



REGULAR MEETING AGENDA

CITY OF HUNTINGTON PARK PLANNING COMMISSION

Regular Meeting
Wednesday, October 16, 2024, 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

ROLL CALL

Chair Graciela Ortiz
Commissioner Eduardo Carvajal
Commissioner John Estrada
Commissioner Mario Gomez
Commissioner Adrian Tarango

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

*For both open and closed sessions, 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 before 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.

1. MINUTES APPROVAL FOR JULY 17, 2024, PLANNING COMMISSION MEETING
2. MINUTES APPROVAL FOR SEPTEMBER 18, 2024, PLANNING COMMISSION MEETING

REGULAR AGENDA

1. **CASE NO. 2021-02 CONDITIONAL USE PERMIT/ DEVELOPMENT PERMIT (CUP/DP) - A REQUEST FOR A TIME EXTENSION TO A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT AND DEVELOPMENT PERMIT (CASE NO. 2021-02) TO ALLOW THE EXPANSION OF A NIGHTCLUB LOCATED AT 6901 PACIFIC BOULEVARD, WITHIN THE DOWNTOWN HUNTINGTON PARK SPECIFIC PLAN (DISTRICT B).**

RECOMMENDATION OF ITEM UNDER CONSIDERATION:

1. Receive a presentation of the Project from City staff
2. Provide comments on the Project
3. Render a decision based on the Staff Report and Resolution

RECEIVE AND FILE

1. No Items

STAFF COMMENTS

PLANNING COMMISSION COMMENTS

ADJOURNMENT

The City of Huntington Park Planning Commission will adjourn until the next regular meeting on Wednesday, November 20, 2024, at 6:30 p.m.

I, Steve Forster, hereby certify under penalty of perjury under the laws of the State of California that the foregoing notice and agenda were posted at the City of Huntington Park City Hall and made available at www.hpca.gov not less than 72 hours before the meeting.



Steve Forster
Planning Commission Secretary/
Community Development Director



MINUTES

CITY OF HUNTINGTON PARK REGULAR PLANNING COMMISSION

Wednesday, July 17th 2024, at 6:30 p.m.

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

Chairperson Ricardo Barba-Ochoa called the meeting to order at 6:30 p.m.

PRESENT IN PERSON: Chairperson Ricardo Barba-Ochoa, Commissioner Adrian Tarango, Commissioner John Estrada, and Commissioner Eduardo Carvajal.

ABSENT: None

STAFF PRESENT: Community Development Director, Steve Forster, and Administrative Analyst, Areli Caballero.

PLEDGE OF ALLEGIANCE

Chairperson Ricardo Barba-Ochoa led the Pledge of Allegiance.

PUBLIC COMMENT – None

CONSENT ITEMS – Approve Planning Commission Meeting Minutes:

1. Regular Planning Commission Meeting held on June 19, 2024.

MOTION: Commissioner Eduardo Carvajal to approve the Minutes, seconded by Commissioner Adrian Tarango. Motion passed 4-0-0, by the following vote:

AYES: Commissioner(s): Chairperson Ricardo Barba-Ochoa
Commissioner Eduardo Carvajal
Commissioner Adrian Tarango
Commissioner John Estrada

NOES: Commissioner(s): None

ABSENT: Commissioner(s): None

PRESENTATIONS

1. **CASE NO. 2024-05 CONDITIONAL USE PERMIT (CUP) – A REQUEST FOR A CONDITIONAL USE PERMIT FOR THE ON-SALE OF BEER AND WINE IN CONJUNCTION WITH AN EXISTING RESTAURANT LOCATED AT 6480 SANTA FE AVENUE, WITHIN THE COMMERCIAL GENERAL (C-G) ZONE**

Areli Caballero, Administrative Analyst, presented a detailed PowerPoint presentation to the Commission requesting a conditional use permit (CUP) for the on-sale of beer and wine at an existing restaurant located at 6480 Santa Fe Avenue. She provided in-depth information about the site, zoning map, project details, and current conditions. After careful analysis, Ms. Caballero determined that all six necessary findings for CUP approval were met and recommended that the Planning Commission approve PC Case No. 2024-05 CUP.

PUBLIC COMMENT

Victor Rosas, owner of Guajillo Restaurant, approached the stand to express that his family-run business would benefit significantly from the sale of alcohol.

John Nahas, owner of the AMPM Gas station located in the same lot as El Guajillo, submitted a written comment opposing the alcohol permit. He explained that the gas station's parking lot often overflows due to the popularity of the restaurant. Additionally, Mr. Nahas noted that his establishment already offers beer and wine, making it unreasonable to allow additional alcohol sales in the area. He expressed concerns about the potential for increased traffic congestion and drunk driving incidents, which could pose a serious safety hazard to those in the parking lot.

Steve Forster, Community Development Director, noted that the gas station currently sells alcohol without a conditional use permit (CUP). He highlighted the 50 conditions included in the proposed CUP for the business and suggested adding an additional requirement. Areli Caballero subsequently announced that the 51st condition would require the applicant to submit a comprehensive parking management plan within the next 60 days.

Commissioner Adrian Tarango motioned to **Approve CASE NO. 2024-05**
CONDITIONAL USE PERMIT (CUP) with the additional 51st condition, seconded by
Commissioner Eduardo Carvalai. Motion **passed 4-0-0**, by the following vote:

NOES: Commissioner(s): None

ABSENT: Commissioner(s): None

RECEIVE AND FILE – None

STAFF COMMENTS

Steve Forster, Community Development Director, commended Administrative Analyst Areli Caballero for her excellent presentation. He then provided updates on several ongoing projects:

- The Slauson Project, which has been under construction for several months, involves the replacement of intersections at Pacific and Slauson. To facilitate this work, the streets will be closed to sections. The project is being funded through various grants awarded to the City.

PLANNING COMMISSION COMMENTS

1. Commissioner Eduardo Carvajal expressed his appreciation for the staff's hard work and dedication, specifically recognizing Community Development Director Steve Forster.
2. Commissioner Adrian Tarango thanked Ms. Caballero for her informative presentation and inquired about the exact location of the Slauson Project. Mr. Forster responded that the entire section of Slauson Avenue, from the west to east city limits, is undergoing reconstruction.
3. Commissioner John Estrada asked about the anticipated timeline for the Slauson Project. Mr. Forster replied that the project is expected to be completed by the beginning of 2025. Mr. Estrada also expressed his gratitude to Ms. Caballero for her presentation.
4. Chairperson Barba-Ochoa commended the staff for their consistently high-quality work. He emphasized his confidence in the planning staff's ability to provide concise and valuable information at each meeting.

ADJOURNMENT

At 7:08 p.m. the City of Huntington Park Planning Commission adjourned to a Regular Meeting on Wednesday, August 21, 2024, at 6:30 p.m.

Respectfully Submitted,



Steve Forster

Planning Commission Secretary
Community Development Director



MINUTES

CITY OF HUNTINGTON PARK REGULAR PLANNING COMMISSION

Wednesday, September 19th, 2024, at 6:30 p.m.

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

Commissioner Graciela Ortiz called the meeting to order at 6:48 p.m.

PRESENT IN PERSON: Commissioner Graciela Ortiz, Commissioner John Estrada, and Commissioner Eduardo Carvajal.

ABSENT: Commissioner Adrian Tarango

STAFF PRESENT: Community Development Director, Steve Forster, Associate Planner, Lemessis Quintero, and Project Manager, Ishah Ahumada.

PLEDGE OF ALLEGIANCE

Commissioner Graciela Ortiz led the Pledge of Allegiance.

PUBLIC COMMENT – None

CONSENT ITEMS – Approve Planning Commission Meeting Minutes:

1. Regular Planning Commission Meeting held on July 17, 2024.

MOTION: Commissioner Graciela Ortiz motions to table the Minutes for next meeting due to not meeting quorum, seconded by Commissioner Eduardo Carvajal. Motion **passed 3-0-0**, by the following vote:

AYES: Commissioner(s): Commissioner Eduardo Carvajal
Commissioner John Estrada
Commissioner Graciela Ortiz

NOES: Commissioner(s): None

ABSENT: Commissioner(s): Commissioner Adrian Tarango

NEW AGENDA ITEMS

1. ADDING THE ITEM OF REORGANIZATION TO THE AGENDA.

Steve Forester recommends adding a new agenda item to select the new Chairperson for the Planning Commission.

MOTION: Commissioner Eduardo Carvajal motions to Approve Adding the Item of Reorganization to the Agenda seconded by Commissioner John Estrada. Motion passed 3-0-0, by the following vote:

AYES: Commissioner(s): Commissioner Eduardo Carvajal
 Commissioner John Estrada
 Commissioner Graciela Ortiz

NOES: Commissioner(s): None

ABSENT: Commissioner(s): Commissioner Adrian Tarango

ABSTAINED: Commissioner(s): None

2. SELECTION OF CHAIR.

Commissioner Eduardo Carvajal has nominated Commissioner Graciela Ortiz to serve as the Chairperson of the Planning Commission.

MOTION: Commissioner Eduardo Carvajal to appoint Graciela Ortiz to be chairperson for the Planning Commission, seconded by Commissioner John Estrada. Motion passed 3-0-0, by the following vote:

AYES: Commissioner(s): Commissioner Eduardo Carvajal
 Commissioner John Estrada
 Commissioner Graciela Ortiz

NOES: Commissioner(s): None

ABSENT: Commissioner(s): Commissioner Adrian Tarango

ABSTAINED: Commissioner(s): None

PRESENTATIONS

1. CASE NO. 2024-06 CONDITIONAL USE PERMIT (CUP) – A REQUEST FOR A CONDITIONAL USE PERMIT TO OPERATE A COLD STORAGE FACILITY AT 6701 WILSON AVENUE WITHIN THE MANUFACTURING PLANNED DEVELOPMENT (MPD) ZONE.

Associate Planner, Lemessis Quintero, presented a detailed PowerPoint presentation to the Commission requesting a conditional use permit (CUP) for operating cold storage at an existing facility located at 6701 Wilson Avenue. She provided in-depth information about the site, zoning map, project details, and current conditions. After careful analysis, Ms. Quintero determined that all six necessary findings for CUP approval were met and recommended that the Planning Commission approve PC Case No. 2024-06 CUP.

PUBLIC COMMENT

Steve Forster, Community Development Director, noted this type of operation is normally within the zoning, however due to Huntington Park's Municipal Code, applicant is required to apply for CUP to operate cold storage facility.

Commissioner John Estrada asks if planning also took into consideration ADA compliance. Mr. Forster confirms the Planning Division makes sure the building is ADA compliant and that the Building Division oversees enforcing requirements.

Chairperson Graciela Ortiz motioned to **Approve CASE NO. 2024-06 CONDITIONAL USE PERMIT (CUP)**, seconded by Commissioner Eduardo Carvajal. Motion **passed 3-0-0**, by the following vote:

AYES: Commissioner(s): Chairperson Graciela Ortiz
 Commissioner John Estrada
 Commissioner Eduardo Carvajal

NOES: Commissioner(s): None

ABSENT: Commissioner(s): Commissioner Adrian Tarango

ABSTAINED: Commissioner(s): None

2. Analysis of 2025-2030 Consolidated Planning Process.

Project Manager, Ishah Ahumada, presented a detailed PowerPoint presentation to the Commission requesting feedback from the Planning Commission. Ishah Ahumada explains The Consolidated Plan (ConPlan) covers a five-year period and is designated to aid the city in accessing affordable housing and community development needs. ConPlan determines how funds from the U.S. Department of Housing and Urban Development expended.

Mrs. Ahumada goes in depth about housing repair assistance plans. Chairperson Graciela Ortiz inquired about parameters of funding. Ishah Ahumada informs commissioners that the guidelines are based off health and safety. Steve Forster added that the goals of the programs are to improve the quality of life and utilize code enforcement to expedite the process. Commissioner John Estrada asked if anyone qualified. Steve responds that only some people qualified and was based on application. Commissioner Eduardo Carvajal inquired if the program can be used to re-wire a house for an electric vehicle. Steve responds by confirming program funding cannot be used to re-wire a house unless there is a safety concern.

Mrs. Ahumada brings up Amada Homes, a low-income first-time home buyer program that aids individuals by granting funds for down payment assistance. Commissioner John Estrada asks if individuals can buy vacant land. Steve mentions the city is already impacted. The ability to rezone areas for housing would increase the density of an already dense city which is not needed. Chairperson Graciela Ortiz agrees and likes the idea of more home ownership in the city and less apartments. Graciela Ortiz mentions the idea of renovating motels to single home occupancy. Mr. Forster informs Chairperson Ortiz about a motel on Santa Fe Avenue, which the city has been working with the county to create plans. Steve mentions that the increase in senior living facilities would increase more home availability. Chairperson Ortiz brings up the idea of multi-use buildings and brings up the example of Costco. Staff take note of the idea and plan to research more about it.

Mrs. Ahumada goes into detail about current after school and senior programs and the possibility of future programs. Commissioner Estrada brings up the concern that this information is not widely spread, and more publicity is needed to increase public knowledge. Chairperson Ortiz brings up the idea of having outside resources to provide more tutoring. She also acknowledges that these programs are beneficial to students as they are more inclined to learn in an environment, they are comfortable in, outside of school.

Mrs. Ahumada brings up projects including Public Work's City-wide Wi-Fi access and the reconstruction of roads and infrastructure. The reconstruction also includes renovation of city parks. Commissioner Estrada inquired about the ADA accessibility in parks. Mr. Forster reassured the commissioners that ADA accessibility was included in the plans when renovating the city parks. Commissioner Carvajal questioned if CDBG grants can be used to fix more streets. Mr. Forster informed the commissioners that some funds from the CDBG grant can be used to fix streets, but it is preferred to be used to fix sidewalks and crosswalks.

Mrs. Ahumada next topic includes economic development and discusses points about job creation, HUB cities, commercial revitalization by making the city more aesthetically pleasing. Mr. Forster adds by stating the possibility of providing facade improvement funds to businesses on Pacific Blvd with a budget of \$35,000 per business when applicable. Chairperson Ortiz asks if the facade improvement includes safety items as many businesses close earlier than usual due to feeling unsafe in the area. Staff noted the concern and idea, and plan to get more informed on the possibility. Commissioner Estrada agrees that the idea would be beneficial and included that a structured theme and color palate should be in place to provide a uniform look. Staff noted Commissioner Estrada's idea.

Ishah Ahumada then requested help from commissioners to distribute and advertise the Consolidated Plans Survey to gather more community input.

PUBLIC COMMENT– None

RECEIVE AND FILE – None

STAFF COMMENTS

Steve Forster, Community Development Director, commends the Planning Commissioners for their work in helping improve the community as well as welcoming and congratulating Chairperson Graciela Ortiz onto the Planning Commission.

PLANNING COMMISSION COMMENTS

1. Commissioner Eduardo Carvajal expressed his appreciation for the staff's hard work and dedication, recognizing Community Development Director Steve Forster, and welcomes and congratulates Chairperson Graciela Ortiz into the Planning Commission.
2. Commissioner John Estrada expressed his gratitude for the Planning Commission and welcomes Chairperson Graciela Ortiz into the Planning Commission.
3. Chairperson Graciela Ortiz commended the staff for their consistently high-quality work. She thanks the commission for appointing her to be chairperson and is excited to work again with the City of Huntington Park,

ADJOURNMENT

At 7:54 p.m. the City of Huntington Park Planning Commission adjourned to a Regular Meeting on Wednesday, September 19, 2024, at 6:30 p.m.

Respectfully Submitted,



Steve Forster
Community Development Director



CITY OF HUNTINGTON PARK

PLANNING COMMISSION AGENDA REPORT

DATE: OCTOBER 16, 2024

TO: CHAIRPERSON AND MEMBERS OF THE PLANNING COMMISSION

ATTENTION: STEVE FORSTER, COMMUNITY DEVELOPMENT DIRECTOR

FROM: LEMESSIS QUINTERO, ASSOCIATE PLANNER

SUBJECT: TIME EXTENSION - PLANNING COMMISSION CASE NO. 2021-02
CONDITIONAL USE PERMIT AND DEVELOPMENT PERMIT (CUP/ DP)

REQUEST: CASE NO. 2021-02 CONDITIONAL USE PERMIT/ DEVELOPMENT PERMIT (CUP/ DP) - A REQUEST FOR A TIME EXTENSION TO A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT AND DEVELOPMENT PERMIT (CASE NO. 2021-02) TO ALLOW THE EXPANSION OF A NIGHTCLUB LOCATED AT 6901 PACIFIC BOULEVARD, WITHIN THE DOWNTOWN HUNTINGTON PARK SPECIFIC PLAN (DISTRICT B).

APPLICANT: Jesus Gallegos
6901 Pacific Blvd
Huntington Park, CA 90255

PROPERTY OWNER: Somerset Holdings, LLC
14537 Garfield Ave
Paramount, CA 90723

PROJECT LOCATION: 6901 Pacific Blvd

BACKGROUND:

- *Planning Commission*

At a Special Planning Commission meeting held on October 12, 2022, the Planning Commission approved PC Resolution No. 2021-02, for a Conditional Use Permit and Development Permit (Case No. 2021-02) to allow the expansion of an existing nightclub to include outdoor dining, roof top entertainment, restaurant with sports bar on the

PLANNING COMMISSION AGENDA REPORT

Time Extension: Case No. 2021-02 CUP/DP

October 16, 2024

Page 2 of 4

ground floor and nightclub on the basement level, within the Downtown Huntington Park Specific Plan (District B).

At a regular Planning Commission meeting held on January 17, 2024, the Planning Commission approved PC Resolution No. 2021-02A granting a five-month time extension establishing an expiration date of March 12, 2024, for previously approved Conditional Use Permit/Development Permit Case No. 2021-02. The Staff Report and applicable documents pertaining to the January 17, 2024, Planning Commission meeting are attached as Exhibit C.

Since receiving approval of the five-month time extension, the applicant has submitted plans for Planning Division review and a provisional parking program. Both items submitted are pending revision and/or additional information to deem complete. As of the date of this report no building permits have been issued for the proposed expansion.

Pursuant to Huntington Park Municipal Code (HPMC) 9-2.1109 and 9-2.1010, a Conditional Use Permit and a Development Permit shall be exercised within one year from the date of approval or the permit shall become void. The five-month extension granted by the Planning Commission on January 17, 2024, expired on March 12, 2024.

As a condition of approval of the five-month time extension (PC Resolution No. 2021-02A) granted on January 17, 2024, the applicant was required to submit a parking program to the satisfaction of the Community Development Director.

On March 07, 2024, the applicant submitted a provisional parking program (Exhibit B) which consists of renting the City owned parking structure located at 7015 Rita Avenue. The applicant proposes hiring a third-party valet company to manage the valet service.

The proposed parking program must first be approved by the Planning Commission before final review and approval by the City Council.

PLANNING COMMISSION AGENDA REPORT

Time Extension: Case No. 2021-02 CUP/DP

October 16, 2024

Page 3 of 4

**HUNTINGTON PARK
MUNICIPAL CODE (HPMC)**

APPLICABILITY:

Pursuant to HPMC Section 9-2.1009 Expiration (*Development Permit*) within one year of Development Permit approval, exercising the entitlement, in compliance with Section 9-2.2403 (Exercising the Entitlement) shall have occurred or the permit shall become void. Additionally, if after exercising the entitlement, work is discontinued for a period of one year, then the permit shall become void.

Pursuant to HPMC Section 9-2.1010 Time Extension (*Development Permit*), the Review Authority may grant time extensions 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 Review Authority shall ensure that the Development Permit complies with all current Code provisions. If granted, the Development Permit shall be extended from the date of expiration.

Pursuant to HPMC Section 9-2.1109 Expiration (*Conditional Use Permit*) a Conditional Use Permit shall be exercised within one year from the date of approval or the permit shall become void. For uses that require new construction, exercising the entitlement, in compliance with Section 9-2.2403 (Exercising the Entitlement) shall have occurred within one year or the permit shall become void. Additionally, if after exercising the entitlement, work is discontinued for a period of one year, then the permit shall become void.

Pursuant to HPMC 9-2.1110 Time Extension (*Conditional Use Permit*), the Commission may grant time extensions 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 Commission shall ensure that the Conditional Use Permit complies with all current Code provisions. If granted, the Conditional Use Permit shall be extended from the date of expiration.

Pursuant to Huntington Park Municipal Code (HPMC) 9-2.2403 (Exercising the Entitlement), an approved entitlement shall be exercised before its expiration. The entitlement shall not be deemed exercised until the applicant has:

PLANNING COMMISSION AGENDA REPORT

Time Extension: Case No. 2021-02 CUP/DP

October 16, 2024

Page 4 of 4

- Obtained a Building Permit and continuous on-site construction activity including pouring of foundations, installation of utilities or other similar substantial improvements has commenced;
- Obtained a Grading Permit and has completed a significant amount of on-site grading, as determined by the Director;
- Diligently continued the approved construction/grading activities without stopping for more than 180 days; or
- Actually implemented the allowed land use, in its entirety, on the subject property in compliance with all conditions of approval.

The applicant has not complied with any of the aforementioned requirements pursuant to Huntington Park Municipal Code Sec. 9-2.2403 (Exercising the Entitlement).

RECOMMENDATION:

That the Planning Commission conduct a public hearing, consider all public testimony, and adopt PC Resolution No. 2021-02B approving a time extension, not to exceed twelve months establishing an expiration date of March 12, 2025, for PC Case No. 2021-02 CUP/ DP.

EXHIBITS:

- A. PC Resolution No. 2021-02B
- B. Parking Program submitted March 7, 2024
- C. Planning Commission Case No. 2021-02 – Time Extension - Planning Commission Meeting Packet January 17, 2024
- D. PC Resolution No. 2021-02A

**PC RESOLUTION NO. 2021-02B
CONDITIONAL USE PERMIT/
DEVELOPMENT PERMIT
TIME EXTENSION**

EXHIBIT A

CASE NO. 2021-02B CUP / DP

PC RESOLUTION NO. 2021-02B

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, GRANTING A TWELVE-MONTH TIME EXTENSION ESTABLISHING AN EXPIRATION DATE OF MARCH 12, 2025, FOR PREVIOUSLY APPROVED CONDITIONAL USE PERMIT/ DEVELOPMENT PERMIT CASE NO. 2021-02 IN CONNECTION WITH REAL PROPERTY AT 6901 PACIFIC BOULEVARD, HUNTINGTON PARK, CALIFORNIA.

WHEREAS, a public hearing was held in the City Hall, 6550 Miles Avenue, Huntington Park, California on Wednesday, October 16, 2024 at 6:30 p.m., pursuant to the notice published and posted as required by law in accordance with the provisions of the Huntington Park Municipal Code (HPMC), and upon an application from Jesus Gallegos requesting approval of a time extension to a Conditional Use Permit and Development Permit allowing the expansion of an existing nightclub to include outdoor dining, cinema, roof top entertainment, restaurant with sports bar on the ground floor, and nightclub in the basement at 6901 Pacific Boulevard within the Downtown Huntington Park Specific Plan (District B) at the property described below:

Assessor's Parcel No. 6322-023-016 City of Huntington Park, County of Los Angeles; and

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

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

WHEREAS, the previous parking agreement between the applicant and the City of Huntington Park referenced in PC Resolution No. 2021-02 (Condition of Approval No. 6 and 69) is no longer viable; and

WHEREAS, as a Condition of Approval in PC Resolution No. 2021-02A, the applicant is required to pay the required in-lieu parking fee for each deficient off-street parking space or provide a parking program to the satisfaction of the Community Development Director; and

1 **WHEREAS**, the Applicant submitted a provisional parking program on March 7,
2 2024 consisting of renting the City owned parking structure located at 7015 Rita Ave ;
3 and

4 **WHEREAS**, the proposed parking program must be approved by the Planning
5 Commission before final review and approval by the City Council; and

6 **WHEREAS**, any change of ownership of any uses in the Conditional Use Permit
7 shall render the Conditional Use Permit revocable and a new Conditional Use Permit
8 shall be sought by the new owner/ operator, at the new owner/operator's expense.

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

12 **WHEREAS**, all written comments received prior to the hearing, and responses to
13 such comments, were reviewed by the Planning Commission; and

14 **WHEREAS**, the Planning Commission approved a twelve month time extension for
15 Case No. 2021-02 Conditional Use Permit/ Development Permit, establishing a new
16 expiration date of March 12, 2025; and

17 **WHEREAS**, the Planning Commission is required to announce its findings and
18 recommendations.

19 **NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF**
20 **HUNTINGTON PARK DOES FIND, DETERMINE, RECOMMEND AND RESOLVES AS**
21 **FOLLOWING:**

22 **SECTION 1:** Based on the evidence in the staff report, traffic study, and noise study
23 submitted for the project, the Planning Commission finds that the project, as proposed,
24 will have a less-than-significant impact on the environment and finds that the project is
25 exempt from the California Environmental Quality Act (CEQA Guidelines, Section 15332,
26 In-Fill Development Projects).

27 **SECTION 2:** The Planning Commission hereby makes all of the following required
28 findings for a Conditional Use Permit in connection with Case No. 2021-02:

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

4 **Finding:** The proposed nightclubs and cinema uses are conditionally permitted
5 within the subject zoning district. The subject zoning district is Downtown
6 Huntington Park Specific Plan—Festival District (DTSP-B) and the proposed
7 project will not impair the integrity and character of the zoning district as it will
8 comply with all of the applicable provisions of the Huntington Park Municipal Code
9 and Downtown Huntington Park Specific Plan as conditioned.

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

11 **Finding:** The proposed nightclubs and cinema are consistent with the General
12 Plan, specifically, the proposed uses are consistent with Goal 1.0; Policy 1.2 of
13 the Land Use Element of the General Plan by encouraging community-oriented
14 retail development while continuing to revitalize Pacific Boulevard as a regional
15 retail destination. It is also consistent with Goal 6.0; Policy 6.1 in that it provides
16 visual penetration at the ground level and incorporates pedestrian-oriented ground
17 floor uses.

18 3. **The approval of the Conditional Use Permit for the proposed use is in**
19 **compliance with the requirements of the California Environmental Quality**
20 **Act (CEQA) and the City's Guidelines.**

21 **Finding:** Proposed Project is Categorically Exempt pursuant to Article 19, section
22 15332 (Infill Development Projects) of the California Environmental Quality Act
23 (CEQA) Guidelines.

24 4. **The design, location, size and operating characteristics of the proposed use**
25 **are compatible with the existing and planned future land uses within the**
26 **general area in which the proposed use is to be located and will not create**
27 **significant noise, traffic or other conditions or situations that may be**
28 **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 proposed expansion of the nightclub use is adjacent to a major arterial street on a site of 14,595 square feet. The traffic study prepared for the project concluded that the nightclub would not have a significant impact on traffic. The noise study prepared for the project concluded that the rooftop speaker system can be operated in compliance with the Huntington Park Municipal Code and in a way that is not objectionable to nearby properties. Peak parking demand is expected to occur in the late evening which is somewhat offset from the existing peak parking demand time earlier in the day. With the implementation of conditions of approval, the design, location, size, and operating characteristics of the proposed nightclubs are not expected to be detrimental to the public health, safety and welfare of the City. The proposed project as conditioned will be harmonious and compatible with the existing commercial uses presently located within the vicinity and zoning district.

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

Finding: The proposed nightclub use expansion is adjacent to a major arterial street on a site of 14,595 square feet in a downtown urban environment. The proposed physical improvements to the building (which occupies the entire site) will comply with all development standards and will also comply with the relevant building codes to ensure safety and adequate pedestrian ingress and egress will exist on the site.

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: Pedestrian access to the site would be provided from Saturn Avenue and Pacific Boulevard. Conditions of approval ensure that patrons can access the

1 site through parking in City lots and ridesharing. The demand on public services
2 of the nightclub will be similar to other typical commercial uses such as
3 restaurants. Given that the surrounding area is already completely developed
4 with public access, water, sanitation, and other public utilities, the proposed
5 project would not affect these infrastructures or require any types of modifications.
6 In addition, the proposed project would not impede public access, water,
7 sanitation, or other public utilities and services.

8 **SECTION 3.** The Planning Commission hereby makes all of the following required
9 findings for a Development Permit in connection with Case No. 2021-02:

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

13 **Finding:** The proposed nightclub uses and cinema are conditionally permitted
14 within the subject zoning district. The subject zoning district is Downtown
15 Huntington Park Specific Plan—Festival District (DTSP-B) and the proposed
16 project will not impair the integrity and character of the zoning district as it will
17 comply with all of the applicable provisions of the Huntington Park Municipal Code
18 and Downtown Huntington Park Specific Plan, including prescribed development
19 standards as conditioned. In addition, the proposed project will be of a similar use
20 as the existing business. Lastly, the proposed project is in compliance with the
21 requirements of the HPMC and the DTSP.

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

23 **Finding:** The proposed nightclub and cinema is consistent with the General Plan,
24 specifically, the proposed use is consistent with Goal 1.0; Policy 1.2 of the Land
25 Use Element of the General Plan by encouraging community-oriented retail
26 development while continuing to revitalize Pacific Boulevard as a regional retail
27 destination. It is also consistent with Goal 6.0; Policy 6.1 in that it provides visual
28 penetration at the ground level and incorporates pedestrian-oriented ground floor

1 uses.

2

3 **3. The proposed development would be harmonious and compatible with**
4 **existing and planned future developments within the zoning district and**
5 **general area, as well as with the land uses presently on the subject**
property.

6 **Finding:** The proposed development adequately meets all City standards and
7 design guidelines. Staff can make all Design Review findings for the project as it
8 has undergone Design Review with staff and with the implementation of
9 conditions of approval, will be harmonious and compatible with existing and
10 planned future developments within the zoning district and general area.

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

14 **Finding:** Proposed Project is Categorically Exempt pursuant to Article 19, section
15 15332 (Infill Development Projects) of the California Environmental Quality Act
16 (CEQA) Guidelines.

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

19 **Finding:** The proposed nightclub use expansion is adjacent to a major arterial
20 street on a site of 14,595 square feet in a downtown urban environment. The
21 proposed physical improvements to the building (which occupies the entire site)
22 will comply with all development standards and will also comply with the relevant
23 building codes to ensure safety and adequate pedestrian ingress and egress will
24 exist on the site. The subject site is surrounded by commercial uses to the north,
25 east, west and south.

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

Finding: Pedestrian access to the site would be provided from Saturn Avenue and Pacific Boulevard. Conditions of approval ensure that patrons can access the site through parking in City lots and ridesharing. The demand on public services of the nightclub will be similar to other typical commercial uses such as restaurants. 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 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 proposed expansion of the nightclub uses are adjacent to a major arterial street on a site of 14,595 square feet. The traffic study prepared for the project concluded that the proposed nightclub uses would not have a significant impact on traffic. The noise study prepared for the project concluded that the rooftop speaker system can be operated in compliance with the Huntington Park Municipal Code and in a way that is not objectionable to nearby properties. Peak parking demand is expected to occur in the late evening which is somewhat offset from the existing peak parking demand time earlier in the day. With the implementation of conditions of approval, the design, location, size, and operating characteristics of the proposed nightclub is not expected to be detrimental to the public health, safety and welfare of the City. The proposed project as conditioned will be harmonious and compatible with the existing commercial uses presently located within the vicinity and zoning district.

SECTION 4: The Planning Commission hereby approves Case No. 2021-02A subject to the following conditions:

1 **CONDITIONS OF APPROVAL**

2 **PLANNING DIVISION**

- 3 1. That the property owner and Applicant shall indemnify, protect, hold harmless and
4 defend the City and any agency or instrumentality thereof, its officers, employees and
5 agents from all claims, actions, or proceedings against the City to attack, set aside,
6 void, annul, or seek damages arising out of an approval of the City, or any agency or
7 commission thereof, concerning this project. City shall promptly notify both the
8 property owner and Applicant of any claim, action, or proceeding to which this
9 condition is applicable. The City shall cooperate in the defense of the action, while
10 reserving its right to act as it deems to be in the best interest of the City and the
11 public. The property owner and Applicant shall defend, indemnify and hold harmless
12 the City for all costs and fees incurred in additional investigation or study, or for
13 supplementing or revising any document, including, without limitation, environmental
14 documents. If the City's legal counsel is required to enforce any condition of approval,
15 the Applicant shall pay for all costs of enforcement, including legal fees.
- 16 2. Except as set forth in subsequent conditions, all-inclusive, and subject to department
17 corrections and conditions, the property shall be developed substantially in
18 accordance with the applications, environmental assessment, and plans submitted.
- 19 3. That the proposed uses shall comply with all applicable City, County, State and
20 Federal codes, laws, rules, and regulations, including Health, Building and Safety,
21 Fire, Sign, Zoning, and Business License.
- 22 4. That the uses be conducted, and the property be maintained, in a clean, neat, quiet,
23 and orderly manner at all times and comply with the property maintenance standards
24 as set forth in Section 9-3.103.18 and Title 8, Chapter 9 of the Huntington Park
25 Municipal Code.
- 26 5. That any existing and/or future graffiti, as defined by Huntington Park Municipal Code
27 Section 5-27.02(d), shall be diligently removed within a reasonable time period.
- 28 6. That the operator(s) shall obtain/amend its City of Huntington Park Business
Licenses prior to commencing business operations.
7. 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.
8. 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.
9. That the violation of any of the conditions of this entitlement may result in a citation(s)
and/or the revocation of the entitlement.

1 10. That this entitlement may be subject to additional conditions after its original
2 issuance. Such conditions shall be imposed by the City Planning Commission as
3 deemed appropriate to address problems of land use compatibility, operations,
4 aesthetics, security, noise, safety, crime control, or to promote the general welfare of
5 the City.

6 11. That the Applicant be required to apply for a new entitlement if any alteration,
7 modification, or expansion would result in an increase to the assembly area of the
8 nightclub.

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

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

14 14. That the Applicant shall comply with all applicable property development standards
15 including, but not limited to, outdoor storage, fumes and vapors, property
16 maintenance, and noise.

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

21 **BUILDING AND SAFETY**

22 16. This conditional approval/acceptance is subject to the approvals from other
23 departments including and may not be limited to the Planning Division, Public Works
24 Engineering Division, Code Enforcement, LA County Health Department and LA
25 County Fire Department.

26 17. This review shall not be construed as Plan Check approval due to lacking of
27 construction details and calculations.

28 18. Outline on the plans, clearly and boldly, floor by floor or portion thereof designed for
loads exceeding 50 psf, such design live loads shall be conspicuously posted using
durable signs. CBC 106.1 Also state on the Plans, A certificate of occupancy required
by section CBC 111 shall not be issued until the floor load signs, required by section
106.1 have been installed. CBC 106.2

19. Provide occupancy loads, floor by floor, shall be posted at all times on each floor
including the Proposed Roof will be converted for A2 Occupancy.

20. 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 City's fee schedule.

1 21. The second sheet of building plans is to list all conditions of approval and to include a
2 copy of the Planning Commission Decision letter. This information shall be
3 incorporated into the plans prior to the first submittal for plan check.

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

6 23. Art fee shall be paid to the City prior to issuance of the building Permit

7 24. Recycling deposit shall be filed prior to issuance of the building permit to the
8 satisfaction of the recycling coordinator.

9 25. Approval is required from the Los Angeles County Health Department for food
10 handling and/or storage.

11 26. Approval is required from the LA County Fire Department

12 27. Any proposed grease interceptor shall be installed in accordance with the current
13 Plumbing Code.

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

16 29. Structural calculations prepared under the direction of an architect, civil engineer or
17 structural engineer shall be provided.

18 30. The existing building area or portion thereof on the roof used exclusively for A-2
19 (restaurant) or A-1 (theater) or S-2 (storage) Occupancy, the applicant must provide
20 sufficient details and calculations to demonstrate the existing building in part or all
21 either has sufficient resistance strength or need to be strengthened for
22 accommodation to the proposed occupancies and in full compliance of current
23 governing building codes especially in seismic, accessibilities and fire safety and
24 prevention.

25 31. The applicant shall provide sufficient details and calculations to demonstrate (a) how
26 the roof runoff will be drained and discharged (b) the existing water main, sewer
27 main, gas main and the electrical services either will be suffice to support the
28 proposed occupancies or upgraded to ensure sufficient capacities will be provided for
 the proposed uses and in compliance with the governing Building Codes. (c) The
 door width and number of exits are in compliance with the current building codes for
 exiting.

25 32. The proposed new (replacement) elevator shall comply with the requirements of CBC
26 Chapter 30 and 11B-206.6. State amendments require a gurney-size elevator for any
 number of stories.

27 33. All State of California disability access regulations (Chapter 11B, CBC) for
28 accessibility and adaptability shall be complied with.

1 34. Electrical plan check is required. (20)Mechanical plan check is required.
2 (21)Plumbing plan check is required.

3 35. Plumbing fixtures shall be provided as required by the Chapter 4 of the California
4 Plumbing Code.

5 36. Project shall comply with the CalGreen Non Residential mandatory requirements.

6 37. Demolition permit is required for any existing buildings which are to be demolished.

7 38. All fire sprinkler hangers (existing and new) must be designed C16 subcontractor and
8 their locations approved by an engineer or an architect. Calculations must be
9 provided indicating that the hangers are designed to carry the tributary weight of the
10 water filled pipe plus a 250 pound point load. A plan indication this information must
11 be stamped by the engineer or the architect and submitted for approval prior to
12 issuance of the building permit.

13 39. All fire alarms (existing and new) must be designed C16 subcontractor and their
14 locations approved by an engineer or an architect. All fire alarms must be accessible
15 and in compliance with Chapter 11B of CBC.

16 40. Separate permit is required for Fire Sprinklers and Fire Alarms

17 41. Provide EV Charge Station Parking Stalls in the proposed parking area and EV
18 Spaces (11B812.6.2) [Figure 11b.812.9] {CGBC 4.106.4.2.2} and the access aisle
19 shall not exceed 2% slope (1 vertical in 48 horizontal in any directions) (CGBC
20 4.106.4.2.2)

21 42. The applicant shall designate an area for Ride-Share Services pick-up /drop off area
22 or stalls in the proposed parking area.

23 43. On Sheet A-1 (Site Plan) applicant shall delineate all projecting elements, and show
24 distance to property line, or adjacent structures. The applicant shall provide a
25 Building Code Analysis in the PROJECT INFORMATION; and show compliance
26 including the justifications to exceed (a) the basic allowable floor areas listed in CBC
27 Table 506.2. (b) the number of stories or building height listed in CBC Table 504.4. as
28 the result of this proposed TI Project.

HUNTINGTON PARK POLICE DEPARTMENT

24 44. The operation for the establishment shall be limited to those activities and elements
25 expressly indicated on the permit application and approved by the City Council. Any
26 change in the operation, which exceeds the conditions of the approved permit will
27 require that a new permit application be submitted to the City Council for their review
28 and approval.

1 45. Noise emanating from the permittee's premises shall not be audible 50 feet or more
2 from the property line of the premises. The permittee shall be responsible for
3 determining how to best meet this requirement, either by keeping doors and windows
closed, limiting hours of entertainment, or by offering non-amplified entertainment.

4 46. The permittee shall not allow employees to discard trash or beer bottles into the
5 outside dumpster between the hours of 8 p.m. and 7 a.m. per section 9-3.507 HPMC.

6 47. The permittee shall take reasonable measures to prohibit and prevent the loitering of
7 persons immediately outside any of the entrance/exit doors and the parking lot, at all
8 times while open for business. This should be done by utilizing security guards and
9 signage with verbiage such as, "Please respect our neighbors", or something similar.
At the conclusion of each event, the permittee shall take reasonable measures to
ensure that exiting patrons walk directly to their vehicles and not loiter in the parking
lot or the immediate area.

10 48. Current occupancy loads shall be posted at all times.

11 49. The posting of flyers, and/or placards, or cards on windshields or similar literature,
12 advertising entertainment activities at the business including promotional events,
13 shall be strictly prohibited within the City of Huntington Park per HPMC sections 5-
1.02, 5-1.03, & 5-1.02.1. Violation of this condition shall be cause for the City Council
14 to take punitive action against the permittee, including revocation, suspension, or
modification of this permit.

15 50. The permittee shall maintain full compliance with all applicable laws, ABC laws,
16 ordinances, and stated conditions. In the event of a conflict between the
17 requirements of this permit, your conditional use permit, or your Alcoholic Beverage
Control license, the more stringent regulation shall apply.

18 51. The permittee shall be responsible for installing and maintaining a video surveillance
19 system that monitors no less than the front and rear of the business, with full view of
the public right-of-ways, and any parking lot under the control of the permittee.
20 These cameras shall record video for a minimum of 30 days.

21 52. The permittee agrees to reimburse the City of Huntington Park whenever excessive
22 police services, as determined by the Chief of Police, are required as the result of any
incident or nuisance arising out of, or in connection with the permittee's operations.

23 53. All promoters must have or obtain a City of Huntington Park Business License prior to
24 conducting entertainment activities governed by this permit. The permittee shall be
25 responsible for all entertainment activities at the location, including those conducted
by promoters.

26 54. The permittee must provide all promoters hired to conduct entertainment activities
27 with a copy of the approved permit, which shall include a copy of the approved
conditions of operation.

1 55. The surrounding area (exterior & parking lot) shall be illuminated in order to make
2 easily discernible the appearance and conduct of all person on or about the property.

3 56. The permittee shall be responsible for maintaining an adequate security staff to
4 supervise patrons inside the establishment and those waiting to enter. Potential
5 patrons awaiting entry in a defined "queue" shall be counted toward the calculation of
6 required security staffing levels. For crowds up to fifty (50) patrons, the permittee
7 shall provide a minimum of two (2) uniformed security guards. For crowds over (50)
8 fifty patrons, the permittee shall provide a minimum of one (1) additional uniformed
9 security guard per fifty (50) people. Should the permittee's operations give rise to a
10 substantial increase in complaints/calls for service, or trash left in the parking lot or
11 adjacent property, the permittee shall increase security as directed by the Chief of
12 Police.

13 57. Any lighting set up/used during the nighttime rooftop activities will at no time be
14 directed/focused at any of the residential properties in the surrounding areas.

15 58. Noncompliance with conditions: when the Chief of Police determines that permittee
16 has violated the terms of the permit, including the permittee's obligation to comply
17 with all other laws and regulations, but believes those violations can be remedied
18 through education and/or minor modifications to permittee's operation, permittee will
19 be asked to attend a meeting with the involved departments to address the
20 community concerns and discuss how additional restrictions and/or revocation can be
21 avoided.

22 59. Moreover, the City reserves the right to review the permittee's compliance with the
23 terms and conditions of this dance and entertainment permit and if necessary,
24 revoke, suspend or modify the permit if the conduct of the business staff and /or
25 customers creates problems as described in these conditions and subject to
26 regulations of the Huntington Park Municipal Code.

19 **CODE ENFORCEMENT**

20 60. No loitering and no trespassing signs shall be posted around the perimeter of the
21 building in compliance with Section 602(o) the California Penal Code.

22 61. The applicant shall provide routine maintenance to eliminate any trash or litter around
23 the perimeter of the property.

24 62. Adequate lighting shall be provided to illuminate all driveways and driveway aisles.

25 63. That all future temporary or permanent signage shall be approved by the City prior to
26 installation, pursuant to the Huntington Park Municipal Code.

27 **LOS ANGELES COUNTY FIRE DEPARTMENT**

28 64. All requirements, as deemed necessary by the Los Angeles County Fire Department
29 during the Plan Check Process, shall be complied with.

1 **ADDITIONAL CONDITIONS OF APPROVAL**

2 65. All proposed mechanical equipment and appurtenances, including satellite dishes,
3 gutters, etc., whether located on the rooftop, ground level or anywhere on the
4 property shall be completely shielded/enclosed so as not to be visible from any public
5 street and/or adjacent properties. Such shielding/enclosure of facilities shall be of
6 compatible design related to the building structure for which such facilities are
7 intended to serve and shall be installed prior to final building inspection.

8 66. The applicant shall provide adequate on-site security at all times to ensure safety of
9 patrons and maintenance of the property. Security Plan shall be submitted and
10 approved by the Planning Division.

9 67. All amplified sound at the rooftop shall use the speaker system analyzed in the noise
10 study. The system shall use a hardware or software volume limiter to ensure sound
11 volume levels remain consistent with the maximum sound levels specified in the
12 HPMC.

11 68. Security officers shall take reasonable measures to ensure that food vendors do not
12 loiter in the immediate area.

13 69. The initial building permit submittal for improvements to the building shall include the
14 complete set of interior and exterior improvements at the first floor. No final approval
15 or certificate of occupancy for the basement or rooftop shall be given prior to the final
16 approval/certificate of occupancy for the complete set of interior improvements for the
17 first floor restaurant/sports bar and complete set of exterior improvements at the first
18 floor.

17 70. This conditional use permit approval shall supersede Case No. 2018-06 (governing
18 the second floor nightclub) when a final approval/certificate of occupancy has been
19 granted for the complete set of interior improvements for the first floor
20 restaurant/sports bar and complete set of exterior improvements at the first floor.

21 71. Any change of ownership of any uses in the Conditional Use Permit shall render the
22 Conditional Use Permit revokeable and a new Conditional Use Permit shall be sought
23 by the new owner/ operator, at the new owner/operator's expense.

24 72. All hours of operation shall be at the discretion of the planning commission. Changes
25 in hours of operation by the operator will require the operator to return to the planning
26 commission with a 30 day notice for review and approval. Changes in hours
27 requested by the commission shall require a 10 day notification to the operator/owner
28 and a hearing to amend the hours shall be conducted by the Planning Commission.

26 73. That the business owner(s) (Applicant) and property owner agree in writing to the
27 above conditions.

PLANNING DIVISION SPECIAL CONDITIONS

74. Conditional Use Permit/ Development Permit Case No. 2021-02 shall expire March 12, 2025.

SECTION 5: This resolution shall not become effective until 16 days after the final date of decision rendered by the Planning Commission, unless an appeal to the City Council is timely filed. The decision of the Planning Commission shall be stayed until final determination of the appeal has been made by the City Council.

SECTION 6: The Secretary of the Planning Commission shall certify to the adoption of this resolution and a copy thereof shall be filed with the City Clerk.

PASSED, APPROVED, AND ADOPTED this 16th day of October, 2024, by the following vote:

AYES:

NOESY

ABSTAIN:

ABSENT:

HUNTINGTON PARK PLANNING COMMISSION

Graciela Ortiz, Chair

ATTEST:

Steve Forster, Secretary

**PARKING PROGRAM SUBMITTED BY
APPLICANT ON MARCH 07, 2024**

EXHIBIT B

CASE NO. 2021-02B CUP / DP

PARKING PROPOSAL

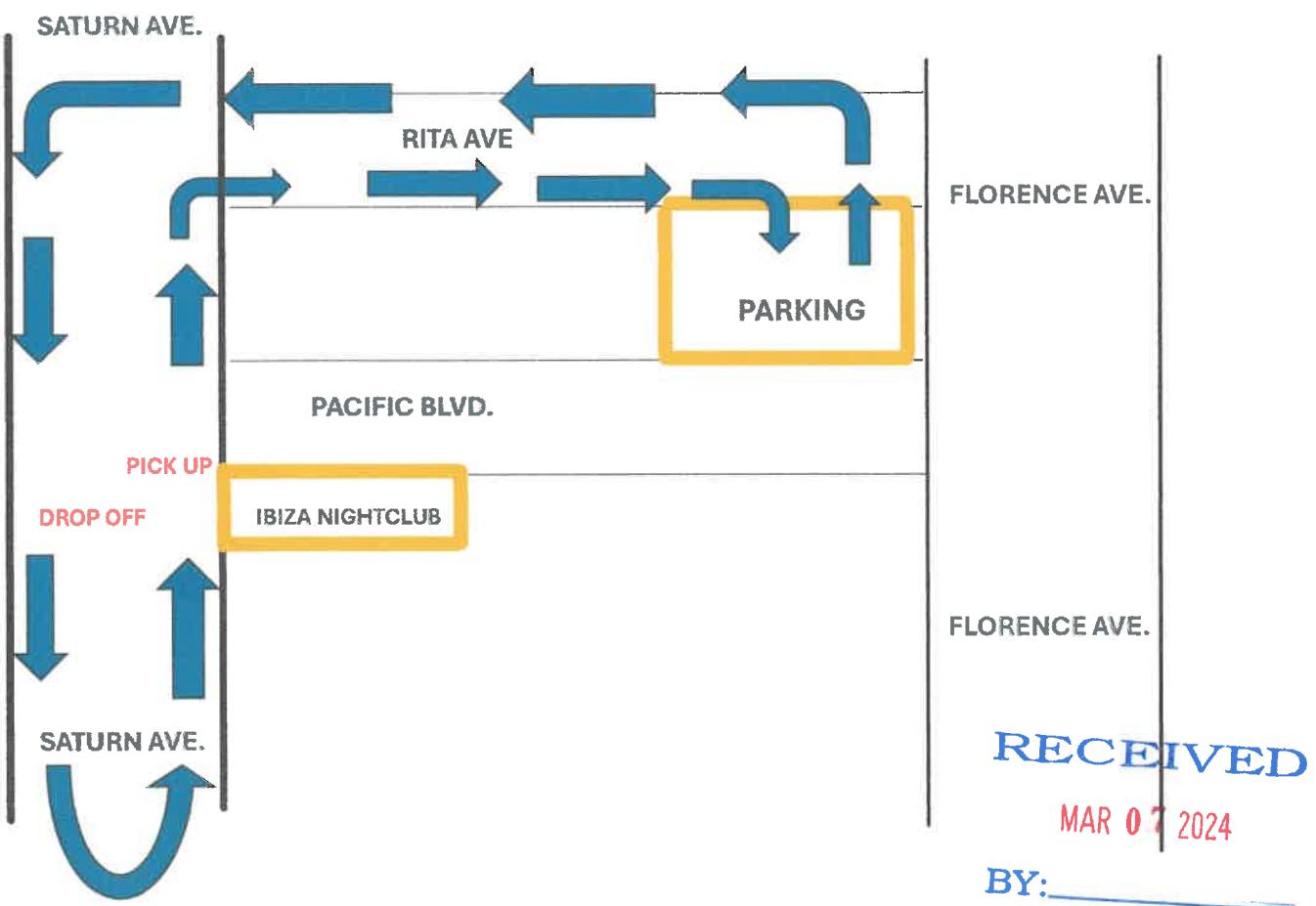
PROPERTY ADDRESS: 6901 PACIFIC BLVD HUNTINGTON PARK CA 90255

APPLICANT: JESUS GALLEGOS

MARCH 5TH 2024

Dear City Hall and Planning Division of Huntington Park CA. Our parking proposal consists of renting the parking structure on Rita Ave in the city of Huntington Park. We will be hiring a third-party Valet Company to offer these services. Valet is open and will always have someone at the parking structure when business is running. If you have any questions please don't hesitate to call me at 909-225-6335 or email at jesusgallegos07@yahoo.com and lizdhaq@yahoo.com. Thank you for your consideration.

DESCRIPTION	COST	MONTHLY COST	ADDITIONAL
300 PARKING SPACES	\$5.00 PER SPACE	\$1500.00 A MONTH minimum	\$5.00 per added space.



**PLANNING COMMISSION CASE NO. 2021-02 –
TIME EXTENSION – PLANNING COMMISSION
PACKET JANUARY 17, 2024**

EXHIBIT C

CASE NO. 2021-02B CUP/DP



CITY OF HUNTINGTON PARK

PLANNING COMMISSION AGENDA REPORT

DATE: JANUARY 17, 2024

TO: CHAIRPERSON AND MEMBERS OF THE PLANNING COMMISSION

ATTENTION: STEVE FORSTER, COMMUNITY DEVELOPMENT DIRECTOR

FROM: LEMESSIS QUINTERO, ASSOCIATE PLANNER

SUBJECT: TIME EXTENSION - PLANNING COMMISSION CASE NO. 2021-02
CONDITIONAL USE PERMIT AND DEVELOPMENT PERMIT (CUP/ DP)

REQUEST: CASE NO. 2021-02 CONDITIONAL USE PERMIT/ DEVELOPMENT PERMIT (CUP/ DP) - A REQUEST FOR A TIME EXTENSION TO A PREVIOUSLY APPROVED CONDITIONAL USE PERMIT AND DEVELOPMENT PERMIT (CASE NO. 2021-02) TO ALLOW THE EXPANSION OF A NIGHTCLUB LOCATED AT 6901 PACIFIC BOULEVARD, WITHIN THE DOWNTOWN HUNTINGTON PARK SPECIFIC PLAN (DISTRICT B).

APPLICANT: Jesus Gallegos
6901 Pacific Blvd
Huntington Park, CA 90255

PROPERTY OWNER: Somerset Holdings, LLC
14537 Garfield Ave
Paramount, CA 90723

**PROJECT
LOCATION:** 6901 Pacific Blvd

BACKGROUND:

- *Planning Commission*

At a Special Planning Commission meeting held on October 12, 2022, the Planning Commission approved PC Resolution No. 2021-02, for a Conditional Use Permit and Development Permit (Case No. 2021-02) to allow the expansion of an existing nightclub to include outdoor dining, roof top entertainment, restaurant with sports bar on the ground floor and nightclub on the basement level, within the

PLANNING COMMISSION AGENDA REPORT

Time Extension: Case No. 2021-02 CUP/DP

January 17, 2024

Page 2 of 4

Downtown Huntington Park Specific Plan (District B), subject to conditions of approval (Exhibit C).

Since receiving approval of the Conditional Use Permit and Development Permit, the Applicant has signed the action letter acknowledging all conditions of approval (Exhibit C) and has addressed code enforcement issues to the building.

As of the date of this report no plans have been submitted for final review to the Planning Division, no plans have been submitted to the Building and Safety Division for plan check review and no building permits have been issued.

Pursuant to Huntington Park Municipal Code (HPMC) 9-2.1109 and 9-2.1010, a Conditional Use Permit and a Development Permit shall be exercised within one year from the date of approval or the permit shall become void. The Conditional Use Permit and Development Permit approval expired on October 12, 2023.

- ***Extension Request***

On October 17, 2023, the City Clerk's Office received a written request from the Applicant, Jesus Gallegos requesting a time extension of Case No. 2021-02 CUP/DP (Exhibit E).

A formal request including application was submitted to the Planning Division on December 14, 2023 (Exhibit D).

Pursuant to HPMC a time extension request shall be filed no later than ninety (90) days after expiration and for good cause.

- ***Off-Street Parking and Loading***

Per the staff report dated October 12, 2022 (Exhibit B) the project requires 388 off-street parking spaces. The applicant had previously entered into an agreement with the City of Huntington Park to utilize a parking structure on Rugby Ave and metered parking spaces along Pacific Blvd. Due to several repeated issues with Code Enforcement and the Police Department the previous agreement is no longer viable. The applicant is now required to either pay the in-lieu parking fees (\$29, 677.08 per deficient parking space) or provide the City with a parking program to the satisfaction of the Community Development Director.

PLANNING COMMISSION AGENDA REPORT

Time Extension: Case No. 2021-02 CUP/DP

January 17, 2024

Page 3 of 4

**HUNTINGTON PARK
MUNICIPAL CODE (HPMC)**

APPLICABILITY:

Pursuant to HPMC Section 9-2.1009 Expiration (*Development Permit*) within one year of Development Permit approval, exercising the entitlement, in compliance with Section 9-2.2403 (Exercising the Entitlement) shall have occurred or the permit shall become void. Additionally, if after exercising the entitlement, work is discontinued for a period of one year, then the permit shall become void.

Pursuant to HPMC Section 9-2.1010 Time Extension (*Development Permit*), the Review Authority may grant time extensions 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 Review Authority shall ensure that the Development Permit complies with all current Code provisions. If granted, the Development Permit shall be extended from the date of expiration.

Pursuant to HPMC Section 9-2.1109 Expiration (*Conditional Use Permit*) a Conditional Use Permit shall be exercised within one year from the date of approval or the permit shall become void. For uses that require new construction, exercising the entitlement, in compliance with Section 9-2.2403 (Exercising the Entitlement) shall have occurred within one year or the permit shall become void. Additionally, if after exercising the entitlement, work is discontinued for a period of one year, then the permit shall become void.

Pursuant to HPMC 9-2.1110 Time Extension (*Conditional Use Permit*), the Commission may grant time extensions 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 Commission shall ensure that the Conditional Use Permit complies with all current Code provisions. If granted, the Conditional Use Permit shall be extended from the date of expiration.

Pursuant to Huntington Park Municipal Code (HPMC) 9-2.2403 (Exercising the Entitlement), an approved entitlement shall be exercised before its expiration. The entitlement shall not be deemed exercised until the applicant has:

PLANNING COMMISSION AGENDA REPORT

Time Extension: Case No. 2021-02 CUP/DP

January 17, 2024

Page 4 of 4

- Obtained a Building Permit and continuous on-site construction activity including pouring of foundations, installation of utilities or other similar substantial improvements has commenced;
- Obtained a Grading Permit and has completed a significant amount of on-site grading, as determined by the Director;
- Diligently continued the approved construction/grading activities without stopping for more than 180 days; or
- Actually implemented the allowed land use, in its entirety, on the subject property in compliance with all conditions of approval.

The applicant has not complied with any of the aforementioned requirements pursuant to Huntington Park Municipal Code Sec. 9-2.2403 (Exercising the Entitlement).

RECOMMENDATION:

That the Planning Commission conduct a public hearing, consider all public testimony, and adopt PC Resolution No. 2021-02A approving a time extension, not to exceed four months establishing an expiration date of February 12, 2024, for PC Case No. 2021-02 CUP/ DP.

EXHIBITS:

- A. PC Resolution No. 2021-02A
- B. Planning Commission Staff Report - October 12, 2022
- C. Case No. 2021-02 CUP/ DP Signed Action Letter
- D. Extension of Planning Commission Approval Application
- E. Applicant's Time Extension Request

**PC RESOLUTION NO. 2021-02A
CONDITIONAL USE PERMIT/
DEVELOPMENT PERMIT
TIME EXTENSION**

EXHIBIT A

CASE NO. 2021-02A CUP / DP

PC RESOLUTION NO. 2021-02A

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, GRANTING A FOUR MONTH TIME EXTENSION ESTABLISHING AN EXPIRATION DATE OF FEBRUARY 12, 2024, FOR PREVIOUSLY APPROVED CONDITIONAL USE PERMIT/ DEVELOPMENT PERMIT CASE NO. 2021-02 IN CONNECTION WITH REAL PROPERTY AT 6901 PACIFIC BOULEVARD, HUNTINGTON PARK, CALIFORNIA.

WHEREAS, a public hearing was held in the City Hall, 6550 Miles Avenue, Huntington Park, California on Wednesday, January 17, 2024 at 6:30 p.m., pursuant to the notice published and posted as required by law in accordance with the provisions of the Huntington Park Municipal Code (HPMC), and upon an application from Jesus Gallegos requesting approval of a time extension to a Conditional Use Permit and Development Permit allowing the expansion of an existing nightclub to include outdoor dining, cinema, roof top entertainment, restaurant with sports bar on the ground floor, and nightclub in the basement at 6901 Pacific Boulevard within the Downtown Huntington Park Specific Plan (District B) at the property described below:

Assessor's Parcel No. 6322-023-016 City of Huntington Park, County of Los Angeles; and

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

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

WHEREAS, the previous parking agreement between the applicant and the City of Huntington Park referenced in PC Resolution No. 2021-02 (Condition of Approval No. 6 and 69) is no longer viable; and

WHEREAS, the Applicant is now required to provide in lieu parking fees for each deficient off-street parking space required or provide a parking program to the satisfaction of the Community Development Director; and

WHEREAS, any change of ownership of any uses in the Conditional Use Permit

1 shall render the Conditional Use Permit revocable and a new Conditional Use Permit
2 shall be sought by the new owner/ operator, at the new owner/operator's expense.

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

6 **WHEREAS**, all written comments received prior to the hearing, and responses to
7 such comments, were reviewed by the Planning Commission; and

8 **WHEREAS**, the Planning Commission approved a four month time extension for
9 Case No. 2021-02 Conditional Use Permit/ Development Permit, establishing a new
10 expiration date of February 12, 2024; and

11 **WHEREAS**, the Planning Commission is required to announce its findings and
12 recommendations.

13 **NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF**
14 **HUNTINGTON PARK DOES FIND, DETERMINE, RECOMMEND AND RESOLVES AS**
15 **FOLLOWS:**

16 **SECTION 1:** Based on the evidence in the staff report, traffic study, and noise study
17 submitted for the project, the Planning Commission finds that the project, as proposed,
18 will have a less-than-significant impact on the environment and finds that the project is
19 exempt from the California Environmental Quality Act (CEQA Guidelines, Section 15332,
20 In-Fill Development Projects).

21 **SECTION 2:** The Planning Commission hereby makes all of the following required
22 findings for a Conditional Use Permit in connection with Case No. 2021-02:

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

26 **Finding:** The proposed nightclubs and cinema uses are conditionally permitted
27 within the subject zoning district. The subject zoning district is Downtown
28 Huntington Park Specific Plan—Festival District (DTSP-B) and the proposed

1 project will not impair the integrity and character of the zoning district as it will
2 comply with all of the applicable provisions of the Huntington Park Municipal Code
3 and Downtown Huntington Park Specific Plan as conditioned.

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

5 **Finding:** The proposed nightclubs and cinema are consistent with the General
6 Plan, specifically, the proposed uses are consistent with Goal 1.0; Policy 1.2 of
7 the Land Use Element of the General Plan by encouraging community-oriented
8 retail development while continuing to revitalize Pacific Boulevard as a regional
9 retail destination. It is also consistent with Goal 6.0; Policy 6.1 in that it provides
10 visual penetration at the ground level and incorporates pedestrian-oriented ground
11 floor uses.

12 **3. The approval of the Conditional Use Permit for the proposed use is in
13 compliance with the requirements of the California Environmental Quality
14 Act (CEQA) and the City's Guidelines.**

15 **Finding:** Proposed Project is Categorically Exempt pursuant to Article 19, section
16 15332 (Infill Development Projects) of the California Environmental Quality Act
17 (CEQA) Guidelines.

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

25 **Finding:** The proposed expansion of the nightclub use is adjacent to a major
26 arterial street on a site of 14,595 square feet. The traffic study prepared for the
27 project concluded that the nightclub would not have a significant impact on traffic.
28 The noise study prepared for the project concluded that the rooftop speaker

1 system can be operated in compliance with the Huntington Park Municipal Code
2 and in a way that is not objectionable to nearby properties. Peak parking demand
3 is expected to occur in the late evening which is somewhat offset from the existing
4 peak parking demand time earlier in the day. With the implementation of
5 conditions of approval, the design, location, size, and operating characteristics of
6 the proposed nightclubs are not expected to be detrimental to the public health,
7 safety and welfare of the City. The proposed project as conditioned will be
8 harmonious and compatible with the existing commercial uses presently located
9 within the vicinity and zoning district.

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

12 **Finding:** The proposed nightclub use expansion is adjacent to a major arterial
13 street on a site of 14,595 square feet in a downtown urban environment. The
14 proposed physical improvements to the building (which occupies the entire site)
15 will comply with all development standards and will also comply with the relevant
16 building codes to ensure safety and adequate pedestrian ingress and egress will
17 exist on the site.

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

21 **Finding:** Pedestrian access to the site would be provided from Saturn Avenue
22 and Pacific Boulevard. Conditions of approval ensure that patrons can access the
23 site through parking in City lots and ridesharing. The demand on public services
24 of the nightclub will be similar to other typical commercial uses such as
25 restaurants. Given that the surrounding area is already completely developed
26 with public access, water, sanitation, and other public utilities, the proposed
27 project would not affect these infrastructures or require any types of modifications.
28 In addition, the proposed project would not impede public access, water,

1 sanitation, or other public utilities and services.

2 **SECTION 3.** The Planning Commission hereby makes all of the following required
3 findings for a Development Permit in connection with Case No. 2021-02:

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

7 **Finding:** The proposed nightclub uses and cinema are conditionally permitted
8 within the subject zoning district. The subject zoning district is Downtown
9 Huntington Park Specific Plan—Festival District (DTSP-B) and the proposed
10 project will not impair the integrity and character of the zoning district as it will
11 comply with all of the applicable provisions of the Huntington Park Municipal Code
12 and Downtown Huntington Park Specific Plan, including prescribed development
13 standards as conditioned. In addition, the proposed project will be of a similar use
14 as the existing business. Lastly, the proposed project is in compliance with the
15 requirements of the HPMC and the DTSP.

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

17 **Finding:** The proposed nightclub and cinema is consistent with the General Plan,
18 specifically, the proposed use is consistent with Goal 1.0; Policy 1.2 of the Land
19 Use Element of the General Plan by encouraging community-oriented retail
20 development while continuing to revitalize Pacific Boulevard as a regional retail
21 destination. It is also consistent with Goal 6.0; Policy 6.1 in that it provides visual
22 penetration at the ground level and incorporates pedestrian-oriented ground floor
23 uses.

24 **3. The proposed development would be harmonious and compatible with
25 existing and planned future developments within the zoning district and
26 general area, as well as with the land uses presently on the subject
27 property.**

Finding: The proposed development adequately meets all City standards and design guidelines. Staff can make all Design Review findings for the project as it has undergone Design Review with staff and with the implementation of conditions of approval, will be harmonious and compatible with existing and planned future developments within the zoning district and general area.

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: Proposed Project is Categorically Exempt pursuant to Article 19, section 15332 (Infill Development Projects) 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: The proposed nightclub use expansion is adjacent to a major arterial street on a site of 14,595 square feet in a downtown urban environment. The proposed physical improvements to the building (which occupies the entire site) will comply with all development standards and will also comply with the relevant building codes to ensure safety and adequate pedestrian ingress and egress will exist on the site. The subject site is surrounded by commercial uses to the north, east, west and south.

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: Pedestrian access to the site would be provided from Saturn Avenue and Pacific Boulevard. Conditions of approval ensure that patrons can access the site through parking in City lots and ridesharing. The demand on public services of the nightclub will be similar to other typical commercial uses such as restaurants. 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 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 proposed expansion of the nightclub uses are adjacent to a major arterial street on a site of 14,595 square feet. The traffic study prepared for the project concluded that the proposed nightclub uses would not have a significant impact on traffic. The noise study prepared for the project concluded that the rooftop speaker system can be operated in compliance with the Huntington Park Municipal Code and in a way that is not objectionable to nearby properties. Peak parking demand is expected to occur in the late evening which is somewhat offset from the existing peak parking demand time earlier in the day. With the implementation of conditions of approval, the design, location, size, and operating characteristics of the proposed nightclub is not expected to be detrimental to the public health, safety and welfare of the City. The proposed project as conditioned will be harmonious and compatible with the existing commercial uses presently located within the vicinity and zoning district.

SECTION 4: The Planning Commission hereby approves Case No. 2021-02A subject to the following conditions:

CONDITIONS OF APPROVAL

PLANNING DIVISION

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

1 reserving its right to act as it deems to be in the best interest of the City and the
2 public. The property owner and Applicant shall defend, indemnify and hold harmless
3 the City for all costs and fees incurred in additional investigation or study, or for
4 supplementing or revising any document, including, without limitation, environmental
5 documents. If the City's legal counsel is required to enforce any condition of approval,
6 the Applicant shall pay for all costs of enforcement, including legal fees.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

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 uses 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 uses 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 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.
6. That the operator(s) shall obtain/amend its City of Huntington Park Business Licenses prior to commencing business operations.
7. 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.
8. 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.
9. That the violation of any of the conditions of this entitlement may result in a citation(s) and/or the revocation of the entitlement.
10. 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.
11. That the Applicant be required to apply for a new entitlement if any alteration, modification, or expansion would result in an increase to the assembly area of the nightclub.

1

2 12. That this entitlement shall expire in the event it is not exercised within one (1) year

3 from the date of approval, unless an extension has been granted by the Planning

4 Commission.

5 13. That if the use ceases to operate for a period of six (6) months the entitlement shall

6 be null and void.

7 14. That the Applicant shall comply with all applicable property development standards

8 including, but not limited to, outdoor storage, fumes and vapors, property

9 maintenance, and noise.

10 15. The Director of Community Development is authorized to make minor modifications

11 to the approved preliminary plans or any of the conditions if such modifications shall

12 achieve substantially the same results, as would strict compliance with said plans and

13 conditions.

14

BUILDING AND SAFETY

12 16. This conditional approval/acceptance is subject to the approvals from other

13 departments including and may not be limited to the Planning Division, Public Works

14 Engineering Division, Code Enforcement, LA County Health Department and LA

15 County Fire Department.

16 17. This review shall not be construed as Plan Check approval due to lacking of

17 construction details and calculations.

18 18. Outline on the plans, clearly and boldly, floor by floor or portion thereof designed for

19 loads exceeding 50 psf, such design live loads shall be conspicuously posted using

20 durable signs. CBC 106.1 Also state on the Plans, A certificate of occupancy required

21 by section CBC 111 shall not be issued until the floor load signs, required by section

22 106.1 have been installed. CBC 106.2

23 19. Provide occupancy loads, floor by floor, shall be posted at all times on each floor

24 including the Proposed Roof will be converted for A2 Occupancy.

25 20. The initial plan check fee will cover the initial plan check and one recheck only.

26 Additional review required beyond the first recheck shall be paid for on an hourly

27 basis in accordance with the current City's fee schedule.

28 21. The second sheet of building plans is to list all conditions of approval and to include a

29 copy of the Planning Commission Decision letter. This information shall be

30 incorporated into the plans prior to the first submittal for plan check.

31 22. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance

32 of the building permit.

33 23. Art fee shall be paid to the City prior to issuance of the building Permit

1

24. Recycling deposit shall be filed prior to issuance of the building permit to the
2 satisfaction of the recycling coordinator.

3

25. Approval is required from the Los Angeles County Health Department for food
4 handling and/or storage.

5

26. Approval is required from the LA County Fire Department

6

27. Any proposed grease interceptor shall be installed in accordance with the current
7 Plumbing Code.

8

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

10

29. Structural calculations prepared under the direction of an architect, civil engineer or
11 structural engineer shall be provided.

12

30. The existing building area or portion thereof on the roof used exclusively for A-2
13 (restaurant) or A-1 (theater) or S-2 (storage) Occupancy, the applicant must provide
14 sufficient details and calculations to demonstrate the existing building in part or all
15 either has sufficient resistance strength or need to be strengthened for
accommodation to the proposed occupancies and in full compliance of current
governing building codes especially in seismic, accessibilities and fire safety and
prevention.

16

31. The applicant shall provide sufficient details and calculations to demonstrate (a) how
17 the roof runoff will be drained and discharged (b) the existing water main, sewer
18 main, gas main and the electrical services either will be suffice to support the
19 proposed occupancies or upgraded to ensure sufficient capacities will be provided for
the proposed uses and in compliance with the governing Building Codes. (c) The
door width and number of exits are in compliance with the current building codes for
exiting.

20

32. The proposed new (replacement) elevator shall comply with the requirements of CBC
21 Chapter 30 and 11B-206.6. State amendments require a gurney-size elevator for any
22 number of stories.

23

33. All State of California disability access regulations (Chapter 11B, CBC) for
accessibility and adaptability shall be complied with.

24

34. Electrical plan check is required. (20)Mechanical plan check is required.
(21)Plumbing plan check is required.

25

35. Plumbing fixtures shall be provided as required by the Chapter 4 of the California
26 Plumbing Code.

27

36. Project shall comply with the CalGreen Non Residential mandatory requirements.

1 37. Demolition permit is required for any existing buildings which are to be demolished.

2 38. All fire sprinkler hangers (existing and new) must be designed C16 subcontractor and
3 their locations approved by an engineer or an architect. Calculations must be
4 provided indicating that the hangers are designed to carry the tributary weight of the
5 water filled pipe plus a 250 pound point load. A plan indicating this information must
6 be stamped by the engineer or the architect and submitted for approval prior to
7 issuance of the building permit.

8 39. All fire alarms (existing and new) must be designed C16 subcontractor and their
9 locations approved by an engineer or an architect. All fire alarms must be accessible
10 and in compliance with Chapter 11B of CBC.

11 40. Separate permit is required for Fire Sprinklers and Fire Alarms

12 41. Provide EV Charge Station Parking Stalls in the proposed parking area and EV
13 Spaces (11B812.6.2) [Figure 11b.812.9] {CGBC 4.106.4.2.2} and the access aisle
14 shall not exceed 2% slope (1 vertical in 48 horizontal in any directions) (CGBC
15 4.106.4.2.2)

16 42. The applicant shall designate an area for Ride-Share Services pick-up /drop off area
17 or stalls in the proposed parking area.

18 43. On Sheet A-1 (Site Plan) applicant shall delineate all projecting elements, and show
19 distance to property line, or adjacent structures. The applicant shall provide a
20 Building Code Analysis in the PROJECT INFORMATION; and show compliance
21 including the justifications to exceed (a) the basic allowable floor areas listed in CBC
22 Table 506.2. (b) the number of stories or building height listed in CBC Table 504.4. as
23 the result of this proposed TI Project.

HUNTINGTON PARK POLICE DEPARTMENT

24 44. The operation for the establishment shall be limited to those activities and elements
25 expressly indicated on the permit application and approved by the City Council. Any
26 change in the operation, which exceeds the conditions of the approved permit will
27 require that a new permit application be submitted to the City Council for their review
28 and approval.

45. Noise emanating from the permittee's premises shall not be audible 50 feet or more
from the property line of the premises. The permittee shall be responsible for
determining how to best meet this requirement, either by keeping doors and windows
closed, limiting hours of entertainment, or by offering non-amplified entertainment.

46. The permittee shall not allow employees to discard trash or beer bottles into the
outside dumpster between the hours of 8 p.m. and 7 a.m. per section 9-3.507 HPMC.

47. The permittee shall take reasonable measures to prohibit and prevent the loitering of
persons immediately outside any of the entrance/exit doors and the parking lot, at all

1 times while open for business. This should be done by utilizing security guards and
2 signage with verbiage such as, "Please respect our neighbors", or something similar.
3 At the conclusion of each event, the permittee shall take reasonable measures to
4 ensure that exiting patrons walk directly to their vehicles and not loiter in the parking
5 lot or the immediate area.

6

7 48. Current occupancy loads shall be posted at all times.

8 49. The posting of flyers, and/or placards, or cards on windshields or similar literature,
9 advertising entertainment activities at the business including promotional events,
10 shall be strictly prohibited within the City of Huntington Park per HPMC sections 5-
11 1.02, 5-1.03, & 5-1.02.1. Violation of this condition shall be cause for the City Council
12 to take punitive action against the permittee, including revocation, suspension, or
13 modification of this permit.

14 50. The permittee shall maintain full compliance with all applicable laws, ABC laws,
15 ordinances, and stated conditions. In the event of a conflict between the
16 requirements of this permit, your conditional use permit, or your Alcoholic Beverage
17 Control license, the more stringent regulation shall apply.

18 51. The permittee shall be responsible for installing and maintaining a video surveillance
19 system that monitors no less than the front and rear of the business, with full view of
20 the public right-of-ways, and any parking lot under the control of the permittee.
21 These cameras shall record video for a minimum of 30 days.

22 52. The permittee agrees to reimburse the City of Huntington Park whenever excessive
23 police services, as determined by the Chief of Police, are required as the result of any
24 incident or nuisance arising out of, or in connection with the permittee's operations.

25 53. All promoters must have or obtain a City of Huntington Park Business License prior to
26 conducting entertainment activities governed by this permit. The permittee shall be
27 responsible for all entertainment activities at the location, including those conducted
28 by promoters.

54. The permittee must provide all promoters hired to conduct entertainment activities
with a copy of the approved permit, which shall include a copy of the approved
conditions of operation.

55. The surrounding area (exterior & parking lot) shall be illuminated in order to make
easily discernible the appearance and conduct of all person on or about the property.

56. The permittee shall be responsible for maintaining an adequate security staff to
supervise patrons inside the establishment and those waiting to enter. Potential
patrons awaiting entry in a defined "queue" shall be counted toward the calculation of
required security staffing levels. For crowds up to fifty (50) patrons, the permittee
shall provide a minimum of two (2) uniformed security guards. For crowds over (50)
fifty patrons, the permittee shall provide a minimum of one (1) additional uniformed
security guard per fifty (50) people. Should the permittee's operations give rise to a

1 substantial increase in complaints/calls for service, or trash left in the parking lot or
2 adjacent property, the permittee shall increase security as directed by the Chief of
3 Police.

4

5 57. Any lighting set up/used during the nighttime rooftop activities will at no time be
6 directed/focused at any of the residential properties in the surrounding areas.

7

8 58. Noncompliance with conditions: when the Chief of Police determines that permittee
9 has violated the terms of the permit, including the permittee's obligation to comply
10 with all other laws and regulations, but believes those violations can be remedied
11 through education and/or minor modifications to permittee's operation, permittee will
12 be asked to attend a meeting with the involved departments to address the
13 community concerns and discuss how additional restrictions and/or revocation can be
14 avoided.

15

16 59. Moreover, the City reserves the right to review the permittee's compliance with the
17 terms and conditions of this dance and entertainment permit and if necessary,
18 revoke, suspend or modify the permit if the conduct of the business staff and /or
19 customers creates problems as described in these conditions and subject to
20 regulations of the Huntington Park Municipal Code.

21 **CODE ENFORCEMENT**

22

23 60. No loitering and no trespassing signs shall be posted around the perimeter of the
24 building in compliance with Section 602(o) the California Penal Code.

25

26 61. The applicant shall provide routine maintenance to eliminate any trash or litter around
27 the perimeter of the property.

28

29 62. Adequate lighting shall be provided to illuminate all driveways and driveway aisles.

30

31 63. That all future temporary or permanent signage shall be approved by the City prior to
32 installation, pursuant to the Huntington Park Municipal Code.

33 **LOS ANGELES COUNTY FIRE DEPARTMENT**

34

35 64. All requirements, as deemed necessary by the Los Angeles County Fire Department
36 during the Plan Check Process, shall be complied with.

37 **ADDITIONAL CONDITIONS OF APPROVAL**

38

39 65. All proposed mechanical equipment and appurtenances, including satellite dishes,
40 gutters, etc., whether located on the rooftop, ground level or anywhere on the
41 property shall be completely shielded/enclosed so as not to be visible from any public
42 street and/or adjacent properties. Such shielding/enclosure of facilities shall be of
43 compatible design related to the building structure for which such facilities are
44 intended to serve and shall be installed prior to final building inspection.

66. The applicant shall provide adequate on-site security at all times to ensure safety of patrons and maintenance of the property. Security Plan shall be submitted and approved by the Planning Division.
67. All amplified sound at the rooftop shall use the speaker system analyzed in the noise study. The system shall use a hardware or software volume limiter to ensure sound volume levels remain consistent with the maximum sound levels specified in the HPMC.
68. Security officers shall take reasonable measures to ensure that food vendors do not loiter in the immediate area.
69. The initial building permit submittal for improvements to the building shall include the complete set of interior and exterior improvements at the first floor. No final approval or certificate of occupancy for the basement or rooftop shall be given prior to the final approval/certificate of occupancy for the complete set of interior improvements for the first floor restaurant/sports bar and complete set of exterior improvements at the first floor.
70. This conditional use permit approval shall supersede Case No. 2018-06 (governing the second floor nightclub) when a final approval/certificate of occupancy has been granted for the complete set of interior improvements for the first floor restaurant/sports bar and complete set of exterior improvements at the first floor.
71. Any change of ownership of any uses in the Conditional Use Permit shall render the Conditional Use Permit revokeable and a new Conditional Use Permit shall be sought by the new owner/ operator, at the new owner/operator's expense.
72. All hours of operation shall be at the discretion of the planning commission. Changes in hours of operation by the operator will require the operator to return to the planning commission with a 30 day notice for review and approval. Changes in hours requested by the commission shall require a 10 day notification to the operator/owner and a hearing to amend the hours shall be conducted by the Planning Commission.
73. That the business owner(s) (Applicant) and property owner agree in writing to the above conditions.

PLANNING DIVISION SPECIAL CONDITIONS

74. The applicant is required to pay required in-lieu parking fees for each deficient off-street parking spaces or provide a parking program to the satisfaction of the Community Development Director.
75. Conditional Use Permit/ Development Permit Case No. 2021-02 shall expire February 12, 2024.

SECTION 5: This resolution shall not become effective until 16 days after the final date of decision rendered by the Planning Commission, unless an appeal to the City Council is timely filed. The decision of the Planning Commission shall be stayed until final determination of the appeal has been made by the City Council.

SECTION 6: The Secretary of the Planning Commission shall certify to the adoption of this resolution and a copy thereof shall be filed with the City Clerk.

PASSED, APPROVED, AND ADOPTED this 17th day of January, 2024, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

HUNTINGTON PARK PLANNING COMMISSION

Jonathan Sanabria, Chair

ATTEST:

Steve Forster, Secretary

PLANNING COMMISSION STAFF REPORT

OCTOBER 12, 2022

EXHIBIT B

CASE NO. 2021-02A CUP/DP



CITY OF HUNTINGTON PARK

PLANNING DIVISION AGENDA REPORT

DATE: OCTOBER 12, 2022

TO: CHAIRPERSON AND MEMBERS OF THE PLANNING COMMISSION

ATTN: STEVE FORSTER, DIRECTOR OF COMMUNITY DEVELOPMENT

FROM: CHRISTIAN ESPINOZA, CONTRACT PLANNER

SUBJECT: PLANNING COMMISSION CASE NO. 2021-02 CUP/DP
(CONDITIONAL USE PERMIT, DEVELOPMENT PERMIT)

REQUEST: A REQUEST FOR A CONDITIONAL USE PERMIT AND DEVELOPMENT PERMIT TO ALLOW EXPANSION OF THE EXISTING SECOND FLOOR NIGHTCLUB OPERATIONS THROUGHOUT THE BUILDING, BY ADDING OUTDOOR DINING/CINEMA/ENTERTAINMENT ON THE ROOF, RESTAURANT WITH SPORTS BAR ON THE GROUND FLOOR, AND NIGHTCLUB IN THE BASEMENT, WITH EXTERIOR ALTERATIONS TO ACCOMMODATE THE NEW USES AT 6901 PACIFIC BOULEVARD, WITHIN DISTRICT B (FESTIVAL ZONE) OF THE DOWNTOWN HUNTINGTON PARK SPECIFIC PLAN.

APPLICANT: Jesus Gallegos
2045 Las Lomitas Drive,
Hacienda Heights, CA 91745

PROPERTY OWNER: Jose Luis Solorzano

**PROPERTY OWNER'S
MAILING ADDRESS:** 10063 Mattock Avenue,
Downey, CA 90240

PROJECT LOCATION: 6901 Pacific Avenue

**ASSESSOR'S
PARCEL NUMBER:** 6322-023-016

PRESENT USE: Nightclub with On-Sale of Alcohol and Swap-meet

PROPOSED IMPROVEMENT: Interior and Exterior Tenant Improvement

SITE SIZE: 14,595 square feet

GENERAL PLAN: Downtown Specific Plan (DTSP)

ZONE: Downtown Specific Plan (DTSP)
District B – Festival District

SURROUNDING LAND USES:
North: District B – Festival District
West: District C – Neighborhood District
South: District B – Festival District
East: District B – Festival District

MUNICIPAL CODE APPLICABILITY OF REQUIREMENTS FOR CONDITIONAL PERMIT:
In accordance with Chapter 4, Article 6, Section 9-4.602, and Downtown Specific Plan Section 4-6; Nightclubs are allowable in the Festival District of the Downtown Specific Plan (DTSP), subject to the approval of a Conditional Use Permit.
Theaters are allowable in the Festival District of the DTSP subject to the approval of a Conditional Use Permit.
Restaurants are allowable in the Festival District of the Downtown Specific Plan, subject to the approval of a Business License. On-sale of alcohol subject to the approval of a Conditional Use Permit.

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.

**REQUIRED FINDINGS
FOR A DEVELOPMENT
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 DP application in whole or in part, with or without conditions, 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, 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 development use 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; and
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.

**ENVIRONMENTAL
REVIEW:**

Categorically Exempt pursuant to Article 19, Section 15332, Infill Development Projects, Class 32 of the California Environmental Quality Act (CEQA) Guidelines.

**PROJECT
BACKGROUND:**

- ***July 27, 2022 Planning Commission Meeting***

Due to lack of quorum, Planning Commission continued this item to a Regular Meeting on September 21, 2022.

- ***July 27, 2022 Public Testimony***

The Applicant's representative spoke in favor of his proposed use of the site.

A resident neighbor spoke against the applicant's proposed use of the site.

- ***Site Description***

The subject site is located on the southwest corner of Pacific Avenue and Saturn Avenue. The subject site measures approximately 14,595 square-feet. The subject site is developed with an existing two-story commercial building utilizing the entirety of the property. A majority of the first floor of the existing building is currently occupied by a swap meet area with more than 28 vendors. The second floor is operated by a nightclub "Ibiza," which operates exclusively on the second floor. The basement of the existing structure, formerly an arcade, exists as storage area for the rest of the property. The subject site is surrounded by commercial use to the north, residential to the west, commercial to the south and commercial to the east.

- ***Project Proposal***

The applicant, Mr. Jesus Gallegos, is proposing to expand the nightclub use of the existing building by creating a restaurant use and sports bar the ground floor, expanding the nightclub areas to the basement, and creating a rooftop dining area to alternatively function as a Cinema and an area for special events by reservation. The project will be operated by two businesses with separate business licenses and alcohol permits. One business will be the existing Ibiza nightclub operating in conjunction with the basement nightclub, and the second business will operate the ground floor restaurant with the sports bar, and the rooftop cinema with the open air lounge and dance floor.

The applicant proposes tenant improvements on the interior to facilitate each use such as the modification of the layout to accommodate a restaurant on the first floor including seating, kitchen areas, new restrooms, and a separate isolated area for a sports bar. In addition, the applicant proposes to reconfigure the layout of the rooftop to allow for special events and outdoor cinema, including tenant improvements such as outdoor seating, relocating rooftop equipment, and tempered glass railings. Lastly, the

applicant is proposing a basement restaurant and nightclub with proposed tenant improvements such as seating, restrooms and a new dance floor and an elevator.

- ***Business Operation***

The existing Ibiza is operated as a nightclub and has been in operation since May of 2015. Currently, Ibiza is a second story nightclub with a dance floor and seating area. According to the previous business license, Ibiza offers services such as dance and entertainment, and on-sale of alcohol. The existing site also contains a multi-tenant business operation on the first floor, permitted in 2018 for 24 vendors through a Conditional Use Permit and a basement storage area. The existing business currently has a staff of at least 13 employees per floor operating the kitchen areas and as wait staff, composed of servers, cooks, bussers, bartenders and assistant managers. Staff subject to change as the business adapts to the workflow. 53 staff members are proposed for the first shift, and 58 staff members proposed for the second shift, not including general managers nor live entertainment. Hours of operation for the business are from 9:00 p.m. to 2:00 a.m. on Thursday through Saturday on the second floor. Additionally, Ibiza caters to private/special events Monday through Sunday from 3:00 pm to 2:00 am. The business currently offers dining, dancing, and live entertainment.

ANALYSIS:

- ***Project Proposal***

The Project proposes to expand the nightclub use across the entire building. The business expansion includes the use of a proposed restaurant and sports bar on the ground floor, a basement restaurant and nightclub use, and a rooftop cinema with outdoor dining, special event area and nightclub. The existing second floor nightclub use will continue to operate as is.

Tenant improvements include installation of restrooms on all floors, new kitchen areas on all floors, and elevators to make all floors accessible. On the ground floor, the applicant proposes a new sushi bar and a new stage area for live entertainment, new seating areas, office areas and

an isolated sports bar from the main restaurant area. The applicant also proposes a 1,877 Square-foot dance floor in the basement area in addition to new sitting areas and office areas. Lastly, the applicant proposes a new area on the rooftop for use for special events, a nightclub and an outdoor cinema, using a retractable projector screen, with tenant improvements including new seating areas, a storage area, tempered glass railings and the relocation of all rooftop equipment.

The applicant proposes an exterior tenant improvement to reface the building's color and appearance. The applicant is proposing new street-level window and door improvements to remove rollup doors from the side fronting Pacific Boulevard, a small patio area at the northeast corner of the business which allows for entrance into the restaurant area and a separate entrance for the sports bar entrance. Additionally, the applicant proposes a new side entrance for the restaurant area only. Lastly, parapet walls are to be improved and a new tempered glass railing is proposed on the rooftop.

- ***Business Operation Plan***

The applicant is proposing to maintain the nightclub use on the second floor. In addition, the applicant is proposing to expand the uses throughout the building on 6901 Pacific Boulevard. Each business on each floor will provide a tenant improvement, as outlined below. Each business owner will possess and maintain an alcohol license and a business license in addition to any additional credentials are required by the City of Huntington Park and the State of California. The applicant proposes the following:

Basement Level Restaurant and Nightclub:

Hours of Operation:

11:00 a.m. – 9:00 p.m.	Restaurant	(All Ages)
9:00 p.m. – 2 a.m.	Nightclub	(Age 21+)

The business owner of the proposed nightclub will be **GJ United** and proposes to provide live entertainment. The kitchen is to remain open throughout nightclub hours. Interior tenant improvements for the proposed basement level nightclub will include the installation of a 1,877 square-foot dance floor, installation of new seating areas

throughout the floor, including VIP seating areas, new bar areas, a new elevator, and new restrooms to facilitate the use of basement restaurant and nightclub. During nightclub hours, the basement floor shall be accessible to patrons over the age of 21.

Ground Level Restaurant:

Hours of Operation:

11:00 a.m. to 1:00 a.m. (All Ages)

The business owner of the proposed restaurant will be **Jesus Gallegos** and proposes to provide live entertainment, "Japanese Fusion" restaurant services and entertainment such as jazz groups, mariachi, a DJ, etc. The business operations will be accessible to patrons of all ages, and will operate as a "family restaurant." The proposed ground level restaurant will be isolated from the accessory sports bar.

Ground Level Sports Bar

Hours of Operation:

11:00 a.m. to 2:00 a.m. (Ages 21+)

The business owner and alcohol license holder will be **Jesus Gallegos**. The applicant proposes an isolated area separate from the restaurant use for the use of a sports bar with services including providing alcoholic drinks and beverages. Business operations will be restricted to patrons above the age of 21 only.

2nd Floor Nightclub (Existing):

Hours of Operation:

11:00 a.m. to 9:00 p.m. (All Ages)

9:00 a.m. – 2:00 p.m. (Ages 18+)

The business owner and operator of the second story nightclub will be **GJ United**. The applicant proposes to continue live entertainment and DJ services to provide entertainment for restaurant. The business plan of operations is to be continued, and no changes are proposed to this floor except in hours of operation, and no tenant improvements are proposed at this level. Business operations limited to patrons of age 18 and above during the nightclub hours.

Rooftop Cinema:

Hours of Operation:

Restaurant/ Cinema/ Movie: (All Ages)
Monday - Saturday - 11:00 a.m. to 8:00 p.m.

Nightclub: (Ages 21+)
Thursday – Saturday - 9:00 p.m. to 2:00 a.m.

Special Events: (Ages 21+)
Sunday - 11:00 a.m. to 8:00 p.m.

Private Bookings/ Special Occasions: (All Ages)
Friday – Saturday – 11:00 a.m. to 2:00 a.m.

The business owner of the proposed rooftop cinema will be **Jesus Gallegos** and will provide a multi-purpose area for use for a rooftop dining area, a rooftop cinema and a rooftop nightclub area, that will alternate between functions. During the hours operating as outdoor dining and cinema, business operations are proposed for patrons of all ages and will provide the restaurant menu as that of the ground floor. After 9:00 p.m., the rooftop area will operate as a nightclub between Monday through Saturday. On Sundays, the rooftop area will be designated as a special event area and will be limited to operating for patrons above the age of 21 (twenty-one). Business operations will end early Sunday night at 8:00 p.m. Private bookings not for general public, such as quinceañeras, weddings, anniversaries, birthdays, and special movie screenings may allow all ages.

The proposed business plan proposes that the business are to be operated by two separate business owners, each responsible for overseeing of their respective businesses, licenses, and verifying that security is sufficient. The proposed business operators will each be required to have a valid Alcohol License obtained by the Department of Alcohol and Beverage Control (ABC) and will each be responsible for the maintenance and upkeep of any other license and permit required by the City of Huntington Park. The ABC Licenses will be utilized and strict guidelines/rules to require showing proof of age limit requirements.

- ***Valet Plan***

The applicant has proposed to enter an agreement with the City of Huntington Park to utilize a parking lot located on Rugby Avenue, between Saturn Avenue and Zoe Avenue. The parking structure contains ninety-six (96) parking spaces. This property will be accessible through the valet service and will be used as the primary mode of parking for the nightclub use during the hours of operation. There is no currently no agreement between Ibiza and the City of Huntington Park allowing for the applicant to utilize the city owned parking lots.

The applicant indicates that the primary mode of transportation for patrons is currently ride-share service such as Uber and Lyft.

The proposed transfer of the patron's vehicle to valet service is proposed to be on the north side of Saturn Avenue, a loading zone with a minimum dimensions of not less than ten (10) feet in width, twenty-five (25) feet in length, with fourteen (14) feet of vertical clearance.

The proposed return transfer of a vehicle from the valet service to the patron is proposed to be on the south side of Saturn, a loading zone with a minimum dimension of not less than ten (10) feet in width, twenty-five (25) feet in length, with fourteen (14) feet of vertical clearance.

- ***Off-Street Parking and Loading***

Per the Downtown Specific Plan Section 4-4.9, dance halls/night clubs require one parking space per 100 square feet of assembly seating area and one parking space per 400 square feet of non-assembly area.

The parking calculations are summarized in the following table:

Off-Street Parking Requirement		
Parking Standards	Required	Provided
Basement Seating Area	9,603 Square-feet /100 = 96	0
Basement Non-Seating Area	4,992 Square-feet /400 = 12.48	0

First Floor Seating Area	8,893 Square-feet /100 = 88.93	0
First Floor Non-Seating Area	5,507 Square-feet /400 = 13.76	0
Second Floor Seating Area	9,665 Square-feet /100 = 96.65	0
Second Floor Non-Seating Area	5,507 Square-feet /400 = 12.32	0
Rooftop Seating Area	No Parking Required = 0	0
Rooftop Non-Seating Area	6,247 Square-feet /100 = 62.47	0
Total	388 spaces	0

In addition, Section 9-3.703 of the HPMC, requires that commercial uses with more than 25,000 square feet of gross floor area provide three (3) loading spaces. Additional loading spaces may be required by the Planning Commission. A total of three (3) loading spaces is provided by the applicant.

The proposed Project provided no off-street parking spaces on the property. Therefore, the proposed project is deficient 388 parking spaces for the entirety of the property. Since the proposed project does not provide for sufficient off-street parking, the Applicant has the option of paying a parking in-lieu fee for each parking space that is deficient.

The applicant has proposed to enter an agreement with the City of Huntington Park to utilize a parking lot located on Rugby Avenue, between Saturn Avenue and Zoe Avenue. The parking lot contains ninety-six (96) parking spaces. This property will be accessible through the valet service and will be used as the primary mode of parking for the nightclub use during the hours of operation. It should be of note that the agreement is not finalized at this time and

failure to fully execute the agreement with all parties will leave the property deficient of additional parking spaces.

In addition, seven (7) metered parking spaces are provided on Pacific Boulevard. A parking lot adjacent to the subject property currently provides twenty (20) parking spaces. Four (4) spaces are being proposed to be converted into a loading zone and a trash enclosure area, allowing only sixteen (16) spaces eligible for use.

Finally, the applicant shall pay the City for use of the public parking, valet service areas and fees in an amount determined by the City Manager, in addition to any in-lieu fees.

- ***Noise Study***

The applicant submitted a noise study prepared by a licensed engineer for City review. Due to the concerning nature of outdoor speakers, specific equipment will be required to operate at an amount to not exceed the maximum decibel level permissible at the property line.

Pursuant to section 9-3.507(1), Noise level from operating an audio producing or reproducing device shall be limited to sixty-five (65) dBA as established by the general plan at the property line between the hours of 10:00 p.m. and 7:00 a.m. The noise study measured the decibel levels at various locations. A breakdown from the noise study has been provided below;

Location		Decibel Levels
Location 1	North Parapet Wall, fronting Saturn Avenue	61.3
Location 2	Northernmost segment of East Elevation, fronting Pacific Boulevard	64.9
Location 3	Center of Southern Elevation, Fronting Commercial Use Business	47.8
Location 4	Center of Western Elevation, Fronting Commercial Use Business and a Parking Lot	38.7

Based on the analysis of the noise study the estimated combined noise levels of the speakers and audio producing devices will be no greater than thirty-nine (39) dBA, nearest the side closest to residential use property southwest of the subject property. According to the noise study, the existing building, which is built of concrete material creates a buffer or barrier for noise. After review of the noise study, it has been determined that the project will not exceed the allowable noise level of 65 decibels (Exhibit E).

In addition, a condition of approval has been included that indicates that noise from the businesses at 6901 Pacific Boulevard shall not be audible from fifty (50) feet away from the property line. This may be accomplished by providing non-amplified entertainment, closing of windows/doors or limiting the hours of entertainment.

- ***Environmental Review***

Categorically Exempt pursuant to Article 19, Section 15332, Infill Development Projects, Class 32 of the California Environmental Quality Act (CEQA) Guidelines.

- ***Security Plan***

According to the security plan submitted by the applicant, the applicant hired a combination of in-house security as well as with a third-party security. The proposed security plan includes security guards, surveillance cameras and general policies.

A condition of approval specified by Huntington Park Police Department has indicated that the minimum ratio of security is as follows:

- Basement to have 1 guard per 50 patrons, with a minimum of 4 guards present at all hours of operation.
- Restaurant to have 1 guard minimum present at all hours of operation.
- Sports bar to have 1 guard minimum present at all hours of operation.
- Second floor to have 1 guard per 50 patrons, with a minimum of 4 guards present at all hours of operation.
- Rooftop Cinema, special event, or nightclub to have 1 guard per 50 patrons, with a minimum of 4 guards present at all hours of operation.

Huntington Park Police Department has not expressed concerns regarding this this security plan operation of the business.

- ***Condition Use Permit Findings***

In granting a Conditional Use Permit to allow the expansion of the use of a nightclub, a new restaurant, and a new rooftop cinema with the possibility for special events, 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 nightclubs and cinema are conditionally permitted within the subject zoning district. The subject zoning district is Downtown Huntington Park Specific Plan—Festival District (DTSP District B) and the proposed Project will not impair the integrity and character of the zoning district as it will comply with all of the applicable provisions of the Huntington Park Municipal Code and Downtown Huntington Park Specific Plan as conditioned.

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

Finding: The proposed nightclubs and cinema are consistent with the General Plan, specifically, the proposed uses are consistent with Goal 1.0; Policy 1.2 of the Land Use Element of the General Plan by encouraging community-oriented retail development while continuing to revitalize Pacific Boulevard as a regional retail destination. It is also consistent with Goal 6.0; Policy 6.1 in that it provides visual penetration at the ground level and incorporates pedestrian-oriented ground floor uses.

- 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: Proposed Project is Categorically Exempt pursuant to Article 19, section 15332 (Infill Development Projects) 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 proposed expansion of the nightclub use is adjacent to a major arterial street. The traffic study prepared for the Project concluded that the nightclub would not have a significant impact on traffic. The noise study prepared for the project concluded that the rooftop speaker system can be operated in compliance with the Huntington Park Municipal Code and in a way that is not objectionable to nearby properties. Peak parking demand is expected to occur in the late evening which is somewhat offset from the existing peak parking demand time earlier in the day. With the implementation of conditions of approval, the design, location, size, and operating characteristics of the proposed nightclub is not expected to be detrimental to the public health, safety and welfare of the City. The proposed project as conditioned will be harmonious and compatible with the existing commercial uses presently located within the vicinity and zoning district.

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

Finding: The proposed nightclub use expansion is adjacent to a major arterial street in a downtown urban environment. The proposed physical improvements to the building (which occupies the entire site) will comply

with all development standards and will also comply with the relevant building codes to ensure safety and adequate pedestrian ingress and egress will exist on the site.

- 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: Pedestrian access to the site would be provided from Saturn Avenue and Pacific Boulevard. Conditions of approval ensure that patrons can access the site through parking in City lots and ridesharing. The demand on public services of the nightclub will be similar to other typical commercial uses such as restaurants. 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 public access, water, sanitation, or other public utilities and services.

- ***Development Permit Findings***

In granting a Development Permit to allow the development for the proposed project as described herein, the Planning Commission must make findings in connection with a Development Permit, as set forth in the Huntington Park Municipal Code (HPMC). 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: The proposed nightclub uses and cinema are conditionally permitted within the subject zoning district. The subject zoning district is Downtown Huntington Park Specific Plan—Festival District (DTSP District B) and the proposed project will not impair the integrity and character of the zoning district as it will comply with all

of the applicable provisions of the Huntington Park Municipal Code and Downtown Huntington Park Specific Plan, including prescribed development standards as conditioned. In addition, the proposed project will be of a similar use as the existing business. Lastly, the proposed project is in compliance with the requirements of the HPMC and the DTSP.

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

Finding: The proposed nightclubs and cinema is consistent with the General Plan, specifically, the proposed use is consistent with Goal 1.0; Policy 1.2 of the Land Use Element of the General Plan by encouraging community-oriented retail development while continuing to revitalize Pacific Boulevard as a regional retail destination. It is also consistent with Goal 6.0; Policy 6.1 in that it provides visual penetration at the ground level and incorporates pedestrian-oriented ground floor uses.

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 proposed development adequately meets all City standards and design guidelines. Staff can make all Design Review findings for the project as it has undergone Design Review with staff and with the implementation of conditions of approval, will be harmonious and compatible with existing and planned future developments within the zoning district and general area.

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: Proposed Project is Categorically Exempt pursuant to Article 19, section 15332 (Infill Development Projects) 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: The proposed nightclub use expansion is adjacent to a major arterial street in a downtown urban environment. The proposed physical improvements to the building (which occupies the entire site) will comply with all development standards and will also comply with the relevant building codes to ensure safety and adequate pedestrian ingress and egress will exist on the site. The subject site is surrounded by commercial uses to the north, east, west and south.

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

Finding: Pedestrian access to the site would be provided from Saturn Avenue and Pacific Boulevard. Conditions of approval ensure that patrons can access the site through parking in City lots and ridesharing. The demand on public services of the nightclub will be similar to other typical commercial uses such as restaurants. 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 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 proposed expansion of the nightclub uses are adjacent to a major arterial street. The traffic study prepared for the project concluded that the proposed nightclub uses would not have a significant impact on traffic. The noise study prepared for the project concluded that the rooftop speaker system can be operated in compliance with the Huntington Park

Municipal Code and in a way that is not objectionable to nearby properties. Peak parking demand is expected to occur in the late evening which is somewhat offset from the existing peak parking demand time earlier in the day. With the implementation of conditions of approval, the design, location, size, and operating characteristics of the proposed nightclub is not expected to be detrimental to the public health, safety and welfare of the City. The proposed project as conditioned will be harmonious and compatible with the existing commercial uses presently located within the vicinity and zoning district.

CONCLUSION:

Based on the above analysis, staff has determined that the with the recommended conditions of approval, the proposed project complies with the HPMC and all of the required findings in support of a Conditional Use Permit and a Development Permit can be made.

RECOMMENDATION:

Based on the evidence presented, it is the recommendation of Planning Division Staff that the Planning Commission **approve Case No. 2021-02 CUP/DP**, 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, 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 uses 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 uses 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 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.
6. That the establishment come into a parking agreement with the City of Huntington Park, in order to utilize the parking structure located on Rugby Avenue, designated by Assessor's Parcel Number 6322-003-900, the valet loading areas as proposed by the applicant adjacent on Saturn Street, the parking lot located directly west of the subject property, designated with the Assessor's Parcel Number 6322-023-902, and the seven (7) metered spots on Pacific Boulevard.
7. That the operator(s) shall obtain/amend its City of Huntington Park Business Licenses prior to commencing business operations.
8. 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.
9. 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.
10. That the violation of any of the conditions of this entitlement may result in a citation(s) and/or the revocation of the entitlement.
11. 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.

12. That the Applicant be required to apply for a new entitlement if any alteration, modification, or expansion would result in an increase to the assembly area of the nightclub.
13. 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.
14. That if the use ceases to operate for a period of six (6) months the entitlement shall be null and void.
15. 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.
16. That the Applicant shall comply with all applicable property development standards including, but not limited to, outdoor storage, fumes and vapors, property maintenance, and noise.
17. 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.

BUILDING AND SAFETY

18. This conditional approval/acceptance is subject to the approvals from other departments including and may not be limited to the Planning Division, Public Works Engineering Division, Code Enforcement, LA County Health Department and LA County Fire Department.
19. This review shall not be construed as Plan Check approval due to lacking of construction details and calculations.
20. Outline on the plans, clearly and boldly, floor by floor or portion thereof designed for loads exceeding 50 psf, such design live loads shall be conspicuously posted using durable signs. CBC 106.1 Also state on the Plans, A certificate of occupancy required by section CBC 111 shall not be issued until the floor load signs, required by section 106.1 have been installed. CBC 106.2
21. Provide occupancy loads, floor by floor, shall be posted at all times on each floor including the Proposed Roof will be converted for A2 Occupancy.

22. 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 City's fee schedule.
23. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
24. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
25. Art fee shall be paid to the City prior to issuance of the building Permit
26. Recycling deposit shall be filed prior to issuance of the building permit to the satisfaction of the recycling coordinator.
27. Approval is required from the Los Angeles County Health Department for food handling and/or storage.
28. Approval is required from the LA County Fire Department
29. Any proposed grease interceptor shall be installed in accordance with the current Plumbing Code.
30. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
31. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
32. The existing building area or portion thereof on the roof used exclusively for A-2 (restaurant) or A-1 (theater) or S-2 (storage) Occupancy, the applicant must provide sufficient details and calculations to demonstrate the existing building in part or all either has sufficient resistance strength or need to be strengthened for accommodation to the proposed occupancies and in full compliance of current governing building codes especially in seismic, accessibilities and fire safety and prevention.
33. The applicant shall provide sufficient details and calculations to demonstrate (a) how the roof runoff will be drained and discharged (b) the existing water main, sewer main, gas main and the electrical services either will be suffice to support the proposed occupancies or upgraded to ensure sufficient capacities will be provided for the proposed uses and in compliance with the governing Building Codes. (c) The door width and number of exits are in compliance with the current building codes for exiting.

34. The proposed new (replacement) elevator shall comply with the requirements of CBC Chapter 30 and 11B-206.6. State amendments require a gurney-size elevator for any number of stories.
35. All State of California disability access regulations (Chapter 11B, CBC) for accessibility and adaptability shall be complied with.
36. Electrical plan check is required. (20)Mechanical plan check is required. (21)Plumbing plan check is required.
37. Plumbing fixtures shall be provided as required by the Chapter 4 of the California Plumbing Code.
38. Project shall comply with the CalGreen Non Residential mandatory requirements.
39. Demolition permit is required for any existing buildings which are to be demolished.
40. All fire sprinkler hangers (existing and new) must be designed C16 subcontractor and their locations approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250 pound point load. A plan indicating this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.
41. All fire alarms (existing and new) must be designed C16 subcontractor and their locations approved by an engineer or an architect. All fire alarms must be accessible and in compliance with Chapter 11B of CBC.
42. Separate permit is required for Fire Sprinklers and Fire Alarms
43. Provide EV Charge Station Parking Stalls in the proposed parking area and EV Spaces (11B812.6.2) [Figure 11b.812.9] {CGBC 4.106.4.2.2} and the access aisle shall not exceed 2% slope (1 vertical in 48 horizontal in any directions) (CGBC 4.106.4.2.2)
44. The applicant shall designate an area for Ride-Share Services pick-up /drop off area or stalls in the proposed parking area.
45. On Sheet A-1 (Site Plan) applicant shall delineate all projecting elements, and show distance to property line, or adjacent structures. The applicant shall provide a Building Code Analysis in the PROJECT INFORMATION; and show compliance including the justifications to exceed (a) the basic allowable floor areas listed in CBC Table 506.2. (b) the number of stories or building height listed in CBC Table 504.4. as the result of this proposed TI Project.

46. The operation for the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any change in the operation, which exceeds the conditions of the approved permit will require that a new permit application be submitted to the City Council for their review and approval.
47. Noise emanating from the permittee's premises shall not be audible 50 feet or more from the property line of the premises. The permittee shall be responsible for determining how to best meet this requirement, either by keeping doors and windows closed, limiting hours of entertainment, or by offering non-amplified entertainment.
48. The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 8 p.m. and 7 a.m. per section 9-3.507 HPMC.
49. The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors and the parking lot, at all times while open for business. This should be done by utilizing security guards and signage with verbiage such as, "Please respect our neighbors", or something similar. At the conclusion of each event, the permittee shall take reasonable measures to ensure that exiting patrons walk directly to their vehicles and not loiter in the parking lot or the immediate area.
50. Current occupancy loads shall be posted at all times.
51. The posting of flyers, and/or placards, or cards on windshields or similar literature, advertising entertainment activities at the business including promotional events, shall be strictly prohibited within the City of Huntington Park per HPMC sections 5-1.02, 5-1.03, & 5-1.02.1. Violation of this condition shall be cause for the City Council to take punitive action against the permittee, including revocation, suspension, or modification of this permit.
52. The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances, and stated conditions. In the event of a conflict between the requirements of this permit, your conditional use permit, or your Alcoholic Beverage Control license, the more stringent regulation shall apply.
53. The permittee shall be responsible for installing and maintaining a video surveillance system that monitors no less than the front and rear of the business, with full view of the public right-of-ways, and any parking lot under the control of the permittee. These cameras shall record video for a minimum of 30 days.
54. The permittee agrees to reimburse the City of Huntington Park whenever excessive police services, as determined by the Chief of Police, are required as the result of any incident or nuisance arising out of, or in connection with the permittee's operations.

55. All promoters must have or obtain a City of Huntington Park Business License prior to conducting entertainment activities governed by this permit. The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters.
56. The permittee must provide all promoters hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
57. The surrounding area (exterior & parking lot) shall be illuminated in order to make easily discernible the appearance and conduct of all person on or about the property.
58. The permittee shall be responsible for maintaining an adequate security staff to supervise patrons inside the establishment and those waiting to enter. Potential patrons awaiting entry in a defined "queue" shall be counted toward the calculation of required security staffing levels. For crowds up to fifty (50) patrons, the permittee shall provide a minimum of two (2) uniformed security guards. For crowds over (50) fifty patrons, the permittee shall provide a minimum of one (1) additional uniformed security guard per fifty (50) people. Should the permittee's operations give rise to a substantial increase in complaints/calls for service, or trash left in the parking lot or adjacent property, the permittee shall increase security as directed by the Chief of Police.
59. Any lighting set up/used during the nighttime rooftop activities will at no time be directed/focused at any of the residential properties in the surrounding areas.
60. Noncompliance with conditions: when the Chief of Police determines that permittee has violated the terms of the permit, including the permittee's obligation to comply with all other laws and regulations, but believes those violations can be remedied through education and/or minor modifications to permittee's operation, permittee will be asked to attend a meeting with the involved departments to address the community concerns and discuss how additional restrictions and/or revocation can be avoided.
61. Moreover, the City reserves the right to review the permittee's compliance with the terms and conditions of this dance and entertainment permit and if necessary, revoke, suspend or modify the permit if the conduct of the business staff and /or customers creates problems as described in these conditions and subject to regulations of the Huntington Park Municipal Code.

CODE ENFORCEMENT

62. No loitering and no trespassing signs shall be posted around the perimeter of the building in compliance with Section 602(o) the California Penal Code.
63. The applicant shall provide routine maintenance to eliminate any trash or litter around the perimeter of the property.

64. That all future temporary or permanent signage shall be approved by the City prior to installation, pursuant to the Huntington Park Municipal Code.

LOS ANGELES COUNTY FIRE DEPARTMENT

65. All requirements, as deemed necessary by the Los Angeles County Fire Department during the Plan Check Process, shall be complied with.

ADDITIONAL CONDITIONS OF APPROVAL

66. All 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 final building inspection.
67. The applicant shall provide adequate on-site security at all times to ensure safety of patrons and maintenance of the property. Security Plan shall be submitted and approved by the Planning Division.
68. Prior to the issuance of permits, the applicant shall enter into an agreement with the City regarding the periodic use of street parking spaces for valet parking at the south curb of Saturn Avenue and passenger pick-up and drop-off at the north curb of Saturn Avenue, the loading zone and trash enclosures at the City parking lot located directly west of the subject property, and for the applicant to fund/install and maintain any necessary improvements (e.g., signage, curb painting).
69. All amplified sound at the rooftop shall use the speaker system analyzed in the noise study. The system shall use a hardware or software volume limiter to ensure sound volume levels remain consistent with the maximum sound levels specified in the HPMC.
70. Security officers shall take reasonable measures to ensure that food vendors do not loiter in the immediate area.
71. The initial building permit submittal for improvements to the building shall include the complete set of interior and exterior improvements at the first floor. No final approval or certificate of occupancy for the basement or rooftop shall be given prior to the final approval/certificate of occupancy for the complete set of interior improvements for the first floor restaurant/sports bar and complete set of exterior improvements at the first floor.
72. This conditional use permit approval shall supersede Case No. 2018-06 (governing the second floor nightclub) when a final approval/certificate of occupancy has been

granted for the complete set of interior improvements for the first floor restaurant/sports bar and complete set of exterior improvements at the first floor.

73. Any change of ownership of any uses in the Conditional Use Permit shall render the Conditional Use Permit revokeable and a new Conditional Use Permit shall be sought by the new owner/ operator, at the new owner/operator's expense.
74. All hours of operation shall be at the discretion of the planning commission. Changes in hours of operation by the operator will require the operator to return to the planning commission with a 30 day notice for review and approval. Changes in hours requested by the commission shall require a 10 day notification to the operator/owner and a hearing to amend the hours shall be conducted by the Planning Commission.
75. That the business owner(s) (Applicant) and property owner agree in writing to the above conditions.

EXHIBITS:

- A: PC Resolution No. 2021-02 CUP/DP
- B: Project Plans
- C: Proposed Valet Plans
- D: Business Operation
- E: Noise Study
- F: Traffic Study
- G: Security Plan
- H: Vicinity Map
- I: Assessor's Parcel Map

**CASE NO. 2021-02 CONDITIONAL USE
PERMIT/ DEVELOPMENT PERMIT
SIGNED ACTION LETTER**

EXHIBIT C

CASE NO. 2021-02A CUP / DP



Community Development Department

May 10, 2023

Attn: Jesus Gallegos
2045 Los Lomitas Drive
Hacienda Heights, CA 91745

RE: Notice of Planning Commission's Decision to Approve a Conditional Use Permit and Development Permit to allow the expansion of an existing nightclub, include outdoor dining, rooftop cinema, and restaurant with sports bar at 6901 Pacific Blvd within the Downtown Huntington Park Specific Plan – District B.

Dear Mr. Gallegos:

At a special meeting held on October 12, 2022, the Huntington Park Planning Commission held a public hearing on your request for a Conditional Use Permit and Development Permit No. 2021-02 to allow the expansion of an existing nightclub, include outdoor dining, rooftop cinema, and restaurant with sports bar at 6901 Pacific Blvd within the Downtown Huntington Park Specific Plan – District B.

After conducting the public hearing, the Planning Commission deliberated and voted to approve the Conditional Use Permit and Development Permit with conditions, making the findings set forth in Resolution No. 2021-02, a copy of which is enclosed.

Please be advised that the Planning Commission's decision, as reflected in Resolution No. 2021-02, shall be final sixteen (16) days after the date of this notice of decision pursuant to Section 9-2.2309 of the Huntington Park Municipal Code unless an appeal is timely filed in the office of the City Clerk within fifteen (15) days after the date of the notice of decision in accordance with Section 9-2.2312.

Should you have any questions, please feel free to contact me via email at LQuintero@hpcgov.

Sincerely,

A handwritten signature in black ink, appearing to read "Lemessis Quintero".

Lemessis Quintero
Associate Planner

Attachment: Planning Commission Resolution No. 2021-02

**CONDITIONS OF APPROVAL
PC CASE NO. 2021-02 CUP/ DP**

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, 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 uses 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.

Initials: Property Owner JS

Applicant JL

City YR

Exhibit A – Conditions of Approval
Planning Commission Case No. 2021-02 CUP/ DP
Page 3 of 10
May 10, 2023

4. That the uses 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 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.
6. That the establishment come into a parking agreement with the City of Huntington Park, in order to utilize the parking structure located on Rugby Avenue, designated by Assessor's Parcel Number 6322-003-900, the valet loading areas as proposed by the applicant adjacent on Saturn Street, the parking lot located directly west of the subject property, designated with the Assessor's Parcel Number 6322-023-902, and the seven (7) metered spots on Pacific Boulevard.
7. That the operator(s) shall obtain/amend its City of Huntington Park Business Licenses prior to commencing business operations.
8. 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.
9. 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.
10. That the violation of any of the conditions of this entitlement may result in a citation(s) and/or the revocation of the entitlement.
11. 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

Initials: Property Owner JS

Applicant JG

City YR

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

12. That the Applicant be required to apply for a new entitlement if any alteration, modification, or expansion would result in an increase to the assembly area of the nightclub.
13. 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.
14. That if the use ceases to operate for a period of six (6) months the entitlement shall be null and void.
15. 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.
16. That the Applicant shall comply with all applicable property development standards including, but not limited to, outdoor storage, fumes and vapors, property maintenance, and noise.
17. 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.

BUILDING AND SAFETY

18. This conditional approval/acceptance is subject to the approvals from other departments including and may not be limited to the Planning Division, Public Works Engineering Division, Code Enforcement, LA County Health Department and LA County Fire Department.
19. This review shall not be construed as Plan Check approval due to lacking of construction details and calculations.

Initials: Property Owner JS Applicant JO City YR

Exhibit A – Conditions of Approval
Planning Commission Case No. 2021-02 CUP/ DP
Page 5 of 10
May 10, 2023

20. Outline on the plans, clearly and boldly, floor by floor or portion thereof designed for loads exceeding 50 psf, such design live loads shall be conspicuously posted using durable signs. CBC 106.1 Also state on the Plans, A certificate of occupancy required by section CBC 111 shall not be issued until the floor load signs, required by section 106.1 have been installed. CBC 106.2
21. Provide occupancy loads, floor by floor, shall be posted at all times on each floor including the Proposed Roof will be converted for A2 Occupancy.
22. 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 City's fee schedule.
23. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
24. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
25. Art fee shall be paid to the City prior to issuance of the building Permit
26. Recycling deposit shall be filed prior to issuance of the building permit to the satisfaction of the recycling coordinator.
27. Approval is required from the Los Angeles County Health Department for food handling and/or storage.
28. Approval is required from the LA County Fire Department
29. Any proposed grease interceptor shall be installed in accordance with the current Plumbing Code.
30. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.

Initials: Property Owner JS

Applicant JS

City YR

31. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
32. The existing building area or portion thereof on the roof used exclusively for A-2 (restaurant) or A-1 (theater) or S-2 (storage) Occupancy, the applicant must provide sufficient details and calculations to demonstrate the existing building in part or all either has sufficient resistance strength or need to be strengthened for accommodation to the proposed occupancies and in full compliance of current governing building codes especially in seismic, accessibilities and fire safety and prevention.
33. The applicant shall provide sufficient details and calculations to demonstrate (a) how the roof runoff will be drained and discharged (b) the existing water main, sewer main, gas main and the electrical services either will be suffice to support the proposed occupancies or upgraded to ensure sufficient capacities will be provided for the proposed uses and in compliance with the governing Building Codes. (c) The door width and number of exits are in compliance with the current building codes for exiting.
34. The proposed new (replacement) elevator shall comply with the requirements of CBC Chapter 30 and 11B-206.6. State amendments require a gurney-size elevator for any number of stories.
35. All State of California disability access regulations (Chapter 11B, CBC) for accessibility and adaptability shall be complied with.
36. Electrical plan check is required. (20)Mechanical plan check is required. (21)Plumbing plan check is required.
37. Plumbing fixtures shall be provided as required by the Chapter 4 of the California Plumbing Code.
38. Project shall comply with the CalGreen Non Residential mandatory requirements.
39. Demolition permit is required for any existing buildings which are to be demolished.

Initials: Property Owner JP

Applicant JK

City YR

Exhibit A – Conditions of Approval
Planning Commission Case No. 2021-02 CUP/ DP
Page 7 of 10
May 10, 2023

40. All fire sprinkler hangers (existing and new) must be designed C16 subcontractor and their locations approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250 pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.
41. All fire alarms (existing and new) must be designed C16 subcontractor and their locations approved by an engineer or an architect. All fire alarms must be accessible and in compliance with Chapter 11B of CBC.
42. Separate permit is required for Fire Sprinklers and Fire Alarms
43. Provide EV Charge Station Parking Stalls in the proposed parking area and EV Spaces (11B812.6.2) [Figure 11b.812.9] {CGBC 4.106.4.2.2} and the access aisle shall not exceed 2% slope (1 vertical in 48 horizontal in any directions) (CGBC 4.106.4.2.2)
44. The applicant shall designate an area for Ride-Share Services pick-up /drop off area or stalls in the proposed parking area.
45. On Sheet A-1 (Site Plan) applicant shall delineate all projecting elements, and show distance to property line, or adjacent structures. The applicant shall provide a Building Code Analysis in the PROJECT INFORMATION; and show compliance including the justifications to exceed (a) the basic allowable floor areas listed in CBC Table 506.2. (b) the number of stories or building height listed in CBC Table 504.4. as the result of this proposed TI Project.

HUNTINGTON PARK POLICE DEPARTMENT

46. The operation for the establishment shall be limited to those activities and elements expressly indicated on the permit application and approved by the City Council. Any

Initials: Property Owner JB

Applicant JG

City YH

change in the operation, which exceeds the conditions of the approved permit will require that a new permit application be submitted to the City Council for their review and approval.

47. Noise emanating from the permittee's premises shall not be audible 50 feet or more from the property line of the premises. The permittee shall be responsible for determining how to best meet this requirement, either by keeping doors and windows closed, limiting hours of entertainment, or by offering non-amplified entertainment.
48. The permittee shall not allow employees to discard trash or beer bottles into the outside dumpster between the hours of 8 p.m. and 7 a.m. per section 9-3.507 HPMC.
49. The permittee shall take reasonable measures to prohibit and prevent the loitering of persons immediately outside any of the entrance/exit doors and the parking lot, at all times while open for business. This should be done by utilizing security guards and signage with verbiage such as, "Please respect our neighbors", or something similar. At the conclusion of each event, the permittee shall take reasonable measures to ensure that exiting patrons walk directly to their vehicles and not loiter in the parking lot or the immediate area.
50. Current occupancy loads shall be posted at all times.
51. The posting of flyers, and/or placards, or cards on windshields or similar literature, advertising entertainment activities at the business including promotional events, shall be strictly prohibited within the City of Huntington Park per HPMC sections 5-1.02, 5-1.03, & 5-1.02.1. Violation of this condition shall be cause for the City Council to take punitive action against the permittee, including revocation, suspension, or modification of this permit.
52. The permittee shall maintain full compliance with all applicable laws, ABC laws, ordinances, and stated conditions. In the event of a conflict between the requirements of

Initials: Property Owner 57 Applicant JB City YR

Exhibit A – Conditions of Approval
Planning Commission Case No. 2021-02 CUP/ DP
Page 9 of 10
May 10, 2023

this permit, your conditional use permit, or your Alcoholic Beverage Control license, the more stringent regulation shall apply.

53. The permittee shall be responsible for installing and maintaining a video surveillance system that monitors no less than the front and rear of the business, with full view of the public right-of-ways, and any parking lot under the control of the permittee. These cameras shall record video for a minimum of 30 days.
54. The permittee agrees to reimburse the City of Huntington Park whenever excessive police services, as determined by the Chief of Police, are required as the result of any incident or nuisance arising out of, or in connection with the permittee's operations.
55. All promoters must have or obtain a City of Huntington Park Business License prior to conducting entertainment activities governed by this permit. The permittee shall be responsible for all entertainment activities at the location, including those conducted by promoters.
56. The permittee must provide all promoters hired to conduct entertainment activities with a copy of the approved permit, which shall include a copy of the approved conditions of operation.
57. The surrounding area (exterior & parking lot) shall be illuminated in order to make easily discernible the appearance and conduct of all person on or about the property.
58. The permittee shall be responsible for maintaining an adequate security staff to supervise patrons inside the establishment and those waiting to enter. Potential patrons awaiting entry in a defined "queue" shall be counted toward the calculation of required security staffing levels. For crowds up to fifty (50) patrons, the permittee shall provide a minimum of two (2) uniformed security guards. For crowds over (50) fifty patrons, the permittee shall provide a minimum of one (1) additional uniformed security guard per fifty (50) people. Should the permittee's operations give rise to a substantial increase in

Initials: Property Owner JS

Applicant JS

City YB

complaints/calls for service, or trash left in the parking lot or adjacent property, the permittee shall increase security as directed by the Chief of Police.

59. Any lighting set up/used during the nighttime rooftop activities will at no time be directed/focused at any of the residential properties in the surrounding areas.
60. Noncompliance with conditions: when the Chief of Police determines that permittee has violated the terms of the permit, including the permittee's obligation to comply with all other laws and regulations, but believes those violations can be remedied through education and/or minor modifications to permittee's operation, permittee will be asked to attend a meeting with the involved departments to address the community concerns and discuss how additional restrictions and/or revocation can be avoided.
61. Moreover, the City reserves the right to review the permittee's compliance with the terms and conditions of this dance and entertainment permit and if necessary, revoke, suspend or modify the permit if the conduct of the business staff and /or customers creates problems as described in these conditions and subject to regulations of the Huntington Park Municipal Code.

CODE ENFORCEMENT

62. No loitering and no trespassing signs shall be posted around the perimeter of the building in compliance with Section 602(o) the California Penal Code.
63. The applicant shall provide routine maintenance to eliminate any trash or litter around the perimeter of the property.
64. Adequate lighting shall be provided to illuminate all driveways and driveway aisles.
65. That all future temporary or permanent signage shall be approved by the City prior to installation, pursuant to the Huntington Park Municipal Code.

Initials: Property Owner jj

Applicant JG

City Yh

LOS ANGELES COUNTY FIRE DEPARTMENT

66. All requirements, as deemed necessary by the Los Angeles County Fire Department during the Plan Check Process, shall be complied with.

ADDITIONAL CONDITIONS OF APPROVAL

67. All 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 final building inspection.
68. The applicant shall provide adequate on-site security at all times to ensure safety of patrons and maintenance of the property. Security Plan shall be submitted and approved by the Planning Division.
69. Prior to the issuance of permits, the applicant shall enter into an agreement with the City regarding the periodic use of street parking spaces for valet parking at the south curb of Saturn Avenue and passenger pick-up and drop-off at the north curb of Saturn Avenue, the loading zone and trash enclosures at the City parking lot located directly west of the subject property, and for the applicant to fund/install and maintain any necessary improvements (e.g., signage, curb painting).
70. All amplified sound at the rooftop shall use the speaker system analyzed in the noise study. The system shall use a hardware or software volume limiter to ensure sound volume levels remain consistent with the maximum sound levels specified in the HPMC.
71. Security officers shall take reasonable measures to ensure that food vendors do not loiter in the immediate area.

Initials: Property Owner JS

Applicant JG

City JH

Exhibit A – Conditions of Approval
Planning Commission Case No. 2021-02 CUP/ DP
Page 12 of 10
May 10, 2023

72. The initial building permit submittal for improvements to the building shall include the complete set of interior and exterior improvements at the first floor. No final approval or certificate of occupancy for the basement or rooftop shall be given prior to the final approval/certificate of occupancy for the complete set of interior improvements for the first floor restaurant/sports bar and complete set of exterior improvements at the first floor.
73. This conditional use permit approval shall supersede Case No. 2018-06 (governing the second floor nightclub) when a final approval/certificate of occupancy has been granted for the complete set of interior improvements for the first floor restaurant/sports bar and complete set of exterior improvements at the first floor.
74. Any change of ownership of any uses in the Conditional Use Permit shall render the Conditional Use Permit revocable and a new Conditional Use Permit shall be sought by the new owner/ operator, at the new owner/operator's expense.
75. All hours of operation shall be at the discretion of the planning commission. Changes in hours of operation by the operator will require the operator to return to the planning commission with a 30 day notice for review and approval. Changes in hours requested by the commission shall require a 10 day notification to the operator/owner and a hearing to amend the hours shall be conducted by the Planning Commission.
76. That the business owner(s) (Applicant) and property owner agree in writing to the above conditions.

Initials: Property Owner JP Applicant JK City YK

Exhibit A – Conditions of Approval
Planning Commission Case No. 2021-02 CUP/ DP
Page 13 of 10
May 10, 2023

CONDITIONS OF APPROVAL ACCEPTANCE AFFIDAVIT:

I/We hereby accept and agree to comply with all the conditions of approval contained herein and outlined in Conditional Use Permit No. 2021-02.

PROPERTY OWNER

Jose Luis Soler Jose Luis Soler 1-8-23
PRINT NAME SIGNATURE DATE

APPLICANT

Jesus Gallups Jesus Gallups 1-8-23
PRINT NAME SIGNATURE DATE

Initials: Property Owner JS Applicant JS City YR

PC RESOLUTION NO. 2021-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT AND DEVELOPMENT PERMIT IN CONNECTION WITH REAL PROPERTY AT 6901 PACIFIC BOULEVARD, HUNTINGTON PARK, CALIFORNIA.

WHEREAS, a public hearing was held in the City Hall, 6550 Miles Avenue, Huntington Park, California on Wednesday, July 27, 2022 at 6:30 p.m., pursuant to the notice published and posted as required by law in accordance with the provisions of the Huntington Park Municipal Code (HPMC), and continues to a special meeting held on September October 12, 2022, upon an application from Jesus Gallegos, requesting approval of a Conditional Use Permit and Development Permit to allow expansion of the existing nightclub use throughout the building, including outdoor dining, cinema, and entertainment on the roof, restaurant with sports bar on the ground floor, and nightclub in the basement at 6901 Pacific Boulevard; and

WHEREAS, the Planning Division has reviewed the request and has found that all of the required findings for approval of a Conditional Use Permit and Development Permit including Design Review findings can be made as required by the Municipal Code; 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 and Development 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 such comments, were reviewed by the Planning Commission; and

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

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

1 **SECTION 1:** Based on the evidence in the staff report, traffic study, and noise study
2 submitted for the project, the Planning Commission finds that the project, as proposed,
3 will have a less-than-significant impact on the environment and finds that the project is
4 exempt from the California Environmental Quality Act (CEQA Guidelines, Section 15332,
5 In-Fill Development Projects).

6 **SECTION 2:** The Planning Commission hereby makes all of the following required
7 findings for a Conditional Use Permit in connection with Case No. 2021-02:

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

11 **Finding:** The proposed nightclubs and cinema uses are conditionally permitted
12 within the subject zoning district. The subject zoning district is Downtown
13 Huntington Park Specific Plan—Festival District (DTSP-B) and the proposed
14 project will not impair the integrity and character of the zoning district as it will
15 comply with all of the applicable provisions of the Huntington Park Municipal Code
16 and Downtown Huntington Park Specific Plan as conditioned.

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

18 **Finding:** The proposed nightclubs and cinema are consistent with the General
19 Plan, specifically, the proposed uses are consistent with Goal 1.0; Policy 1.2 of
20 the Land Use Element of the General Plan by encouraging community-oriented
21 retail development while continuing to revitalize Pacific Boulevard as a regional
22 retail destination. It is also consistent with Goal 6.0; Policy 6.1 in that it provides
23 visual penetration at the ground level and incorporates pedestrian-oriented ground
24 floor uses.

25 3. **The approval of the Conditional Use Permit for the proposed use is in
26 compliance with the requirements of the California Environmental Quality
27 Act (CEQA) and the City's Guidelines.**

28 **Finding:** Proposed Project is Categorically Exempt pursuant to Article 19, section

1 15332 (Infill Development Projects) of the California Environmental Quality Act
2 (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 proposed expansion of the nightclub use is adjacent to a major
11 arterial street on a site of 14,595 square feet. The traffic study prepared for the
12 project concluded that the nightclub would not have a significant impact on traffic.
13 The noise study prepared for the project concluded that the rooftop speaker
14 system can be operated in compliance with the Huntington Park Municipal Code
15 and in a way that is not objectionable to nearby properties. Peak parking demand
16 is expected to occur in the late evening which is somewhat offset from the existing
17 peak parking demand time earlier in the day. With the implementation of
18 conditions of approval, the design, location, size, and operating characteristics of
19 the proposed nightclubs are not expected to be detrimental to the public health,
20 safety and welfare of the City. The proposed project as conditioned will be
21 harmonious and compatible with the existing commercial uses presently located
22 within the vicinity and zoning district.

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

25 **Finding:** The proposed nightclub use expansion is adjacent to a major arterial
26 street on a site of 14,595 square feet in a downtown urban environment. The
27 proposed physical improvements to the building (which occupies the entire site)
28 will comply with all development standards and will also comply with the relevant

1 building codes to ensure safety and adequate pedestrian ingress and egress will
2 exist on the site.

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

6 **Finding:** Pedestrian access to the site would be provided from Saturn Avenue
7 and Pacific Boulevard. Conditions of approval ensure that patrons can access the
8 site through parking in City lots and ridesharing. The demand on public services
9 of the nightclub will be similar to other typical commercial uses such as
10 restaurants. Given that the surrounding area is already completely developed
11 with public access, water, sanitation, and other public utilities, the proposed
12 project would not affect these infrastructures or require any types of modifications.
13 In addition, the proposed project would not impede public access, water,
14 sanitation, or other public utilities and services.

15 **SECTION 3.** The Planning Commission hereby makes all of the following required
16 findings for a Development Permit in connection with Case No. 2021-02:

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

20 **Finding:** The proposed nightclub uses and cinema are conditionally permitted
21 within the subject zoning district. The subject zoning district is Downtown
22 Huntington Park Specific Plan—Festival District (DTSP-B) and the proposed
23 project will not impair the integrity and character of the zoning district as it will
24 comply with all of the applicable provisions of the Huntington Park Municipal Code
25 and Downtown Huntington Park Specific Plan, including prescribed development
26 standards as conditioned. In addition, the proposed project will be of a similar use
27 as the existing business. Lastly, the proposed project is in compliance with the
28 requirements of the HPMC and the DTSP.

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

2 **Finding:** The proposed nightclub and cinema is consistent with the General Plan,
3 specifically, the proposed use is consistent with Goal 1.0; Policy 1.2 of the Land
4 Use Element of the General Plan by encouraging community-oriented retail
5 development while continuing to revitalize Pacific Boulevard as a regional retail
6 destination. It is also consistent with Goal 6.0; Policy 6.1 in that it provides visual
7 penetration at the ground level and incorporates pedestrian-oriented ground floor
8 uses.

9 **3. The proposed development would be harmonious and compatible with
10 existing and planned future developments within the zoning district and
11 general area, as well as with the land uses presently on the subject
12 property.**

13 **Finding:** The proposed development adequately meets all City standards and
14 design guidelines. Staff can make all Design Review findings for the project as it
15 has undergone Design Review with staff and with the implementation of
16 conditions of approval, will be harmonious and compatible with existing and
17 planned future developments within the zoning district and general area.

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

21 **Finding:** Proposed Project is Categorically Exempt pursuant to Article 19, section
22 15332 (Infill Development Projects) of the California Environmental Quality Act
23 (CEQA) Guidelines.

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

26 **Finding:** The proposed nightclub use expansion is adjacent to a major arterial
27 street on a site of 14,595 square feet in a downtown urban environment. The
28 proposed physical improvements to the building (which occupies the entire site)

1 will comply with all development standards and will also comply with the relevant
2 building codes to ensure safety and adequate pedestrian ingress and egress will
3 exist on the site. The subject site is surrounded by commercial uses to the north,
4 east, west and south.

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

8 **Finding:** Pedestrian access to the site would be provided from Saturn Avenue
9 and Pacific Boulevard. Conditions of approval ensure that patrons can access the
10 site through parking in City lots and ridesharing. The demand on public services
11 of the nightclub will be similar to other typical commercial uses such as
12 restaurants. Given that the surrounding area is already completely developed
13 with public access, water, sanitation, and other public utilities, the proposed
14 project would not affect these infrastructures or require any types of modifications.
15 In addition, the proposed project would not impede public access, water,
16 sanitation, or other public utilities and services.

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

20 **Finding:** The proposed expansion of the nightclub uses are adjacent to a major
21 arterial street on a site of 14,595 square feet. The traffic study prepared for the
22 project concluded that the proposed nightclub uses would not have a significant
23 impact on traffic. The noise study prepared for the project concluded that the
24 rooftop speaker system can be operated in compliance with the Huntington Park
25 Municipal Code and in a way that is not objectionable to nearby properties. Peak
26 parking demand is expected to occur in the late evening which is somewhat offset
27 from the existing peak parking demand time earlier in the day. With the
28 implementation of conditions of approval, the design, location, size, and operating

1 characteristics of the proposed nightclub is not expected to be detrimental to the
2 public health, safety and welfare of the City. The proposed project as conditioned
3 will be harmonious and compatible with the existing commercial uses presently
4 located within the vicinity and zoning district.

5 **SECTION 4:** The Planning Commission hereby approves Case No. 2021-02 subject
6 to the following conditions:

7

8 **CONDITIONS OF APPROVAL**

9

10 **PLANNING**

11

12 1. That the property owner and Applicant shall indemnify, protect, hold harmless and
13 defend the City and any agency or instrumentality thereof, its officers, employees and
14 agents from all claims, actions, or proceedings against the City to attack, set aside,
15 void, annul, or seek damages arising out of an approval of the City, or any agency or
16 commission thereof, concerning this project. City shall promptly notify both the
17 property owner and Applicant of any claim, action, or proceeding to which this
18 condition is applicable. The City shall cooperate in the defense of the action, while
19 reserving its right to act as it deems to be in the best interest of the City and the
20 public. The property owner and Applicant shall defend, indemnify and hold harmless
21 the City for all costs and fees incurred in additional investigation or study, or for
22 supplementing or revising any document, including, without limitation, environmental
23 documents. If the City's legal counsel is required to enforce any condition of approval,
24 the Applicant shall pay for all costs of enforcement, including legal fees.

25 2. Except as set forth in subsequent conditions, all-inclusive, and subject to department
26 corrections and conditions, the property shall be developed substantially in
27 accordance with the applications, environmental assessment, and plans submitted.

28

- 1 3. That the proposed uses shall comply with all applicable City, County, State and
- 2 Federal codes, laws, rules, and regulations, including Health, Building and Safety,
- 3 Fire, Sign, Zoning, and Business License.
- 4 4. That the uses be conducted, and the property be maintained, in a clean, neat, quiet,
- 5 and orderly manner at all times and comply with the property maintenance standards
- 6 as set forth in Section 9-3.103.18 and Title 8, Chapter 9 of the Huntington Park
- 7 Municipal Code.
- 8 5. 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 6. That the establishment come into a parking agreement with the City of Huntington
- 11 Park, in order to utilize the parking structure located on Rugby Avenue, designated by
- 12 Assessor's Parcel Number 6322-003-900, the valet loading areas as proposed by the
- 13 applicant adjacent on Saturn Street, the parking lot located directly west of the
- 14 subject property, designated with the Assessor's Parcel Number 6322-023-902, and
- 15 the seven (7) metered spots on Pacific Boulevard.
- 16 7. That the operator(s) shall obtain/amend its City of Huntington Park Business
- 17 Licenses prior to commencing business operations.
- 18 8. That the Applicants comply with all of the provisions of Title 7, Chapter 9 of the
- 19 Huntington Park Municipal Code relating to Storm Water Management. The
- 20 Applicants shall also comply with all requirements of the National Pollutant Discharge
- 21 Elimination System (NPDES), Model Programs, developed by the County of Los
- 22 Angeles Regional Water Quality Board. This includes compliance with the City's Low
- 23 Impact Development (LID) requirements.
- 24 9. 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 10. That the violation of any of the conditions of this entitlement may result in a citation(s)
- 27 and/or the revocation of the entitlement.

11. That this entitlement may be subject to additional conditions after its original
2 issuance. Such conditions shall be imposed by the City Planning Commission as
3 deemed appropriate to address problems of land use compatibility, operations,
4 aesthetics, security, noise, safety, crime control, or to promote the general welfare of
5 the City.
6. That the Applicant be required to apply for a new entitlement if any alteration,
7 modification, or expansion would result in an increase to the assembly area of the
8 nightclub.
9. That this entitlement shall expire in the event it is not exercised within one (1) year
10 from the date of approval, unless an extension has been granted by the Planning
11 Commission.
12. That if the use ceases to operate for a period of six (6) months the entitlement shall
13 be null and void.
14. That should the operation of this establishment be granted, deemed, conveyed,
15 transferred, or should a change in management or proprietorship occur at any time,
16 this Conditional Use Permit shall be reviewed.
17. That the Applicant shall comply with all applicable property development standards
18 including, but not limited to, outdoor storage, fumes and vapors, property
19 maintenance, and noise.
20. The Director of Community Development is authorized to make minor modifications
21 to the approved preliminary plans or any of the conditions if such modifications shall
22 achieve substantially the same results, as would strict compliance with said plans and
23 conditions.

24 25 **BUILDING AND SAFETY**

27. 18. This conditional approval/acceptance is subject to the approvals from other
28 departments including and may not be limited to the Planning Division, Public Works

1 Engineering Division, Code Enforcement, LA County Health Department and LA
2 County Fire Department.

3 19. This review shall not be construed as Plan Check approval due to lacking of
4 construction details and calculations.

5 20. Outline on the plans, clearly and boldly, floor by floor or portion thereof designed for
6 loads exceeding 50 psf, such design live loads shall be conspicuously posted using
7 durable signs. CBC 106.1 Also state on the Plans, A certificate of occupancy required
8 by section CBC 111 shall not be issued until the floor load signs, required by section
9 106.1 have been installed. CBC 106.2

10 21. Provide occupancy loads, floor by floor, shall be posted at all times on each floor
11 including the Proposed Roof will be converted for A2 Occupancy.

12 22. The initial plan check fee will cover the initial plan check and one recheck only.
13 Additional review required beyond the first recheck shall be paid for on an hourly
14 basis in accordance with the current City's fee schedule.

15 23. The second sheet of building plans is to list all conditions of approval and to include a
16 copy of the Planning Commission Decision letter. This information shall be
17 incorporated into the plans prior to the first submittal for plan check.

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

20 25. Art fee shall be paid to the City prior to issuance of the building Permit

21 26. Recycling deposit shall be filed prior to issuance of the building permit to the
22 satisfaction of the recycling coordinator.

23 27. Approval is required from the Los Angeles County Health Department for food
24 handling and/or storage.

25 28. Approval is required from the LA County Fire Department

26 29. Any proposed grease interceptor shall be installed in accordance with the current
27 Plumbing Code.

28

- 1 30. In accordance with paragraph 5538(b) of the California Business and Professions
2 Code, plans are to be prepared and stamped by a licensed architect.
- 3 31. Structural calculations prepared under the direction of an architect, civil engineer or
4 structural engineer shall be provided.
- 5 32. The existing building area or portion thereof on the roof used exclusively for A-2
6 (restaurant) or A-1 (theater) or S-2 (storage) Occupancy, the applicant must provide
7 sufficient details and calculations to demonstrate the existing building in part or all
8 either has sufficient resistance strength or need to be strengthened for
9 accommodation to the proposed occupancies and in full compliance of current
10 governing building codes especially in seismic, accessibilities and fire safety and
11 prevention.
- 12 33. The applicant shall provide sufficient details and calculations to demonstrate (a) how
13 the roof runoff will be drained and discharged (b) the existing water main, sewer
14 main, gas main and the electrical services either will be suffice to support the
15 proposed occupancies or upgraded to ensure sufficient capacities will be provided for
16 the proposed uses and in compliance with the governing Building Codes. (c) The
17 door width and number of exits are in compliance with the current building codes for
18 exiting.
- 19 34. The proposed new (replacement) elevator shall comply with the requirements of CBC
20 Chapter 30 and 11B-206.6. State amendments require a gurney-size elevator for any
21 number of stories.
- 22 35. All State of California disability access regulations (Chapter 11B, CBC) for
23 accessibility and adaptability shall be complied with.
- 24 36. Electrical plan check is required. (20)Mechanical plan check is required.
25 (21)Plumbing plan check is required.
- 26 37. Plumbing fixtures shall be provided as required by the Chapter 4 of the California
27 Plumbing Code.
- 28 38. Project shall comply with the CalGreen Non Residential mandatory requirements.

- 1 39. Demolition permit is required for any existing buildings which are to be demolished.
- 2 40. All fire sprinkler hangers (existing and new) must be designed C16 subcontractor and
3 their locations approved by an engineer or an architect. Calculations must be
4 provided indicating that the hangers are designed to carry the tributary weight of the
5 water filled pipe plus a 250 pound point load. A plan indication this information must
6 be stamped by the engineer or the architect and submitted for approval prior to
7 issuance of the building permit.
- 8 41. All fire alarms (existing and new) must be designed C16 subcontractor and their
9 locations approved by an engineer or an architect. All fire alarms must be accessible
10 and in compliance with Chapter 11B of CBC.
- 11 42. Separate permit is required for Fire Sprinklers and Fire Alarms
- 12 43. Provide EV Charge Station Parking Stalls in the proposed parking area and EV
13 Spaces (11B812.6.2) [Figure 11b.812.9] {CGBC 4.106.4.2.2} and the access aisle
14 shall not exceed 2% slope (1 vertical in 48 horizontal in any directions) (CGBC
15 4.106.4.2.2)
- 16 44. The applicant shall designate an area for Ride-Share Services pick-up /drop off area
17 or stalls in the proposed parking area.
- 18 45. On Sheet A-1 (Site Plan) applicant shall delineate all projecting elements, and show
19 distance to property line, or adjacent structures. The applicant shall provide a
20 Building Code Analysis in the PROJECT INFORMATION; and show compliance
21 including the justifications to exceed (a) the basic allowable floor areas listed in CBC
22 Table 506.2. (b) the number of stories or building height listed in CBC Table 504.4. as
23 the result of this proposed TI Project.

24

25 **HUNTINGTON PARK POLICE DEPARTMENT**

26

- 27 46. The operation for the establishment shall be limited to those activities and elements
28 expressly indicated on the permit application and approved by the City Council. Any

1 change in the operation, which exceeds the conditions of the approved permit will
2 require that a new permit application be submitted to the City Council for their review
3 and approval.

4 47. Noise emanating from the permittee's premises shall not be audible 50 feet or more
5 from the property line of the premises. The permittee shall be responsible for
6 determining how to best meet this requirement, either by keeping doors and windows
7 closed, limiting hours of entertainment, or by offering non-amplified entertainment.

8 48. The permittee shall not allow employees to discard trash or beer bottles into the
9 outside dumpster between the hours of 8 p.m. and 7 a.m. per section 9-3.507 HPMC.

10 49. The permittee shall take reasonable measures to prohibit and prevent the loitering of
11 persons immediately outside any of the entrance/exit doors and the parking lot, at all
12 times while open for business. This should be done by utilizing security guards and
13 signage with verbiage such as, "Please respect our neighbors", or something similar.
14 At the conclusion of each event, the permittee shall take reasonable measures to
15 ensure that exiting patrons walk directly to their vehicles and not loiter in the parking
16 lot or the immediate area.

17 50. Current occupancy loads shall be posted at all times.

18 51. The posting of flyers, and/or placards, or cards on windshields or similar literature,
19 advertising entertainment activities at the business including promotional events,
20 shall be strictly prohibited within the City of Huntington Park per HPMC sections 5-
21 1.02, 5-1.03, & 5-1.02.1. Violation of this condition shall be cause for the City Council
22 to take punitive action against the permittee, including revocation, suspension, or
23 modification of this permit.

24 52. The permittee shall maintain full compliance with all applicable laws, ABC laws,
25 ordinances, and stated conditions. In the event of a conflict between the
26 requirements of this permit, your conditional use permit, or your Alcoholic Beverage
27 Control license, the more stringent regulation shall apply.

28

- 1 53. The permittee shall be responsible for installing and maintaining a video surveillance
- 2 system that monitors no less than the front and rear of the business, with full view of
- 3 the public right-of-ways, and any parking lot under the control of the permittee.
- 4 These cameras shall record video for a minimum of 30 days.
- 5 54. The permittee agrees to reimburse the City of Huntington Park whenever excessive
- 6 police services, as determined by the Chief of Police, are required as the result of any
- 7 incident or nuisance arising out of, or in connection with the permittee's operations.
- 8 55. All promoters must have or obtain a City of Huntington Park Business License prior to
- 9 conducting entertainment activities governed by this permit. The permittee shall be
- 10 responsible for all entertainment activities at the location, including those conducted
- 11 by promoters.
- 12 56. The permittee must provide all promoters hired to conduct entertainment activities
- 13 with a copy of the approved permit, which shall include a copy of the approved
- 14 conditions of operation.
- 15 57. The surrounding area (exterior & parking lot) shall be illuminated in order to make
- 16 easily discernible the appearance and conduct of all person on or about the property.
- 17 58. The permittee shall be responsible for maintaining an adequate security staff to
- 18 supervise patrons inside the establishment and those waiting to enter. Potential
- 19 patrons awaiting entry in a defined "queue" shall be counted toward the calculation of
- 20 required security staffing levels. For crowds up to fifty (50) patrons, the permittee
- 21 shall provide a minimum of two (2) uniformed security guards. For crowds over (50)
- 22 fifty patrons, the permittee shall provide a minimum of one (1) additional uniformed
- 23 security guard per fifty (50) people. Should the permittee's operations give rise to a
- 24 substantial increase in complaints/calls for service, or trash left in the parking lot or
- 25 adjacent property, the permittee shall increase security as directed by the Chief of
- 26 Police.
- 27 59. Any lighting set up/used during the nighttime rooftop activities will at no time be
- 28 directed/focused at any of the residential properties in the surrounding areas.

1 60. Noncompliance with conditions: when the Chief of Police determines that permittee
2 has violated the terms of the permit, including the permittee's obligation to comply
3 with all other laws and regulations, but believes those violations can be remedied
4 through education and/or minor modifications to permittee's operation, permittee will
5 be asked to attend a meeting with the involved departments to address the
6 community concerns and discuss how additional restrictions and/or revocation can be
7 avoided.

8 61. Moreover, the City reserves the right to review the permittee's compliance with the
9 terms and conditions of this dance and entertainment permit and if necessary,
10 revoke, suspend or modify the permit if the conduct of the business staff and /or
11 customers creates problems as described in these conditions and subject to
12 regulations of the Huntington Park Municipal Code.

13

14 **CODE ENFORCEMENT**

15

16 62. No loitering and no trespassing signs shall be posted around the perimeter of the
17 building in compliance with Section 602(o) the California Penal Code.

18 63. The applicant shall provide routine maintenance to eliminate any trash or litter around
19 the perimeter of the property.

20 64. Adequate lighting shall be provided to illuminate all driveways and driveway aisles.

21 65. That all future temporary or permanent signage shall be approved by the City prior to
22 installation, pursuant to the Huntington Park Municipal Code.

23

24 **LOS ANGELES COUNTY FIRE DEPARTMENT**

25

26 66. All requirements, as deemed necessary by the Los Angeles County Fire Department
27 during the Plan Check Process, shall be complied with.

1 **ADDITIONAL CONDITIONS OF APPROVAL**

2

3 67. All proposed mechanical equipment and appurtenances, including satellite dishes,
4 gutters, etc., whether located on the rooftop, ground level or anywhere on the
5 property shall be completely shielded/enclosed so as not to be visible from any public
6 street and/or adjacent properties. Such shielding/enclosure of facilities shall be of
7 compatible design related to the building structure for which such facilities are
8 intended to serve and shall be installed prior to final building inspection.

9 68. The applicant shall provide adequate on-site security at all times to ensure safety of
10 patrons and maintenance of the property. Security Plan shall be submitted and
11 approved by the Planning Division.

12 69. Prior to the issuance of permits, the applicant shall enter into an agreement with the
13 City regarding the periodic use of street parking spaces for valet parking at the south
14 curb of Saturn Avenue and passenger pick-up and drop-off at the north curb of
15 Saturn Avenue, the loading zone and trash enclosures at the City parking lot located
16 directly west of the subject property, and for the applicant to fund/install and maintain
17 any necessary improvements (e.g., signage, curb painting).

18 70. All amplified sound at the rooftop shall use the speaker system analyzed in the noise
19 study. The system shall use a hardware or software volume limiter to ensure sound
20 volume levels remain consistent with the maximum sound levels specified in the
21 HPMC.

22 71. Security officers shall take reasonable measures to ensure that food vendors do not
23 loiter in the immediate area.

24 72. The initial building permit submittal for improvements to the building shall include the
25 complete set of interior and exterior improvements at the first floor. No final approval
26 or certificate of occupancy for the basement or rooftop shall be given prior to the final
27 approval/certificate of occupancy for the complete set of interior improvements for the
28

first floor restaurant/sports bar and complete set of exterior improvements at the first floor.

73. This conditional use permit approval shall supersede Case No. 2018-06 (governing the second floor nightclub) when a final approval/certificate of occupancy has been granted for the complete set of interior improvements for the first floor restaurant/sports bar and complete set of exterior improvements at the first floor.
74. Any change of ownership of any uses in the Conditional Use Permit shall render the Conditional Use Permit revokeable and a new Conditional Use Permit shall be sought by the new owner/ operator, at the new owner/operator's expense.
75. All hours of operation shall be at the discretion of the planning commission. Changes in hours of operation by the operator will require the operator to return to the planning commission with a 30 day notice for review and approval. Changes in hours requested by the commission shall require a 10 day notification to the operator/owner and a hearing to amend the hours shall be conducted by the Planning Commission.
76. That the business owner(s) (Applicant) and property owner agree in writing to the above conditions.

1 **SECTION 5:** This resolution shall not become effective until 16 days after the final
2 date of decision rendered by the Planning Commission, unless an appeal to the City
3 Council is timely filed. The decision of the Planning Commission shall be stayed until
4 final determination of the appeal has been made by the City Council.

5 **SECTION 6:** The Secretary of the Planning Commission shall certify to the adoption
6 of this resolution and a copy thereof shall be filed with the City Clerk.

7
8 **PASSED, APPROVED, AND ADOPTED** this 12th day of October, 2022, by the
9 following vote:

10 AYES: Commissioner(s) Barba-Ochoa, Montes, and Chair Sanabria

11 NOES: None

12 ABSTAIN: None

13 ABSENT: Commissioner(s) Nuno, Carvajal

14
15
16 **HUNTINGTON PARK PLANNING COMMISSION**
17

18 DocuSigned by:
19 **Jonathan Sanabria**
20 3399668DCE8042E...
21 Jonathan Sanabria, Chair

22
23 ATTEST:

24
25 DocuSigned by:

26 **Steve Forster**
27 F8553AAE1F24BF...
28 Steve Forster, Secretary

EXTENSION OF PLANNING COMMISSION APPROVAL APPLICATION

EXHIBIT D

CASE NO. 2021-02A CUP / DP



CITY OF HUNTINGTON PARK
Community Development Dept. - Planning Division
6550 Miles Avenue, Huntington Park, CA 90255
Tel. (323) 584-6210 • planning@hpcagov

EXTENSION OF PLANNING COMMISSION APPROVAL APPLICATION

RECEIVED

DEC 14 2023

Ex. P. Annual
FOR OFFICE USE ONLY
File No.: 2023-01

Fee/Receipt No.: \$935.00 + \$650.00 Initials: *ya*

**BY:
PROJECT INFORMATION**

Project Address: 6901 Pacific Blvd Huntington Park CA 90255
General Location: _____
Assessor's Parcel Number (APN): _____

APPLICANT'S INFORMATION

Applicant: JESUS Gallegos
Mailing Address: 6901 Pacific Blvd Huntington Park CA 90255
Phone 1: (909) 225-6335 Phone 2: _____ Email: Jesusgallegos01@yahoo.com

PROPERTY OWNER'S INFORMATION

Property Owner: JOSE Luis Solorzano
Mailing Address: 10063 Mattcock Ave Downey CA 90240
Phone 1: (562) 688-0592 Phone 2: (562) 636-2517 Email: _____

I HEREBY REQUEST A TIME EXTENSION FOR (CASE NO.) CUP/DP 2021-02

FOR A PERIOD OF _____ YEAR(S)/ MONTH(S) FROM _____ TO _____

DESCRIBE THE REASON FOR THE REQUEST:

See attached letter.

CERTIFICATE AND AFFIDAVIT OF APPLICANT: I/We certify that all statements made on this application are true and complete to the best of my knowledge. I/We understand that any false statements may result in denial of the requested permit or revocation of any issued permit. I/We further certify that I am, or have permission by, the property owner to conduct the proposed development applied for herein.

Applicant Signature (Required)

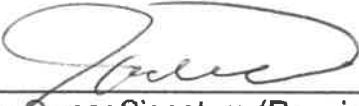

Jesus Gallegos

Print Name

Date 12/14/23

Note: If the applicant is not the property owner, the owner of the property must sign the application or a written authorization must be submitted so that the applicant may file the application.

Property Owner Signature (Required)


Jose Luis Solozando

Print Name

Date 12/14/2023

CUP EXTENSION REQUEST

RECEIVED
OCT 17 2023
BY: *jk 2:21 pm*

October 17th, 2023

RE: EXPIRATION OF CONDITIONAL USE PERMIT AND DEVELOPMENT PERMIT CASE NO. 2021-02 CUP/DP
FOR A NIGHT CLUB LOCATED AT 6901 PACIFIC BLVD.

Dear City Clerk,

This letter serves as a request for an extension of our CUP that expired on October 12th, 2023. We were informed that there is no application to be filed but only a letter to be turned in asking for an extension. We painted the building already located at 6901 Pacific Blvd and have been working with our Architects, but it has taken a little longer than expected as it is an intricate project. Right now, the structural engineer is doing the MEP work and still waiting on him. We do have some progress with our MEPT24 sets but we need more time to do this properly. We hope you take everything into consideration, the economy is very slow and causing delays in every area, which has affected fulfilling timelines and dates.

If you have any questions, please contact me at Lizdhaq@yahoo.com or call me at 818-922-4736.

Sincerely,



Jesus Gallegos

APPLICANT'S TIME EXTENSION REQUEST

EXHIBIT E

CASE NO. 2021-02A CUP / DP

CUP EXTENSION REQUEST

RECEIVED
OCT 17 2023
BY: *JK* 2:21 pm

October 17th, 2023

RE: EXPIRATION OF CONDITIONAL USE PERMIT AND DEVELOPMENT PERMIT CASE NO. 2021-02 CUP/DP
FOR A NIGHT CLUB LOCATED AT 6901 PACIFIC BLVD.

Dear City Clerk,

This letter serves as a request for an extension of our CUP that expired on October 12th, 2023. We were informed that there is no application to be filed but only a letter to be turned in asking for an extension. We painted the building already located at 6901 Pacific Blvd and have been working with our Architects, but it has taken a little longer than expected as it is an intricate project. Right now, the structural engineer is doing the MEP work and still waiting on him. We do have some progress with our MEPT24 sets but we need more time to do this properly. We hope you take everything into consideration, the economy is very slow and causing delays in every area, which has affected fulfilling timelines and dates.

If you have any questions, please contact me at Lizdhaq@yahoo.com or call me at 818-922-4736.

Sincerely,



Jesus Gallegos

**PLANNING COMMISSION
RESOLUTION NO. 2021-02A**

EXHIBIT D

CASE NO. 2021-02B CUP / DP

PC RESOLUTION NO. 2021-02A

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF HUNTINGTON PARK, STATE OF CALIFORNIA, GRANTING A FIVE MONTH TIME EXTENSION ESTABLISHING AN EXPIRATION DATE OF MARCH 12, 2024, FOR PREVIOUSLY APPROVED CONDITIONAL USE PERMIT/ DEVELOPMENT PERMIT CASE NO. 2021-02 IN CONNECTION WITH REAL PROPERTY AT 6901 PACIFIC BOULEVARD, HUNTINGTON PARK, CALIFORNIA.

WHEREAS, a public hearing was held in the City Hall, 6550 Miles Avenue, Huntington Park, California on Wednesday, January 17, 2024 at 6:30 p.m., pursuant to the notice published and posted as required by law in accordance with the provisions of the Huntington Park Municipal Code (HPMC), and upon an application from Jesus Gallegos requesting approval of a time extension to a Conditional Use Permit and Development Permit allowing the expansion of an existing nightclub to include outdoor dining, cinema, roof top entertainment, restaurant with sports bar on the ground floor, and nightclub in the basement at 6901 Pacific Boulevard within the Downtown Huntington Park Specific Plan (District B) at the property described below:

Assessor's Parcel No. 6322-023-016 City of Huntington Park, County of Los Angeles; and

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

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

WHEREAS, the previous parking agreement between the applicant and the City of Huntington Park referenced in PC Resolution No. 2021-02 (Condition of Approval No. 6 and 69) is no longer viable; and

WHEREAS, the Applicant is now required to provide in lieu parking fees for each deficient off-street parking space required or provide a parking program to the satisfaction of the Community Development Director; and

WHEREAS, any change of ownership of any uses in the Conditional Use Permit

1 shall render the Conditional Use Permit revocable and a new Conditional Use Permit
2 shall be sought by the new owner/ operator, at the new owner/operator's expense.

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

6 **WHEREAS**, all written comments received prior to the hearing, and responses to
7 such comments, were reviewed by the Planning Commission; and

8 **WHEREAS**, the Planning Commission approved a five month time extension for
9 Case No. 2021-02 Conditional Use Permit/ Development Permit, establishing a new
10 expiration date of March 12, 2024; and

11 **WHEREAS**, the Planning Commission is required to announce its findings and
12 recommendations.

13 **NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF**
14 **HUNTINGTON PARK DOES FIND, DETERMINE, RECOMMEND AND RESOLVES AS**
15 **FOLLOWING:**

16 **SECTION 1:** Based on the evidence in the staff report, traffic study, and noise study
17 submitted for the project, the Planning Commission finds that the project, as proposed,
18 will have a less-than-significant impact on the environment and finds that the project is
19 exempt from the California Environmental Quality Act (CEQA Guidelines, Section 15332,
20 In-Fill Development Projects).

21 **SECTION 2:** The Planning Commission hereby makes all of the following required
22 findings for a Conditional Use Permit in connection with Case No. 2021-02:

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

26 **Finding:** The proposed nightclubs and cinema uses are conditionally permitted
27 within the subject zoning district. The subject zoning district is Downtown
28 Huntington Park Specific Plan—Festival District (DTSP-B) and the proposed

1 project will not impair the integrity and character of the zoning district as it will
2 comply with all of the applicable provisions of the Huntington Park Municipal Code
3 and Downtown Huntington Park Specific Plan as conditioned.

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

5 **Finding:** The proposed nightclubs and cinema are consistent with the General
6 Plan, specifically, the proposed uses are consistent with Goal 1.0; Policy 1.2 of
7 the Land Use Element of the General Plan by encouraging community-oriented
8 retail development while continuing to revitalize Pacific Boulevard as a regional
9 retail destination. It is also consistent with Goal 6.0; Policy 6.1 in that it provides
10 visual penetration at the ground level and incorporates pedestrian-oriented ground
11 floor uses.

12 **3. The approval of the Conditional Use Permit for the proposed use is in
13 compliance with the requirements of the California Environmental Quality
14 Act (CEQA) and the City's Guidelines.**

15 **Finding:** Proposed Project is Categorically Exempt pursuant to Article 19, section
16 15332 (Infill Development Projects) of the California Environmental Quality Act
17 (CEQA) Guidelines.

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

25 **Finding:** The proposed expansion of the nightclub use is adjacent to a major
26 arterial street on a site of 14,595 square feet. The traffic study prepared for the
27 project concluded that the nightclub would not have a significant impact on traffic.

28 The noise study prepared for the project concluded that the rooftop speaker

1 system can be operated in compliance with the Huntington Park Municipal Code
2 and in a way that is not objectionable to nearby properties. Peak parking demand
3 is expected to occur in the late evening which is somewhat offset from the existing
4 peak parking demand time earlier in the day. With the implementation of
5 conditions of approval, the design, location, size, and operating characteristics of
6 the proposed nightclubs are not expected to be detrimental to the public health,
7 safety and welfare of the City. The proposed project as conditioned will be
8 harmonious and compatible with the existing commercial uses presently located
9 within the vicinity and zoning district.

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

12 **Finding:** The proposed nightclub use expansion is adjacent to a major arterial
13 street on a site of 14,595 square feet in a downtown urban environment. The
14 proposed physical improvements to the building (which occupies the entire site)
15 will comply with all development standards and will also comply with the relevant
16 building codes to ensure safety and adequate pedestrian ingress and egress will
17 exist on the site.

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

21 **Finding:** Pedestrian access to the site would be provided from Saturn Avenue
22 and Pacific Boulevard. Conditions of approval ensure that patrons can access the
23 site through parking in City lots and ridesharing. The demand on public services
24 of the nightclub will be similar to other typical commercial uses such as
25 restaurants. Given that the surrounding area is already completely developed
26 with public access, water, sanitation, and other public utilities, the proposed
27 project would not affect these infrastructures or require any types of modifications.
28 In addition, the proposed project would not impede public access, water,

1 sanitation, or other public utilities and services.

2 **SECTION 3.** The Planning Commission hereby makes all of the following required
3 findings for a Development Permit in connection with Case No. 2021-02:

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

7 **Finding:** The proposed nightclub uses and cinema are conditionally permitted
8 within the subject zoning district. The subject zoning district is Downtown
9 Huntington Park Specific Plan—Festival District (DTSP-B) and the proposed
10 project will not impair the integrity and character of the zoning district as it will
11 comply with all of the applicable provisions of the Huntington Park Municipal Code
12 and Downtown Huntington Park Specific Plan, including prescribed development
13 standards as conditioned. In addition, the proposed project will be of a similar use
14 as the existing business. Lastly, the proposed project is in compliance with the
15 requirements of the HPMC and the DTSP.

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

17 **Finding:** The proposed nightclub and cinema is consistent with the General Plan,
18 specifically, the proposed use is consistent with Goal 1.0; Policy 1.2 of the Land
19 Use Element of the General Plan by encouraging community-oriented retail
20 development while continuing to revitalize Pacific Boulevard as a regional retail
21 destination. It is also consistent with Goal 6.0; Policy 6.1 in that it provides visual
22 penetration at the ground level and incorporates pedestrian-oriented ground floor
23 uses.

24 **3. The proposed development would be harmonious and compatible with
25 existing and planned future developments within the zoning district and
26 general area, as well as with the land uses presently on the subject
27 property.**

1 **Finding:** The proposed development adequately meets all City standards and
2 design guidelines. Staff can make all Design Review findings for the project as it
3 has undergone Design Review with staff and with the implementation of
4 conditions of approval, will be harmonious and compatible with existing and
5 planned future developments within the zoning district and general area.

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

9 **Finding:** Proposed Project is Categorically Exempt pursuant to Article 19, section
10 15332 (Infill Development Projects) of the California Environmental Quality Act
11 (CEQA) Guidelines.

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

14 **Finding:** The proposed nightclub use expansion is adjacent to a major arterial
15 street on a site of 14,595 square feet in a downtown urban environment. The
16 proposed physical improvements to the building (which occupies the entire site)
17 will comply with all development standards and will also comply with the relevant
18 building codes to ensure safety and adequate pedestrian ingress and egress will
19 exist on the site. The subject site is surrounded by commercial uses to the north,
20 east, west and south.

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

24 **Finding:** Pedestrian access to the site would be provided from Saturn Avenue
25 and Pacific Boulevard. Conditions of approval ensure that patrons can access the
26 site through parking in City lots and ridesharing. The demand on public services
27 of the nightclub will be similar to other typical commercial uses such as
28 restaurants. Given that the surrounding area is already completely developed

1 with public access, water, sanitation, and other public utilities, the proposed
2 project would not affect these infrastructures or require any types of modifications.
3 In addition, the proposed project would not impede public access, water,
4 sanitation, or other public utilities and services.

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

8 **Finding:** The proposed expansion of the nightclub uses are adjacent to a major
9 arterial street on a site of 14,595 square feet. The traffic study prepared for the
10 project concluded that the proposed nightclub uses would not have a significant
11 impact on traffic. The noise study prepared for the project concluded that the
12 rooftop speaker system can be operated in compliance with the Huntington Park
13 Municipal Code and in a way that is not objectionable to nearby properties. Peak
14 parking demand is expected to occur in the late evening which is somewhat offset
15 from the existing peak parking demand time earlier in the day. With the
16 implementation of conditions of approval, the design, location, size, and operating
17 characteristics of the proposed nightclub is not expected to be detrimental to the
18 public health, safety and welfare of the City. The proposed project as conditioned
19 will be harmonious and compatible with the existing commercial uses presently
20 located within the vicinity and zoning district.

21 **SECTION 4:** The Planning Commission hereby approves Case No. 2021-02A
22 subject to the following conditions:

23 **CONDITIONS OF APPROVAL**

24 **PLANNING DIVISION**

25 1. That the property owner and Applicant shall indemnify, protect, hold harmless and
26 defend the City and any agency or instrumentality thereof, its officers, employees and
27 agents from all claims, actions, or proceedings against the City to attack, set aside,
28 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

1 reserving its right to act as it deems to be in the best interest of the City and the
2 public. The property owner and Applicant shall defend, indemnify and hold harmless
3 the City for all costs and fees incurred in additional investigation or study, or for
4 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.

5 2. Except as set forth in subsequent conditions, all-inclusive, and subject to department
6 corrections and conditions, the property shall be developed substantially in
accordance with the applications, environmental assessment, and plans submitted.

7 3. That the proposed uses shall comply with all applicable City, County, State and
8 Federal codes, laws, rules, and regulations, including Health, Building and Safety,
Fire, Sign, Zoning, and Business License.

9 4. That the uses be conducted, and the property be maintained, in a clean, neat, quiet,
10 and orderly manner at all times and comply with the property maintenance standards
11 as set forth in Section 9-3.103.18 and Title 8, Chapter 9 of the Huntington Park
Municipal Code.

12 5. That any existing and/or future graffiti, as defined by Huntington Park Municipal Code
13 Section 5-27.02(d), shall be diligently removed within a reasonable time period.

14 6. That the operator(s) shall obtain/amend its City of Huntington Park Business
15 Licenses prior to commencing business operations.

16 7. That the Applicants comply with all of the provisions of Title 7, Chapter 9 of the
17 Huntington Park Municipal Code relating to Storm Water Management. The
18 Applicants shall also comply with all requirements of the National Pollutant Discharge
19 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.

20 8. 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.

21 9. That the violation of any of the conditions of this entitlement may result in a citation(s)
and/or the revocation of the entitlement.

22 10. 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.

23 11. That the Applicant be required to apply for a new entitlement if any alteration,
modification, or expansion would result in an increase to the assembly area of the
nightclub.

- 1
- 2 12. That this entitlement shall expire in the event it is not exercised within one (1) year
- 3 from the date of approval, unless an extension has been granted by the Planning
- 4 Commission.
- 5
- 6 13. That if the use ceases to operate for a period of six (6) months the entitlement shall
- 7 be null and void.
- 8
- 9 14. That the Applicant shall comply with all applicable property development standards
- 10 including, but not limited to, outdoor storage, fumes and vapors, property
- 11 maintenance, and noise.
- 12
- 13 15. The Director of Community Development is authorized to make minor modifications
- 14 to 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.

BUILDING AND SAFETY

- 12 16. This conditional approval/acceptance is subject to the approvals from other
- 13 departments including and may not be limited to the Planning Division, Public Works
- 14 Engineering Division, Code Enforcement, LA County Health Department and LA
- 15 County Fire Department.
- 16
- 17 17. This review shall not be construed as Plan Check approval due to lacking of
- 18 construction details and calculations.
- 19
- 20 18. Outline on the plans, clearly and boldly, floor by floor or portion thereof designed for
- 21 loads exceeding 50 psf, such design live loads shall be conspicuously posted using
- 22 durable signs. CBC 106.1 Also state on the Plans, A certificate of occupancy required
- 23 by section CBC 111 shall not be issued until the floor load signs, required by section
- 24 106.1 have been installed. CBC 106.2
- 25
- 26 19. Provide occupancy loads, floor by floor, shall be posted at all times on each floor
- 27 including the Proposed Roof will be converted for A2 Occupancy.
- 28
- 29 20. The initial plan check fee will cover the initial plan check and one recheck only.
- 30 Additional review required beyond the first recheck shall be paid for on an hourly
- 31 basis in accordance with the current City's fee schedule.
- 32
- 33 21. The second sheet of building plans is to list all conditions of approval and to include a
- 34 copy of the Planning Commission Decision letter. This information shall be
- 35 incorporated into the plans prior to the first submittal for plan check.
- 36
- 37 22. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance
- 38 of the building permit.
- 39
- 40 23. Art fee shall be paid to the City prior to issuance of the building Permit

- 1
- 2 24. Recycling deposit shall be filed prior to issuance of the building permit to the
- 3 satisfaction of the recycling coordinator.
- 4 25. Approval is required from the Los Angeles County Health Department for food
- 5 handling and/or storage.
- 6 26. Approval is required from the LA County Fire Department
- 7 27. Any proposed grease interceptor shall be installed in accordance with the current
- 8 Plumbing Code.
- 9 28. In accordance with paragraph 5538(b) of the California Business and Professions
- 10 Code, plans are to be prepared and stamped by a licensed architect.
- 11 29. Structural calculations prepared under the direction of an architect, civil engineer or
- 12 structural engineer shall be provided.
- 13 30. The existing building area or portion thereof on the roof used exclusively for A-2
- 14 (restaurant) or A-1 (theater) or S-2 (storage) Occupancy, the applicant must provide
- 15 sufficient details and calculations to demonstrate the existing building in part or all
- 16 either has sufficient resistance strength or need to be strengthened for
- 17 accommodation to the proposed occupancies and in full compliance of current
- 18 governing building codes especially in seismic, accessibilities and fire safety and
- 19 prevention.
- 20 31. The applicant shall provide sufficient details and calculations to demonstrate (a) how
- 21 the roof runoff will be drained and discharged (b) the existing water main, sewer
- 22 main, gas main and the electrical services either will be suffice to support the
- 23 proposed occupancies or upgraded to ensure sufficient capacities will be provided for
- 24 the proposed uses and in compliance with the governing Building Codes. (c) The
- 25 door width and number of exits are in compliance with the current building codes for
- 26 exiting.
- 27 32. The proposed new (replacement) elevator shall comply with the requirements of CBC
- 28 Chapter 30 and 11B-206.6. State amendments require a gurney-size elevator for any
- 29 number of stories.
- 30 33. All State of California disability access regulations (Chapter 11B, CBC) for
- 31 accessibility and adaptability shall be complied with.
- 32 34. Electrical plan check is required. (20)Mechanical plan check is required.
- 33 (21)Plumbing plan check is required.
- 34 35. Plumbing fixtures shall be provided as required by the Chapter 4 of the California
- 35 Plumbing Code.
36. Project shall comply with the CalGreen Non Residential mandatory requirements.

- 1 37. Demolition permit is required for any existing buildings which are to be demolished.
- 2 38. All fire sprinkler hangers (existing and new) must be designed C16 subcontractor and
3 their locations approved by an engineer or an architect. Calculations must be
4 provided indicating that the hangers are designed to carry the tributary weight of the
5 water filled pipe plus a 250 pound point load. A plan indication this information must
6 be stamped by the engineer or the architect and submitted for approval prior to
7 issuance of the building permit.
- 8 39. All fire alarms (existing and new) must be designed C16 subcontractor and their
9 locations approved by an engineer or an architect. All fire alarms must be accessible
10 and in compliance with Chapter 11B of CBC.
- 11 40. Separate permit is required for Fire Sprinklers and Fire Alarms
- 12 41. Provide EV Charge Station Parking Stalls in the proposed parking area and EV
13 Spaces (11B812.6.2) [Figure 11b.812.9] {CGBC 4.106.4.2.2} and the access aisle
14 shall not exceed 2% slope (1 vertical in 48 horizontal in any directions) (CGBC
15 4.106.4.2.2)
- 16 42. The applicant shall designate an area for Ride-Share Services pick-up /drop off area
17 or stalls in the proposed parking area.
- 18 43. On Sheet A-1 (Site Plan) applicant shall delineate all projecting elements, and show
19 distance to property line, or adjacent structures. The applicant shall provide a
20 Building Code Analysis in the PROJECT INFORMATION; and show compliance
21 including the justifications to exceed (a) the basic allowable floor areas listed in CBC
22 Table 506.2. (b) the number of stories or building height listed in CBC Table 504.4. as
23 the result of this proposed TI Project.

HUNTINGTON PARK POLICE DEPARTMENT

- 24 44. The operation for the establishment shall be limited to those activities and elements
25 expressly indicated on the permit application and approved by the City Council. Any
26 change in the operation, which exceeds the conditions of the approved permit will
27 require that a new permit application be submitted to the City Council for their review
28 and approval.
- 29 45. Noise emanating from the permittee's premises shall not be audible 50 feet or more
30 from the property line of the premises. The permittee shall be responsible for
31 determining how to best meet this requirement, either by keeping doors and windows
32 closed, limiting hours of entertainment, or by offering non-amplified entertainment.
- 33 46. The permittee shall not allow employees to discard trash or beer bottles into the
34 outside dumpster between the hours of 8 p.m. and 7 a.m. per section 9-3.507 HPMC.
- 35 47. The permittee shall take reasonable measures to prohibit and prevent the loitering of
36 persons immediately outside any of the entrance/exit doors and the parking lot, at all

1 times while open for business. This should be done by utilizing security guards and
2 signage with verbiage such as, "Please respect our neighbors", or something similar.
3 At the conclusion of each event, the permittee shall take reasonable measures to
ensure that exiting patrons walk directly to their vehicles and not loiter in the parking
lot or the immediate area.

4 48. Current occupancy loads shall be posted at all times.

5 49. The posting of flyers, and/or placards, or cards on windshields or similar literature,
6 advertising entertainment activities at the business including promotional events,
7 shall be strictly prohibited within the City of Huntington Park per HPMC sections 5-
1.02, 5-1.03, & 5-1.02.1. Violation of this condition shall be cause for the City Council
8 to take punitive action against the permittee, including revocation, suspension, or
modification of this permit.

9 50. The permittee shall maintain full compliance with all applicable laws, ABC laws,
10 ordinances, and stated conditions. In the event of a conflict between the
11 requirements of this permit, your conditional use permit, or your Alcoholic Beverage
Control license, the more stringent regulation shall apply.

12 51. The permittee shall be responsible for installing and maintaining a video surveillance
13 system that monitors no less than the front and rear of the business, with full view of
14 the public right-of-ways, and any parking lot under the control of the permittee.
These cameras shall record video for a minimum of 30 days.

15 52. The permittee agrees to reimburse the City of Huntington Park whenever excessive
16 police services, as determined by the Chief of Police, are required as the result of any
17 incident or nuisance arising out of, or in connection with the permittee's operations.

18 53. All promoters must have or obtain a City of Huntington Park Business License prior to
conducting entertainment activities governed by this permit. The permittee shall be
19 responsible for all entertainment activities at the location, including those conducted
by promoters.

20 54. The permittee must provide all promoters hired to conduct entertainment activities
21 with a copy of the approved permit, which shall include a copy of the approved
22 conditions of operation.

23 55. The surrounding area (exterior & parking lot) shall be illuminated in order to make
easily discernible the appearance and conduct of all person on or about the property.

24 56. The permittee shall be responsible for maintaining an adequate security staff to
supervise patrons inside the establishment and those waiting to enter. Potential
25 patrons awaiting entry in a defined "queue" shall be counted toward the calculation of
required security staffing levels. For crowds up to fifty (50) patrons, the permittee
26 shall provide a minimum of two (2) uniformed security guards. For crowds over (50)
27 fifty patrons, the permittee shall provide a minimum of one (1) additional uniformed
28 security guard per fifty (50) people. Should the permittee's operations give rise to a

substantial increase in complaints/calls for service, or trash left in the parking lot or adjacent property, the permittee shall increase security as directed by the Chief of Police.

57. Any lighting set up/used during the nighttime rooftop activities will at no time be directed/focused at any of the residential properties in the surrounding areas.
58. Noncompliance with conditions: when the Chief of Police determines that permittee has violated the terms of the permit, including the permittee's obligation to comply with all other laws and regulations, but believes those violations can be remedied through education and/or minor modifications to permittee's operation, permittee will be asked to attend a meeting with the involved departments to address the community concerns and discuss how additional restrictions and/or revocation can be avoided.
59. Moreover, the City reserves the right to review the permittee's compliance with the terms and conditions of this dance and entertainment permit and if necessary, revoke, suspend or modify the permit if the conduct of the business staff and /or customers creates problems as described in these conditions and subject to regulations of the Huntington Park Municipal Code.

CODE ENFORCEMENT

60. No loitering and no trespassing signs shall be posted around the perimeter of the building in compliance with Section 602(o) the California Penal Code.
61. The applicant shall provide routine maintenance to eliminate any trash or litter around the perimeter of the property.
62. Adequate lighting shall be provided to illuminate all driveways and driveway aisles.
63. That all future temporary or permanent signage shall be approved by the City prior to installation, pursuant to the Huntington Park Municipal Code.

LOS ANGELES COUNTY FIRE DEPARTMENT

64. All requirements, as deemed necessary by the Los Angeles County Fire Department during the Plan Check Process, shall be complied with.

ADDITIONAL CONDITIONS OF APPROVAL

65. All 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 final building inspection.

- 1 66. The applicant shall provide adequate on-site security at all times to ensure safety of
- 2 patrons and maintenance of the property. Security Plan shall be submitted and
- 3 approved by the Planning Division.
- 4 67. All amplified sound at the rooftop shall use the speaker system analyzed in the noise
- 5 study. The system shall use a hardware or software volume limiter to ensure sound
- 6 volume levels remain consistent with the maximum sound levels specified in the
- 7 HPMC.
- 8 68. Security officers shall take reasonable measures to ensure that food vendors do not
- 9 loiter in the immediate area.
- 10 69. The initial building permit submittal for improvements to the building shall include the
- 11 complete set of interior and exterior improvements at the first floor. No final approval
- 12 or certificate of occupancy for the basement or rooftop shall be given prior to the final
- 13 approval/certificate of occupancy for the complete set of interior improvements for the
- 14 first floor restaurant/sports bar and complete set of exterior improvements at the first
- 15 floor.
- 16 70. This conditional use permit approval shall supersede Case No. 2018-06 (governing
- 17 the second floor nightclub) when a final approval/certificate of occupancy has been
- 18 granted for the complete set of interior improvements for the first floor
- 19 restaurant/sports bar and complete set of exterior improvements at the first floor.
- 20 71. Any change of ownership of any uses in the Conditional Use Permit shall render the
- 21 Conditional Use Permit revokeable and a new Conditional Use Permit shall be sought
- 22 by the new owner/ operator, at the new owner/operator's expense.
- 23 72. All hours of operation shall be at the discretion of the planning commission. Changes
- 24 in hours of operation by the operator will require the operator to return to the planning
- 25 commission with a 30 day notice for review and approval. Changes in hours
- 26 requested by the commission shall require a 10 day notification to the operator/owner
- 27 and a hearing to amend the hours shall be conducted by the Planning Commission.
- 28 73. That the business owner(s) (Applicant) and property owner agree in writing to the

PLANNING DIVISION SPECIAL CONDITIONS

- 23 74. The applicant is required to pay required in-lieu parking fees for each deficient off-
- 24 street parking spaces or provide a parking program to the satisfaction of the
- 25 Community Development Director.
- 26 75. Conditional Use Permit/ Development Permit Case No. 2021-02 shall expire March
- 27 12, 2024.
- 28 76. In the event the applicant does not provide all required submittal items including but
- not limited to complete set of plans and parking program to the satisfaction of the

Community Development Director by March 12, 2024, the Conditional Use Permit and Development Permit (Case No. 2021-02) will be subject to revocation.

SECTION 5: This resolution shall not become effective until 16 days after the final date of decision rendered by the Planning Commission, unless an appeal to the City Council is timely filed. The decision of the Planning Commission shall be stayed until final determination of the appeal has been made by the City Council.

SECTION 6: The Secretary of the Planning Commission shall certify to the adoption of this resolution and a copy thereof shall be filed with the City Clerk.

PASSED, APPROVED, AND ADOPTED this 17th day of January, 2024, by the following vote:

AYES: Commissioner(s): Nuno, Montes, Barba-Ochoa and Chair Sanabria

NOES: None

ABSTAIN: None

ABSENT: Compt

ABSENT: Commissioner Carvajal

HUNTINGTON PARK PLANNING COMMISSION

— DocuSigned by:

Jonathan Sanabria

3399668DCE8042E...
Jonathan Sanabria, Chair

ATTEST:



Steve Forster, Secretary