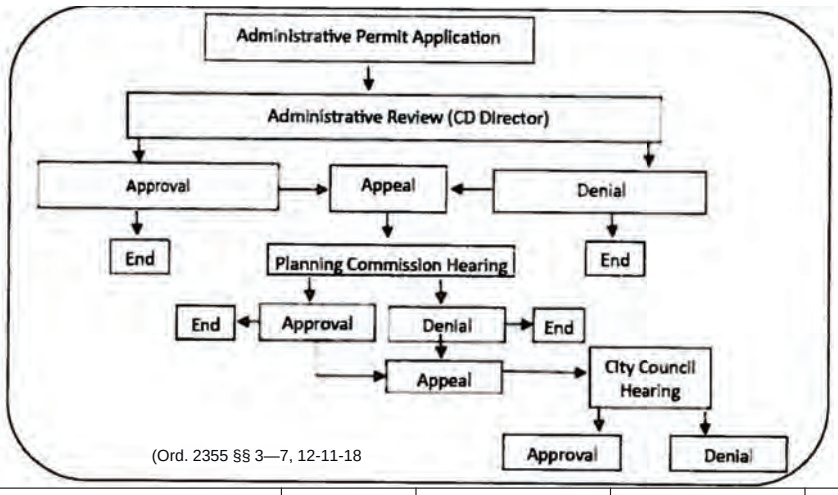
A = Appeal authority

R = Advisory body required to make recommendations

ADMINISTRATIVE PERMIT PROCESS

CD DIRECTOR (DECIDING AUTHORITY)

FIGURE 11.51-1

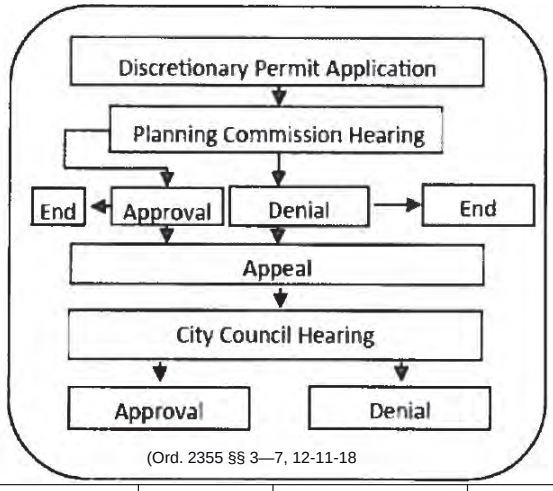


Permit Process	Director	Planning Commission	City Council	Public Hearing Required
Administrative Permit Types	*See Figure 11.51-1 for Process*			
Administrative Permit	D	A	A	Appeals Only
Temporary Use Permit	D	A	A	Appeals Only
Design Review	D	A	A	Appeals Only

DISCRETIONARY PERMIT PROCESS A

PLANNING COMMISSION (DECIDING AUTHORITY)

FIGURE 11.51-2

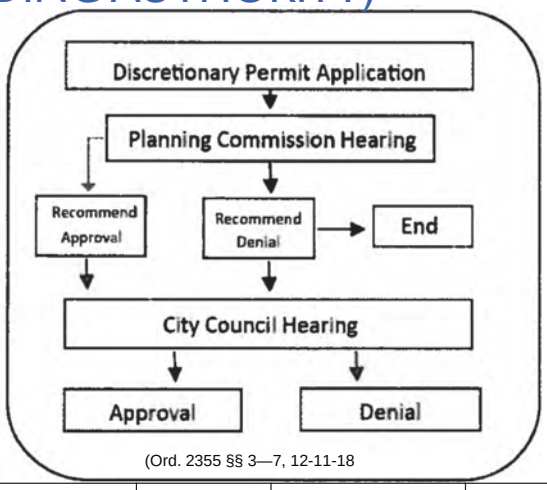


Permit Process	Director	Planning Commission	City Council	Public Hearing Required
Discretionary Permit Process A	*See Figure 11.51-2 for Process*			
Conditional Use Permit		D	A	Yes
Variance		D	A	Yes
Plan Review (Site Plan)		D	A	Yes

DISCRETIONARY PERMIT PROCESS B

CITY COUNCIL (DECIDING AUTHORITY)

FIGURE 11.51-3



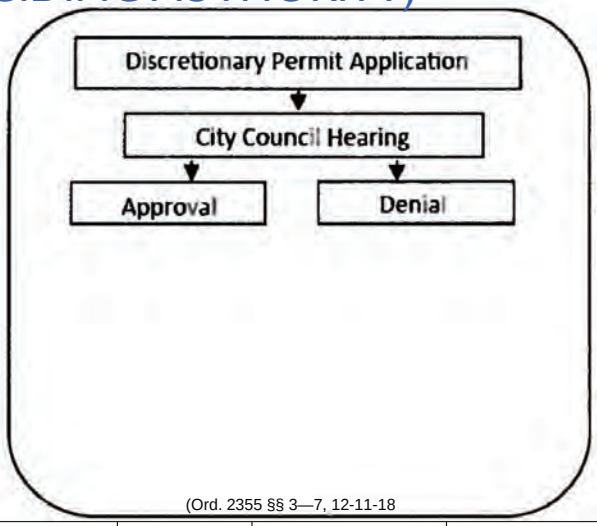
(Ord. 2355 §§ 3—7, 12-11-18

Permit Process	Director	Planning Commission	City Council	Public Hearing Required
Discretionary Permit Process B	*See Figure 11.51-3 for Process*			
Density Bonus		R	D	Yes
Specific Plan		R	D	Yes
Regulating Plan/Zoning Amend.		R	D	Yes

DISCRETIONARY PERMIT PROCESS C

CITY COUNCIL (DECIDING AUTHORITY)

FIGURE 11.51-4



(Ord. 2355 §§ 3—7, 12-11-18

Permit Process	Director	Planning Commission	City Council	Public Hearing Required
Discretionary Permit Process C	*See Figure 11.51-4 for Process*			
Final Parcel Map			D	Yes
Live Entertainment Permit			D	Yes

PERMIT APPROVALS

2024 Building Permits for Residential Units (Administrative)

UNIT TYPE	NUMBER
Accessory Dwelling Units	86
Junior Accessory Dwelling Units	15
Multifamily Units	3
SB 9 Units	1
TOTAL	105

2024 Planning Commission Actions (Discretionary)

ACTION	NUMBER
Resolutions Approved	6
Resolutions Denied	2
TOTAL	8

HAPPY TO ANSWER ANY QUESTIONS