



AGENDA

SPECIAL MEETING OF THE BELL PLANNING COMMISSION

Wednesday, August 16, 2023 at 7:00 p.m.

Location: Bell Community Center, 6250 Pine Avenue, Bell CA 90201

MEETING WILL BE HELD IN-PERSON AT THE BELL COMMUNITY CENTER

PUBLIC COMMENT: If you wish to make a comment on items listed on the agenda and non-agenda items, you may attend the meeting in-person at Bell Community Center. Please complete a Request to Speak Card available in the location and wait until the chair calls you to approach the podium. Please clearly state your name and address and proceed to make your comments.

You may also submit input electronically through a temporary public comment email established for City of Bell City Council meetings at cityclerk@cityofbell.org. Your written comment must be submitted by 4pm on Wednesday, August 16, 2023. Any emails received after the time indicated will not be included in the record. Written Comments will be subject to the three minute time limitation (approximately 350 words).

The meeting will be recorded and live streamed on the City's website at <http://www.cityofbell.org/?NavID=101>

1. Call to Order:

2. Roll Call of the Planning Commission:

Commissioner Rodrigo Rodarte
Commissioner Ali Sleiman
Commissioner Jessica Vallejo
Vice-Chair Rihan Bedier
Chair Luis Mesa

3. Pledge of Allegiance

4. Communications from the Public:

This is the time for members of the public to address the Planning Commission on matters that are listed on the agenda ONLY. (Each speaker is limited to 3 minutes)

5. Presentation(s):

None

6. Public Hearing(s):

- a. Request for approval of a Major Site Plan Review (SPR 2023-25) to allow major façade alterations to an existing commercial building and site (parking lot hardscape and landscaping) improvements on property located at 6607 Atlantic Avenue, in the C3 (Heavy Commercial) zone.

Recommendation: *It is recommended that the Bell Planning Commission:*

1. Based on the evidence presented, find that the project is categorically exempt from the CEQA under Section 15301, (Class 1) “Existing Facilities”, make the required findings and requirements set forth in the Bell Municipal Code; and
2. Read by title only, waive further reading and adopt Resolution 2023-04PC titled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL APPROVING MAJOR SITE PLAN REVIEW NO. 2023-25, TO ALLOW MAJOR FAÇADE ALTERATIONS TO AN EXISTING COMMERCIAL BUILDING AND SITE (PARKING LOT HARDSCAPE AND LANDSCAPING) IMPROVEMENTS ON PROPERTY LOCATED AT 6607 ATLANTIC AVENUE, IN THE C3 (HEAVY COMMERCIAL) ZONE.

- b. Request for approval of a Conditional Use Permit (CUP No. 2022-07) to allow the on-sale of beer and wine (type 41 alcohol license) in conjunction with an existing restaurant located at 4040 Gage Avenue, in the C-3R (General Commercial and Residential) zone.

Recommendation: *It is recommended that the Bell Planning Commission:*

1. Based on the evidence presented, find that the project is categorically exempt from the CEQA under Section 15301, (Class 1) “Existing Facilities”, make the required findings and requirements set forth in the Bell Municipal Code; and
2. Read by title only, waive further reading and adopt Resolution 2023-05PC titled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL APPROVING CONDITIONAL USE PERMIT NO. 2022-07, TO ALLOW THE ON-SALE OF BEER AND WINE IN CONJUNCTION WITH AN EXISTING RESTAURANT LOCATED AT 4040 GAGE AVENUE, IN THE C-3R (GENERAL COMMERCIAL AND RESIDENTIAL) ZONE.

7. Regular Session:

None.

8. Planning Commissioner Announcements; Request for Future Agenda Items; Conference/Meeting Reports:

9. Community Development Director’s Comments:

10. City Attorney Comments:

11. Adjournment: *The next Regular Planning Commission Meeting is scheduled for Wednesday, September 6, 2023 at 7pm.*

ADA Compliance Statement

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the Community Development Department at (323) 588-6211, Ext. 2615, at least 48 hours prior to the scheduled meeting in order for the City to make reasonable arrangements to ensure accessibility to this meeting.

I, Angela Bustamante, Planning Commission Secretary, certify that a true, accurate copy of the foregoing agenda was posted on August 15, 2023 at least twenty four (24) hours prior to the meeting as required by law.

Angela Bustamante

Angela Bustamante, Planning Commission Secretary

City of Bell Special Planning Commission Agenda Report

DATE: August 16, 2023

TO: Honorable Chair and Planning Commission Members

FROM: Manuel Acosta, Director of Community Development

PREPARED
BY: Rodrigo Pelayo, Associate Planner

SUBJECT: Major Site Plan Review (SPR 2023-25)

PROJECT PROPOSAL / REQUEST:

Request for approval of a Major Site Plan Review (SPR 2023-25) to allow major façade alterations to an existing commercial building and site (parking lot hardscape and landscaping) improvements on property located at 6607 Atlantic Avenue, in the C3 (Heavy Commercial) zone.

BACKGROUND:

Project Overview

- General Plan Designation: Commercial
- Zoning: (C3, Heavy Commercial)
- Project Location: 6607 Atlantic Avenue
- Assessor's Parcel Number(s): 6325-020-416
- Site Characteristics: The subject site measures approximately 44,620 square feet and is comprised of one rectangular parcel with double frontages. The primary frontage is along Atlantic Avenue, and the secondary (rear) frontage is along Clarkson Avenue. The site is currently developed with a one-story commercial building with a mezzanine that measures approximately 21,988 square feet and is utilized as a mini-mall. The existing building is approximately 26'-6" tall and consists of an existing wing wall architectural element at the southeast corner that projects above the roof line and measures approximately 45 feet from the finished floor surface. The existing site is also developed with surface-level open parking areas and landscaping planters throughout the northerly and westerly portions of the site, which connect to additional parking areas of the abutting parcels and other property along the entire blockface. The site is accessible from an existing driveway entrance along Atlantic Avenue and a secondary driveway entrance along Clarkson Avenue.
- Surroundings: Surrounding properties include single-story commercial/retail buildings adjacent to the north and south of the subject site ranging between 20-25 feet in height, a two-story motel building across Atlantic Avenue to the east, and one-story single-family residence across Clarkson Avenue to the west.

- Project Description: The proposal is for comprehensive interior and facade renovations to the existing building, including replacement of the existing mini-mall use with a single-tenant retail shoe store (Warehouse Shoe Sales). Other improvements involve new landscaping within existing planter areas, re-striping throughout the parking areas, a new trash enclosure, and installation of bicycle racks.
- Applicant: Warehouse Shoe Sales (WSS)
- Architects: RFRM Collective
- Municipal Code Requirements for a Site Plan Review: Pursuant to the City of Bell Municipal Code (BMC) Section 17.92.040(C)(1), Site Plan Review shall be reviewed by the Planning Commission in the following circumstances: (a) when exceeding the Community Development Director's review threshold; or (b) when an application is forwarded by the Director in his or her discretion.
- Required Findings for a Site Plan Review: Pursuant to BMC Section 17.92.040(C)(3), a Site Plan Review may be approved only if all of the following findings are made:
 - a. That the site plan is consistent with the goals and policies embodied in the General Plan and other applicable plans and policies adopted by the council;
 - b. That the proposed development is in accordance with the purposes and objectives of this article and the zone in which the site is located;
 - c. That the proposed development's site plan and its design features, including, but not limited to, architecture and landscaping, will integrate harmoniously and enhance the character and design of the site, the immediate neighborhood, and the surrounding areas of the city;
 - d. That the proposed development will improve the community appearance by preventing extremes of dissimilarity or monotony in new construction or in alterations of facilities; and
 - e. That the site plan and design considerations shall not be detrimental to the public health, safety, and general welfare.

ANALYSIS:

Description of Site Improvements

The proposed project involves a comprehensive interior remodel and facade renovations to an existing building. Specifically, a majority of existing interior partition walls within the ground and mezzanine floor levels are proposed to be demolished and new interior partitions are proposed to accommodate a new retail shoe and clothing store that will occupy the entire building. With the partial demolition of the existing mezzanine areas, the resulting building area will total approximately 16,392 square feet.

The proposed façade renovations include removal of all exterior signage, lighting fixtures, awnings, and alterations to existing storefront openings throughout the east, north, and westerly elevations of the building. The storefronts located along the east elevation are proposed to be

removed and replaced with new aluminum-frame storefront systems that will be slightly recessed (1'-6") from the building wall which will allow visibility to the interior store displays and create wall plane variation throughout the façade. Existing storefronts along the north and west facades are proposed to be removed and infilled with solid walls clad in stucco finishes. In addition, the existing stucco-clad wall areas on all sides of the building are proposed to be rehabilitated with a combination of two texture types (smooth and coarse), new stucco control joints/reveals, and a multiple-color paint scheme consisting primarily of neutral whites with red, light and dark gray accent colors.

Overall, the proposed storefront alterations along the primary (east) façade maintain a rhythm of punched openings and the proposed stucco reveals with existing square-shape wall motifs help visually break the long, horizontal spans of solid wall areas above the storefronts. However, this type of detailing is not carried across the other elevations. The easterly portion of the north façade near the store entrance can benefit from additional storefront windows as opposed to stucco-infilled wall areas to better-engage the street given its high-visibility and close proximity. There are also opportunities to enhance the main entrance design to be more prominent. Therefore, Staff recommends conditions of approval requiring additional treatment to the facades such as the addition of entrance doors fronting Atlantic Avenue within a storefront bay having similar width/height proportions to that of the proposed entry along the north elevation; and/or other alterations as may be proposed by the applicant to create a more-pronounced store entrance and an enhanced transition of architectural detailing across all elevations as may be deemed acceptable by the Director. To ensure that the east elevation exhibits a consistent level of architectural treatment across the façade, staff also recommends a condition requiring replacement of the existing exterior door located at the southerly edge of the façade with a new door that is consistent with the material, profile design, and finish of the proposed storefronts. To enhance the overall façade improvements, staff also recommend a condition of approval requiring that all existing downspouts and electrical conduits be re-routed within the building's exterior walls.

The project also proposes a new projecting wall feature at the northeastern corner of the building, above the main entrance. The projecting wall is proposed to accommodate future signage. Other improvements include alterations to an existing wing wall architectural element located at the southeast corner of the building that extends above the roofline. The existing wing wall has a rounded-detailed top edge and measures approximately 45 feet from the finished floor surface to its top edge. This feature is proposed to be increased 1.5 feet in height and have a squared top edge detail. The proposed projecting wall above the entrance and the increase in height of the existing vertical element does not appear to be adequately integrated nor proportioned in relation to the overall height and horizontal composition of the building. Staff recommends a condition requiring that the overall existing height of the wing wall element be maintained at 45 feet and that the proposed top edge detailing be refined to match the cornice detailing of the building roof line. The proposed projecting wall at the northeast corner of the building shall also be modified to be a prominent projecting building volume, tower element, or other architectural element that accentuates the main store entrance and its orientation engaging the street.

Furthermore, the project proposes exterior improvements throughout the site which include replacement of existing trees and landscaping species within existing planter areas with a variety of new drought-tolerant planting species. The proposed landscaping plans depict a parking configuration that does not match the "proposed" site plan. Staff recommends a condition requiring that a revised, complete set of landscaping plans consistent with the "proposed" site plan be submitted for Planning staff review and approval prior to the issuance of

building permits. The proposed landscape plans also depict planter beds along the northerly edge of the building. To deter graffiti and minimize paint maintenance on the façade, Staff recommends a condition requiring that creeping vines be planted within said planter beds and decorative lattices to be installed within the solid-wall storefront bays to support the future growth of the vines.

As part of the proposal, the parking areas are proposed to be re-stripped to match the existing parking configuration, except for the parking spaces located directly adjacent to the north façade of the building. The existing angled parking spaces along the northerly building edge are proposed to be replaced with parallel accessible (ADA) parking spaces, which would cause a reduction in the overall off-street parking count. Based on the minimum required dimensions (9ft width x 26ft length) for parallel parking spaces, the proposed configuration of accessible parking spaces does not meet the minimum requirements. Therefore, a recommended condition of approval will require that the existing angled parking areas throughout the site be restriped in the same configuration. To prevent ghosted parking lines, the floor surfaces shall be recoated (slurry sealed) prior to the re-stripping of the parking spaces. Lastly, damaged and missing wheel stops shall be replaced to ensure that the parking facilities are properly equipped for adequate circulation.

The plans depict a new 8-foot-tall trash enclosure proposed within the parking area at the northwest corner of the building and decorative bicycle racks/facilities in front of the main store entrance, fronting the public sidewalk and the on-site parking area. Recommended conditions will require that the trash enclosure walls be coated in a stucco-finish consistent with the building and that the proposed steel enclosure doors and trellis consist of a decorative design in lieu of corrugated metal. Therefore, product specifications and/or enlarged details drawings specifying the design/model/dimensions of the bike racks and the steel door/trellis elements of the trash enclosure be submitted to Staff for review and approval prior to the issuance of building permits. Furthermore, the applicant shall contact the City's Franchise waste hauler during the plan check review process and verify that the proposed trash enclosure is large enough to accommodate the necessary amount of waste bins.

Lastly, the plans depict elevations with conceptual future signage. However, signage is not being proposed as part of this review. A recommended condition of approval will require all proposed future signage to be reviewed and approved by the Planning Division under a separate permit; and that approval of a Master Sign Program be required to ensure future signage quantity, size, and location is adequately designed to comply with the requirements of the BMC and enhance the building and overall site.

Business Operations

The proposed WSS retail shoe and clothing store proposes to operate Monday through Sunday between 9:00 am and 9:00 pm. Merchandise deliveries are proposed daily between 6:00 am and 10:00 am in the parking area along the westerly side of the building. The delivery vehicles (bobtails) utilized to deliver merchandise measure approximately 26 feet in length.

Compatibility

Overall, the proposed exterior alterations to the building and the parking areas will be in keeping with the surrounding context. The stucco-clad facades, aluminum-frame storefronts, and exterior building colors and materials are consistent with the goals and policies of the General Plan and compatible with the surrounding neighborhood. The proposed parking area improvements, such

as new landscaping, striping, trash storage facilities, and bicycle racks, will enhance the overall appearance of the site and immediate vicinity.

Off Street Parking

Pursuant to the BMC Section 17.76.020(1)(b), spaces devoted to a use located in a building or portion thereof, having more than 5,000 square feet but less than 20,000 square feet of gross floor area require 25 parking spaces and 1 parking space for each 250 square feet of gross floor area of the building devoted to such use in excess of 5,000 square feet.

In accordance with the City's parking standards, a total of 71 off-street parking spaces are required for the proposed 16,392-square-foot retail shoe and clothing store. As proposed, the project would accommodate 60 standard parking spaces and 4 accessible (ADA) parking spaces, for a total of 64 off-street parking spaces. However, a recommended condition will require that the parking spaces be re-striped to match the existing configuration, which will result in a total of 68 parking spaces.

With the implementation of the recommended conditions, the subject property will be deficient in 3 parking spaces. However, in accordance with BMC Section 17.100.100(F) (Exemptions and Exceptions), a use that is nonconforming solely by reason that it does not meet the applicable off-street parking requirements for such use may be changed to a use permitted in the zone, provided the applicable off-street parking requirements for such new use do not increase the degree of nonconformity. In this case, the proposed project and retail store use will not increase the degree of nonconformity. Therefore, it is exempt from additional parking requirements.

PARKING REQUIREMENTS	
Parking Ratio	25 parking spaces for space devoted to use located in a building or portion thereof, having more than 5,000 square feet but less than 20,000 square feet of gross floor area (Building area = 16,392 square feet): 25 parking spaces 1 parking space for each 250 sq. ft. of gross floor area devoted to such use in excess of 5,000 square feet: (16,392-5,000 = 11392 sf) $11,392/250 = 45.5 = 46$ parking spaces 25 + 46 parking spaces = 71 parking spaces
Required # of parking spaces	71 spaces
Proposed # of parking spaces	68 spaces
Deficient # of parking spaces	3 spaces

Site Plan Review Analysis

In granting approval of a Site Plan Review for major façade alterations to an existing commercial building and site (parking lot hardscape and landscaping) improvements, the

Planning Commission must make findings in connection with the Site Plan Review, as set forth in the BMC. A Site Plan Review may be approved only if all of the following findings are made:

- A. That the site plan is consistent with the goals and policies embodied in the general plan and other applicable plans and policies adopted by the council ***in that the General Plan Land Use designation of the subject site is Commercial. Permitted uses in this designation include a wide range of neighborhood and general retail and service establishments, such as retail stores and offices, to accommodate the surrounding community. The proposed retail shoe/clothing store will be consistent with the established goals and objectives of the Land Use and Sustainability Element.***

Land Use and Sustainability Element Policy 1 is to "...promote development and land uses that are consistent with the General Plan that will address the current and future need of all of the residential and business sectors..." The proposed project is consistent with Land Use and Sustainability Element Policy 1 because it will revitalize an existing with deferred maintenance, enhance the overall aesthetics, and offer necessary services to the local community.

- B. That the proposed development is in accordance with the purposes and objectives of this article and the zone in which the site is located ***in that the subject zoning district, C3, is intended to provide for commercial uses, equipment rental and sales, lumber yards, printers, repair shops, auto/trailer sales, and service-oriented business activities serving a community-wide need. Per Section 17.32.020 of the BMC, the proposed retail shoe/clothing store use is permitted within the subject zoning district. In addition, the proposed development complies with all Heavy Commercial (C3) Zone standards of Section 17.32 of the BMC.***
- C. That the proposed development's site plan and its design features, including, but not limited to, architecture and landscaping, will integrate harmoniously and enhance the character and design of the site, the immediate neighborhood, and the surrounding areas of the city ***in that with recommended conditions, the project will consist of comprehensive interior and facade renovations to the existing building, including replacement of the existing mini-mall use with a single-tenant retail shoe/clothing store. Other improvements will involve new landscaping within existing planter areas, re-striping throughout the parking areas, a new trash enclosure, and the installation of bicycle racks, which will also enhance the exterior appearance of the existing building and the overall site. The proposed improvements will be similar and compatible with existing surrounding uses, therefore, will not adversely impact the subject site or surrounding area. The proposed use would not be of greater intensity than the existing surrounding uses.***
- D. That the proposed development will improve the community appearance by preventing extremes of dissimilarity or monotony in new construction or in alterations of facilities ***in that, with recommended conditions, the project will consist of comprehensive interior and facade renovations to the existing building and other improvements to the site which involve new landscaping within existing planter areas, re-striping throughout the parking areas which will also enhance the exterior appearance of the existing building and the overall site. The proposed improvements will be similar and compatible with existing surrounding uses, therefore, will not adversely impact the subject site or surrounding area.***

- E. That the site plan and design considerations shall not be detrimental to the public health, safety, and general welfare ***in that the subject site is located along Atlantic Avenue, which serves as one of the commercial land use corridors of the City. The site is suitable for commercial uses given that most of the surrounding uses are commercial and the properties are zoned for commercial uses as well. The proposed project design would enhance the appearance of the neighboring area and provide necessary services for the local and neighboring communities. The subject site will have sufficient off-street parking for the proposed use. Therefore, it is expected that the proposed development will not be detrimental to the public health, safety, or welfare of the City.***

Conclusion

Based on the above analysis, the staff has determined that with the recommended conditions of approval, the proposed project complies with the BMC, and all of the required findings in support of a Site Plan Review can be made.

ENVIRONMENTAL ANALYSIS:

Staff has reviewed the Site Plan Review application and determined that in accordance with the California Environmental Quality Act (CEQA), this project qualifies for a categorical exemption under CEQA Guidelines Section 15301, (Class 1) "Existing Facilities", in that the project involves interior and exterior alterations and no expansion to an existing commercial building and use, and thereby is exempt from CEQA.

COMMENTS FROM OTHER DEPARTMENTS

Staff routed the project for comments to several City Departments including the Public Works, Engineering, Code Enforcement, as well as the Building & Safety Division. The Building & Safety Division provided standard comments related to Building and Code requirements. If the project is approved, the comments would be incorporated as conditions of approval.

RECOMMENDATION

Based on the evidence presented, Staff recommends that the Planning Commission find that the project is categorically exempt from the CEQA under Section 15301, (Class 1) "Existing Facilities", make the required findings and requirements set forth in the Bell Municipal Code, and **approve the application for Site Plan Review (SPR 2023-25)** subject to the following proposed conditions of approval and/or other conditions that the Planning Commission may wish to impose.

CONDITIONS OF APPROVAL:

Planning Division

1. The applicant shall agree to defend, indemnify and hold harmless the City of Bell, its agents, officers, and employees from any claim, action, or proceeding against the City of Bell or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Bell, its legislative body, advisory agencies, or administrative officers concerning the subject Application. The City of Bell will promptly notify the Applicant of any such claim, action, or proceeding against the City of Bell and the Applicant will either undertake the defense of the

matter and pay the City's associated legal or other consultant costs or will advance funds to pay for the defense of the matter by the City Attorney. If the City of Bell fails to promptly notify the applicant of any such claim, action, or proceeding or fails to cooperate fully in the defense, the Applicant shall not, thereafter, be responsible for defending, indemnify or hold harmless the City of Bell. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent, but should it do so, the City shall waive the indemnification herein, except the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.

2. Except as set forth in subsequent conditions, all-inclusive, and subject to department corrections and conditions, the property shall be developed substantially in accordance with the applications, environmental assessment, and plans submitted.
3. All architectural detailing, including building materials, lighting, colors, façade improvements, finishes, and other details, shall be consistent with the submitted plans as approved by the Planning Division.
4. The proposed project shall comply with all Federal, State, County, and Local laws and ordinances that may apply to this permit, stated herein or not.
5. The Applicant and property owner shall submit plans to the Los Angeles County Fire Department for review for compliance with Fire regulations prior to the issuance of Building Permits. Proof of Fire Department approval (including sprinkler plan approval) is required. If revisions are made to the project plans (i.e. setbacks, building height, building design, driveway width, driveway configuration, landscaping, etc.) as a result of Fire Department requirements, changes to the plans may require Planning Commission review and approval as determined by the Community Development Director.
6. The project is required to meet the waste hauler's requirements to ensure the necessary services are provided to the subject site. Plans shall be submitted for review and approval of the City's waste-hauling services provider (Republic Services). Republic Services may be contacted at 12949 Telegraph Rd., Santa Fe Springs, CA 90670, or via phone at (800) 299-4898
7. The proposed use shall be conducted, and the property be maintained in a clean, neat, quiet, and orderly manner at all times and comply with the property maintenance standards as set forth in Chapter 8.36 (Property Maintenance and Nuisance Abatement) of the BMC.
8. The Site Plan Review approval shall expire if building permits are not issued within one (1) year from the date of approval, unless an extension has been granted by the Planning Commission.
9. All existing and/or proposed mechanical equipment and appurtenances, including electrical conduits, rain gutters, downspouts, vents, etc., whether located on the rooftop, ground level, or anywhere on the property, shall be adequately shielded/enclosed so as not to be visible from any public street and/or adjacent properties. Such shielding/enclosure of facilities shall be of compatible design related to the building structure for which such facilities are intended to serve and shall be installed prior to issuance of the Certificate of Occupancy.

10. An anti-graffiti finish, as approved by the Planning Division, shall be applied to all exterior building surfaces that are visible to the public and likely to attract graffiti prior to the issuance of the Certificate of Occupancy.
11. Any graffiti placed on any building or structure located on the property shall be removed promptly after its placement. Failure on the Applicant's behalf to remove such graffiti upon twenty-four (24) hours written notice shall empower the City to enter upon the property and cause such removal, or painting over, of said graffiti, at the expense of the Applicant. The Applicant shall promptly pay, upon receipt of an invoice from the City, all the City's reasonable costs of such work.
12. No outside storage shall be permitted.
13. All required on-site parking spaces comply with the minimum dimensions as set forth within the BMC prior to issuance of the Certificate of Occupancy.
14. A landscape plan design stamped by a licensed landscape architect be provided for the entire property, showing the planter design, schedule of plant material, planter location and method of automatic permanent irrigation. The plan shall be submitted to and approved by the Planning Division, and such landscaping shall be installed and planted according to such approved plan, prior to being issued the certificate of occupancy and shall thereafter be continuously and permanently maintained.
15. Landscape planters shall have 6" curbing and permanent irrigation provided within the parking areas.
16. The Community Development Director is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications achieve substantially the same results, as with strict compliance with said plans and conditions.
17. That the operator shall obtain its City of Bell Business License prior to commencing business operations.
18. The project design shall include additional treatment to the facades such as the addition of entrance doors fronting Atlantic Avenue within a storefront bay having similar width/height proportions to that of the proposed entry along the north elevation; and/or other alterations as may be proposed by the applicant to create a more-pronounced store entrance and an enhanced transition of architectural detailing across all elevations as may be deemed acceptable by the Director.
19. To ensure that the east elevation exhibits a consistent level of architectural treatment across the façade, the existing exterior door located at the southerly edge of the façade shall be replaced with a new door that is consistent with the materials, profile design, and finishes of the proposed storefronts.
20. All existing downspouts and electrical conduits located on the north and east facades shall be re-routed within the building's exterior walls to enhance the overall façade improvements and achieve an optimal design.

21. The overall height of the existing wing wall element shall be maintained at 45 feet. In addition, the proposed top edge detailing shall be refined to either match or have a similar profile detailing to that of the cornice on the building roof line. The proposed projecting wall at the northeast corner of the building shall also be modified to be a prominent projecting building volume, tower element, or other architectural element that accentuates the main store entrance and its orientation engaging the street.
22. The proposed landscape plans depict planter beds along the northerly edge of the building. To deter graffiti and minimize paint maintenance on the façade, creeping vines shall be planted within said planter beds and decorative lattices shall be installed within the solid-wall storefront bays to support the future growth of the vines. A revised, complete set of landscaping plans consistent with the “proposed” site plan shall be submitted for Planning staff review and approval prior to the issuance of building permits.
23. The parking areas throughout the site shall be slurry sealed, re-stripped, and damaged/missing wheel stops shall be replaced as required by the Planning Division. The existing angled parking spaces shall be re-stripped in the same configuration to avoid further deficiencies in off-street parking.
24. The proposed trash enclosure walls shall be coated in a stucco-finish consistent with the building facades and the proposed steel enclosure doors and trellis shall consist of a decorative design in-lieu of corrugated metal. Manufacturer specifications and/or enlarged details drawings specifying the design/model/dimensions of the steel door/trellis elements of the trash enclosure shall be submitted to staff for review and approval prior to the issuance of building permits.
25. Manufacturer specifications and/or enlarged details drawings specifying the design/model/dimensions of the bike racks shall be submitted to Staff for review and approval prior to the issuance of building permits.
26. All proposed signage shall be reviewed and approved by the Planning Division under a separate permit. Approval of a Master Sign Program shall be required to ensure future signage quantity, size, and location is adequately designed to comply with the requirements of the BMC and enhance the building and overall site.
27. The applicant and property owner shall agree in writing to the above conditions.

Building & Safety

28. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
29. Plans prepared in compliance with the current Building Code shall be submitted to Building Division for review prior to permit issuance.
30. The proposed walls to be removed may be structural bearing walls and possibly interior shear walls to resist against lateral loads due to wind or earthquake. A structural engineer shall assess the existing structural system and address the structural implications of removing certain elements of the existing building. The said recommendations shall be incorporated into the plans prior submitting for building division plan review.

31. Each sheet of the plans shall be stamp and sign by registered engineer and/or licensed architect.
32. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
33. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
34. All State of California disability access regulations for accessibility and adaptability shall be complied with.
35. Summary of Accessibility Upgrades for Commercial Projects shall be completed and the completed form shall be copied on the plans. The form can be found at the following link <https://www.dropbox.com/s/4xkjyn5fhggpotk/Accessibility%20Upgrade%20Summary%20Form.pdf?dl=0>
36. Separate application and plan review is required for Electrical plans.
37. Separate application and plan review is required for Mechanical plans.
38. Separate application and plan review is required for Plumbing plans.
39. Plumbing fixtures shall be provided as required by the Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.
40. Project shall comply with the CalGreen Non-Residential mandatory requirements.
41. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.
42. Separate permit is required for Fire Sprinklers.

ATTACHMENTS:

1. Resolution No 2023-04PC
2. Applicant Submittal, Including Current Plans, Elevations, and Renderings

RESOLUTION NO. 2023-04PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL APPROVING MAJOR SITE PLAN REVIEW NO. 2023-25, TO ALLOW MAJOR FAÇADE ALTERATIONS TO AN EXISTING COMMERCIAL BUILDING AND SITE (PARKING LOT HARDSCAPE AND LANDSCAPING) IMPROVEMENTS ON PROPERTY LOCATED AT 6607 ATLANTIC AVENUE, IN THE C3 (HEAVY COMMERCIAL) ZONE.

WHEREAS, RFRM Collective, on behalf of (“the Applicant”), Warehouse Shoe Sales, filed a complete application requesting the approval of a Site Plan Review (SPR 2023-25) described herein (“Application”); and

WHEREAS, the Application pertains to an approximate 44,620 square foot property with Los Angeles County Assessor’s Parcel Number 6325-020-416, more commonly known as 6607 Atlantic Avenue, Bell California (“Property”);

WHEREAS, the Applicant requests approval of a Site Plan Review (SPR) to allow major façade alterations to an existing commercial building and site (parking lot hardscape and landscaping) improvements. Pursuant to Bell Municipal Code, Section 17.92.040(C)(1), a Site Plan Review shall be reviewed by the Planning Commission in the following circumstances: (a) when exceeding the Community Development Director’s review threshold; or (b) when an application is forwarded by the Director in his or her discretion; and

WHEREAS, the City staff reviewed the project’s environmental impacts under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the “CEQA Guidelines”) and determined that the project is exempt under a Class 1 Categorical Exemption pursuant to section 15301(a) (Existing Facilities) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations); and

WHEREAS, notice of the Planning Commission special public hearing of August 16, 2023 was published in compliance with State law in a local newspaper of general circulation. In addition, a public notice was mailed 10 days in advance of the hearing to each property owner, occupants and resident within a 300-foot radius of the project site, indicating the date and time of the public hearing for SPR 2023-25 in accordance with California Government Code 65091; and

WHEREAS, on August 16, 2023 the Planning Commission held a special public hearing to receive public testimony and other evidence regarding the Application, including without limitation, information provided to the Planning Commission by City staff and public testimony; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Commission at its public hearing including, without limitation, the staff report submitted by the Community Development Department; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have been met.

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY FIND, DETERMINE AND DECLARE AS FOLLOWS:

SECTION 1. All of the facts set forth in the recitals are true and correct and are incorporated herein by reference.

SECTION 2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, site plans, and Conditions of Approval (“Conditions”) attached hereto as Exhibit “A,” the Planning Commission hereby specifically finds as follows:

- A. That the site plan is consistent with the goals and policies embodied in the general plan and other applicable plans and policies adopted by the council** *in that the General Plan Land Use designation of the subject site is Commercial. Permitted uses in this designation include a wide range of neighborhood and general retail and service establishments, such as retail stores and offices, to accommodate the surrounding community. The proposed retail shoe/clothing store will be consistent with the established goals and objectives of the Land Use and Sustainability Element.*
- B. That the proposed development is in accordance with the purposes and objectives of this article and the zone in which the site is located** *in that the subject zoning district, C3, is intended to provide for commercial uses, equipment rental and sales, lumber yards, printers, repair shops, auto/trailer sales, and service-oriented business activities serving a community-wide need. Per Section 17.32.020 of the BMC, the proposed retail shoe/clothing store use is permitted within the subject zoning district. In addition, the proposed development complies with all Heavy Commercial (C3) Zone standards of Section 17.32 of the BMC.*
- C. That the proposed development’s site plan and its design features, including, but not limited to, architecture and landscaping, will integrate harmoniously and enhance the character and design of the site, the immediate neighborhood, and the surrounding areas of the city** *in that with recommended conditions, the project will consist of comprehensive interior and facade renovations to the existing building, including replacement of the existing mini-mall use with a single-tenant retail shoe/clothing store. Other improvements will involve new landscaping within existing planter areas, re-striping throughout the parking areas, a new trash enclosure, and installation of bicycle racks, which will also enhance the exterior appearance of the existing building and the overall site. The proposed improvements will be similar and compatible with existing surrounding uses, therefore, will not adversely impact the subject site or surrounding area. The proposed use would not be of greater intensity than the existing surrounding uses.*
- D. That the proposed development will improve the community appearance by preventing extremes of dissimilarity or monotony in new construction or in alterations of facilities** *in that with recommended conditions, the project will consist of comprehensive interior and facade renovations to the existing building and other improvements to the site which involve new landscaping within existing planter areas, re-striping throughout the parking areas which will also enhance the exterior appearance of the existing building and the overall site. The proposed improvements will be similar and compatible with existing surrounding uses, therefore, will not adversely impact the subject site or surrounding area.*

- E. **That the site plan and design considerations shall not be detrimental to the public health, safety, and general welfare** *in that the subject site is located along Atlantic Avenue, which serves as one of the commercial land use corridors of the City. The site is suitable for commercial uses given that most of the surrounding uses are commercial and the properties are zoned for commercial uses as well. The proposed project design would enhance the appearance of the neighboring area and provide necessary services for the local and neighboring communities. The subject site will have sufficient off-street parking for the proposed use. Therefore, it is expected that the proposed development will not be detrimental to the public health, safety, or welfare of the City.*

SECTION 3. The Planning Commission reviewed the project's environmental impacts under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "CEQA Guidelines") and finds the project to be exempt under a Class 1 Categorical Exemption pursuant to section 15301(a) (Existing Facilities) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations); and

SECTION 4. The Planning Commission hereby approves SPR 2023-25 subject to the execution and fulfillment of Conditions of Approval set forth in Exhibit "A" attached to this Resolution.

SECTION 5. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED this 16th day of August 2023

Luis Mesa, Chair

APPROVED AS TO FORM:

Christy Marie Lopez, Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Angela Bustamante, Planning Commission Secretary of the City of Bell, do hereby certify that the foregoing Resolution 2023-04PC was adopted at a special meeting of the Planning Commission of the City of Bell held on the 16th day of August 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angela Bustamante,
Planning Commission Secretary

Exhibit "A"
CONDITIONS OF APPROVAL SPR 2023-25

Planning Division

1. The applicant shall agree to defend, indemnify and hold harmless, the City of Bell, its agents, officers and employees from any claim, action or proceeding against the City of Bell or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Bell, its legislative body, advisory agencies, or administrative officers concerning the subject Application. The City of Bell will promptly notify the Applicant of any such claim, action or proceeding against the City of Bell and the applicant will either undertake defense of the matter and pay the City's associated legal or other consultant costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Bell fails to promptly notify the applicant of any such claim, action or proceeding, or fails to cooperate fully in the defense, the Applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City of Bell. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent, but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein.
2. Except as set forth in subsequent conditions, all-inclusive, and subject to department corrections and conditions, the property shall be developed substantially in accordance with the applications, environmental assessment, and plans submitted.
3. All architectural detailing, including building materials, lighting, colors, façade improvements, finishes and other details shall be consistent with the submitted plans as approved by the Planning Division.
4. The proposed project shall comply with all Federal, State, County, and Local laws and ordinances that may apply to this permit, stated herein or not.
5. The Applicant and property owner shall submit plans to the Los Angeles County Fire Department for review for compliance with Fire regulations prior to the issuance of Building Permits. Proof of Fire Department approval (including sprinkler plan approval) is required. If revisions are made to the project plans (i.e. setbacks, building height, building design, driveway width, driveway configuration, landscaping, etc.) as a result of Fire Department requirements, changes to the plans may require Planning Commission review and approval as determined by the Community Development Director.
6. The project is required to meet the waste hauler's requirements to ensure the necessary services are provided to the subject site. Plans shall be submitted for review and approval of the City's waste hauling services provider (Republic Services). Republic Services may be contacted at 12949 Telegraph Rd., Santa Fe Springs, CA 90670, or via phone at (800) 299-4898
7. The proposed use shall be conducted, and the property be maintained, in a clean, neat, quiet, and orderly manner at all times and comply with the property maintenance standards as set forth in Chapter 8.36 (Property Maintenance and Nuisance Abatement) of the BMC.
8. The Site Plan Review approval shall expire if building permits are not issued within one (1)

year from the date of approval, unless an extension has been granted by the Planning Commission.

9. All existing and/or proposed mechanical equipment and appurtenances, including electrical conduits, rain gutters, downspouts, vents, etc., whether located on the rooftop, ground level or anywhere on the property shall be adequately shielded/enclosed so as not to be visible from any public street and/or adjacent properties. Such shielding/enclosure of facilities shall be of compatible design related to the building structure for which such facilities are intended to serve and shall be installed prior to issuance of the Certificate of Occupancy.
10. An anti-graffiti finish, as approved by the Planning Division, shall be applied to all exterior building surfaces that are visible to the public and likely to attract graffiti prior to the issuance of the Certificate of Occupancy.
11. Any graffiti placed on any building or structure located on the property shall be removed promptly after its placement. Failure on the Applicant's behalf to remove such graffiti upon twenty-four (24) hours written notice shall empower the City to enter upon the property and cause such removal, or painting over, of said graffiti, at the expense of the Applicant. The Applicant shall promptly pay, upon receipt of an invoice from the City, all the City's reasonable costs of such work
12. No outside storage shall be permitted.
13. All required on-site parking spaces comply with the minimum dimensions as set forth within the BMC prior to issuance of the Certificate of Occupancy.
14. A landscape plan design stamped by a licensed landscape architect be provided for the entire property, showing planter design, schedule of plant material, planter location and method of automatic permanent irrigation. The plan shall be submitted to and approved by the Planning Division, and such landscaping shall be installed and planted according to such approved plan, prior to being issued the certificate of occupancy, and shall thereafter be continuously and permanently maintained.
15. Landscape planters shall have 6" curbing and permanent irrigation provided within the parking areas.
16. The Community Development Director is authorized to make minor modifications to the approved preliminary plans or any of the conditions if such modifications shall achieve substantially the same results, as would strict compliance with said plans and conditions.
17. That the operator shall obtain its City of Bell Business License prior to commencing business operations.
18. The project design shall include additional treatment to the facades such as the addition of entrance doors fronting Atlantic Avenue within a storefront bay having similar width/height proportions to that of the proposed entry along the north elevation; and/or other alterations as may be proposed by the applicant to create a more-pronounced store entrance and an enhanced transition of architectural detailing across all elevations as may be deemed acceptable by the Director.
19. To ensure that the east elevation exhibits a consistent level of architectural treatment across

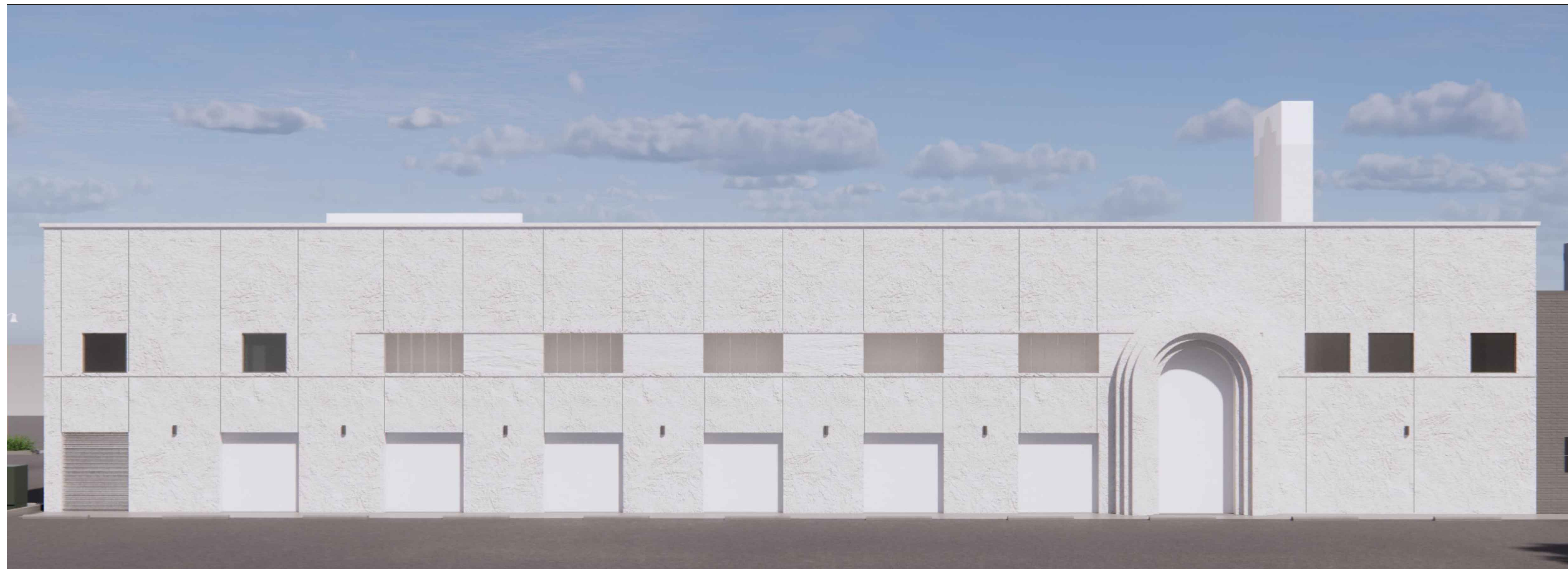
the façade, the existing exterior door located at the southerly edge of the façade shall be replaced with a new door that is consistent with the materials, profile design, and finishes of the proposed storefronts.

20. All existing downspouts and electrical conduits located on the north and east facades shall be re-routed within the building's exterior walls to enhance the overall façade improvements and achieve an optimal design.
21. The overall height of the existing wing wall element shall be maintained at 45 feet. In addition, the proposed top edge detailing shall be refined to either match or have a similar profile detailing to that of the cornice on the building roof line. The proposed projecting wall at the northeast corner of the building shall also be modified to be a prominent projecting building volume, tower element, or other architectural element that accentuates the main store entrance and its orientation engaging the street.
22. The proposed landscape plans depict planter beds along the northerly edge of the building. To deter graffiti and minimize paint maintenance on the façade, creeping vines shall be planted within said planter beds and decorative lattices shall be installed within the solid-wall storefront bays to support the future growth of the vines. A revised, complete set of landscaping plans consistent with the "proposed" site plan shall be submitted for Planning staff review and approval prior to the issuance of building permits.
23. The parking areas throughout the site shall be slurry sealed, re-stripped, and damaged/missing wheel stops shall be replaced as required by the Planning Division. The existing angled parking spaces shall be re-stripped in the same configuration to avoid further deficiencies in off-street parking.
24. The proposed trash enclosure walls shall be coated in a stucco-finish consistent with the building facades and the proposed steel enclosure doors and trellis shall consist of a decorative design in-lieu of corrugated metal. Manufacturer specifications and/or enlarged details drawings specifying the design/model/dimensions of the steel door/trellis elements of the trash enclosure shall be submitted to staff for review and approval prior to the issuance of building permits.
25. Manufacturer specifications and/or enlarged details drawings specifying the design/model/dimensions of the bike racks shall be submitted to Staff for review and approval prior to the issuance of building permits.
26. All proposed signage shall be reviewed and approved by the Planning Division under a separate permit. Approval of a Master Sign Program shall be required to ensure future signage quantity, size, and location is adequately designed to comply with the requirements of the BMC and enhance the building and overall site.
27. The applicant and property owner shall agree in writing to the above conditions.

Building & Safety

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

29. Plans prepared in compliance with the current Building Code shall be submitted to Building Division for review prior to permit issuance.
30. The proposed walls to be removed may be structural bearing walls and possibly interior shear walls to resist against lateral loads due to wind or earthquake. A structural engineer shall assess the existing structural system and address the structural implications of removing certain elements of the existing building. The said recommendations shall be incorporated into the plans prior submitting for building division plan review.
31. Each sheet of the plans shall be stamp and sign by registered engineer and/or licensed architect.
32. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
33. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
34. All State of California disability access regulations for accessibility and adaptability shall be complied with.
35. Summary of Accessibility Upgrades for Commercial Projects shall be completed and the completed form shall be copied on the plans. The form can be found at the following link <https://www.dropbox.com/s/4xkjyn5fhggpotk/Accessibility%20Upgrade%20Summary%20Form.pdf?dl=0>
36. Separate application and plan review is required for Electrical plans.
37. Separate application and plan review is required for Mechanical plans.
38. Separate application and plan review is required for Plumbing plans.
39. Plumbing fixtures shall be provided as required by the Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.
40. Project shall comply with the CalGreen Non-Residential mandatory requirements.
41. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.
42. Separate permit is required for Fire Sprinklers.



ALL IDEAS, DESIGN, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE PROPERTY OF AND CREDITED TO THE FIRM AND WERE CREATED, INVENTED AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, DESIGN, ARRANGEMENTS, OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF THE FIRM. WITHOUT LIMITATION, THIS FIRM PRESERVES ALL RIGHTS IN ANY PATENT, COPYRIGHT, TRADE SECRET AND/OR IN ANY INVENTIONS FROM THE INVENTIONS AND CONDITIONS SET FORTH BY THESE CHARTERS.

NOT FOR CONSTRUCTION

**ATLANTIC TENANT IMPROVEMENT
6607 ATLANTIC AVENUE
BELL CA, 90201**

[illegible]

RENDERINGS

G002

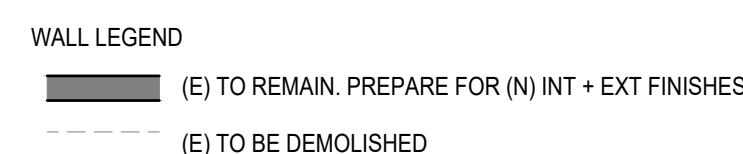
DEMOLITION
SITE PLAN
AD100

06/23/2023	CITY SUBMITTAL APPLICATION
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[illegible]

DEMOLITION FLOOR PLAN LEVEL 01



DEMOLITION
FLOOR PLAN
LEVEL 02
AD220

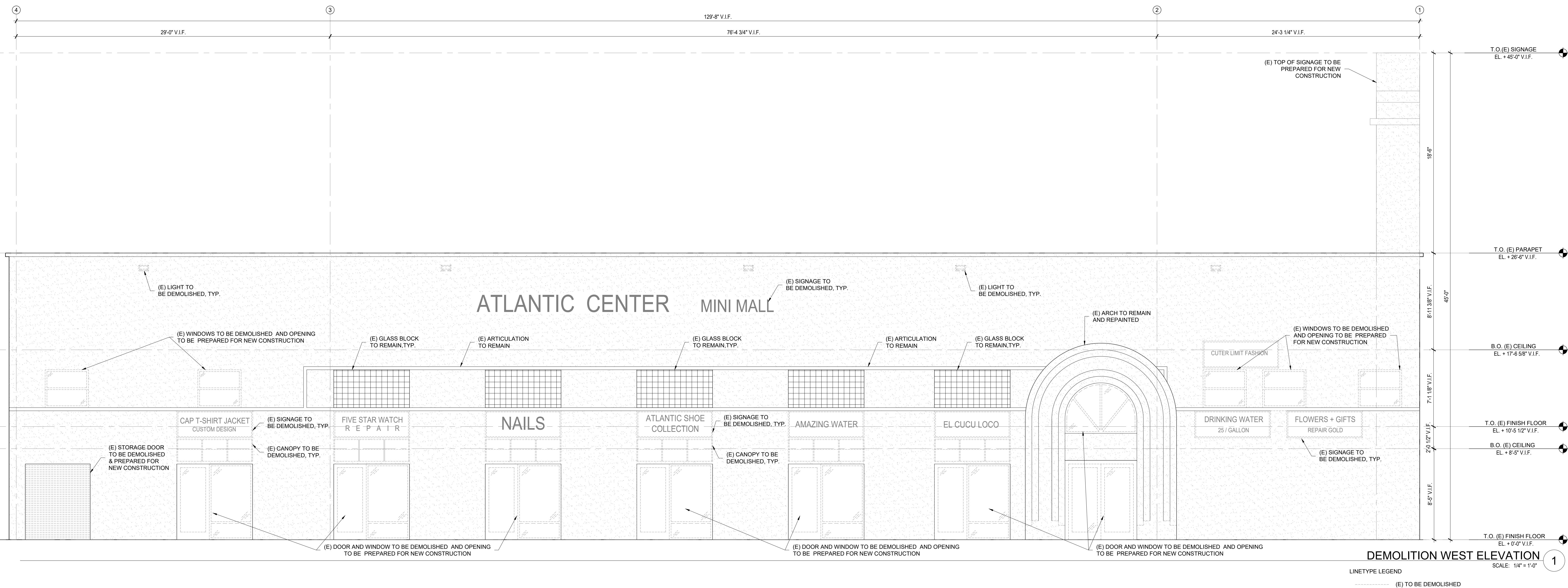
06/23/2023	CITY SUBMITTAL APPLICATION
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WALL LEGEND

 (E) TO REMAIN. PREPARE FOR (N) INT + EXT FINISHES

 (E) TO BE DEMOLISHED



RFRM

NOT FOR CONSTRUCTION

**ATLANTIC TENANT IMPROVEMENT
6607 ATLANTIC AVENUE
BELL CA, 90201**

[illegible]

DEMOLITION
ELEVATIONS
AD310

NOTES:

1. TENANT DELIVERIES OCCUR DAILY BETWEEN 6:00 AM AND 10:00 AM IN THE PARKING LOT ON THE WEST SIDE OF THE PROPERTY. THE DELIVERY TRUCKS ARE CONVENTIONAL 26' BOBTAIL TRUCKS
2. TESLA CHARGING STATIONS OPERATE ALL HOURS OF THE DAY, SEVEN DAYS A WEEK.

[illegible]

PROPOSED SITE PLAN

A100

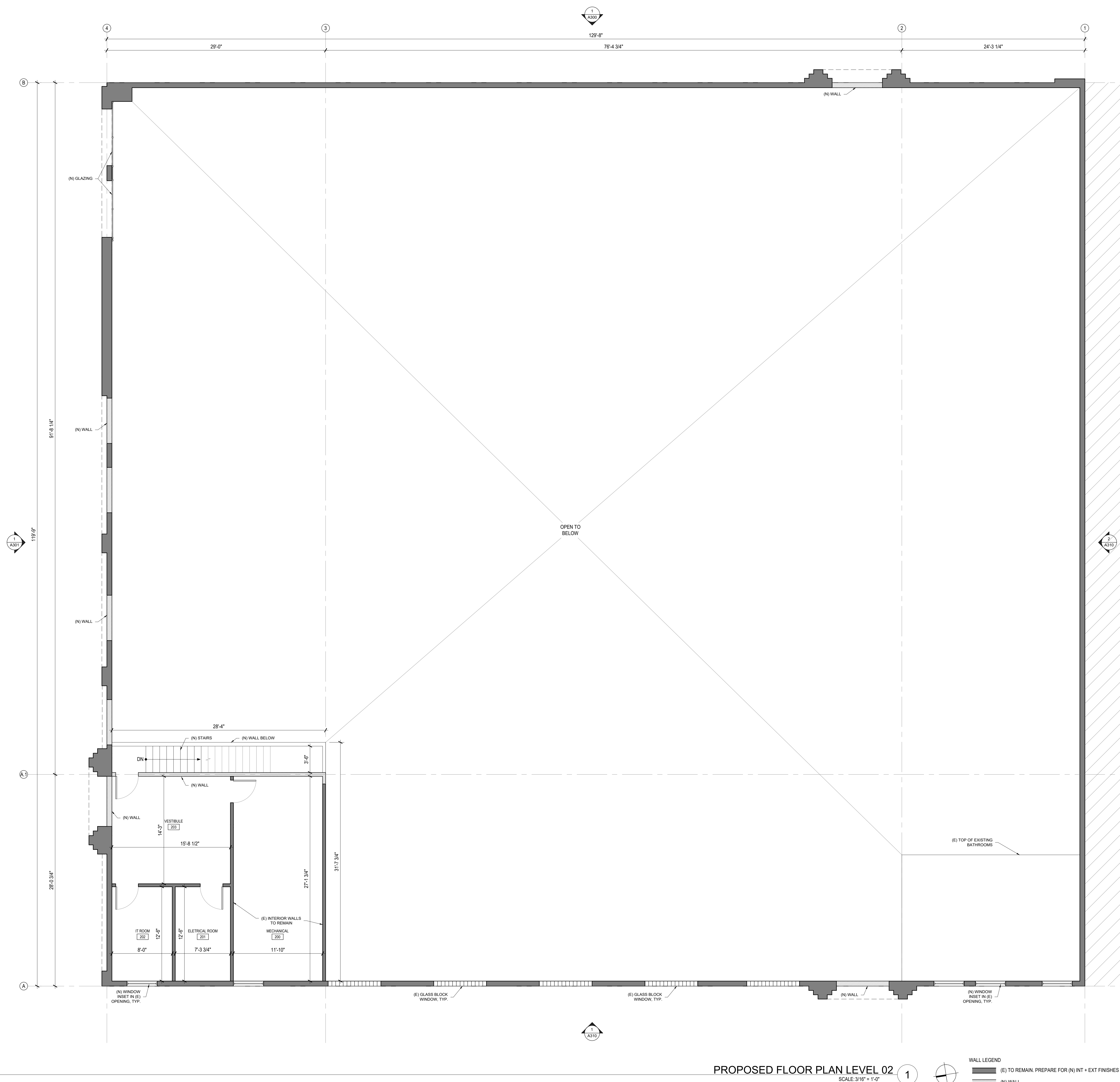
**ATLANTIC TENANT IMPROVEMENT
6607 ATLANTIC AVENUE
BELL CA, 90201**

PROPOSED
FLOOR PLAN
LEVEL 01
A210



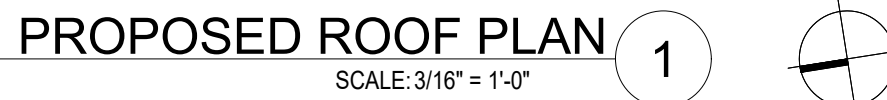
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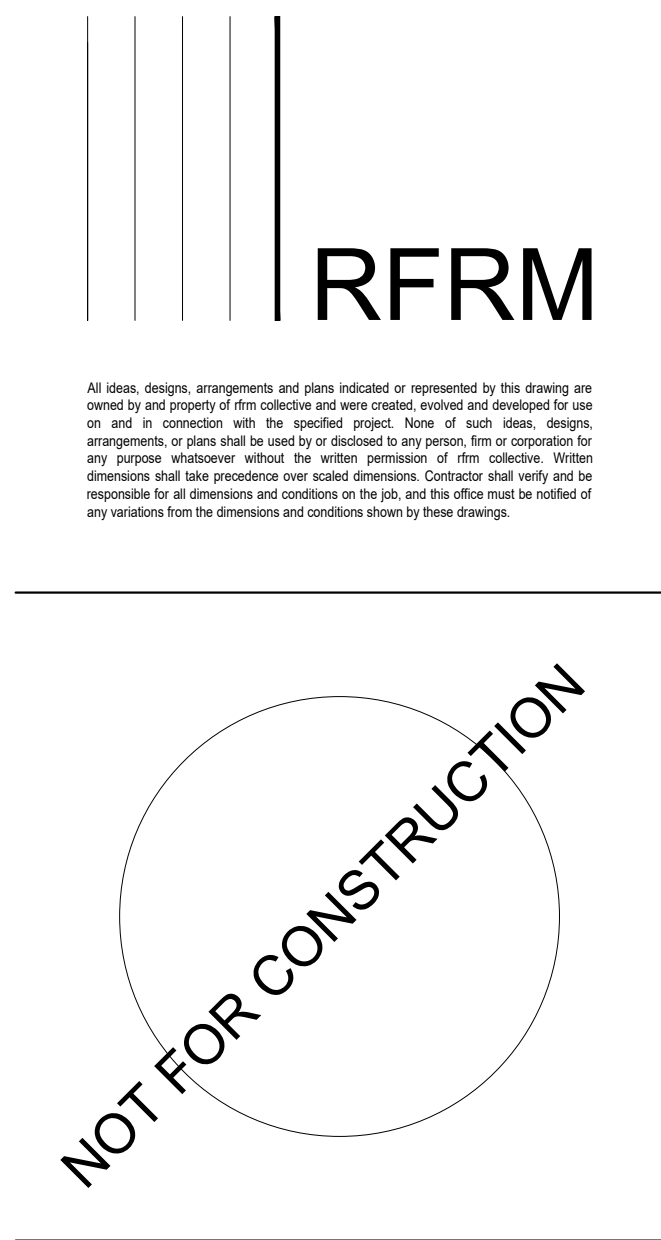
PROPOSED FLOOR PLAN LEVEL 02
SCALE: 3/16" = 1'-0"



PROPOSED
ROOF PLAN
A230

PROPOSED
ROOF PLAN
A230





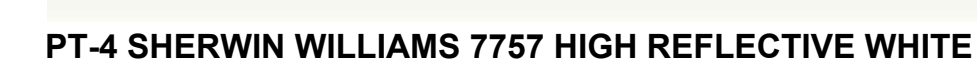
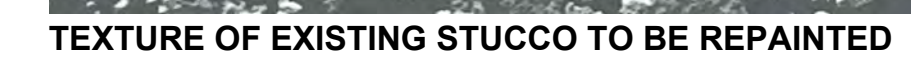
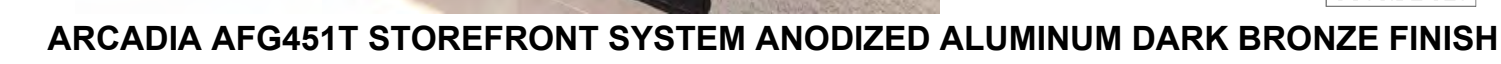
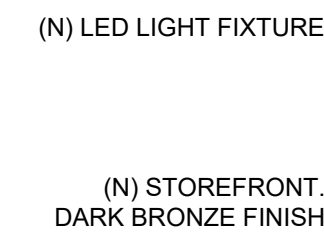
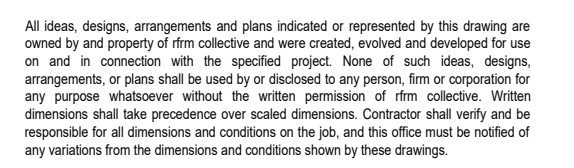
**ATLANTIC TENANT IMPROVEMENT
6607 ATLANTIC AVENUE
BELL CA, 90201**

FINISH LEGEND		
TYPE	NAME	DESCRIPTION
PAINT	PT-1	ROUGH STUCCO PAINTED PURE WHITE (SW 7005)
	PT-2	ROUGH STUCCO PAINTED KRYPTON (SW 6247)
	PT-3	ROUGH STUCCO PAINTED LUSTY RED (SW 6863)
	PT-4	SMOOTH STUCCO PAINTED HIGH REFLECTIVE WHITE (SW 7757)
	PT-5	SMOOTH STUCCO PAINTED GRANITE PEAK (SW 6250)

[illegible]

PROPOSED
ELEVATIONS

A300



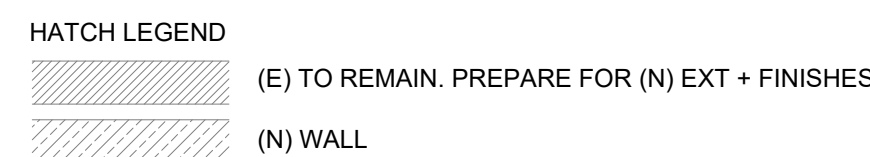
MATERIAL BOARD

**ATLANTIC TENANT IMPROVEMENT
6607 ATLANTIC AVENUE
BELL CA, 90201**

A320

WALL SECTIONS

A500



City of Bell Special Planning Commission Agenda Report

DATE: August 16, 2023

TO: Honorable Chair and Planning Commission Members

FROM: Manuel Acosta, Director of Community Development

PREPARED BY: Jason Garcia, Assistant Planner

SUBJECT: Consideration of Conditional Use Permit (CUP) No. 2022-07

PROJECT PROPOSAL / REQUEST:

Request for approval of a Conditional Use Permit (CUP No. 2022-07) to allow the on-sale of beer and wine (type 41 alcohol license) in conjunction with an existing restaurant located at 4040 Gage Avenue, in the C-3R (General Commercial and Residential) zone.

BACKGROUND:

Project Overview

- General Plan Designation: Commercial
- Zoning: (C3-R, General Commercial - Residential)
- Project Location: 4040 Gage Avenue
- Assessor's Parcel Number(s): 6325-002-008
- Site Characteristics: The subject site is located on the southerly blockface of Gage Avenue, between Corona Avenue and Gifford Avenue. The subject site is developed with a 3,019 square-foot building, accommodating a restaurant ("El Guapito Mexican Food") with seating. The restaurant currently operates between the hours of 8:00 a.m. – 7:00 p.m. (Monday-Sunday) and offers food service for dine-in and take-out. The restaurant currently has 55 seats within the restaurant, of which 16 seats are permanent booth seats.
- Surroundings: Surrounding properties include an existing restaurant, a meat market, and a bakery located west of the subject site. The site is surrounded by another grocery store and a discount store with residential units on the second-floor level to the east. There are also general commercial uses north of the subject site and multifamily residences to the south.
- Project Description: The applicant is requesting approval for a CUP to allow the on-sale of beer and wine (type-41 alcohol license) in order to enhance and compliment the food menu and services offered by the restaurant.
- Applicant: Ramon Ruiz, El Guapito Mexican Food Restaurant

- Architects: Innovation Group Design & Build
- Municipal Code Requirements for a Conditional Use Permit: Pursuant to the City of Bell Municipal Code (BMC) Section (17.96.030)(2a), Any bona fide restaurant otherwise permitted in the relevant zoning classification may serve alcohol for on-premises consumption only with a valid conditional use permit.
- Required Findings for a Conditional Use Permit: Pursuant to BMC Section 17.96.040(A-E), a Conditional Use Permit may be approved only if all of the following findings are made:
 - a. That the site for the proposed use is adequate in size, shape and topography to accommodate the proposed used; and
 - b. The site has sufficient access to public streets and highways adequate in width and pavement type, to carry the quantity and quality of vehicular and pedestrian traffic expected to be generated by the proposed use; and
 - c. That all buildings and structures proposed to be constructed or utilized in conjunction with the use will be architecturally compatible with existing and prospective uses of land located in the immediate vicinity of the site; and
 - d. That the location of the proposed use on the site will be compatible with existing and prospective uses of land located in the immediate vicinity of the site; and
 - e. That the conduct of the proposed use will be in compliance with the applicable provisions of any specific plan applicable to such site, and with the city's general plan. (Ord. 1129, 1997; Ord. 946)

ANALYSIS:

Description of Site Improvements

The subject site is developed with a two-story building occupied by a single tenant (restaurant) on the ground-floor level. The mezzanine level has been illegally converted into a residential dwelling unit. Other features within the site include a makeshift trash enclosure located at the rear of the site and an unpermitted enclosed patio covered with vines attached to the rear of the building. To ensure that the property is brought into conformance with Code regulations, staff recommends a condition that all unpermitted structures (attached rear patio, roof sign, façade patio, and enclosure of 2nd story balcony) be removed/demolished and that the 2nd floor level of the building is converted to its original permitted use as a mezzanine. In addition, staff recommends a condition requiring a new trash enclosure that is constructed in conformance with the development standards set in Chapter 17.28.040 (G) of the Bell Municipal Code.

The façades of the restaurant are painted in multiple colors, including orange yellow with an accenting orange along the north frontage, and the easterly facade of the building is painted white with the parapet painted green. There is also an existing legal-nonconforming roof sign and exterior security gates that are painted blue. To ensure compliance with exterior building colors of nonresidential buildings, staff recommends a condition requiring the building to be repainted in conformance to Chapter 17.25 of the Bell Municipal Code and to the satisfaction of the Community Development Director.

Business Operations

The existing restaurant has been operating at the subject location for the past 2 years. The current hours of operation are between 8:00 a.m. – 7:00 p.m. (Monday-Sunday). The applicant is proposing to modify the hours of operation for the restaurant to 8:00 a.m. to 10:00 p.m. (Monday-Sunday) with the sale of alcohol being limited to 12:00 p.m. to 10:00 p.m.

Compatibility

The restaurant is compatible with the surrounding uses along Gage Avenue as it is a commercial use surrounded by heavy commercial, general commercial, and residential uses.

Off Street Parking

Pursuant to the Bell Municipal Code Section 17.76.020(6), the parking requirement for restaurants is one parking space for every 100 square feet of gross floor area devoted to the use of up to 4,000 square feet. As such, a total of 31 off-street parking spaces are required for the existing restaurant. An additional 4 parking spaces are required per Bell Municipal Code Section 17.76.020(1a) for the second-floor office use. The project plans depict eight (8) existing angled parking spaces within the parking area at the rear of the subject property. However, based on the dimensions noted in the plans, the parking spaces and driveway aisle width would not meet the minimum dimensions for off-street parking spaces. A recommended condition of approval will require that the parking area be restriped in a configuration that meets the minimum dimensions required per Code

PARKING REQUIREMENTS	
Parking Ratio	(1) parking space for every 100 sq. ft. of floor area devoted to the use $(3,019/100) = 31$ Parking Spaces (1) parking space for every 200 sq. ft. of gross floor area devoted to the use $(398/200) = 1.99 = 2$ Parking Spaces $31 + 2$ parking spaces = 33 parking spaces
Required # of parking spaces	33 spaces
Proposed # of parking spaces	8 spaces
Deficient # of parking spaces	25 spaces

Although the property is deficient with 25 parking spaces, there is a City-owned public parking lot west of the subject site. The parking lot is available to support businesses within the immediate vicinity, including the subject restaurant. Staff recommends that the Planning Commission exercise its authority pursuant to BMC section 17.76.020(18); therefore, only requiring 8 off-street parking spaces for the existing restaurant.

Conditional Use Permit Review Analysis

In granting approval of a Conditional Use Permit for the on-sale of beer and wine within an existing restaurant, the Planning Commission must make findings in connection with the

Conditional Use Permit review, as set forth in the BMC. A Conditional Use Permit may be approved only if all of the following findings are made:

A. The site for the proposed use is adequate in size, shape, and topography to accommodate the proposed use.

The project site is currently occupied by a restaurant use that offers food services for dine-in and take-out. The project plans do not show any proposed modifications to the interior of the building. However, with recommended conditions of approval, modifications to the exterior of the building will include the demolition of unpermitted structures and the return of the 2nd floor to the original intended use. The beer and wine being proposed will be located within an existing refrigerator and therefore maintain the exiting interior tenant space.

B. The site has sufficient access to public streets and highways adequate in width and pavement type, to carry the quantity and quality of vehicular and pedestrian traffic expected to be generated by the proposed use.

The property is already developed with an existing restaurant with seating. There are no proposed alterations nor increase in seating capacity. The parking lot is accessible via an alley located along the southern boundary of the property. In addition, there is a City-owned public parking lot abutting the subject property to the west, which accommodates parking for the surrounding commercial uses, including the subject restaurant. Therefore, it is anticipated that the existing quantity and quality of vehicular and pedestrian traffic will remain the same.

C. That all buildings and structures proposed to be constructed or utilized in conjunction with the use will be architecturally compatible with existing and prospective uses of land located in the immediate vicinity of the site.

With recommended conditions, the project will undergo minor alterations to the exterior, which include a new exterior building color that complies with the Zoning regulations. Unpermitted structures and additions near the façade of the building and rear of the building will be removed, which will also enhance the exterior appearance of the existing building and the overall site.

D. That the location of the proposed use on the site will be compatible with existing and prospective uses of land located in the immediate vicinity of the site.

The proposed alcohol sales for on-site consumption are compatible with the existing restaurant as it helps provide a complimentary service to patrons. In addition, the subject existing restaurant is located in the appropriate zone (C3R) and is compatible with other surrounding uses such as retail stores, an adjacent restaurant with on-sale of alcohol, a bakery, and a meat market.

E. That the conduct of the proposed use will be in compliance with the applicable provisions of any specific plan applicable to such site, and with the city's general plan.

The proposed use of the site will include a Type 41 beer and wine alcohol license, which is deemed to be of necessity to the applicant's business plan and part of the desired services offered to the public as a convenience while dining in the restaurant. The restaurant's use of alcohol is in compliance with the General Plan, as the proposed land use and zoning designation allows for the incorporation of restaurants within the C-3R zone. Land Use and Sustainability Element Policy 4 deters the expansion of non-conforming uses and ensures all health and safety hazards are brought into compliance by means of the Planning Commission. The subject site has multiple unpermitted structures that will be brought into compliance through the Conditional Use Permit process.

Conclusion

In conclusion, based on the conditional use permit finding of facts and the implementation of recommended Conditions of Approval, staff recommends that CUP No. 2022-07 be approved .

ENVIRONMENTAL ANALYSIS:

Staff has reviewed the Site Plan Review application and determined that in accordance with the California Environmental Quality Act (CEQA), this project qualifies for a categorical exemption under CEQA Guidelines Section 15301, (Class 1) "Existing Facilities", in that the project involves interior and exterior alterations and no expansion to an existing commercial building and use, and thereby is exempt from CEQA.

COMMENTS FROM OTHER DEPARTMENTS

Staff routed the project for comments to several City Departments including the Police Department, Code Enforcement, Building & Safety Division as well as the LA County Fire Department. No conditions of approval were provide by the Building & Safety Division, Police Department, or Code Enforcement. The LA County Fire Department did pose questions regarding the occupancy type, occupancy load, and whether the building had fire sprinklers. As part of Conditions of approval, the applicant shall contact the LA County Fire Department Plan Check Unit to ensure compliance with all fire department codes and requirements.

RECOMMENDATION

Based on the evidence presented, Staff recommends that the Planning Commission find that the project is categorically exempt from the CEQA under Section 15301, (Class 1) "Existing Facilities", make the required findings and requirements set forth in the Bell Municipal Code, and **approve the application for Conditional Use Permit (CUP 2022-07)** subject to the following proposed conditions of approval and/or other conditions that the Planning Commission may wish to impose.

CONDITIONS OF APPROVAL:

Planning Division

1. That any increase, intensification and/or change of use shall be subject to review by the Planning Commission through a modification of this Conditional Use Permit consistent with Title 17, including section 17.96.190; and

2. The restaurant shall be subject to an annual review by the appropriate City of Bell Department, including but not limited to Police, Building and Safety, Planning, Public Works, Finance, City Attorney's Office, and the Planning Commission and which may contain but need not to be limited to the following conditions:
 - i. The restaurant's total yearly alcohol sales shall make up no more than twenty (20) percent of the restaurant's total yearly gross combined food and alcohol sales. Should the Planning Staff learn that Section 17.96.030(2)(a)(i) Is not being enforced City-wide this section shall not be enforced as against the tenant at the location; and
 - ii. Prior to March 1st of each year the restaurant shall submit to the director yearly financial statements for the prior calendar year, or portion thereof if the restaurant was not in business for the entire calendar year, demonstrating compliance with subsection (2)(a)(i) of this section along with a fee to be established by the city, to pay for processing of same; and
 - iii. Notwithstanding submittal of a financial statement, if in the opinion of the director a financial audit of the restaurant is necessary to determine compliance under this section the restaurant must pay the entire reasonable cost for such audit with the auditor to be selected by the director; and
 - iv. That if the Chief of Police determines that there is a continuing Police problem arising from the store operations, he or she may, after having contacted the Applicant and/or landlord, require the permittee provide a police-approved doorman and/or security personnel; and
 - v. Any other condition(s) deemed necessary or appropriate by the city to protect the health and welfare of its residents; and
3. That the property shall be maintained in accordance with:
 - i. The Application and Exhibit, "A" included in this report on file in the office of the Clerk of the City of Bell; and
 - ii. All applicable laws, including, but not limited to, Bell Municipal Code and the Bell Zoning Code, specifically Title 17, as the same exist as of the date of approval of this Application or as the same may hereafter be amended; and
 - iii. All of the conditions of approval as set forth in this Conditional Use Permit No. 2022-07; and
4. That pursuant to Bell Municipal Code Section 17.96.170, in the event of fraud in obtaining the Conditional Use Permit, or if the approved use ceases or is exercised contrary to any conditions imposed herein, or in violation of any laws, or is exercised to the detriment of public health or safety, or constitutes a nuisance, then upon the Community Development Director's recommendation, the Planning Commission shall conduct a noticed public hearing to determine whether the Conditional Use Permit should be revoked. The Commission shall revoke the Conditional Use Permit if it finds any of said conditions in Bell Municipal Code Section 17.96.170 satisfied, subject to review on appeal, taken in the time and manner set forth in Article III of Chapter 17.96 of the Bell Municipal Code; and
5. That the Conditional Use Permit conditions shall be placed on the property in a location where employees can easily read the conditions; and

6. The applicant or a representative shall execute an Affidavit indicating that he/she is aware of all of the terms and accepts all the conditions imposed by the granting of this Conditional Use Permit; and
7. That all conditions of approval, as requested in writing by the Los Angeles County Fire Department, the Los Angeles County Health Department, and in compliance with the 2022 California Building Code, including, but not limited to, hazardous/flammable storage of chemicals and/or materials, access, fire flow, and maximum occupancy requirements for the property shall be complied with or guaranteed prior to the issuance of building permits for improvements to the property; and
8. That any graffiti placed on any building or structure located on the property shall be removed promptly after its placement; failure on the Applicant's behalf to remove such graffiti upon twenty-four (24) hours written notice shall empower the City to enter upon the property and cause such removal, or painting over, of said graffiti, at the expense of the Applicant. The Applicant shall promptly pay, upon receipt of an invoice from the City, all the City's reasonable costs of such work; and
9. The application shall submit color samples of the exterior paint to the Planning Division for approval. All textures, materials, and colors utilized on the exterior elevations of the building shall be in conformance to Chapter 17.25 of the Bell Municipal Code and to the satisfaction of the Community Development Director; and
10. The Applicant shall submit a striping plan to the Planning and Building Divisions that meets the striping requirements and compact parking requirements contained in section 17.76.060 of the Bell Municipal Code. Such plan shall be approved by the Building and Planning Divisions prior to issuance of a Building Permit; and
11. All accessible parking stalls serving the business shall be in compliance with the current applicable codes; and
12. No live entertainment or outdoor seating is allowed on the premises; and
13. The business shall contact the Planning Division before any "Event" is to take place at the business location including parking lot, sidewalk, or outside the business. An "Event" is a Temporary Use of Land, Special Event, or display or advertisement; and
14. That the Applicant agrees that all tenant improvements shall be in accordance with all necessary local, state and federal guidelines for handicapped access including, but not limited to the Americans with Disabilities Act, and the 2022 California Building Code; and
15. That any signage along Gage Avenue shall require that a sign plan be submitted separately and approved by the Planning Division, pursuant to the provisions outlined in Section 17.84.050 the Bell Zoning Code (BMC); and

16. Signs shall be posted at all building access points, that is, all entrances and exits available to the public, "No alcohol permitted beyond this point". At no time shall alcohol be consumed outside the perimeter of the building; and
17. That the Applicant and each of his agents, contractors, and subcontractors engaged in construction or demolition activities on the property shall obtain and maintain a proper contractors business license from the City of Bell; and
18. Applicant, agrees to maintain the property and all related on-site improvements and landscaping thereon, including, without limitation, buildings, parking areas, lighting, 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, City and local bodies and agencies having jurisdiction, at applicant's sole cost and expense. Such maintenance and repair shall include, but not be limited to, the following: (i) building surfaces and structures shall be painted and kept in good repair; (ii) signs shall be maintained in a first class condition of repair; (iii) sweeping and trash removal shall be performed regularly; (iv) shrubbery, plantings, and other landscaping shall be cared for and kept in a healthy condition, and replaced as needed; and (v) asphalt or concrete paving shall be repaired, replaced and restriped 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; and
19. Applicant shall be responsible for filing any and all pertinent documents with the Los Angeles County Recorder's Office and that copies of said licenses and certifications shall be maintained on file with the City of Bell; and
20. That the applicant shall agree to defend, indemnify and hold harmless, the City of Bell, its agents, officers and employees from any claim, action or proceeding against the City of Bell or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Bell, its legislative body, advisory agencies, or administrative officers concerning the subject Application. The City of Bell will promptly notify the Applicant of any such claim, action or proceeding against the City of bell and the applicant will either undertake defense of the matter and pay the City's associated legal or other consultant costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Bell fails to promptly notify the applicant of any such claim, action or proceeding, or fails to cooperate fully in the defense, the Applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City of Bell. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent, but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein; and
21. Copies of the ABC License and certifications shall be maintained on file with the City of Bell in perpetuity; and
22. The on-site sale and consumption of beer and wine permitted by this Conditional Use Permit No. 2022-07 shall be in accordance with the applicant's license (as the same may be conditioned) from the California State Alcohol Beverage Control Board (the "ABC License"). Pursuant to Business and Professions Code Sections

23800-23805, the ABC may impose reasonable conditions on the issuance of the ABC License and may cover conditions such as, but not limited to, restrictions as to the hours of sale, display of signs, and employment of designated persons; and

23. The on-site sale and consumption of beer and wine shall be sold only in conjunction with food service; and
24. The subject site shall include a new trash enclosure that is constructed in conformance with the development standards set in Chapter 17.28.040 (G) of the Bell Municipal Code; and
25. All unpermitted structures (attached rear patio, roof sign, façade patio, and enclosure of 2nd story balcony) shall be removed/demolished, and the 2nd floor level of the building be converted to its original permitted use as a mezzanine.

ATTACHMENTS:

1. Resolution No 2023-05PC
2. Site Plan, Floor Plan, and Elevations

RESOLUTION NO. 2023-05PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF BELL APPROVING CONDITIONAL USE PERMIT NO. 2022-07, TO ALLOW THE ON-SALE OF BEER AND WINE IN CONJUNCTION WITH AN EXISTING RESTAURANT LOCATED AT 4040 GAGE AVENUE, IN THE C-3R (GENERAL COMMERCIAL AND RESIDENTIAL) ZONE.

WHEREAS, Ramon Ruiz (“the Applicant”) filed a complete application requesting the approval of Conditional Use Permit (“CUP”) No. 2022-07 described herein (“Application”); and

WHEREAS, the Application pertains to an approximate 6,500 square foot property with Los Angeles County Assessor’s Parcel Number 6325-002-008, more commonly known as 4040 Gage Avenue, Bell California (“Property”);

WHEREAS, the Applicant requests approval of a Conditional Use Permit (CUP) to allow the on-sale of beer and wine (type 41 alcohol license) in conjunction with an existing restaurant. Pursuant to Bell Municipal Code, Chapter 17.96.030(2)(a), any restaurant use proposing the on-site consumption of beer and wine requires a CUP; and

WHEREAS, the City staff reviewed the project’s environmental impacts under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, “CEQA”) and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the “CEQA Guidelines”) and deemed the project to be exempt under a Class 1 Categorical Exemption pursuant to section 15301(a) (Existing Facilities) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations); and

WHEREAS, notice of the Planning Commission’s August 16, 2023 public hearing on this CUP 2022-07 was published in compliance with State law in a local newspaper of general circulation. In addition, a public notice was mailed 10 days in advance of the hearing to each property owner, occupants and resident within a 500-foot radius of the project site, indicating the date and time of the public hearing for CUP 2020-07 in accordance with California Government Code 65091; and

WHEREAS, on August 16, 2023 the Planning Commission held a public hearing to receive public testimony and other evidence regarding the CUP, including without limitation, information provided to the Planning Commission by City staff and public testimony; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Commission at its March hearing including, without limitation, the staff report submitted by the Community Development Department; and

WHEREAS, all legal prerequisites to the adoption of this Resolution have been met.

NOW, THEREFORE, THE PLANNING COMMISSION DOES HEREBY FIND, DETERMINE AND DECLARE AS FOLLOWS:

SECTION 1. All of the facts set forth in the recitals are true and correct and are incorporated herein by reference.

SECTION 2. Based upon substantial evidence presented to this Planning Commission during the public hearing conducted with regard to the Application, including written staff reports, verbal testimony, site plans, and Conditions of Approval (“Conditions”) attached hereto as Exhibit “A,” the Planning Commission hereby specifically finds as follows:

A. The site for the proposed use is adequate in size, shape and topography to accommodate the proposed use.

The project site is currently occupied by a restaurant use that offers food services for dine-in and take-out. The project plans do not show any proposed modifications to the interior of the building. However, with recommended conditions of approval, modifications to the exterior of the building will include the demolition of unpermitted structures and the return of the 2nd floor to the original intended use. The beer and wine being proposed will be located within an existing refrigerator and therefore maintain the exiting interior tenant space.

B. The site has sufficient access to public streets and highways adequate in width and pavement type, to carry the quantity and quality of vehicular and pedestrian traffic expected to be generated by the proposed use.

The property is already developed with an existing restaurant with seating. There are no proposed alterations nor increase in seating capacity. The parking lot is accessible via an alley located along the southern boundary of the property. In addition, there is a City-owned public parking lot abutting the subject property to the west, which accommodates parking for the surrounding commercial uses, including the subject restaurant. Therefore, it is anticipated that the existing quantity and quality of vehicular and pedestrian traffic will remain the same.

C. That all buildings and structures proposed to be constructed or utilized in conjunction with the use will be architecturally compatible with existing and prospective uses of land located in the immediate vicinity of the site.

With recommended conditions, the project will undergo minor alterations to the exterior, which include a new exterior building color that complies with the Zoning regulations. Unpermitted structures and additions near the façade of the building and rear of the building will be removed, which will also enhance the exterior appearance of the existing building and the overall site.

D. That the location of the proposed use on the site will be compatible with existing and prospective uses of land located in the immediate vicinity of the site.

The proposed alcohol sales for on-site consumption are compatible with the existing restaurant as it helps provide a complimentary service to patrons. In addition, the subject existing restaurant is located in the appropriate zone (C3R) and is compatible with other surrounding uses such as retail stores, an adjacent restaurant with on-sale of alcohol, a bakery, and a meat market.

E. That the conduct of the proposed use will be in compliance with the applicable provisions of any specific plan applicable to such site, and with the city’s general plan.

The proposed use of the site will include a Type 41 beer and wine alcohol license, which is deemed to be of necessity to the applicant's business plan and part of the desired services offered to the public as a convenience while dining in the restaurant. The restaurant's use of alcohol is in compliance with the General Plan, as the proposed land use and zoning designation allows for the incorporation of restaurants within the C-3R zone. Land Use and Sustainability Element Policy 4 deters the expansion of non-conforming uses and ensures all health and safety hazards are brought into compliance by means of the Planning Commission. The subject site has multiple unpermitted structures that will be brought into compliance through the Conditional Use Permit process.

SECTION 3. The Planning Commission reviewed the project's environmental impacts under the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, et seq., the "CEQA Guidelines") and finds the project to be exempt under a Class 1 Categorical Exemption pursuant to section 15301(a) (Existing Facilities) of the CEQA Guidelines (Title 14, Chapter 3 of the California Code of Regulations); and

SECTION 4. The Planning Commission hereby approves CUP 2022-07 subject to the Conditions of Approval set forth in Exhibit "A" attached to this Resolution.

SECTION 5. That the City Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original Resolutions.

PASSED, APPROVED, AND ADOPTED this 16th day of August 2023

Luis Mesa, Chair

APPROVED AS TO FORM:

Christy Marie Lopez, Assistant City Attorney

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Angela Bustamante, Planning Commission Secretary of the City of Bell, do hereby certify that the foregoing Resolution 2023-05PC was adopted at a special meeting of the Planning Commission of the City of Bell held on the 16th day of August 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Angela Bustamante,
Commission Secretary

Exhibit "A"
CONDITIONS OF APPROVAL CUP 2022-07

If the Conditional Use Permit is granted, that the following conditions shall be attached to the Conditional Use Permit:

1. That any increase, intensification and/or change of use shall be subject to review by the Planning Commission through a modification of this Conditional Use Permit consistent with Title 17, including section 17.96.190; and
2. The restaurant shall be subject to an annual review by the appropriate City of Bell Department, including but not limited to Police, Building and Safety, Planning, Public Works, Finance, City Attorney's Office, and the Planning Commission and which may contain but need not to be limited to the following conditions:
 - i. The restaurant's total yearly alcohol sales shall make up no more than twenty (20) percent of the restaurant's total yearly gross combined food and alcohol sales. Should the Planning Staff learn that Section 17.96.030(2)(a)(i) is not being enforced City-wide this section shall not be enforced as against the tenant at the location; and
 - ii. Prior to March 1st of each year the restaurant shall submit to the director yearly financial statements for the prior calendar year, or portion thereof if the restaurant was not in business for the entire calendar year, demonstrating compliance with subsection (2)(a)(i) of this section along with a fee to be established by the city, to pay for processing of same; and
 - iii. Notwithstanding submittal of a financial statement, if in the opinion of the director a financial audit of the restaurant is necessary to determine compliance under this section the restaurant must pay the entire reasonable cost for such audit with the auditor to be selected by the director; and
 - iv. That if the Chief of Police determines that there is a continuing Police problem arising from the store operations, he or she may, after having contacted the Applicant and/or landlord, require the permittee provide a police-approved doorman and/or security personnel; and
 - v. Any other condition(s) deemed necessary or appropriate by the city to protect the health and welfare of its residents; and
3. That the property shall be maintained in accordance with:
 - i. The Application and Exhibit, "A" included in this report on file in the office of the Clerk of the City of Bell; and
 - ii. All applicable laws, including, but not limited to, Bell Municipal Code and the Bell Zoning Code, specifically Title 17, as the same exist as of the date of approval of this Application or as the same may hereafter be amended; and
 - iii. All of the conditions of approval as set forth in this Conditional Use Permit No. 2022-07; and
4. That pursuant to Bell Municipal Code Section 17.96.170, in the event of fraud in obtaining the Conditional Use Permit, or if the approved use ceases or is exercised contrary to any conditions imposed herein, or in violation of any laws, or is exercised to the detriment of public health or safety, or constitutes a nuisance, then upon the Community Development Director's recommendation, the Planning Commission shall

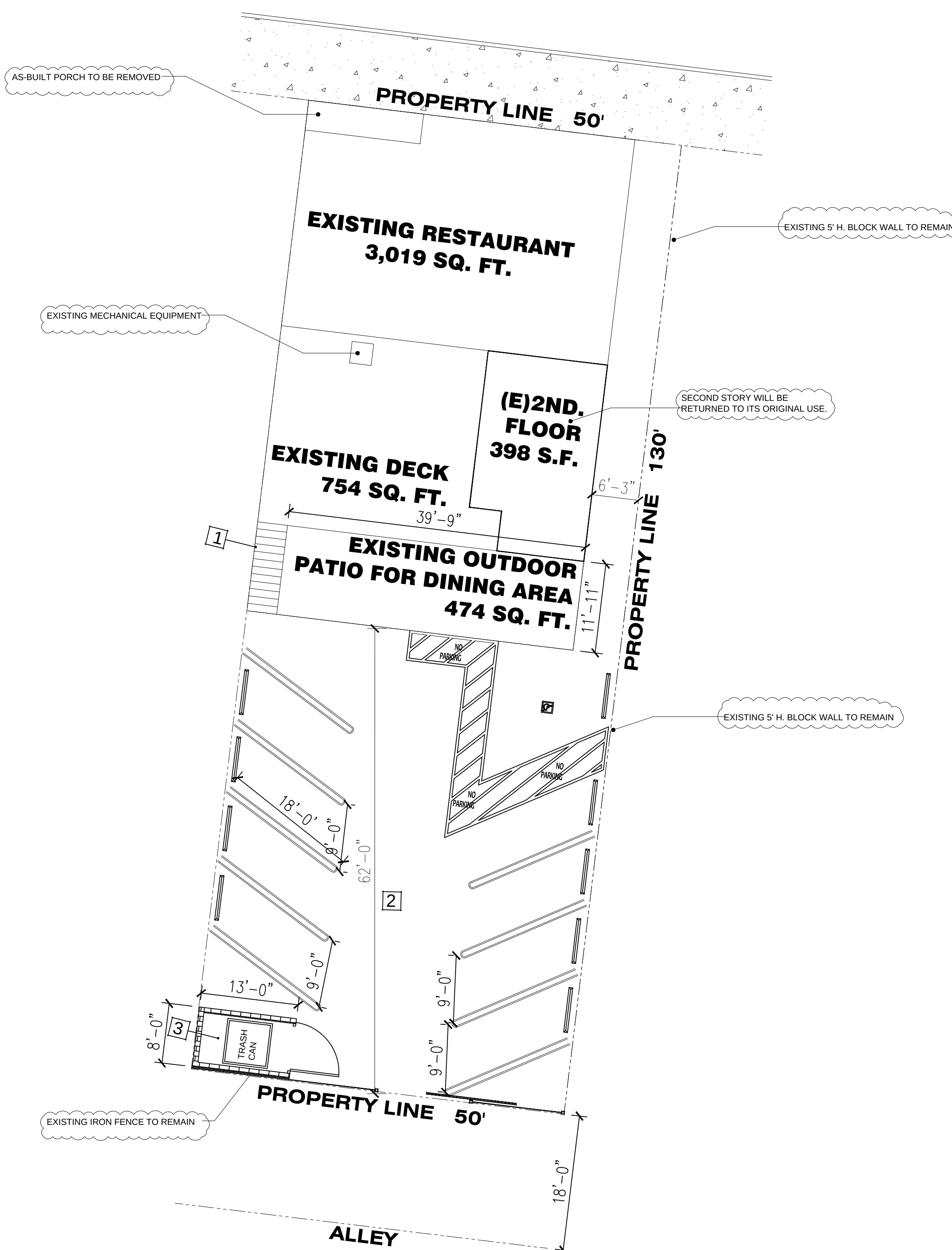
conduct a noticed public hearing to determine whether the Conditional Use Permit should be revoked. The Commission shall revoke the Conditional Use Permit if it finds any of said conditions in Bell Municipal Code Section 17.96.170 satisfied, subject to review on appeal, taken in the time and manner set forth in Article III of Chapter 17.96 of the Bell Municipal Code; and

5. That the Conditional Use Permit conditions shall be placed on the property in a location where employees can easily read the conditions; and
6. The applicant or a representative shall execute an Affidavit indicating that he/she is aware of all of the terms and accepts all the conditions imposed by the granting of this Conditional Use Permit; and
7. That all conditions of approval, as requested in writing by the Los Angeles County Fire Department, the Los Angeles County Health Department, and in compliance with the 2022 California Building Code, including, but not limited to, hazardous/flammable storage of chemicals and/or materials, access, fire flow, and maximum occupancy requirements for the property shall be complied with or guaranteed prior to the issuance of building permits for improvements to the property; and
8. That any graffiti placed on any building or structure located on the property shall be removed promptly after its placement; failure on the Applicant's behalf to remove such graffiti upon twenty-four (24) hours written notice shall empower the City to enter upon the property and cause such removal, or painting over, of said graffiti, at the expense of the Applicant. The Applicant shall promptly pay, upon receipt of an invoice from the City, all the City's reasonable costs of such work; and
9. The application shall submit a color samples of the exterior paint to the Planning Division for approval. All textures, materials, and colors utilized on the exterior elevations of the building shall conformance to Chapter 17.25 of the Bell Municipal Code and to the satisfaction of the Community Development Director; and
10. The Applicant shall submit a striping plan to the Planning and Building Divisions that meets the striping requirements and compact parking requirements contained in section 17.76.060 of the Bell Municipal Code. Such plan shall be approved by the Building and Planning Divisions prior to issuance of a Building Permit; and
11. All accessible parking stalls serving the business shall be in compliance with the current applicable codes; and
12. No live entertainment or outdoor seating is allowed on the premises; and
13. The business shall contact the Planning Division before any "Event" is to take place at the business location including parking lot, sidewalk, or outside the business. An "Event" is a Temporary Use of Land, Special Event, or display or advertisement; and
14. That the Applicant agrees that all tenant improvements shall be in accordance with all necessary local, state and federal guidelines for handicapped access including, but not limited to the Americans with Disabilities Act, and the 2022 California Building Code; and

15. That any signage along Gage Avenue shall require that a sign plan be submitted separately and approved by the Planning Division, pursuant to the provisions outlined in Section 17.84.050 the Bell Zoning Code (BMC); and
16. Signs shall be posted at all building access points, that is, all entrances and exits available to the public, "No alcohol permitted beyond this point". At no time shall alcohol be consumed outside the perimeter of the building; and
17. That the Applicant and each of his agents, contractors, and subcontractors engaged in construction or demolition activities on the property shall obtain and maintain a proper contractors business license from the City of Bell; and
18. Applicant, agrees to maintain the property and all related on-site improvements and landscaping thereon, including, without limitation, buildings, parking areas, lighting, 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, City and local bodies and agencies having jurisdiction, at applicant's sole cost and expense. Such maintenance and repair shall include, but not be limited to, the following: (i) building surfaces and structures shall be painted and kept in good repair; (ii) signs shall be maintained in a first class condition of repair; (iii) sweeping and trash removal shall be performed regularly; (iv) shrubbery, plantings, and other landscaping shall be cared for and kept in a healthy condition, and replaced as needed; and (v) asphalt or concrete paving shall be repaired, replaced and restriped 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; and
19. Applicant shall be responsible for filing any and all pertinent documents with the Los Angeles County Recorder's Office and that copies of said licenses and certifications shall be maintained on file with the City of Bell; and
20. That the applicant shall agree to defend, indemnify and hold harmless, the City of Bell, its agents, officers and employees from any claim, action or proceeding against the City of Bell or its agents, officers or employees to attach, set aside, void or annul, an approval of the City of Bell, its legislative body, advisory agencies, or administrative officers concerning the subject Application. The City of Bell will promptly notify the Applicant of any such claim, action or proceeding against the City of bell and the applicant will either undertake defense of the matter and pay the City's associated legal or other consultant costs or will advance funds to pay for defense of the matter by the City Attorney. If the City of Bell fails to promptly notify the applicant of any such claim, action or proceeding, or fails to cooperate fully in the defense, the Applicant shall not, thereafter, be responsible to defend, indemnify or hold harmless the City of Bell. Notwithstanding the foregoing, the City retains the right to settle or abandon the matter without the Applicant's consent, but should it do so, the City shall waive the indemnification herein, except, the City's decision to settle or abandon a matter following an adverse judgment or failure to appeal, shall not cause a waiver of the indemnification rights herein; and
21. Copies of the ABC License and certifications shall be maintained on file with the City of Bell in perpetuity; and

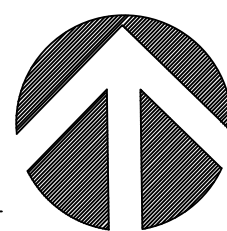
22. The on-site sale and consumption of beer and wine permitted by this Conditional Use Permit No. 2022-07 shall be in accordance with the applicant's license (as the same may be conditioned) from the California State Alcohol Beverage Control Board (the "ABC License"). Pursuant to Business and Professions Code Sections 23800-23805, the ABC may impose reasonable conditions on the issuance of the ABC License and may cover conditions such as, but not limited to, restrictions as to the hours of sale, display of signs, and employment of designated persons; and
23. The on-site sale and consumption of beer and wine shall be sold only in conjunction with food service; and
24. The subject site shall include a new trash enclosure that is constructed in conformance with the development standards set in Chapter 17.28.040 (G) of the Bell Municipal Code; and
25. All unpermitted structures (attached rear patio, roof sign, façade patio, and enclosure of 2nd story balcony) shall be removed/demolished, and that the 2nd floor level of the building be converted to its original permitted use as a mezzanine.

GAGE AVE.



SITE PLAN

SCALE: 3/32"=1'-0"



SHEET INDEX

- A-1. SITE PLAN
A-2. FLOOR PLAN
A-3. EXISTING ELEVATIONS PLAN
A-4. NEW ELEVATIONS PLAN

KEY NOTES

- EXISTING STAIRS TO REMAIN
- EXISTING PARKING LOT TO REMAIN
- EXISTING TRASH RECEPTACLE TO REMAIN
- EXISTING PATH OF TRAVEL TO REMAIN
- EXISTING POLE LIGHT TO REMAIN
- EXISTING VAN HANDICAP PARKING TO REMAIN
- EXISTING 6' H. IRON FENCE TO REMAIN

BUILDING DATA

TOTAL BUILDING FLOOR AREA IN SF:	3,019.00 SQ.FT.
NUMBER OF STORIES:	2
TOTAL FLOOR AREA IN SF OF PROJECT SCOPE:	3,019.00 SQ.FT.
EXISTING AND PROPOSED OCCUPANCY TYPE(S):	A2
IS BUILDING SPRINKLERED?	NO
NUMBER OF SEATS INSIDE RESTAURANT:	38

AREA ANALYSIS

AREA COMPUTATION:	
TOTAL COVERED AREA:	3,019.00 SQ.FT.
EXISTING BUILDING AREA:	77.00 SQ.FT.
LANDSCAPING AREA:	2,869.00 SQ.FT.
PARKING AREA:	5,965.00 SQ.FT.
TOTAL COVERED AREA:	5,965.00 SQ.FT.

LOT SIZE:	15 AC = 6,500 SQ.FT.
TOTAL COVERED AREA:	5,965.00 / 6,500 = .92 x 100 =
TOTAL COVERED AREA PERCENTAGE:	92 %

LOT COVERAGE CALCULATIONS

LOT AREA:	6,500 SQ. FT.	0.15 AC.	100.00%
BUILDING AREA:	3,019 SQ. FT.	0.07 AC.	46.44%
PARKING AREA:	2,869 SQ. FT.	0.06 AC.	44.14%
HANDICAP AREA:	150 SQ. FT.	0.001 AC.	0.02%
LANDSCAPING AREA:	77 SQ. FT.	0.0003 AC.	0.01%

DEFERRED SUBMITTALS

- FIRE SPRINKLER SYSTEM
FIRE PROTECTION SYSTEM
EXTERIOR SIGNAGE

PARKING ANALYSIS

BUILDING USE:	PARKING RATE:	FLOOR AREA:	REQUIRED:
RESTAURANT	1 SPACES FOR EVERY 100 SQ. FT. GFA.	3,019.0 SQ. FT.	30 SPACES

UNDER 11B-208.3 FROM 1 - 25 PARKING SPACES, REQUIRED ONE ACCESSIBLE STALL.

SCOPE OF WORK

- PROPOSED A ABC LICENSE FOR ALCOHOL PERMIT

ABS PLANS

EL GUAPITO RESTAURANT

LOCATION:

4040 GAGE AVE. BELL, CA. 90201

PROJECT DATA

A.P.N.:	6325-002-008
TYPE OF PROPERTY:	COMERCIAL
OWNER / APPLICANT:	EL GUAPITO RESTAURANT 4040 GAGE AVE. BELL, CA. 90201
DESIGNER:	INNOVATION GROUP 1761 THIRD ST. SUITE 102 NORCO, CA 92680
LEGAL DESCRIPTION:	Lot Number: 8 Block: B Subdivision Name: GRIDER & HAMILTONS SUBDIVISION Brief Description: GRIDER AND HAMILTONS SUB OF EASTERLY PORTION OF BELL TR EX OF ST AND ALLEY LOT 8 BLK B
CITY:	LA PUENTE
COUNTY:	LOS ANGELES
STATE:	CALIFORNIA
GENERAL PLAN GC:	COMMERCIAL
OCCUPANCY GROUP:	A2
SPRINKLERS:	YES / NO
APPLICABLE CODES:	2022 CALIFORNIA BUILDING CODE 2022 CALIFORNIA PLUMBING CODE 2022 CALIFORNIA ELECTRICAL CODE 2022 CALIFORNIA MECHANICAL CODE 2022 CALIFORNIA FIRE CODE 2022 CALIFORNIA RESIDENTIAL CODE (2017 IRC) 2022 GREEN BUILDING STANDARDS CODE 2022 CALIFORNIA ENERGY CODE

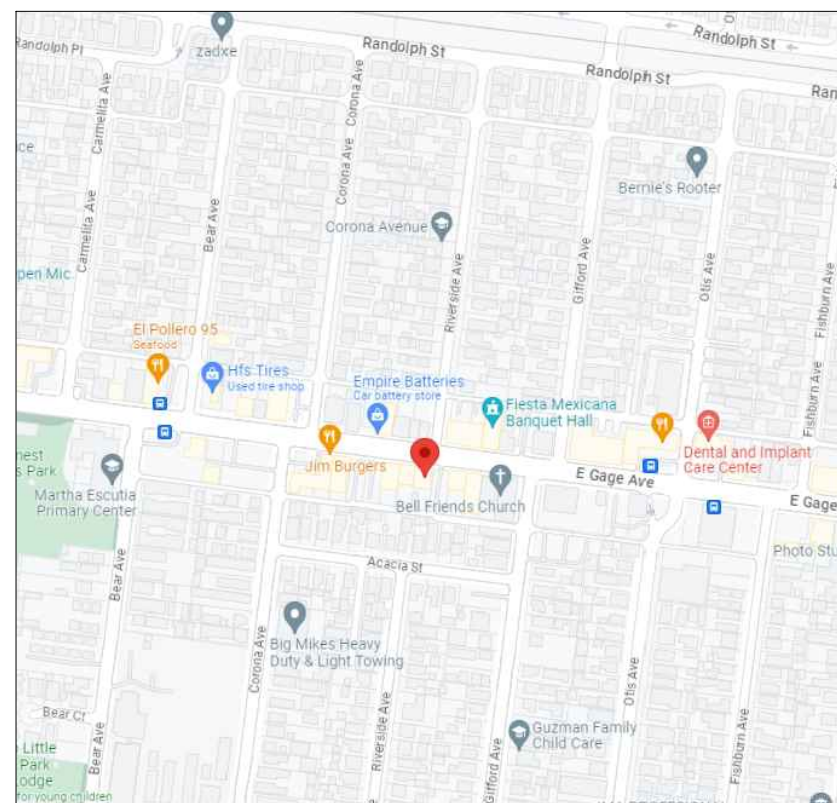
CITY PLANNING DEPARTMENT NOTE:

ROOF MOUNTED EQUIPMENT, VENTING, AND OTHER FEATURES SHALL NOT EXCEED THE --- OF THE PARAPET WALLS AND SHALL NOT BE VISIBLE FROM THE STREET.
PARKING LOT OR PUBLIC AREAS OF THE SITE.

FIRE DEPARTMENT NOTES:

- DEFERRED SUBMITTALS
A. PROVIDE A PLAN FOR FIRE EXTINGUISHING SYSTEM FOR KITCHEN HOODS, DUCTS AND COOKING SURFACES PRIOR TO INSTALLATION.
B. PROVIDE A PLAN FOR SPRINKLER SYSTEM MODIFICATIONS PRIOR TO INSTALLATION.
- ALL DRAPES, HANGINGS, CURTAINS, DROPS AND ALL OTHER DECORATIVE MATERIAL TO COMPLY WITH FIRE CODE SECTION 1103.3.3.
- INTERIOR FINISH SHALL BE PROVIDED IN ACCORDANCE WITH TITLE 24 SECTION 604, AS FOLLOWS: CLASS I VERTICAL ENCLOSURES; CLASS II CORRIDORS; CLASS III ROOMS.
- THE MAIN EXIT SHALL COMPLY WITH TITLE 24, SECTION 1007.2.1.
- PROVIDE APPROVED PANIC HARDWARE ON REQUIRED EXIT DOORS.
- COMPLY WITH POSTING OF ROOM CAPACITY.

VICINITY MAP



INNOVATION GROUP
Design & Build

1671 THIRD ST. SUITE 102
NORCO, CA. 92680
PH: (951) 407-1131

DATE PROJECT NO.

REVISION	DATE
1	
2	
3	
4	
5	
6	

NOTE:

DESIGNER:

Elvir Kennedy

DATE PROJECT:

OWNER:

EL GUAPITO RESTAURANT

ADDRESS:

4040 GAGE AVE.
BELL, CA.

A.P.N.:

6325-002-008

TITLE:

PLANS FOR
ABS LICENSE

CONTENT:

SITE PLAN

DATE SHEET:

DRAWN BY:

ELVIRA KENNEDY

SCALE:

3/32"=1'-0"

DATE:

JULY 13, 2023.

SHEET No:

A-1

- The diagram illustrates five seating table configurations and a floor plan of the room. The seating configurations are as follows:

 - SEATING TABLE OF 4 PERSONS E.A.**
TOTAL = $5 \times 4 = 20$ SEATS
 - SEATING TABLE OF 2 PERSONS E.A.**
TOTAL = $4 \times 2 = 8$ SEATS
 - SEATING TABLE OF 4 PERSONS E.A.**
TOTAL = $4 \times 4 = 16$ SEATS
 - SEATING TABLE OF 6 PERSONS E.A.**
TOTAL = $1 \times 6 = 6$ SEATS
 - SEATING TABLE OF 6 PERSONS E.A.**
TOTAL = $1 \times 6 = 6$ SEATS

The floor plan shows a room with the following dimensions and features:

 - Overall dimensions: 11'-0" wide by 10'-0" deep.
 - A central area labeled "AS-BUILT ROOM TO BE RETURNED TO THE ORIGINAL INTENDED USE.A".
 - A smaller area at the bottom labeled "AS-BUILT BATHROOM TO BE REMOVED" with dimensions 6'-0" wide by 5'-0" deep.
 - An "ACCESS FROM OUTSIDE" door on the right side, marked with a circled "1".
 - A note on the right side: "ACCESS FROM OUTSIDE PLEASE SEE ELEVATIONS".

ALL FOOD SERVICE EQUIPMENT, INCLUDING SHELVEING, MUST HAVE COMMERCIAL CASTORS, SIX (6) INCHES CLEARANCE BETWEEN THE FLOOR AND THE EQUIPMENT ON EASILY CLEANABLE LEGS, OR COMPLETELY SEALED IN POSITION WITH A FOUR (4) INCH HIGH CONTENTIOUSLY COVERED BASE OR CONCRETE CURB TO FACILITATE EASE OF CLEANING.

NOTE:
5% OF NOT FIXED
SEATS ON DINING AREA FOR HANDICAP:
40 SEATS X 5% = 2.0= 2 HANDICAP SPACES.

SEATING TABLE OF 4 PERSONS E.A.
TOTAL = 4 X 4=
16 SEATS

FIRE NOTES	FIRE EXTINGUISHER REQUIRED - 2A 10BC EVERY 75' DISTANCE.
	EMERGENCY LIGHT/WEXIT SIGN:

EXISTING 2" X 6" X WALL TO REMAIN

NOTE:

- a. Latching, or locking, doors in a path travel are operated with a single effort by lever type hardware, by panic bars, push-pull activating bars, or other hardware designed to provide passage without requiring the ability to grasp the opening hardware.
- b. Is to be centered 34" but 44" above floor.
- c. The maximum effort to operate doors shall not exceed 5 pounds, with such pull or push effort being applied at right angles to hinged doors and at the center plane of sliding or folding doors. Section 11B-04.4.2.9.
- d. To be smooth and uninterrupted, to allow the door to be opened by a wheelchair footrest, without creating a trap or hazardous condition.
- e. Narrow frame doors may use a 10" high smooth panel on the push side of the door.

WINDOW SCHEDULE						
WINDOW NO.	SPACE	CONDITION	SIZE (W X H)	THICKNESS	MATERIAL	COMMENTS
①	FRONT AREA	EXISTING	5'-2" X 7'-0"	SINGLE GLASS	TEMPERED	FIXED
②	FRONT AREA	EXISTING	4'-0" X 4'-0"	SINGLE GLASS	TEMPERED	FIXED
③	SIDE AREA	EXISTING	7'-0" X 5'-8"	DOUBLE GLASS	TEMPERED	SLIDING
④	SIDE AREA	EXISTING	5'-9" X 5'-8"	SINGLE GLASS	TEMPERED	FIXED
⑤	OFFICE	EXISTING	5'-9" X 4'-8"	SINGLE GLASS	TEMPERED	SLIDING

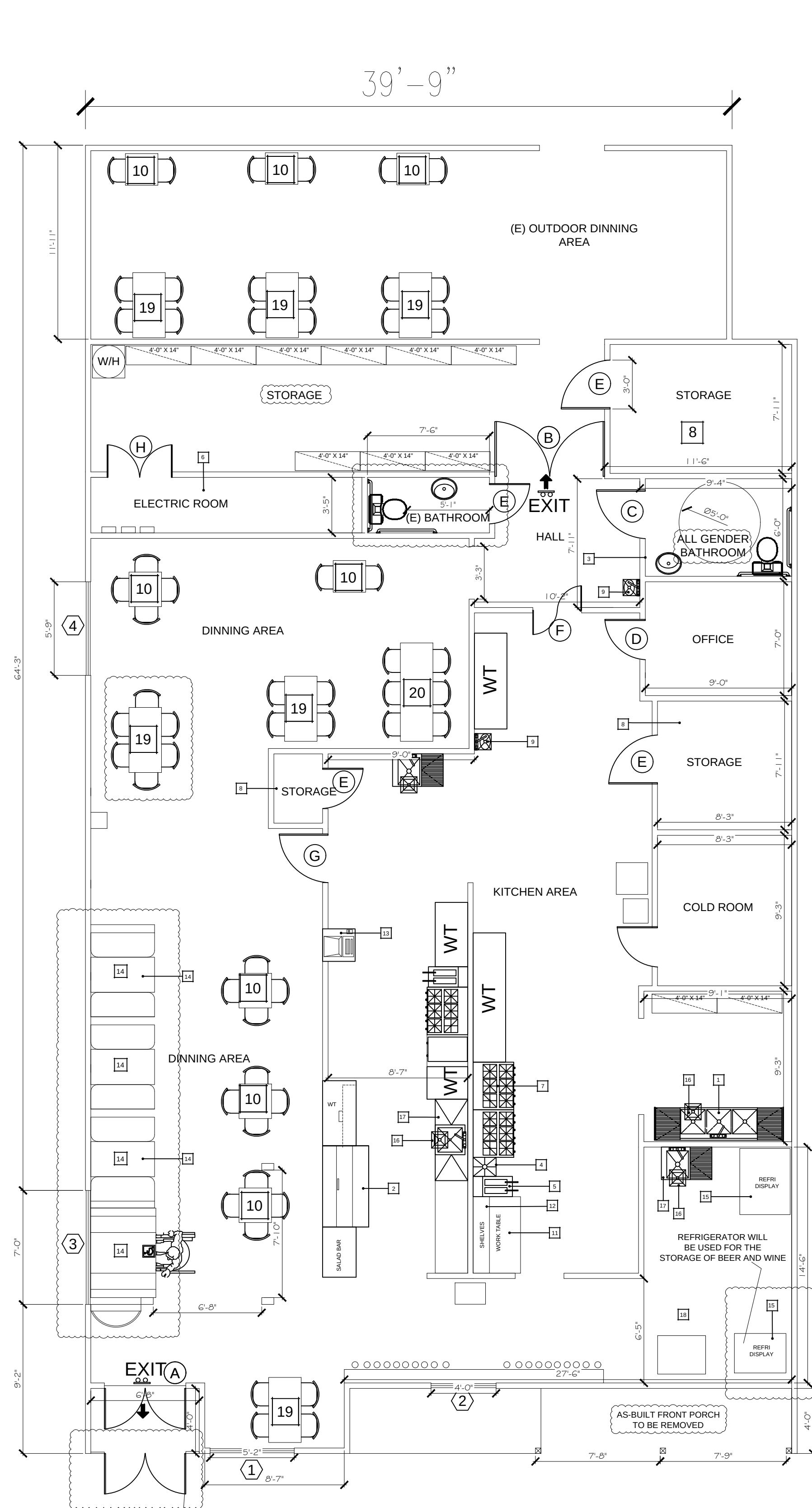
DOORS SCHEDULE							
DOORS NO.	SPACE	CONDITION	SIZE (W X H)	THICKNESS	MATERIAL	SELF CLOSER	COMMENTS
(A)	FRONT DOOR	EXISTING	5'-0" X 6'-8"	1 1/4"	GLASS	YES	W/SELF-CLOSING DEVICE
(B)	BACK DOOR	EXISTING	6'-9" X 6'-8"	1-3/4"	S.C. DOOR	YES	W/SELF-CLOSING DEVICE
(C)	BATHROOM	EXISTING	3'-0" X 6'-8"	1-3/4"	S.C. DOOR	YES	W/SELF-CLOSING DEVICE
(D)	OFFICE	EXISTING	2'-6" X 6'-8"	1-3/4"	H.C. DOOR	NO	
(E)	STORAGE	EXISTING	3'-0" X 6'-8"	1-3/4"	H.C. DOOR	NO	
(F)	UTILITY ROOM	EXISTING	3'-0" X 6'-8"	1-3/4"	H.C. DOOR	NO	
(G)	KITCHEN	EXISTING	3'-0" X 6'-8"	1-3/4"	S.C. DOOR	NO	
(H)	ELECTRICAL ROOM	EXISTING	4'-0" X 6'-8"	1-3/4"	H.C. DOOR	NO	
(I)	OFFICE	EXISTING	3'-0" X 6'-8"	1-3/4"	H.C. DOOR	NO	

SCALE: 3/16"=1'-0'



1	3-COMPARTMENT SINK, GREEN WORLD, MOD. TSA-3-14-D1, 18" X 18" X 14", W/TWO DRAIN BOARDS.
2	PREPARATION TABLE, BEVERAGE-AIR, MOD. SPED60HC-08-2, STAINLESS, STEEL, 60" X 32"
3	EXISTING BATHROOM
4	GRIDDLE, STRATUS, MOD. SMG-18, NATURAL GAS, STAINLESS STEEL, 18" X 29" X 10"
5	FRYER, IMPERIAL, MOD. IFS-40, 105,000 BTU'S, NATURAL GAS, STAINLESS STEEL
6	EXISTING 400 AMPS ELECTRICAL PANEL
7	SIX BURNERS GAS RANGE, VULCAN, MOD. 36S-6BN, WITH OVEN, 35,000 BTU'S
8	EXISTING STORAGE
9	HANDWASH SINK, ADVANCE TABCO, MOD. 7-PS-23-EC, 12"X16"X9" W/SPASHGUARD, SOAP & TOWEL DISPENSER
10	4' X 47" TABLES
11	STAINLESS STEEL WORK TABLE, REGENCY 304 SERIES, MOD. NO. 600T3084G, 84" X 30" X 34", 18 ga.
12	STAINLESS STEEL SHELVES
13	CASHIER
14	BOOTH
15	DISPLAY REFRIGERATOR IMBERA, MOD. VRD37 R134a, 27" X 29-7/8" X 78-5/8".
16	FLOOR SINK, ZURN, MOD. Z1900-2, 12" X 12" X 6"
17	ONE-TUB PREPARATION SINK, GSW, MOD. SE18181D, LEFT & RIGHT DRAIN BOARD, STAINLESS STEEL, 18" X 18" X 14"

EXISTING IRON GATES
TO BE REMOVED



SCALE: 3/16"=1'-0"



REVISIONS

OWNER

EL GUAPITO RESTAURANT

LOCATION

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6325-002-008

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PLANS FOR ABS LICENSE

CONTENT

FLOOR PLAN

DRAWN BY

ELVIRA KENNEDY

SCALE

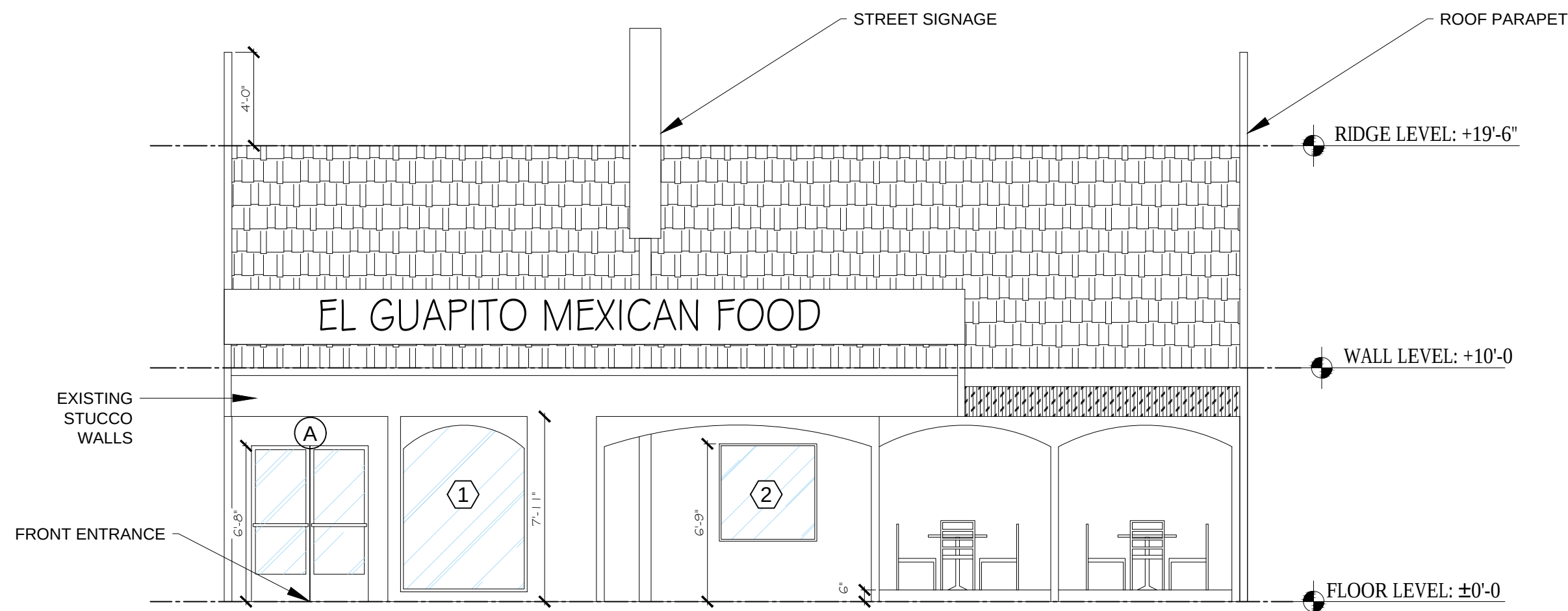
$$3/16'' = 1'-0''$$

DATE _____

JULY 13, 2023.

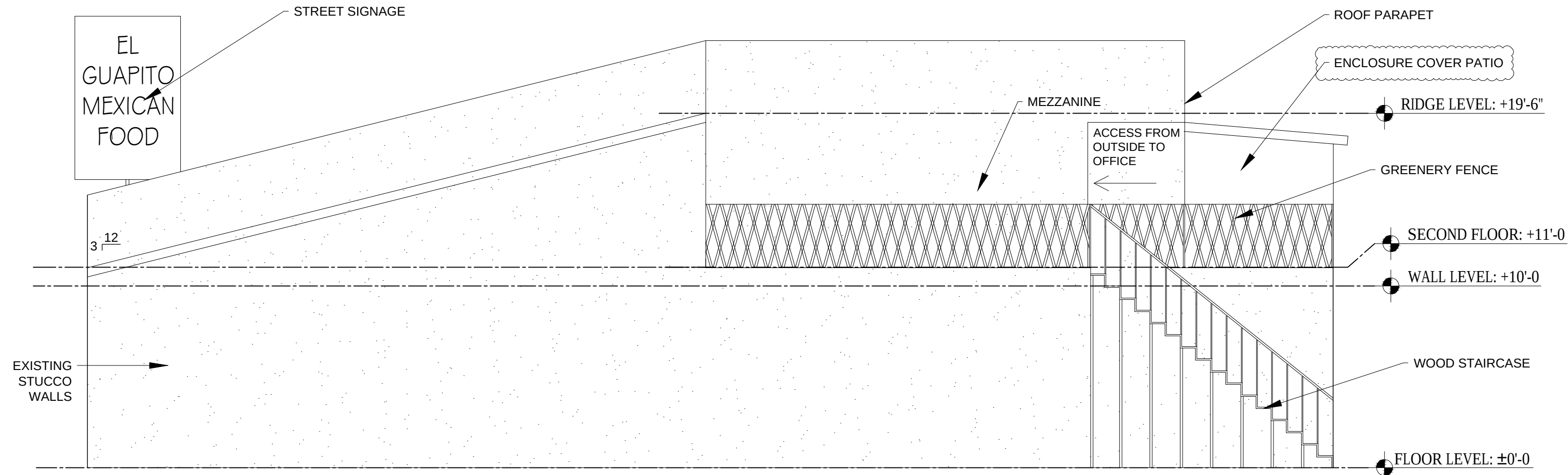
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A-2



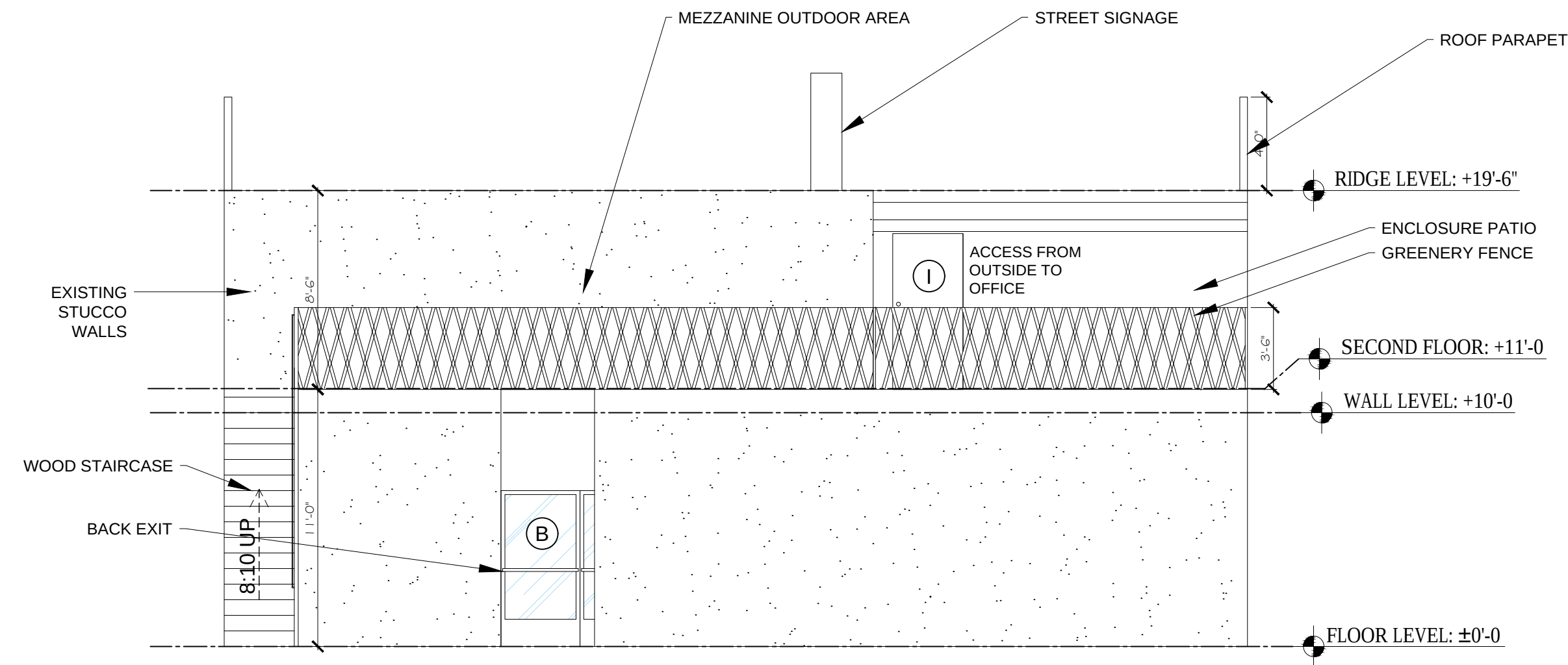
1 FRONT ELEVATION

SCALE 1/4" = 1'-0"



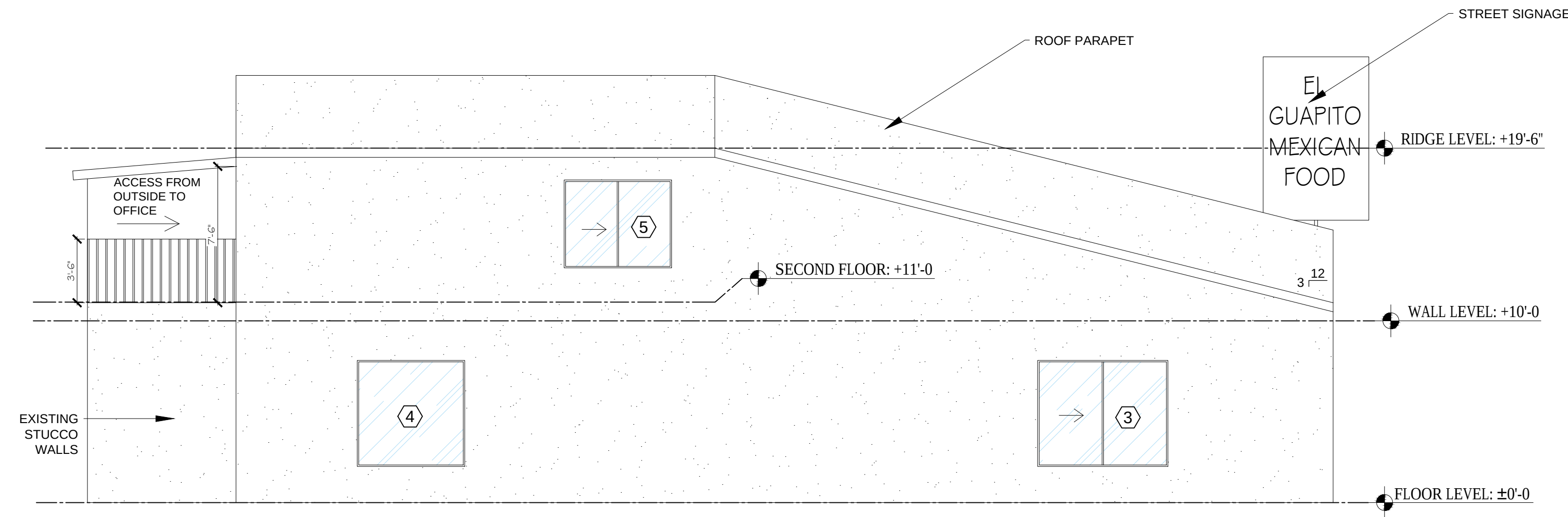
2 RIGHT ELEVATION

SCALE 1/4" = 1'-0"



3 REAR ELEVATION

SCALE 1/4" = 1'-0"



4 LEFT ELEVATION

SCALE 1/4" = 1'-0"



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CONTENT

EXISTING
ELEVATIONS

DRAWN BY

ELVIRA KENNEDY

SCALE

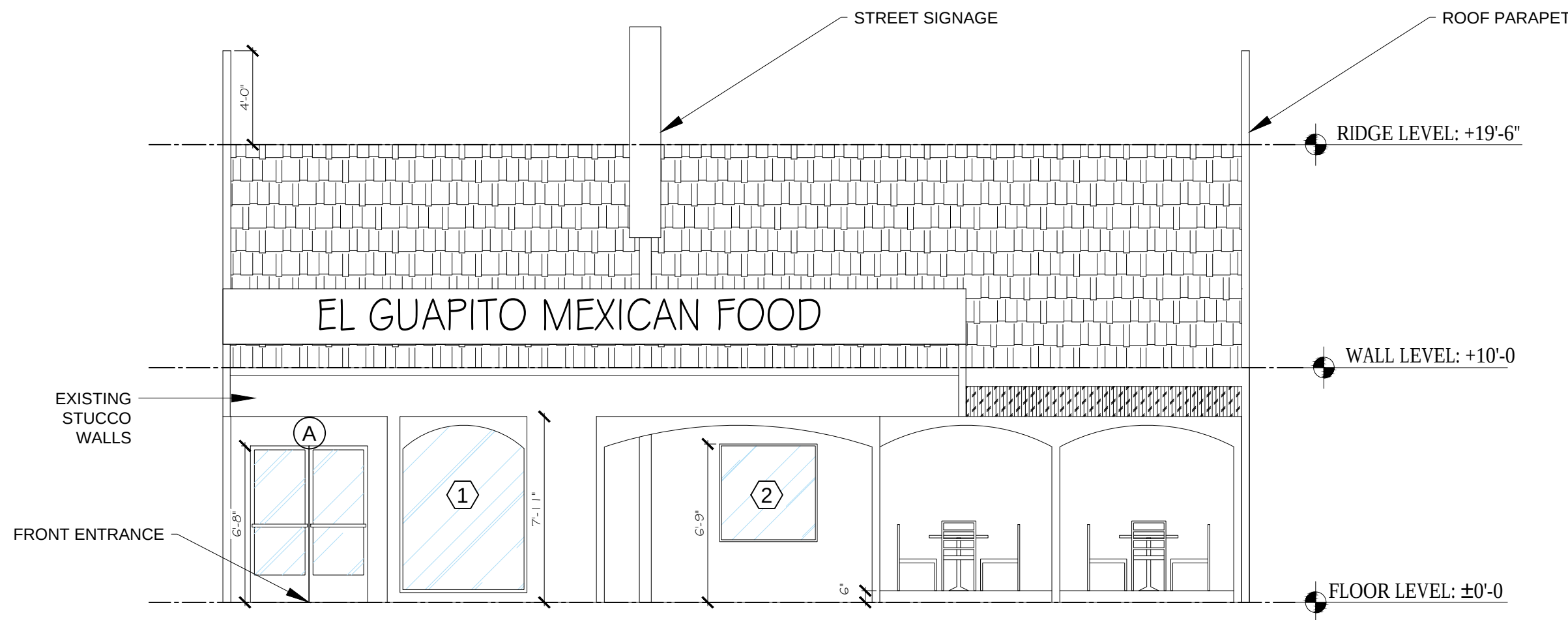
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DATE

JULY 13, 2023

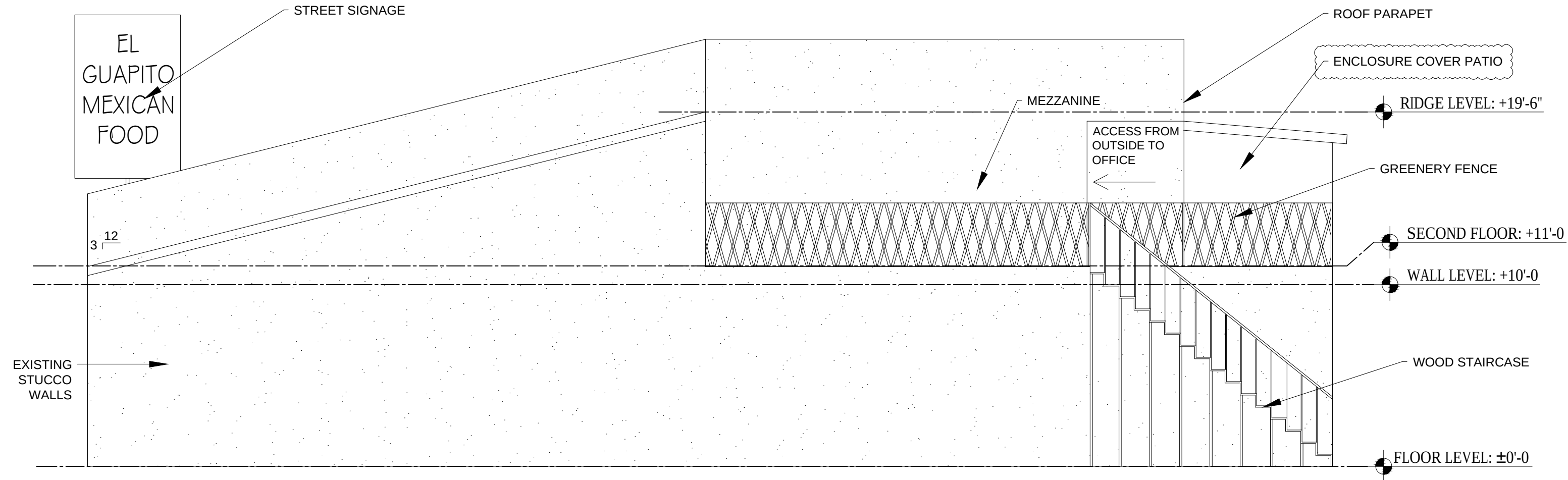
SHEET NO.

A-3



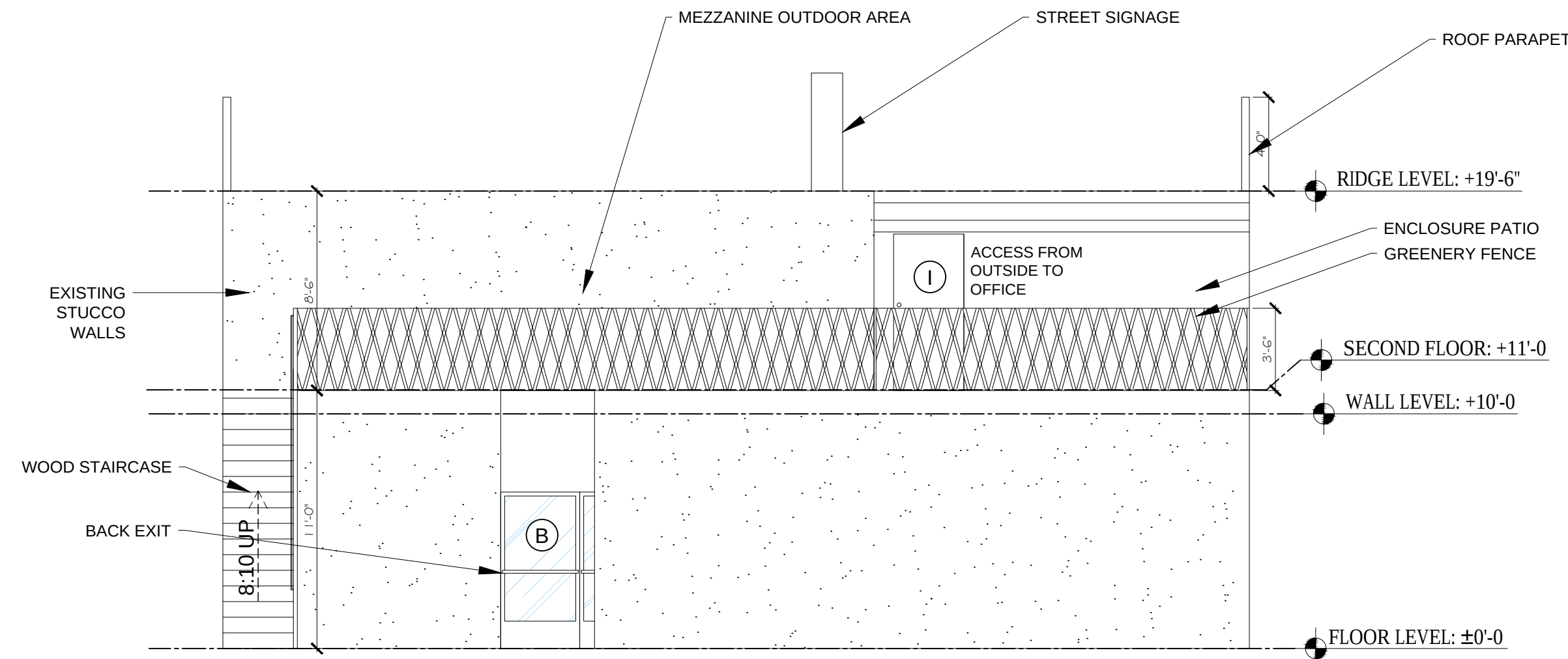
1 FRONT ELEVATION

SCALE 1/4" = 1'-0"



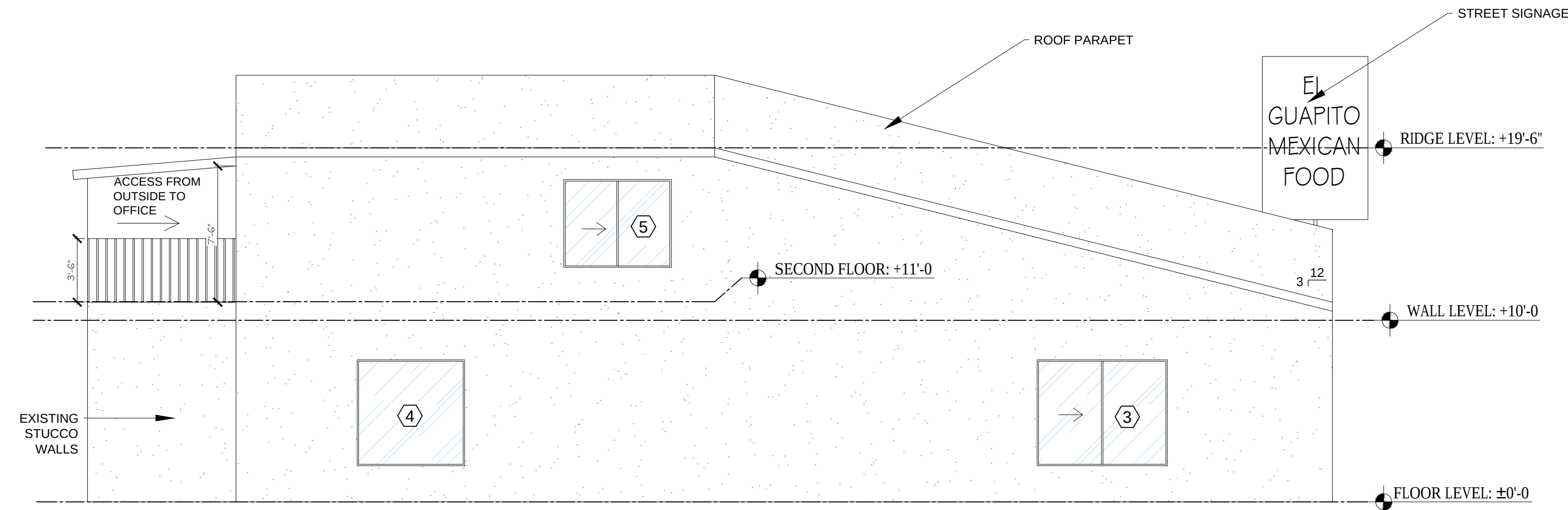
2 RIGHT ELEVATION

SCALE 1/4" = 1'-0"



3 REAR ELEVATION

SCALE 1/4" = 1'-0"



4 LEFT ELEVATION

SCALE 1/4" = 1'-0"



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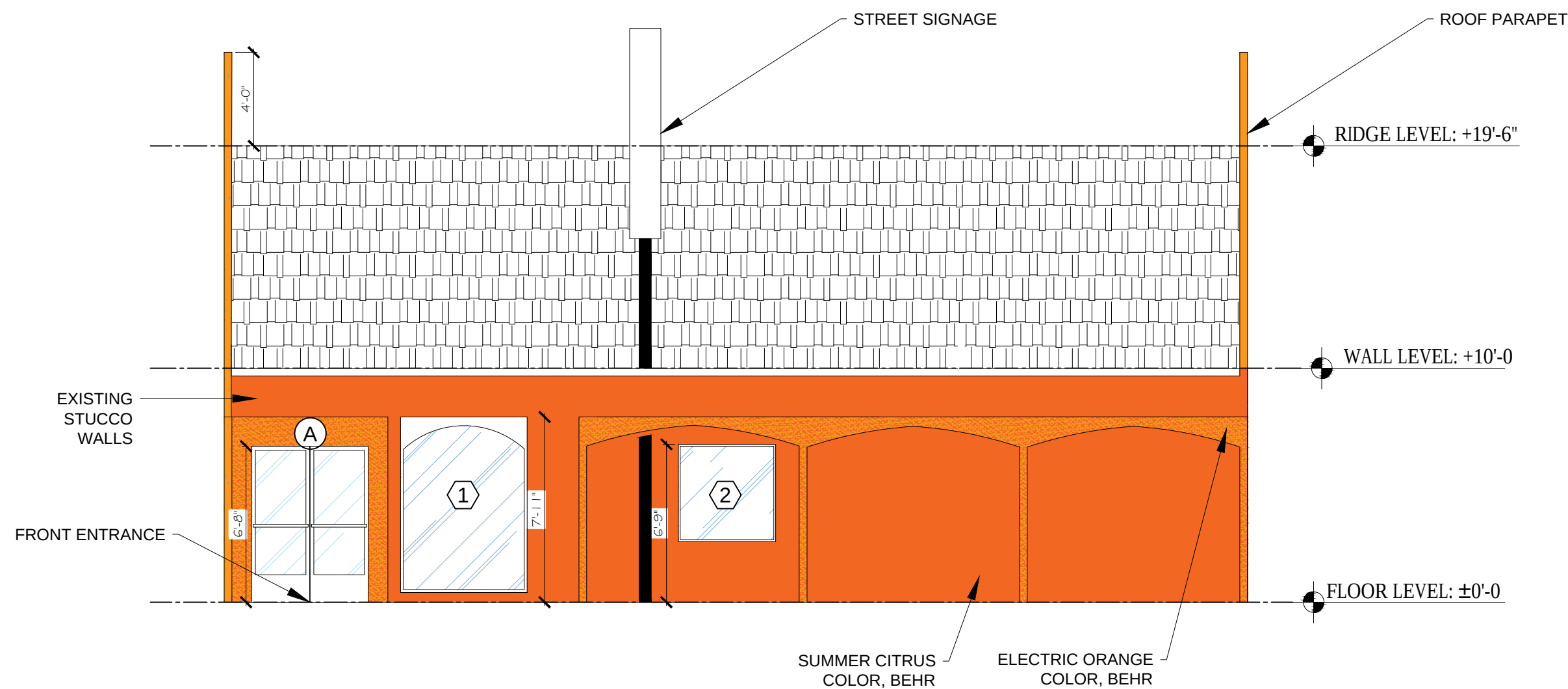
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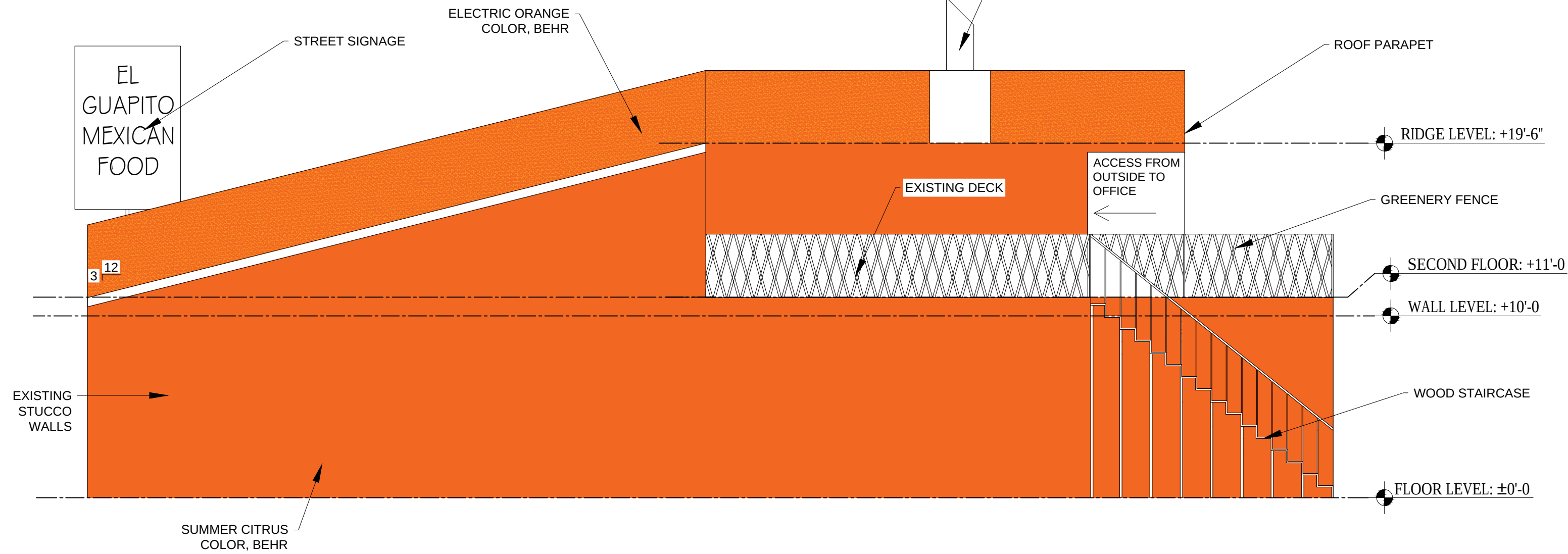
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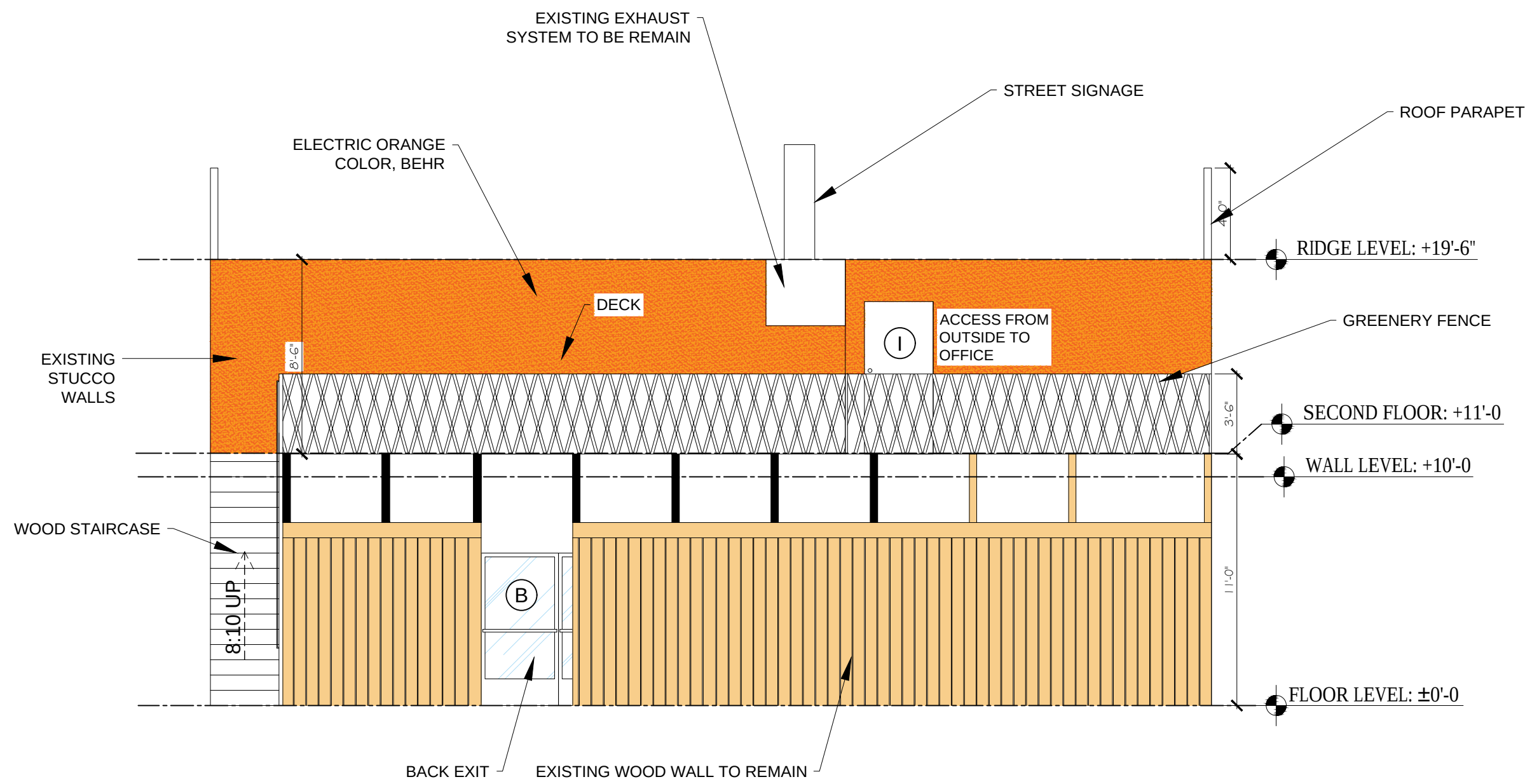
1 NORTH ELEVATION

SCALE 1/4" = 1'-0"



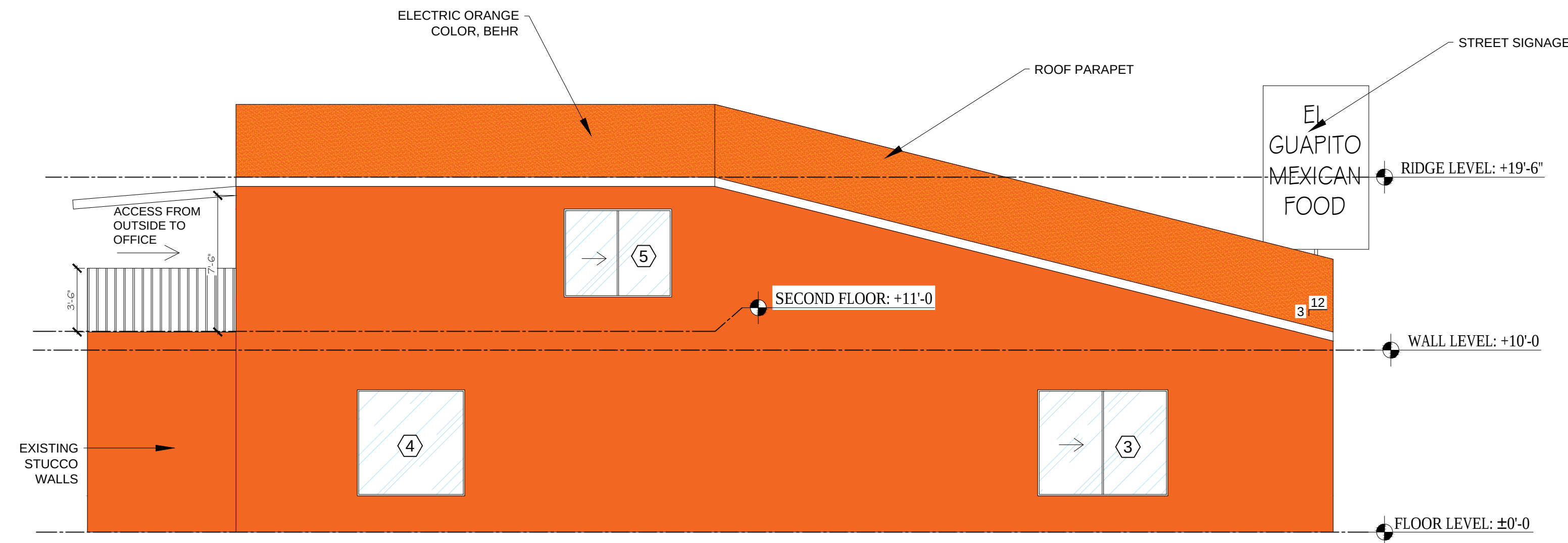
2 WEST ELEVATION

SCALE 1/4" = 1'-0"



3 SOUTH ELEVATION

SCALE 1/4" = 1'-0"



4 EAST ELEVATION

SCALE 1/4" = 1'-0"



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SCALE

3/16" = 1'-0"

DATE

JULY 13, 2023

SHEET NO.

A-4