

REPORT TO THE HEARING OFFICER

DATE ISSUED: July 3, 2024
HEARING DATE: July 16, 2024 AGENDA ITEM: 5
PROJECT NUMBER: PRJ2023-004518-(1)
PERMIT NUMBER(S): Conditional Use Permit RPPL2023006664
SUPERVISORIAL DISTRICT: 1
PROJECT LOCATION: 18184 Colima Road, Rowland Heights, CA 91748
OWNER: Tone Yee Investments and Dev LLC
APPLICANT: Yumiyaki
CASE PLANNER: Carl Nadela, AICP, Principal Regional Planner
cnadela@planning.lacounty.gov

RECOMMENDATION

The following recommendation is made prior to the public hearing and is subject to change based upon testimony and/or documentary evidence presented at the public hearing:

LA County Planning staff ("Staff") recommends **APPROVAL** of Project Number PRJ2023-004518-(1), Conditional Use Permit Number ("CUP") RPPL2023006664, based on the Findings (Exhibit C – Findings) contained within this report and subject to the Draft Conditions of Approval (Exhibit D – Conditions of Approval).

Staff recommends the following motion:

CEQA:

I, THE HEARING OFFICER, CLOSE THE PUBLIC HEARING AND FIND THAT THE PROJECT IS CATEGORICALLY EXEMPT PURSUANT TO STATE AND LOCAL CEQA GUIDELINES.

ENTITLEMENT:

I, THE HEARING OFFICER, APPROVE CONDITIONAL USE PERMIT NUMBER RPPL2023006664 SUBJECT TO THE ATTACHED FINDINGS AND CONDITIONS.

PROJECT DESCRIPTION

A. Entitlement Requested

CUP for the sale of beer and wine for onsite consumption at an existing restaurant in the C-2-BE (Neighborhood Commercial - Billboard Exclusion) Zone pursuant to County Code Section 22.20.030 (Land Use Regulations for Commercial Zones).

B. Project

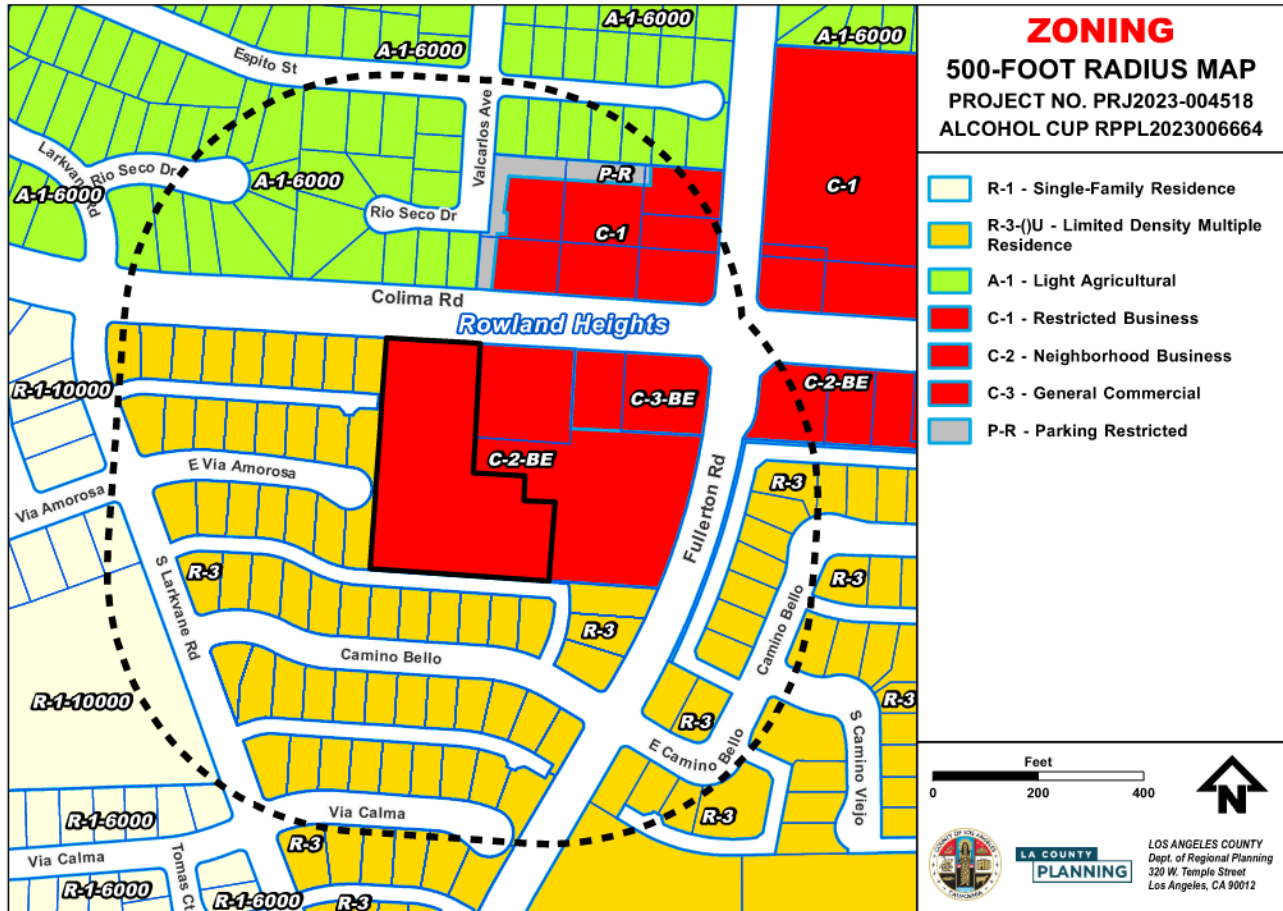
CUP to authorize the sale of beer and wine for onsite consumption at an existing restaurant in an existing commercial complex. No physical development is proposed.

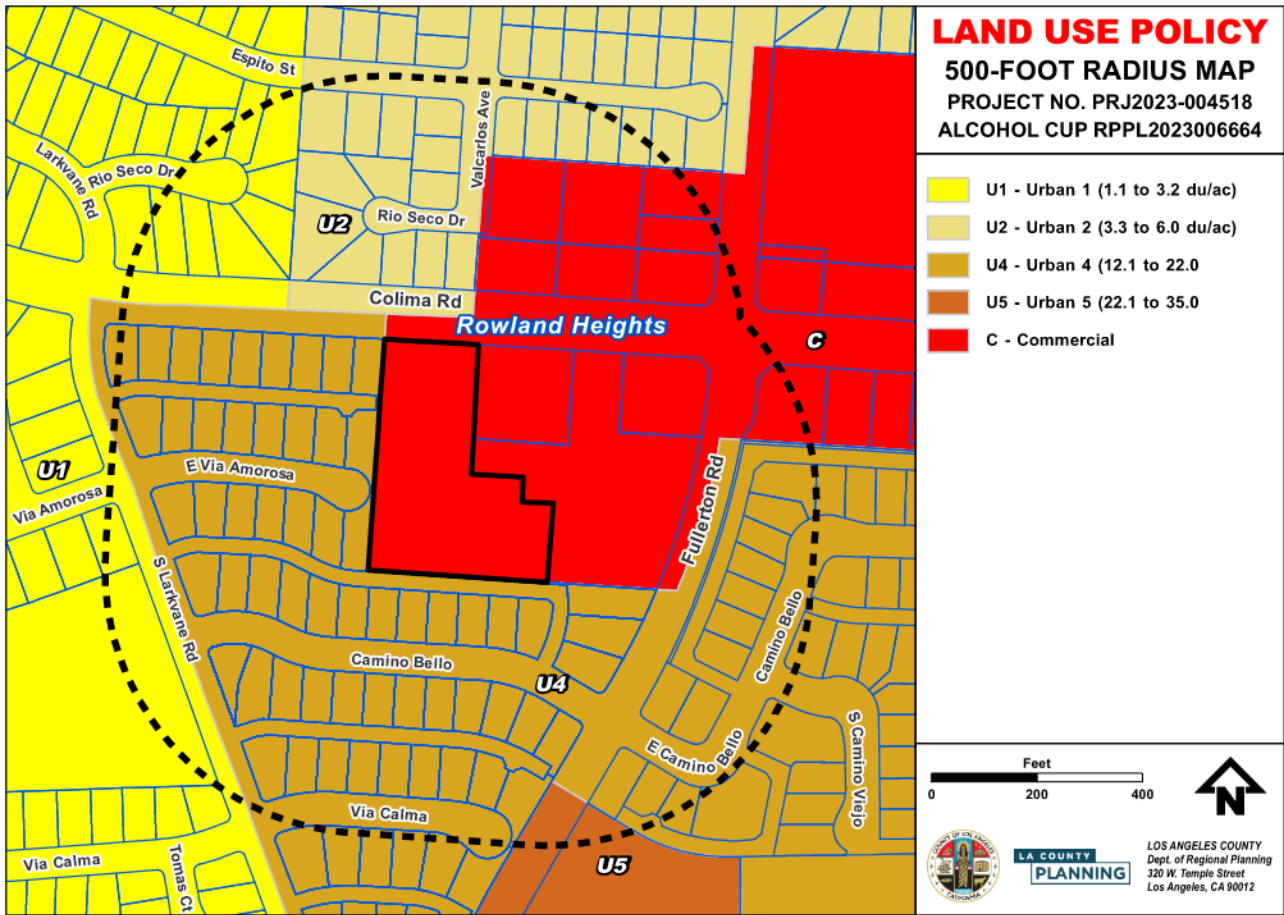
SUBJECT PROPERTY AND SURROUNDINGS

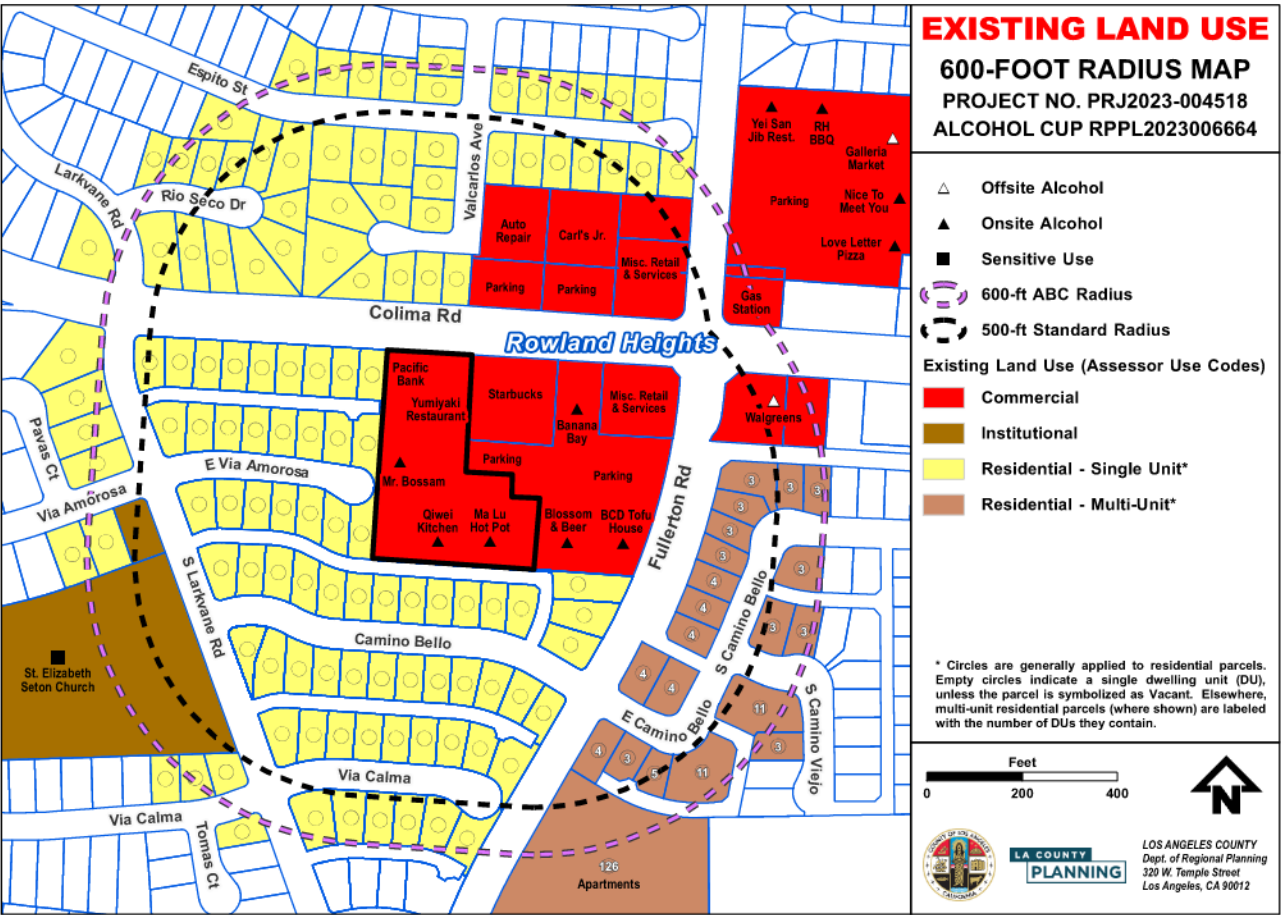
The following chart provides property data within a 500-foot radius:

LOCATION	ROWLAND HEIGHTS COMMUNITY PLAN LAND USE POLICY*	ZONING	EXISTING USES
SUBJECT PROPERTY	C (Commercial)	C-2-BE	Commercial complex
NORTH	C, U2 (Urban 2 – 3.3 to 6.0 dwelling units per gross acre)	C-1 (Restricted Commercial), A-1-6,000 (Light Agricultural - 6,000 Square Feet Minimum Required Lot Area)	Commercial complexes, single-family residences (“SFRs”)
EAST	C, U4 (Urban 4 – 12.1 to 22.0 dwelling units per gross acre)	C-2-BE, R-3 (Limited Density Multiple Residence)	Commercial complexes, townhouses
SOUTH	U4	R-3	Townhouses
WEST	U4	R-3	Townhouses

* Note: On May 21, 2024, the Rowland Heights Community Plan (“Community Plan”) was rescinded with the adoption of the East San Gabriel Valley Area Plan (“Area Plan”). However, since the subject CUP application was deemed complete prior to the adoption of the Area Plan, the CUP is still being reviewed and analyzed under the Community Plan.







PROPERTY HISTORY

A. Zoning History

ORDINANCE NO.	ZONING	DATE OF ADOPTION
5122	A-1-10,000 (Light Agricultural - 10,000 Square Feet Minimum Required Lot Area)	5/25/1948
8844	C-2 (Neighborhood Commercial)	5/18/1965
12141	C-2-BE	4/24/1980

B. Previous Cases

CASE NO.	REQUEST	DATE OF ACTION
Site Plan Review RPPL2023006383	Tenant Improvement for new restaurant at an existing commercial center	1/6/2024

C. Violations

No zoning violations pertaining to the subject establishment were found on record.

ANALYSIS

A. Land Use Compatibility

The subject restaurant is located in a tenant space within a larger commercial complex located near the southwestern corner of Colima Road and Fullerton Road. The establishments within this commercial complex include restaurants, retail stores, offices, and service establishments. Across the street to the north and east on Colima Road and Fullerton Road are other commercial complexes with similar tenant mixes. To the west and south are multi-family residential neighborhoods and to the northwest are SFRs. These SFRs are sufficiently buffered from the Project Site by concrete block walls, landscaping, existing structures, parking lots and the 100-foot width of Colima Road. With the establishment of adequate operational controls such as hours of alcohol sales and restrictions on offsite consumption of alcohol, the proposed accessory sale of beer and wine for onsite consumption at the existing restaurant at the subject location is compatible with all these surrounding uses in the area.

B. Neighborhood Impact (Need/Convenience Assessment)

The Project is for the accessory sales of beer and wine for onsite consumption at an existing restaurant. No physical development is being proposed. In the immediate vicinity

of the site are various commercial uses. To the west and south are multi-family residential neighborhoods and to the northwest are SFRs. These SFRs are sufficiently buffered from the Project Site by concrete block walls, landscaping, existing structures, parking lots and the width of Colima Road. With the establishment of adequate operational controls such as hours of alcohol sales and restrictions on offsite consumption of alcohol, the proposed accessory sale of beer and wine for onsite consumption at the existing restaurant at the subject location is compatible and will not have any negative impacts on these neighborhoods.

According to the California Department of Alcoholic Beverage Control (“ABC”), four licenses for alcohol sales for onsite consumption are allowed in the Census Tract where the Project Site is located (4086.26), while eight such on-site licenses are currently active. The subject restaurant will be the ninth restaurant to sell alcohol for on-site consumption within this Census Tract. This indicates that there is an overconcentration of alcohol sales in this Census Tract as defined and determined by ABC. ABC also indicates that the Project Site is located in a High Crime Reporting District. However, the public convenience of allowing the patrons of the subject restaurant to partake of beer and wine together with their regular meals at the restaurant outweighs these facts. This needs to be balanced with the adverse effects of the easy availability of alcoholic beverages either too early or too late in the day (see Exhibit K). Because of these, staff believes that the public convenience and necessity of selling beer and wine at the Project Site can be established for the hours of 10:00 am to 10:00 pm. daily.

C. Design Compatibility

Pursuant to Section 22.20.050 (Development Standards for Zones C-H, C-1, C-2, C-3, and C-M) of the County Code, the Project Site is subject to the development standards of the C-2 Zone. The tenant improvement to develop the existing restaurant was authorized on January 6, 2024, through the approval of Site Plan Review No. RPPL2023006383. This approval determined that the subject restaurant is in compliance with the requirements and development standards of the County Code. No physical development is proposed at this time.

Pursuant to Chapter 22.332 (Rowland Heights Community Standards District) of the County Code, the Project is also subject to the requirements of the Rowland Heights Community Standards District. Since the Project does not involve any physical development, no development standards prescribed by the Rowland Heights Community Standards District apply.

GENERAL PLAN/COMMUNITY PLAN CONSISTENCY

The Project is consistent with applicable goals and policies of the General Plan and Community Plan. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

ZONING ORDINANCE CONSISTENCY

The Project complies with all applicable zoning requirements. Consistency findings can be found in the attached Findings (Exhibit C – Findings).

BURDEN OF PROOF

The applicant is required to substantiate all facts identified by Sections 22.158.050 (Conditional Use Permits Findings and Decisions) and 22.140.030 (Alcoholic Beverage Sales) of the County Code. The Burden of Proof with applicant's responses is attached (Exhibit E – Applicant's Burden of Proof). Staff is of the opinion that the applicant has met the burden of proof.

ENVIRONMENTAL ANALYSIS

Staff recommends that this project qualifies for a Categorical Exemption (Class 1 Exemption, Existing Facilities) under the California Environmental Quality Act (CEQA) and the County environmental guidelines. The Project is for the proposed accessory sale of beer and wine for onsite consumption at an existing restaurant. No modifications or physical development is being requested at this time. The Project Site is not in an environmentally sensitive area, a hazardous waste site, nor a designated historic district. There are also no significant cumulative impacts nor unusual circumstances associated with the Project. Thus, there are no exceptions to the identified exemptions. Therefore, staff recommends that the Hearing Officer determine that the project is categorically exempt from CEQA. An environmental determination (Exhibit F – Environmental Determination) was issued for the project.

COMMENTS RECEIVED

A. County Department Comments and Recommendations

The County Sheriff's Department, Walnut/Diamond Bar Station, in a letter dated March 13, 2024, recommended approval of the CUP.

B. Other Agency Comments and Recommendations

Staff has not received any comments at the time of report preparation.

C. Public Comments

The Rowland Heights Community Coordinating Council ("RHCCC"), in a letter dated March 18, 2024, indicated that the RHCCC Board had voted to support the Project.

Report

Reviewed By:



Maria Masis, AICP, Supervising Regional Planner

Report

Approved By:



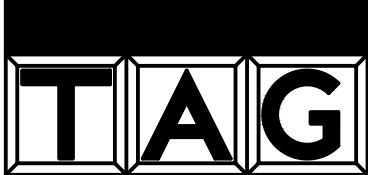
Susan Tae, AICP, Assistant Administrator

LIST OF ATTACHED EXHIBITS

EXHIBIT A	Plans
EXHIBIT B	Project Summary Sheet
EXHIBIT C	Draft Findings
EXHIBIT D	Draft Conditions of Approval
EXHIBIT E	Applicant's Burden of Proof
EXHIBIT F	Environmental Determination
EXHIBIT G	Informational Maps
EXHIBIT H	Photos
EXHIBIT I	Agency Correspondence
EXHIBIT J	Public Correspondence
EXHIBIT K	Reference Documents

1. "Effectiveness of Policies Restricting Hours of Alcohol Sales in Preventing Excessive Alcohol Consumption and Related Harms". US National Library of Medicine National Institutes of Health. 2010.
<https://www.ncbi.nlm.nih.gov/pubmed/21084080>
2. "International alcohol control study: pricing data and hours of purchase predict heavier drinking". US National Library of Medicine National Institutes of Health.
<https://www.ncbi.nlm.nih.gov/pubmed/24588859>
3. "How To Use Local and Land Use Powers to Prevent Underage Drinking". Pacific Institute for Research and Evaluation, August 2013
(<https://www.ojp.gov/ncjrs/virtual-library/abstracts/how-use-local-regulatory-and-land-use-powers-prevent-underage>)

<div>YUMIYAKI ROWLAND HEIGHTS</div> <div>18184 COLIMA RD, ROWLAND HEIGHTS, CA 91748</div>			
ACCESSIBILITY NOTE		ABBREVIATION	
<p>TURNING SPACE</p> <p>1. Circular turning spaces shall be a space of 60 inches diameter minimum and may include knee and toe clearance complying with 11B-306 Knee and Toe Clearance, §11B-304.3.1</p> <p>2. T-Shaped turning spaces shall be a T-shaped space within a 60 inch square minimum with arms and base 36 inches wide minimum. Each arm of the T shall be clear of obstructions 12 inches minimum in each direction and the base shall be clear of obstructions 24 inches minimum. §11B-304.3.2, Figure 11B-304.3.2</p> <p>KNEE AND TOE CLEARANCE</p> <p>1. For lavatories and built-in dining and work surfaces required to be accessible, toe clearance shall be provided that is 30 inches in width and 9 inches in height above the finish floor or ground for a depth of 19 inches minimum. §11B-306.2.1</p> <p>2. Toe clearance shall extend 19 inches maximum under lavatories for toilet and bathing facilities and 25 inches maximum under other elements. §11B-306.2.2</p> <p>3. At lavatories in toilet and bathing facilities, knee clearance shall be provided that is 30 inches in width for a depth of 11 inches at 9 inches above the finish floor or ground and for a depth of 8 inches at 27 inches above the finish floor or ground increasing to 29 inches high minimum above the finish floor or ground at the front edge of a counter with a built-in lavatory or at the front edge of a wall-mounted lavatory fixture. §11B-306.3.3, Figure 11B-306.3(c)</p> <p>4. At dining and work surfaces required to be accessible, knee clearance shall be provided that is 30 inches in width at 27 inches above the finish floor or ground for a depth of at least 19 inches. §11B-306.3</p> <p>DOORS, DOORWAYS, AND GATES</p> <p>1. Doors, doorways, and gates providing user passage shall be provided in accordance with 11B-206.5 Doors, Doorways, and Gates. §11B-206.5</p> <p>2. Doors, doorways and gates that are part of an accessible route shall comply with 11B-404 Doors, Doorways, and Gates. §11B-404.1</p> <p>3. Door openings shall provide a clear width of 32 inches minimum. Clear openings of doorways with swinging doors shall be measured between the face of the door and the stop, with the door open 90 degrees. Openings more than 24 inches deep shall provide a clear opening of 36 inches minimum. There shall be no projections into the required clear opening width lower than 34 inches above the finish floor or ground. Projections into the clear opening width between 34 inches and 80 inches above the finish floor or ground shall not exceed 4 inches. §11B-404.2.3</p> <p>4. Swinging doors and gates shall have maneuvering clearances complying with Table 11B-404.2.4.1. §11B-404.2.4.1</p> <p>5. Doorways less than 36 inches wide without doors or gates, sliding doors, or folding doors shall have maneuvering clearances complying with Table 11B-404.2.4.2. §11B-404.2.4.2</p> <p>6. Maneuvering clearances for forward approach shall be provided when any obstruction within 18 inches of the latch side an interior doorway, or within 24 inches of the latch side of an exterior doorway, projects more than 8 inches beyond the face of the door, measured perpendicular to the face of the door or gate. §11B-404.2.4.3</p> <p>7. Thresholds, if provided at doorways, shall be 12 inch high maximum. Raised thresholds and changes in level at doorways shall comply with 11B-302 Floor or Ground Surfaces and 11B-303 Changes in Level. §11B-404.2.5</p> <p>8. Handles, pulls, latches, locks, and other operate parts on doors and gates shall comply with 11B-309.4 Operation. Operable parts of such hardware shall be 34 inches minimum and 44 inches maximum above the finish floor or ground. Where sliding doors are in the fully open position, operating hardware shall be exposed and usable from both sides. §11B-404.2.7</p> <p>9. The force for pushing or pulling open a door or gate other than fire doors shall be as follows: §11B-404.2.9</p> <p>a. Interior hinged doors and gates: 5 pounds maximum.</p> <p>b. Sliding or folding doors: 5 pounds maximum.</p> <p>c. Required fire doors: the minimum opening force allowable by the appropriate administrative authority, not to exceed 15 pounds.</p> <p>d. Exterior hinged doors: 5 pounds maximum.</p> <p>10. Swinging door and gate surfaces within 10 inches of the finish floor or ground measured vertically shall have a smooth surface on the push side extending the full width of the door or gate. Parts creating horizontal or vertical joints in these surfaces shall be within 1/16 inch of the same plane as the other and be free of sharp or abrasive edges. Cavities created by added kick plates shall be capped. §11B-404.2.10</p> <p>RAMP</p> <p>1. Ramp runs shall have a running slope not steeper than 1:12 (8.33%). §11B-405.2</p> <p>2. Cross slope of ramp runs shall not be steeper than 1:48 (2.083%). §11B-405.3</p> <p>3. Floor or ground surfaces of ramp runs shall comply with 11B-302 Floor or Ground Surfaces. Changes in level other than the running slope and cross slope are not permitted on ramp runs. §11B-405.4</p> <p>4. The clear width of a ramp run shall be 48 inches minimum. §11B-405.5</p> <p>5. The rise for any ramp run shall be 30 inches maximum. §11B-405.6</p> <p>6. Ramps shall have landings at the top and the bottom of each ramp run. §11B-405.7</p> <p>7. Landings shall comply with 11B-302 Floor or Ground Surfaces. Changes in level are not permitted. §11B-405.7.1</p>		<p>8. The landing clear width shall be at least as wide as the widest ramp run leading to the landing. §11B-405.7.2</p> <p>9. Top landings shall be 60 inches wide minimum. §11B-405.7.2.1</p> <p>10. The landing clear length shall be 60 inches long minimum. §11B-405.7.3</p> <p>11. Bottom landings shall extend 72 inches minimum in the direction of ramp run. §11B-405.7.3.1</p> <p>12. Ramps that change direction between runs at landings shall have a clear landing 60 inches minimum by 72 inches minimum in the direction of downward travel from the upper ramp run. §11B-405.7.4</p> <p>13. Where doorways are located adjacent to a ramp landing, maneuvering clearances required by 11B-404.2.4 and 11B-404.3.2 shall be permitted to overlap the required landing area. Doors, when fully open, shall not reduce the required ramp landing width by more than 3 inches. Doors, in any position, shall not reduce the minimum dimension of the ramp landing to less than 42 inches. §11B-405.7.5</p> <p>14. Ramp runs shall have compliant handrails per 11B-505 Handrails. §11B-405.8</p> <p>15. Edge protection complying with 11B-405.9.2 Curb or Barrier shall be provided on each side of ramp runs and at each side of ramp landings. §11B-405.9 (See exceptions)</p> <p>16. A curb, 2 inches high minimum, or barrier shall be provided that prevents the passage of a 4 inch diameter sphere, where any portion of the sphere is within 4 inches of the finish floor or ground surface. To prevent wheel entrapment, the curb or barrier shall provide a continuous and uninterrupted barrier along the length of the ramp. §11B-405.9.2</p> <p>17. Landings subject to wet conditions shall be designed to prevent the accumulation of water. §11B-405.10</p> <p>CURB RAMPS, BLENDED TRANSITIONS AND ISLANDS</p> <p>1. Perpendicular ramp runs shall have a running slope not steeper than 1:12 (8.33%). §11B-406.2.1</p> <p>2. For perpendicular ramps, where provided, curb ramp flares shall not be steeper than 1:10. §11B-406.2, Figure 11B-406.2.2</p> <p>3. The running slope of the curb ramp segments shall be in-line with the direction of sidewalk travel. Ramp runs shall have a running slope not steeper than 1:12 (8.33%). §11B-406.3.1, Figure 11B-406.3.2</p> <p>4. A turning space 48 inches minimum by 48 inches minimum shall be provided at the bottom of the curb ramp. The slope of the turning space in all directions shall be 1:48 maximum (2.083%). §11B-406.3.2</p> <p>5. Blended transition ramps shall have a running slope not steeper than 1:20 (5%). §11B-406.4.1</p> <p>6. Curb ramps and the flared sides of curb ramps shall be located so that they do not project into vehicular traffic lanes, parking spaces, or parking access aisles. Curb ramps at marked crossings shall be wholly contained within the markings, excluding any flared sides. §11B-406.5.1</p> <p>7. The clear width of curb ramp runs (excluding any flared sides), blended transitions, and turning spaces shall be 48 inches minimum. §11B-406.5.2</p> <p>8. Landings shall be provided at the tops of curb ramps and blended transitions (parallel curb ramps shall not be required to comply). The landing clear length shall be 48 inches minimum. The landing clear width shall be at least as wide as the curb ramp, excluding any flared sides, or the blended transition leading to the landing. The slope of the landing in all directions shall be 1:48 (2.083%) maximum. §11B-406.5.3</p> <p>9. Grade breaks at the top and bottom of curb ramp runs shall be perpendicular to the direction of the ramp run. Grade breaks shall not be permitted on the surface of ramp runs and turning spaces. Surface slopes that meet at grade breaks shall be flush. §11B-406.5.6</p> <p>10. The cross slope of curb ramps and blended transitions shall be 1:48 (2.083%) maximum. §11B-406.5.7</p> <p>11. Counter slopes of adjoining gutters and road surfaces immediately adjacent to and within 24 inches of the curb ramp shall not be steeper than 1:20 (5%). The adjacent surfaces at transitions at curb ramps to walks, gutters, and streets shall be at the same level. §11B-406.5.8</p> <p>12. The bottom of diagonal curb ramps shall have a clear space 48 inches minimum outside active traffic lanes of the roadway. Diagonal curb ramps provided at marked crossings shall provide the 48 inches minimum clear space within the markings. §11B-406.5.9</p> <p>13. Curb ramps and blended transitions shall have detectable warnings complying with 11B-705 Detectable Warnings. §11B-406.5.12</p> <p>14. Raised islands in crossings shall be cut through level with the street or have curb ramps at both sides. The clear width of the accessible route at islands shall be 60 inches wide minimum. Where curb ramps are provided, they shall comply with 11B-406 Curb Ramps, Blended Transitions and Islands. Landings complying with 11B-406.5.3 Landings and the accessible route shall be permitted to overlap. Islands shall have detectable warnings complying with 11B-705 Detectable Warnings and Detectable Directional Texture. §11B-406.6, Figure 11B-406.6</p> <p>GENERAL SITE AND BUILDING ELEMENTS</p> <p>1. Where parking spaces are provided, accessible parking spaces shall be provided in number and kind required per Section 11B-208 Parking Spaces. §11B-208.1</p> <p>2. Where passenger loading zones, drop-off zones, and/or bus stops are provided, accessible passenger loading zones, drop-off zones, and/or bus stops are required.</p>	
GENERAL NOTE			
<p>1. THE CONTRACTOR SHALL PROVIDE SAFE AND CONTINUOUS PASSAGE FOR LOCAL PEDESTRIAN AND VEHICULAR TRAFFIC AT ALL TIMES.</p> <p>2. SHOULD ANY OF THE EXISTING UTILITIES OR ANY OTHER FACILITIES CONFLICT WITH THE PROPOSED WORK AS SHOWN ON THE PLANS, THE CONTRACTOR SHALL NOTIFY THE ARCHITECT AND AWAIT THE RELOCATION AND/OR ALTERNATE DESIGN.</p> <p>3. THE CONTRACTOR SHALL SO CONDUCT HIS OPERATIONS AS TO OFFER THE LEAST POSSIBLE OBSTRUCTION AND INCONVENIENCE TO THE PUBLIC, AND HE SHALL HAVE UNDER CONSTRUCTION NO GREATER LENGTH OR AMOUNT OF WORK THAN HE CAN EXECUTE PROPERLY WITH DUE REGARD TO THE RIGHTS OF THE PUBLIC.</p> <p>4. CONVENIENT ACCESS TO DRIVEWAYS AND BUILDINGS ALONG THE LINE OF WORK SHALL BE MAINTAINED, AND TEMPORARY CROSSINGS SHALL BE PROVIDED AND MAINTAINED IN GOOD CONDITIONS, NOT MORE THAN ONE CROSSING OR INTERSECTING STREET OR ROAD SHALL BE CLOSED AT ANY ONE TIME WITHOUT THE APPROVAL OF THE OWNER.</p> <p>5. THE CONTRACTOR SHALL PROVIDE AND MAINTAIN SUCH FENCES, BARRIERS, DIRECTIONAL SIGNS, LIGHTS, AND FLAG MEN AS ARE NECESSARY TO GIVE ADEQUATE WARNING TO THE PUBLIC AT ALL TIMES OF ANY DANGEROUS CONDITIONS TO BE ENCOUNTERED AS A RESULT OF THE CONSTRUCTION WORK AND TO GIVE DIRECTIONS TO THE PUBLIC.</p> <p>6. THE CONTRACTOR SHALL EXERCISE DUE CARE TO AVOID INJURY TO EXISTING IMPROVEMENTS OR FACILITIES, UTILITY FACILITIES, ADJACENT PROPERTY, AND TREES AND SHRUBBERY. CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT PRIOR TO ENTERING PROJECT SITE.</p> <p>7. IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY DURING PERFORMANCE OF THE WORK, AND THE CONTRACTOR SHALL FULLY COMPLY WITH ALL STATE AND FEDERAL LAWS, RULES, REGULATIONS, AND ORDERS RELATING TO SAFETY TO THE PUBLIC AND WORKERS.</p> <p>8. ALL WORK RELATED TO ELECTRICAL SERVICE SHALL BE PERFORMED IN CONFORMANCE WITH THE GOVERNING POWER COMPANY REQUIREMENTS.</p> <p>9. ALL WORK EMBODIED IN THESE PLANS SHALL BE DONE IN ACCORDANCE WITH - APPLICABLE PROVISIONS OF THE CURRENT GOVERNING BUILDING CODE.</p> <p>10. THE ARCHITECT SHALL NOT BE RESPONSIBLE IN ANY WAY FOR THE CONTRACTORS AND SUBCONTRACTORS' COMPLIANCE WITH THE "OCCUPATIONAL HEALTH AND SAFETY REGULATIONS OF U.S. DEPARTMENT LABOR OR WITH THE STATE OF CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS "CONSTRUCTION SAFETY ORDERS" OR ANY OTHER GOVERNING AGENCY SAFETY REQUIREMENTS.</p>		<p>11. CONTRACTOR FURTHER AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITIES FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT HIS RESPONSIBILITY SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY, AND HOLD THE OWNER, THE ARCHITECT, AND THE ARCHITECT'S CONSULTANTS HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT EXCEPTING FOR LIABILITY ARISING FROM SOLE NEGLIGENCE OF THE OWNER OR ARCHITECT.</p> <p>12. SITE ACCESSIBILITY REQUIREMENTS (CBC CHAPTER 11-B) WILL BE REVIEWED UNDER THE GRADING PLAN CHECK NUMBER.</p> <p>13. ALL MATERIALS INSTALLED SHALL BE A MINIMUM OF CLASS II INSULATION, PIPING, WIRING ETC. SHALL HAVE A MINIMUM FLAME SPREAD CLASS PER SECTION 707.</p> <p>14. ALL HORIZONTAL DIMENSIONS ARE TAKEN FROM FACE OF STUD UNLESS OTHERWISE NOTED.</p> <p>15. ALL STUDS ARE 2X6 UNLESS NOTED OTHERWISE.</p> <p>16. PADS AT ROUGH GRADING WILL HAVE A MINIMUM SLOPE OF 1% TOWARDS THE STREET DESIGNED DRAINAGE OUTLET. REFER TO CIVIL DRAWINGS.</p> <p>17. FINISH GRADING WILL BE COMPLETED AND APPROVED AND SLOPE PLANTING AND IRRIGATION SYSTEMS INSTALLED BEFORE OCCUPANCY OF BUILDINGS.</p> <p>18. SECURE ENCROACHMENT PERMIT PER THE CITY'S REQUIREMENTS FOR CONSTRUCTION, GRADING AND OR DISCHARGE OF DRAINAGE WITHIN STREET RIGHT OF WAY.</p> <p>19. SECURITY REQUIREMENTS FOR SWINGING DOORS SHALL COMPLY WITH THE CITY OF LOS ANGELES BUILDING CODE.</p> <p>20. CONTRACTOR SHALL PROVIDE STEEL CERTIFICATIONS TO THE CITY GOVERNING AGENCY BUILDING DIVISION PRIOR TO INSTALLATION.</p> <p>21. THE GENERAL CONTRACTOR SHALL FURNISH HYDRAULICALLY CALCULATED AUTOMATIC FIRE SPRINKLER SYSTEMS. CONTRACTOR SHALL PREPARE SHOP DRAWINGS AND OBTAIN APPROVALS FROM THE INSURANCE SERVICE OFFICE, (I.R.I.), BUILDINGS, FIRE DEPARTMENT AND OTHER REQUIRED GOVERNING AGENCIES PRIOR TO SUBMITTAL TO THE ARCHITECT FOR HIS REVIEW PRIOR TO ANY INSTALLATION. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR A COMPLETE SYSTEM FROM CONNECTION TO SITE WATER MAIN TO INTERIOR OF BUILDING. REFER TO SPECIFICATIONS AND TO PLAN INDICATING BUILDINGS TO BE SPRINKLED ALL COSTS ASSOCIATED TO UPGRADE THE FIRE SPRINKLERED SYSTEM SHALL BE PAID BY THE CONTRACTOR. FIRE SPRINKLER DRAWINGS SHALL BE UNDER A DEFERRED SUBMITTAL.</p> <p>22. THE FIRE SPRINKLER SERVICE MUST BE EQUIPPED AND INSTALLED PER FIRE DEPARTMENT SPECIFICATIONS AND DIRECTIONS. FIRE SPRINKLER CONTRACTOR SHALL CONTACT THE FIRE DEPARTMENT FOR WATER DESIGN SPECS. ON UNDERGROUND CONNECTION.</p>	
PROJECT DESCRIPTION	APPLICABLE CODES	SEPARATE PERMIT	PAGE INDEX
PROJECT ADDRESS: 18184 COLIMA RD, ROWLAND HEIGHTS, CA 91748 ASSESSOR'S PARCEL NUMBER: 8270-017-025 ZONING DESIGNATION: COMMERCIAL-1100 GENERAL PLAN DESIGNATION: COMMERCIAL EXISTING LAND USE/PROPOSED LAND USE: COMMERCIAL TOTAL GROSS LAND AREA: 4.68 AC TOTAL UNIT AREA: 1,800 S.F. OCCUPANCY CLASSIFICATION: A-2 TYPE OF CONSTRUCTION: V-B NUMBER OF STORY: 2 FIRE SPRINKLER: NON	2022 CALIFORNIA BUILDING CODE (CBC) 2022 CALIFORNIA MECHANICAL CODE (CMC) 2022 CALIFORNIA PLUMBING CODE (CPC) 2022 CALIFORNIA ELECTRICAL CODE (CEC) 2022 CALIFORNIA FIRE CODE (CFC) 2022 CALIFORNIA BUILDING ENERGY EFFICIENCY STANDARDS 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE	- SINGAGE PERMIT IS UNDER DIFFERED PERMIT	ARCHITECTURAL A1 TITLE SHEET A2 SITE PLAN A3 FLOOR PLAN
SCOPE OF WORK	OPERATION	VICINITY MAP	CONTACT INFO
EXISTING RESTAURANT - TYPE 41 ABC LICENSE (ON-SITE BEER & WINE- EATING ESTABLISHMENT)	NUMBER OF EMPLOYEES: DURING THE LARGEST SHIFT: 15 NUMBER OF MANAGERS: 2 DAYS AND HOURS OF OPERATION - MONDAY TO SUNDAY - 12PM-11PM DAYS AND HOURS OF SERVING ALCOHOL - MONDAY TO SUNDAY - 12PM-11PM NUMBER OF FIXED SEATING: 40		TENANT: CHUBBY CATTLE ROWLAND HEIGHTS, LLC MAILING ADDRESS: 18558 GALE AVE, STE 122-128, ROWLAND HEIGHTS, CA 91748 P: 702-858-8378 ARCHITECTURAL DESIGN: TOP ARC GROUP ADDRESS: 1140 CENTRE DR, STE E, WALNUT, CA 91789 P: 626-226-3939 E: YAOLONG0221@YAHOO.COM
		.Screenshot 2023-11-21 at 3.04.53 PM.png	



TOP-ARC GROUP
ARCHITECTURAL DESIGN FIRM
PHONE: (626) 226-3939
EMAIL: YAOLONG0221@YAHOO.COM

PROJECT TITLE / ADDRESS
YUMIYAKI
ROWLAND HEIGHTS
18184 COLIMA RD
ROWLAND HEIGHTS, CA 91748

DRAWING TITLE

TITLE

REVISIONS

DATE	NO.
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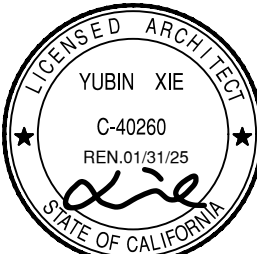
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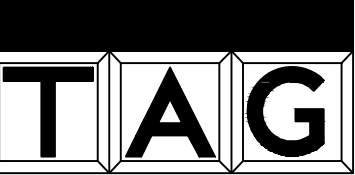
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SCALE: AS NOTED

SHEET NO.

A1





TOP-ARC GROUP
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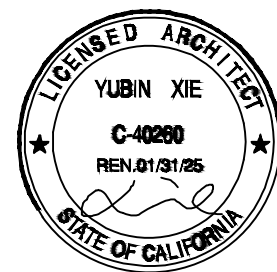
PROJECT TITLE / ADDRESS
YUMYAKI
ROWLAND HEIGHTS
18184 COLIMA RD,
ROWLAND HEIGHTS, CA 91748

DRAWING TITLE

SITE PLAN

REVISIONS

DATE	NO.
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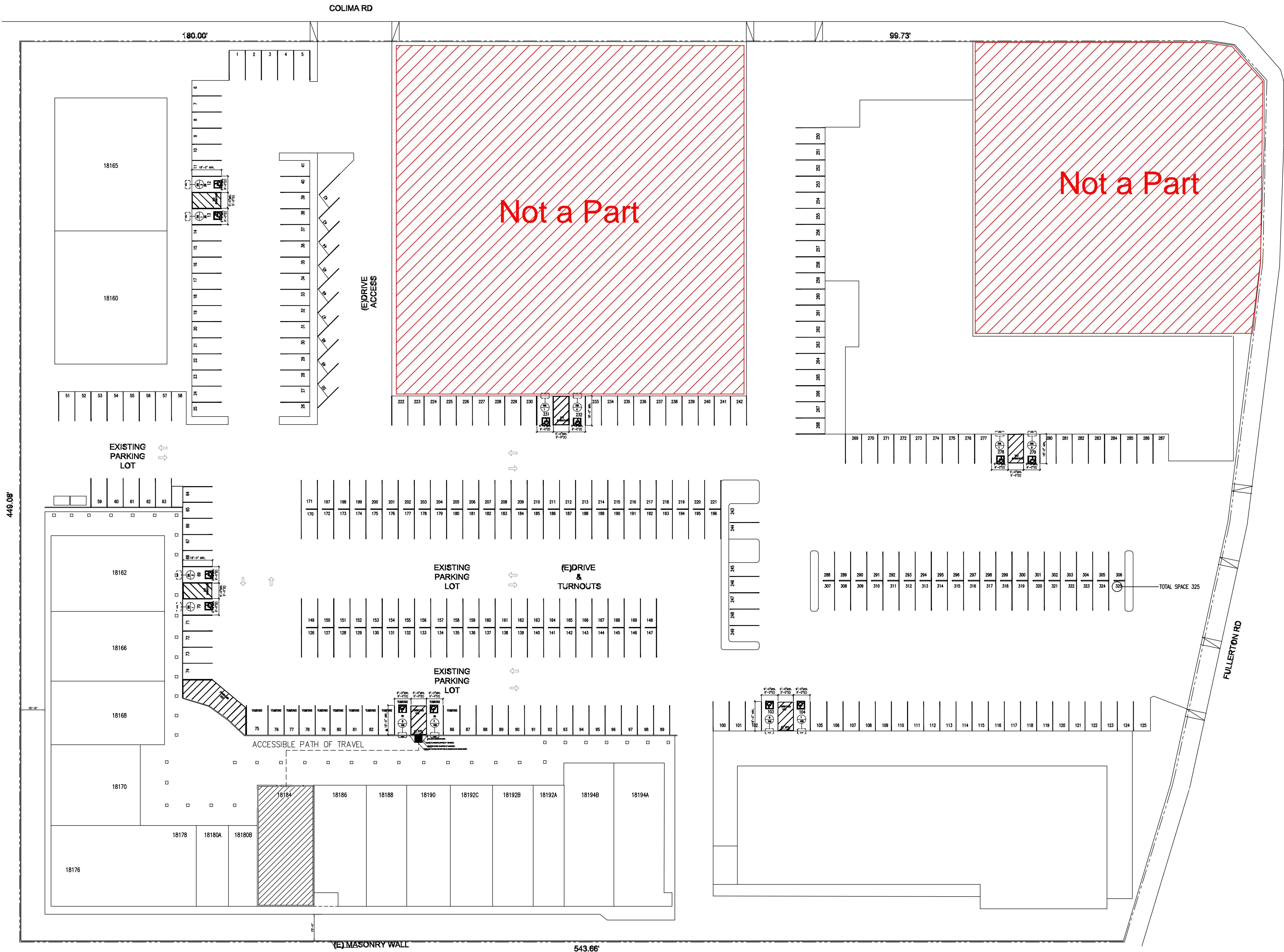
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A2



SITE PLAN
Scale: N.T.S.



PARKING MATRIX FORM

PROJECT NO: RPPL2023006664

SITE ADDRESS: 18184 COLIMA RD, ROWLAND HEIGHTS

PERMIT NO:

APN: 8270-017-021

NAME OF BUSINESS	ADDRESS, UNIT OR SUITE NO.	USE (Retail, office, restaurant, residential, etc.)	GROSS SQ. FT. OF UNIT	OCCUPANT LOAD ¹ (If applicable)	PARKING RATIO	SPACES REQUIRED ²	SPACES PROVIDED
Sosom Ramen	18162 Colima Rd	Restaurant	2,000	45	1/3 occ	15	15
Vacant	18166 Colima Rd	Restaurant	2,000	42	1/3 occ	14	14
Hair Link	18168 Colima Rd	Retail	1,035		1/250	4.14	4
Vacant	18170A Colima Rd	Restaurant	1,105	30	1/3 occ	10	10
Boba Ave 8090	18170B Colima Rd	Restaurant	1,105	31	1/3 occ	10.33	10
Vacant	18176 Colima Rd	Retail	599		1/250	2.4	2
Yornie Yogurt	18178 Colima Rd	Restaurant	600	12	1/3 occ	4	4
Matcha Maiko	18180A Colima Rd	Restaurant	600	12	1/3 occ	4	4
Hanu Hawaiian BBQ	18180B Colima Rd	Restaurant	600	12	1/3 occ	4	4
Yumiyaki	18184 Colima Rd	Restaurant	1,800	37	1/3 occ	12.33	12
Alice Computer	18186 Colima Rd	Retail	1,800		1/250	7.2	7
Michelle Boutique	18188 Colima Rd	Retail	1,200		1/250	4.8	5
Yoni Boutique	18190 Colima Rd	Retail	1,200		1/250	4.8	5
Life FourCuts	18192A Colima Rd	Retail	900		1/250	3.6	4
Vacant	18192B Colima Rd	Retail	900		1/250	3.6	4

1 Attach completed Building & Safety Occupancy Load Determination Form A.

2 Please refer to Chapter 22.112 of the Zoning Code.

3 If the total number of required spaces is a fraction, round to the nearest whole number.

TOTAL SPACES
REQUIRED³

SEE PG 3

TOTAL SPACES
PROVIDED

SEE PG 3

Difference*

SEE PG 3

By my signature below, I certify that this analysis data is true to the best of my knowledge.


PROPERTY OWNER OR APPLICANT SIGNATURE

STEVEN CHEN

PRINT NAME

JUN 27, 2024

DATE OF SIGNATURE

*A negative difference may require an authorized Parking Permit or Minor Parking Deviation

Attach additional sheets, if necessary

320 West Temple Street, Los Angeles, CA 90012 • 213-974-6411 • TDD: 213-617-2292

@LACDRP • planning.lacounty.gov

PARKING MATRIX FORM

PROJECT NO: RPPL2023006664

SITE ADDRESS: 18184 COLIMA RD, ROWLAND HEIGHTS

PERMIT NO:

APN: 8270-017-021

NAME OF BUSINESS	ADDRESS, UNIT OR SUITE NO.	USE (Retail, office, restaurant, residential, etc.)	GROSS SQ. FT. OF UNIT	OCCUPANT LOAD ¹ (If applicable)	PARKING RATIO	SPACES REQUIRED ²	SPACES PROVIDED
Blue Panda	18192C Colima Rd	Retail	1,170		1/250	4.68	5
LACA Beauty	18194B Colima Rd	Retail	1,435		1/250	5.74	6
Ma Lu Bian Bian	18194 Colima Rd	Restaurant	2,100	45	1/3 occ	15	15
Jiu Chu Dumpling Restaurant	18156 Colima Rd	Restaurant	2,950	69	1/3 occ	23	12
Pacific City Bank	18160 Colima Rd	Bank	2,665		1/400	6.66	7
Pacific City Bank(extension)	18160A Colima Rd	Bank	1,650		1/400	4.13	4
BCD Tofu Restroom	1731 E Fullerton Rd	Restaurant	2,075	48	1/3 occ	16	16
Oya Beauty	1735 E Fullerton Rd	Beauty Spa	2,328		1/250	9.31	9
Tastea Beverage / Snacks Store	1737A E Fullerton Rd	Restaurant	1,284	30	1/3 occ	10	10
Mi & U	1737 E Fullerton Rd	Retail	588		1/250	2.35	2
Blossom Izakaya	1739 E Fullerton Rd	Restaurant	1,230	34	1/3 occ	11.33	11
Qi Wei Chinese Restroom	1741 E Fullerton Rd	Restaurant	1,185	42	1/3 occ	14	14
Java Spice Indonesian Restroom	1743 E Fullerton Rd	Restaurant	1,200	31	1/3 occ	10.33	10
YGF Malatong	1745 E Fullerton Rd	Restaurant	1,800	41	1/3 occ	13.66	14
Office	1747 E Fullerton Rd	Office	240		1/400	0.6	1

1 Attach completed Building & Safety Occupancy Load Determination Form A.

2 Please refer to Chapter 22.112 of the Zoning Code.

3 If the total number of required spaces is a fraction, round to the nearest whole number.

TOTAL SPACES
REQUIRED³

SEE PG 3

TOTAL SPACES
PROVIDED

SEE PG 3

Difference*

SEE PG 3

By my signature below, I certify that this analysis data is true to the best of my knowledge.


PROPERTY OWNER OR APPLICANT SIGNATURE

STEVEN CHEN

PRINT NAME

JUN 27, 2024

DATE OF SIGNATURE

*A negative difference may require an authorized Parking Permit or Minor Parking Deviation

Attach additional sheets, if necessary

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PARKING MATRIX FORM

PROJECT NO: RPPL2023006664

SITE ADDRESS: 18184 COLIMA RD, ROWLAND HEIGHTS

PERMIT NO:

APN: 8270-017-021

NAME OF BUSINESS	ADDRESS, UNIT OR SUITE NO.	USE (Retail, office, restaurant, residential, etc.)	GROSS SQ. FT. OF UNIT	OCCUPANT LOAD ¹ (If applicable)	PARKING RATIO	SPACES REQUIRED ²	SPACES PROVIDED
Kyochon Chicken	1715 E. Fullerton Rd	Restaurant	1,432	46	1/3 occ	15.33	15
Kpop	1719A E. Fullerton Rd	Retail	1,000		1/250	4	4
Asian Pacific Bank	1719B E. Fullerton Rd	Bank	1,022		1/400	2.56	3
Shine Beauty	1721 E. Fullerton Rd	Beauty Spa	1,200		1/250	4.8	5
Los Angeles Sheriff Station	1723 E. Fullerton Rd	Sub Station	811		1/400	2.02	2
House of Nails and Lashes	1725 E. Fullerton Rd	Nail Salon	960		1/250	3.84	4
Optometry	1727 E. Fullerton Rd	Optomery	941		1/250	3.764	4
Vacant	1729A E. Fullerton Rd	Retail	850		1/250	3.4	3
UPLUS Mini Outlet	1729B E. Fullerton Rd	Retail	838		1/250	3.35	3
Banana Bay Thai Cafe and Restaurant	18230 Colima Rd	Restaurant	6,490	119	1/3 occ	39.66	40

1 Attach completed Building & Safety Occupancy Load Determination Form A.

2 Please refer to Chapter 22.112 of the Zoning Code.

3 If the total number of required spaces is a fraction, round to the nearest whole number.

TOTAL SPACES
REQUIRED³

323

TOTAL SPACES
PROVIDED

325

Difference*

Surplus 2

By my signature below, I certify that this analysis data is true to the best of my knowledge.


PROPERTY OWNER OR APPLICANT SIGNATURE

STEVEN CHEN

PRINT NAME

JUN 27, 2024

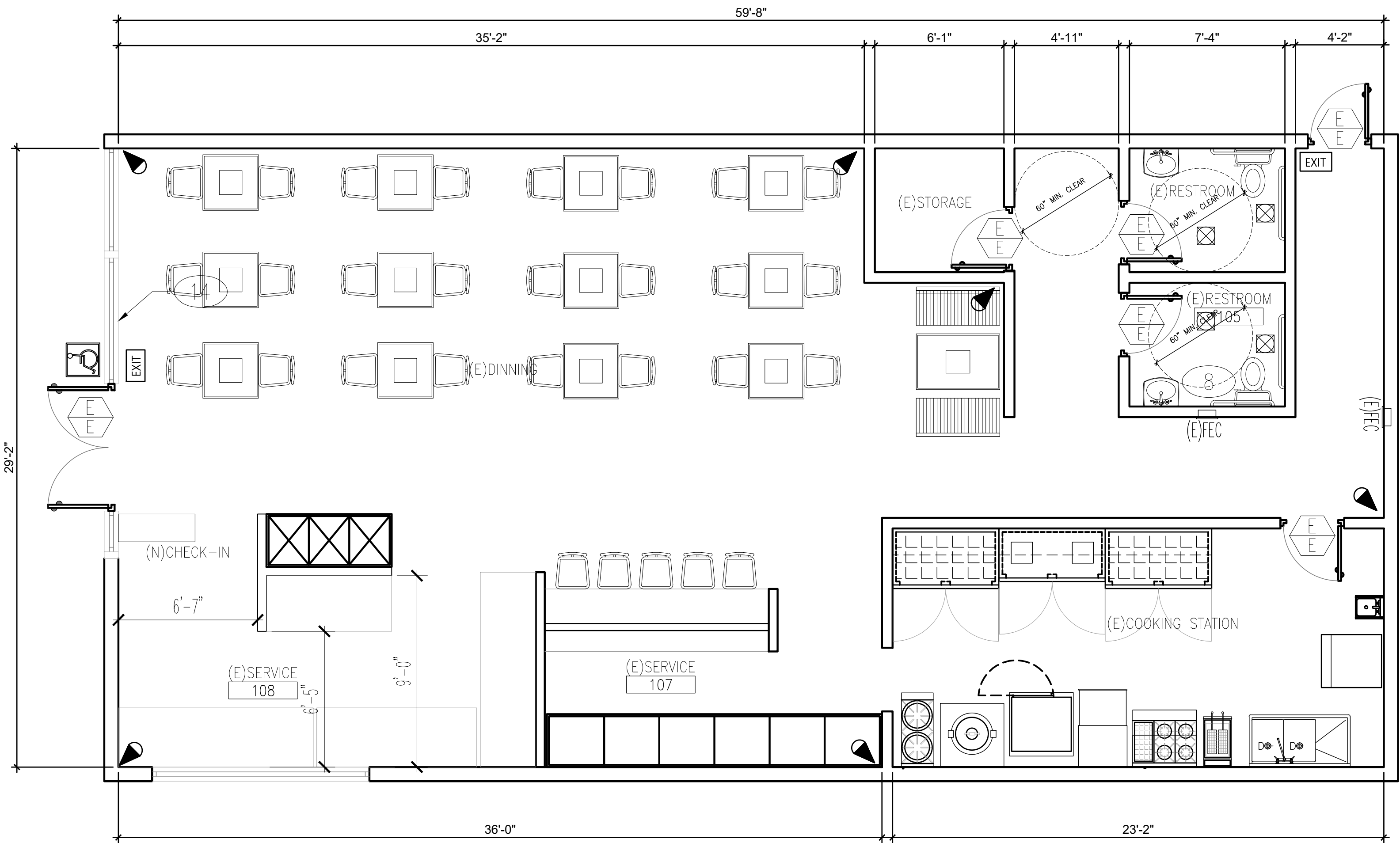
DATE OF SIGNATURE

*A negative difference may require an authorized Parking Permit or Minor Parking Deviation

Attach additional sheets, if necessary

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(N) FLOOR PLAN
1/4" = 1'-0"

DOOR/HARDWARE SCHEDULE	
DOOR	HARDWARE (ADA LEVER HARDWARE THROUGHOUT)
EXISTING DOOR TO REMAIN	EXISTING HARDWARE TO REMAIN
NOTES: 1. GC TO VERIFY ALL HARDWARE MUST MEET CFC SECTION 1010.2.2. 2. GC TO VERIFY ALL HARDWARE TO BE ADA LEVEL THROUGHOUT.	

DOOR TYPES

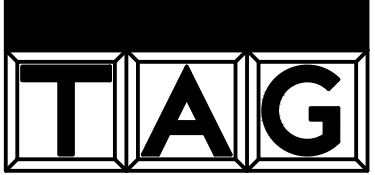
DOOR TYPE
HWDR. TYPE

NEW SINGLE DOOR & HARDWARE

DOOR TYPE
HWDR. TYPE

NEW DOUBLE DOOR & HARDWARE

EXISTING DOOR, FRAME AND
HARDWARE TO REMAIN



TOP-ARC GROUP
ARCHITECTURAL DESIGN FIRM
PHONE: (626) 226-3939
EMAIL: YAOLONG0221@YAHOO.COM

PROJECT TITLE / ADDRESS
YUMIYAKI
ROWLAND HEIGHTS
18184 COLIMA RD
ROWLAND HEIGHTS, CA 91748

DRAWING TITLE

FLOOR PLAN

REVISIONS

DATE	NO.
	△



DATE:

DRAWN BY: S.C.

SCALE: AS NOTED

SHEET NO.

A3



PROJECT NUMBER
PRJ2023-004518-(1)

HEARING DATE
7/16/2024

REQUESTED ENTITLEMENT(S)
Conditional Use Permit No. RPPL2023006664

PROJECT SUMMARY

OWNER / APPLICANT

Yumiyaki

MAP/EXHIBIT DATE

11/21/2023

PROJECT OVERVIEW

Sale of beer and wine for on-site consumption at an existing restaurant (Yumiyaki)

LOCATION

18184 Colima Road, Rowland Heights, CA 91748

ACCESS

Colima Road and Fullerton Road

ASSESSORS PARCEL NUMBER(S)

8270-017-025

SITE AREA

2.49 Acres

GENERAL PLAN / LOCAL PLAN

Rowland Heights Community Plan*

ZONED DISTRICT

Puente

PLANNING AREA

East San Gabriel Valley

LAND USE DESIGNATION

C (Commercial)

ZONE

C-2-BE (Neighborhood Commercial – Billboard Exclusion)

PROPOSED UNITS

N/A

MAX DENSITY/UNITS

N/A

COMMUNITY STANDARDS DISTRICT (CSD)

Rowland Heights CSD

ENVIRONMENTAL DETERMINATION (CEQA)

Class 1 Categorical Exemption – Existing Facilities

KEY ISSUES

- Consistency with the General Plan and Rowland Heights Community Plan
- Satisfaction of the following portions of Title 22 of the Los Angeles County Code:
 - Section 22.158.050 (Conditional Use Permit Findings and Decision Requirements)
 - Section 22.140.030 (Alcoholic Beverage Sales Findings and Decision Requirements)
 - Chapter 22.332 (Rowland Heights CSD requirements)
 - Section 22.20.040 (Development Standards for Commercial Zones)
 - Section 22.20.050 (Development Standards for C-H, C-1, C-2, C-3 and C-M)

CASE PLANNER:

Carl Nadela

PHONE NUMBER:

(213) 893 - 7010

E-MAIL ADDRESS:

cnadela@planning.lacounty.gov

* Note: On May 21, 2024, the Rowland Heights Community Plan (“Community Plan”) was rescinded with the adoption of the East San Gabriel Valley Area Plan (“Area Plan”). However, since the subject CUP application was deemed complete prior to the adoption of the Area Plan, the CUP is still being reviewed and analyzed under the Community Plan.

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

DRAFT FINDINGS OF THE HEARING OFFICER
AND ORDER
PROJECT NO. PRJ2023-004518-(1)
CONDITIONAL USE PERMIT NO. RPPL2023006664

RECITALS

1. **HEARING DATE(S).** The Los Angeles County (“County”) Hearing Officer conducted a duly noticed public hearing in the matter of Conditional Use Permit (“CUP”) No. **RPPL2023006664** on July 16, 2024.
2. **HEARING PROCEEDINGS.** *Reserved.*
3. **ENTITLEMENT REQUESTED.** The permittee, Yumiyaki ("Permittee"), requests the CUP to authorize the sale of beer and wine for onsite consumption at an existing restaurant (“Project”) on a property located at 18184 Colima Road in the unincorporated community of Rowland Heights ("Project Site") in the C-2-BE (Neighborhood Commercial - Billboard Exclusion) zone pursuant to Los Angeles County Code ("County Code") Section 22.20.030 (Zones C-H, C-1, C-2, C-3, C-M, C-MJ, and C-R).
4. **PREVIOUS ENTITLEMENT(S).** Site Plan Review (“SPR”) No. RPPL2023006383 was approved on January 6, 2024 to authorize the tenant improvement for the subject restaurant at the existing commercial center.
5. **LAND USE DESIGNATION.** The Project Site is located within the C (Commercial) land use category of the Rowland Heights Community Plan (“Community Plan”) Land Use Policy Map, a component of the General Plan. On May 21, 2024, the Community Plan was rescinded with the adoption of the East San Gabriel Valley Area Plan (“Area Plan”). However, as the subject CUP application was deemed complete prior to the adoption of the Area Plan, it is still being reviewed and analyzed under the applicable Community Plan.
6. **ZONING.** The Project Site is located in the Puente Zoned District and is currently zoned C-2-BE. Pursuant to County Code Section 22.20.030 (Land Use Regulations for Zone C-2), a CUP is required for the sale of beer and wine for onsite consumption at the Project Site.
7. **SURROUNDING LAND USES AND ZONING**

LOCATION	COMMUNITY PLAN LAND USE POLICY	ZONING	EXISTING USES
NORTH	C, U2 (Urban 2 – 3.3 to 6.0 dwelling	C-1 (Restricted Commercial), A-1-6,000 (Light	Commercial complexes, single-

	units per gross acre)	Agricultural - 6,000 Square Feet Minimum Required Lot Area)	family residences (SFRs)
EAST	C, U4 (Urban 4 – 12.1 to 22.0 dwelling units per gross acre)	C-2-BE, R-3 (Limited Density Multiple Residence)	Commercial complexes, townhouses
SOUTH	U4	R-3	Townhouses
WEST	U4	R-3	Townhouses

8. PROJECT AND SITE PLAN DESCRIPTION.

A. Existing Site Conditions

The Project Site is a 2.49-acre lot, which is one of several parcels that together is developed with an existing commercial center comprised of five single-story commercial buildings located on the northern and southern portions of the combined property. The subject restaurant is located in a rectangular tenant space in the commercial building at the southwestern portion of the property. The middle portion of the combined property is developed with a common parking lot serving the various tenants of the commercial center.

B. Site Access

The Project Site is accessible via Colima Road, a 100-foot-wide Major Highway, to the north, and Fullerton Road, an 80-foot-wide Major Highway, to the east, as indicated on the County Master Plan of Highways. Primary access to the Project Site will be via two ingress/egress driveways on Colima Road to the north and another two ingress/egress driveways on Fullerton Road to the east.

C. Site Plan

The Site Plan depicts the entire commercial complex where the Project Site is located with the subject tenant space identified. It depicts the existing commercial structure located on the southwestern portion of the property. A common parking lot with 257 parking spaces is depicted in the middle portion of the commercial center. Ingress and egress to the Project Site is provided by two driveways from Colima Road to the north and two driveways from Fullerton Road to the east.

D. Parking

There are a total of 325 parking spaces in a common parking lot located in the northern portion of the subject property. Fifteen (15) parking spaces are required for the subject restaurant, based on the Occupancy Load set by Plot Plan 49445 and as subsequently approved by SPR RPPL2023006383. A total of 323 parking spaces are required for the whole commercial complex as per the Parking Matrix submitted by the Permittee as part of this CUP application.

9. CEQA DETERMINATION.

Prior to the Hearing Officer's public hearing on the Project, LA County Planning staff determined that the Project qualified for a Class 1, Existing Facilities, categorical exemption from the California Environmental Quality Act (Public Resources Code section 21000, et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines for the County, because the Project is for the proposed accessory sale of beer and wine for onsite consumption at an existing restaurant. No modifications or physical development are being requested at this time. The Project Site is not in an environmentally sensitive area, a hazardous waste site, nor a designated historic district. There are also no significant cumulative impacts nor unusual circumstances associated with the Project. Thus, there are no exceptions to the identified exemptions.

- 10. COMMUNITY OUTREACH.** On March 13, 2024, prior to the Hearing Officer's public hearing on the Project, the Permittee presented the Project to members of the Board of the Rowland Heights Community Coordinating Council ("RHCCC") to ask if they had any comments on the Project.

11. PUBLIC COMMENTS.

The RHCCC President, in a letter dated March 18, 2024, indicated that the RHCCC Board had voted to support the Project.

12. AGENCY RECOMMENDATIONS.

- A. County Sheriff's Department ("Sheriff"): Recommended approval with conditions in a letter received on March 13, 2024.
- B. California Department of Alcoholic Beverage Control ("ABC") Business and Practice Worksheet sent to Staff on March 12, 2024, reports that the Project Site is located in a high crime reporting district, where 317 offenses occurred in the Crime Reporting District where the Project Site is located (Crime Reporting District 2930) and the average number of offenses per district is 91.9. There is also an overconcentration of on-sale licenses in Census Tract where the Project Site is located (Census Tract No. 4086.26), as four on-sale licenses are allowed and eight on-sale licenses are currently active.

- 13. LEGAL NOTIFICATION.** Pursuant to Section 22.222.120 (Public Hearing Procedure) of the County Code, the community was properly notified of the public hearing by mail, and newspaper (San Gabriel Valley Tribune), and property posting. Additionally, the Project was noticed and case materials were available on LA County Planning's website. On June 13, 2024, a total of 296 Notices of Public Hearing were mailed to all property owners as identified on the County Assessor's record within a 500-foot radius from the Project Site, as well to those on the courtesy mailing list for the Puente Zoned District and to any additional interested parties.

GENERAL PLAN CONSISTENCY FINDINGS

14. **LAND USE POLICY.** The Hearing Officer finds that the Project is consistent with the goals and policies of the Community Plan because the C land use category is intended for retail commercial, service and office uses, categories into which this Project falls.
15. **GOALS AND POLICIES.** The Hearing Officer finds that the Project is consistent with the following goals and policies of the General Plan and Community Plan.

General Plan

- *Goal LU 5: Vibrant, livable and healthy communities with a mix of land uses, services and amenities.*
- *Policy LU 5.2: Encourage a diversity of commercial and retail services, and public facilities at various scales to meet regional and local needs.*
- *Policy LU 5.4: Encourage community-serving uses, such as early care and education facilities, grocery stores, farmers markets, restaurants, and banks to locate near employment centers.*

A variety of commercial and office uses have been established along Colima Road and Fullerton Road, which are both heavily travelled transportation corridors. The existing restaurant and proposed accessory beer and wine sales for on-site consumption contribute to the variety and diversity of community-serving uses in the area.

- *Goal LU 7: Compatible land uses that complement neighborhood character and the natural environment.*
- *Policy LU 7.1: Reduce and mitigate the impacts of incompatible land uses, where feasible, using buffers and other design techniques.*

There are a number of similar restaurants and public eating places in the vicinity of the Project Site and the existing restaurant with beer and wine sales for on-site consumption complements these uses as well as the other surrounding commercial, office and institutional uses. While most of the parcels along Colima Road and Fullerton have been developed with commercial and office uses, the neighborhoods to the west, south and northwest of the Project Site are still predominantly multi-family and single-family residential. It is important to preserve this character and ensure that the commercial uses that locate around this area do not have significant adverse impact on the residential neighborhood. The existing restaurant and commercial complex are sufficiently buffered from the surrounding residential areas by concrete block walls, landscaping, existing structures, parking lots and the width of Colima Road. With the establishment of adequate operational controls such as hours of alcohol sales and restrictions on off-site consumption of alcohol, the requested accessory sale of beer and wine for on-site consumption at the existing restaurant is not expected to result in any adverse impacts on these surrounding areas.

Community Plan

- *Goal 2: Maintain the single-family character of the community.*
- *Policy 7.d: Design all projects to minimize adverse visual impacts on neighboring residential uses, and to achieve compatibility with established rural community character.*

As mentioned above, while the Project Site itself is located in a predominantly commercial area, areas to the west, south and northwest are primarily developed with multi-family and single-family residences. The existing restaurant and commercial complex are sufficiently buffered from the residential areas by concrete block walls, landscaping, existing structures, parking lots and the width of Colima Road. The requested accessory sale of alcohol for on-site consumption at the existing restaurant is not expected to result in any adverse impacts on these surrounding areas.

ZONING CODE CONSISTENCY FINDINGS

16. **PERMITTED USE IN ZONE.** The Hearing Officer finds that the Project is consistent with the C-2 zoning classification as the existing restaurant use is permitted by right and accessory beer and wine alcoholic beverage sales for on-site consumption is permitted when a CUP is obtained pursuant to County Code Section 22.20.030 (Land Use Regulations for Zone C-2). The Billboard Exclusion portion of the zone also does not apply since the Project does not propose any billboards.
17. **REQUIRED YARDS.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Section 22.20.050 (Development Standards for Zone C-2). While the Project is a request for the sale of beer and wine for on-site consumption at an existing restaurant, there are no required yards for Zone C-2 and no physical changes are proposed.
18. **HEIGHT.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.20.040 (Development Standards for Commercial Zones). While the Project is a request for the sale of beer and wine for on-site consumption at an existing restaurant, the existing commercial structure at the Project is only single-story, which is well below the maximum height of 35 feet in the C-2 zone.
19. **PARKING.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Section 22.112.070 (Required Parking Spaces). While the Project is a request for the sale of beer and wine for on-site consumption at an existing restaurant, there are a total of 325 parking spaces in a common parking lot located in the northern portion of the subject property. Fifteen (15) parking spaces are required for the subject restaurant, based on the Occupancy Load set by Plot Plan 49445 and as subsequently approved by SPR RPPL2023006383. A total of 323 parking spaces are required for the whole commercial complex, as per the Parking Matrix submitted by the Permittee as part of this CUP application.
20. **SIGNS.** The Hearing Officer finds that the Project is consistent with the standard identified in County Code Chapter 22.114 (Signs). While the Project is a request for the

sale of beer and wine for on-site consumption at an existing restaurant, an existing business sign at the Project Site is being reviewed for compliance with County Code Title 22 (Planning and Zoning). This review will ensure that the sign of the existing restaurant is in compliance with the maximum 29.17 square feet of business sign surface area allowed for the 29.17-foot frontage of the subject tenant space. This ministerial review is separate from the Project, which is only for the accessory sale of beer and wine for on-site consumption at the existing restaurant and does not include any proposals for any sign at the Project Site.

21. **COMMUNITY STANDARDS DISTRICT.** The Hearing Officer finds that the Project is consistent with the standards identified in County Code Chapter 22.332 (Rowland Heights Community Standards District). While the Project is a request for the sale of beer and wine for on-site consumption at an existing restaurant, the Rowland Heights Community Standards District has no additional relevant additional regulations or development standards aside from those already previously discussed, such as signs, parking, height and required yards. Since the Project does not involve any physical development, no development standards prescribed by the Rowland Heights Community Standards District apply.

CONDITIONAL USE PERMIT FINDINGS

22. **The Hearing Officer finds that the proposed use at the site will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.** The Project provides restaurant patrons with a convenient option to consume beer and wine with their meal. This use is also consistent with the surrounding commercial and office uses and is sufficiently buffered from the residential neighborhoods to the west, south and northwest. It is unlikely the incidental sale of wine and beer at the existing restaurant will adversely affect these uses because the beer and wine will only be allowed to be consumed indoors, within the restaurant premises. The floor plan of the restaurant only depicts dining tables without a bar component. Several conditions of approval, such as hours of alcohol sales and prohibition of off-site consumption, have been incorporated into the CUP to ensure that potential negative impacts to nearby sensitive uses and the surrounding residential areas are avoided.
23. **The Hearing Officer finds that the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.** The existing restaurant is located within a fully developed one-story commercial building within a larger commercial complex. The current Project proposes no physical tenant improvements. The subject property as well as the overall commercial complex was developed in accordance with the development standards prescribed under Title 22 (Planning and Zoning) of the County Code at the time. No physical changes are proposed to the buildings, landscaping, parking, or walls.

24. **The Hearing Officer finds that the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.** Vehicular access is provided via Colima Road to the north and Fullerton Road to the east. Colima Road is a 100-foot-wide Major Highway and Fullerton Road is an 80-foot-wide Major Highway, as indicated on the County Master Plan of Highways. They are of sufficient width to provide public access to the Project Site and accommodate traffic generated by the Project. The Project is a request to provide incidental sale of beer and wine for on-site consumption at an existing restaurant and is not anticipated to generate additional traffic trips from the sale of these alcoholic beverages.
25. The Hearing Officer finds that to ensure continued compatibility between the Project and the surrounding land uses, it is necessary to limit the CUP to 10 years.

SUPPLEMENTAL FINDINGS

26. **The Hearing Officer finds that the requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.** There is no sensitive use within a 600-foot radius of the Project Site.
27. **The Hearing Officer finds that the requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area.** While most of the parcels along Colima Road and Fullerton Road have been developed with commercial and office uses, the neighborhoods to the west, south, and northwest are still predominantly multi-family and single-family residential. It is important to preserve this character and ensure that the commercial uses that locate around this area do not have significant adverse impact on the residential neighborhood. The existing restaurant and commercial complex are sufficiently buffered from the residential areas by concrete block walls, landscaping, existing structures, parking lots, and the width of Colima Road. With the establishment of adequate operational controls such as hours of alcohol sales and prohibitions on offsite and outdoor consumption of alcohol, the requested accessory sale of alcohol for on-site consumption at the existing restaurant is not expected to result in any adverse impacts on these surrounding areas.
28. **The Hearing Officer finds that the requested use at the proposed location will not adversely affect the economic welfare of the nearby community.** The incidental sales of beer and wine for on-site consumption at the existing restaurant are not anticipated to adversely affect the economic welfare of the nearby community. The accessory beer and wine sales in conjunction with meals inside an eating establishment is complementary and would be compatible with the surrounding existing commercial uses and residential areas. It will contribute to the general economic activity in the area by providing more dining options to residents, workers, and visitors in the surrounding vicinity.

29. **The Hearing Officer finds that the exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood, so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.** The sale of beer and wine for on-site consumption inside an existing restaurant will not change the exterior appearance of the existing commercial building. The Project does not propose any physical changes to the existing commercial building. The sales of beer and wine in conjunction with food within a fully operated restaurant will not cause blight, deterioration, or substantially diminish or impair property values within the community.
30. **The Hearing Officer finds that even though the proposed sale of alcohol would occur at a site within a high crime reporting district or in an area of undue concentration, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act, or that the use selling alcoholic beverages for off-site consumption is proposed within a 500-foot radius of another use selling alcoholic beverages for off-site consumption, the sale of alcohol at the subject property contributes to the public convenience or necessity.** According to ABC, four licenses for alcohol sales for onsite consumption are allowed in the Census Tract where the Project Site is located (4086.26), while eight such on-sale licenses are currently active. The subject restaurant will be the ninth restaurant to sell alcohol for on-site consumption within this Census Tract. This indicates that there is an overconcentration of alcohol sales in this Census Tract as defined and determined by ABC. ABC also indicates that the Project Site is located in a High Crime Reporting District. However, the public convenience of allowing the patrons of the subject restaurant to partake of beer and wine together with their regular meals at the restaurant outweighs these facts. On the other hand, this needs to be balanced with the adverse effects of the easy availability of alcoholic beverages either too early or too late in the day. Because of these, the public convenience and necessity of selling beer and wine at the Project Site can only be established for the hours of 10:00 am to 10:00 pm.

ENVIRONMENTAL FINDINGS

31. The Hearing Officer finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities categorical exemption). The Project will allow incidental sales of beer and wine for on-site consumption at an existing full-service restaurant. No physical modifications or alterations are proposed to the existing commercial building. The Project Site is not in an environmentally sensitive area, a hazardous waste site, nor a designated historic district. There are also no significant cumulative impacts nor unusual circumstances associated with the Project. Therefore, there are no exceptions to the proposed exemption and thus, the exemption still applies to the Project.

ADMINISTRATIVE FINDINGS

32. **LOCATION OF DOCUMENTS.** The location of the documents and other materials constituting the record of proceedings upon which the Hearing Officer's decision is

based in this matter is at LA County Planning, 13th Floor, Hall of Records, 320 West Temple Street, Los Angeles, California 90012. The custodian of such documents and materials shall be the Section Head of the Puente Whittier Development Services Section, LA County Planning.

BASED ON THE FOREGOING, THE HEARING OFFICER CONCLUDES THAT:

- A. The proposed use with the attached conditions will be consistent with the adopted General Plan and Community Plan.
- B. The proposed use at the site will not adversely affect the health, peace, comfort or welfare of persons residing or working in the surrounding area, will not be materially detrimental to the use, enjoyment or valuation of property of other persons located in the vicinity of the site, and will not jeopardize, endanger or otherwise constitute a menace to the public health, safety or general welfare.
- C. The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping and other development features prescribed in Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.
- D. The proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate, and by other public or private service facilities as are required.
- E. The proposed sale of beer and wine at the existing use with the attached conditions at the site will not adversely affect the use of a place used exclusively for religious worship, school, park, playground or any similar use within a 600-foot radius.
- F. The existing use with the attached conditions at the site is sufficiently buffered in relation to any residential area within the immediate vicinity so as not to adversely affect said area.
- G. With the imposition of a number of conditions, the public convenience for the restaurant selling alcoholic beverages for on-site consumption outweighs the fact that it is located in a High Crime Reporting District and in an area of undue concentration as determined by ABC.
- H. The proposed sale of beer and wine at the existing use with the attached conditions at the site will not adversely affect the economic welfare of the surrounding community.
- I. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood so as to cause blight, deterioration, or substantially diminish or impair property values within said neighborhood.

THEREFORE, THE HEARING OFFICER:

1. Finds that the Project is exempt from the California Environmental Quality Act pursuant to State CEQA Guidelines section 15301 (Class 1, Existing Facilities categorical exemption); and
2. Approves **CONDITIONAL USE PERMIT NO. RPPL2023006664**, subject to the attached conditions.

ACTION DATE: July 16, 2024

MM:CN
5/22/2024

LOS ANGELES COUNTY
DEPARTMENT OF REGIONAL PLANNING

DRAFT CONDITIONS OF APPROVAL
PROJECT NO. PRJ2023-004518-(1)
CONDITIONAL USE PERMIT NO. RPPL2023006664

PROJECT DESCRIPTION

The project is a request to authorize the sales of beer and wine for on-site consumption at an existing restaurant within an existing commercial complex in the C-2-BE (Neighborhood Commercial – Billboard Exclusion) Zone subject to the following conditions of approval:

GENERAL CONDITIONS

1. Unless otherwise apparent from the context, the term "Permittee" shall include the applicant, owner of the property, and any other person, corporation, or other entity making use of this grant.
2. This grant shall not be effective for any purpose until the Permittee, and the owner of the subject property if other than the Permittee, have filed at the office of the Los Angeles County ("County") Department of Regional Planning ("LA County Planning") their affidavit stating that they are aware of and agree to accept all of the conditions of this grant, and that the conditions of the grant have been recorded as required by Condition No. 6, and until all required monies have been paid pursuant to Condition No. 9. Notwithstanding the foregoing, this Condition No. 2 and Condition Nos. 3, 4, and 8 shall be effective immediately upon the date of final approval of this grant by the County.
3. The Permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitations period. The County shall promptly notify the Permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense. If the County fails to promptly notify the Permittee of any claim, action, or proceeding, or if the County fails to cooperate reasonably in the defense, the Permittee shall not thereafter be responsible to defend, indemnify, or hold harmless the County.
4. In the event that any claim, action, or proceeding as described above is filed against the County, the Permittee shall within ten days of the filing make an initial deposit with LA County Planning in the amount of up to \$5,000.00, from which actual costs and expenses shall be billed and deducted for the purpose of defraying the costs or expenses involved in LA County Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance provided to Permittee or Permittee's counsel.

If during the litigation process, actual costs or expenses incurred reach 80 percent of the amount on deposit, the Permittee shall deposit additional funds sufficient to bring

the balance up to the amount of \$5,000.00. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation.

At the sole discretion of the Permittee, the amount of an initial or any supplemental deposit may exceed the minimum amounts defined herein. Additionally, the cost for collection and duplication of records and other related documents shall be paid by the Permittee according to County Code Section 2.170.010.

5. If any material provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
6. Prior to the use of this grant, the Permittee, or the owner of the subject property if other than the Permittee, shall **record the terms and conditions** of the grant in the office of the County Registrar-Recorder/County Clerk (i.e. Recorder Office). In addition, upon any transfer or lease of the property during the term of this grant, the Permittee, or the owner of the subject property if other than the Permittee, shall promptly provide a copy of the grant and its conditions to the transferee or lessee of the subject property.
7. **This grant shall terminate on July 16, 2034.** Entitlement to use of the property thereafter shall be subject to the regulations then in effect. If the Permittee intends to continue operations after such date, whether or not the Permittee proposes any modifications to the use at that time, the Permittee shall file a new Conditional Use Permit application with LA County Planning, or shall otherwise comply with the applicable requirements at that time. Such application shall be filed at least twelve months prior to the expiration date of this grant and shall be accompanied by the required fee. In the event that the Permittee seeks to discontinue or otherwise change the use, notice is hereby given that the use of such property may require additional or different permits and would be subject to the then-applicable regulations.
8. This grant shall expire unless used within two (2) years from the date of final approval of the grant. A single one-year time extension may be requested in writing and with the payment of the applicable fee prior to such expiration date.
9. The subject property shall be maintained and operated in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the Permittee to cease any development or activity not in full compliance shall be a violation of these conditions. No provision of any easement of any other encumbrance on the property shall exempt the Permittee and/or property owner from compliance with these conditions and applicable regulations. Inspections shall be made to ensure compliance with the conditions of this grant as well as to ensure that any development undertaken on the subject property is in accordance with the approved site plan on file. The Permittee shall deposit with the County the sum **\$2,205.00**, which shall be placed in a performance fund and be used exclusively to reimburse LA County Planning for all expenses incurred while inspecting the premises to determine the Permittee's compliance with the conditions of this grant. The fund provides for

five (5) inspections. Inspections may be unannounced and may be conducted utilizing any available technologies, including, but not limited to, unmanned aircraft systems (UAS).

If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any one of the conditions of this grant, the Permittee shall be financially responsible and shall reimburse LA County Planning for all additional enforcement efforts necessary to bring the subject property into compliance. The amount charged for additional inspections shall be \$441.00 per inspection, or the current recovery cost established by LA County Planning at the time any additional inspections are required, whichever is greater.

10. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Regional Planning Commission ("Commission") or a Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance, or as otherwise authorized pursuant to Chapter 22.238 of the County Code.
11. All development pursuant to this grant must be kept in full compliance with the County Fire Code to the satisfaction of the County Fire Department.
12. All development pursuant to this grant shall conform with the requirements of the County Department of Public Works to the satisfaction of said department.
13. All development pursuant to this grant shall comply with the requirements of Title 22 of the County Code and of the specific zoning of the subject property, unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director of LA County Planning ("Director").
14. The Permittee shall maintain the subject property in a neat and orderly fashion. The Permittee shall maintain free of litter all areas of the premises over which the Permittee has control.
15. All structures, walls and fences open to public view shall remain free of graffiti or other extraneous markings, drawings, or signage that was not approved by LA County Planning. These shall include any of the above that do not directly relate to the business being operated on the premises or that do not provide pertinent information about said premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.

In the event of graffiti or other extraneous markings occurring, the Permittee shall remove or cover said markings, drawings, or signage within 48 hours of such notification, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.

16. The subject property shall be developed and maintained in substantial conformance with the plans marked Exhibit "A." If changes to any of the plans marked Exhibit "A" are required as a result of instruction given at the public hearing, a modified Exhibit "A" shall be submitted to LA County Planning by **September 16, 2024**.
17. In the event that subsequent revisions to the approved Exhibit "A" are submitted, the Permittee shall submit the proposed plans to the Director for review and approval. All revised plans must substantially conform to the originally approved Exhibit "A". All revised plans must be accompanied by the written authorization of the property owner(s) and applicable fee for such revision.
18. The conditions of this grant shall always be retained on the premises and shall be immediately produced upon request by any County Sheriff ("Sheriff"), LA County Planning Zoning Enforcement ("Zoning Enforcement") inspector, or State of California Department of Alcoholic Beverage Control ("ABC") agent. The manager and all employees of the facility shall be knowledgeable of the conditions herein. Violation of the conditions herein may subject the use to the provisions of County Code Chapter 22.238 (Modifications and Revocations).

PERMIT-SPECIFIC CONDITIONS - CONDITIONAL USE PERMIT (SALE OF ALCOHOLIC BEVERAGES)

19. Loitering, including loitering by employees of the subject property, shall be prohibited on or within the immediate vicinity of the subject property, including adjacent public and private parking lots, public sidewalks, alleys, and other public rights-of-way. Signage in compliance with County Code Chapter 22.114 (Signs) shall be placed on the exterior of the premises indicating said prohibition. Employees shall be instructed to enforce these regulations and to call local law enforcement if necessary. If loitering occurs on a continuous basis, as determined by the Sheriff, a security guard shall be required during business hours at the discretion of the Director.
20. All employees who directly serve or are in the practice of selling alcoholic beverages, including managers, shall participate in the LEAD (Licensee Education on Alcohol and Drugs) Program provided by ABC, or a similar program, such as STAR (Standardized Training for Alcohol Retailers) or another comparable State of California-certified program. All new designated employees shall be required to attend. The licensee shall display a certificate or plaque in a publicly accessible area of the establishment, such as the lobby, indicated they have participated in this program. Proof of completion of the facility's training program by employees, the licensee, and all managers shall be provided to Zoning Enforcement within 90 days of the effective date of this Conditional Use Permit, and subsequently within 90 days of the hire date of all new employees and/or managers.
21. The permittee and all managers and employees shall not allow the sale of alcoholic beverages to any intoxicated person, any person appearing to be intoxicated, or any person exhibiting behaviors associated with being intoxicated.

22. The permittee shall not advertise the sale of alcoholic beverages on the exterior of any structure on the subject property, including windows, walls, fences, poles, or similar structures, or within any portion of the interior of any structure that is visible from the outside.
23. Alcoholic beverages shall only be sold or served to patrons age 21 or older.
24. The permittee shall post the telephone numbers of local law enforcement agencies and shall post the telephone numbers of taxicab companies or a sign promoting ridesharing options, at or near the cashier or within a similar public service area. Such telephone numbers shall be visible by, and available to, the public.
25. The permittee shall provide adequate exterior lighting above all entrances and exits to the premises and in all public and private parking lots and walkways under control of the permittee or required as a condition of this grant. All exterior lighting required by this grant shall be of sufficient power to illuminate and make easily discernable the appearance and conduct of all persons within lighted areas during operating hours and shall be designed to direct light and glare only onto the premises. All exterior lighting under control of the permittee shall also be hooded and directed away from neighboring residences to prevent direct illumination and glare and shall be turned off within thirty (30) minutes after conclusion of activities, except for sensor-activated security lights and/or low level lighting along all pedestrian walkways leading to and from public and private parking lots.
26. A numbering address sign, in compliance with County Code Chapter 22.114 (Signs), shall be located at the front of the building in a location clearly visible from the property grounds and the nearest public street, to the satisfaction of the Director.
27. Exterior security bars and roll-up doors applied to windows and pedestrian building entrances shall be prohibited.
28. The premises, including exterior facades, adjacent public and private parking lots, fences, and adjacent sidewalks, alleys, and other public rights-of-way, shall be maintained in a neat and orderly condition and be free of garbage, trash, debris, or junk and salvage, except in designated trash collection containers and enclosures. All garbage, trash, debris, or junk and salvage shall be collected, and disposed of, daily.
29. The permittee shall develop and implement a Designated Driver program (e.g. free soft drinks or coffee to a designated driver of a group). A printed two-side card explaining this program shall be placed on all tables in the facility or an explanation regarding this program shall be printed on the menu.
30. Music or other audible noise at the premises shall comply with Title 12 of the County Code to the satisfaction of the County Department of Public Health.

PROJECT SITE-SPECIFIC CONDITIONS

31. This grant shall authorize the sale of beer and wine for on-site consumption at an existing restaurant.
32. The sales of beer and wine for on-site consumption in conjunction with the existing restaurant shall be permitted from 10:00 AM up to 30 minutes prior to the close of business or until 10:00 PM, whichever is earlier.
33. No live entertainment, dancing, or dance floor is authorized in or outside the premises.
34. Employees age 18 or older may serve alcoholic beverages in an area primarily designed and used for the sale and service of food for consumption on the premises as an incidental part of their overall duties.
35. Alcoholic beverages shall be sold to customers only when food is ordered and consumed within the subject restaurant premises only.
36. There shall be no consumption of alcoholic beverages outside the designated areas of the subject facility, as depicted on the site and floor plans labeled Exhibit "A." The permittee shall instruct all designated employees, who directly serve or are in the practice of selling alcoholic beverages, regarding this restriction. Employees shall be instructed to enforce such restrictions and to call local law enforcement as necessary.
37. The business shall employ not less than one full-time cook that is engaged in the preparation of meals for patrons during the permissible hours of operation.
38. The storage of alcoholic beverages shall be located at the back of the interior of the restaurant, away from open dining area and away from the front doors.
39. Food service shall be continuously provided during operating hours.
40. The permittee shall maintain active and functional surveillance recording equipment which captures video recordings inside the restaurant, outside facing parking lots, public sidewalks, alleys, and other public rights-of-way on a continuous loop. Recordings shall be retained for a minimum of 30 days and shall be immediately produced upon request by the Sheriff, Zoning Enforcement, or any law enforcement.
41. Burglary and robbery alarms shall be installed in the premises under the control of the permittee and shall be maintained in good condition at all times.
42. The sale of alcoholic beverage for consumption outside of the enclosed structure shall be prohibited.
43. Temporary window signs shall not exceed 25 percent of the area of any single window or of adjoining windows on the same frontage.

PROJECT NO. PRJ2023-004518-(1)
CONDITIONAL USE PERMIT NO.
RPPL2023006664

EXHIBIT D
CONDITIONS OF APPROVAL
PAGE 7 OF 7

44. The placement of portable signs on sidewalks adjacent to the subject property and temporary signs on walls and poles shall be prohibited.
45. The permittee shall maintain a license issued by ABC.

ALCOHOLIC BEVERAGE SALES

STATEMENT OF FINDINGS

In addition to the Conditional Use Permit Findings required pursuant to County Code Section [22.158.050](#) (Findings and Decision), pursuant to County Code Section [22.140.030](#) (Alcoholic Beverage Sales), the applicant shall substantiate the following:

(Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

ABC License Type Requested(s).: _____ (e.g. Type 20, Type 41)

F.1.a. The requested use at the proposed location will not adversely affect the use of a place used exclusively for religious worship, school, park, playground, or any similar use within a 600-foot radius.

F.1.b. The requested use at the proposed location is sufficiently buffered in relation to any residential area within the immediate vicinity, so as not to adversely affect said area.

F.1.c. The requested use at the proposed location will not adversely affect the economic welfare of the nearby community.

F.1.d. The exterior appearance of the structure will not be inconsistent with the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood, so as to cause blight, deterioration, or substantially diminish or impair property values within the neighborhood.

Additional findings of public convenience or necessity.

Findings of public convenience or necessity, in accordance with County Code Section [22.140.030.F.2.a](#), shall be made when:

- i. The requested use is located in a high crime reporting district or in an area of undue concentration, pursuant to the California Alcoholic Beverage Control Act and the regulations adopted under that Act; or
- ii. A use selling alcoholic beverages for off-site consumption is proposed within a 500-foot radius of another use selling alcoholic beverages for off-site consumption.

Findings of public convenience or necessity shall be based upon review and consideration of relevant factors, which shall include, in accordance with [Section 22.140.030.F.2.b](#), but not be limited to, the following, as applicable:

- i. The extent to which the requested use would duplicate services and, therefore, contribute to an over-concentration of similar uses.
- ii. The extent to which alcoholic beverage sales are related to the function of the requested use, and the possibility of the use operating in a viable manner without alcohol sales.
- iii. The extent to which the requested use will enhance the economic viability of the area.
- iv. The extent to which the requested use will enhance recreational or entertainment opportunities in the area.
- v. The extent to which the requested use compliments the established or proposed businesses within a specific area.
- vi. The ability of the requested use to serve a portion of the market not served by other uses in the area.
- vii. The convenience of purchasing alcoholic beverages at the requested use in conjunction with other specialty food sales or services.
- viii. The aesthetic character and ambiance of the requested use.
- ix. The extent to which the requested use, location, and/or operator has a history of law enforcement problems.

Additional findings for a modification request to the shelf space limitations.

For a request to modify the shelf space limitation pursuant to County Code [Section 22.140.030.E.1](#), the applicant shall address at least one of the findings, in accordance with County Code Section [22.140.030.F.3.b](#), below:

- i. The requested use is not located in a high crime reporting district, as described in the California Alcoholic Beverage Control Act and the regulations adopted under that Act;
- ii. The requested use is a specialty retailer with a unique product mix that requires a greater allocation of shelf space to alcoholic beverages than would be the case for a general purpose retailer; or
- iii. The requested use involves the relocation of a use that was not previously subject to the alcoholic beverage shelf space limitation provided in Section 22.140.030.E.1, above, and the new location will allocate less shelf space to alcoholic beverages than was the case at the previous location.

Additional findings for a modification request to requirement to carry a minimum of three varieties of fresh produce.

For a request to modify the requirement to carry a minimum of three varieties of fresh produce pursuant to County Code Section [22.140.030.E.2](#), the applicant shall address the findings, in accordance with County Code Section [22.140.030.F.3.b](#), below:

i. The requested use is not a general purpose retailer and is located in an area with sufficient access to fresh produce and whole grains.

CONDITIONAL USE PERMIT STATEMENT OF FINDINGS

Pursuant to County Code Section [22.158.050](#) (Findings and Decision), the applicant shall substantiate the following:

(Please see [Guidelines for Writing Your Conditional Use Permit Findings Statement](#). Do not repeat the statement or provide Yes/No responses. If necessary, attach additional pages.)

B.1	The proposed use will be consistent with the adopted General Plan for the area.
B.2	<p>The requested use at the location proposed will not:</p> <ul style="list-style-type: none"> a. Adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; b. Be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and c. Jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare.
B.3	The proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in this Title 22, or as is otherwise required in order to integrate said use with the uses in the surrounding area.

<p>B.4 The proposed site is adequately served:</p> <ul style="list-style-type: none"> a. By highways or streets of sufficient width, and improved as necessary to carry the kind and quantity of traffic such use would generate; and b. By other public or private service facilities as are required.

INFORMATION:

Refer to the specific checklist for permit type (e.g., CUP, Plan Amendment, etc.) to verify if this form is required.

Consult with planning staff to determine if your project is found to be eligible for an exemption under the California Environmental Quality Act (CEQA). To learn more about CEQA, visit <https://opr.ca.gov/ceqa/>.

This questionnaire will assist the County in determining if an Initial Study is required for the proposed project. Planning staff may request technical studies or additional items as needed on a project-by-project basis.

Submit this completed form and applicable documents to the applicable Base Application (refer to checklist) via EPIC-LA (<https://epicla.lacounty.gov>). Incomplete applications will not be accepted. Please refer to "File an Application" (planning.lacounty.gov/how-do-i/file-an-application).

Applicants are advised to consult with planning staff prior to applying at **213-974-6411** or info@planning.lacounty.gov.

An initial environmental fee will be automatically assessed for projects subject to CEQA and additional environmental filing fees may apply after application review. Payments are accepted through EPIC-LA.

Applicant:	Subject property (Address or APN)
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1. Describe each item as it relates to the PROJECT SITE:

a. Existing land uses / structures:

b. Topography / slope:

c. Vegetation:

d. Wildlife:

e. Surface waters:

f. Cultural / historical resources:

g. Other:

2. Describe each item as it relates to the SURROUNDING AREA:

a. Existing land uses / structures:

b. Topography / slope:

c. Vegetation:

d. Wildlife:

e. Surface waters:

f. Cultural / historical resources:

g. Other:

3. Will the proposed project change the pattern, scale or character of the surrounding general area?

☐ Yes ☐ No If yes, *describe*:

4. What steps can be taken to mitigate any adverse effects that may result from this project? List the adverse effect first, then the mitigation measure(s) to reduce that effect.

5. Have the water, sewer, fire and flood control agencies serving the project been contacted to determine their ability to provide adequate service to the proposed project?

☐ Yes ☐ No If yes, attach response.

GEOLOGY

6. Are there identifiable landslide risk, fault lines or zones, liquefaction hazards, expansive soils, or subsidence risks which that would impact the project? Is the project site located on uncompacted fill?

☐ Yes ☐ No ☐ Unknown If yes, describe:

-
-
7. Does the project propose grading or alteration of topography, or contain slopes over 25 percent?

☐ Yes ☐ No If yes, describe:

FLOOD

8. Does the project site contain a drainage course or waterway?

☐ Yes ☐ No ☐ Unknown If yes, describe:

9. Is the project located within or contain a floodway, flood plain or designated 100-year flood hazard zone?

☐ Yes ☐ No ☐ Unknown If yes, describe:

10. Will the project alter the existing drainage pattern of the site or area? Do offsite drainage facilities have capacity to accommodate site runoff?

☐ Yes ☐ No ☐ Unknown If yes, describe:

FIRE

11. Is the property located within a Very High Fire Hazard Severity Zone (VHFHSZ) or hillsides area with moderately-to-very dense vegetation?

☐ Yes ☐ No ☐ Unknown

12. Distance from project site to nearest fire station: _____ miles

NOISE

13. Describe existing noise sources and noise levels that now affect the site (aircraft, roadway noise, railroads, industry, etc.) and how they will affect proposed uses:
-
-

14. Describe the type of short-term and long-term noise to be generated, including the source and amount:
-
-

15. Are sensitive receptors, e.g., schools hospitals, residences, located near the project site? How will project noise levels affect adjacent properties and on-site uses?

16. What methods of soundproofing are proposed?

WATER QUALITY

17. Does the project propose the use of a private water well?

☐ Yes ☐ No ☐ Unknown

18. Does the project propose private wastewater disposal or on-site septic systems?

☐ Yes ☐ No

19. How much wastewater will the project generate? ☐ Unknown

20. Are there any bodies of water (including domestic water supplies) into which the site drains?

☐ Yes ☐ No ☐ Unknown If yes, describe:

AIR QUALITY

21. Will the project result in increased air emissions or create objectionable odors during or after construction?

☐ Yes ☐ No ☐ Unknown If yes, describe:

GREENHOUSE GASES

22. Will the project generate greenhouse gas (GhGs) emissions, either directly or indirectly, that may have a significant impact on the environment (i.e., on global climate change)? The significance of the impacts of a project's GhG emissions should be evaluated as a cumulative impact rather than a project-specific impact.

☐ Yes ☐ No ☐ Unknown If yes, describe:

23. Will the project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases including regulations implementing California AB 32 of 2006, the General Plan policies for implementing actions to reduce greenhouse gas emissions?

☐ Yes ☐ No ☐ Unknown If yes, describe:

BIOTA

24. Is the project located within a Significant Ecological Area (SEA), SEA Buffer, Coastal Zone, coastal Environmentally Sensitive Habitat Resource Area (ESHA), Wildflower Reserve Area, or within a relatively undisturbed natural area?

☐ Yes ☐ No If yes, describe:

25. Will grading, fire clearance or other improvements remove natural habitat or relatively undisturbed area?

☐ Yes ☐ No If yes, describe:

26. Does the project contain coastal sage scrub, oak woodland, sycamore riparian, oak woodlands, wetlands, or other sensitive natural communities?

☐ Yes ☐ No ☐ Unknown If yes, describe:

27. Does the project area contain any known suitable habitat for listed endangered or threatened species, other sensitive species, or a wildlife corridor?

☐ Yes ☐ No ☐ Unknown If yes, describe:

OAK TREES

28. Are protected oak trees present? (*Oak Tree Permit may be required.*)

☐ Yes ☐ No. If yes, indicate :

Total number of protected oak trees to be encroached: _____

Total number of protected oak trees to be removed : _____

29. Would the project, including project buildout, require removal of protected oak trees?

☐ Yes ☐ No

CULTURAL RESOURCES

30. Does the project site contain rock formations indicating potential paleontological resources?

☐ Yes ☐ No ☐ Unknown If yes, describe:

31. Does the project site contain known archeological resources, or historic structures or sites?

☐ Yes ☐ No ☐ Unknown If yes, describe:

AGRICULTURE AND FORESTRY

32. Does the project conflict with existing agricultural zoning or convert existing farmland to a non-agricultural use?

☐ Yes ☐ No ☐ Unknown If yes, describe:

AESTHETICS

33. Is the project visible from a scenic highway or is it located within a scenic corridor?

☐ Yes ☐ No ☐ Unknown If yes, describe:

34. Will the project impact a riding or hiking trail, ridgeline, shoreline view, significant natural feature or previously undisturbed area?

☐ Yes ☐ No ☐ Unknown If yes, describe

35. Is the proposed use out-of-character in comparison to adjacent uses due to height, bulk or other features?

☐ Yes ☐ No ☐ Unknown If yes, describe:

36. Will the project create sun shadow, light or glare problems?

☐ Yes ☐ No ☐ Unknown If yes, describe:

TRAFFIC / ACCESS

37. Estimate the post-construction vehicular traffic generated by the proposed project:

☐ 0 – 50 trips per day ☐ 51 – 250 trips per day ☐ 251 – 500 trips per day ☐ 500 + trips per day

38. Explain what effects the project may have on parking, vehicular traffic circulation, and potential traffic safety hazards in the area:

39. Explain what effect, if any, the project may have on pedestrian or other non-motorized circulation in the area:

40. Will the project conflict with public transit facilities (bus and rail) or bicycle facilities and bicycle lanes?

☐ Yes ☐ No ☐ Unknown If yes, describe:

SCHOOLS (Residential Projects Only)

41. Indicate school district(s) serving the project:

42. Estimate the number of school children who will reside in the proposed project: _____

43. Do existing school facilities adequately accommodate the proposed project?

☐ Yes ☐ No ☐ Unknown

Verified by school administration? ☐ Yes ☐ No If yes, attach verification. If no, describe provisions for additional classroom capacity:

ENERGY CONSERVATION

44. Describe energy sources for the proposed project, and proposed designs, materials or features of the project that promote energy conservation or use of non-fossil-fuel energy sources.

HAZARDOUS MATERIALS

45. In the known history of the property, has there been any use, storage, or discharge of hazardous or toxic materials? Examples of hazardous or toxic materials include, but are not limited to, PCB's; radioactive substances; and herbicides, pesticides; paints; fuels, oils, solvents, or other flammable liquids or gases.

☐ Yes ☐ No ☐ Unknown

If yes, please list the materials and describe their use, storage, or discharge on the property, including the dates of use, if known. Also note underground storage of the above:

-
-
-
46. Will the proposed project involve the temporary or long-term use, storage, discharge, or disposal of hazardous and/or toxic materials, including but not limited to those examples listed above?

☐ Yes ☐ No If yes, provide an inventory of all such materials to be used and method of disposal:

NON-RESIDENTIAL PROJECTS

47. Workforce:

a) Number of daily work shifts: _____

b) Operating days and hours: _____

c) Maximum number of employees: _____

d) Maximum number of employees per shift: _____

48. Describe end products:

-
-
-
49. Describe waste products, including nonhazardous and hazardous waste:

50. Method of nonhazardous and hazardous waste disposal:

51. Do operations require any pressurized tanks?

☐ Yes ☐ No If yes, describe

52. Will delivery or shipment trucks travel through residential areas to reach the nearest highway?

☐ Yes ☐ No. If yes, describe.

53. Other project or site condition information:

Owner / Applicant / Agent Application Certification (Certificación del Solicitante, Agente o Dueño/a)

By my signature below, I hereby understand and certify the following:

1. I understand that the environmental review associated with the submittal of this form is preliminary, and that after further evaluation, additional information, reports, studies, applications or fees may be required.
2. I understand that, whether or not my application is approved or denied, there may be a partial or no refund of fees paid, and;
3. I understand that submitting inaccurate or incomplete information may result in delays or the denial of my application, and;
4. I certify that the information provided in this form, including attachments, is accurate and correct to the best of my knowledge.

SIGNATURE: 

DATE:

CHECK ONE: ☐ Owner ☐ Applicant
☐ Agent

PRINT NAME:

Archaeological Statement (Declaración Arqueológico)

Under the discretion of the Dept. of Regional Planning, proposed projects may be forwarded to the Archeological Information Center for consultation regarding potential impacts to historical and cultural resources, in order to assure the protection and preservation of Los Angeles County's historic and archeological resources. This review requires a nominal processing fee which will be billed directly to the applicant by Cal-State University. By my signature below, I understand this process and possible additional fees.

SIGNATURE (BLUE INK):

DATE:

CHECK ONE: ☐ Owner ☐ Applicant
☐ Agent

PRINT NAME:

PROPERTY OWNER'S ACKNOWLEDGEMENT FORM

Subject Property (Address or APN(s):	Application Type/Request
--------------------------------------	--------------------------

1. I am the property owner or have obtained the property owner's / owners' consent to the submittal of this application and contents therein; and
2. I have carefully reviewed and prepared the application and plans in accordance with the instructions and materials required on the applicable permit checklist; and
3. I provided correct and accurate information in this application, including all attachments; and
4. I understand that the submittal of inaccurate or incomplete information or plans, or failure to comply with the instructions may result in processing delays and/or denial of my application; and
5. I understand that it is the responsibility of the applicant to substantiate the request through the requirements of the application, including any required Findings (when applicable); and
6. I understand that upon further evaluation, additional information/documents/reports/entitlements and fees may be required, including any referral fees; and
7. I understand that failure to submit any such required fees or information requested after submittal may result in processing delays and/or denial of my application; and
8. I understand that it is the responsibility of the applicant or property owner to notify the Los Angeles County ("County") Department of Regional Planning ("County Planning") any changes to the project, including change in ownership, which may require additional information/documents/reports and fees and may cause delay to the processing of the project; and
9. I understand that if there is a zoning violation on the property, plan review may be delayed. Any unpermitted structures or uses must either be removed or legalized as part of this application; and
10. I understand that when applicable, the environmental review associated with the submittal of this application is preliminary, and that after further evaluation, additional information, reports, studies, applications and/or fees may be required; and

11. I am the property owner or have obtained the property owner's / owners' consent and expressly allow, authorize, and permit the County to enter and inspect the subject property, with or without prior notice, to inspect, photograph, and/or process this application. No additional permission or consent to enter upon the subject property is necessary or shall be required. I further certify and warrant that I am authorized to and, hereby do, consent and allow such inspections on behalf of each and all owners of the subject property; and
12. I understand that all materials submitted in connection with this application may become public record subject to inspection and copying by the public. I acknowledge and understand that the public may inspect and copy these materials and that some or all of the materials may be posted on County Planning's website. For any materials that may be subject to copyright protection, or which may be subject to sections 5500.1 and 5536.4 of the California Business and Professions Code, I represent that I have the authority to grant, and am granting, the County permission to make the materials available to the public for inspection and copying, in hardcopy or electronic format; and
13. I understand that denials will result in no refunds; and
14. I understand that County Planning staff is not permitted to assist the applicant or proponents and opponents of a project in preparing arguments for or against the project; and
15. I understand that there is no guarantee – expressed or implied – that an approval will be granted. I understand that such application must be carefully evaluated and after the evaluation has been conducted, or the public hearing (if applicable) has been held, that staff's recommendation or decision may change during the course of the review based on the information presented.

LOBBYIST STATEMENT

16. The County Lobbyist Ordinance (Ordinance No. 93-0031, County Code Chapter 2.160 et seq.), effective May 7, 1993, requires certification that each person (or entity) who applies for a County permit is familiar with the requirements of said Lobbyist Ordinance, and that all persons acting on behalf of the applicant have complied and will continue to comply with the requirements of the Lobbyist Ordinance throughout the application process. I hereby certify that I have read and am familiar with the requirements of the County Lobbyist Ordinance. I further understand that the making of this certification, and compliance with the Lobbyist Ordinance, shall be a condition precedent to the granting of the requested permit.

Lobbyist Permit No.(s) if applicable: _____

OAK TREE CERTIFICATION (PURSUANT TO COUNTY CODE [CHAPTER 22.174](#): OAK TREE PERMITS)

17. Are there any oak trees on the subject property or next to the subject property?

Yes ☐ No ☐

If yes, please check one of the following boxes:

- ☐ I certify that no activity will occur within five feet of any oak tree dripline (canopy) or within 15 feet of any oak tree trunk, whichever distance is greater. This applies to both oak trees located on the subject property AND oak trees next to the subject property. All oak tree dimensions, including trunk diameter and canopy, are accurately depicted on the plans, and drawn to scale for verification.
- ☐ Activity will occur within five feet of any oak tree canopy or within 15 feet of any oak tree trunk and I have concurrently filed for an oak tree permit. All oak tree dimensions, including trunk diameter and canopy, are accurately depicted on the site plan, and are drawn to scale.

REQUIRED SIGNATURE(S)*

I, the owner(s) of the subject property, have read, understand, and acknowledge the above, and consent to the submission of this application.

Note: If the applicant signs for the owner(s), please submit a letter of authorization from the owner(s) with original ink signature(s)



SIGNATURE (REQUIRED)

PRINT NAME

DATE

SIGNATURE (REQUIRED)

PRINT NAME

DATE

SIGNATURE (REQUIRED)

PRINT NAME

DATE

If necessary, add additional signature pages

*Please note a change in ownership, applicant, or agent will require a new acknowledgment form.

OWNERSHIP AND CONSENT AFFIDAVIT (FOR PUBLIC HEARING APPLICATIONS)

This is to certify under penalty of perjury that the undersigned is/are the record owner(s) of the property known

as:

8270-017-025 _____ and

Assessor's Map Book, Page and Parcel

Alcoholic License Type 41 _____ and

Legal Description

8270-017-025 18184 Colima Road, Rowland Heights, CA 91748 and

Street Address (if applicable)

that I/we consent to the filing of the public hearing application(s) on our property for processing by the Los Angeles County Department of Regional Planning. I/We declare under penalty of perjury that I/we have reviewed this Affidavit and the information furnished is true and correct.

Executed this 27 day of November 2023 at San Gabriel
California, under penalty of perjury of the laws of the State of California.

(To be signed by all record owners)

Signature: [Signature] Print Name: WENJIE LI

Signature: [Signature] Print Name: Hai Bin Yang

Signature: [Signature] Print Name: Pawei Zhao

Signature: _____ Print Name: _____

(For additional names, please use a separate sheet of paper)

(NOTARY TO BE ATTACHED)

ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of LOS ANGELES

On 11/27/2023 before me, YUEHUA SHE, NOTARY PUBLIC
(insert name and title of the officer)

personally appeared WEN JIE LI, DAWEI ZHAO, HAIBIN YANG,
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the
person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

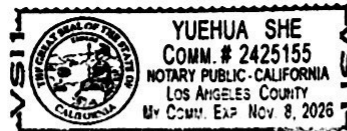
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature



(Seal)



PROPOSED ENVIRONMENTAL DETERMINATION

DETERMINATION DATE: July 3, 2024
PROJECT NUMBER: PRJ2023-004518-(1)
PERMIT NUMBER(S): Conditional Use Permit RPPL2023006664
SUPERVISORIAL DISTRICT: 1
PROJECT LOCATION: 18184 Colima Road, Rowland Heights, CA 91748
OWNER: Tone Yee Investments and Dev LLC
APPLICANT: Yumiyaki
CASE PLANNER: Carl Nadela, AICP, Principal Regional Planner
cnadela@planning.lacounty.gov

Los Angeles County ("County") completed an initial review for the above-mentioned project. Based on examination of the project proposal and the supporting information included in the application, the County proposes that an Exemption is the appropriate environmental documentation under the California Environmental Quality Act (CEQA). The project qualifies as a Class 1 Categorical Exemption under State CEQA Guidelines Section 15301.

The Project involves the accessory sale of beer and wine for onsite consumption at an existing restaurant. No exceptions to the categorical exemption apply to the Project per Section 15300.2 of the California Code of Regulations. The Project Site is not located within or in close proximity to an environmentally sensitive area, a historical resource, a hazardous waste site, or a scenic highway. No significant effect due to "unusual circumstances" and no cumulative impacts are anticipated.

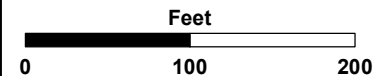


AERIAL IMAGERY

SITE-SPECIFIC MAP

PROJECT NO. PRJ2023-004518
ALCOHOL CUP RPPL2023006664

Digital Ortho Aerial Imagery:
Los Angeles Region Imagery
Acquisition Consortium (LARIAC)
2023



LA COUNTY
PLANNING

LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



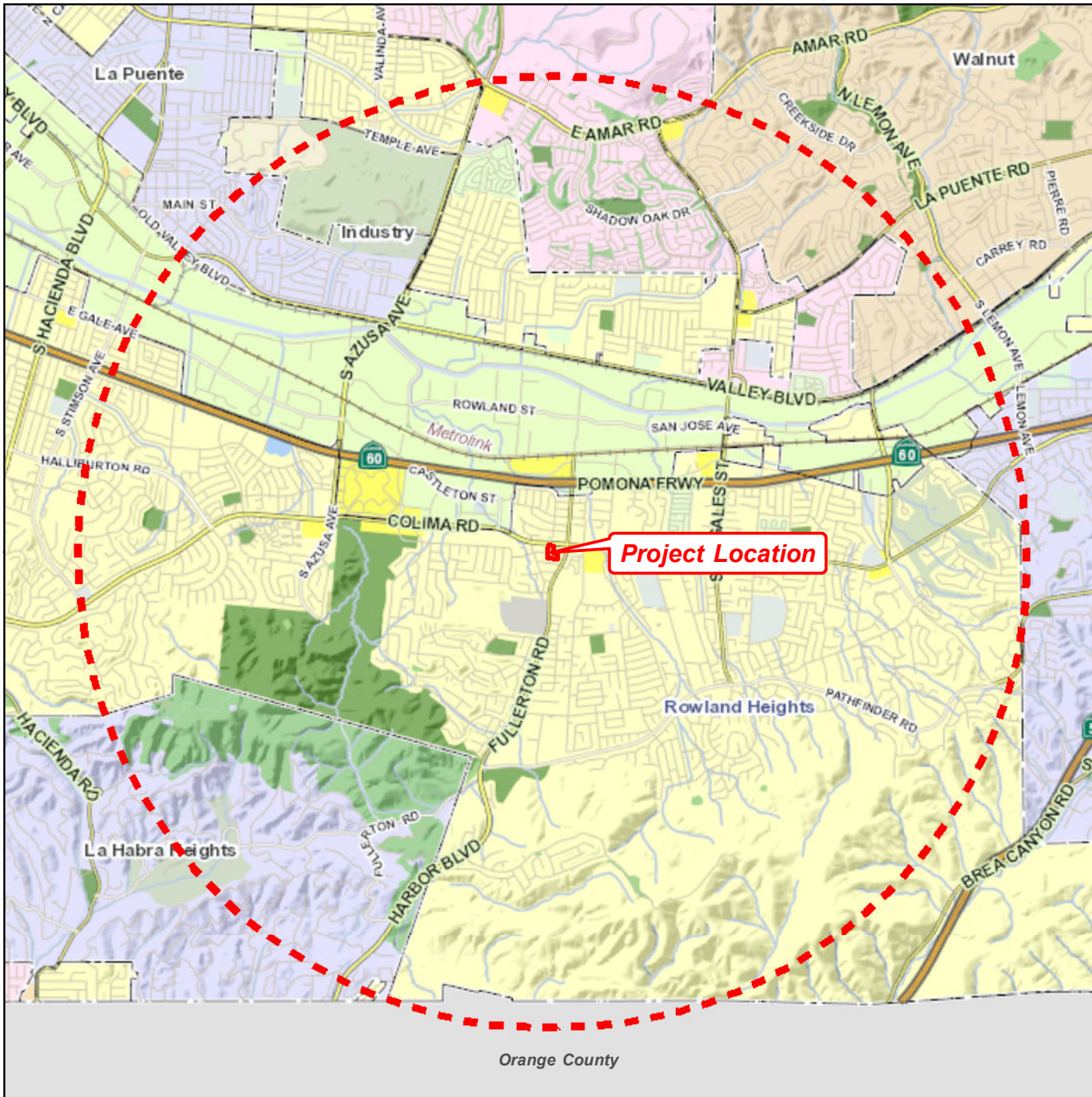
HALF-MILE RADIUS

LOCATOR MAP

PROJECT NO. PRJ2023-004518
ALCOHOL CUP RPPL2023006664



LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012



3-MILE RADIUS LOCATOR MAP

PROJECT NO. PRJ2023-004518
ALCOHOL CUP RPPL2023006664



LOS ANGELES COUNTY
Dept. of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

Photographs for PRJ2023-004518-(1) Conditional Use Permit RPPL2023006664

View of Subject Property from the North (Front)



Closer View of Subject Property from the North (Front)



INFORMATION AND INSTRUCTIONS -**SECTION 23958.4 B&P**

- Instructions This form is to be used for all applications for original issuance or premises to premises transfer of licenses.
- Part 1 is to be completed by an ABC employee, given to applicant with pre-application package, with copy retained in holding file or applicant's district file.
 - Part 2 is to be completed by the applicant, and returned to ABC.
 - Part 3 is to be completed by the local governing body or its designated subordinate officer or body, and returned to ABC.

PART 1 - TO BE COMPLETED BY ABC

1. APPLICANT'S NAME

YUMIYAKI ROWLAND HEIGHTS, LLC

2. PREMISES ADDRESS (Street number and name, city, zip code)

18184 COLIMA RD, ROWLAND HEIGHTS, CA 91748-2601

3. LICENSE TYPE

41(OUT)

4. TYPE OF BUSINESS

- | | | | |
|---|--|--|--|
| <input checked="" type="checkbox"/> Full Service Restaurant | <input type="checkbox"/> Hofbrau/Cafeteria | <input type="checkbox"/> Cocktail Lounge | <input type="checkbox"/> Private Club |
| <input type="checkbox"/> Deli or Specialty Restaurant | <input type="checkbox"/> Comedy Club | <input type="checkbox"/> Night Club | <input type="checkbox"/> Veterans Club |
| <input type="checkbox"/> Cafe/Coffee Shop | <input type="checkbox"/> Brew Pub | <input type="checkbox"/> Tavern: Beer | <input type="checkbox"/> Fraternal Club |
| <input type="checkbox"/> Bed & Breakfast: | <input type="checkbox"/> Theater | <input type="checkbox"/> Tavern: Beer & Wine | <input type="checkbox"/> Wine Tasting Room |
| <input type="checkbox"/> Wine only <input type="checkbox"/> All | | | |

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Supermarket | <input type="checkbox"/> Membership Store | <input type="checkbox"/> Service Station | <input type="checkbox"/> Swap Meet/Flea Market |
| <input type="checkbox"/> Liquor Store | <input type="checkbox"/> Department Store | <input type="checkbox"/> Convenience Market | <input type="checkbox"/> Drive-in Dairy |
| <input type="checkbox"/> Drug/Variety Store | <input type="checkbox"/> Florist/Gift Shop | <input type="checkbox"/> Convenience Market w/Gasoline | |
| <input type="checkbox"/> Other - describe: | | | |

5. COUNTY POPULATION

6. TOTAL NUMBER OF LICENSES IN COUNTY

☐ On-Sale ☐ Off-Sale

7. RATIO OF LICENSES TO POPULATION IN COUNTY

1: 944

☒ On-Sale ☐ Off-Sale

8. CENSUS TRACT NUMBER

4086.26

9. NO. OF LICENSES ALLOWED IN CENSUS TRACT

4

☒ On-Sale ☐ Off-Sale

10. NO. OF LICENSES EXISTING IN CENSUS TRACT

8

☒ On-Sale ☐ Off-Sale

11. IS THE ABOVE CENSUS TRACT OVERCONCENTRATED WITH LICENSES? (i.e., does the ratio of licenses to population in the census tract exceed the ratio of licenses to population for the entire county?)

- ☒ Yes, the number of existing licenses exceeds the number allowed
- ☐ No, the number of existing licenses is lower than the number allowed

678-J5

12. DOES LAW ENFORCEMENT AGENCY MAINTAIN CRIME STATISTICS?

- ☒ Yes (Go to Item #13)
- ☐ No (Go to Item #20)

13. CRIME REPORTING DISTRICT NUMBER

2930

14. TOTAL NUMBER OF REPORTING DISTRICTS

572

15. TOTAL NUMBER OF OFFENSES IN ALL REPORTING DISTRICTS

43,839

16. AVERAGE NO. OF OFFENSES PER DISTRICT

91.9

17. 120% OF AVERAGE NUMBER OF OFFENSES

76.36

18. TOTAL NUMBER OF OFFENSES IN REPORTING DISTRICT

317

19. IS THE PREMISES LOCATED IN A HIGH CRIME REPORTING DISTRICT? (i.e., has a 20% greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency)

- ☒ Yes, the total number of offenses in the reporting district equals or exceeds the total number in item #17
- ☐ No, the total number of offenses in the reporting district is lower than the total number in item #17

20. CHECK THE BOX THAT APPLIES (check only one box)

- ☐ a. If "No" is checked in both item #11 and item #19, Section 23958.4 B&P does not apply to this application, and no additional information will be needed on this issue. Advise the applicant to bring this completed form to ABC when filing the application.
- ☒ b. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for a non-retail license, a retail bona fide public eating place license, a retail license issued for a hotel, motel or other lodging establishment as defined in Section 25503.16(b) B&P, or a retail license issued in conjunction with a beer manufacturer's license, or winegrower's license, advise the applicant to complete Section 2 and bring the completed form to ABC when filing the application or as soon as possible thereafter.
- ☐ c. If "Yes" is checked in either item #11 or item #19, and the applicant is applying for an off-sale beer and wine license, an off-sale general license, an on-sale beer license, an on-sale beer and wine (public premises) license, or an on-sale general (public premises) license, advise the applicant to take this form to the local governing body, or its designated subordinate officer or body to have them complete Section 3. The completed form will need to be provided to ABC in order to process the application.

Governing Body/Designated Subordinate Name:

FOR DEPARTMENT USE ONLY

PREPARED BY (Name of Department Employee)

Jaqueline Manzano 12-26-2023



PART 2 - TO BE COMPLETED BY THE APPLICANT (If box #20b is checked)

21. Based on the information on the reverse, the Department may approve your application if you can show that public convenience or necessity would be served by the issuance of the license. Please describe below the reasons why issuance of another license is justified in this area. You may attach a separate sheet or additional documentation, if desired. Do *not* proceed to Part 3.

22. APPLICANT SIGNATURE

23. DATE SIGNED

PART 3 - TO BE COMPLETED BY LOCAL OFFICIALS (If box #20c is checked)

The applicant named on the reverse is applying for a license to sell alcoholic beverages at a premises where undue concentration exists (i.e., an over-concentration of licenses and/or a higher than average crime rate as defined in Section 23958.4 of the Business and Professions Code). Sections 23958 and 23958.4 of the Business and Professions Code requires the Department to deny the application unless the local governing body of the area in which the applicant premises are located, or its designated subordinate officer or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance.

Please complete items #24 to #30 below and certify or affix an official seal, or attach a copy of the Council or Board resolution or a signed letter on official letterhead stating whether or not the issuance of the applied for license would serve as a public convenience or necessity.

24. WILL PUBLIC CONVENIENCE OR NECESSITY BE SERVED BY ISSUANCE OF THIS ALCOHOLIC BEVERAGE LICENSE?

☐

Yes

☐

No

☐

See Attached (i.e., letter, resolution, etc.)

25. ADDITIONAL COMMENTS, IF DESIRED (may include reasons for approval or denial of public convenience or necessity):

26. CITY/COUNTY OFFICIAL NAME

27. CITY/COUNTY OFFICIAL TITLE

28. CITY/COUNTY OFFICIAL PHONE NUMBER

29. CITY/COUNTY OFFICIAL SIGNATURE

30. DATE SIGNED



OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF



Subject: Conditional Use Permit (CUP) Consultation for Sale of Alcohol
Project No.: PRJ2023-004518-(1)
Permit No.: Conditional Use Permit (CUP) No. RPPL2023006664
Establishment: Yumiyaki
Location: 18184 Colima Road, Rowland Heights CA 91748
Description: CUP for the sale of beer and wine at an existing restaurant

(1) Summary of service calls and crime history for the project site over the last five years:

There have been only calls for alarm activations and routine calls. At this time we have no specific concerns.

(2) Comments/recommended conditions:

We recommend that the locations have security cameras installed inside and outside facing the parking lot. The location is also near the 60 freeway. Fullerton Road accesses North Orange County, which could make it a target for burglaries and robberies. The location is also located near many Apartment communities that do have gang activity. We recommend burglary and robbery alarms. We also recommend that if the location is used in a nightclub or bar setting in the later hours, a security guard be hired for those evenings.

(3) Overall recommendation:

- ☒ Sheriff recommends approval of this CUP.
- ☐ Sheriff does **NOT** recommend approval of this CUP.

Sincerely,

ROBERT G. LUNA, SHERIFF

Steven H. Tousey, Captain
Walnut/Diamond Bar Sheriff's Station

211 WEST TEMPLE STREET, LOS ANGELES, CALIFORNIA 90012

A Tradition of Service
— Since 1850 —



ROWLAND HEIGHTS
COMMUNITY COORDINATING COUNCIL
IMPROVING OUR COMMUNITY

P.O. Box 8171
Rowland Heights, CA 91748

www.rowland-heights.org
rhccc4RH@gmail.com

Rowland Heights Community Coordinating Council

To: Carl Nadela, Principal Regional Planner
From: Cary Chen, President of Rowland Heights Coordinating Council
Date: March 18, 2024
Re: Yumiyaki Restaurant at 18184 Colima Rd, YES Plaza, Rowland Heights, CA 91748

Steven Chen, the applicant's representative presented the business' intent of alcoholic beverage sale at the subject premise to the Board of Directors of the Rowland Heights Community Coordinating Council (RHCCC) on Wednesday, March 13, 2024.

RHCCC Board has voted to support this CUP application of obtaining a business license for alcoholic beverage sale.

If you have any additional comments or questions, please feel free to contact us at rhccc4RH@gmail.com.

Cary Chen

Cary Chen
President, Rowland Heights Community Coordinating Council
626-643-1313
P.O. Box 8171
Rowland Heights, CA 91748

CARL VINCENT NADELA, AICP (he/him/his)
PRINCIPAL REGIONAL PLANNER, Puente Whittier Development Services
Office: (213) 974-6411 • Direct: (213) 893-7010
Email: cnadela@planning.lacounty.gov

=====

Rowland Heights Community Coordinating Council Executive Board Officers
(July 1, 2023 - June 30, 2024)

Cary Chen - President
Yvette Romo - First Vice President, Program
Maria Kramer - Second Vice President, Membership
Henry Woo - Third Vice President, Community Improvement
Esther Hernandez - Recording Secretary
Denise Jackman - Corresponding Secretary
Linda Kuo - Treasurer
Wanda Ewing – Historian