

CITY OF GARDENA
PLANNING & ENVIRONMENTAL QUALITY COMMISSION
TUESDAY, SEPTEMBER 6, 2016, MEETING

* * *

Called to order by Vice-Chairman Jamora at 7:00 P.M.

ROLL CALL

Present: Brenda Jackson, Philip Johnson, Steve Sherman, Nolan Jamora
Absent: Harout Kaskanian
Also in Attendance: Mitchell G. Lansdell, City Manager
Peter Wallin, City Attorney
Raymond Barragan, Community Development Manager
William Kavadas, Planning Assistant

PLEDGE OF ALLEGIANCE

Led by Commissioner Sherman.

APPROVAL OF MINUTES

A motion was made by Commissioner Johnson and seconded by Commissioner Sherman to approve the minutes of the August 16, 2016, meeting. The minutes were approved 4-0.

Ayes: Johnson, Sherman, Jackson, Jamora
Noes: None
Absent: Kaskanian

PUBLIC HEARING

Agenda Item #5

Conditional Use Permit #3-16

A request to allow the on-site sale of beer and wine as part of meal service at an existing restaurant located in the General Commercial (C-3) zone and directing Staff to file a notice of exemption as an existing facility.

Project location: 15420 South Western Avenue (APN: 6103-015-051)

Applicant: Timeout Time Incorporated

Planning Assistant William Kavadas presented the Staff Report and recommended that the Planning and Environmental Quality Commission adopt Resolution No. PC 11-16 approving Conditional Use Permit #3-16 to allow the on-site sale of beer and wine as part of meal service at an existing restaurant located in the General Commercial (C-3) zone and direct Staff to file a notice of exemption.

Vice-Chairman Jamora opened the public hearing.

Applicant Representative Kevin Franklin, 30408 Olympic Street, Castaic, came forward to discuss the project. Mr. Franklin stated that dancing and live entertainment would not be a part of this restaurant. Mr. Franklin also stated that parking lot visibility, abundant lighting, and security plans would decrease any potential criminal activity. Mr. Franklin also stated that by state law, a Type 41 licensee cannot permit alcohol sales to exceed food sales. Mr. Franklin stated that the late hours should not be an issue, as other restaurants in the neighborhood are operating in similar capacity and have not been the known cause of any alcohol related complaints. Mr. Franklin completed his remarks by stating that it is in the interest of public convenience and necessity for the business to sell beer and wine.

Commissioner Jackson wanted the applicant clarify the type of alcohol that would be sold at the location.

Mr. Franklin responded that only beer and wine would be sold under a Type 41 license. Mr. Franklin also stated that in the future, the restaurant could apply for a lottery with Alcoholic Beverage Control to upgrade to a Type 47 license to sell distilled spirits.

Commissioner Sherman commented that having the restaurant stay open until 2:00 AM with full menu available would be beneficial to Gardena because the City does not have many food places that stay open into the late night and early morning.

Vice-Chairman Jamora closed the public hearing.

Commissioner Johnson questioned the name "Timeout Café and Bar" and wanted to ensure that the use would be a restaurant serving beer and wine as opposed to an actual bar.

Mr. Kavadas responded that the City does not have the ability to regulate the name of a store but does have the ability to regulate the way a business operates. Mr. Kavadas stated that in this case, the business has been conditioned to offer a full menu during all business hours and to keep alcohol sales to less than 40 percent of gross revenue to reduce any potential of the business becoming a bar as opposed to a restaurant.

Vice-Chairman Jamora questioned the upgrade to a Type 47 license and if the Planning and Environmental Quality commission would be able to comment on the matter.

Mr. Kavadas stated an upgrade from a Type 41 to Type 47 license would be considered an expansion of use and would need to return to the Planning and Environmental Quality Commission for review and decision to approve or deny such a request.

Community Development Manager, Raymond Barragan, stated that the Planning Division had been given a petition by surrounding neighbors in opposition against the proposal. Mr. Barragan provided the list to the Planning and Environmental Quality Commission.

Vice-Chairman Jamora reopened the public hearing.

Alex Kim, 553 South Saint Andrews Place, Los Angeles, and Tong Kim, 1738 West 154th Street, Gardena, came forward to speak. Mr. Alex Kim first questioned if the business had already received their beer and wine license.

Mr. Kavadas responded that the beer and wine license would not be able to be approved by Alcoholic Beverage Control until the Planning Commission had approved the project.

Mr. Alex Kim continued stating that his father, Mr. Tong Kim, had an issue with the proposed project due to his home-based nursery school. Mr. Alex Kim went on to say that there were certain items that he would like to have considered for the project. Mr. Alex Kim stated that the first item was quiet hours from 9:00 PM onward during days of operation. Mr. Alex Kim also wanted signage outside of the establishment stating "please respect neighbors". Mr. Alex Kim also wanted security cameras in place. Mr. Alex Kim was concerned that soju, being classified as wine and often consumed to the point of intoxication, could cause harm to the neighborhood. Mr. Alex Kim continued that he would like security cameras to be placed at the site to monitor any potential illegal activity. Mr. Alex Kim stated that he would also like Gardena Police to patrol the site after quiet hours are in effect. Mr. Alex Kim completed his comments by stating he would like the ability to reassess the conditional use permit after a certain period especially after an event that has negative impacts on the surrounding neighborhood.

Commissioner Jackson questioned why the Kim's daycare did not appear in the Staff Report.

Mr. Kavadas stated that Staff would need to look into the matter of the Kim's daycare and why it did not appear in the Staff Report. Mr. Kavadas continued by responding to the comments made by Mr. Alex Kim. Mr. Kavadas stated that the City Noise Ordinance is applicable to all uses in the City and the Gardena Police Department can respond to incidences of loud noise to reduce the noise levels. Mr. Kavadas also stated that, as a standard condition of approval, should any conditional use permit become a nuisance, the Planning and Environmental Quality Commission has the permission to call said conditional use permit back to public hearing for review.

Commissioner Sherman stated that the Gardena Police Department had no major comments on the proposed project.

Vice-Chairman Jamora questioned the placement of security cameras on the subject property.

Mr. Barragan responded that the property owner did buy into the Gardena Police Department Camera System but he was unsure if security cameras were placed on site or in the general vicinity.

Vice-Chairman Jamora closed the public hearing.

Vice-Chairman Jamora reopened the public hearing.

Charles Yoo, 15112 South Western Avenue, Gardena, spoke in support of the project and stated that this restaurant would be family oriented. The restaurant would be a place for family to eat and converse. Mr. Yoo saw the beer and wine sales as truly ancillary and he anticipated no more than 10 percent of sales would account towards alcohol.

Ron Ikajiri, 15932 South Manhattan Place, Gardena, spoke in support of the project. Mr. Ikajiri stated that the Kim family who spoke in objection to the project did everything in their power to stop the project. Mr. Ikajiri continued to say that as a previous member of City Council, he saw the Kim family hold the project "hostage" by asking for an unfair asking price on their home. Mr. Ikajiri stated that the restaurant will operate as a full service restaurant. Mr. Ikajiri stated that he did not like the idea that people who drink beer and wine are rowdy people and stated the Kim's position shows the extent to which a neighbor will go against another. Mr. Ikajiri concluded by saying that he is strongly in support of the project.

Vice-Chairman Jamora closed the public hearing.

MOTION: It was moved by Commissioner Sherman and seconded by Commissioner Jackson to adopt Resolution No. PC 11-16 approving Conditional Use Permit #3-16 subject to attached conditions of approval (Exhibit A) and directing Staff to file a Notice of Exemption.

The motion passed by the following roll call vote:

Ayes: Sherman, Jackson, Johnson, Jamora
Noes: None
Absent: Kaskanian

ORAL COMMUNICATIONS FROM THE PUBLIC

Vice-Chairman Jamora called for oral communications from the public. No member of the public came forward to speak.

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

City Manager Mitchell Lansdell stated that renovations have begun at Normandie Casino. Mr. Lansdell stated that September 24, 2016 will be the Food, Wine, and Cigar Festival; Friends of Gardena Recreation will be the event sponsor. Mr. Lansdell concluded with the grand opening for Platinum Row scheduled for September 26, 2016.

Commissioner Jackson questioned the opening date for Benediction Brewery.

Mr. Barragan stated that there is no set date for the opening of Benediction Brewery at this time.

Commissioner Sherman stated that he was surprised how quickly Asiana restaurant opened at 1725 West Redondo Beach.

Commissioner Johnson questioned the other restaurants in the shopping center and why they had never changed their signage as they were supposed to. Commissioner Johnson went on to question the work being done near the old HitCo site and the work being done at the old Rosecrans Carwash.

Mr. Barragan stated that the project near the old HitCo site was approved administratively for a new industrial building and they are currently working on site grading.

Mr. Kavadas stated that the Rosecrans Carwash owners have brought forward ideas to the Community Development Department regarding upgrades. The carwash has an active business license so can continue to operate in its current form, but any expansion of use would require Planning Commission Review.

Commissioner Sherman questioned a giant hole in the parking lot of the Redondo Beach Boulevard McDonalds.

Mr. Barragan stated that all items would be looked into and Planning Commission would be notified of findings.

PLANNING AND ENVIRONMENTAL QUALITY COMMISSION REPORTS

No report.

ADJOURNMENT

Vice-Chairman Jamora adjourned the meeting at 7:34 P.M.

Respectfully submitted,



MITCHELL G. LANSDELL

City Manager



Nolan Jamora, Vice-Chairman
Planning & Environmental Quality Commission