



Monday, June 15, 2015

A regular meeting of the Planning Commission was called to order by Chairperson Garcia at 6:00 p.m., in the City Hall Council Chambers, 6615 Passons Boulevard, Pico Rivera, CA.

STAFF PRESENT:

Benjamin A. Martinez, Director
Julia Gonzalez, Deputy Director
Evelyn Millare, Executive Assistant

ROLL CALL:

PRESENT: Commissioners Celiz, Elisaldez, Garcia, Gomez, Zermeno

ABSENT: None.

FLAG SALUTE: Led by Commissioner Gomez.

APPROVAL OF MINUTES:

To be approved at the next Planning Commission meeting.

PUBLIC HEARING: CONTINUED PUBLIC HEARING - CONDITIONAL USE PERMIT NO. 723 – A REQUEST TO OBTAIN A STATE DEPARTMENT OF ALCOHOL BEVERAGE CONTROL TYPE 41 ON SALE BEER & WINE LICENSE IN CONJUNCTION WITH AN EXISTING RESTAURANT, SAM'S BURGER, AT 8505 TELEGRAPH ROAD IN THE GENERAL COMMERCIAL (C-G) ZONED DISTRICT

Project Location: 8505 Telegraph Avenue
Pico Rivera, CA 90660

Applicant: Jorge and Petra Pelayo
8505 Telegraph Road
Pico Rivera, CA 90660

Project Planner: Julia Gonzalez
Deputy Director

Staff recommends adoption of the attached resolution denying Conditional Use Permit No. 723 for the sale of beer and wine.

Deputy Director Gonzalez presented the resolution to deny Conditional Use Permit 723 and requested a formal denial from the Planning Commission.

Motion to approve resolution to deny conditional use permit for alcohol sales at Sam's Burgers seconded and passed.

CONTINUED PUBLIC HEARING - CONDITIONAL
USE PERMIT MODIFICATION NO. 471.1 – A
REQUEST TO OBTAIN A STATE DEPARTMENT OF
ALCOHOL BEVERAGE CONTROL TYPE 86
INSTRUCTIONAL TASTING LICENSE IN
CONJUNCTION WITH AN EXISTING SPECIALTY
LIQUOR STORE, RAMIREZ LIQUOR AT 9419
SLAUSON AVENUE IN THE GENERAL
COMMERCIAL (C-G) ZONED DISTRICT

Project Location: 9419 Slauson Avenue
Pico Rivera, CA 90660

Applicant: Von Stroff
Extra Space Management
P.O. Box 320099
Alexandria, VA 22320

Project Planner: Julia Gonzalez
Deputy Director

Deputy Director Gonzalez reported the subject site located near intersection of Slauson Avenue and Parsons Boulevard. Deputy Director Gonzalez stated a conditional use permit for alcohol sales at this location was entitled in 1989. Ramirez Liquor started operating in this space on November of 2012. Instructional tastings are newly enacted legislation that became effective in 2011. Deputy Director Gonzalez stated that the Planning Commission approved a zone code amendment to allow for tasting events provided businesses obtained a conditional use permit. City Council approved zone code amendment in May 2014.

Deputy Director Gonzalez stated the conditions in the zoning ordinance require business are in good standing with the Department of Alcoholic Beverage Control, not to exceed three tasting events per week, not to exceed three tastings per person per day (1 oz. wine, ¼ oz. distilled spirits), beer tasting to be limited to 8 oz. per person per day, entertainment of any kind is prohibited. Hours of operation are limited to 6 a.m. to 12 a.m. Tasting hours are limited to 10 a.m. to 9 p.m. Persons under 21 years of age are prohibited from entering tasting area. Deputy Director Gonzalez stated that the applicant will take conditional use permit, if approved, to the Department of Alcoholic Beverage Control and will enter a second application phase. The applicant will abide by the most stringent conditions provided by either the City or the Department of Alcoholic

Beverages. All instructional tasting events are to be limited to a single type of alcoholic beverage. The applicant must maintain surveillance cameras. Deputy Director Gonzalez stated that the Sheriff's Department did not express any concerns, but will notify staff if there are complaints.

Commissioner Elisaldez asked why this was not approved previously at the same time the City Council approved. Deputy Director Gonzalez clarified that the application process to be included into the zoning ordinance was previously approved by the City Council and not an approval for a conditional use permit for a specific business. City Attorney Lam also explained the previous approval was to amend the zoning ordinance to allow for instructional tastings.

Representative for the Applicant, Elizabeth Peterson, stated the applicant's excellent business practices and the intent of their businesses. Representative Peterson emphasized the applicant's willingness to be community oriented.

Community member Sokhum Phou stated she is a life skills teacher at local high schools in the city and has heard that underage purchases were made at subject business. She recommended a condition to be added to require responsible beverage training.

Commissioner Garcia in attendance.

Representative for applicant, Ms. Peterson, stated the applicant and employees participate in LEAD and STAR training to ensure responsible sales of alcohol.

Commissioner Garcia was briefed on discussions by Deputy Director Gonzalez.

Commissioner Elisaldez stressed the need to include a condition for responsible sellers training.

Commissioner Garcia stressed the importance of reminding A and B license drivers of the consequences of driving while over the legal limit.

Commissioner Gomez asked about the space limitations of the store when addressing the space requirements for a tasting. Applicant showed the space that would be designated as the tasting area and the intentions of this area.

Motion to close public hearing made by Commissioner Elisaldez, seconded by Commissioner Garcia.

City Attorney Lam recommended an amendment to resolutions to include clarification of the retention of Type 21 license along with the new Type 86 license.

Motion to amend resolutions made by Commissioner Celiz, seconded by Commissioner Elisaldez, and passed.

PUBLIC COMMENTS: None.

NEW BUSINESS:

Deputy Director Gonzalez informed the Planning Commission of the upcoming feasibility study on the Kruse Road area.

CONTINUED/OLD BUSINESS:

Director Ben Martinez informed Planning Commission of the future closing of Ralph's and its replacement, El Super.

Commissioner Zermeno asked if it would be possible for a new sign to be installed at the Pico Rivera Golf Course. Director Ben Martinez stated he will be in contact with the golf course to determine the plans and process.

PLANNING COMMISSION REPORTS:

CITY COUNCIL MEETING of Tuesday, June 9, 2015 – Commissioner Garcia had nothing to report.

PLANNING COMMISSION REPRESENTATIVE TO THE CITY COUNCIL MEETING of Tuesday, June 23, 2015 - Commissioner Celiz confirmed to attend.

Commissioner Gomez informed the Planning Commission of his attendance at the Water Replenishment District's (WRD) groundwater reliability improvement training. Commissioner Gomez stated WRD's plan to develop a water treatment plant in the future to decrease the use of water from rivers. Commissioner Gomez explained the attendees' recommendations to include public facilities and water conservation education facilities.

There being no further business the Planning Commission meeting was adjourned at 6:42pm.

Ruben L. Garcia, Chairperson

ATTEST:

Benjamin A. Martinez, Secretary
Planning Commission
Director of Community and Economic Development