



AGENDA

CITY OF HUNTINGTON PARK PLANNING COMMISSION

Regular Meeting
Wednesday, June 17, 2020 at 6:30 p.m.

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

SPECIAL NOTICE REGARDING COVID-19

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of COVID-19 and subsequently on March 12, 2020, issued Executive Order N-25-20, which allows Planning Commission Members to attend Planning Commission meetings telephonically. Please be advised that some, or all, of the City of Huntington Park Planning Commission Members and staff may attend this meeting telephonically.

Given the health risks associated with COVID-19, the City is encouraging members of the public to submit their comments and questions in writing, for Planning Commission considerations, by sending them to the Secretary of the Planning Commission at planning@hpcal.gov. All comments and questions will be read during the meeting.

If you wish to attend the Planning Commission meeting in person, the City's Conference Room on the 2nd floor of City Hall will be open and available for the public to observe and offer public comment telephonically. We ask that members of the public in attendance use social distancing practices. Please contact the Secretary of the Planning Commission at (562) 584-6210, for any questions.

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

ROLL CALL

Chair Jonathan Sanabria
Vice Chair VACANT
Commissioner Angelica Montes
Commissioner Eduardo Carvajal
Commissioner VACANT

PLEDGE OF ALLEGIANCE

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.

REGULAR AGENDA

- 1. CASE NO. 2018-07 CUP/DP/MCUP – CONDITIONAL USE PERMIT / DEVELOPMENT PERMIT / MINOR CONDITIONAL USE PERMIT – A REQUEST FOR A TIME EXTENSION TO A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT, DEVELOPMENT PERMIT, AND MINOR CONDITIONAL USE PERMIT (CASE NO. 2018-07) TO LEGALIZE UNPERMITTED CONSTRUCTION AND OUTDOOR SEATING AREA TO AN EXISTING RESTAURANT WITH A DRIVE-THRU FACILITY ON PROPERTY LOCATED AT 3340 GAGE AVENUE, WITHIN THE COMMERCIAL GENERAL (C-G) ZONE.**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Take public comment; and
2. Consider the following options:
 - 2-1 Approve a time extension to expired Planning Commission entitlement Case No. 2018-07 CUP/DP/MCUP.

2-2 Deny the proposed extension to expired Planning Commission entitlement
Case No. 2018-07 CUP/DP/MCUP.

PUBLIC HEARING

STAFF COMMENTS

PLANNING COMMISSION COMMENTS

ADJOURNMENT

The City of Huntington Park Planning Commission will adjourn to the Regular Meeting on Wednesday, July 15, 2020 at 6:30 p.m.

I, Carlos Luis, 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 11th day of June of 2020.



Carlos Luis



CITY OF HUNTINGTON PARK

PLANNING COMMISSION AGENDA REPORT

DATE: JUNE 17, 2020

TO: CHAIRPERSON AND MEMBERS OF THE PLANNING COMMISSION

ATTENTION: CARLOS LUIS, PLANNING MANAGER

FROM: GABRIEL DIAZ, ASSOCIATE PLANNER

SUBJECT: **PLANNING COMMISSION CASE NO. 2018-07 CUP/DP/MCUP
(CONDITIONAL USE PERMIT/DEVELOPMENT PERMIT/ MINOR
CONDITIONAL USE PERMIT)**

REQUEST: A REQUEST FOR A TIME EXTENSION TO A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT, DEVELOPMENT PERMIT, AND MINOR CONDITIONAL USE PERMIT (CASE NO. 2018-07) TO LEGALIZE UNPERMITTED CONSTRUCTION AND OUTDOOR SEATING AREA TO AN EXISTING RESTAURANT WITH A DRIVE-THRU FACILITY ON PROPERTY LOCATED AT 3340 GAGE AVENUE, WITHIN THE COMMERCIAL GENERAL (C-G) ZONE.

APPLICANT: Leonardo Corona
3340 Gage Avenue
Huntington Park, CA 90255

PROPERTY OWNER: Manzanita LLC Property
3850 Wilshire Boulevard #201
Los Angeles, CA 90010

PROJECT LOCATION: 3340 Gage Avenue

BACKGROUND:

- *Planning Commission*

On December 19, 2018, the Planning Commission approved Resolution No. 2018-07, for a Conditional Use Permit, Development Permit, and Minor Conditional Use Permit

PLANNING COMMISSION AGENDA REPORT

Time Extension: CUP/DP/MCUP Case No. 2018-07

June 17, 2020

Page 2 of 3

(Case No. 2018-07) to legalize unpermitted construction and outdoor seating area to an existing restaurant with a drive-thru facility on property located at 3340 Gage Avenue, within the Commercial General (C-G) zone, subject to conditions.

Since receiving approval, the Applicant has prepared and submitted revised architectural plans and a vehicle queuing plan to Planning for plan check.

Pursuant to Huntington Park Municipal Code (HPMC) 9-2.1109 and 9-2.1010, a CUP and a DP shall be exercised within one year from the date of approval or the permit shall become void. The CUP and DP approval lapsed on December 19, 2019.

- ***Extension Request***

On March 11, 2020, the Planning Division received a written request from the Applicant, Leonardo Corona, requesting a one year time extension of CUP/DP/MCUP Case No. 2018-07. According to the written request, preparation of construction documents has taken longer than anticipated and additional time is required in order to provide a final set of plans to the city.

The project plans are currently under review by Planning. Once plans are approved, the proposed project will be able to submit to building plan check. Upon successful completion of building plan check, permits will be ready to be issued.

As a result, it is recommended that the Planning Commission consider the one year time extension request.

DISCUSSION:

Per HPMC Section 9-2.1110 (Time Extension), the Planning Commission may grant a time extension not to exceed one year increments. A time extension request shall be filed no later than ninety (90) days after expiration and for good cause. Prior to granting an extension, the Planning Commission shall ensure that the CUP complies with all current Code provisions. If granted, the CUP shall be extended from the date of expiration.

PLANNING COMMISSION AGENDA REPORT

Time Extension: CUP/DP/MCUP Case No. 2018-07

June 17, 2020

Page 3 of 3

RECOMMENDATION: That the Planning Commission hear all public comment and **approve a one year time extension for CUP/DP Case No. 2018-07.**

EXHIBITS:

- A: PC Resolution No. 2018-07A
- B: December 19, 2018 Planning Commission Staff Report
- C: Time Extension Request

PC RESOLUTION NO. 2018-07A

EXHIBIT A

CASE NO. 2018-07A CUP/DP/MCUP

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PC RESOLUTION NO. 2018-07A

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, APPROVING A ONE YEAR TIME EXTENSION TO A PREVIOUSLY APPROVED REQUEST FOR A CONDITIONAL USE PERMIT, A DEVELOPMENT PERMIT, AND MINOR CONDITIONAL USE PERMIT TO LEGALIZE UNPERMITTED CONSTRUCTION AND OUTDOOR SEATING AREA TO AN EXISTING RESTAURANT WITH A DRIVE-THRU FACILITY ON PROPERTY LOCATED AT 3340 GAGE AVENUE, WITHIN THE COMMERCIAL GENERAL (C-G) ZONE.

WHEREAS, the Planning Commission of the City of Huntington Park, after notice duly given as required by law, held a public meeting on Wednesday, June 17, 2020 at 630 p.m., in City Hall, 6550 Miles Avenue, Huntington Park, California upon an application from Leonardo Corona, requesting a one year time extension for a Conditional Use Permit, a Development Permit, and a Minor Conditional Use Permit to legalize unpermitted construction and outdoor seating area to an existing restaurant with a drive-thru facility for property located at 3340 Gage Avenue, within the commercial general (CG) zone, described as:

Assessor's Parcel No. 6324-015-020, City of Huntington Park, County of Los Angeles; and

WHEREAS, the Planning Division has reviewed the request and has found that all of the findings for approval of a Conditional Use Permit, Development Permit, and Minor Conditional Use Permit can be made as required by the Municipal Code; and

WHEREAS, the Planning Commission approved a one year time extension for Case No. 2018-07 CUP/DP/MCUP, extending the expiration date to December 19, 2020; and

WHEREAS, the Planning Commission has considered the environmental impact information relative to the proposed request; and

WHEREAS, all persons appearing for or against the approval of the Conditional Use Permit, Development Permit, and Minor Conditional Use Permit were given the opportunity to be heard in connection with said matter; and

WHEREAS, all written comments received prior to the hearing, and responses to

1 such comments, were reviewed by the Planning Commission; and

2 **WHEREAS**, the Planning Commission is required to announce its findings and
3 recommendations.

4 //

5 //

6 **NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF**
7 **HUNTINGTON PARK DOES FIND, DETERMINE, RECOMMEND AND RESOLVES AS**
8 **FOLLOWS:**

9 **SECTION 1:** Based on the evidence within staff report and the Environmental
10 Assessment Questionnaire, the Planning Commission adopts the findings in said
11 Questionnaire and determines that the project, as proposed, will have no significant
12 adverse effect on the environment and adopts an Environmental Categorical Exemption
13 (CEQA Guidelines, Section 15332(32), In-Fill Development).

14 **SECTION 2:** The Planning Commission hereby makes the following findings in
15 connection with the proposed Conditional Use Permit:

- 16 **1.** The proposed use is conditionally permitted within, and would not impair the
17 integrity and character of, the subject zoning district and complies with all of the
18 applicable provisions of this Code in that ***a restaurant expansion with a drive-***
19 ***thru facility is conditionally permitted within the subject zoning district. The***
20 ***subject zoning district, CG, is intended to provide for general retail,***
21 ***professional office, and service-oriented business activities serving a***
22 ***community-wide need under design standards that ensure compatibility and***
23 ***harmony with adjoining land uses. In addition the proposed project includes***
24 ***conditions of approval that will ensure compliance with the requirements of***
25 ***the HPMC.***
- 26 **2.** The proposed use is consistent with the General Plan in that ***the proposed project***
27 ***is consistent with the General Plan's Goal 1.0; Policy 1.2 of the Land Use***
28 ***Element that encourages community-oriented retail in Huntington Park while***

1 **contributing to revitalize Pacific Boulevard as a regional retail destination.**

2 **The proposed project is also consistent with Goal 3.0; Policy 3.2 of the Land**
3 **Use Element of the General Plan by promoting vigorous enforcement of City**
4 **codes, including building, zoning, and health and safety, to promote property**
5 **maintenance by providing all new infrastructure to meet development**
6 **standards in the designated zone. Applicant will provide additional**
7 **maintenance to the subject property, to prevent the deterioration of the**
8 **existing building.**

9 3. The approval of the Conditional Use Permit for the proposed use is in compliance
10 with the requirements of the California Environmental Quality Act (CEQA) and the
11 City's Guidelines in that **an environmental assessment has been conducted for**
12 **this project in compliance with the California Environmental Quality Act**
13 **(CEQA). The proposed addition and drive-thru facility is Categorically Exempt**
14 **pursuant to Article 19, Class 1, Section 15301 (Existing Facilities) of the**
15 **California Environmental Quality Act (CEQA) Guidelines.**

16 4. The design, location, size and operating characteristics of the proposed use are
17 compatible with the existing and planned future land uses within the general area in
18 which the proposed use is to be located and will not create significant noise, traffic
19 or other conditions or situations that may be objectionable or detrimental to other
20 permitted uses operating nearby or adverse to the public interest, health, safety,
21 convenience or welfare of the City in **the subject restaurant has been in**
22 **business since September of 2014. The design, location, size, and operating**
23 **characteristics of the existing restaurant with expansion and drive-thru is not**
24 **expected to be detrimental to the public health, safety and welfare of the City.**
25 **The proposed request for the expansion of seating area to an existing**
26 **restaurant is harmonious and compatible with the existing commercial and**
27 **service uses presently located within the vicinity and zoning district. In**
28 **addition, conditions of approval have been included that will require the**

1 ***proposed project to provide a vehicle queuing plan to ensure compliance***
2 ***with adequate vehicle circulation and access.***

3 5. The subject site is physically suitable for the type and density/intensity of use being
4 proposed in that ***pursuant to HPMC Parking Standards, the restaurant is***
5 ***required 11 parking spaces. The applicant is proposing to provide 12 parking***
6 ***spaces. The parking spaces provided will provide adequate clearance and***
7 ***back up requirements as to not impede the circulation of vehicles utilizing the***
8 ***drive-thru, as a result, the subject site is compliant to code. In addition, the***
9 ***proposed addition will comply with all building codes.***

10 6. There are adequate provisions for public access, water, sanitation and public
11 utilities and services to ensure that the proposed use would not be detrimental to
12 public health, safety and general welfare in that ***vehicular and pedestrian access***
13 ***to the site will be provided through Gage Avenue and Bissell Street. The***
14 ***proposed request for an expansion of seating area and drive-thru will not***
15 ***significantly intensify public access, water, sanitation, and public utilities and***
16 ***services. The project will not require changes to existing public utilities.***
17 ***Given that the surrounding area is already completely developed with public***
18 ***access, water, sanitation, and other public utilities, the proposed project***
19 ***would not affect these infrastructures or require any types of modifications.***
20 ***In addition, the proposed project would not impede the accessibility to public***
21 ***access, water, sanitation, or other public utilities and services.***

22 **SECTION 3:** The Planning Commission hereby makes the following findings in
23 connection with the proposed Development Permit:

24 1. The proposed development is one permitted within the subject zoning district and
25 complies with all of the applicable provisions of this Code, including prescribed
26 development/site standards in that ***a restaurant expansion with a drive-thru***
27 ***facility is conditionally permitted within the subject zoning district. The***
28 ***subject zoning district, CG, is intended to provide for general retail,***

1 *professional office, and service-oriented business activities serving a*
2 *community-wide need under design standards that ensure compatibility and*
3 *harmony with adjoining land uses. In addition the proposed project includes*
4 *conditions of approval that will ensure compliance with the requirements of*
5 *the HPMC.*

- 6 2. The proposed development is consistent with the General Plan in that ***the***
7 ***proposed project is consistent with the General Plan’s Goal 1.0; Policy 1.2 of***
8 ***the Land Use Element that encourages community-oriented retail in***
9 ***Huntington Park while contributing to revitalize Pacific Boulevard as a***
10 ***regional retail destination.***

11 ***The proposed project is also consistent with Goal 3.0; Policy 3.2 of the Land***
12 ***Use Element of the General Plan by promoting vigorous enforcement of City***
13 ***codes, including building, zoning, and health and safety, to promote property***
14 ***maintenance by providing all new infrastructure to meet development***
15 ***standards in the designated zone. Applicant will provide additional***
16 ***maintenance to the subject property, to prevent the deterioration of the***
17 ***existing building.***

- 18 3. The proposed development would be harmonious and compatible with existing and
19 planned future developments within the zoning district and general area, as well as
20 with the land uses presently on the subject property in that ***the subject restaurant***
21 ***has been in business since September of 2014. The design, location, size,***
22 ***and operating characteristics of the existing restaurant with expansion and***
23 ***drive-thru is not expected to be detrimental to the public health, safety and***
24 ***welfare of the City. The proposed request for the expansion of seating area***
25 ***to an existing restaurant is harmonious and compatible with the existing***
26 ***commercial and service uses presently located within the vicinity and zoning***
27 ***district. Additionally, the site has adequate vehicle circulation and access.***

- 28 4. The approval of the Development Permit for the proposed project is in compliance

1 with the requirements of the California Environmental Quality Act (CEQA) and the
2 City's Guidelines in that ***an environmental assessment has been conducted for***
3 ***this project in compliance with the California Environmental Quality Act***
4 ***(CEQA). The proposed addition and drive-thru facility is Categorically***
5 ***Exempt pursuant to Article 19, Class 1, Section 15301 (Existing Facilities) of***
6 ***the California Environmental Quality Act (CEQA) Guidelines.***

7 5. The subject site is physically suitable for the type and density/intensity of use being
8 proposed in that ***pursuant to HPMC Parking Standards, the restaurant is***
9 ***required 11 parking spaces. The applicant is proposing to provide 12 parking***
10 ***spaces. The parking spaces provided will provide adequate clearance and***
11 ***back up requirements as to not impede the circulation of vehicles utilizing***
12 ***the drive-thru, as a result, the subject site is compliant to code. In addition,***
13 ***the proposed addition will comply with all building codes.***

14 6. There are adequate provisions for public access, water, sanitation and public
15 utilities and services to ensure that the proposed development would not be
16 detrimental to public health, safety and general welfare in that ***vehicular and***
17 ***pedestrian access to the site will be provided through Gage Avenue and***
18 ***Bissell Street. The proposed request for an expansion of seating area and***
19 ***drive-thru will not significantly intensify public access, water, sanitation, and***
20 ***public utilities and services. The project will not require changes to existing***
21 ***public utilities. Given that the surrounding area is already completely***
22 ***developed with public access, water, sanitation, and other public utilities, the***
23 ***proposed project would not affect these infrastructures or require any types***
24 ***of modifications. In addition, the proposed project would not impede the***
25 ***accessibility to public access, water, sanitation, or other public utilities and***
26 ***services.***

27 7. The design, location, size and operating characteristics of the proposed
28 development would not be detrimental to the public health, safety, or welfare of the

1 City in that ***the subject restaurant has been in business since September of***
2 ***2014. The design, location, size, and operating characteristics of the existing***
3 ***restaurant with expansion and drive-thru is not expected to be detrimental to***
4 ***the public health, safety and welfare of the City. The proposed request for***
5 ***the expansion of seating area to an existing restaurant is harmonious and***
6 ***compatible with the existing commercial and service uses presently located***
7 ***within the vicinity and zoning district. In addition, conditions of approval***
8 ***have been included that will require the proposed project to provide a***
9 ***vehicle queuing plan to ensure compliance with adequate vehicle circulation***
10 ***and access.***

11 **SECTION 4:** The Planning Commission hereby makes the following findings in
12 connection with the proposed Minor Conditional Use Permit:

13 1. The proposed use is conditionally permitted within and would not impair the
14 integrity and character of the subject zoning district and complies with the
15 purpose/intent of this Code, in that ***a restaurant expansion with a drive-thru***
16 ***facility is conditionally permitted within the subject zoning district. The***
17 ***subject zoning district, CG, is intended to provide for general retail,***
18 ***professional office, and service-oriented business activities serving a***
19 ***community-wide need under design standards that ensure compatibility and***
20 ***harmony with adjoining land uses. In addition the proposed project includes***
21 ***conditions of approval that will ensure compliance with the requirements of***
22 ***the HPMC.***

23 2. The proposed development is consistent with the General Plan in that ***the***
24 ***proposed project is consistent with the General Plan's Goal 1.0; Policy 1.2 of***
25 ***the Land Use Element that encourages community-oriented retail in***
26 ***Huntington Park while contributing to revitalize Pacific Boulevard as a***
27 ***regional retail destination***

28 ***The proposed project is also consistent with Goal 3.0; Policy 3.2 of the Land***

1 **Use Element of the General Plan by promoting vigorous enforcement of City**
2 **codes, including building, zoning, and health and safety, to promote property**
3 **maintenance by providing all new infrastructure to meet development**
4 **standards in the designated zone. Applicant will provide additional**
5 **maintenance to the subject property, to prevent the deterioration of the**
6 **existing building.**

7 3. The approval of the Minor Conditional Use Permit for the proposed use is in
8 compliance with the requirements of the California Environmental Quality Act
9 (CEQA) and the City's Guidelines in that **the proposed addition and drive-thru**
10 **facility is Categorically Exempt pursuant to Article 19, Class 1, Section 15301**
11 **(Existing Facilities) of the California Environmental Quality Act (CEQA)**
12 **Guidelines.**

13 4. The design, location, size and operating characteristics of the proposed use are
14 compatible with the existing and planned future land uses within the general area
15 in which the proposed use is to be located and will not create significant noise,
16 traffic or other conditions or situations that may be objectionable or detrimental to
17 other permitted uses operating nearby or adverse to the public interest, health,
18 safety, convenience or welfare of the City in that **the subject restaurant has been**
19 **in business since September of 2014. The design, location, size, and**
20 **operating characteristics of the existing restaurant with expansion and drive-**
21 **thru is not expected to be detrimental to the public health, safety and welfare**
22 **of the City. The proposed request for the expansion of seating area to an**
23 **existing restaurant is harmonious and compatible with the existing**
24 **commercial and service uses presently located within the vicinity and zoning**
25 **district. In addition, conditions of approval have been included that will**
26 **require the proposed project to provide a vehicle queuing plan to ensure**
27 **compliance with adequate vehicle circulation and access.**

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

1 proposed in that *pursuant to HPMC Parking Standards, the restaurant is*
2 *required 11 parking spaces. The applicant is proposing to provide 12 parking*
3 *spaces. The parking spaces provided will provide adequate clearance and*
4 *back up requirements as to not impede the circulation of vehicles utilizing*
5 *the drive-thru, as a result, the subject site is compliant* to code. In addition, the
6 proposed addition will comply with all building codes.

- 7 6. There are adequate provisions for public access, water, sanitation and public
8 utilities and services to ensure that the proposed development would not be
9 detrimental to public health, safety and general welfare in that *vehicular and*
10 *pedestrian access to the site will be provided through Gage Avenue and*
11 *Bissell Street. The proposed request for an expansion of seating area and*
12 *drive-thru will not significantly intensify public access, water, sanitation, and*
13 *public utilities and services. The project will not require changes to existing*
14 *public utilities. Given that the surrounding area is already completely*
15 *developed with public access, water, sanitation, and other public utilities, the*
16 *proposed project would not affect these infrastructures or require any types*
17 *of modifications. In addition, the proposed project would not impede the*
18 *accessibility to public access, water, sanitation, or other public utilities and*
19 *services.*

20 **SECTION 4:** The Planning Commission hereby approves Resolution No. 2018-07A,
21 approving a one year time extension to previously approved CUP/DP/MCUP Case No.
22 2018-07, subject to the execution and fulfillment of the following conditions:

23 **PLANNING**

- 24 1. That the property owner and Applicant shall indemnify, protect, hold harmless and
25 defend the City and any agency or instrumentality thereof, its officers, employees and
26 agents from all claims, actions, or proceedings against the City to attack, set aside, void,
27 annul, or seek damages arising out of an approval of the City, or any agency or
28 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

1 and Applicant shall defend, indemnify and hold harmless the City for all costs and fees
2 incurred in additional investigation or study, or for supplementing or revising any
3 document, including, without limitation, environmental documents. If the City's legal
4 counsel is required to enforce any condition of approval, the Applicant shall pay for all
5 costs of enforcement, including legal fees.

- 6 2. Except as set forth in subsequent conditions, all-inclusive, and subject to department
7 corrections and conditions, the property shall be developed substantially in accordance
8 with the applications, environmental assessment, and plans submitted.
- 9 3. That the proposed use shall comply with all applicable City, County, State and Federal
10 codes, laws, rules, and regulations, including Health, Building and Safety, Fire, Sign,
11 Zoning, and Business License.
- 12 4. That the use be conducted, and the property be maintained, in a clean, neat, quiet, and
13 orderly manner at all times and comply with the property maintenance standards as set
14 forth in Section 9-3.103.18 and Title 8, Chapter 9 of the Huntington Park Municipal Code.
- 15 5. That the business be operated in compliance with the City of Huntington Park Noise
16 Ordinance.
- 17 6. That any existing and/or future graffiti, as defined by Huntington Park Municipal Code
18 Section 5-27.02(d), shall be diligently removed within a reasonable time period.
- 19 7. That the operator shall obtain/amend its City of Huntington Park Business License prior
20 to commencing business operations.
- 21 8. That if the business ceases to operate as a bona fide public eating establishment
22 (restaurant) as defined under the Huntington Park Municipal Code Section 9-
23 4.203(2)(A)(1), then the entitlement shall be null and void.
- 24 9. No alcohol shall be served, consumed, or taken into restaurant.
- 25 10. Pick-up windows, order areas, drive-thru aisles, any outdoor seating area shall be
26 oriented so as to minimize potential noise impacts to adjacent residential zoning
27 districts/uses.
- 28 11. Site plan shall be revised to identify the location of the menu board and order speaker.
12. The max number of outdoor tables and seats shall not exceed 2 tables and 8 seats as
shown in the floor plan dated November 11, 2018. All outdoor furniture shall be stored
inside the restaurant at the close of each business day.
13. No outside vending machines shall be allowed on the exterior of the building.
14. No outside food preparation shall be permitted on the subject site.
15. No outside display shall be permitted.

- 1 16. No payphones shall be allowed on the subject property.
- 2
- 3 17. The applicant shall revise existing area analysis table to be consistent with site plan and
- 4 floor plan dimensions and total square footage.
- 5
- 6 18. The applicant shall revise parking analysis table to include parking calculations for
- 7 existing and proposed additions.
- 8
- 9 19. The applicant shall submit a vehicle queuing plan to ensure compliance with adequate
- 10 vehicle circulation and access for the drive –thru and parking.
- 11
- 12 20. That if any signs are proposed, such signs shall be installed in compliance with the City’s
- 13 sign regulations and that approval be obtained through a Sign Design Review prior to
- 14 installation and that any existing non-permitted signs either apply for proper permits or
- 15 be removed.
- 16
- 17 21. That all existing and/or proposed mechanical equipment and appurtenances, including
- 18 satellite dishes, gutters etc., whether located on the rooftop, ground level or anywhere on
- 19 the property shall be completely shielded/enclosed so as not to be visible from any public
- 20 street and/or adjacent properties. Such shielding/enclosure of facilities shall be of
- 21 compatible design related to the building structure for which such facilities are intended
- 22 to serve and shall be installed prior to final inspection.
- 23
- 24 22. That any proposed on-site utilities, including electrical and telephone, be installed
- 25 underground and be completely concealed from public view as required by the Planning
- 26 Division prior to the commencement of alcohol sales.
- 27
- 28 23. All unpermitted signs, including electronic signs, should be removed from the subject
- site.
- 24
- 25 24. That the Applicants comply with all of the provisions of Title 7, Chapter 9 of the
- 26 Huntington Park Municipal Code relating to Storm Water Management. The Applicants
- 27 shall also comply with all requirements of the National Pollutant Discharge Elimination
- 28 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.
- 23
- 24 25. That this entitlement shall be subject to review for compliance with conditions of the
- 25 issuance at such intervals as the City Planning Commission shall deem appropriate.
- 26
- 27 26. That the violation of any of the conditions of this entitlement may result in a citation(s)
- 28 and/or the revocation of the entitlement.
- 27
- 28 27. 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

1 appropriate to address problems of land use compatibility, operations, aesthetics,
2 security, noise, safety, crime control, or to promote the general welfare of the City.

3 28. That the Applicants be required to apply for a new entitlement if any alteration,
4 modification, or expansion would increase the existing floor area of the establishment.

5 29. That this entitlement shall expire in the event it is not exercised within one (1) year from
6 the date of approval, unless an extension has been granted by the Planning
7 Commission.

8 30. That if the use ceases to operate for a period of six (6) months the entitlement shall be
9 null and void.

10 31. That should the operation of this establishment be granted, deemed, conveyed,
11 transferred, or should a change in management or proprietorship occur at any time, this
12 Conditional Use Permit shall be reviewed.

13 32. The Director of Community Development is authorized to make minor modifications to
14 the approved preliminary plans or any of the conditions if such modifications shall
15 achieve substantially the same results, as would strict compliance with said plans and
16 conditions.

17 33. That the business owner (Applicants) and property owner agree in writing to the above
18 conditions.

19 **BUILDING AND SAFETY**

20 34. This legalization of the unpermitted construction and the outdoor seating area is subject
21 to the approvals from other departments including and may not be limited to: Planning
22 Division, Engineering, Code Enforcement, and LA County Health Department & Fire
23 Department.

24 35. The plans for legalizing the unpermitted construction must be wet stamped and signed
25 by a California registered or civil engineer and shall be in compliance with the governing
26 2016 California Building Codes and LA County Fire Code. The plans shall be supported
27 by any prudent reports and/or calculations (prepared, stamped and signed by a
28 California registered or civil engineer) to justify or validate the designs outlined in the
plans.

36. The above-mentioned plans must be submitted to the City for plan checking approval to
ensure all building and safety requirements including the requirements for accessibility &
parking are met. Then, a permit and certificate of use and occupancies (after inspection
is complete and finalized) will be issued for the intended uses.

37. This review shall not be construed as Plan Check Approval due to lack of construction
details and calculations.

**DECEMBER 19, 2018 PLANNING COMMISSION
STAFF REPORT**

EXHIBIT B

CASE NO. 2018-07A CUP/DP/MCUP



CITY OF HUNTINGTON PARK

PLANNING COMMISSION AGENDA REPORT

DATE: DECEMBER 19, 2018

TO: CHAIRPERSON AND MEMBERS OF THE PLANNING COMMISSION

ATTENTION: CARLOS LUIS, SENIOR PLANNER

FROM: JORDAN MARTINEZ, GRADUATE MANAGEMENT INTERN

SUBJECT: **PLANNING COMMISSION CASE NO. 2018-07 CUP/DP/MCUP
(CONDITIONAL USE PERMIT / DEVELOPMENT PERMIT / MINOR
CONDITIONAL USE PERMIT)
(CONTINUED FROM NOVEMBER 21, 2018)**

REQUEST: A REQUEST FOR A CONDITIONAL USE PERMIT, A DEVELOPMENT PERMIT, AND MINOR CONDITIONAL USE PERMIT TO LEGALIZE UNPERMITTED CONSTRUCTION AND OUTDOOR SEATING AREA TO AN EXISTING RESTAURANT WITH A DRIVE-THRU FACILITY ON PROPERTY LOCATED AT 3340 GAGE AVENUE, WITHIN COMMERCIAL GENERAL (CG) ZONE.

APPLICANT: Leonardo Corona
3340 Gage Avenue
Huntington Park, CA 90255

PROPERTY OWNER: Manzanita LLC Property
3850 Wilshire Boulevard #201
Los Angeles, CA 90010

PROJECT LOCATION: 3340 Gage Avenue

**ASSESSOR'S
PARCEL NUMBER:** 6324-015-020

PRESENT USE: Commercial

PROJECT SIZE: 811 sq. ft. New Interior Seating
597 sq. ft. New Non-seating Area
200 sq. ft. New Outdoor Seating

180 sq. ft. Existing Office to be legalized
60 sq. ft. New Trash Enclosure
100 sq. ft. Existing Storage to be legalized
Total 1948 sq. ft.

BUILDING SIZE: 1,095 sq. ft. (Existing Building)
361.625 sq. ft. addition
Total 1457 sq. ft. (not including Outdoor Seating, Storage
and Trash Enclosure)

SITE SIZE: 12,670 sq. ft.

GENERAL PLAN: General Commercial

ZONE: Commercial General (CG)

**SURROUNDING
LAND USES:** North: Commercial
West: Public Facilities
South: Public Facilities
East: Commercial

**MUNICIPAL CODE
REQUIREMENTS FOR A
CONDITIONAL USE PERMIT:** Pursuant to the HPMC Section 9-4.203, a restaurant with a drive-thru facility is permitted in the C-G 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 its 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.

**MUNICIPAL CODE
REQUIREMENTS FOR A
DEVELOPMENT PERMIT:**

Pursuant to HMPC Section 9-2.1003, a Development Permit is required when an expansion of an existing structure, affecting or involving a minimum of twenty-five (25) percent of the total gross floor area of the structure is proposed.

**REQUIRED FINDINGS
FOR A DEVELOPMENT
PERMIT:**

Pursuant to HMPC Section 9-2.1007, a Development Permit may be approved only if all of the following findings are made:

1. The proposed development is one permitted within the subject zoning district and complies with all of the applicable provisions of this Code, including prescribed development/site standards;
2. The proposed development is consistent with the General Plan;
3. The proposed development would be harmonious and compatible with existing and planned future

developments within the zoning district and general area, as well as with the land uses presently on the subject property;

4. The approval of the Development Permit for the proposed project is in compliance with the requirements of the California Environmental Quality Act (CEQA) and the City's Guidelines;
5. The subject site is physically suitable for the type and density/intensity of use being proposed;
6. There are adequate provisions for public access, water, sanitation and public utilities and services to ensure that the proposed development would not be detrimental to public health, safety and general welfare; and
7. The design, location, size and operating characteristics of the proposed development would not be detrimental to the public health, safety, or welfare of the City.

**MUNICIPAL CODE
REQUIREMENTS FOR A
MINOR CONDITIONAL
USE PERMIT:**

Pursuant to HMPC Section 9-2.803, a Minor Conditional Use Permit is required when outdoor seating is proposed to be legalized.

**REQUIRED FINDINGS
FOR A MINOR CONDITIONAL
PERMIT:**

Pursuant to HMPC Section 9-2.806, a Minor 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 the purpose/intent of this Code;
2. The proposed use is consistent with the intent of the General Plan;
3. The approval of the Minor 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;

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 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, Class 1, Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.

**PROJECT
BACKGROUND:**

- ***November 21, 2018 Planning Commission Meeting***

The November 21, 2017 Planning Commission Meeting was cancelled due to lack of quorum. Items were continued to the next regular Planning Commission Meeting of December 19, 2018.

- ***Site Description***

The subject site is located on the southeast corner of Bissell Street and Gage Avenue. It is bordered by commercial uses to the north and east, and by public facilities uses to the west and south. The subject site measures 12,670 square feet and is currently developed with a 900 square foot restaurant and parking lot.

- ***Project Proposal***

The Applicant is requesting to legalize an approximate 478 square feet addition to an existing restaurant that was built

without planning approval or building permits. Also proposed to be legalized is an office space that measures 180 square feet. In addition, a new trash enclosure measuring 60 square feet is proposed. The existing restaurant and proposed expansion will measure 1,457 square feet. A Conditional Use Permit is required for the approval of a restaurant with a drive-thru facility. A Development permit is required when 25% of the floor ratio area is affected by an expansion of an existing structure. A Minor Conditional Use Permit is required for the legalization of the unpermitted modifications to the outdoor seating area. The unpermitted addition will continue to be utilized as both indoor and outdoor seating area for the existing restaurant.

- ***Business Operation***

The existing restaurant, Las Corona Grill, has been in operation since September of 2014. The restaurant provides traditional Mexican cuisine that includes soups, burritos, and tacos. Soft drinks are offered as well. According to the restaurant's official website, they are open Monday through Sunday from 8:00 am to 10:00 pm. The business also provides a delivery service where customers may order online or over the phone.

The restaurant also includes a drive-thru facility, which is located on the easterly portion of the property adjacent to the restaurant. A menu board along with an order speaker are located on the southern portion of the drive-thru. Customers can pick up their orders at the window located on the westerly side of the drive-thru. Vehicles utilizing the drive-thru enter through Bissell Street and exit on Gage Avenue.

**PROJECT
ANALYSIS:**

- ***Floor Plan***

The existing restaurant has approximately 484 square feet of dining area for indoor seating and approximately 719 square feet of outdoor seating. The applicant proposed the legalization of unpermitted additions that includes a total of 811 square feet of seating area. Of the total 1011 square feet of seating area, 200 square feet is designated for outdoor seating and 811 is for indoor seating. In addition, 180 square feet of office, each 90 square feet designated for restaurant management is to be legalized. Furthermore, a 100 square

feet storage structures is to be legalized that is located on the southern part of the property with a proposed 60 square feet trash enclosure located adjacent to it.

The proposed indoor seating area is located on the northern and easterly side of the restaurant. The kitchen, storage area, and restrooms are located on the westerly and southern portion of the restaurant. The outdoor seating area is located in the northern portion of the restaurant and is comprised of lightweight moveable furniture, which is 2 tables with 4 seats each. The furniture is made of corrosion-resistant aluminum. The indoor seating area located on the easterly side is unpermitted. The unpermitted addition requires the removal of 5 feet in order to comply with the street side yard setback requirement. Per HPMC 9-4.203 Table IV-6, the side setback for the street side requires a setback of 5 feet. A condition of approval has been included to require modification of the Conditional Use Permit if the seating area is modified or expanded in the future.

- **Off- Street Parking**

Per the HPMC Section 9-3.804, the parking requirement for a restaurant is one parking space for every 400 square feet of non-seating area, one parking space for every 100 square feet of seating area, and one parking space for every 400 square feet of outdoor seating area when outdoor seating area is less than 400 square feet. The required number of parking spaces for the restaurant is 11 spaces. A total of 12 functional parking spaces are provided on the site, which results in a surplus of 1 parking space.

| OFF-STREET PARKING CALCULATION FOR SUBJECT SITE | | |
|--|-------------------------------------|-----------------|
| USE | REQUIRED | PROVIDED |
| Restaurant Seating Area | $\frac{811 \text{ sf}}{100} = 8.11$ | 9 |
| Restaurant Non-Seating Area | $\frac{777 \text{ sf}}{400} = 1.94$ | 2 |
| Restaurant Non-Seating Area (Storage) | $\frac{100 \text{ sf}}{400} = 0.25$ | 1 |
| Total | 11 | 12 |

Based on the reconfiguration of the drive-thru, the adjacent parking spaces will be removed, due to lack of adequate back up distances for 90 degree angled parking stalls. The 11 parking spaces provided will comply with adequate vehicle circulation and backup space requirements.

- ***Conditional Use Permit Findings***

In granting a Conditional Use Permit to allow the expansion of an existing restaurant with the legalization of unpermitted addition and drive-thru facility, 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: A restaurant expansion with a drive-thru facility is conditionally permitted within the subject zoning district. The subject zoning district, CG, is intended to provide for 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. In addition the proposed project includes conditions of approval that will ensure compliance with the requirements of the HPMC.

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

Finding: The proposed project is consistent with the General Plan's Goal 1.0; Policy 1.2 of the Land Use Element that encourages community-oriented retail in Huntington Park while contributing to revitalize Pacific Boulevard as a regional retail destination.

The proposed project is also consistent with Goal 3.0; Policy 3.2 of the Land Use Element of the General Plan

PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2018-07 CUP/DP/MCUP 3340 Gage Ave.

December 19, 2018

Page 9 of 20

by promoting vigorous enforcement of City codes, including building, zoning, and health and safety, to promote property maintenance by providing all new infrastructure to meet development standards in the designated zone. Applicant will provide additional maintenance to the subject property, to prevent the deterioration of the existing building.

- 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 addition and drive-thru facility is Categorically Exempt pursuant to Article 19, Class 1, Section 15301 (Existing Facilities) 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 September of 2014. The design, location, size, and operating characteristics of the existing restaurant with expansion and drive-thru is not expected to be detrimental to the public health, safety and welfare of the City. The proposed request for the expansion of seating area to an existing restaurant is harmonious and compatible with the existing commercial and service uses presently located within the vicinity and zoning district. In addition, conditions of approval have been included that will require the proposed project to provide a vehicle queuing plan to ensure compliance with adequate vehicle circulation and access.

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

Finding: Pursuant to HPMC Parking Standards, the restaurant is required 11 parking spaces. The applicant is proposing to provide 12 parking spaces. The parking spaces provided will provide adequate clearance and back up requirements as to not impede the circulation of vehicles utilizing the drive-thru, as a result, the subject site is compliant to code. In addition, the proposed addition will comply with all building codes.

- 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 will be provided through Gage Avenue and Bissell Street. The proposed request for an expansion of seating area and drive-thru will not significantly intensify public access, water, sanitation, and public utilities and services. The project 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.

- ***Development Permit Findings***

Pursuant to HMPC Section 9-2.1004, a Development Permit is required when a project proposes an expansion or conversion of an existing structure or use, affecting or involving twenty-five (25) percent of the total gross floor area of the structure. If the expansion or the change of use does not exceed 25% of the existing total gross floor area, then the Director may approve the application; however, pursuant to HPMC 9-2.102, when multiple permit applications are filed concurrently, the highest level of Review Authority shall render the final decision. In this instance, the expansion is also subject to review by the Planning Commission.

PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2018-07 CUP/DP/MCUP 3340 Gage Ave.

December 19, 2018

Page 11 of 20

In granting a Development Permit, the Planning Commission must make findings in connection with the Development Permit, as set forth in the Huntington Park Municipal Code. Pursuant to HMPC Section 9-2.1007, a Development Permit may be approved only if all of the following findings are made:

- 1. The proposed development is one permitted within the subject zoning district and complies with all of the applicable provisions of this Code, including prescribed development/site standards.**

Finding: A restaurant expansion with a drive-thru facility is conditionally permitted within the subject zoning district. The subject zoning district, CG, is intended to provide for 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. In addition the proposed project includes conditions of approval that will ensure compliance with the requirements of the HPMC.

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

Finding: The proposed project is consistent with the General Plan's Goal 1.0; Policy 1.2 of the Land Use Element that encourages community-oriented retail in Huntington Park while contributing to revitalize Pacific Boulevard as a regional retail destination.

The proposed project is also consistent with Goal 3.0; Policy 3.2 of the Land Use Element of the General Plan by promoting vigorous enforcement of City codes, including building, zoning, and health and safety, to promote property maintenance by providing all new infrastructure to meet development standards in the designated zone. Applicant will provide additional maintenance to the subject property, to prevent the deterioration of the existing building.

- 3. The proposed development would be harmonious and compatible with existing and planned future developments within the zoning district and general**

area, as well as with the land uses presently on the subject property.

Finding: The subject restaurant has been in business since September of 2014. The design, location, size, and operating characteristics of the existing restaurant with expansion and drive-thru is not expected to be detrimental to the public health, safety and welfare of the City. The proposed request for the expansion of seating area to an existing restaurant is harmonious and compatible with the existing commercial and service uses presently located within the vicinity and zoning district. Additionally, the site has adequate vehicle circulation and access.

- 4. The approval of the Development Permit for the proposed project is in compliance with the requirements of the California Environmental Quality Act (CEQA) and the City's Guidelines.**

Finding: The proposed addition and drive-thru facility is Categorically Exempt pursuant to Article 19, Class 1, Section 15301 (Existing Facilities) of the California Environmental Quality Act (CEQA) Guidelines.

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

Finding: Pursuant to HPMC Parking Standards, the restaurant is required 11 parking spaces. The applicant is proposing to provide 12 parking spaces. The parking spaces provided will provide adequate clearance and back up requirements as to not impede the circulation of vehicles utilizing the drive-thru, as a result, the subject site is compliant to code. In addition, the proposed addition will comply with all building codes.

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

Finding: Vehicular and pedestrian access to the site will be provided through Gage Avenue and Bissell Street.

The proposed request for an expansion of seating area and drive-thru will not significantly intensify public access, water, sanitation, and public utilities and services. The project 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.

7. The design, location, size and operating characteristics of the proposed development would not be detrimental to the public health, safety, or welfare of the City.

Finding: The subject restaurant has been in business since September of 2014. The design, location, size, and operating characteristics of the existing restaurant with expansion and drive-thru is not expected to be detrimental to the public health, safety and welfare of the City. The proposed request for the expansion of seating area to an existing restaurant is harmonious and compatible with the existing commercial and service uses presently located within the vicinity and zoning district. In addition, conditions of approval have been included that will require the proposed project to provide a vehicle queuing plan to ensure compliance with adequate vehicle circulation and access.

• ***Minor Conditional Use Permit Findings***

Pursuant to HMPC Section 9-2.1004, a Minor Conditional Use Permit is required when a project proposes the legalization of nonpermitted structures and uses in compliance with Chapter 3, Article 6.

In granting a Development Permit, the Planning Commission must make findings in connection with the Development Permit, as set forth in the Huntington Park Municipal Code. Pursuant to HMPC Section 9-2.806, a Minor 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 the purpose/intent of this Code.**

Finding: A restaurant expansion with a drive-thru facility is conditionally permitted within the subject zoning district. The subject zoning district, CG, is intended to provide for 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. In addition the proposed project includes conditions of approval that will ensure compliance with the requirements of the HPMC.

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

Finding: The proposed project is consistent with the General Plan's Goal 1.0; Policy 1.2 of the Land Use Element that encourages community-oriented retail in Huntington Park while contributing to revitalize Pacific Boulevard as a regional retail destination.

The proposed project is also consistent with Goal 3.0; Policy 3.2 of the Land Use Element of the General Plan by promoting vigorous enforcement of City codes, including building, zoning, and health and safety, to promote property maintenance by providing all new infrastructure to meet development standards in the designated zone. Applicant will provide additional maintenance to the subject property, to prevent the deterioration of the existing building.

- 3. The approval of the Minor 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 addition and drive-thru facility is Categorically Exempt pursuant to Article 19, Class 1, Section 15301 (Existing Facilities) 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 September of 2014. The design, location, size, and operating characteristics of the existing restaurant with expansion and drive-thru is not expected to be detrimental to the public health, safety and welfare of the City. The proposed request for the expansion of seating area to an existing restaurant is harmonious and compatible with the existing commercial and service uses presently located within the vicinity and zoning district. In addition, conditions of approval have been included that will require the proposed project to provide a vehicle queuing plan to ensure compliance with adequate vehicle circulation and access.

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

Finding: Pursuant to HPMC Parking Standards, the restaurant is required 11 parking spaces. The applicant is proposing to provide 12 parking spaces. The parking spaces provided will provide adequate clearance and back up requirements as to not impede the circulation of vehicles utilizing the drive-thru, as a result, the subject site is compliant to code. In addition, the proposed addition will comply with all building codes.

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

Finding: Vehicular and pedestrian access to the site will be provided through Gage Avenue and Bissell Street. The proposed request for an expansion of seating area

PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2018-07 CUP/DP/MCUP 3340 Gage Ave.

December 19, 2018

Page 16 of 20

and drive-thru will not significantly intensify public access, water, sanitation, and public utilities and services. The project 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.

Conclusion

Based on the above analysis, staff has determined that with the recommended conditions of approval, the Applicant's proposed project satisfies all of the required findings for approval of a Conditional Use Permit, a Development Permit, and a Minor Conditional Use Permit. Therefore, staff recommends approval of the Applicants' request to expand an existing restaurant with the legalization of unpermitted additions and a drive-thru facility, subject to conditions, at 3340 Gage 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. 2018-07 CUP/DP/MCUP**, 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 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,

PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2018-07 CUP/DP/MCUP 3340 Gage Ave.

December 19, 2018

Page 17 of 20

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 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.
7. That the operator shall obtain/amend its City of Huntington Park Business License prior to commencing business operations.
8. 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.
9. No alcohol shall be served, consumed, or taken into restaurant.
10. Pick-up windows, order areas, drive-thru aisles, any outdoor seating area shall be oriented so as to minimize potential noise impacts to adjacent residential zoning districts/uses.
11. Site plan shall be revised to identify the location of the menu board and order speaker.
12. The max number of outdoor tables and seats shall not exceed 2 tables and 8 seats as shown in the floor plan dated November 11, 2018. All outdoor furniture shall be stored inside the restaurant at the close of each business day.
13. No outside vending machines shall be allowed on the exterior of the building.
14. No outside food preparation shall be permitted on the subject site.

PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2018-07 CUP/DP/MCUP 3340 Gage Ave.

December 19, 2018

Page 18 of 20

15. No outside display shall be permitted.
16. No payphones shall be allowed on the subject property.
17. The applicant shall revise existing area analysis table to be consistent with site plan and floor plan dimensions and total square footage.
18. The applicant shall revise parking analysis table to include parking calculations for existing and proposed additions.
19. The applicant shall submit a vehicle queuing plan to ensure compliance with adequate vehicle circulation and access for the drive –thru and parking.
20. 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.
21. 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.
22. 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.
23. All unpermitted signs, including electronic signs, should be removed from the subject site.
24. That the Applicants comply with all of the provisions of Title 7, Chapter 9 of the Huntington Park Municipal Code relating to Storm Water Management. The Applicants 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.
25. 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.
26. That the violation of any of the conditions of this entitlement may result in a citation(s) and/or the revocation of the entitlement.

PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2018-07 CUP/DP/MCUP 3340 Gage Ave.

December 19, 2018

Page 19 of 20

27. 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.
28. That the Applicants be required to apply for a new entitlement if any alteration, modification, or expansion would increase the existing floor area of the establishment.
29. 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.
30. That if the use ceases to operate for a period of six (6) months the entitlement shall be null and void.
31. 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.
32. 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.
33. That the business owner (Applicants) and property owner agree in writing to the above conditions.

BUILDING AND SAFETY

34. This legalization of the unpermitted construction and the outdoor seating area is subject to the approvals from other departments including and may not be limited to Planning Division, Engineering, Code Enforcement, LA County Health Department & Fire Department.
35. The plans for legalizing the unpermitted construction must be wet stamped and signed by a California registered or civil engineer and shall be in compliance with the governing 2016 California Building Codes and LA County Fire Code. The plans shall be supported by any prudent reports and/or calculations (prepared, stamped and signed by a California registered or civil engineer) to justify or validate the designs outlined in the plans.
36. The above-mentioned plans must be submitted to the City for plan checking approval to ensure all building and safety requirements including the requirements for accessibility & parking are met. Then, a permit and certificate of use and occupancies (after inspection is complete and finalized) will be issued for the intended uses.
37. This review shall not be construed as Plan Check Approval due to lack of construction details and calculations.

FIRE DEPARTMENT

PLANNING COMMISSION AGENDA REPORT

PC CASE NO. 2018-07 CUP/DP/MCUP 3340 Gage Ave.

December 19, 2018

Page 20 of 20

38. Submit a completed LACoFD Fire Flow Availability Form #196 (original, wet signature copy), to the County of Los Angeles Fire Prevention Land Development Unit.

EXHIBITS:

A: PC Resolution No. 2018-07 CUP/DP/MCUP

B: Project Plans

C: Conditional Use Permit Application & Development Permit Application & Minor Conditional Use Permit & Environmental Information Form Applications

TIME EXTENSION REQUEST

EXHIBIT C

CASE NO. 2018-07A CUP/DP/MCUP

Las Coronas Grill/Corona Construction

3340 East Gage Ave

Huntington Park CA, 90255

March 11, 2020

Extension Request

To whomever this may concern, I Leonardo Corona, am requesting an extension for the project of Las Corona's Grill, which is located at 3340 East Gage Ave, in the city Huntington Park. The reason why I am asking for an extension is because I have not received the final corrections, and we need more time to provide our answer and the final layout of the project. I am requesting one year of an extension for this project.

Sincerely,

A handwritten signature in black ink that reads "Leonardo Corona". The signature is written in a cursive style and is underlined with a single horizontal line.