



CITY OF COMMERCE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

CONDITIONAL USE PERMIT

PROJECT NO. 528

APPLICATION FEE _____

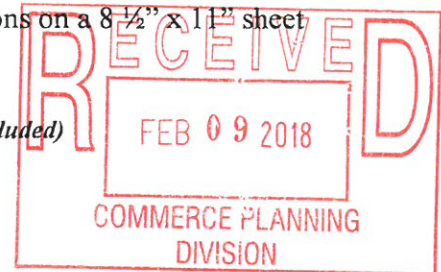
APPLICATION COMPLETENESS: Only applications that include all of the required application requirements will be deemed "complete." Please be advised that additional information may be required to complete your application.

The Department of Community Development retains the right to review documents and determine that they are adequate in their ability to convey the applicant's request to the decision making body. Applicants will be notified, within 30 days of filing the application and paying all required fees, whether or not their application is complete. Only projects with complete applications will be reviewed by the decision making body.

NOTE: The Conditional Use Permit application is also available at the following website address: <http://www.ci.commerce.ca.us/newpages/planningformsapplications.asp>

INSTRUCTIONS TO APPLICANT:

- A. Complete all the items listed below. Please print legibly.
- B. Submit the following (*See also, "required plans for filing"*)
 - 1 completed application
 - 10 copies of Site/Plot Plan on 24"x 36" sheets
 - 1 copy of Floor Plan on a 24"x 36" sheet
 - 1 copy of Elevations on a 24"x 36" sheet
 - 1 reduced copy of Site Plan, Floor Plan, and Elevations on a 8 1/2" x 11" sheet
 - 500 ft Radius Map
 - Property Owners Mailing List
- C. Business/Organization Operations Plan Letter (*sample included*)
- D. Occupant's Permission to Enter and Investigate Site
- E. Environmental Data Form
- F. Affidavit
- G. Application Fee (*See "Fee Schedule" for application fee*)



APPLICANT: Taylor Megdal, Elliot Megdal & Associates

SITE ADDRESS: 2425 S Atlantic Blvd, Commerce, CA

MAILING ADDRESS: 252 S Beverly Dr, Suite C, Beverly Hills, CA 90212

TELEPHONE NO.: (310) 277-0456 OTHER NO.: (310) 601-6600

APPLICANT'S REPRESENTATIVE: Same as applicant.

REPRESENTATIVE'S ADDRESS: _____

REPRESENTATIVE'S TELEPHONE NO. _____

LEGAL DESCRIPTION OF PROPERTY:

Legal description: (Continue on separate page, if necessary)

Please see the attached Exhibit A - Legal Description

APPLICANT'S REQUEST:

Please describe the proposed use (or development) you intend to make of the above described property:

Raze all existing on-site improvements and rebuild the site to be a Gas Station and Convenience store.

Gas station to have 4 Multi-product dispensers under a new fueling canopy.

New convenience store is 2,306 SF. Onsite improvements will also include new landscaping,

hardscape (both pedestrian and vehicular access areas and parking), a new trash enclosure and

other improvements as required by zoning, municipal and building codes.

APPLICANT'S STATEMENT OF FACTS:

According to the Commerce Zoning Ordinance, the Planning Commission must make certain finds before approving a Conditional Use Permit. To assist the Commission in making these findings, the applicant shall answer the following questions as thoroughly as possible:

1. **Is the proposed location of the conditional use in conformance with purposes and objectives of the zone district in which the site is located? If not, give reasons for the application.**

Yes, the proposed conditional use is consistent with the intent of the zoning district (C/M-1) commercial manufacturing in that the intent of the zone (per Code section 19.11.010(A)(1) "...is to provide for a wide variety of commercial uses and limited, compatible light manufacturing. The proposed use is a commercial use, allowed by right in the zone, but required to have a conditional use permit to be allowed within 300' of a residential zone according to Code section 19.11.030(C).

2. **Is the proposed location of the conditional use in conformance with the Commerce General Plan? Specify.**

Yes, the proposed location is in conformance with the Commerce General Plan, policy 2.4, which indicates the City will "continue to preserve and promote the improvement of the existing commercial areas; including... the Atlantic/Washington Redevelopment Area..." Policy 2.9 "The city of Commerce will continue to promote the improvement of the Washington Boulevard corridor between the Santa Ana and Long Beach Freeways."

3. **Will the proposed Conditional Use Permit be detrimental to the public health, safety or welfare or materially injurious to properties or person?**

No, the proposed service station and c-store will not be detrimental to the public health, safety or welfare, or materially injurious to properties or persons. The proposed use will be constructed in conformance with all CBC, retail food codes, National Fire Protection Agency codes, and other regulatory codes that will ensure the project to be as safe as modern service stations and food related retail establishments can be. The intent of all of these codes is to protect the public health, safety and welfare, and the application of these codes is believed to provide for safe developments.

4. **Is the use of hazardous materials such as plants, solvents, or explosives contemplated as a part of the proposed operation? If so, please explain in detail.**

Yes, the proposed project will store hazardous substances underground and will dispense hazardous substances into vehicles. The construction and operation of the service station is strictly regulated and monitored by state and local agencies, and the safety devices required by the regulations will provide for the safe operation of the facility.

5. **Will the traffic generated by the proposed conditional use overload the capacity of the surrounding city street system?**

No, the site was previously a restaurant site, which has a higher level of service than the proposed service station and c-store. The site is located at the intersection of two major arterials which will provide access to the site. The anticipated traffic for the proposed use will remain consistent with the existing service levels for the arterial roadways adjacent to and servicing the site.

6. Will the proposed use involve the use of trucks? If so, what type of trucks, and how many will be employed? What is the expected frequency of truck movements? With all, or part of the trucks be owned by the applicant and will they be located on site?

The proposed use will employ the use of trucks to deliver fuel and goods to the site. This is consistent with the prior development of the site (a restaurant) which also had trucks delivering products to the site. Deliveries are anticipated to occur daily to the site. The delivery vehicles are not owned, operated or stored by or on the subject site, they will visit the site, make deliveries and leave the site.

FOR OFFICE USE ONLY – DO NOT WRITE BELOW THIS LINE

Date Submitted: _____ Received by: _____

Filing Fee: _____ Receipt No.: _____

AFFIDAVIT

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

I, TAYLOR MEDDAL, am the owner (owner in escrow) of the property involved in this application. I am being duly sworn, depose and say that I am the applicant in the forgoing application that I have read the forgoing application for a Conditional Use Permit and know the contents thereof. I certify that the forgoing is true and correct to the best of my knowledge and belief.

2/9/18
Date

[Signature]
Owner's signature
PARTNER

Title
Elliot MEDDAL + Associates

Company
252 S Beverly Drive, Beverly Hills, CA 90212

Mailing Address
(310) 601-6600 cell (310) 277-0456 office

Phone No.

I, _____, being duly sworn, depose and say that I am the applicant in the forgoing application, that I have read the forgoing application for a Conditional Use Permit and know the content thereof. I certify that the forgoing is true and correct to the best of my knowledge and belief.

Date

Owner's signature

Title

Company

Mailing Address

Phone No.

Subscribed and sworn before me this _____ day of _____, 20____.

NOTARY PUBLIC
COUNTY OF LOS ANGELES
STATE OF CALIFORNIA

See attached

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- ☒ See Attached Document (Notary to cross out lines 1–6 below)
☐ See Statement Below (Lines 1–6 to be completed only by document signer[s], *not* Notary)

1
2
3
4
5
6

Signature of Document Signer No. 1

Signature of Document Signer No. 2 (if any)

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

State of California

County of Los Angeles

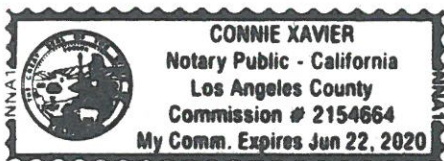
Subscribed and sworn to (or affirmed) before me

on this 9th day of February, 2018,
by Date Month Year

(1) Taylor Megdal

(and (2) _____),
Name(s) of Signer(s)

proved to me on the basis of satisfactory evidence
to be the person(s) who appeared before me.



Signature Connie Xavier
Signature of Notary Public

Seal
Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: City of Commerce - Conditional Use Permit Document Date: _____

Number of Pages: _____ Signer(s) Other Than Named Above: _____

CONDITIONAL USE PERMIT CHECK LIST

ADDRESS: _____ PROJECT NO. _____

Department/Division Approvals Required:

- ☐ Planning Division
City of Commerce
Hours: 8:00 am to 6:00 pm
2535 Commerce Way
Commerce, CA 90040
(323) 722-4805, ext. 2811

☐ Approved ☐ Not Approved ☐ No Approval Necessary

☐ Approved w/conditions – Comments:

Signature: X _____

Print Name: _____

Contact No.: _____

- ☐ Public Works, Engineering
City of Commerce
Hours: 8:00 am to 6:00 pm
2535 Commerce Way
Commerce, CA 90040
(323) 722-4805, ext. 2325 or 2327

☐ Approved ☐ Not Approved ☐ No Approval Necessary

☐ Approved w/conditions – Comments:

Signature: X _____

Print Name: _____

Contact No.: _____

- ☐ Code Enforcement Division
City of Commerce
Hours: 8:00 am to 6:00 pm
2535 Commerce Way
Commerce, CA 90040
(323) 722-4805, ext. 2329

☐ Approved ☐ Not Approved ☐ No Approval Necessary

☐ Approved w/conditions – Comments:

Signature: X _____

Print Name: _____

Contact No.: _____

- ☐ Community Services/Public Safety
City of Commerce
Hours: 8:00 am to 6:00 pm
2535 Commerce Way
Commerce, CA 90040
(323) 722-4805, ext. 4466

☐ Approved ☐ Not Approved ☐ No Approval Necessary

☐ Approved w/conditions – Comments:

Signature: X _____

Print Name: _____

Contact No.: _____

CONDITIONAL USE PERMIT CHECK LIST

ADDRESS: _____ PROJECT NO. _____

Proof of approval is required from the following outside agencies that are checked:

- ☐ Los Angeles County Building & Safety
City of Commerce
Inspector Hours: 8:00 am to 9:30 am
2535 Commerce Way
Commerce, CA 90040
(323) 722-4805, ext. 2290 or 2294

☐ Approved ☐ Not Approved ☐ No Approval Necessary

☐ Approved w/conditions – Comments:

Signature: X _____

Print Name: _____

Contact No.: _____

- ☐ Los Angeles County Fire Department
Fire Prevention Division
Inspector Hours: 8:00 am to 9:30 am
2535 Commerce Way
Commerce, CA 90040
(323) 720-9913

☐ Approved ☐ Not Approved ☐ No Approval Necessary

☐ Approved w/conditions – Comments:

Signature: X _____

Print Name: _____

Contact No.: _____

- ☐ State Dept. of Alcoholic Beverage
Control (ABC)
222 E. Huntington Drive, Suite 114
Monrovia, CA 91016
(626) 256-3241

☐ Approved ☐ Not Approved ☐ No Approval Necessary

☐ Approved w/conditions – Comments:

Signature: X _____

Print Name: _____

Contact No.: _____

- ☐ Los Angeles County Sheriff's
Department
2535 Commerce Way
Commerce, CA 90040
(323) 887-4460

☐ Approved ☐ Not Approved ☐ No Approval Necessary

☐ Approved w/conditions – Comments:

Signature: X _____

Print Name: _____

Contact No.: _____

Elliot Megdal and Associates
252 So. Beverly Drive, Suite C
Beverly Hills, California 90212
Tel (310) 277-0456 • Fax (310) 277-0519

February 9, 2018

VIA HAND DELIVERED

City of Commerce
Community Development Department
2535 Commerce Way
Commerce, CA 90040

**RE: BUSINESS ORGANIZATION OPERATIONS PLAN LETTER
5133 E. WASHINGTON BLVD, COMMERCE, CA 90040**

Dear Sir/Madame:

The following information is in answer to your request regarding the business operation to be conducted at the address referenced above:

- Build a state-of-the-art 7-Eleven mini-market with 2,306 sf and four gas pumping stations under a canopy.
- Items and perishables will be stored in commercial racks and refrigeration units
- No chemicals will be stored or used
- Only trucks on site will be when delivering fuel and stocking the mini-market
- Four fuel pumps and standard mini-market operating equipment
- 24hr mini market and fueling stations
- Variable depending on time of day
- Yes, this is a new ground-up development that will demolish the former Church's Chicken structure, currently boarded up and vandalized, and build our proposed business with an estimated 2.5 million construction budget.

Sincerely,

MEGDAL COMMERCE, LLC

TAYLOR MEGDAL
Managing Member
Encls.

Cc: Darell Alatorre

Occupant's Permission to Enter and Investigate Site

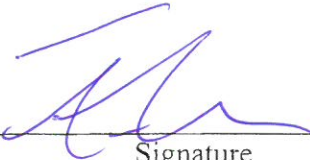
City of Commerce
Planning Department
2535 Commerce Way
Commerce, CA 90040

I, TAYLOR MELDAL as Lessee and owner in escrow
(owner or lessee)
and occupant of the property located at 2425 S Atlantic Blvd.

do hereby authorize representatives of the City of Commerce to enter upon the above-mentioned property for inspection purposes and to obtain photographs of the subject property to prepare reports for Public Hearing Case _____.

This authorization terminates upon the final decision on the case, made either by the Planning Commission or City Council of the City of Commerce.

I do / do not have a dog on the premises.
(circle one)



Signature

2/9/18

Date

To be filled out by occupant (owner or lessee)

ENVIRONMENTAL DATA FORM

The following data is submitted for the City of Commerce's use in the determination of the necessity for a Negative Declaration or an Environmental Impact Report.

SECTION I. GENERAL DATA

- A. Name and Address of the Sponsor of the Project
Taylor Megdal, Elliot Megdal & Associates
252 S Beverly Drive, Suite C
Beverly Hills, CA 90212
(310) 601-6600
- B. Name, Address and Telephone of Person to be Contacted
Same as project sponsor above.
- C. Official Name of Project (if applicable)
7-Eleven Facility # #38197/1040169
- D. Type of Project
Service station and convenience store
- E. Location of Project
2425 S Atlantic Blvd, Commerce, CA
NWC of Atlantic and Washington.
- F. Brief Description of Project
Raze the existing development on the site and rebuild the site to be a service station and convenience store.
- G. Brief Description of the Existing Environmental Conditions in the Area
Site was previously developed as a drive-through restaurant, the surrounding are is developed.

SECTION II. SPECIFIC DATA

YES NO

- N/A A. Existing Facilities: Projects related to the operation, repair, maintenance or minor alterations of existing structures, facilities, mechanical equipment or topographical features involving negligible or no expansion of uses beyond that previously existing. N/A
1. Will the project involve major interior or exterior alterations? _____
 2. Will the project involve major restoration or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment? _____
 3. Will the project involve additions to existing structures which increase the floor area to fifty percent or by 5,000 square feet? _____
 4. Will the project result in the removal of any existing trees? _____
 5. Will the project result in substantial air emissions or deterioration of ambient air quality? _____
 6. Will the project result in the creation of objectionable odors? _____
 7. Will the project result in increases in existing noise levels or exposure of people to severe noise levels? _____
 8. Will the project result in changes in absorption rates, drainage patterns or the rate or amount of surface runoff? _____
 9. Does the proposal involve a risk of explosion or the release of hazardous substances? _____
 10. Will the project result in the generation of substantial additional traffic? _____
 11. Will the proposal result in substantial increases in the amount of fuel or energy used? _____
 12. Will the project have an effect upon or result in a need for new or altered governmental services? _____

YES NO

13. Will the project result in the need for new or altered public utility systems?

14. Will the proposal result in the creation of or exposure of people to any health hazard or potential health hazard?

B. Replacement or Reconstruction. Projects related to replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose as the structure replaced.

1. Is the project designed to replace a commercial or industrial structure with a new structure of substantially larger size? X

2. Will the project require grading involving substantial removal or importation of earth? X

3. Will the project require the removal of any trees? X

4. Will the project result in substantial air emissions or deterioration of ambient air quality? X

5. Will the project result in the creation of objectionable odors? X

6. Will the project result in increases in existing noise levels or exposure of people to severe noise levels? X

7. Will the project result in changes in absorption rates, drainage patterns or the rate or amount of surface runoff? X

8. Does the proposal involve a risk of explosion or the release of hazardous substances? X

9. Will the project result in the generation of substantial additional traffic? X

10. Will the proposal result in substantial increases in the amount of fuel or energy used? X

YES NO

11. Will the project have an effect upon or result in a need for new or altered governmental services? X
12. Will the project result in the need for new or altered public utility systems? X
13. Will the proposal result in the creation of or exposure of people to any health hazard or potential health hazard? X

C. New Construction. Projects involving construction of new structures on vacant or cleared land. New construction includes conversion of a site from one land use to another, such as from residential to industrial. N/A

1. Will the project involve building three or more single family structures?
2. Will the project involve the construction of a motel, apartment or duplex which will contain five or more dwelling units in three or more structures?
3. Is the project a store, office, or restaurant or other facility designed for an occupant load of 21 persons or more?
4. Will the project involve the removal of any existing residential structures?
5. Will the project require grading involving substantial removal or importation of earth?
6. Will the project require the removal of any trees?
7. Will the project result in substantial air emissions or deterioration of ambient air quality?
8. Will the project result in the creation of objectionable odors?
9. Will the project result in increases in existing noise levels or exposure of people to severe noise levels?
10. Will the project result in changes in

	<u>YES</u>	<u>NO</u>
absorption rates, drainage patterns, or the rate or amount of surface runoff?	___	___
11. Does the proposal involve a risk of explosion or the release of hazardous substances?	___	___
12. Will the project result in the genera- tion of substantial additional traffic?	___	___
13. Will the proposal result in substantial increases in the amount of energy or fuel used?	___	___
14. Will the project have an effect upon or result in a need for new or altered governmental services?	___	___
15. Will the project result in the need for new or altered public utility systems?	___	___
16. Will the proposal result in the creation or exposure of people to any health hazard or potential health hazard?	___	___
 D. Alterations in Land Use		
1. Will the project involve major lot line adjustments, side-yard and set-back variances which will create a new parcel or a change in land use or intensity?	<u>X</u>	___
2. Will the project require the issuance of a major encroachment permit?	<u>X</u>	___
 E. <u>Compatibility with Planning and Zoning</u>		
1. Will the project require a change in the zoning map and/or zoning ordinance?	___	<u>X</u>
2. Will the project require a change in the General Plan or any specific plan?	___	<u>X</u>

SECTION III. MITIGATING MEASURES

Please discuss any measure which can eliminate or reduce to insignificant levels any significant adverse effects of the proposed project as indicated by yes answers in Section II. (Use additional sheets if necessary).

SECTION IV. STATEMENT OF NO SIGNIFICANT ENVIRONMENTAL EFFECTS

If you have answered yes to any question in Section II but feel that the project will have no significantly adverse environmental effect or that such effect or effects can be mitigated or eliminated, indicate your reasons below. (Use additional sheets if necessary).

The proposed project is a service station and convenience store which will store and dispense potentially hazardous substances and will involve a lot line adjustment and minor setback variances. The service station use will be built in accordance with the California Building Codes, the National Fire Protection Agency requirements, South Coast Regional Air Quality District and regulations from other state regulatory agencies which are in place to assure the development is safe (per current safety standards). The existing regulatory measures in themselves mitigate the risk for the development of the service station. The site is currently developed and has a drive-through restaurant, the proposed use is consistent with the prior use in intensity and in nature (both are commercial-service style uses).

I certify that the answers to the questions contained in this Environmental Data Form are true and correct to the best of my knowledge.

(Date)

(Signature)

c3/varinfo

EXHIBIT A

LEGAL DESCRIPTION

AS TO PRELIMINARY REPORT NO. 01180-220123

THOSE PORTIONS OF LOTS 540, 541 AND 542 OF TRACT NO. 8947, IN THE CITY OF COMMERCE, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 95, PAGES 18 AND 10 OF MAPS, IN THE OFFICE OF COUNTY RECORDER OF SAID COUNTY, LYING NORTHEASTERLY AND NORTHERLY OF THE FOLLOWING DESCRIBED LINE:

BEGINNING AT THE INTERSECTION OF THE NORTHWESTERLY LINE OF SAID LOT 542, WITH THE NORTHEASTERLY LINE OF THE SOUTHWESTERLY 15.00 FEET, MEASURED AT RIGHT ANGLES FROM THE SOUTHWESTERLY LINE, OF SAID LOT 542; THENCE SOUTHEASTERLY ALONG SAID NORTHEASTERLY LINE AND ITS SOUTHEASTERLY PROLONGATION TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHERLY, SAID CURVE ALSO BEING TANGENT AT ITS EASTERLY TERMINUS WITH THE TANGENT PORTION OF THE SOUTHEASTERLY LINE OF SAID LOT 540; THENCE EASTERLY ALONG SAID CURVE 31.98 FEET TO THE SOUTHEASTERLY LINE OF SAID LOT 540.

APN: 5244-031-023

AS TO PRELIMINARY REPORT NO. 01180-220122

LOT 543 OF TRACT NO. 8047, IN THE CITY OF COMMERCE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 95, PAGES 18 AND 19 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. EXCEPT THEREFROM THAT PORTION OF SAID LAND LYING SOUTHERLY OF A LINE PARALLEL WITH AND DISTANT 15 FEET NORTHERLY, MEASURED AT RIGHT ANGLES FROM THE STRAIGHT LINE IN THE SOUTHERLY BOUNDARY OF SAID LOT.

APN: 5244-031-018

AS TO PRELIMINARY REPORT NO. 0118-220124

LOTS 538 AND 539 OF TRACT NO. 8047, IN THE CITY OF COMMERCE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 95, PAGES 18 AND 19, OF MAPS, IN THE OFFICE OF THE COUNTY OF RECORDER OF SAID COUNTY.

EXCEPTING ALL CRUDE OIL, PETROLEUM, GAS, BREA, ASPHALTUM AND ALL KINDRED SUBSTANCES AND OTHER MINERALS UNDER AND IN SAID LAND BELOW A DEPTH OF 500 FEET FROM THE SURFACE THEREOF WITHOUT THE RIGHT OF SURFACE ENTRY, AS RESERVED BY LENA CICERO, A WIDOW, IN DEED RECORDED MAY 17, 1978 AS INSTRUMENT NO. 79-531914, OF OFFICIAL RECORDS.

APN: 5244-031-014 & 5244-031-015