



***Planning Commission Agenda
8650 California Avenue, South Gate, CA
Council Chamber***

Tuesday, July 17, 2018 at 7:00 p.m.

Call To Order

Roll Call

Pledge Of Allegiance

Report On Posting

City Officials:

CHAIRPERSON

Jose Delgado

COMMISSIONERS

Sylvia Masushige

Jenny Perez

VICE CHAIRPERSON

Gil Hurtado

Carlos Velasquez

Meeting Compensation Disclosure

Pursuant to Government Code Section 54952.3: Disclosure of compensation for meeting attendance by the Planning Commission Commissioners is \$125.00 per meeting.

Item No. 1

The Planning Commission will consider approving the minutes for the regular Planning Commission Meeting of June 19, 2018.

Documents:

[ITEM NO. 1.PDF](#)

Item No. 2

The Planning Commission will conduct a Public Hearing for Conditional Use Permit No. 830 for the sale of beer and wine for on-site consumption for Buffalo Spot Restaurant located at 5840 Firestone Boulevard.

Documents:

[ITEM NO. 2.PDF](#)

Comments

At this time, members of the public and staff may address the City Planning Commission regarding any items within the subject matter jurisdiction of the Planning Commission. No action may be taken on items not listed on the agenda unless authorized by law.

General Business

Audience Comments

City Staff Comments

Planning Commission Comments

Adjournment

Adjournment to the Regular Planning Commission meeting on Tuesday, August 7, 2018 at 7:00 p.m.

I, Erika Soriano, Administrative Services Coordinator, certify that a true and correct copy of the foregoing Meeting Agenda was properly posted on July 12, 2018, at 5:30 p.m., as required by law.

Erika Soriano, Administrative Services Coordinator Erika Soriano

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

Notification 48 hours prior to the Meeting will enable the City to make reasonable arrangements to assure accessibility.

Any final action of the Planning Commission, on this agenda, is appealable to the City Council upon filing the request with the City Clerk prior to 5:00 pm on Monday, July 23, 2018.

Materials related to an item on the Agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's office, 8650 California Avenue, South Gate, CA 90280 (323) 563-9510 * fax (323) 563-5411 *

www.cityofsouthgate.org

**MINUTES OF THE REGULAR MEETING
OF THE SOUTH GATE CITY PLANNING COMMISSION
TUESDAY, JUNE 19, 2018**

INTRODUCTORY PROCEDURES

Chairperson Jose Delgado called the meeting to order at 7:00 P.M.

The Pledge of Allegiance was led by Vice Chairperson Gil Hurtado.

ROLL CALL: By Erika Soriano, Recording Secretary.

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

Absent/Excused: Commissioner Sylvia Masushige.

Staff: Community Development Director Joe Perez, Senior Planner Alvaro Betancourt, City Attorney Craig Hardwick, and Recording Secretary Erika Soriano.

REPORT ON POSTING: By Erika Soriano, Recording Secretary.

1. MINUTES

The Planning Commission considered approving the minutes for the regular Planning Commission meeting of June 5, 2018. Vice Chairperson Hurtado moved and Commissioner Velasquez seconded the motion to approve the Planning Commission minutes of June 5, 2018. The motion carried (4-0) with all Commissioners in favor and Commissioner Masushige absent.

2. PUBLIC MEETING - LOCAL HAZARD MITIGATION PLAN UPDATE

Community Development Director Perez introduced the Local Hazard Mitigation Plan Update (LHMPU) to the Planning Commission.

Senior Planner Alvaro Betancourt gave a brief presentation regarding this project. Mr. Betancourt stated that the purpose of the LHMPU is to reduce and eliminate long-term risk to people and property from natural hazards and their effects on the City. An LHMPU is required not only to reduce risk to the community but also to maintain eligibility for disaster mitigation funding from FEMA under the Disaster Mitigation Act of 2000. Per FEMA, the Hazard Mitigation Plan must be updated every 5 years. The City's current Hazard Mitigation Plan was last adopted ten (10) years ago by City Council on May 13, 2008, and approved by the Federal Emergency Management Agency (FEMA) on July 23, 2008.

Aaron Pfannenstiel, Project Manager representing PlaceWorks, gave a power point presentation explaining the development and process of the LHMPU, and covered the following items:

- Federal and State requirements for local governments to receive federal disaster mitigation funds;
- The process for identifying hazards, risks, and vulnerabilities in the community;
- Identified and prioritized hazard mitigation activities in the community;
- The development of local mitigation actions;

- Technical support for hazard mitigation efforts;
- An evaluation of the earthquake performance of public facilities that provide critical government functions, shelters, and other essential services;
- An inventory of private facilities that may be hazardous; and
- Strategies to reduce the risk from private and government facilities

Chairperson Delgado asked why there was a delay in updating the LHMPU.

Mr. Pfannenstiel explained there are several factors on why some cities do not update the Hazard Mitigation Plan in a timely manner including, staff changes, work programs changes, etc.

Chairperson Delgado asked if staff knew the percentage of residents with flood insurance.

Community Development Director Perez informed the Commission that staff did not have that information at the moment but that research would be conducted to provide to them the percentage of residents with flood insurance.

Mr. Pfannenstiel discussed the comprehensive outreach process that included the following:

- Five (5) steering committee meetings that consisted of staff from various departments, including, Finance, Police, Public Works, Community Development, Parks and Recreation Department, and the Los Angeles County Fire Department.
- A website that provided the public data on the LHMPU and allowed for comments to be submitted.
- A survey that was placed on the City's website as well as distributed via email to all City email subscribers.

Chairperson Delgado informed staff he was not notified about the survey and asked how the public participation survey was distributed to residents.

Mr. Betancourt informed the Commission that the survey was posted on the City's website, emailed to all City e-mail subscribers, and promoted at the City's information booth during the Family Day in the Park community event.

Community Development Director Perez informed the Commission that City Council has expressed the same concerns regarding the distribution of information to the residents. Staff is working on how to better distribute and communicate information to the residents.

Vice Chairperson Hurtado asked if the LHMPU can be used to demonstrate to the State that the City can no longer build new housing since the City is crowded and causes a delay on emergency vehicles response time.

Mr. Pfannenstiel explained that response time for emergency vehicles is not a natural disaster and that the LHMPU in and of itself is not intended for this purpose.

Commissioner Velasquez raised concern regarding the utility easements.

Mr. Pfannenstiel informed the Commission that the City captured these concerns in the LHMPU, and recommended the City work directly with the utility companies to incorporate a response plan should easements be adversely affected in the event of a natural disaster.

Chairperson Delgado opened the item to the public.

There being no other comments from the audience, Chairperson Velasquez closed the public meeting.

After no further comments, Vice Chairperson Hurtado moved and Commissioner Perez seconded to approve the resolution recommending adoption of the Updated Local Hazard Mitigation Plan. The motion carried (4-0) with all Commissioners in favor and Commissioner Sylvia Masushige absent.

General Business

None

Audience Comments

None

City Staff Comments

Community Development Director Perez welcomed Erika Soriano, Recording Secretary to the Planning Commission meetings.

Mr. Perez provided an update on the City Council meeting of June 12, 2018;

- Zone Text Amendment for Chuze Fitness was approved and a Conditional Use Permit application is expected to be presented to the Planning Commission within the next two months.
- Zone Text Amendment for Nova Storage was approved.
- Precise Plan No. 18 and Site Plan No. 283 for 9923 Atlantic Avenue were approved.

Planning Commission Comments

None

ADJOURNMENT

There being no further business before the Planning Commission, Commissioner Velasquez moved and Chairperson Delgado seconded the motion to adjourn the meeting. The motion carried (4-0) to adjourn the meeting to July 3, 2018. The meeting was adjourned at 7:49 p.m.

Respectfully,

Joe Perez, Secretary

APPROVED:

Jose Delgado, Chairperson

City of South Gate

PLANNING COMMISSION

AGENDA BILL

For the Regular Meeting of: July 17, 2018

Assistant Planner:


Jessica Jimenez

Community Development Director:


Joe Perez

SUBJECT: CONDITIONAL USE PERMIT NO. 830 FOR THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION FOR BUFFALO SPOT RESTAURANT LOCATED AT 5840 FIRESTONE BOULEVARD

PURPOSE: Chapter 11.42 of the South Gate Municipal Code requires a Conditional Use Permit for establishments offering the sale of alcoholic beverages and requires Planning Commission approval.

RECOMMENDED ACTION:

1. **CONDUCT** a public hearing;
2. **ACCEPT** the determination that this project is Categorically Exempt under Class 1 (Existing Facilities) Section 15301 of the California Environmental Quality Act;
3. **ADOPT** the findings as outlined in Resolution No. 2018-15; and
4. **APPROVE** Conditional Use Permit No. 830, subject to the recommended conditions of approval, as contained in Resolution No. 2018-15, and any other limitations and/or conditions the Planning Commission may wish to impose.

PUBLIC NOTIFICATION: Advertising and notification of the public hearing for the application was conducted in compliance with Chapter 11.42, Title 11 of the South Gate Municipal Code. Notice of the hearing was originally posted and published in the "Los Angeles Wave" newspaper and mailed to surrounding properties on July 6, 2018.

ENVIRONMENTAL EVALUATION: This project is Categorically Exempt under Class 1 (Existing Facilities) Section 15301 of the California Environmental Quality Act. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

ANALYSIS: Conditional Use Permit No. 830 is a request by Ivan Flores, on behalf of Buffalo Spot 9 LLC, to allow the on-site consumption of beer and wine (Type-41 alcohol license) at an existing Buffalo Spot restaurant located at 5840 Firestone Boulevard. The property is located within the new Crossroads at Firestone retail center, at the southeast corner of Firestone Boulevard and Garfield Avenue. The zoning designation for the property is Regional Commercial (RC) and the General Plan designation is El Paseo/South Gate Town Center (Sub Area 3). The surrounding uses to the south and east are industrial and the uses to the north and west are commercial.

Restaurant Summary

Buffalo Spot currently occupies an approximate 1,614 square foot space at the northeast portion of the Crossroads at Firestone shopping center. The restaurant has twenty-three indoor seats. Per the Zoning Ordinance, the proposed restaurant requires 16 parking stalls; the center includes 218 on-site parking spaces meeting this requirement along with the remainder of uses at the shopping center. The restaurant's signature item is a basket of loaded fries topped with boneless wings and specializes in ribs, wings and fries. Established in 2014, Buffalo Spot has opened 15 locations in the Southern California region. Some local restaurants include locations in Cerritos, Compton, Carson, Lakewood, Pico Rivera and Torrance. The restaurant is located within a commercial center, making it an appropriate location for restaurants that sell beer and wine for on-site consumption. The restaurant operates Monday thru Sunday from 10:30am to 10:00pm and is proposing alcohol sales from opening until closing time. Buffalo Spot opened January of this year and has five employees.

ABC Review

Alcohol sales will be in accordance with the provisions of a Type-41 (On-Sale Beer and Wine) alcohol license as adopted by the State Alcohol Beverage Control Board (ABC). The proposed restaurant is located within Census Tract No. 5361.02. According to the Department of Alcoholic Beverage Control (ABC), a maximum of three (3) on-sale licenses are recommended in this census tract. Currently, Pizza Studio is the only other property at the Crossroads at Firestone retail center with an on-sale alcohol license. There are ten (10) on-sale licenses in this tract, which denotes an over-concentration for on-sale licenses. Because of this, ABC requires a finding of Public Necessity and Convenience, which the applicant will submit to the state for approval. The property is not located within immediate proximity to parks, playgrounds, schools, or religious institutions.

Conditions of Approval

Section 11.42 of the South Gate Municipal Code requires a Conditional Use Permit for the sale of alcoholic beverages from a commercial establishment. Therefore, the applicant has submitted this application for the sale of beer and wine at the existing restaurant. As part of the application process, the application was reviewed by the Police Department and there are no issues of concern regarding the sale of beer and wine for on-site consumption at the subject restaurant. Conditions of approval, as discussed with the applicant, and periodic monitoring will ensure that the use will not deviate from the planned operation reviewed under this application.

The following Conditions of Approval apply to the operation of the sale of beer and wine:

- No alcoholic beverages, including beer and wine, shall be consumed off the premises for on-sale uses.
- No outside loitering shall be allowed on the premises.
- No alcohol sales displays shall be permitted that are visible from the public street or parking lot.
- Employees selling alcoholic beverages shall be of an age consistent with Section 25663 of the California Business and Professions Code.
- The validity of the CUP shall be conditioned on compliance with all state regulations and conditions.
- Trash receptacles shall be provided in such number and at such locations as specified by the Planning Commission or Community Development Director.

- All alcoholic beverages sales, offerings, and consumption shall be conducted completely within an enclosed building on premises, except for in permitted outdoor seating areas for on-sale uses.
- Building and site design and maintenance shall be consistent with the standards of the immediate neighborhood so as not to cause blight or deterioration, or to substantially diminish or impair property values within the neighborhood.
- The owner/operator or lessee shall be responsible for the conduct of all employees, including their education concerning Alcohol Beverage Control regulations and provisions of this code pertaining to sales of alcohol (e.g., verification of age of purchaser).
- The permittee shall acknowledge that the city has specifically reserved the right and authority to impose sanctions, including suspension or revocation of the CUP, as a consequence of one or more violations of a state statute, rule, or regulation concerning the sale to or consumption of alcoholic beverages by a minor.
- The permit shall be subject to compliance review of the property and CUP conditions at Planning Commission established intervals; the first compliance review shall occur within six months of permit issuance or actuation.
- Any kitchen facility on premises (in conjunction with a restaurant) shall be maintained at all times in a clean and sanitary condition.
- Adequate refrigeration shall be maintained at all times for the preservation of any food on the permittee's premises.
- The permit shall, after notice to the permittee and an opportunity to be heard, be subject to additional conditions to maintain or remedy land use compatibility, security, or crime control issues that have arisen since the issuance of the permit.
- No telephone accessible to the general public shall be installed within the permitted premises.
- Within thirty (30) days of approval of the Project, the Applicant and Property Owner shall certify his/her acceptance of the conditions placed on the approval by signing a notarized Affidavit of Acceptance stating that he/she accepts and shall be bound by all of the conditions.
- This approval is valid for a period of 12 months from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall terminate and shall be null and void.
- The Applicant shall defend, hold harmless and indemnify the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul any approval by the City concerning the Project. The City shall promptly notify the Applicant of any filed claim, action or proceeding and shall cooperate fully in the defense of the action.
- Violation of, or noncompliance with, any of these conditions shall constitute grounds for revocation of this entitlement.
- Applicant shall agree to maintain the property and all related on-site improvements and landscaping thereon, including without limitation, buildings, parking areas, lighting, signs, and walls in a first class condition and repair, free of rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all Federal, State, County and local bodies and agencies having jurisdiction, at applicants sole cost and expense. Such maintenance and repair shall include, but not be limited to the following: (i) sweeping and the removal of trash and debris as soon as possible but at least within 24 hours; (ii) the care of all shrubbery, plantings and other landscaping in a

healthy condition and replacement of diseased or dead plant material with new material at an age similar to the material being replaced; (iii) maintenance of all irrigation systems in properly operating condition; (iv) the removal of graffiti within 24 hours; and (v) the repair, replacement and restriping of asphalt or concrete paving using the same type of material originally installed, to the end that such paving at all times be kept in a level and smooth condition.

- The permittee shall comply with all state statutes, rules and regulations relating to the sale, purchase, display, possession and consumption of alcoholic beverages.
- The permittee shall acknowledge and agree that the City has a legitimate and compelling governmental interest in the permittee's strict compliance with all conditions imposed upon the permit, including adherence to state status, rules and regulations as specified in this section. The permittee shall further acknowledge and agree that any violation of a state statute, rule or regulation concerning the sale to or consumption of alcoholic beverages by a minor has been determined by the city to have a deleterious secondary effect upon (i) the specific land use requested by the permittee and authorized by the city; (ii) the compatibility or permittee's authorized land use with adjacent land uses; and (iii) the welfare and safety of the general public within the city. In view of such deleterious secondary effects, permittee shall acknowledge that the city has specifically reserved the right and authority to impose sanctions, including suspension or revocation of the conditional use permit, as a consequence of one or more violations of a state statute, rule or regulation concerning the sale to or consumption of alcoholic beverages by a minor.

PROPERTY SUMMARY:

Applicant:

Buffalo Spot 9, LLC
C/o Ivan Flores
7245 Garden Grove, Blvd Suite E
Garden Grove, CA 92841

Property Address:

5840 Firestone Blvd

Assessor's Parcel No.:

6232-007-028

Property Owner:

Catellus South Gate, LLC
C/o Karen Fish
66 Franklin Street, Suite 200
Oakland, California 94607

Zoning Designation:

Regional Commercial (RC)

General Plan Designation:

El Paseo/ South Gate Town Center
Sub Area - 3

Representative:

Buffalo Spot 9, LLC
C/o Ivan Flores
7245 Garden Grove, Blvd Suite E
Garden Grove, CA 92841

Surrounding Land Uses:

North: Commercial
East: Industrial
South: Industrial
West: Commercial

ATTACHMENTS:

- A: Proposed Resolution No. 2018-15
- B: Site Plan, Floor Plan & Photos
- C: Public Hearing Notice
- D: Notice of Exemption

RESOLUTION NO. 2018-15

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH GATE, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 830

WHEREAS, on May 3, 2018, the Department of Community Development received an application from The Buffalo Spot 9, LLC (“**Applicant**”) for Conditional Use Permit No. 830 to allow the operation of a restaurant with a Type-41 (On-Sale Beer and Wine) alcohol license located at 5840 Firestone Boulevard; and

WHEREAS, the Planning Commission upon giving the required notice did, on the seventeenth day of July, 2018, conduct a duly advertise public hearing as required by law to consider the approval of said Conditional Use Permit. Notice of the hearing was originally posted and published in the “Los Angeles Wave” newspaper and mailed to the surrounding properties on July 6, 2018; and

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

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

1. The property is located within the Crossroads at Firestone retail center, at the southeast corner of Firestone Boulevard and Garfield Avenue.
2. The zoning designation for the property is Regional Commercial (RC) and the General Plan designation is El Paseo/South Gate Town Center (Sub Area 3).
3. The Buffalo Spot occupies an approximate 1,614 square foot space at the northeast portion of the Crossroads at Firestone shopping center.
4. The Buffalo Spot is proposing to offer a limited selection of craft beers and wine to be sold and consumed on-site during business hours.
5. The restaurant operates Monday thru Sunday from 10:30am to 10:00pm and is proposing alcohol sales from opening until closing time.

WHEREAS, the City Planning Commission made the following findings:

1. The subject application will not be detrimental to the public health, safety, and welfare or adversely affect property values or the present and future development of the surrounding area with the incorporation of the conditions of approval.
2. The proposed use is consistent with the goals and objectives of the South Gate General Plan because it will promote business and will serve city residents.
3. Upon compliance with the attached conditions of approval, the subject use will not have a detrimental impact on adjacent properties.

4. The proposed Conditional Use Permit is Categorically Exempt under Class 1(Existing Facilities) Section 15301 of the California Environmental Quality Act. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of South Gate, pursuant to the facts, noted above, does hereby approve Conditional Use Permit No. 830 to allow on-site consumption of beer and wine (Type 41 alcohol license) at the Buffalo Spot restaurant during business hours, subject to the conditions of approval contained in **Exhibit A**.

This recommendation was adopted by the following vote at the Planning Commission meeting of July 17, 2018.

AYES:

NOES:

ABSENT:

NOT VOTING:

APPROVED and ADOPTED this seventeenth day of July, 2018.

Joe Perez
Secretary
City Planning Commission

APPROVED:

Sylvia Masushige
Chairperson
City Planning Commission

RESOLUTION NO. 2018-15
CUP NO. 830 – CONDITIONS OF APPROVAL
5840 FIRESTONE BOULEVARD

Planning Conditions:

1. No alcoholic beverages, including beer and wine, shall be consumed off the premises for on-sale uses.
2. No outside loitering shall be allowed on the premises.
3. No alcohol sales displays shall be permitted that are visible from the public street or parking lot.
4. Employees selling alcoholic beverages shall be of an age consistent with Section 25663 of the California Business and Professions Code.
5. The validity of the CUP shall be conditioned on compliance with all state regulations and conditions.
6. Trash receptacles shall be provided in such number and at such locations as specified by the Planning Commission or Community Development Director.
7. All alcoholic beverages sales, offerings, and consumption shall be conducted completely within an enclosed building on premises, except for in permitted outdoor seating areas for on-sale uses.
8. Building and site design and maintenance shall be consistent with the standards of the immediate neighborhood so as not to cause blight or deterioration, or to substantially diminish or impair property values within the neighborhood.
9. The owner/operator or lessee shall be responsible for the conduct of all employees, including their education concerning Alcohol Beverage Control regulations and provisions of this code pertaining to sales of alcohol (e.g., verification of age of purchaser).
10. The permittee shall acknowledge that the city has specifically reserved the right and authority to impose sanctions, including suspension or revocation of the CUP, as a consequence of one or more violations of a state statute, rule, or regulation concerning the sale to or consumption of alcoholic beverages by a minor.
11. The permit shall be subject to compliance review of the property and CUP conditions at Planning Commission established intervals; the first compliance review shall occur within six months of permit issuance or actuation.
12. Any kitchen facility on premises (in conjunction with a restaurant) shall be maintained at all times in a clean and sanitary condition.

13. Adequate refrigeration shall be maintained at all times for the preservation of any food on the permittee's premises.
14. The permit shall, after notice to the permittee and an opportunity to be heard, be subject to additional conditions to maintain or remedy land use compatibility, security, or crime control issues that have arisen since the issuance of the permit.
15. No telephone accessible to the general public shall be installed within the permitted premises.
16. Within thirty (30) days of approval of the Project, the Applicant and Property Owner shall certify his/her acceptance of the conditions placed on the approval by signing a notarized Affidavit of Acceptance stating that he/she accepts and shall be bound by all of the conditions.
17. This approval is valid for a period of 12 months from the date of final determination. If the use approved by this action is not established within such a period of time, this approval shall terminate and shall be null and void.
18. The Applicant shall defend, hold harmless and indemnify the City and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul any approval by the City concerning the Project. The City shall promptly notify the Applicant of any filed claim, action or proceeding and shall cooperate fully in the defense of the action.
19. Violation of, or noncompliance with, any of these conditions shall constitute grounds for revocation of this entitlement.
20. Applicant shall agree to maintain the property and all related on-site improvements and landscaping thereon, including without limitation, buildings, parking areas, lighting, signs, and walls in a first class condition and repair, free of rubbish, debris and other hazards to persons using the same, and in accordance with all applicable laws, rules, ordinances and regulations of all Federal, State, County and local bodies and agencies having jurisdiction, at applicants sole cost and expense. Such maintenance and repair shall include, but not be limited to the following: (i) sweeping and the removal of trash and debris as soon as possible but at least within 24 hours; (ii) the care of all shrubbery, plantings and other landscaping in a healthy condition and replacement of diseased or dead plant material with new material at an age similar to the material being replaced; (iii) maintenance of all irrigation systems in properly operating condition; (iv) the removal of graffiti within 24 hours; and (v) the repair, replacement and restriping of asphalt or concrete paving using the same type of material originally installed, to the end that such paving at all times be kept in a level and smooth condition.
21. The permittee shall comply with all state statutes, rules and regulations relating to the sale, purchase, display, possession and consumption of alcoholic beverages.
22. The permittee shall acknowledge and agree that the City has a legitimate and compelling governmental interest in the permittee's strict compliance with all conditions imposed upon the permit, including adherence to state status, rules and regulations as specified in

this section. The permittee shall further acknowledge and agree that any violation of a state statute, rule or regulation concerning the sale to or consumption of alcoholic beverages by a minor has been determined by the city to have a deleterious secondary effect upon (i) the specific land use requested by the permittee and authorized by the city; (ii) the compatibility of permittee's authorized land use with adjacent land uses; and (iii) the welfare and safety of the general public within the city. In view of such deleterious secondary effects, permittee shall acknowledge that the city has specifically reserved the right and authority to impose sanctions, including suspension or revocation of the conditional use permit, as a consequence of one or more violations of a state statute, rule or regulation concerning the sale to or consumption of alcoholic beverages by a minor.

General Conditions:

23. Consumption by a Minor, State Statutes

Any violation related to a state statute concerning alcohol sale to a minor shall result in the following. The City has the authority to identify the reasonable remedy for the CUP violation.

- a. First violation: a 15-day permit suspension.
- b. Second violation occurring within 3 years of the first violation: 60-day permit suspension.
- c. Third violation occurring within 3 years of the second violation: the permit shall be revoked.

24. Consumption by a Minor, Other regulations

Any violation related to any condition other than a state statute concerning alcoholic sale to a minor may result in the suspension or revocation of the permit at the discretion of the City Council. The permit may be revoked and reissued with new or modified conditions, as may appropriate under the circumstances.

25. Cost Recovery

Reimbursement to the City for all costs and expenses reasonably incurred in investigating, identifying, and documenting the violation, and in processing information concerning the violation, may be imposed as a condition of the continuation, reinstatement, or reissuance of any permit.

26. Violation Signage

For the duration of any suspension of an alcohol-related CUP, the Planning Commission, or, upon any appeal, the City Council, may direct the permittee to post a sign on the premises of the establishment relating to such suspension. The size, content, and location of such sign shall be as specified by the Director.

27. Violation of Conditional Use Permit

A public hearing consistent with Chapter 11.50 (Administration) shall be held for the consideration of a permit revocation. A permit or any associated conditions may be revoked or modified by the Planning Commission subject to any of the following grounds:

- a. The permit or approval was obtained by fraud.
- b. The property is not being used for the purpose which is the subject of the permit.
- c. The use for which the approval was granted has ceased or has been suspended for 1 year or more.
- d. The permit or conditions of the approval have been violated; exercised contrary to the terms of approval; or in violation of any statute, ordinance, law or regulation.
- e. The use for which the approval was granted was exercised in a manner detrimental to the public health or safety, or as to constitute a public nuisance.

28. Conditional Use Permit Expiration

Any approval or permit granted by the City becomes null and void if the property is not being used for the approved or permitted purpose within one year from the date the approval or permit was issued, consistent with the provisions identified within Section 11.55 Nonconforming Uses and Buildings.

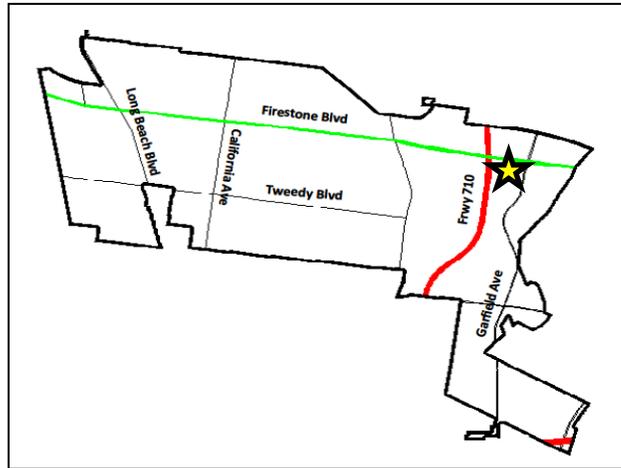
29. Conditional Use Permit Revocation

If the application or any conditions of the CUP violate the Zoning Code or do not fulfill the intent of the Code, the Planning Commission shall, following a public hearing, be authorized to take the following actions:

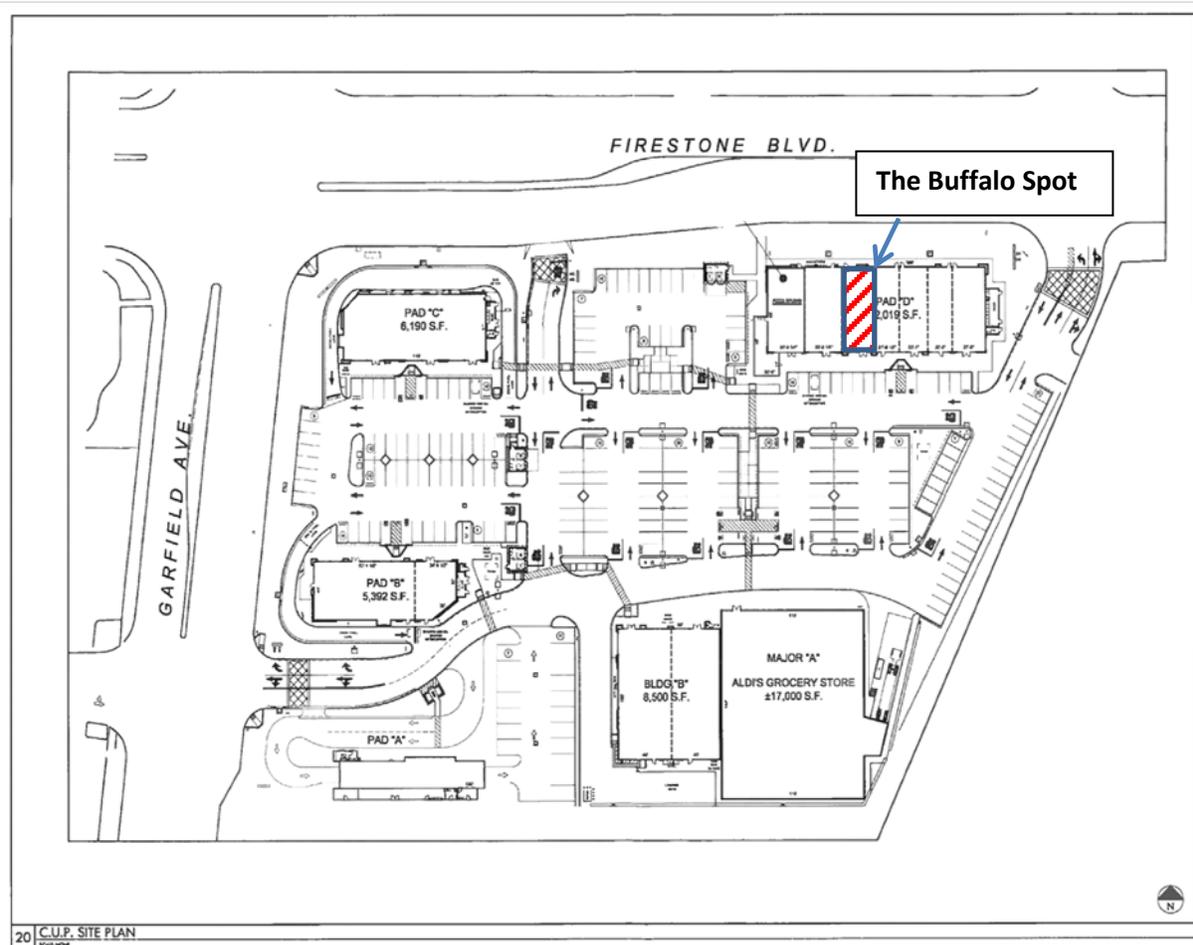
- a. Revoke the CUP, revoke and reissue the CUP with new or modified conditions, or modify the conditions of the existing CUP as may be appropriate under the circumstances.
- b. Impose, as a condition of the continuation, reinstatement, or reissuance of the CUP, a requirement that the permittee reimburse the City for all costs and expenses reasonably incurred in investigating, identifying, and documenting the violation, and in processing information concerning the violation for presentation to the Planning Commission, and, upon any appeal, to the City Council.
- c. A CUP shall be revocable if the exercises of rights granted by the CUP are discontinued for 6 consecutive months. The use subject to the CUP may not be resumed if the CUP is revoked; a new CUP, including processing and public notification, shall be required.

30. Maintenance of Property Free of Graffiti

Applicant acknowledges and agrees that the permit is expressly conditioned on the Applicant maintaining the subject equipment in a well-maintained condition, and free from graffiti. In the event of graffiti markings, Applicant agrees to eliminate all such graffiti within twenty four (24) hours, with or without notice from the City, as a condition of the permit.

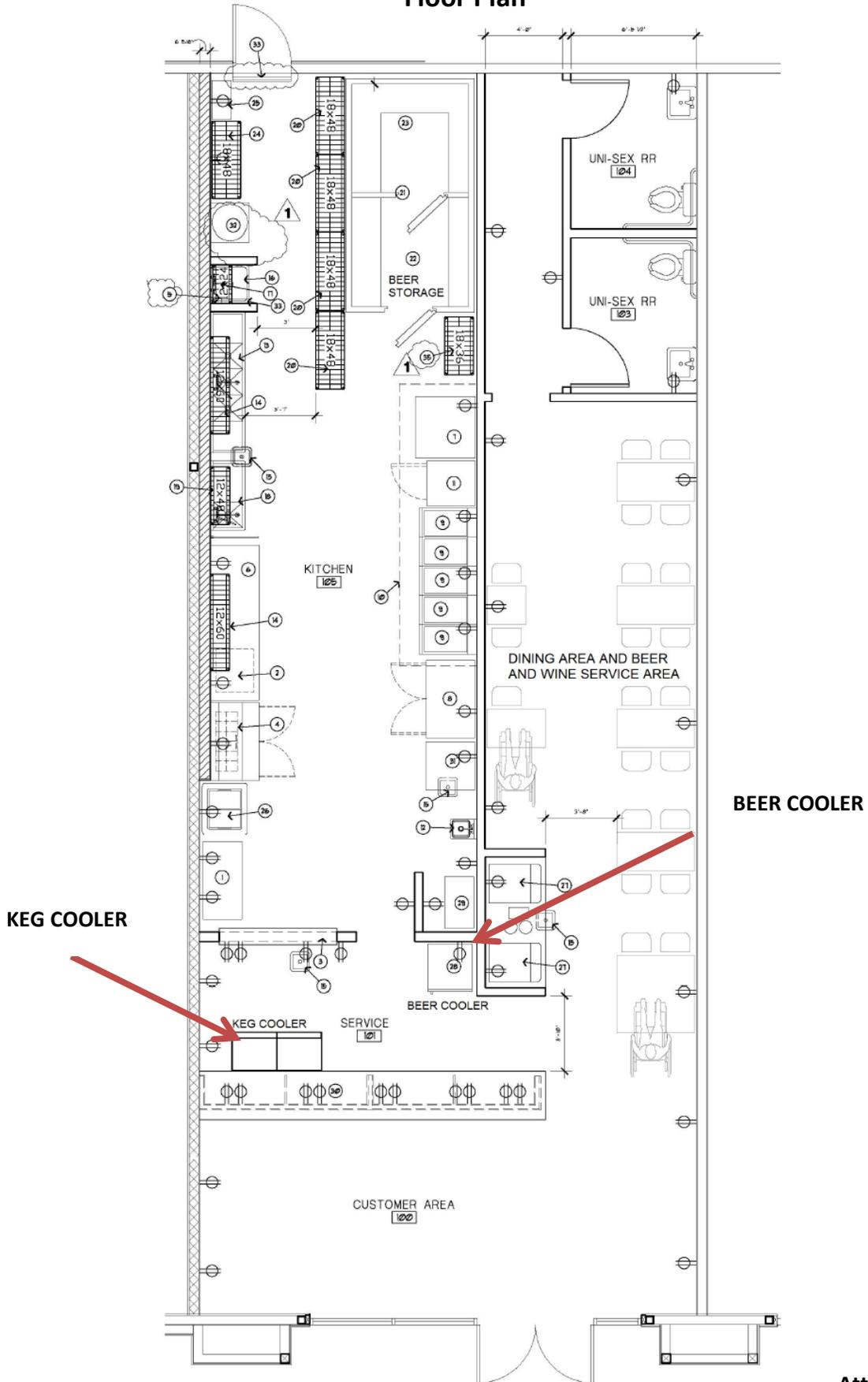


Location Map



Site Plan

Floor Plan





South Elevation



North Elevation

**PUBLIC NOTICE
CITY OF SOUTH GATE
PLANNING COMMISSION**

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Planning Commission of the City of South Gate will hold a public hearing on Conditional Use Permit No. 830

DATE OF HEARING: Tuesday, July 17, 2018

TIME OF HEARING: 7:00 pm

LOCATION OF HEARING: City Hall Council Chamber, City of South Gate
8650 California Avenue
South Gate, California

PROJECT LOCATION: The project site is located at 5840 Firestone Boulevard

PROJECT DESCRIPTION: Request to allow the operation of a Type 41 On-Sale Beer and Wine license at an existing Buffalo Spot restaurant.

ENVIRONMENTAL REVIEW: This project is Categorical Exempt under Class 1 Existing Facilities Section 15301 of the California Environmental Quality Act. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

INVITATION TO BE HEARD: All interested persons are invited to the public hearing to be heard in favor of or in opposition to the proposed project or to provide comments. In addition, written comments may be submitted to the Community Development Department prior to the hearing. If you challenge the action taken on this proposal in court, you may be limited to raising only those issues you or someone else raised at the public hearing, described in this Notice, or in written correspondence delivered to the City of South Gate prior to or at the public hearing.

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

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

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

Joe Perez
Community Development Director

ESPAÑOL

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

Published: July 6, 2018

NOTICE OF EXEMPTION

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

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

Project Title and Location (including county):

Conditional Use Permit No. 830
5840 Firestone Boulevard, South Gate, Los Angeles, CA 90280

Project Description:

Conditional Use Permit No. 830 is a request by the applicant, Buffalo Spot South Gate LLC, to operate a Type-41 (On-Sale Beer and Wine) alcohol license at a new restaurant.

Name of Public Agency Approving Project:

City of South Gate - Community Development Department

Name of Person/Agency Carrying Out Project:

Joe Perez - Community Development Director

Exempt Status: (Check one)

- Ministerial (Sec. 21080 (b) (1); 15268);
- Declared Emergency (Sec. 21080 (b) (3); 15269(a));
- Emergency Project (Sec. 21080 (b) (4); 15269(b) (c));
- Emergency Project (Sec. 21080 (b) (4); 15269(b) (c));
- Categorical Exemption: Section: 15301 Class: 1
- Statutory Exemption: Section: _____ Class: _____

Reasons why project is exempt:

This project is Categorically Exempt under Class 1 Existing Facilities Section 15301 of the California Environmental Quality Act. Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Lead Agency Contact Person and Phone Number:

Jessica C. Jimenez, Assistant Planner
323-563-9514
jjimenez@sogate.org

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

Signature	Jessica C. Jimenez, Assistant Planner	Date
	Printed Name and Title	