



**PLANNING COMMISSION
PLANNING COMMISSION AGENDA**

Tuesday, September 19, 2023 at 6:30 p.m.

ADDENDUM

**SOUTH GATE COUNCIL CHAMBERS AND/OR
TELECONFERENCE
8650 CALIFORNIA AVE
SOUTH GATE, CA 90280**

**DIAL-IN-NUMBER: 1(669) 900-6833
WEBINAR ID: 845 1078 4258
[HTTPS://US02WEB.ZOOM.US/J/84510784258](https://us02web.zoom.us/j/84510784258)**

Call To Order

Pledge of Allegiance

Roll Call

City Officials

CHAIRPERSON

Jose Delgado

VICE CHAIRPERSON

COMMISSIONERS

Jovanna Laborin

Jimmy Ozaeta

Daisy Prieto

Brigida Salinas

Report On Posting

I, Jose Montano, Acting Administrative Services Coordinator, certify that a true and correct copy of the foregoing meeting agenda was properly posted on September 15, 2023, seventy-two hours prior to the scheduled meeting, as required by law. ADDENDUM: On September

18, 2023, a revised and true copy of the foregoing meeting agenda was properly posted.

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.

Open Session Items

Item No. 1

The Planning Commission will consider approving the minutes for the Planning Commission meeting of August 15, 2023.

Documents:

[Item No. 1.pdf](#)

Item No. 2

Reorganization of the Planning Commission.

Documents:

[Item No. 2.pdf](#)

Item No. 3

The Planning Commission is conducting a Public Hearing to consider approving Conditional Use Permit No. 870 to permit the sale of beer and wine for on-site consumption, in conjunction with an existing full-service restaurant, "Mighty Birds," located at 5840 Firestone Boulevard.

Documents:

[Item No. 3.pdf](#)

Item No. 4

The Planning Commission will select homes to be recognized by the City Council as part of the City's Home Recognition Program.

Documents:

[Item No. 4.pdf](#)

Item No. 5

The Planning Commission is conducting a Public Hearing to consider a request to allow the continued operation of a parcel delivery service at an existing approximately 211,456 square-foot building, located at 9350 Rayo Avenue.

Documents:

[Item No. 5.pdf](#)

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 City Council 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 4, 2022.

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) 563-9510 * fax (323) 563-5411 * www.cityofsouthgate.org.

**MINUTES OF THE REGULAR MEETING
OF THE SOUTH GATE CITY PLANNING COMMISSION
TUESDAY, AUGUST 15, 2023**

1. CALL TO ORDER

The Planning Commission of the City of South Gate met via teleconference and in-person on the above date at 6:31 PM, Chairperson Delgado presiding.

2. PLEDGE OF ALLEGIANCE – Commissioner Ozaeta**3. ROLL CALL**

Commissioners Present: Chairperson Delgado, Vice Chairperson Duarte, and Commissioners Prieto, Laborin and Ozaeta

Staff Present: Meredith T. Elguira, Director of Community Development
Craig Hardwick, City Attorney
Yalini Siva, Senior Planner
Jose Loera, City Traffic Engineer
Bryan Quintanilla, Community Development Intern
Jose Montano, Recording Secretary

4. REPORT ON POSTING AND MEETING COMPENSATION DISCLOSURE**5. MINUTES**

MOTION: Commissioner Prieto moved to approve the minutes with the condition to make a correction on item No. 1 for the meeting of Tuesday, July 18, 2023, and Commissioner Ozaeta seconded the motion, Motion carried unanimously, with the following roll call vote:

AYES: Delgado, Duarte, Laborin, Ozaeta and Prieto

NOES: None

ABSTAIN: None

6. THE PLANNING COMMISSION IS CONDUCTING A PUBLIC HEARING TO CONSIDER “AN AMENDMENT TO THE CONDITIONS OF APPROVAL LISTED IN PLANNING COMMISSION RESOLUTION NO. 2015-07 FOR CONDITIONAL USE PERMIT NO. 817 REGARDING THE OPERATION OF AN EXISTING NEIGHBORHOOD MARKET/CONVENIENCE STORE, LOCATED AT 10840 GARFIELD AVENUE (7-ELEVEN).”

Bryan Quintanilla, Community Development Intern presented a staff report to the Planning Commission. The staff report included an environmental evaluation, background, analysis, and conditions of approval.

R. Bruce Evans, 426 Culver Blvd, Playa del Rey, CA 90293, attorney for the applicant was present and was available to answer questions.

A range of discussions amongst the Planning Commissioners and staff regarding item No 2 were completed.

MOTION: Vice Chairperson Duarte moved to accept the determination that this matter is a Class 1 Categorical Exemption from the California Environmental Quality Act (CEQA); and adopt Amendment to Conditions of Approval listed in Planning Commission Resolution No. 2015-07 Conditional Use Permit (CUP) No. 817, subject to the findings outlined in Resolution No. 2023-08 (Attachment A); Commissioner Laborin seconded the motion. Motion carried unanimously, with the following roll call vote:

AYES: Delgado, Duarte, Laborin, Ozaeta, and Prieto
 NOES: None
 ABSTAIN: None

7. REVIEW EXISTING ZONING CODE STANDARDS REGARDING FRONT YARD SETBACK AREAS.

Senior Planner, Yalini presented a staff report to the Planning Commission. The staff report included a background, analysis, and recommendation. A range of discussions amongst the Planning Commissioners and staff regarding the existing zoning code standards regarding front yard setback areas was completed.

Receive and File.

8. AUDIENCE COMMENTS

Mario Domínguez, 10607 San Miguel Ave, South Gate CA 90280, expressed his thoughts and concerns regarding item No. 3.

9. CITY STAFF COMMENTS

Director Elguira informed the Planning Commissioners of the Food Insecurity and the Home Recognition Programs and to submit nominations for the latter.

10. PLANNING COMMISSION COMMENTS

Chairperson Delgado expressed his appreciation for staff's hard work.

11. ADJOURNMENT

The meeting was adjourned at 7:55 PM. The next regular meeting of the Planning Commission is scheduled to be held on Tuesday, September 5, 2023, beginning at 6:30 PM.

Respectfully,

Meredith T. Elguira, Director of Community Development

APPROVED:

Jose Delgado, Chairperson

City of South Gate

PLANNING COMMISSION

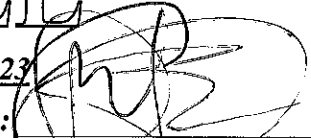
AGENDA BILL

For the Regular Meeting of: September 19, 2023

Senior Planner:


Yalini Siva

Community Development Director:


Meredith T. Elguira

SUBJECT: REORGANIZATION OF THE PLANNING COMMISSION

PURPOSE: The Planning Commission re-organizes and this item allows the Planning Commission to nominate and elect a new Vice Chairperson.



RECOMMENDED ACTION: It is recommended that the Planning Commission re-organize by nominating and voting for a new Vice Chairperson. The selection will be ratified by a majority vote of the Planning Commission.

City of South Gate

PLANNING COMMISSION

AGENDA BILL

For the Regular Meeting of: September 19, 2023

Contract Planner:  for Community Development Director: 
Adrian Andujo Meredith T. Elguira

SUBJECT: CONDITIONAL USE PERMIT NO. 870 TO PERMIT THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION (TYPE 41 ABC LICENSE), IN CONJUNCTION WITH A FULL-SERVICE RESTAURANT AT 5840 FIRESTONE BOULEVARD.

PURPOSE: To consider Conditional Use Permit (CUP) No. 870 to permit the sale of beer and wine for on-site consumption, in conjunction with an existing full-service restaurant, “Mighty Birds,” located at 5840 Firestone Boulevard.

RECOMMENDED ACTION:

1. **CONDUCT** a public hearing, pursuant to South Gate Municipal Code Table 11.51-1 and Section 11.50.040.B;
2. **ACCEPT** the determination that this matter is exempt from the California Environmental Quality Act; and
3. **ADOPT** the findings as outlined in Resolution No. 2023-11 (Attachment A).

PUBLIC NOTIFICATION: Advertising and notification of the public hearing for the application was conducted in compliance with Chapter 11.50, of the South Gate Municipal Code. Notice of the hearing was originally posted and published in the “South Gate Press” newspaper and was mailed to surrounding properties on September 7, 2023.

ENVIRONMENTAL EVALUATION: The City of South Gate has determined that the proposed project is categorically exempt from environmental review pursuant to CEQA Guidelines 15061(3). The proposed Conditional Use Permit is Categorical Exempt from the California Environmental Quality Act (CEQA) as a Class 1 Categorical Exemption pursuant to Section 15301 of the CEQA Guidelines. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.

BACKGROUND: The subject site is located within the “Crossroads at Firestone” shopping center at the southeast corner of Firestone Boulevard and Garfield Avenue, adjacent to the “Soup Shop” restaurant and across from the “Tacos Gavilan” restaurant. The Crossroads at Firestone shopping center consists of five building structures, including multiple restaurants, a car wash facility, and a retail grocery market. Mighty Birds will be located along Firestone Boulevard within Unit #100. The subject site is accessible via Firestone Boulevard and Garfield Avenue. (Figure 1)

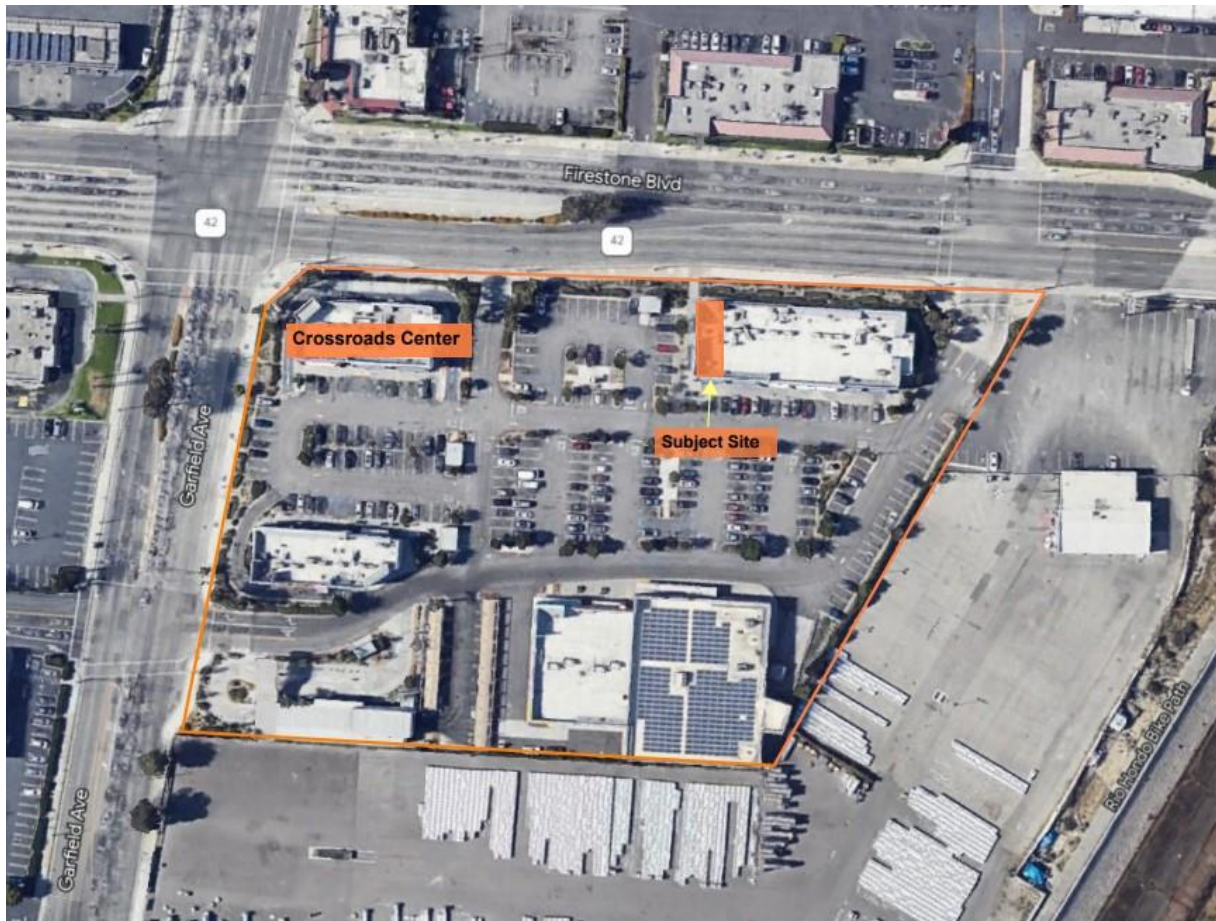


Figure 1

Mighty Birds obtained a City Business License in April 2021 and the restaurant had been operating until the business owner closed the business temporarily, to complete interior tenant improvements to enhance the floor plan to include a new bar area with bar stools. Building & Safety permits have been issued for these interior improvements.

ANALYSIS: The applicant, Jason Kho (Representative), on behalf of Mighty Birds South Gate, LLC (Applicant), submitted a request for a Conditional Use Permit to permit the on-sale of beer and wine at an existing restaurant under a Type-41 California Department of Alcoholic Beverage Control (ABC) License. The applicant's submittal was received in conjunction with the above-referenced request to complete a tenant improvement of the subject site.

The Type-41 license requested by the applicant would authorize the consumption of beer and wine for restaurants, subject to certain limitations. The full text of what a Type-41 license allows is as follows, pursuant to the ABC:

On-Sale Beer and Wine- Eating Place - (Restaurant) Authorizes the sale of beer and wine for consumption on or off the premises where sold. Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes). Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities, and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

The Crossroads at Firestone shopping center is zoned Regional Commercial (RC). Pursuant to South Gate Municipal Code (SGMC) Section 11.21.030 “Land use permission tables” and Table 11.21-4 “Commercial Industrial Zones Allowed Land Uses,” restaurants are a permitted use, however, the request to allow “Alcohol Sales, as Part of a Restaurant” requires the approval of a Conditional Use Permit.

SGMC Section 11.60.210 “R” definitions defines a restaurant as:

“Restaurant” (land use) includes dine-in and take-out establishments. Any establishment operated for the primary purpose of providing food, beverages, or meals for compensation that has suitable kitchen facilities for the preparation, storage, and service of food. Food service may be for on-site consumption, off-site consumption, or a combination of service types. Any bar area with all applicable licenses is typically limited to approximately five hundred square feet or approximately thirty percent of the dining area; bar areas exceeding these limits are classified as a bar.

Construction plans for the proposed tenant improvements were submitted for an interior remodel of the subject site in June 2023, which includes a new bar area of 206 square feet with barstool seating for 14 people and bar plumbing fixtures. The subject site area is approximately 2,055 square feet in total, which consists of the existing 820 square feet of dining area, kitchen area, restrooms and the proposed 206 square feet of bar area. The size of the proposed bar area is consistent with the SGMC’s definition for “Restaurants,” as this area is under 500 square feet in size. The proposed interior tenant improvement area has been conceptually approved by Planning staff and Building & Safety permits were issued.

Conditional Use Permit Findings

The findings for Conditional Use Permit No. 870 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 subject property has a designated zoning of Regional Commercial (RC) and is located at the southeast corner of Firestone Boulevard and Garfield Avenue. The approval of the CUP and the related business complements the City’s General Plan, which encourages a diversity of retail opportunities, which supports the needs of local residents and creates regional opportunities for non-residents to further support the related business.

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.*

Per SGMC Section 11.21.030, “Table 11.21-4: Commercial Industrial Zones Allowed Land Uses, alcohol sales, as part of a restaurant” requires the approval of a Conditional Use Permit. The project proposal is for the sale of beer and wine, in conjunction with an existing restaurant, which is a permitted use in the RC zone. The addition of beer and wine sales to the existing operation of a full-service restaurant, in conjunction with conditions of approval listed in the subject Planning Commission Resolution, is compatible with the development and design that was previously approved when developing the subject shopping center.

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

Approval of the CUP would not result in detrimental impacts to adjacent properties or to the character or

function of the neighborhood, as the project proposal does not constitute any changes in use or an intensification of use in the remainder of the Crossroads at Firestone shopping center. The proposed addition of beer and wine sales at an existing full-service restaurant, in conjunction with the conditions of approval listed in the subject Planning Commission Resolution will ensure that detrimental impacts to adjacent properties and the surrounding neighborhood will not happen. In addition, the existing restaurant has been operating without causing detrimental impacts to the surrounding area.

CONCLUSION: Based on the analysis provided above, it is staff's recommendation that the Planning Commission approve Conditional Use Permit No. 870. The proposed conditions of approval contained in Resolution No. 2023-11 (Attachment A) require that the business operations remain in compliance with the requirements of the California Department of Alcoholic Beverage Control and are designed to mitigate any potential negative impacts. Staff recommends that the Planning Commission approve Conditional Use Permit No. 870, authorizing the sale of beer and wine for on-site consumption with a Type 41 ABC license, in conjunction with an existing full-service restaurant.

ATTACHMENTS:

- A. Resolution No. 2023-11
- B. Site Plan, Floor Plan and Elevations

RESOLUTION NO. 2023-11

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF SOUTH GATE, CALIFORNIA
APPROVING CONDITIONAL USE PERMIT NO. 870,
TO ALLOW THE SALE OF BEER AND WINE
FOR ON SITE CONSUMPTION, IN CONJUNCTION WITH
A FULL-SERVICE RESTAURANT (TYPE 41 ABC LICENSE),
LOCATED AT 5840 FIRESTONE BOULEVARD**

WHEREAS, on April 18, 2023, the Department of Community Development received an application from Jason Kho, applicant on behalf of Mighty Birds South Gate LLC, for Conditional Use Permit No. 870 to permit the sale of beer and wine for on-site consumption in conjunction with a full-service restaurant at 5840 Firestone Boulevard;

WHEREAS, the Planning Commission upon giving the required notice did, on September 19, 2023, conduct a duly advertised public hearing as required by law to consider the approval of said Conditional Use Permit. Notice of the hearing was originally posted and published in the “South Gate Press” newspaper and mailed to the surrounding properties on September 7, 2023; and

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

WHEREAS, the project is categorically exempt from environmental review pursuant to CEQA Guidelines 15061(3). The proposed Conditional Use Permit is Categorically Exempt from the California Environmental Quality Act (CEQA) as a Class 1 Categorical Exemption pursuant to Section 15301 of the CEQA Guidelines. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination.

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

1. The property is located on Firestone Boulevard between Garfield Avenue and El Paseo Road
2. The Zoning designation for the property is Regional Commercial (RC) and the General Plan designation is El Paseo/South Gate Towne Center – Sub-area 3.
3. The project proposal consists of the sale of beer and wine for on-site consumption at a full-service restaurant.

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 subject property has a designated zoning of Regional Commercial (RC) and is located at the southeast corner of Firestone Boulevard and Garfield Avenue. The approval of the CUP and the related business aids in promoting development opportunities for international and national retailers while supporting existing local businesses.

2. The design and development of the land use and conditions of the CUP are compatible with the existing and future uses of the applicable zone.

Per SGMCM Section 11.21.030, “Table 11.21-4: Commercial Industrial Zones Allowed Land Uses, alcohol sales, as part of a restaurant” requires the approval of a Conditional Use Permit. The project proposal is for the sale of beer and wine, in conjunction with an existing restaurant, which is a permitted use in the RC zone. The addition of beer and wine sales to the existing operation of a full-service restaurant, in conjunction with conditions of approval listed in the subject Planning Commission Resolution, is compatible with the development and design that was previously approved when developing the subject shopping center.

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

Approval of the CUP would not result in detrimental impacts to adjacent properties or to the character or function of the neighborhood, as the project proposal does not constitute any changes in use or an intensification of use in the remainder of the Crossroads at Firestone shopping center. The proposed addition of beer and wine sales at an existing full-service restaurant, in conjunction with the conditions of approval listed in the subject Planning Commission Resolution will ensure that detrimental impacts to adjacent properties and the surrounding neighborhood will not happen. In addition, the existing restaurant has been operating without causing detrimental impacts to the surrounding area.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of South Gate, pursuant to the facts, noted above, does hereby approve the amendments made to the conditions of approval contained in Exhibit A in Resolution No. 2023-11 for Conditional Use Permit No. 870.

This recommendation was adopted by the following vote at the Planning Commission meeting of the city of South Gate, pursuant to the facts noted above, does hereby approve the amendments made to the conditions of approval contained in **Exhibit A** in Resolution No. 2023-11 for Conditional Use Permit No. 870.

This recommendation was adopted by the following vote at the Planning Commission meeting of September 19, 2023

AYES:

NOES:

PAGE CONTINUES ON THE NEXT PAGE

APPROVED and ADOPTED this 19th day of September 2023.

Meredith T. Elguira
Director
Community Development

APPROVED:

Jose Delgado
Chairperson
City Planning Commission

EXHIBIT A
CUP NO. 870 – CONDITIONS OF APPROVAL

CONDITIONS OF APPROVAL:

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

1. No alcoholic beverages, including beer and wine, shall be sold from the premises for off-sale uses.
2. No alcohol sales displays shall be permitted that are visible from the public street or parking lot.
3. Employees selling alcoholic beverages shall be of an age consistent with Section 25663 of the California Business and Professions Code.
4. The permittee shall comply with all state statutes, rules and regulations relating to the sale, purchase, display, possession and consumption of alcoholic beverages.
5. The premises shall be maintained in a neat and orderly manner at all times.
6. All alcoholic beverages sales, offerings, and consumption shall be conducted completely within an enclosed building.
7. 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.
8. The owner/operator or lessee 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).
9. The permittee shall acknowledge that the City has specifically reserved the right and authority to impose sanctions, including suspension or revocation of the CUP, 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.
10. The permit shall be subject to compliance review of the property and CUP conditions at Planning Commission-established intervals; the first compliance review shall occur within six months of permit issuance or actuation.
9. 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.
10. Conditional Use Permit No. 865 is an approval for the sale of alcohol in conjunction with prepared meals. This approval is based on the floor plan submitted for the proposed project. Violation of any of the conditions of approval shall be cause for revocation of the Conditional Use Permit.
11. Within thirty (30) days after issuance of the permit, the permittee shall certify his/her acceptance of the conditions placed on the approval by signing a notarized Affidavit of

Acceptance stating that he/she accepts and shall be bound by all the conditions.

12. 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 or 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.
13. Violation of, or noncompliance with, any of these conditions shall constitute grounds for revocation of this permit.
14. The permittee shall acknowledge and agree that the City has a legitimate and compelling governmental interest in the permittee's strict compliance with all conditions imposed upon the permit, including adherence to state status, rules and regulations as specified in this section. The permittee shall further acknowledge and agree that any violation of a state statute, rule or regulation concerning the sale to or consumption of alcoholic beverages by a minor has been determined by the city to have a deleterious secondary effect upon (i) the specific land use requested by the permittee and authorized by the city; (ii) the compatibility or permittee's authorized land use with adjacent land uses; and (iii) the welfare and safety of the general public within the city. In view of such deleterious secondary effects, permittee shall acknowledge that the city has specifically reserved the right and authority to impose sanctions, including suspension or revocation of the conditional use 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.
15. Any violation by permittee of any condition of this permit, or of any ordinance or statute concerning sale of alcoholic beverages to a minor or otherwise may result in the suspension or revocation of the permit at the discretion of the City Council. The permit may be revoked and reissued with new or modified conditions, as may appropriate under the circumstances.
16. 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 any permit.
17. For the duration of any suspension of an alcohol-related CUP, the Planning Commission, or, upon any appeal, the City Council, may direct the permittee to post a sign on the premises of the establishment relating to such suspension. The size, content, and location of such sign shall be as specified by the Director.
18. A public hearing consistent with Chapter 11.50 (Administration) shall be held for the consideration of a permit revocation. A 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. Any approval or permit granted by the City becomes null and void if the property is not being used for the approved or permitted purpose within one year from the date the approval or permits was issued, consistent with the provisions identified within Section 11.55 Nonconforming Uses and Buildings.
 - 20. If the application or any conditions of the CUP 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 CUP, revoke and reissue the CUP with new or modified conditions, or modify the conditions of the existing CUP as may be appropriate under the circumstances.
 - b. Impose, as a condition of the continuation, reinstatement, or reissuance of the CUP, 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. A CUP shall be revocable if the exercises of rights granted by the CUP are discontinued for six (6) consecutive months. The use subject to the CUP may not be resumed if the CUP is revoked; a new CUP, including processing and public notification, shall be required.
 - 21. If the conditions of any CUP issued pursuant to this chapter are violated by the permittee, or by anyone acting under the authority of the permittee, the planning commission shall, in accordance with the procedures and noticing requirements set forth in Chapter [11.51](#), Permits and Procedures, be authorized to take the following actions:
 - a. First violation: a 15-day permit suspension.
 - b. Second violation occurring within three (3) years of the first violation: 60-day permit suspension.
 - c. Third violation occurring within three (3) years of the second violation: the permit shall be revoked.
 - 23. Hours of operation for beer and wine on-sales and consumption shall be Monday to Sunday between 10:00 a.m. and 12:00 a.m.
 - 24. Minor modifications to these conditions may be requested, reviewed and determined by the Director of Community Development.

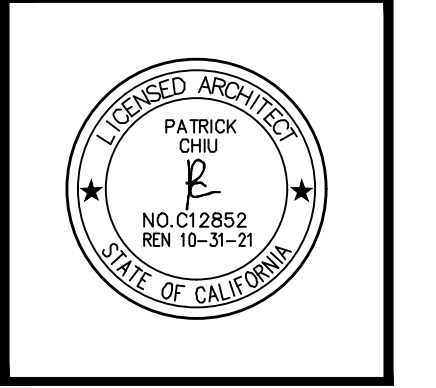
Notice:

The designs shown and described herein including all technical drawings, graphics, and models thereof, are proprietary and cannot be copied, duplicated or commercially exploited, in whole or in part, without express written permission of Optima Group Inc. These are available or limited review and evaluation by clients, consultants, contractors, government agencies, vendors and office personnel only in accordance with this notice. Upon acceptance and use of this drawings, the Contractor agrees to review and inform Optima Group Inc. of any discrepancy or conflict prior to the preparation of without exception, shop drawings, templates, layouts, or any execution of any work related to the information contained on this document.

No.	Date	Revision
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MIGHTY BIRDS
(T.I.- RESTAURANT)

5840 FIRESTONE BLVD., SUITE D-100 SOUTH GATE, CA 90280



Date:	
Dwg. No:	
Drawn By:	
Checked By:	MJ
Scale:	AS SHOWN
Title:	COVER SHEET
Sheet No.	A-0.0

5840 Firestone Blvd. Ste 100 South Gate CA 90280

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SCALE N.T.S. 4

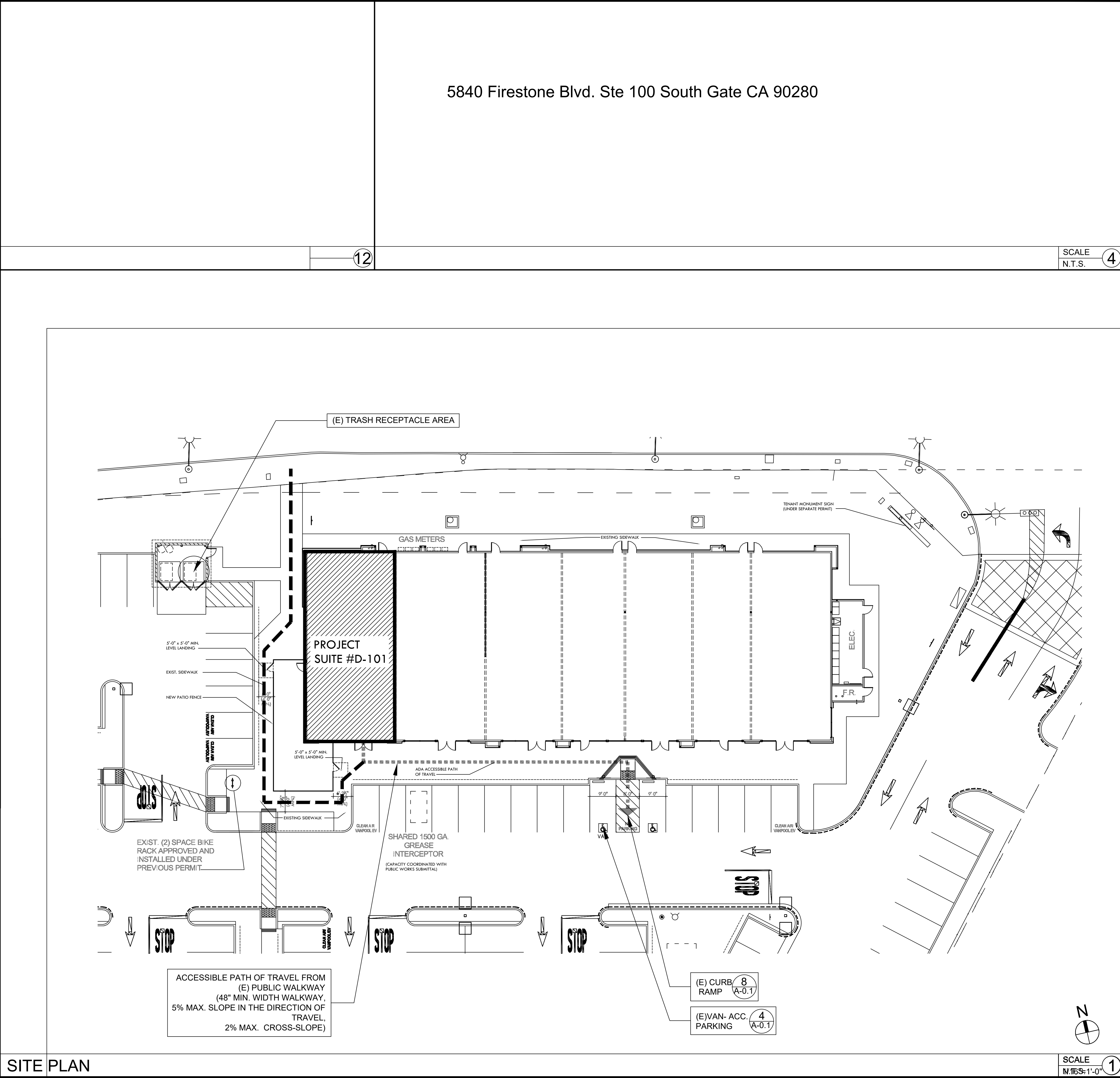
VICINITY MAP

SCALE N.T.S. 13

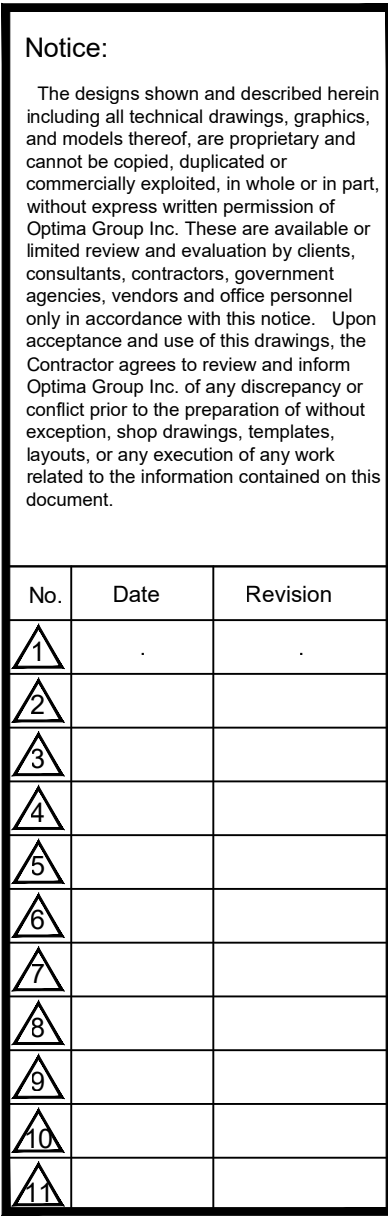
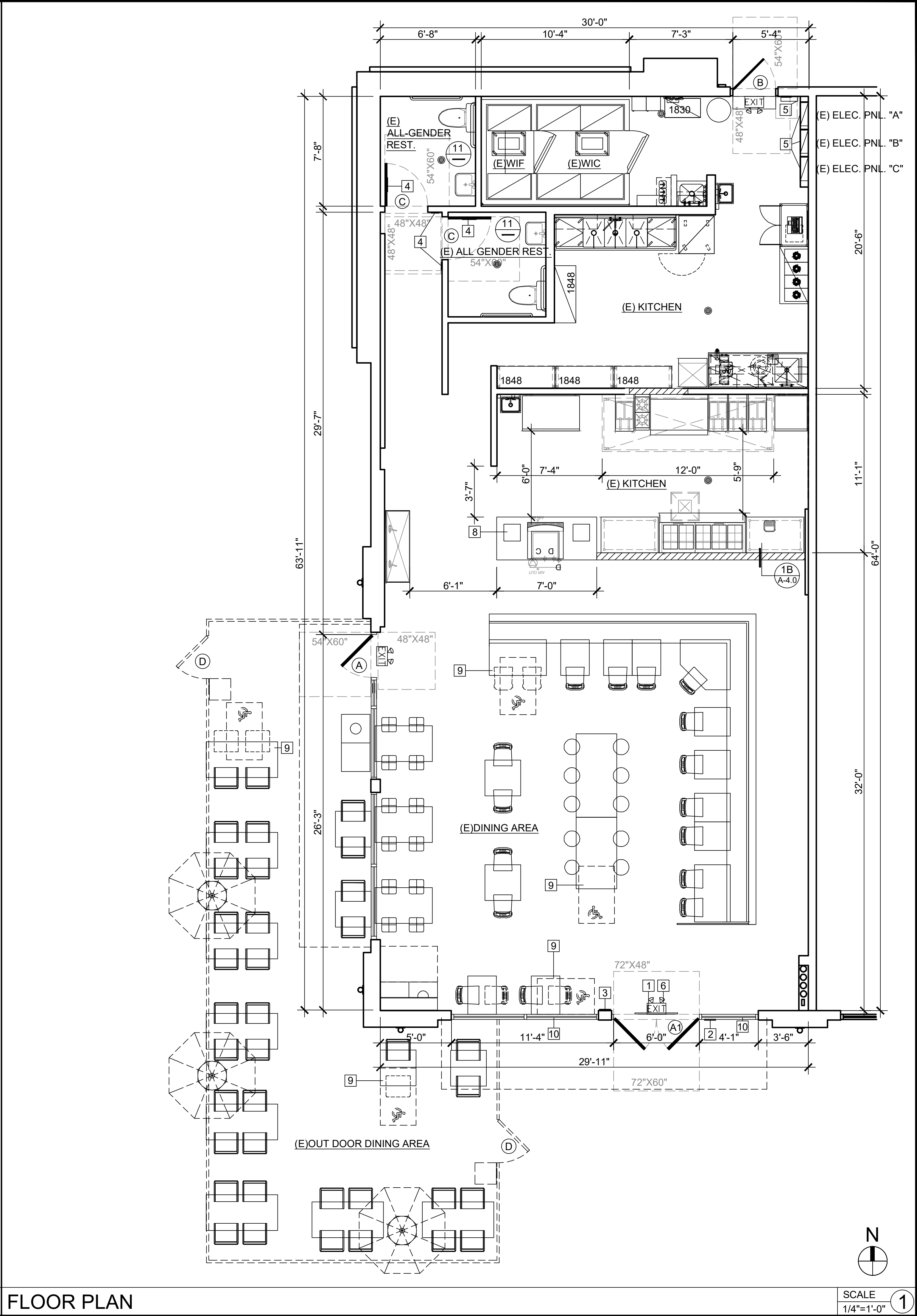
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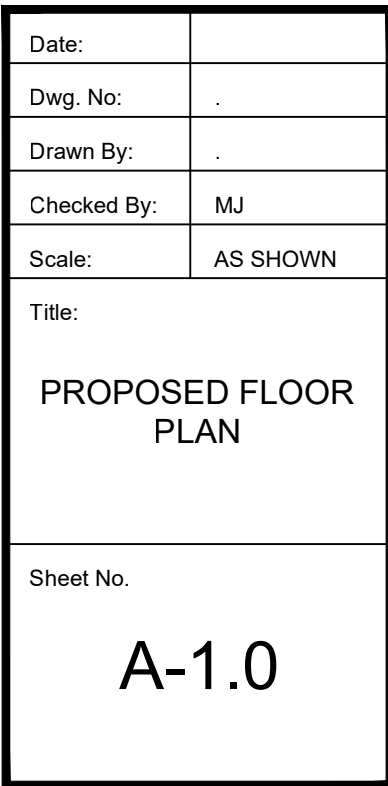
SCALE N.T.S. 1

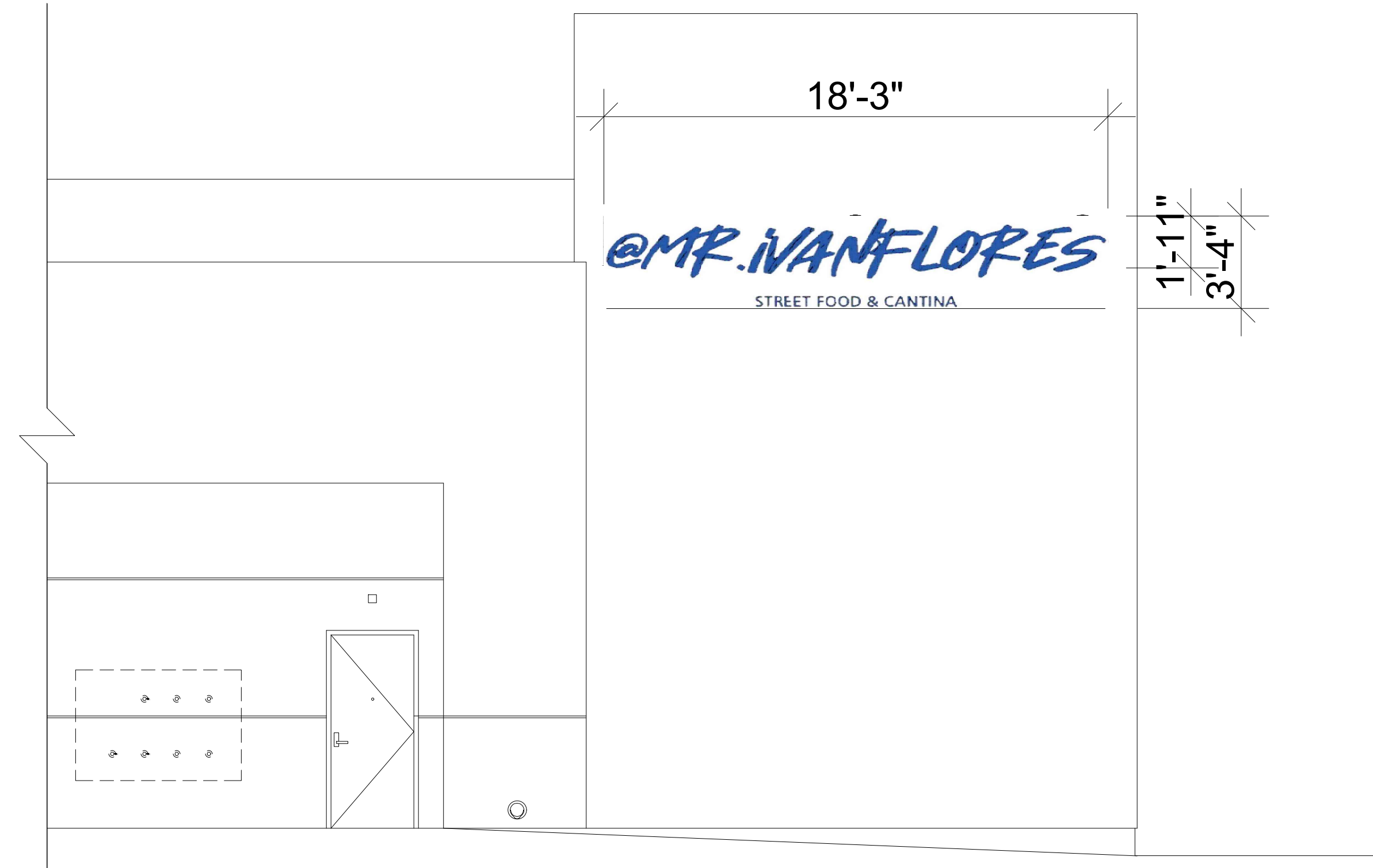


5840 Firestone Blvd. Ste 100 South Gate CA 90280

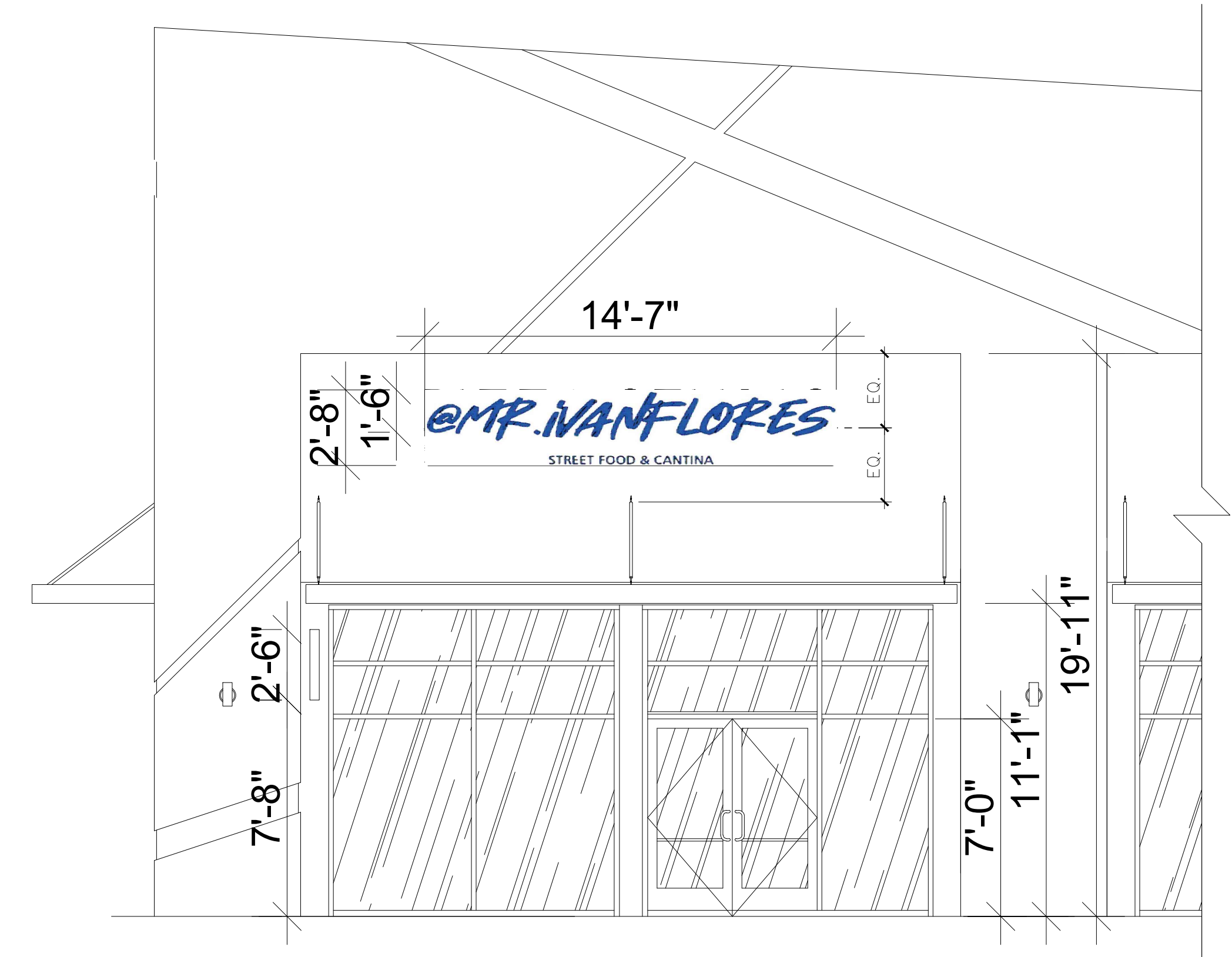


MIGHTY BIRDS
(T.I.- RESTAURANT)
5840 FIRESTONE BLVD., SUITE D-100 SOUTH GATE, CA 90280

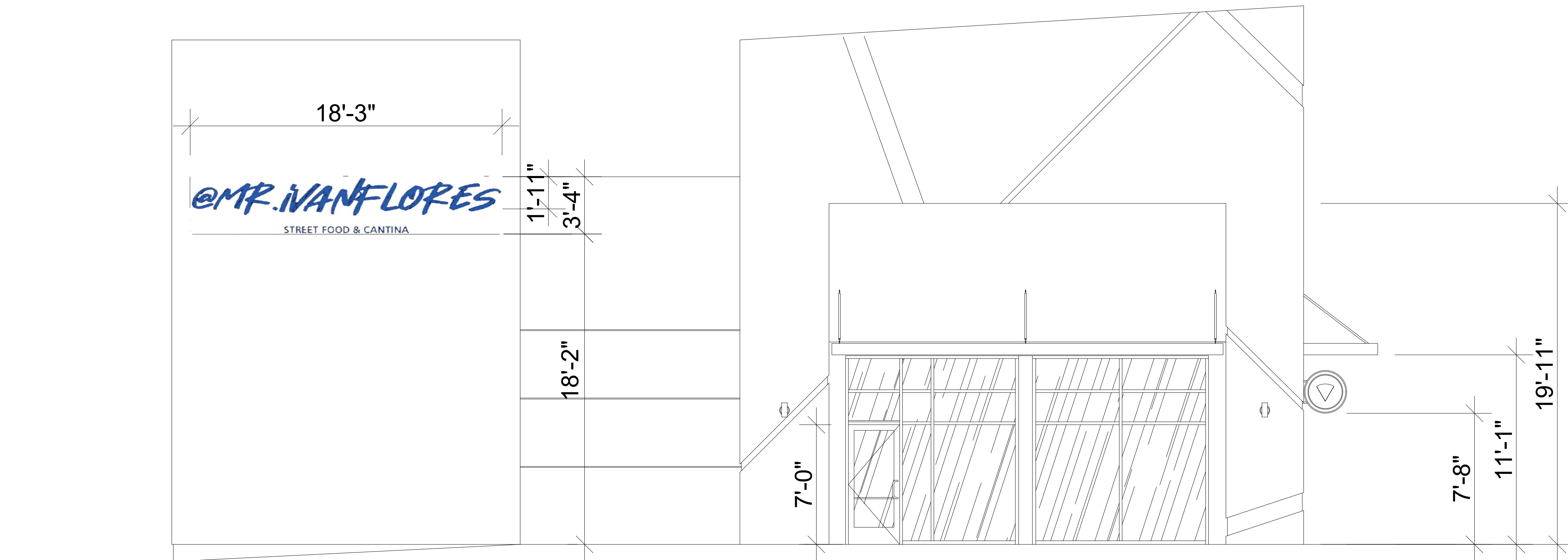




10 EXTERIOR ELEVATION
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8 EXTERIOR ELEVATION
SCALE: 1/4"=1'-0"



5840 Firestone Blvd. Ste 100 South Gate CA 90280

20 EXTERIOR ELEVATION
SCALE: 1/4"=1'-0"

City of South Gate

PLANNING COMMISSION

AGENDA BILL

For the Regular Meeting of: September 19, 2023

Senior Planner: _____

Yalini Siva
Yalini Siva

Community Development Director: _____

Meredith T. Elguira
Meredith T. Elguira

SUBJECT: HOME RECOGNITION PROGRAM 2023/24 – SELECTION OF HOMES

PURPOSE: To select homes to be recognized by the City Council as part of the City's Home Recognition Program.

RECOMMENDED ACTIONS: Select ten (10) homes, one from each of the five Arcas in the City, for the City's Home Recognition Program and direct staff to present the selected homes for recognition at an upcoming City Council meeting.

ANALYSIS: The Home Recognition Program (the "Program") recognizes residents who have committed to beautifying and maintaining their homes. Many attractive homes in the City inspire other residents while raising community pride and spirit. The Program will highlight and recognize these homes and motivate others to improve their homes, enhance residential neighborhoods, and improve the quality of life for South Gate residents. The nominated homes are located throughout the City and were nominated by homeowners, residents, or City Staff; however, most nominations derived from the public.

This year the Community Development Department received 18 nominations that met the program eligibility requirements. Following the selection of the 10 homes, the City will notify the selected nominees of the approval. Staff will invite the homeowners to attend the City Council meeting, where the Council will recognize them. Residents will be recognized by the City Council during a Council meeting and receive a certificate of recognition. Residents will also receive a lawn sign to be displayed on their front lawn, and a picture of the home will be displayed at City Hall.

BACKGROUND: Over twenty years ago, the City established a Home and Business Beautification Award program in conjunction with the South Gate Chamber of Commerce. The program's purpose was to recognize homeowners and businesses that well-maintained their properties. For several years the City displayed the photographs of the awardces' homes and businesses at City Hall. On July 24, 2018, the City Council voted to re-establish the Home Recognition Program and designate the Planning Commission as the body to select nominees to be recognized by the City Council. Due to the COVID-19 pandemic, the City put the program on hold temporarily and now that the City has re-opened, City staff has re-initiated the program.

ATTACHMENTS: Profiles of Nominated Homes



AREA 1



AREA 1



AREA 2



AREA 2



AREA 2



AREA 3



AREA 3



AREA 3



AREA 3



AREA 4



AREA 4



AREA 4



AREA 4



AREA 5



AREA 5



AREA 5



AREA 5



AREA 5



City of
**South
Gate**

Community Development Department Memorandum

To: Planning Commission Yalini
From: Siva, Senior Planner 
Date: September 19, 2023
Re: 9350 Rayo Avenue

Per the Applicant's request, Conditional Use Permit No. 857, for 9350 Rayo Avenue, is being continued to the October 17, 2023 Planning Commission meeting.

Attachment

Yalini Siva

From: Justin Mahramas <JMahramas@sheppardmullin.com>
Sent: Tuesday, September 12, 2023 11:30 AM
To: Yalini Siva
Cc: Craig Hardwick; James Pugh
Subject: CUP 857: Continuance Request

This message is from an EXTERNAL SENDER - be CAUTIOUS, particularly with links and attachments

Dear Ms. Silva:

As you know, CUP 857 is noticed for public hearing before the City of South Gate Planning Commission on September 19, 2023. We appreciate the Planning Department's continued diligent work to bring this matter to a resolution. With that in mind, the applicant continues to endeavor to finalize all outstanding project considerations and requests prior to bringing this matter before the Planning Commission. To ensure this occurs, the Applicant respectfully requests the City Planning Commission hearing for CUP 857 be continued to a date certain of October 17, 2023. We believe a continuance of an additional few weeks will allow for a more streamlined and efficient review process. Please let the applicant team know should there be any questions.

Sincerely,
Justin Mahramas

Justin J. Mahramas
+1 213-617-4101 | direct
JMahramas@sheppardmullin.com | [Bio](#)

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Attention: This message is sent by a law firm and may contain information that is privileged or confidential. If you received this transmission in error, please notify the sender by reply e-mail and delete the message and any attachments.

Información en español acerca de esta junta puede ser obtenida llamando al 323.563.9529.

**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 **6:30 PM on Tuesday, September 19, 2023**, 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 Planning Commission meeting, please visit the City's website at www.cityofsouthgate.org/AgendaCenter regarding the following items:

1. Conditional Use Permit No. 840: A request to allow the sale of beer and wine for on-site consumption as part of a full-service restaurant at 5840 Firestone Boulevard (Mighty Birds South Gate, LLC).
2. Conditional Use Permit No. 857: A request to allow the continued operation of a parcel delivery service at an existing approximately 211,456 square-foot building, located at 9350 Rayo Avenue.

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

Phone: 323.563.9565
E-mail: Adrian Andujo, Contract Planner
aandujo@sogate.org

Phone: 323.563.9526
Email: Yalini Siva, Senior Planner
ysiva@sogate.org

Posted: September 7, 2023
South Gate City Hall

Información en español acerca de esta junta puede ser obtenida llamando al 323.563.9529.