Steve Cammarata, Chair Michael Graf, Vice-Chair Monica Dever, Commissioner Joaquin Santos, Commissioner Bob Steinbach, Commissioner Jim Thompson, Commissioner Barry Waite, Commissioner



PLANNING COMMISSION AGENDA Lomita City Hall

Council Chambers 24300 Narbonne Avenue

Lomita, CA 90717 Phone: (310) 325-7110 Fax: (310) 325-4024

Next Resolution No. PC 2020-13

AGENDA REGULAR MEETING LOMITA PLANNING COMMISSION MONDAY, NOVEMBER 9, 2020 6:00 PM VARIOUS TELECONFERENCING LOCATIONS

SPECIAL NOTICE:

Pursuant to the Governor's Executive Order N-29-20, this meeting will be held via teleconference only and no physical location from which members of the public may observe the meeting and offer public comment will be provided.

Access to the meeting will be available via URL: https://us02web.zoom.us/j/89945564105 or by phone at 669-900-6833. Zoom Meeting ID: 899 4556 4105.

In order to effectively accommodate public participation, participants are asked to provide their comments via e-mail before 5:00 p.m. on Monday, November 9, 2020, to <u>l.abbott@lomitacity.com</u>. Please include the agenda item in the subject line. All comments submitted will be read into the record until the time limit of five minutes has been reached.

All votes taken during this teleconference meeting will be by roll call vote, and the vote will be publicly reported.

1. OPENING CEREMONIES

- a. Call Meeting to Order
- b. Roll Call

2. ORAL COMMUNICATIONS

Persons wishing to address the Planning Commission on subjects other than those scheduled are requested to do so at this time. Please provide your name and address for the record. In order to conduct a timely meeting, a 5-minute time limit per person has been established. Government Code Section 54954.2 prohibits the Planning Commission from discussing or taking action on a specific item unless it appears on a posted agenda.

3. CONSENT AGENDA

All items under the Consent Agenda are considered by the Commission to be routine and will be enacted by one motion in the form listed below. There may be separate discussions of these items prior to the time the Commissioners vote on the motion. Specific items may be removed from the Consent Agenda at the request of any Commissioner or staff.

a) APPROVAL OF MINUTES: October 12, 2020

RECOMMENDED ACTION: Approve minutes.

b) ZONE TEXT AMENDMENT NO. 2020-02, a recommendation of an ordinance amending Section 11-1.66.03(A), Residential Parking Requirements, to Reduce the Required Number of Parking Spaces for Residential Units with Five (5) or More Bedrooms and/or Dens from Three (3) Spaces in a Garage to Two (2) Spaces in a Garage and a Determination that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA). Initiated by Kevin McMinn, 30299 Kingsridge Drive, Rancho Palos Verdes, CA 90275 and Sajy & Jessy George, 25300 Cypress Street, Lomita, CA 90717 (Co-Applicants).

RECOMMENDED ACTION: Adopt resolution recommending City Council approval.

PUBLIC HEARINGS

4. CONDITIONAL USE PERMIT NO. 316, a request for a conditional use permit to allow the sale of beer and wine at a bona-fide restaurant, located at 1929B & 1931 Pacific Coast Highway in the C-R (Commercial Retail) Zone.

APPLICANT: Mary Wu, 1929B & 1931 Pacific Coast Highway, Lomita, CA 90717

PRESENTED BY: James Dotson, Planning Intern

RECOMMENDED ACTION: Adopt resolution of approval subject to findings and conditions,

and confirm that the project is exempt from CEQA requirements.

WRITTEN COMMUNICATIONS

5. COMMUNICATIONS REGARDING CITY COUNCIL ACTIONS

OTHER MATTERS

- 6. STAFF ITEMS ANNOUNCEMENTS
- 7. PLANNING COMMISSIONER ITEMS
- 8. COMMISSIONERS TO ATTEND CITY COUNCIL MEETINGS

Tuesday, December 1, 2020, and Tuesday, December 15, 2020

9. ADJOURNMENT

The next regular meeting of the Planning Commission is scheduled for Monday, December 14, 2020, at 6:00 p.m.

Written materials distributed to the Planning Commissioners within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the City Clerk's office at 24300 Narbonne Avenue, Lomita, CA 90717. In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, you should contact the office of the City Clerk, (310) 325-7110 (Voice) or the California Relay Service. Notification 48-hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.

Only comments directed to the Commission from the podium will be recognized. Comments directed to the audience or generated from the audience will be considered out of order. Any person may appeal all matters approved or denied by the Planning Commission to City Council within 30 days of receipt of notice of action by the applicant. Payment of an appeal fee is required. For further information, contact City Hall at 310 325-7110.

I hereby certify under penalty of perjury under the laws of the State of California that the foregoing agenda was posted not less than 72 hours prior to the meeting at the following locations: Lomita City Hall lobby and outside bulletin board, Lomita Parks and Recreation, and uploaded to the City of Lomita website http://www.lomita.com/cityhall/city agendas/.

Dated Posted: November 6, 2020

Linda E. Abbott

MINUTES REGULAR MEETING LOMITA PLANNING COMMISSION MONDAY, OCTOBER 12, 2020

1. OPENING CEREMONIES

- a. Chair Cammarata called the meeting to order at 6:04 p.m. via teleconference pursuant to Governor Newsom's Executive Order N-29-20 issued on March 17, 2020.
- b. Roll Call

Responding to the roll call by Deputy City Clerk Abbott were Commissioners Dever, Santos, Steinbach, Thompson, Waite, Vice-Chair Graf, and Chair Cammarata. Also present were Assistant City Attorney Lauren Langer, Assistant Planner Laura MacMorran, Planning Intern James Dotson, and Interim Community and Economic Development Director Sheri Repp Loadsman.

PRESENT: COMMISSIONERS: Dever, Santos, Steinbach, Thompson, Waite, Vice-Chair

Graf, and Chair Cammarata

ABSENT: COMMISSIONERS: None

2. ORAL COMMUNICATIONS

None.

3. CONSENT AGENDA

a) APPROVAL OF MINUTES: August 10, 2020

RECOMMENDED ACTION: Approve minutes.

Commissioner Steinbach made a motion, seconded by Commissioner Santos, to approve the minutes of the August 10, 2020, Planning Commission meeting.

MOTION CARRIED by the following vote:

AYES: COMMISSIONERS: Dever, Santos, Steinbach, Thompson, Waite, Vice-Chair

Graf, and Chair Cammarata

NOES: COMMISSIONERS: None ABSENT: COMMISSIONERS: None

b) SITE PLAN REVIEW NO. 1188 – One Year Extension of Time, a request for an additional one-year time extension to permit a new self-storage facility, which will include 48,052 square feet of self-storage space and 22 recreational vehicle spaces, and a block wall seven feet in height. The project is located at 1837 Lomita Blvd. in the C-G, Commercial General Zone.

Several Commissioners expressed displeasure with the lack of progress made on the project since the last extension was granted.

The applicants were experiencing difficulty securing a bank loan due to priority given to processing Paycheck Protection Program (PPP) loans, not "PPG" loans as stated in their letter attached to the staff report.

Giovanni Funicello and Giuseppe Finazzo, the applicants, stated that the pandemic had created problems for the project, but they anticipate funding will be processed within 30-60 days. They plan to use part of the loan for required permits, and expressed frustration due to the delays. Los Angeles County Building and Safety requires them to pull all permits at once, which is why they had to request another extension, as it involved updating the plans and is costly. They responded to Commission questions.

Commissioner Thompson made a motion, seconded by Commissioner Santos, to adopt a resolution of approval subject to findings, with the following changes under "Section 2. Findings":

"The Planning Commission of the City of Lomita hereby approves a one-year extension of time for Site Plan No. 1188 establishing a new expiration date of October 11, 2021. This will be the final extension considered by the Planning Commission for this project, and the applicant shall report to the City the status of the loan and permits within 90 days."

MOTION CARRIED by the following vote:

AYES: COMMISSIONERS: Dever, Santos, Steinbach, Thompson, Waite, Vice-Chair

Graf, and Chair Cammarata

NOES: COMMISSIONERS: None ABSENT: COMMISSIONERS: None

PUBLIC HEARINGS

4. ZONE TEXT AMENDMENT NO. 2020-02, consideration of an ordinance amending Lomita Municipal Code Section 11-1.66.03(A), Residential Parking Requirements, to Reduce the Required Number of Parking Spaces for Residential Units with Five or More Bedrooms and/or Dens from Three (3) Spaces in a Garage to Two (2) Spaces in a Garage and a Determination that the Project is Categorically Exempt from the California Environmental Quality Act (CEQA).

Assistant Planner MacMorran presented the staff report as per the agenda material. She thanked Planning Intern Dotson for his assistance researching other jurisdiction's residential parking requirements.

Discussion was held relative to the Census data used to determine the requirements, as well as cultural changes since then, such as households having more cars nowadays, and an increase in home-based businesses. The lack of on-street parking in the City was also discussed. Staff mentioned that the availability of on-site parking would not necessarily free up street parking.

Chair Cammarata opened the public hearing at 7:02 p.m.

Kevin McMinn, co-applicant, stated that a three-car garage was a deterrent because it would occupy space that would otherwise be used for living area.

Sajy George, co-applicant, stated that they would like to enlarge their three-bedroom house to accommodate guests and working from home due to COVID-19, and to expand their existing attached two-car garage would require substantial structural modification.

George Kivett, a Lomita resident, stated that when garage space is increased, curb area is reduced. In addition, from an architectural standpoint, an average sized lot would be dominated by a three-car garage.

Chair Cammarata closed the public hearing at 7:15 p.m.

Commissioner Steinbach asked if there was a way for residents to build a five-bedroom home and not provide for three enclosed parking spaces. Assistant Planner MacMorran said the alternative is to request a zone variance but the threshold is far more stringent, as it requires exceptional or extraordinary circumstances to vary from the three-car garage requirement. As a result, a more direct solution is necessary.

There was further discussion about the need for on-site parking but not wanting to hinder expansion, but requiring unenclosed parking.

Vice-Chair Graf made a motion, seconded by Commissioner Waite, to approve a resolution recommending to the City Council to amend Lomita Municipal Code Section 11-1.66.03(A), for the parking requirements for the category "one family" to read as follows:

- Two (2) parking spaces in a garage for units of up to three (3) bedrooms and/or dens;
- Two (2) parking spaces in a garage, plus one (1) additional unenclosed parking space for four (4) bedrooms and/or dens; and
- Two (2) parking spaces in a garage, plus two (2) additional unenclosed parking spaces for five (5) or more bedrooms and/or dens.

The provisions related to a duplex, apartment house and condominium were to remain unchanged.

MOTION CARRIED by the following vote:

AYES: COMMISSIONERS: Dever, Santos, Steinbach, Thompson, Waite, Vice-Chair

Graf, and Chair Cammarata

NOES: COMMISSIONERS: None ABSENT: COMMISSIONERS: None

SCHEDULED MATTERS

5. PRESENTATION ON VISUALIZING DENSITY

PRESENTED BY: Diego Velasco, AICP

Principal, Citythinkers

Assistant Planner MacMorran introduced Mr. Velasco, and shared his background and experience.

Mr. Velasco gave his presentation on visualizing density.

Interim Director Repp-Loadsman explained that this design and density presentation had been scheduled during this meeting to assist the Commission with planning for the Regional Housing Needs Assessment (RHNA) requirements, as well as with the update to the Housing Element. She explained that Lomita was obligated to plan for an additional 827 housing units at different affordability levels. The process for identifying suitable land for these new units would require the Planning Commission and City Council to consider increased density and new locations that could be designated for residential and mixed use development. She noted that the process would be challenging and would lead to a new vision for the growth of the community.

George Kivett, a Lomita resident, stated that he wished to preserve the R-1 and A-1 zones at their present densities in Lomita, but remarked that commercial corridors in several areas are ready for a pick-me-up. He added that developers would have to be incentivized to create projects.

Art Ashai, developer, stated that due to electrical lines on the west side of Narbonne Avenue, the Los Angeles County Fire Department required a fire lane for his project on 248th Street and Narbonne Avenue. He added that this was possible due to the project being on a corner lot, but that the future development of single-family homes or duplexes built on mid-block lots would not be able design their development to meet the Fire Department's requirement.

The Commission expressed their appreciation for Mr. Velasco's insight and willingness to make the presentation.

6. DISCUSSION OF REGIONAL HOUSING NEEDS ASSESSMENT (RHNA) AND HOUSING ELEMENT UPDATE

Interim Director Repp-Loadsman presented the staff report as per the agenda material. She stated that creativity will be necessary regarding both development standards and density, but that it will still be difficult to achieve what the state requires.

Discussion was held relative to how Lomita can fulfill the requirements and potential consequences if the goals are not met.

Interim Director Repp-Loadsman clarified that the City's task is to demonstrate that local control can produce enough housing.

George Kivett, a Lomita resident, stated that Lomita should consider adding an additional story in the height limit along the south side of Lomita Boulevard for any mixed-use projects. He added that density might also have to be increased slightly to allow enough buildable square footage. The advantage to building on the south side is that shadows would fall onto the street instead of in someone's backyard. He also suggested extending the mixed use overlay farther east along Lomita Boulevard, as there are some underutilized properties in that area heading east out of the downtown area. Such changes might incentivize some property owners with enough value in their properties to sell to a developer. He added that the easterly side of Lomita Boulevard was suitable for taller buildings because of how the shadows are cast onto the street. He suggested increasing densities along the City's other transportation corridors.

WRITTEN COMMUNICATIONS

7. COMMUNICATIONS REGARDING CITY COUNCIL ACTIONS

Interim Director Repp-Loadsman stated that the feasibility of appealing the RHNA for Lomita will be discussed at the next Council meeting.

OTHER MATTERS

8. STAFF ITEMS - ANNOUNCEMENTS

Interim Director Repp-Loadsman stated that work has begun on two General Plan amendments, the Housing Element and the Safety Element. Recommendation of approval of a consulting contract will soon be taken to Council for the Safety Element.

9. PLANNING COMMISSIONER ITEMS

Vice-Chair Graf asked if there was an update on the Picerne project. Interim Director Repp-Loadsman stated that they are moving forward on the project, have provided required bonds, and are working with County Building and Safety. It is expected that a building permit will be issued within the next month or two.

Commissioner Dever asked if there was any interest in a long-term lease of the vacant market space on Pacific Coast Highway. Interim Director Repp-Loadsman stated that she and City Manager Smoot had recently spoken with the property owners, but due to the pandemic, there is not much leasing taking place. She added that it was made clear that the Lomita community would like another grocery store at that location; however, the ownership situation is complicated as there are multiple owners.

Commissioner Thompson commended Interim Director Repp-Loadsman for the quality of her presentations and her knowledge.

10. COMMISSIONERS TO ATTEND CITY COUNCIL MEETINGS

Commissioner Waite will attend the Council meeting on Tuesday, November 3, 2020. Commissioner Steinbach will attend the Tuesday, November 17, 2020, meeting.

11. ADJOURNMENT

There being no further business to discuss, the meeting was adjourned by Chair Cammarata at 9:00 p.m.

Attest:

Linda E. Abbott, Deputy City Clerk

Draft

Item 3b



CITY OF LOMITA PLANNING COMMISSION REPORT

TO: Planning Commission November 9, 2020

FROM: Sheri Repp Loadsman, Interim Community and Economic Development Director

SUBJECT: Zone Text Amendment 2020-02 (Parking Requirements)

PROJECT DESCRIPTION

A zone text amendment to amend the Lomita Municipal Code Section 1-11.66.03(A) Residential Parking Requirements to reduce the required number of parking spaces for residential units with five or more bedrooms and/or dens from three (3) spaces in a garage to two (2) spaces in a garage and a determination that the project is categorically exempt from the California Environmental Quality Act (CEQA). Initiated by the Kevin McMinn, 30229 Kingsridge Drive, Rancho Palos Verdes, CA 90275, and Sajy and Jessy George, 25300 Cypress Street, Lomita, CA 90717

RECOMMENDATION

Staff recommends that the Planning Commission adopts a resolution recommending City Council approval of Zone Text Amendment No. 2020-02 and confirms the intended action of the Planning Commission.

BACKGROUND

On October 12, 2020, the Planning Commission provided a determination on the proposed zone text amendment recommending to City Council to reduce the number of enclosed parking spaces for one family units from three spaces to two spaces, and requiring up to two unenclosed parking spaces. The Planning Commission recommendation modified the proposed zone text amendment as presented by staff. There were several clarifications during the Planning Commission deliberation related to the parking requirements for one family units and duplexes, apartment house and condominiums. After the motion was on the table, the Assistant City Attorney restated the motion and read into the record the proposed amendments to the draft zone text amendment.

In preparing the revised resolution and after carefully listening to the recorded meeting, staff and the Assistant City Attorney recognized that the motion may have been understood in different ways for the parking requirements for the duplex, apartment house and condominium category. Confirmation is needed to determine if the Planning Commission intended on modifying Section 1-11.66.03(A) as shown in Option 1 or, alternatively, maintaining the existing provisions as shown in Option 2. Staff contacted Commissioner Graf who made the motion and Commission Waite who provided the second. They advised their understanding of the motion to be Option 2. A draft resolution incorporating Option 2 is attached as Exhibit A.

Planning Commission: November 9, 2020

ZTA: 2020-02 Page 2

Option 1 Staff Recommendation on 10/12/20 Motion as clarified by Asst. City Attorney	Duplex, apartment house, condominiums,	Two (2) parking [spaces] in a garage for each unit of up to four (4) bedrooms and/or dens; three (3) spaces in a garage for five (5) or more bedrooms and/or dens, except as noted below. In addition, one (1) guest parking space shall be required for each two (2) units. Said spaces shall not be located in the required front setback areas.
Option 2 Planning Commission Motion (as confirmed with Commissioners Graf and Waite subsequent to the 10/12/20 meeting)	Duplex, apartment house, condominiums,	Two (2) parking [spaces] in a garage for each unit of up to four (4) bedrooms and/or dens; three (3) spaces in a garage for five (5) or more bedrooms and/or dens, except as noted below. In addition, one (1) guest parking space shall be required for each two (2) units. Said spaces shall not be located in the required front setback areas.

Zone Text Amendment

By approving the attached resolution, the section titled "Parking Standards" will read as follows

Sec. 11-1.66.03. - Parking requirements.

For the purpose of this Article, unless otherwise stated, all requirements shall be calculated based on gross floor area.

	(A) Residential Parking Requirements:
One-family	Two (2) parking spaces in a garage; for each unit with four(4) bedrooms and/or dens one unenclosed parking space; for each unit with five (5) or more bedrooms and/or dens another unenclosed parking space for units of up to four (4) bedrooms and/or dens; three (3) spaces in a garage for five (5) or more bedrooms and/or dens, except as noted below.
Duplex, apartment house, condominiums,	Two (2) parking [spaces] in a garage for each unit of up to four (4) bedrooms and/or dens; three (3) spaces in a garage for five (5) or more bedrooms and/or dens, except as noted below. In addition, one (1) guest parking space shall be required for each two (2) units. Said spaces shall not be located in the required front setback areas.

For the purpose of this section only, a bedroom or a den is defined as any room containing sixty (60) square feet or more that is not a living room, dining room, family room, kitchen or laundry area. Further, any unit, either single-family or multifamily, which existed prior to February 4, 1991, shall be provided with two (2) parking spaces in a garage. However, Should such any unit and/or units be enlarged in size by fifty (50) percent or more of its current size in any five-year period, the above requirements for five (5) or more bedrooms/dens shall apply.

Planning Commission: November 9, 2020

ZTA: 2020-02 Page 3

Alternatives

The Planning Commission may adopt the resolution as presented or request that this matter be removed from the consent calendar for further discussion. The public hearing has been closed. Any discussion would be for the purpose of reviewing information from the October 12, 2020 public hearing. The Planning Commission may direct modifications to the draft resolution.

Environmental Determination

In accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, adoption of the Zone Text Amendment is exempt from CEQA in that it can be seen with certainty that there is no possibility that the amendment may have a significant effect on the environment. The adoption of the proposed ordinance is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The proposed amendment is limited to eliminating one enclosed parking space in one-family dwelling units with 5 or more bedrooms and/dens. This change will not increase the demand for housing or have significant effect on the demand for parking. Therefore, it will not impact aesthetics, harm air quality, effect cultural resources, create stormwater pollution, generate noise, or create any other foreseeable effect on the environment.

Exhibits: A. Resolution; B. Ordinance

Recommended by:

Sheri Repp Loadsman Interim Community and Economic

Development Director

Prepared by:

Laura MacMorran Assistant Planner

Loura Mac Morran

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA RECOMMENDING CITY COUNCIL APPROVAL OF ZONE TEXT AMENDMENT 2020-02, AMENDING LOMITA MUNICIPAL CODE SECTION 11-1.66.03(A), RESIDENTIAL PARKING REQUIREMENTS, TO REDUCE THE REQUIRED NUMBER OF PARKING SPACES FOR ONE FAMILY DWELLING UNITS WITH FIVE OR MORE BEDROOMS AND/OR DENS FROM THREE (3) SPACES IN A GARAGE TO TWO (2) SPACES IN A GARAGE AND REQUIRE ONE (1) UNCOVERED PARKING SPACE FOR ONE FAMILY DWELLING UNITS WITH FOUR BEDROOMS AND/OR DENS, AND ONE (1) ADDITIONAL UNCOVERED PARKING SPACE FOR A ONE-FAMILY DWELLING UITS WITH FIVE OR MORE BEDROOMS AND/OR DENS AND A DETERMINATION THAT THE PROJECT IS CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). INITIATED BY KEVIN MCMINN, 30299 KINGSRIDGE DRIVE, RANCHO PALOS VERDES, CA 90275 AND SAJY & JESSY GEORGE, 25300 CYPRESS STREET, LOMITA, CA 90717. (CO-APPLICANTS)

THE PLANNING COMMISSION OF THE CITY OF LOMITA DOES HEREBY FIND, ORDER AND RESOLVE AS FOLLOWS:

Section 1. Recitals

- A. The Planning Commission of the City of Lomita has considered a request for a Zone Text Amendment to reduce the required number of parking spaces for residential units with five or more bedrooms and/or dens from three (3) spaces in a garage to two (2) spaces in a garage. Initiated by the Kevin McMinn, 30229 Kingsridge Drive, Rancho Palos Verdes, CA 90275, and Sajy and Jessy George, 25300 Cypress Street, Lomita, CA 90717
- B. In accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, adoption of the Zone Text Amendment is exempt from CEQA in that it can be seen with certainty that there is no possibility that the amendment may have a significant effect on the environment. The adoption of the proposed ordinance is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The proposed amendment is limited to eliminating one enclosed parking space in residential dwelling units with 5 or more bedrooms and/dens. This change will not increase the demand for housing or have significant effect on the demand for parking. Therefore, it will not impact aesthetics, harm air quality, effect cultural resources, create stormwater pollution, generate noise, or create any other foreseeable effect on the environment.
- C. On October 12, 2020, the Planning Commission held a duly noticed public hearing and accepted public testimony and evidence to consider the Zoning Text Amendment, in accordance with Municipal Code sections 11-1.70.04 and 11-1.70.05
- D. After review and consideration of all evidence and testimony presented in connection with this hearing, the Planning Commission recommends that the City Council approve the Zoning Text Amendment to reduce the required number of parking spaces for a one-family

unit with five or more bedrooms and/or dens from three (3) spaces in a garage to two (2) spaces in a garage and require one uncovered parking space for a one family unit with four bedrooms and/or dens, and an additional unenclosed parking space for a one-family unit with five or more bedrooms and or dens.

Section 2. In accordance with Municipal Code section 11-1.70.05, the Planning Commission finds that the proposed Zone Text Amendment, to reduce the required number of parking spaces for residential units with five or more bedrooms and/or dens from three (3) spaces in a garage to two (2) spaces in a garage is consistent with the General Plan because it implements the Housing Element's 5th Policy, which "encourages a diversity of housing types, sizes, locations and costs in accordance with the City's land use policies and ordinances". The policy calls for housing with mixed characteristics, such as, owner-occupied and rental; single-family and multi-family; modest and upscale; small, medium, and large sizes, and homes with the traditional types of rooms and homes with a greater number rooms for a variety of purposes. The additional enclosed parking space requirement is a physical and/or financial constraint on developing houses with five or more bedrooms and/or den-like rooms. By establishing the same enclosed parking requirement as other dwelling units, conflicts between certain development requirements should be minimized. And by removing these constraints and conflicts, it will enable the development of contemporary homes, which feature more rooms and types of rooms, and thereby increase housing stock diversity. The amendment will not affect the Land Use Element's residential density designations.

<u>Section 3.</u> Based on the foregoing, the Planning Commission of the City of Lomita hereby recommends City Council approve and adopt the Ordinance attached hereto as Attachment "A" and incorporated herein by reference.

PASSED and ADOPTED by the Planning Commission of the City of Lomita on this 9th day of November, 2020 by the following vote:

F	AYES:	Commissioners:			
1	NOES:	Commissioners:			
A	ABSENT:	Commissioners:			
				Steve Cammarata, Chair	
ATTES	ST:				
	Sheri R	epp Loadsman			
	Interim	Community and Econ	omic Developm	nent	
	Directo	r	-		

Any action to challenge the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section 1094.6.

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LOMITA AMENDING LOMITA MUNICIPAL CODE SECTION 11-1.66.03(A), RESIDENTIAL PARKING REQUIREMENTS, TO REDUCE THE REQUIRED NUMBER OF PARKING SPACES FOR ONE-FAMILY DWELLING UNITS WITH FIVE OR MORE BEDROOMS AND/OR DENS FROM THREE (3) SPACES IN A GARAGE TO TWO (2) SPACES IN A GARAGE, PROVIDE ONE (1) UNCOVERED PARKING SPACE FOR ONE FAMILY DWELLING UNITS WITH FOUR BEDROOMS AND/OR DENS. AND PROVIDE ONE (1) MORE UNCOVERED PARKING SPACE FOR A ONE-FAMILY DWELLING UITS WITH FIVE OR MORE BEDROOMS AND/OR DENS AND A DETERMINATION THAT THE PROJECT IS CATEGORICALLY **EXEMPT** THE FROM CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA). INITIATED BY KEVIN MCGINN, 30299 KINGSRIDGE DRIVE, RANCHO PALOS VERDES, CA 90275 AND SAJY & JESSY GEORGE, 25300 CYPRESS STREET. LOMITA, CA 90717. (CO-APPLICANTS)

THE CITY COUNCIL OF THE CITY OF LOMITA HEREBY ORDAINS AS FOLLOWS:

Section 1. Recitals.

- A. On October12, 2020, the Planning Commission held a duly noticed public hearing on Zone Text Amendment No. 2020-02 where public testimony was accepted on the item and recommended City Council approval.
- B. The City Council finds that the ordinance is consistent with the General Plan because it implements the Housing Element's 5th Policy, which "encourages a diversity of housing types, sizes, locations and costs in accordance with the City's land use policies and ordinances". The policy calls for housing with mixed characteristics, such as, owner-occupied and rental; single-family and multi-family; modest and upscale; small, medium, and large sizes; and homes with the traditional types of rooms and homes with a greater number rooms for a variety of purposes. The additional enclosed parking space requirement is a physical and/or financial constraint on developing houses with five or more bedrooms and/or denlike rooms. By establishing the same enclosed parking requirement as other dwelling units, conflicts between previously mentioned development requirements should be minimized. And by removing these constraints and conflicts, it will enable the development of contemporary homes which feature more rooms and types of rooms, and thereby increase housing stock diversity. The amendment will not affect the Land Use Element's residential density designations.
- C. In accordance with Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines, adoption of the Zone Text Amendment is exempt from CEQA in that it can be seen with certainty that there is no possibility that the amendment may have a significant effect on the environment. The adoption of the proposed

ordinance is covered by the general rule that CEQA applies only to projects that have the potential for causing a significant effect on the environment. The proposed amendment is limited to eliminating one enclosed parking space in residential dwelling units with 5 or more bedrooms and/dens. This change will not increase the demand for housing or have significant effect on the demand for parking. Therefore, it will not impact aesthetics, harm air quality, effect cultural resources, create stormwater pollution, generate noise, or create any other foreseeable effect on the environment.

<u>Section 2</u>. Based on the foregoing, the City Council of the City of Lomita hereby approves Zone Text Amendment 2020-02:

Section 11-1.66.03(A) of Title XI of the Lomita Municipal Code is added to read as follows:

Sec. 11-1.66.03. - Parking requirements.

For the purpose of this Article, unless otherwise stated, all requirements shall be calculated based on gross floor area.

(A) Residential Park	cing Requirements:
One-family	Two (2) parking spaces in a garage for three (3) bedrooms and/or dens, one(1) unenclosed parking space for four (4) bedrooms and/or dens, and one more unenclosed parking space for five (5) or more bedrooms and/or dens.
Duplex, apartment house, condominiums,	Two (2) parking [spaces] in a garage for each unit of up to four (4) bedrooms and/or dens; three (3) spaces in a garage for five (5) or more bedrooms and/or dens, except as noted below. In addition, one (1) guest parking space shall be required for each two (2) units. Said spaces shall not be located in the required front setback areas.

For the purpose of this section only, a bedroom or a den is defined as any room containing sixty (60) square feet or more that is not a living room, dining room, family room, kitchen or laundry area. Further, any unit, either single-family or multifamily, which existed prior to February 4, 1991, shall be provided with two (2) parking spaces in a garage. However, Should such any unit and/or units be enlarged in size by fifty (50) percent or more of its current size in any five-year period, the above requirements for five (5) or more bedrooms/dens shall apply.

<u>Section 3</u>. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance or any part hereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part thereof. The City Council of the City of Lomita hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

Section 4. Effective Date. This ordinance shall of its passage; and prior to fifteen (15) days aft a copy of this ordinance to be published in according Clerk shall certify the adoption of this ordinance	er its passage, the City Clerk shall cause ordance with the provisions of the law. The
PASSED, APPROVED AND ADOPTED	o, this, 2020.
	JAMES GAZELEY, Mayor
ATTEST:	
KATHLEEN HILL, CMC, City Clerk	



CITY OF LOMITA PLANNING COMMISSION REPORT

TO: Planning Commission November 9, 2020

FROM: James Dotson, Planning Intern

SUBJECT: Conditional Use Permit No. 316

1929B & 1931 Pacific Coast Highway, in the C-R (Commercial Retail) Zone

APPLICANT'S REQUEST

A request for a conditional use permit to allow the sale of beer and wine at a bona-fide restaurant, located at 1929B & 1931 Pacific Coast Highway in the C-R (Commercial Retail) Zone. Filed by Mary Wu, 1929B & 1931 Pacific Coast Highway, Lomita, CA 90717 ("Applicant").

RECOMMENDATION

Staff recommends that the Planning Commission adopt a resolution approving Conditional Use Permit No. 316, subject to the findings and conditions and to confirm the CEQA categorical exemption.

BACKGROUND

Property History

The property has been developed as the Lomita Village Plaza and consists of three buildings totaling 29,548 square feet and a freestanding ATM. These buildings are divided into 16 units; the proposed project will occupy two of the units. Unit one (addressed 1929B) is 1,748 square feet and unit two (addressed 1931) is 2,200 square feet; the two units combine for a total of 3,948 square feet. 1929B Pacific Coast Hwy's prior tenant was a sports wear facility, which closed late 2018. 1931 Pacific Coast Hwy was previously leased to acupuncture/ medical product retail establishment, which terminated its business license in 2010. The subject property provides 131 shared parking spaces and driveways on Pacific Coast Hwy and Eshelman Avenue.

Project Description

The restaurant is requesting a conditional use permit to serve beer and wine and is proposing to operate on Mondays through Thursdays from 8 a.m. to 8 p.m. and Friday and Saturday from 8 a.m. to 11 p.m. It will feature traditional Filipino cuisine (a sample menu is attached to this report as Exhibit H). The restaurant will be relocating from a smaller unit at 1959 Pacific Coast Highway within the Lomita Village Plaza shopping center. The applicant is proposing extensive tenant improvements to the interior of the building. The proposed floor plan will provide for 95

Planning Commission: November 9, 2020 Conditional Use Permit 316

Page 2

seats in the interior dining area, and 11 seats in the bar area, for a total seating capacity of 106 persons.

Environmental Determination

The proposed project is categorically exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act guidelines. This category of exemptions consists of the operation, permitting, licensing or minor alteration of existing public or private structures facilities, involving negligible or no expansion of use beyond that existing at the time of lead agency's determination may be found to be exempt from the requirements of CEQA. The proposed conditional use permit is to permit the Alcoholic Beverage Control license type for Beer and Wine Sales (Type 41). There is no construction beyond ministerial tenant improvements with this project. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment.

General Plan Designation

The general plan designation for the subject property is Commercial. This land use designation applies to the commercial corridors in Lomita including those located along Pacific Coast Highway, Lomita Boulevard, Western Avenue and Narbonne Avenue.

Adjacent Zoning and Land Uses

Direction	Zone and Land Use
North	R-1 (Single Family Residential) Zone
Norui	Land use: Residential
South	C-R (Commercial Retail) Zone
Soun	Land use: Retail Plaza
West	C-R (Commercial Retail) Zone
west	Land use: Pharmacy
East	C-R (Commercial Retail) Zone
East	Land use: Plumbing Store

ANALYSIS

Conditional Use Permit

Staff has reviewed the project in accordance with Section 11-1.70.09 (Conditional Use Permit) and Article 56 (Sale of Alcoholic Beverages) of the Lomita City Code and advises that the project is consistent with the following required findings:

1) The proposed use is allowed within the District with approval of a CUP and complies with all other applicable requirements of the Article;

Section 11-1.48.04(A)(11) of Article 48 (C-R, Commercial-Retail) states that restaurants, serving alcoholic beverages are permitted within the C-R zone with the approval of a CUP and subject to the requirements of Article 56, which are addressed below.

Planning Commission: November 9, 2020 Conditional Use Permit 316 Page 3

2) The proposed use is consistent with the General Plan;

The General Plan land use designation for this area is Commercial which provides for retail sales activities and limited service establishments. A restaurant that sells beer and wine is considered a type of service establishment and is consistent with the General Plan.

3) The design, location, size and operating characteristics are compatible with existing and future land uses, building and structures in the vicinity and the proposed use will not jeopardize, adversely affect, endanger or otherwise constitute a menace to the public health, safety or general welfare or be materially detrimental to the property of other persons located in the vicinity.

The restaurant is relocating to existing commercial units and there will be no new square footage. The primary restaurant use is allowed by right and will be compatible with the existing businesses in the Lomita Village Plaza. The restaurant's design is dominated by table seating and less than 10% of the seating is at a counter. This arrangement is typical for a bona fide eating establishment, and it is compatible with future land uses in the vicinity as the area is designated for commercial activity.

The shopping center's refuse area is in the northeast portion of the lot and is approximately 60 feet from a residential rear yard. To prevent late-night disturbances from the business's operations, a condition has been added requiring all cans and bottles to be disposed of no later than 10 p.m. every day of the week. The building meets all applicable zoning requirements.

The applicant is requesting a conditional use permit to sell beer and wine Monday through Thursday from 8 a.m. to 8 p.m. and Friday and Saturday from 8 a.m. to 11 p.m. Based upon a review of similar conditional use permits approved for restaurants, staff is proposing that the hours for beer and wine service be permitted until 10 p.m. Monday through Thursday because it is more realistic that people may be eating and drinking after 8 p.m. The Department of Alcoholic Beverage Control classifies the license as a Type 41. Under the ABC license, the establishment will remain a bona-fide eatery.

Based on the nature of business, its operating characteristics and uses in the vicinity, the proposed use will not jeopardize, adversely affect, endanger or otherwise constitute a menace to public health safety or general welfare or be materially detrimental to the property of other persons located in the vicinity.

4) The site is adequate in size and shape to accommodate the yards, walls, fences parking and loading facilities, landscaping and other development features prescribed in this chapter, or as required as a condition in order to integrate the use with the uses in the neighborhood.

The site is adequate in size and shape as it meets all the current development standards prescribed under the Zoning Ordinance. It is substantially in the same form as it was originally developed. In 2018 a freestanding ATM machine was approved for the parking lot (SPR No. 1193). Section 11-1.66.03 (Parking Requirements) requires one parking space for each 225 square feet of gross floor area for mixed commercial use developments located on parcels of over 50,000 square feet. In a mixed-use development, should a single use, other than offices, occupy 50% or more of the development, the requirements for free standing uses would apply to the entire development. The parking requirement for restaurants with on-site eating is one parking space for each 150 square feet of gross floor area and outdoor dining area. The subject property is 1.97 acres and the cumulative restaurant uses are less than 50%. The number of parking spaces is adequate based on the shopping center's square footage and tenant mix. The property has one large, centralized parking area and a contiguous rear parking area, which connects to Pacific Coast Highway and Eshelman Avenue. The two larger buildings are built adjacent to the property line with a block wall along shared property lines. Staff is not aware of code enforcement issues or complaints from the neighbors.

5) The site is served by highways and streets adequate to carry the kind and quantity of traffic such use would generate.

The project is located on Pacific Coast Highway between Eshelman Avenue and Walnut Street. Pacific Coast Highway is designated a major arterial highway in the City, which is adequate for the kind and quantity of traffic the proposed use will generate.

Any business selling alcoholic beverages for off-site or on-site consumption shall be located a minimum of 300 feet from schools, parks, public recreation areas and any other use determined to be a sensitive use by the Community Development Director. The distance shall be measured from the closest property line from the subject parcel to the closest property line of the parcel containing the sensitive use (LMC Sec. 11-1.56.03(C)).

The proposed location is within 300 feet of three sensitive uses:

Sensitive Land Use	Address
Alexander Fleming Middle School	25425 Walnut Street
Eshelman Avenue Elementary School	25902 Eshelman Avenue
Veterans Park	25714 Bland Place

Section 11-1-56.03 (D) of the Lomita Municipal Code states that the Planning Commission may modify the distance requirements when granting a conditional use permit if the following additional findings can be made. This section enables the City to scrutinize the impacts of a new alcohol uses or modifications on existing sensitive uses.

1. The proposed use will not have an adverse impact on public safety. Factors that could be considered to determine impact include but are not limited to Los Angeles County Sheriff Department's crime statistics for the underlying and surrounding reporting districts, Los Angeles County Sheriff Department's crime statistics for the underlying and surrounding properties and the types of crime within those same areas.

The Los Angeles County Sheriff's Departments 2019 (01/01-12/31) Crime Statistics for Reporting District (RD) 1714 (the RD in which the subject property is located) cited 51 total Part I incidents. In regard to the calls dispatched, this District contains a major thoroughfare and incidents reported in this area aren't necessarily associated directly to the businesses. A total of 256 incidents were cited for Part II of the Crime Statistics for this district, more than 50% (143 incidents) were attributed to vehicle/boat laws.

The additional of beer and wine will not change the overall nature of the business, which is first and foremost a restaurant. The consumption of beer and wine is ancillary and consistent with a restaurant use and would not have an adverse impact on public safety.

2. The business will provide beneficial commercial vitality to the area.

The proposed restaurant is surrounded by a variety of commercial businesses. There are eight restaurant establishments in the subject shopping center, and most are predominately takeout establishments with no beer and wine service. Customers for a sit-down restaurant often prefer the option to order beer and wine, especially at dinner time. This business will diversify the types of restaurant establishments in the area and that is a benefit to the area's commercial vitality.

3. The use will not be objectionable or detrimental to surrounding properties and the neighborhood.

This subject shopping center is home to many restaurants, of which three have Type 41 licenses for on-site beer and wine consumption. The existing restaurants with the Type 41 licenses have not been objectionable or detrimental to the nearby public schools, park or residential area. The proposed restaurant is anticipated to operate in a similar manner. There are no active code enforcement cases on file with the City's Neighborhood Preservation Division.

Planning Commission: November 9, 2020 Conditional Use Permit 316 Page 6

PUBLIC NOTICE

Notices of this hearing dated October 29, 2020, were mailed to property owners within 300 feet of the subject property and posted at on the Lomita City web page, Lomita City Hall, and Lomita Park.

Recommended by:

Sheri Repp Loadsman

Interim Community and Economic

Development Director

Prepared by:

James Dotson Planning Intern

Exhibits:

- a. Resolution
- b. Vicinity Map
- c. Zoning Map
- d. General Plan Map
- e. Aerial Photograph
- f. Notice of Exemption
- g. Floor Plan
- h. Menu

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LOMITA APPROVING CONDITIONAL USE PERMIT NO. 316 TO ALLOW THE SALE OF BEER AND WINE AT A BONA-FIDE RESTAURANT, LOCATED AT 1929B & 1931 PACIFIC COAST HIGHWAY IN THE C-R (COMMERCIAL RETAIL) ZONE. FILED BY MARY WU, 1929B & 1931 PACIFIC COAST HIGHWAY, LOMITA, CA 90717 ("APPLICANT").

THE PLANNING COMMISSION OF THE CITY OF LOMITA DOES HEREBY FIND, ORDER, AND RESOLVE AS FOLLOWS:

Section 1. Recitals

- A. The Planning Commission of the City of Lomita has considered an application to allow the sale of beer and wine at a bona-fide restaurant, located at 1929B & 1931 Pacific Coast Highway in the C-R (Commercial Retail) Zone. Filed by Mary Wu, 1929B & 1931 Pacific Coast Highway, Lomita, CA 90717 ("Applicant").
- B. The subject site is zoned C-R (Commercial Retail) and designated "commercial" by the City's General Plan. Pursuant to Section 11-1.48.04(10) of Article 48 (C-R, Commercial Retail), restaurants serving alcoholic beverages are permitted in the C-R zone with the approval of a conditional use permit, subject to the requirements of Article 56 (Sale of Alcoholic Beverages).
- C. On November 9, 2020, the Planning Commission held a duly noticed public hearing and accepted public testimony for and against the item.
- D. The proposed project is categorically exempt pursuant to Section 15301 (Existing Facilities) of the California Environmental Quality Act guidelines. This category of exemptions consists of the operation, permitting, licensing or minor alteration of existing public or private structures facilities, involving negligible or no expansion of use beyond that existing at the time of lead agency's determination may be found to be exempt from the requirements of CEQA. The proposed conditional use permit is to permit the Alcoholic Beverage Control license type for Beer and Wine Sales (Type 41). There is no construction beyond ministerial tenant improvements with this project. Therefore, staff has determined that there is no substantial evidence that the project may have a significant effect on the environment.
- E. The Planning Commission finds that Applicant agrees with the necessity of and accepts all elements, requirements, and conditions of this resolution as being a reasonable manner of preserving, protecting, providing for, and fostering the health, safety, and welfare of citizens in general and the persons who work, or visit this development in particular.

Section 2. Findings

Pursuant to Section 11-1.70.09 (Conditional Use Permit) and Article 56 (Sale of Alcoholic Beverages) of the Lomita Municipal Code, the Planning Commission finds, after due study and deliberation that the

following circumstances exist:

- 1) The proposed use is allowed within the District with approval of a CUP and complies with all other applicable requirements of this Article;
 - Section 11-1.48.04(A)(11) of Article 48 (C-R, Commercial-Retail) states that restaurants, serving alcoholic beverages are permitted within the C-R zone with the approval of a CUP and subject to the requirements of Article 56, which are addressed below.
- 2) The proposed use is consistent with the General Plan;
 - The General Plan land use designation for this area is Commercial which provides for retail sales activities and limited service establishments. A restaurant that sells beer and wine is considered a type of service establishment and is consistent with the General Plan.
- 3) The design, location, size and operating characteristics are compatible with existing and future land uses, building and structures in the vicinity and the proposed use will not jeopardize, adversely affect, endanger or otherwise constitute a menace to the public health, safety or general welfare or be materially detrimental to the property of other persons located in the vicinity;
 - The restaurant is relocating to existing commercial units and there will be no new square footage. The primary restaurant use is allowed by right and will be compatible with the existing businesses in the Lomita Village Plaza. The restaurant's design is dominated by table seating and less than 10% of the seating is at a counter. This arrangement is typical for a bona fide eating establishment, and it is compatible with future land uses in the vicinity as the area is designated for commercial activity.

The shopping center's refuse area is in the northeast portion of the lot and is approximately 60 feet from a residential rear yard. To prevent late-night disturbances from the business's operations, a condition has been added requiring all cans and bottles to be disposed of no later than 10 p.m. every day of the week. The building meets all applicable zoning requirements.

The applicant is requesting a conditional use permit to sell beer and wine Monday through Thursday from 8 a.m. to 8 p.m. and Friday and Saturday from 8 a.m. to 11 p.m. Based upon a review of similar conditional use permits approved for restaurants, staff is proposing that the hours for beer and wine service be permitted until 10 p.m. Monday through Thursday because it is more realistic that people may be eating and drinking after 8 p.m. The Department of Alcoholic Beverage Control classifies the license as a Type 41. Under the ABC license, the establishment will remain a bona-fide eatery.

Based on the nature of business, its operating characteristics and uses in the vicinity, the proposed use will not jeopardize, adversely affect, endanger or otherwise constitute a menace to public health safety or general welfare or be materially detrimental to the property of other persons located in the vicinity.

4) The site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in this chapter, or as required as a condition in order to integrate the use with the uses in the neighborhood;

The site is adequate in size and shape as it meets all the current development standards prescribed

under the Zoning Ordinance. It is substantially in the same form as it was originally developed. In 2018 a freestanding ATM machine was approved for the parking lot (SPR No. 1193). Section 11-1.66.03 (Parking Requirements) requires one parking space for each 225 square feet of gross floor area for mixed commercial use developments located on parcels of over 50,000 square feet. In a mixed-use development, should a single use, other than offices, occupy 50% or more of the development, the requirements for free standing uses would apply to the entire development. The parking requirement for restaurants with on-site eating is one parking space for each 150 square feet of gross floor area and outdoor dining area. The subject property is 1.97 acres and the cumulative restaurant uses are less than 50%. The number of parking spaces is adequate based on the shopping center's square footage and tenant mix. The property has one large, centralized parking area and a contiguous rear parking area, which connects to Pacific Coast Highway and Eshelman Avenue. The two larger buildings are built adjacent to the property line with a block wall along shared property lines. Staff is not aware of code enforcement issues or complaints from the neighbors.

5) The site is served by highways and streets adequate to carry the kind and quantity of traffic such use would generate.

The project is located on Pacific Coast Highway between Eshelman Avenue and Walnut Street. Pacific Coast Highway is designated a major arterial highway in the City, which is adequate for the kind and quantity of traffic the proposed use will generate.

Section 3. Proximity to Sensitive Uses

Any business selling alcoholic beverages for off-site or on-site consumption shall be located a minimum of 300 feet from schools, parks, public recreation areas and any other use determined to be a sensitive use by the Community Development Director. The distance shall be measured from the closest property line from the subject parcel to the closest property line of the parcel containing the sensitive use (LMC Sec. 11-1.56.03(C)).

The proposed location is within 300 feet of three sensitive uses:

Sensitive Land Use	Address
Alexander Fleming Middle School	25425 Walnut Street
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Section 11-1-56.03 (D) of the Lomita Municipal Code states that the Planning Commission may modify the distance requirements when granting a conditional use permit if the following additional findings can be made. This section enables the City to scrutinize the impacts of a new alcohol uses or modifications on existing sensitive uses.

1) The proposed use will not have an adverse impact on public safety. Factors that could be considered to determine impact include but are not limited to Los Angeles County Sheriff Department's crime statistics for the underlying and surrounding reporting districts, Los Angeles County Sheriff

Resolution No. Page 4

Department's crime statistics for the underlying and surrounding properties and the types of crime within those same areas.

The Los Angeles County Sheriff's Departments 2019 (01/01-12/31) Crime Statistics for Reporting District (RD) 1714 (the RD in which the subject property is located) cited 51 total Part I incidents. In regard to the calls dispatched, this District contains a major thoroughfare and incidents reported in this area aren't necessarily associated directly to the businesses. A total of 256 incidents were cited for Part II of the Crime Statistics for this district, more than 50% (143 incidents) were attributed to vehicle/ boat laws.

The additional of beer and wine will not change the overall nature of the business, which is first and foremost a restaurant. The consumption of beer and wine is ancillary and consistent with a restaurant use and would not have an adverse impact on public safety.

2) The business will provide beneficial commercial vitality to the area.

The proposed restaurant is surrounded by a variety of commercial businesses. There are eight restaurant establishments in the subject shopping center, and most are predominately takeout establishments with no beer and wine service. Customers for a sit-down restaurant often prefer the option to order beer and wine, especially at dinner time. This business will diversify the types of restaurant establishments in the area and that is a benefit to the area's commercial vitality.

3) The use will not be objectionable or detrimental to surrounding properties and the neighborhood.

This subject shopping center is home to many restaurants, of which three have Type 41 licenses for on-site beer and wine consumption. The existing restaurants with the Type 41 licenses have not been objectionable or detrimental to the nearby public schools, park or residential area. The proposed restaurant is anticipated to operate in a similar manner. There are no active code enforcement cases on file with the City's Neighborhood Preservation Division.

<u>Section 4.</u> The Planning Commission of the City of Lomita hereby approves Conditional Use Permit No. 316 subject to the following conditions and confirms the CEQA categorical exemption.

GENERAL PROJECT CONDITIONS

- 1. This permit is granted for the property described in the application on file with the Planning Division and may not be transferred from one property to another.
- 2. This permit is granted for the plans received September 22, 2020, ("the plans") on file with the Planning Division. The project shall conform to the plans, except as otherwise specified in these conditions, or unless a minor modification to the plans is approved by the Community Development Director or a modification to the plans is approved by the Planning Commission. A minor modification may be granted for minimal changes or increases in the extent of use or size of structure. For numerical standards, the Community Development Director may approve deviations up to 10% provided that city code requirements are met.
- 3. Approval of this permit shall expire 24 months from the date of approval by the Planning Commission, unless significant construction or improvements or the use authorized hereby have

commenced. One or more extensions of time for use inauguration may be requested.

- 4. The Planning Commission may review this approval upon notice of violation by the Code Enforcement Officer.
- 5. By commencing any activity related to the project or using any structure authorized by this permit, Applicant accepts all of the conditions and obligations imposed by this permit and waives any challenge to the validity of the conditions and obligations stated therein.
- 6. Applicant agrees, as a condition of adoption of this resolution, at Applicant's own expense, to indemnify, defend and hold harmless the City and its agents, officers and employees from and against any claim, action or proceeding to attack, review, set aside, void or annul the approval of the resolution or any condition attached thereto or any proceedings, acts or determinations taken, done or made prior to the approval of such resolution that were part of the approval process. Applicant's commencement of construction or operations pursuant to the resolution shall be deemed to be an acceptance of all conditions thereof.
- 7. Before placing or constructing any signs on the project property, Applicant shall obtain a sign permit from the City. Except as provided in the sign permit, Applicant may not change any signs on the project property.
- 8. If Applicant, owner or tenant fails to comply with any of the conditions of this permit, the Applicant, owner or tenant shall be subject to a civil fine pursuant to the City Code.
- 9. This permit shall not be effective for any purpose until a duly authorized representative of the owner of the property has filed with the Department of Community Development, a notarized affidavit accepting all the conditions of this permit. This affidavit, or a copy of this resolution, shall be recorded with the County Recorder and is binding on successors. If the Applicant is a corporation, then an officer of the corporation shall sign the acceptance affidavit.

PLANNING STANDARD CONDITIONS

- 10. Any application for a minor modification to the project shall be accompanied by three copies of plans reflecting the requested modification, together with applicable processing fees.
- 11. It is hereby declared to be the intent that if any provision of this permit is held or declared invalid, the permit shall be void and the privileges granted hereunder shall lapse.
- 12. That, in the event of a disagreement in the interpretation and/or application of these conditions, the issue shall be referred back to the Planning Commission.

PLANNING SPECIAL CONDITIONS

13. No sale, service, or consumption of beer and wine may occur outside the establishment unless a

Resolution No. Page 6

AVFS.

special event permit is approved.

- 14. The establishment shall be operated as a "bona fide public eating place" as defined by Business and Professions Code section 23038. In the event that food service ceases on the property, this permit for the sale of beer and wine may be modified or revoked pursuant to the Lomita Municipal Code.
- 15. The hours of operation (*i.e.*, the sale of both food and all beer and wine) shall be limited from 8:00 a.m. to 10:00 p.m. Monday through Thursday and 8:00 a.m. to 11:00 p.m. Friday and Saturday. The kitchen shall remain open during all hours of operation.
- 16. All crimes occurring inside or outside the project property shall be reported to the Lomita Station of the Los Angeles County Sheriff's Department at the time of the occurrence.
- 17. No sales to obviously intoxicated patrons shall be allowed.

Commissioners:

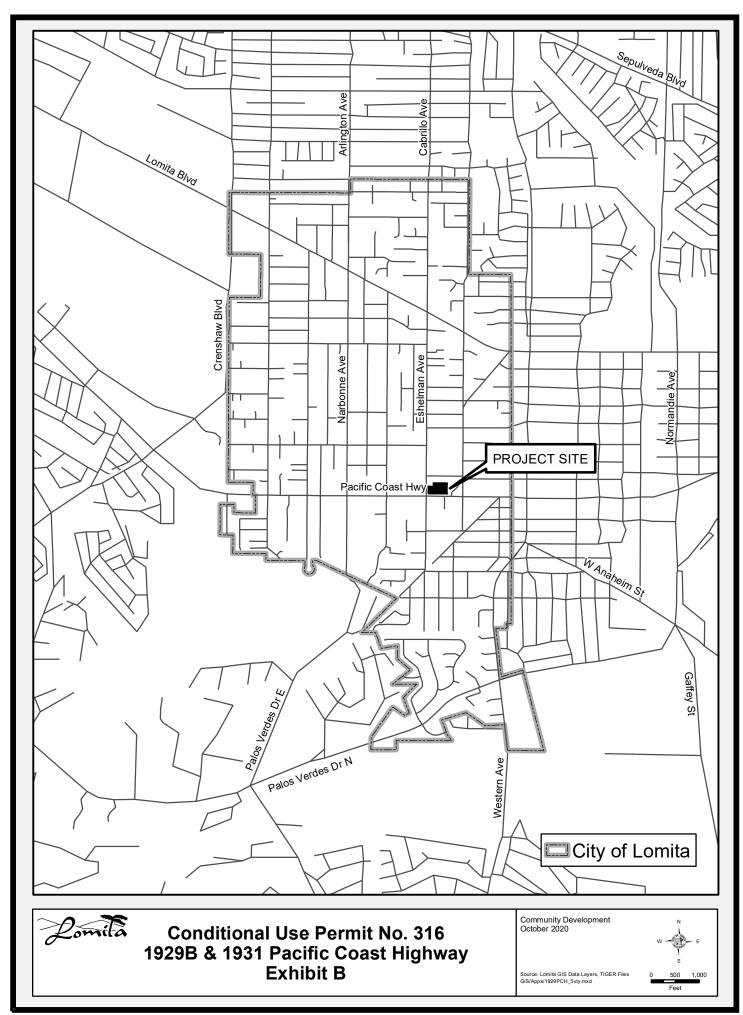
- 18. On a daily basis, Applicant shall remove cigarette butts at a distance of 25 feet in both directions from the main customer door and rear service door.
- 19. Due to the proximity to residential uses, disposing of bottles and beverage cans in the trash receptacle behind the building shall not occur after 10:00 p.m. daily.

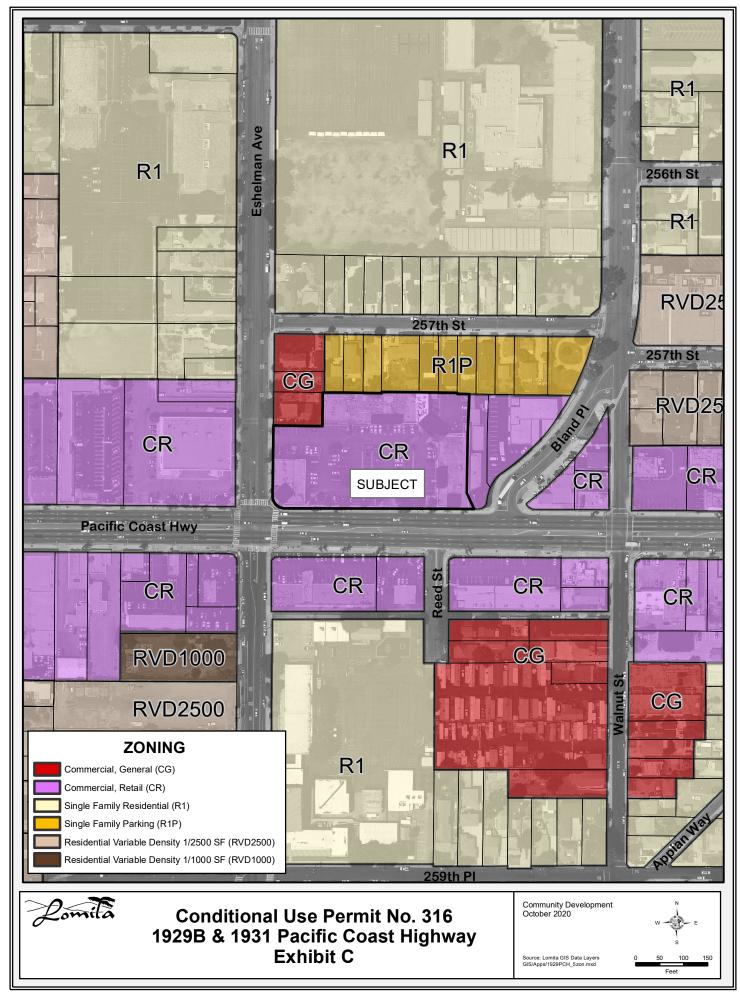
PASSED and ADOPTED by the Planning Commission of the City of Lomita on this 9th day of November, 2020 by the following vote:

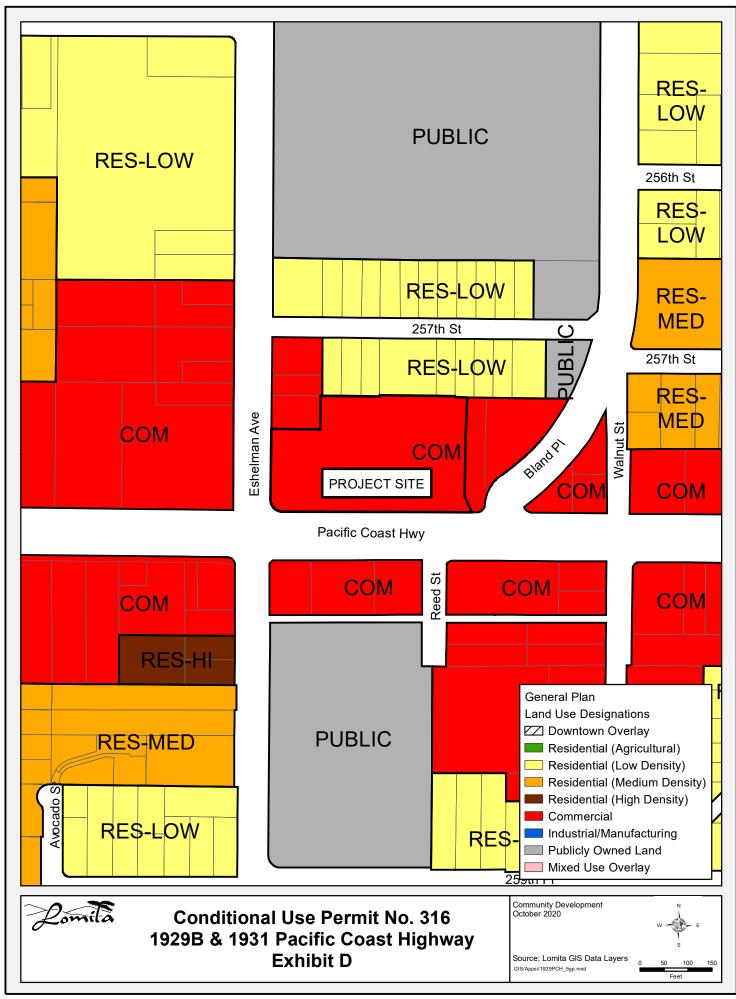
	TILD.	Commissioners.	
	NOES:	Commissioners:	
	ABSENT:	Commissioners:	
			Steven Cammarata, Chairperson
ATTI	EST:		
	Sheri R	epp Loadsman	
	Interim	Community and Economic	
	Develo	pment Director	

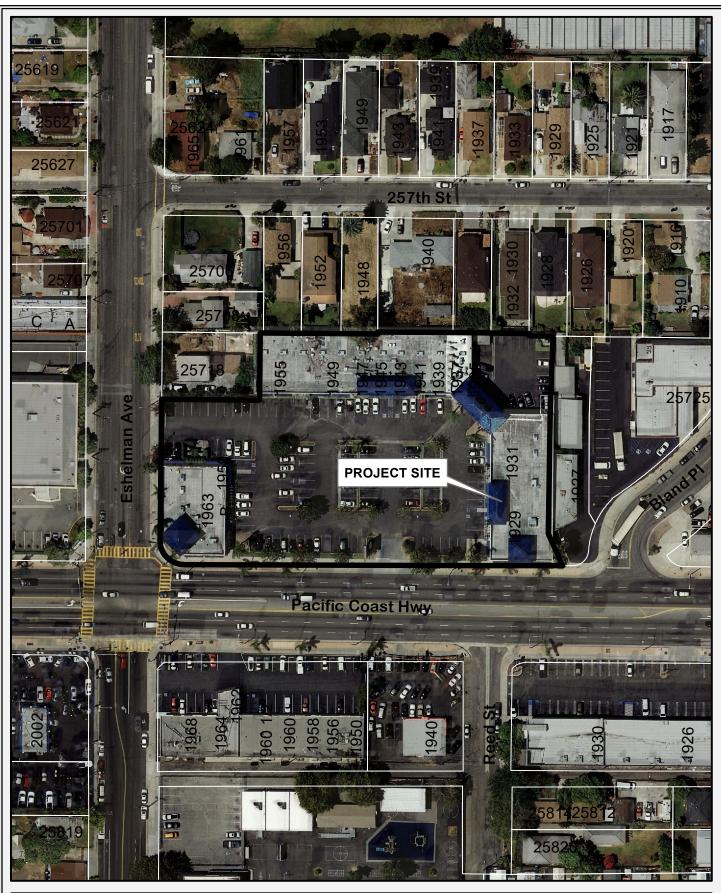
Within 30 days of the date of this decision for an exception, permit, change of zone, or other approval, or by the person the revocation of whose permit, exception, change of zone, or other approval is under consideration, of notice of the action of, or failure to act by, the Commission, any person dissatisfied with the action of, or the failure to act by, the Commission may file with the City Clerk an appeal from such action upon depositing with said Clerk an amount specified by resolution of the City Council.

Any action to challenge the final decision of the City made as a result of the public hearing on this application must be filed within the time limits set forth in Code of Civil Procedure Section 1094.6.









Lomila

Conditional Use Permit No. 316 1929B & 1931 Pacific Coast Highway Exhibit E Community Development October 2020

Source: Lomita GIS Data Layers /Apps//1929PCH 5aer.mxd





Community and Economic Development Department Planning Division 24300 Narbonne Avenue Lomita, CA 90717 310/325-7110 FAX 310/325-4024

NOTICE OF EXEMPTION

Project Description:

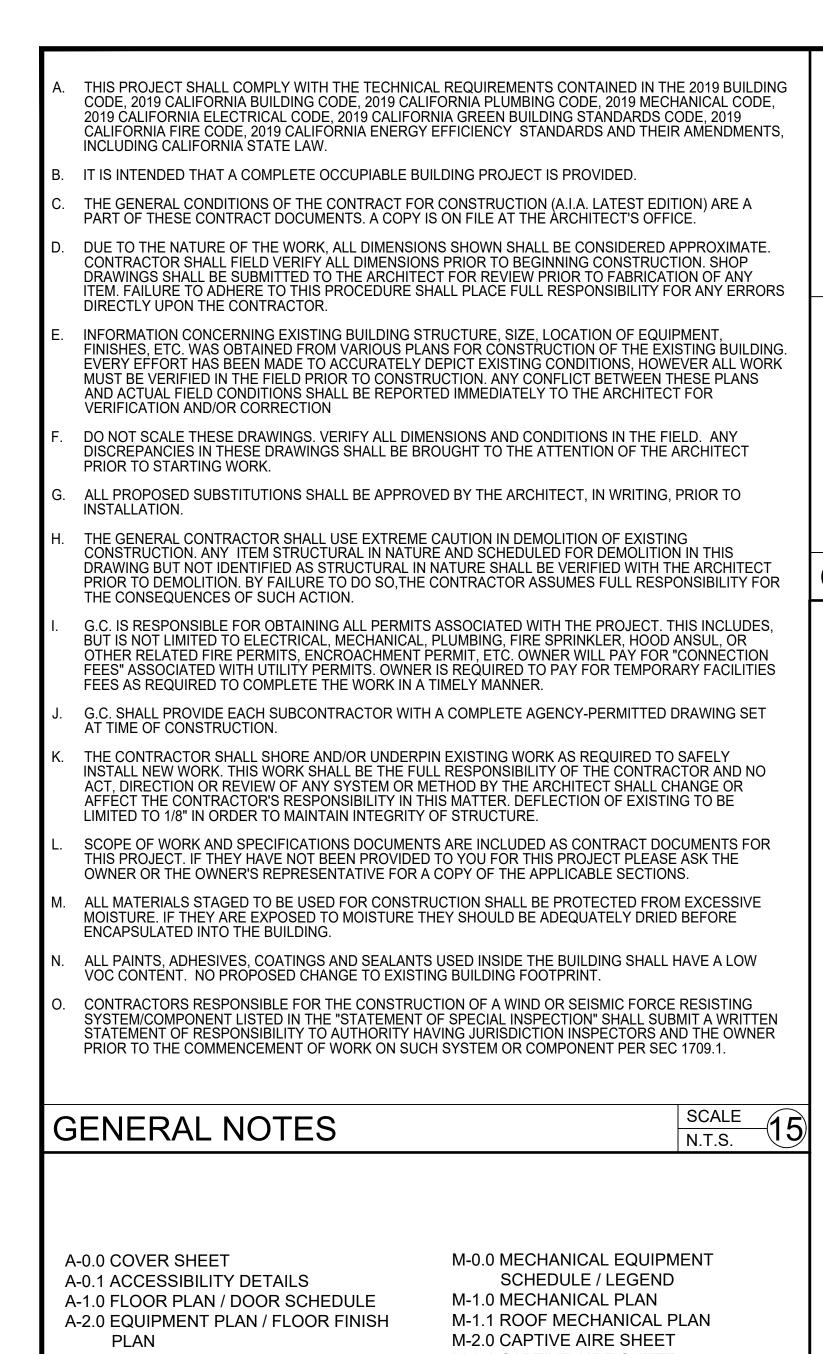
<u>CONDITIONAL USE PERMIT NO. 316</u> – A request for a conditional use permit to allow the sale of beer and wine at a bona-fide restaurant, located at 1929B & 1931 Pacific Coast Highway in the C-R (Commercial Retail) Zone. Filed by Mary Wu, 1929B & 1931 Pacific Coast Highway, Lomita, CA 90717 ("Applicant").

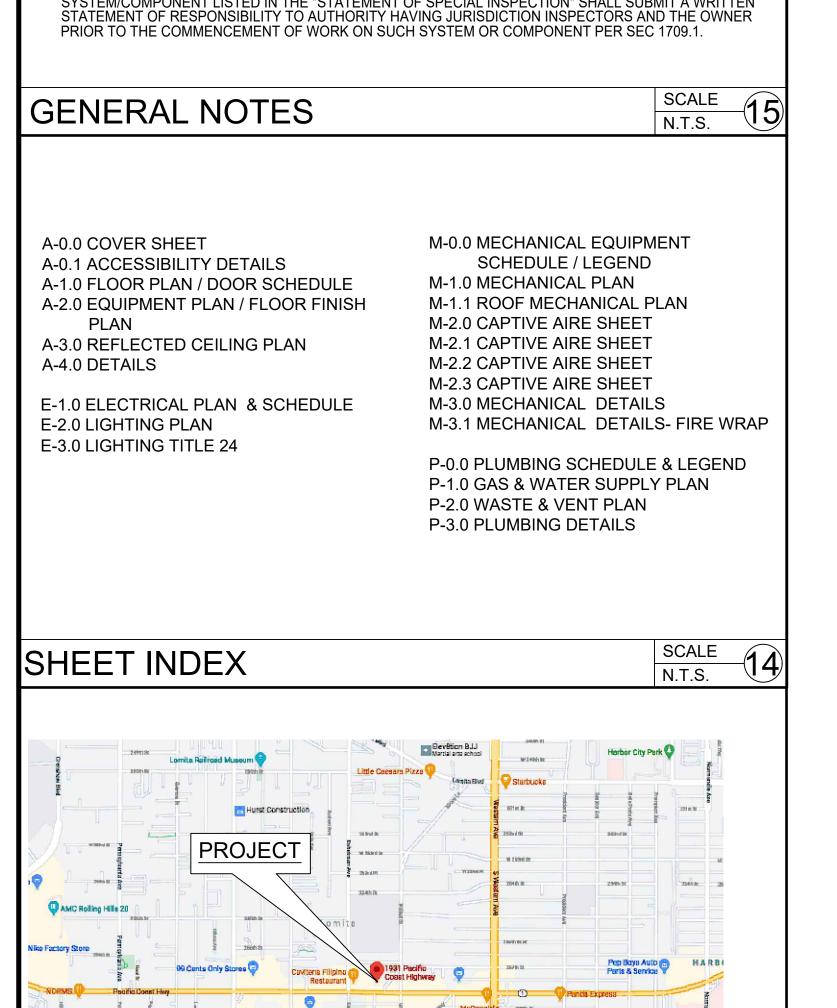
The Planning Division of the Community Development Department of the City of Lomita has

Finding:

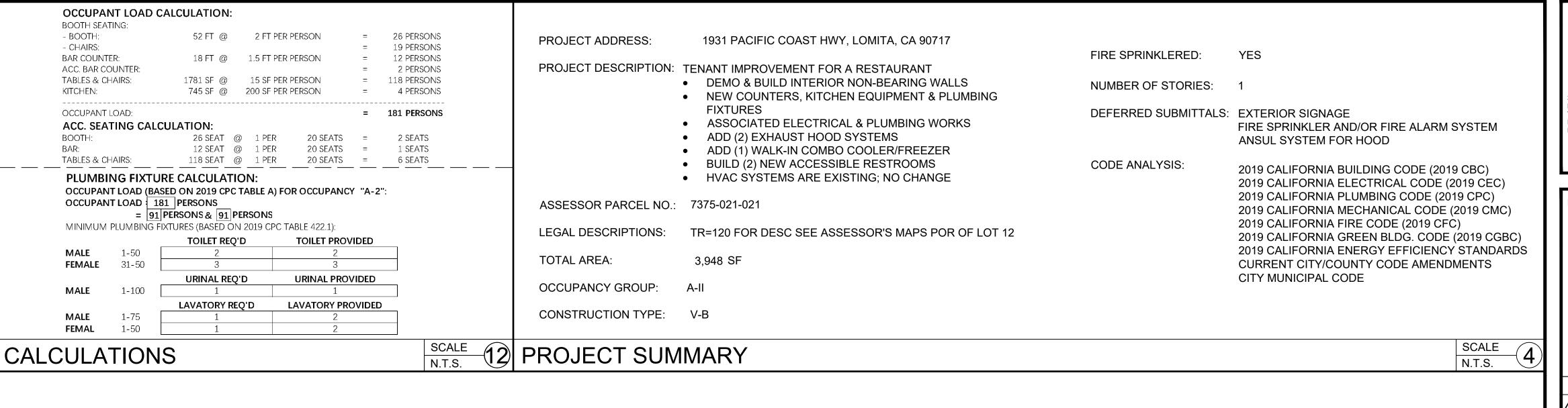
	ved the above proposed project and foonmental Quality Act (CEQA).	ound it to be exempt from the provisions of the California
	Statutory Exemption Emergency Project Quick Disapproval [CEQA Guideli	idelines, Section 15301, Existing Facilities) ines, Section 15270] [CEQA Guidelines, Section 15061(b)(3)]
(CEQ existing that experience that experience the contract of	A) guidelines, projects involving the ng public or private structures facilition is at the time of lead agency's ements of CEQA. The proposed control license type for Beer and Wine Sales	ection 15301 of the California Environmental Quality Act operation, permitting, licensing or minor alteration of es, involving negligible or no expansion of use beyond determination may be found to be exempt from the ditional use permit is to permit the Alcoholic Beverage es (Type 41). There is no construction beyond ministerial erefore, staff has determined that there is no substantial ficant effect on the environment.
(Dat	e)	Sheri Repp Loadsman Interim Community and Economic

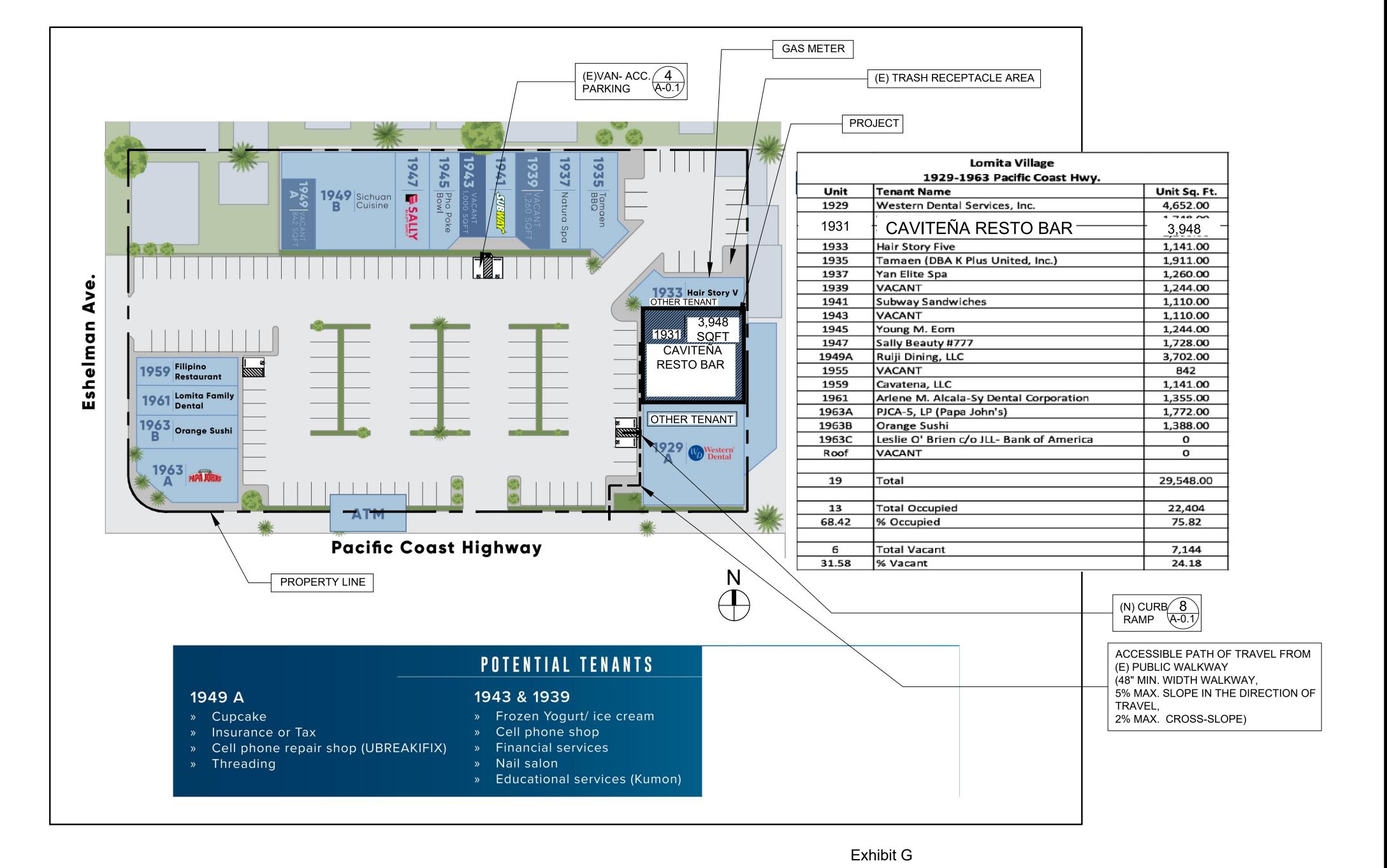
Development Director





VICINITY MAP



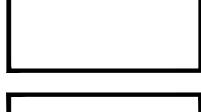




3400 N. PECK ROAD, EL MONTE, CA 91731 TEL: 626-575-5880 FAX: 626-575-5080 EMAIL:SALESNEWASIA@AOL.COM

ncluding all technical drawings, graphic and models thereof, are proprietary and cannot be copied, duplicated or commercially exploited, in whole or in p ithout express written permission of N ASIA FSE, INC. These are available or limited review and evaluation by clients consultants, contractors, government agencies, vendors and office personnel only in accordance with this notice. U acceptance and use of this drawings, t Contractor agrees to review and inform Optima Group Inc. of any discrepancy conflict prior to the preparation of without exception, shop drawings, templates. layouts, or any execution of any work related to the information contained on t

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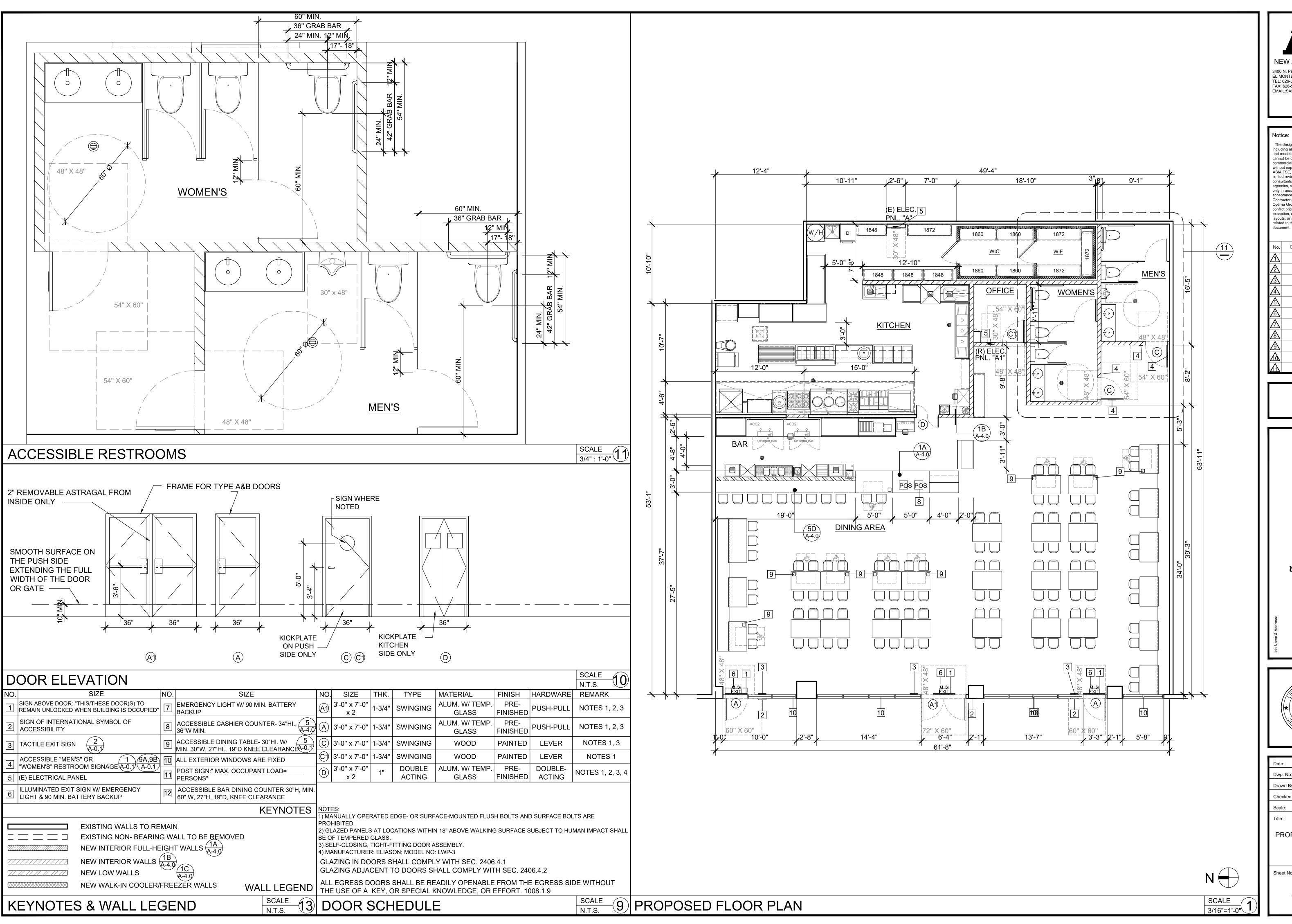
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COVER SHEET

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SCALE N.T.S.

SITE PLAN



NEW ASIA FSE, INC.

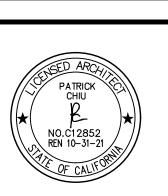
3400 N. PECK ROAD,
EL MONTE, CA 91731
TEL: 626-575-5880
FAX: 626-575-5080
EMAIL:SALESNEWASIA@AOL.COM

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SAVITEÑA RESTO BAF
(T.I. - RESTAURANT)
1931 PACIFIC COAST HWY, LOMITA, CA 90717



Date:

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Checked By:

MJ

Scale:

AS SHOWN

Title:

PROPOSED FLOOR

OPOSED FLOOR PLAN

et No.

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We cook variety of delicious food everyday...









Kare-Kare

Daily Menu

Vegetables:

\$3.99 SM \$7.99 MD \$11.99 LR

Chicken/Pork:

\$4.99 sm \$8,99 MD \$12.99 LR

Beef:

\$5,99 SM \$9.99 MD \$13.99 LR

1. CHICKEN ADOBO

chicken, bay leaves, garlic, salt, pepper, soy sauce, vinegar

2. MENUDO

pork, pork liver, potatoes, hotdogs, carrots, raisins, bay leaves, garlic, salt, pepper, tomato sauce, soy sauce

3. PORK ADOBO

pork, bay leaves, garlic, salt, pepper, soy sauce, vinegar

4. PORK BINAGOONGAN

pork, garlic, tomatoes, bay leaves, pepper, jalapeño, shrimp paste, vinegar, coconut milk

5. PORK SINIGANG

pork, beans, raddish, spinach, egg plant, long green pepper, tamarind, fish sauce



Chicken Adobo

Beef Kaldereta

6. BEEF KALDERETA

beef, garlic, red and green pepper, tomato sauce, liver spread, bay leaves, potatoes, carrots, salt, pepper

7. BEEF STEAK

beef, soy sauce, calamansi, black pepper, garlic, salt, onions

8. TORTANG TALONG egg plant, eggs

9. GINISANG AMPALAYA bittermelon, eggs

10. FRIED FISH: TILAPIA, PAMPANO. DAING NA BANGUS



Tortang Talong

11. GINATAANG SITAW AT KALABASA

beans, squash, coconut milk, shrimp paste

12. CHICKEN CURRY

chicken, potatoes, curry powder, ginger, red bell pepper, fish sauce

13. NILAGANG BAKA

beef, potato, bok choy, onions, garlic, salt, pepper

14. PORK POCHERO

pork, tomatoes, onions, garlic, banana, potatoes, cabbage, green beans, bok choy, fish sauce

15. TINOLANG MANOK

chicken, chayote/papaya, ginger, garlic, onions, black pepper, fish sauce

16. MONGGO

mung beans, chicken, bok choy/spinach, tomatoes, garlic, black pepper, fish sauce









Nilagang Baka

17. PORK ASADO pork, sugar, garlic, salt, soy sauce

18. SINIGANG NA PAMPANO pampano fish, raddish, spinach, egg plants, green pepper, tamarind, fish sauce

19. CHOPSUEY celery, cabbage, carrots, young corn, pepper, salt, corn starch, soy sauce

20. BOPIS pork heart, carrots, bay leaves, salt, pepper, annatto, vinegar

21. KARE-KARE beet, tripe, banana flower, bok choy, string beans, egg plant, shrimp paste, peanut butter, garlic, salt, pepper

22. SINAMPALUKANG MANOK chicken, spinach, tomatoes, tamarind leaves, egg plant, tamarind, fish sauce

23. PINAKBET pork, egg plant, bitter melon, squash, tomatoes, ginger, okra, string beans, shrimp paste, salt, pepper

Ginisana Ampalaya

27. PORK SISIG

pork ears, pork belly, ginger, garlic onions, calamansi, mayonnaise, soy sauce

\$2.99 SM \$4.99 MD \$8.75 LR 28. BILO-BILO sweet potato, jack fruit, glutinous starch, tapioca pearl, coconut milk, sugar

29. GINATAANG MAIS \$2.99 SM \$4.99 MD \$8.75 LR

30. TURON \$1.00 EACH banana wrappers, babanas, sweet jack fruit, brown sugar



Bilo-Bilo at Turon

More Selection Added on your Meal

CHICKEN PASTEL, SPICY CHICKEN, SPICY PORK RIBS, LEMON PEPPER CHICKEN, FRIED CHICKEN A LA CAVITEÑA, SPAGHETTI

Refresh yourself with our new drinks.

BUKO PANDAN JUICE WITH JELLO CANTALOPE JUICE COFFEE GRASS JELLY

Craving for our Pilipino Sweet or Kakanin

BIKO, SAPIN-SAPIN, BIKO PURURUTONG, MAJA BLANCA, CASSAVA CAKE, SUMAN **MALAGKIT, SUMAN CASSAVA**

24. DINUGUAN

pork, long green pepper, sugar, garlic, pork blood, vinegar

26. GINATAANG LANGKA

25. SINIGANG NA BAKA

pork, jackfruit, coconut milk, shrimp paste

beef, beans, raddish, spinach, egg plant, long green pepper, tamarind, fish sauce