Call To Order
Pledge Of Allegiance
Roll Call
Report On Posting
City Officials:
CHAIRPERSON
Jose Delgado
VICE CHAIRPERSON
Gil Hurtado
COMMISSIONERS
Sylvia Masushige
Jenny Perez
Carlos Velasquez
Meeting Compensation Disclosure
Pursuant to Government Code Section 54952.3: Disclosure of compensation for meeting attendance by the Planning Commission Commissioners is $125.00 per meeting.

Item No. 1
The Planning Commission will consider approving the minutes for the regular Planning Commission Meeting of December 4, 2018.

Documents:
ITEM NO. 1.PDF

Item No. 2
The Planning Commission will conduct a Public Hearing for Conditional Use Permit No. 832 for the shelf area used for display of alcoholic
beverage at a Chevron Extra Mile Mini Market located at 5651 Imperial Highway.

Documents:

ITEM NO. 2.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.

General Business

Audience Comments

City Staff Comments

Planning Commission Comments

Adjournment
Adjournment to the Regular Planning Commission meeting on Tuesday, February 5, 2019 at 7:00 p.m.

I, Erika Soriano, Administrative Services Coordinator, certify that a true and correct copy of the foregoing Meeting Agenda was properly posted on January 10, 2019, at 5:30 p.m., as required by law.

Erika Soriano, Administrative Services Coordinator

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

Notification 48 hours prior to the 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 filing the request with the City Clerk prior to 5:00 pm on Monday, January 21, 2019.

Materials related to an item on the 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, CA 90280 (323) 563-9510 * fax (323) 563-5411 * www.cityofsouthgate.org
MINUTES OF THE REGULAR MEETING
OF THE SOUTH GATE CITY PLANNING COMMISSION
TUESDAY, DECEMBER 4, 2018

INTRODUCTORY PROCEDURES

Chairperson Jose Delgado called the meeting to order at 7:07 P.M.

The Pledge of Allegiance was led by Commissioner Sylvia Masushige.

ROLL CALL: By Norma Cardenas, Recording Secretary.

Present: Chairperson Jose Delgado, Vice-Chairperson Gil Hurtado, and Commissioner Sylvia Masushige, Jenny Perez, and Carlos Velasquez.

Absent/Excused:

Staff: Community Development Director Joe Perez, Senior Planner Alvaro Betancourt, City Attorney Craig Hardwick, Management Analyst Dianne Guevara and Recording Secretary Norma Cardenas.

REPORT ON POSTING: By Norma Cardenas, Recording Secretary.

Vice Chairperson Hurtado requested that Audience comments be addressed at this time.

Audience Comments

Leticia Banderas introduced herself as the co-owner of Velma’s Café at 13215 Paramount Boulevard. She explained that she and her son, Anthony Lapietra, who is a co-owner and the executive chef, are interested in securing a beer and wine license for their restaurant. She understands that there is a process but that she wanted the Commission’s support and help from staff in submitting the application. She along with Mr. Lapietra explained that the café was high-end concept of Mexican food focusing on fresh, quality ingredients. They explained that the public has embraced their restaurant and that they hope to secure the beer and wine license to continue to serve the local community.

Chairperson Delgado thanked both for their presentation and asked that they speak directly to staff about next steps in making a beer and wine application.

1. MINUTES

The Planning Commission considered approving the minutes for the regular Planning Commission meeting of November 20, 2018. Vice Chairperson Hurtado moved and Commissioner Velasquez seconded the motion to approve the Planning Commission minutes of November 20, 2018. The motion carried (5-0) with all Commissioners in favor.
2. PRESENTATION ON THE URBAN ORCHARD PROJECT CONCEPT PLAN

Community Development Director Perez introduced Art Cervantes, Assistant City Manager/Director of Public
Works.

Assistant City Manager/Director of Public Works Cervantes gave a power point presentation regarding this
project. Mr. Cervantes stated that the Urban Orchard Project is a plan to construct a new, multipurpose park in
the City. The project will include features that address storm water quality, recreation, Los Angeles River
revitalization, water conservation and re-activating vacant land. The project includes new wetlands, primarily
to treat storm water run-off; however, it also includes a passive park, pedestrian trails, a natural play area, an
orchard of fruit trees, an education garden, multi-use exercise loops, and sculptural art locations. The Urban
Orchard will be located between the Los Angeles River, Firestone Boulevard, the Thunderbird Villas and the I-
710 Freeway.

Several grants have already been received for this project, funding both design and phase I construction costs
for the initial 7 acres. An additional 23 acres of improvements are planned in the second phase which will
include Los Angeles Department of Water and Power land. The second and third phase remains unfunded.

The Public Works Department has been working with the Trust for Public Land and their team of consultants to
complete the initial needs assessment and construction drawings. Public workshops have been held to gather
information regarding community needs, priorities and interest for this project.

Chairperson Delgado opened the item to the public.

Commissioner Hurtado asked if there would be access to the park from the Thunderbird Villas. Mr. Cervantes
informed the Commission that only emergency vehicles would have access.

Chairperson Delgado asked how ongoing maintenance of the proposed park would be addressed. Mr. Cervantes
responded that a third party would likely maintain the park grounds.

Commissioner Hurtado applauded the fact that the City had taken the lead on such a remarkable project. He also
asked if playground equipment would be installed. Mr. Cervantes responded that plans for the park have not
been finalized and that playground equipment may be included in the final proposal.

Commissioner Hurtado commented that he knew of a professor from Cal State Long Beach who would like to
have his students visit the park once complete.

Commissioner Velasquez asked if the expansion of the I-710 freeway will affect the park design. Mr. Cervantes
informed the Commission that the project design has already taken the expansion into consideration.

Chairperson Delgado asked if the park would be accessible 24 hours a day. Mr. Cervantes responded that a
curfew would be initiated and that park would close at time yet to be determined.

Commissioner Hurtado raised concerns regarding homeless encampments. Mr. Cervantes responded that
activating the subject property as a city park will allow the Police Department to enforce vagrancy laws that
would mitigate potential encampment issues.

Chairperson Delgado commented that the City should see this as an opportunity to work with homeless
agencies.
Vice Chairperson Hurtado moved and Commissioner Masushige seconded to receive and file the presentation on the Urban Orchard project concept plans. The motion carried (5-0) with all Commissioners in favor.

3. REVIEW OF HOME RECOGNITION PROGRAM GUIDELINES

Community Development Director Perez introduced this item to the Planning Commission. Management Analyst Dianne Guevara gave a presentation on the Home Recognition program guidelines and role of the Planning Commission in reviewing applications and selection of homes to be recognized by the City Council.

Chairperson Hurtado opened the item to the public.

Commissioner Masushige spoke in favor of this project and suggested that the former Beautification Committee would probably like to participate in the program.

Commissioner Velasquez asked how the program would be promoted.

Management Analyst Guevara explained that social media, the Vista magazine and the City’s website would be used to actively market the program.

Director Perez informed the Commission that the City Council designated the Planning Commission as the body to review applications and select the homes to be recognized. Mr. Perez welcomed the former Beautification Committee to participate in the nomination of homes.

Commissioner Perez moved and Vice Chairperson Hurtado seconded to receive and file the report on the Home Recognition Program. The motion carried (5-0) with all Commissioners in favor.

General Business

None

City Staff Comments

Community Development Director Perez informed the Planning Commission of the following upcoming events:

- Thursday, December 6- Tweedy Mile Association is having their yearly Navidad on Tweedy Blvd - Posada Event. Event will be from 6:00 PM to 9:00 PM and the location will be on Tweedy Blvd. between California Ave. and State St.
- Sunday, December 9th - 73rd Annual South Gate Children’s Christmas Lane Parade and Festival
  - Breakfast: The Chamber of Commerce would like to invite the Planning Commissioners to the Breakfast before the parade. Breakfast is from 9:00 AM to 11:00 AM, at the South Gate Sr. Center at South Gate Park.
  - Parade Time: 12:00 PM to 2:00 PM
  - Festival: 2:00 PM to 5:00PM
- Thursday, December 13- Police Navidad, Toy Giveaway at South Gate City Hall from 6:00 PM – 8:00 PM
- Sunday, December 16th- Christmas on Tweedy Blvd. Event hosted by the Tweedy Mile Association will be held from 2:00 to 5:00 PM on San Gabriel Ave and Tweedy Blvd, in the Southwest corner of the CVS parking lot. The event will have a Toy Giveaway, petting zoo, games, activities, and music.
- Wednesday, December 19th- The City of South Gate will be having a Community Meeting regarding the former American Legion Site, located at 11269 Garfield Avenue. The community meeting will be at 6:00 p.m. on Wednesday, December 19, 2018 at the South Gate Park Auditorium.
• City Hall will be closed for the Holidays from December 24\textsuperscript{th} to January 1\textsuperscript{st}.

**Planning Commission Comments**

None

**ADJOURNMENT**

There being no further business before the Planning Commission, Chairperson Delgado moved and Commissioner Velasquez seconded the motion to adjourn the meeting. The motion carried (5-0) with all Commissioners in favor, to adjourn the meeting to January 15, 2019. The meeting was adjourned at 8:30 P.M.

Respectfully,

__________________________________

Joe Perez, Secretary

APPROVED:

__________________________________

Jose Delgado, Chairperson
SUBJECT: CONDITIONAL USE PERMIT NO. 832 FOR THE INCREASE OF SHELF AREA USED FOR DISPLAY OF ALCOHOLIC BEVERAGES AT A CHEVRON EXTRA MILE MINI MARKET LOCATED AT 5651 IMPERIAL HIGHWAY

PURPOSE: To consider a request for a Conditional Use Permit to allow a 54% increase in the shelf area used for display of alcoholic beverages at Chevron Extra Mile Mini-Mart at 5651 Imperial Highway. Under a previously approved Conditional Use Permit, any increase in display area for alcoholic beverages of 25% or more requires approval of a Conditional Use Permit.

RECOMMENDED ACTION:

1. CONDUCT a public hearing;

2. ACCEPT the determination that this project is Categorically Exempt under Class 1 (Existing Facilities) Section 15301 of the California Environmental Quality Act;

3. ADOPT the findings as outlined in Resolution No. 2018-21; and

4. APPROVE Conditional Use Permit No. 832, subject to the recommended conditions of approval, as contained in Resolution No. 2018-21, and any other limitations and/or conditions the Planning Commission may wish to impose.

PUBLIC NOTIFICATION: Advertising and notification of the public hearing for the application was conducted in compliance with Chapter 11.50, Title 11 of the South Gate Municipal Code. Notice of the hearing was originally posted and published in the “Los Angeles Wave” newspaper on January 3, 2019 and mailed to property owners and surrounding properties within a 1,000-feet of the property.

ENVIRONMENTAL EVALUATION: This project is Categorically Exempt under Class 1 (Existing Facilities) Section 15301 of the California Environmental Quality Act. 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.

ANALYSIS: Conditional Use Permit No. 832 is a request by Karl Huy, on behalf of G&M Oil Company, Inc., to allow an increase of shelf area used for the display of alcoholic beverages by 54% at an existing Chevron Extra Mile Mini Market located at 5651 Imperial Highway. The property is located at the northwest corner of Imperial Highway and Ruchtí Road. The zoning designation for
the property is Corridor 2(CDR2) and the General Plan designation is District Imperial Sub-Area 3. The existing Mini Market is approximately 3,133 square feet of retail space with storage area and public restrooms. The surrounding uses to the north are residential and industrial; uses to the south and west are automotive; and uses to the east include the Union Pacific and Southern Pacific railroad right-of-way and automotive uses. Chevron Extra Mile Mini Market is open 24 hours a day, 7 days a week.

Condition No. 10 of Resolution No. 86-119 requires that the subject property be maintained in a neat and orderly manner at all times. During a site visit, planning staff noted a properly maintained property.

In 1966, the subject property was developed as a petroleum products service station. In 1982, the Planning Commission approved Conditional Use Permit No. 279 that added the “self-service” component to the service station. In 1984, the Planning Commission approved Conditional Use Permit No. 360 that added retail sales (mini-mart) to the service station.

In 1986, the Planning Commission approved Conditional Use Permit No. 478 (Resolution No. 86-119) that increased the floor area of the existing mini-mart by 744 square feet. Section 11(b) of Resolution No. 86-119 requires a new conditional use permit if the shelf area used for the display of alcoholic beverages is increased by 25% or more. Since the applicant is presently requesting an increase of display of alcoholic beverages by approximately 54%, a new Conditional Use Permit is required.

The existing display area consists of four (4) reach-in cooler compartments. Each cooler has a 16.25 square foot display area, with a combined total of sixty-five (65) square feet amongst four coolers. The applicant is proposing to eliminate one cooler and add a new walk-in-cooler with approximately fifty-two (52) square feet of display area. The combined display area of the three reach-in coolers (48.75 square feet) and new walk-in cooler (52 square feet) measures approximately one-hundred (100) square feet of display area. The additional 35 square feet represents a 54% increase in display area.

**ABC Review**

Alcohol sales will continue to be conducted in accordance with the provisions of a Type-20 (Off-Sale Beer and Wine) alcohol license as adopted by the State Alcohol Beverage Control Board (ABC). The proposed mini-mart is located within Census Tract No. 5361.02. According to the Department of Alcoholic Beverage Control (ABC), a maximum of one (1) off-sale license is recommended in this census tract. Currently, El Super, Target, Firestone Patrol, ALDI, Sam’s Club, and G&M Oil have off-sale alcohol licenses in the census tract. The property is not located within immediate proximity to parks, playgrounds, schools, or religious institutions.

**Conditions of Approval and Police Department Review**

Conditional Use Permit No. 478 requires a new Conditional Use Permit if the shelf area for alcohol display increases by more than 25%. The applicant has submitted this application for the increase of alcohol display by 54%. As part of the application process, the application was reviewed by the South Gate Police Department and there are no issues of concern regarding this application. Conditions of approval, as discussed with the applicant, and periodic monitoring will ensure that the use will not deviate from the planned operation reviewed under this application.
The following is a summary of notable Conditions of Approval:

- Alcohol shall be sold in accordance with the provisions of a Type 20 liquor license issued by the State Alcohol Beverage Control Board (ABC) during approved hours of operation.
- No alcoholic beverages, including beer and wine, shall be consumed on the premises for off-sale uses.
- No inventory, materials, merchandise or supplies shall be stored or displayed except within a wholly enclosed building.
- No alcohol sales displays shall be permitted that are visible from the public street or parking lot.
- Employees selling alcoholic beverages shall be of an age consistent with Section 25663 of the California Business and Professions Code.
- The validity of the CUP shall be conditioned on compliance with all state regulations and conditions.
- The owner/operator or lessee shall be responsible for the conduct of all employees, including their education concerning Alcohol Beverage Control regulations and provisions of this code.
- 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.
SUMMARY:

Applicant: Karl Huy
        c/o Travis Companies, Inc.
        4430 E. Miraloma Avenue, Suite F
        Anaheim, CA 92807

Property Address: 5651 Imperial Highway

Assessor’s Parcel No.: 6233-030-016

Property Owner: G&M Oil Company, Inc
        16868 A Street
        Huntington Beach, Ca 92647

Zoning Designation: Corridor 2 zone (CDR2)

General Plan Designation: District - Imperial Sub-Area 3

Representative: Travis Companies, Inc
        C/o: Karly Huy
        4430 E. Miraloma Avenue, Suite F
        Anaheim, CA 92807

Surrounding Land Uses:
North: Residential/Industrial
South: Automotive
East: Rail line/Automotive
West: Automotive

ATTACHMENTS:

A: Location Map & Aerial
B: Proposed Resolution No. 2018-21
C: Resolution No. 86-119
D: Existing and Proposed Floor Plan
E: Photos of Exterior and Interior
F: Public Hearing Notice
G: Notice of Exemption
RESOLUTION NO. 2018-21

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF SOUTH GATE, CALIFORNIA
APPROVING CONDITIONAL USE PERMIT NO. 832

WHEREAS, on October 24, 2018, the Department of Community Development received an application from Karl Huy ("Applicant") for Conditional Use Permit No. 832 to allow an increase of shelf area used for the display of alcoholic beverages by fifty-four percent (54%) at an existing Chevron Extra Mile Mini Market located at 5651 Imperial Highway; and

WHEREAS, the Planning Commission upon giving the required notice did, on the fifteenth day of January 2018, 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 “Los Angeles Wave” newspaper on January 3, 2019 and mailed to property owners and the surrounding properties within 1,000 feet of the property; and

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

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

1. On October 24, 2018, the Department of Community Development received an application from G&M Oil Company, INC., for Conditional Use Permit No. 832 to allow an increase of shelf area used for the display of alcoholic beverages by fifty-four percent (54%) at an existing Chevron Extra Mile Mini Market.

2. The subject property is located at 5651 Imperial Highway, northwest corner of Imperial Highway and Garfield Place.

3. All original conditions stipulated under Site Plan No. 231 and Conditional Use Permit No. 478 shall be complied with.

4. The zoning designation for the property is Corridor 2 Zone (CDR2) and the General Plan designation is Imperial (Sub Area 3).

5. The Chevron Extra Mile Mini Market occupies an approximate 3,133 square feet space at the western portion in a 26,753 square feet parcel.

6. The applicant is proposing to eliminate one cooler and add a new walk-in-cooler with approximately fifty-two (52) square feet of display area. The combined display area of the three reach-in coolers (48.75 square feet) and new walk-in cooler (52 square feet) measures approximately one-hundred (100) square feet of display area. The additional 35 square feet represents a 54% increase in display area.

7. The Chevron Extra Mile Mini Market is proposing an increase of shelf area used for the display of alcoholic beverages by 54%.
8. The Chevron Extra Mile Mini Market operates Monday thru Sunday 24 hours a day and is proposing alcohol sales in compliance with Alcohol Beverage Control (ABC).

9. Alcohol Sales are allowed from 7 A.M. until 2 A.M. The cooler doors will remain locked from 2 A.M. until A.M.

**WHEREAS**, the City Planning Commission made the following findings:

1. The subject application will not be detrimental to the public health, safety, and welfare or adversely affect property values or the present and future development of the surrounding area with the incorporation of the conditions of approval.

2. The proposed use is consistent with the goals and objectives of the South Gate General Plan because it will promote business and will serve city residents.

3. Upon compliance with the attached conditions of approval, the subject use will not have a detrimental impact on adjacent properties.

4. The proposed Conditional Use Permit is Categorically Exempt under Class 1(Existing Facilities) Section 15301 of the California Environmental Quality Act. 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.

(blank)
NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of South Gate, pursuant to the facts does hereby approve Conditional Use Permit No. 832 to allow the applicant to eliminate one cooler and add a new walk-in-cooler with approximately fifty-two (52) square feet of display area. The additional 35 square feet increase of shelf area used for the display of alcoholic beverages increases by 54% at an existing Chevron Extra Mile Mini Market, subject to the conditions of approval contained in Exhibit A.

This recommendation was adopted by the following vote at the Planning Commission meeting of January 15, 2019.

AYES:

NOES:

ABSENT:

NOT VOTING:

APPROVED and ADOPTED this fifteenth day of January, 2019.

___________________________
Joe Perez
Secretary
City Planning Commission

APPROVED:

_________________________
Jose Delgado
Chairperson
City Planning Commission
1. No alcoholic beverages, including beer and wine, shall be consumed on the premises for off-sale uses.

2. No outside loitering shall be allowed on the premises.

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

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

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

6. Trash receptacles shall be provided in such number and at such locations as specified by the Planning Commission or Community Development Director.

7. All alcoholic beverages sales, offerings, and consumption shall be conducted completely off premises.

8. 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.

9. The owner/operator or lessee shall be responsible for the conduct of all employees, including their education concerning Alcohol Beverage Control regulations and provisions of this code pertaining to sales of alcohol (e.g., verification of age of purchaser).

10. 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.

11. Adequate refrigeration shall be maintained at all times for the preservation of any food on the permittee’s premises.

12. 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.

13. No telephone accessible to the general public shall be installed within the permitted premises.
14. Within thirty (30) days of approval of the Project, the Applicant and Property Owner 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 of the conditions.

15. 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.

16. The Applicant 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 Applicant of any filed claim, action or proceeding and shall cooperate fully in the defense of the action.

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

18. Applicant 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 applicants 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.

19. The permittee shall comply with all state statutes, rules and regulations relating to the sale, purchase, display, possession and consumption of alcoholic beverages.

20. 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 statue, rule or regulation concerning the sale to or consumption of alcoholic beverages by a minor has been determine 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.
General Conditions:

21. Consumption by a Minor, State Statutes
   Any violation related to a state statute concerning alcohol sale to a minor shall result in
   the following. The City has the authority to identify the reasonable remedy for the CUP
   violation.

   a. First violation: a 15-day permit suspension.

   b. Second violation occurring within 3 years of the first violation: 60-day permit
      suspension.

   c. Third violation occurring within 3 years of the second violation: the permit shall
      be revoked.

22. Consumption by a Minor, Other regulations
   Any violation related to any condition other than a state statute concerning alcoholic sale
   to a minor 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.

23. 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 any permit.

24. Violation Signage
   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.

25. Violation of Conditional Use Permit
   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 use 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
      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.

26. Conditional Use Permit Expiration
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.

27. Conditional Use Permit Revocation
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 6 consecutive months. The use subject to the CUP may not be resumed of the CUP is revoked; a new CUP, including processing and public notification, shall be required.

28. Maintenance of Property Free of Graffiti
Applicant acknowledges and agrees that the permit is expressly conditioned on the Applicant maintaining the subject equipment in a well-maintained condition, and free from graffiti. In the event of graffiti markings, Applicant agrees to eliminate all such graffiti within twenty four (24) hours, with or without notice from the City, as a condition of the permit.
RESOLUTION NO. 86-119

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH GATE, CALIFORNIA, CONDITIONALLY APPROVING THE APPLICATION OF BENJAMIN DAVIDOFF AND KAMRAN ZARIFPOUR, APPLICANT/OWNERS, FOR CONDITIONAL USE PERMIT NO. 478

APPLICANT/OWNERS
Benjamin Davidoff
10000 Imperial Highway #E301
Downey, CA 90242

Kamran Zarifpour
8638 Gregory Way
Los Angeles, CA 90035

SITE LOCATION:
5651 Imperial Highway
South Gate, CA 90280

LEGAL DESCRIPTION:
Lot 1 of Tract 2 as per map recorded in Book 9, Page 146 of Maps in the Office of the Recorder, County of Los Angeles.

WHEREAS, an application was filed on September 17, 1986, with the City Planning Commission for a Conditional Use Permit to allow an increase of more than ten percent (10%) of floor area at an existing permitted petroleum products service station with retail sales including beer and wine in the M-2 Zone at 5651 Imperial Highway, as required by Section 11.22.020 (10c)(l) of the South Gate Municipal Code; and

WHEREAS, the Planning Commission upon giving the required notice, did on the 18th day of November, 1986, conduct a duly advertised public hearing as prescribed by law to consider said application; and

WHEREAS, studies and investigations were made and a staff report submitted and recommendations were submitted.

WHEREAS, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of South Gate does hereby resolve, determine, an order as follows.

SECTION I. The Planning Commission determines that the facts of this matter are as follows:

The applicant proposes to construct an additional 744 square feet of retail floor area for a total retail sales area of 1,302 square feet. In addition to increasing the retail floor area the applicant proposes to provide 400 square feet of storage area and another service bay (331.25 square feet). The applicant's proposal was reviewed by the Planning Commission on August 19, 1986, at such time the Planning Commission granted a request to waive the site plan process.

The subject property has been developed as a petroleum products service station since 1966. In 1982 the applicants were issued Conditional Use Permit No. 279 to allow a self-service petroleum products service station at the present location. Subsequently, in 1984, the applicants were issued Conditional Use Permit No. 360 to allow other retail sales (mini-mart).

Pursuant to the requirements of the recently adopted Liquor Ordinance No. 1694 Section 11.22.020(10c)(l)) requires permitted uses offering alcoholic beverages for off-site consumption to obtain a conditional use permit when the floor area of the premises is increased by more than 10%. Since the applicant's proposal will increase the existing floor area by more than 10%, they have applied for another Conditional Use Permit. Based on discussions with the applicant, the sales area for beer and wine will not be increased.
Although there are residential uses behind the subject property the distance requirements (600 feet from residentially zoned areas) is not applicable to this site, since it is not a new use and the residential use is a legal nonconforming use to the M-2 Zone as opposed to being zoned residential.

Notices were mailed to the surrounding property owners on November 6, 1986 and published in the South Gate Press on November 6, 1986. No comments were received from the public.

WHEREAS, it has been determined that the proposed development has no significant environmental impact as set forth in Preliminary Environmental Assessment No. 828 and that a Negative Declaration has been prepared and a Notice of Determination will be filed pursuant to the California Environmental Quality Act with the County Clerk of the County of Los Angeles.

Staff recommended approval of Conditional Use Permit No. 478 for the following reasons:

1. The proposed use is consistent with the Zoning Code and General Plan designation for the site.

2. The request is consistent with the intent of Municipal Code Section 11.30.180 and Ordinance No. 1694 Section 11.22.020.

3. The proposed use is an existing, legally permitted use.

SECTION II. The Planning Commission hereby conditionally approves said Conditional Use Permit to allow an increase of more than 10% of floor area at an existing permitted petroleum products service station with retail sales including beer and wine in an M-2 Zone at 5651 Imperial Highway subject to the following conditions:

1. That the applicant develop the property substantially in accordance with the plot plan submitted and date-stamped September 30, 1986.

2. That the use and subject property development adhere to the provisions set forth in the Municipal Code, Section 11.30.180 including but not limited to:

   a. Paving and drainage - shall be developed in accordance with Section 11.30.180(1)(e).

   b. Refuse storage area - shall be developed in accordance with Section 11.30.180 (1)(i) the location of which shall be approved by the Director of Community Development or his designee.

   c. Restrooms - pursuant to Section 11.30.180 (1)(m) public restrooms shall be provided. Said restroom facilities shall be made available to the customers free of charge during the hours of operation.

   d. Parking - as required by Section 11.30.180 (2)(d) and 11.34.03. The parking space shall be situated so as not to interfere with the on-site vehicular circulation.

3. That a landscaping plan shall be submitted to the Department of Community Development for a review and approval prior to the issuance of any business license or Certificate of Occupancy. All landscaped areas shall have a permanent automatic irrigation system.

4. That air and water shall be made available free to the public during the hours of operation.

5. That the applicant stop using the "sign flag waver" as an attention getting device.
6. That a signage plan for the business shall be submitted and subject to review and approval by the Planning Commission or its designee prior to the issuance of a building permit or Certificate of Occupancy. No sign shall exceed the roofline of the building and no portable or A-Frame signs or rotating signs.

7. That the applicant has ninety (90) days to comply with the conditions of approval.

8. That the applicant remove all inoperable vehicles from the site.

9. That retail sales products shall not be displayed outside of the building, pursuant to Section 11.30.180(2Xa). No exterior advertising of alcoholic products.

10. That the subject property be maintained in a neat and orderly manner at all times.

11. That the applicant shall also comply with Liquor Ordinance No. 1694 Section 11.22.020(10) which includes the following:

   A new conditional use permit shall be required if there is any substantial change in the mode or character or operation for the purposes of this section, the phase "substantial change in the mode or character of operation", as it relates to the subject land uses herein involved, shall mean:

   a. Any change which increases the floor area of the premises by 10% of the existing floor area.

   b. Any change which increases the shelf area used for display of alcoholic beverages by 25% of the existing such shelf area.

   c. Any change which increases the number of seats in any restaurant that serves alcoholic beverages by 25% of the existing such seating capacity.

   d. Any alteration of the business ownership, or if owned by a corporation or trust, any change in the stock or beneficial interests of the trust.

   e. The violation of any law, ordinance, rule or regulation applicable to the business relating to the sale or use of alcoholic beverages, particularly, but not limited to, the sale of alcoholic beverages to minors.

   f. That no inventory or other materials shall be permitted to be stored or displayed except within a wholly enclosed building. The premises shall be maintained in a neat and orderly manner.

   g. That trash and litter receptacles be provided at locations as are established by the City Planning Commission.

   h. That the permittee shall obey all laws, ordinances, rules and regulations established by statute, regulatory body or local authority relating to the sale, display and consumption of alcoholic beverages.

   i. That the permit may be subject to the imposition of conditions after its original issuance, which conditions shall only be imposed by the City Planning Commission (or by the City Council on appeal) as such body deems appropriate to address problems of land use compatibility, security or crime control that may arise during the issuance of the permit.

   j. That the permit shall be subject to review for compliance with conditions of issuance at such intervals as the City Planning Commission shall deem appropriate, but the first such review shall be six (6) months after the issuance of the permit.
Resolution No. 86-119 - Conditional Use Permit No. 478 - continued:

k. That in the event that the conditions of any permit issued this Subsection (10) are violated by the permittee, or by anyone acting under his authority, the City Planning Commission may revoke the permit, or revoke and re-issue the permit with new or different conditions or modify the conditions of the existing permit, as they deem appropriate.

12. Modification. Upon sixty (60) days prior notice given in writing to the Permittee, at a hearing at which the permittee is given an opportunity to be heard, the City shall have the right to modify the terms of this permit to impose such further and additional conditions on the permit herein granted that they deem just and that are reasonably related to traffic, circulation, noise, parking, health, safety or crime, or to remove such conditions previously imposed. An additional modifications required by this section shall not impose excessive economic burden in relationship to the profitability of the land use.

13. Posting of permits. As a further condition of this permit, this permit shall be posted in a prominent place viewable by members of the general public upon admittance to the premises.

14. WARNING. Violations of the conditions of this use can result in the revocation of this permit by the issuing body at a regularly scheduled meeting, notice of which will be given to you by first class mail, postage prepaid, at the commonly known address set forth, or at the residence of the owner of said property, Benjamin Davidoff, 10000 Imperial Highway, #F301, Downey, CA 90242; or by posting notice of said hearing at two prominent locations on the premises to which this permit refers.

15. That the Conditional Use Permit be reviewed ninety (90) days after Planning Commission approval for compliance to the conditions of approval and that a Staff Report be submitted to the Planning Commission, stating the findings of the review.

SECTION III. This resolution was adopted by the following vote at the Planning Commission meeting on November 18th, 1986.

AYES: Commissioner Collins
Commissioner Linton
Vice Chairman Benner
Chairman Weiss

NOES: None

ABSENT: Commissioner Nunez

NOT VOTING: None

APPROVED and ADOPTED this 18th day of November, 1986.

Valdis V. Pavlovskis
Secretary
City Planning Commission

APPROVED:

Donald L. Weiss
Chairman
City Planning Commission

- 4 -
PUBLIC NOTICE
CITY OF SOUTH GATE
PLANNING COMMISSION

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of South Gate will hold a public hearing on Conditional Use Permit No. 832

DATE OF HEARING: Tuesday, January 15, 2019
TIME OF HEARING: 7:00 pm
LOCATION OF HEARING: City Hall Council Chamber, City of South Gate
8650 California Avenue
South Gate, California

PROJECT LOCATION: The project site is located at 5651 Imperial Highway

PROJECT DESCRIPTION: Conditional Use Permit No. 832 for the increase of shelf area used for display of alcoholic beverages at a Chevron Extra Mile Mini Mart.

ENVIRONMENTAL REVIEW: This project is Categorically Exempt under Class 1 Existing Facilities Section 15301 of the California Environmental Quality Act. 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.

INVITATION TO BE HEARD: All interested persons are invited to the public hearing to be heard in favor of or in opposition to the proposed project or to provide comments. In addition, written comments may be submitted to the Community Development Department prior to the hearing. If you challenge the action taken on this proposal 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 City of South Gate prior to or at the public hearing.

Those desiring a copy of the staff report or further information related to this project should contact

Contact: Jessica C Jimenez, Assistant Planner
Phone: 323-563-9514
E-mail: jjimenez@sogate.org

Mailing Address: Community Development Department
City of South Gate
8650 California Avenue
South Gate, CA 90280-3075

Joe Perez
Community Development Director

ESPAÑOL
Información en Español acerca de esta junta puede ser obtenida llamando al 323-563-9514

Published: January 3, 2019
NOTICE OF EXEMPTION

TO: County Clerk/Registrar-Recorder
County of Los Angeles
Environmental Filings
12400 E. Imperial Hwy
Norwalk, CA 90650

FROM: Planning Department
City of South Gate
8650 California Avenue
South Gate, CA 90280-3075

Project Title and Location (including county):
Conditional Use Permit No. 832
5651 Imperial Hwy, South Gate, Los Angeles, CA 90280

Project Description:
Conditional Use Permit No. 832 is a request by the applicant, Karl Huy to allow an increase of shelf area used for the display of alcoholic beverages by fifty-four percent (54%) at an existing Chevron Extra Mile Mini Market.

Name of Public Agency Approving Project:
City of South Gate - Community Development Department

Name of Person/Agency Carrying Out Project:
Joe Perez - Community Development Director

Exempt Status: (Check one)
☐ Ministerial (Sec. 21080 (b) (1); 15268);
☐ Declared Emergency (Sec. 21080 (b) (3); 15269(a));
☐ Emergency Project (Sec. 21080 (b) (4); 15269(b) (c));
☐ Emergency Project (Sec. 21080 (b) (4); 15269(b) (c));
☒ Categorical Exemption: Section: 15301 Class: 1
☐ Statutory Exemption: Section: _____ Class: _____

Reasons why project is exempt:
This project is Categorically Exempt under Class 1 Existing Facilities Section 15301 of the California Environmental Quality Act. 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.

Lead Agency Contact Person and Phone Number:
Jessica C. Jimenez, Assistant Planner
323-563-9514
jjimenez@sogate.org

Prepared and filed by the South Gate Community Development Department by:

Jessica C. Jimenez, Assistant Planner

Signature Printed Name and Title Date