

**ATTACHMENT D
DRAFT RESOLUTION FOR
CONDITIONAL USE PERMIT NO. 25-12**

RESOLUTION NO. PC 26-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF COMMERCE, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 25-12 TO ALLOW THE OFF-SALE OF BEER AND WINE (ABC TYPE-20 LICENSE) AT AN EXISTING ARCO GAS STATION AND AM/PM CONVENIENCE STORE LOCATED AT 6100 E. WASHINGTON BOULEVARD.

WHEREAS, on December 12, 2025, Jennifer Oden of Solomon, Saltsman & Jamieson (“Applicant”) filed a complete application for Conditional Use Permit (“CUP”) No. 25-12, as described herein (“Application”); and

WHEREAS, the Application pertains to the existing ARCO gasoline service station with an integrated AM/PM convenience store located at 6100 E. Washington Boulevard, Commerce, California, Assessor’s Parcel Number 6334-026-011 (“Property”); and

WHEREAS, the Property is located south of Washington Boulevard, between Fidelia Avenue and the I-5 Freeway, and is improved with curb, gutter, and sidewalk improvements along Washington Boulevard and Sheila Street; and

WHEREAS, the Community Development Element of the General Plan designates the Property as Commercial Manufacturing with the corresponding consistent zoning designation of Commercial Manufacturing (“C/M-1”); and

WHEREAS, the existing convenience store and gasoline service station use is consistent with the goals and policies of the Community Development Element of the General Plan, and the proposed off-sale beer and wine service is an ancillary retail service commonly provided at similar convenience store operations; and

WHEREAS, the Applicant desires to sell beer and wine for off-site consumption (California Department of Alcoholic Beverage Control (“ABC”) Type-20 License), which requires approval of a CUP in accordance with Section 19.11.030 of the Commerce Municipal Code (“CMC”); and

WHEREAS, the Project is consistent with the General Plan Commercial Manufacturing designation and supports Community Development Policies 1.1, 2.4, and 2.9, which promotes orderly and compatible commercial development within established

commercial corridors, while maintaining compatibility with surrounding commercial and industrial uses; and

WHEREAS, the Project is exempt from further environmental review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Section 15301 (Existing Facilities) because the Project involves the operation and licensing of an existing convenience store with no expansion of the building, site improvements, or change in land use intensity, and no significant environmental impacts will result; and

WHEREAS, notice of the public hearing for the Project was provided in the time, form, and manner required by law, including publication, posting, and mailing, in accordance with the provisions of the CMC and the California Government Code; and

WHEREAS, the Planning Commission’s approval applies only to those portions of the Project located within the jurisdictional boundaries of the City of Commerce; and

WHEREAS, the Planning Commission’s finds that the Project can be approved subject to conditions designed to ensure compliance with applicable laws and to mitigate potential impacts; and

WHEREAS, on May 28, 2026, the Planning Commission opened the public hearing and continued the matter to the next available Planning Commission meeting, which was held on July 15, 2026, due to the cancellation of the June 17th, 2026, meeting; and

WHEREAS, the continued public hearing was held before the City of Commerce Planning Commission on July 15, 2026, at which time all interested persons were given the opportunity to be heard; and

WHEREAS, the Planning Commission, after due inspection, investigation, and study made by itself and on its behalf, and after due consideration of all evidence and reports offered at said hearing with respect to the proposed Project, does find that all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, THE PLANNING COMMISSION FOR THE CITY OF COMMERCE DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The above recitals are true and correct and incorporated herein as part of the findings.

Section 2. The project qualifies for a Class 1 Categorical Exemption under CEQA Guidelines Section 15301 (Existing Facilities). The exemption applies to the operation and licensing of existing facilities involving no expansion of use. The proposed CUP for an ABC Type-20 license allows limited off-sale beer and wine within an existing convenience store and does not involve any expansion or physical change to the site.

Section 3. Pursuant to Section 19.39.420 of the CMC, the Planning Commission makes the following findings to support the approval of a CUP in this matter:

1. **The proposed use is one conditionally permitted within the subject zone and complies with the intent of all applicable provisions of Title 19, including, but not limited to, those set forth in Chapter 19.19 (Site Planning and General Development Standards).** *The proposed off-sale of beer and wine under an ABC Type-20 license is a conditionally permitted use within the Commercial Manufacturing (C/M-1) zone and is subject to approval of a CUP in accordance with the CMC. The request is limited to the addition of alcohol sales within an existing legally established convenience store use and does not involve any deviation from applicable development standards.*
2. **The proposed use would not impair the integrity and character of the zone in which it is to be located.** *The Project site is located within a developed commercial corridor along Washington Boulevard that includes a mix of commercial, service, and industrial uses. The proposed alcohol sales are ancillary to an existing convenience store operation within a fully developed ARCO gasoline service station and do not introduce a new standalone use or intensify the existing development pattern.*
3. **The subject site is physically suitable for the type of land use being proposed.** *The site is an existing developed commercial property with established vehicular access, circulation, and on-site parking. No physical modifications to the building, fueling operations, or site layout are proposed, and the existing configuration is adequate to support the limited expansion of retail offerings.*
4. **The proposed use is compatible with the land uses presently on the subject property.** *The proposed alcohol sales will occur entirely within the existing convenience store, which is integrated with an operating ARCO gasoline service station. The alcohol sales component is limited to off-sale beer and wine and will be operated as part of the existing retail inventory without altering the primary function of the site.*
5. **The proposed use would be compatible with existing and future land uses within the zone and the general area in which the proposed use is to be located.** *The surrounding area consists primarily of commercial and industrial uses, including office and warehouse developments. An existing residential apartment complex is located approximately 300 feet west of the Project site. The proposed use is limited in scale, occurs entirely within an existing building, and is subject to operational Conditions of Approval intended to ensure compatibility with surrounding land uses.*
6. **There would be adequate provisions for water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety.** *The Project involves no expansion or redevelopment of the site and will continue to rely on existing utility infrastructure, including water, sewer, electricity, and solid waste services. No increase in demand for public utilities is anticipated beyond existing service levels.*

7. **There would be adequate provisions for public access to serve the subject proposal.** *The site currently provides multiple points of vehicular access from Washington Boulevard and Sheila Street, along with existing internal circulation that serves both fueling and retail functions. These access points are sufficient to accommodate the proposed use without modification.*
8. **The proposed use is consistent with the objectives, policies, general land uses, and programs of the general plan.** *The Project site is zoned Commercial Manufacturing (C/M1), which is consistent with the General Plan Land Use Element's commercial designation. The proposed Conditional Use Permit (CUP) request for an ABC Type-20 license allows for a limited, ancillary alcohol sales use within an existing AM/PM convenience store without requiring any physical expansion, demolition, or site modification. By maintaining and enhancing the economic viability of an established retail operation, the project directly adheres to Community Development Policies 2.4 and 2.9, which mandate that the City preserve, improve, and promote existing commercial areas along the Washington Boulevard corridor. Furthermore, utilizing the CUP process allows for the case-by-case evaluation of the operation to ensure ongoing land use compatibility, satisfying the intent of Community Development Policy 1.1.*
9. **The proposed use would not be detrimental to the public interest, health, safety, convenience, or welfare.** *The proposed alcohol sales are subject to Conditions of Approval regulating operating standards, employee oversight, and compliance with ABC requirements, including restrictions on sales to minors. These regulatory controls ensure the protection of public health, safety, and welfare.*
10. **The proposed design and elevations preserve and maximize the image, character, and visual quality of the neighborhood.** *No exterior alterations, signage modifications, or structural changes are proposed as part of this application. The existing building and site improvements will remain unchanged, and the visual character of the property will remain consistent with existing conditions.*

Section 4. ABC – Undue Concentration and High Crime: The Project site is located within Census Tract 5323.03, which has been identified by ABC as having an undue concentration of off-sale alcohol licenses. According to ABC records, there are nine (9) existing off-sale licenses in the census tract, while only two (2) licenses are authorized. The Project site is also located within Crime Reporting District 0244, which is classified by ABC as a high-crime area based on reported offenses exceeding the applicable threshold. Approval of the CUP does not determine the issuance of an ABC license, as ABC retains independent authority over licensing decisions. However, issuance of an ABC Type-20 license is contingent upon City approval of the CUP.

Section 5. Public Convenience or Necessity: The Planning Commission hereby finds that approval of the CUP and the associated ABC Type-20 license serves the public convenience or necessity ("PCN"). The Planning Commission has reviewed and considered the information contained in the staff report, including ABC determinations regarding census tract concentration and crime reporting district classification, which are incorporated herein

by reference. Notwithstanding these conditions, the Project consists of an existing neighborhood-serving convenience store located within an established commercial corridor and is proposed to provide limited off-sale beer and wine in conjunction with existing retail operations. The use is ancillary to the existing ARCO gasoline service station and does not involve expansion of the building or intensification of use. The Project will be subject to Conditions of Approval regulating operational standards, employee oversight, compliance with State law, and restrictions on alcohol sales. Based on the entire record, the Planning Commission finds that the Project serves the public convenience or necessity.

Section 6. The Planning Commission does hereby conditionally approve CUP No. 25-12 subject to the following conditions:

1. This approval shall be of no force and effect unless and until a Type-20 Beer and Wine license has been obtained from the State Department of Alcoholic Beverage Control (“ABC”). The Type-20 license shall be maintained in compliance with all ABC requirements.
2. This Conditional Use Permit shall not become effective or operative unless and until Zoning Text Amendment No. 25-02 is adopted by the City Council and becomes effective in accordance with law.
3. All requirements of the ABC and the City shall be observed at all times and such requirements shall be a condition of approval.
4. The sale of alcoholic beverages (beer and wine) shall be limited to the hours of 10:00 a.m. to midnight, daily.
5. Alcohol sales shall be limited to beer and wine only for off-site consumption.
6. Alcoholic beverages shall be displayed only within interior refrigerated or shelving units located inside the convenience store, in an area visible from the cashier station for employee monitoring.
7. The operator shall maintain clear visibility of alcohol display areas from the cashier station at all times during business operations.
8. The Applicant shall operate the business as a convenience store in conjunction with a gas station. The sale of alcoholic beverages shall remain incidental and accessory to the primary retail sale of convenience goods customarily sold at a convenience store, including prepackaged food, beverages, snacks, and related retail items.
9. The premises shall be maintained in a clean and orderly condition and shall comply with all applicable regulations of the Los Angeles County Department of Public Health, Building and Safety Division, Fire Department, and all other applicable local, state, and federal regulations.

10. Separate records of alcoholic beverage sales shall be maintained on the premises and shall be made available to the City and/or Los Angeles County Sheriff's Department for examination upon request. Upon request by the City, the Applicant shall immediately provide the City with records demonstrating that the sale of alcoholic beverages remains incidental and accessory to the primary operation of the convenience store and gas station.
11. During the hours of operation, there shall be not less than one (1) adult employee at least twenty-one (21) years of age present in a managerial capacity.
12. The Applicant shall post a prominent, permanent sign or signs stating, "No person under 21 will be served alcoholic beverages" and "Valid ID is required to purchase alcoholic beverages."
13. All employees selling or serving alcohol shall be required to participate in an alcohol management training program prior to commencing alcohol service. Evidence of alcohol management training for all employees authorized to serve and handle alcohol shall be made available immediately to the City upon request.
14. The Los Angeles County Sheriff's Department and the City reserve the right to review the business owner's compliance with the terms and conditions of this permit at any time. If any security and/or public safety concerns develop, the Applicant shall work cooperatively with the Sheriff's Department and the City to resolve these issues in a mutually acceptable manner.
15. All employees involved in the sale of alcoholic beverages must be at least twenty-one (21) years of age.
16. All outdoor advertising, including window advertising, must comply with Commerce Municipal Code. No more than 33% of the square footage of the windows and clear doors may have advertising or signs of any sort. Signage shall be placed so that law enforcement personnel have a clear and unobstructed view of the interior of the establishment from the outside.
17. The Applicant's video surveillance system shall monitor all points of entry and exits, and cashier/cash register/point-of-sale station(s). The video surveillance system shall be capable of storing a minimum of two (2) weeks of surveillance that shall be made available to law enforcement upon request.
18. All graffiti shall be removed from any part of the Property within forty-eight (48) hours of its appearance and notification to the Applicant by the City.
19. The Property shall at all times be maintained in a clean and orderly condition. The Property shall be kept free of trash, debris, and litter, and the Owner/Applicant shall ensure that no trash, debris, or litter originating from the convenience store or gas station is deposited onto neighboring properties or the public right-of-way.

20. Upon the one (1) year anniversary of the service of alcohol under CUP No. 25-12, staff shall schedule on calendar to bring back CUP No. 25-12 for review and evaluation by the Planning Commission of the Applicant/Owner's operation of the facility, unless deemed unnecessary by the Community Development Director. The one (1) year revisit of CUP No. 25-12 is to consider the modification of any existing condition of approval and/or the incorporation of any new conditions.
21. All site signage shall comply with the CMC and shall be reviewed and approved by the Planning Division.
22. The property owner shall maintain the site, including landscaping, pavement, signage, and exterior building surfaces, in a safe, clean, and attractive condition.
23. The City shall have the right to inspect the Property at any reasonable time to verify compliance with these Conditions of Approval. The property owner and/or operator shall fully cooperate with all inspections.
24. Any violation of these Conditions of Approval, the approved plans, or the CMC may result in a Notice of Violation, fines, revocation of permits, or other enforcement actions. Failure to correct violations within the time specified may result in referral to the Planning Commission for revocation or modification of the Conditional Use Permit and authorization for the Type-20 (Off-Sale Beer & Wine) ABC license associated with the convenience store and gas station operation.

[End of Conditions]

I hereby certify that the foregoing findings and conditions contained in this resolution were adopted by the Planning Commission at its regular meeting of July 15, 2026.

Salvador Gutierrez, Chairperson
Planning Commission

ATTEST:

Jessica Serrano, Secretary

ACCEPTANCE OF CONDITIONS
CONDITIONAL USE PERMIT

AFFIDAVIT

I, _____, hereby state that I am the owner, or the authorized agent of the owner, of property involved in CUP Case No. 25-12.

I further state that I have read, understand and accept, and will comply with all the conditions of approval contained in Planning Commission Resolution Number 26-04.

I am also aware that if any of the provisions of this Conditional Use Permit are violated or held to be invalid, or any law, statute or ordinance is violated, the Conditional Use Permit shall be void and the privileges granted thereunder shall lapse.

I am further aware and agree that the effectiveness and validity of this Conditional Use Permit are expressly contingent upon the final approval and enactment of Zone Text Amendment (ZTA) No. 25-02. In the event that ZTA No. 25-02 is not approved, or is denied by the governing authority, this Conditional Use Permit shall be deemed null, void, and of no legal force or effect.

Signed: _____ Title: _____

Company: _____

Mailing Address: _____

Phone: _____ Date: _____

STATE OF CALIFORNIA).
COUNTY OF LOS ANGELES)
CITY OF COMMERCE)

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

On _____ before me, _____
(Insert name and title of the officer)

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

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

WITNESS my hand and official seal

Signature _____ (Seal)