

Planning Commission Agenda <u>ADDENDUM</u>

COUNCIL CHAMBERS and/or TELECONFERENCE

TUESDAY, JUNE 7, 2022 AT 7:00 P.M.

DIAL-IN-NUMBER: 1(669) 900-6833

876 1628 7399

https://us02web.zoom.us/j/87616287399

CALL TO ORDER:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

CITY OFFICIALS:

CHAIRPERSON

Fabiola Inzunza

COMMISSIONERS

Jose Delgado Ivy Duarte Diego Sepulveda

VICE CHAIRPERSON

Jose De La Paz

REPORT ON POSTING

I, Jose Montano, Acting Administrative Service Coordinator, certify that a true and correct copy of the foregoing meeting agenda was properly posted on June 3, 2022, 72 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.

Item No. 1

The Planning Commission will consider approving the minutes for the Planning Commission meeting of May 3, 2022, and May 17, 2022.

Item No. 2

The Planning Commission will conduct a public hearing for Conditional Use Permit No. 858. to allow a proposed restaurant to obtain a Type 41 Alcoholic Beverage Control license for on-sale Beer and Wine at an existing restaurant for property located at 4322 Tweedy Boulevard.

Item No. 3

The Planning Commission will conduct a public hearing for Conditional Use Permit No. 859. to allow a proposed restaurant to obtain a Type 47 Alcoholic Beverage Control license for on-sale General at a proposed restaurant for property located at 4332 Tweedy Boulevard.

Item No. 4

The Planning Commission will conduct a public hearing for Conditional Use Permit No. 860. to allow an existing facility to obtain a Type 41 Alcoholic Beverage Control for on-sale Beer & Wine- Eating place license for property located at 9599 Pinehurst Avenue.

Item No. 5

The Planning Commission will conduct a public hearing for Conditional Use Permit No. 861 to allow for the operation of a "Medical service, Medical/Dental/Holistic"/Medical Spa" Per the Tweedy Boulevard Specific Plan for property located at 3323 Tweedy Blvd.

Item No. 6

The Planning Commission will conduct a public hearing to review amending the Zoning Code regarding off-site parking distances, thresholds and parking requirements for land uses serving children, older adults, community assembly or people with disabilities.

Item No. 7

The Planning Commission will conduct a public hearing to review the Zoning Code Amendments Timeline & Workshop.

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, June 20, 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, MAY 3, 2022

1. CALL TO ORDER

The Planning Commission of the City of South Gate met in-person and via teleconference on the above date at 7:00 PM

Chairperson Fabiola Inzunza presiding.

2. PLEDGE OF ALLEGIANCE - Vice Chairperson Jose Delgado

3. ROLL CALL

Commissioners Present: Chairperson Fabiola Inzunza, Vice-Chairperson De La Paz, Delgado, and

Sepulveda

Commissioners Absent:

Staff Present:

Meredith T. Elguira, Community Development Director

Yalini Siva, Senior Planner

Jose Montano, Recording Secretary

Craig Hardwick, City Attorney

Consultants- Jim Simon, RSG & Veronica Tam, Veronica Tam and Associates, Inc.

4. REPORT ON POSTING AND MEETING COMPENSATION DISCLOSURE

5. MINUTES

MOTION: Vice Chairperson De La Paz moved to approve the minutes and Chairperson Inzunza seconded the motion. Motion carried unanimously, with the following roll call vote:

AYES:

Inzunza, De La Paz, and Sepulveda

NOES:

None

ABSTAIN:

Delgado

6. PUBLIC HEARING ZONING ORDINANCE REGARDING INCLUSIONARY HOUSING AND IN LIEU FEES.

Jim Simon, RSG Consultant presented the staff report to the Planning Commission.

MOTION: Chairperson Inzunza moved to approve item No. 2 with amendments in section 11.29.050, of the Inclusionary Housing Ordinance and Commissioner Sepulveda seconded the motion. Motion carried unanimously, with the following roll call vote:

AYES:

Inzunza, De La Paz, Delgado, and Sepulveda

NOES:

None

ABSTAIN:

None

7. THE PLANNING COMMISSION WILL CONDUCT A PUBLIC HEARING TO CONSIDER A RECOMMENDATION TO THE CITY COUNCIL TO APPROVE THE 2021-2029 HOUSING ELEMENT.

Veronica Tam, Veronica Tam and Associates, Inc., presented the staff report to the Planning Commission.

MOTION: Chairperson Inzunza moved to recommend approval of the 2021-2029 Housing Element to council; and Commissioner Delgado seconded the motion. Motion carried unanimously, with the following roll call vote:

AYES:

Inzunza, De La Paz, Delgado, and Sepulveda

NOES:

None

ABSTAIN:

None

8. THE PLANNING COMMISSION WILL CONSIDER A REQUEST TO PAINT AN OUTDOOR MURAL AT 3480 FIRESTONE BOULEVARD.

Yalini Siva, Senior Planner presented the staff report to the Planning Commission.

MOTION: Vice Chairperson De La Paz moved to approve item No. 4 and Commissioner Sepulveda seconded the motion. Motion carried unanimously, with the following roll call vote:

AYES:

Inzunza, De La Paz, Delgado, and Sepulveda

NOES:

None

ABSTAIN:

None

9. AUDIENCE COMMENTS

None

10. CITY STAFF COMMENTS

Meredith Elguira Introduced the newly appointed Commissioner, Ivy Duarte and the new software Q-Less was introduced to the Planning Commission.

11. PLANNING COMMISSION COMMENTS

Commissioner Delgado informed the Planning Commission his excitement of participating in-person Planning Commission meeting. Chairperson Inzunza would like more outreach in the community.

12. ADJOURNMENT

The meeting was adjourned at 8:28 PM. The next regular meeting of the Planning Commission is scheduled to be held on Tuesday, April 19, 2022, beginning at 7:00 PM.

	Respectfully,
	Meredith T. Elguira, Community Development Director
APPROVED:	
-abiola Inzunza, Chairperson	

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MINUTES OF THE REGULAR MEETING OF THE SOUTH GATE CITY SPECIAL PLANNING COMMISSION TUESDAY, MAY 17, 2022

1. CALL TO ORDER

The Planning Commission of the City of South Gate met via teleconference on the above date at 7:00 PM Chairperson Fabiola Inzunza presiding.

2. PLEDGE OF ALLEGIANCE - Commissioner Ivy Duarte

3. ROLL CALL

Commissioners Present: Chairperson Fabiola Inzunza, Vice-Chairperson Jose De La Paz, Delgado, Duarte

and Sepulveda

Commissioners Absent:

Staff Present: Meredith T. Elguira, Community Development Director

Yalini Siva, Senior Planner

Victor Ferrer- Management Analyst Sandra Varela, Recording Secretary Craig Hardwick, City Attorney

4. REPORT ON POSTING AND MEETING COMPENSATION DISCLOSURE

5. HOME RECOGNITION PROGRAM

Victor Ferrer, Management Analyst presented a staff report to the Planning Commission and there was a range of discussion amongst the Planning Commissioners and staff regarding the Home Recognition Program.

Commissioner Delgado moved to approve item No. 1 and Commissioner Sepulveda seconded the motion. Motion carried unanimously, with the following roll call vote:

AYES:

Inzunza, Delgado, and Sepulveda

NOES:

De La Paz and Duarte

ABSTAIN:

None

7. UPDATING THE CITY'S ZONING CODE

Yalini Siva, Senior Planner presented a staff report to the Planning Commission and there was a range of discussion amongst the Planning Commissioners and staff regarding updating the Zoning Code.

This item has been received and filed.

8. AUDIENCE COMMENTS

None

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None

11. PLANNING COMMISSION COMMENTS

Vice Chairperson De La Paz expressed his concerns regarding the posting of the Planning Commission Agenda. Commissioners also expressed their concerns regarding the City of South Gate website. Chairperson Inzunza welcomed Ivy Duarte to the Planning Commission.

12. ADJOURNMENT

The meeting was adjourned at 8:25 PM.

	Respectfully,
	Meredith T. Elguira, Community Development Director
APPROVED:	
- abiola Inzunza, Chairperson	

City of South Gate PLANNING COMMISSION

AGENIDA BIILIL

For the Regular Meeting of: June 7th, 2022

Norma Hernandez

Assistant Planner:

Community Development Director;

Meredith Elguira

SUBJECT: CONDITIONAL USE PERMIT NO. 858 TO PERMIT SALES UNDER A TYPE 41 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR ON-SALE BEER AND WINE AT AN EXISTING RESTAURANT, LOCATED AT 4322 TWEEDY BOULEVARD.

<u>PURPOSE</u>: To consider a request for Conditional Use Permit (CUP) No. 858 to permit sales under a Type 41 Alcoholic Beverage Control (ABC) license for on-sale beer and wine at an existing restaurant located at 4322 Tweedy Boulevard.

RECOMMENDED ACTION: To adopt Resolution No. 2022-09 (see Exhibit A), certifying a Class 1 Categorical Exemption from the California Environmental Quality Act (CEQA); and approve Conditional Use Permit No. 858, subject to the recommended conditions of approval (see Exhibit B).

<u>PUBLIC NOTIFICATION</u>: 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 "South Gate Press" newspaper and was mailed to surrounding properties on May 26, 2022.

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 1 (Existing Facilities) exemption under the CEQA Guidelines, at 14 CCR Section 15301, consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations 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. The project qualifies under Class 1 Exemption since the proposed project does not consist of an expansion of an existing or former use.

ANALYSIS: Conditional Use Permit No. 858 is a request to establish an alcohol license that will permit the sales of beer and wine to restaurant patrons for on-site consumption at an existing restaurant (Flipping Byrds) located at 4322 Tweedy Boulevard. The subject site is located within the Tweedy Boulevard Specific Plan (TBSP)—Tweedy Mile Subarea—between McNerney Avenue and Bowman Avenue (see *Figure 1* and Exhibit C) and is zoned Tweedy Mixed-Use 1 (TMU1). The General Plan designation of the site is Tweedy Corridor (Sub Area 6). Pursuant to "Table 4-2: Allowed Land-Uses for Tweedy Mixed-Use Zones," of the Tweedy Boulevard Specific Plan, a "Restaurant" is permitted by right and the "Alcohol Sales, As Part of a Restaurant" requires a conditional use permit. In May of 2020 a tenant improvement project was approved for

the subject property and in February 8th, 2022 a Zoning Clearance was approved for the restaurant, Flipping Byrds.

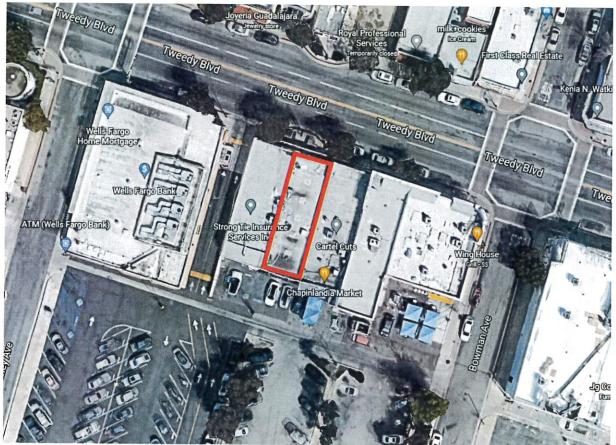


Figure 1 – Aerial Map

Surrounding Land Uses and Project Setting

Abutting uses includes commercial uses to the east, office type uses to the west, commercial uses like restaurants and hair salons to the north, and a City owned parking lot to the south.

Direction	Address	Lot Size	Zoning TMU1 TMU1	
North	4321 Tweedy Boulevard	.08 acres		
South	9933 Bowman Avenue	.30 acres		
West	4300 Tweedy Boulevard	.26 acres	TMU1	
East	4326 Tweedy Boulevard	.07 acres	TMU1	

Table 1 – Surrounding Uses

The existing restaurant currently occupies approximately 2,320 square feet of a 4,320 square-foot multi-tenant commercial structure (see Exhibit C) and has a dinning area, kitchen, and two storage rooms. The seating capacity for the restaurant is for 36 patrons (see Exhibit D) with the proposed hours of operation are between 8am and 11pm.

The number of on-site parking spaces provided are five (four standard spaces and one accessible

space) located behind the commercial building. However, the subject property falls within Tweedy Mile Subarea and therefore complies with parking requirements through the Park Once Program under the Tweedy Boulevard Specific Plan, which embraces the concept of shared parking, where shared parking supplies are available to all users, rather than being limited to a single land-use of building (Chapter 5-Mobility and Parking) and is consistent with Section 11.33.120 (Park Once/Parking Districts) of the City's Municipal Code. The purpose of the Park Once Program is to encourage people to park once in one of the City owned parking lots and walk through the Tweedy Mile. *Figure 2* shows the location of City owned parking lots that are within 1,300 feet of the subject property; five of the City's Parking Lots are less than 1,300 feet (or about ¼ of a mile) from the subject property.



Figure 2 City Owned Parking Lots

ABC Review

Alcohol sales will be in accordance with the provisions of a Type 41 (On-Sale Beer and Wine) alcohol license as issued by the California Department of Alcoholic Beverage Control (ABC). The proposed restaurant is located within Census Tract No. 5359.02. Based on the records obtained on the Alcoholic Beverage License online website, this census tract does not have an "undue concentration" of licenses already issued by the ABC, as that term is defined by *Business and Professions Code* Section 23958.4(a)(2), which sets a ratio for the maximum amount of recommended licensed premises. Under the formula set forth by that statute, a maximum of three (6) on-sale licensed premises are recommended in this census tract, with any additional licenses constituting an undue concentration. Currently, the census tract holds one (see *Figure 3*).

License Type	Business Address	Business Name
41 (On-Sale Beer & Wine)	4336 Tweedy Boulevard	Wing House

Figure 3

Permit Process and Police Department Review

Table 4-2: Allowed Land Uses in the Tweedy Boulevard Specific Plan has additional use regulations for "Alcohol Sales, As Part of a Restaurant" land-use type. The additional use regulation is Section 11.42 of the South Gate Municipal Code, which requires a Conditional Use Permit for the sale of alcoholic beverages from a commercial establishment. As such, the applicant has submitted an application for the proposed alcohol license at an existing restaurant. As part of the review process, the application was submitted to the Police Department for comments and no issues of concern were identified by the department regarding this application.

Applicant:

Erika de la Teja 10840 Paramount Blvd Downey, CA. 90241

Property Owner:

Efrain Ferrer 4322 Tweedy Boulevard South Gate, CA. 90280

Site Features:

Lot size: 6,568 square feet

Property Address:

4322 Tweedy Boulevard South Gate, CA 90280

Assessor's Parcel No.

6218-022-019

Zoning Designation:

Tweedy Mixed-Use 1

General Plan Designation:

Commercial

Surrounding Land Uses:

North: Tweedy Mixed-Use 1 (TMU1) South: Tweedy Mixed-Use 1 (TMU1) East: Tweedy Mixed-Use 1 (TMU1) West: Tweedy Mixed-Use 1 (TMU1)

EXHIBITS:

- A. RESOLUTION NO.2022-09
- B. CONDITIONS OF APPROVAL
- C. SITE PLAN
- D. FLOOR PLAN
- E. ELEVATION
- F. NOTICE OF EXEMPTION

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RESOLUTION NO. 2022-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH GATE, CALIFORNIA CERTIFYING A CLASS 1 CEQA EXEMPTION AND APPROVING CONDITIONAL USE PERMIT NO. 858 FOR SALES UNDER AN ALCOHOL BEVERAGE LICENSE, TYPE 41, AT AN EXISTING RESTAURANT LOCATED AT 4322 TWEEDY BOULEVARD.

WHEREAS, on February 7, 2022 the Department of Community Development received an application from Erika De La Teja ("Applicant") for Conditional Use Permit No. 858 to allow sales under a Type 41 (On-Sale Beer and Wine) alcohol license, in conjunction with the operation of a restaurant, located at 4322 Tweedy Boulevard; and

WHEREAS, the Planning Commission upon giving the required notice did, on the seventh day of June, 2022, 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 May 26, 2022; and

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 on Tweedy Boulevard between McKinley Avenue and Bowman Avenue.
- 2. The Zoning designation for the property is Tweedy Mixed-Use 1 and the General Plan designation is Tweedy Corridor (Subarea 6).
- 3. The existing restaurant is proposing to offer a limited selection of craft beers and wine to be sold and consumed on-site during business hours.
- 4. The restaurant will operate Monday thru Sunday from 8:00 am to 11:00 pm and is proposing alcohol sales from opening until closing time. The restaurant will have a maximum of eight staff members at the maximum shift.

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 is in the TMU1 zone of the Tweedy Boulevard Specific Plan as well as the Tweedy Mile Subarea. Any alcohol sales permitted under the Alcoholic Beverage License Type 41, will be ancillary to a restaurant that is already contributing to the economic growth in the Tweedy Boulevard Specific Plan.
- 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 project is aligned with the General Plan's Community Development Goal

number 5, "to revitalize Tweedy mile to become the social and cultural heart of South Gate," Objective 5.1, which is to "preserve and enhance the existing character of the Tweedy Mile," and with Objective 5.2, which is to "target new uses that reinforce Tweedy Mile's role as the heart of the City."

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 previously approved restaurant would only enhance opportunities for business growth and economic vitality within the subject area. Conditions of approval listed herein would ensure that operations would not cause for potential impacts to the surrounding area.

4. The project proposal is exempt from CEQA under Class 1

The proposed Conditional Use Permit is Categorically Exempt from the California Environmental Quality Act (CEQA) as a under Class 1(Existing Facilities) 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 existing or former use.

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. 858 to allow the on-site consumption of beer and wine (Type 41 alcohol license) at an existing restaurant during business hours, subject to the conditions of approval contained in **Exhibit B**.

This recommendation was adopted by the following vote at the Planning Commission meeting of June 7, 2022.

June 7, 2022.	
AYES:	
NOES:	
ABSENT:	
APPROVED and ADOPTED this se	venth day of June, 2022.
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	Meredith Elguira
	Secretary
APPROVED:	· ·
APPROVED:	Secretary

Chairperson

City Planning Commission

CUP NO. 858 - CONDITIONS OF APPROVAL 4322 TWEEDY BOULEVARD

Mandatory Conditions:

- 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.

Standard Conditions of Approval:

- 1. The validity of the CUP shall be conditioned on compliance with all state regulations and conditions.
- 2. The premises shall be maintained at all times in a neat and orderly manner.
- 3. Trash receptacles shall be provided in such number and at such locations as specified by the planning commission.
- 4. All alcoholic beverages sales, offerings, and consumption shall be conducted completely within an enclosed building or permitted outdoor seating areas for on-sale uses.
- 5. 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.
- 6. 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).
- 7. 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.
- 8. 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. Any kitchen facility on premises (in conjunction with a restaurant) shall be maintained at all times in a clean and sanitary condition.
- 10. Adequate refrigeration shall be maintained at all times for the preservation of any food on the permittee's premises.
- 11. 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.

Planning Conditions:

1. Applicant shall obtain property permit for any outdoor seating being proposed.

- 2. Outdoor dining/seating areas shall be located directly adjacent to the associated land use.
- 3. Outdoor dining areas shall be located directly adjacent to the associated land use.
- 4. When located to a residential use, provisional shall be made to minimize noise, light, and odor impacts on the adjacent residential use. This may include a sound-buffering acoustic wall and/or separation by a physical barrier to define the limits of the outdoor dining space. Design and adequacy of these features shall be subject to director approval, in conjunction with the required permit.
- 5. All outdoor dining/seating areas shall maintain a minimum depth of five feet if screened, marked, or enclosed by a wall, fence, or planting.
- 6. A wall, fence, or planting feature to mark or screen the outdoor dining/seating area is permitted, but not required. Where used, the maximum height of the wall/fence/planting feature shall not exceed forty-two inches, except when located adjacent to a residential use, the wall may be permitted up to seven feet if it is a transparent or clear material.
- 7. The hours of operation shall be limited to the hours of operation of the associated land use.
- 8. Illumination shall be installed to prevent glare onto, or direct illumination of, any adjacent residential property or use.
- 9. All outdoor dining areas serving alcoholic beverages shall meet, and be in compliance with, the requirements of Chapter 11.42, Alcoholic Beverage Sales, and the state's Alcohol Beverage Control Board.
- 10. Reasonable volumes of amplified sound or background music is not prohibited within the outdoor dining area provided there is no impact to adjacent uses (i.e. residential).
- 11. No structure or enclosure to accommodate the storage of refuse or recycling shall be built or placed on or adjacent to the outdoor dining area.
- 12. Outdoor dining areas and associated structural elements, awnings, covers, furniture, umbrellas, or other physical elements shall be compatible with the overall design of the main structure and the following:
 - a. Outdoor dining areas will not inhibit vehicular or pedestrian traffic flow
 - b. The use of awning, plants, umbrellas, and other human-scale elements are encouraged to enhance the pedestrian experience, if applicable.

Building & Safety Conditions:

1. All Americans with Disabilities Act (ADA) parking spaces are to be clearly marked and identified at all times.

- 2. All exterior common areas to be properly illuminated during nighttime.
- 3. Trash enclosure area to be maintained at all times.
- 4. American with Disabilities Act (ADA) path of travel to be unobstructed at all times.

Public Works:

No comment or conditions.

Code Enforcement Conditions:

- 1. Install clear cover for cabinet sign at rear.
- 2. Maintain parking area free of debris and remove graffiti from windows.

Additional Conditions:

- 1. 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 of the conditions.
- 2. 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.
- 3. Violation of, or noncompliance with, any of these conditions shall constitute grounds for revocation of this permit.
- 4. 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.
- 5. The permittee shall comply with all state statutes, rules and regulations relating to the sale, purchase, display, possession and consumption of alcoholic beverages.
- 6. 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

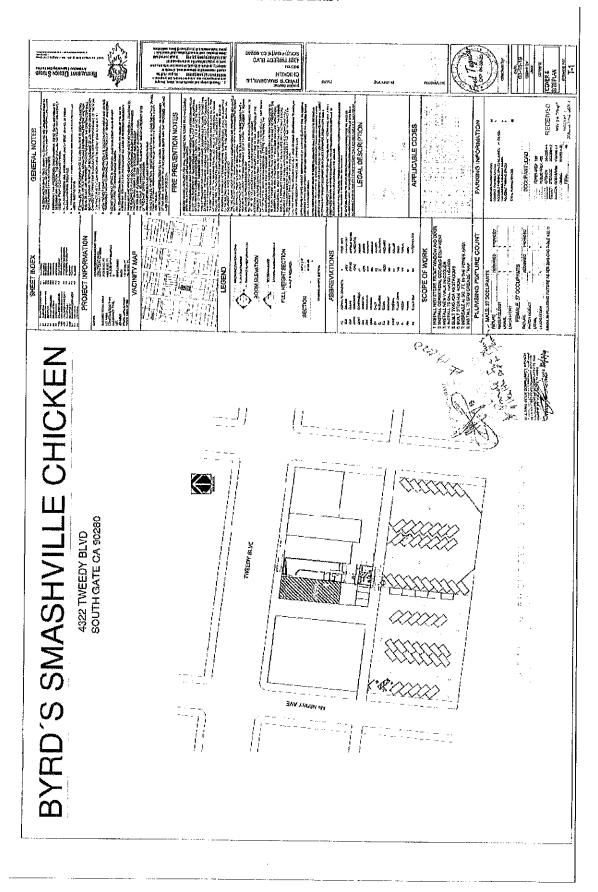
consumption of alcoholic beverages by a minor has been determine by the city to have a deleterious secondary effect upon (i) the specific land use requested by the permittee and authorized by the city; (ii) the compatibility or permittee's authorized land use with adjacent land uses; and (iii) the welfare 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 statue, rule or regulation concerning the sale to or consumption of alcoholic beverages by a minor.

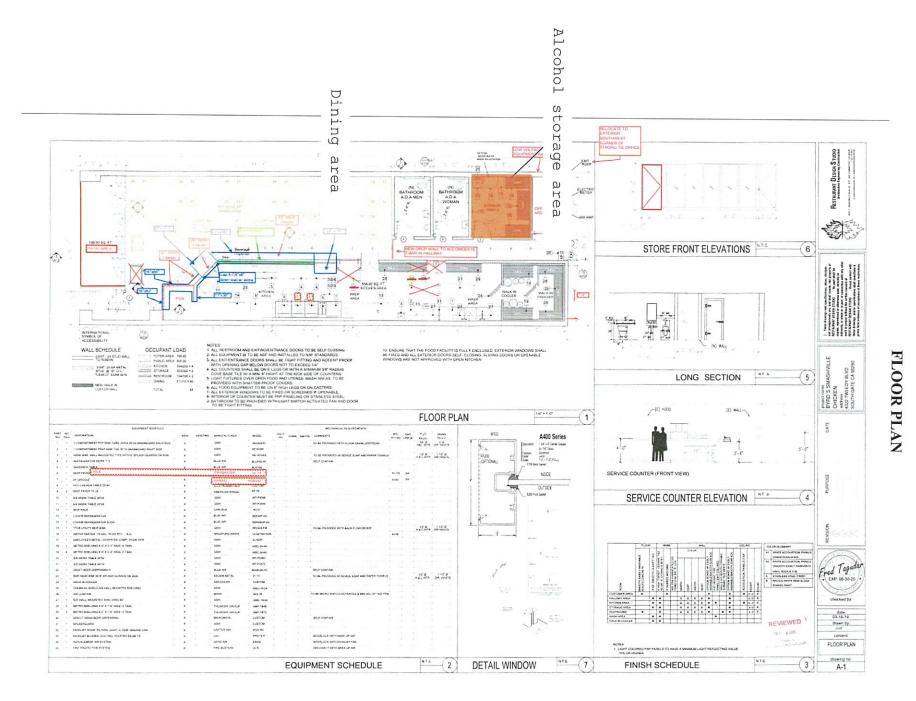
- 7. Any violation by permittee of any condition of this permit, or of any ordinance or statute concerning sale of alcoholic beverages to a minor or otherwise may result in the suspension or revocation of the permit at the discretion of the City Council. The permit may be revoked and reissued with new or modified conditions, as may appropriate under the circumstances.
- 8. 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.
- 9. 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.
- 10. 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.
- 11. 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.

- 12. 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.
- 13. Permittee acknowledges and agrees that the permit is expressly conditioned on the permittee maintaining the subject property in a well-maintained condition, and free from graffiti. In the event of graffiti markings, permittee agrees to eliminate all such graffiti within twenty-four (24) hours, with or without notice from the City, as a condition of the permit.
- 14. If the conditions of this CUP issued 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 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.

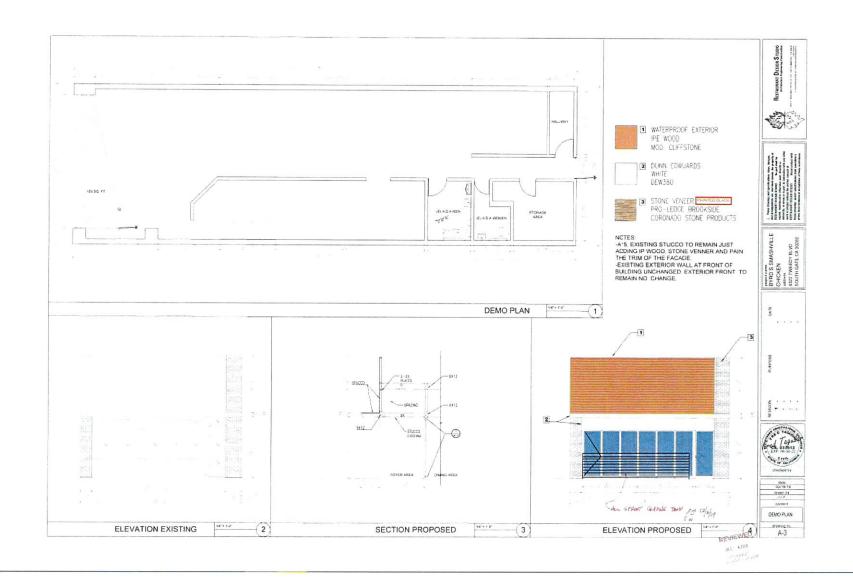
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SITE PLAN





ELEVATION



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TO: County Clerk/Registrar-Recorder FROM: Planning Department County of Los Angeles City of South Gate **Environmental Filings** 8650 California Avenue 12400 E. Imperial Hwy South Gate, CA 90280-3075 Norwalk, CA 90650 Project Title and Location (including county): Conditional Use Permit No. 858 4322 Tweedy Boulevard, South Gate, Los Angeles, CA 90280 **Project Description:** Conditional Use Permit No. 858 is a request by the applicant, Erika De La Teja, to operate a Type-41 (On-Sale Beer and Wine) alcohol license at an existing restaurant. Name of Public Agency Approving Project: City of South Gate - Community Development Department Name of Person/Agency Carrying Out Project: Norma Hernandez - Assistant Planner 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)); \boxtimes Categorical Exemption: Section: <u>15301</u> 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:** Norma Hernandez, Assistant Planner 323-563-9514 nhernandez@sogate.org Prepared and filed by the South Gate Community Development Department by:

Norma Hernandez, Assistant Planner

Printed Name and Title

Date

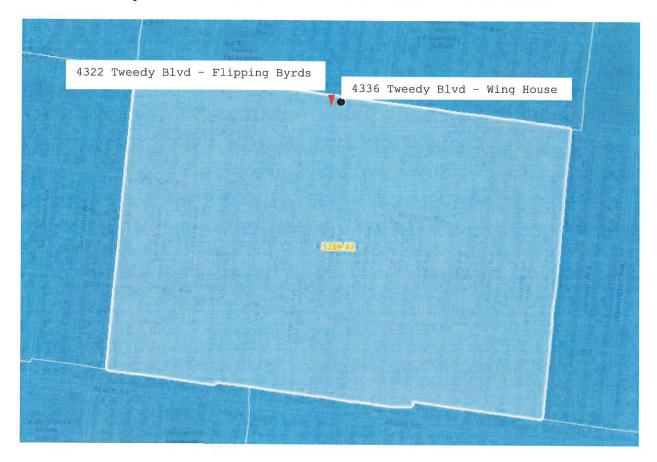
Signature

ATTACHMENTS:

- Census tract concentration map.
 List of Active On-Sale Retail Licenses.
- 3. Public Hearing Notice

Attachment 1

Map of On-Sale Alcohol License within Census Tract No. 5359.02



License Report

Having trouble viewing the report?

Results for: Active On-Sale Retail Licenses

County: LOS ANGELES County

Census Tract: 5359.02

Report Date: Tuesday, May 31, 2022

Show 10	v en	tries						Search:	
License Number	Įį.		License Type	Orig. Iss. Date	Expir. Date	Primary Owner	Premises Addr.	Business Name	Geo Code
509428		ACTIVE	41	04/20/2011	03/31/2022	WING HOUSE INC	4336 TWEEDY BLVD, SOUTH GATE, CA 90280-6220 Census Tract: 5359.02	WING HOUSE	1956

Showing 1 to 1 of 1 entries

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. 858.

DATE OF HEARING:

Tuesday, June 7, 2022

TIME OF HEARING:

7:00 pm

LOCATION OF HEARING: 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 June 7th Planning Commission meeting, please visit the

City's website at

https://www.cityofsouthgate.org/AgendaCenter.

PROJECT LOCATION:

4322 Tweedy Boulevard.

PROJECT DESCRIPTION: Request to allow the issuance of a California Department of Alcoholic Beverage Control (ABC) Type 41 On-Sale Beer & Wine-Eating Place

license at an existing restaurant.

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 alterations 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. The project qualifies under Class 1 Exemption since the proposed project does not consist of an expansion of an existing or former use.

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:

Norma Hernandez, Assistant Planner

Phone:

323-563-9514

E-mail:

nhernandez@sogate.org

Mailing Address:

Community Development Department

City of South Gate 8650 California Avenue South Gate, CA 90280-3075

Meredith Elguira

Community Development Director

ESPAÑOL

Información en Español acerca de esta junta puede ser obtenida llamando al 323-563-9529.

Published: May 26th, 2022

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City of South Gate PLANNING COMMISSION

TING A MING

For the Regular Meeting of: June 7th, 2022

Norma Hernandez

Assistant Planner:

Community Development Director:

Meredith Elguira

SUBJECT: CONDITIONAL USE PERMIT NO. 859 TO PERMIT SALES UNDER A TYPE 47 ALCOHOLIC BEVERAGE CONTROL LICENSE FOR ON-SALE GENERAL AT A PROPOSED RESTAURANT, LOCATED AT 4332 TWEEDY BOULEVARD.

<u>PURPOSE</u>: To consider a request for Conditional Use Permit (CUP) No. 859 to permit sales under a Type 47 Alcoholic Beverage Control (ABC) license for on-sale general at a proposed restaurant located at 4332 Tweedy Boulevard.

RECOMMENDED ACTION: To adopt Resolution No. 2022-10 (see Exhibit A), certifying a Class 1 Categorical Exemption under the California Environmental Quality Act; and approve Conditional Use Permit No. 859, subject to the recommended conditions of approval (see Exhibit B).

<u>PUBLIC NOTIFICATION</u>: 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 "South Gate Press" newspaper and was mailed to surrounding properties on May 26, 2022.

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 1 (Existing Facilities) exemption under the CEQA Guidelines, at 14 CCR Section 15301, consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations 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. The project qualifies under Class 1 Exemption since the proposed project does not consist of an expansion of an existing or former use.

ANALYSIS: Conditional Use Permit No. 859 is a request to establish an alcohol license that will permit the sales of wine, beer, and distilled spirits to the restaurant patrons for on-site consumption at a proposed restaurant (Mar Chingon) located at 4332 Tweedy Boulevard. The subject site is located within the Tweedy Boulevard Specific Plan (TBSP)-Tweedy Mile Subarea—between McNerney Avenue and Bowman Avenue, closer to the intersection of Tweedy Boulevard and Bowman Avenue (see *Figure 1* and Exhibit C) and is zoned Tweedy Mixed-Use 1 (TMU1). The General Plan designation of the site is Tweedy Corridor (Sub Area 6). Pursuant to "Table 4-2: Allowed Land Uses for Tweedy Mixed-Use Zones," of the Tweedy Boulevard Specific Plan, "Alcohol Sales, As Part of a Restaurant" require a conditional use permit.

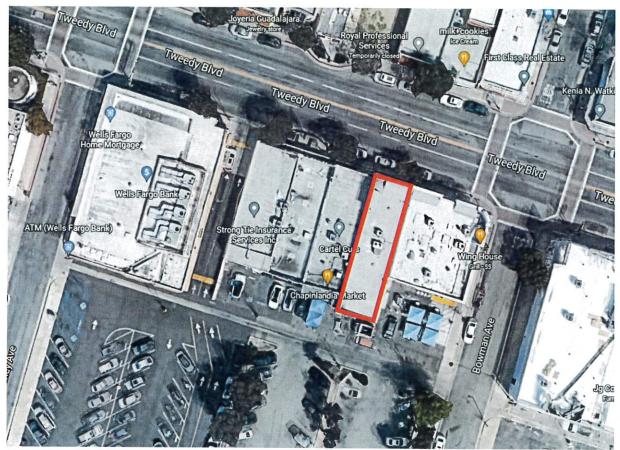


Figure 1 – Aerial Map

Surrounding Land Uses and Project Setting

Abutting uses include commercial uses to the east, office type uses to the west, commercial uses like restaurants and hair salons to the north, and a City owned parking lot to the south. Table 1 shows the zoning designation for surrounding properties.

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Direction	Address	Lot Size	Zoning
North	4327 Tweedy Boulevard	.09 acres	TMU1 (Tweedy Mixed-Use)
South	9933 Bowman Avenue	.30 acres	TMU1 (Tweedy Mixed-Use)
West	4326 Tweedy Boulevard	.07 acres	TMU1 (Tweedy Mixed-Use)
East	4336 Tweedy Boulevard	.13 acres	TMU1 (Tweedy Mixed-Use)

Table 1 – Surrounding Uses

The proposed restaurant would provide for a bar area (conditioned not to exceed 30 percent of the total dinning area), dining area, kitchen, walk-in cooler, and a storage area (see Exhibit D). The restaurant will also undergo a tenant improvement project of the existing 2,687 square foot commercial structure that consists of an interior remodel as well a façade improvement—no expansions or additions are being proposed (see Exhibit E). The seating capacity for the restaurant is for 35 patrons in the regular dining area and 13 patrons in the bar area. The proposed hours of

operation will be between 8am and 11pm.

The number of on-site parking spaces provided are three (two standard spaces and one accessible space). However, the subject property falls within Tweedy Mile Subarea and therefore complies with parking requirements through the Park Once Program under the Tweedy Boulevard Specific Plan which embraces the concept of shared parking, where shared parking supplies are available to all users, rather than being limited to a single land-use or building (Chapter 5-Mobility and Parking) and is consistent with Section 11.33.120 (Park Once/Parking Districts) of the City's Municipal Code. *Figure 2* shows the location of City owned parking lots that are within 1,300 feet of the subject property; five of the City's Parking Lots are less than 1,300 feet (or about ¼ of a mile) from the subject property.



Figure 2 City Owned Parking Lots

ABC Review

Alcohol sales will be in accordance with the provisions of a Type 41 (On-Sale Beer and Wine) alcohol license as issued by the California Department of Alcoholic Beverage Control (ABC). The proposed restaurant is located within Census Tract No. 5359.02. Based on the records obtained on the Alcoholic Beverage License online website, this census tract does not have an "undue concentration" of licenses already issued by the ABC, as that term is defined by *Business and Professions Code* Section 23958.4(a)(2), which sets a ratio for the maximum amount of recommended licensed premises. Under the formula set forth by that statute, a maximum of three (6) on-sale licensed premises are recommended in this census tract, with any additional licenses constituting an undue concentration. Currently, the census tract holds one (see *Figure 3*).

License Type	Business Address	Business Name		
41 (On-Sale Beer & Wine)	4336 Tweedy Boulevard	Wing House		

Figure 3

Permit Process and Police Department Review

Table 4-2: Allowed Land Uses in the Tweedy Boulevard Specific Plan has additional use regulations for "Alcohol Sales, As Part of a Restaurant" land-use type. The additional use regulation is Section 11.42 of the South Gate Municipal Code, which requires a Conditional Use Permit for the sale of alcoholic beverages from a commercial establishment. As such, the applicant has submitted an application for the proposed alcohol license at an existing restaurant. As part of the review process, the application was submitted to the Police Department for comments and no issues of concern were identified by the department regarding this application.

CONCLUSION: Based on the analysis provided above, it is staff's recommendation that the Planning Commission approve Conditional Use Permit No. 859. The proposed conditions of approval contain in Resolution no. 2022-10 require that the business operation remain in compliance with the requirements of the California Department of Alcoholic Beverage Control and are designed to mitigate any potential negative impact and address any potential problems that may arise. Staff recommends that the Planning Commission approve Conditional Use Permit No. 859, establishing an alcohol license at a proposed restaurant located at 4332 Tweedy Boulevard.

Applicant:

Ivan Velasquez 4652 East 3rd Street Los Angeles, CA. 90022

Property Owner:

Steven Padilla 8077 Florence Avenue Downey, CA. 90240

Site Features:

Lot size: 3,120 square feet

Property Address:

4332 Tweedy Boulevard South Gate, CA 90280

Assessor's Parcel No.

6218-022-017

Zoning Designation:

Tweedy Mixed-Use 1

General Plan Designation:

Commercial

Surrounding Land Uses:

North: Tweedy Mixed-Use 1 (TMU1) South: Tweedy Mixed-Use 1 (TMU1) East: Tweedy Mixed-Use 1 (TMU1) West: Tweedy Mixed-Use 1 (TMU1)

EXHIBITS:

- A. RESOLUTION NO.2022-10
- B. CONDITIONS OF APPROVAL
- C. SITE PLAN
- D. FLOOR PLAN
- E. ELEVATION
- F. NOTICE OF EXEMPTION

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RESOLUTION NO. 2022-10

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH GATE, CALIFORNIA CERTIFYING A CLASS 1 CEQA EXEMPTION AND APPROVING CONDITIONAL USE PERMIT NO. 859 FOR GENERAL SALES OF ALCOHOLL UNDER AN ALCOHOL BEVERAGE LICENSE, TYPE 47, AT A PROPOSED RESTAURANT LOCATED AT 4332 TWEEDY BOULEVARD.

WHEREAS, on January 27, 2022, the Department of Community Development received an application from Ivan Velasquez ("Applicant") for Conditional Use Permit No. 859 to allow sales under a Type 47 (On-Sale General) alcohol license, in conjunction with the operation of a restaurant, located at 4332 Tweedy Boulevard; and

WHEREAS, the Planning Commission upon giving the required notice did, on the seventh day of June, 2022, 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 May 26, 2022; and

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 on Tweedy Boulevard between McKinley Avenue and Bowman Avenue.
- 2. The Zoning designation for the property is Tweedy Mixed-Use 1 and the General Plan designation is Tweedy Subarea 6.
- 3. The proposed restaurant will occupy the entire 2,687 square feet of an existing structure.
- 4. The project site size is 3,120 square feet.
- 5. The existing restaurant is proposing to offer a limited selection of craft beers, wine and distilled spirits be sold and consumed on-site during business hours.
- 6. The restaurant will operate Monday thru Sunday from 8:00 am to 11:00 pm and is proposing alcohol sales from opening until closing time.

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 is in the TMU1 zone of the Tweedy Boulevard Specific Plan as well as the Tweedy Mile Subarea. Any alcohol sales permitted under the Alcoholic Beverage License Type 41, will be ancillary to a restaurant that is already contributing to the economic growth in the Tweedy Boulevard Specific Plan.

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 project is aligned with the General Plan's Community Development Goal number 5, "to revitalize Tweedy mile to become the social and cultural heart of South Gate," Objective 5.1, which is to "preserve and enhance the existing character of the Tweedy Mile," and with Objective 5.2, which is to "target new uses that reinforce Tweedy Mile's role as the heart of the City."

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 previously approved restaurant would only enhance opportunities for business growth and economic vitality within the subject area. Conditions of approval listed herein would ensure that operations would not cause for potential impacts to the surrounding area.

4. The project proposal is exempt from CEQA under Class 1 Categorical Exemption.

The proposed Conditional Use Permit is Categorically Exempt from the California Environmental Quality Act (CEQA) as a under Class 1(Existing Facilities) 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 existing or former use.

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. 859 to allow the on-site consumption of beer, wine, and distilled spirits (Type 47 alcohol license) at a proposed restaurant during business hours and is subject to the conditions of approval contained in **Exhibit B**.

This recommendation was adopted by the following vote at the Planning Commission meeting of June 7, 2022.

AYES:		
NOES:		

APPROVED and ADOPTED this seventh day of June, 2022.

ABSENT:

Meredith Elguira
Secretary
City Planning Commission

APPROVED:

Fabiola Inzunza Chairperson City Planning Commission

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CUP NO. 859 - CONDITIONS OF APPROVAL 4332 TWEEDY BOULEVARD

Mandatory Conditions:

- 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.

Standard Conditions of Approval:

- 1. The validity of the CUP shall be conditioned on compliance with all state regulations and conditions.
- 2. The premises shall be maintained at all times in a neat and orderly manner.
- 3. Trash receptacles shall be provided in such number and at such locations as specified by the planning commission.
- 4. All alcoholic beverages sales, offerings, and consumption shall be conducted completely within an enclosed building or permitted outdoor seating areas for on-sale uses.
- 5. 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.
- 6. 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).
- 7. 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.
- 8. 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 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.
- 10. Any kitchen facility on premises (in conjunction with a restaurant) shall be maintained at all times in a clean and sanitary condition.
- 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.

Planning Conditions:

- 1. Applicant shall obtain fire department clearance before obtaining Final Planning Approval.
- 2. The proposed bar area shall not exceed either 500 feet or 30 percent of the total dining area.

Building & Safety Conditions:

- 1. All Americans with Disabilities Act (ADA) parking spaces are to be clearly marked and identified at all times.
- 2. All exterior common areas to be properly illuminated during nighttime.
- 3. Trash enclosure area to be maintained at all times.

Public Works:

1. Provide a 9-foot street dedication.

Code Enforcement Conditions:

- 1. Applicant shall obtain permits for any new signage.
- 2. Feather flags shall not be permitted.
- 3. Maintain parking areas free of debris.

Police Department:

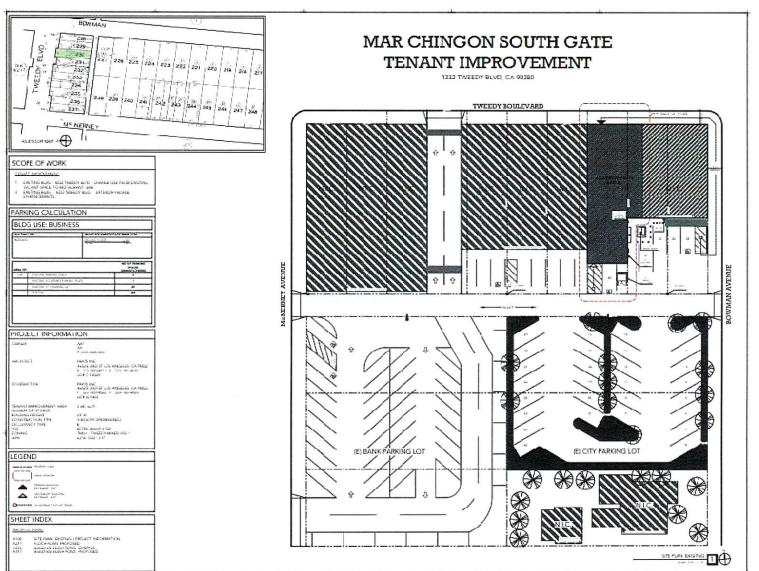
1. Allow officers to access surveillance footage (during regular business hours) for the purpose of conducting a criminal investigation.

Additional Conditions:

- 1. 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 of the conditions.
- 2. 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.
- 3. Violation of, or noncompliance with, any of these conditions shall constitute grounds for revocation of this permit.
- 4. 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 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.
- 5. The permittee shall comply with all state statutes, rules and regulations relating to the sale, purchase, display, possession and consumption of alcoholic beverages.
- 6. 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 statue, rule or regulation concerning the sale to or consumption of alcoholic beverages by a minor.
- 7. 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.
- 8. 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.
- 9. 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.
- 10. 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.
- 11. 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.
- 12. 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.
- 13. Permittee acknowledges and agrees that the permit is expressly conditioned on the permittee maintaining the subject property 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.
- 14. 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:
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 - 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.

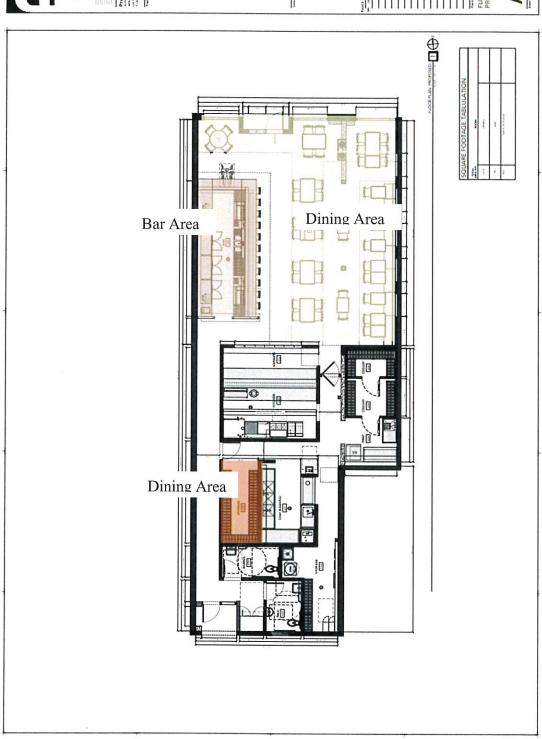


SITE PLAN

EXHIBIT D

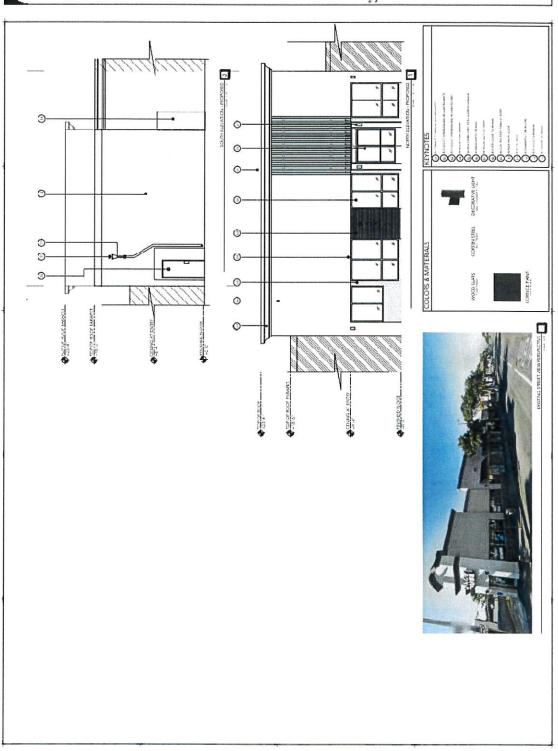
FLOOR PLAN





ELEVATION





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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. 859 4332 Tweedy Boulevard, South Gate, Los Angeles, CA 90280

Project Description:

Conditional Use Permit No. 859 is a request by the applicant, Ivan Velasquez, to operate a Type-47 (On-Sale General) alcohol license at an proposed restaurant.

Name of Public Agency Approving Project:

City of South Gate - Community Development Department

Name of Person/Agency Carrying Out Project:

Norma Hernandez - Assistant Planner

Exemp	ot Status: (Check one)			
	Ministerial (Sec. 21080 (b)	(1); 15268);		
	Declared Emergency (Sec	. 21080 (b) (3); 15269	(a));	
	Emergency Project (Sec. 2	21080 (b) (4); 15269(b)) (c));	
	Emergency Project (Sec. 2	21080 (b) (4); 15269(b)) (c));	
\boxtimes	Categorical Exemption:	Section: <u>15301</u>	Class: <u>1</u>	
	Statutory Exemption: Sec	tion: Clas	ss.	

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:

Norma Hernandez, Assistant Planner 323-563-9514 nhernandez@sogate.org

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

Norma Hernandez, Assistant Planner

Printed Name and Title

Date

Signature

ATTACHMENTS:

- Census tract concentration map.
 List of Active On-Sale Retail Licenses.
 Public Hearing Notice

Attachment 1

Map of On-Sale Alcohol License within Census Tract No. 5359.02



License Report

Having trouble viewing the report?

Results for: Active On-Sale Retail Licenses

County: LOS ANGELES County

Census Tract: 5359.02

Report Date: Tuesday, May 31, 2022

Show 10	∨ en	tries						Search:	
License Number	Įš.	Status	License Type	Orig. Iss. Date	Expir. Date	Primary Owner	Premises Addr.	Business Name	Geo Code
509428		ACTIVE	41	04/20/2011	03/31/2022	WING HOUSE INC	4336 TWEEDY BLVD, SOUTH GATE, CA 90280-6220 Census Tract: 5359.02	WING HOUSE	1956

Showing 1 to 1 of 1 entries

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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. 859.

DATE OF HEARING:

Tuesday, June 7, 2022

TIME OF HEARING:

7:00 pm

LOCATION OF HEARING: 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 June 7th Planning Commission meeting, please visit the

City's website at

https://www.cityofsouthgate.org/AgendaCenter.

PROJECT LOCATION:

4332 Tweedy Boulevard.

PROJECT DESCRIPTION: Request to allow the issuance of a California Department of Alcoholic Beverage Control (ABC) Type 47 On-Sale General—Eating Place license

at a proposed restaurant.

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 alterations 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. The project qualifies under Class 1 Exemption since the proposed project does not consist of an expansion of an existing or former use.

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:

Norma Hernandez, Assistant Planner

Phone:

323-563-9514

E-mail:

nhernandez@sogate.org

Mailing Address:

Community Development Department

City of South Gate 8650 California Avenue South Gate, CA 90280-3075

Meredith Elguira

Community Development Director

ESPAÑOL

Información en Español acerca de esta junta puede ser obtenida llamando al 323-563-9529.

Published: May 26th, 2022

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City of South Gate PLANNING COMMISSION

For the Regular Meeting of: June 7, 2022

Senior Planner:

Yaln Community Development Director:

Meredith Elguira

<u>SUBJECT</u>: CONDITIONAL USE PERMIT NO. 860 TO ALLOW THE ISSUANCE OF A CALIFORNIA DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) TYPE 41 ON-SALE BEER & WINE – EATING PLACE LICENSE AT AN EXISTING "GOALS" SOCCER FACILITY LOCATED WITHIN SOUTH GATE PARK AT 9599 PINEHURST AVENUE.

<u>PURPOSE</u>: To consider a request allow the issuance of a California Department of Alcoholic Beverage Control (ABC) Type 41 On-Sale Beer & Wine – Eating Place license at the existing "Goals" soccer facility located within South Gate Park at 9599 Pinehurst Avenue.

RECOMMENDED ACTION: Adopt Resolution No. 2022-11 (Exhibit A), certifying a Class 1 Categorical Exemption from the California Environmental Quality Act (CEQA); and approve Conditional Use Permit No. 860, subject to the recommended conditions of approval (Exhibit B).

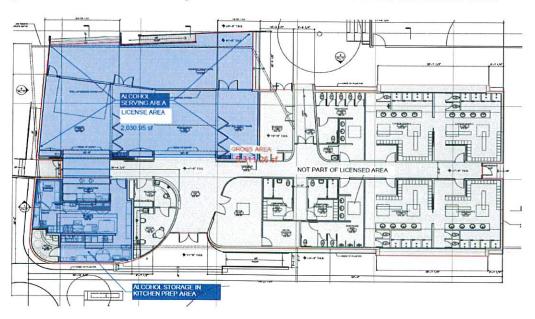
<u>PUBLIC NOTIFICATION</u>: Advertising and notification of the public hearing for the application was conducted in compliance with Chapter 11.50, Title 11 of the South Gate Municipal Code. Notice of the hearing was originally posted and published in the "South Gate Press" newspaper and was mailed to surrounding properties on May 26, 2022.

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 1 (Existing Facilities) exception under the CEQA Guidelines, at 14 CCR Section 15301, consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations 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. The project falls within this existing facilities exemption because the proposed business would occur within an existing structure.

ANALYSIS: Conditional Use Permit No. 860 is a request to establish an alcohol license at an existing soccer facility, located within South Gate Park at 9599 Pinehurst Avenue. The soccer facility, "GOALS South Gate," was completed in April 2019 and provides for twelve soccer fields, batting cages, and a "clubhouse" that contains a viewing lounge, a full-kitchen restaurant and café, restrooms for patrons, and locker rooms with showers. The subject site is located within South Gate Park, which totals approximately 96.8 acres of open space and is the largest park within city limits. The soccer facility totals approximately 299,650 square feet of the park's open space area and the clubhouse totals approximately 8,500 square feet.



The proposed beer and wine will only be served and consumed within a portion of the existing clubhouse building. The area licensed to serve beer and wine will total 3,610.58 square feet, including the lounge, restaurant dining area, party room, diner/cafeteria, kitchen and the outdoor patio area. All alcohol storage will be maintained in or behind the counter area.



The facility currently operates on weekdays between 2 p.m. and 11 p.m. and weekends from 8 a.m. to 11 p.m. with eight to ten employees per shift, including management. The Applicant intends to restrict alcohol to be served in limited designated areas around the beverage counter with all alcohol storage maintained in or behind the counter area.

South Gate Park: The existing soccer facility is located within South Gate Park, which is made up of multiple parcels owned by the City of South Gate. Therefore, the soccer facility's representatives are currently operating under a Ground Lease Agreement with the City, which was previously approved by City Council in 2009. The soccer facility was developed in 2019 and has since been operating pursuant to the Ground Lease Agreement. This Ground Lease Agreement would be modified to accommodate the subject Conditional Use Permit.

Authorized Agent:

F. Michael Ayaz, Esq. 2107 N. Broadway, Suite 106 Santa Ana, CA 92706

Property Owner:

City of South Gate 8650 California Avenue South Gate, CA. 90280

Property Address:

9599 Pinehurst Avenue South Gate, CA 90280

Assessor's Parcel No. 6222-023-900

Zoning Designation:

Open Space

General Plan Designation:

Neighborhood Low

EXHIBITS:

- A. Resolution No. 2022-11
- B. Conditions of Approval
- C. Plans, dated April 5, 2022
- D. Public Hearing Notice

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RESOLUTION NO. 2022-11

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH GATE, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 860 TO PERMIT TYPE 41 ALCOHOL BEVERAGE LICENSE AT AN EXISTING SOCCER FACILITY LOCATED WITHIN SOUTH GATE PARK AT 9599 PINEHURST AVENUE

WHEREAS, on April 5, 2022, the Department of Community Development received an application from F. Michael Ayaz, Esq. ("Applicant") for Conditional Use Permit No. 860 to allow sales under a Type 41 (On-Sale Beer and Wine) alcohol beverage license, in conjunction with the existing soccer facility, located at 9599 Pinehurst Avenue; and

WHEREAS, the Planning Commission upon giving the required notice did, on the seventh day of June, 2022, 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 May 26, 2022; and

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

- 1. The property is located on Pinehurst Avenue between Southern Avenue and Tweedy Boulevard.
- 2. The Zoning designation for the property is Open Space and the General Plan designation is Neighborhood Low.
- 3. The existing soccer facility currently occupies approximately 299,650 square feet within South Gate Park and the subject clubhouse structure totals approximately 8,500 square feet.
- 4. Hours of operation will coincide with on-site sales and consumption of beer and wine between 2 p.m. and 11 p.m. on weekdays and between 8 a.m. and 11 p.m on weekends.

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 Code or the City's General Plan.
 - The proposed project is located within the Open Space zone and Neighborhood Low General Plan land use designation. The proposed project is also located within South Gate Park.
- 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 conditions of the CUP are compatible with the existing land use for on-site sales and consumption of beer and wine at an existing restaurant and café within a soccer clubhouse.
- 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 a restaurant would enhance opportunities for business growth and economic vitality within the subject area. Conditions of approval

- listed herein would ensure that operations would not cause for potential impacts to the surrounding area.
- 4. The proposed Conditional Use Permit is Categorically Exempt from the California Environmental Quality Act (CEQA) as a under Class 1(Existing Facilities) 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 existing or former use.

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. 860 to allow the on-site consumption of beer and wine (Type 41 alcohol license) at an existing restaurant during business hours, subject to the conditions of approval contained in Exhibit B.

meeting of

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This recommendation was adopted by the June 7, 2022.	ne following vote at the Planning Commission
AYES:	
NOES:	
ABSENT:	
APPROVED and ADOPTED this seven	th day of June, 2022.
	Meredith Elguira
	Secretary City Planning Commissio n
APPROVED:	
Fabiola Inzunza	

Chairperson

City Planning Commission



South

Gate

Community Development Department Memorandum

To:

Planning Commission

From:

Yalini Siva, Senior Planner @

Date:

June 7, 2022

Re:

Item No. 4 - Addendum

In order to ensure that the proposed Exhibit B – Conditions of Approval are consistent with the upcoming Ground Lease Agreement between the City of South Gate/City Council and Goals Soccer Center, Condition of Approval No. 15 has been edited as follows and Condition No. 17 has been added.

- 18<u>15</u>. Beer and wine on-sales <u>and consumption shall be limited to hours between 9 a.m. and 10 p.m. shall coincide with facility hours of operation as follows: Weekdays between 2 p.m. and 11 p.m. and weekends between 8 a.m. and 11 p.m.</u>
- 17. Permittee shall post on-premises signs within and throughout the facility structure in a manner that meaningfully advises Permittee's patrons that they may not loiter after Permittee's scheduled hours of operation in the designated joint use parking area and must leave within 30 minutes after closing. Permittee shall take reasonable steps as may be necessary to monitor the designated joint use parking area to ensure material compliance with this condition.

CUP NO. 860 - CONDITIONS OF APPROVAL 9599 PINEHURST AVENUE

Planning Conditions:

A. Mandatory Conditions:

- 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.

B. Standard Conditions of Approval:

- 1. The validity of the CUP shall be conditioned on compliance with all state regulations and conditions.
- 2. The premises shall be maintained at all times in a neat and orderly manner.
- 3. Trash receptacles shall be provided in such number and at such locations as specified by the planning commission.
- 4. All alcoholic beverages sales, offerings, and consumption shall be conducted completely within an enclosed building or permitted outdoor seating areas for on-sale uses.
- 5. 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.
- 6. 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).
- 7. 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.
- 8. 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. Any kitchen facility on premises (in conjunction with a restaurant) shall be maintained at all times in a clean and sanitary condition.
- 10. Adequate refrigeration shall be maintained at all times for the preservation of any food on the permittee's premises.
- 11. 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 Conditions:

- 1. Health Department approval shall be obtained.
- 2. Site shall comply with all Americans with Disabilities Act (ADA) accessibility requirements.
- 3. All exterior common areas shall be properly illuminated during evening hours.
- 4. Trash enclosure area shall be maintained at all times.

Additional Conditions:

- 1. 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 of the conditions.
- 2. 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.
- 3. Violation of, or noncompliance with, any of these conditions shall constitute grounds for revocation of this permit.
- 4. 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 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.
- 5. The permittee shall comply with all state statutes, rules and regulations relating to the sale, purchase, display, possession and consumption of alcoholic beverages.
- 6. 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 statue, rule or regulation concerning the sale to or consumption of alcoholic beverages by a minor.

- 7. 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.
- 8. 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.
- 9. 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.
- 10. 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.
- 11. 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.
- 12. 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.
- 13. Permittee acknowledges and agrees that the permit is expressly conditioned on the permittee maintaining the subject property 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.
- 14. 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 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.
- 15. Beer and wine on-sales and consumption shall be limited to 9 a.m. to 10 p.m.
- 16. All noise shall be contained within the facility's structure only and shall not carry out into adjacent parking areas.
- 17. Permittee shall post on-premises signs within and throughout the facility structure in a manner that meaningfully advises Permittee's patrons that they may not loiter after Permittee's scheduled hours of operation in the designated joint use parking area and must leave within 30 minutes after closing. Permittee shall take reasonable steps as may be necessary to monitor the designated joint use parking area to ensure material compliance with this condition.
- 18. Approval of Conditional Use Permit will not become effective until the effective approval date of the Ground Lease Agreement between City Council/City of South Gate and "Goals Soccer Center."

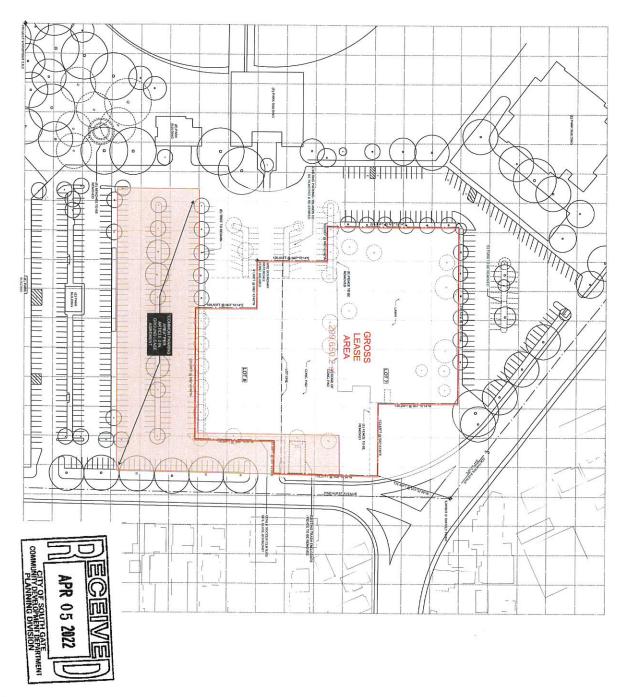


Exhibit "C"

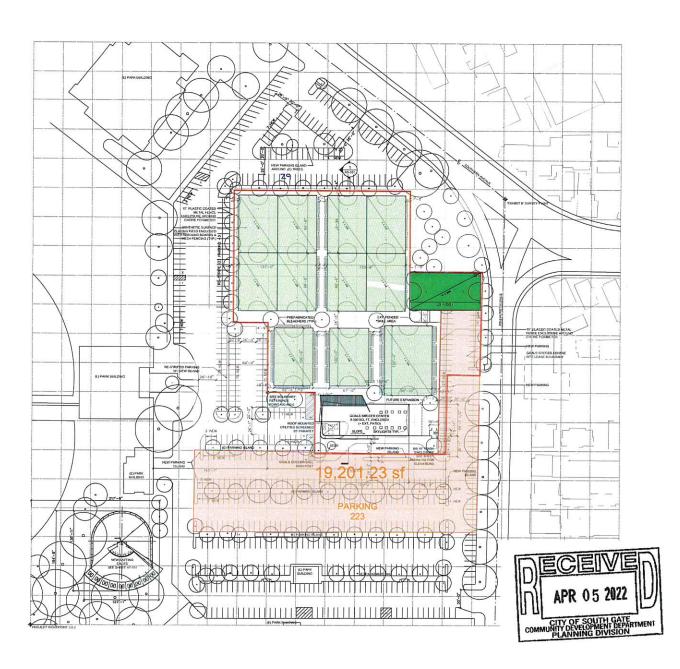
















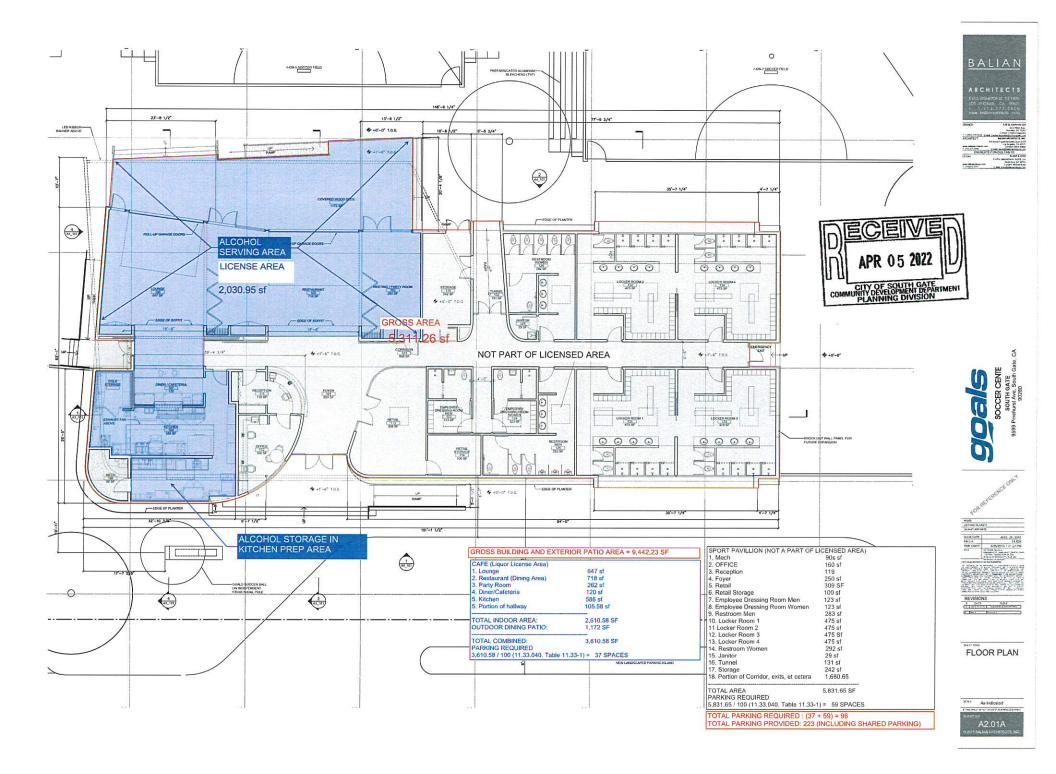
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PUBLIC NOTICE CITY OF SOUTH GATE PLANNING COMMISSION

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. 860.

DATE OF HEARING:

Tuesday, June 7, 2022

TIME OF HEARING:

7:00 pm

LOCATION OF HEARING: 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 June 7th Planning Commission meeting please visit the

City's website at www.cityofsouthgate.org/AgendaCenter.

PROJECT LOCATION:

9599 Pinehurst Avenue

PROJECT DESCRIPTION:

Request to allow the issuance of a California Department of Alcoholic Beverage Control (ABC) Type 41 On-Sale Beer & Wine – Eating Place license at the existing "Goals" soccer facility located within South Gate

Park.

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 existing or former use. The project qualifies under Class 1 Exemption since the proposed project does not consist of an expansion of an existing or former use.

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:

Yalini Siva, Senior Planner

Phone:

323-563-9526

E-mail:

ysiva@sogate.org

Mailing Address:

Community Development Department

City of South Gate 8650 California Avenue South Gate, CA 90280-3075

ESPAÑOL

Información en Español acerca de esta junta puede ser obtenida llamando al 323-563-9529.

Published: May 26, 2022

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City of South Gate PLANNING COMMISSION

AGENIDA BIILL

For the Regular Meeting of: June 7, 2022

Senior Planner: <u>yalniya</u> Community Development Director:

Meredith Elguira

SUBJECT: CONDITIONAL USE PERMIT NO. 861 TO ALLOW FOR THE OPERATION OF A "MEDICAL SERVICE, MEDICAL/DENTAL/HOLISITC"/"MEDICAL SPA" BUSINESS, PER THE TWEEDY BOULEVARD SPECIFIC PLAN AT 3323 TWEEDY BOULEVARD.

<u>PURPOSE</u>: To consider a request to allow for the operation of a "Medical Services, Medical/Dental/Holistic"/ "medical spa" business, per the Tweedy Boulevard Specific Plan at 3323 Tweedy Boulevard.

RECOMMENDED ACTION: Adopt Resolution No. 2022-12 (Exhibit A), certifying a Class 1 Categorical Exemption from the California Environmental Quality Act (CEQA); and approve Conditional Use Permit No. 861, subject to the recommended conditions of approval (Exhibit B).

<u>PUBLIC NOTIFICATION</u>: 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 "South Gate Press" newspaper and was mailed to surrounding properties on May 26, 2022.

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 1 (Existing Facilities) exception under the CEQA Guidelines, at Section 15301, consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alterations 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. The project falls within this existing facilities exemption because the proposed business would occur within an existing structure.

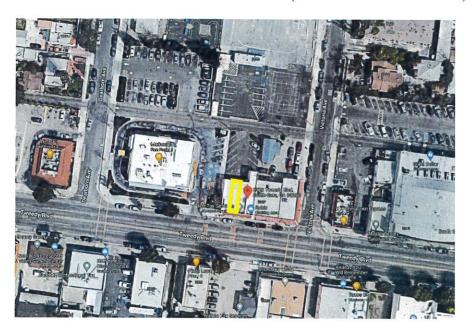
ANALYSIS: Conditional Use Permit No. 861 is a request to allow for the operation of a medical spa within an existing structure located on Tweedy Boulevard, in between Dearborn Avenue and Victoria Avenue.

The Applicants, Noor Alasady and Veronica Nuñez, submitted an application for a Conditional Use Permit, requesting to operate a medical spa business that provides skin care via injectables and fillers at an existing structure, which was previously used as a business office.

The South Gate Municipal Code (SGMC) Chapter 11.60, "Definitions," terms "fitness/health facilities" as "any place of business, or membership club, providing facilities devoted especially

to health, beauty, and relaxation, and/or provides cosmetic, therapeutic, and/or holistic treatments, where people visit for professionally administered personal care treatments, including health or physical fitness centers/facilities. A medical spa or medical therapy facility shall be classified as a "Medical services, medical/dental/holistic" land use."

The subject property is located within the Tweedy Boulevard Specific Plan (TBSP) and the proposed land use, "medical services, medical/dental/holistic," requires the approval of a Conditional Use Permit in the TMU-1 zone. (Exhibit A: TBSP Table 4-2, Page 36)



The subject property contains three tenant spaces, 3321, 3323 and 3325 Tweedy Boulevard. The Applicants intend to utilize 3323 Tweedy Boulevard to conduct medical spa services. This tenant space totals approximately 754 square feet and contains a waiting area, restroom, storage area, office area and medical services area. The Applicants are not planning to improve the exterior of the tenant space, except for installing new signage for which permits shall be obtained.

The multi-tenant building provides for eleven parking spaces on-site, located at the rear of the building structure. The TBSP allows for the concept of shared parking because the subject property is located within the "Tweedy Mile Subarea," wherein the overall strategy for parking is to provide sufficient parking to ensure economic viability and success of commercial uses. The listed parking strategies in the TBSP includes the "Park Once" concept and program which "is intended to consolidate parking resources, relieve individual properties of providing potentially duplicative parking, reduce individual vehicle trips, and group parking facilities in strategically dispersed locations to encourage walking between destinations."

<u>CONCLUSION</u>: Based on the analysis provided above, it is staff's recommendation that the Planning Commission approve Conditional Use Permit No. 861, permitting the establishment of a medical spa at 3323 Tweedy Boulevard.

Applicant:

Noor Alasady / Veronica Nuñez 2962 Fledgling Dr. Escondido, CA 92029

Property Owner:

Gustavo Gonzalez P.O. Box 911304 Los Angeles, CA 90091

Property Address:

3323 Tweedy Boulevard South Gate, CA 90280

Assessor's Parcel No. 6209-009-016

0209-009-010

Zoning Designation:

TMU-1

General Plan Designation:

Tweedy Sub Area 3

EXHIBITS:

- A. Resolution No. 2022-12
- B. Conditions of Approval
- C. Plans, dated April 10, 2022
- D. Public Hearing Notice

•	

RESOLUTION NO. 2022-12

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH GATE, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 861 TO ALLOW FOR THE OPERATION OF A "MEDICAL SERVICES, MEDICAL/DENTAL/HOLISTIC"/"MEDICAL SPA" BUSINESS, PER THE TWEEDY BOULEVARD SPECIFIC PLAN AT 3323 TWEEDY BOULEVARD

WHEREAS, on April 10, 2022, the Department of Community Development received an application from Noor Alasady and Veronica Nuñez ("Applicant") for Conditional Use Permit No. 861 to allow for the operation of a "Medical services, Medical/Dental/Holistic"/"Medical Spa" business, per the Tweedy Boulevard Specific Plan at 3323 Tweedy Boulevard.

WHEREAS, the Planning Commission upon giving the required notice did, on the seventh day of June, 2022, 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 May 26, 2022; and

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

- 1. The property is located on Tweedy Boulevard between Dearborn Avenue and Victoria Avenue.
- 2. The Zoning designation for the property is Tweedy Mixed Use-1 (TMU-1) and the General Plan designation is Tweedy Sub Area 3.
- 3. The existing tenant space at 3323 Tweedy Boulevard provides for a waiting area, medical services area, storage, restroom, etc. and totals approximately 754 square feet.

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 Code or the City's General Plan.
 - The proposed project is located within the Tweedy Mixed Use-1 (TMU-1) and the General Plan designation is Tweedy Sub Area 3. The proposed project enhances the intent of the City's General Plan by conditionally permitting medical spas in commercial areas.
- 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 conditions of the CUP are compatible with the existing land use for medical spa services on Tweedy Boulevard.
- 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 a medical spa would enhance opportunities for business growth and economic vitality within the subject area. Conditions of approval listed herein would ensure that operations would not cause for potential impacts

to the surrounding area.

4. The proposed Conditional Use Permit is Categorically Exempt from the California Environmental Quality Act (CEQA) as a under Class 1 (Existing Facilities) 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 existing or former use.

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. 861 to allow for the operation of a "Medical Services, Medical/Dental/Holistic"/"Medical Spa" business, subject to the conditions of approval contained in **Exhibit B**.

This recommendation was adopted by the following vote at the Planning Commission meeting of June 7, 2022.

June 7, 2022.	_
AYES:	
NOES:	
ABSENT:	
APPROVED and ADOPTED this seven	ith day of June, 2022.
	Meredith Elguira Secretary City Planning Commission
APPROVED:	City I familing Commission
Fabiola Inzunza	
Chairperson	
City Planning Commission	

CUP NO. 861 - CONDITIONS OF APPROVAL 3323 TWEEDY BOULEVARD

Planning Conditions:

- 1. The validity of the CUP shall be conditioned on compliance with all state regulations and conditions.
- 2. The premises shall be maintained at all times in a neat and orderly manner.
- 3. Trash receptacles shall be provided in such number and at such locations as specified by the planning commission.
- 4. 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.
- 5. All facilities on premises shall be maintained at all times in a clean and sanitary condition.
- 6. The permittee shall readily provide all State and Local licenses as required for medical services provided, when requested.
- 7. All signage shall be reviewed and approved by Planning Division, including Building & Safety Division permits, etc.
- 8. Display windows shall be maintained in a transparent manner to the greatest extent possible. Obscure glazing, such as tinting and mirroring, as well as interior walls against storefronts, are to be avoided whenever possible. However, decorative glass etching, and merchandise display windows are encouraged. Window coverings are not permitted on the ground floor during business hours.

Building & Safety Conditions:

- 9. Permittee or Property Owner shall restripe parking lot.
- 10. All Americans with Disabilities Act (ADA) parking stalls shall be clearly marked and identified.
- 11. The site shall comply with all ADA accessibility requirements.
- 12. Permittee shall obtain Building & Safety permits for any tenant improvements.
- 13. All exterior area shall be properly illuminated during evening hours.
- 14. Parking lot shall be clear of debris and trash at all times.

Code Enfoncement Division Conditions:

15. Site shall be kept free of graffiti at all times.

Additional Conditions:

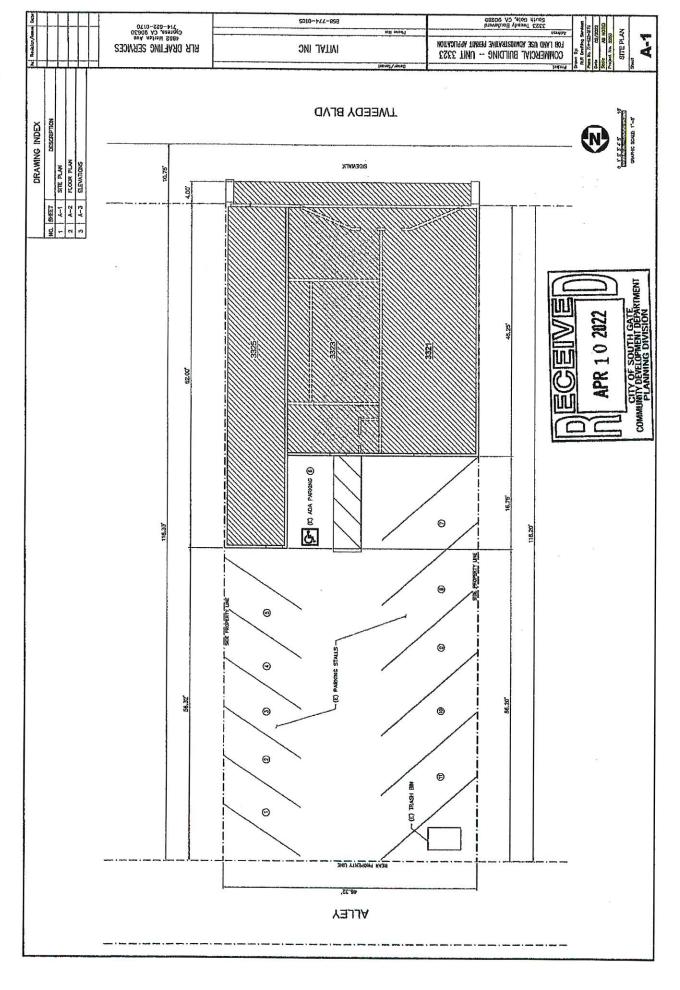
- 16. Within thirty (30) days after issuance of the permit, the permittee shall certify his/her acceptance of the conditions placed on the approval by signing a notarized Affidavit of Acceptance stating that he/she accepts and shall be bound by all of the conditions.
- 17. The permittee shall defend, 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

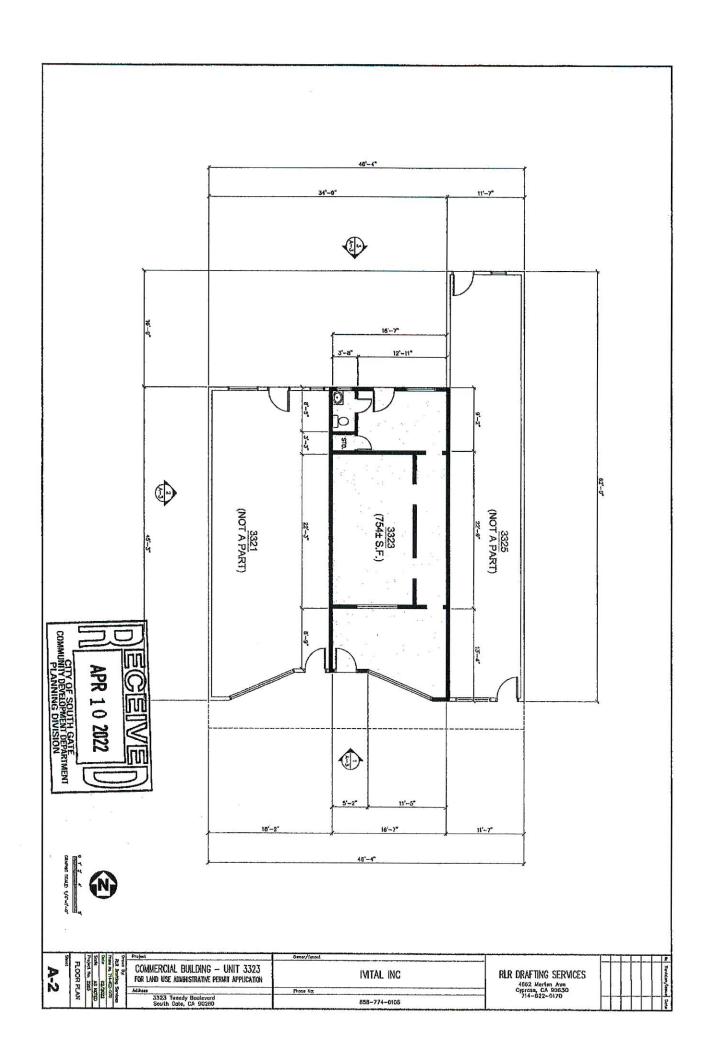
- or employees to attack, set aside, void or annul any approval by the City concerning the Project. The City shall promptly notify the permittee of any filed claim, action or proceeding and shall cooperate fully in the defense of the action.
- 18. Violation of, or noncompliance with, any of these conditions shall constitute grounds for revocation of this permit.
- 19. 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 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.
- 20. 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.
- 21. 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.
- 22. 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

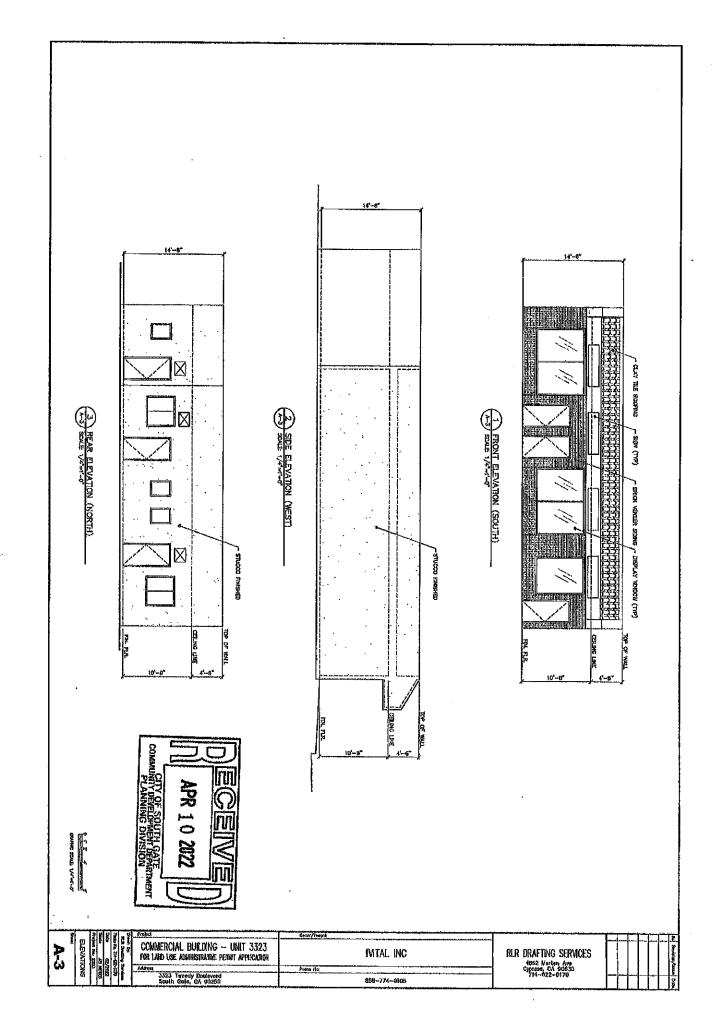
11.55 Nonconforming Uses and Buildings.

- 23. 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.
- 24. Permittee acknowledges and agrees that the permit is expressly conditioned on the permittee maintaining the subject property in a well-maintained condition, and free from graffiti.
- 25. 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:
 - i. First violation: a 15-day permit suspension.
 - ii. Second violation occurring within 3 years of the first violation: 60-day permit suspension.
 - iii. Third violation occurring within 3 years of the second violation: the permit shall be revoked.

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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. 861.

DATE OF HEARING:

Tuesday, June 7, 2022

TIME OF HEARING:

7:00 pm

LOCATION OF HEARING: 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 June 7th Planning Commission meeting please visit the

City's website at www.cityofsouthgate.org/AgendaCenter.

PROJECT LOCATION:

3323 Tweedy Boulevard

PROJECT DESCRIPTION: Request for approval of a Conditional Use Permit to allow for the operation of a "Medical Services, Medical/Dental/Holistic"/"medical spa"

business, per the Tweedy Boulevard Specific Plan.

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 existing or former use. The project qualifies under Class 1 Exemption since the proposed project does not consist of an expansion of an existing or former use.

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:

Yalini Siva, Senior Planner

Phone:

323-563-9526

E-mail:

ysiva@sogate.org

Mailing Address:

Community Development Department

City of South Gate 8650 California Avenue South Gate, CA 90280-3075

ESPAÑOL

Información en Español acerca de esta junta puede ser obtenida llamando al 323-563-9529.

Published: May 26, 2022

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Community Development Department Memorandum

To:

Planning Commission

From:

Yalini Siva, Senior Planner @

June 2, 2022

Re:

Date:

Item No. 6

In order to conduct further research regarding parking standards, Planning Staff will continue this item to the June 21, 2022 Planning Commission meeting.



Community Development Department Memorandum

To:

Planning Commission

From:

Yalini Siva, Senior Planner

Date:

June 2, 2022

Re:

Zoning Code Amendments Timeline & Workshop

As Planning staff has been responding to various questions regarding the current zoning code, there are several zoning topics that could be simplified and further clarified by amending the zoning code. Therefore, staff will be bringing forth these topics to the Planning Commission to review and discuss zoning over the next few months. Each Planning Commission meeting agenda will also include a study session, wherein Planning staff and the Planning Commission will be able to review current zoning code sections and how they may be amended to provide the community with additional clarity regarding the zoning code. The tentative timeline below lists the various topics that will be discussed at the upcoming study sessions.

Date Topics

May 17: Fences, hedges and walls

Public Hearing Notification mailing radius boundaries

June 7: Front-yard setback landscaping

Temporary structures (canopies, storage sheds, etc.)

June 21:

Signage

July 5:

Entitlement processing

Administrative vs. Discretionary processing

July 19:

Landscape

August 2:

Industrial uses

August 16:

Zoning Code Amendment adoption

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11.25.050 Neighborhood low (NL) zone.

The residential neighborhood low (NL) zone is intended to provide for single-family detached and attached residential living configurations in a setting that preserves the existing character and nature of residential neighborhoods (Figure 11.25-1). This zone provides for low- to moderate-density single-family dwellings, up to a maximum of twelve dwelling units per acre. The NL zone is intended to implement, and is consistent with, the neighborhood low place type designation of the general plan.

- A. Development Standards. Table 11.25-1, NL1 Standard Lot Development Standards, and the design standards of this section shall regulate all uses and structures on standard lot configurations within the NL zone. Figure 11.25-2, NL Development Standards, illustrates the development standards of Table 11.25-1.
- B. Applicable Overlays. No overlay areas are applicable to the NL zone.

Table 11.25-1 NL1 Standard Lot Development Standards

Density			
Permitted	0.0 – 5.0 du/acre		
Lot Area			
Minimum Square Footage (sq. ft.)	5,000 sq. ft. per lot; max. 2 separate living units		
Lot Width	50 ft.		
Maximum Lot Coverage	40% of lot		
Height (1)			
Maximum	2.5 stories; 35 ft., whichever is less		
Architectural Features	40 ft. max.		
Required Building Setbacks (2)			
Living to Front PL	20 ft. 1st floor; 20 ft. to 2nd floor deck; 30 ft. 2nd floor		
Porch to Front PL	14 ft.		

Garage to Front PL	20 ft.
Side Street PL	10 ft.
Interior/Rear PL	5 ft.
Alley PL	5 ft.
Architectural Projection	ns
Front PL	6 ft. covered porch; 1 ft. all other projections
Side Street/Interior PL	2 ft. not to exceed 30% of elevation
Building Separation	
Between Buildings	10 ft.
PL Site Walls	See Section 11.25.080(C)
Front Setback Area	24 to 36 inches max. height
Along Interior PL (3)	6-ft. height

Table 11.25-1 Notes:

- 1. Maximum building height may include one additional subterranean story.
- 2. See Section 11.30.030, Administrative modifications, for permitted setback modifications.
- 3. Interior walls may be permitted up to seven feet with approval on an administrative permit. Rear or interior walls may be permitted to be eight feet maximum when adjacent to commercial, industrial, open space utilities, alleys or parking lots. Barbed wire is prohibited.

Applicable to All: All standards are minimums unless otherwise noted. Setbacks shall be measured from property line. PL = property line.

Figure 11.25-1 Zoning Location Map for Neighborhood Low (NL) Zone

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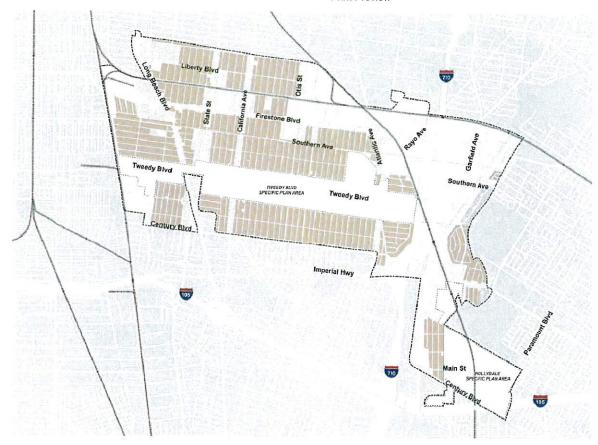
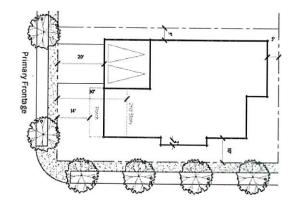


Figure 11.25-2 NL Development Standards



- C. Small Lot/Attached Configuration. The small lot/ attached configuration standards are intended to allow for flexibility and creativity in the design of single-family detached and single-family attached homes. A broad range of configurations can be used, including cluster homes, duplex homes, triplex homes, and other configurations that fit the character of the NL zone and meet the permitted density requirements of Table 11.25-2, NL2 Small Lot Development Standards.
 - 1. Development Standards. Table 11.25-2 and the design standards of this section shall regulate all uses and structures within the NL zone; standards that do not apply to the lot configuration are denoted with "—" in the table, and the standard shall not be regulated. Figure 11.25-3, NL Small Lot/Attached Configuration Development Standards, illustrates the standards of Table 11.25-2.

Table 11.25-2 NL2 Small Lot Development Standards

Density				
Permitted	5.1 to 12.0 du/acre			
Lot Area				
Minimum Square Footage (sq. ft.)	_			
Lot Width	30 ft.			
Maximum Lot Coverage	60% of lot			
Height (1)				
Maximum	3 stories; 45 ft., whichever is less			
Architectural Features	50 ft. max.			
Required Building Setbacks (2)				
Living to Front PL	15 ft.			
Porch to Front PL	12 ft.			
Garage to Front PL	18 ft.			
Side Street PL	_			
Interior/Rear PL	_			
Property Boundary PL	8 ft.			
Alley PL	3 ft. or 18 ft.			
Architectural Projection	ns			
Front PL	6 ft. covered porch; 1 ft. all other projections			
Side Street/Interior PL	2 ft. not to exceed 30% of elevation			
Building Separation				
Between Buildings	10 ft.			
Private Open Space				
Required for Ground- Floor Unit (3)	150 sq. ft. per unit			
Required for Upper Floor Unit	60 sq. ft. per unit			

Storage Space				
Required in Garage	108 cubic feet per unit; min. interior 3 ft. dimension			
Maximum Frontage				
Garage Frontage on Street	67%			
PL Site Walls	See Section 11.25.080(C)			
Front Setback Area	24 to 36 inches max. height			
Along Interior PL (4)	6-ft. height			

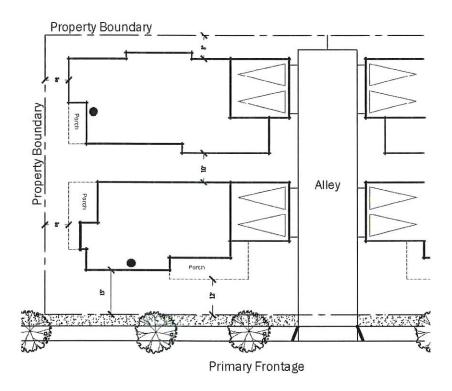
Table 11.25-2 Notes:

- 1. Maximum building height may include one additional subterranean story.
- 2. See Section 11.30.030, Administrative modifications, for permitted setback modifications.
- 3. Not applicable where private yard space of one hundred fifty square feet, with a minimum dimension of five feet, is provided per ground-floor unit.
- 4. Interior walls may be permitted up to seven feet with approval on an administrative permit. Rear or interior walls may be permitted to be eight feet maximum when adjacent to commercial, industrial, open space utilities, alleys or parking lots. Barbed wire is prohibited.

Applicable to All: All standards are minimums unless otherwise noted. Setbacks shall be measured from property line, PL = property line,

Figure 11.25-3 NL Small Lot/Attached Configuration Development Standards

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Example of small lot/attached homes facing the street with alley-loaded garages.



Example of alley-facing garages of small lot/attached homes.



11.25.060 Neighborhood medium (NM) zone.

The residential neighborhood medium (NM) zone is intended to provide for a range of attached and detached multifamily, apartment, and condominium residential living configurations in close proximity to transit and primary transportation corridors. This zone provides for moderate- to high-density multifamily dwelling configurations up to twenty dwelling units per acre (Figure 11.25-4). The NM zone is intended to implement, and is consistent with, the neighborhood medium place type designation of the general plan.

- A. Development Standards. Table 11.25-3, NM Development Standards, and the design standards of this section shall regulate all uses and structures within the NM zone. Figure 11.25-5 illustrates the development standards of Table 11.25-3.
- B. Building Configurations. Residential development within the NM zone can be in a variety of configurations. Development may range in form from small-lot configurations to attached moderate-to high-density configurations. Building configuration should be consistent with the character of the surrounding neighborhood.

Table 11.25-3 NM Development Standards

Density		
Maximum	20,0 du/acre	
Maximum Lot Coverage	60%	
Height (1)		
Maximum	3 stories; 50 ft., whichever is less	
Architectural Features	55 ft. max.	
Required Building and Parking Setbacks (2)		
Living to Front PL	15 ft. 1st floor; 15 ft. 2nd floor deck; 20 ft. upper floors	
Porch to Front PL	10 ft. 1st floor; 15 ft. 2nd floor deck and upper floors	

Garage to Front PL	Not permitted; garages shall be accessed from internal private drives or alleys.
Side Street PL	15 ft.
Interior PL	10 ft. to living, 5 ft. to parking or garage
Interior PL, Adjacent to NL	20 ft.; 10 ft. to parking or garage
Alley	3 ft. or 18 ft. or greater
Architectural Projectio	ns
Side Street/Interior PL	2 ft. not to exceed 30% of elevation
Building Separation	
Between 1-Story Massing	10 ft.
Between 2- and 3-Story Massing	15 ft.
Common Open Space	
NM Zone Developments of 25 or More Units	Common open space required; see Section 11.23.050, Open space requirements
Private Open Space	See Section 11.23.050
Required for Ground- Floor Unit (3)	150 sq. ft. per unit; 7 ft. min. dimension
Required for Upper Floor Unit	60 sq. ft. per unit; 7 ft. min. dimension
Private Storage Space (4)	108 cubic feet per unit; min. interior 3 ft. dimension
PL Site Walls (5)	See Section 11.25.080(C)
Front Setback Area	24 to 36 inches max height
Along Interior PL	6-ft. height

Table 11.25-3 Notes:

- 1. Maximum building height may include one additional subterranean story.
- 2. See Section 11.30.030, Administrative modifications, for permitted setback modifications.
- 3. Not applicable where private yard space of one hundred fifty square feet, with a minimum dimension of five feet, is provided per ground-floor unit.
- 4. Private storage space may be provided inside the garage, or within a private secured cabinet accessed from outside the unit.
- 5. All site walls shall be solid walls; see "solid wall" definition. Interior walls may be permitted up to seven feet with approval on an administrative permit. Rear or interior walls may be permitted to be eight feet maximum when adjacent to commercial, industrial, open space utilities, alleys or parking lots. Barbed wire is prohibited.

Applicable to All: All standards are minimums unless otherwise noted. Setbacks shall be measured from property line. PL = property line.

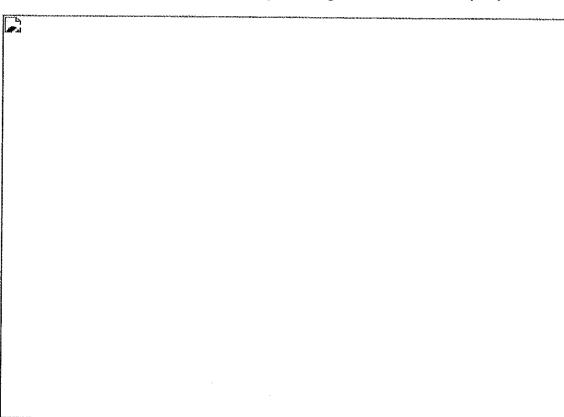
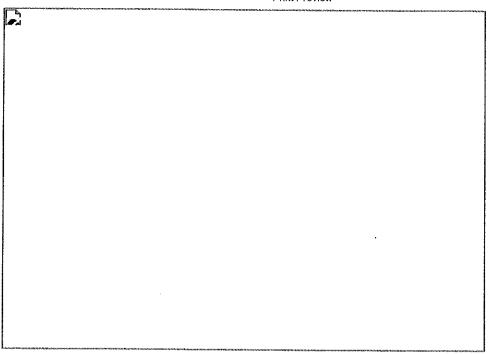


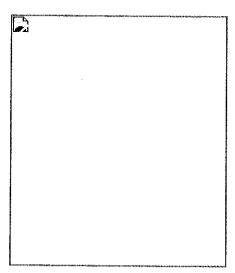
Figure 11.25-4 Zoning Location Map for Neighborhood Medium (NM) Zone

- C. Special Permissions. Equestrian stables (commercial or private) are permitted in the NM zoned parcels with a minimum of one acre or more along Gardendale Street adjacent to Hollydale Park.
- D. Applicable Overlay. See Chapter 11.26, Corridor Transition Overlay, for overlay details that are applicable only to the limited NM zone area along Tweedy Boulevard.

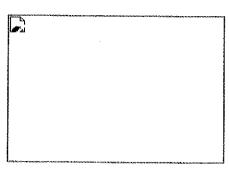
Figure 11.25-5 NM Development Standards



Example of front elevation of attached homes.



Example of attached homes with pedestrian-oriented architectural treatment.



(Ord. 2323 § 1 Exh. A (part), 4-28-15)

11.25.100 Civic (CV) and open space (OS) zones.

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A. Civic (CV) Zone. The civic (CV) zone is intended to provide for public civic and recreational uses near residential neighborhoods and existing or planned transit. This zone captures the existing public and quasi-public uses within South Gate, including government buildings, public assembly, public offices, and schools and is intended to foster future civic investment in the community (Figure 11.25-8). The CV zone is intended to implement, and is consistent with, the civic/institutional place type designation of the general plan. This zone may be supported by and used in conjunction with the civic center (CC) zone.

- 1. Development Standards. Table 11.25-5, CV Development Standards, identifies the applicable development standards for this zone and the design standards of this section shall regulate all uses and structures within the CV zone.
- 2. Applicable Standards. In addition to the standards of this section, development within the CV zone shall be subject to the standards of the following chapters and sections:
 - i. Chapter 11.33, Parking Standards;
 - ii. Section 11.23.060, General building design guidelines;
 - iii. Section 11.23.060(B), Treatment of Building Façades.
- 3. Applicable Overlay. See Chapter 11.26, Corridor Transition Overlay, for overlay details.

Table 11.25-5 CV Development Standards

Floor to Area Ratio (FAR)		
Maximum	1.5	
Maximum with Bonus	4.0	
Height (1)		
Maximum	3 stories; 40 ft.	
Maximum with Bonus	5 stories; 50 ft.	
Architectural Projection	65 ft.	
Required Building and Parking Setbacks (2)		
Primary Frontage	15 ft. to building; 5 ft. to parking	
Side Street	15 ft. to building; 5 ft. to parking	

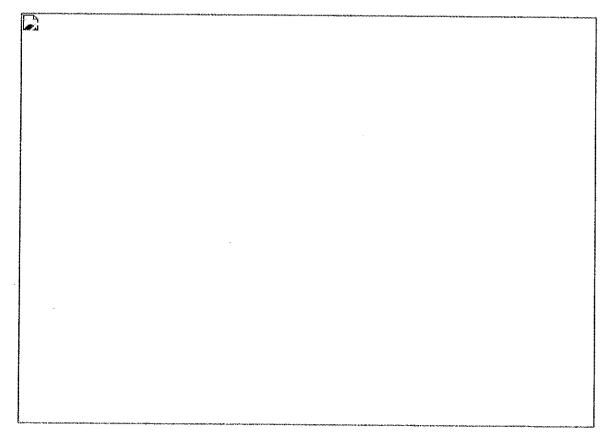
Interior PL	20 ft. to building; 5 ft. to parking	
Interior PL, Adjacent to NL	20 ft.	
Alley	3 ft.	
Building Separation		
Between Buildings	20 ft.	
PL Site Walls	See Section 11.25.080(C)	
Front Setback Area	24 to 48 inches max. height	
Along Interior PL	6-ft. max. height	

Table 11.25-5 Notes:

- 1. Maximum building height may include one additional subterranean story; see Chapter 11.31 for density bonus information.
- 2. See Section 11.30.030, Administrative modifications, for permitted setback modifications.

Applicable to All: All standards are minimums unless otherwise noted. Setbacks shall be measured from property line. PL = property line.

Figure 11.25-8 Zoning Location Map for Civic (CV) Zone



- B. Open Space (OS) Zone. The open space (OS) zone is intended to provide for public and private parks, community recreation facilities, and open space resources throughout the city (Figure 11.25-9). The OS zone captures the existing parks within the city; it is intended to implement, and is consistent with, the park/plaza/open space place type designation of the general plan.
 - 1. Development Standards. Table 11.25-6, OS Development Standards, and the design standards of this section shall regulate all uses and structures within the OS zone; standards that do not apply to the lot configuration are denoted with "—" in the table, and the standard shall not be regulated.
 - 2. Applicable Standards. In addition to the standards of this section, development within the OS zone shall be subject to the standards of the following chapters and sections:
 - Chapter 11.33, Parking Standards;
 - ii. Section 11.23.060, General building design guidelines;
 - iii. Section 11.23.060(B), Treatment of Building Façades.
 - 3. Applicable Overlay. See Chapter 11.26, Corridor Transition Overlay, for overlay details.

Table 11.25-6 OS Development Standards

Floor to Area Ratio (FAR)		
Maximum		
Maximum with Bonus	_	
Height (1)	, <u></u>	
Maximum	_	
Maximum with Bonus	_	
Architectural Projection	20 ft.	
Required Building and Parking Setbacks (2)		
Primary Frontage	15 ft. to building; 10 ft. to parking	
Side Street	15 ft. to building; 5 ft. to parking	
Interior PL	15 ft. to building; 5 ft. to parking	

Interior PL, Adjacent to NL	15 ft.	
Alley	3 ft.	
Building Separation		
Between Buildings	10 ft.	
PL Site Walls	See Section 11.25.080(C)	
Front Setback Area	24 to 48 inches max. height	
Along Interior PL	6-ft. max. height	

Table 11.25-6 Notes:

- 1. Maximum building height may include one additional subterranean story; see Chapter 11.31 for density bonus information.
- 2. See Section 11.30.030, Administrative modifications, for permitted setback modifications.

Applicable to All: All standards are minimums unless otherwise noted. Setbacks shall be measured from property line. PL = property line.

Figure 11.25-9 Zoning Location Map for Open Space (OS) Zone

C. Design Standards. The following standards shall apply to all buildings and uses within the CV and OS zones:

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1. Transit Access. Buildings should be designed and located to provide convenient access to bus stops and transit (where available or planned). Building overhangs or design features are encouraged to provide shelter, seating, and protection from street traffic.

2. Pedestrian Streetscapes.

- i. Building interaction with the streetscape and pedestrian pathways should be attractive and suited to the adjacent neighborhood, and should encourage pedestrian access to the site.
- ii. Use of walls and fences as screening is discouraged, as such features may create an impediment (real or visual) to access and use of the civic amenities. Walls and fences, when used, should serve a wayfinding purpose, and be integrated into building and site design.

3. Parking.

- i. Parking should be provided through a combination of public parking and park-once (where applicable) spaces designed for accessibility to the public and consistency with the neighborhood.
- ii. Parking between the building and front setback is discouraged. Design and location of parking in conjunction with CV and OS zones shall be consistent with Chapter 11.33, Parking Standards.
- 4. Civic Building Design Review. Due to the community-wide need for civic buildings to reflect the civic and cultural characteristics of the community as distinct from the commercial or residential characteristics of non-civic buildings, all civic buildings shall be subject to the standards of Section 11.23.060(B), Treatment of Building Façades. Civic buildings are exempt from the building and frontage type standards (Section 11.23.080). Civic buildings are subject to discretionary plan review by the director, or designee, who will present a recommendation to the planning commission for its consideration and action.

(Ord. 2323 § 1 Exh. A (part), 4-28-15)

11.25.070 Residential operating standards.

The following operational standards and requirements shall apply to all residential units, buildings, and uses in all zones where residential uses are allowed.

- A. Hardscape in Front Setback. Hardscape (driveways, walkways, steps, terraces, and other site design elements that are placed directly on grade) within the front setback shall be limited to the permitted driveway and a six-foot-long access walk to the entry of the residence.
- B. Residential Parking.
 - 1. Parking of vehicles shall only occur within the designated driveway or garage.
 - 2. No vehicle or trailer of any kind for daily use may be parked or stored for more than thirty-six hours in any required building line setback area other than on a designated parking space.
 - 3. No recreational vehicle, boat, or trailer of any kind for occasional or recreational use may be parked or stored on a designated driveway.
- C. Screening Required. All of the following equipment and spaces shall be screened on all sides and subject to the standards of this section:
 - 1. Solid walls and/or fences of six feet in height shall screen mechanical equipment, garbage receptacles, loading areas, and other unsightly areas, and provide privacy at the back of lots and alongside streets.
 - 2. All rooftop mechanical equipment shall be placed behind a permanent parapet wall and shall be completely screened from view.
 - 3. Screening shall be equal in height to the highest portion of the equipment or ducting and shall be permanently maintained.
 - 4. All wall air conditioner units shall be screened from view with material that is compatible and in harmony with the architectural styling and detailing of the building.
 - 5. Clothes-drying areas shall be screened on all sides by a fence or wall that is a minimum of six feet in height.
- D. Noise. All multifamily units and projects shall comply with all general plan and state of California thermal and noise insulation requirements.

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E. Lighting. All lighting of the building, landscaping, parking area, and similar facilities shall be hooded and directed to reflect away from adjoining properties.

- F. Signs. Signage for residential uses and properties shall be permitted consistent with the sign ordinance.
- G. Treatment of Utilities. All utilities shall be underground in accordance with Section 11.30.060, Development requirements.

(Ord. 2323 § 1 Exh. A (part), 4-28-15)

11.43.070 Accessory structures.

The following provisions, in combination with Section 11.43.060 (Application and review process), are minimum requirements for all accessory structures:

- A. Nonhabitable accessory buildings or structures include but are not limited to the following:
 - Garages;
 - Carports;
 - 3. Workshops;
 - 4. Storage rooms or sheds;
 - 5. Detached patio covers;
 - Pool bathrooms.
- B. All nonhabitable accessory buildings or structures, with the exception of a pool bathroom, are not permitted to contain a bathroom.
- C. Pool bathrooms consisting of a three-quarter bathroom are permitted in conjunction with the development of a pool or when a pool exists on the lot.
- D. With the exception of a garage or an accessory dwelling unit, a detached accessory structure shall not be located in the front of the main building or directly between the main building and the street.
- E. All detached accessory structures or buildings within residential zones, except accessory dwelling units, shall be a minimum of five feet from any property line, unless otherwise expressed in this code, be located at least six feet from the main building and be no taller than ten feet high.
- F. Accessory structures are not permitted above a detached garage in residential zones.
- G. Canopy Structures. The following regulations apply to canopy structures on a residential lot:
 - 1. Canopy structures shall not be not be located on any lot for a period of more than three days.
 - 2. Canopy structures shall not be located within the view of a public right-of-way, front or side yard area or driveway.

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3. Canopy structures with a maximum projected canopy area of two hundred square feet, maximum height of twelve feet and a maximum length of twenty feet may be located within a rear yard area.

- 4. Reflective, mirrored type covering material shall be prohibited.
- H. Storage Containers. Storage containers may be located on a lot developed with a single-family residence on a temporary basis, subject to the following standards:
 - 1. Short-Term Location. One storage container may be located on a lot up to a total of fourteen days in any calendar year without the approval of any permit.
 - 2. Administrative Review. One storage container may be located on a lot for up to six months in conjunction with permitted construction activity on the same lot, subject to approval pursuant to an administrative review. Approval pursuant to an administrative review for this purpose may only be undertaken in conjunction with construction activity for which a valid city building and/or grading permit has been issued and continues to remain active and valid. Regardless of the time period for which the presence of the container is approved pursuant to an administrative review, the right to keep the storage container on the lot shall automatically expire upon the expiration or termination of all grading and building permits, or upon the final inspection and completion of associated construction activity. In cases where a storage container has been located on a lot in an unauthorized manner prior to approval by an administrative review, any approved time duration shall commence and run from the date during which the location of the storage container on the lot was first documented.
 - 3. Where the temporary presence of a storage container has been approved by an administrative review, the deadline for removal of the container may be extended for up to six months by the director of community development for good cause.
 - 4. Location. The location of a temporary storage container shall be subject to approval pursuant to an administrative review and shall take into consideration such factors as visibility from the street and surrounding properties, and visual and privacy impacts to surrounding properties. The storage container may only be located in the front yard when location in other areas is not feasible or would create other impacts. Location of a storage container on a driveway may only be approved where access to the garage or carport can continue to be provided for at least one vehicle.
 - 5. Size. Storage containers shall be no greater than twenty feet in length, ten feet in height, and ten feet in width.
 - 6. Permanent Placement. Permanent placement of storage containers is prohibited on vacant lots and lots developed with residential uses.

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I. Garages and Carports. Garages and carports shall have a minimum interior clear width of eighteen feet and depth of twenty feet between columns or walls. Three-car garages shall have a minimum interior clear width of twenty-seven feet and depth of twenty feet.

1. Tandem garage parking is permitted in NL or NM zones to comply with a required three-car garage for a single residential unit. This requires a garage to have a minimum of two parking spaces side-by-side at the garage entrance and minimum nine feet by twenty feet shall be provided behind. (Ord. 2021-01-CC § 3, 1-26-21)