



Monday, August 21, 2023

A Regular Meeting of the Planning Commission was held in the Parks & Recreation Community Room, 6767 Passons Boulevard, Pico Rivera, California.

CALL TO ORDER

Acting Chairperson Robert Martinez called the meeting to order at 6:00 p.m. stating that the Chairperson Aric Martinez was calling via telephone.

Deputy Director Julia Gonzalez advised that a new Assembly Bill 2449 recently passed on January 1, 2023, and because the Chairperson is calling in virtually there were two causes or justifications in which he could attend virtually per the Assembly Bill. The justifications being a "just cause" and the second is "emergency". Commissioner Aric Martinez used the "just cause" clause and as such she asked the Commissioner if there were any individuals in the room with him that were over 18 years of age.

Commissioner Aric Martinez responded that there were not.

Deputy Director Julia Gonzalez stated that the Assembly Bill is meant for fair political practices and that the meeting could reconvene. She advised that Commissioner Robert Martinez would act as Acting Chairperson since Aric Martinez was calling in virtually.

PRESENT: Celiz, Elisaldez, Rocha, R. Martinez, A. Martinez

ABSENT: None

STAFF PRESENT: Alvaro Betancourt, Director of Community & Economic Development
Julia Gonzalez, Deputy Director of Community & Economic Development
Eba Soleimani, Planning Technician

PLEDGE OF ALLEGIANCE:

The pledge of allegiance was led by Commissioner Rocha.

PUBLIC HEARING(S):

- 1. PUBLIC HEARING – CONDITIONAL USE PERMIT (CUP) NO. 756 – AN APPLICATION FOR A TYPE 41 ALCOHOL LICENSE (ON-SALE BEER AND WINE) FOR A BONA-FIDE RESTAURANT.**

Planning Technician Eba Soleimani provided the staff report presentation detailing the location of the restaurant and background information on the subject site located at 6730 Rosemead Boulevard. She stated the previous use, Sizzler Restaurant, was in operation from 1973 to 2020, and had been vacant since 2020. The Sizzler restaurant also had a

Type 41 Alcohol License for the on-sale of beer and wine. At the time the Sizzler representatives obtained their alcohol license, a Conditional Use Permit (CUP) was not required.

The restaurant Yu-Me is a sit-down family-oriented Japanese restaurant serving traditional Japanese cuisine. They would be including both booth seating and seating along the sushi bar for a total of 152 seats. They will have approximately 10 employees. The hours of operation proposal changed to 11:00 AM – 11:00 PM Sunday through Thursday and 11:00 AM – midnight Friday and Saturday. The management Modu Group is the operator of 33 other restaurants including Crazy Rock N' Sushi, which are located in nearby cities such as Fullerton and La Puente and Kopan restaurant located in the City of Whittier.

Plans for interior tenant improvements and for signage were submitted by Yu-Me representatives. The interior tenant improvements were recently approved and building permits were issued.

Planning Technician Soleimani showed the proposed signage for the restaurant along with the freestanding sign proposal and floor plan. A business license application was also submitted recently and pending approval from both Building and Safety and L.A. County Health Department.

She advised that based on the population level, the Department of Alcoholic Beverage Control (ABC) guidelines recommend five on-sale alcohol licenses as the concentration limit. There are currently five licenses that have been issued for the census tract and the Sizzlers' license was the sixth. The Sizzler restaurant has since closed. A finding of public convenience or necessity could be made given that the restaurant will provide additional dining options, will not be a public nuisance to the community and will complement the surrounding uses. ABC's website indicates that Knights Inn's alcohol license is active, however, staff has been advised that the license is not operational.

The site includes a total of 63 parking stalls and per Pico Rivera's Municipal Code 18.44 a total of 51 parking stalls are required so there is an excess of parking. There will also be two parking stalls designated specifically for takeout and delivery.

An alarm system with nine cameras will be included to secure the restaurant during non-business. The LA County Sheriff's Department did not express any concerns about the applicant's proposal. In addition, mail-outs were sent to residents and businesses within a 300-foot radius of the site for any comments but there have been no responses.

Some of the notable conditions of approval in the CUP included are that 1) alcohol is to be served in conjunction with food service only; 2) an alarm system from a bona-fide security company shall be installed and maintained in working order; and 3) signage for beer, liquor and wine products shall be prohibited on the exterior of the building.

Planning Technician Soleimani stated that in accordance with the California Environmental Quality Act guidelines the project was exempt per Section 15301 Class

1(a) under Existing Facilities. Staff recommended that the Planning Commission adopt Conditional Use Permit No. 756 subject to conditions of approval and concluded the report.

Acting Chairperson Martinez stated it was a good report and opened the public comment period and asked if anyone had any questions. He noted there were no comments from the public and asked the Commission if they had questions.

Commissioner Elisaldez asked if the Knights Inn had an active Type 47 license and if they were still serving alcohol?

Director Betancourt stated that he visited the Knights Inn approximately a month ago and the restaurant was not operational. He stated that they may still have an active license but are not obliged to relinquish it.

Commissioner Elisaldez said he was concerned that the Knights Inn still had an active license. He asked if the former Sizzler restaurant was required to have a CUP?

Planning Technician Soleimani stated that the former Sizzler restaurant obtained their license in 1973. A Conditional Use Permit was not required until 1977 or 1978 and their alcohol license was legal non-conforming.

Commissioner Aric Martinez stated that he wanted staff to ensure that condition number 12 of the CUP was going to be revised due to the proposed changes in hours of operation.

Planning Technician Soleimani answered that the condition would reflect the most recent change in hours of operation.

Commissioner Celiz motioned first, seconded by Commissioner Rocha. Roll call was taken and the Commission voted unanimously in favor of the approval.

Acting Chairperson Martinez moved to open the Non-Agenda public comment period. There were no comments. He moved on to state there were no consent items nor old or new business.

Commissioner Elisaldez motioned to close the meeting seconded by Commissioner Rocha. The commission voted unanimously to close the meeting at 6:14 p.m.

AYES: A. Martinez, R. Martinez, Celiz, Elisaldez, Rocha
NOES: None

NON-AGENDA ITEMS PUBLIC COMMENTS:

- 1) No comments.

CONSENT CALENDAR: None.

PLANNING COMMISSION REPORTS: None.

NEW BUSINESS: None.

OLD BUSINESS: None.

ADJOURNMENT:

There being no further business, Acting Chairperson Robert Martinez adjourned the Planning Commission meeting at 6:14 p.m. There being no objection, it was so ordered.



Aric Martinez, Chairperson

ATTEST:

I hereby certify that the foregoing is a true and correct report of the proceedings of the Planning Commission Regular Meeting on August 21, 2023, and approved by the Planning Commission on September 16, 2024.



Alvaro Betancour, Director
Community & Economic Development Department