



Monday, September 17, 2012

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

STAFF PRESENT:

Julia Gonzalez, Deputy Director of Community and Economic Development

Guille Aguilar, Senior Planner

John W. Lam, Deputy City Attorney

Alicia Villanueva, Recording Secretary

ROLL CALL:

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

ABSENT: None

FLAG SALUTE: Led by Commissioner Elisaldez

APPROVAL OF MINUTES:

July 2, 2012

It was moved by Commissioner Martinez to approve the minutes of July 2, 2012 as submitted, seconded by Commissioner Elisaldez. Motion carried by the following roll call vote:

AYES: Celiz, Elisaldez, Garcia, Martinez, Zermeno

NOES: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARING – CONDITIONAL USE PERMIT NO. 711 – A REQUEST TO UPGRADE FROM A TYPE 41 TO A TYPE 47 ALCOHOL LICENSE TO ALLOW THE SERVING OF DISTILLED SPIRITS IN ADDITION TO THE SERVING OF BEER AND WINE IN AN EXISTING SIT-DOWN RESTAURANT AT 9040 SLAUSON AVENUE IN THE GENERAL COMMERCIAL (C-G) ZONED DISTRICT

Senior Planner Guille Aguilar proceeded to present the staff report dated September 17, 2012. She described the location of the project site and stated that the restaurant has

existed at the site for over 30 years, and has maintained a license to serve beer and wine since 1979. The current owners purchased the business in 2011 and have operated under the business name Mariscos Las Sirenas. Their intent is to offer patrons with additional beverage options, in order to increase clientele and to be more competitive with nearby restaurants. Mariscos Las Sirenas is a full service restaurant which specializes in a variety of Mexican and sea food dishes. Its hours of operation are 11:00 a.m. to 1:00 a.m., Monday through Friday, and 10:00 a.m. to 1:00 a.m. Saturdays and Sundays.

Ms. Aguilar commented on other nearby businesses that sell beer, or beer and wine, and/or distilled spirits. Out of the eight nearby businesses the only businesses that have approval to sell beer, wine and distilled spirits are the Tamarack Inn and Casa Gamino. Lastly, she commented on the security measures within the business building, and stated that both the Sheriffs and the Department of Alcoholic Beverage Control do not have any issues with the issuance of approval.

Commissioner Zermeno inquired about the room capacity.

Commissioner Garcia commented that if the business is not going to have a bar area for the preparation of drinks, what method will be used to prepare beverages and what type of drinks will be proposed with hard spirits.

Ms. Aguilar stated she did not have any specifics on the type of drinks that will be served, but the license requires that the alcohol drinks be served with food.

Chairperson Zermeno asked for public testimony.

Jorge Barrales, business owner of Mariscos Las Sirenas, stated the room capacity is 150, and that alcohol beverage will only be sold with food.

Chairperson Zermeno asked if the establishment is only a restaurant or entertainment as well.

Mr. Barrales stated it is a restaurant and there is Karoke.

Chairperson asked about status of Karoke permit.

Ms. Aguilar stated that the business has an entertainment approval from the Planning Division. The second stage is to obtain an entertainment permit from the Revenue License Division which is in process.

Commissioner Garcia asked how the owners planned to regulate the sale of drinks with the food service of the restaurant and Karoke taking place at once.

Chairperson Zermeno asked if the permit required the person to order food when buying a drink, or can the person order chips and salsa and still order a drink, what are the food limits.

Ms. Gonzalez, stated Condition Number 12, specifically stated that alcohol must be served in conjunction with food service only.

Mr. Barrales stated that presently with his current license if a customer comes in for beer and Karoke his employee's will not sell beer without the customer buying an appetizer or dinner; if the Type 47 permit is approved this policy will continue.

Chairperson Zermeno stated he did not realize that in the City of Pico Rivera a person cannot come in and order a beer or class of wine in one of city's establishments without ordering food.

Ms. Gonzalez, stated that this is the way it is being proposed in the conditions of approval.

Commissioner Elisaldez asked if the condition only applied to the conditional use permit being presented.

Ms. Gonzalez replied in the affirmative.

Mr. Lam stated that it depends on the type of ABC license, there are certain types of licenses which the ABC regulates and allows for the sale without food; however, the item before the Commission is not that type.

Commissioner Celiz asked if the reason for the requirement of food to be sold with alcohol was due to the lack of bar area.

Mr. Lam stated that theoretically under this type of license even if there was a traditional bar, food would have to be served at the bar because ABC regulates the type of service that is allowed.

There being no further testimony, it was moved by Commissioner Martinez, seconded by Commissioner Garcia to close the public hearing. Motion carried by the following

roll call vote:

AYES: Commissioners Celiz, Elisaldez, Garcia, Martinez, Zermeno
NOES: None
ABSENT: None
ABSTAIN: None

There being no further discussion, it was moved by Commissioner Martinez, seconded by Commissioner Celiz to adopt the Resolution approving Conditional Use Permit No. 711, subject to conditions of approval. Motion carried by the following roll call vote:

AYES: Commissioners Celiz, Elisaldez, Martinez, Garcia, Zermeno
NOES: None
ABSENT: None
ABSTAIN: None

PUBLIC COMMENTS: None

NEW BUSINESS:

Ms. Gonzalez announced the retirement of Executive Assistant Alicia Villanueva and introduced Alma Rodriguez from Finance Department who will be assisting. Mr. Scott Nichols, Assistant City Attorney will also be retiring and Mr. John Lam, Deputy City Attorney will be the new Planning Commission attorney.

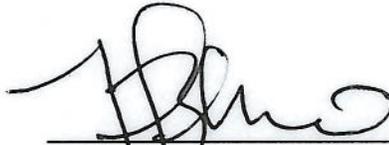
Mr. Lam briefly introduced himself and stated he looked forward to working with the Commission.

Chairperson Zermeno invited everyone to the Lyons Club's Car Show on October 14th.

PLANNING COMMISSION REPORTS:

- a) City Council Meeting of July 10, 2012 – Received and Filed.
- b) City Council Meeting of July 24, 2012 – Received and Filed
- c) City Council Meeting of August 14, 2012 – Received and Filed.
- d) City Council Meeting of September 11, 2012 – Received and Filed
- e) Planning Commission Representative to the City Council Meeting of Tuesday, September 25, 2012 – to be confirmed at a later date by Commissioner Ruben Garcia

There being no further business the Planning Commission meeting was adjourned at 6:24 p.m.



Fred Zermeno, Chairperson

ATTEST:



Benjamin A. Martinez, Secretary

Planning Commission

Director of Community and Economic Development