



**CITY OF SOUTH PASADENA
PLANNING COMMISSION**

**AGENDA
REGULAR MEETING
TUESDAY, NOVEMBER 12, 2024 AT 6:30 P.M.**

**AMEDEE O. "DICK" RICHARDS JR. COUNCIL CHAMBERS
1424 MISSION STREET, SOUTH PASADENA, CA 91030**

South Pasadena Planning Commission Statement of Civility

As your appointed governing board we will treat each other, members of the public, and city employees with patience, civility and courtesy as a model of the same behavior we wish to reflect in South Pasadena for the conduct of all city business and community participation. The decisions made tonight will be for the benefit of the South Pasadena community and not for personal gain.

NOTICE ON PUBLIC PARTICIPATION & ACCESSIBILITY

The South Pasadena Planning Commission Meeting will be conducted in-person from the Amedee O. "Dick" Richards, Jr. Council Chambers, located at 1424 Mission Street, South Pasadena, CA 91030.

The Meeting will be available:

- In Person – Council Chambers, 1424 Mission Street, South Pasadena
- Via Zoom: <https://us02web.zoom.us/j/83530439651> **Meeting ID: 8353 043 9651**

To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting via Zoom in the following methods below.

- Go to the Zoom website, <https://Zoom.us/join> and enter the Zoom meeting information; or
- Click on the following unique Zoom meeting link:
<https://us02web.zoom.us/j/83530439651>

- CALL TO ORDER:** Chair Lisa Padilla
- ROLL CALL:** Chair Lisa Padilla
Vice-Chair Amitabh Barthakur
Commissioner Jason Claypool
Commissioner Laura Dahl
Commissioner Mark Gallatin
- COUNCIL LIAISON:** Mayor Pro Tem Jack Donovan

APPROVAL OF AGENDA
Majority vote of the Commission to proceed with Commission business.

DISCLOSURE OF SITE VISITS AND EX-PARTE CONTACTS
Disclosure by Commissioners of site visits and ex-parte contact for items on the agenda.

PUBLIC COMMENT GUIDELINES (Public Comments are limited to 3 minutes)

The Planning Commission welcomes public input. If you would like to comment on an agenda item, members of the public may participate by one of the following options:

Option 1:
Participate in-person at the Council Chambers, 1424 Mission Street, South Pasadena.

Option 2:
Participants will be able to “raise their hand” using the Zoom icon during the meeting, and they will have their microphone un-muted during comment portions of the agenda to speak for up to 3 minutes per item.

Option 3:
Email public comment(s) to PlanningComments@southpasadenaca.gov. Public Comments received in writing will not be read aloud at the meeting, but will be part of the meeting record. Written public comments will be uploaded online for public viewing under Additional Documents. There is no word limit on emailed Public Comment(s). Please make sure to indicate:

- 1) Name (optional), and
- 2) Agenda item you are submitting public comment on, and
- 3) Submit by no later than 12:00 p.m., on the day of the Planning Commission meeting.

NOTE: Pursuant to State law, the Planning Commission may not discuss or take action on issues not on the meeting agenda, except that members of the Planning Commission or staff may briefly respond to statements made or questions posed by persons exercising public testimony rights (Government Code Section 54954.2). Staff may be asked to follow up on such items.

PUBLIC COMMENT

- 1. **Public Comment – General (Non-Agenda Items)**

CONSENT CALENDAR ITEMS

- 2. **Minutes from the Regular Meeting of August 13, 2024**

PUBLIC HEARING

- 3. **Project No. CUP24-0004** – A request for a Conditional Use Permit (CUP) for a Type-21 alcohol license, for the sales of beer, wine, and spirits for off-site consumption at an existing retail space (Mission Wines) located at 1114 Mission Street (APN: 5315-009-035); making the determination of exemption under the California Environmental Quality Act (CEQA), Section 15301, Class 1 (Existing Facilities).

Recommendation:

Staff recommends that the Planning Commission adopt a Resolution taking the following actions:

- 1. Finding the project exempt from California Environmental Quality Act (CEQA) analysis based on State CEQA Guidelines Section 15301, Class 1 – Existing Facilities.
 - 2. Approving Project No. CUP24-0004, subject to the Conditions of Approval.
- 4. **Project No. CUP24-0005** – A request for a Conditional Use Permit (CUP) for a Type 41 (beer and wine) and Type 20 (off-sale beer and wine) alcohol licenses for a retail deli and bona fide restaurant (Visionarium) located at 1020 Mission Street, Unit H (APN: 5315-014-030); making the determination of exemption under the California Environmental Quality Act (CEQA), Section 15301, Class 1 (Existing Facilities).

Recommendation:

Staff recommends that the Planning Commission adopt a Resolution taking the following actions:

- 1. Finding the project exempt from California Environmental Quality Act (CEQA) analysis based on State CEQA Guidelines Section 15301, Class 1 – Existing Facilities.
- 2. Approving Project No. CUP24-0005, subject to the Conditions of Approval.

DISCUSSION

ADMINISTRATION

- 5. Comments from City Council Liaison
- 6. Comments from Planning Commissioners
- 7. Comments from Staff

ADJOURNMENT

- 8. Adjourn to the Regular Planning Commission meeting scheduled for December 10, 2024.

PUBLIC ACCESS TO AGENDA DOCUMENTS AND BROADCASTING OF MEETINGS

Planning Commission meeting agenda packets are available online at the City website: <https://www.southpasadenaca.gov/government/boards-commissions/planning-commission/test-planning-commission-agendas-minutes-copy>

AGENDA NOTIFICATION SUBSCRIPTION

Individuals can be placed on an email notification list to receive forthcoming agendas by emailing CityClerk@southpasadenaca.gov or calling the City Clerk’s Division at (626) 403-7230.

ACCOMMODATIONS



The City of South Pasadena wishes to make all of its public meetings accessible to the public. If special assistance is needed to participate in this meeting, please contact the City Clerk's Division at (626) 403-7230. Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities. Notification at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

I declare under penalty of perjury that I posted this notice of agenda on the bulletin board in the courtyard of City Hall at 1414 Mission Street, South Pasadena, CA 91030, and on the City's website as required by law.

11/7/2024

Date

A handwritten signature in black ink, appearing to read "Robert Flores", written over a horizontal line.

Robert (Dean) Flores, Senior Planner



**CITY OF SOUTH PASADENA
Planning Commission
Meeting Minutes
Tuesday, August 13, 2024, 6:30 PM
Amedee O. "Dick" Richards Jr. Council Chambers
1424 Mission Street, South Pasadena, CA 91030**

CALL TO ORDER:

A Regular Meeting of the South Pasadena Planning Commission was called to order by Chair Padilla on Tuesday, August 13, 2024 at 6:30 p.m. The meeting was held at 1424 Mission Street, South Pasadena, California.

ROLL CALL:

Present: Chair: Lisa Padilla
Vice-Chair: Amitabh Barthakur
Commissioners: Jason Claypool, Laura Dahl, and Mark Gallatin

City Staff

Present: David Snow, Assistant City Attorney
Matt Chang, Planning Manager
Dean Flores, Senior Planner
Lillian Estrada, Administrative Secretary

APPROVAL OF AGENDA:

Approved, 5-0.

DISCLOSURE OF SITE VISITS AND EX-PARTE CONTACTS:

Commissioners Claypool and Dahl visited the site listed on Item 4, Project No. 2500-HDP/DRX/VAR/PM/TRP at 4931 Harriman Avenue. Chair Padilla and Commissioner Gallatin visited the site listed on Item 5, Project No. CUP24-0003 at 917 Fremont Avenue.

PUBLIC COMMENT:

- 1. Public Comment – General (Non-Agenda Items)**
None.

CONSENT CALENDAR ITEM:

2. Minutes from the Regular Meeting of May 14, 2024

Approved, as amended to Page 8, 5-0.

3. Minutes from the Regular Meeting of June 11, 2024

Approved, as amended to Page 3, 5-0.

PUBLIC HEARING:

- 4. Project No. 2500 HDP/DRX/VAR/PM/TRP** – A request for a Hillside Development Permit (HDP) and Design Review Permit (DRX) to construct a new 3,214 square-foot, two-story, single-family dwelling; two (2) Variances (VAR) for 1) a side yard setback reduction and 2) an attached garage in front of the main structure; a Parcel Merger (PM) application for a merger of two (2) existing lots; and a Tree Removal Permit (TRP) for the removal of six (6) trees at 4931 Harriman Avenue (APNs: 5312-016-016 & 5312-016-017). In accordance with the California Environmental Quality Act (CEQA), this project qualifies for a Categorical Exemption under Section 15303, Class 3 (New Construction or Conversion of Small Structures).

Recommendation:

Staff recommends that the Planning Commission adopt a Resolution taking the following actions:

1. Finding the project exempt from California Environmental Quality Act (CEQA) analysis based on State CEQA Guidelines Section 15303, Class 3 (New Construction or Conversion of Small Structures).
2. Approving Project No. 2500-HDP/DRX/VAR/PM/TRP, subject to the Conditions of Approval.

Staff Presentation:

Senior Planner Flores gave a PowerPoint presentation.

Applicant Presentation:

Paulo Cova, Designer for the project, presented a PowerPoint presentation.

Questions for Staff and Applicant:

The Commissioners inquired about several items, including the roof design, tree removal and protection, clarification of the stucco finishes, roof gutters or downspouts, the material for the storm water planter above the entry door,

vertical walls exceeding 15 feet and adherence to the Hillside Guidelines, a reference to the liquification zone, and window changes, including modification of the windows with regard to privacy concerns.

Public Comments:

Neighbor Sofia Lee, spoke on behalf of her mother, Young Lee, about their concerns regarding the windows and privacy concerns, the oak trees, and the amount of soil being pulled from the hill.

Applicant Rebuttal:

The Designer provided background information and addressed the grading concerns.

Commissioner Discussion:

The Commissioners engaged in a detailed robust discussion for each of the permits requested – including setbacks, side impact of the variance request to the north, compatibility with the neighborhood, impact on trees, possible reduction of the size of the garage and house, concerns about straight walls with no modulation, and the neighbor’s concerns about noise. The Commissioners proposed modifications to the Conditions of Approval and suggested that the window modifications on the north façade to ensure privacy would be subject to the Chair Review as an additional Condition of Approval.

The Designer responded and expressed concerns about the suggested potential changes.

Decision:

Commissioner Gallatin moved, seconded by Commissioner Dahl, that the Commission make the Findings required to approve the Variance with the Variance being five (5) feet setback, as requested, alongside the proposed garage, six (6) feet setback thereafter to the end of the proposed home. This six (6) feet setback will be accomplished without modifying the location of the retaining walls or the removal of any trees adjacent to those walls. The Applicant shall demonstrate how they will achieve modulation and diversification of the windows on the north side of the home as a Chair Review item to ensure the privacy of the neighboring home. The tree protection recommendations will be more upfront in the construction documents. In addition, Staff has the authority to make some clarifying and consistency edits in the Resolution, subject to approval by the Chair.

Chair Padilla directed Staff to call the Roll:

Commissioner Claypool	Yes
Commissioner Gallatin	Yes

Commissioner Dahl	Yes
Vice-Chair Barthakur	Yes
Chair Padilla	Yes

Motion carried, 5-0.

5. **Project No. CUP24-0003** – A request for a Conditional Use Permit (CUP) for a Type 41 (beer and wine) alcohol license at a bona fide eating place located at 917 Fremont Avenue (APN: 5315-0089-040). In accordance with the California Environmental Quality Act (CEQA), this project qualifies for a Categorical Exemption under Section 15301, Class 1 (Existing Facilities).

Recommendation:

Staff recommends that the Planning Commission adopt a Resolution taking the following action:

1. Finding the project exempt from California Environmental Quality Act (CEQA) analysis based on State CEQA Guidelines Section 15301, Class 1 – Existing Facilities.
2. Approving Project No. CUP24-0003, subject to the Conditions of Approval.

Commissioner Dahl recused herself from this item and left the dais.

Staff Presentation:

Senior Planner gave a PowerPoint presentation.

Questions for Staff:

The Commissioners inquired about exterior alterations, the definition of a bona fide eating place, a concern submitted by an adjacent neighbor regarding a fence, and the facility dining layout.

Applicant Presentation:

None.

Public Comments:

Mark Johnson, a chef, spoke in favor of the project.

Commissioner Discussion:

The Commissioners expressed excitement for the new establishment, support of the application and its potential as a regional destination and believe it will make an outstanding addition to the area.

Planning Manager Chang suggested an amendment to the Conditions of Approval P-8 to amend the hours of the sale of beer and wine to *11:00 a.m. to 11:00 p.m.* In addition, to update all references to the term *store*, to *restaurant*.

Decision:

Chair Padilla moved, seconded by Vice-Chair Barthakur, that the Planning Commission adopt a Resolution finding the project exempt from California Environmental Quality Act (CEQA) Guidelines Section 15301, Class 1, for Existing Facilities, approving Project No. CUP24-0003, Conditional Use Permit for onsite sale and consumption of beer and wine Type 41 License for a restaurant located at 917 Fremont Avenue, subject to the Conditions of Approval, including the amendments with changes in hours for Condition P-8, from 11:00 a.m. to 11:00 p.m. daily and an edit that Condition P-13 applies to a restaurant and not a store.

Chair Padilla directed Staff to call the Roll:

Commissioner Claypool	Yes
Commissioner Gallatin	Yes
Vice-Chair Barthakur	Yes
Chair Padilla	Yes

Motion carried, 4-0.

Commissioner Dahl rejoined the Commission.

DISCUSSION

6. Potential Zoning Code Amendments

Recommendation:

Receive Staff's presentation and provide initial feedback.

Staff Presentation:

Planning Manager Chang gave a PowerPoint presentation.

Commissioner Discussion:

The Commissioners provided feedback regarding code definition, hillside development standards, proper threshold for room addition projects going before Cultural Heritage Commission or Design Review Board, ADU ordinance, public engagement format, signage requirements, objective development standards, entitlement approval period, and time extension limit.

ADMINISTRATION

7. Comments from City Council Liaison:

None.

8. Comments from Planning Commissioners:

None.

9. Comments from Staff:

Planning Manager Chang announced that the Housing Element was certified by the California Department of Housing and Community Development (HCD) in late July.

Vice-Chair Barthakur commented on an *LA Times* article on the progress of ADUs in LA County cities.

ADJOURNMENT:

10. Adjournment to the Regular Planning Commission meeting scheduled on September 10, 2024 at 6:30 pm:

There being no further matters, Chair Padilla adjourned the meeting at 10:00 p.m.

Lisa Padilla, Chair



Planning Commission Agenda Report

ITEM NO. 3

DATE: November 12, 2024

FROM: Alison Becker, Acting Community Development Director
Liz Bar-El, Interim Deputy Director

PREPARED BY: Tatianna Marin, Acting Assistant Planner

SUBJECT: **Project No. CUP24-0004 – A request for a Conditional Use Permit (CUP) to allow a Type-21 alcohol license, for the sales of beer, wine, and spirits for off-site consumption at an existing retail space (Mission Wines) located at 1114 Mission Street (APN: 5315-009-035); making the determination of exemption under the California Environmental Quality Act (CEQA), Section 15301, Class 1 (Existing Facilities).**

Recommendation

It is recommended that the Planning Commission adopt a Resolution:

1. Finding the project exempt under California Environmental Quality Act (CEQA) Guidelines, Section 15301 (Existing Facilities).
2. Approving Project No. CUP24-0004 (Conditional Use Permit) off-site sale of beer, wine and spirits (Type 21) at an existing retail space located at 1114 Mission Street (the Subject Site), subject to the recommended conditions of approval.

Background

Existing Business

Mission Wines has operated as a neighborhood boutique wine shop in the same tenant space on the Subject Site since 1994. It maintains a low scale business focused on small production and hand-crafted wines, while offering wine tastings to their customers, and therefore provides an amenity to the community that is unlike most retail businesses in South Pasadena.

Mission Wines currently operates under a Type 42 license from the California Department of Alcoholic Beverage Control (“ABC”), which allows the sale of beer and wine for consumption either on-site or off-site. To date, it has no record of ABC violations.

The tenant space is approximately 1,362 square feet. Alcohol storage and the wine tasting service are located toward the rear of the building. The remainder of the space consists of wine displays and a cashier by the front entrance.

The current hours of operation for the business are:

Sunday	12:00 p.m.—5:00 p.m.
Monday	12:00 p.m.—6:00 p.m.
Tuesday through Friday	10:00 a.m.—6:30 p.m.
Saturday	10:00 a.m.—6:00 p.m.

Mission Wine’s current operations predate the City’s current Municipal Code requirements for alcoholic beverage establishments, which require a CUP for all new alcoholic beverage establishments. Alcoholic beverage retail establishments that were legally operating prior to the adoption of this requirement are permitted continue to operate as nonconforming uses. Legal nonconforming uses are generally allowed to be maintained and continued so long as there is no increase or enlargement of the area, space, or volume occupied by or devoted to the nonconforming use. A nonconforming alcoholic beverage establishment is specifically required to apply for a Conditional Use Permit if: (1) it requests permission from ABC to serve distilled spirits in addition to its original license to sell or serve beer and wine only; (2) its liquor license is suspended for more than 45 days or revoked by ABC; or (4) there is a 20% or more expansion of the area within the establishment that is designated for the sale or consumption of alcoholic beverages.

Project Timeline

On June 20, 2024, the applicant submitted an application for a Conditional Use Permit to add a Type 21 license to their existing business. A Type 21 license allows the sale of beer, wine, and spirits for off-site consumption.

On October 3, 2024, the CUP application was deemed complete after the applicant resubmitted project plans and supplemental information including a project narrative, sensitive uses radius map and mailing labels.

Project Description

Approval of CUP 24-0004 would allow the applicant to add the sale of beer, wine, and spirits for off-site consumption (Type 21) to its existing business of selling beer and wine for onsite and off-site consumption (Type 42). No expansion of the existing legal nonconforming Type 42 business is proposed, nor would there be any alterations to the exterior of the building.

During hours of operation, there are two staff members present that are trained as required by ABC. The applicant’s statement notes that in addition to staff receiving proper training, surveillance and security systems are maintained during all hours of operation. The proposed hours of operation for the business would be:

Sunday—Thursday	9:00 a.m.—10:00 p.m.
Friday and Saturday	9:00 a.m.—11:00 p.m.

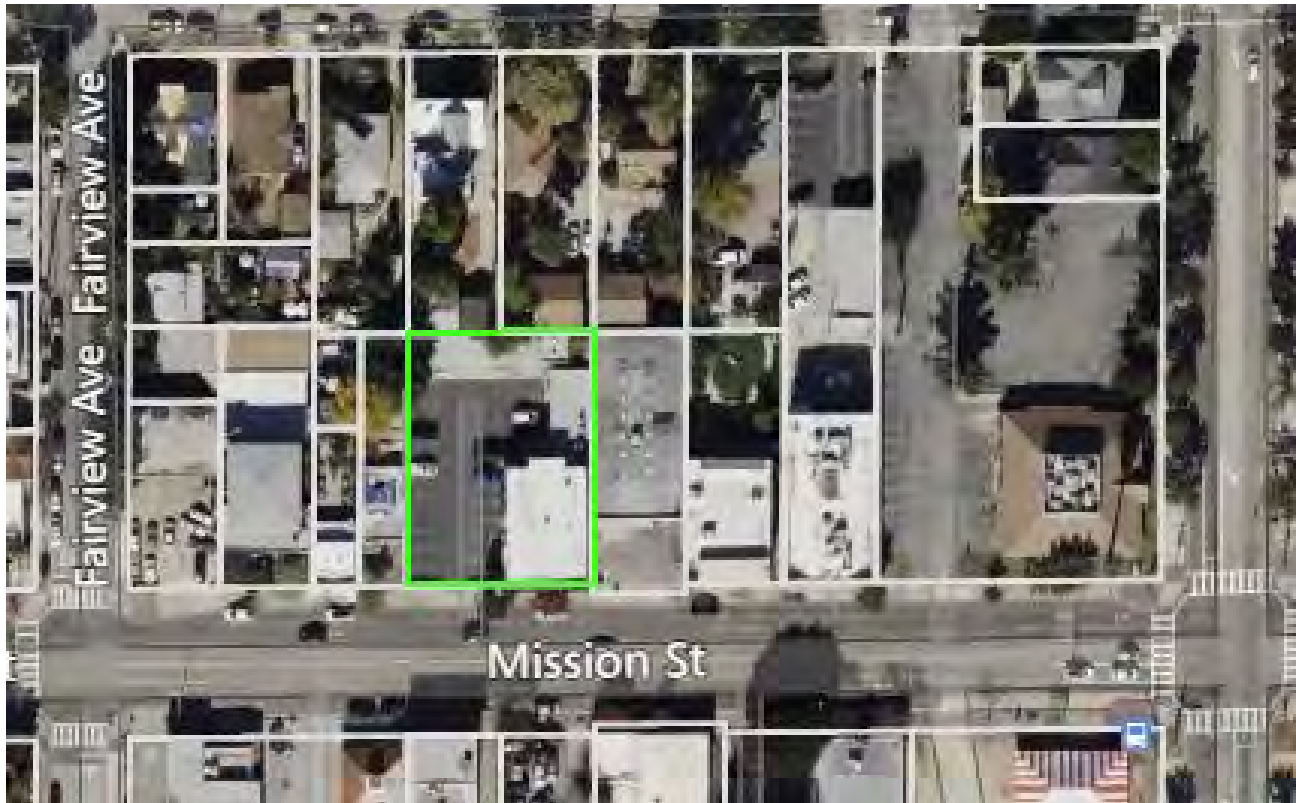
The applicant proposes to locate the spirits display next to an existing wine display towards the front of the store.

Discussion

Site Characteristics

The Subject Site is located on the north side of Mission Street, east of Fairview Avenue. An aerial image showing the location of the Subject Site outline in green is provided in **Figure 1**.

Figure 1: Aerial View of Subject Site



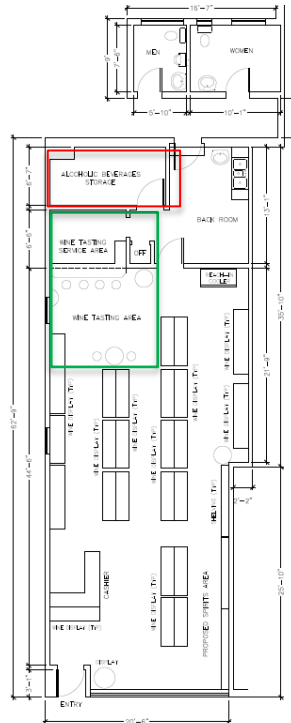
As shown in Table 1, the Subject Site is surrounded by a mix of uses including an auto service station, retail uses, fitness facility, and residential uses.

Table 1 – Surrounding Land Use Characteristics

Direction	General Plan	Zoning	Existing Land Use
North	Mixed-Use Core	Mixed-Use Core within the DTSP	Multi-family Residences
South	Mixed-Use Core	Mixed-Use Core within the DTSP	Auto Service Station
East	Mixed-Use Core	Mixed-Use Core within the DTSP	Retail Use
West	Mixed-Use Core	Mixed-Use Core within the DTSP	Fitness Facility

Figure 2 shows the floor plan with the alcohol storage area outlined in red toward the rear of the store and the interior wine tasting area outlined in green to indicate where alcohol will be served and consumed, as the business is currently operating with a Type-42 license which allows for on-site consumption, such as wine and beer tastings during hours of operation.

Figure 2: Floor Plan



General Plan Consistency

The current General Plan land use designation of the site is Mixed-Use Core and it is designated in the DTSP as Mixed-Use Core as well. Per the General Plan (2040), which was adopted in 2023, the Mixed-Use Core is intended to "...encourage a wide range of building types based on neighborhood characteristics that house a mix of functions, including commercial, entertainment, office, and housing." That said, the proposed project is consistent with the following policies and actions of the General Plan:

Policy P2.7: Strengthen and grow the City's retail offerings.

Action A2.7a: Create a retail and restaurant destination by attracting specialty stores and unique food and beverage places...

Action A2.7b: Seek... independent businesses that can both meet the City's retail needs and adhere to quality design standards to seamlessly fit into a walkable urban environment.

The proposed project supports the goals, policies, and actions of the General Plan by allowing a retail space allowing the sale of beer, wine and spirits for off-site consumption (Type 21) in addition to their existing Type-42 license. Mission Wines is a small, independent business that

has been operating within South Pasadena for over two decades. They are a unique business as they are one of the only wine boutique shops within the city. Located near the Metro Gold Line, Mission Wines is located within a transit-oriented corridor that encourages a walkable environment. The alcohol sales will not substantially affect the nature of the business, but will however, provide a new amenity for the surrounding community that furthers the above-referenced General Plan policy and actions. Therefore, the request is consistent with the General Plan.

Zoning Code/DTSP Compliance

The sale of alcohol is also permitted in the Mixed-Use Core of the DTSP with approval of a Conditional Use Permit. Conditional Use Permits are intended to allow for activities whose effect on a site and its surroundings can only be determined after the review of the configuration, design, location, and potential impacts of the proposed use and the suitability of the use to the site. That said, the proposed use is consistent with the following DTSP policies:

DTSP Policy P2.2: Attract a greater variety of desirable retail and office tenants by building upon existing strengths and market opportunities.

DTSP Policy P2.3: Continue to nurture small, independently owned businesses.

Allowing alcohol sales for a local business, such as Mission Wines, would further the DTSP goals and policies to attract and nurture businesses in South Pasadena because it is a small business and a unique wine boutique shop that offers a selection of handcrafted wines, and the Type 21 license will support economic stability for this business to continue to thrive. With adherence to the conditions of approval, the proposed use will provide an attractive destination for local residents.

Conditional Use Permit

Under Section 36.350.040 of the Municipal Code, approval of a CUP is required for any new alcoholic beverage establishment, and the following issues must be considered when making the findings required for CUP approval:

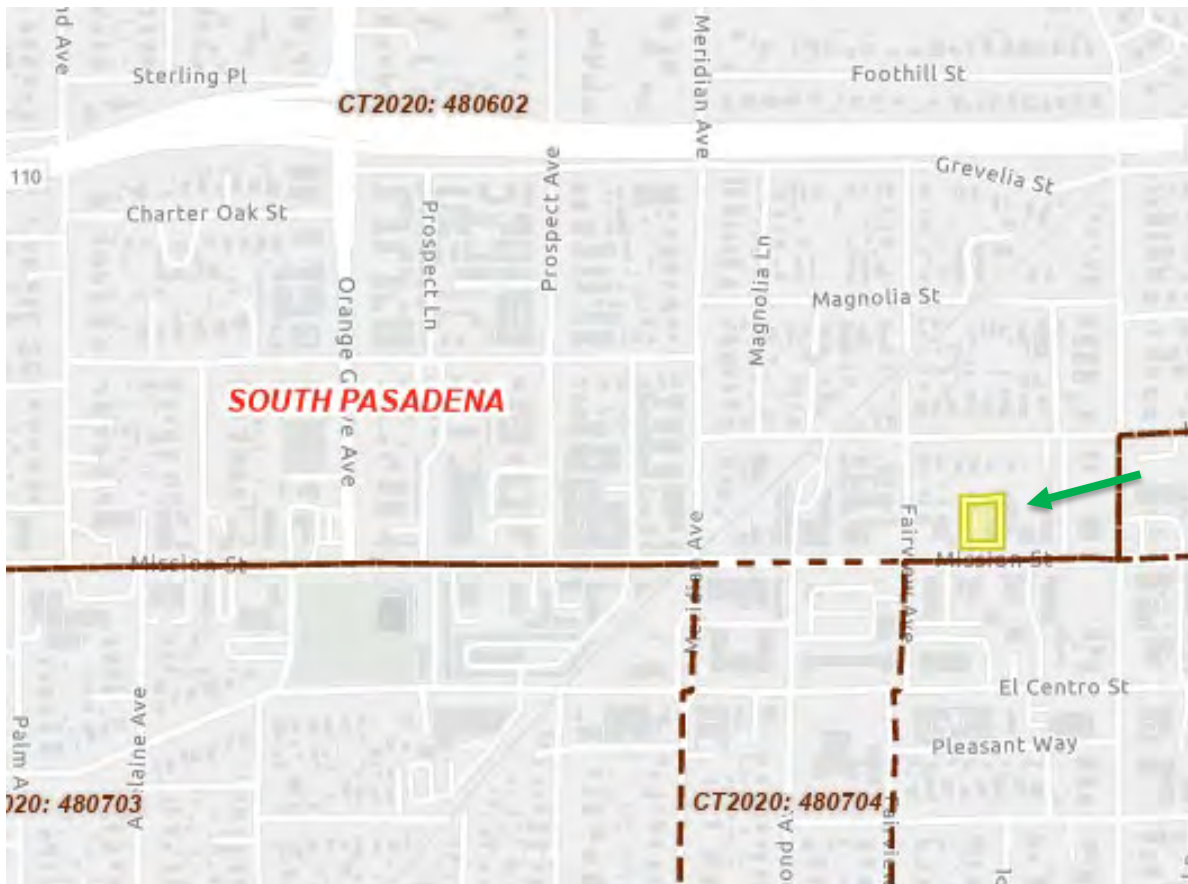
1. Whether the proposed use will result in an undue concentration of establishments dispensing alcoholic beverages.
2. The distance of the proposed use from:
 - a. Residential uses;
 - b. Religious facilities, schools, libraries, public parks and playgrounds, and other similar uses; and
 - c. Other establishments dispensing alcoholic beverages.
3. Whether the noise levels generated by the operation of the establishment would exceed the level of background noise normally found in the area or would otherwise be intrusive.

- Whether the signs and other advertising on the exterior of the premises would be compatible with the character of the area.

Undue Concentration

The California Department of Alcoholic Beverage Control (ABC) puts a limit on the number of on-site and off-site licenses it issues, based on the population of people within a given census tract. The Subject Site is located within census tract 4806.02, as illustrated in **Figure 3**. The location of the retail space within Census Tract 4806.02 is shown in Figure 3 near the green arrow.

Figure 3: Census Tract 4806.02 Boundary



According to ABC Licensing reports, Census Tract 4806.02 currently holds eight (8) active on-site licenses. **Table 2** lists businesses with an active alcohol license, derived from the ABC Licensing Report for the Census Tract 4806.02. There are currently no active off-sale licenses within the census tract. As shown, there are seven current businesses that have ABC licenses, with Mission Wines as one of the active license holders (Type-42 ABC license).

Table 2: Active Alcohol Licenses in Census Tract 4806.02

Census Tract Population	On-Sale Authorized	Off-Sale Authorized
4,183	4	3
Type	Business Name	Address
41 – On-Sale Beer & Wine - Eating Place	Shakers Restaurant	601 Fair Oaks Avenue
42 – On-Sale Beer & Wine – Public Premises	Mission Wines	1114 Mission Street
41 – On-Sale Beer & Wine - Eating Place	Radhika Modern Indian	964-966 Mission Street
41 – On-Sale Beer & Wine - Eating Place	Tomato Pie	1130 Mission Street
41 – On-Sale Beer & Wine - Eating Place	Blue Fin Sushi & Roll	960 Mission Street
47 – On-Sale General – Eating Place	JSC Venture	1010 Mission Street
47 – On-Sale General – Eating Place	Mike & Anne’s	1040 Mission Street
58 – Caterer’s Permit	Mike & Anne’s	1040 Mission Street
TOTAL:	Eight (8) On-Sale License Types	

ABC authorizes a certain number of licenses to each census tract for both on-sale and off-sale licenses. In the case of Census Tract 4806.02, **Table 3** shows the number of on-sale and off-sale licenses authorized by ABC. There are currently no active off-sale licenses within the census tract.

As shown in **Table 2**, Census Tract 4806.02 already contains the maximum number of on-sale licenses currently authorized by ABC before being considered to have an overconcentration. This Conditional Use Permit would not allow a license beyond this limit, as Mission Wine’s license is already included in that number. If the number of Type 21 licenses exceed the limit set forth by state law (overconcentration), ABC requires that a “public convenience or necessity” (PCN) to be established. There are currently no active off-sale licenses within the tract; therefore, a PCN would not be required for this request. As a result, the Police Department has reviewed the CUP request and did not have any specific concerns or objections related to Mission Wine’s operation or their request for spirits.

Distance of Other Uses

As mentioned previously, one of the considerations for reviewing a CUP application for alcohol sales is the proximity of the Subject Site to certain sensitive uses such as residential, religious facilities, schools, libraries, public parks and playgrounds, and other similar uses as well as other establishments dispensing alcoholic beverages.

Table 3 below shows the distance between the Subject Site and surrounding sensitive uses.

Table 3: Distance Between Premises and Closest Other Uses

Use/Business	Address	Approximate Distance
Multi-family Residential	1115 Hope Street	230 feet
Religious Facility – Grace Brethren Community Church	920 Fremont Avenue	556 feet
Colonial House Preschool	1124 Mission Street	101 feet
South Pasadena Library	1100 Oxley Street	791 feet
Orange Grove Park	815 Mission Street	1,693 feet
Payke Gymnastics Academy	1122 Mission Street	64 feet
Tomato Pie Pizza Joint (Alcohol establishment)	1130 Mission Street	168 feet

Mission Wines is close to some uses that require consideration. In considering whether there may be impacts to these uses, it is noted that the business, which primarily sells beer and wine for on and off-site consumption, operates entirely indoors and has existed harmoniously with these other uses since 1994. The on-site consumption (wine tasting) that currently takes place in the store is typical in this type of business and has not been a source of complaint or nuisance during this time. There is no reason to believe that the off-site sales of spirits would substantially change the nature of the business and have negative effects. The South Pasadena Police Department and Fire Department have reviewed the proposed CUP and had no objections to the proposal.

Noise

As stated previously, the activities on the Subject Site under the proposed CUP would take place entirely within the existing retail space. The proposal for alcohol sales will also take place entirely indoors. A condition of approval has been included to ensure that the applicant continues to adhere to the City’s Noise Ordinance pursuant to Chapter 19A of the SPMC.

Signage

The last consideration for compliance with the City’s alcoholic beverage standards concerns the compatibility of signage and other advertising with the surrounding neighborhood. Currently, the applicant has not submitted proposed plans for new signage. The applicant will submit any signage plans separately from this application. As such, the proposal will continue to be compatible with the surrounding area.

Conditional Use Permit Findings

In order to approve a CUP, the Planning Commission must make the following findings listed in SPMC Section 36.410.060:

- 1. The proposed use is allowed with Conditional Use Permit approval within the applicable zoning district and complies with all applicable provisions of this Zoning Code;**

The Subject Site is zoned Mixed-Use Core in the Downtown Specific Plan (DTSP), which allows for the sale of alcoholic beverages in a retail space with approval of a Conditional Use Permit (CUP). The application is for the sale of beer, wine and spirits for off-site consumption (Type 21 License) and the conditions of approval will bring the existing business current with the City's standard operational conditions. The project meets all the standards in the zoning district including applicable zoning standards for alcoholic beverage sales and consumption.

- 2. The proposed use is consistent with the General Plan and any applicable specific plan.**

The current General Plan land use designation of the site is Mixed-Use Core. Per the General Plan (2040), which was adopted in 2023, the Mixed-Use Core is intended to "...encourage a wide range of building types based on neighborhood characteristics that house a mix of functions, including commercial, entertainment, office, and housing." The proposed use is also located within the Downtown Specific Plan in the Mixed-Use Core district. Accordingly, the proposed project is consistent with the following policies and actions of the General Plan and DTSP:

General Plan Policy P2.7: Strengthen and grow the City's retail offerings.

General Plan Action A2.7a: Create a retail and restaurant destination by attracting specialty stores and unique food and beverage places...

General Plan Action A2.7b: Seek... independent businesses that can both meet the City's retail needs and adhere to quality design standards to seamlessly fit into a walkable urban environment.

DTSP Policy P2.2: Attract a greater variety of desirable retail and office tenants by building upon existing strengths and market opportunities.

DTSP Policy P2.3: Continue to nurture small, independently-owned businesses.

The proposed project supports the goals, policies, and actions of the General Plan because the proposed alcohol sales will allow this small business to diversify and thrive without substantially affecting the nature of the business. The proposed Type 21 license will also provide an amenity for the surrounding community. Therefore, the request is consistent with the General Plan and DTSP.

- 3. The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.**

The proposed sale of beer, wine and spirits for off-site consumption is reasonable given the restaurant's location in a mixed-use zoned area. As conditioned, all sales of beer, wine and spirits will be limited to hours of operation, which will be from 9:00 a.m. to 10:00 p.m., Sunday through Thursday and 9:00 a.m. to 11:00 p.m., Friday and Saturday. Additional conditions imposed to ensure the proposed use is not detrimental to the health, safety, or general welfare of the general public include storage of alcohol to prevent theft, limiting tastings to beer and wine only per the applicable existing Type 42 license, and ensuring no advertising of alcohol are on display on the building windows/outside the building.

- 4. The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.**

Approval of the Conditional Use Permit, as conditioned, would not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the City. Conditions of approval are included requiring no loitering on the property, and required training for employees who will serve alcohol to ensure that the sales of alcohol would not be detrimental to the community. Therefore, the proposed use would not be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

- 5. The subject site is adequate in terms of size, shape, topography, and circumstances and has sufficient access to streets and highways which are adequate in width and pavement type to carry the quantity and quality of traffic expected to be generated by the proposed use.**

The addition of off-site sale of beer, wine, and spirits at the existing retail space does not involve any expansion or alteration to the size of the commercial building. Therefore, the Subject Site is adequate in size and has sufficient access to existing streets in order to continue accommodating the existing retail use.

- 6. The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity, in terms of aesthetics, character, scale, impacts on neighboring properties.**

The proposed use is compatible with existing commercial land uses within the vicinity as it is a small expansion of sales within a business that has existed in this location for 30 years. No alterations are proposed to the exterior of the building as a part of this Conditional Use Permit. Therefore, the design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land use in the vicinity in terms of aesthetics, character, scale, and views protection.

Environmental Analysis

This project is exempt from California Environmental Quality Act (CEQA) analysis based on State CEQA Guidelines Section 15301, Class 1 – Existing Facilities. A Class 1 Categorical Exemption includes the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, involving negligible or no expansion of existing use.

In this case, approval of the CUP would allow the off-site sale of beer, wine, and spirits at an existing retail space where on-site and off-site sales of beer and wine are already allowed. And does not involve any expansion or alteration to the size of the commercial building. As such, no significant environmental effects would result from this project and the finding of a categorical exemption is appropriate.

Staff Recommendation

Based on the above analysis, staff recommends that the Planning Commission adopt a Resolution:

1. Finding the project exempt under California Environmental Quality Act (CEQA) Guidelines, Section 15301 (Existing Facilities); and
2. Approving Project No. CUP24-0004 (Conditional Use Permit) off-site sale of beer, wine and spirits (Type 21) at an existing retail space located at 1114 Mission Street, subject to the recommended conditions of approval.

Alternatives to Consider

If the Planning Commission does not agree with staff's recommendation, the following options are available:

1. Approve the project with modified condition(s) and provide findings; or
2. Continue the project, providing the applicant with clear recommendations to revise the proposal; or
3. Deny the project if it finds that the Planning Commission cannot make all of the CUP requirements.

Public Notification of Agenda Item

A Public Hearing Notice was published on November 1, 2024, in the *South Pasadena Review*. Hearing notices were sent to all properties within a 300-foot radius on October 31, 2024. In addition, the public was made aware that this item was to be considered at a public hearing by virtue of its inclusion on the legally publicly noticed agenda, and the posting of the same agenda and reports on the City's website.

Attachments

1. P.C. Resolution with Exhibit "A" - Conditions of Approval
2. Project Narrative
3. Architectural Plans

ATTACHMENT 1

P.C. Resolution No. 24-__

Exhibit A-Conditions of Approval

P.C. RESOLUTION NO. 24-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA APPROVING PROJECT NO. CUP24-0004 CONSISTING OF A CONDITIONAL USE PERMIT FOR A TYPE 21 (OFF-SITE SALE AND CONSUMPTION OF BEER, WINE AND SPIRITS) ALCOHOL LICENSE AT AN EXISTING RETAIL SPACE LOCATED AT 1114 MISSION STREET (APN: 5315-009-035), AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, on June 20, 2024, Maria Impala (the Applicant), submitted an application (Conditional Use Permit (“CUP”) to allow sale of beer, wine, and spirits for off-site consumption under a Type 21 license from the California Department of Alcoholic Beverage Control (ABC) at the location of existing retail space (Mission Wines) located at 1114 Mission Street, Assessor’s Parcel Number: 5315-009-035 (the Subject Site); and

WHEREAS, the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 15301, Class 1 – Existing Facilities; and

WHEREAS, the Planning Division evaluated the project for consistency with the City’s General Plan, Downtown Specific Plan (“DTSP”), South Pasadena Municipal Code (“SPMC”), and all other applicable state and local regulations; and

WHEREAS, on October 31, 2024, the public hearing notice was mailed to each property owner within a 300-foot radius of the project site in accordance with the requirements of South Pasadena Municipal Code declaring the project review by the Planning Commission for the hearing on November 12, 2024; and

WHEREAS, on November 1, 2024, the City of South Pasadena Planning Division, published a legal notice in the *South Pasadena Review*, a local newspaper of general circulation, indicating the date, time, and location of the public hearing in compliance with state law concerning Project No. CUP24-0004; and

WHEREAS, the South Pasadena Planning Commission held a duly noticed public hearing on November 12, 2024, at which time it considered the staff report, oral report, the testimony, and the written evidence submitted by and on behalf of the Applicant and by members of the public concerning Project No. CUP24-0004;

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1: ACKNOWLEDGEMENTS

The foregoing recitals are true and correct and are incorporated and made an operative part of this resolution.

SECTION 2: ENVIRONMENTAL REVIEW FINDING

The Planning Commission has determined that the proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), under Section 15301, Class 1 – Existing Facilities of the California Guidelines for Implementation of CEQA. A Class 1 Categorical Exemption includes the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, involving negligible or no expansion of existing use. The project does not involve any expansion or alteration to the size of the commercial building. As such, no significant environmental effects would result from this project and the use of a categorical exemption is appropriate.

SECTION 3: CONDITIONAL USE PERMIT FINDINGS

Based upon the entire record made available at the November 12, 2024 public hearing, including the public hearing, the staff report, the oral presentation, and related documents submitted to the Planning Commission prior to and at the public hearing, the Planning Commission finds and determines that the proposed project is consistent with all applicable findings for approval of a Conditional Use Permit for alcohol sales pursuant to South Pasadena Municipal Code Section 36.410.060, as follows:

1. The proposed use is allowed with Conditional Use Permit or Administrative Use Permit approval within the applicable zoning district and complies with all applicable provisions of this Zoning Code;

The Subject Site is zoned Mixed-Use Core in the Downtown Specific Plan (DTSP), which allows for the sale of alcoholic beverages in a retail space with approval of a Conditional Use Permit (CUP). The application is for the sale of beer, wine and spirits for off-site consumption (Type 21 License) and the conditions of approval will bring the existing business current with the City's standard operational conditions. The project meets all the standards in the zoning district including applicable zoning standards for alcoholic beverage sales and consumption.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

The current General Plan land use designation of the site is Mixed-Use Core. Per the General Plan (2040), which was adopted in 2023, the Mixed-Use Core is intended to "...encourage a wide range of building types based on neighborhood characteristics that house a mix of functions, including commercial, entertainment, office, and housing." The proposed use is also located within the Downtown Specific Plan in the Mixed-Use Core district. Accordingly, the proposed project is consistent with the following policies and actions of the General Plan and DTSP:

General Plan Policy P2.7: Strengthen and grow the City's retail offerings.

General Plan Action A2.7a: Create a retail and restaurant destination by attracting specialty stores and unique food and beverage places...

General Plan Action A2.7b: Seek... independent businesses that can both meet the City's retail needs and adhere to quality design standards to seamlessly fit into a walkable urban environment.

DTSP Policy P2.2: Attract a greater variety of desirable retail and office tenants by building upon existing strengths and market opportunities.

DTSP Policy P2.3: Continue to nurture small, independently-owned businesses.

The proposed project supports the goals, policies, and actions of the General Plan because the proposed alcohol sales will allow this small business to diversify and thrive without substantially affecting the nature of the business. The proposed Type 21 license will also provide an amenity for the surrounding community. Therefore, the request is consistent with the General Plan and DTSP.

- 3. The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.**

The proposed sale of beer, wine and spirits for off-site consumption is reasonable given the restaurant's location in a mixed-use zoned area. As conditioned, all sales of beer, wine and spirits will be limited to hours of operation, which will be from 9:00 a.m. to 10:00 p.m., Sunday through Thursday and 9:00 a.m. to 11:00 p.m., Friday and Saturday. Additional conditions imposed to ensure the proposed use is not detrimental to the health, safety, or general welfare of the general public include storage of alcohol to prevent theft, limiting tastings to beer and wine only per the applicable existing Type 42 license, and ensuring no advertising of alcohol are on display on the building windows/outside the building.

- 4. The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.**

Approval of the Conditional Use Permit, as conditioned, would not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the City. Conditions of approval are included requiring no loitering on the property, and required training for employees who will serve alcohol to ensure that the sales of alcohol would not be detrimental to the community. Therefore, the proposed use would not be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

- 5. The subject site is adequate in terms of size, shape, topography, and circumstances and has sufficient access to streets and highways which are**

adequate in width and pavement type to carry the quantity and quality of traffic expected to be generated by the proposed use.

The addition of off-site sale of beer, wine, and spirits at the existing retail space does not involve any expansion or alteration to the size of the commercial building. Therefore, the Subject Site is adequate in size and has sufficient access to existing streets in order to continue accommodating the existing retail use.

- 6. The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity, in terms of aesthetics, character, scale, impacts on neighboring properties.**

The proposed use is compatible with existing commercial land uses within the vicinity as it is a small expansion of sales within a business that has existed in this location for 30 years. No alterations are proposed to the exterior of the building as a part of this Conditional Use Permit. Therefore, the design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land use in the vicinity in terms of aesthetics, character, scale, and views protection.

SECTION 4: RECORD OF PROCEEDING

The documents and other materials that constitute the record of the proceedings upon which the Planning Commission's decision is based, which include, but are not limited to, the staff reports, as well as all materials that support the staff reports for the proposed project, and are located in the Community Development Department of the City of South Pasadena at 1414 Mission Street, South Pasadena, CA 91030. The custodian of these documents is the City Clerk of the City of South Pasadena.

SECTION 5: DETERMINATION

Based upon evidence provided during the public hearing and the preceding findings, the Planning Commission of the City of South Pasadena hereby approves Project No. CUP24-0004 subject to the Conditions of Approval attached hereto as Exhibit "A."

SECTION 6: APPEALS

Any interested person may appeal this decision or any portion of this decision to the City Council. Pursuant to the South Pasadena Municipal Code, any such appeal must be filed with the City, in writing, and with appropriate appeal fee, no later than (15) days, following the date of the Planning Commission's final action.

SECTION 7: CERTIFICATION OF THE RESOLUTION

The Secretary shall certify that the foregoing Resolution was adopted by the Planning Commission of the City of South Pasadena at a duly noticed regular meeting held on the 12th day of November 2024.

PASSED, APPROVED, AND ADOPTED this 12th day of November 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Padilla, Planning Commission Chair

ATTEST:

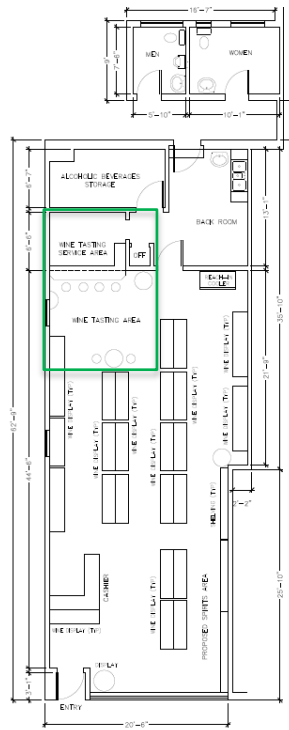
Mark Gallatin
Secretary to the Planning Commission

EXHIBIT "A"
CONDITIONS OF APPROVAL
PROJECT NO. CUP24-0004
1114 Mission Street (APN: 5315-009-035)

PLANNING DIVISION:

- P-1. The following approvals are granted as described below and as shown on the development plans submitted to and approved by the Planning Commission on November 12, 2024:
- A. **Conditional Use Permit** for the sales of beer, wine, and spirits for off-site consumption at an existing retail space (Type-21).
- P-2. This approval and all rights hereunder shall terminate within twelve (12) months of the effective date of their approval by the Planning Commission unless otherwise conditioned and/or unless the use is established or action is taken. The off-sale beer, wine and spirits license (Type 21) shall be acquired by the California Department of Alcoholic Beverage Control (ABC) prior to the termination period.
- P-3. Approval by the Planning Commission does not constitute a building permit. No structural modifications were proposed as part of this CUP request.
- P-4. All other requirements of any law, ordinance, or regulation of the State of California, City of South Pasadena, and any other government entity shall be complied with.
- P-5. Compliance with and execution of all appropriate conditions listed herein shall be necessary prior to obtaining any occupancy inspection clearance and/or prior to obtaining any occupancy clearance.
- P-6. The applicant and each successor in interest to the property which is the subject of this project approval, shall defend, indemnify and hold harmless the City of South Pasadena and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul any approval of the City, City Council or Planning Commission concerning this approval. In the event of any claim or lawsuit, the applicant and/or successor shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.
- P-7. Compliance with the City's Performance Standards of Section 36.300.110, which also include the Noise Standards (Chapter 19A), of the South Pasadena Municipal Code (SPMC) shall be adhered to at all times.
- P-8. The sales of beer, wine and spirits shall be limited to the hours of operation of the retail space, 9:00 a.m. to 10:00 p.m. Sunday through Thursday and 9:00 a.m. to 11:00 p.m. Friday and Saturday.
- P-9. No on-site consumption of spirits shall be permitted.
- P-10. The sale of beer and wine for on-site consumption shall only be incidental to the operation of the retail use.
- P-11. Tastings shall be limited to beer and wine only as reflected in the current Type-42 license.
- P-12. No advertising for alcoholic beverages may be displayed in store windows or outside of the store.
- P-13. All alcohol sales cases/displays shall be located in such a manner to prevent "grab-and-run" thefts of alcohol. The sales cases/displays shall be located in sight of the sales counter at all times, if possible.
- P-14. The employees who will be engaged in the sale of alcohol must complete the State Alcoholic Beverage Control's mandated training, as well as the store's internal training on the sale of alcohol.
- P-15. The consumption of beer and wine for tastings shall be permitted only within the retail space only and towards the rear of the store as outlined in green in **Figure 1**.

Figure 1: Mission Wines Floor Plan



- P-16. Any individuals discovered loitering on the property shall immediately be informed to leave the premises, by the owner. Should the owner fail to abate the problems, the South Pasadena Police Department and/or other enforcement agencies reserve the right to take appropriate enforcement actions to abate the problem, and the permit/alcohol licenses may be subject to revocation.

- P-17. The Conditional Use Permit issued for the alcoholic beverage establishment and a copy of the conditions of approval for the permit shall be displayed on the premises of the establishment in a place where it may readily be viewed by any member of the general public.

ATTACHMENT 2

Project Narrative



APPLICANT: **MISSION WINE PARTNERS, LP**

AGENT: **MARIA IMPALA, ART RODRIGUEZ ASSOCIATES**

OWNER: **THOMAS E MARKEY, THOMAS E MARKEY TRUST**

PROPERTY: **1114 MISSION STREET, SOUTH PASADENA, CA 91030**

REQUEST: **PER SOUTH PASADENA MUNICIPAL CODE § 36.410.060, A CONDITIONAL USE PERMIT (CUP) TO ALLOW THE SALE AND DISPENSING OF BEER AND WINE FOR ON-SITE CONSUMPTION, AND A FULL LINE OF ALCOHOLIC BEVERAGES FOR OFF-SITE CONSUMPTION, IN CONJUNCTION WITH A 1,368 SQUARE-FOOT BOUTIQUE WINE STORE, MISSION WINES, LOCATED WITHIN THE DOWNTOWN SPECIFIC PLAN (DTSP).**

PROJECT NARRATIVE:

Since their establishment in 1994, Mission Wines has grown to be one of the Los Angeles area's most well-known boutique wine retailers. Drawing from multiple decades of experience gained at fine dining restaurant Patina in Los Angeles, the Michelin-starred Charlie Trotter's in Chicago, and the historic Highland Inn in Carmel, California, owner Chris Meeske has an intimate knowledge of all varieties of wine. Whether the patrons' needs are for events or occasions, a specific wine and food pairing, outstanding options on a budget, or something new and exciting, he and the Mission Wines staff take great pride in ensuring their patrons purchase the wine that is right for them.

Mission Wines is located at 1114 Mission Street, occupying the same small tenant space that they have occupied since 1994. As a result, the store operations are very low in scale. Being a neighborhood boutique wine shop, Mission Wines specializes in small production, hand crafted, artisan wines from around the world, with patrons encouraged to inquire with staff about the various wine offerings they have available for purchase. There are typically 2 staff members on the premises at any given time during their hours of operations. The Conditional Use Permit request proposes hours of operation from 9:00 a.m. to 10:00 p.m., Sunday through Thursday and 9:00 a.m. to 11:00 p.m. Friday and Saturday. Mission Wines regularly hosts tastings, as they are an excellent opportunity for newcomers or connoisseurs alike to explore the different beer or wine varieties in a relaxed and friendly setting, as well as continue to build a community around their store, South Pasadena, and the wines they offer.

Mission Wines currently operates with a Type 42 On-Sale Beer & Wine Public Premises License, this application is a request to add a Type 21 Off-Sale General License for the sale of a full-line of alcoholic beverages to allow Mission Wines to sell a small and carefully curated selection of spirits to their patrons.

As wine is the passion of the Mission Wines staff, they have a thorough understanding of the responsibilities associated with the sale and dispensing of alcoholic beverages. They understand that this is a privilege, and as such take active precautions to ensure the sale and dispensing of alcoholic beverages are conducted in a safe and responsible manner. This includes Mission Wines staff being trained as required by the Department of Alcoholic Beverage Control (ABC), as well as maintaining a surveillance and security systems during all hours of operation.



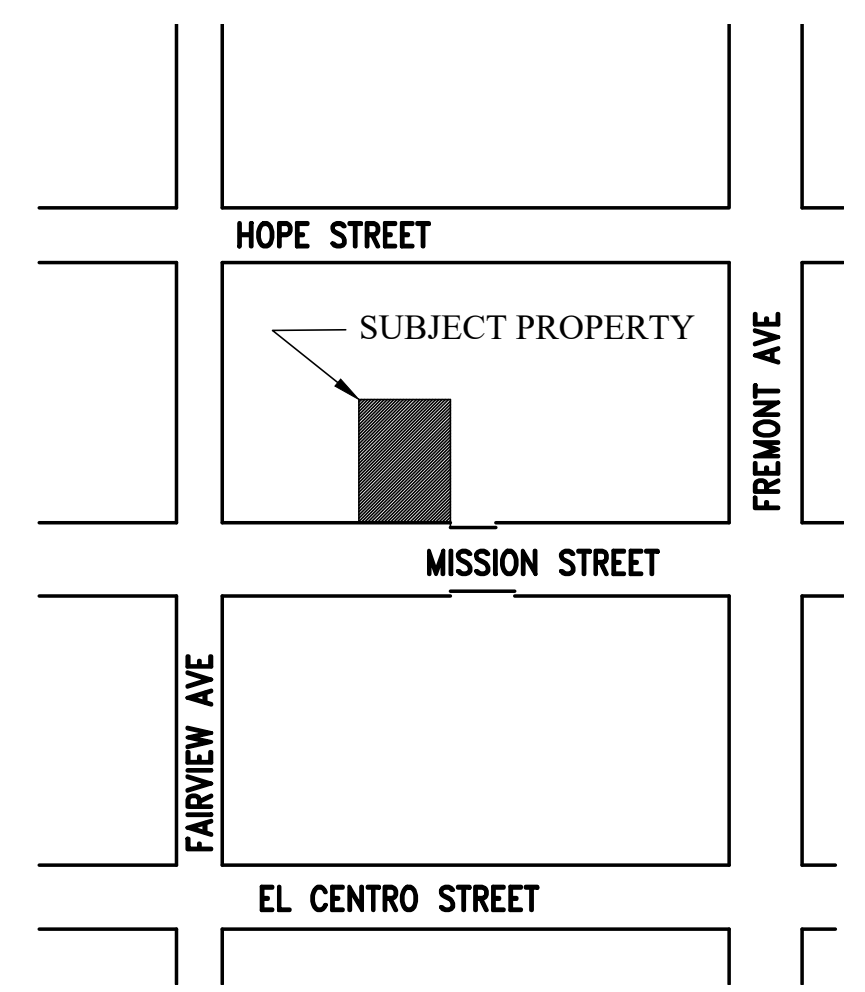
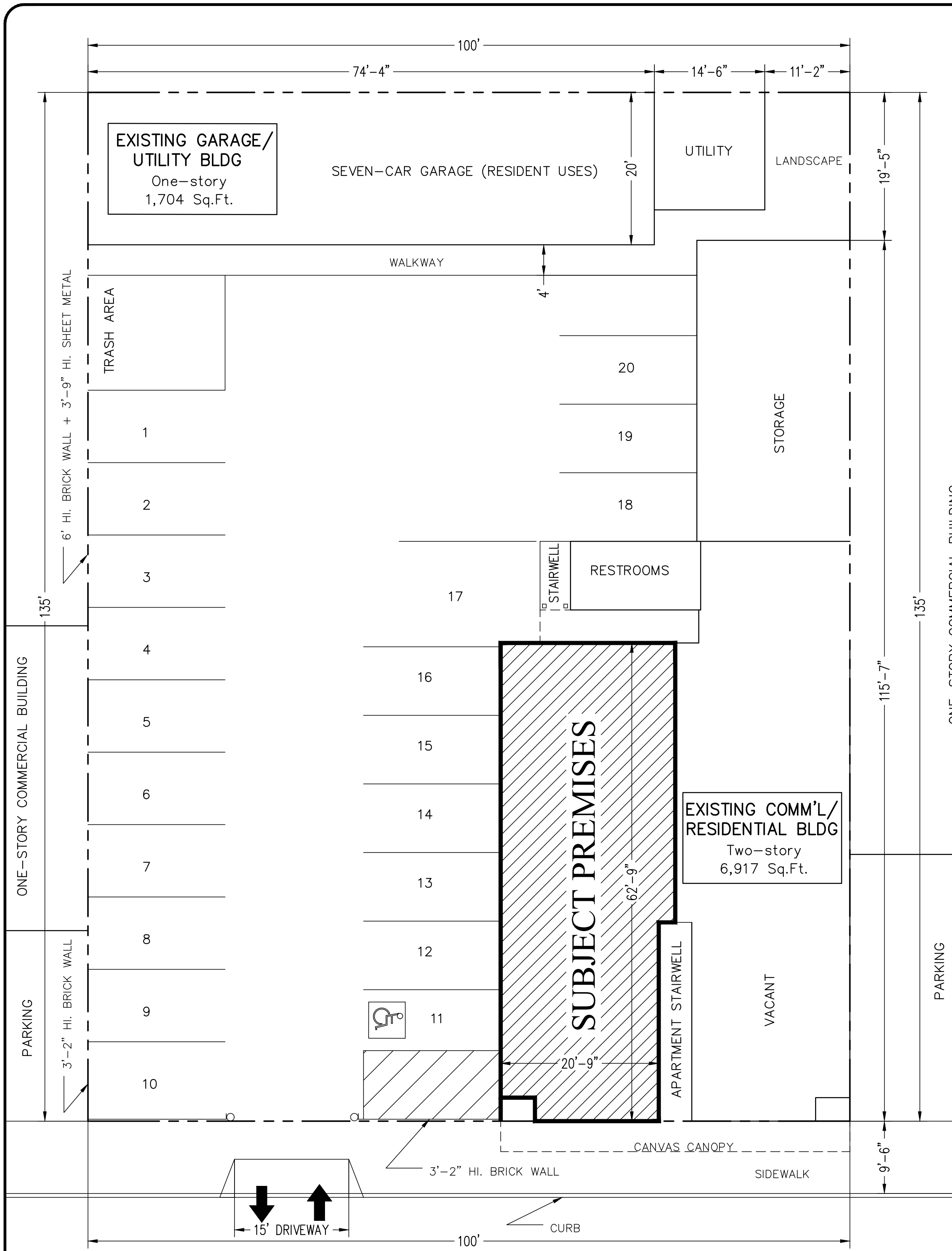
LICENSING • PERMITTING • ENTITLEMENTS

444 E HUNTINGTON DRIVE, STE 309 • ARCADIA, CALIFORNIA 91006 • 626.683.9777 • www.aralicens.com

Since their opening in 1994, Mission Wines has established itself as an example in the alcoholic beverage space, having no violations with the Department of Alcoholic Beverage Control throughout their 30 years of operation. Mission Wines is determined to continue maintaining excellent record, as well as continue serving their patrons that have come to love both their offerings and the friendly, welcoming environment at Mission Wines.

ATTACHMENT 3

Architectural Plans



VICINITY MAP
SCALE: N.T.S.

ZM 24-807
CADFILE: MISSION-SOPASAD-SP-FP

SITE PLAN

SCALE: 1" = 10'

ZUPAY MAPPING SERVICE
13645 SHABLOW AVE.
SYLMAR, CA 91342
818-833-9059
ZUPAY1@AOL.COM

SITUS:
MISSION WINES
1114 MISSION STREET
SOUTH PASADENA, CA 91030

APPLICANT:
MISSION WINES PARTNERS, LP
1114 MISSION STREET
SOUTH PASADENA, CA 91030

PROPERTY OWNER:
THOMAS MARKEY & THOMAS E MARKEY TRUST
P.O. BOX 956
SOUTH PASADENA, CA 91031

REPRESENTATIVE:
ARA LIQUOR LICENSE CONSULTANTS
ART RODRIGUEZ ASSOCIATES
444 E HUNTINGTON DRIVE, SUITE 309
ARCADIA, CA 91006
626-683-9777

PROJECT SCOPE OF WORK:
ADDITION OF A TYPE 21 LIQUOR LICENSE TO
AN EXISTING WINE STORE

A.P.N. 5315-009-035
LEGAL: POR LOT 8 AND 10, RAAB'S SUBDIVISION
M.R. 15-81, SEE APPLICATION
ZONING: DTSP (DOWN TOWN SPECIFIC PLAN)

CASE No:
DATE: JUNE 11, 2024

SHEET 1
OF 2

MISSION

STREET

Parking Required (Subject Premises)

Existing Wine Store, 1,362 Sq.Ft. (4 per 1000 Sq.Ft.) = 5 Spaces

Total Spaces Required = 5 Spaces

Van Accessible Parking Required = 1 Space

Parking Provided

Standard Spaces = 19 Spaces

Van Accessible Spaces (17' x 18' Typ.) = 1 Spaces

Total Spaces Provided = 20 Spaces

Lot Size = 13,500 Sq.Ft.

Total Gross Floor Area = 8,621 Sq.F.

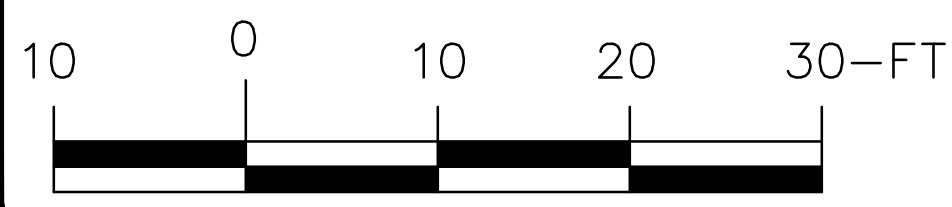
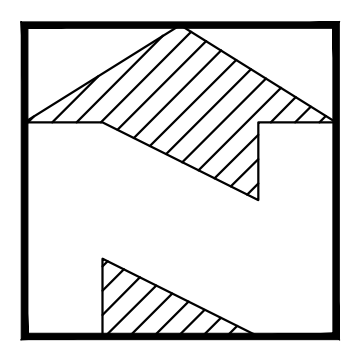
Subject Premises Gross Floor Area = 1,368 Sq.F.

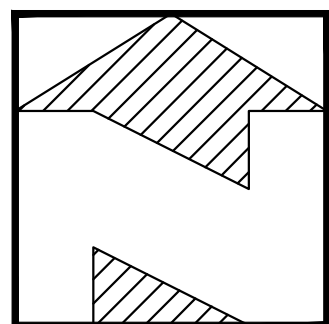
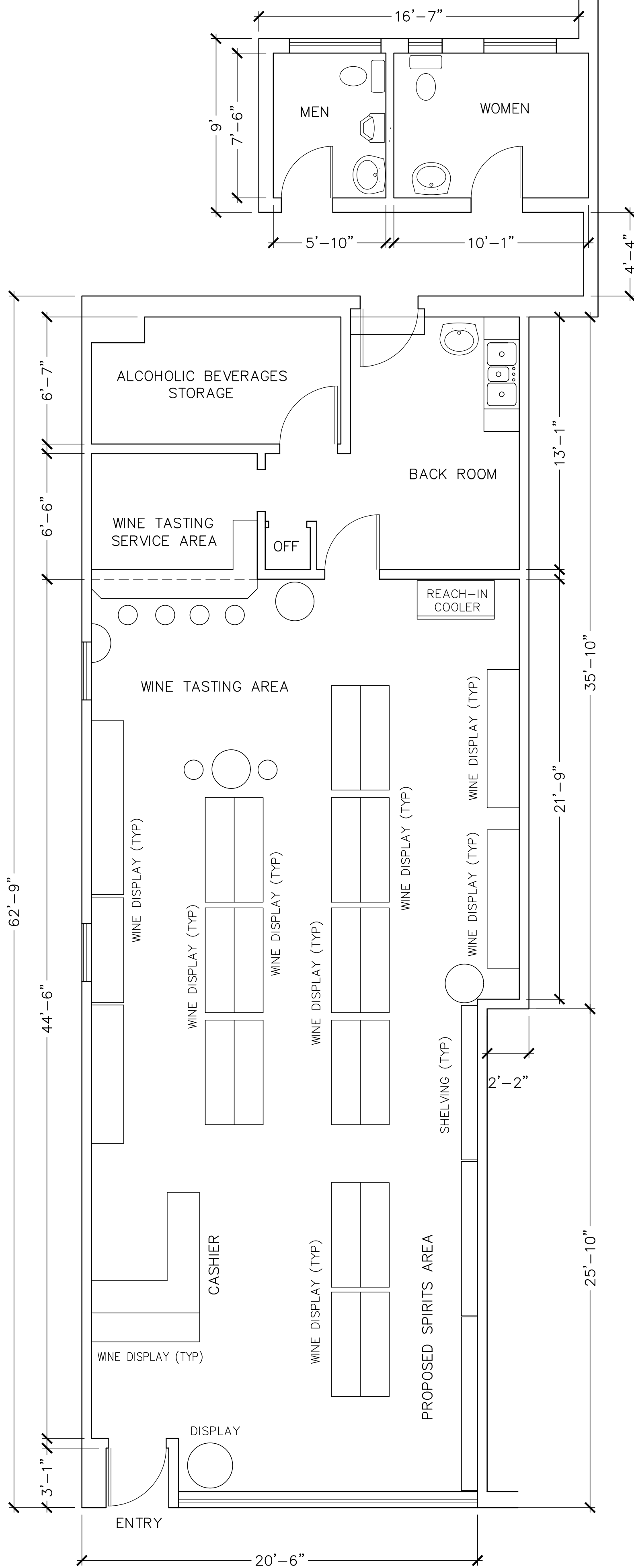
Subject Premises Net Floor Area = 1,281 Sq.F.

NOTES:

ALL STRUCTURES AND PARKING LAYOUT ARE EXISTING TO REMAIN.

NO EXISTING TREES ON THE PROPERTY



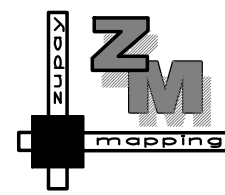


NOTES:
 ALL STRUCTURES ARE EXISTING TO REMAIN.
 ALL DOORS, WINDOWS AND LAYOUT ARE EXISTING TO REMAIN

ZM 24-807
 CADFILE: MISSION-SOPASAD-SP-FP

FLOOR PLAN

SCALE: 1/4" = 1'-0"



ZUPAY MAPPING SERVICE
 13645 SHABLOW AVE.
 SYLMAR, CA 91342
 818-833-9059
 ZUPAY1@AOL.COM

SITUS:
 MISSION WINES
 1114 MISSION STREET
 SOUTH PASADENA, CA 91030

APPLICANT:
 MISSION WINES PARTNERS, LP
 1114 MISSION STREET
 SOUTH PASADENA, CA 91030

REPRESENTATIVE:
 ARA LIQUOR LICENSE CONSULTANTS
 ART RODRIGUEZ ASSOCIATES
 444 E HUNTINGTON DRIVE, SUITE 309
 ARCADIA, CA 91006
 626-683-9777

PROJECT SCOPE OF WORK:
 ADDITION OF A TYPE 21 LIQUOR LICENSE TO
 AN EXISTING WINE STORE

CASE No:
 DATE: JUNE 11, 2024



Planning Commission Agenda Report

ITEM NO. 4

DATE: November 12, 2024

FROM: Alison Becker, Acting Community Development Director
Elizabeth Bar-El, Interim Deputy Director, Community Development

PREPARED BY: Tatianna Marin, Acting Assistant Planner

SUBJECT: **Project No. CUP24-0005 – A request for a Conditional Use Permit (CUP) for a Type 41 (on-sale beer and wine) and Type 20 (off-sale beer and wine) alcohol licenses for a retail deli and bona fide restaurant (Visionarium) located at 1020 Mission Street, Unit H (APN: 5315-014-030); making the determination of exemption under the California Environmental Quality Act (CEQA), Section 15301, Class 1 (Existing Facilities).**

Recommendation

It is recommended that the Planning Commission adopt a Resolution:

1. Finding the project exempt under California Environmental Quality Act (CEQA) Guidelines, Section 15301 (Existing Facilities).
2. Approving Project No. CUP24-0005 (Conditional Use Permit) for on-site sale and consumption of beer and wine (Type 41 License) and for off-sale of beer and wine (Type 20 License) for a retail deli and bona fide restaurant located at 1020 Mission Street (Unit H), subject to the conditions of approval.

Background

Project Timeline

In May 2024, the applicant submitted a Building permit application for tenant improvements at the property located at 1020 Mission Street (Unit H) for a restaurant and retail deli use. This use is permitted by-right in the Downtown Specific Plan (DTSP). The project's building permit was issued on September 19, 2024.

On July 22, 2024, the applicant applied for a Conditional Use Permit for the on-site sale and consumption of beer and wine (Type 41 License) and for the off-site sale of beer and wine (Type 20 License) for the restaurant and deli. On October 3, 2024, the CUP application was deemed

complete after the applicant resubmitted project plans and supplemental information such as a revised project narrative and radius map of sensitive uses.

Project Description

The applicant is requesting approval of a Conditional Use Permit (CUP) to allow the sale of beer and wine for on-site consumption (Type 41 License) for a sit-down deli restaurant and to allow the off-site sale of beer and wine (Type 20) at the deli, to be located in a 968 square foot commercial tenant space in an existing building currently undergoing tenant improvements. The restaurant and kitchen are located toward the rear of the space with the retail use occupying the front of the building. The alcoholic beverages would be stored in coolers adjacent to the kitchen towards the rear of the tenant space. The proposed hours of operation are from 11:00 a.m. to 9:00 p.m. Tuesday through Friday, 11:00 a.m. to 10:00 p.m. on Saturday and 11 a.m. to 6 p.m. on Sundays. Mondays are proposed to be closed. No alterations have been proposed to the exterior of the building.

Discussion

Site Characteristics

Table 1 – Surrounding Land Use Characteristics

Direction	General Plan	Zoning	Existing Land Use
North	Mixed-Use Core	Mixed-Use Core within the DTSP	Train tracks/parking facility
South	Mixed-Use Core	Mixed-Use Core within the DTSP	Parking Facility
East	Mixed-Use Core	Mixed-Use Core within the DTSP	Art Studio
West	Mixed-Use Core	Mixed-Use Core within the DTSP	General Retail

The project site is located on the north side of Mission Street, west of Fairview Avenue. As shown in **Table 1**, the subject site is surrounded by a mix of uses including parking facilities, art studio, and general retail. The applicant proposes the sales of beer and wine for on-site consumption as an ancillary use to the main restaurant operation. In addition, the applicant is proposing the off-site sales of beer and wine for off-site consumption. An aerial image showing the location of the project site outlined in green is provided in **Figure 1**. The applicant proposes the sales of beer and wine for on-site consumption to be limited to the dining area, which is entirely indoors.

Figure 1: Aerial View of Project Site

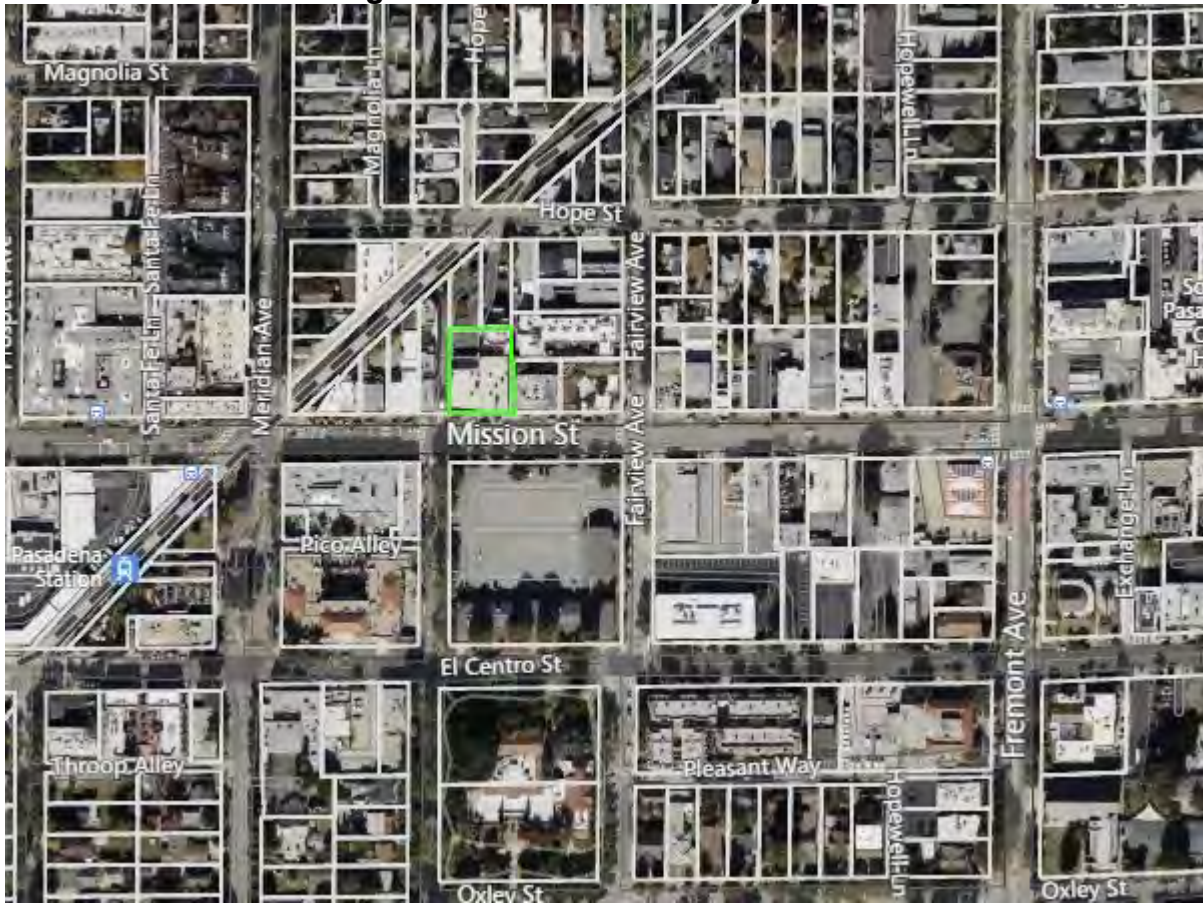
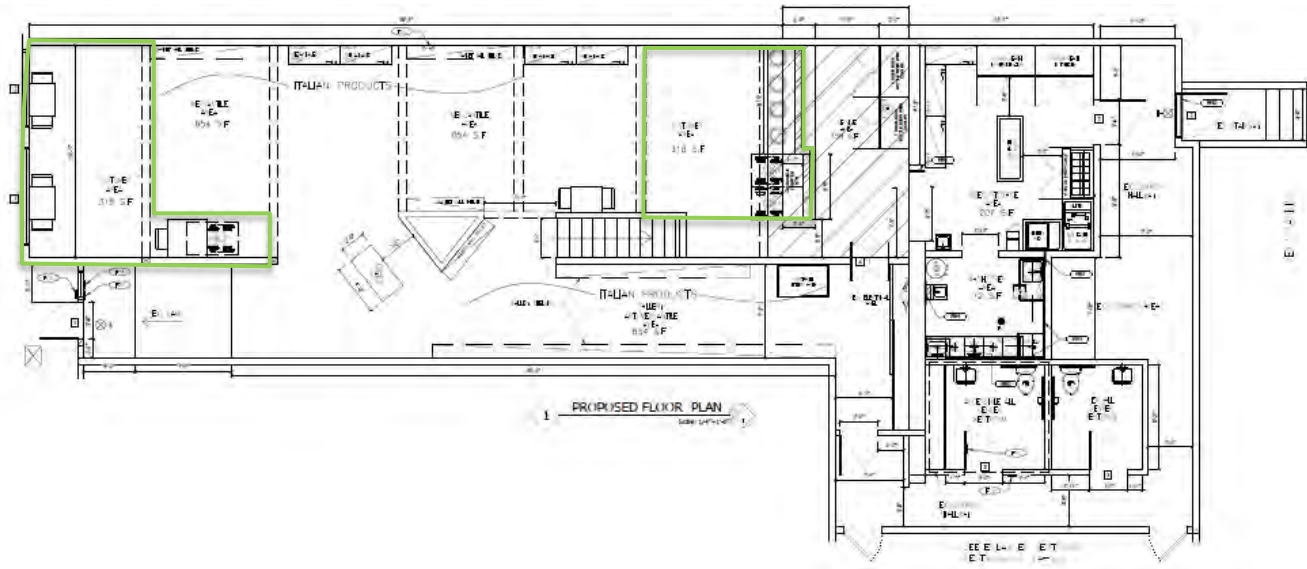


Figure 2 shows the floor plan with the interior dining area outlined in green. The south facing side of the floor plan is the front of the business facing Mission Street.

Figure 2: Floor Plan



Project Analysis

Visionarium is a recently opened small business within South Pasadena that specializes in showcasing small-scale and mid-sized imported Italian, hand-crafted products to the community. As a retail deli, Visionarium will offer products that may include hand-crafted wines, imported cheeses and meats, and organic jams. Additionally, the new business also serves as a community space to showcase Italian products within an art gallery. In conjunction to the retail deli use, Visionarium will be operating as a restaurant to include the forementioned products incorporated into their menu in addition to the serving of wine and beer for on-site consumption. A retail deli and restaurant is a permitted use within the Downtown Specific Plan. The proposed CUP for a Type 20 and Type 41 ABC licenses will allow this business to further diversify the products they offer, while further supporting the economic opportunities for the small business.

To ensure the nature of a responsible business, conditions of approval have been drafted such as providing a menu in conjunction to the on-site consumption of beer and wine, employees receiving ABC mandated trainings and no advertising of alcoholic beverages in store windows or outside of the store (Attachment 1, Exhibit A- Draft Conditions of Approval).

General Plan Consistency

The current General Plan land use designation of the site is Mixed-Use Core and is designated in the DTSP as Mixed-Use Core as well. Per the General Plan (2040), which was adopted in 2023, the Mixed-Use Core is intended to "...encourage a wide range of building types based on neighborhood characteristics that house a mix of functions, including commercial, entertainment, office, and housing." The proposed project is consistent with the following policies and actions of the General Plan:

Policy P2.7: Strengthen and grow the City's retail offerings.

Action A2.7a: Create a retail and restaurant destination by attracting specialty stores and unique food and beverage places...

Action A2.7b: Seek... independent businesses that can both meet the City's retail needs and adhere to quality design standards to seamlessly fit into a walkable urban environment.

The proposed project supports the goals, policies, and actions of the General Plan by allowing a restaurant with ancillary beer and wine consumption in addition to the sale of beer and wine for off-site consumption. Visionarium is a new, independent small business within the City. They are a unique business as they offer small-scale and mid-sized imported Italian wines and products and a community space to showcase Italian art. In conjunction to the retail deli, Visionarium will operate as a restaurant where members of the community can experience varying Italian meals and imported wines. Similar to other retail and restaurant uses within the downtown, the proposed business offers specialty products while providing a communal space for community members. Located near the Metro Gold Line, Visionarium is situated within a transit-oriented corridor that encourages a walkable environment. The alcohol sales will not substantially affect the nature of the business, but will, however, complete the concept by allowing a full range of Italian products. In this way, the business will provide a unique experience for the surrounding community that furthers the General Plan and DTSP policies and actions. Therefore, the request is consistent with the General Plan.

Zoning Code/DTSP Compliance

The sale of alcohol is permitted in the Mixed-Use Core of the DTSP with approval of a CUP. CUPs are intended to allow for activities whose effect on a site and its surroundings can only be determined after the review of the configuration, design, location, and potential impacts of the proposed use and the suitability of the use to the site. That said, the proposed use is consistent with the following DTSP policies:

DTSP Policy P2.2: Attract a greater variety of desirable retail and office tenants by building upon existing strengths and market opportunities.

DTSP Policy P2.3: Continue to nurture small, independently-owned businesses.

Allowing alcohol sales as an ancillary use to the primary restaurant and take-out deli use would further the DTSP goals and policies to attract and nurture new, small businesses in South Pasadena because the proposed use is a small independent retail deli and restaurant that will offer a selection of imported Italian products, including wines, which are an integrated feature of the business concept. With adherence to the conditions of approval, the proposed use will provide an attractive destination for local residents.

Conditional Use Permit

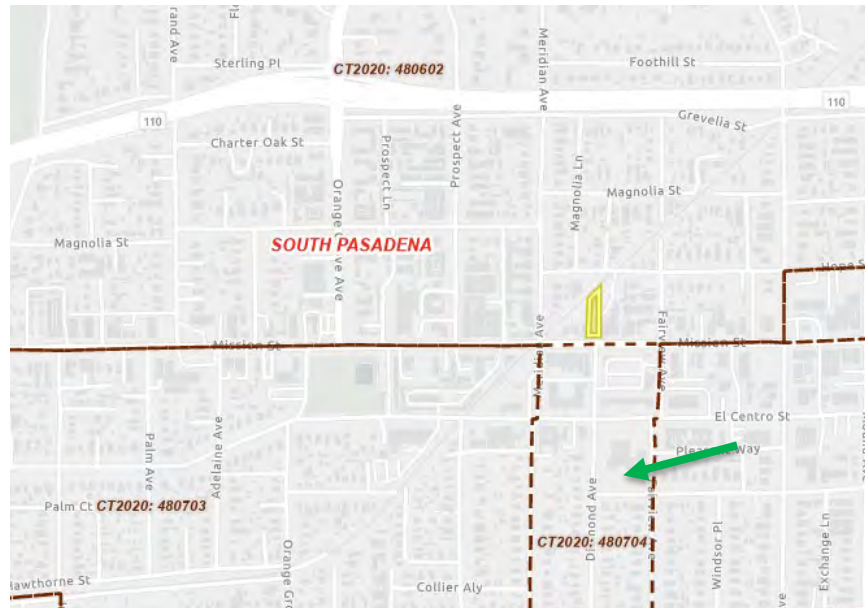
Pursuant to SPMC Section 36.410.060(D), the Planning Commission may grant a Conditional Use Permit (CUP) for any use listed in Article 2 of Chapter 36 (Zoning) and DTSP Land Use Table as requiring a CUP. Alcoholic beverages for “on-site sale and consumption of beer and wine” (Type 41 license) and “off-site consumption of beer and wine” (Type 20 license) are subject to a CUP pursuant to SPMC Section 36.350.040, which states that the following considerations shall be reviewed in this process:

1. Whether the proposed use will result in an undue concentration of establishments dispensing alcoholic beverages.
2. The distance of the proposed use from the following:
 - a. Residential uses;
 - b. Religious facilities, schools, libraries, public parks and playgrounds, and other similar uses; and
 - c. Other establishments dispensing alcoholic beverages.
3. Whether the noise levels generated by the operation of the establishment would exceed the level of background noise normally found in the area or would otherwise be intrusive.
4. Whether the signs and other advertising on the exterior of the premises would be compatible with the character of the area.

1. Undue Concentration

The California Department of Alcoholic Beverage Control (ABC) puts a limit on the number of on-site and off-site licenses it uses, based on the population of people within a given census tract. The subject property is located within census tract 4806.02, as illustrated in **Figure 3**.

Figure 3: Census Tract 4806.02 Boundary



According to ABC Licensing reports, Census Tract 4806.02 currently holds eight (8) active on-site licenses. **Table 2** lists businesses with an active alcohol license, derived from the ABC Licensing Report for the Census Tract 4806.02. There are currently no active off-sale licenses within the census tract. As shown, there are seven current businesses that have ABC licenses.

Table 2: Active Alcohol Licenses in Census Tract 4806.02

Census Tract Population	On-Sale Authorized	Off-Sale Authorized
4,183	4	3
Type	Business Name	Address
41 – On-Sale Beer & Wine - Eating Place	Shakers Restaurant	601 Fair Oaks Avenue
42 – On-Sale Beer & Wine – Public Premises	Mission Wines	1114 Mission Street
41 – On-Sale Beer & Wine - Eating Place	Radhika Modern Indian	964-966 Mission Street
41 – On-Sale Beer & Wine - Eating Place	Tomato Pie	1130 Mission Street
41 – On-Sale Beer & Wine - Eating Place	Blue Fin Sushi & Roll	960 Mission Street
47 – On-Sale General – Eating Place	JSC Venture	1010 Mission Street
47 – On-Sale General – Eating Place	Mike & Anne’s	1040 Mission Street
58 – Caterer’s Permit	Mike & Anne’s	1040 Mission Street
TOTAL:	Eight (8) current On-Sale Licenses	

In the case of Census Tract 4806.02, ABC authorizes four (4) on-sale and three (3) off-sale licenses.

As shown in **Table 2**, Census Tract 4806.02 already features the maximum number of on-sale licenses (four) that is authorized by ABC without making a finding of overconcentration. However, Type 41 licenses are treated differently by ABC than other types of licenses such as Type 20 – Off-sale Beer & Wine. For Type 41 licenses, which are for bona fide eating (restaurant) establishments, ABC is the responsible agency that determines if a finding of “public convenience or necessity” (PCN) needs to be established. As a result, although this application would possibly contribute the overconcentration of on-sale licenses in this census tract, the City does not need to determine that the application merits a PCN in order to approve a CUP for the restaurant’s service of alcoholic beverages.

In reviewing the request for a Type 20 (off-sale beer and wine) license, if the subject property is located within a “high crime” area based on local crime statistics and/or the number of similar license types exceeds the limit set forth by State law (overconcentration), ABC requires a finding of PCN. In this case, the subject property is not in a high crime area. Furthermore, there are currently no active off-sale licenses within the tract, so there is no concern of overconcentration. Additionally, the Police Department provided input and stated that they have no issues with the safety of this area in terms of allowing on- or off-site alcohol sales.

2. Distance of Other Uses

The Code requires consideration of the distance between the subject premises where alcoholic beverage sales and consumption are proposed and certain sensitive uses such as residential, religious facilities, schools, libraries, public parks and playgrounds, and other similar uses, and proximity to other establishments dispensing alcoholic beverages. **Table 3** below provides this analysis.

Table 3: Distance Between Premises and Closest Other Uses

Use/Business	Address	Approximate Distance
Multi-family Residential	808 Meridian Avenue	271 feet
Religious Facility – Grace Brethren Community Church	920 Fremont Avenue	1,107 feet
Colonial House Preschool	1124 Mission Street	633 feet
South Pasadena Library	1100 Oxley Street	687 feet
Orange Grove Park	815 Mission Street	1,178 feet
Mike and Anne’s (Alcohol-serving establishment)	1040 Mission Street	178 feet

As shown in Table 3, the closest uses to the subject restaurant are the multi-family residential and restaurant use with alcohol sales at approximately 271 feet and 178 feet, respectively. Section 36.350.040 does not identify a statutory distance requirement that must be maintained between these uses, just that they should be considered during CUP review. It is important to note that the operation of the restaurant, and the associated alcohol service, will take place entirely indoors with no proposed outdoor dining area. Thus, the approval of this CUP for on-site, off-site sales and consumption of beer and wine are typical in this type of business and would be consistent with the surrounding uses. Finally, the South Pasadena Police Department and Fire Department have reviewed the proposed CUP for alcohol sales and had no objections to the proposal.

3. Noise

As stated previously, the proposed restaurant will operate entirely indoors. The proposal for alcohol sales will also take place entirely indoors as an ancillary use. A condition of approval has been included to ensure that the applicant continues to adhere to the City's Noise Ordinance pursuant to Chapter 19A of the SPMC.

4. Signage

The last consideration for compliance with the City's alcoholic beverage standards concerns the compatibility of signage and other advertising with the surrounding neighborhood. Currently, the applicant has not submitted proposed plans for new signage. The applicant will submit any signage plans separately from this application. As such, the proposal will continue to be compatible with the surrounding area.

Environmental Analysis

This project is exempt from California Environmental Quality Act (CEQA) analysis based on State CEQA Guidelines Section 15301, Class 1 – Existing Facilities. A Class 1 Categorical Exemption includes the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, involving negligible or no expansion of existing use. The project does not involve any expansion or alteration to the size of the commercial building. As such, no significant environmental effects would result from this project and the use of a categorical exemption is appropriate.

Conditional Use Permit Findings

In order to approve a CUP, the Planning Commission must make certain findings listed in SPMC section 36.410.060. The required findings are listed below.

- 1. The proposed use is allowed with Conditional Use Permit approval within the applicable zoning district and complies with all applicable provisions of this Zoning Code;**

The project site is zoned Mixed-Use Core in the Downtown Specific Plan (DTSP) which is intended for the development of a wide range of commercial, mixed-use, and multifamily residential uses. The sale of alcohol at a restaurant is permitted in the Mixed-Use Core with approval of a Conditional Use Permit. The proposed Conditional Use Permit is for sale of beer and wine for on-site consumption (Type 41 License) as an ancillary use to the main restaurant operation and for off-site sales of beer and wine (Type-20 License). The project meets all the standards in the zoning district. Furthermore, as discussed in the staff report, the proposal meets all applicable zoning standards for alcoholic beverage sales.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

The current General Plan land use designation of the site is Mixed-Use Core. Per the General Plan (2040), which was adopted in 2023, the Mixed-Use Core is intended to "...encourage a wide range of building types based on neighborhood characteristics that house a mix of functions, including commercial, entertainment, office, and housing." The proposed use is also located within the Downtown Specific Plan in the Mixed-Use Core zoning designation. That said, the proposed project is consistent with the following policies and actions of the General Plan and DTSP:

General Plan Policy P2.7: Strengthen and grow the City's retail offerings.

General Plan Action A2.7a: Create a retail and restaurant destination by attracting specialty stores and unique food and beverage places...

General Plan Action A2.7b: Seek... independent businesses that can both meet the City's retail needs and adhere to quality design standards to seamlessly fit into a walkable urban environment.

DTSP Policy P2.2: Attract a greater variety of desirable retail and office tenants by building upon existing strengths and market opportunities.

DTSP Policy P2.3: Continue to nurture small, independently-owned businesses.

The proposed project supports the goals, policies, and actions of the General Plan by allowing a restaurant with ancillary beer and wine consumption in addition to the sale of beer and wine for off-site consumption. The alcohol sales will provide a new amenity, with wine and beer as an integrated feature of the overall specialty Italian import business concept, for the surrounding community. This is consistent with the above-referenced General Plan policy and actions because this CUP will provide economic opportunity for a small business, contribute to a walkable downtown area and diversify the retail offerings within the downtown area. Therefore, the request is consistent with the General Plan.

- 3. The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.**

The proposed sale of beer and wine for on-site consumption is an ancillary use to the restaurant operation; in addition, the off-site sale of beer and wine is reasonable given the restaurant's location in a mixed-use zoned area and the character of the business as a specialty importer of Italian food and wines. As conditioned, the sale of beer and wine will be limited to hours of operation and all alcohol orders will be in conjunction with food orders. The restaurant's proposed hours of operation are from 11:00 a.m. to 9:00 p.m. on Tuesday through Friday, 11:00 a.m. to 10:00 p.m. on Saturday and 11 a.m. to 6 p.m. on Sundays. Mondays are proposed to be closed. The conditions of approval allow some flexibility for the business if they wish to have slightly later hours in the future. Conditions are also imposed to ensure the proposed use is not detrimental to the health, safety, or general welfare of the general public. Those include prohibiting consumption of alcohol off-site, secure storage of alcohol to prevent theft of alcohol, and ensuring no advertising of alcohol are on display on the building windows/outside the building.

- 4. The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.**

Approval of the Conditional Use Permit, as conditioned, would not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the City because the proposed use will be entirely indoors, and the retail deli and restaurant is to be operated as a small-scale business to promote hand-crafted Italian products. Conditions of approval are included requiring no loitering on the property, and required training for employees who will serve alcohol. Therefore, the proposed use would not be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

- 5. The subject site is adequate in terms of size, shape, topography, and circumstances and has sufficient access to streets and highways which are adequate in width and pavement type to carry the quantity and quality of traffic expected to be generated by the proposed use.**

The proposed request for on-site (Type 41 license) and off-site (Type 20 license) beer and wine sales at the deli/restaurant does not involve any expansion to the size of the existing commercial building or any roadway modifications. Therefore, the project site is adequate in size and has sufficient access to existing streets in order to accommodate the retail deli and restaurant use.

6. **The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity, in terms of aesthetics, character, scale, impacts on neighboring properties.**

The proposed deli/restaurant is compatible with existing commercial land uses within the vicinity, including similar restaurant uses in the area. No alterations are proposed to the exterior of the building as a part of this Conditional Use Permit. Therefore, the design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land use in the vicinity in terms of aesthetics, character, scale, and views protection.

Staff Recommendation

Based on the above analysis, staff recommends that the Planning Commission adopt a Resolution:

1. Finding the project exempt under California Environmental Quality Act (CEQA) Guidelines, Section 15301 (Existing Facilities).
2. Approving Project No. CUP24-0005 (Conditional Use Permit) for on-site sale and consumption of beer and wine (Type 41 License) and for off-sale of beer and wine (Type 20 License) for a retail deli and bona fide restaurant located at 1020 Mission Street (Unit H), subject to the conditions of approval contained in Attachment 1.

Alternatives to Consider

If the Planning Commission does not agree with staff's recommendation, the following options are available:

1. Approve the project as is or with modified condition(s) added or removed and provide findings; or
2. Continue the project, providing the applicant with clear recommendations to revise the proposal; or
3. Deny the project if it finds that the project does not meet the City's CUP requirements.

Public Notification of Agenda Item

A Public Hearing Notice was published on November 1, 2024, in the *South Pasadena Review*. Hearing notices were sent to all properties within a 300-foot radius on October 31, 2024. In addition, the public was made aware that this item was to be considered at a public hearing by virtue of its inclusion on the legally publicly noticed agenda, and the posting of the same agenda and reports on the City's website.

Attachments

1. P.C. Resolution with Exhibit "A" - Conditions of Approval
2. Project Narrative
3. Architectural Plans

ATTACHMENT 1

P.C. Resolution No. 24-__

Exhibit A-Conditions of Approval

P.C. RESOLUTION NO. 24-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA APPROVING PROJECT NO. CUP24-0005 CONSISTING OF A CONDITIONAL USE PERMIT FOR A TYPE 41 (ON-SALE BEER AND WINE) AND A TYPE 20 (OFF-SALE BEER AND WINE) ALCOHOL LICENSE AT A BONA FIDE EATING PLACE LOCATED AT 1020 MISSION STREET (APN: 5315-014-030), AND MAKING A DETERMINATION OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

WHEREAS, on July 22, 2024, Alexa Garcia (applicant), submitted an application (Conditional Use Permit (“CUP”)), for on-site sale and consumption of beer and wine (Type 41 ABC License) and for the off-sale of beer and wine (Type 20 ABC License) at a bona fide eating place (“restaurant”) and retail deli (Visionarium) located at 1020 Mission Street, Unit H (Assessor’s Parcel Number: 5315-014-030); and

WHEREAS, the proposed project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to 15301, Class 1 – Existing Facilities; and

WHEREAS, the Planning Division evaluated the project for consistency with the City’s General Plan, Downtown Specific Plan (“DTSP”), South Pasadena Municipal Code (“SPMC”), and all other applicable state and local regulations; and

WHEREAS, on October 31, 2024, the public hearing notice was mailed to each property owner within a 300-foot radius of the project site in accordance with the requirements of South Pasadena Municipal Code declaring the project review by the Planning Commission for the hearing on November 12, 2024; and

WHEREAS, on November 1, 2024, the City of South Pasadena Planning Division, published a legal notice in the *South Pasadena Review*, a local newspaper of general circulation, indicating the date, time, and location of the public hearing in compliance with state law concerning Project No. CUP24-0005 and

WHEREAS, the South Pasadena Planning Commission held a duly noticed public hearing on November 12, 2024, at which time it considered the staff report, oral report, the testimony, and the written evidence submitted by and on behalf of the applicant and by members of the public concerning Project No. CUP24-0005 and considered the proposed Conditional Use Permit for the on-site sale and consumption of beer and wine (Type 41 ABC license) and off-site sales of beer and wine (Type-20 ABC license) at a restaurant and retail use located at 1020 Mission Street, Unit H.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF SOUTH PASADENA DOES HEREBY FIND, DETERMINE, AND RESOLVE AS FOLLOWS:

SECTION 1: ACKNOWLEDGEMENTS

The foregoing recitals are true and correct and are incorporated and made an operative part of this resolution.

SECTION 2: ENVIRONMENTAL REVIEW FINDING

The Planning Commission has determined that the proposed project is Categorically Exempt from the provisions of the California Environmental Quality Act (CEQA), under Section 15301, Class 1 – Existing Facilities of the California Guidelines for Implementation of CEQA. A Class 1 Categorical Exemption includes the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, involving negligible or no expansion of existing use. The project does not involve any expansion or alteration to the size of the commercial building. As such, no significant environmental effects would result from this project and the use of a categorical exemption is appropriate.

SECTION 3: CONDITIONAL USE PERMIT FINDINGS

Based upon the entire record made available at the November 12, 2024 public hearing, including the public hearing, the staff report, the oral presentation, and related documents submitted to the Planning Commission prior to and at the public hearing, the Planning Commission finds and determines that the proposed project is consistent with all applicable findings for approval of a Conditional Use Permit for alcohol sales pursuant to South Pasadena Municipal Code Section 36.410.060, as follows:

- 1. The proposed use is allowed with Conditional Use Permit or Administrative Use Permit approval within the applicable zoning district and complies with all applicable provisions of this Zoning Code;**

The project site is zoned Mixed-Use Core in the Downtown Specific Plan (DTSP) which is intended for the development of a wide range of commercial, mixed-use, and multifamily residential uses. The sale of alcohol at a restaurant is permitted in the Mixed-Use Core with approval of a Conditional Use Permit. The proposed Conditional Use Permit is for sale of beer and wine for on-site consumption (Type 41 License) as an ancillary use to the main restaurant operation and for off-site sales of beer and wine (Type-20 License). The project meets all the standards in the zoning district. Furthermore, as discussed in the staff report, the proposal meets all applicable zoning standards for alcoholic beverage sales.

- 2. The proposed use is consistent with the General Plan and any applicable specific plan.**

The current General Plan land use designation of the site is Mixed-Use Core. Per the General Plan (2040), which was adopted in 2023, the Mixed-Use Core is intended to "...encourage a wide range of building types based on neighborhood characteristics that house a mix of functions, including commercial, entertainment, office, and housing." The proposed use is also located within the Downtown Specific Plan in the Mixed-Use Core zoning designation. That said, the proposed project is consistent with the following policies and actions of the General Plan and DTSP:

General Plan Policy P2.7: Strengthen and grow the City's retail offerings.

General Plan Action A2.7a: Create a retail and restaurant destination by attracting specialty stores and unique food and beverage places...

General Plan Action A2.7b: Seek... independent businesses that can both meet the City's retail needs and adhere to quality design standards to seamlessly fit into a walkable urban environment.

DTSP Policy P2.2: Attract a greater variety of desirable retail and office tenants by building upon existing strengths and market opportunities.

DTSP Policy P2.3: Continue to nurture small, independently-owned businesses.

The proposed project supports the goals, policies, and actions of the General Plan by allowing a restaurant with ancillary beer and wine consumption in addition to the sale of beer and wine for off-site consumption. The alcohol sales will provide a new amenity, with wine and beer as an integrated feature of the overall specialty Italian import business concept, for the surrounding community. This is consistent with the above-referenced General Plan policy and actions because this CUP will provide economic opportunity for a small business, contribute to a walkable downtown area and diversify the retail offerings within the downtown area. Therefore, the request is consistent with the General Plan.

- 3. The establishment, maintenance, or operation of the use would not, under the circumstances of the particular case, be detrimental to the health, safety, or general welfare of persons residing or working in the neighborhood of the proposed use.**

The proposed sale of beer and wine for on-site consumption is an ancillary use to the restaurant operation; in addition, the off-site sale of beer and wine is reasonable given the restaurant's location in a mixed-use zoned area and the character of the business as a specialty importer of Italian food and wines. As conditioned, the sale of beer and wine will be limited to hours of operation and all alcohol orders will be in conjunction with food orders. The restaurant's proposed hours of operation are from 11:00 a.m. to 9:00 p.m. on Tuesday through Friday, 11:00 a.m. to 10:00 p.m. on Saturday and 11 a.m. to 6 p.m. on Sundays. Mondays are proposed to be closed. The conditions of approval allow some flexibility for the business if they wish to have slightly later hours in the future. Conditions are also imposed to ensure the proposed

use is not detrimental to the health, safety, or general welfare of the general public. Those include prohibiting consumption of alcohol off-site, secure storage of alcohol to prevent theft of alcohol, and ensuring no advertising of alcohol are on display on the building windows/outside the building.

- 4. The use, as described and conditionally approved, would not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.**

Approval of the Conditional Use Permit, as conditioned, would not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the City because the proposed use will be entirely indoors, and the retail deli and restaurant is to be operated as a small-scale business to promote hand-crafted Italian products. Conditions of approval are included requiring no loitering on the property, and required training for employees who will serve alcohol. Therefore, the proposed use would not be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City.

- 5. The subject site is adequate in terms of size, shape, topography, and circumstances and has sufficient access to streets and highways which are adequate in width and pavement type to carry the quantity and quality of traffic expected to be generated by the proposed use.**

The proposed request for on-site (Type 41 license) and off-site (Type 20 license) beer and wine sales at the deli/restaurant does not involve any expansion to the size of the existing commercial building or any roadway modifications. Therefore, the project site is adequate in size and has sufficient access to existing streets in order to accommodate the retail deli and restaurant use.

- 6. The design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land uses in the vicinity, in terms of aesthetics, character, scale, impacts on neighboring properties.**

The proposed deli/restaurant is compatible with existing commercial land uses within the vicinity, including similar restaurant uses in the area. No alterations are proposed to the exterior of the building as a part of this Conditional Use Permit. Therefore, the design, location, operating characteristics, and size of the proposed use would be compatible with the existing and future land use in the vicinity in terms of aesthetics, character, scale, and views protection.

SECTION 4: RECORD OF PROCEEDING

The documents and other materials that constitute the record of the proceedings upon which the Planning Commission's decision is based, which include, but are not limited to, the staff reports, as well as all materials that support the staff reports for the proposed project, and are located in the Community Development Department of the City of South Pasadena at 1414 Mission Street, South Pasadena, CA 91030. The custodian of these documents is the City Clerk of the City of South Pasadena.

SECTION 5: DETERMINATION

Based upon the findings outlined in Sections 2 and 3 above and provided during the public hearing, the Planning Commission of the City of South Pasadena hereby conditionally approves Project No. CUP24-0005 consisting of a Conditional Use Permit for the on-site sale and consumption of beer and wine (Type 41 ABC License) and for the off-sale of beer and wine (Type 20 ABC License) at a restaurant and retail use located at 1020 Mission Street, Unit H, subject to the Conditions of Approval attached hereto as Exhibit "A."

SECTION 6: APPEALS

Any interested person may appeal this decision or any portion of this decision to the City Council. Pursuant to the South Pasadena Municipal Code, any such appeal must be filed with the City, in writing, and with appropriate appeal fee, no later than (15) days, following the date of the Planning Commission's final action.

SECTION 7: CERTIFICATION OF THE RESOLUTION

The Secretary shall certify that the foregoing Resolution was adopted by the Planning Commission of the City of South Pasadena at a duly noticed regular meeting held on the 12th day of November 2024.

PASSED, APPROVED, AND ADOPTED this 12th day of November 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Lisa Padilla, Planning Commission Chair

ATTEST:

Mark Gallatin, Secretary to the Planning Commission

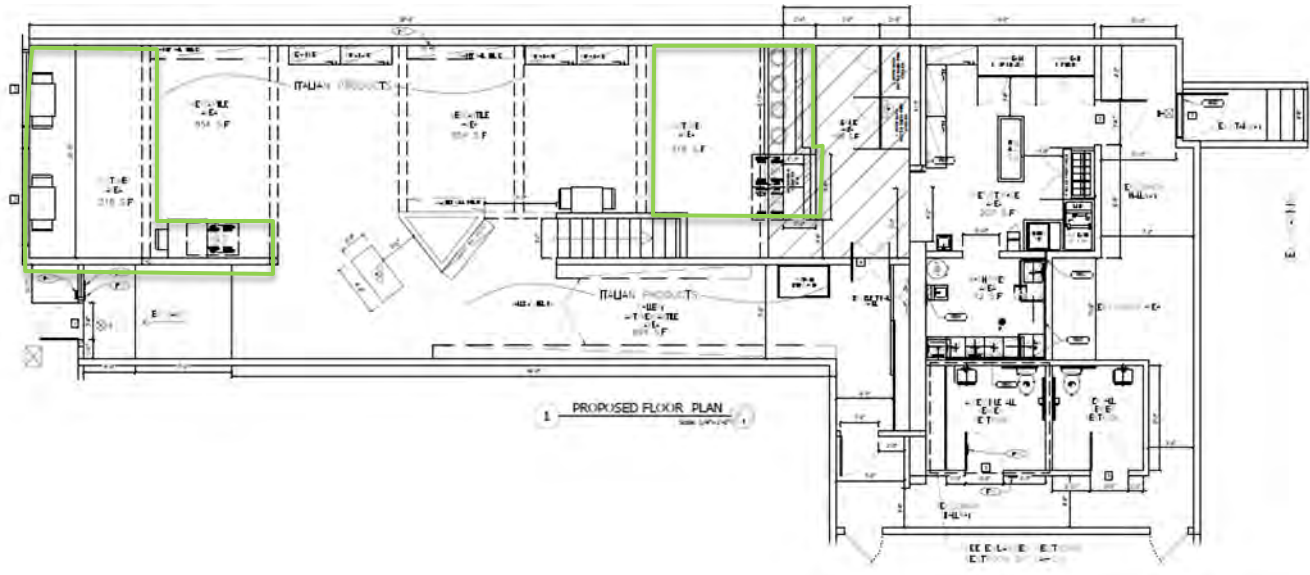
EXHIBIT "A"
CONDITIONS OF APPROVAL
PROJECT NO. CUP24-0005
1020 Mission Street, #H (APN: 5315-014-030)

PLANNING DIVISION:

- P-1. The following approvals are granted as described below and as shown on the development plans submitted to and approved by the Planning Commission on November 12, 2024:
- A. **Conditional Use Permit** for a Type 41 (on-sale beer and wine) and Type 20 (off-sale beer and wine) alcohol licenses for a retail deli and bona fide restaurant.
- P-2. This approval and all rights hereunder shall terminate within twelve (12) months of the effective date of approval by the Planning Commission unless otherwise conditioned and/or unless the use is established or action is taken. The on-sale beer and wine license (Type 41) and off-sale of beer and wine (Type 20) shall be acquired by the California Department of Alcoholic Beverage Control (ABC) prior to the termination period.
- P-3. Approval by the Planning Commission does not constitute a building permit. No structural modifications were proposed as part of this CUP request.
- P-4. All other requirements of any law, ordinance, or regulation of the State of California, City of South Pasadena, and any other government entity shall be complied with.
- P-5. The applicant and each successor in interest to the property which is the subject of this project approval, shall defend, indemnify and hold harmless the City of South Pasadena and its agents, officers and employees from any claim, action or proceeding against the City or its agents, officers or employees to attack, set aside, void or annul any approval of the City, City Council or Planning Commission concerning this approval. In the event of any claim or lawsuit, the applicant and/or successor shall submit a deposit in such amount as the City reasonably determines necessary to protect the City from exposure to fees, costs or liability with respect to such claim or lawsuit.
- P-6. Compliance with the City's Performance Standards of Section 36.300.110, which also include the Noise Standards (Chapter 19A), of the South Pasadena Municipal Code (SPMC) shall be adhered to at all times.
- P-7. The sales of beer and wine shall be limited to the hours of operation of the restaurant, 11:00 a.m. to 10:00 p.m. on Sundays to Thursdays and 11:00 a.m. to 11:00 p.m. on Friday to Saturday.
- P-8. Service of beer and wine for on-site consumption shall be only to seated customers.
- P-9. The sale of beer and wine for on-site consumption shall only be incidental to food service and the operation of the restaurant as a bona fide restaurant.
- P-10. Quarterly gross sales of alcohol shall not exceed quarterly gross sales of food within the restaurant. Quarterly records shall be maintained to separately reflect gross sales of food and gross sales of beer and wine and shall be made available to the City of South Pasadena upon request.
- P-11. The restaurant premises shall be continuously maintained as a bona fide eating establishment and shall provide a menu containing an assortment of foods typically offered in restaurants.
- P-12. No advertising for alcoholic beverages may be displayed in store windows or outside of the store.
- P-13. All alcohol sales cases/displays shall be located in such a manner to prevent "grab-and-run" thefts of alcohol. The sales cases/displays shall be located in sight of the sales counter at all times, if possible.
- P-14. The employees who will be engaged in the sale of alcohol must complete the State Alcoholic Beverage Control's mandated training, as well as the store's internal training on the sale of alcohol.

- P-15. The consumption of beer and wine shall be permitted only within the restaurant as outlined in green in **Figure 1**.

Figure 1: Visionarium Floor Plan



- P-16. Any individuals discovered loitering on the property shall immediately be informed to leave the premises, by the owner. Should the owner fail to abate the problems, the South Pasadena Police Department and/or other enforcement agencies reserve the right to take appropriate enforcement actions to abate the problem, and the permit/alcohol licenses may be subject to revocation.
- P-17. The store management shall regulate the arrival and departure of all employees and restrict the “late hour” use of the exit for trash removal and unnecessary opening. Adequate security measures shall be instituted to eliminate any unauthorized access.
- P-18. The Conditional Use Permit issued for the alcoholic beverage establishment and a copy of the conditions of approval for the permit shall be displayed on the premises of the establishment in a place where it may be readily be viewed by any member of the general public.

ATTACHMENT 2

Project Narrative

Visionarium: A Little Slice of Italy in South Pasadena, LA

Explore Visionarium Visionarium isn't just a store—it's an experience. Created by passionate Italians, this place is dedicated to bringing the best of Italy straight to South Pasadena, LA. Our mission is to give small and mid-sized Italian businesses a real opportunity to thrive in the U.S. by showcasing their exceptional, handcrafted products.

Only the Best Made in Italy We're talking about premium, authentic Italian products—each one carefully selected to highlight the craftsmanship that makes Italy so renowned. What you'll find at Visionarium is exclusive—you won't see these items in any other store in the U.S. So, when you purchase from us, you're getting something truly unique.

Exclusive Events You Can't Miss At Visionarium, it's not just about selling products—it's about the full experience. We regularly host events to introduce Americans to the wonders of Made in Italy. From tasting nights and themed events to new product launches, every visit to Visionarium is a full sensory experience. Come by and experience the real deal.

Wine Bar & Bistro: Your Go-To Italian Culinary Spot At Visionarium, our wine bar and bistro isn't just a place to grab a bite—it's where you immerse yourself in a genuine culinary experience of true Italian flavors. We pride ourselves on serving dishes made with the most authentic Italian ingredients.

For lunch, we're offering classic Italian flavors in our amazing *schiacciate*. Imagine this: Mortadella DOP directly from Bologna, Finocchiona from Florence, Porchetta from Rome, olives from Salento, Mozzarella from Naples, and a wide array of other high-quality ingredients that let you taste Italy in every bite. And if you're looking for a light, flavorful start, our bruschetta drizzled with extra virgin olive oil is an easy choice.

When it's time to relax with an aperitivo, Visionarium offers the perfect atmosphere. Our premium charcuterie boards, filled with prosciutto, salame felino, and speck, paired with sauces, honey, and organic jams, enhance the flavors of every bite and are perfectly complemented by a glass of wine.

You can enjoy both lunch and aperitivo in our versatile indoor space, where modern design meets Italian style. Sit back, sip on some exclusive Italian wine, and soak in the good vibes right here in South Pasadena.

At Visionarium, dining isn't just eating—it's about living the Italian way, savoring every flavor, and enjoying an authentic taste of Italy.

The Coolest Hangout Spot Around Visionarium isn't just a place to shop and eat—it's a hub for meeting up and getting inspired. We also serve as an art gallery, showcasing works by both emerging and established Italian artists. It's the ideal place to hang out, enjoy some Italian culture, and soak in the creative atmosphere.

Exclusive Film Nights & Screenings Every event at Visionarium is something special. Beyond tastings and product launches, we also host exclusive screenings of Italian films and shorts—content you won't find anywhere else in the U.S. It's a unique way to dive deep into Italian culture.

Visit Visionarium: Where Italy Meets South Pasadena. Don't miss out on this one-of-a-kind experience, where Italian craftsmanship, culture, art, and cuisine come together to create something far beyond your average store. We can't wait to welcome you to Visionarium, South Pasadena's freshest concept store.

Alcohol safety training empowers your staff to serve boozy beverages responsibly. While impaired customers may try to pressure your staff into serving "just one more," adequately trained—and supported—workers can feel confident in calmly refusing irresponsible sales and encouraging the customer to return on another day.

Alcohol server training to staff who serve alcoholic beverages will be in-person for an hour every week.

Hours:

- Monday: Closed
- Tuesday & Wednesday: 11:00 AM - 6:00 PM
- Thursday - Saturday: 11:00 AM - 10:00 PM
- Sunday: 11:00 AM - 6:00 PM

ATTACHMENT 3

Architectural Plans

VISIONARIUM LIVE ITALIAN



1020 MISSION ST. # H
SOUTH PASADENA, CA 91030

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CONTRACTOR

VISIONARIUM LIVE ITALIAN
1020 MISSION ST. # H
SOUTH PASADENA, CA 91030

STAMP:

REVISIONS
 B & S
 HEALTH DEPT.

DATE : 04/2024
 SCALE : AS NOTED
 DRAWN : SG
 CHECKED : -
 JOB NO. :
 INDEX :

SHEET

T-1.0.

BUILDING CODE NOTES:

1. REFERENCE CODES:

- 2023 LACO BUILDING CODE
- 2023 LACO ELECTRICAL CODE
- 2023 LACO MECHANICAL CODE
- 2023 LACO PLUMBING CODE
- 2023 LACO FIRE CODE
- 2023 LACO CALIFORNIA ENERGY CODE

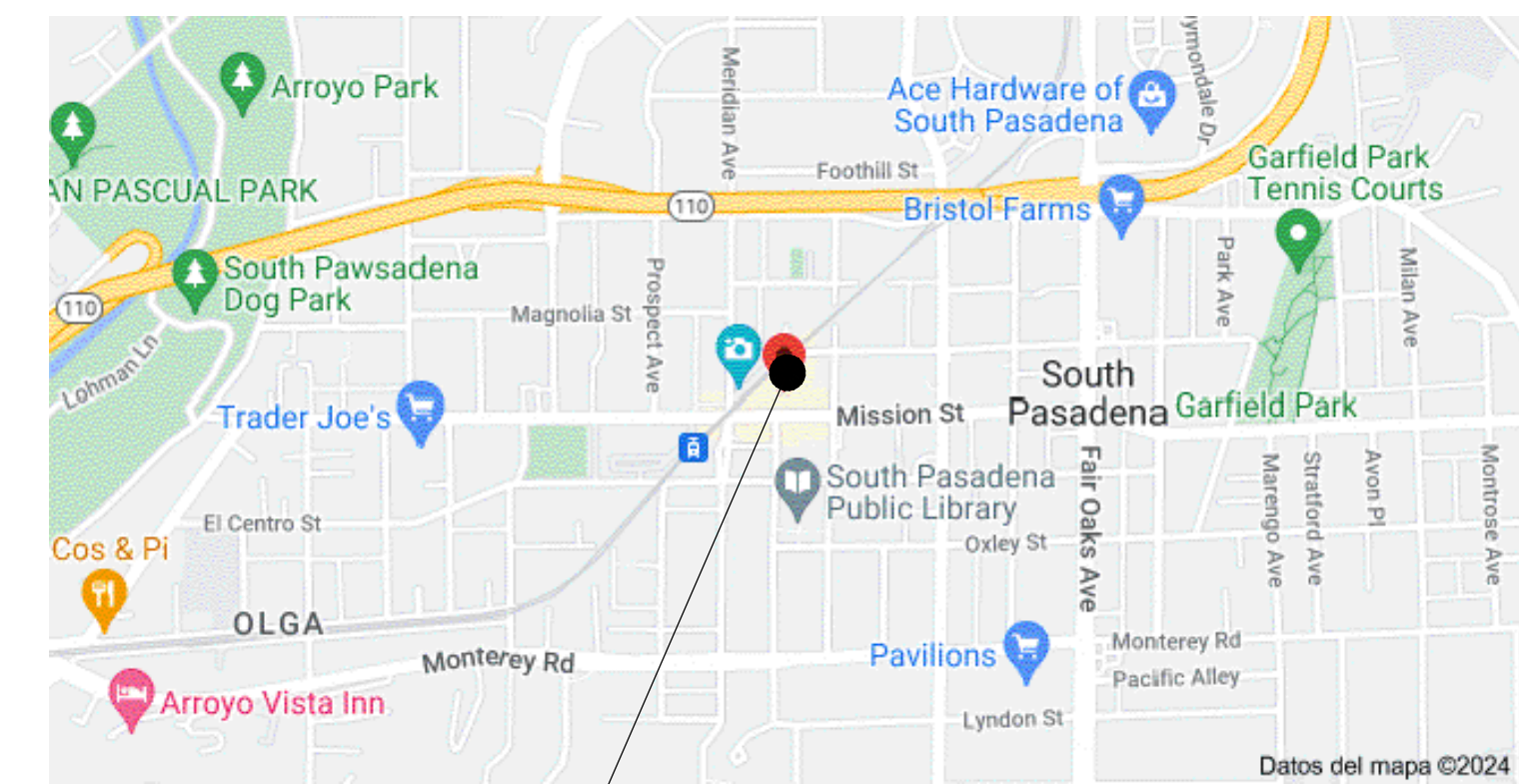
2. LEGAL DESCRIPTION

- APN#: 5315-014-030
- SMITH & PACKARDS SUB EX OF ST LOT 4
- LOT SIZE: 10,277 SQ.FT
- 1ST FLOOR AREA: 1,968 SQ.FT
- MEZZANINE FLOOR AREA: 994 SQ.FT.
- TOTAL AREA: 2,962 SQ.FT.
- 3. (EX.) OCCUPANCY GROUP : B
- 4. OCCUPANT LOAD : 4
- 5. # OF SEATS : 8
- 6. (EX.)CONS. TYPE: TYPE V-B (SPRINKLERED)
- 7. # OF STORIES: 2
- 8. PARKING : NO CHANGE IN PARKING
- 9. (EX.) # EXITS: 2

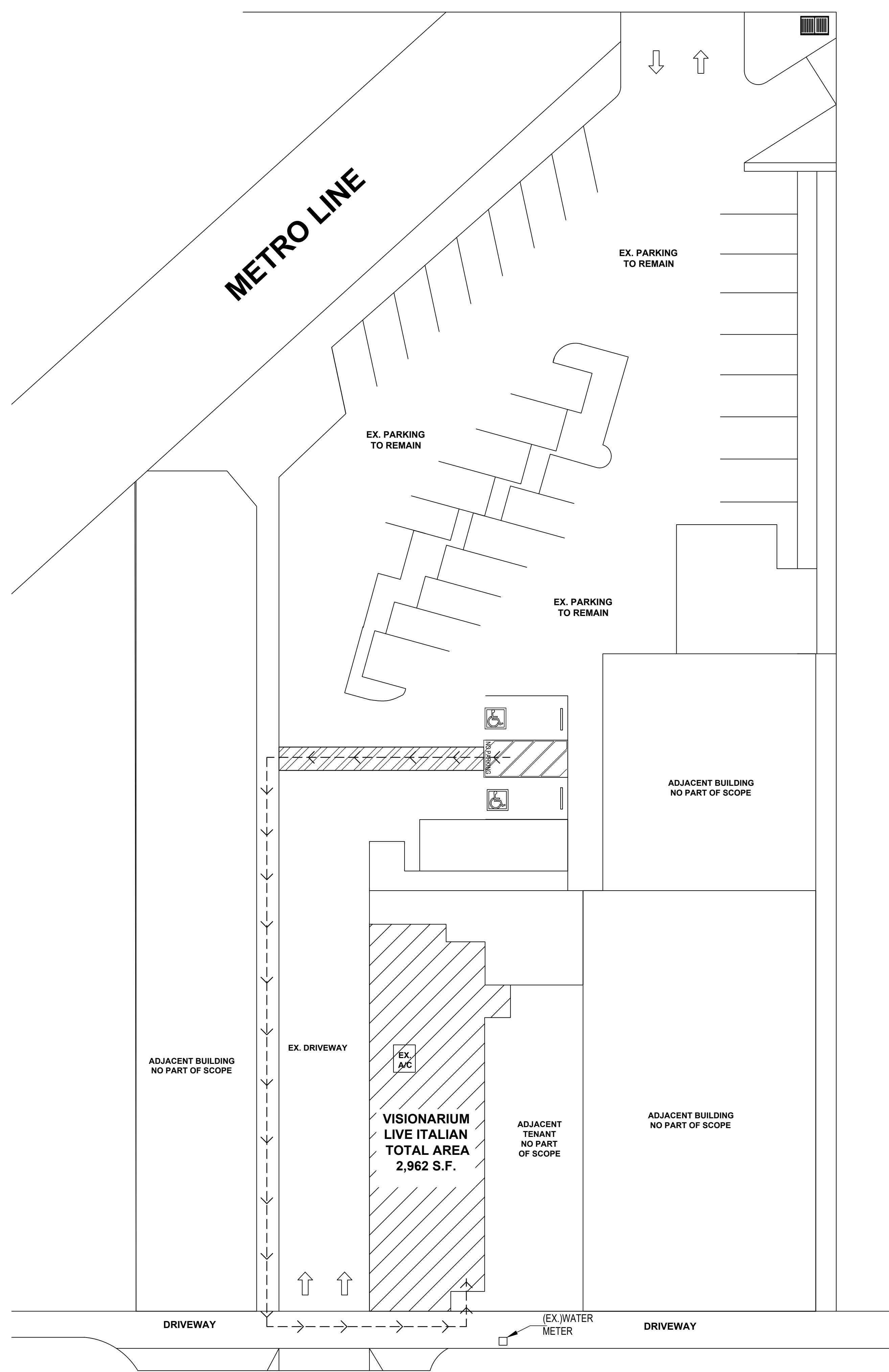
TENANT: Lorenzo Lisi
management@uscompanyadvisor.com
626-360-5701

DESIGNER: IMAGINE ARCHITECTURE/
Steven Garcia
P: (818) 826-1627

OCCUPANCY CALCULATION		
1ST FLOOR		
ROOM	AREA	TOTAL SEATING
MARKET/MERCANTILE AREA	854 S.F.	
CUSTOMER AREA	318 S.F.	
SERVICE AREA	158 S.F.	
PREP/STORAGE AREA	207 S.F.	
WASH/PREP AREA	72 S.F.	
ACCESS ROUTES, WALLS	359 S.F.	
TOTAL	1,968 S.F	
2ND FLOOR		
OFFICE	564 S.F.	
OFFICE STORAGE	430 S.F.	
TOTAL	994 S.F	
GRAND TOTAL	2,962 S.F	
SEATING #		8



1020 MISSION ST. # H
SOUTH PASADENA, CA 91030



1 SITE PLAN
Scale: 1/4"=1'-0"

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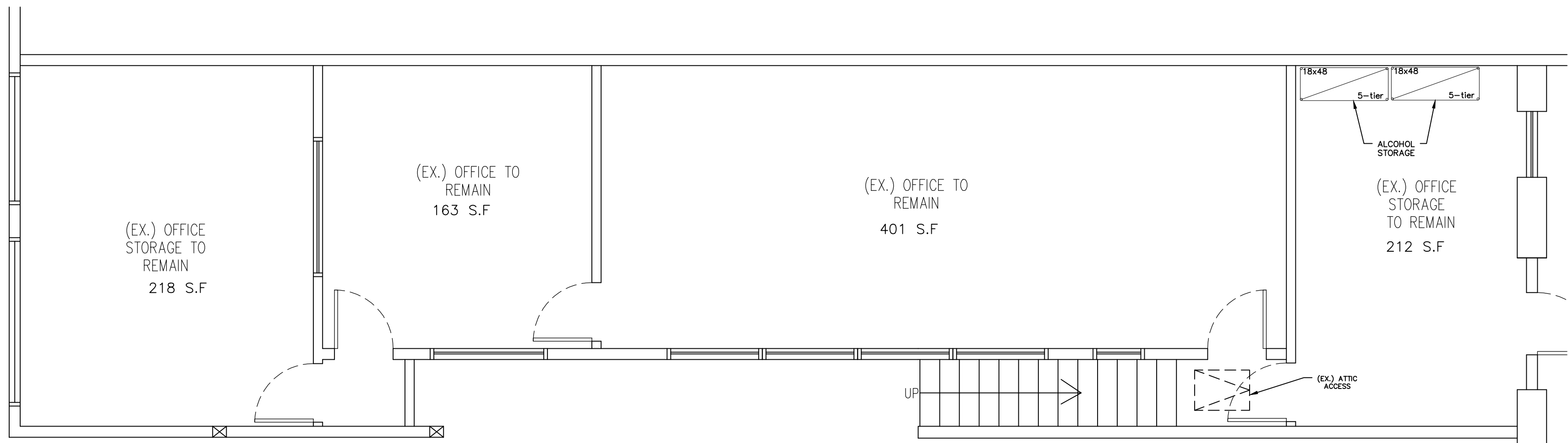
REVISIONS
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DATE : 04/2024
 SCALE : AS NOTED
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 CHECKED :
 JOB NO. :
 INDEX :

SHEET

A-1.0.

OCCUPANCY CALCULATION		
1ST FLOOR		
ROOM	AREA	TOTAL SEATING
MARKET/MERCANTILE AREA	854 S.F.	
CUSTOMER AREA	318 S.F.	
SERVICE AREA	158 S.F.	
PREP/STORAGE AREA	207 S.F.	
WASH/PREP AREA	72 S.F.	
ACCESS ROUTES, WALLS	359 S.F.	
TOTAL	1,968 S.F.	
2ND FLOOR		
OFFICE	564 S.F.	
OFFICE STORAGE	430 S.F.	
TOTAL	994 S.F.	
GRAND TOTAL	2962 S.F.	
SEATING #		8



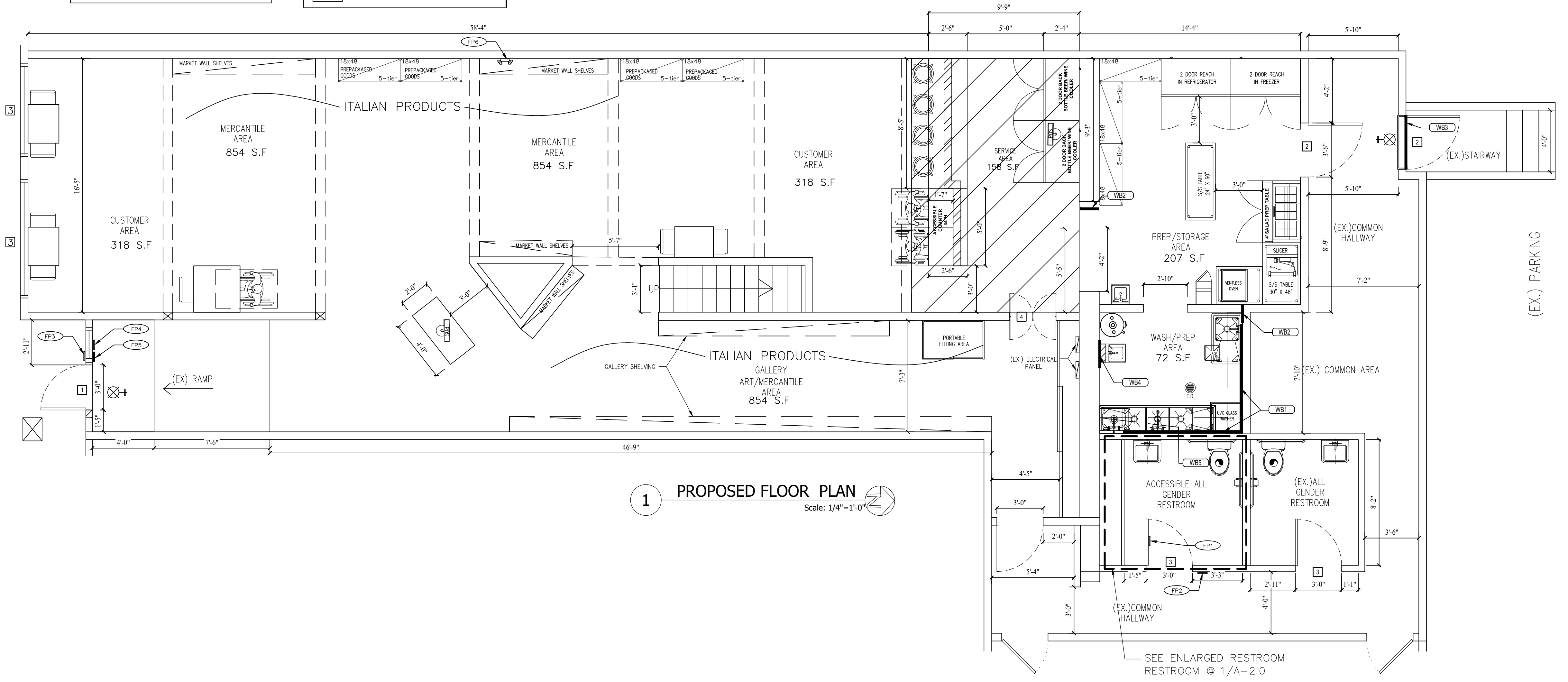
2 EXISTING MEZZANINE PLAN TO REMAIN
 Scale: 1/4"=1'-0"

- NO OUTDOOR DINING
- NO LIVE ENTERTAINMENT.

LEGEND	
	DELI AREA SERVE FROM THE SERVICE AREA TO CUSTOMERS
	RETAIL AREA

LEGEND	
	RESTROOM IDENTIFICATION DOOR SIGN SEE DETAIL @ 3/A-2.0
	RESTROOM IDENTIFICATION WALL SIGN SEE DETAIL @ 3/A-2.0
	DISABLED ACCESSIBLE SIGN SEE @ 3/A-2.0
	ACCESSIBLE EGRESS/TACTILE SIGNAGE @ 3/A-2.0
	SIGN "THIS DOOR TO REMAIN UNLOCKED WHEN THIS SPACE IS OCCUPIED" SEE @ 5/A-2.0
	EMERGENCY LIGHT
	MECHANICAL VENTILATION WILL BE ACTIVATED BY THE LIGHT SWITCH
	ILLUMINATED SIDE W/ 90 MIN BATTERY BACKUP
	SEE DOOR SCHEDULE @ A-3.0
	FLOOR SINK
	FLOOR DRAIN

MARK	WALL LEGEND
KEY	DESCRIPTION
	EXISTING NON BEARING WALL TO BE DEMO
	EXISTING WALLS TO REMAIN
	EXISTING STORE FRONT
	1. 5/8" FIRE CODE GYPSUM BOARD TYPE X 2. 1 1/2"x2 1/2" 20GA. METAL STUD FRAMING @ 16"O.C. MAX. 3. 5/8" FIRE CODE GYPSUM BOARD TYPE X 4. PONY WALLS FOR SERVICE AREA, DETAIL 3/A-3.0



1 PROPOSED FLOOR PLAN
 Scale: 1/4"=1'-0"