



# PLANNING COMMISSION AGENDA October 24, 2024

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## ***How Can Members of the Public Observe the Meeting?***

The meeting may be viewed via Spectrum Channel 3 and 22, AT&T U-verse Channel 99, and/or El Segundo TV at YouTube.com.

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## ***How Can Members of the Public Participate in the Meeting and/or Provide Public Comments?***

For Public Communications, members of the public may provide comments in the Lobby and/or Council Chamber. For in person comments, please fill out a Speaker Card located in the Chamber Lobby. *The time limit for comments is five (5) minutes per person. Before speaking to the Commission, please state: your name and residence or the organization you represent. Please respect the time limits.*

Members of the public may also provide comments electronically by sending an email to the following address prior to the start of the meeting: [planning@elsegundo.org](mailto:planning@elsegundo.org). ***Please include the meeting date and item number in the subject line.*** If you would like to request that your emailed comment be read into the record, please include that request at the top of your email, limit your comments to 150 words or less, and email your comments at least 30 minutes prior to the start of the meeting. Depending on the volume of communications, the emails may be read to Commission at the appropriate time. Please note that all emailed comments are public records subject to disclosure under the Public Records Act.

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## ***Additional Information:***

**Unless otherwise noted in the agenda, the public can only comment on City-related business that is within the jurisdiction of the Planning Commission and/or items listed on the agenda during the public communications portions of the meeting. Additionally, the public can comment on any public hearing item on the agenda during the public hearing portion of such item. The time limit for comments is five (5) minutes per person. *Before speaking to the Planning Commission, please state your name and residence and the organization you represent, if desired. Please respect the time limits.***

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DATE:	Thursday, October 24, 2024
TIME:	5:30 p.m.
PLACE:	City Council Chamber, City Hall 350 Main Street, El Segundo, CA 90245
VIDEO:	El Segundo Cable Channel 3 (Live). Replayed Friday following Thursday's meeting at 1:00 pm and 7:00 pm on Channel 3. (Schedule subject to change)

All files related to this agenda are available for public review by appointment in the Planning Division office, Monday through Thursday 7:00 am to 5:00 pm and on Fridays until 4:00 pm, beginning at 7:00 am on the Monday prior to the Planning Commission meeting.

The Planning Commission, with certain statutory exceptions, can only discuss, deliberate, or take action upon properly posted and listed agenda items.

Unless otherwise noted in the agenda, the public can only comment on City-related business that is within the subject-matter jurisdiction of the Planning Commission and items listed on the Agenda during the public communications portion of the meeting. Additionally, the public can comment on any public hearing item on the agenda during the public hearing portion of such item. The time limit for comments is generally five minutes per person.

Playing of video or use of visual aids may be permitted during meetings if they are submitted to the Community Development Director a minimum of two working days before the meeting and they do not exceed five minutes in length. Written materials distributed to the Planning Commission within 72 hours of the Planning Commission meeting are available for public inspection immediately upon distribution in the Community Development Department and on the City's website, [www.elsegundo.org](http://www.elsegundo.org).

***REASONABLE ACCOMMODATIONS: In compliance with the Americans with Disabilities Act and Government Code Section 54953(g), the City Council has adopted a reasonable accommodation policy to swiftly resolve accommodation requests. The policy can also be found on the City's website at <https://www.elsegundo.org/government/departments/city-clerk>. Please contact the City Clerk's Office at (310) 524-2308 to make an accommodation request or to obtain a copy of the policy.***

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- A. **Call to Order**
- B. **Pledge of Allegiance**
- C. **Roll Call**
- D. **Public Communications** (Related to matters within the Planning Commission’s subject matter jurisdiction or items on the agenda only—5 minutes per person; 30 minutes total). Individuals who received value of \$50 or more to communicate to the Planning Commission on another’s behalf, and employees speaking on their employer’s behalf, must so identify themselves before addressing the Commission. Failure to do so is a misdemeanor. While all comments are welcome, the Brown Act does not allow the Commission to discuss, deliberate, or take action on any item not on the agenda. The Commission may respond to comments after public communications is closed.
- E. **Written Communications** (other than what is included in agenda packets)
- F. **Consent Calendar**  
All items are to be adopted by one motion without discussion. If a request for discussion of an item is made, the items should be considered individually under the next agenda heading.

**1. Approval of Planning Commission Meeting Minutes**

- September 26, 2024
- October 10, 2024

**RECOMMENDED ACTION:** Approve the minutes.

**2. Receive and File of Director’s Zoning Code Interpretation Regarding Application of Certain Parking Area Development Standards in ESMC Section 15-15-5 to Mixed-Use Projects with Residential in Various Commercial Zones. (PS)**

**Applicant:** City of El Segundo

**Project Description:** On October 17, 2024, pursuant to El Segundo Municipal Code (ESMC) Chapter 15-22 (Administrative Determinations), the Community Development Director made a zoning code interpretation that mixed-use developments with a residential component are similar to nonresidential uses relative to application of ESMC § 15-15-5 Parking Area Development Standards.

In summary, the City has various commercial zoning designations and specific plans that facilitate construction of housing in a mixed-use configuration. ESMC § 15-15-5 does not list mixed-use developments as a use subject to the parking area development standards. In accordance with § 15-22-2, the Director determined that mixed-use developments are similar to non-residential uses and must comply with nonresidential development standards stipulated in ESMC Section 15-15-5. (Environmental Assessment No. EA 1373 and Administrative Determination No. AD 24-01).

**Environmental Determination:** The administrative determination is exempt from further review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines § 15061(b)(3)), because it consists only of an interpretation of

existing zoning regulations and related procedures and does not have the potential for causing a significant effect on the environment.

**RECOMMENDED ACTION:** Receive and file Zoning Code Interpretation (AD 24-01)

**G. Continued Business**

**H. New Public Hearings**

**3. Administrative Use Permit to Upgrade from Type 20 ABC License to Type 21 License to Allow the Sale of Beer, Wine and Distilled Spirits for Off-site Consumption at the Existing 7-Eleven Convenience Store at 100 West Imperial Avenue. (MB)**

**Applicant:** Jennifer Odin representing 7-Eleven, Inc.

**Project Description:** A request to upgrade from an existing Type 20 ABC License that allows the sale of beer and wine for off-site consumption, to a Type 21 ABC License to also allow the sale of distilled spirits for off-site consumption at an existing 3,200 square-foot convenience store (7-Eleven). (Environmental Assessment No. EA-1369 and Administrative Use Permit No. AUP 24-05).

**Environmental Determination:** After considering the facts and findings below, the Director finds this project is categorically exempt from the requirements of CEQA pursuant to 14 California Code of Regulations (CEQA Guidelines) § 15301 as a Class 1 categorical exemption (Existing Facilities) since the proposed project involves a minor modification to the operation of an existing convenience store to include the sale of distilled spirits for off-site consumption.

**RECOMMENDED ACTION:** Receive and file the Community Development Director's approval of Environmental Assessment No. EA-1369 and Administrative Use Permit No. AUP 24-05.

**I. New Business**

**J. Report from Community Development Director or designee**

**K. Report from the City Attorney's office**

**L. Planning Commissioners' Comments**

**M. Adjournment**—next regular scheduled meeting for November 14, 2024, at 5:30 p.m.

POSTED: *Jazmin Farias* 10/18/2024 10:44 a.m.  
(Signature) (Date and time)



**MINUTES OF THE  
EL SEGUNDO PLANNING COMMISSION  
Regularly Scheduled Meeting**

**September 26, 2024**

**A. Call to Order**

Chair Keldorf called the meeting to order at 5:31 p.m.

**B. Pledge of Allegiance**

Chair Keldorf led the pledge.

**C. Roll Call**

Present: Chair Keldorf  
Present: Vice Chair Hoeschler  
Present: Commissioner Inga  
Present: Commissioner Christian  
Absent: Commissioner Maggay

Also present: Michael Allen, AICP, Community Development Director  
Also present: Eduardo Schonborn, AICP, Planning Manager  
Also present: Joaquin Vazquez, City Attorney  
Also present: Maria Baldenegro, Assistant Planner  
Also present: Jazmin Farias, Planning Technician

**D. Public Communications**

None.

**E. Written Communications** (other than what is included in Agenda packets)

None.

**F. Consent Calendar**

**1. Approval of Planning Commission Meeting Minutes:**

- September 12, 2024

**MOTION:** Approve the minutes and fix grammatical errors .

**Moved by Vice Chair Hoeschler, second by Commissioner Christian.  
Motion carried, 4-0, by the following vote:**

**Ayes:** Keldorf, Hoeschler, Inga, and Christian.

### **G. Continued Business—Public Hearing**

None.

### **H. New Public Hearings**

#### **2. One-Year Time Extension to EA-1291 Site Plan Review No. SPR 20-03 and Off-site Parking Covenant No. MISC 20-01 for the Construction of a Four-Story Office Building with a Mezzanine and a Four-Level Parking Structure at 1950-1960 East Grand Avenue. (MB)**

Assistant Planner, Maria Baldenegro presented the staff report regarding a one-year time extension to Site Plan Review No. SPR 20-03 for the construction of a new 93,559 square-foot (net floor area) office building (four stories with a mezzanine), a new four-level 258 space parking structure, and related site improvements at 1950-1960 East Grand Avenue. The applicant was present to answer any questions.

Chair Keldorf opened public communication.

- Applicant representative Amarveer Brar stated that the extension is being requested because of economic conditions and the property changed ownership. Hopefully with the decrease in interest rates the opportunity for development increases.
- Commissioner Christian expressed his concerns regarding number of permitted extensions projects could receive. Planning Manager Eduardo Schonborn stated that El Segundo's Municipal Code does call for a finite number of extensions for maps, however this project does not include a map as there is no subdivision. He added that the code reads "Planning Commission decisions may be extended for an additional period to be specified by the Planning Commission."
- Community Development Director Michael Allen added that during the recession in 2008 the state passed legislation that automatically extended subdivision maps several years in a row because of the economic conditions.

Chair Keldorf closed public communication.

**MOTION:** Adopt Resolution No. 2959, approving a one-year time extension to Environmental Assessment No. EA-1291, Site Plan Review No. SPR 20-03, and Off-site Parking Covenant No. MISC 20-01.

**Moved by Commissioner Inga, second by Vice Chair Hoeschler.**

**Motion carried, 4-0, by the following vote:**

**Ayes:** Keldorf, Hoeschler, Inga, and Christian.

**I. New Business**

None.

**J. Report from Community Development Director or designee**

None.

**K. Report from City Attorney's Office**

None.

**L. Planning Commissioners' Comments**

- Vice Chair Hoeschler asked staff to relay message to property owner for 650 North Pacific Coast Highway regarding the building's condition. Specifically, the giant blank wall that faces south. The building and wall are starting to peel, and it looks beat-up. He is asking for the owner to clean it up. Michael advised that staff has an ongoing communication with them and they are incrementally addressing concerns such as maintaining landscape, fenced the perimeter, provided 24-hour security in the back of the building, and boarded up a lot of the windows. Chair Keldorf added that perhaps a mural on the wall would be a good idea.

**M. Adjournment**—the meeting adjourned at 6:07 p.m.

The next meeting is scheduled for October 10, 2024 at 5:30 pm.

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Michael Allen, Community Development Director

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Michelle Keldorf, Planning Commission Chair



**MINUTES OF THE  
EL SEGUNDO PLANNING COMMISSION  
Regularly Scheduled Meeting**

**October 10, 2024**

**A. Call to Order**

Chair Keldorf called the meeting to order at 5:31 p.m.

**B. Pledge of Allegiance**

Chair Keldorf led the pledge.

**C. Roll Call**

Present: Chair Keldorf  
Present: Vice Chair Hoeschler  
Present: Commissioner Maggay  
Present: Commissioner Inga  
Present: Commissioner Christian

Also present: Michael Allen, AICP, Community Development Director  
Also present: Eduardo Schonborn, AICP, Planning Manager  
Also present: Joaquin Vazquez, City Attorney  
Also present: Paul Samaras, AICP, Principal Planner  
Also present: Jazmin Farias, Planning Technician

**D. Public Communications**

None.

**E. Written Communications (other than what is included in Agenda packets)**

None.

**F. Consent Calendar**

None.

**G. Continued Business—Public Hearing**

None.

**H. New Public Hearings**



## 1. Housing Element Community Meeting. (PS)

Principal Planner Paul Samaras lead the community meeting in relation to the implementation of the 2021-209 Housing Element. Paul covered information regarding the progress the city has made with the eleven programs outlined in the City's Certified Housing Element which addresses community profile, housing constraints, housing resources, and housing plan.

- Chair Keldorf inquired if for the Code Compliance Inspection Program, is it normally someone calling in a code enforcement violation or just random inspections performed, and why has there been an increase in cases. Paul advised that for the most part it is someone calling in a complaint. Community Development Director Michael Allen added that in the past staff was providing a lot of desk support at City Hall and struggled to get out on the field, but over the last couple of years we have reprioritized their time and they spend more time in the field. Although staff's presence in the field has increased, we continue to be reactive only unless it is a life-safety matter. Most calls we get are minor nuisance abatement.
- Vice Chair Hoeschler inquired how the Regional Early Action Program (REAP) works and how people can apply for it as since it is a grant program. Paul shared that it is primarily intended for local governments and geared towards planning efforts. For example, if a city wants to update its regulations or study how to change them to incentivize a certain type of housing, they (a city) can apply for a grant for that purpose; similar to the LEAP grant that the city has used in addition to the REAP grant.
- Chair Keldorf inquired if the ADU's count towards the affordable or even moderate unit count that the city needs. Paul advised that they may, and there is this potential to track rent levels on ADU's so that cities can claim those units as affordable the next time they need to report to the state. Vice Chair Hoeschler asked if incentives are offered so that property owners can make these ADU's affordable. Michael added that a few years ago there were some jurisdictions that adopted policies that waved fees or offered accelerated permitting and some loan programs that were either forgiving or no interest payback if they agreed to 50-year covenants for affordable.
- Commissioner Maggay wanted additional information regarding what is being discussed at the Diversity and Inclusion Committee meetings in relation to housing. Paul shared that in those meetings the intent is to reach and inform different segments of the community. We treat the city boards as bodies that represents different groups of the community, and they can provide staff with feedback.
- Chair Keldorf asked what the timeline is on the General Plan Land Use Element Update. Paul advised that it will take a while to go

through that process as it will require an extensive environmental review. Michal added that the RFP has been out for a month now and proposals are due in 1-2 weeks and are aiming for selection of a consultant in December – January.

- Chair Keldorf inquired if the city gets future cycle credit for exceeding a certain quota of housing. Paul advised that he is not certain. Michael advised that CDD is taking a serious look overhauling the process in the RHNA allocation with SCAG.
- Commissioner Christian inquired if the City plans to slow down development as there is no incentive to overperform (provide more residential units than what was already allocated by the state) in order to not overperform as we approach a new cycle. Michael stated that there is no mechanism to slow down as the state's intention is that we accelerated. He added that the allocations they give are the bottom of the benchmark of what we should be doing.
- Commissioner Christian inquired if the City is relying on ADU's to achieve the affordable housing goal the state has. Michael shared that he suspects that the state won't allow ADU's to count towards RHNA numbers in the next cycle but the pressure to build ADU's will not be released.
- Vice Chair Hoeschler asked for an update on affordable housing fund and Many Mansions who was hired as the consultant. Paul stated that the City Council adopted an affordable housing strategy December 14, 2023. Staff has hired a consultant (RSG) to help us implement the affordable housing strategy and now have a timeline of things to do in the next year or so. Michael added that as for Many Mansions, they left the scene when the state passed a new legislation called the Surplus Land Act which required any public agency to go through a public process if they were going to surplus land. Since the contract agreement was based on a premise that they would provide services in-kind with the caveat that they receive first right of refusal if the city were to surplus land, Many Mansions just disappeared the agreement was closed out.
- Commissioner Maggay thanked staff for the presentation and recused himself from the meeting.

**Chair Keldorf closed public communications.**

None.

**Chair Keldorf closed public communications.**

## **I. New Business**

None.

**J. Report from Community Development Director or designee**

Staff wished Chair Keldorf a Happy Birthday.

**K. Report from City Attorney's Office**

Staff wished Chair Keldorf a Happy Birthday.

**L. Planning Commissioners' Comments**

- Commissioners wished Chair Keldorf a Happy Birthday.
- Vice Chair Hoeschler thanked staff and Paul for putting the presentation together. He also thanked the public for joining.

**M. Adjournment**—the meeting adjourned at 6:38pm.

The next meeting is scheduled for October 24, 2024 at 5:30 pm.

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Michael Allen, Community Development Director

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Michelle Keldorf, Planning Commission Chair



## Planning Commission Agenda Statement

**Meeting Date:** October 24, 2024

**Agenda Heading:** New Business

**Item Number:** F.2

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### **TITLE:**

Zoning Code Interpretation Determining How to Apply Certain Parking Area Development Standards in ESMC Section 15-15-5 to Mixed-Use Projects with Residential in Various Commercial Zones.

Case numbers: Environmental Assessment No. EA 1373 and Administrative Determination No. AD 24-01

### **RECOMMENDATION:**

Receive and file Zoning Code Interpretation (AD 24-01)

### **DISCUSSION:**

On October 17, 2024, pursuant to El Segundo Municipal Code (ESMC) Chapter 15-22 (Administrative Determinations), the Community Development Director made a zoning code interpretation that mixed-use developments with a residential component are similar to nonresidential uses relative to application of ESMC Section 15-15-5 Parking Area Development Standards. The attached zoning code interpretation provides a detailed description and the reasoning for the Director's interpretation.

In summary, the City has various commercial zoning designations and specific plans that facilitate construction of housing in a mixed-use configuration. ESMC Section 15-15-5 does not list mixed-use developments as a use subject to the parking area development standards. In accordance with Section 15-22-2, the Director determined that mixed-use developments are similar to non-residential uses and must comply with nonresidential development standards stipulated in ESMC Section 15-15-5 for:

- Parking Space Location
- Parking Space Dimensions
- Compact Spaces
- Tandem Spaces
- Driveway and Curb Cut Width
- Parking Structure Standards
- Special Residential Parking Provisions
- Vehicle Lifts

**Parking Area Standards for Mixed-Use Developments**

**October 24, 2024**

**Page 2 of 2**

This simplifies review, provides consistent standards, allows more design flexibility, and results in more efficient use of space in mixed-use developments. This determination would be applicable to mixed-use developments in the C-2, the Mixed-Use Overlay Zone, the Pacific Coast Commons Specific Plan, and the Downtown Specific Plan Area.

**PREPARED BY:** Paul Samaras, AICP, Principal Planner 

**REVIEWED BY:** Eduardo Schonborn, AICP, Planning Manager 

**APPROVED BY:** Michael Allen, AICP, Community Development Director 

**ATTACHED SUPPORTING DOCUMENTS:**

Zoning Code Interpretation (AD 24-01)

**ZONING CODE DETERMINATION AND INTERPRETATION**

TO: Planning Division Staff  
FROM: Eduardo Schonborn, AICP, Planning Manager  
DATE: October 17, 2024  
SUBJECT: Parking Area Development Standards for Mixed-Use Developments with Residential uses (AD 24-01)

APPROVED: \_\_\_\_\_  
Michael, Allen, AICP, Community Development Director

**Code Section in Question**

ESMC Section 15-15-5 (Parking Area Development Standards) contains certain standards that are different for specific uses, such as residential, retail, office, industrial, etc. Those standards and subsections are listed below:

- D. Parking Space Location
- H. Parking Space Dimensions
- I. Compact Spaces
- J. Tandem Spaces
- N. Driveway and Curb Cut Width
- Q. Parking Structure Standards
- R. Special Residential Parking Provisions
- S. Vehicle Lifts

Mixed-use developments (especially those with a residential component) are not clearly addressed in the above subsections.

**Mixed Use**

The Municipal Code does not have a definition for what constitutes “Mixed-Use.” However, the Downtown Specific Plan (DSP) defines mixed-use projects as those projects that “combine commercial, office, and/or residential uses into one single development. The uses can be combined in multiple ways, such as each use located on a separate floor or wing of a building or each use in separate buildings on the site.” Of particular concern are mixed-use developments that include residential uses.

## Discussion

The City recently adopted zoning regulations that permit mixed-use developments in the Mixed-Use Overlay (MU-O) Zone, the Pacific Coast Commons Specific Plan (PCCSP) and the Downtown Specific Plan (DSP). The MU-O, PCCSP, and DSP refer to ESMC Section 15-15-5 for regulating parking area site design. However, ESMC Section 15-15-5 standards do not address mixed-use developments, especially those that combine residential with nonresidential uses and share a common parking area. Instead, there are separate standards for residential and individual nonresidential uses. As a result, certain standards conflict with each other and render the parking area design complicated and challenging.

The following discussion lists the conflicting or unclear standards and describes the potential design challenges:

- ESMC 15-15-5(D) – Parking Space Location

*Issue(s):* Subsection 15-15-5(D)(1) requires residential spaces to be located inside a garage or carport, something not required for nonresidential spaces. This requirement is challenging for mixed-use developments, particularly on smaller properties, because it requires the construction of a separate parking structure or carport for residential parking spaces within the same parking facility. This subsection also prohibits residential guest parking spaces in the required front or front two-thirds of a required side building setback. Conversely, subsection 15-15-5(D)(2) permits nonresidential parking spaces to encroach into the required front and side setbacks. As a result, in a mixed-use development with a common parking facility, two inconsistent setback requirements would apply to the same facility.

*Conclusion(s):* Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered non-residential uses, which eliminates the requirement of enclosed parking inside a garage or carport for the residential component of those developments. In addition, the same setback encroachments allowed for nonresidential uses shall also be allowed for mixed-use developments, including the residential component (as provided by subsection 15-15-5(D)(2)).

- ESMC 15-15-5(H) – Parking Space Dimensions

*Issue(s):* This subsection establishes minimum parking dimensions of 9 feet by 20 feet for residential and 8.5 feet by 18 feet for commercial spaces. The difference in minimum dimensions complicates the design of the parking area and results in irregular or unnecessarily wide drive aisles in the parking facility.

*Conclusion(s):* Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered non-residential (commercial) uses, which eliminates the requirement for larger parking space dimensions for the residential component of those developments. As a result, all required standard parking spaces for mixed-use developments shall have minimum dimensions of 8.5 feet by 18 feet.

#### ESMC 15-15-5(I) – Compact Spaces

*Issue(s):* This subsection prohibits compact parking spaces for residential and retail commercial uses but allows them for up to 20 percent of the required spaces for office, industrial, hotel, and recreational uses. In a mixed-use development, this restriction inhibits the sharing of parking spaces between uses and results in a less efficient parking design.

*Conclusion(s):* Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered similar to non-residential office uses and will be permitted to provide compact spaces for up to 20 percent of the required spaces for the entire mixed-use development (whether residential or nonresidential). Consequently, there will be more flexibility in the design of parking areas for those mixed-use developments with a residential component.

- ESMC 15-15-5(J) – Tandem Spaces

*Issue(s):* This subsection prohibits tandem spaces for multi-family residential, retail, and restaurant uses, but allows them for single-family and two-family residential for 100 percent of required spaces, office, and industrial uses for up to 20 percent of the required spaces. This section unnecessarily restricts the design options for residential parking in a mixed-use development and results in less efficient use of space.

*Conclusion(s):* Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered similar to non-residential uses, and shall be permitted to use tandem parking spaces for up to 20 percent of the required spaces for the entire mixed-use development (whether residential or nonresidential). Further, the tandem spaces permitted in mixed-use developments shall be subject to the limitations in ESMC §§ 15-15-5(J), including that they may store up to two vehicles horizontally. Consequently, there will be more flexibility in the design of parking areas for those mixed-use developments with a residential component.

- ESMC 15-15-5(N) - Driveway and Curb Cut Width

*Issue(s):* This subsection establishes regulations for the width and location of driveways and curb cuts based on whether the property zone (not the use) is residential or commercial. The subsection does not clearly address how to regulate the MU-O, PCCSP, and DSP, which permit a mix of residential and nonresidential uses.

*Conclusion(s):* Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered non-residential uses and zoning districts that permit mixed-use developments shall be considered non-residential (commercial) zoning districts. Consequently, mixed-use developments in the MU-O, PCCSP, and DSP shall be subject to the non-residential standards for driveway and curb cut width and location.



- ESMC 15-15-5(Q) – Parking Structure Standards

*Issue(s):* This subsection establishes setback for parking structures that are fully or partly subterranean. The setbacks differ based on whether the property zone (not the use) is residential or commercial. Therefore, the subsection is unclear how to apply the regulations in the MU-O, PCCSP, and DSP, which permit both residential and nonresidential uses.

*Conclusion(s):* Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered a non-residential use and zoning districts that permit mixed-use developments shall be considered non-residential (commercial) zoning districts. Consequently, mixed-use developments in the MU-O, PCCSP, and DSP shall be subject to the non-residential setback standards for parking structures.

- ESMC 15-15-5(R) – Special Residential Parking Provisions

*Issue(s):* This subsection requires single, two-family, and multiple-family residential uses to have covered and enclosed garages or carports and sets minimum and maximum width requirements for garage openings. These requirements do not apply to nonresidential uses. In mixed-use developments, the application of two different standards for the residential and commercial portions would create a substantial site design challenge where a separate garage structure would be required for residential uses, while the commercial uses could be served by open parking. The additional cost and design would inhibit mixed-use developments, particularly on smaller MU-O properties and in the DSP where smaller lot sizes already constrain construction.

*Conclusion(s):* Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered non-residential (commercial) uses, which eliminates the requirement to have covered and enclosed parking spaces for the residential component of those developments. As a result, all required parking spaces for mixed-use developments may be open and unenclosed.

- ESMC 15-15-5(S) – Vehicle Lifts

*Issue(s):* This subsection establishes regulations for the location and design of vehicle lifts in the Single-Family Residential (R-1), Two-Family Residential (R-2), and nonresidential zones. The regulations differ based on whether the property zone (not the use) is residential or commercial. The subsection is unclear how to regulate the MU-O, PCCSP, and DSP, which permit both residential and nonresidential uses.

*Conclusion(s):* Therefore, to simplify and provide consistent standards, mixed-use developments shall be considered a non-residential use and zoning districts that permit mixed-use developments shall be considered non-residential (commercial) zoning districts. Further, the vehicle lifts permitted in mixed-use developments shall be subject to the limitations in ESMC §§ 15-15-5(S), including that they may store up to two vehicles vertically. Consequently, mixed-use developments in the MU-O, PCCSP, and DSP shall be subject to the non-residential standards for vehicle lifts.

## **Interpretation/Determination**

The intent of the MU-O, PCCSP, and the DSP is to facilitate construction of housing in a mixed-use configuration and to treat the residential and commercial portions of mixed-use developments consistently. ESMC Section 15-22-2 allows administrative determinations when a use is not specifically listed as either a permitted use or conditionally permitted use in a particular zone. ESMC Section 15-15-5 does not list mixed-use developments as a use subject to the parking area development standards.

Therefore, in accordance with Section 15-22-2, the Director determined that mixed-use developments are similar to a non-residential use and must comply with the nonresidential development standards stipulated in ESMC Section 15-15-5 as described above.

For the purposes of ESMC subsections 15-15-5(I) (Compact Spaces) and 15-15-5(J) (Tandem Spaces) that specify standards for individual nonresidential uses, such as office, retail, restaurant, hotel, recreational, industrial, the Director determined that the residential component of mixed-use developments is most similar to office uses and must comply with the standards applicable to office uses. The Director has made this determination, because residential uses in a mixed-use development a) benefit equally from the use of compact spaces and b) have less frequent turnover, which is more similar to office uses and can therefore make use of tandem spaces without negative operational impacts. Therefore, permitting compact and tandem spaces in mixed use developments containing residential uses is appropriate.

**TITLE:**

Administrative Use Permit to Allow the Sale of Beer, Wine and Distilled Spirits for Off-site Consumption at the Existing 7-Eleven Convenience Store at 100 West Imperial Avenue. (Environmental Assessment No. EA-1369 and Administrative Use Permit No. AUP 24-05).

Applicant: Jennifer Odin representing 7-Eleven, Inc.

**RECOMMENDATION:**

1. Receive and file the Community Development Director's approval of Environmental Assessment No. EA-1369 and Administrative Use Permit No. AUP 24-05

**BACKGROUND:**

On September 10, 2024, the applicant (Jennifer Odin) submitted an application requesting the sale of distilled spirits for off-site consumption at an existing 7-Eleven. The convenience store currently maintains an active Type 20 ABC License that allow the sale of beer and wine for off-site consumption). The proposed upgrade in the ABC License Type requires an AUP since it will include the sale of distilled spirits for off-site consumption in addition to beer and wine for off-site consumption.

On October 17, 2024, The Community Development Director approved the Administrative Use Permit, allowing the sale of beer, wine and distilled spirits for off-site consumption (Type 21 ABC License) at an existing Convenience Store for 7-Eleven, subject to conditions of approval outlined in Attachment 1.

**DISCUSSION:**

**Administrative Use Permit**

In the event the Planning Commission desires to review the Director's approval of an administrative use permit, the Planning Commission acts in its quasi-judicial capacity (i.e., applying established standards to applications to determine specific rights under existing law). Before an administrative use permit may be granted, the Director or the Commission must find the following findings are met as required by ESMC 15-22-3:

1. *There is compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located.*

2. *The proposed use is consistent and compatible with the purpose of the zone in which the site is located.*
3. *The proposed location and use and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.*
4. *Potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, traffic and hazards have been recognized and compensated for.*
5. *The State Department of Alcohol Beverage Control has issued or will issue a license to sell alcohol to the applicant.*

The Director has determined that the required findings listed above can be made to support approval of the AUP, for the upgrade to a Type 21 ABC License (Sale of Beer, Wine, and Distilled Spirits for Off-site Consumption) at an existing 3,200 square-foot convenience store for 7-Eleven. The convenience store currently maintains an active Type 20 ABC License (Sale of Beer and Wine for Off-site Consumption) and operates on the first floor of an existing 14,815 square-foot, two-story multi-tenant shopping center (Main Imperial Plaza). The first floor of the shopping center contains retail and restaurants, and the second floor of the shopping center contains office and service uses.

The convenience store is in the Neighborhood Commercial (C-2) Zone within an existing shopping center, where retail sale uses are permitted by right. The Neighborhood Commercial (C-2) Zone is developed with similar uses to the existing shopping center and serves the surrounding area in the City with a mixture of neighborhood commercial service uses adjacent to residential areas. The proposed ancillary sale of distilled spirits at an existing convenience store within an existing shopping center is compatible with the purpose of the C-2 Zone since it serves the commercial needs of the neighboring residential areas in the City.

The proposed upgrade to an ABC License that will include the sale of distilled spirits for off-site consumption at an existing 7-Eleven convenience store will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

The approval also includes conditions that protect the City and surrounding users from potentially negative impacts, and any subsequent modifications to the floor plan and areas where alcoholic beverages will be displayed is subject to review and approval of the Community Development Director. The conditions, findings of approval, and environmental assessment are provided in Attachment 1. The Director concluded that the project is appropriate for the location and will not operate in a way that will create unwanted impacts. Therefore, staff recommends that the Planning Commission receive and file the Director's approval. In the alternative, any Planning Commissioner may

request that this permit be discussed, and a decision be made by the Planning Commission instead of "received and filed."

### **Additional Information**

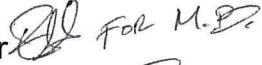


The California Department of Alcoholic Beverage Control (ABC) may require the City to issue a "Public Convenience and Necessity" (PCN) Letter prior to the State issuing the liquor license for cities and counties where the ratio of Type 21 licenses exceeds one for each 2,500 inhabitants. The project site is located in Census Tract No. 6201.01 and currently has a population of 5,482, resulting in an overconcentration of Type 21 ABC licenses in the city. The City of El Segundo currently has 6 active Type 21 ABC licenses.

The El Segundo Police Department has reviewed calls for service at this location for the past six months and has found no basis for denial. Additionally, similar locations in the City of El Segundo with off-sale ABC licenses were checked with no adverse information found. The Police Department and Community Development Director do not object to the issuance of the alcohol permit for the existing 7-Eleven, as it will not create law enforcement problems.

Should the Planning Commission receive and file the Director's approval, Staff will prepare a PCN Letter if ABC requires it for the issuance of an upgraded license.

### **ENVIRONMENTAL REVIEW**

After considering the facts and findings below, the Director finds this project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities) since the proposed project involves a minor modification to the operation of an existing convenience store to include the sale of distilled spirits for off-site consumption.

**PREPARED BY:** Maria Baldenegro, Assistant Planner  Fol M.B.  
**REVIEWED BY:** Eduardo Schonborn, AICP, Planning Manager   
**APPROVED BY:** Michael Allen, AICP, Community Development Director  Fol M.A.

### **ATTACHED SUPPORTING DOCUMENTS:**

1. Director's Approval Letter with Conditions of approval dated October 17, 2024.
2. Site Plan and Floor Plan.



# City of El Segundo

## Community Development Department

October 17, 2024

Jennifer Odin  
Solomon, Saltsman and Jamieson  
426 Culver Boulevard  
Playa Del Rey, CA 90293

Subject: EA-1369 and Administrative Use Permit No. AUP 24-05  
Address: 100 W. Imperial Avenue, El Segundo, CA 90245

Dear Ms. Odin:

Your request for an Administrative Use Permit allowing the sale of beer, wine, and distilled spirits for off-site consumption (Type 21 ABC License) at an existing convenience store for 7-Eleven, is APPROVED in accordance with the El Segundo Municipal Code Section 15-22-3. The approval is subject to the conditions of approval contained in the attached Exhibit A. The approved AUP allows alcohol sales at the existing 3,200 square-foot commercial retail tenant space for 7-Eleven. The associated environmental determination and required findings supporting the decision are described in Exhibit B.

This determination is scheduled to be "received and filed" by Planning Commission at the October 24, 2024, meeting. Any Planning Commissioner may request that this permit be discussed, and a decision be made by Planning Commission instead of "received and filed."

Should you have any questions, please contact Assistant Planner Maria Baldenegro at (310) 524-2341, or via email at [mbaldenegro@elsegundo.org](mailto:mbaldenegro@elsegundo.org).

Reviewed by:

Eduardo Schonborn, AICP  
Planning Manager

Approved by:

Michael Allen, AICP  
Community Development Director

Exhibit A  
CONDITIONS OF APPROVAL

In addition to all applicable provisions of the El Segundo Municipal Code (“ESMC”), Jennifer Odin representing 7-Eleven, Inc. (“Applicant”) and any successor-in-interest agrees to comply with the following provisions as conditions for the City of El Segundo’s approval of Administrative Use Permit No. AUP 24-05 (“Project Conditions”):

Planning

1. This approval allows an existing 3,200 square-foot convenience store located at 100 West Imperial Avenue to operate with a Type 21 ABC License (Off-sale General).
2. The maximum permitted display area for alcoholic beverages will be limited to 10% of the convenience store.
3. The hours of operation for the convenience store is 24 hours a day, seven days a week. The sale of beer, wine, and distilled spirits for off-site consumption is limited to 6 am to 12 midnight. Any change to the hours for the sale of alcoholic beverages is subject to review and approval of the Community Development Director.
4. Any alteration to the building area, and or expansion to the interior floor plan area where alcoholic beverages will be displayed is subject to review and approval of the Community Development Director or a determination regarding the need for Planning Commission review of the proposed modification.
5. Any subsequent modification to the project as approved (including change of use and change of occupancy or type of retail business) shall be referred to the Community Development Director for approval or a determination regarding the need for Planning Commission review of the proposed modification.
6. The Community Development Department and the Police Department must be notified of any change of ownership of the approved use in writing within 10 days of the completion of the change of ownership. A change in project ownership may require that public hearing be scheduled before the Planning Commission regarding the status of the Administrative Use Permit.
7. The applicant shall obtain and maintain all licenses and comply with all regulations of the Alcoholic Beverage Control (ABC) Act (Business & Professions Code Section 23300) and the regulations promulgated by the Board, including the regulations set forth in 4 Cal. Code of Regs. §§55, *et seq.*
8. The applicant shall obtain the necessary approvals from the State of California Department of Alcoholic Beverage Control for a Type 21 ABC License prior to selling distilled spirits by October 24, 2025. If the Applicant does not receive

such approval from ABC by October 24, 2025, the City's approval shall be null and void.

9. If complaints are received regarding excessive noise, or other nuisances associated with the sale of alcohol (beer, wine, and distilled spirits), the City may, in its discretion, take action to review the Administrative Use Permit and add conditions or revoke the permit.
10. There shall be no exterior advertising of any kind or type indicating the availability of specific alcoholic beverage products inside the store.
11. The convenience store shall comply with the California Building and Fire Code requirements, as adopted by the ESMC.
12. The applicant shall obtain the necessary permits and approval from the City for any special events occurring on the premises.
13. The Applicant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney fees), injuries, or liability, arising from the City's approval of Environmental Assessment No. EA-1369 or Administrative Use Permit No. AUP 24-05. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of Environmental Assessment No. EA-1369 or Administrative Use Permit No. AUP 24-05, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section, "the City" includes the City of El Segundo's elected officials, appointed officials, officers, and employees.
14. Jennifer Odin representing 7-Eleven, Inc. shall acknowledge receipt and acceptance of the project conditions by executing the acknowledgement below.
15. If the Administrative Use Permit privileges granted under EA-1369 and AUP 24-05 are not established within one year from the approval of this permit by the Community Development Director, the AUP approval shall become null and void, unless a written request for an extension is filed with the Planning Division and referred to the Community Development Director for approval prior to the expiration date.

#### Police

16. Any modifications to the hours of operation for the sale of beer, wine, and distilled spirits will require review and consideration by the Police Department and the Community Development Director.
17. The sale of beer, wine, and distilled spirits for off-site consumption shall be ancillary to the Convenience Store for 7-Eleven and subject to the California Department of Alcoholic Beverage Control regulations.



18. No external signs or window advertising for wine or its availability shall be displayed in such a manner as to be visible from the exterior of the building.
19. The Convenience Store shall not be occupied by more persons than allowed by the California Building Code, as adopted by the ESMC.
20. The Convenience Store and the associated indoor display area shall comply with the California Building and Fire Code requirements, as adopted by the ESMC.
21. All patrons who appear under the age of 30 shall be required to show some form of identification. A sign indicating this policy shall be prominently posted in a place that is clearly visible to patrons. Only the following forms of identification will be acceptable:
  - a. Valid driver's license
  - b. Valid State identification card
  - c. Valid passport
  - d. Current military identification
  - e. U.S. Government immigrant identification card
22. All forms of out-of-state identification shall be checked by the authorized representative of the owner of the licensed premises in the Driver's License Guide. The authorized representative of the owner shall remove from the patron's wallet the identification card or any plastic holder to inspect it from any alterations made to it through a close visual inspection and/or use of a flashlight or "Retro-reflective viewer" or ID scanning machine, or other electronic device as approved by the Police Department.
23. Employees and contract security personnel shall not consume any alcoholic beverages during their work shift.
24. Any patron who (1) fights or challenges another person to fight, (2) maliciously and willfully disturbs another person by loud or unreasoned noise, or (3) uses offensive words which are inherently likely to provoke an immediate violent reaction shall be removed from the premises.
25. High-Definition color cameras shall be installed at all building entrances and select exterior locations as determined by the police department. Cameras shall be capable of clearly capturing a recognizable facial image of patrons and on the exterior areas required by the police department. Cameras at pedestrian entrances shall clearly capture the entire person and a face image. Camera images shall be digitally stored for at least 30 days. Viewing and access to the recording must be made available at any El Segundo Police Officer's request during normal business hours when conducting an investigation of a complaint or criminal activity.

26. Parking lot lights shall remain on during business hours.
27. Alcoholic beverages shall not be consumed on the premises.
28. Patrons who appear obviously intoxicated shall not be sold any alcoholic beverages.
29. Employees and contract security personnel shall not consume any alcoholic beverages during their work shift.
30. Conditions of approval under an Administrative Use Permit shall be visibly posted in an area accessible to the public along with the City of El Segundo business license.
31. The property owner and applicant (business owner) shall allow access on the premises at any time as deemed necessary by the El Segundo Police Department or Community Development Department personnel for the purpose of inspecting the premises to verify compliance with the Administrative Use Permit.
32. The Administrative Use Permit may be revoked if the business is convicted of selling alcoholic beverages to a minor.
33. The Administrative Use Permit may be modified or revoked by the City should it be determined that the proposed use or conditions under which it was permitted are detrimental to the public health, welfare, or materially injurious to property or improvements in the vicinity or if the use is maintained as to constitute a public nuisance.

These Conditions are binding upon Jennifer Odin representing 7-Eleven, Inc. and all successors and assigns to the property at 100 W. Imperial Avenue, El Segundo, CA 90245 until superseded by another approval letter or rescinded.

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Jennifer Odin, Applicant

Exhibit B  
Environmental Determination and Required Findings

Environmental Assessment 1369:

After considering the facts and findings below, the Director finds this project is categorically exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities) since the proposed project involves a minor modification to the operation of an existing convenience store to include the sale of distilled spirits for off-site consumption.

Administrative Use Permit 24-05:

As required by El Segundo Municipal Code Section 15-22-3, the following are the findings and facts in support of the decision:

Finding 1:

There is compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located.

Facts in Support of Finding 1:

The subject property is zoned Neighborhood Commercial (C-2), and is developed with a multi-tenant shopping center (Main Imperial Plaza) where retail sale uses are permitted by right. The existing 7-Eleven convenience store is compatible with the surrounding neighboring uses, which includes a mix of commercial and residential uses. The convenience store currently holds an active Type 20 ABC License (Sale of Beer, and Wine for Off-site Consumption) and the requested upgrade will allow additional alcoholic beverage types to be sold and will continue to be compatible to existing and potential uses in the area.

Finding 2:

The proposed use is consistent and compatible with the purpose of the Zone in which the site is located.

Facts in Support of Finding 2:

The convenience store is within a multi-tenant shopping center (Main Imperial Plaza) in the Neighborhood Commercial (C-2) Zone. The C-2 Zone is intended to promote, preserve, enhance and service the neighborhood commercial needs of adjacent residential areas. The first floor of the shopping center contains retail and restaurant uses, and the second floor of the shopping center contains office and service uses. The C-2 is

developed with similar uses to the existing shopping center and serves the surrounding area in the City with a mixture of neighborhood commercial service uses adjacent to residential areas. Retail uses are permitted by right in the C-2 zone and the sale of alcoholic beverages at a retail establishment requires the approval of an AUP. The proposed ancillary sale of distilled spirits at a convenience store within an existing shopping center is compatible with the purpose of the C-2 Zone since it serves the commercial needs of the neighboring residential areas in the City.

#### Finding 3:

The proposed location and use, and the conditions under which the use would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.

#### Facts in Support of Finding 3:

The 7-Eleven convenience store has operated as a “one-stop-shop” selling essential household items, food, beverages, snacks, and has been licensed by ABC since 1988 for off-site beer and wine. The convenience store operates 24-hours a day and seven days a week. Alcohol sales at the convenience store currently occur between 6 am to 12 midnight. The addition of distilled spirits will be beneficial and desirable to the community, as it will allow the store to continue offering a full-line of goods to its customers as a “one-stop-shop.” Thus, the proposed upgrade to an ABC License that includes the sale of distilled spirits for off-site consumption at an existing 7-Eleven convenience store will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. Further, the City’s Police Department and Community Development Department do not object to the issuance of the AUP for 7-Eleven, as it has operated responsibly since 1988 with a Type 20 ABC License that has not created law enforcement problems for the community.

#### Finding 4:

Potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, traffic, and hazards have been recognized and mitigated.

#### Facts in Support of Finding 4:

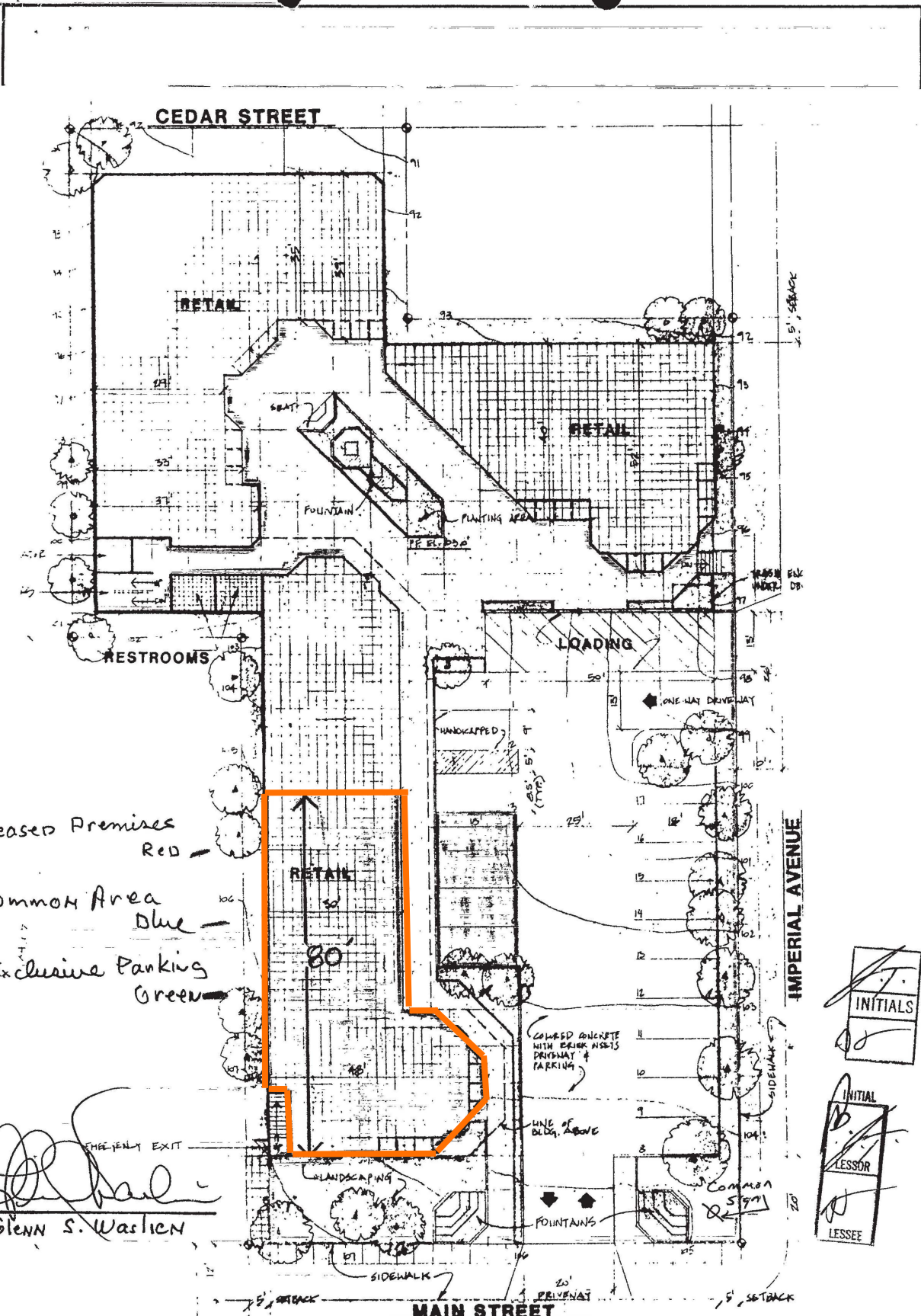
The proposed replacement of an existing Type 20 ABC license for a Type 21 ABC license at this location will not generate excessive noise, dust, fumes, vibration, odors, traffic and/or hazards associated to an existing retail establishment that operates 24-hour a day and seven days a week. The existing 7-Eleven market is located in a commercial area surrounded by other commercial uses. The applicant is not proposing any construction or expansion of the 7-Eleven store and thus will not generate any noise, dust, fumes, vibration, odors, traffic and/or hazards beyond the normal day to day operation of the convenience store.

#### Finding 5:

The State Department of Alcohol Beverage Control has issued or will issue a license to sell alcohol to the applicant.

#### Facts in Support of Finding 5:

The City expects the Applicant will obtain the necessary approvals from the State of California Department of Alcoholic Beverage Control (Type 21 ABC License) for the sale of beer, wine and distilled spirits for off-site consumption. A public convenience and necessity letter will be prepared. In the event the Applicant does not receive such approval from ABC on October 24, 2025, the City's approval will be null (Condition No. 8).



Leased Premises  
Red

Common Area  
Blue

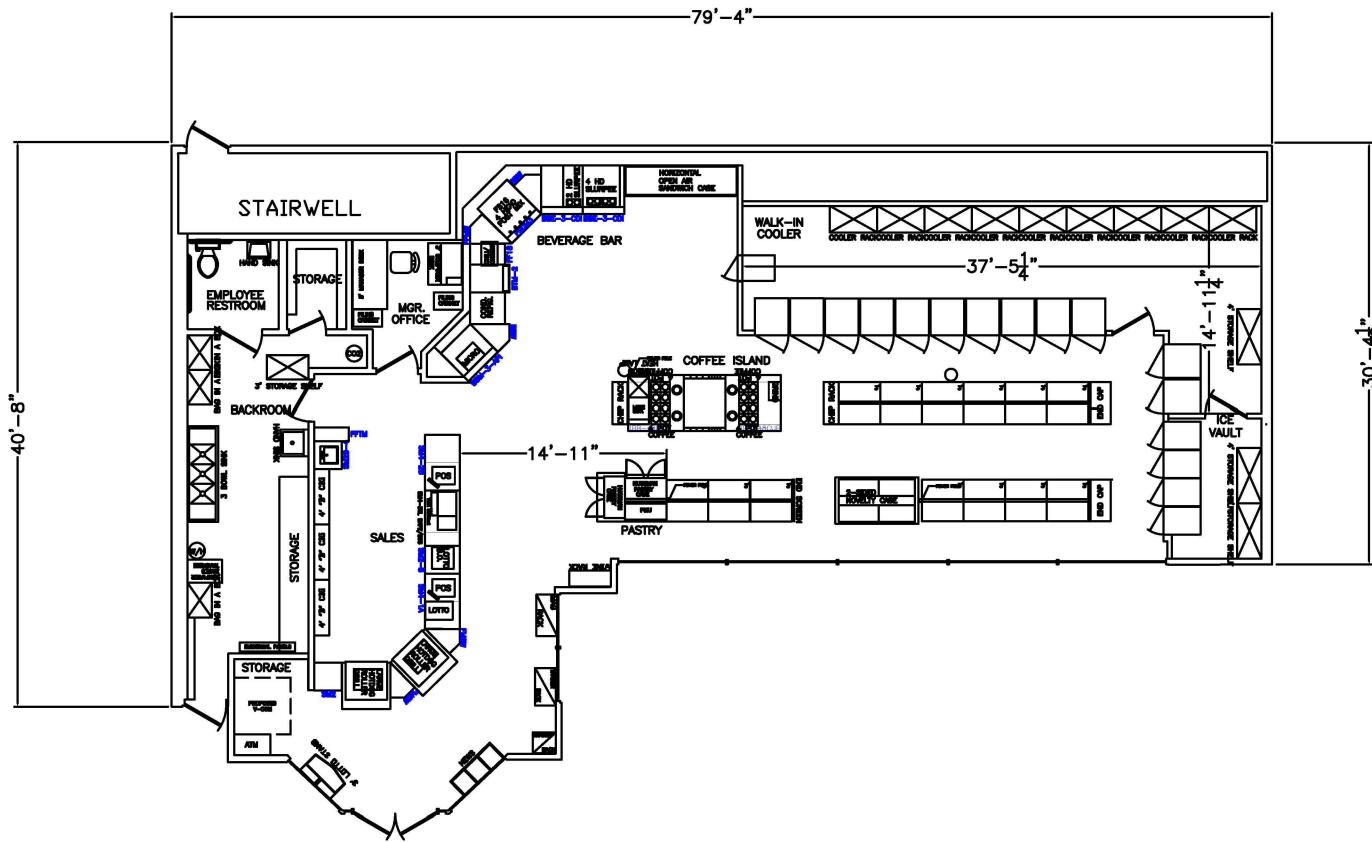
Exclusive Parking  
Green

*Glenn S. Washien*  
Glenn S. Washien

INITIALS  
INITIAL  
LESSOR  
LESSEE

SELLER/LESSOR SCALE:		<b>DRAWING OF PREMISES AND IMPROVEMENTS - PLOT PLAN</b>			
 THE SOUTHLAND CORPORATION	LOCATION OF PROPERTY: SWC Imperial Ave @ Main Street El Segundo, California			Schedule <b>B</b>	
	ORIGINATOR: Michael H. Bailey	DATE: 10-10-85	APPROVED:	DATE:	SHEET:

form 8150019 10/73



**DISCLAIMER**  
 THIS IS NOT A LEGAL DOCUMENT.  
 INTENT IS TO SHOW CURRENT  
 EQUIPMENT CONDITIONS.

7-ELEVEN  
 STORE #27356  
 100 WEST IMPERIAL AVENUE  
 EL SEGUNDO, CA. 90245

Verify By	MDC
Drawn	RPK
Scale	1/8"=1'-0"
Date	09/28/2006
Sheet	1 of 1
ROYSTON	
Drawing Number	27356FP