

AGENDA / CITY OF LAKEWOOD
PLANNING AND ENVIRONMENT COMMISSION
MAY 2, 2024 / 7:00 P.M.
City Council Chambers – Lakewood Centre – 5000 Clark Avenue

Public comments and questions pertaining to any item on the agenda will be accepted via email sent to ckojaku@lakewoodcity.org up to 4:00 p.m. on the day of the meeting. We ask that you please indicate the specific item on which you wish to be heard or whether your comments will be submitted under oral communications.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL: Commissioner Stuckey
Commissioner Cole
Chairperson Baca

REORGANIZATION

APPROVAL OF MINUTES

Regular Meeting of April 15, 2024

ANNOUNCEMENTS AND PRESENTATIONS

BUILDING REHABILITATION BOARD

- 1. Substandard Property** 6745 Turnergrove Drive
Unmaintained landscaping & accumulation of debris.

PUBLIC HEARINGS

7-2024

- 1. Conditional Use Permit No. 1022** 3950 Hardwick Street, #206
Request approval for the operation of a massage establishment.
Massage Remedial Care, LLC (Deneb Romero)
- 2. Conditional Use Permit No. 1023** 4142 Paramount Boulevard
Request approval for a tobacco and nicotine product sales facility.
(Emil Takla)
- 3. Conditional Use Permit No. 1024** 12612-12614 Del Amo Boulevard
Request approval for sale of beer and wine for on-site
consumption in conjunction with a bona-fide eating establishment.
Guacamole Grill (Eder Salvador)

REPORTS

None

PUBLIC COMMENTS

STAFF COMMUNICATION

ADJOURNMENT

NEXT MEETING: JUNE 6, 2024

Any qualified individual with a disability that would exclude that individual from participating in the above meeting should contact the Community Development Department Administrative Secretary at (562) 866-9771, ext. 2303; at least 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting or other reasonable auxiliary aids may be provided.

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PUBLIC HEARINGS:**1. CONDITIONAL USE PERMIT NO. 1020, 5018 ASHWORTH STREET, REQUEST FOR APPROVAL OF THE ESTABLISHMENT OF A COTTAGE FOOD OPERATION, (Amber Chen).**

Due to technical PowerPoint difficulties, presentation of Item 1 was delayed and presented as the second agenda item. Chairperson Baca called for a 5-minute recess to allow time to resolve the issues.

Assistant Planner, Frankie Griffiths, presented the staff report and exhibits which recommended approval of Conditional Use Permit No. 1020, for the establishment of a cottage food operation that will make bread, cookies, and cakes. These documents are on file with the Community Development Department, along with the proposed Conditions of Approval, which are incorporated by reference in the proposed Resolution of Approval. Notice of Hearing was given pursuant to the Municipal Code and state law. Staff recommends that the Commission hold a public hearing and, following the hearing, move to adopt the attached proposed Resolution approving Conditional Use Permit No. 1020 subject to the findings and conditions contained therein or otherwise by reference and to approve the proposed categorical exemption. This project is categorically exempt under the CEQA Guidelines as amended. Assistant Planner Griffiths asked if there are any questions of staff.

Chairperson Baca asked if there are any questions of staff.

No questions were asked of staff.

Chairperson Baca opened the public hearing.

Chairperson Baca asked of the Applicant, “Have you read, and do you agree with all the proposed conditions of approval?”

The Applicant, Amber Chen, stated yes. The Applicant stated that the name of her business is Sunkissed Bakery, because of her freckles and gave a brief history of her experience in the food industry.

No questions from the Commission.

Chairperson Baca asked if anyone else would like to speak on this item and reminded the public to limit comments to three (3) minutes. There were none.

There being no one else wishing to be heard on the matter, Chairperson Baca closed the public hearing and asked the Commission if there was any discussion or a motion.

Commissioner Stuckey moved and Commissioner Ung seconded approval of staff recommendation to approve Conditional Use Permit No. 1020, 5018 Ashworth Street, and its related categorical exemption.

AYES: **COMMISSIONERS:** Stuckey, Ung & Baca
NOES: **COMMISSIONERS:** n/a
ABSENT: **COMMISSIONERS:** Cole
ABSTAIN: **COMMISSIONERS:** n/a

Chairperson Baca announced that the Motion has passed.

2. CONDITIONAL USE PERMIT NO. 1021, 4651 SILVA STREET, REQUEST FOR APPROVAL FOR AN INDOOR COMMERCIAL RECREATION FACILITY (ROLLER RINK), (Cory Joseph for Sunshine Skate Center).

Due to technical difficulties with the Item 1 presentation, Item 2 was presented first.

Senior Planner, Paul Kuykendall, presented the staff report and exhibits which recommended approval of Conditional Use Permit No. 1021, for an indoor commercial recreation facility (an indoor skating rink) at Lakewood Center mall. These documents are on file with the Community Development Department. The Development Review Board (DRB) recommended that this project be approved by the Planning and Environment Commission (PEC), along with the proposed Conditions of Approval which are incorporated by reference in the proposed Resolution of Approval. These are on file with the Community Development Department. Notice of Hearing was given pursuant to the Municipal Code and state law. Staff recommends that the Commission hold a public hearing and, following the hearing, move to adopt the attached proposed Resolution approving Conditional Use Permit No. 1021 subject to the findings and conditions contained therein or otherwise by reference and to approve the proposed categorical exemption. This project is categorically exempt under the CEQA Guidelines as amended. Senior Planner Kuykendall asked if there are any questions of staff.

Chairperson Baca asked if there are any questions of staff.

Commissioner Stuckey asked a question regarding the definition for overnight events and the hours.

Senior Planner Kuykendall noted that overnight events would require a special event permit, which is first approved by the mall management and then reviewed by the city's licensing permit hearing board for approval. Senior Planner Kuykendall deferred the question regarding the hours to the applicant.

Chairperson Baca opened the public hearing.

Chairperson Baca asked of the Applicant, "Have you read, and do you agree with all the proposed conditions of approval?"

The Applicant, Cory Joseph, stated yes. The applicant further addressed Commissioner Stuckey's question by stating that overnight events are something he would like to offer

in the future and that these events would be chaperoned. The applicant suggested that parents would drop off their children at around 9:00 p.m. and pick them up at around 7:00 a.m. to 8:00 a.m.

Chairperson Baca asked what the total capacity will be.

The Applicant stated that he is waiting for confirmation from the Fire Department, but is expecting the maximum occupancy to be between 700 and 800.

Chairperson Baca had a question regarding additional security.

The Applicant noted that a supplemental document was added to the Conditional Use Permit, which addresses added security personnel, exterior surveillance cameras, and a no loitering policy.

The Applicant shared that the skating rink’s name was chosen as a tribute to his parents’ professional skating team named Sunshine. The applicant presented renderings of the proposed project and discussed the proposed business operations.

Chairperson Baca asked if anyone else would like to speak on this item and reminded the public to limit comments to three (3) minutes. There were none.

There being no one else wishing to be heard on the matter, Chairperson Baca closed the public hearing and asked the Commission if there was any discussion or a motion.

Commissioner Ung moved, and Commissioner Stuckey seconded approval of staff recommendation to approve Conditional Use Permit No. 1021, 4651 Silva Street, and its related categorical exemptions.

AYES:	COMMISSIONERS:	Stuckey, Ung & Baca
NOES:	COMMISSIONERS:	n/a
ABSENT:	COMMISSIONERS:	Cole
ABSTAIN:	COMMISSIONERS:	n/a

Chairperson Baca announced that the Motion has passed.

3. MIXED USE ORDINANCE, CITYWIDE, REQUEST FOR APPROVAL TO AMEND ARTICLE IX OF THE LAKEWOOD MUNICIPAL CODE PERTAINING TO DEVELOPMENT STANDARDS FOR MIXED USE DEVELOPMENT IN THE C-1, C-3, C-4, AND M-1 ZONES.

Community Development Director, Abel Avalos, introduced the item and presented slides relating to Lakewood’s Regional Housing Needs Assessment (RHNA). Director Avalos noted that the total number of units, including the 15% buffer, meets the state’s requirement to plan for these units during the 8-year Planning Period (6th cycle). Director Avalos clarified that the city must demonstrate that the 4,510 units noted could in theory be approved and ultimately constructed.

Director Avalos stated that Lakewood's RHNA strategy is to increase densities in Multi-Family Residential zone by rezoning larger R-1 properties to Multi-Family Residential under SB 4. Director Avalos also noted that ADUs are also credited towards RHNA allocation and are leading the way to unit production.

Director Avalos discussed that the city's mixed-use strategy is to allow mixed-used development in the C-1, C-3, C-4, and M-1 zones to plan for future housing. Director Avalos further explained that the state's deadline to rezone at least 125 acres of commercially zoned land within 3 years is quickly approaching. Director Avalos discussed that staff has been working closely with the city's largest landowner, Macerich, who had independently inquired about the possibility of incorporating some residential into their development. Staff has also reached out to other developers that are also interested in incorporating residential into their respective developments. Director Avalos also noted that the city will review and amend the Zoning Ordinance and DRB handbooks to ensure that development standards and design guidelines are clear to understand and promote certainty in the planning and approval process.

Senior Planner, Paul Kuykendall, presented the staff report and exhibits which recommend adoption of a proposed PEC resolution that recommends to the City Council adoption of the Mixed-Use Ordinance and approval of the related categorical exemption. The ordinance proposes to amend regulations of the Lakewood Municipal Code pertaining to development standards for mixed use development in the C-1, C-3, C-4, and M-1 zones. These documents are on file with the Community Development Department. Notice of Hearing was given pursuant to the Municipal Code and state law. Staff recommended that the Commission hold a public hearing and then following the hearing, move to adopt the proposed Resolution. Senior Planner Kuykendall asked if there are any questions of staff.

Chairperson Baca asked if there are any questions of staff.

Commissioner Stuckey asked for an example of when lesser parking would be allowed which would require a CUP, and whether parking would accommodate larger vehicles or will there only be compact parking spaces available.

Senior Planner Kuykendall stated that an example where a developer would be allowed fewer parking spaces would be with a mixed-use development where some or all residential units are for disabled or senior citizens, where the number of households would not be typical. Senior Planner Kuykendall answered that the parking requirement will mirror our existing code, which limits compact parking to 40%.

Chairperson Baca asked about recommendations for EV charging stations.

Paul answered that the ordinance includes a provision that follows the Green Code.

Community Development Assistant Director, Patrick McGuckian, clarified that the Green Code, a state law, makes requirements for EV capable spaces and EV charging stations.

Chairperson Baca opened the public hearing.

Chairperson Baca asked if anyone else would like to speak on this item and reminded the public to limit comments to three (3) minutes. There were none.

Commissioner Ung moved, and Commissioner Stuckey seconded approval of staff recommendation to move to adopt the resolution recommending that the City Council approve the related Notice of Exemption and adopt the proposed Mixed-Use Ordinance.

AYES: COMMISSIONERS: Stuckey, Ung & Baca
NOES: COMMISSIONERS: n/a
ABSENT: COMMISSIONERS: Cole
ABSTAIN: COMMISSIONERS: n/a

Chairperson Baca announced that the Motion has passed.

REPORTS:

None.

PUBLIC COMMENTS:

None.

STAFF COMMUNICATIONS:

Director Abel Avalos stated that three to four items will be presented at the next regularly scheduled meeting of May 2, 2024.

ADJOURNMENT: The meeting was adjourned at 8:24 p.m.

The next regularly scheduled meeting will be on May 2, 2024.

Secretary

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TO: THE PLANNING AND ENVIRONMENT COMMISSION
SITTING AS THE BUILDING REHABILITATION BOARD

SUBJECT: PROPERTY NUISANCE – 6745 Turnergrove Drive

INTRODUCTION

The property at 6745 Turnergrove Drive is located in the R-1 Residential zone and has had continuing property maintenance issues dating back to February 2017.

The property currently violates the Lakewood Municipal Code (LMC) as follows:

LMC §4323.B – Unsightly Exterior Materials – Any structure that has peeling, cracked, faded, chipped, torn, or missing exterior surface materials, including, but not limited to, paint, brick, rock, stucco, siding, shingles and roof shingles.

LMC §4323.C1 – Accumulation of Debris – Any accumulation of lumber, dirt, litter, debris, rubbish, trash, or other items, including, but not limited to, household items, paper, glass, metal including vehicle parts, plastic, wood, cast-offs, equipment, building materials, or other materials in yard areas, driveways, courtyards, vestibules, doorways, or the interior of a residential structure.

LMC §4323.D2 – Dead Groundcover – Any of the following conditions in any yard area not occupied by buildings, accessory structures, walkways, pools, spas, driveways, decks, or similar building or architectural device, or in any area required to be landscaped on commercial or manufacturing zoned property. Dead, diseased, or missing ground cover in required yards.

LMC §4323.D3 – Unmaintained Vegetation – Any of the following conditions in any yard area not occupied by buildings, accessory structures, walkways, pools, spas, driveways, decks, or similar building or architectural device, or in any area required to be landscaped on commercial or manufacturing zoned property. Overgrown vegetation, cultivated or uncultivated. “Overgrown vegetation” is vegetation that has grown to such an extent that it results in the diminution of the appearance of the subject property as compared to adjacent properties. “Overgrown vegetation” is also vegetation that is so overgrown or lacking in maintenance as to be unsightly to neighboring property, or because of size and lack of maintenance to be dangerous to the public health, safety and welfare.

LMC §4323.H1 – Refuse Container in Public View – Any refuse container stored in the front yard, or side yard of a corner lot adjacent to a street, and visible from the public street, except when placed for curbside collection at the times and in the manner permitted in this Code.

STATEMENT OF FACTS

On February 3, 2017, the City received a service request from neighboring residents that the property is not being properly maintained.

On April 11, 2017, a Notice of Violation was issued the property owner, Eleanor Thompson.

On September 29, 2017, CCR Cochran inspected the property and observed overgrown vegetation and issued a Final Notice to the property owner.

On October 21, 2019, due to the continued violations at the property, CCR Cochran issued an Administrative Citation for \$700 to the property owner for dead ground cover, unmaintained vegetation, accumulation of debris, unsightly exterior materials, inoperable vehicle, and refuse containers in public view.

On December 18, 2019, due to the continued violations at the property, CCR Cochran issued an Administrative Citation for \$1,400 to the property owner for dead ground cover, unmaintained vegetation, accumulation of debris, unsightly exterior materials, inoperable vehicle, and refuse containers in public view.

On February 18, 2020, due to the continued violations at the property, CCR Cochran issued an Administrative Citation for \$3,500 to the property owner for dead ground cover, unmaintained vegetation, accumulation of debris, unsightly exterior materials, inoperable vehicle, and refuse containers in public view.

On April 20, 2020, due to the continued violations at the property, CCR Cochran issued an Administrative Citation for \$3,000 to the property owner for dead ground cover, unmaintained vegetation, accumulation of debris, unsightly exterior materials, inoperable vehicle, and refuse containers in public view.

On June 17, 2020, due to the continued violations at the property, the Los Angeles Sheriff's Department issued a Notice to Appear in Court to the property owner for dead ground cover, unmaintained vegetation, debris accumulation, unsightly exterior materials, an inoperable vehicle, and refuse containers in public view.

On July 20, 2021, due to continued violations at the property, the Los Angeles Sheriff's Department issued a Notice to Appear in Court to the property owner for dead ground cover, unmaintained vegetation, debris accumulation, unsightly exterior materials, an inoperable vehicle, and refuse containers in public view.

On August 15, 2023, due to continued violations at the property, the Los Angeles Sheriff's Department issued a Notice to Appear in Court to the property owner for dead ground cover,

unmaintained vegetation, accumulation of debris, unsightly exterior materials, inoperable vehicle, and refuse containers in public view.

City staff also tried unsuccessfully to have the property owner work with the City’s Volunteer Day program over the past seven years.

BACKGROUND

The Lakewood Municipal Code Section 4320 states:

“Pursuant to the provisions of Section 38771 of the Government Code of the State of California, the City Council does hereby find, determine and declare that a violation of any provisions of this Chapter is a Public Nuisance which may be abated as provided in the Civil Code or the Code of Civil Procedure or the Penal Code of the State of California in addition to any other remedy or procedure provided by law or this Code, or any penal enforcement of this Code.”

The Planning and Environment Commission sitting as the Building Rehabilitation Board as specified by the California Building Code Section 99 may: 1) declare non-compliant properties subject to code enforcement as a Public Nuisance per se as specified by LMC §4324.2 by making a finding of fact and 2) may be abated per LMC §4324.4, which in part states, “If said nuisance is not abated within the time specified by the Planning and Environment Commission or the City Council or any extension thereof, the Director of Public Works shall cause the work of abatement to be performed as ordered therein.”

SUMMARY

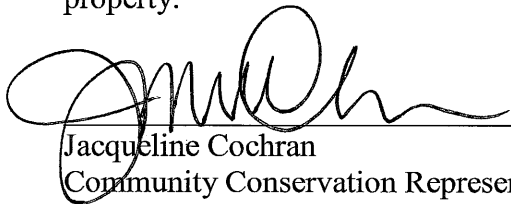
The property located at 6745 Turnergrove Drive constitutes a public nuisance as defined in §4323.1 and 4324 of the Lakewood Municipal Code. Pursuant to the Lakewood Municipal Code and Title 25 of the California Code of Regulation, a hearing before the Planning and Environment Commission sitting as the Building Rehabilitation Board shall consider all relevant facts and adopt a Resolution to effect the abatement of the continued violations on the property. A public nuisance property may be abated by the City if the property is not brought into compliance by the time frame established in the Resolution. Staff would recommend thirty (30) days following the hearing to be sufficient time to remove the dead ground cover, unmaintained vegetation, accumulation of debris, unsightly exterior materials, and refuse containers in public view.

RECOMMENDATION

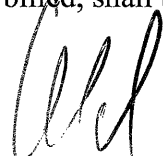
Staff recommends that the Planning and Environment Commission sitting as the Building Rehabilitation Board find the property located at 6745 Turnergrove Drive to be a public nuisance

and adopt the attached Resolution. The Resolution directs Eleanor Thompson to abate the aforementioned violation listed in the Notice to Abate Nuisance within thirty (30) days of the Resolution being adopted.

Additional time may be granted for good cause by the Director of the Community Development Department in coordination with the Director of Public Works. The Resolution further authorizes the City to abate the nuisances by warrant or any other actions authorized by law in perpetuity. All cost of abatement by the City, including but not limited to full staff costs and contractor costs, shall be the responsibility of the property owner and if not paid when billed, shall become a lien on the property.



Jacqueline Cochran
Community Conservation Representative



Abel Avalos
Director of Community Development

Eleanor Thompson
6745 Turnergrove Drive
Lakewood, CA 90713-0000



NOTICE TO ABATE NUISANCE

The owner of the property located at 6745 Turnergrove Drive, Lakewood, California is hereby notified to appear at a hearing before the Planning and Environmental Commission, sitting as the Building Rehabilitation Board for the City of Lakewood. The meeting will be held on Thursday, May 2, 2024, at the Council Chambers, next to Lakewood City Hall, 5000 Clark Avenue, Lakewood California at 7:00 p.m., or soon thereafter as the owner may be heard, and show cause, if any, why the property should not be declared a public nuisance and the nuisance abated by the City.

This hearing notice is dated April 19, 2024.

CITY OF LAKEWOOD

A handwritten signature in blue ink, appearing to read "Jacqueline Cochran", is written over a horizontal line.

By Jacqueline Cochran, Community Conservation Representative

Lakewood

The hearing identified on the proceeding page has been scheduled due to unsightly exterior materials, accumulation of debris, dead groundcover, unmaintained vegetation, and refuse containers in public view observed on Friday, April 19, 2024. The following conditions were observed to exist in violation of the Lakewood Municipal Code (LMC):

LMC §4323.B Unsightly Exterior Materials

Any structure that has peeling, cracked, faded, chipped, torn, or missing exterior surface materials, including, but not limited to, paint, brick, rock, stucco, siding, shingles and roof shingles.

LMC §4323.C1 Accumulation of Debris

Any accumulation of lumber, dirt, litter, debris, rubbish, trash, or other items, including, but not limited to, household items, paper, glass, metal including vehicle parts, plastic, wood, cast-offs, equipment, building materials, or other materials in yard areas, driveways, courtyards, vestibules, doorways, or the interior of a residential structure.

LMC §4323.D2 Dead Groundcover

Any of the following conditions in any yard area not occupied by buildings, accessory structures, walkways, pools, spas, driveways, decks, or similar building or architectural device, or in any area required to be landscaped on commercial or manufacturing zoned property. Dead, diseased, or missing ground cover in required yards.

LMC §4323.D3 Unmaintained Vegetation

Any of the following conditions in any yard area not occupied by buildings, accessory structures, walkways, pools, spas, driveways, decks, or similar building or architectural device, or in any area required to be landscaped on commercial or manufacturing zoned property. Overgrown vegetation, cultivated or uncultivated. "Overgrown vegetation" is vegetation that has grown to such an extent that it results in the diminution of the appearance of the subject property as compared to adjacent properties. "Overgrown vegetation" is also vegetation that is so overgrown or lacking in maintenance as to be unsightly to neighboring property, or because of size and lack of maintenance to be dangerous to the public health, safety and welfare.

LMC §4323.H1 Refuse Container in Public View

Any refuse container stored in the front yard, or side yard of a corner lot adjacent to a street, and visible from the public street, except when placed for curbside collection at the times and in the manner permitted in this Code.

At the May 2, 2024 hearing, the Community Development Department will seek approval from the Building Rehabilitation Board (BRB) of a resolution finding the residential property to be a public nuisance and ordering the following:

1. The aforementioned violation of the Lakewood Municipal Code shall be corrected in the time ordered.
2. Grants the City authority to abate the public nuisance if the violation is not corrected in the time ordered.
3. Any City abatement including, but not limited to staff time and contracted services shall be charged to the owner and these charges will result in a lien on the property.

Eleanor Thompson
6745 Turnergrove Drive
Lakewood, CA 90713-0000
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4. The BRB may consider other options including filing a criminal complaint in the Los Angeles Superior Court, a motion to appoint a receiver under California Health & Safety Code 17980.7(c), or any other applicable actions authorized by law.

Any person having the right, title, lien or interest in 6745 Turnergrove Drive may appear and speak at the hearing on any relevant issues pertaining to the aforementioned violation.

CITY OF LAKEWOOD

Jacqueline Cochran, Community Conservation Representative

RESOLUTION NO.

A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION, SITTING AS THE BUILDING REHABILITATION BOARD OF THE CITY OF LAKEWOOD FINDING THE PROPERTY LOCATED AT 6745 TURNERGROVE DRIVE TO BE A PUBLIC NUISANCE; ORDERING ABATEMENT OF THE NUISANCES WITHIN THIRTY (30) DAYS BY THE OWNER OR SUCCESSOR IN INTEREST; AND IF NOT TIMELY ABATED, AUTHORIZING THE CITY TO ABATE THE NUISANCE CONDITIONS.

THE PLANNING AND ENVIRONMENT COMMISSION SITTING AS THE BUILDING REHABILITATION BOARD OF THE CITY OF LAKEWOOD HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1. On May 2, 2024, the Planning and Environment Commission sitting as the Building Rehabilitation Board of the City of Lakewood held a hearing to determine if the said property is a public nuisance.

SECTION 2. 6745 Turnergrove Drive (the property) is more particularly described as Los Angeles County Assessor's Parcel Number 7061-013-023 and as: The land referred to herein is situated in the County of Los Angeles, State of California, and is described as follows: Lot 579 in Tract No. 16397 as per Map recorded in Book 373, Pages 18, 19, 20, and 21 of Maps, in the office of the County Recorder of said County.

SECTION 3. A Notice to Abate Nuisance was properly posted and mailed as provided by law on April 19, 2024. This provided notice of a public hearing before the Planning and Environment Commission sitting as the Building Rehabilitation Board to the property owner regarding the nuisance conditions at the property.

SECTION 4. The April 19, 2024, inspection revealed continued non-compliance so this case was scheduled for a hearing before the Building Rehabilitation Board.

SECTION 5. Based upon the evidence received and considered, the Planning and Environment Commission sitting as the Building Rehabilitation Board finds that the property is a public nuisance based on violations of the following regulations:

- A. Unsightly Exterior Materials. Lakewood Municipal Code (LMC) §4323.B
- B. Accumulation of Debris. Lakewood Municipal Code (LMC) §4323.C1
- C. Dead Groundcover. Lakewood Municipal Code (LMC) §4323.D2
- D. Unmaintained Vegetation. Lakewood Municipal Code (LMC) §4323.D3
- E. Refuse Container in Public View. Lakewood Municipal Code (LMC) §4323.H1

SECTION 6. The nuisance conditions at the property are a violation of Lakewood Municipal Code §4323, and 4324. The property nuisance conditions create a public nuisance and should be abated as provided by Section 4320 and 4323 of the Lakewood Municipal Code and Chapter 99 of the Los Angeles County Building Code, as adopted by the City of Lakewood.

SECTION 7. If the property owners fail to comply with this resolution ordering the abatement of the nuisance conditions within 30 days or as extended by the Community Development Director in coordination with the Public Works Director, the City shall have jurisdiction to abate the nuisances by warrant, motion to appoint a receiver under California Health & Safety Code 17980.7(c), Red Light Abatement, or any other actions authorized by law. All costs of abatement by the City, including but not limited to full staff costs and contractor costs, shall be the responsibility of the property owner and if not paid when billed, shall become a lien on the property.

SECTION 8. Any person with an interest in the property may appeal this order of the Planning and Environment Commission sitting as the Building Rehabilitation Board to the Lakewood City Council. A written, dated, and signed appeal can be filed with the City Clerk, 5050 Clark Avenue, Lakewood, California 90712. The appeal must be received by the City Clerk within 5 days from the date of service of this order with the appropriate fees.

The appeal shall contain the following: specific identification of the property; a brief statement of the legal interest in the property; a statement in ordinary and concise language of the specific order or action protested, together with any material facts supporting the contentions of the appellant; and the signatures of all parties named as appellants, and their official mailing addresses.

ADOPTED AND APPROVED this 2nd day of May 2024, by the Planning and Environment Commission sitting as the Building Rehabilitation Board of the City of Lakewood voting as follows:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABTAIN:	COMMISSIONERS:

Bill Baca, Chairperson

ATTEST:

Abel Avalos, Secretary

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APPLICATION FOR: Conditional Use Permit No. 1022

LOCATION: 3950 Hardwick Street, #206, Lakewood, California

APPLICANT: Deneb Romero, Remedial Care, LLC

PROPOSED USE: Operation of a Massage Establishment

ZONING: C-4 (General Commercial)

INTRODUCTION

The applicant, Deneb Romero representing Remedial Care, LLC, is requesting approval of Conditional Use Permit (CUP No. 1022) for the operation of a massage establishment at 3950 Hardwick Street, #206 (Site). The Site is located in the C-4 (General Commercial) zone and is designated by the General Plan as Commercial.

The request is being made pursuant to Sections 6402.I, 9302.31c, 9340.C.5, 9347.A, and 9350.A of the Lakewood Municipal Code (LMC). LMC Section 6402.I contains definitions, business permit requirements and operational standards for massage establishments. LMC Section 9302.31c defines the business of massage with reference to Section 6402.I LMC Section 9340.C.5 requires that a Conditional Use Permit be obtained for the operation of a massage establishment in the C-1 (Neighborhood Commercial) zone and contains additional development standards. LMC Sections 9347.A and 9350.A specifies that massage establishments are allowed in the C-3 (Intermediate Commercial) and C-4 (General Commercial) zones, respectively, under the same conditions as in the C-1 zone.

STATEMENT OF FACTS

Area Description

The site is located within Lakewood Square near the southwest corner of Lakewood Boulevard and Hardwick Street. North of the site is Hobby Lobby and other commercial uses located in the C-4 (General Commercial) zone (see Vicinity Map and Aerial View). West and South of the site are apartment complexes located in the M-F-R (Multiple Family Residential) zone. East of the site is Chase bank located in the C-4 (General Commercial) zone. The following table lists the land uses and zoning designations for the Site and the surrounding properties.

AREA	EXISTING LAND USE	ZONE DESIGNATION
Subject Site	Commercial Center	C-4 (General Commercial)
North	Commercial Center	C-4 (General Commercial)
East	Commercial Center	C-4 (General Commercial)
South	Apartment Complex	M-F-R (Multiple- Family Residential)
West	Apartment Complex	M-F-R (Multiple- Family Residential)

Site Description

The site is located in an integrated commercial center with a total land area of approximately 72,300 square feet. The southwest portion of the integrated commercial center is developed with two one-story commercial buildings totaling 19,566 square feet and 180 parking spaces. The massage establishment is located in the Northern building, as shown in Exhibit “A.” Tenants in the commercial center include Michaels, Beam Nail Bar, Painting with a Twist, First Financial Credit Union, The Little Gym, 6 Degree Fitness, Vision Center, and a temporary space occupied by Kinecta Credit Union.

Project Description

The applicant is applying for a Conditional Use Permit for the operation of a massage establishment. The subject tenant space is within Phenix Salon Suites and is approximately 116 square feet in area. Exhibit “B” shows an entryway/waiting room, thirty-two salon suites, two restrooms, break room, storage room, and a utility room. There is an exit door on the east side of the tenant space which leads to a public alley. This massage establishment will be staffed by the business owner, Deneb Romero, who is a Certified Massage Therapist and holds an active California Massage Therapy Council (CAMTC) certificate.

Name	CAMTC Certificate #
Deneb Romero	CMT# 28315 (Active)

LMC Section 6402.I.10 permits the hours of operation to be from 7:00 AM to 10:00 PM, daily. The proposed business will be open from 9:30 AM to 9:00 PM, daily. Any persons practicing massage as a masseur, employee or otherwise, must have a valid and subsisting masseur's business permit pursuant to Section 6402.I of the Lakewood Municipal Code. Persons providing massages must also possess a valid California Massage Therapy Council (CAMTC) certificate issued by the California Massage Therapy Council designating that individual as a Certified Massage Therapist or a Certified Massage Practitioner pursuant to Section 4600 et seq. of the Business and Professions Code. In addition, Section 4608 of the Business and Professions Code requires each CAMTC certificate holder to display his or her original certificate wherever he or she provides massage for compensation. This has been included as a condition in the proposed Resolution of Approval.

Development Review Board

Any exterior modifications will require approval from the Development Review Board (DRB).

Sheriff's Department

The Los Angeles County Sheriff's Department provided comment on this application (see attached Sheriff's Department letter dated April 9, 2024). The Sheriff's Department has concerns with potential criminal activity with businesses of this nature and the potential negative impacts they may have on the community. Potential activities of concern include prostitution, unethical business practices, sexual exploitation, pimping, sex-trafficking, slavery, narcotics, and organized crime. Sheriff's review of calls for service at this location revealed no significant incidents over the past five years that would otherwise cause concern related to the proposed CUP.

The Sheriff's Department recommends approval of this Conditional Use Permit provided that certain conditions be placed on this business in an effort to mitigate potential criminal activity. The Sheriff's Department's recommendations have been incorporated into the proposed Resolution of Approval and are listed below. There are no open code enforcement cases associated with this location.

1. *Ensure the massage establishment owner (certified or not) is fingerprinted for a background check.*

The applicant has successfully completed the required background check.

2. *Ensure there is a certified massage technician present during business hours. The CUP shall become null and void if the applicant does not pass the background check within 90 days.*

The proposed Resolution of Approval contains a condition that there shall be a California Massage Therapy Council (CAMTC) designated Certified Massage Therapist (CMT) or a Certified Massage Practitioner (CMP) on the premises during all hours of operation. The applicant has successfully completed the required background check to acquire the necessary business license.

3. *Emphasize the importance of effective communication between the managers of the establishment regarding professional business practices.*

The proposed Resolution of Approval contains a condition requiring the manager of this massage establishment to communicate to all persons working within the business the importance of professional business practices and the requirements of this Conditional Use Permit as part of the initial orientation of those workers.

- 4. No alcohol allowed, including refusal of service to any intoxicated person, or person who is under the influence of a controlled substance, unless that controlled substance was prescribed by a license physician.*

This activity is prohibited conduct under LMC Section 6402.I.8. The proposed Resolution contains a condition requiring adherence to LMC Section 6402.I.8.

- 5. Restriction of business operating hours, suggested 7:00 AM to 10:00 PM.*

The business will operate from 9:30 AM to 9:00 PM, daily.

- 6. Persons who appear to be intoxicated or under the influence of a controlled substance, unless prescribed by a licensed physician, shall be denied service.*

This activity is prohibited conduct under LMC Section 6402.I.8. The proposed Resolution contains a condition requiring adherence to LMC Section 6402.I.8.

- 7. Persons under the age of 18 shall be denied service.*

This activity is prohibited conduct under LMC Section 6402.I.8. The proposed Resolution contains a condition requiring adherence to LMC Section 6402.I.8.

- 8. Persons under the age of 18 shall not be employed at the establishment.*

This activity is prohibited conduct under LMC Section 6402.I.8. The proposed Resolution contains a condition requiring adherence to LMC Section 6402.I.8. Staff inspected the site on April 22, 2024 and did not observe any individuals working at the location under age 18.

- 9. Photographs/artwork of a sexual nature shall not be used as a means of advertisement for the business.*

This activity is prohibited conduct under LMC Section 6402.I.8. The proposed Resolution contains a condition requiring adherence to LMC Section 6402.I.8. Staff inspected the site on April 22, 2024 and did not observe any photographs or artwork of a sexual nature within the business being used as a means of advertisement for the business or otherwise.

- 10. Photographs/literature/artwork of a sexual nature shall not be available for any patron to view inside the establishment.*

This activity is prohibited conduct under LMC Section 6402.I.8. The proposed Resolution contains a condition requiring adherence to LMC Section 6402.I.8. Staff inspected the site on April 22, 2024 and did not observe any photographs or artwork of a sexual nature within the business being used as a means of advertisement for the business or otherwise.

- 11. This CUP shall be subject to review allowing input from the Sheriff's Department for any concerns that may arise.*

The proposed Resolution of Approval contains a condition requiring a six-month review.

Code Requirements

A Conditional Use Permit for the massage establishment can only be approved upon findings of the Planning and Environment Commission (PEC) that the use, subject to any conditions imposed, will not be detrimental to surrounding property or residents. A finding that the use is in accord with the following principles and standards is necessary in each case, as specified in LMC Section 9401.

- 1. The proposed conditional use shall not be in substantial conflict with the General Plan.*

The General Plan land use designation for the subject site is Commercial. The massage establishment is a commercial use and, therefore, is not in conflict with the General Plan.

- 2. The nature, condition, and development of adjacent uses, buildings, and structures shall be considered, and no CUP shall be granted where such use will adversely affect or be materially detrimental to said adjacent uses, buildings, or structures.*

The massage establishment does not generate noise levels that would be audible outside the tenant space. Furthermore, this use is subject to requirements per LMC Sections 6402.I, 9302.31c, and 9340C.5, which are intended to ensure that the business will be conducted as a bona fide massage establishment and will not harbor any illegal activity that would otherwise adversely affect or be materially detrimental to adjacent uses and buildings.

- 3. The site for a conditional use shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features required by this Chapter, or as required as a condition in order to integrate said uses with the uses in the neighborhood.*

LMC Section 9490.1 specifies that the Director of Community Development may determine the parking requirements for a use whose parking requirement is not specified in the LMC. The precedent for a massage establishment is to require one parking space for every 250 square feet of gross floor area which is the same requirement used for other personal service business, general retail, and general office uses. The subject tenant space is 116 square feet which requires one (1) parking space. The total required parking for the existing uses is 185 parking spaces. The portion of the shopping center site developed with 180 parking spaces, which results in a deficiency of five (5) parking spaces. Phenix Salons has multiple tenants with personal use services, there will not have inadequate parking conditions as it is in compliance with AB2097 requirements for commercial parking.

4. *The site for the conditional use shall be served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.*

The subject site is served by Lakewood Boulevard and Hardwick Street. The General Plan designates Hardwick Street as a collector street with a roadway width of 60'. The portion of Lakewood Boulevard serving the subject site is designated as a major arterial street with a roadway width of 100'. According to 2022 City of Lakewood Census, the number of vehicles driving on Hardwick Street daily between Downey and Lakewood is 4,506 vehicles. The number of vehicles driving on Lakewood Boulevard daily between Candlewood and Del Amo is 28,442. Both Hardwick Street and Lakewood Boulevard are adequate in size to accommodate the traffic generated by the use.

5. *All other conditions and limitations imposed by this Chapter in connection with the proposed application for a Conditional Use Permit have been met.*

LMC Section 6402.I.8.g prohibits massage rooms from being fitted with doors capable of being locked unless the business is owned by one individual with only one or no employees.

The business is owned by one individual with no employees.

LMC 6402.I.8.(f) – This Section states that no massage business permittee or other person shall employ as a masseur any person unless that employee has obtained and has in effect a masseur's permit issued pursuant to this Section and lawfully possesses a valid certificate issued by the California Massage Therapy Council designating the person as a Certified Massage Therapist or a Certified Massage Practitioner pursuant to Section 4600 et al of the Business and Professions Code.

LMC 6402.I.1.(b) - This Section states that no person shall practice massage as a masseur, employee or otherwise, unless he has a valid and subsisting masseur's business permit issued to him pursuant to the provisions of this Article and lawfully possesses a valid certificate issued by the California Massage Therapy Council designating him as a Certified Massage Therapist or a Certified Massage Practitioner pursuant to Section 4600 et al of the Business and Professions Code.

LMC 6402.I.4.(e) – This Section states that an independent masseur or independent masseur contractor shall obtain a masseur's permit, however an employee of a massage establishment shall not be required to obtain a masseur's permit.

CBPC 4608 – This Section requires a CAMTC certificate holder to display his or her original certificate wherever he or she provides massage for compensation.

Staff inspected the tenant space on April 22, 2024 and found CAMTC certificates on display. The proposed Resolution of Approval contains a condition that an original CAMTC certificate

be placed on display within 30 days of approval of the Resolution of Approval.

LMC 6402.I.1.(b) states that “no person shall practice massage as a masseur, employee or otherwise, unless he has a valid and subsisting masseur’s business permit issued to him pursuant to the provisions of the Article and lawfully possesses a valid certificate issued by the California Massage Therapy Council (CMTC) designating him as a Certified Massage Therapist or a Certified Massage Practitioner pursuant to Section 4600 et al of the Business and Professions Code.”

The applicant has successfully passed the required background check. This process involves verifying that the applicant had not had a business permit for massage revoked by the City of Lakewood or any other government agency, that the applicant is at least 18 years of age, and that the applicant has not been convicted of various offenses, including, but not limited to, prostitution.

LMC 9402.I.8 states forms of prohibited conduct, including distribution of material that “states or depicts any portion of the human body that would reasonably suggest to prospective patrons that any service is available pursuant to said permit or business license, other than a massage.” Persons under the age of 18 are prohibited to give or receive massages. Alcoholic beverages may not be kept, sold, given or consumed on site, nor may any intoxicated person remain on site. Any and all persons performing massage shall be CMTC certified. The premises shall be supervised by an adult manager with CMTC certification at all times when open for business. Hours of operation shall not be earlier than 7:00 AM and no later than 10:00 PM unless otherwise authorized by the City.

The proposed Resolution of Approval contains a condition that the applicant shall comply with all applicable laws, including those mentioned above. LMC Section 6402.I.10 limits the hours of operation for massage establishments to 7:00 AM to 10:00 PM. The applicant is not proposing to deviate from of these requirements.

LMC Section 6402.I.8.(b) requires the owner and/or manager to report to the Los Angeles County Sheriff’s Department any and all changes or transfers of masseurs employed in the business whether by new or renewed employment, discharge or termination, or otherwise. The proposed Resolution of Approval contains a condition requiring the owner to notify the City and the Los Angeles County Sheriff’s Department of any changes or transfers of masseurs employed at this location.

LMC 6402.I.8.(g)(1-4) specifies the physical development standards for massage establishments, including that one artificial white light of at least 40 watts be provided in each massage room. Cleaning must be performed each business day for dry heat rooms, steam or vapor rooms, cabinets, shower compartments and toilet rooms. Bathtubs shall be cleaned after each use. The tenant space complies with the required lighting and the applicant performs the required cleaning. There are no bathtubs on the premises.

Conditional Use Permit No. 1022

May 2, 2024

Page 8

LMC Section 9340.C.5 reiterates many of the standards mentioned above and in addition adds a requirement that “managers of a Massage Establishment shall communicate to all employees of the business the importance of professional business practices.” A condition in the proposed Resolution of Approval has been added to this effect.

CEQA

The proposed conditional use is categorically exempt pursuant to Section 15301.(a), of the California Environmental Quality Act Guidelines, as amended. Class 1 consists of the operation, repair, maintenance, and permitting, leasing, licensing, or minor alteration of existing public or private structures.

Notification

Notification of the public hearing for this CUP was posted on the City’s webpage, mailed to property owners within a 300-foot radius of the subject property, posted at the subject site and in three public places on Wednesday, April 17, 2024, pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State Law.

SUMMARY

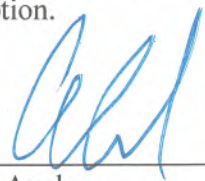
The applicant is applying for a Conditional Use Permit for the operation of a massage establishment. It has been found that the subject use will be in compliance with the principles and standards under Section 9401 of the Lakewood Municipal Code provided all conditions of approval contained in the attached resolution are complied with at all times. The project is Categorically Exempt from CEQA pursuant to Section 15301.(a), of the California Environmental Quality Act Guidelines.

RECOMMENDATION

Staff recommends that the Planning and Environment Commission hold a public hearing and following the public hearing move to adopt the proposed Resolution granting approval of Conditional Use Permit No. 1022, subject to a six-month review, and subject to the conditions contained therein and approve the associated Categorical Exemption.



Michelle Santiago
Planning Technician



Abel Avalos
Director of Community Development

Conditional Use Permit No. 1022
May 2, 2024
Page 9

ATTACHMENTS

- 1) Letter from the Los Angeles County Sheriff's Department dated April 9, 2024
- 2) Vicinity Map
- 3) Aerial View
- 4) Exhibit "A" – Site Plan
- 5) Exhibit "B" – Floor Plan
- 6) Proposed Resolution of Approval



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



April 9th, 2024

Mr. Thaddeus McCormack
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712

Dear Mr. McCormack:

The purpose of this letter is to advise you regarding the review of the Proposed Conditional Use Permit 1022, for "Massage Remedial Care".

REVIEW OF CONDITIONAL USE PERMIT (CUP) 1022- Review of the application for Conditional Use Permit at 3950 Hardwick Street Suite 206 "Massage Remedial Care."

We have conducted a review of calls for service since April 9th, 2019, at the above location. There were 3 calls for service. None of the calls for service raised any concerns. However, based on past histories with these types of businesses, we have the following concerns:

Potential Problems

- Prostitution Services- unethical business practice
- Sexual Exploitation, Pimping, Sex-Trafficking, Slavery
- Narcotics Activity
- Organized Crime

It is the opinion of the Los Angeles County Sheriff's Department to approve the request for a conditional use permit. Should the city of Lakewood approve the conditional use permit, we would like to make the following recommendations:

Based on our concerns, we request the following conditions be placed on the proposed business, should a conditional use permit be granted:

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —

- Ensure the massage establishment owner (certified or not) is fingerprinted for a background check.
- Ensure there is a certified massage technician present during business hours. The CUP shall become null and void if the applicant does not pass the background check within 90 days.
- Emphasize the importance of effective communication between the managers of the establishment regarding professional business practices.
- No alcohol allowed including refusal to services to any intoxicated person, or person who is under the influence of a controlled substance, unless that controlled substance was prescribed by a licensed physician.
- Restriction of business operating hours, suggested 0700-2200.
- Persons who appear to be intoxicated or under the influence of a controlled substance, unless prescribed by a licensed physician, shall be denied service.
- Persons under the age of 18 shall be denied service.
- Persons under the age of 18 shall not be employed at the establishment.
- Photographs / artwork of a sexual nature shall not be used as a means of advertisement for the business.
- Photographs / literature / artwork of a sexual nature shall not be available for any patron to view inside the establishment.
- This CUP shall be subject to review allowing input from the Sheriff's Department for any concerns that may arise.

If this request is approved, we recommend "Massage Remedial Care" management should have an ongoing liaison relationship with the Sheriff's Department and the city of Lakewood, to ensure a strong level of communication for crime prevention and problem-solving efforts.

If any arrests or criminal activity are documented regarding the above concerns, it is recommended to immediately terminate the conditional use permit.

If there are any further questions, you may contact Sergeant Theo Gekas at (562) 623-3657.

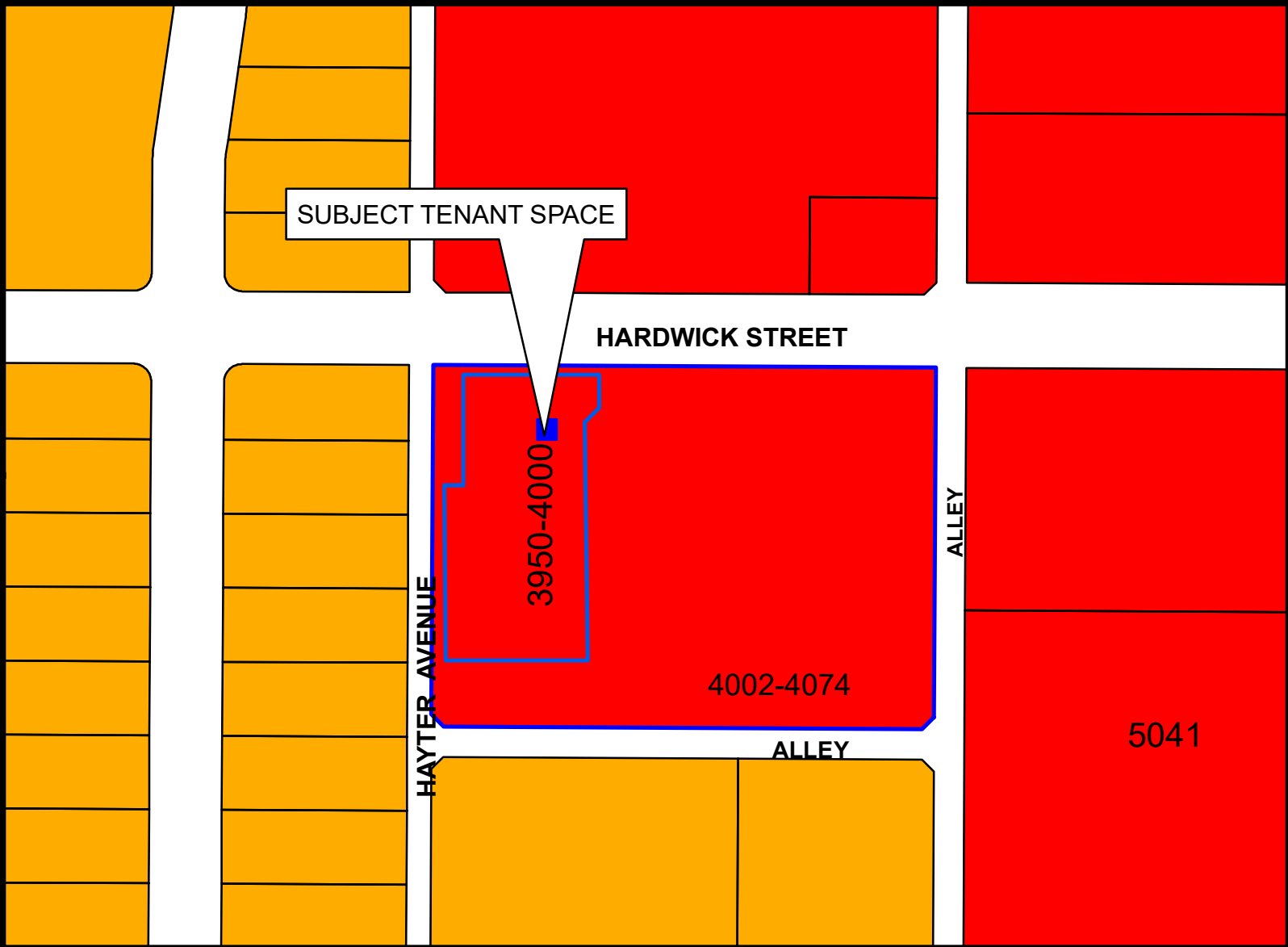
Sincerely,




ROBERT LUNA, SHERIFF

A handwritten signature in black ink, appearing to read "Daniel Holguin". The signature is written in a cursive style with a large, stylized initial "D".

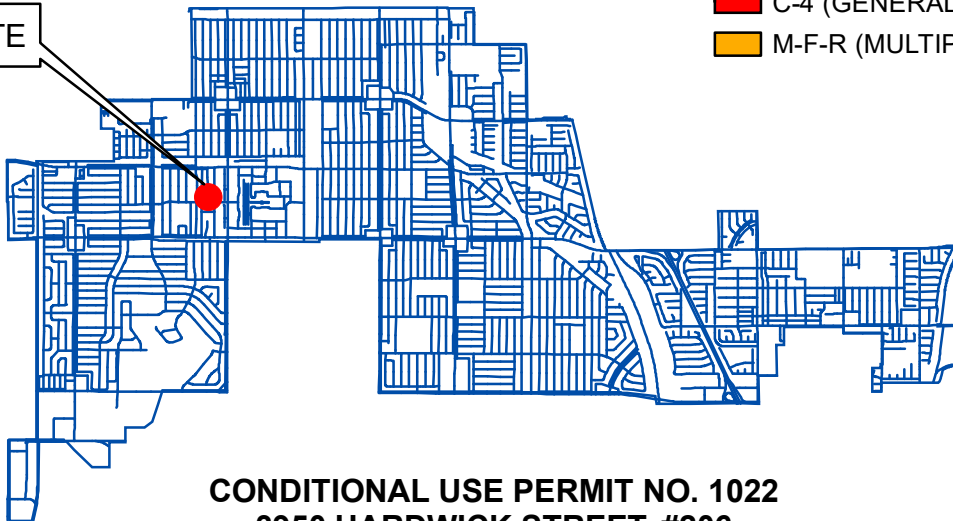
Daniel Holguin, Captain
Lakewood Station

VICINITY MAP



-  SUBJECT SITE
-  C-4 (GENERAL COMMERCIAL)
-  M-F-R (MULTIPLE-FAMILY RESIDENTIAL)

SUBJECT SITE



CONDITIONAL USE PERMIT NO. 1022
3950 HARDWICK STREET, #206
MASSAGE ESTABLISHMENT



AERIAL VIEW

SUBJECT TENANT SPACE

HARDWICK STREET

ALLEY

ALLEY

ALLEY

CONDITIONAL USE PERMIT NO. 1022
3950 HARDWICK STREET, #206
MESSAGE ESTABLISHMENT



EXHIBIT "A"

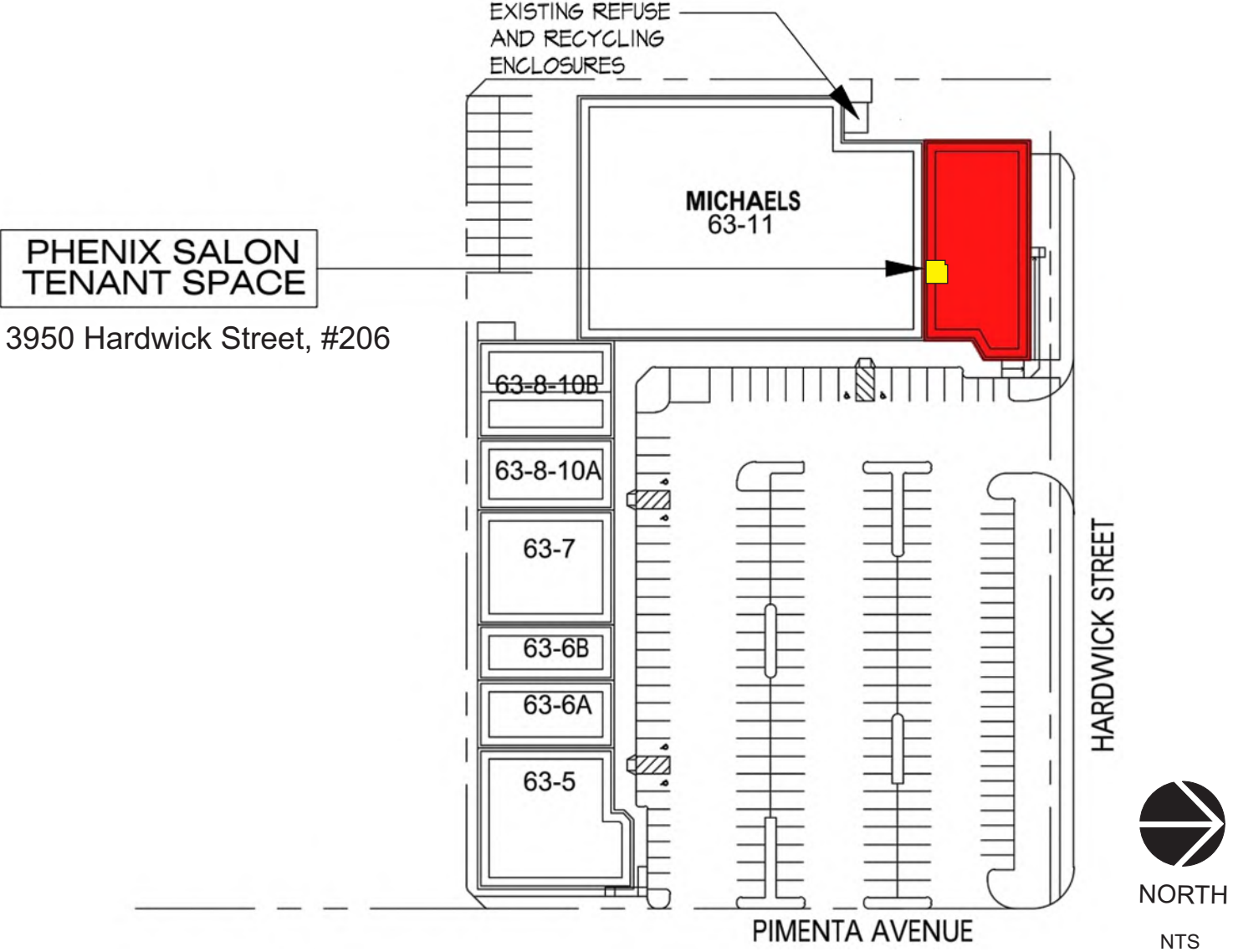
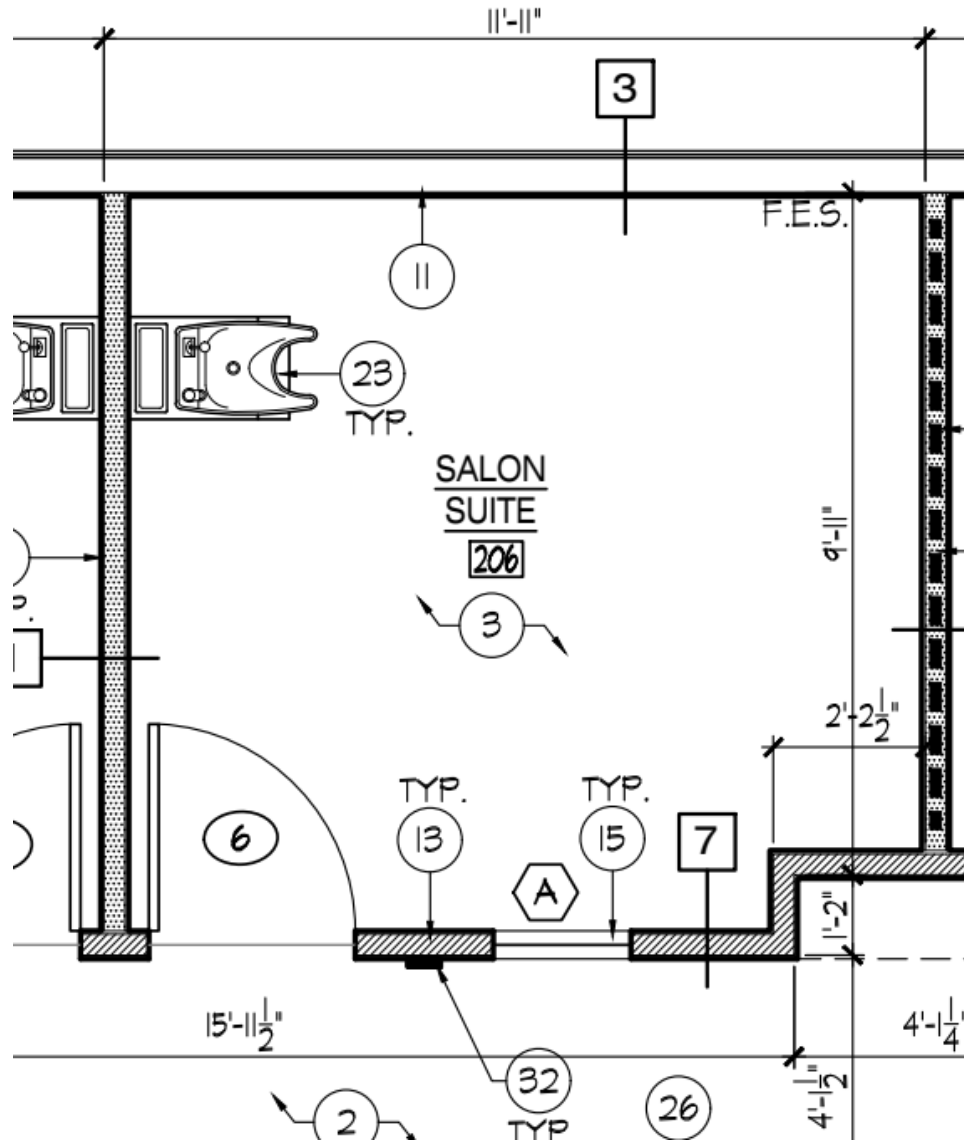


EXHIBIT "B"



RESOLUTION NO. -2024

A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING AN APPLICATION FOR CONDITIONAL USE PERMIT NO. 1022, AT 3950 HARDWICK STREET, #206, LAKEWOOD, CALIFORNIA, FOR THE OPERATION OF A MASSAGE ESTABLISHMENT AND THE CATEGORICAL EXEMPTION.

THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning and Environment Commission of the City of Lakewood, having had submitted to it the application of Deneb Romero representing Remedial Care, LLC, lessee of the owners of an interest in the following described real property, requesting a Conditional Use Permit (CUP), pursuant to the provisions under Sections 6402.I, 9302.31c, 9340.C.5, 9347.A, and 9350.A of the Lakewood Municipal Code for the operation of a massage establishment on that certain real property within the City of Lakewood described as a portion of Lot 16 of Tract No. 8084, in the State of California, as per Map Book 419, Pages 6-14, as recorded in the Office of the County Recorder of Los Angeles County, and more particularly described as and more particularly described as 3950 Hardwick Street, #206, Lakewood, California; all as shown in the attached minutes and report of the Planning and Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning and Environment Commission does hereby find and determine as provided in this Resolution.

SECTION 2. The Planning and Environment Commission finds that the that the proposed project is Categorically Exempt pursuant to Section 15301.(a), of the California Environmental Quality Act Guidelines, as amended.

SECTION 3. The Planning and Environment Commission of the City of Lakewood reports that a public hearing was held before the Planning and Environment Commission in respect to the application on the 2nd day of May 2024, and the Planning and Environment Commission does hereby find and determine that the application, subject to the conditions hereinafter specified, shall be granted for the following reasons:

A. The request is for approval of a Conditional Use Permit for the operation of a massage establishment located at 3950 Hardwick Street, #206, Lakewood, all as shown on Exhibits "A" and "B."

B. The proposed use is found to be in conformity with the goals of the General Plan, and with the Commercial land use designation.

C. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and it has been found that the proposed massage establishment will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures, provided the conditions herein contained are implemented and complied with in total.

D. Lakewood Boulevard and Hardwick Street are adequate in width and improved as necessary to serve the traffic generated by the site. No adverse effect is anticipated on existing roads and circulation as a consequence of this application.

E. The subject site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features required by the Code. The site provides adequate off-street parking capacity to accommodate the parking requirements of the subject use in addition to existing businesses at the site.

F. Notification of the public hearing for this Conditional Use Permit was published on the City of Lakewood's web page, was posted and mailed to property owners within a 300-foot radius, pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State Law.

SECTION 4. The Planning and Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit No. 1022 provided, however, the following conditions are observed and complied with at all times:

A. Compliance with these conditions shall commence upon the initial opening of this business or as specified herein and not thereafter violated or deviated from except where authorized by amendment to this Resolution adopted in accordance with the provisions of this Resolution and the Municipal Code. The granting of this Conditional Use Permit and this Resolution, and any modification or change thereof, shall not be effective for any purpose until a certified copy of this Resolution (exhibits excluded) has been recorded in the office of the Los Angeles County Recorder. The granting of this Conditional Use Permit, subject to the conditions herein set forth, are binding on the heirs, assigns, and successors in interest of the applicant and their heirs, assigns and successors in interest.

B. The applicant shall comply with all federal, state and local laws, including, but not limited to, Lakewood Municipal Code Sections 6402.I, 9302.31.C, 6402.I.8, 9340.C.5, 9347.A, and 9350.A. Material violation of any of those laws in connection with the use will be cause for modification or revocation of this permit.

C. Approval for the operation of a massage establishment located at 3950 Hardwick Street, #206, shall be based on Exhibits "A" and "B."

D. This CUP shall be subject to a six-month review from the date of the initial opening of the

business to ensure that the use is complying with the requirements contained in this Resolution and to allow input from the Director of Public Safety and/or the Los Angeles County Sheriff's Department for any concerns that may arise.

E. No person shall practice massage as a masseur, employee or otherwise, unless he has a valid and subsisting masseur's business permit issued to him pursuant to Section 6402.I of the Lakewood Municipal Code and lawfully possesses a valid certificate issued by the California Massage Therapy Council designating him as a Certified Massage Therapist or a Certified Massage Practitioner pursuant to Section 4600 et al of the Business and Professions Code. Material violation of this condition will be cause for modification or revocation of this conditional use permit.

F. The owners of the massage establishment shall be fingerprinted and pass a background check. A second background check is not required of an owner of a massage establishment who previously passed a background check with the City of Lakewood to obtain a business license for that massage establishment, unless the Los Angeles County Sheriff's Department expresses in written correspondence to the City of Lakewood that there is just cause to require a new background check. This Conditional Use Permit shall become null and void if the owner of the massage establishment does not pass the background check within 90 calendar days from the date the background check application is submitted.

G. A California Massage Therapy Council (CAMTC) designated Certified Massage Therapist (CMT) or a Certified Massage Practitioner (CMP) shall be on the premises during all hours of operation.

H. The owners and/or managers of this massage establishment shall communicate to all persons working within the business the importance of professional business practices and the requirements of this Conditional Use Permit as part of the initial orientation of those workers.

I. No alcoholic beverages are allowed on the premises and no person who appears to be intoxicated or under the influence of a controlled substance, unless prescribed by a licensed physician, shall be granted service in the massage establishment.

J. The hours of operation shall be no earlier than 7:00 a.m. and no later than 10:00 p.m., daily.

K. No massage business permittee or other person shall permit any person under the age of eighteen (18) years to come or remain on the premises of this massage business establishment as a masseur, employee or patron unless such person is on the premises for other lawful business. In the instance where the client seeking treatment is under the age of eighteen (18) years, they shall be allowed on the premises only when accompanied by their parent or legal guardian, who shall remain on the premises and within sight of the underage client.

L. Photographs, literature or artwork of a sexual nature shall not be used as a means of

advertisement for the business, including on the internet, nor shall such materials be made available for any patron to view inside the establishment.

M. Managers of this massage establishment shall maintain an ongoing liaison relationship with the Los Angeles County Sheriff's Department and the Planning Section of the Lakewood Community Development Department to facilitate communication and prevent crime. Managers of this massage establishment shall ensure that their current contact information, including contact name, phone number, and mailing address is on file with both agencies at all times and shall respond in a timely manner to requests for information from either agency.

N. The owner shall immediately report any changes or transfers of masseurs employed at this location, including current employees, to the City and the Los Angeles County Sheriff's Department. This includes when employees begin work at the business and when they terminate employment at the business.

O. All masseurs shall display their current, original CAMTC certificate within the entry/reception area upon initial opening of this business. All subsequent new masseurs shall display their current, original CAMTC certificate within the entry/reception area upon the first day of work at this location.

P. The applicant shall sign a written statement stating that he/she has read, understands, and agrees to the conditions of the granting of this Conditional Use Permit within twenty (20) days of the adoption of the Resolution approving the same, or this approval shall become null and void.

Q. **Effective Date.** The action by the Planning and Environment Commission in this matter shall be final, conclusive, and effective ten (10) calendar days after the giving of official notice of approval, as provided in Section 9403.2 of the Lakewood Municipal Code (LMC), unless within that ten (10) calendar day period an appeal in writing is filed with the City Clerk by the applicant or by any person who protested the application as a matter of record, and who, in addition, received or was entitled to receive the written notice specified in LMC Section 9422. The filing of such an appeal within such time limit or the request for review of such a decision within such time limit shall stay the effective date of the order granted until the City Council has acted on the appeal or other approval review.

R. **Acceptance.** By signing a statement and/or orally accepting the terms and provisions of this conditional use permit during the public hearing and as further recorded as entered into the minutes of these proceedings, the permittee thereby acknowledges all of the conditions imposed and accepts this permit subject to those conditions with a full awareness that the violation of any of the conditions could subject permittee to further hearings before the Planning and Environment Commission on the issue of possible modification and/or revocation. Furthermore, the applicant shall sign a written statement stating that they have read, understand, and agree to the conditions of approval within ten (10) City business days following official notice of the adoption of this Resolution of Approval for Conditional Use Permit Number 1022.

S. **Modification/Revocation.** This Conditional Use Permit may be modified or revoked by the City Council or the Planning and Environment Commission at a public hearing, should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare and/or materially injurious to property or improvements in the vicinity of the subject property and/or if the property is operated or maintained so as to constitute a public nuisance.

T. **Indemnification.** The applicant agrees to indemnify, hold harmless and defend the City, its officers, agents, and employees at the applicant’s expense from any and all liability or claims that may be brought against the City arising from its approval of this permit, and/or arising out of the operation of any business, land use or activity on the subject property, save and except where such are caused by the City’s active negligence.

U. **Compliance.** The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the construction and/or operation of any activity or land use on the subject property may be cause to justify modifications or revocation of this conditional use permit by the Lakewood Planning and Environment Commission or City Council at a public hearing.

ADOPTED AND APPROVED this 2nd day of May 2024, by the Planning and Environment Commission of the City of Lakewood voting as follows:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

Chairperson

ATTEST:

Abel Avalos, Secretary

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APPLICATION FOR: Conditional Use Permit No. 1023
LOCATION: 4142 Paramount Boulevard
APPLICANT: Emil Takla
PROPOSED USE: Tobacco and Nicotine Product Sales
ZONING: C-4 (General Commercial)

INTRODUCTION

The applicant, Emil Takla is requesting approval of Conditional Use Permit (CUP) No. 1023 for the establishment of a Tobacco and Nicotine Product Sales facility. The site is located at 4142 Paramount Boulevard and is in the C-4 (General Commercial) zone. The request is being made pursuant to Lakewood Municipal Code (LMC) Section 9350.B.12, which allows for the establishment of Tobacco and Nicotine Product Sales, provided that a CUP has been obtained and remains in full force and effect.

STATEMENT OF FACTS

Area Description

The proposed use will occupy a tenant space within a commercial center (see Vicinity Map and Aerial View). The closest residential property is 30 feet north of the site, across a 30-foot-wide public alley. The following table lists the land uses and zoning designations for the site and the surrounding properties.

AREA	EXISTING LAND USE	ZONE DESIGNATION
Subject Site	Commercial Center	C-4 (General Commercial)
North	Single-Family Residential	R-1 (Single-Family Residential)
East	Single-Family Residential	R-1 (Single-Family Residential)
South	Dental Office, Drive-Thru Restaurants, Carwash	C-4 (General Commercial)
West	Commercial Center, Apartments	C-4 (General Commercial) M-F-R (Multi-Family Residential)

Site Description.

The General Plan designates the site for Commercial uses, and the site is within the C-4 zone. The 1,120 square-foot tenant space is located at 4142 Paramount Boulevard within a one-story commercial building on the east side of Paramount Boulevard, just north of Carson Street. The commercial building contains seven tenants including a liquor store, a barber shop, the tenant space, a party rental store, a nail salon, a sandwich shop, and O’Connor’s Irish Pub. There is a small parking area with 27 parking spaces on the west side of the building, and there is a larger

111-space parking lot at the rear of the building. There are 138 parking spaces on the site. A public alley provides access to both parking lots and to the single-family residential areas to the north and east (see Exhibit "A").

The tenant space includes a customer area with display cases, a 180 square-foot office/storage room, and a restroom. A rear door provides access to the rear parking lot (see Exhibit "B"). The proposed hours of operation are from 8:00 A.M. to 6:00 P.M., daily. Initially, the applicant will operate the business and will later hire another employee. Employees must be at least 18 years of age. The store will sell cigarettes, cigars, loose tobacco, pipes, lighters, vaping supplies, and other tobacco related merchandise. Marijuana will not be sold from this business. The proposed Resolution of Approval contains a condition prohibiting the sale of marijuana.

Code Requirements

LMC Section 9401, et seq., establishes the basis for approval or denial of a conditional use permit. LMC Section 9401.A. sets forth the principles and standards that each case must comply with to be granted a conditional use permit. A review of the subject application, considering Subsection A, reveals the following:

1. *The proposed conditional use shall not be in substantial conflict with the General Plan.*

The General Plan designates the area as Commercial. The proposed business is commercial in nature, and therefore, is in conformity with the General Plan designation of the site.

2. *The nature, condition, and development of adjacent uses, buildings, and structures shall be considered, and no Conditional Use Permit shall be permitted where such will adversely affect or be materially detrimental to said adjacent uses, buildings, or structures.*

The closest residential property to the proposed use is a single-family residence approximately 70 feet to the north and an apartment development approximately 140 feet across Paramount Boulevard to the west. The proposed hours of operation will be from 8:00 A.M. to 6:00 P.M., daily. The proposed Resolution of Approval does not restrict the hours of operation.

3. *The site for a Conditional Use Permit shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features required by this chapter, or as required as a condition in order to integrate such uses with the uses in the neighborhood.*

The proposed use is adequate in size and shape to accommodate the proposed use with all required yards, walls, fences, and loading facilities. There are sufficient parking spaces to accommodate the proposed conditional use.

4. *The site for the conditional use is served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.*

The site is served by Paramount Boulevard and a public alley. The General Plan Circulation Element classifies Paramount Boulevard as a major arterial roadway. The Lakewood 2022 Traffic Census shows that the segment of Paramount Boulevard between Del Amo Boulevard and Carson Street had an average daily traffic (ADT) count of 24,842 vehicles. The previous use was a barber shop with the same parking requirement, and no significant change in traffic is anticipated as a result of this application. Paramount Boulevard and the public alley are adequate in width and improved as necessary to accommodate the traffic generated by the proposed conditional use amendment.

5. *That all other conditions and limitations imposed by this chapter in connection with the proposed application for a Conditional Use Permit have been made.*

Section 9350.B.12.(a) specifies that no CUP shall be issued for a tobacco and nicotine product sales facility within one thousand (1,000) feet of the property boundary of any church, public or private school, or college, library, public playground or park, building and facilities owned and maintained by any public entity for the public use, or any noncommercial establishment operated by a bona fide religious organization, or any establishment likely to be used primarily by minors. The proposed use is more than 1,000 feet away from any sensitive land use listed in Section 9350.B.12.(a).

Development Review Board

The Development Review Board (DRB) reviewed the CUP application for this business on April 22, 2024 (see attached letter for DRB Case No. 9244). The DRB letter included conditions for compliance with conditions of operation, parking and circulation, waste collection, site security, and property maintenance. The proposed Resolution of Approval requires that the property owner and/or the property management company shall prepare, submit, and obtain approval of a Public Safety and Security Plan (PSSP) with the Lakewood Public Safety Department prior to final inspection. The DRB conditions contained in the action letter for DRB Case No. 9244 are incorporated by reference in the proposed Resolution of Approval.

Code Enforcement Service Requests

There are no open service requests or code enforcement cases for this location.

Law Enforcement

The Director of Public Safety and the Sheriff's Department reviewed the proposed conditional use and recommends approval subject to recommendations which have been incorporated into the proposed Resolution of Approval as conditions of approval (see attached correspondence dated April 18, 2024). The Sheriff's Department recommended conditions are:

- 1) Ensure that individuals do not loiter in the establishment.
- 2) Ensure tobacco and nicotine products are not sold to minors by requesting proper identification.
- 3) If any criminal activity is observed by staff, notify law enforcement.
- 4) Ensure state of the art surveillance equipment is installed both interior and exterior of the business.

Conditional Use Permit No. 1023

May 2, 2024

Page 4

CEQA

The proposed project is Categorically Exempt pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines, as amended. Class 1 consists of the operation, repair, maintenance, and permitting, leasing, licensing, or minor alteration of existing public or private structures.

Notification

Notification of the public hearing for Conditional Use Permit No. 1023 was posted on the City's webpage, mailed to property owners within a 300-foot radius of the subject property, posted at the subject site, and in three public places on Thursday, April 18, 2024, pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State Law.

SUMMARY

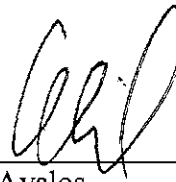
The applicant is applying for a CUP to establishment of a Tobacco and Nicotine Product Sales facility. The subject use will be in compliance with the appropriate standards of the Lakewood Municipal Code. The project is Categorically Exempt from CEQA pursuant to Section 15301.(a) of the CEQA Guidelines.

RECOMMENDATION

Staff recommends that the Planning and Environment Commission hold a public hearing and following the hearing move to adopt the proposed Resolution approving CUP No. 1023, subject to the findings and conditions contained therein and approve the associated Categorical Exemption.



Paul Kuykendall, AICP
Senior Planner



Abel Avalos
Director of Community Development

ATTACHMENTS

- 1) Memo from Director of Public Safety and Sheriff's Department
- 2) Development Review Board Letter dated 4/22/2024 (DRB Case #9244)
- 3) Vicinity Map
- 4) Aerial View
- 5) Exhibit "A" – Site Plan
- 6) Exhibit "B" – Floor Plan
- 7) Proposed Resolution of Approval



April 22, 2024

DRB RECOMMENDATION TO PEC

Robert Pyke/ Integrated HCM
P.O. Box 1823
Lomita, CA 90717
E-mail: BPpyke7@gmail.com
(562) 225-2370

Emil Takla
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DRB CASE NO. 9244/ Unnamed Tobacco Store

CUP No. 1023 Recommendation

Site: 4142 Paramount Boulevard, Lakewood, CA 90712

Project Description (“Project”): Establish a 1,050 SF retail store to sell tobacco and other nicotine related products along with accessories and other goods.

The proposed “Project” (*listed above*) with related plans has been reviewed by the Development Review Board (“DRB”) and they hereby **RECOMMEND APPROVAL to the Planning and Environment Commission (PEC)**, of Conditional Use Permit (CUP) Number 1023 to establish the land use and to allow the construction and operation of the Project, subject to the conditions listed below. This recommended action was taken by a unanimous vote of a quorum of the Development Review Board (DRB) in consideration that all the required findings specified by the Lakewood Municipal Code (LMC) Section 9484.1 are being made in a positive manner that support the development and operation of the Project, as specified.

This action is not appealable as it is an advisory recommendation only. The Development Review Board is recommending to the PEC the following conditions, which if adopted by the PEC shall be completed by the applicant on an ongoing basis to the satisfaction of the Community Development Department:

CEQA FINDING. The DRB recommends to the PEC to find that this Project is exempt from the State of California Environmental Quality Act (CEQA) as authorized by Public Resources Code Section 21084 and as implemented by the CEQA Guidelines (*California Code of Regulations, Title 14 Natural Resources, Division 6 - Negative Declaration Process, Chapter 3 CEQA Guidelines, Article 19 – Categorical Exemptions*), based on the following:

Existing Facilities: *Section 15301 (a), Class 1 Existing Facilities.* The Project involves the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structure. The Project includes renovation of an existing building, and the project area has all public services available and is not environmentally sensitive.

NOE: A Notice of Exemption (NOE) may be prepared and recorded based on this finding, if requested by the applicant.

Lakewood

LAND USE/PROJECT APPROVAL.

1. **Project Description.** The following project and land use ("Project") is recommended to be approved by the PEC to:
 - a. Operate a retail sales operation with tobacco and nicotine products and related accessories and other goods, subject to the regulations of LMC Section 9350 et. seq. for the C-4 zoning district, including LMC subsection 9350B.12, regarding such tobacco/nicotine sales.
 - b. Install signage program. (*Approved by separate staff approval procedure.*)
 - c. **Conditions of Operation - Age Restrictions:** California Penal Code Section 308 (a) and the STAKE act applies and there shall be no sale of tobacco or tobacco paraphernalia, including electronic cigarettes to anyone under the age of 21 and all of these shall not be within the reach of anyone under the age of 21 at any time. All sales staff shall be over the age of 21.
2. **Permits.** The applicant shall submit building plans for plan check review, obtain permits, construct the Project as described in accordance with the DRB approved plans, and obtain successful final inspections. The site improvements and approved land use shall be constructed and operated in accordance with the following reviews and documents:
 - a) **DRB Actions.** The DRB approved plans, these conditions of approval, other related drawings, and documents (*All as on file with the Community Development Department.*)
 - b) **Los Angeles County Building and Safety.** Comply with all California building, and construction codes as currently and most recently adopted by the City of Lakewood and the County of Los Angeles, including but not limited to building, structural, mechanical, electrical, plumbing, Title 24, and the green codes. (*Property owner should receive and retain a copy of the city-signed final inspection card prior to contractor's final payment.*)
 - c) **Los Angeles County Fire.** Comply with any required County Fire plan reviews and inspections. This is independent from the Building and Safety review and needs to be submitted separately.
 - d) **Los Angeles County Fire and Public Health.** Comply with any required County Public Health plan reviews and inspections. This is independent from the Building and Safety review and needs to be submitted separately. Any food storage/preparation uses shall obtain approval from LA County Public Health.
 - e) **Lakewood Public Works (PW).** Comply with any required encroachment permits, construction debris hauling and 3-stream waste collection programs.
3. **Compliance.** All existing structures shall be properly permitted and sited in compliance with the Lakewood Municipal Code. Any non-complying structures shall either be removed or properly permitted, prior to final inspection of the requested improvements.
4. **Paint.** The applicant shall paint any new additions and repaint existing structures, if needed to blend. Any exterior portion of any structures that has cracked, faded, stained, or peeled paint shall be repainted now and in the future. The applicant shall maintain the exterior in a clean aesthetic pleasing manner at all times.
5. **Address Numbering (Public Safety/CD).** Address numbers for commercial buildings shall be 6' or taller and clearly visible to emergency staff from the street. A painted 3-foot-tall address number on the roof is recommended for aerial viewing by the Sheriff's helicopter.

6. Signage and Façade Preparation. All signage is required to be reviewed and approved by the Community Development Department staff and shall be submitted as a separate application. Prior to wall sign installation, the wall façade behind a proposed wall sign shall be properly patched and fully repainted to be one continuous color across the full surface of the wall. There shall be no visible shadowing or silhouette of any previous sign. The sign installer is required to obtain a final inspection of the installed sign. (*NOTE: The applicant should withhold final payment to the sign contractor, pending receipt of a city-signed final inspection.*)
7. Storage Containers (Community Development). There shall be no shipping containers placed on the site as a source of temporary storage for goods without a temporary use permit issued by the Community Development Department. Any containers allowed by such a permit shall be removed in accordance with the time limits imposed by the temporary use permit. Any use of such containers used for the storage of Project construction materials and tools shall be removed prior to final inspection of the Project. Any permanent use of such containers shall be approved by planning staff and installed in accordance with the Building Codes.
8. Exterior Light Fixtures. Exterior lights shall comply with LMC Section 9492.I, which requires exterior lighting to be angled and shielded in a manner so as not to reflect direct or indirect light upon adjacent roadways or any abutting or adjacent properties, with a maximum light spill of 0.5-foot candles at grade level of each property line.
9. Operational Impacts. No activity associated with the construction, maintenance, or operation of the approved project and land use shall be conducted in such a manner that it generates excessive noise, glare, odor, dust or ground-borne vibration that impacts adjacent properties. Stationary-sourced noise generated from equipment and uses on the site shall not exceed 65 dBA at any adjacent property line.

PARKING AND CIRCULATION. (*Community Development*)

Note: This shopping center was recently remodeled, and all the tenant spaces were evaluated at that time for sufficient parking for general retail use (1 space for every 250 SF @ 1,050 SF – this store requires 5 parking spaces, and these are provided).

10. Fire Lane (LA Co. Fire). A fire lane (Minimum 28-feet wide) shall be maintained in a clear and unobstructive manner at all times around the perimeter of the entire building. There shall be no temporary or permanent storage in this area. In addition, there shall be no storage of combustible materials within eight (8) feet of any property line.
11. EV Capable Parking Spaces. The property owner is encouraged to address the increasing demand for parking spaces with the addition of some electrical vehicle charging capacity.

WASTE COLLECTION AND DISPOSAL. (*Public Works*)

12. Construction Debris. Any construction activities that involve hauling away demolition and construction debris shall be approved by the Lakewood Public Works Department through the Green Halo debris disposal monitoring system. The city has an authorized hauler, which is currently EDCO. Any debris self-hauling requires preapproval by the City and shall be hauled to a city approved disposal facility with mandatory submittal of the waste haul receipts to the city to satisfy state regulations. Any failure to do so shall result in significant fines and penalties, including possible revocation of building permits and business licenses of the project contractor and any subcontractor involved in any activity related to such hauling.

13. Waste Collection Program (WCP). The construction debris collection program, solid waste/recycling/organic waste collection program, and trash enclosure standards shall comply with current City and State requirements. Prior to final inspection and/or occupancy of the proposed land use, the property owner or their representative shall prepare and obtain approval of a written Waste Collection Program ("WCP") that is acceptable to the satisfaction of both the City Public Works Department and EDCO, the city's franchised waste hauler.

The WCP shall include:

- a) Types, size, and location of bins, as well as the frequency of pickup to satisfy volume.
- b) There shall be sufficient capacity and storage areas for all required forms of collection. This includes all three normal waste streams of 1) solid waste, 2) required recycling (*split bin is possible*), and 3) required organic waste (*food and green landscape waste*.)
- c) The use of a trash compactor, cardboard bailer, or other alternative on site storage of recycling waste shall be identified and approved in the written WCP.
- d) Any self-haul operation shall be listed in the WCP and approved separately by Public Works. These services shall be provided at no expense to the property and shall meet the city reporting requirements as specified in the Lakewood Municipal Code Sections 5356 and 5357. The information shall include the hauler name, the city approved disposal facility to which it is being hauled and the frequency and estimated volume of such hauled waste material. The self-hauler shall be required to provide waste haul receipts to the City from the disposal facility and failure to do so shall result in penalties.
- e) Trash enclosure maintenance shall be continuous with all trash stored inside the authorized collection devices. No spillover or other external storage of debris or waste is allowed. Employees shall be instructed not to overfill bins and keep the trash enclosure doors closed and always locked to prevent unauthorized dumping or scavenging.
- f) Trash enclosure access shall be maintained at all times and not be blocked by vehicles or other obstructions.
- g) Trash bin location shall either be inside the building OR in an exterior fully secured, roofed, and lockable trash enclosure, whose design is approved by both the Lakewood Public Works Department and the Community Development Department. There shall be no unscreened and/or unsecured exterior storage of waste materials.
- h) Disposal vehicle (*trash truck*) access design shall include: a minimum 42-foot turn radius for any turns, a maximum 100-foot backout drive, a minimum 20-foot height clearance in front of enclosure for lifting operations, and a minimum 10' x 10' reinforced cement pad in front of enclosure for bin operations, capable of supporting 20-tons of stationary weight.
- i) Trash enclosure design shall comply with current city guidelines to have a fully secured trash enclosure with provisions for all three waste streams (*i.e., solid, recycling, and organic food/green landscape waste*) as follows:
 - 1) Walls shall be constructed of solid materials (*e.g., CMU block or other approved*.)
 - 2) Rainproof roof that is tall enough to accommodate fully opening the top of the bins (*Minimum 8' tall for 3 cu. yd.*)
 - 3) Welded wire mesh between the roof and wall with no gap greater than two inches.
 - 4) Enclosure floor should not drain to a storm drain.
 - 5) Lockable entry door with a spring or hydraulic door closer.
 - 6) Wheel stops or bollards shall be installed inside perimeter to prevent wall damage.
 - 7) Illumination of the trash enclosure area is recommended to reduce vandalism.

14. Parking Lot Litter. Parking lot areas shall be maintained daily and kept litter free. There shall be a minimum of one trash barrel and one recycling bin per 100 spaces (*Min. 20 gallon each.*) The trash barrels shall be lined with heavy-duty plastic trash bags that are monitored daily and emptied when full. Where possible solid and recyclable waste shall be separated. There shall be one set on both the east and west side parking lots.
15. Enclosure Retrofit. By July 1, 2025, the property owner or tenant shall retrofit the existing trash enclosure to comply with the current city guidelines for a fully secured trash enclosure, as listed above. Alternatively, the property owner or tenant shall keep all trash bins and waste inside the building. Failure to comply with these requirements shall result in the City withholding the issuance of a business license renewal for FY 2025-2026 to the project business. The Community Development Director may extend this deadline if needed.

LANDSCAPING

16. Existing Landscape. Upon completion of construction activities and prior to final project inspection, all existing landscape areas shall be replaced or revitalized. All planters shall be weed free and properly maintained. All shrubs shall be hedged up and trees shall be professionally trimmed, laced and thinned. Mulch shall be applied at the rate of four cubic yards per 1,000 SF of landscaped area with a minimum of three-inch-deep layer of mulch on areas without ground cover.

SITE SECURITY, (*Public Safety Department*)

17. Facility Operations. The facility shall be well-lit, clean, and organized to create a safe environment for customers. Sufficient lighting of the exterior of the premises shall be provided, including adjacent public sidewalks and parking lots. There shall be no storage of goods that obstructs or blocks access to any doorway.
18. Public Safety and Security Plan. The property owner, representative or tenant shall prepare, submit, and obtain approval of a Public Safety and Security Plan (PSSP) to the satisfaction of the Lakewood Public Safety Department (PSD), prior to final inspection/occupancy. The PSD shall review the PSSP in coordination with the Los Angeles County Sheriff's Department (Sheriff's Department). Tenant/property management shall establish an on-going liaison relationship with members of the Sheriff's Department and the Lakewood PSD staff, so that communication can be timely and effective when problems occur. All security protocols for the property shall be provided to the PSD and the Sheriff's Department.

The PSSP shall include:

- a) Letter of Agency. Property owner/tenant shall sign a Letter of Agency with the Sheriff's Department to authorize on-site enforcement for loitering, trespassing, vandalism, etc.
- b) Parking Lot Signage. If determined appropriate by the PSD, the following shall be posted:
 - 1) "NO LOITERING" signs around the business, and aggressively discourage any loitering, including homeless encampments.
 - 2) "NO OVERNIGHT PARKING" along with citations of appropriate codes to facilitate towing and vehicle removal. PSD shall approve the wording, prior to installation.
- c) Site Lighting. The lighting shall not exceed .5 foot-candles at the property line. There shall be sufficient lighting around the exterior perimeter of the premises and the exterior of all structures to illuminate the areas sufficiently for security camera resolution for both facial and license plate recognition. The parking lot area, trash enclosures, and loading dock areas and adjacent public sidewalks shall have lighting.

- d) Alarm/Panic System. The applicant shall install an alarm and panic egress system.
- e) Silent Alarm System. The applicant shall install a "state of the art" silent alarm system to allow staff to promptly report crimes in progress to the Sheriff's Department.
- c) Service Doors. Any service doors shall be equipped on the inside with an automatic locking and alarm device. These doors shall always be closed, except for deliveries.
- f) POS View. Facility windows and doors shall continuously maintain a clear view from the street or adjacent driveways to the point-of-sale (POS) cash register(s). Clear windows and doors shall not be covered with advertising, signage, decals, etc. except those required by state and local laws. This is a safety requirement to allow security and sheriff patrols to have a clear and unobstructed direct line of sight from their vehicles to the POS store clerk, the interior of the store, the cash register area, and all persons in and around such counter space to enhance public safety. Any judgment regarding an "obstruction" shall be at the discretion of City PSD and/or Sheriff's Department.
- g) Security Systems. A state-of-the-art security system shall be installed for both the interior and exterior store operations, which will combine motion detectors, contacts at doors, audio alarm, and a 24-hour, closed circuit video camera surveillance system. This system shall include 1) video cameras with audio capabilities, 2) color monitors mounted in view of customers with a minimum resolution of 480 x 720, 3) additional monitors in the back rooms, 4) alarm /panic systems shall be equipped with both fixed and remote devices and 5) required secured storage of video data for a minimum of 30 days or more, preferably monitored and stored at an off-site location. The storage medium shall be secured and not easily removed by store employees under duress or by unauthorized persons. Employees shall be trained to provide data to the Sheriff's Department.
- h) Surveillance Camera System. The security camera system shall include motion detector cameras that have pan and zoom capability with sufficient resolution for facial and license plate recognition to assist with criminal investigations. A camera floor plan shall be submitted for internal operations and a camera site plan shall be submitted for external operations. Both shall identify locations and areas of camera coverage and shall be approved by the PSD prior to installation and shall be installed and operational prior to final inspection of the Project. The system design should meet or exceed the following specifications:
 - Resolution of 1080p (1920 x 1080 pixels) at 30 FPS (frames per second.)
 - Recognizable field of view (FOV) shall be a minimum 90 degrees or wider.
 - Recognizable video capture with IR Lighting under 2 lux lighting conditions.
 - Capture recognizable facial and license plate video at a minimum of 15 feet.
 - Include motion detector cameras with IVS (Intelligent Video Surveillance.)
 - Include cameras with pan and zoom capabilities.
 - Camera enclosures shall have IP ratings above 3 for both projectiles/dust and water.

MAINTENANCE. (Community Development)

19. General Maintenance. Commercial/Industrial property owners are required to always maintain their commercial/industrial buildings and surrounding landscaping properly in an aesthetically pleasing manner and in compliance with the Lakewood Municipal Code (LMC Sections 4323 and 4221.1.) This means proper and continuous maintenance of all landscaping and structures including all buildings, roofs, painting, walls/fences, ADA paths-of travel, parking lot surface, striping, and on-site circulation markings and signage.

- a) ADA markings that are adjacent to or that cross driveways shall be outlined with a three inch (3") white line on the outside of the blue ADA border stripe to increase visibility.
 - b) Any cracked, faded, stained, or peeling surface shall be repaired and repainted.
 - c) All exterior surfaces shall be regularly repainted to provide a new appearance.
 - d) There shall be no dead, diseased, missing, or overgrown vegetation. Vegetation shall be properly trimmed in proportion to adjoining structures and shall not encroach onto or into public sidewalks or roadways. Drought tolerant plants do require trimming.
 - e) All ground surfaces shall be covered with either structures, hardscape, landscape, or mulch that is a minimum 3" in depth
 - f) Landscaping shall be revitalized periodically.
20. Maintenance - Graffiti and Stickers. The property owner is responsible to remove all graffiti and stickers in a timely manner no longer than ten (10) calendar days from discovery and notice thereof from any source. Any paint-over repair of graffiti shall cover the entire area top to bottom and continuously blend with the adjacent surface. It shall not leave the appearance of a patchwork cover up.

MISCELLANEOUS. (*Community Development*)

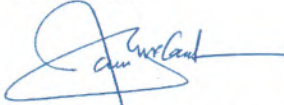
21. Business Licenses. All contractors, including subcontractors, sign installers, and tenants shall have properly issued city business licenses, as confirmed before final inspection.
22. Effective Date of Action. This PEC action shall become final, conclusive, and effective after ten (10) City business days have lapsed, unless appealed, following the delivery of the notice of action via e-mail, a documented in-person delivery or the day such notice is deposited into the United States Postal Service mail system to the property owner, the applicant, and any other person requiring or requesting such notice (*e.g. city council.*)
23. Appeal Procedure. The effective date this PEC action shall toll and not become effective if a properly prepared written appeal (*with appropriate fees*) is filed with the City Clerk by any interested party, prior to the effective date. A properly prepared appeal shall detail in writing the manner in which the PEC failed to: a) justify an approval with appropriate findings, b) adequately evaluate the project; and/or c) appropriately establish conditions of approval that sufficiently mitigated identified impacts to a non-significant level. The appeal shall state the remedy requested (*e.g., project modifications, revised conditions, or project denial.*)

Advisory Notes. *The DRB advises that:*

- Construction Debris. *Construction activities that involve hauling away demolition or construction debris require approval by the City Public Works Department's Green Halo program. The city has an authorized hauler, which is currently EDCO.*
- Stormwater Protection. *Any construction or operational activities that could potentially result in any water leaving the site as drainage shall be coordinated with the City Public Works Department to assure proper procedures have been implemented (e.g., installation of waddles, silt fences and track-out devices.)*
- Temporary Banners. *(e.g., Now Open, Grand Opening, Sale, etc.) require a separate permit with a deposit and shall be removed before the allowed permit time expires.*
- Unauthorized Signs. *Roadside flag signs, A-frame/moveable signs, yard signs, pennants, balloons, inflatables, vehicles or trailers being used as portable signs, human sign twirlers and mechanical mannequins are **NOT ALLOWED.***

Should you have any further questions concerning this matter, please do not hesitate to contact the Assistant Director of Community Development, J. Patrick McGuckian, at (562) 866-9771, extension 2302.

Sincerely,



J. Patrick McGuckian, AICP

Assistant Director of Community Development

Copies to: Building and Safety, Public Works, and Public Safety

PLAN CHECK REVIEW AND BUILDING PERMIT ISSUANCE

City of Lakewood – Community Development Department

Contact the Assistant Director at (562) 866-9771, Ext. 2302 for any questions.

When you receive a Planning and Environment Commission Action Letter, and an approved set of plans then complete the following to submit your construction drawings to the Los Angeles County Building and Safety Online Plan Check system (“BSOP”) for plan check review and issuance of building permits.

DO NOT SUBMIT TO BSOP until you have stamped plans titled “Planning Approval”**APPLICANT WILL (Designer or Property Owner):**

1. **Assemble** the following PDF files that are each less than 15MB. Do not submit individual plan sheets. Combine all plan sheets into a single plan file and submit together to include:
 - a) **PLANNING PLANS** – Plans titled “**Planning Approval**” with approval stamps that start with an 8.5”x11” inspector’s copy of site plan with official zoning compliance description and followed by a full-scale site plan, floor plan, roof plan, and elevations of each side of the project structure.
 - b) **BUILDING PLANS** – All other plans required for building plan check (*e. g. framing.*)
 - c) **BUILDING CALCULATIONS** – Title 24 documents and engineering calculations.
2. **Establish** an account with the LA County Building and Safety Online Plan Check System (BSOP). <https://dpw.lacounty.gov/BSO/BSOP/> (*City contracts with LA County for plan check & inspections.*)
3. **Upload** the Planning Plans, Building Plans and Building Calculations into your personal account on the BSOP system, only after planning approval. (*Do not use the EPIC system.*)
 - a. The Plan Check Engineer (Plan Checker) will review the plans to assure that all documents are included. The Plan Checker will either accept it for processing or reject it with a list of missing items. The applicant will be notified within their BSOP account.
 - b. The Building Clerk will then generate a plan check file and send a request for plan check fee payment with a copy of that to the Administrative Services Department (ASD).
4. **Pay** the plan check fees to the ASD. This may be done by mailing a check payable to “City of Lakewood” to ASD or by credit/debit card by calling ASD at (562) 866-9771, extension 2622. The payment must be accompanied with the Building Clerk email regarding fees.
 - a. Upon payment of the fees, the plans are in a workload queue based on the date received.
 - b. The Plan Checker will identify any needed corrections in approximately 2-3 weeks and return their comments and corrections to the applicant through the BSOP system.
5. **Make** the requested plan corrections and resubmit the corrected plans through the BSOP. Once a corrected set of plans is approved by the Plan Checker, planning staff will transfer the approval stamps and confirm plan consistency. The applicant will be notified.
6. **Submit** an application for building permits to myplans@lakewoodcity.org. The Building Clerk processes the permit application, calculates the building permit fees, and sends the applicant an email with the amount of permit fees due.
7. **Pay** the required permit fees combined with the required business license fees for all contractors working on this project to ASD (*see step 5*). Also pay the “Construction of Dwelling Unit Tax” and record any required “Notice of Condition.” The building permits can now be issued to a licensed contractor or to a homeowner (*only on their primary residence*). Owners of commercial, rental or second homes are required to use a licensed contractor who must have a city business license.
8. **Keep** on the project site:
 - a. The official job card that was mailed to you for inspection signatures, and
 - b. One full set of the approved printed out construction plans and approved site plan.
 - c. Call for inspections at least one day before and only when the job is ready for inspection.
 - d. Confirm that final inspection is signed on the job card and the property owner has a copy to keep.



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



April 18, 2024

Mr. Thaddeus McCormack
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712

Dear Mr. McCormack:

The purpose of this letter is to advise you regarding the review of the Conditional Use Permit No. 1023 for a "tobacco and nicotine product sales establishment."

REVIEW OF CONDITIONAL USE PERMIT (CUP) 1023- Review of the application for Conditional Use Permit at "4142 Paramount Boulevard Lakewood, a "tobacco and nicotine sales establishment".

In reviewing the request, we could not see any negative, adverse law enforcement related issues as they would pertain to tobacco and nicotine sales. However, the area is problematic with homeless individuals.

Potential Problems:

- *Loitering
- *Sales to minors

It is the opinion of the Los Angeles County Sheriff's Department to approve the application of the Conditional Use Permit 1023. It is also recommended that the "tobacco and nicotine sales establishment" follow the recommended guidelines:

- *Ensure individuals do not loiter in the establishment
- *Ensure tobacco and nicotine products are not sold to minors by requesting proper Identification.

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —

*If any criminal activity is observed by staff, notify law enforcement.

*Ensure state of the art surveillance equipment is installed both interior and exterior of business.

If there are any further questions, you may contact Sergeant Gil Pacheco at (562) 623-3500.

Sincerely,

ROBERT G. LUNA, SHERIFF

A handwritten signature in black ink, appearing to read "Daniel Holguin". The signature is fluid and cursive, with a large initial "D" and "H".

Daniel Holguin, Captain
Lakewood Sheriff's Station

AERIAL VIEW

Greenmeadow Road

Alley

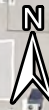
4142 Paramount Blvd.

SITE

Alley

Paramount Boulevard

0 37.5 75 150 Feet



CONDITIONAL USE PERMIT NO. 1023
4142 PARAMOUNT BOULEVARD
TOBACCO AND NICOTINE SALES

EXHIBIT "A"

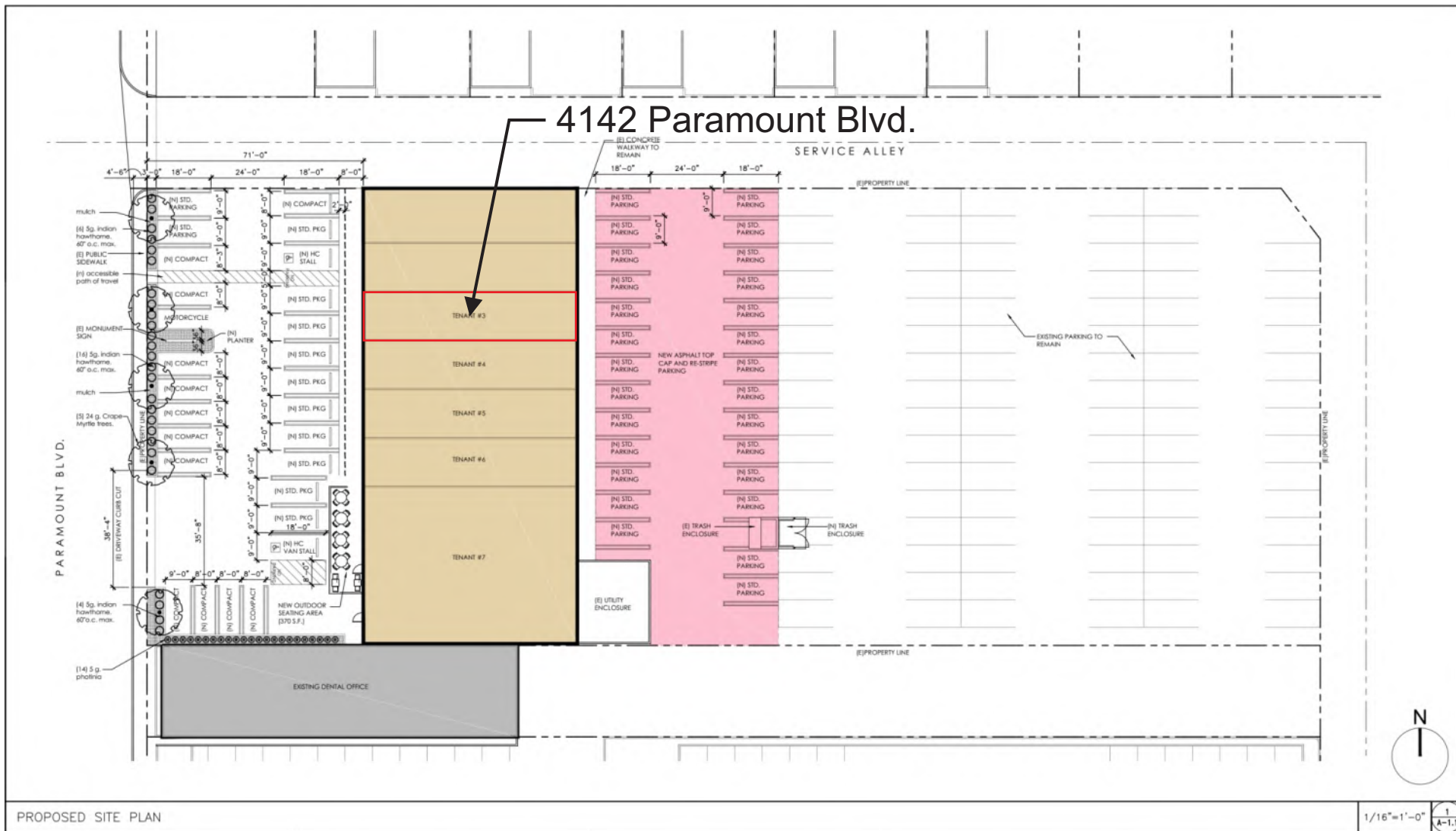
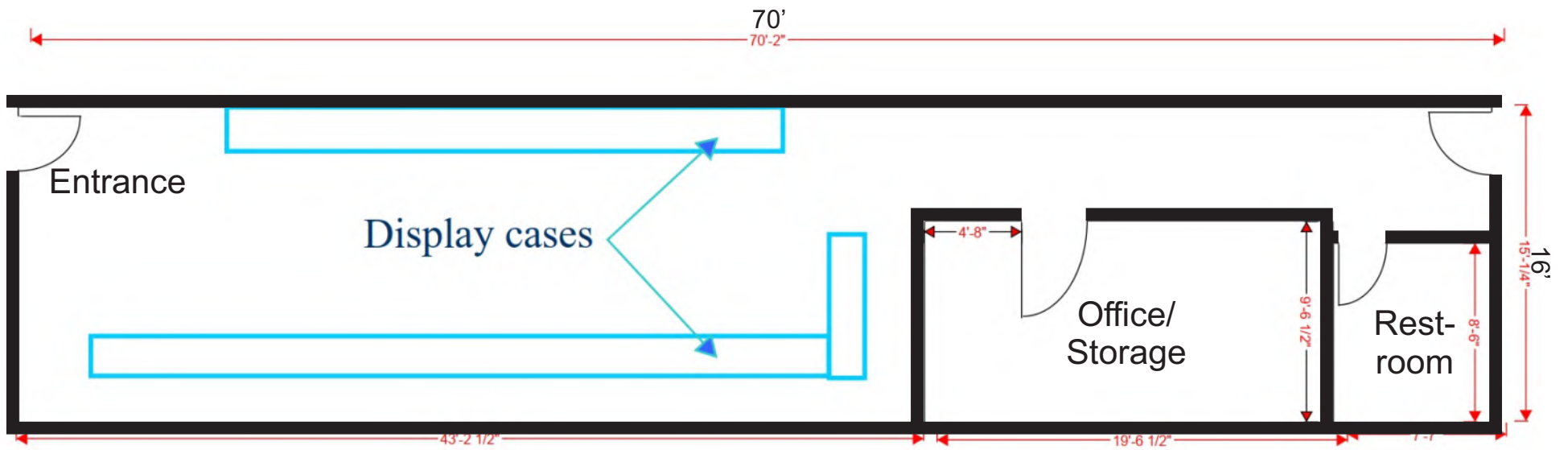


EXHIBIT "B"



NORTH

NTS

RESOLUTION NO. -2024

A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING APPLICATION FOR CONDITIONAL USE PERMIT NO. 1023 LOCATED AT 4142 PARAMOUNT BOULEVARD, LAKEWOOD, CALIFORNIA, FOR THE ESTABLISHMENT OF A TOBACCO AND NICOTINE PRODUCT SALES FACILITY AND THE CATEGORICAL EXEMPTION.

THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning and Environment Commission of the City of Lakewood, having had submitted to it the application of Emil Takla, lessee of the owners of an interest in the following described real property, requesting a Conditional Use Permit pursuant to the provisions under Sections 9302.17c, 9347.D.5 and 9350.B.2 of the Lakewood Municipal Code for the establishment of a tobacco and nicotine product sales facility, on that certain real property within the City of Lakewood described as Tract No. 17230, North 150 feet measured on West line of a portion of Lot 285, Assessor's Parcel No. 7151-024-021, and more particularly described as 4142 Paramount Boulevard, Lakewood, California, all as shown in the attached minutes and report of the Planning and Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning and Environment Commission does hereby find and determine as provided in this Resolution.

SECTION 2. The Planning and Environment Commission does hereby find that the proposed project is Categorically Exempt pursuant to Section 15301.(a), of the California Environmental Quality Act Guidelines, as amended.

SECTION 3. The Planning and Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning and Environment Commission in respect to said application on the 2nd day of May 2024, and the Planning and Environment Commission does hereby find and determine that the application, subject to the conditions hereinafter specified, should be granted for the following reasons:

A. The request is for approval of a Conditional Use Permit for the establishment of a tobacco and nicotine product sales facility located at 4142 Paramount Boulevard, Lakewood, all as shown on Exhibits "A" and "B."

B. The proposed use is found to be in conformity with the goals of the General Plan and the General Plan's Commercial land use designation of the site.

C. The nature, condition, and development of the adjacent uses, buildings, and structures have been considered, and it has been found that the proposed use will not adversely affect or be

materially detrimental to adjacent uses, buildings, or structures, provided the conditions herein contained are implemented and complied with in total.

D. Paramount Boulevard and the adjacent public alley are adequate in width and improved as necessary to serve the traffic generated by the proposed use. No adverse effect is anticipated on existing roads and circulation as a consequence of this application.

E. The subject site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features required by the Code. The site provides a sufficient number of parking spaces as shown on Exhibit "A," which can accommodate the parking requirements of the proposed use in addition to existing businesses at the site.

F. Notification of the public hearing for this Conditional Use Permit was published on the City of Lakewood's web page and was posted and mailed to property owners within a 300-foot radius pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State Law.

SECTION 4. The Planning and Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit No. 1023 provided the following conditions are observed and complied with at all times:

A. The conditions shall be complied with upon the initial opening of this business as described herein and not thereafter violated or deviated from except where authorized by amendment to this Resolution adopted in accordance with the provisions of this Resolution and the Municipal Code. The granting of this Conditional Use Permit and this Resolution, and any modification or change thereof, shall not be effective for any purpose until a certified copy of this Resolution (exhibits excluded) has been recorded in the office of the Los Angeles County Recorder. The granting of this Conditional Use Permit, subject to the conditions herein set forth, are binding on the heirs, assigns, and successors in interest of the applicant and their heirs, assigns and successors in interest.

B. Approval for the proposed use, located 4142 Paramount Boulevard, shall be based on Exhibits "A" and "B."

C. The proper permits shall be obtained from the Building and Safety Section for all interior and exterior work, prior to the commencement of such work. In addition, Development Review Board approval shall be obtained for all exterior improvements prior to obtaining proper permits and commencement of work, as applicable.

D. The business operator and/or all employees shall ensure that individuals do not loiter in the establishment.

E. No tobacco, nicotine products, tobacco paraphernalia, including electronic cigarettes, shall be sold to any person under the age of 21. The business operator and/or all employees shall request proper identification from customers to verify the age of persons purchasing tobacco and/or nicotine products.

F. All employees shall be at least 21 years of age and be on the premises during all hours of operation. All employees shall actively supervise the tenant space at all times to ensure there is no access to any tobacco, nicotine products, tobacco paraphernalia, and/or electronic cigarettes by any person below the age of 21.

G. The business operator shall instruct employees to notify law enforcement should they observe any criminal activity.

H. The property owner, representative, or tenant shall prepare, submit, and obtain approval of a Public Safety and Security Plan (PSSP) to the satisfaction of the Lakewood Public Safety Department (PSD), prior to final inspection/occupancy. The PSD shall review the PSSP in coordination with the Los Angeles County Sheriff's Department (Sheriff's Department). Tenant/property management shall establish an on-going liaison relationship with members of the Sheriff's Department and the Lakewood PSD staff, so that communication can be timely and effective when problems occur. All security protocols for the property shall be provided to the PSD and the Sheriff's Department.

I. The use shall comply with the Development Review Board's recommended conditions of approval per DRB letter dated April 23, 2024, prior to the initial opening of the use (DRB Case No. 9244).

J. The use shall be subject to a six-month review from the initial date of opening of the business.

K. **Effective Date.** The action by the Planning and Environment Commission in this matter shall be final, conclusive, and effective ten (10) calendar days after the giving of official notice of approval, as provided in Section 9403.2 of the Lakewood Municipal Code (LMC), unless within that ten (10) calendar day period an appeal in writing is filed with the City Clerk by the applicant or by any person who protested the application as a matter of record, and who, in addition, received or was entitled to receive the written notice specified in LMC Section 9422. The filing of such an appeal within such time limit or the request for review of such a decision within such time limit shall stay the effective date of the order granted until the City Council has acted on the appeal or other approval review.

L. **Acceptance.** By signing a statement and/or orally accepting the terms and provisions of this conditional use permit during the public hearing and as further recorded as entered into the minutes of these proceedings, the permittee thereby acknowledges all of the conditions imposed and accepts this permit subject to those conditions with a full awareness that the violation of any of the conditions could subject permittee to further hearings before the Planning and Environment Commission on the issue of possible modification and/or revocation. Furthermore, the applicant shall sign a written statement stating that they have read, understand, and agree to the conditions of approval within ten (10) City business days following official notice of the adoption of this Resolution of Approval for Conditional Use Permit Number 1023.

M. **Modification/Revocation.** This Conditional Use Permit may be modified or revoked by the City Council or the Planning and Environment Commission at a public hearing, should they determine that the proposed uses or conditions under which it is being operated or

maintained is detrimental to the public health, welfare and/or materially injurious to property or improvements in the vicinity of the subject property and/or if the property is operated or maintained so as to constitute a public nuisance.

N. **Indemnification.** The applicant agrees to indemnify, hold harmless and defend the City, its officers, agents and employees at the applicant’s expense, from any and all liability or claims that may be brought against the City arising from its approval of this permit, and/or arising out of the operation of any business, land use or activity on the subject property, save and except where such are caused by the City’s active negligence.

O. **Compliance.** The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the construction and/or operation of any activity or land use on the subject property may be cause to justify modifications or revocation of this conditional use permit by the Lakewood Planning and Environment Commission or City Council at a public hearing.

ADOPTED AND APPROVED this 2nd day of May 2024, by the Planning and Environment Commission of the City of Lakewood voting as follows:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

Chairperson

ATTEST:

Abel Avalos, Secretary

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APPLICATION FOR: Conditional Use Permit No. 1024

LOCATION: 12612 Del Amo Boulevard

APPLICANT: Eder Salvador Interian representing Guacamole Grill

PROPOSAL: Application for the sale of beer and wine for on-site consumption in conjunction with an existing bona fide eating establishment (Guacamole Grill)

ZONING: C-3 (Intermediate Commercial)

INTRODUCTION

The applicant, Eder Salvador Interian representing Guacamole Grill, is requesting approval of Conditional Use Permit (CUP No. 1024) for the sale of beer and wine for on-site consumption in conjunction with a bona-fide eating establishment. The subject site is located at 12612 Del Amo Boulevard and is designated by the General Plan as Commercial. The subject site is located in the C-3 (Intermediate Commercial) zone. LMC Section 9347.C.1 allows bars, cocktail lounges, or any establishment offering alcoholic beverage for consumption on the premises in the C-3 (Intermediate Commercial) zone where the use or parking facilities thereof are located more than 200 feet from the boundaries from any land zoned for residential uses. LMC Section 9347.D.1 requires a CUP for any use specified in Section 9347.C when located less than two hundred feet from any land zoned for residential uses. The subject site is less than 200 feet from residentially zoned land and therefore requires a Conditional Use Permit.

STATEMENT OF FACTS

Area Description

The subject site is located within a commercial center at the southeast corner of Bloomfield Avenue and Del Amo Boulevard (see Vicinity Map and Aerial View). The following table lists the land uses and zoning designations for the subject site and the surrounding properties.

AREA	EXISTING LAND USE	ZONE DESIGNATION
Subject Site	Restaurant	C-3 (Intermediate Commercial)
North	Target (City of Cerritos)	N/A
East	Commercial Center	C-3 (Intermediate Commercial)
South	Single-Family Residences	R-1 (Single-Family Residential)
West	Single-Family Residences	R-1 (Single-Family Residential)

Prior CUP

This application is the second CUP for the subject site. A previous tenant, Blanca's Mexican Food, in 1995 was granted approval (CUP No. 592) for the sale of beer and wine for on-site consumption in conjunction with a bona-fide eating establishment. The previous California Department of Alcoholic Beverage Control (ABC) license expired on January 31, 2000 and the CUP for the sale of beer and wine was not utilized by the business owner and therefore expired.

Site Description

The subject site is located in a commercial center with a total land area of approximately 22,650 square feet. The commercial center is developed with a single-story commercial building and 31 parking spaces. The restaurant is located in the eastern portion of the building, as shown in Exhibit "A." The other businesses within this center include Pizza Hut, Collectors Lounge, Mono Coffee, a dentist office, and a barber shop to open in the near future. The trash enclosure is located at the east portion of the property and is not in compliance with current City standards.

Project Description

The sale of beer and wine will be ancillary to the primary use, which is a restaurant. The existing use operates from 9:00 A.M. to 10:00 P.M. daily and does not include live or recorded entertainment. The applicant would like to add the sales of beer and wine for on-site consumption for an enhanced dining experience. The proposed Resolution of Approval includes a condition which limits the sale of alcoholic beverages to no earlier than 7:00 A.M. and no later than 10:00 P.M., daily.

The subject tenant space is approximately 2,343 square feet in area and includes a dining area with 28 seats, a front counter, a kitchen/preparation area, and two restrooms, as shown on the floor plan in Exhibit "B." The subject restaurant has a main entrance door and a second entrance which both face the parking lot and Del Amo Boulevard. The proposed use will require a Type 41 license from the California Department of Alcoholic Beverage Control (ABC). A Type 41 license allows for the sale of beer and wine for on-site consumption in conjunction with a bona fide public eating place.

Code Requirements

A Conditional Use Permit may only be approved upon findings of the Planning and Environment Commission that the proposed use, subject to any conditions imposed, will not be detrimental to surrounding property or residents. A finding that the proposed use is in accordance with the following principles and standards is necessary in each case, as specified in Section 9401 of the Lakewood Municipal Code.

1. *The proposed conditional use shall not be in substantial conflict with the General Plan.*

The General Plan land use designation for the site is Commercial. The subject restaurant is a commercial use, and the proposal to serve alcoholic beverages in conjunction with the restaurant is an ancillary use and, therefore, will not be in conflict with the General Plan.

- 2. The nature, condition, and development of adjacent uses, buildings, and structures shall be considered, and no Conditional Use Permit shall be granted where such will adversely affect or be materially detrimental to said adjacent uses, buildings, or structures.*

It is anticipated that the ancillary use will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures. The restaurant is located in an existing commercial center which abuts residential properties to the south. The building is setback six feet from the property line due to a six-foot wide sewer easement which is located within said rear yard. Further, since there is no access door provided at the rear of the building, the residential properties south of the building will not be impacted by noise. The hours of operation are from 9:00 A.M. to 10:00 P.M., seven days a week. Thus, the proposed use should not pose any adverse effects on adjacent residential uses, buildings, or structures which abut the site of the east and south.

- 3. The site for a conditional use shall be adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features required by this Chapter, or as required as a condition in order to integrate said uses with the uses in the neighborhood.*

The proposed conditional use is for the sale of beer and wine for on-site consumption in conjunction with a bona-fide restaurant. The applicant is proposing to have a total of 58 interior seats, which includes tables with seats in the dining area. Section 9490.U.2 of the Lakewood Municipal Code requires restaurants to provide one (1) parking space for each three (3) fixed or removable seats, or one space for each 100 square feet of gross floor area provided that at least five (5) parking spaces are provided. The site is developed with 30 parking spaces. The proposed 58 seats will require 19 parking spaces. The parking demand for this center will be 44 parking spaces including the proposed use, which will create a deficit of 10 parking spaces. There is not adequate parking on the site to accommodate the use and that will generate a deficit in parking. However it is in compliance with AB 2097 for required parking.

- 4. The site for the conditional use shall be served by highways or streets adequate in width and improved as necessary to carry the kind and quantity of traffic such use would generate.*

The subject site is served by Bloomfield Avenue and Del Amo Boulevard. The General Plan designates Bloomfield Avenue as a minor arterial street with a roadway width of 75 feet. The portion of Del Amo Boulevard serving the subject site is designated as a major arterial street with a roadway width of 84 feet. According to the 2022 City of Lakewood Census, the number of cars driving on Del Amo Boulevard daily between Norwalk Boulevard and Bloomfield Avenue is 26,388 cars. The number of cars driving on Bloomfield Avenue daily between Del

Conditional Use Permit No. 1024

May 2, 2024

Page 4

Amo Boulevard and Centralia Street is 18,487 cars. Both Bloomfield Avenue and Del Amo Boulevard are adequate in size to accommodate the traffic generated by the use.

5. *All other conditions and limitations imposed by this Chapter in connection with the proposed application for a Conditional Use Permit have been met.*

There are no other conditions or limitations imposed by this Chapter in connection with the proposed application.

Development Review Board

Any exterior modifications will require approval from the Development Review Board (DRB).

Department of Alcoholic Beverage Control

As part of its license application review process, the Department of Alcoholic Beverage Control (ABC) determines whether a condition of undue concentration exists in a given census tract. Undue concentration occurs when the number of alcohol licenses exceeds the number allowed by ABC based on the census tract population. The subject site is located in Census Tract No. 5551.07, which is generally bound by Del Amo Boulevard to the north, Norwalk Boulevard to the west, 215th Street to the south, and Coyote Creek flood channel to the east. ABC allows up to six (6) on-sale licenses within this census tract. Currently, there are three (3) on-sale licenses within this Census Tract. Therefore, there is no condition of undue concentration within this Census Tract, and the proposed license will not result in a condition of undue concentration.

Sheriff's Report

The Director of Public Safety and the County of Los Angeles Sheriff's Department provided comment on this application (see attached Sheriff's Department letter dated April 9, 2024). The Sheriff reviewed calls for service for the subject location since April 9, 2019, and found that there were no incidents that reflect negatively on the business and its location. If this CUP is approved, the Sheriff's Department recommends that certain conditions be included in the Resolution of Approval. The recommendations from the Sheriff's Department are incorporated into the proposed Resolution of Approval. There are no open code enforcement cases associated with this business. The proposed Resolution of Approval requires a Public Safety and Security Plan (PSSP) to be submitted and approved with the Lakewood Public Safety Department.

CEQA

The proposed CUP is Categorically Exempt pursuant to Section 15301.(a) of the California Environmental Quality Act (CEQA) Guidelines, as amended. Class 1 consists of the operation,

repair, maintenance, and permitting, leasing, licensing, or minor alteration of existing public or private structures.

Public Notice

Notification of the public hearing for Conditional Use Permit No. 1024 was posted on the City’s webpage, mailed to property owners within a 300-foot radius of the subject property, posted at the subject site, and in three public places on Thursday, April 17, 2024, pursuant to Section 9422, et seq., of the Lakewood Municipal Code and State Law.

SUMMARY

The applicant is applying for a Conditional Use Permit for the sale of beer and wine for on-site consumption in conjunction with a bona fide eating establishment. It has been found that the proposed use will be in compliance with the principles and standards under Section 9401 of the Lakewood Municipal Code.

RECOMMENDATION

Staff recommends that the Planning and Environment Commission hold a public hearing and following the public hearing; move to adopt the proposed Resolution granting approval of Conditional Use Permit No. 1024 subject to the conditions contained therein and approve the associated Categorical Exemption.



Frankie Griffiths
Assistant Planner



Abel Avalos
Director of Community Development

ATTACHMENTS

- 1) Letter from the Los Angeles County Sheriff’s Department dated April 9, 2024
- 2) Vicinity Map
- 3) Aerial View
- 4) Exhibit “A” – Site Plan
- 5) Exhibit “B” – Floor Plan
- 6) Proposed Resolution of Approval



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



April 9, 2024

Mr. Thaddeus McCormack
City of Lakewood
5050 Clark Avenue
Lakewood, California 90712

Dear Mr. McCormack:

The purpose of this letter is to provide you with our concerns regarding **Conditional Use Permit 1024** for "Guacamole Grill", a fast-food restaurant, located at 12612-12614 Del Amo Boulevard and their request for a Title 41 License (On-sale beer and wine).

REVIEW OF CONDITIONAL USE PERMIT (CUP) 1024 and Amendment

Review of the application for Conditional Use Permit and amendment at "Guacamole Grill" restaurant.

We have conducted a review of calls for service since April 9th, 2019, at the above location and surrounding area. We are pleased to report there have been no incidents that reflect negatively on the business.

Should the city of Lakewood approve the conditional use permit's request, we would like to make the following recommendations:

- Increased security lighting both front and rear.
- Increased number and quality of security cameras both front and rear.
- Business to be equipped with an audible burglary alarm.
- The internal side of the restaurant's back door shall have panic hardware for emergencies.
- Ensure employees serving alcohol are 18 years of age.
- Ensure unfinished alcohol is not allowed to leave the location with patrons.
- Persons who appear to be intoxicated or under the influence of a controlled substance, shall be denied service.

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —

- This CUP shall be subject to review allowing input from the Sheriff's Department for any concerns that may arise.

Should the city of Lakewood approve the conditional use permit and amendment, we recommend management from "Guacamole Grill" have an ongoing liaison/ relationship with the Sheriff's Department and the city of Lakewood, to ensure a strong level of communication for crime prevention and problem-solving efforts.

If there are any further questions, you may contact Sergeant Theo Gekas at (562) 623-3657.

Sincerely,

ROBERT G. LUNA, SHERIFF

A handwritten signature in black ink, appearing to read "Daniel Holguin". The signature is written in a cursive style with a large, stylized initial "D".

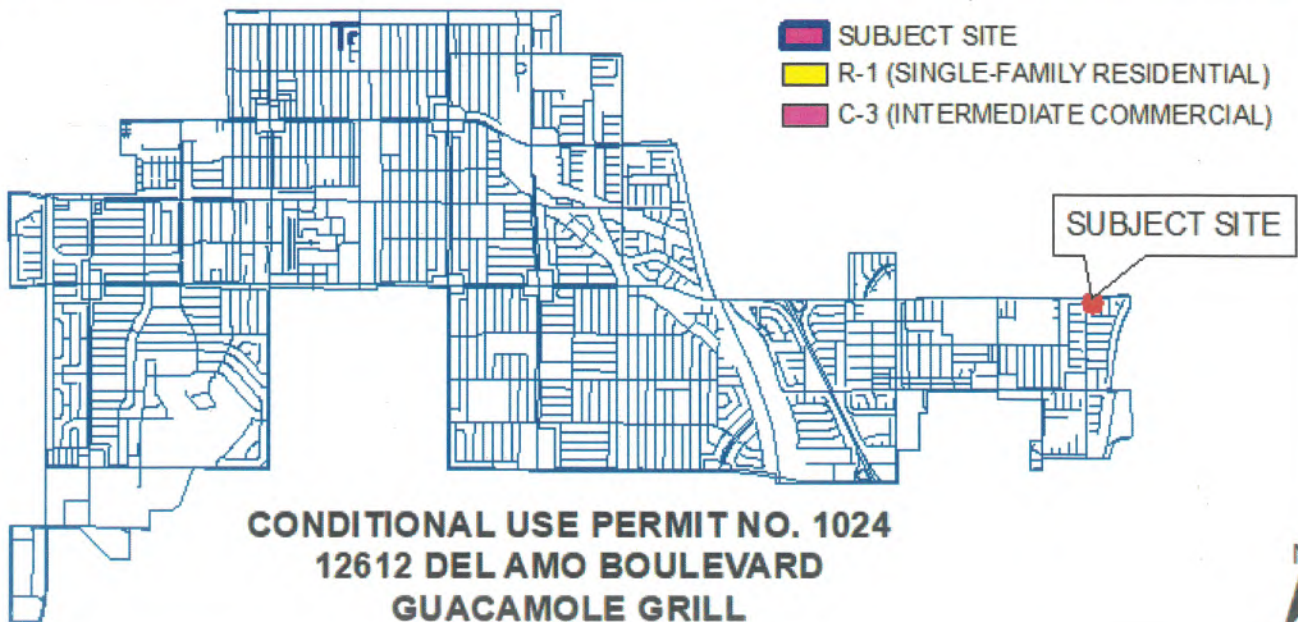
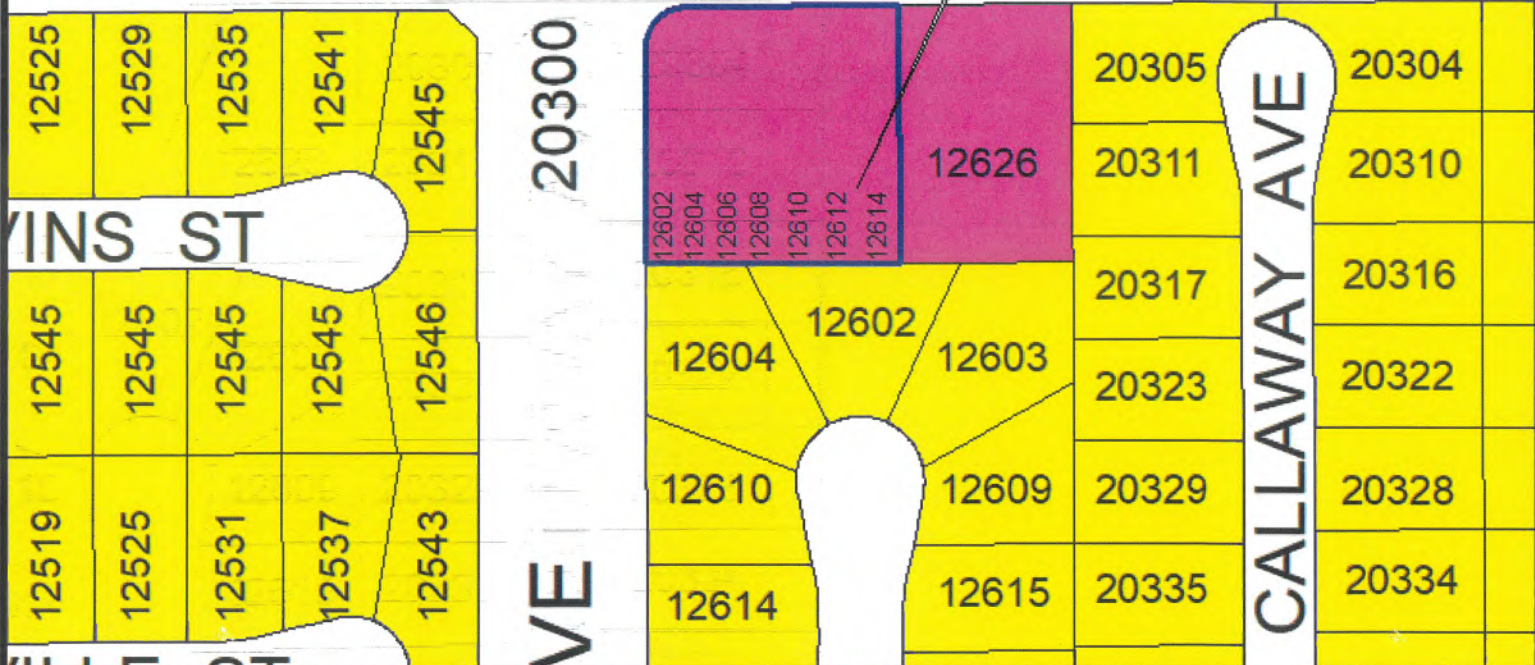
Daniel Holguin, Captain
Lakewood Station

VICINITY MAP

CITY OF CERRITOS

SUBJECT SITE

DEL AMO BOULEVARD 12600



AERIAL VIEW

DELAMO BOULEVARD

BLOOMFIELD AVENUE

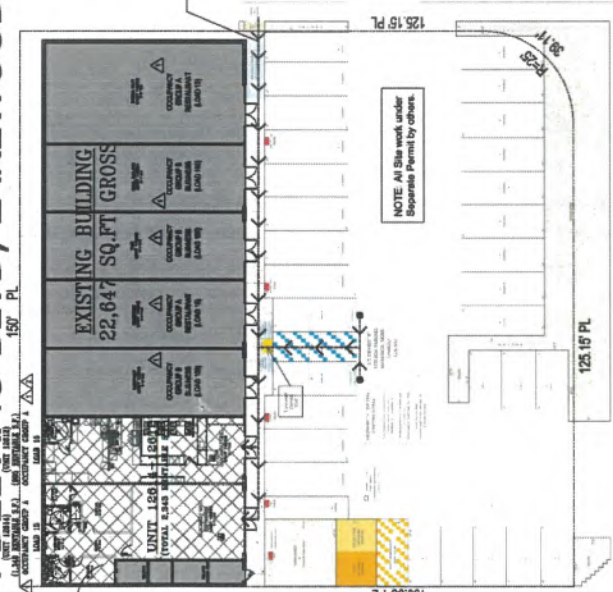


CONDITIONAL USE PERMIT NO. 1024
12612 DELAMO BOULEVARD
ON SITE BEER & WINE

EXHIBIT "A"

GUACAMOLE GRILL EXPANSION (TENANT IMPROVEMENT)

12612 -12614 DEL AMO BLVD, LAKEWOOD, CA 90715



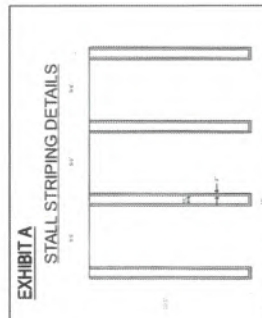
H.C. PATH OF TRAVEL
SLOPE IN DIRECTION OF TRAVEL
IN LANK CROSS SECTION

OCCUPANT LOAD CALCULATION TABLE

NAME	OCCUPANT	AREA	ASSEMBLY	OCCUPANT
EXISTING BLDG	B	22,647 SF	100	2,265
NEW UNIT 12612	B	1,833 SF	100	183
STORAGE	S	1,000 SF	10	100
MECHANICAL	M	1,000 SF	10	100
TOTAL		26,480 SF		2,648

OCCUPANT LOAD CALCULATION TABLE

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SHEET INDEX

A-0 TITLE SHEET SITE PLAN / VOUCHER MAP / PROJECT CONTACTS
 A-1 ACCESSIBILITY NOTES & DETAILS
 A-2 UNIT FLOOR PLAN & DETAILS

SITE PLAN LEGEND & PARKING COUNT

PROPERTY LINE
 NEW PATH OF TRAVEL
 NOT PART OF SCOPE OF WORK
 18 INCHES BENCH MARK
 12 INCHES COMPACT FILL
 12 INCHES GRANULAR FILL
 12 INCHES TOTAL FILL (BENCH MARK OF 84.4)



SITE PLAN & PATH OF TRAVEL

APPLICABLE CODES
 - 2015 CALIFORNIA PLUMBING CODE
 - 2015 CALIFORNIA ELECTRICAL CODE
 - 2015 CALIFORNIA MECHANICAL CODE
 - 2015 CALIFORNIA FIRE CODE
 - 2015 CALIFORNIA BUILDING CODE
 - 2015 CALIFORNIA LANDMARK PRESERVATION CODE
 - 2015 CALIFORNIA ENVIRONMENTAL QUALITY ACT
 - 2015 CALIFORNIA PUBLIC ACCESSIBILITY STANDARDS FOR PHYSICALLY HANDICAPPED PERSONS (CALIF. ADA)
 - 2015 CALIFORNIA STATE WATERWAYS ACT
 - 2015 CALIFORNIA STATE WATERWAYS ACT
 - 2015 CALIFORNIA STATE WATERWAYS ACT

SCOPE OF WORK
 - NEW UNIT 12612
 - NEW UNIT 12613
 - NEW UNIT 12614
 - NEW UNIT 12615
 - NEW UNIT 12616
 - NEW UNIT 12617
 - NEW UNIT 12618
 - NEW UNIT 12619
 - NEW UNIT 12620
 - NEW UNIT 12621
 - NEW UNIT 12622
 - NEW UNIT 12623
 - NEW UNIT 12624
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 - NEW UNIT 12647
 - NEW UNIT 12648
 - NEW UNIT 12649
 - NEW UNIT 12650

PROPERTY OWNER: North Beach Management
 27100 Down Valley Pkwy, D14 6021
 Lakewood, CA 90715
 TEL: (562) 443-2222
 FAX: (562) 443-2223

PROPERTY OWNER: North Beach Management
 27100 Down Valley Pkwy, D14 6021
 Lakewood, CA 90715
 TEL: (562) 443-2222
 FAX: (562) 443-2223

LOAD BASED ON SDOCP TABLE 02.11

UNIT	AREA	ASSEMBLY	OCCUPANT
EXISTING BLDG	22,647 SF	100	2,265
NEW UNIT 12612	1,833 SF	100	183
STORAGE	1,000 SF	10	100
MECHANICAL	1,000 SF	10	100
TOTAL	26,480 SF		2,648

SCALE	DATE	DESCRIPTION
A-0	11/11/18	PROJECT CONTACTS
A-1		PROJECT SUMMARY
A-2		PROJECT CONTACTS
A-3		PROJECT CONTACTS
A-4		PROJECT CONTACTS
A-5		PROJECT CONTACTS
A-6		PROJECT CONTACTS
A-7		PROJECT CONTACTS
A-8		PROJECT CONTACTS
A-9		PROJECT CONTACTS
A-10		PROJECT CONTACTS

PLUMBING FIXTURE CALC.

RESOLUTION NO. -2024

A RESOLUTION OF THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD APPROVING CONDITIONAL USE PERMIT NO. 1024, AT 12612 DEL AMO BOULEVARD, LAKEWOOD, CALIFORNIA, FOR THE SALE OF BEER AND WINE FOR ON-SITE CONSUMPTION IN CONJUNCTION WITH A BONA FIDE EATING ESTABLISHMENT.

THE PLANNING AND ENVIRONMENT COMMISSION OF THE CITY OF LAKEWOOD DOES HEREBY FIND, RESOLVE AND DETERMINE AS FOLLOWS:

SECTION 1. The Planning and Environment Commission of the City of Lakewood, having submitted to it the application of Eder Salvador Interian, owner of Guacamole Grill, lessee of the owners of an interest in the following described real property, requesting a Conditional Use Permit, pursuant to the provisions under Sections 9347.C.1 and 9347.D.1. of the Lakewood Municipal Code for the sale of beer and wine for on-site consumption, on that certain real property within the City of Lakewood described as a portion of Lot Number 1 of Tract 25876 in Parcel Map Book Number 686 pages 13-16, in the Office of the County Recorder of Los Angeles County, and more particularly described as 12612 Del Amo Boulevard, Lakewood, California; all as shown in the attached minutes and report of the Planning and Environment Commission, attached hereto and made a part hereof as though set forth in full, the Planning and Environment Commission does hereby find and determine as provided in this Resolution.

SECTION 2. The Planning and Environment Commission does hereby find that the project is Categorical Exempt from CEQA requirements, pursuant to Section 15301.(a) of the California Environmental Quality Act Guidelines, as amended.

SECTION 3. The Planning and Environment Commission of the City of Lakewood does hereby report that a public hearing was held before the Planning and Environment Commission in respect to the application on May 2, 2024, and the Planning and Environment Commission does hereby find and determine that the application, subject to the conditions hereinafter specified, should be granted for the following reasons:

A. The request is for approval of Conditional Use Permit No. 1024 for the sale of beer and wine for on-site consumption, in connection with an existing bona fide eating establishment at 12612 Del Amo Boulevard, Lakewood, all as shown on Exhibits "A" and "B." and the applicant has satisfactorily submitted all required documentation to adequately support approval of the proposed use.

B. The proposed use is found not to be in conflict with the goals of the General Plan, nor does the proposed use conflict with the Commercial land use designation of the General Plan, as it is an allowed commercial land use that meets the specified locational and operational criteria.

C. The nature, condition, and development of adjacent uses, buildings, and structures have been considered, and it has been found that the proposed use will not adversely affect or be materially detrimental to adjacent uses, buildings, or structures, provided the conditions herein are implemented and operations continually comply and as this will be confirmed with a six-month review.

D. Bloomfield Street and Del Amo Boulevard are currently adequate in width and improved as necessary to serve any additional traffic generated by the proposed use. No adverse effect is anticipated on existing roads and circulation as a consequence of this application.

E. The subject site is adequate in size and shape to accommodate the yards, walls, fences, loading facilities, landscaping, and other development features required by the Code and state law. The site can adequately accommodate the required parking for the proposed use.

F. The sale of beer and wine for on-site consumption will be only conducted entirely within the building, as license restrictions allow no sales for off-site consumption or on-site consumption in an outdoor enclosed patio.

H. Notification of the public hearing has been made pursuant to Section 9422 et seq. of the Lakewood Municipal Code and State Law.

SECTION 4. The Planning and Environment Commission of the City of Lakewood, based upon the aforementioned findings and determinations, hereby grants the use as requested in Conditional Use Permit No. 1024 provided the following conditions are observed and complied with at all times:

A. Any conditions of approval required to be completed prior to commencing beer and wine sales shall be completed and confirmed, prior to such sales. All conditions of approval regarding operations shall be continually in compliance and not thereafter violated or deviated from except where authorized by this Resolution adopted in accordance with the provisions of this Resolution and the Municipal Code. The granting of the Resolution, and any modification or change thereof, shall not be effective for any purpose until a certified copy of this Resolution (Exhibits excluded) has been recorded in the office of the Los Angeles County Recorder. The granting of the Conditional Use Permit, subject to the conditions herein set forth, are binding on both the applicants and the property owners including their heirs, assigns, and any successors-in-interest.

B. Approval of Conditional Use Permit No. 1024 is for the sale of beer and wine for on-site consumption in conjunction with a bona fide eating establishment. The approval is based on Exhibits "A" and "B."

C. The restaurant service area seating shall not exceed a total of 28 interior seats, excluding any reception area wait seating.

D. The sale of alcohol beverages shall be no earlier than 7:00 A.M. and no later than 10:00 P.M. daily.

E. All employees shall complete a Responsible Beverage Server, or similar training program, which meets standards of the California Department of Alcoholic Beverage Control, prior to serving any alcohol.

F. Exterior Light Fixtures. The applicant shall increase the security lighting at the front side of the tenant space to the satisfaction of the Public Safety Department and prior to sales of alcohol. Exterior lights shall comply with LMC Section 9492.I, which requires exterior lighting to be angled and shielded in a manner so as not to reflect direct or indirect light upon adjacent roadways or any abutting or adjacent properties, with a maximum light spill of 0.5-foot candles at grade level of each property line.

G. Security Cameras. The applicant shall increase the number and quality of security cameras at the front of the tenant space to the satisfaction of the Public Safety Department and prior to sales of alcohol.

H. "No Loitering" signs shall be placed and clearly posted around the business to the satisfaction of the Public Safety Department and prior to sales of alcohol. Any loitering activity shall be strictly monitored and aggressively discouraged by management and employees.

I. Management shall have an on-going liaison relationship with members of the Sheriff's Department so that communication can be easily facilitated when problems occur.

J. All employees serving alcoholic beverages shall attend L.E.A.D. (License Education on Alcohol & Drugs) classes and shall obtain proper certification within 60 days from the date of this approval. Any new employees serving alcoholic beverages shall attend L.E.A.D. training within 60 days of their hire date.

K. There shall be no live entertainment inside the subject tenant space.

L. Proper permits and Development Review Board approval shall be obtained for all exterior work at the subject tenant space.

M. All signage is required to be reviewed and approved by the Community Development Department staff and shall be submitted as a separate application. Prior to wall sign installation, the wall façade behind a proposed wall sign shall be properly patched and fully repainted to be one continuous color across the full surface of the wall. There shall be no visible shadowing or silhouette of any previous sign. The sign installer is required to obtain a final inspection of the installed sign.

N. Address numbers for commercial buildings shall be 6" or taller and clearly visible to emergency staff from the street.

O. Waste Collection Program (WCP). The construction debris collection program, solid waste/recycling/organic waste collection program, and trash enclosure standards shall comply with current City and State requirements. Prior to commencement of alcohol sales, the property owner or their representative shall prepare and obtain approval of a written Waste

Collection Program (“WCP”) that is acceptable to the satisfaction of both the City Public Works Department and EDCO, the city’s franchised waste hauler. The WCP shall include:

- 1) Types, size, and location of bins, as well as the frequency of pickup to satisfy volume.
- 2) There shall be sufficient capacity and storage areas for all required forms of collection. This includes all three normal waste streams of a) solid waste, b) required recycling (split bin is possible), and c) required organic waste (food and green landscape waste.)
- 3) The use of a trash compactor, cardboard bailer, or other alternative on site storage of recycling waste shall be identified and approved in the written WCP.
- 4) Any self-haul operation shall be listed in the WCP and approved separately by Public Works. These services shall be provided at no expense to the property and shall meet the city reporting requirements as specified in the Lakewood Municipal Code Sections 5356 and 5357. The information shall include the hauler name, the city approved disposal facility to which it is being hauled and the frequency and estimated volume of such hauled waste material. The self-hauler shall be required to provide waste haul receipts to the City from the disposal facility and failure to do so shall result in penalties.
- 5) Trash enclosure maintenance shall be continuous with all trash stored inside the authorized collection devices. No spillover or other external storage of debris or waste is allowed. Employees shall be instructed not to overfill bins and keep the trash enclosure doors closed and always locked to prevent unauthorized dumping or scavenging. Trash enclosure access shall be maintained at all times and not be blocked by vehicles or other obstructions
- 6) Trash bin location shall either be inside the building OR in an exterior fully secured, roofed, and lockable trash enclosure, whose design is approved by both the Lakewood Public Works Department and the Community Development Department. There shall be no unscreened and/or unsecured exterior storage of waste materials.
- 7) Disposal vehicle (trash truck) access design shall include: a minimum 42-foot turn radius for any turns, a maximum 100-foot back out drive, a minimum 20-foot height clearance in front of enclosure for lifting operations, and a minimum 10’ x 10’ reinforced cement pad in front of enclosure for bin operations, capable of supporting 20-tons of stationary weight.
- 8) Trash enclosure design shall comply with current city guidelines to have a fully secured trash enclosure with provisions for all three waste streams (i.e., solid, recycling, and organic food/green landscape waste) as follows:
 - Walls shall be constructed of solid materials (e.g., CMU block or other approved.)
 - Rainproof roof that is tall enough to accommodate fully opening the top of the bins (Minimum 8’ tall for 3 cu. yd.). Existing trash enclosure does not have a roof.
 - Welded wire mesh between the roof and wall with no gap greater than two inches.
 - Enclosure floor should not drain to a storm drain.
 - Lockable entry door with a spring or hydraulic door closer.
 - Wheel stops or bollards shall be installed inside perimeter to prevent wall damage.
 - Illumination of the trash enclosure area is recommended to reduce vandalism.
- 9) Enclosure Retrofit. By July 1, 2025, the property owner or tenant shall retrofit the existing trash enclosure to comply with the current city guidelines for a fully secured trash enclosure, as listed above. Alternatively, the property owner or tenant shall keep all trash bins and waste inside the building. Failure to comply with these requirements shall result in the City withholding the issuance a business license renewal for FY 2025-2026 to the project business.

P. Parking Lot Litter. Parking lot areas shall be maintained daily and kept litter free. There shall be a minimum of one trash barrel and one recycling bin per 100 spaces (Min. 20 gallon each.) The trash barrels shall be lined with heavy-duty plastic trash bags that are monitored daily and emptied when full. Where possible solid and recyclable waste shall be separated.

Q. Facility Operations. The facility shall be well-lit, clean, and organized to create a safe environment for customers. Sufficient lighting of the exterior of the premises shall be provided, including adjacent public sidewalks and parking lots. There shall be no storage of goods that obstructs or blocks access to any doorway.

R. Public Safety and Security Plan. The property owner, representative or tenant shall prepare, submit, and obtain approval of a Public Safety and Security Plan (PSSP) to the satisfaction of the Lakewood Public Safety Department (PSD), prior to final inspection/occupancy. The PSD shall review the PSSP in coordination with the Los Angeles County Sheriff's Department (Sheriff's Department). Tenant/property management shall establish an on-going liaison relationship with members of the Sheriff's Department and the Lakewood PSD staff, so that communication can be timely and effective when problems occur. All security protocols for the property shall be provided to the PSD and the Sheriff's Department. The PSSP shall include:

- Letter of Agency. Property owner/tenant shall sign a Letter of Agency with the Sheriff's Department to authorize on-site enforcement for loitering, trespassing, vandalism, etc.
- Parking Lot Signage. If determined appropriate by the PSD, the following shall be posted:
 - "NO LOITERING" signs around the business, and aggressively discouraged any loitering, including homeless encampments.
 - "NO OVERNIGHT PARKING" along with citations of appropriate codes to facilitate towing and vehicle removal. PSD shall approve the wording, prior to installation.
 - "NO OPEN ALCOHOLIC BEVERAGE CONTAINERS ARE ALLOWED ON THESE PREMISES." The licensee shall be required to prominently post a permanent sign or signs in a well-lit area, stating Size regulations and minimum posting requirements for such signs are to be determined by the City of Lakewood, with input from the Sheriff's Department.
- Site Lighting. The lighting shall not exceed .5 foot-candles at the property line. There shall be sufficient lighting around the exterior perimeter of the premises and the exterior of all structures to illuminate the areas sufficiently for security camera resolution for both facial and license plate recognition. The parking lot area, trash enclosures and loading dock areas and adjacent public sidewalks shall have lighting.
- Alarm/Panic System. The applicant shall install an alarm and panic egress system.
- Silent Alarm System. The applicant shall install a "state of the art" silent alarm system to allow staff to promptly report crimes in progress to the Sherriff's Office.
- Service Doors. Any service doors shall be equipped on the inside with an automatic locking and alarm device. These doors shall always be closed, except for deliveries.
- POS View. Facility windows and doors shall continuously maintain a clear view from the street or adjacent driveways to the point-of-sale (POS) cash register(s). Clear windows and doors shall not be covered with advertising, signage, decals, etc. except those required by state and local laws. This is a safety requirement to allow security and sheriff patrols to have a clear and unobstructed direct line of sight from their vehicles to the POS store clerk, the interior of the store, the cash register area, and all persons in and around such counter space to enhance public

safety. Any judgment regarding an "obstruction" shall be at the discretion of City PSD and/or Sheriff's Department's.

- Security Systems. A state-of-the-art security system shall be installed for both the interior and exterior store operations, which will combine motion detectors, contacts at doors, audio alarm, and a 24-hour, closed circuit video camera surveillance system. This system shall include 1) video cameras with audio capabilities, 2) Color monitors mounted in view of customers with a minimum resolution of 480 x 720, 3) Additional monitors in the back rooms, 4) alarm /panic systems shall be equipped with both fixed and remote devices and 5) required secured storage of video data for a minimum of 30 days or more, preferably monitored and stored at an off-site location. The storage medium shall be secured and not easily removed by store employees under duress or by unauthorized persons. Employees shall be trained to provide data to the Sheriff's.
- Surveillance Camera System. The security camera system shall include motion detector cameras that have pan and zoom capability with sufficient resolution for facial and license plate recognition to assist with criminal investigations. A camera floor plan shall be submitted for internal operations and a camera site plan shall be submitted for external operations. Both shall identify locations and areas of camera coverage and shall be approved by the PSD prior to installation and shall be installed and operational prior to final inspection of the Project. The system design should and meet or exceed the following specifications:
 - Resolution of 1080p (1920 x 1080 pixels) at 30 FPS (frames per second.)
 - Recognizable field of view (FOV) shall be a minimum 90 degrees or wider.
 - Recognizable video capture with IR Lighting under 2 lux lighting conditions.
 - Capture recognizable facial and license plate video at a minimum of 15 feet.
 - Include motion detector cameras with IVS (Intelligent Video Surveillance.)
 - Include cameras with pan and zoom capabilities.
 - Camera enclosures shall have IP ratings above 3 for both projectiles/dust and water.

S. General Maintenance. Commercial/Industrial property owners are required to always maintain their commercial/industrial buildings and surrounding landscaping properly in an aesthetically pleasing manner and in compliance with the Lakewood Municipal Code (LMC Sections 4323 and 4221.1.) This means proper and continuous maintenance of all landscaping and structures including all buildings, roofs, painting, walls/fences, ADA paths-of travel, parking lot surface, striping and on-site circulation markings and signage.

- ADA markings that are adjacent to or that cross driveways shall be outlined with a three inch (3") white line on the outside of the blue ADA border stripe to increase visibility.
- Any cracked, faded, stained, or peeling surface shall be repaired and repainted.
- All exterior surfaces shall be regularly repainted to provide a new appearance.
- There shall be no dead, diseased, missing, or overgrown vegetation. Vegetation shall be properly trimmed in proportion to adjoining structures and shall not encroach onto or into public sidewalks or roadways. Drought tolerant plants do require trimming.
- Landscaping shall be revitalized periodically.
- Maintenance - Graffiti and Stickers. The property owner is responsible to remove all graffiti and stickers in a timely manner no longer than ten (10) calendar days from discovery and notice thereof from any source. Any paint-over repair of graffiti shall cover the entire area top to bottom and continuously blend with the adjacent surface. It shall not leave the appearance of a patchwork cover up.

T. **Business Licenses.** All contractors, including subcontractors, sign installers, and tenants shall have properly issued city business licenses, as confirmed before final inspection.

U. **Temporary Banners** (e.g., Now Open, Grand Opening, Sale etc.) require a separate permit with a deposit and shall be removed before the allowed permit time expires.

V. **Unauthorized Signs.** Roadside flag signs, A-frame/moveable signs, yard signs, pennants, balloons, inflatables, vehicles, or trailers being used as portable signs, human sign twirlers and mechanical mannequins are NOT ALLOWED.

W. **Effective Date.** The action by the Planning and Environment Commission in this matter shall be final, conclusive, and effective ten (10) calendar days after the giving of official notice of approval, as provided in Section 9403.2 of the Lakewood Municipal Code (LMC), unless within that ten (10) calendar day period an appeal in writing is filed with the City Clerk by the applicant or by any person who protested the application as a matter of record, and who, in addition, received or was entitled to receive the written notice specified in LMC Section 9422. The filing of such an appeal within such time limit or the request for review of such a decision within such time limit shall stay the effective date of the order granted until the City Council has acted on the appeal or other approval review.

X. **Acceptance.** By signing a statement and/or orally accepting the terms and provisions of this conditional use permit during the public hearing and as further recorded as entered into the minutes of these proceedings, the permittee thereby acknowledges all of the conditions imposed and accepts this permit subject to those conditions with a full awareness that the violation of any of the conditions could subject permittee to further hearings before the Planning and Environment Commission on the issue of possible modification and/or revocation. Furthermore, the applicant shall sign a written statement stating that they have read, understand, and agree to the conditions of approval within ten (10) City business days following official notice of the adoption of this Resolution of Approval for Conditional Use Permit Number 1024.

Y. **Modification/Revocation.** This Conditional Use Permit may be modified or revoked by the City Council or the Planning and Environment Commission at a public hearing, should they determine that the proposed uses or conditions under which it is being operated or maintained is detrimental to the public health, welfare and/or materially injurious to property or improvements in the vicinity of the subject property and/or if the property is operated or maintained so as to constitute a public nuisance.

Z. **Indemnification.** The applicant agrees to indemnify, hold harmless and defend the City, its officers, agents and employees at the applicant's expense, from any and all liability or claims that may be brought against the City arising from its approval of this permit, and/or arising out of the operation of any business, land use or activity on the subject property, save and except where such are caused by the City's active negligence.

AA. **Compliance.** The applicant shall comply with all federal, state, and local laws. Material violation of any of those laws in connection with the construction and/or operation of any

activity or land use on the subject property may be cause to justify modifications or revocation of this conditional use permit by the Lakewood Planning and Environment Commission or City Council at a public hearing.

ADOPTED AND APPROVED this 2nd day of May 2024, by the Planning and Environment Commission of the City of Lakewood voting as follows:

AYES:	COMMISSIONERS:
NOES:	COMMISSIONERS:
ABSENT:	COMMISSIONERS:
ABSTAIN:	COMMISSIONERS:

Chairperson

ATTEST:

Abel Avalos, Secretary