



AGENDA

CITY OF HUNTINGTON PARK PLANNING COMMISSION

Regular Meeting
Wednesday, April 15, 2015 at 6:30 p.m.

Huntington Park City Hall
City Council Chambers
6550 Miles Avenue
Huntington Park, California 90255

Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in the public meeting may request such modification, accommodation, aid or service by contacting the City Clerk's Office either in person at 6550 Miles Avenue, Huntington Park, California or by telephone at (323) 584-6230. Notification in advance of the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

NOTE: Any person who has a question concerning any agenda item may contact the Community Development Department at (323) 584-6210. Materials related to an item on this agenda are available for inspection in the office of the Community Development Department at 6550 Miles Avenue, Huntington Park, California during the hours of 7:00 a.m. to 5:30 p.m., Monday through Thursday.

Assembly Bill No. 2674 amended several provisions of the Ralph M. Brown Act (Section 54950 et seq. of the Government Code) effective January 1, 1987. This bill prohibits the legislative body from taking any action on any item, which did not appear on the agenda, which was posted 24 hours prior to the Planning Commission meeting. If action is necessary on subject matter, which the public presents, the matter should be presented in writing to the Planning Division for placement on the agenda by Thursday noon prior to the next Planning Commission meeting.

CALL TO ORDER

FLAG SALUTE

ROLL CALL

Chair Laura Herrera
Vice Chair Eddie Carvajal
Commissioner Eddie Benitez
Commissioner (Vacant)
Commissioner (Vacant)

PUBLIC COMMENT

*For both open and closed session each speaker will be limited to three minutes per Huntington Park Municipal Code Section 2-1.207. Time limits may not be shared with other speakers and may not accumulate from one period of public comment to another or from one meeting to another. **This is the only opportunity for public input except for scheduled public hearing items.***

CONSENT ITEMS

All matters listed under the Consent Calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items prior to the time the Commission votes on the motion unless members of the Commission, staff, or the public request specific items to be discussed and/or removed from the Consent Calendar for separate action.

- A. Approval of Planning Commission Special Meeting Minutes of February 25, 2015.

PUBLIC HEARINGS

Continued from March 25, 2015 Planning Commission Special Meeting

- A. **CASE NO. 2015-01 CUP – Conditional Use Permit – A request for Planning Commission approval of a Conditional Use Permit to expand an existing restaurant with alcohol sales located at 3006 Florence Avenue, in the Commercial General (CG) Zone**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Conduct a public hearing;
2. Take public testimony; and
3. Adopt PC Resolution No. 2015-01 CUP, subject to the following proposed conditions of approval and/or other conditions that the Planning Commission may wish to impose.

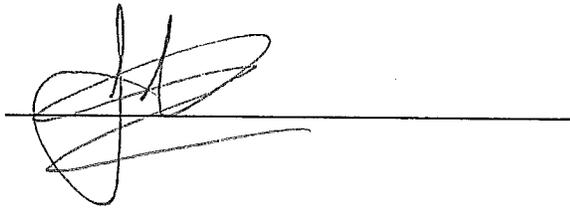
STAFF COMMENTS

PLANNING COMMISSION COMMENTS

ADJOURNMENT

THE CITY OF HUNTINGTON PARK PLANNING COMMISSION WILL ADJOURN TO A REGULAR MEETING ON WEDNESDAY, MAY 20, 2015, AT 6:30 P.M.

I, Juan Arauz, hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted at City of Huntington City Hall and made available at www.hpca.gov on the 9th of April 2015.

A handwritten signature in black ink, appearing to be "Juan Arauz", is written over a solid horizontal line. The signature is stylized and somewhat abstract, with several loops and a long horizontal stroke extending to the right.

MINUTES

CITY OF HUNTINGTON PARK PLANNING COMMISSION

Special Meeting
Wednesday, February 25, 2015 at 6:02 p.m.

Huntington Park City Hall, City Council Chambers
6550 Miles Avenue, Huntington Park, California 90255

Chair Herrera called the meeting to order at 6:02 p.m. Present: Commissioners Eddie Benitez, Eddie Carvajal, (2 vacancies on Commission at this time) and Chair Laura Herrera. Also present: Planning Manager Albert Fontanez, Assistant Planner Juan Arauz, Planning Technician Rodrigo Pelayo, Recording Secretary/City Clerk Donna Schwartz, and City Attorney Lloyd Pilchen.

Pledge of Allegiance

Pledge of Allegiance was led by Commissioner Benitez.

Reorganization of the Commission

Commissioner Benitez nominated Commissioner Carvajal for Vice Chair, seconded by Chair Herrera. By unanimous consensus, Eddie Carvajal was appointed as Vice Chair.

Public Appearances - None

Public Hearings

- A. Continued to next Planning Commission Meeting - CASE NO. 2015-01 CUP – Conditional Use Permit – A request for Planning Commission approval of a Conditional Use Permit to expand an existing restaurant with alcohol sales located at 3006 Florence Avenue, in the Commercial General (CG) Zone.

Chair Herrera stated this item will be continued to the next Planning Commission Meeting. Planning Manager Fontanez confirmed.

- B. CASE NO. 2015-02 CUP/DP – Conditional Use Permit/Development Permit – A request for Planning Commission approval of a Conditional Use Permit and a Development Permit to expand an existing convenience store with alcohol sales located at 3084 Gage Avenue, in the Commercial General (CG) Zone.

Planning Manager Fontanez introduced Assistant Planner Juan Arauz who presented a PowerPoint. Mr. Arauz gave an overview of the request for a Conditional Use Permit (CUP) and a Development Permit (DP) to expand an existing convenience store with alcohol sales to include the project description, both vicinity and zoning map, aerial view, existing condition, site plan/project

data, floor plan, elevations, required findings for a CUP and required findings for a DP. He explained that the required findings for a CUP and a DP comply with all of the applicable provisions of the Code; use is consistent with General Plan; complies with requirements of the California Environmental Quality Act (CEQA) and the City's Guidelines; operating characteristics are compatible with existing and planned future land uses within the general plan area; subject site is physically suitable and public access, water, sanitation and public utilities are adequate to ensure the proposed use would not be detrimental to public health and safety. Mr. Arauz concluded with speaking in support of staff's recommendation to adopt Resolution No. 2015-02, Approving a Conditional Use Permit and Development Permit in Connection with Real Property Located at 3084 Gage Avenue. Mr. Arauz noted that the applicant was in attendance and available for any questions.

Chair Herrera asked if alcohol was currently being sold. Planning Manager Fontanez stated alcohol is currently being sold but the request is to expand the current location in order to accommodate a new convenience store.

Chair Herrera opened public comment.

Public Comment

1. Nabil Kheir, applicants brother, spoke in support of staff's recommendation.

Chair Herrera closed public comment.

Motion: Commissioner Benitez motioned to adopt Resolution No. 2015-02, Approving a Conditional Use Permit and Development Permit in Connection with Real Property Located at 3084 Gage Avenue, Huntington Park, California, seconded by Vice Chair Carvajal. Motion passed by the following vote:

ROLL CALL:

| | | |
|-----------|------------------|--|
| AYES | Commissioner(s): | Benitez, Vice Chair Carvajal and Chair Herrera |
| NOES | Commissioner(s): | None |
| ABSENT | Commissioner(s): | None |
| ABSTAINED | Commissioner(s): | None |

Planning Manager Fontanez announced that if anyone wishing to appeal, the 15-day appeal period starts tomorrow and ends after the 15th day.

- C. CASE NO. 2015-03 DP – Development Permit – A request for Planning Commission approval of a Development Permit to construct a new retail/office building at 7017-7025 Santa Fe Avenue, in the Commercial General (CG) Zone.

Planning Manager Fontanez introduced Planning Technician Rodrigo Pelayo who presented a PowerPoint. Mr. Pelayo gave an overview of the request for a Development Permit to construct a new retail/office building at 7017-7025 Santa Fe Avenue. Mr. Pelayo explained the project description, vicinity and zoning maps, aerial view, existing conditions, site plan / project data, floor plan, elevations and reviewed the required findings for a development permit stating that the proposed development is one permitted within the subject zoning district and complies with all of the applicable provisions of the Code; consistent with General Plan; harmonious and compatible with existing and planned future developments; complies with California Environmental Quality Act (CEQA) and City's Guidelines; physically suitable for the type and density/intensity of use being proposed; adequate provisions for public access, water, sanitation, and public utilities to ensure the proposed use would not be detrimental to public health and safety and the design, location, size and operating characteristics of the proposed development would not be detrimental to public health and safety. Mr. Pelayo concluded with speaking in support of staff's recommendations to adopt Resolution No. 2015-03, to approve a request for a development Permit to construct a new retail/office building at 7017-7025 Santa Fe Avenue.

Chair Herrera opened public comment.

Public Comment

1. Carlos Zevallos, representative for applicant, Zevallos Design, spoke in support of staff's recommendations.

Chair Herrera closed public comment.

Commissioner Benitez spoke in support of the request.

Motion: Vice Chair Carvajal motioned to adopt Resolution No. 2015-03, to approve a request for a development Permit to construct a new retail/office building at 7017-7025 Santa Fe Avenue in the Commercial General (CG) Zone, seconded by Commissioner Benitez. Motion passed by the following vote:

ROLL CALL:

| | | |
|-----------|------------------|--|
| AYES | Commissioner(s): | Benitez, Vice Chair Carvajal and Chair Herrera |
| NOES | Commissioner(s): | None |
| ABSENT | Commissioner(s): | None |
| ABSTAINED | Commissioner(s): | None |

Planning Manager Fontanez announced that if anyone wishing to appeal, the 15-day appeal period starts tomorrow and ends after the 15th day.

Staff Comments - None

Planning Commission Comments

Commissioner Benitez asked if there was an update on the Marijuana Dispensaries. Planning Manager Fontanez stated not at this time.

Adjournment

There being no further business at 6:35 p.m. Chair Herrera declared the meeting adjourned to a Regular Meeting of the Planning Commission to be held on Wednesday, March 18, 2015 at 6:00 p.m.

Respectfully submitted,

Donna G. Schwartz
Recording Secretary/City Clerk



CITY OF HUNTINGTON PARK

PLANNING COMMISSION AGENDA REPORT

DATE: APRIL 15, 2015

TO: CHAIRPERSON AND MEMBERS OF THE PLANNING COMMISSION

FROM: ALBERT G. FONTANEZ, PLANNING MANAGER
JUAN ARAUZ, ASSISTANT PLANNER

SUBJECT: PLANNING COMMISSION CASE NO. 2015-01 CUP

REQUEST: A request for Planning Commission approval of a Conditional Use Permit to expand an existing restaurant with alcohol sales located at 3006 Florence Avenue, in the Commercial General (CG) Zone.

APPLICANT: Pizza Mia/ Eric Fombona
3006 Florence Avenue, Suite 102
Huntington Park, CA 90255

PROPERTY OWNER: David Kerendian
1565 Rio Vista Avenue
Los Angeles, CA 90023

PROJECT LOCATION: 3006 Florence Avenue

**ASSESSOR'S
PARCEL NUMBER:** 6212-002-053

PRESENT USE: Commercial

PROJECT SIZE: 1,832 sq. ft.

BUILDING SIZE: Building 1: 3,603 sq. ft.
Building 2: 3,837 sq. ft.
Total: 7,440 sq. ft.

SITE SIZE: 18,084 sq. ft.

GENERAL PLAN: General Commercial (CG)

ZONE: CG

**SURROUNDING
LAND USES:** North: Commercial
West: Commercial
South: Residential
East: Commercial

**MUNICIPAL CODE
REQUIREMENTS FOR A
CONDITIONAL USE PERMIT:** A restaurant with the on-sale of alcoholic beverages is permitted in the CG Zone provided a Conditional Use (CUP) has been granted by the Planning Commission.

**REQUIRED FINDINGS
FOR A CONDITIONAL
USE PERMIT:** Following a hearing, the Planning Commission shall record the decision in writing and shall recite the findings upon which the decision is based. The Commission may approve and/or modify a CUP application in whole or in part, with or without conditions, only if all of the following findings are made:

1. The proposed use is conditionally permitted within, and would not impair the integrity and character of, the subject zoning district and complies with all of the applicable provisions of this Code;
2. The proposed use is consistent with the General Plan;
3. The approval of the CUP for the proposed use is in compliance with the requirements of the California Environmental Quality Act (CEQA) and the City's Guidelines;
4. The design, location, size, and operating characteristics of the proposed use are compatible with the existing and planned future land uses within the general area in which the proposed use is to be located and will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses operating nearby or adverse to the public interest, health, safety, convenience, or welfare of the City;

5. The subject site is physically suitable for the type and density/intensity of use being proposed; and
6. There are adequate provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.

**ENVIRONMENTAL
REVIEW:**

Categorically Exempt pursuant to Article 19, Section 15301 (Existing Facilities) and Section 15303 (Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines.

**PROJECT
ANALYSIS:**

The applicant, Mr. Eric Fombona, is requesting Planning Commission approval of a Conditional Use Permit to expand an existing restaurant with the on-sale of alcoholic beverages, in the Commercial General (CG) Zone.

Project Description

In October 2012, the applicant received approval to operate a take-out restaurant at 3006 Florence Avenue. Since then, the existing restaurant has outgrown its current tenant space and now the owner wishes to expand into the adjacent tenant space to the south. The applicant proposes to expand the restaurant by opening a wall and merging the adjacent tenant space. The new 916 square foot tenant space will consist of a cashier counter, seating area, and restrooms.

The applicant is proposing only interior cosmetic modifications to the expansion area, which include new paint and flooring. No modifications are proposed for the existing restaurant location, as it is equipped with all the necessary amenities: kitchen, seating area, restrooms, and an office.

Site Description

The project site consists of an existing 916 square foot bona-fide restaurant (Pizza Mia), without the on-sale of alcoholic beverages. The applicant is proposing to expand the existing business into an adjacent 916 square foot vacant tenant space. The vacant tenant space was previously occupied by an office use. After the expansion, the total size of the

restaurant will be 1,832 square feet. The business is located within a multi-tenant commercial shopping center with two buildings, a 3,603 square foot building and the other is 3,837 square feet, for a total of 7,440 square feet. The buildings are situated on an 18,084± square foot lot on the north side of Florence Avenue, between Marconi Street and Arbutus Avenue. It is bordered by commercial uses to the north, west, and east, and by residential uses to the south.

The site is physically suitable for the type and intensity of the proposed restaurant expansion with the on-sale of alcoholic beverages. There are adequate provisions for public access along Florence Avenue. The building, landscape and parking lot are in good condition, therefore no site improvements are required by the Planning Division.

Parking Analysis

Per the Huntington Park Municipal Code (HPMC) Section 9-3.801, the off-street parking requirement for a restaurant is one parking space per every 400 square feet of non-seating area and one parking space per every 100 square feet of seating area. Based on the parking calculation for all the uses, including the restaurant expansion, the property requires 21 parking spaces. The applicant's proposal will provide a total of 21 on-site parking spaces including the required handicapped and loading parking spaces. The loading space is located towards the rear of the site as approved by the City Council when the property was newly constructed in May of 2011. The applicant proposes to add a parking space located behind the loading space. In order to assure that the loading space is made available during deliveries, staff has conditioned that all on-site loading, if any is necessary, be performed only between the hours of 1:00am to 9:00am.

| STANDARD OFF-STREET PARKING CALCULATION | | |
|---|---------------------|-----------------|
| USE | REQUIRED | PROVIDED |
| Seating Area | 250 sf/100 = 2.5 | - |
| Non-Seating Area | 7,190 sf/400 = 18.0 | - |
| Total | 21 | 21 |
| 19 typical parking spaces, 1 loading space, and 1 handicapped parking space. | | |

Conditional Use Permit Findings

In granting a Conditional Use Permit to allow the on-sales of alcoholic beverages at an existing bona-fide restaurant, the Planning Commission must make findings in connection with the Conditional Use Permit, as set forth in the Huntington Park Municipal Code (HPMC). A Conditional Use Permit may be approved only if all of the following findings are made:

- 1. The proposed use is conditionally permitted within, and would not impair the integrity and character of, the subject zoning district and complies with all of the applicable provisions of this Code.**

Finding: The proposed restaurant expansion is conditionally permitted within the subject zoning district. The subject zoning district, CG, is intended to provide for restaurants, general retail, professional office, and service-oriented business activities serving a community-wide need under design standards that ensure compatibility and harmony with adjoining land uses. The property was developed in 2011 and had approval from all applicable agencies. The proposed development complies with all HPMC development standards including; zoning, parking, and compatibility.

- 2. The proposed use is consistent with the General Plan.**

Finding: The proposed restaurant expansion is consistent with the General Plan and meets all the zoning and development standards for the expansion of the existing restaurant with on-site alcohol sales, including lot size and parking. The land uses for the General Plan and Zoning map have the same CG designation and thus consistent. This proposed development also fulfills the goals and objectives of the General Plan, which include providing a mix of land uses which meets the diverse needs of the City.

- 3. The approval of the Conditional Use Permit for the proposed use is in compliance with the requirements**

**of the California Environmental Quality Act (CEQA)
and the City's Guidelines.**

Finding: The proposed restaurant expansion is Categorically Exempt pursuant to Article 19, Section 15301 (Existing Facilities) and Section 15303 (Conversion of Small Structures) of the California Environmental Quality Act (CEQA) Guidelines.

4. **The design, location, size and operating characteristics of the proposed use are compatible with the existing and planned future land uses within the general area in which the proposed use is to be located and will not create significant noise, traffic or other conditions or situations that may be objectionable or detrimental to other permitted uses operating nearby or adverse to the public interest, health, safety, convenience or welfare of the City.**

Finding: The subject restaurant has been in business since 2012 and has created no nuisances to the City or surrounding properties. The design, location, size, and operating characteristics of the proposed restaurant expansion with alcohol sales is not expected to be detrimental to the public health, safety and welfare of the City. The proposed expansion is harmonious and compatible with the existing retail and service uses presently located within the vicinity and zoning district. Additionally, the site has adequate vehicle circulation and suitable access along Florence Avenue.

5. **The subject site is physically suitable for the type and density/intensity of use being proposed;**

Finding: The subject site is physically suitable for the proposed restaurant expansion with on-site alcohol sales. The lot size of the site is over 18,000 square feet and provides sufficient parking and vehicle circulation. The site is accessible by Florence Avenue.

6. **There are adequate provisions for public access, water, sanitation and public utilities and services to ensure that the proposed use would not be**

detrimental to public health, safety and general welfare.

Finding: Vehicular and pedestrian access to the site would be provided through Florence Avenue. The proposed restaurant expansion will not significantly intensify public access, water, sanitation, and public utilities and services. The project proposes to connect with existing infrastructure and will not require changes to existing public utilities. Given that the surrounding area is already completely developed with public access, water, sanitation, and other public utilities, the proposed project would not affect these infrastructures or require any types of modifications. In addition, the proposed project would not impede the accessibility to public access, water, sanitation, or other public utilities and services. The proposed restaurant expansion will not be detrimental to public health, safety and general welfare. Therefore, this finding can be made.

Conclusion

Based on the above analysis, staff has determined that the applicant's proposed project satisfies all of the required findings for approval of a Conditional Use Permit. Therefore staff recommends approval of the applicant's request to expand an existing restaurant with alcohol sales located at 3006 Florence Avenue.

RECOMMENDATION:

Based on the evidence presented, it is the recommendation of Planning Division Staff that the Planning Commission adopt the Categorical Exemption, make the required findings and requirements set forth in the Huntington Park, Municipal Code, and **adopt PC Resolution No. 2015-01 CUP**, subject to the following proposed conditions of approval and/or other conditions that the Planning Commission may wish to impose.

CONDITIONS OF APPROVAL:

PLANNING

1. That the property owner and applicant shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, its officers, employees and agents from all claims, actions, or proceedings against the City to attack, set aside, void, annul, or seek

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damages arising out of an approval of the City, or any agency or commission thereof, concerning this project. City shall promptly notify both the property owner and applicant of any claim, action, or proceeding to which this condition is applicable. The City shall cooperate in the defense of the action, while reserving its right to act as it deems to be in the best interest of the City and the public. The property owner and applicant shall defend, indemnify and hold harmless the City for all costs and fees incurred in additional investigation or study, or for supplementing or revising any document, including, without limitation, environmental documents. If the City's legal counsel is required to enforce any condition of approval, the applicant shall pay for all costs of enforcement, including legal fees.

2. Except as set forth in subsequent conditions, all-inclusive, and subject to department corrections and conditions, the property shall be developed substantially in accordance with the applications, environmental assessment, and plans submitted.
3. That the proposed use shall comply with all applicable City, County, State and Federal codes, laws, rules, and regulations, including Health, Building and Safety, Fire, Sign, Zoning, and Business License.
4. That the use be conducted, and the property be maintained, in a clean, neat, quiet, and orderly manner at all times and comply with the property maintenance standards as set forth in Section 9-3.103.18 and Title 8, Chapter 9 of the Huntington Park Municipal Code.
5. That the business be operated in compliance with the City of Huntington Park Noise Ordinance.
6. That all graffiti be removed from all exterior walls and/or surfaces prior to the commencement of alcohol sales.
7. That any existing and/or future graffiti, as defined by Huntington Park Municipal Code Section 5-27.02(d), shall be diligently removed within a reasonable time period.
8. That the operator shall obtain/amend its City of Huntington Park Business License prior to commencing business operations.
9. That the applicant obtain and maintain a valid alcohol beverage license for the on-site sale of beer and wine from the State Department of Alcoholic Beverage Control (ABC) and comply with all requirements, and should at any time the required license or permits, issued by the ABC, be surrendered, revoked or suspended, this Conditional Use Permit shall automatically become null and void.
10. That if the business ceases to operate as a bona fide public eating establishment (restaurant) as defined under the Huntington Park Municipal Code Section 9-4.203(2)(A)(1), then the entitlement shall be null and void.

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11. That business operation be limited to a restaurant only and that beer and wine only be served in conjunction with meals during regular business hours.
12. That alcohol shall only be served and/or consumed within the designated dining area as shown on the floor plan.
13. That if any signs are proposed, such signs shall be installed in compliance with the City's sign regulations and that approval be obtained through a Sign Design Review prior to installation and that any existing non-permitted signs either apply for proper permits or be removed.
14. That all existing and/or proposed mechanical equipment and appurtenances, including satellite dishes, gutters etc., whether located on the rooftop, ground level or anywhere on the property shall be completely shielded/enclosed so as not to be visible from any public street and/or adjacent properties. Such shielding/enclosure of facilities shall be of compatible design related to the building structure for which such facilities are intended to serve and shall be installed prior to the commencement of alcohol sales.
15. That any proposed on-site utilities, including electrical and telephone, be installed underground and be completely concealed from public view as required by the Planning Division prior to the commencement of alcohol sales.
16. That the existing trash enclosure with a gate and overhead trellis be maintained in compliance with HPMC Section 9-3.103(24).
17. That the applicant comply with all of the provisions of Title 7, Chapter 9 of the Huntington Park Municipal Code relating to Storm Water Management. The applicant shall also comply with all requirements of the National Pollutant Discharge Elimination System (NPDES), Model Programs, developed by the County of Los Angeles Regional Water Quality Board. This includes compliance with the City's Low Impact Development (LID) requirements.
18. That this entitlement shall be subject to review for compliance with conditions of the issuance at such intervals as the City Planning Commission shall deem appropriate.
19. That the violation of any of the conditions of this entitlement may result in a citation(s) and/or the revocation of the entitlement.
20. That this entitlement may be subject to additional conditions after its original issuance. Such conditions shall be imposed by the City Planning Commission as deemed appropriate to address problems of land use compatibility, operations, aesthetics, security, noise, safety, crime control, or to promote the general welfare of the City.
21. That the applicant be required to apply for a new entitlement if any alteration, modification, or expansion would increase the existing floor area of the establishment.

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22. That the property owner restrict all on-site loading, if any is necessary, to be performed only between the hours of 1:00am to 9:00am.
23. That this entitlement shall expire in the event it is not exercised within one (1) year from the date of approval, unless an extension has been granted by the Planning Commission.
24. That if the use ceases to operate for a period of six (6) months the entitlement shall be null and void.
25. That should the operation of this establishment be granted, deemed, conveyed, transferred, or should a change in management or proprietorship occur at any time, this Conditional Use Permit shall be reviewed.
26. The Director of Community Development is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results, as would strict compliance with said plans and conditions.
27. That the business owner (applicant) and property owner agree in writing to the above conditions.

ENGINEERING

1. Prior to issuance of grading, building or other permits as appropriate, the applicant shall pay all necessary fees to the City.
2. If a new sewer line/connection is installed, a fee will be required in addition to the fees paid to the County of Los Angeles Sanitation District, and shall be paid prior to building permit issuance.
3. A separate public works permit and payment of fee is required for all work in the public right of way.
4. Remove and replace broken and off grade sidewalk and construct new concrete sidewalk along the length of the property frontage in accordance with SPPWC standard plan 113-2, and as directed by the City Engineer or his/her designee.
5. Remove and replace broken and off grade curb and gutter and construct new curb and gutter along the length of the property frontage in accordance with SPPWC Standard Plan 120-2, and as directed by the City Engineer or his/her designee.
6. Underground all services to the property.
7. Protect existing tree(s).
8. Install two new 48" box street trees. Match existing tree type.

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9. All improvements are to be designed, installed and completed at the sole expense of the applicant/developer/property owner.
10. The applicant/developer/property owner shall design and construct the improvements to the satisfaction and approval of the City Engineer or his/her designee.
11. All work shall be done in accordance with Standard Plans for Public Works Construction (SPPWC), and/or as directed by the City Engineer or his/her designee.
12. Project shall meet all requirements of the National Pollutant Discharge Elimination System (NPDES) related to pollutants; runoff or non-stormwater discharges.
13. All existing damaged or off-grade curb, gutter and sidewalk shall be removed and replaced as directed by the City Engineer or his/her designee.
14. Any existing improvements damaged or made off grade during construction, shall be removed and replaced in accordance with appropriate standards, and as directed by the City Engineer or his/her designee.
15. Bench Marks, Center Line Ties, and any other Survey Monumentation, shall be established and/or replaced accordingly at the completion of the project.
16. New trees shall be one of the approved types by the City for trees in public right-of-way, or as directed by the City Engineer or his/her designee. Trees shall be installed in the parkway with a low drip irrigation system. Root barriers shall be installed. A 48"x48" street tree cover shall be installed where required by the City Engineer or his/her designee.
17. All existing noncomplying driveway aprons shall be constructed in accordance with applicable SPPWC standards.
18. Top of driveway apron X shall be 5 feet minimum from any trees, power poles, traffic signal controllers, electric services or similar improvements in the public right of way.
19. All existing and proposed utilities shall be conveyed to the site underground.

BUILDING AND SAFETY

1. The initial plan check fee will cover the initial plan check and one recheck **only**. Additional review required beyond the first recheck shall be paid for on an hourly basis in accordance with the current fee schedule.
2. Separate plans, applications and fees are required prior to plan review of electrical, plumbing, mechanical, or grading plans. Review of these plans must be specifically

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requested; **Review is not automatic**. If you have any questions concerning whether plan review is required, contact the Building Division.

3. Approval is required from the Los Angeles County Health Department for restaurants.
4. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
5. South Coast Air Quality Management District must be contacted prior to any demolition or renovation. Call (909) 396-2000 for further information. Failure to comply with the provisions of Rule 1403 may result in a penalty of up to \$25,000 per day.
6. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
7. Electrical plan check is required.
8. Mechanical plan check is required.
9. Plumbing plan check is required.
10. Energy calculations are required for new lighting or mechanical equipment.
11. Assembly uses intended for food and/or drink consumption shall be classified as Group A-2 Occupancy.

Exceptions:

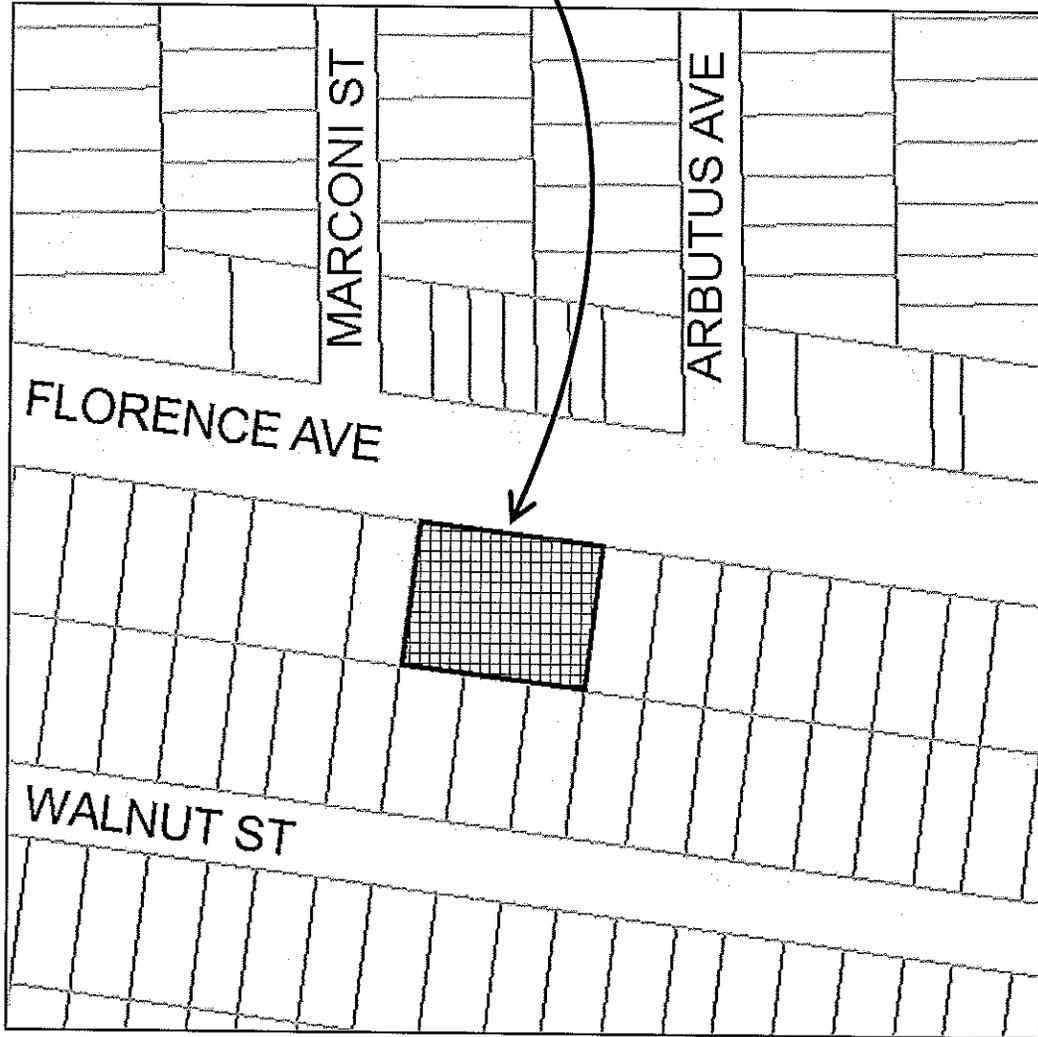
1. A room or space used for assembly purposes with an occupant load of less than 50 persons and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.
 2. A room or space used for assembly purposes that is less than 750 square feet (70 m²) in area and accessory to another occupancy shall be classified as a Group B occupancy or as part of that occupancy.
12. Except as provided by Section 3401.4 or this section, alterations to any building or structure shall comply with the requirements of the code for new construction.
 13. The proposed conversion of existing use from a retail shop of mercantile occupancy group to a restaurant with dining of assembly occupancy group is considered as Change of Occupancy. Note that per Section 3408.1 of CBC, no change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancies or in a different group of occupancies, unless such building is made to comply with the requirements of this code for such division or group of occupancies.

14. The building height and area affected by the proposed change of occupancy shall not exceed the limits specified in Table 503 based on the type of construction as determined by Section 602 and the occupancies as determined by Section 302 except as modified hereafter.
15. The proposed Group A occupancy shall be separated from adjacent Group M or B occupancy in the same floor in accordance with Table 508.4.
16. Common path of egress travel for assembly occupancy shall comply with Section 1028.8.
17. Egress shall not pass through kitchens, storage rooms, closets or spaces used for similar purposes unless the conditions under Exception No. 2 of Item No.4 of Section 1014.2 are met.
18. Doors serving rooms or spaces with an occupant load of 50 or more in a Group A occupancy shall not be provided with a latch or lock unless it is panic hardware or fire exit hardware per Section 1008.1.10 or meeting the exception Item 2 under Section 1008.1.9.3.
19. All State of California disability access regulations for accessibility to commercial buildings per Chapter 11B shall be complied with.
20. The number of required wheelchair seating spaces in Group A Occupancy shall be determined using Table 11B-221.2.1.1.
21. Toilet facility shall conform to the provisions of Section 11B-213.
22. Urinals and drinking fountains are required for restaurants per Los Angeles County Plumbing Code Section 415.2 and Table 422.1.
23. Plumbing fixtures shall comply with Los Angeles County Plumbing Code Table 422.1.

EXHIBITS:

- A: Vicinity Map
- B: Site Plan
- C: Floor Plan
- D: Elevations
- E: Conditional Use Permit Application/Environmental Assessment Checklist
- F: PC Resolution No. 2015-01 CUP

SUBJECT SITE:
3006 Florence Avenue
Huntington Park, CA 90255

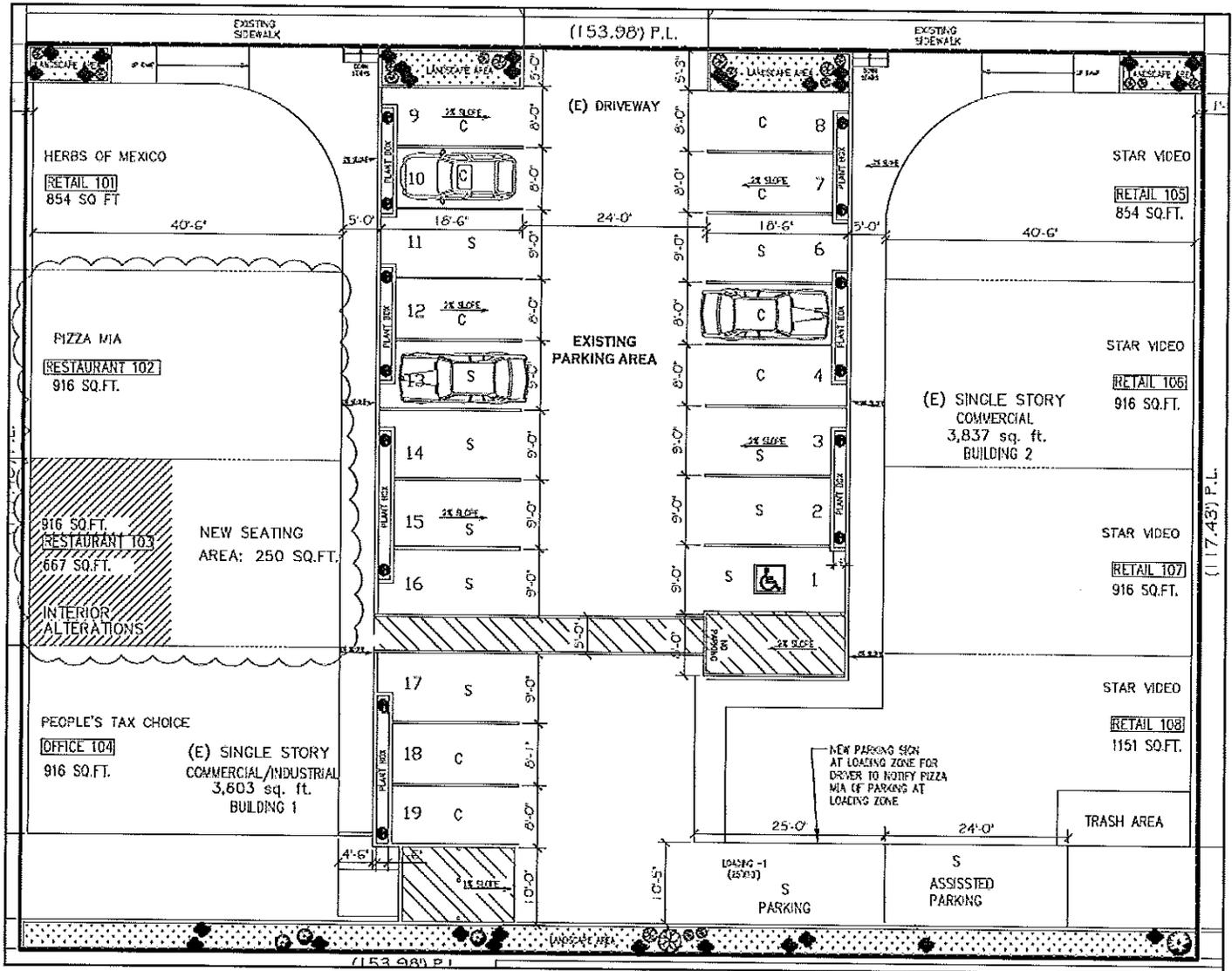


VICINITY MAP



EXHIBIT A

CASE NO. 2015-01 CUP

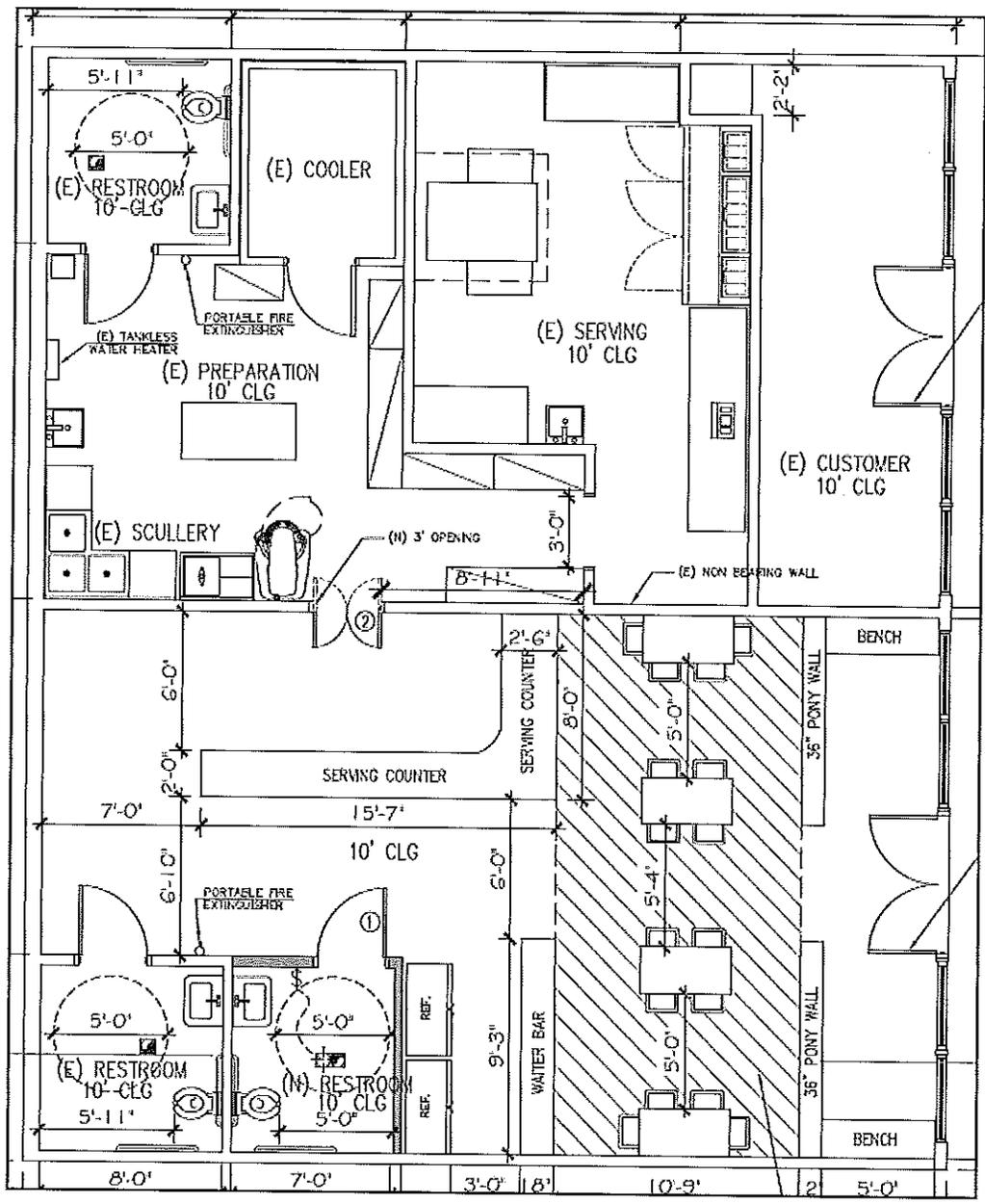


SITE PLAN



EXHIBIT B

CASE NO. 2015-01 CUP

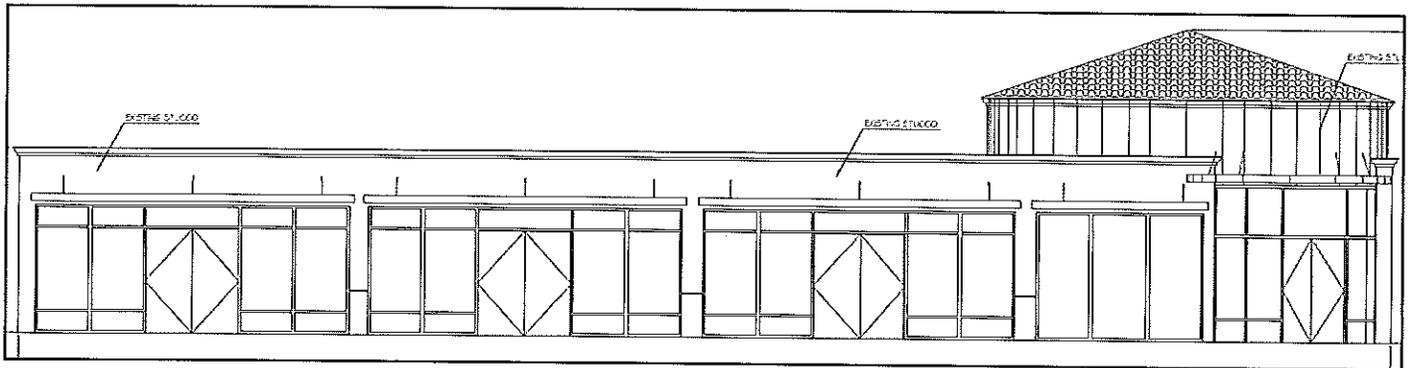


FLOOR PLAN



EXHIBIT C

CASE NO. 2015-01 CUP



(East Elevation)

ELEVATION

EXHIBIT D

CASE NO. 2015-01 CUP

**CONDITIONAL USE PERMIT APPLICATION
&
ENVIRONMENTAL ASSESSMENT CHECKLIST**

EXHIBIT E

CASE NO. 2015-01 CUP

P.C. RESOLUTION NO. 2015-01

EXHIBIT F

CASE NO. 2015-01 CUP

1 Questionnaire, the Planning Commission adopts the findings in said Questionnaire and
2 determines that the project, as proposed, will have no significant adverse effect on the
3 environment and adopts an Environmental Categorical Exemption (CEQA Guidelines,
4 Section 15301, Existing Facilities, and Section 15303, Conversion of Small Structures).

5 **SECTION 2:** The Planning Commission hereby finds that all of the following required
6 findings can be made for a Conditional Use Permit in connection with Case No. 2015-01
7 CUP:

- 8 **1. The proposed use is conditionally permitted within, and would not impair the**
9 **integrity and character of, the subject zoning district and complies with all of**
10 **the applicable provisions of this Code.**

11 **Finding:** The proposed restaurant expansion is conditionally permitted within the
12 subject zoning district. The subject zoning district, CG, is intended to provide for
13 restaurants, general retail, professional office, and service-oriented business
14 activities serving a community-wide need under design standards that ensure
15 compatibility and harmony with adjoining land uses. The property was developed in
16 2011 and had approval from all applicable agencies. The proposed development
17 complies with all HPMC development standards including; zoning, parking, and
18 compatibility.

- 19 **2. The proposed use is consistent with the General Plan.**

20 **Finding:** The proposed restaurant expansion is consistent with the General Plan
21 and meets all the zoning and development standards for the expansion of the
22 existing restaurant with on-site alcohol sales, including lot size and parking. The
23 land uses for the General Plan and Zoning map have the same CG designation and
24 thus consistent. This proposed development also fulfills the goals and objectives of
25 the General Plan, which include providing a mix of land uses which meets the
26 diverse needs of the City.

- 27 **3. The proposed use is consistent with the General Plan.**

28 **Finding:** The proposed restaurant expansion is Categorical Exempt pursuant to

1 Article 19, Section 15301 (Existing Facilities) and Section 15303 (Conversion of
2 Small Structures) of the California Environmental Quality Act (CEQA) Guidelines.

- 3 **4. The design, location, size and operating characteristics of the proposed use**
4 **are compatible with the existing and planned future land uses within the**
5 **general area in which the proposed use is to be located and will not create**
6 **significant noise, traffic or other conditions or situations that may be**
7 **objectionable or detrimental to other permitted uses operating nearby or**
8 **adverse to the public interest, health, safety, convenience or welfare of the**
9 **City.**

10 **Finding:** The subject restaurant has been in business since 2012 and has created
11 no nuisances to the City or surrounding properties. The design, location, size, and
12 operating characteristics of the proposed restaurant expansion with alcohol sales is
13 not expected to be detrimental to the public health, safety and welfare of the City.
14 The proposed expansion is harmonious and compatible with the existing retail and
15 service uses presently located within the vicinity and zoning district. Additionally,
16 the site has adequate vehicle circulation and suitable access along Florence
17 Avenue.

- 18 **5. The subject site is physically suitable for the type and density/intensity of use**
19 **being proposed.**

20 **Finding:** The subject site is physically suitable for the proposed restaurant
21 expansion with on-site alcohol sales. The lot size of the site is over 18,000 square
22 feet and provides sufficient parking and vehicle circulation. The site is accessible
23 by Florence Avenue.

- 24 **6. There are adequate provisions for public access, water, sanitation and public**
25 **utilities and services to ensure that the proposed use would not be**
26 **detrimental to public health, safety and general welfare.**

27 **Finding:** Vehicular and pedestrian access to the site would be provided through
28 Florence Avenue. The proposed restaurant expansion will not significantly intensify

1 public access, water, sanitation, and public utilities and services. The project
2 proposes to connect with existing infrastructure and will not require changes to
3 existing public utilities. Given that the surrounding area is already completely
4 developed with public access, water, sanitation, and other public utilities, the
5 proposed project would not affect these infrastructures or require any types of
6 modifications. In addition, the proposed project would not impede the accessibility
7 to public access, water, sanitation, or other public utilities and services. The
8 proposed restaurant expansion will not be detrimental to public health, safety and
9 general welfare. Therefore, this finding can be made.

10 **SECTION 3:** The Planning Commission hereby approves Case No. 2015-01 CUP, a
11 request for approval of a Conditional Use Permit to expand an existing restaurant with
12 alcohol sales at 3006 Florence Avenue, in the Commercial General (CG) Zone, subject
13 to the execution and fulfillment of the following conditions:

14 **PLANNING**

- 15 1. That the property owner and applicant shall indemnify, protect, hold harmless and
16 defend the City and any agency or instrumentality thereof, its officers, employees and
17 agents from all claims, actions, or proceedings against the City to attack, set aside, void,
18 annul, or seek damages arising out of an approval of the City, or any agency or
19 commission thereof, concerning this project. City shall promptly notify both the property
20 owner and applicant of any claim, action, or proceeding to which this condition is
21 applicable. The City shall cooperate in the defense of the action, while reserving its right
22 to act as it deems to be in the best interest of the City and the public. The property owner
23 and applicant shall defend, indemnify and hold harmless the City for all costs and fees
24 incurred in additional investigation or study, or for supplementing or revising any
25 document, including, without limitation, environmental documents. If the City's legal
26 counsel is required to enforce any condition of approval, the applicant shall pay for all
27 costs of enforcement, including legal fees.
- 28 2. Except as set forth in subsequent conditions, all-inclusive, and subject to department
corrections and conditions, the property shall be developed substantially in accordance
with the applications, environmental assessment, and plans submitted.
3. That the proposed use shall comply with all applicable City, County, State and Federal
codes, laws, rules, and regulations, including Health, Building and Safety, Fire, Sign,
Zoning, and Business License.

- 1 4. That the use be conducted, and the property be maintained, in a clean, neat, quiet, and
2 orderly manner at all times and comply with the property maintenance standards as set
3 forth in Section 9-3.103.18 and Title 8, Chapter 9 of the Huntington Park Municipal Code.
- 4 5. That the business be operated in compliance with the City of Huntington Park Noise
5 Ordinance.
- 6 6. That all graffiti be removed from all exterior walls and/or surfaces prior to the
7 commencement of alcohol sales.
- 8 7. That any existing and/or future graffiti, as defined by Huntington Park Municipal Code
9 Section 5-27.02(d), shall be diligently removed within a reasonable time period.
- 10 8. That the operator shall obtain/amend its City of Huntington Park Business License prior
11 to commencing business operations.
- 12 9. That the applicant obtain and maintain a valid alcohol beverage license for the on-site
13 sale of beer and wine from the State Department of Alcoholic Beverage Control (ABC)
14 and comply with all requirements, and should at any time the required license or permits,
15 issued by the ABC, be surrendered, revoked or suspended, this Conditional Use Permit
16 shall automatically become null and void.
- 17 10. That if the business ceases to operate as a bona fide public eating establishment
18 (restaurant) as defined under the Huntington Park Municipal Code Section 9-
19 4.203(2)(A)(1), then the entitlement shall be null and void.
- 20 11. That business operation be limited to a restaurant only and that beer and wine only be
21 served in conjunction with meals during regular business hours.
- 22 12. That alcohol shall only be served and/or consumed within the designated dining area as
23 shown on the floor plan.
- 24 13. That if any signs are proposed, such signs shall be installed in compliance with the City's
25 sign regulations and that approval be obtained through a Sign Design Review prior to
26 installation and that any existing non-permitted signs either apply for proper permits or
27 be removed.
- 28 14. That all existing and/or proposed mechanical equipment and appurtenances, including
satellite dishes, gutters etc., whether located on the rooftop, ground level or anywhere on
the property shall be completely shielded/enclosed so as not to be visible from any public
street and/or adjacent properties. Such shielding/enclosure of facilities shall be of
compatible design related to the building structure for which such facilities are intended
to serve and shall be installed prior to the commencement of alcohol sales.
15. That any proposed on-site utilities, including electrical and telephone, be installed
underground and be completely concealed from public view as required by the Planning
Division prior to the commencement of alcohol sales.

- 1 16. That the existing trash enclosure with a gate and overhead trellis be maintained in
2 compliance with HPMC Section 9-3.103(24).
- 3 17. That the applicant comply with all of the provisions of Title 7, Chapter 9 of the Huntington
4 Park Municipal Code relating to Storm Water Management. The applicant shall also
5 comply with all requirements of the National Pollutant Discharge Elimination System
6 (NPDES), Model Programs, developed by the County of Los Angeles Regional Water
7 Quality Board. This includes compliance with the City's Low Impact Development (LID)
8 requirements.
- 9 18. That this entitlement shall be subject to review for compliance with conditions of the
10 issuance at such intervals as the City Planning Commission shall deem appropriate.
- 11 19. That the violation of any of the conditions of this entitlement may result in a citation(s)
12 and/or the revocation of the entitlement.
- 13 20. That this entitlement may be subject to additional conditions after its original issuance.
14 Such conditions shall be imposed by the City Planning Commission as deemed
15 appropriate to address problems of land use compatibility, operations, aesthetics,
16 security, noise, safety, crime control, or to promote the general welfare of the City.
- 17 21. That the applicant be required to apply for a new entitlement if any alteration,
18 modification, or expansion would increase the existing floor area of the establishment.
- 19 22. That the property owner restrict all on-site loading, if any is necessary, to be performed
20 only between the hours of 1:00am to 9:00am.
- 21 23. That this entitlement shall expire in the event it is not exercised within one (1) year from
22 the date of approval, unless an extension has been granted by the Planning
23 Commission.
- 24 24. That if the use ceases to operate for a period of six (6) months the entitlement shall be
25 null and void.
- 26 25. That should the operation of this establishment be granted, deemed, conveyed,
27 transferred, or should a change in management or proprietorship occur at any time, this
28 Conditional Use Permit shall be reviewed.
- 26 26. The Director of Community Development is authorized to make minor modifications to
27 the approved preliminary plans or any of the conditions if such modifications shall
28 achieve substantially the same results, as would strict compliance with said plans and
conditions.
- 27 27. That the business owner (applicant) and property owner agree in writing to the above
conditions.

ENGINEERING

- 1 1. Prior to issuance of grading, building or other permits as appropriate, the applicant shall
2 pay all necessary fees to the City.
- 3 2. If a new sewer line/connection is installed, a fee will be required in addition to the fees
4 paid to the County of Los Angeles Sanitation District, and shall be paid prior to building
5 permit issuance.
- 6 3. A separate public works permit and payment of fee is required for all work in the public
7 right of way.
- 8 4. Remove and replace broken and off grade sidewalk and construct new concrete
9 sidewalk along the length of the property frontage in accordance with SPPWC standard
10 plan 113-2, and as directed by the City Engineer or his/her designee.
- 11 5. Remove and replace broken and off grade curb and gutter and construct new curb and
12 gutter along the length of the property frontage in accordance with SPPWC Standard
13 Plan 120-2, and as directed by the City Engineer or his/her designee.
- 14 6. Underground all services to the property.
- 15 7. Protect existing tree(s).
- 16 8. Install two new 48" box street trees. Match existing tree type.
- 17 9. All improvements are to be designed, installed and completed at the sole expense of the
18 applicant/developer/property owner.
- 19 10. The applicant/developer/property owner shall design and construct the improvements to
20 the satisfaction and approval of the City Engineer or his/her designee.
- 21 11. All work shall be done in accordance with Standard Plans for Public Works Construction
22 (SPPWC), and/or as directed by the City Engineer or his/her designee.
- 23 12. Project shall meet all requirements of the National Pollutant Discharge Elimination
24 System (NPDES) related to pollutants; runoff or non-stormwater discharges.
- 25 13. All existing damaged or off-grade curb, gutter and sidewalk shall be removed and
26 replaced as directed by the City Engineer or his/her designee.
- 27 14. Any existing improvements damaged or made off grade during construction, shall be
28 removed and replaced in accordance with appropriate standards, and as directed by the
City Engineer or his/her designee.
15. Bench Marks, Center Line Ties, and any other Survey Monumentation, shall be
established and/or replaced accordingly at the completion of the project.
16. New trees shall be one of the approved types by the City for trees in public right-of-way,
or as directed by the City Engineer or his/her designee. Trees shall be installed in the

1 parkway with a low drip irrigation system. Root barriers shall be installed. A 48"x48"
2 street tree cover shall be installed where required by the City Engineer or his/her
3 designee.

4 17. All existing noncomplying driveway aprons shall be constructed in accordance with
5 applicable SPPWC standards.

6 18. Top of driveway apron X shall be 5 feet minimum from any trees, power poles, traffic
7 signal controllers, electric services or similar improvements in the public right of way.

8 19. All existing and proposed utilities shall be conveyed to the site underground.

9 BUILDING AND SAFETY

10 1. The initial plan check fee will cover the initial plan check and one recheck **only**.
11 Additional review required beyond the first recheck shall be paid for on an hourly basis in
12 accordance with the current fee schedule.

13 2. Separate plans, applications and fees are required prior to plan review of electrical,
14 plumbing, mechanical, or grading plans. Review of these plans must be specifically
15 requested; **Review is not automatic**. If you have any questions concerning whether
16 plan review is required, contact the Building Division.

17 3. Approval is required from the Los Angeles County Health Department for restaurants.

18 4. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of
19 the building permit.

20 5. South Coast Air Quality Management District must be contacted prior to any demolition
21 or renovation. Call (909) 396-2000 for further information. Failure to comply with the
22 provisions of Rule 1403 may result in a penalty of up to \$25,000 per day.

23 6. In accordance with paragraph 5538(b) of the California Business and Professions Code,
24 plans are to be prepared and stamped by a licensed architect.

25 7. Electrical plan check is required.

26 8. Mechanical plan check is required.

27 9. Plumbing plan check is required.

28 10. Energy calculations are required for new lighting or mechanical equipment.

11. Assembly uses intended for food and/or drink consumption shall be classified as Group
A-2 Occupancy.

Exceptions:

- 1 1. A room or space used for assembly purposes with an occupant load of less
- 2 than 50 persons and accessory to another occupancy shall be classified as a
- 3 Group B occupancy or as part of that occupancy.
- 4 2. A room or space used for assembly purposes that is less than 750 square feet
- 5 (70 m²) in area and accessory to another occupancy shall be classified as a
- 6 Group B occupancy or as part of that occupancy.
- 7 12. Except as provided by Section 3401.4 or this section, alterations to any building or
- 8 structure shall comply with the requirements of the code for new construction.
- 9 13. The proposed conversion of existing use from a retail shop of mercantile occupancy
- 10 group to a restaurant with dining of assembly occupancy group is considered as
- 11 Change of Occupancy. Note that per Section 3408.1 of CBC, no change shall be made
- 12 in the use or occupancy of any building that would place the building in a different
- 13 division of the same group of occupancies or in a different group of occupancies, unless
- 14 such building is made to comply with the requirements of this code for such division or
- 15 group of occupancies.
- 16 14. The building height and area affected by the proposed change of occupancy shall not
- 17 exceed the limits specified in Table 503 based on the type of construction as determined
- 18 by Section 602 and the occupancies as determined by Section 302 except as modified
- 19 hereafter.
- 20 15. The proposed Group A occupancy shall be separated from adjacent Group M or B
- 21 occupancy in the same floor in accordance with Table 508.4.
- 22 16. Common path of egress travel for assembly occupancy shall comply with Section
- 23 1028.8.
- 24 17. Egress shall not pass through kitchens, storage rooms, closets or spaces used for
- 25 similar purposes unless the conditions under Exception No. 2 of Item No.4 of Section
- 26 1014.2 are met.
- 27 18. Doors serving rooms or spaces with an occupant load of 50 or more in a Group A
- 28 occupancy shall not be provided with a latch or lock unless it is panic hardware or fire
- exit hardware per Section 1008.1.10 or meeting the exception Item 2 under Section
- 1008.1.9.3.
19. All State of California disability access regulations for accessibility to commercial
- buildings per Chapter 11B shall be complied with.
20. The number of required wheelchair seating spaces in Group A Occupancy shall be
- determined using Table 11B-221.2.1.1.
21. Toilet facility shall conform to the provisions of Section 11B-213.
22. Urinals and drinking fountains are required for restaurants per Los Angeles County
- Plumbing Code Section 415.2 and Table 422.1.

1 **PASSED, APPROVED, AND ADOPTED** this 15th day of April, 2015, by the following

2 vote:

3 AYES:

4 NOES:

5 ABSTAIN:

6 ABSENT:

7 HUNTINGTON PARK PLANNING COMMISSION

8

9

10

11 _____
Chair

12

13

14 ATTEST:

15

16

17 _____

18 Secretary

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