PLANNING COMMISSION
PLANNING COMMISSION AGENDA

Tuesday, February 4, 2025 at 6:30 p.m.

SOUTH GATE COUNCIL CHAMBERS
8650 CALIFORNIA AVENUE
SOUTH GATE, CA 90280
VIEW MEETING LIVE ONLINE AT:
HTTPS://YOUTUBE.COM/@SOUTHGATECA90280

Call To Order

Pledge of Allegiance

Roll Call

City Officials

CHAIRPERSON	COMMISSIONERS
Jimmy Ozaeta	Jenny Perez
	Daisy Prieto
	Lizette Ruiz

VICE CHAIRPERSON
Jovanna Laborin

Report On Posting

I, Kimberly Hernandez, Housing Assistant, certify that a true and correct copy of the foregoing meeting agenda was properly posted on January 30, 2025, seventy-two hours prior to the scheduled meeting, as required by law.

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.

I. Consent Calendar

1. **PLANNING COMMISSION MINUTES FOR JANUARY 21, 2025**
   The Planning Commission will consider approval of the minutes for the Regular Planning Commission meeting of January 21, 2025.

   Documents:

   PC Minutes 1.21.25.pdf

2. **TIME EXTENSION REQUEST FOR CONDITIONAL USE PERMIT NO. 23-0032**
   The Planning Commission will consider a request for a time extension of Conditional Use Permit No. 23-0032 subject to the original conditions approved under Resolution 2024-01, and a finding that the project is Categorically Exempt from the CEQA under Section 15303, (Class 3) "New Construction" for a property located at 9501 Atlantic Avenue.

   Documents:

   9501 Atlantic Ave_Starbucks CUP Ext_AB.pdf

II. Public Hearing

1. **CONDITIONAL USE PERMIT NO. 24-07**
   The Planning Commission is conducting a Public Hearing to consider approving Conditional Use Permit No. 24-07 to allow the sales of alcohol (ABC License Type 41 - beer and wine) for on-site consumption in conjunction with an existing restaurant ("Guajillo") located at 8534 Long Beach Boulevard, Unit D, and finding that the project is Categorically Exempt from the CEQA under Section 15301, (Class 1) "Existing Facilities."

   Documents:

   Agenda Bill (CUP 24-07)

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

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 Thursday, February 20, 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 City Clerk's Office, 8650 California Avenue, South Gate, California 90280 (323) 563-9569 * www.cityofsouthgate.org.

ACTION MINUTES OF THE REGULAR MEETING
OF THE SOUTH GATE CITY PLANNING COMMISSION
TUESDAY, JANUARY 21, 2025

CALL TO ORDER – 6:31 PM
The Planning Commission of the City of South Gate met in-person and live at:
HTTPS://YOUTUBE.COM/@SOUTHGATECA90280 on January 21, 2025, at 6:31 PM, Chair Ozaeta presiding.

PLEDGE OF ALLEGIANCE

ROLL CALL

Commissioners Present:	Chair Jimmy Ozaeta Commissioners Daisy Prieto and Lizette Ruiz
Commissioners Absent:	Vice Chair Jovanna Laborin Commissioner Jenny Perez
Staff Present:	David M. Crabtree, AICP, Interim Community Development Director John F. Signo, AICP, Planning Manager Craig Hardwick, Assistant City Attorney Joshua Valdez, Associate Planner Kimberly Hernandez, Recording Secretary

REPORT ON POSTING AND MEETING COMPENSATION DISCLOSURE

OPEN SESSION ITEMS

1. PLANNING COMMISSION MINUTES FOR DECEMBER 3, 2024

ACTION: **Approved 3-0.**
Motion by Commissioner Prieto.
Seconded by Commissioner Ruiz.

COMMISSIONER	VOTE
Jimmy Ozaeta	Yes
Daisy Prieto	Yes
Lizette Ruiz	Yes

Vice Chair Laborin joined the meeting after Item 1.

2. PLANNING COMMISSION MINUTES FOR DECEMBER 5, 2024

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

COMMISSIONER	VOTE
Jimmy Ozaeta	Yes
Jovanna Laborin	Yes
Daisy Prieto	Yes
Lizette Ruiz	Yes

3. SITE PLAN NO. 174 (RESOLUTION NO. 90-55 AND 2025-01; DESIGN REVIEW NO. 24-0012) 9329 MADISON AVENUE

Planning Manager Signo introduced Associate Planner Valdez who gave the staff presentation.

Associate Planner Valdez indicated conditions number 9, 14-18, and 33 should be stricken from the resolution.

Robert Kerr, AIA, Applicant, spoke on behalf of the project.

There was a short intermission due to technical issues between 6:45 p.m. to 6:49 p.m.

Commissioners Ruiz and Prieto asked questions of the applicant.

Mr. Kerr responded to those questions.

Public Comment: Dr. Marc Beherec

Resolution 2025-01
ACTION: **Approved 4-0.**
Motion by Commissioner Ruiz to approve project as presented, including striking conditions number 9, 14-18, and 33 as recommended by staff.
Seconded by Commissioner Prieto.

COMMISSIONER	VOTE
Jimmy Ozaeta	Yes
Jovanna Laborin	Yes
Daisy Prieto	Yes
Lizette Ruiz	Yes

4. 2024 YEAR IN REVIEW AND REPORT ON PLANNING DIVISION ACTIVITIES

Planning Manager Signo gave the staff presentation.

Commissioners asked questions of staff.

Public Comment: Mario Dominguez, Jr. (via email)

Commission received and filed the item.

AUDIENCE COMMENTS

- NONE

CITY STAFF COMMENTS

- Interim Community Development Director Crabtree introduced himself and discussed his background.
- Planning Manager Signo stated it was Associate Planner Valdez's first meeting as a full-time permanent employee.
- Associate Planner Valdez introduced himself and discussed his background.

PLANNING COMMISSION COMMENTS

- Commissioner Laborin thanked Commissioner Prieto and other community members for their volunteer work.

ADJOURNMENT

The meeting was adjourned at 7:40 PM.

Respectfully submitted by:

John F. Signo, AICP, Planning Manager

APPROVED:

_____

Jimmy Ozaeta, Chair

City of South Gate
PLANNING COMMISSION
AGENDA BILL

For the Regular Meeting of: ***February 4, 2025***

Associate Planner: *Joshua Valdez* ***Planning Manager:*** *John F. Signo, AICP*

SUBJECT: Request for a time extension of Conditional Use Permit (CUP 23-0032)

PROJECT PROPOSAL/REQUEST: Request for approval of a 6-month time extension of Conditional Use Permit (CUP) No. 23-0032, for new construction of a 1,260-square-foot (take-out only) café with a drive-through facility located at 9501 Atlantic Avenue.

Project Overview

- General Plan Designation: Commercial
- Zoning: Corridor 2 (CDR2)
- Project Location: 9501 Atlantic Avenue
- Assessor's Parcel Numbers: 6222-026-041
- Applicant: Ryan Shea, Calbay Development LLC

BACKGROUND:

On March 5, 2024, Planning Commission approved Conditional Use Permit (CUP) No. 23-0032 to allow the construction and operation of a 1,200-square-foot "Take-Out Only" café with drive-through facility ("Starbucks"). On November 6, 2024, the applicant submitted a request for an extension of the entitlement. The request is due to challenging market conditions that emerged in late 2023 and continued through 2024 in which the applicant made the strategic decision to place this project on pause. However, after a thorough review of the current market conditions, the applicant has decided to re-initiate this project and proceed with the next steps in the City's review process. However, there are critical timing constraints with the pending expiration of CUP No. 23-0032. Therefore, the time extension is essential to maintain the project's viability.

ANALYSIS:

- The applicant currently needs to submit project plans to the Building & Safety Department for plan check. Staff anticipates it will take several months to complete this process. Therefore, Staff recommend that the Planning Commission approve the applicant's (6-month) time extension request for Conditional Use Permit No. 23-0032, which shall be set to expire on November 5, 2025.

ENVIRONMENTAL ANALYSIS:

In accordance with the California Environmental Quality Act (CEQA), this project qualifies for a categorical exemption under CEQA Guidelines Section 15303, (Class 3) "New Construction", in that the

project consist of a new 1,200-square-foot "take-out only" cafe. Further, no exceptions to the exemption apply; there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The property is already developed as an automobile repair business, and the proposed development is considered a less intensive land use.

RECOMMENDATION:

Staff recommends that the Planning Commission approve a 6-month time extension of Conditional Use Permit No.23-0032 subject to the original conditions approved under Resolution 2024-01, and a finding that the project is Categorically Exempt from the CEQA under Section 15303, (Class 3) "New Construction", for a property located at 9501 Atlantic Avenue.

ATTACHMENTS:

1. Resolution No. 2025-03
2. March 5, 2024, Agenda Bill

Attachment 1

RESOLUTION NO. 25-03

CITY OF SOUTH GATE
LOS ANGELES COUNTY, CALIFORNIA

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH GATE, CALIFORNIA, GRANTING A 6-MONTH TIME EXTENSION OF CONDITIONAL USE PERMIT NO. 23-0032, FOR NEW CONSTRUCTION OF A 1,200-SQUARE-FOOT (TAKE-OUT ONLY) CAFÉ WITH A DRIVE-THROUGH FACIILTY LOCATED AT 9501 ATLANTIC AVENUE.

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; and

WHEREAS, Planning Commission held a public hearing and considered the application during a regularly scheduled Planning Commission meeting conducted on March 5, 2024; and

WHEREAS, Planning Commission made the necessary findings and adopted Resolution No. 2024-01 approving Conditional Use Permit No. 23-0032 at the conclusion of the public hearing; and

WHEREAS, On November 6, 2024, the applicant submitted a request for an extension of the entitlement due to current market conditions.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of South Gate, pursuant to the facts, noted above, does hereby grants a 6-month time extension for Conditional Use Permit No.23-0032.

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.

John F. Signo, AICP
Planning Manager
Community Development Department

APPROVED:

_____

Jimmy Ozaeta
Chairperson
City Planning Commission

City of South Gate
PLANNING COMMISSION
AGENDA BILL

For the Regular Meeting of: ***March 5, 2024***

Contract Planner: *Joshua Valdez* ***Community Development Director:*** *Meredith T. Elguira*

SUBJECT: CONDITIONAL USE PERMIT NO. 23-0032 A REQUEST FOR A 1,200 SQUARE FOOT "TAKE OUT ONLY" BUILDING PAD CAFÉ WITH DRIVE-THROUGH LOCATED AT 9501 ATLANTIC AVNUE, ASSESSOR'S PARCEL NUMBER (APN) 6222-026-041.

PURPOSE: To consider a request to allow the operation of a drive-through for a Starbucks coffee shop at 9501 Atlantic Avenue, APN 6222-026-041.

RECOMMENDED ACTIONS:

a. **CONDUCT** a public hearing;
b. **ACCEPT** the Class 3 Categorical Exemption from the California Environmental Quality Act ("CEQA"), codified at Division 6 of Title 14 of the California Code of Regulations. A Class 3 Categorical Exemption consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure.
c. **ADOPT** the findings under Resolution No. 2024-01 (see Exhibit A), certifying a Class 3 Categorical Exemption from the California Environmental Quality Act ("CEQA"); and approve Conditional Use Permit No. 23-0032, subject to the recommended conditions of approval (see Exhibit B).
d. **RECOMMEND** that the Planning Commission approve the operation of a drive-through for a Starbucks coffee shop.

PUBLIC NOTIFICATION: Advertising and notification of the public hearing for the application was conducted in compliance with Chapter 11.50.020, Title 11 of the South Gate Municipal Code. Notice of the hearing was originally posted and published in the "*Los Angeles Wave*" newspaper and was mailed to surrounding properties on February 15, 2024.

ENVIRONMENTAL EVALUATION: This project is Categorically Exempt from CEQA under state regulations known as the "CEQA Guidelines" codified at Division 6 of Title 14 of the California Code of Regulations. The Class 3 Exemption under the CEQA Guidelines, at 14 CCR Section 15303, consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The project proposal is to construct a 1,200 square foot "take out only" building pad café with a drive-through.

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ANALYSIS: Staff has completed a review of the subject application and determined that the proposed Conditional Use Permit No. 23-0032 is in compliance with the City of South Gate's General Plan.

Project Overview

The subject property is zoned CDR2 (Corridor 2) and is located on the southwest intersection of Southern Avenue and Atlantic Avenue Firestone Boulevard (see *Figure 1*).

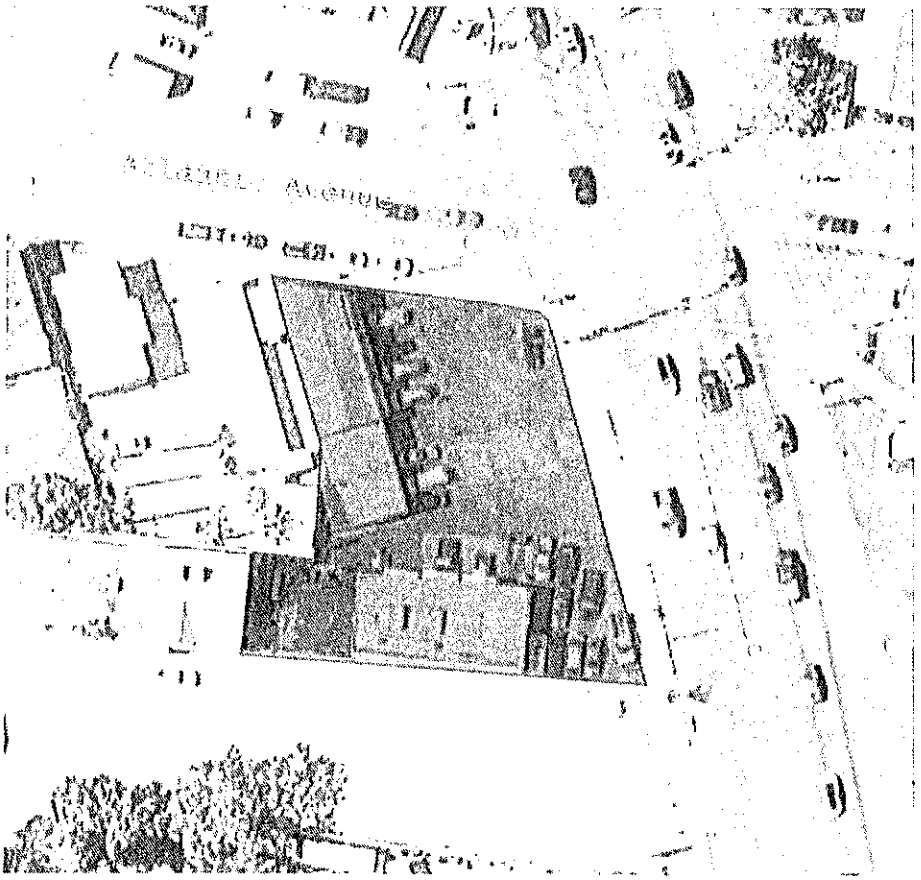


Figure 1 – Aerial Map

Abutting Properties – Zoning Designation

Table 1 – Zoning Designation

Direction	Address	Zoning
North	9409 Atlantic Avenue	CDR2 (Corridor 2)
South	9517 Atlantic Avenue	CDR2 (Corridor 2)
West	4982 Southern Avenue	CDR2 (Corridor 2)
East	APN 6222-033-900	OS (Open Space)

Background

The project site is currently developed with two commercial buildings and an office building, which are being used for auto-repair services. City records show the following historical businesses:

	Business Name
Current	City Tires
2016	South Gate Park Smog
2015	Smog of Orange County
2003	City Tire Service
1993	M&M Technicians

The project consists of the construction of a 1,200 square foot "take out only" building pad café and drive-through.

Conditional Use Permit Findings

Conditional Use Permit No. 23-0032 is a request by Hany Malak ("Applicant"), to construct a 1,200 square foot "take out only" building pad café and drive-through. The findings are provided below:

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 to 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 compliant 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 an 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.

Applicant:
Hany Malak (MMA Architecture)
120 W. Lime Street
Monrovia, CA 91016

Property Owner:
Eduardo Diaz
880 Apollo Street, Suite 329
El Segundo, CA 90245

Site Features:
Lot size: 15,340 square feet

Property Address:
9501 Atlantic Ave

Assessor's Parcel No.
6222-026-041

Zoning Designation:
Corridor 2 ("CDR2")

General Plan Designation:
None

Surrounding Land Uses:
North: CDR2 (Corridor 2)
South: CDR2 (Corridor 2)
East: OS (Open Space)
West: CDR2 (Corridor 2)

EXHIBITS:

A. RESOLUTION NO.2024-01
B. CONDITIONS OF APPROVAL
C. SITE PLAN
D. LAYOUT PLAN
E. ELEVATIONS

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

Exhibit B

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.

Right-of Way Dedication, Easements and Lot Merger

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.

Exhibit C

SITE PLAN

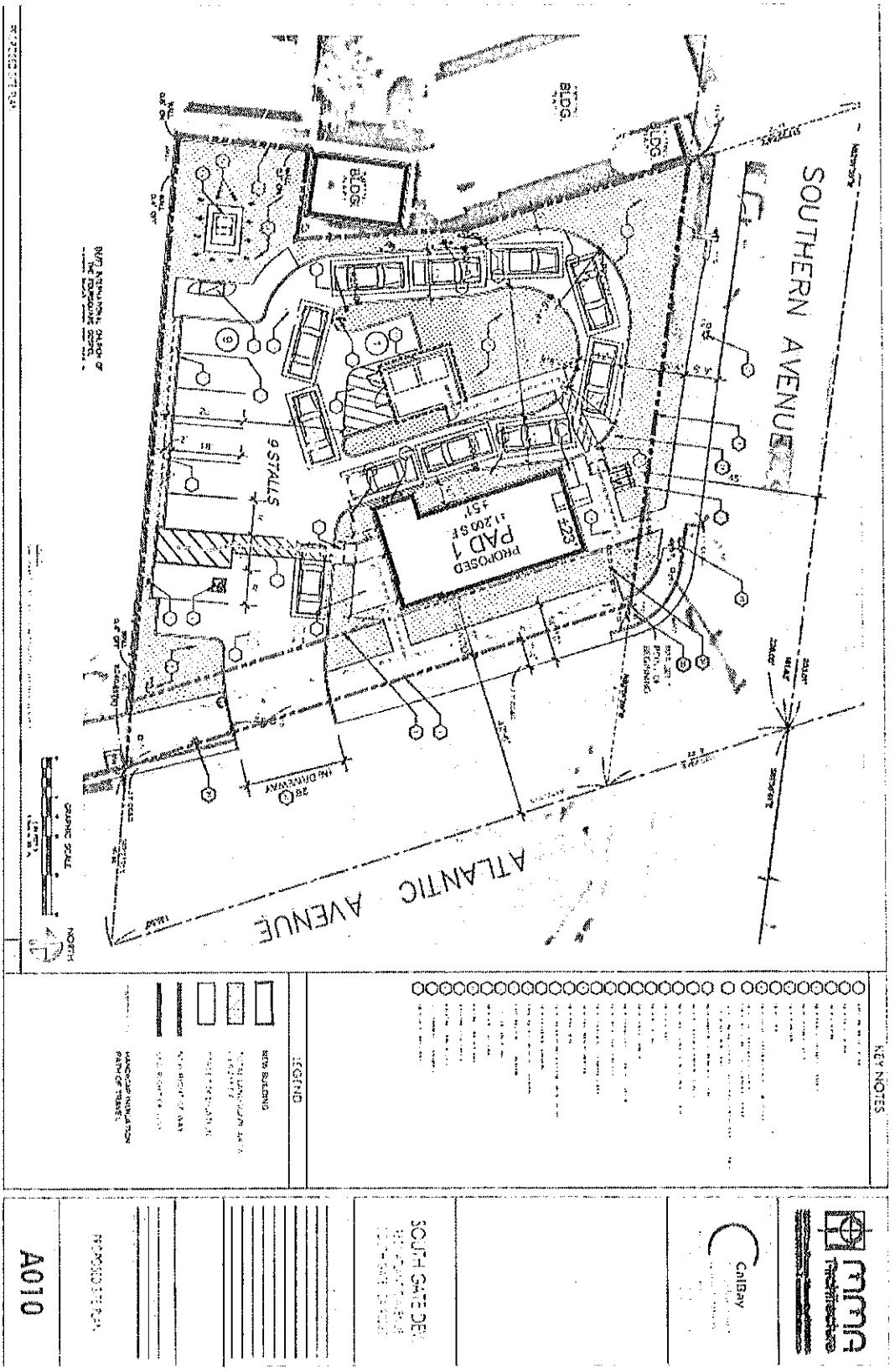


Exhibit D

LAYOUT PLAN

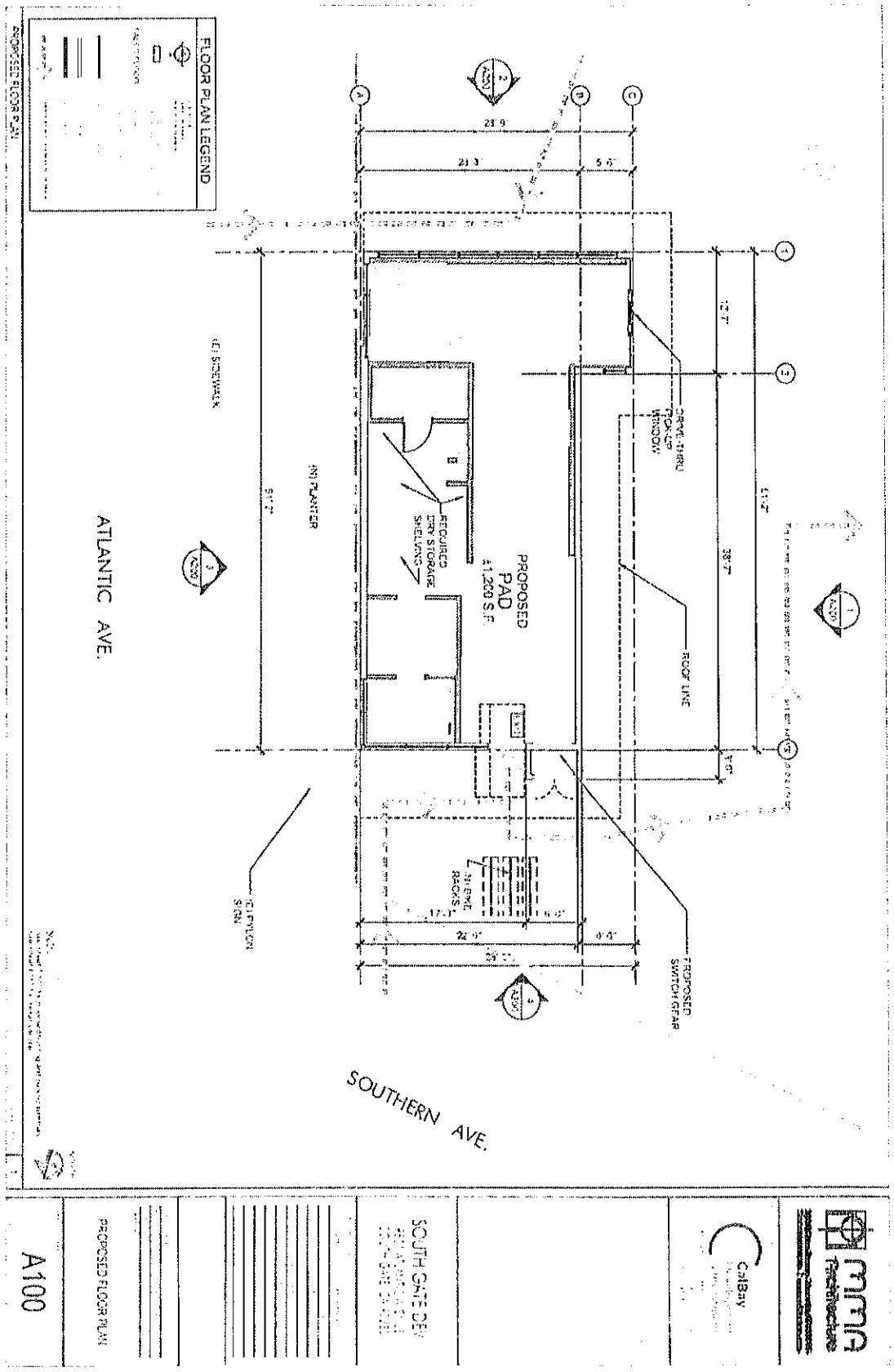
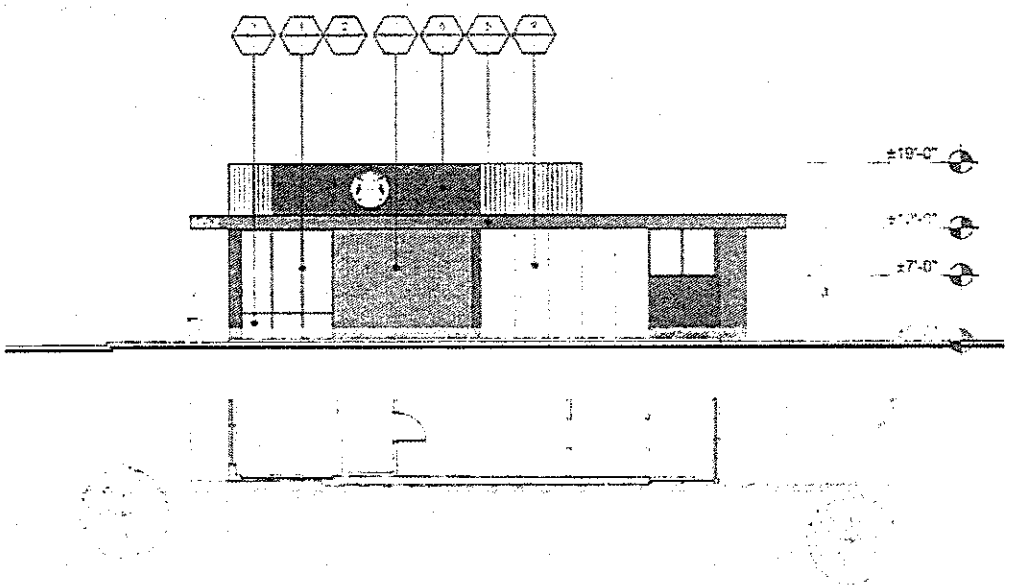


Exhibit E

ELEVATIONS



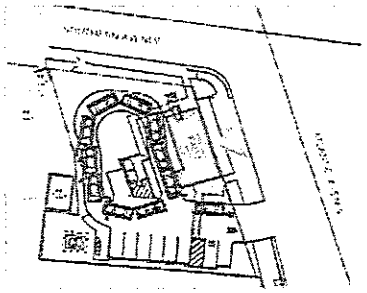
EAST ELEVATION

FINISH LEGEND

KEY	MATERIAL
1	STOREFRONT BY ARCADIA (OR APPROVED EQUAL) BY [illegible] BY BLACK ANODIZED GLASS (MTL-1)
2	STOREFRONT GLASS MANUFACTURER: VITRO ARCHITECTURAL GLASS MODEL: 1" CLEAR FLOAT GLASS
3	SPANDREL GLASS MANUFACTURER: VITRO ARCHITECTURAL GLASS COLOR: WARM GRAY #2
4	PASS THRU WINDOW MANUFACTURER: OPTIMA COLOR: BRONZE ANODIZED
5	METAL CANOPY BY GENERAL CONTRACTOR FINISH: PAINTED STEEL COLOR: DEVOE BLACK BEAN BY DUNN EDWARDS
6	METAL PANEL MANUFACTURER: CENTRIA MODEL: [illegible] COLOR: RICH BLACK
7	METAL PANELS MANUFACTURER: [illegible] METAL SALES MODEL: [illegible] COLOR: [illegible]
8	[illegible] PAVING ACID WASH FINISH, SAW CUT LINES COLOR: NATURAL GRAY
9	ARTWORK (SCREEN)

PAINT COLORS

A	PAINT COLOR: [illegible] BY DUNN EDWARDS



KEY MAP

CalBay

SOUTH GATE DEVELOPMENT

COLORED ELEVATION

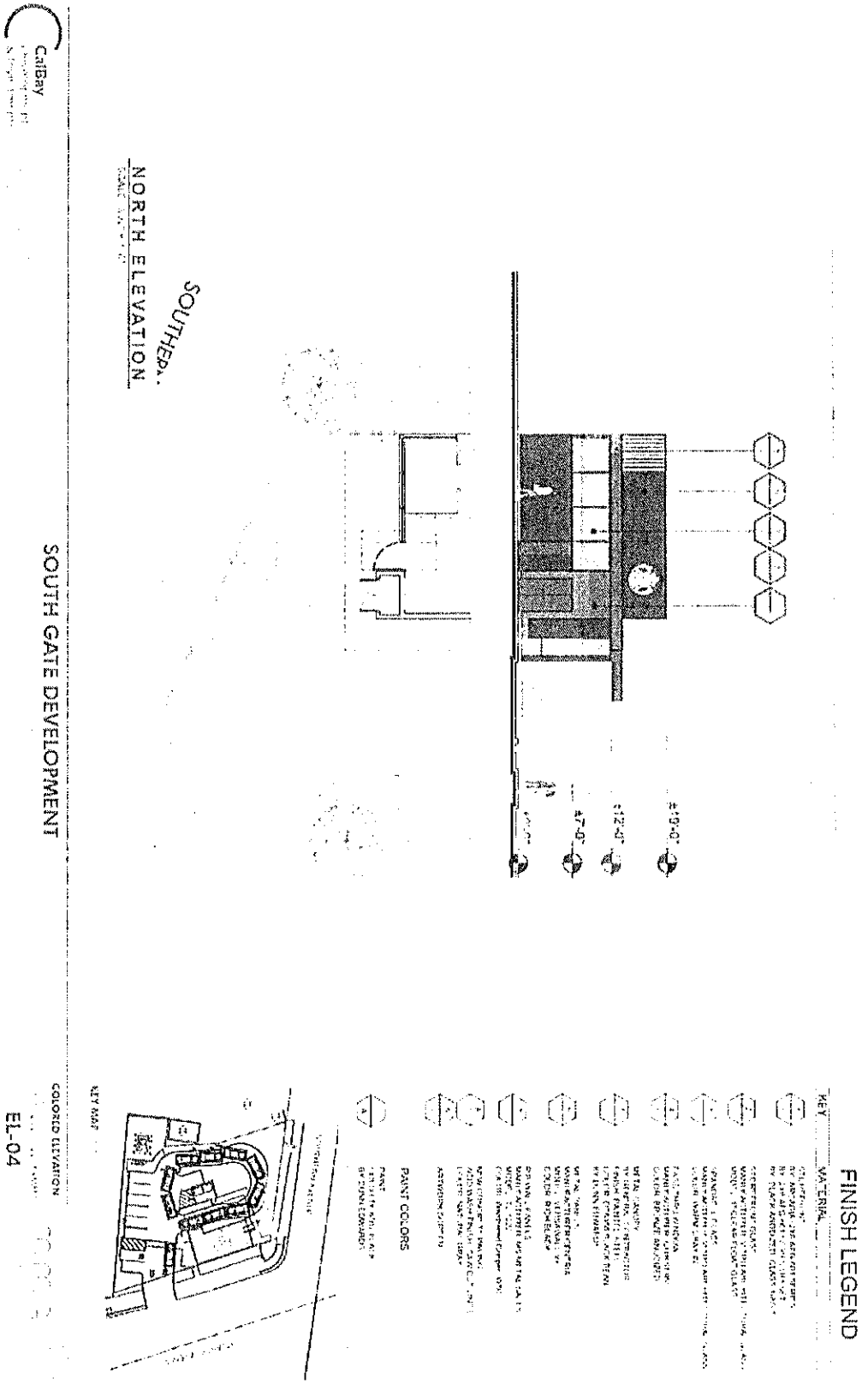
mma

EL-03

AS13772.08860893 4895-5289-8214v1

ELEVATIONS

Exhibit E



ELEVATIONS

Exhibit E

SOUTH ELEVATION

FINISH LEGEND

KEY	MATERIAL
1	
2	
3	
4	
5	
6	
7	
8	

PAINT COLORS

A	PAINT

KEY MAP

COLORED ELEVATION

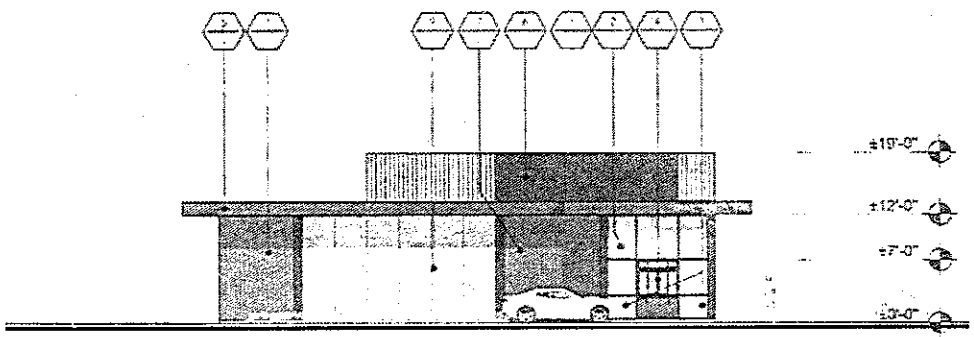
EL-02

CalBay

SOUTH GATE DEVELOPMENT

AS13772.08600893 4895-5289-8214v1

ELEVATIONS



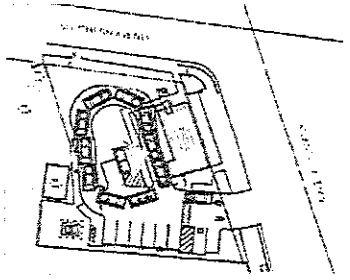
WEST ELEVATION

FINISH LEGEND

KEY	MATERIAL
1	STOREFRONT BY ARCHITECTURAL ALUMINUM SERVICE BY CLEAR ANODIZED GLASS MAR-K
2	STOREFRONT GLASS MANUFACTURER: VISTAWALL ARCHITECTURAL GLASS MODEL: 1" CLEAR FLOAT GLASS
3	SPANDREL GLASS MANUFACTURER: VISTAWALL ARCHITECTURAL GLASS COLOR: WARM GRAY #2
4	PASS THRU WINDOW MANUFACTURER: KOOLVUE COLOR: BRONZE ANODIZED
5	METAL CANOPY BY GENERAL CONTRACTOR FINISH: PAINTED STEEL COLOR: DEVINE BLACK SEMI BY D. VAN EDWARDS
6	METAL PANEL MANUFACTURER: CENTRIA MODEL: 12" MIDRAIL COLOR: BLACK
7	EIFS WALL PANELS MANUFACTURER: METAL SALES MODEL: T-111 COLOR: Weathered Copper #2116
8	NEW CONCRETE PAVING ACID WASH FINISH, SAWCUT LINES COLOR: NATURAL GRAY
9	ARTificial TURF

PAINT COLORS

A	PAINT COLOR: BY ARCHITECT BY D. VAN EDWARDS



KEY MAP

SOUTH GATE DEVELOPMENT

COLORED ELEVATION

EL-01

ATTACHMENTS:

AS13772.08060893 4895-5289-8214v1

1. Public Hearing Notice

NOTICE OF PUBLIC HEARING
PLANNING COMMISSION
OF THE CITY OF SOUTH GATE, CALIFORNIA

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of South Gate will hold a Public Hearing at **7:00 PM on Tuesday, March 5, 2024**, in the Council Chamber at South Gate City Hall, 8650 California Avenue, South Gate, California or Members of the public wishing to observe the meeting may join through a Call-In Conference. For the updated Dial-In Number and Conference Code for the March 5, 2024, Planning Commission meeting please visit the City's website at www.cityofsouthgate.org/AgendaCenter regarding the following items:

1. Conditional Use Permit No. 23-0032: To consider a recommendation to the Planning Commission the adoption of the proposed Conditional Use Permit No. 23-0032, which is to consider a request to allow the operation of a drive-through for a Starbucks coffee shop at 9501 Atlantic Ave. The project qualifies under Class 1 Exemption because the proposed project is considered only one commercial building is being development in the place of three existing buildings.

Pursuant to Government Code Section 65009, if you challenge the items listed above in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

THE PLANNING COMMISSION
Jose Delgado, Chairperson

Phone: 323.563.9564
E-mail: Joshua Valdez, Contract Planner
jvaldez@sogate.org

Posted: **February 15, 2024**
South Gate City Hall

Información en español acerca de esta junta puede ser obtenida llamando al 323-563-9564.

City of South Gate
PLANNING COMMISSION
AGENDA BILL

For the Regular Meeting of: ***February 4, 2025***

Senior Planner:_____ ***Planning Manager***:_____
Rodrigo Pelayo *John F. Signo, AICP*

SUBJECT: Conditional Use Permit (CUP 24-07)

PROJECT PROPOSAL/REQUEST: A request for approval of a Conditional Use Permit (CUP) to allow the sales of alcohol (ABC License Type 41 - beer and wine) for on-site consumption in conjunction with an existing restaurant ("Guajillo") located at 8534 Long Beach Boulevard, Unit D. The project does not include site or tenant improvements.

Project Overview

- General Plan Designation: Commercial
- Zoning: Urban Neighborhood (UN)
- Project Location: 8534 Long Beach Blvd., Unit D
- Assessor's Parcel Numbers: 6211-026-032 & 6211-026-033
- Applicant: Victor A. Reyes Rosas, "Guajillo" Restaurant

BACKGROUND:

- Site Characteristics: The subject site is an existing dine-in Mexican food restaurant (Guajillo) located within a multi-tenant shopping center with surface-level parking on two parcels measuring approximately 68,083 square feet. The site is bounded by Long Beach Boulevard to the west, Independence Avenue to the south, and a mix of residential properties to the east and north. The shopping center comprises a seven-tenant primary building spanning along the easterly and northerly edges of the site, a two-tenant building pad at the southwest corner of the site, and surface-level parking throughout the remainder of the site. The subject site is occupied by a mix of retail stores, laundromat, nail shop, dentistry office, donut shop, and a couple restaurants, including Guajillo.

  Guajillo is located in the southerly tenant space of the primary building, occupying approximately 1,406 square feet. The restaurant consists of a dining area adjoining the main entrance, a point-of-sale counter and refrigerator which divide the dining area from the kitchen and storage areas located at the rear of the tenant space, and restrooms that also adjoin the dining area.

- Surroundings: Surrounding properties include automotive repair facilities across Long Beach Boulevard to the west; a Southern Pacific railroad adjoining Independence Avenue to the south; and a church and a mix of single-family and multi-family residential properties to the north and east.

ANALYSIS:

- Municipal Code Requirements for a CUP: Pursuant to South Gate Municipal Code (SGMC) Section 11.21.030, Table 11.21-3 (Allowed Land Uses, Urban Mixed-Use Zones), the sales of alcoholic beverages for on-site consumption in conjunction with a restaurant may be permitted provided a Conditional Use Permit (CUP) is granted by the Planning Commission.

- Required findings for a CUP: Pursuant to SGMC Section 11.52.030, before a CUP may be granted, the Planning Commission (or the City Council on appeal) shall make all the following findings, as applicable to the property:

    A. 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.

    B. 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.

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

- Municipal Code Conditions of Approval for Alcoholic Beverage Sales: Pursuant to SGMC Section 11.42.070, any CUP for alcoholic beverage sales shall include minimum mandatory conditions which are included in the proposed resolution.

Business Operations

Guajillo has been operating at this location since June 2022. The business is currently operated seven days a week from 8:00 a.m. to 9:00 p.m. The applicant is seeking a new Department of Alcoholic Beverage Control (ABC) License Type 41 to be able to offer beer and wine to customers as part of their dining experience. Allowing alcohol service can enhance the overall atmosphere and appeal of the restaurant. The restaurant would like to provide a more complete and enjoyable experience for guests, appealing to customers who prefer to have the option to drink while dining out. It also aims to attract a broader customer base, including those who enjoy pairing wine or beer with their meals. Furthermore, alcohol sales will potentially increase revenue for the business.

The applicant proposes to store bottled alcohol within the refrigerator located next to the point-of-sale counter. The alcoholic beverages are proposed to be served at the cashier counter, when a customer is paying for a meal. A standard condition is included that alcohol may only be consumed within the enclosed building on premises, except for permitted outdoor seating areas for on-sale use. Alcohol is proposed to be served between 8:00am and 9:00pm, aligning with the business hours of operation.

Security measures are not proposed; however, a recommended condition of approval will require the applicant to install a video surveillance system to monitor the premises on a 24-hour basis. With the recommended condition, including other standard conditions of approval, it is anticipated that the proposed sales of beer and wine will not cause nuisances or compromise the public health, safety, and welfare.

Off-Street Parking

Pursuant to SGMC Section 11.33.030, the minimum requirement for a dine-in restaurant measuring less than 4,000 square feet in floor area is 1 parking space per 100 square feet of gross floor area. A total of 14 parking spaces are required specifically for the subject restaurant. The subject site is developed with a total of 89 surface-level parking spaces. Therefore, 75 parking spaces are dedicated to the other uses within the property.

Pursuant to SGMC Section 11.33.030(D), Existing Facilities, a modification to a building or use shall be subject to conformance with the parking standards based on the following:

1. One enlargement or expansion limited to one percent of the total building area may be permitted without increasing parking to the standards.

2. All additional enlargement or expansion shall be contingent upon concurrent provision of the required number of parking spaces or parking area as designated by this chapter (Ch. 11.33).

This project only involves a request for an ABC license. Therefore, the project will not be subject to compliance with the current off-street parking requirements since the business will simply augment its alcohol inventory for customers and will not physically be expanded into adjacent tenant spaces; and the building will not be enlarged, altered, or modified.

CUP Analysis

In granting approval of a CUP, the Planning Commission (or the City Council on appeal) shall make all the following findings, as applicable to the property, as found in SGMC Section 11.52.030. Justification for each finding is included in the proposed resolution.

A. 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.

B. 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.

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

Conclusion

Based on the above analysis, the staff has determined that with the recommended conditions of approval, the proposed project will comply with the SGMC, and all the required findings in support of a CUP will be made.

ENVIRONMENTAL ANALYSIS:

In accordance with the California Environmental Quality Act (CEQA), this project qualifies for a categorical exemption under CEQA Guidelines Section 15301, (Class 1) "Existing Facilities", in that the project will not result in any alterations or expansion to the existing buildings within the project site. Further, no exceptions to the exemption apply; there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The property is already developed,

and the proposed use is the sale of alcohol (beer and wine) for on-site consumption in conjunction with an existing dine-in restaurant.

DEPARTMENT COMMENTS:

Staff routed the project for comments to several City Departments including the Police Department, Code Enforcement, and the Building & Safety Division. The conditions of approval contained in the attached Resolution include conditions based on comments received from other City Departments.

RECOMMENDATION:

Based on the evidence presented, Staff recommends that the Planning Commission find that the project is Categorically Exempt from the CEQA under Section 15301, (Class 1) "Existing Facilities", make the required findings and requirements set forth in the South Gate Municipal Code, and **approve the application for Conditional Use Permit (CUP 24-07)** subject to the conditions of approval contained in the attached Resolution and/or other conditions that the Planning Commission may wish to impose.

ATTACHMENTS:

1. Resolution No. 2025-02
2. Applicant submittal including development plans

RESOLUTION NO. 2025-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH GATE, APPROVING A CONDITIONAL USE PERMIT (CUP 24-07), TO ALLOW THE SALES OF ALCOHOL (ABC LICENSE TYPE 41 - BEER AND WINE) FOR ON-SITE CONSUMPTION IN CONJUNCTION WITH AN EXISTING RESTAURANT ("GUAJILLO") LOCATED AT 8534 LONG BEACH BOULEVARD, UNIT D, IN THE URBAN NEIGHBORHOOD (UN) ZONE, AND FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT.

WHEREAS, Victor Reyes ("the Applicant"), filed a complete application requesting the approval of a Conditional Use Permit (CUP 24-07) described herein ("Application"); and

WHEREAS, the Application pertains to an approximately 68,083-square-foot property with Los Angeles County Assessor's Parcel Numbers 6211-026-032 and 6211-026-033, more commonly known as 8534 Long Beach Boulevard, Unit D, South Gate, California ("Property"); and

WHEREAS, the Applicant requests approval of a Conditional Use Permit (CUP) to allow the sales of alcohol (ABC License Type 41 - beer and wine) for on-site consumption in conjunction with an existing restaurant ("Guajillo"). Pursuant to South Gate Municipal Code (SGMC) Section 11.21.030, Table 11.21-3 (Allowed Land Uses, Urban Mixed Use Zones), the sales of alcoholic beverages for on-site consumption in conjunction with a restaurant may be permitted provided a Conditional Use (CUP) is granted by the Planning Commission; and

WHEREAS, Pursuant to South Gate Municipal Code Section 11.52.030, before a CUP may be granted, the Planning Commission (or the city council on appeal) shall make all of the following findings, as applicable to the property:

(a) 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.

(b) 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.

(c) Approval of the CUP would not result in detrimental impacts to adjacent properties or to the character or function of the neighborhood.

WHEREAS, notice of the Planning Commission regular public hearing of February 4, 2025, was published in compliance with State law in a local newspaper of general circulation. In addition, a public notice was mailed 10 days in advance of the hearing to each property owner, occupants and resident within a 1,000-foot radius of the project site, indicating the date and time of the public hearing in accordance with California Government Code 65091; and

WHEREAS, on February 4, 2025, the Planning Commission held a regular public hearing to receive public testimony and other evidence regarding the Application, including without limitation, information provided to the Planning Commission by City staff and public testimony; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Commission at its public hearing including, without limitation, the staff report submitted by the Community Development Department; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have been met**.**

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY FIND, DETERMINE AND DECLARE AS FOLLOWS:

SECTION 1. All of the facts set forth in the recitals are true and correct and are incorporated herein by reference.

SECTION 2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, site plans, and Conditions of Approval ("Conditions") attached hereto as Exhibit "A," the Planning Commission hereby specifically finds as follows:

A. 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 ***in that the Community Design Element encourages the development of diverse and vibrant dining and entertainment options within designated commercial areas, which enhance the local economy and provide a range of services for residents and visitors.***

   Specifically, Objective CD 2.3, Policy P.4 specifies that "the City should encourage and promote retail and service-oriented uses that provide opportunities to bring community members together. Such uses include cafés, restaurants, farmers markets, and theaters." The addition of alcohol sales will enhance customer experience and is expected to increase sales. Thus, the approval of this CUP is consistent with the goals of the City's General Plan.

B. 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 ***in that Guajillo restaurant is already an established business within a fully developed site, and the requested ABC license (Type 41) will not alter the existing physical structure or operations of the restaurant. The proposed use is consistent with the current zoning regulations and compatible with the surrounding land uses, which include commercial and retail establishments within the designated zone.***

   The addition of the requested license will not introduce new incompatible land uses or development impacts, as the site is already operating as a small-scale shopping center with adequate infrastructure to support its current and proposed activities. The conditions of the CUP will ensure that the proposed alcohol-related uses are appropriately managed, preserving the compatibility with existing uses and allowing for future development consistent with the zoning district's objectives. Therefore, the project complies with the intent of the zoning regulations and the future land use goals of the area.

C. Approval of the CUP would not result in detrimental impacts to adjacent properties or to the character or function of the neighborhood ***in that Guajillo restaurant is an established business within an existing commercial property located in an area designated for retail and mixed-use development. The proposed ABC license (Type 41) will not introduce incompatible activities that would negatively affect adjacent properties or the overall character of the neighborhood. The restaurant's existing operations are compatible with surrounding land uses, and the requested license is consistent with the site's long-standing commercial function.***

With recommended conditions of approval, including the requirement for a 24-hour video surveillance system, the proposed alcohol-related use will be controlled to minimize any adverse impacts, and the overall function of the neighborhood—characterized by retail, commercial, and community-serving businesses—will remain intact. Therefore, the approval of this CUP will not disrupt the established character of the area or adversely affect neighboring properties.

SECTION 3. The Planning Commission reviewed the project's environmental impacts under the California Environmental Quality Act (California Public Resources Code Section 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations Section 15000, et seq., the "CEQA Guidelines") and finds the project to be exempt under a Class 1 Categorical Exemption pursuant to section 15301 (Existing Facilities) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations). Further, no exceptions to the exemption apply; there is no reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The property is already developed and the proposed use is an ABC license for ancillary alcohol sales in conjunction with an existing dine-in restaurant.

SECTION 4. The Planning Commission hereby approves Conditional Use Permit (CUP 24-07) subject to the execution and fulfillment of Conditions of Approval set forth in Exhibit "A" attached to this Resolution.

This recommendation was adopted by the following vote at the Planning Commission meeting of February 4, 2025.

AYES:

NOES:

APPROVED and ADOPTED this 4th day of February 2025.

_____
John F. Signo, AICP
Planning Manager
Community Development

APPROVED:

_____
Jimmy Ozaeta
Chairperson
City Planning Commission

Exhibit "A"
CONDITIONS OF APPROVAL (CUP 24-07)

Violation of, or noncompliance with, any of these conditions shall constitute grounds for revocation of this permit:

Planning Division

1. The permittee shall agree to defend, indemnify and hold harmless the City of South Gate, its agents, officers, and employees from any claim, action, or proceeding against the City of South Gate or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of South Gate, its legislative body, advisory agencies, or administrative officers concerning the issuance of the permit to which these conditions are attached. The City of South Gate will promptly notify the permittee of any such claim, action, or proceeding against the City of South Gate and the permittee will either undertake the defense of the matter and pay the City's associated legal or other consultant costs or will advance funds to pay for the defense of the matter by the City Attorney. If the City of South Gate fails to promptly notify the permittee of any such claim, action, or proceeding or fails to cooperate fully in the defense, the permittee shall not, thereafter, be responsible for defending, indemnify or hold harmless the City of South Gate. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the permittee's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

2. The proposed project shall comply with all Federal, State, County, and Local laws and ordinances that may apply to this permit, stated herein or not.

3. The proposed use shall be conducted, and the property be maintained in a clean, neat, quiet, and orderly manner at all times pursuant to South Gate Municipal Code Section 5.08.020(A).

4. The approval of this permit, and the permit itself, shall expire if the entitlement is not exercised within one (1) year from the date of approval by the Planning Commission, unless an extension has been granted by the Planning Commission.

5. The permittee shall obtain the approvals, clearances, permits, and/or licenses required from City departments and outside agencies (i.e. County of Los Angeles Public Health Department, California Department of Alcoholic Beverage Control, and South Gate Building & Safety) prior to the expiration of this entitlement.

6. Permittee shall obtain its City of South Gate Business License prior to commencing business operations.

7. Violation of, or noncompliance with, any of these conditions shall constitute grounds for revocation of this permit.

8. Permittee shall install a 24-hour video surveillance system and have managers trained in how to access footage. Police officers shall be allowed access to surveillance footage (during regular business hours) for the purpose of conducting a criminal investigation.

9. Permittee shall agree to maintain (and/or cause its landlord to maintain, if the permittee is a tenant) 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's 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 systems 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.

10. If the application for this permit, or any conditions of the 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 the permit, revoke and reissue the permit with new or modified conditions, or modify the conditions of the existing permit as may be appropriate under the circumstances.

    b. Impose, as a condition of the continuation, reinstatement, or reissuance of the 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 presentation 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 the permit are discontinued for 6 consecutive months. The use subject to the permit may not be resumed of the permit is revoked; a new permit, including processing and public notification, shall be required.

11. The permittee shall agree in writing to the above conditions.

Mandatory Conditions

12. No alcoholic beverages, including beer and wine, shall be consumed on the premises for off-sale uses.

13. No alcohol sales displays shall be permitted that are visible from the public street or parking lot.

14. Employees selling alcoholic beverages shall be of an age consistent with Section 25663 of the California Business and Professions Code.

Standard Conditions of Approval

15. The validity of the permit shall be conditioned on compliance with all state regulations and conditions.

16. Trash receptacles shall be provided in such number and at such locations as specified by the Planning Commission.

17. All alcoholic beverages sales, offerings, and consumption shall be conducted completely within an enclosed building on premises, except for permitted outdoor seating areas for on-sale uses.

18. The permittee shall be responsible for the conduct of all employees, including their education concerning Alcoholic Beverage Control regulations and provisions of the South Gate Municipal Code pertaining to sales of alcohol (e.g., verification of age of purchaser).

19. The permittee shall acknowledge that the city has specifically reserved the right and authority to impose sanctions, including suspension or revocation of the permit, as a consequence of one or more violations of a state statute, rule, or regulation concerning the sale to or consumption of alcoholic beverages by a minor.

20. The permit shall be subject to compliance review of the property and permit conditions at Planning-Commission-established intervals; the first compliance review shall occur within six months of permit issuance or actuation.

21. The permit shall, after notice to the permittee and an opportunity to be heard, be subject to additional conditions to maintain or remedy land use compatibility, security, or crime control issues that have arisen since the issuance of the permit.

Building & Safety

22. Must obtain and provide Health Department approval.

23. Must obtain Building permits for any tenant improvement work.

24. All ADA parking must be properly marked and identified at all times.

25. All ADA accessibility signage shall be clearly and legibly identified and posted at all times.

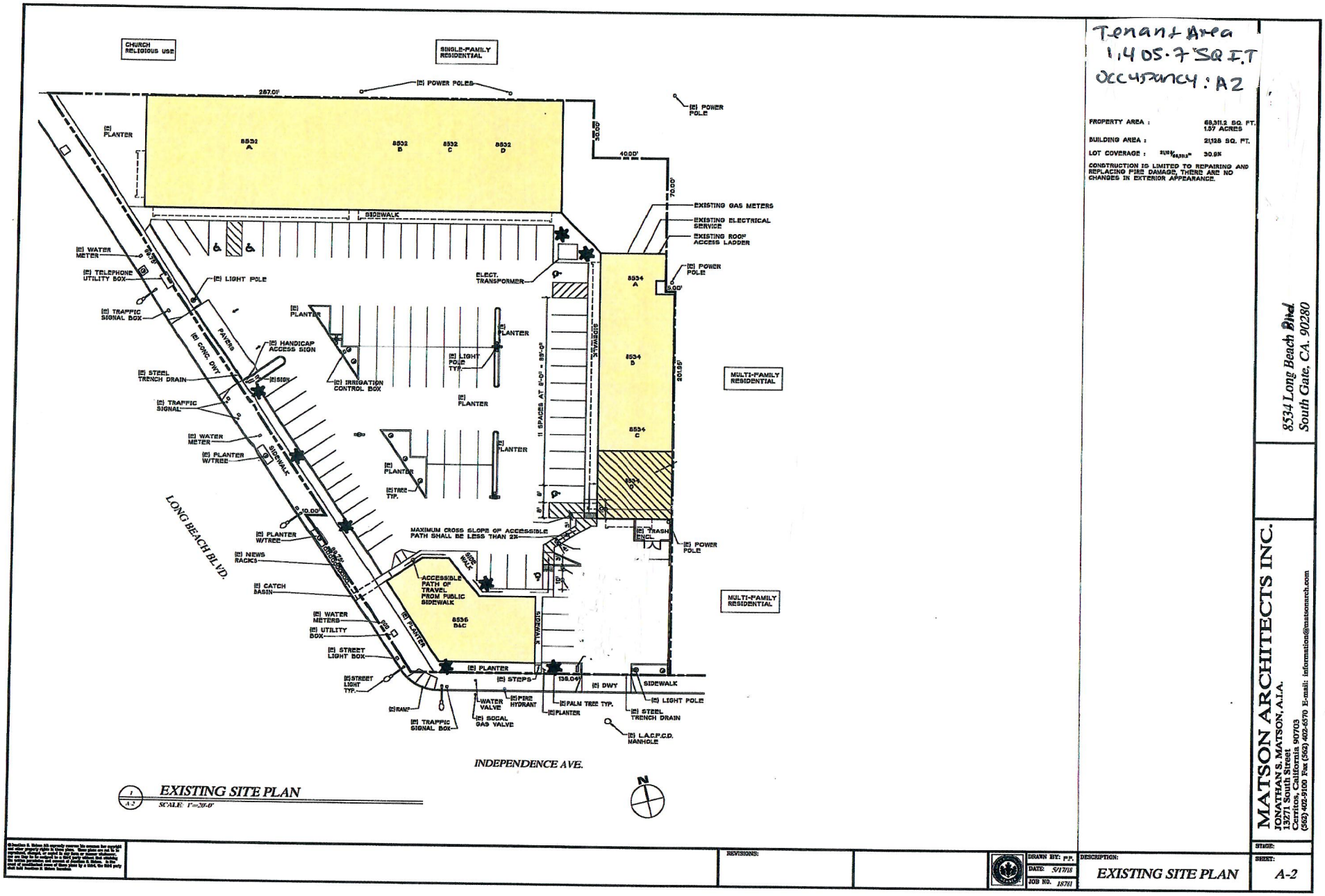
26. Must obtain sign permits for existing unpermitted signs.

27. All exterior common areas must be properly illuminated at nighttime.

Code Enforcement

28. All graffiti shall be removed from the palm trees that are fronting Long Beach Boulevard.

ATTACHMENT 2



1 EXISTING SITE PLAN
A-2 SCALE: 1"=20'-0"

Tenant Area
1,405.7 SQ.FT
Occupancy: A2

PROPERTY AREA : 68,311.2 SQ. FT. 1.57 ACRES
BUILDING AREA : 21,128 SQ. FT.
LOT COVERAGE : 21,128 / 68,311.2 = 30.9%

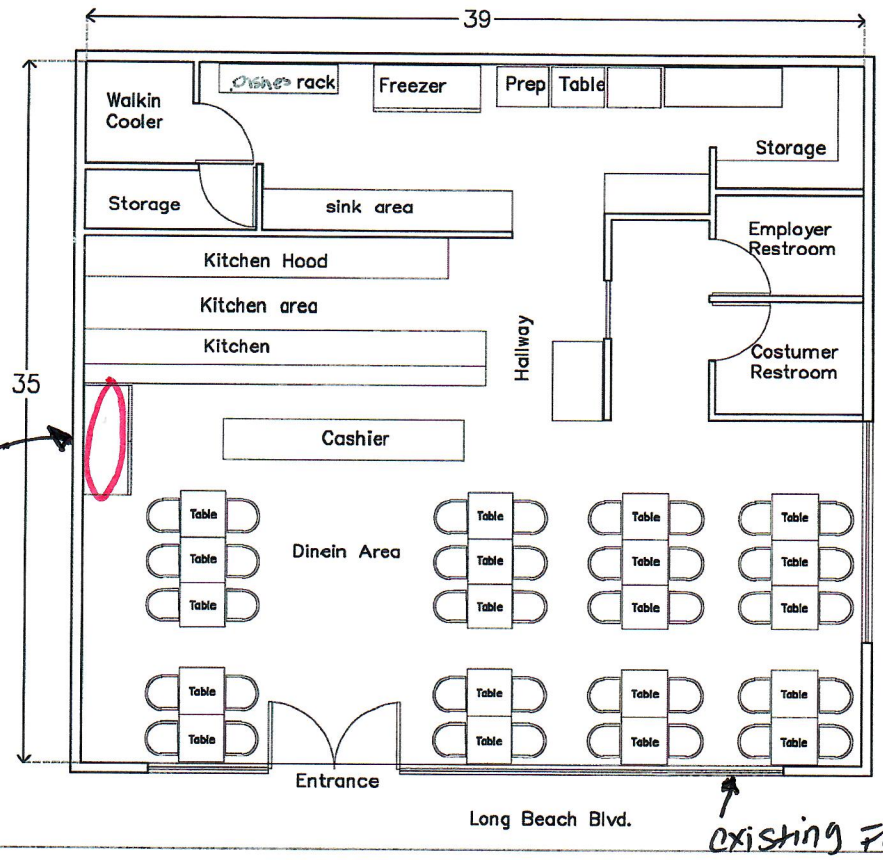
CONSTRUCTION IS LIMITED TO REPAIRING AND REPLACING FIRE DAMAGE, THERE ARE NO CHANGES IN EXTERIOR APPEARANCE.

8534 Long Beach Blvd.
South Gate, CA. 90280

MATSON ARCHITECTS INC.
JONATHAN S. MATSON, A.I.A.
13271 South Street
Cerritos, California 90703
(562) 402-9160 Fax (562) 402-6579 E-mail: information@matsonarch.com

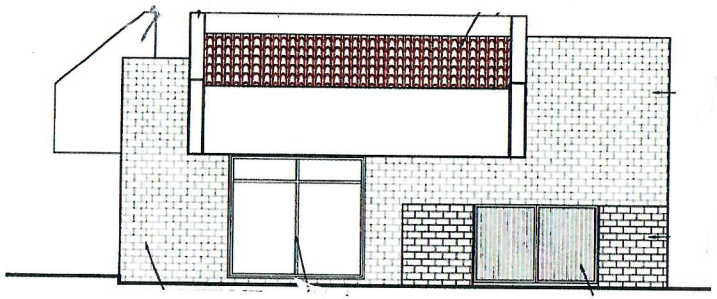
REVISIONS:
DRAWN BY: P.P.
DATE: 5/17/18
JOB NO. 18781
DESCRIPTION: EXISTING SITE PLAN
STAGE:
SHEET: A-2

GUAJILLO RESTAURANT, LLC
8534 LONG BEACH BLVD. UNIT # D SOUTH GATE,
CA 90280 LONG BEACH/ INDEPENDENCE

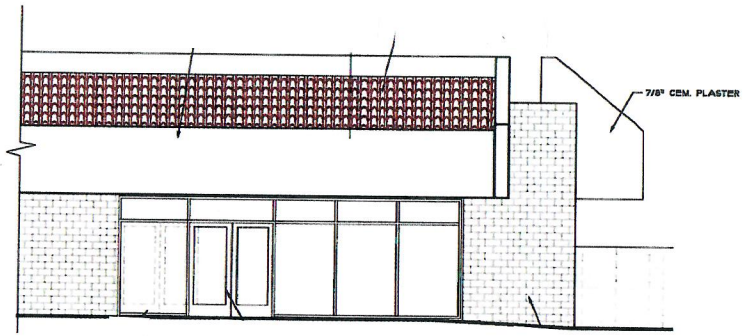


Refrigerator for beer only Bottle Beer

existing floor plan



1 / A3.1 SOUTH ELEVATION
SCALE: 1/4"=1'-0"



2 / A3.1 WEST ELEVATION
SCALE: 1/4"=1'-0"

GENERAL NOTES

MATSON ARCHITECTS INC.
JONATHAN S. MATSON, A.I.A.
13271 South Street
Carritos, California 90703
(562) 402-9100 Fax (562) 402-6570 E-mail: information@matsonarch.com

REVISIONS:

DRAWN BY:
DATE: 5/17/18
JOB NO. 18781

DESCRIPTION: ELEVATIONS

STAGE:

SHEET: A-3.1

02/19/2024

Guajillo Restaurant LLC
8534 Long Beach Blvd Unit #D South Gate Ca, 90280
(323) 538-7797

Planning Department/Zoning Board

Subject: Conditional Use Permit Application for 8534 Long Beach Blvd Unit #D South Gate Ca ,90280

Dear Planning Department/ Zoning Board

I hope this letter finds you well. I am writing to formally request a Conditional Use Permit (CUP) for the property located at 8534 Long Beach Blvd Unit #D South Gate Ca, 90280. I have thoroughly researched the zoning regulations in our area and believe that obtaining a CUP is the appropriate course of action for the proposed use of the property.

The purpose of this CUP application is to seek permission for Beer Permit Type # 41. This proposed use aligns with the long-term goals and vision of our community and offers several benefits to both the neighborhood and its residents. We aim to demonstrate the positive impact our project will have on the surrounding area.

We have carefully reviewed the review criteria established by the Planning Department/Zoning Board and are confident that our proposal meets the requirements. Our project has been designed to help grow business in our area, as well as job opportunities for our community. We understand the importance of adhering to the guidelines set forth and have taken necessary steps to ensure compliance.

Our proposed use is necessary due to down sales have been impacted by tremendously. We have conducted extensive research and analysis, which indicates that our project will have a positive economic, social, and cultural impact on the community. It will create more job opportunities as well as an

economic flow in our city. We strongly believe that our proposal aligns with the community's interests and will contribute to its growth and development.

Our aim is to ensure that our project minimizes any potential negative impact and creates a harmonious relationship with the surrounding community.

In conclusion, we appreciate the opportunity to present our case for a Conditional Use Permit for 8534 Long Beach Blvd Unit #D South Gate Ca 90280. We believe that our proposal aligns with the community's interests and will contribute positively to the area's development.

Thank you for considering our request. We look forward to the opportunity to help our community.

Sincerely,

Guajillo Restaurant LLC

Kind Regards

HUARACHES $10.89

(Preparados con frijoles, salsa, cebolla y queso)

(Aguacate $1.75 extra) (verdura $2.50 extra)

(Extra Carne $3.50)

- ASADA GRILLED BEEF
- MILANESA DE POLLO O RES BREADED CHICKEN OR BEEF
- CARNITAS PORK
- POLLO CHICKEN
- JAMON HAM
- CHORIZO MEXICAN STYLE SAUSAGE
- HUEVO EGGS
- PASTOR MARINATED PORK
- LENGUA COW TONGUE
- CABEZA COW HEAD
- QUESO CHEESE



Huarache de Asada



Huarache Combinado de Huevo con Asada



Huarache con Huevo

QUESADILLAS

SOFTH OR FRIED

-POLLO
-QUESO
-HONGOS
-CHICHARRON
-FLOR DE CALABAZA
-PAPA CON QUESO
-QUESO CON RAJAS
-HUITLACOCHE

$7.45
(Combinaciones Extras $3.15)

TOSTADAS $6.45

(Preparadas con crema, Lechuga y queso



Tostada de Pollo



Tostada de Pata



Suave



Frita



Mojarra Frita



Camarones al Ajo



Camarones Rancheros

MARISCOS

Seafood $16.25

CAMARONES RANCHEROS
COMES WITH RICE, BEANS, TOMATOES, ONIONS AND JALAPEÑO

CAMARONES AL AJO
SHRIMP PREPARED WITH GARLIC ACOMPANIED WITH RICE, BEANS, SALAD AND FRENCH FRIES

MOJARRA FRITA
FRIED MOJARRA ACOMPANIED WITH FRENCH FRIES AND SALAD

COCTEL DE CAMARONES
SHRIMP COCTAIL COMES WITH ONIONS, TOMATO, AVOCADO, CILANTRO AND ACOMPANIED WITH PREMIUM SALAD COMES (NO TORTILLAS)



Todos Servidos con Tortillas Hechas a Mano

BURRITOS $9.85

- ASADA
- POLLO
- LENGUA
- CARNITAS
- CABEZA
- PASTOR
- CHORIZO
- VEGETARIANO

Mojado con salsa Roja o Verde ($1.99)



Burrito Rojo



Burrito Verde

Preparados con cilantro, cebolla, frijoles y arroz.
(Prepared with cilantro, onion, rice and beans)

TORTAS $12.95

Frijol, Mayonesa, Queso, Tomate, Aguacate
Lechuga, Jalapeño y Cebolla

- QUESO (CHEESE)
- ASADA (GRILLED BEEF)
- HUEVO (EGGS)
- JAMON (HAM)
- POLLO (CHICKEN)
- CARNITAS (PORK)
- PIERNA (MARINATED PORK)
- CHORIZO (MEXICAN STYLE SAUSAGE)



TACOS $1.99

Tortillas hechas a mano, cilantro y cebolla

- ASADA (GRILLED BEEF)
- LENGUA (COW TONGUE)
- CHORIZO (MEXICAN STYLE SAUSAGE)
- CARNITAS (PORK)
- CABEZA (COW HEAD)
- POLLO (CHICKEN)
- AL PASTOR (MARINATED PORK)



ICE CREAM $6.49

- NARANJA
- LIMON
- COCO
- PIÑA



JUGOS NATURALES

- NARANJA -ZANAHORIA
- MIXTO

Chicos $6.95 Grandes $7.95



REFRESCOS $4.49

-COCA -SPRITE -FANTA -Dr PEPPER
-DIET-COKE -LIMONADA

AGUAS FRESCAS $4.49

- HORCHATA - JAMAICA
- TAMARINDO



LICUADOS

- FRESA -PLATANO
- CHOCOLATE

Chicos $6.95 Grandes $7.95

DESAYUNOS
Breakfast $10.44

HUEVOS CON JAMON
HAM AND EGGS

HUEVOS A LA MEXICANA
SCRAMBLE EGGS WITH JALAPENO, TOMATOE AND ONIONS

HUEVOS CON CHORIZO
SCRAMBLE EGGS WITH MEXICAN STYLE SAUSAGE

HUEVOS RANCHEROS
TWO SUNNY SIDE UP EGGS AND RANCHERO SAUCE

BREAKFAST BURRITOS
- HUEVO CON CHORIZO
- HUEVO CON JAMON

DESAYUNOS SERVIDOS CON ARROZ, FRIJOL Y TORTILLAS HECHAS A MANO

ALL BREAKFAST SERVED WITH RICE, BEANS AND HOMEMADE TORTILLAS


Huevos Con Jamon


Huevos Con Chorizo


Huevos Rancheros

CHILAQUILES $14.45

- CARNE ASADA (BEEF)
- POLLO (CHICKEN)
- HUEVO REVUELTO O ESTRELLADOS (EGGS)
- CHORIZO (MEXICAN STYLE SAUSAGE)
- CHILAQUILES SOLOS




Combinado


Carne Asada

DESAYUNOS Y CHILAQUILES SE SIRVEN TODO EL DIA

BREAKFAST AND CHILAQUILES ARE SERVED ALL DAY


Tacos Dorados


Chiles Rellenos


Carne Asada


Chile Rojo


Chile Verde

GUISADOS COMBO PLATES
$16.25

BISTECK RANCHERO
BEEF STEAK SERVED WITH OUR RANCHERO SAUCE ACCOMPANIED WITH RICE AND BEANS

CARNE ASADA
GRILLED STEAK ACCOMPANIED WITH RICE, BEANS, TORTILLAS, SALAD AND TOSTADA (PICO)

4 ENCHILADAS DE POLLO O QUESO
(Rojas o Verdes)
CHICKEN OR CHEESE ENCHILADAS TOPPED WITH RED OR GREEN SAUCE ACCOMPANIED WITH RICE AND BEANS

CHILE ROJO O VERDE
BEEF SERVED IN RED OR GREEN SAUCE

CHILES RELLENOS
TWO CHILES RELLENOS ACCOMPANIED WITH RICE AND BEANS

TACOS DORADOS
4 TACOS DORADOS, SERVED WITH RICE, ACCOMPANIED WITH RICE & BEANS, LETTUCE, TOMATO, ONION & AVOCADO


Enchilada


Bistek Ranchero

CALDOS
Soups


Caldo de Pollo $13.59


Pozole


Menudo