



# CITY OF LAWNDALE

14717 Burin Avenue, Lawndale, California 90260  
Phone (310) 973-3200 – [www.lawndalecity.org](http://www.lawndalecity.org)

## AGENDA

### LAWNDALE PLANNING COMMISSION MEETING

Wednesday, August 23, 2023 - 6:30 p.m.

Lawndale City Hall Council Chamber

14717 Burin Avenue

Members of the public may provide their comments when the public comment sections of the meeting are opened. Anyone unable to attend the meeting may submit their public comment by email to [agutierrez@lawndalecity.org](mailto:agutierrez@lawndalecity.org). Submit your written comments to the Community Development Department by 5:30 p.m. the day of the meeting. Electronic, or written, comments must identify the Agenda Item Number in the comment letter or the subject line of the email. The public comment period will close once the public hearing time for the agenda item has concluded. The comments will be entered into the record and provided to the Commission. All comments should be a maximum of 500 words, which corresponds to approximately 3 minutes of speaking time.

Members of the public are welcome to attend the meeting in person. If you are sick or experiencing symptoms of illness, refrain from entering any City facilities to prevent the spread of diseases.

Copies of this Agenda Packet may be obtained prior to the meeting by written request or on the [City Website](#). Interested parties may contact the Community Development Department at (310) 973-3230 for clarification regarding individual agenda items.

*This Agenda is subject to revision up to 72 hours before the meeting.*

A. **CALL TO ORDER**

B. **ROLL CALL**

C. **PLEDGE OF ALLEGIANCE**

D. **CONSENT CALENDAR**

1. **Minutes of the Lawndale Planning Commission Regular Meeting – August 9, 2023**

E. **PUBLIC COMMENTS**

Members of the audience may address the Commission on matters of public interest, which pertain to the City and are not otherwise listed on the agenda. If you wish to speak, please step forward to the microphone, but not required, state your name and city of residence, and make your presentation. The maximum time for the presentation is 3 minutes.

F. **PUBLIC HEARINGS**

1. **Case No. 23-15: Consideration to Revoke a Special Use Permit that Includes an Alcohol Sales and Entertainment Permit of an Existing Restaurant Located at 14620 Hawthorne Boulevard and Finding of Exemption from CEQA (continued from the August 9, 2023, regular meeting).**

G. **REGULAR AGENDA**

None

**H. ITEMS FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT**

**I. ITEMS FROM THE PLANNING COMMISSION**

**J. ADJOURNMENT**

The next regularly scheduled meeting of the Planning Commission will be held at 6:30 p.m. on Wednesday, September 13, 2023, in the Lawndale City Hall council chamber, 14717 Burin Avenue, Lawndale, California.

It is the intention of the City of Lawndale to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, you will need special assistance beyond what is normally provided, we will attempt to accommodate you in every reasonable manner. Please contact the Community Development Department at (310) 973-3230 prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible. Please advise us at that time if you will need accommodations to attend or participate in meetings on a regular basis.

I hereby certify under penalty of perjury under the laws of the State of California that the agenda for the Planning Commission meeting to be held on August 23, 2023, was posted not less than 72 hours prior to the meeting.

---

Adrian Gutierrez,  
Administrative Assistant II



**MINUTES OF THE  
LAWNDALE PLANNING COMMISSION REGULAR MEETING  
AUGUST 9, 2023**

**A. CALL TO ORDER**

Chairperson Price called the regular meeting to order at 6:31 p.m. in the Lawndale City Hall Council Chamber, 14717 Burin Avenue, Lawndale, California.

**B. ROLL CALL**

**Commissioners Present:** Chairperson Ni Kal S. Price, Vice Chairperson John Martinez, Commissioner Scott Smith, Commissioner Madonna Sitka, Commissioner Dr. Daniel Urrutia

**Other Participants:** Acting Assistant City Attorney Justin A. Tamayo, Community Development Manager Jared Chavez, Associate Planner Jose Hernandez, Administrative Assistant II Adrian Gutierrez

**C. PLEDGE OF ALLEGIANCE**

Chairperson Price led the flag salute.

**D. CONSENT CALENDAR**

**1. Minutes of the Lawndale Planning Commission Regular Meeting – March 22, 2023**

Commissioner Sitka motioned to approve the minutes, with a second from Vice Chairperson Martinez. The motion was carried by a vote of 3-0, with Chairperson Price and Commissioner Smith abstaining.

**2. Minutes of the Lawndale Planning Commission Regular Meeting – June 28, 2023**

Commissioner Smith motioned to approve the minutes, with a second from Commissioner Urrutia. The motion was carried by a vote of 3-0, with Chairperson Price and Commissioner Sitka abstaining.

**E. PUBLIC COMMENTS**

Chairperson Price opened and closed the public comments section at 6:36 p.m. since nobody was in the audience.

**F. PUBLIC HEARINGS**

**1. Case No. 23-15: Consideration to Revoke a Special Use Permit that Includes an Alcohol Sales and Entertainment Permit of an Existing Restaurant Located at 14620 Hawthorne Boulevard and Finding of Exemption from CEQA.**

Associate Planner Hernandez and Community Development Manager Chavez provided an explanation for why the continuance was requested.

**Vice Chairperson Martinez motioned to continue the item until the next regular meeting, with a second from Commissioner Urrutia. The motion was carried by a vote of 5-0.**

**G. REGULAR AGENDA ITEMS**

None

**H. ITEMS FROM THE DIRECTOR OF COMMUNITY DEVELOPMENT**

Community Development Manager Chavez spoke about the following items: upcoming ethics training for the Planning Commission, construction of the new Sprouts store, and the August 15, 2023, release of the Draft EIR for the General Plan Update. Chairperson Price and Vice Chairperson Martinez requested a digital copy of the Draft EIR.

**I. ITEMS FROM THE COMMISSION**

Commissioners Smith and Urrutia requested a digital copy of the Draft EIR for the General Plan Update.

**J. ADJOURNMENT**

Chairperson Price adjourned the meeting at 6:40 p.m. to the next regularly scheduled meeting to be held on Wednesday, August 23, 2023, at 6:30 p.m. at the Lawndale City Hall Council Chamber located at 14717 Burin Avenue, Lawndale, California.

---

Ni Kal S. Price, Chairperson

ATTEST:

---

Jared Chavez, Community Development Manager

# AGENDA ITEM F-1



## CITY OF LAWDALE PLANNING COMMISSION

### STAFF REPORT

**DATE:** August 23, 2023

**TO:** Honorable Chairman and Members of the Planning Commission

**REVIEWED BY:** Jared Chavez, Community Development Manager *Jared Chavez*

**PREPARED BY:** Jose Hernandez, Associate Planner *JH*

**RE:** **CASE NO. 23-15 CONSIDERATION TO REVOKE A SPECIAL USE PERMIT THAT INCLUDES AN ALCOHOL SALES AND ENTERTAINMENT PERMIT OF AN EXISTING RESTAURANT LOCATED AT 14620 HAWTHORNE BOULEVARD AND FINDING OF EXEMPTION FROM CEQA.**

#### **BACKGROUND:**

The existing restaurant business (La Bamba) is located at 14620 Hawthorne Boulevard and a compliance check was conducted to verify that all conditions of approval were being followed under an approved Special Use Permit that was issued in 2002. The approved Special Use Permit has conditions that were to be followed by La Bamba.

City staff is recommending the Planning Commission to revoke La Bamba's alcohol license and entertainment permit SUPs. The grounds for revocation of La Bamba's SUP to serve alcohol involve violating the conditions of approval violated and the results of the businesses' activities initiate the due process to terminate the sale or alcohol and entertainment permit at La Bamba.

#### **ZONING CODE:**

The Subject Property is zoned N-C (Neighborhood Commercial) under the Hawthorne Boulevard Specific Plan. The N-C zone allows restaurant uses that are compatible with and reinforce the pedestrian orientation of the areas where this zone is applied. The types of businesses permitted within the N-C zone are on a smaller scale type uses that serve the local residential population, as well as visitors. Restaurants are highly encouraged to be in the N-C zone.

# AGENDA ITEM F-1

## EXISTING CONDITIONS:

The existing restaurant is located off Hawthorne Boulevard, on the north-east intersection of 147<sup>th</sup> Street and Hawthorne Boulevard. La Bamba has been in operation as a family restaurant in the City of Lawndale since 2008 with incidental sales of alcohol. The existing building is approximately 2,720 square feet with no onsite parking. The Subject Property has a frontage of 49.99 ft. The lot is approximately 3,103 square feet.

La Bamba was issued a Type 41 alcohol license from the California Department of Alcoholic Beverage Control (ABC). A Type 41 license authorizes the sale of beer and wine for consumption on or off the premises where sold. Prior to the issuance of any alcohol license, ABC communicates and coordinates with the local jurisdiction to confirm if there is a special use requirement. In this situation, the transfer of the business was established in 2008 when Hurricane Bar & Grill ceased operations and La Bamba began their business in the City of Lawndale, henceforth the transfer of the existing alcohol sales and entertainment permit.

Originally, Hurricane Bar & Grill was the business that applied for the special use permit to allow the sales of alcohol and entertainment. Resolution No. CC-0210-075 approved a special use permit to allow the sale of alcohol and allow entertainment at the restaurant all together. A total of twenty-one (21) conditions were included in the approved resolution and condition number nineteen (19) specified the following requirement:

“19. The sales of alcoholic beverages shall be limited to beer and wine. The request to upgrade the license to general liquor sales is denied.”

## LAWNDALE MUNICIPAL CODE:

The Lawndale Municipal code, Chapter 17.28.100 states that, “a special use permit, pursuant to this chapter, shall be required for all businesses where alcoholic beverages are sold or served for consumption on or off premises.” La Bamba established its restaurant business in 2008 and in doing so, the transfer of the approved special use permit under Resolution No. CC-0210-075 was in full force.

The special use permit allowed the sale of beer and wine to continue when the transfer of business occurred between Hurricane Bar & Grill and La Bamba in 2008.

During the restaurant’s business hours staff witnessed and photographed that the business operation was not following the conditions of approval. In doing so, initiated the revocation of special use permit as written in condition number 6 of Resolution No. cc-0210-075: “Violation of, or noncompliance with, any of the conditions shall constitute grounds for revocation of the Special Use Permit”.

Resolution No. CC-0210-075, unilaterally, included the approval of alcohol sales and entertainment permit. In having both incidental uses under one resolution, automatically is grounds for revoking both activities.

# AGENDA ITEM F-1

Additional violations were observed, witnessed, and recorded by staff, such as excessive noise levels from within the business. Music was heard as far as 200 feet from the entrance off 147<sup>th</sup> street and directly across the street from the business. The collection of trash and debris of cigarette buds in front of the business is an additional violation of the conditions of approval of the SUP. Patrons were witnessed by staff tossing their cigarette buds on the planter located in front of the business.

Most recently a physical altercation between patrons at La Bamba resulted in a visit by the local Sherriff Department. The deputies took a report of the incident and shared with city staff that the restaurant resembled more of a night club than a restaurant. As a public safety concern this prompted city staff to visit La Bamba and conduct a compliance check of their conditions of approval under Resolution No. CC-0210-075.

## **CONCLUSION:**

Staff recommends that the Planning Commission revoke the special use permits for alcohol sales and entertainment at 14620 Hawthorne Boulevard.

## **ENVIRONMENTAL ASSESSMENT:**

The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15301 "Existing Facilities" of the California Environmental Quality Act ("CEQA ") Guidelines.

## **PUBLIC REVIEW:**

Notices of a public hearing were posted on the bulletin board outside City Hall and published in the *Daily Breeze* on July 27, 2023. As of the writing of this staff report, no comments from the public have been received concerning the proposed ordinance.

## **RECOMMENDATION:**

IT IS RECOMMENDED THAT the Planning Commission:

- 1) Conduct a public hearing;
- 2) Find and determine that the proposed Project is exempt from the CEQA pursuant to Section 15301 "Existing Facilities" of the CEQA Guidelines; and
- 3) Approve Resolution No. 23-04 and Resolution No. 23-05 setting forth findings of fact and revoking SUPs for alcohol sales and entertainment.

**ATTACHMENTS:** "A" Resolution No. 23-04  
"B" Resolution No. 23-05  
"C" Resolution No. CC-0210-075

# **AGENDA ITEM F-1**

## **ATTACHMENT “A”**

*Resolution No. 23-04*



**RESOLUTION NO. 23-04**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAWNSDALE, CALIFORNIA APPROVING THE REVOCATION OF ALCOHOL SALES OF THE RESTAURANT LOCATED AT 14620 HAWTHORNE BOULEVARD AND ADOPT A FINDING OF CATEGORICAL EXEMPTION FROM CEQA**

**WHEREAS**, a revocation of alcohol sales and entertainment permit was initiated by city staff of an existing restaurant La Bamba located at 14620 Hawthorne Boulevard in the City of Lawndale (“Subject Property”); and

**WHEREAS**, the Subject Property, which is zoned N-C (Neighborhood Commercial), has an existing special use permit via Resolution No. CC-0210-075 that allowed the sale of alcohol and approved and entertainment permit at the subject property; and

**WHEREAS**, special use permit granted under CC-0210-075 conditions of approval only allowed the sale of beer and wine; and

**WHEREAS**, pursuant to conditions of approval under CC-0210-07, a violation of the condition of approvals was witnessed and photographed as evidence in violation of the approved conditions in CC-0210-075 by city staff; and

**WHEREAS**, because of such violation of serving hard liquor that is allowed for a Type 41 alcohol license at the subject property, unilaterally, was grounds to revoke both incidental uses (alcohol sales and entertainment permit) at the subject property; and

**WHEREAS**, Lawndale Municipal Code Section 17.28.105 authorize the Planning Commission to revoke a special use permit when a violation of, noncompliance with, any of the conditions shall constitute grounds for revocation of the special use permit; and

**WHEREAS**, the proposed revocation was duly and properly noticed for discussion and public hearing before the Planning Commission on August 23, 2023; and

**WHEREAS**, evidence was heard and presented from all persons interested in affecting said proposal, from all persons protesting the same and from members of the City staff, and the Planning Commission, having reviewed, analyzed and studied said proposal.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAWDALE, CALIFORNIA DOES HEREBY RESOLVE AND RECOMMEND AS FOLLOWS:**

Section 1. The Planning Commission finds and determines that the recitals above are true and correct and are hereby incorporated herein.

Section 2. That because the Project involves a revocation of a Special Use Permit in a Commercial zone and has no potential to substantially impact the environment, a Categorical Exemption is hereby approved for the Project in accordance with Section 15061(b)(3) (“General Rule”) of the CEQA Guidelines and staff is hereby directed to prepare and file a Notice of Exemption.

Section 3. The Planning Commission finds that the revocation of Special Use Permit No. CC-0210-075 is appropriate pursuant to section 17.12.110 of the Lawndale Municipal Code and finds the following:

- A. The restaurant business, La Bamba, located at 14620 Hawthorne Boulevard in the City of Lawndale has violated the following conditions of approval of the Special Use Permit No. CC-0210-075:
  - i. Condition of Approval No. 8: The operator must clean the areas adjacent to the property of trash debris on a daily basis;
  - ii. Condition of Approval No. 14: The operator shall prevent noise levels from exceeding the ambient exterior noise levels or violating the City’s noise ordinance to the satisfaction of the Director of Community Development. Should noise problems arise, the applicant shall take additional measures to sound proof the building to the satisfaction of the Director of Community Development;
  - iii. Condition of Approval No. 19: The sales of alcoholic beverages shall be limited to beer and wine. The request to upgrade the license to general liquor sales is denied.

Section 4. Special Use Permit No. CC-0210-075 combined the alcohol sales and entertainment permit under one use permit and the violation of any of the twenty-one (21) written conditions of Special Use Permit No. CC-0210-075 constitutes grounds for revocation of the Special Use Permit.

- i. Condition of Approval No. 6: Violation of, or noncompliance with, any of the conditions shall constitute grounds for revocation of the Special Use Permit.

Section 5. The Planning Commission finds that after careful consideration of text, facts, exhibits, testimony, staff reports and public comments, the Planning Commission recommends that City Council:

1. Find and determine that the draft ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15301 of the CEQA Guidelines and Division 13 (commencing with Section 21000) of the Public Resources Code; and
2. Approve Planning Commission Resolution No. 23-04 revoking SUP CC-0210-075.

**PASSED, APPROVED AND ADOPTED THIS 23<sup>rd</sup> DAY OF AUGUST 2023**

---

Ni Kal S. Price, Chairperson  
Lawndale Planning Commission

ATTEST

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    )     SS  
CITY OF LAWNSDALE            )

I, Jared Chavez, Community Development Manager for the City of Lawndale, California, do hereby certify that the foregoing **Resolution No. 23-04** was duly approved by the Planning Commission of the City of Lawndale at a regular meeting of said Commission held on the **23<sup>rd</sup> day of August 2023** by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:

---

Jared Chavez,  
Community Development Manager

# **AGENDA ITEM F-1**

## **ATTACHMENT “B”**

*Resolution No. 23-05*

**RESOLUTION NO. 23-05**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAWDALE, CALIFORNIA APPROVING THE REVOCATION OF AN ENTERTAINMENT PERMIT OF THE RESTAURANT LOCATED AT 14620 HAWTHORNE BOUELVARD AND ADOPT A FINDING OF CATEGORICAL EXEMPTION FROM CEQA**

**WHEREAS**, a revocation of alcohol sales and entertainment permit was initiated by city staff of an existing restaurant (La Bamba) located at 14620 Hawthorne Boulevard in the City of Lawndale (“Subject Property”); and

**WHEREAS**, the Subject Property, which is zoned N-C (Neighborhood Commercial) under the Hawthorne Boulevard Specific Plan, has an existing special use permit via Resolution No. CC-0210-075 that allowed the sale of alcohol and approved an entertainment permit at the subject property; and

**WHEREAS**, special use permit granted under CC-0210-075 conditions of approval only allowed the sale of beer and wine; and

**WHEREAS**, pursuant to conditions of approval under CC-0210-07, a violation of the condition of approvals was witnessed and photographed as evidence in violation of the approved conditions in CC-0210-075 by city staff; and

**WHEREAS**, because of such violation at the subject property, unilaterally, was grounds to revoke both incidental uses (entertainment permit) at the subject property; and

**WHEREAS**, Lawndale Municipal Code Section 17.28.105 authorize the Planning Commission to revoke a special use permit when a violation of, noncompliance with, any of the conditions shall constitute grounds for revocation of the special use permit; and

**WHEREAS**, the proposed revocation was duly and properly noticed for discussion and public hearing before the Planning Commission on August 23, 2023; and

**WHEREAS**, evidence was heard and presented from all persons interested in affecting said proposal, from all persons protesting the same and from members of the City staff, and the Planning Commission, having reviewed, analyzed and studied said proposal.

**NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAWDALE, CALIFORNIA DOES HEREBY RESOLVE AND RECOMMEND AS FOLLOWS:**

Section 1. The Planning Commission finds and determines that the recitals above are true and correct and are hereby incorporated herein.

Section 2. That because the Project involves a revocation of a Special Use Permit in a Commercial zone and has no potential to substantially impact the environment, a Categorical Exemption is hereby approved for the Project in accordance with Section 15061(b)(3) (“General Rule”) of the CEQA Guidelines and staff is hereby directed to prepare and file a Notice of Exemption.

Section 3. The Planning Commission finds that the revocation of Special Use Permit No. CC-0210-075 is appropriate pursuant to section 17.12.110 of the Lawndale Municipal Code and finds the following:

- A. The restaurant business, La Bamba, located at 14620 Hawthorne Boulevard in the City of Lawndale has violated the following conditions of approval of the Special Use Permit No. CC-0210-075:
  - i. Condition of Approval No. 8: The operator must clean the areas adjacent to the property of trash debris on a daily basis;
  - ii. Condition of Approval No. 14: The operator shall prevent noise levels from exceeding the ambient exterior noise levels or violating the City’s noise ordinance to the satisfaction of the Director of Community Development. Should noise problems arise, the applicant shall take additional measures to sound proof the building to the satisfaction of the Director of Community Development;
  - iii. Condition of Approval No. 19: The sales of alcoholic beverages shall be limited to beer and wine. The request to upgrade the license to general liquor sales is denied.

Section 4. Special Use Permit No. CC-0210-075 combined the alcohol sales and entertainment permit under one use permit and the violation of any of the twenty-one (21) written conditions of Special Use Permit No. CC-0210-075 constitutes grounds for revocation of the Special Use Permit.

- i. Condition of Approval No. 6: Violation of, or noncompliance with, any of the conditions shall constitute grounds for revocation of the Special Use Permit.

Section 5. The Planning Commission finds that after careful consideration of text, facts, exhibits, testimony, staff reports and public comments, the Planning Commission recommends that City Council:

1. Find and determine that the draft ordinance is exempt from the California Environmental Quality Act (“CEQA”) pursuant to Section 15301 of the CEQA

Guidelines and Division 13 (commencing with Section 21000) of the Public Resources Code; and

2. Approve Planning Commission Resolution No. 23-05 revoking SUP CC-0210-075.

**PASSED, APPROVED AND ADOPTED THIS 23<sup>rd</sup> DAY OF AUGUST 2023**

---

Ni Kal S. Price, Chairperson  
Lawndale Planning Commission

ATTEST

STATE OF CALIFORNIA            )  
COUNTY OF LOS ANGELES    )     SS  
CITY OF LAWNSDALE            )

I, Jared Chavez, Community Development Manager for the City of Lawndale, California, do hereby certify that the foregoing **Resolution No. 23-04** was duly approved by the Planning Commission of the City of Lawndale at a regular meeting of said Commission held on the **23<sup>rd</sup> day of August 2023** by the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:

---

Jared Chavez,  
Community Development Manager

# AGENDA ITEM F-1

## ATTACHMENT “C”

*Resolution No. CC-0210-075*



**RESOLUTION NO. CC-0210-075**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF LAWDALE, CALIFORNIA  
MODIFYING THE CONDITIONS OF APPROVAL  
OF SPECIAL USE PERMIT CASE NO. 01-10 FOR  
A BAR AND GRILL AT 14620 HAWTHORNE BOULEVARD  
AND APPROVING AN ENTERTAINMENT PERMIT**

WHEREAS, the Lawndale Municipal Code authorizes the City Council to make determinations regarding entertainment permits and appeals of decisions by the Planning Commission, including Special Use Permits; and

WHEREAS, Special Use Permit Case No. 01-10 was previously appealed to the City Council and the City Council approved the issuance of an entertainment permit and extended hours of operation for a six-month trial period; and

WHEREAS, the six-month approval period expired on September 18, 2002 and the applicant has requested reapproval of these privileges, along with several other modifications related to charging for admittance, installing video games and allowing an upgrade of alcohol license privileges to allow full liquor sales; and

WHEREAS, staff has not received citizen complaints, reports for calls for service from the Los Angeles County Sheriff's Department or other reports of other problems associated with the extended hours of operation on Friday and Saturday nights or the entertainment activities; and

WHEREAS, the City Council conducted a public hearing on October 7, 2002 regarding Special Use Permit Case No. 01-10; and

WHEREAS, evidence was heard and presented from all persons interested in said appeal, from all persons protesting the same and from members of City staff, and the City Council has now reviewed, analyzed and studied said proposal and considered the evidence presented at the public hearing.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAWDALE, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

SECTION 1: That the approval of an entertainment permit, allowing extended hours of operation on Friday and Saturday night and the ability to charge for admission, under the circumstances and subject to the conditions of this case, will not be detrimental to the public health, safety, comfort and general welfare of persons residing or working in the adjacent area of this proposed use or injurious to the existing property.

SECTION 2: That the installation of video games in an establishment that sells alcoholic beverages is specifically prohibited by Section 17.28.015 of the Lawndale Municipal Code.

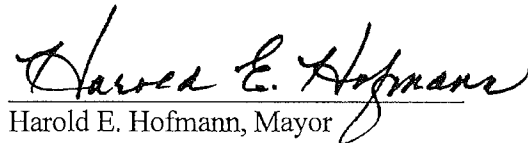
SECTION 3: That the upgrade of the alcohol sales license to a general liquor sales license, and the request to allow the establishment to be open until 2:00 a.m. on Sunday through Thursday are inconsistent with the City Council's original intent of approving this establishment primarily as an eating place.

SECTION 4: The City Council hereby APPROVES the entertainment permits and partially approves the modification to Special Use Permit Case No. 01-10 and the entertainment permit subject to the following conditions of approval:

1. Any graffiti on the exterior of the building or on any wall or other structure shall be removed within 24 hours.
2. Signage plan(s) shall be submitted to and approved by the Planning Department and the Building and Safety Division prior to installation of any signs. All signs shall be maintained in compliance with applicable local, state and federal code requirements. Future modification(s) to the approved signage plan(s) may be made administratively by the Community Development Director.
3. The property shall be kept clean of trash, debris, weeds and other refuse items at all times.
4. The approval of this Special Use Permit does not authorize the applicant or any employee, contractor, subcontractor, etc. to encroach upon adjacent properties. The applicant shall not store merchandise out of doors.
5. Within thirty days of approval of this Special Use Permit modification, the applicant shall certify his/her acceptance of the conditions placed on the approval by signing a notarized affidavit of acceptance that he/she accepts and shall be bound by all of the conditions.
6. Violation of, or noncompliance with, any of the conditions shall constitute grounds for revocation of the Special Use Permit.
7. The operator of the use shall prevent loitering in all areas serving the use during and one half hour after the hours of operation. If loitering problems develop, the Director of Community Development may require additional preventive measures such as but not limited to, additional lighting, surveillance cameras or private security guards.
8. The operator must clean the areas adjacent to the property of trash debris on a daily basis.
9. All new rooftop mechanical equipment must be screened from any public view. Said screening must be architecturally compatible with the building in terms of materials, textures, and colors. If the screening is not designed specifically into the building, a rooftop mechanical equipment plan must be submitted showing screening and must be approved by the Director of Community Development.
10. All structures shall conform to Building Code requirements. Notwithstanding this Special Use Permit, all required permits from the Community Development Department must be secured.

11. Electronic games, including video games, shall not be located on the premises.
12. The installation of exterior public phones is prohibited.
13. The operations of the facility shall comply with the emergency exiting requirements of the Uniform Fire Code and Uniform Building Code.
14. The operator shall prevent noise levels from exceeding the ambient exterior noise levels or violating the City's noise ordinance to the satisfaction of the Director of Community Development. Should noise problems arise, the applicant shall take additional measures to soundproof the building to the satisfaction of the Director of Community Development.
15. The applicant shall defend and hold harmless the City 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 the approval by the City concerning this Special Use Permit. The City shall promptly notify the applicant of any filed claim, action or proceeding and shall cooperate fully in the defense of the action.
16. The hours of operation shall be limited to between 8:00 a.m. and 2:00 a.m. on Fridays and Saturdays and to between 8:00 a.m. and 12:00 a.m. (midnight) on Sundays through Thursdays. Additionally, the future outdoor patio area shall not be used after 9:00 p.m.
17. The operator shall serve as a minimum, a dinner menu on those days that the facility is open. The operator shall maintain a full kitchen in working order to the satisfaction of the Director of Community Development.
18. A uniformed security guard (in addition to the bar and kitchen staff) shall be on the premises at all times while entertainment (live music, dancing or karaoke) is being conducted. The security guard shall remain on the premises for a minimum of ½ hour after to closing to prevent loitering.
19. The sales of alcoholic beverages shall be limited to beer and wine. The request to upgrade the license to general liquor sales is denied.
20. The applicant shall be permitted to charge an entry fee for a six month period lasting until April 7, 2003. Prior to the end of the six month period, the applicant may apply for a permit modification to extend this privilege.
21. The above conditions (1 through 20) shall be complied with to the satisfaction of the Community Development Director prior to final inspection.

PASSED, APPROVED AND ADOPTED this 7th day of October 2002.

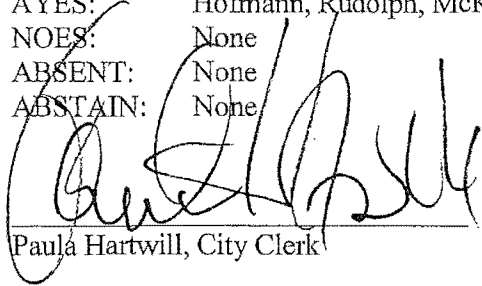
  
Harold E. Hofmann, Mayor

ATTEST:

State of California            )  
County of Los Angeles        )        SS  
City of Lawndale             )

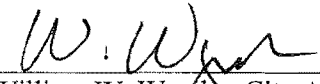
I, Paula Hartwill, City Clerk of the City of Lawndale, California, do hereby certify that the foregoing Resolution No. CC-0210-075 was duly approved and adopted by the City Council of the City of Lawndale at a regular meeting of said Council held on the 7th day of October, 2002 by the following roll call vote:

AYES:            Hofmann, Rudolph, McKee, Roth, Ramsey  
NOES:            None  
ABSENT:         None  
ABSTAIN:        None



Paula Hartwill, City Clerk

APPROVED AS TO FORM:



William W. Wynder, City Attorney