



**REVISED AGENDA
CITY OF EL SEGUNDO
PLANNING COMMISSION
5:30 PM
COUNCIL CHAMBER
350 MAIN STREET
EL SEGUNDO, CA 90245
APRIL 24, 2025**

MEMBERS OF PLANNING COMMISSION

Kevin Maggay, Chairperson
Mario Inga, Vice Chairperson
Mark Christian
Melissa McCaverty
Steve Taylor

The Planning Commission, with certain statutory exceptions, can only take action upon properly posted and listed agenda items. Any writings or documents given to a majority of the Planning Commission, regarding any matter on this agenda, that the City received after issuing the agenda packet are available for public inspection in the Community Development Department, during normal business hours. Such documents may be posted on the City's website at www.elsegundo.org and additional copies will be available at the meeting.

Unless otherwise noted in the agenda, the public can only comment on city-related business that is within the jurisdiction of the Planning Commission and/or items listed on the agenda during the Public Communications portion of the Meeting. ***Additionally, members of the public can comment on any Public Hearing item on the agenda during the Public Hearing portion of such item.*** The time limit for comments is five (5) minutes per person. Before speaking to the Planning Commission, please fill out a speaker card located in the Chamber Lobby. It is not required to provide personal information in order to speak, except to the extent necessary to be called upon, properly record your name in meeting minutes and to provide contact information for later staff follow-up, if appropriate. Please respect the time limits.

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

CALL TO ORDER/ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMUNICATION – (Related to City Business Only – 5-minute limit per person, 30-minute limit total) *Individuals who have received value of \$50 or more to communicate to the **Planning Commission** on behalf of another, and employees speaking on behalf of their employer, must so identify themselves prior to addressing the **Planning Commission**. Failure to do so shall be a misdemeanor and punishable by a fine of \$250. While all comments are welcome, the Brown Act does not allow action on any item not on the agenda.*

A. CONSENT

1. **Approve April 10, 2025 Planning Commission Meeting Minutes**

Recommendation - Approve April 10, 2025 Planning Commission Meeting Minutes.

2. **Administrative Use Permit to Allow the Sale of Beer and Wine for On-site Consumption at an Existing Restaurant operating at 747 N Douglas Street. (Environmental Assessment No. EA-1383, and Administrative Use Permit No. AUP 25-01).**

Recommendation -

1. Receive and File the Community Development Director's approval of Environmental Assessment No. EA-1383 and Administrative Use Permit No. AUP 25-01.
2. Find that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities).
3. Alternatively, discuss and take other action related to this item.

B. PUBLIC HEARINGS

C. NEW BUSINESS

3. **Open Meeting and Ethics Primer**

Recommendation -

1. Receive and file the presentation.

4. **Consideration of a Live/Work Preference Policy for New Affordable Housing Projects in the City of El Segundo**

Recommendation -

-
1. Adopt Resolution No. 2964, recommending City Council adopt a live/work preference policy for new city assisted affordable housing projects in the City of El Segundo.
 2. Find that the Resolution is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to 14 California Code of Regulations § 15061 (b)(3).
 3. Alternatively, discuss and take other action related to this item.

D. UNFINISHED BUSINESS

E. REPORTS – COMMUNITY DEVELOPMENT DIRECTOR

F. REPORTS - COMMISSIONERS

G. REPORTS – CITY ATTORNEY

ADJOURNMENT

POSTED:

DATE: April 21, 2025

TIME: 5:00 P.M.

BY: Jazmin Farias, Assistant Planner



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

April 10, 2025

CALL TO ORDER

Vice Chair Inga called the meeting to order at 5:30 p.m.

ROLL CALL

Absent: Chair Maggay
Present: Vice Chair Inga
Present: Commissioner Christian
Present: Commissioner McCaverty
Present: Commissioner Taylor

Also present: Michael Allen, AICP, Community Development Director
Also present: Eduardo Schonborn, AICP, Planning Manager
Also present: Joaquin Vazquez, City Attorney
Also present: Venus Wesson, Sr. Admin Specialist

PLEDGE OF ALLEGIANCE

Vice Chair Inga led the pledge.

PUBLIC/WRITTEN COMMUNICATIONS

None.

A. CONSENT

1. Approval of Planning Commission Meeting Minutes:

- March 27, 2025

MOTION: Approve the minutes.

**Moved by Commissioner Taylor, second by Commissioner McCaverty.
Motion carried, 4-0, by the following vote:
Ayes:** Inga, Christian, McCaverty, and Taylor

B. NEW PUBLIC HEARINGS

C. NEW BUSINESS

2. Presentation of Community Development Department Structure and Functions

Planning Manager Eduardo Schonborn provided an overview of the Community Development Department, including how Planning interacts with other divisions within the department, typical planning applications, and the role of the Planning Commission.

- Commissioner Christian asked for clarification regarding Administrative Use Permits (AUP) and wanted to know if the decision is made by the Director, then why have the items come before the Planning Commission. Eduardo and City Attorney Joaquin Vazquez shared that the items come before the Planning Commission as a receive and file item and the item does not need to be pulled for discussion unless a commissioner decides to pull the item to discuss the matter.

MOTION: A motion was not required as the presentation did not require an action to be taken from the Planning Commission.

3. Land Use Element Primer and Selection of Planning Commissioners to Serve on the General Plan Land Use Element Technical Advisory Committee.

Community Development Director Michael Allen provided a brief overview of what the General Plan Land Use Element is and what the General Plan Land Use Element Technical Advisory Committee (TAC) would participate in. In summary, the document dictates how a city will grow physically, economically, environmentally and it shapes the characteristics of the community. It also dictates future investments in infrastructure, open space, services and has a ripple effect on other General Plan Elements. The TAC will be an advisory body purposes only, where policy direction and guidance will be requested.

- Commissioner Christian volunteered to be the primary representative for the advisory committee. Consensus was provided.
- Commissioners provided consensus for Vice Chair Inga to be the backup for the advisory committee.

MOTION: Designate Commissioner Christian as the primary representative for the TAC and Vice Chair Inga as the backup representative.

Moved by Vice Chair Inga, second by Commissioner McCaverty.

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

Ayes: Inga, Christian, McCaverty, and Taylor

D. UNFINISHED BUSINESS

None.

E. REPORTS – COMMUNITY DEVELOPMENT DIRECTOR OR DESIGNEE

Michael shared an update regarding the ADU preapproved plans webpage is now live on the City’s website. In summary, if an architect is interested in participating in the program they could design a template for an ADU that would go through the plan check process and if approved a resident who is interested in building an ADU can pick that ADU plan from the website and it will facilitate a faster and cheaper process for the ADU.

F. REPORTS – PLANNING COMMISSIONERS

- Commissioner Christian welcomed Commissioners McCaverty and Taylor to the team.
- Vice Chair Inga wished everyone a Happy Easter and Passover.

G. REPORTS – CITY ATTORNEY

Joaquin shared that an ethics training and AB 1234 needs to be completed within one year from being sworn in and after that every two years. In the next week or so the City Clerk will mail out a notice with the link for the training and he will be presenting a brief presentation on this matter at the next meeting.

ADJOURNMENT — the meeting adjourned at 6:40 p.m.
The next meeting is scheduled for April 24, 2025 at 5:30 p.m.

Michael Allen, Community Development Director

Kevin Maggay, Planning Commission Chair



Planning Commission Agenda Statement

Meeting Date: April 24, 2025

Agenda Heading: CONSENT

Item Number: A.2

TITLE:

Administrative Use Permit to Allow the Sale of Beer and Wine for On-site Consumption at an Existing Restaurant operating at 747 N Douglas Street. (Environmental Assessment No. EA-1383, and Administrative Use Permit No. AUP 25-01).

RECOMMENDATION:

1. Receive and File the Community Development Director's approval of Environmental Assessment No. EA-1383 and Administrative Use Permit No. AUP 25-01.
2. Find that the project is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities).
3. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

None.

BACKGROUND:

On August 11, 2016, the Planning Commission approved Environmental Assessment No. EA-1159 and Conditional Use Permit No. CUP 16-04 allowing a 617 square-foot outdoor dining area for a restaurant (Lisa's Bon Appetit) at the subject property. The Planning Commission also received and filed the Community Development Director's determination approving Administrative Use Permit No. AUP 16-07 for a Type 41 ABC license for on-site sale and consumption of beer and wine at the restaurant. The restaurant ceased operation at the site in 2019. In 2021, a bakery began operating at the subject location, but did not obtain or maintain the previously approved Type 41 ABC license. Consequently, the ABC License expired after two years. After the bakery closed, The Second Wind Restaurant took over the tenant space and has operated

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since September 2024.

On February 10, 2025, the applicant (Theo Shio) applied for Environmental Assessment No. EA-1383 and Administrative Use Permit No. AUP 25-01 to allow the sale of beer and wine for on-site consumption (Type 41 ABC License) to both indoor and outdoor dining areas at the existing restaurant ("The Second Wind"). After the submittal of additional information, the Community Development Director conditionally approved the AUP on April 17, 2025.

DISCUSSION:

Site Description

The subject site is located in the retail portion of the Elevon Project within the Corporate Campus Specific Plan (CCSP) area. The site is developed with a variety of commercial uses, including office, retail, service, medical, and restaurant uses that are contained within multiple buildings and parcels throughout the Elevon Project. The restaurant occupies 3,390 square feet of an existing 5,322 square-foot building on a 27,676 square-foot lot containing 34 parking spaces. The existing 617 square-foot outdoor dining area is located on the southwest side of the restaurant.

Project Description:

The proposed project includes on-site sale of beer and wine for on-site consumption at an existing restaurant that is operating at the site. Alcohol service is proposed to both the 842 square-foot interior dining area, and the 617 square-foot outdoor dining area. As a result, the proposed project requires the approval of an AUP for the alcohol service to both the indoor dining area and outdoor dining area for the restaurant.

Administrative Use Permit 25-01

In accordance with the CCSP, an Administrative Use Permit is required to allow alcohol service at restaurants within the specific plan area. As indicated above, the Community Development Director conditionally approved the AUP on April 17, 2025.

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

- 1. There is compatibility of the particular use on the particular site in relationship to other existing and potential uses within the general area in which the use is proposed to be located.*
- 2. The proposed use is consistent and compatible with the purpose of the zone in which the site is located.*

3. *The proposed location and use and the conditions under which the use would be operated or maintained to not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity.*
4. *Potential impacts that could be generated by the proposed use, such as noise, smoke, dust, fumes, vibration, odors, traffic and hazards have been recognized and compensated for.*

Noted in the attached approval letter, the Director determined that the findings listed above can be made to support approval for the amendments to the AUP, allowing the onsite sale and consumption of beer and wine to both the indoor and outdoor dining areas for the restaurant.

The subject site is in the Corporate Campus Specific Plan (CCSP). The site is developed with office, retail, service, medical, and restaurant uses and the proposal provides an amenity to the existing restaurant. The CCSP allows a mix of office, restaurant, research and development, light industrial/manufacturing, laboratories, web hosting, technology-related telecommunications and web hosting facilities, hotel/conference centers with appurtenant restaurant, retail, medical, and recreational uses. The proposed ancillary alcohol service for the restaurant is consistent with the goals of the CCSP, and is compatible with adjacent commercial uses in the immediate vicinity. The restaurant will obtain and operate with a Type 41 ABC license and food will be available when alcohol is sold.

The approval also includes conditions that protect the City and surrounding users from potentially negative impacts, and any subsequent modifications to the floor plan and areas where alcohol will be served and consumed is subject to review and approval by the Community Development Department Director. The required findings, conditions of approval, and environmental assessment are provided in the attached Director's Approval Letter dated April 17, 2025. The Director concluded that the project is appropriate for the location and will not operate in a manner that will create unwanted impacts. Therefore, staff recommends that the Planning Commission receive and file the Director's approval. In the alternative, any Planning Commissioner may request that this permit be discussed, and a decision be made by the Planning Commission instead of "received and filed."

Environmental Review

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

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consumption in both the indoor and outdoor dining areas.

CITY STRATEGIC PLAN COMPLIANCE:

Goal 5: Champion Economic Development and Fiscal Sustainability

Strategy C: Implement strategic initiatives to attract new businesses and foster business to business networking and collaboration to retain and grow existing businesses.

Strategy D: Implement community planning, land use, and enforcement policies that encourage growth while preserving El Segundo's quality of life and small-town character.

PREPARED BY:

Maria Baldenegro, Assistant Planner

REVIEWED BY:

Eduardo, Schonborn, AICP, Planning Manager

APPROVED BY:

Michael Allen, AICP, Community Development Director

ATTACHED SUPPORTING DOCUMENTS:

1. Approval Letter with Conditions of Approval
2. The Second Wind SITE PLAN
3. The Second Wind FLOOR PLAN



City of El Segundo

Community Development Department

April 17, 2025

Liliger Damaso
Liquor License Brokers
8737 Venice Boulevard, Suite 105
Los Angeles, CA 90034

Subject: Environmental Assessment No. EA-1383 and Administrative Use Permit No. AUP 25-01
Address: 747 N. Douglas Street, El Segundo, CA 90245 (The Second Wind Restaurant)

Dear Ms. Domaso:

Your request for an Administrative Use Permit allowing the sale of beer and wine for on-site consumption (Type 41 ABC License) at The Second Wind Restaurant is APPROVED in accordance with the Corporate Campus Specific Plan (CCSP) and El Segundo Municipal Code Section 15-22-3. The approved AUP allows alcohol sales for on-site consumption in the dining areas of the restaurant comprised of a total of 842 square feet of interior floor area and a total of 617 square feet of outdoor dining area. The associated environmental determination and required findings supporting the decision approving the AUP are described in Exhibit A. The approval is subject to the conditions of approval contained in the attached Exhibit B.

This determination is scheduled to be "received and filed" by Planning Commission at the April 24, 2025, meeting. Any Planning Commissioner may request that this permit be discussed, and a decision be made by Planning Commission instead of "received and filed."

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

Reviewed by:

Eduardo Schonborn

Eduardo Schonborn, AICP
Planning Manager

Approved by:

Michael Allen

Michael Allen, AICP
Community Development Director

Exhibit A
Environmental Determination and Required Findings

Project Address: 747 N. Douglas Street (The Second Wind restaurant).

Project Description: The proposed project is for the approval of an Administrative Use Permit to allow alcohol service for on-site consumption in the dining areas of the restaurant comprised of a total of 842 square feet of interior floor area, and a total of 617 square feet of outdoor dining area.

Environmental Assessment 1383:

After considering the facts and findings below, the Director finds this project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations § 15301 as a Class 1 categorical exemption (Existing Facilities) since the proposed project involves a minor modification to the operation of an existing restaurant to include the sale of alcohol for on-site consumption to both indoor and outdoor dining areas.

Administrative Use Permit 25-01:

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

Finding 1:

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

Facts in Support of Finding 1:

The subject site is in the Corporate Campus Specific Plan (CCSP) Zone, which is developed with office, retail, service, medical, and restaurant uses approved as part of the Elevon Project. Restaurant uses are permitted by right in the CCSP. Both the interior and outdoor dining areas for the restaurant are existing. On-site sale of alcohol for onsite consumption for a restaurant is permitted with the approval of an Administrative Use Permit. No construction is proposed to the interior of the building, patio, or parking lot area. The project site includes a variety of commercial uses that include retail, service uses, and other restaurants which are compatible uses in relation to the proposed project. The proposed ancillary alcohol service for an existing restaurant is a minimal change to the use and the project site. Additionally, there are no residential uses in the immediate vicinity to the existing restaurant. The proposed ancillary alcohol service for an existing restaurant is compatible with the various existing commercial uses at the site, and within the immediate vicinity. Therefore, the proposed on-site sale and consumption of alcohol for an existing restaurant operating at the site is compatible with the site and other uses within the immediate vicinity.

Finding 2:

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

Facts in Support of Finding 2:

The existing restaurant is in the Corporate Campus Specific Plan (CCSP). A goal of the CCSP is to “Facilitate economic development, . . . enhance the economic base through the addition of a variety of uses such as office, hotel, retail restaurant, office . . . [and] . . . expand quality retail service facilities in proximity to major employment centers.” In accordance with this goal, the site is developed with office, retail, service, medical, restaurant uses, hotel/conference center with appurtenant restaurant, retail, medical, and recreation uses. Allowing alcohol service for an existing permitted restaurant that includes an outdoor patio, is consistent with the CCSP since the proposed project expands the quality of retail service facilities in proximity to major employment centers. In addition, alcohol service will not introduce a new use that is not currently permitted in the CCSP and provides an amenity offering at the existing restaurant. Therefore, the proposed alcohol service for the existing restaurant is consistent and compatible with the purpose of the CCSP.

Finding 3:

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

Facts in Support of Finding 3:

The proposed request is for alcohol service to both the interior and outdoor dining area of an existing restaurant. The proposed use is subject to conditions of approval and the restaurant is surrounded by commercial uses (no residential uses). Alcohol sales are proposed from 11:00 am to 11:00 pm daily and will accompany meals, so the consumption of alcohol for the existing restaurant, as conditioned, is not anticipated to become a nuisance in the vicinity. Further, the Police Department staff did not protest the approval for the alcohol service for the restaurant.

Finding 4:

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

Facts in Support of Finding 4:

The on-site sale and consumption of alcohol for both interior dining floor area and outdoor dining area will not create any new impacts that would be normally associated with the operation of a restaurant. The proposal includes offering beer and wine for on-site

consumption at an existing restaurant. The proposed alcohol service for an existing restaurant is not anticipated to generate hazards that would require mitigation.

Finding 5:

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

Facts in Support of Finding 5:

The Applicant must maintain a license from the State of California Department of Alcoholic Beverage Control for the on-site sale and on-site consumption of beer, and wine for a restaurant (Type 41 ABC License). The applicant shall obtain the necessary approvals from the State of California Department of Alcoholic Beverage Control for the Type 41 ABC License prior to selling beer and wine. If the Applicant does not receive such approval from ABC by April 24, 2026, the City's approval shall be null and void.

Exhibit B
CONDITIONS OF APPROVAL

The Director of Community Development Department approved the indoor and outdoor dining layout/floor plan, per the plans submitted to the City on February 10, 2025. The following conditions modify the previous Director's approval that was granted to on Appetite Restaurant on August 4, 2016, at this same address through EA-1159 and AUP 16-07. In addition to all applicable provisions of the El Segundo Municipal Code ("ESMC"), Liliger Damaso representing Theo Shio for The Second Wind Restaurant ("Applicant") and any successor-in-interest agrees to comply with the following provisions as conditions for the City of El Segundo's approval of Environmental Assessment No. EA-1383 and Administrative Use Permit No. AUP 25-01 ("Project Conditions"):

Planning

1. This approval allows for alcohol service to both a 842 square-foot indoor dining area, and a 617 square-foot outdoor dining area for The Second Wind Restaurant to operate with a Type 41 ABC License (sale of beer, and wine for on-site consumption).
2. The sale of beer, and wine for on-site consumption at the restaurant is limited to 11 am to 11 pm daily. Any change to the hours for the sale of alcoholic beverages is subject to review and approval of the Community Development Director.
3. The indoor dining area for the restaurant shall be limited to 842 square feet, and the outdoor dining area limited to 617 square feet. Food must be available for the indoor and outdoor dining areas during the hours alcohol is sold.
4. Any subsequent modification to the project as approved (including change of use and change of occupancy to the building) shall be referred to the Community Development Director for approval or a determination regarding the need for Planning Commission review of the proposed modification.
5. The Community Development Department and the Police Department must be notified of any change of ownership of the approved use in writing within 10 days of the completion of the change of ownership. A change in project ownership may require that public hearing be scheduled before the Planning Commission regarding the status of the Administrative Use Permit.
6. The applicant shall obtain and maintain all licenses and comply with all regulations of the Alcoholic Beverage Control (ABC) Act (Business & Professions Code Section 23300) and the regulations promulgated by the Board, including the regulations set forth in 4 Cal. Code of Regs. §§ 55, *et seq.*
7. The applicant shall obtain the necessary approvals from the State of California Department of Alcoholic Beverage Control for the Type 41 ABC License prior to selling beer and wine. If the Applicant does not receive such approval from ABC by March 13, 2026, the City's approval shall be null and void.

8. If complaints are received regarding excessive noise, or other nuisances associated with the sale of alcohol (beer and wine), the City may, in its discretion, take action to review the Administrative Use Permit and add conditions or revoke the permit.
9. There shall be no exterior advertising of any kind or type indicating the availability of specific alcoholic beverage products inside the store.
10. The applicant shall obtain the necessary permits and approval from the City for any special events occurring on the premises.

Building

11. The Indoor and Outdoor Dining areas for the Restaurant shall not be occupied by more persons than allowed by the California Building Code, as adopted by the ESMC.

Fire

12. The Indoor and Outdoor Dining areas for the Restaurant shall comply with the California Building and Fire Code requirements, as adopted by the ESMC.

Police

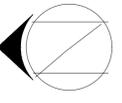
13. The sale of beer and wine for on-site consumption must be limited to hours the restaurant is open and food is available. Any modifications to the hours of operation for the sale of beer and wine will require review and consideration by the Police Department and the Community Development Department Director.
14. The sale of beer and wine for on-site consumption shall be ancillary to the Restaurant and subject to the California Department of Alcoholic Beverage Control regulations.
15. No external signs or window advertising for wine or its availability shall be displayed in such a manner as to be visible from the exterior of the building.
16. All patrons who appear under the age of 30 shall be required to show some form of identification. A sign indicating this policy shall be prominently posted in a place that is clearly visible to patrons. Only the following forms of identification will be acceptable:
 - a. Valid driver's license
 - b. Valid State identification card
 - c. Valid passport
 - d. Current military identification
 - e. U.S. Government immigrant identification card

17. All forms of out-of-state identification shall be checked by the authorized representative of the owner of the licensed premises in the Driver's License Guide. The authorized representative of the owner shall remove from the patron's wallet the identification card or any plastic holder to inspect it from any alterations made to it through a close visual inspection and/or use of a flashlight or "Retro-reflective viewer" or ID scanning machine, or other electronic device as approved by the Police Department.
18. Glassware used for the service of alcoholic shall be of a shape and size uniquely different from that glassware used for non-alcoholic beverages. Alcoholic beverages shall not be permitted on the premises contained in any other non-alcoholic beverage glassware or container. This includes but is not limited to, teapots, teacups, water glasses and soft drink glasses.
19. Patrons who appear obviously intoxicated shall not be served any alcoholic beverages.
20. There shall be no "stacking" of drinks, i.e., more than one drink at a time, to a single patron.
21. When serving pitchers exceeding 25 ounces of an alcoholic beverage, all patrons receiving such pitcher, as well as all patrons who will be consuming all or any portion of such pitcher, shall present an ID to the server if they appear to be under the age of 30, if not previously checked at the entrance to the licensed premises.
22. Except for wine bottles, oversized containers or pitchers containing in excess of 25 ounces of an alcoholic beverage shall not be sold to a single patron for their sole consumption.
23. Any patron who (1) fights or challenges another person to fight, (2) maliciously and willfully disturbs another person by loud or unreasoned noise, or (3) uses offensive words which are inherently likely to provoke an immediate violent reaction shall be removed from the premises.
24. High-Definition color cameras shall be installed at all building entrances and select exterior locations as determined by the police department. Cameras shall be capable of clearly capturing a recognizable facial image of patrons and on the exterior areas required by the police department. Cameras at pedestrian entrances shall clearly capture the entire person and a face image. Camera images shall be digitally stored for at least 30 days. Viewing and access to the recording must be made available at any El Segundo Police Officer's request during normal business hours when conducting an investigation of a complaint or criminal activity.
25. Parking lot lights shall remain on during business hours.
26. Employees and contract security personnel shall not consume any alcoholic beverages during their work shift.

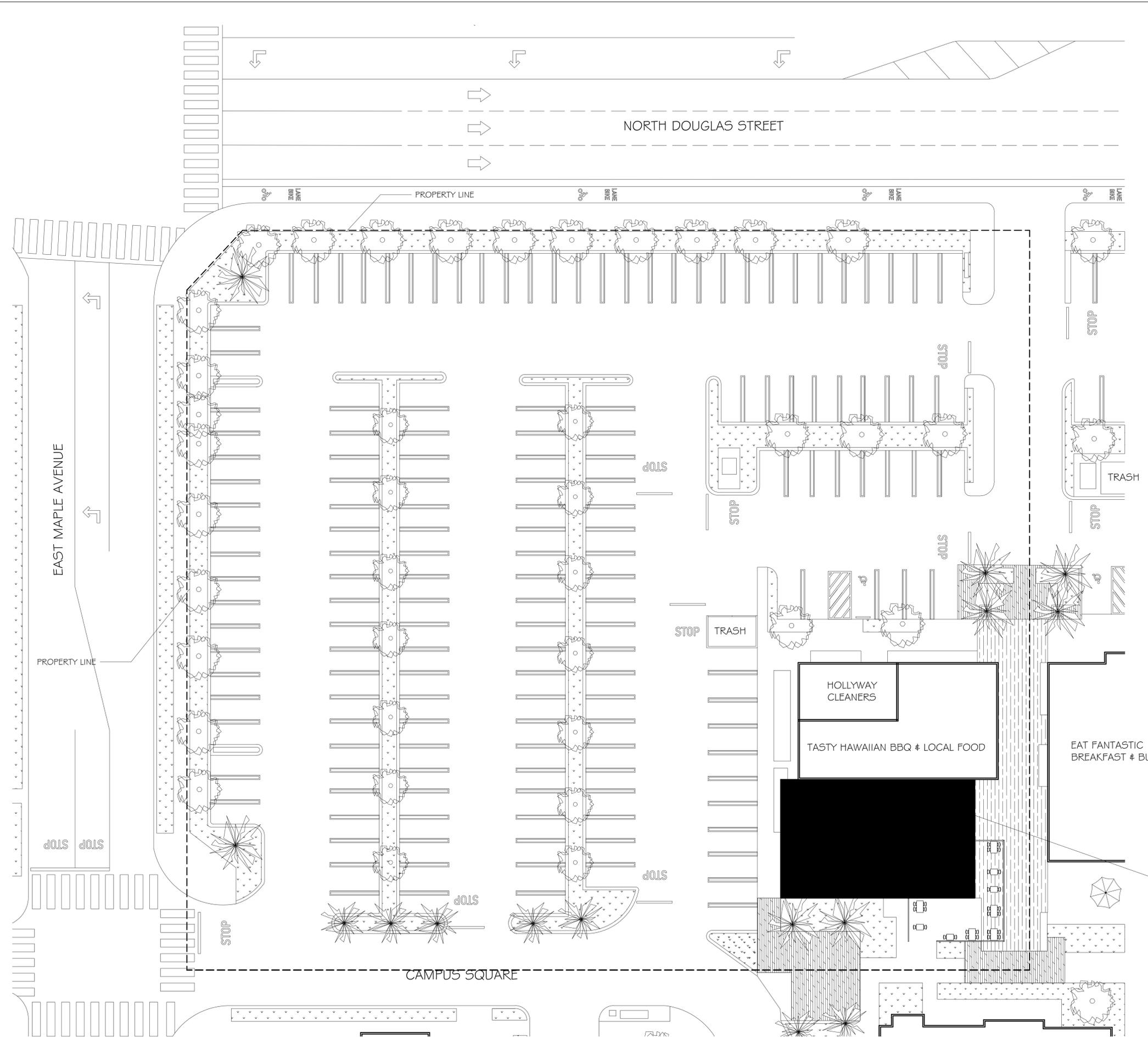
27. Conditions of approval under an Administrative Use Permit shall be visibly posted in an area accessible to the public along with the City of El Segundo business license.
28. The property owner and applicant (business owner) shall allow access on the premises at any time as deemed necessary by the El Segundo Police Department or Community Development Department personnel for the purpose of inspecting the premises to verify compliance with the Administrative Use Permit.
29. The Administrative Use Permit may be revoked if the business is convicted of selling alcoholic beverages to a minor.
30. The Administrative Use Permit may be modified or revoked by the City should it be determined that the proposed use or conditions under which it was permitted are detrimental to the public health, welfare, or materially injurious to property or improvements in the vicinity or if the use is maintained as to constitute a public nuisance.
31. Theo Shio representing The Second Wind Restaurant (“Applicant”) shall acknowledge receipt and acceptance of the project conditions by executing the acknowledgement below.
32. The Applicant Theo Shio representing The Second Wind Restaurant agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney’s fees), injuries, or liability, arising from the City’s approval for Environmental Assessment No. EA-1383, and Administrative Use Permit No. AUP 25-01. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City’s approval Revision A to Environmental Assessment No. EA-1383, and Administrative Use Permit No. AUP 25-01, the Applicant agrees to defend the City (at the City’s request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section “the City” includes the City of El Segundo’s elected officials, appointed officials, officers, and employees.

By signing this document, Theo Shio representing “The Second Wind” Restaurant certifies that he has read, understands and agrees to the Project Conditions listed in this document until superseded by another approval letter or rescinded.

Theo Shio, Applicant
The Second Wind Restaurant



THE SECOND WIND



BUILDING INFORMATION

PROJECT ADDRESS:
747 N DOUGLAS ST
EL SEGUNDO, CA 90245

PARKING INFORMATION

ON SITE PARKING: 175

LEGAL INFORMATION

BUILDING AREA: 4,880 SQ FT
SITE AREA: 27,660 SQ FT
APN/PARCEL ID: 4138031051
PROPERTY CLASS: STORE - ONE STORY (1100)
ZONING: CORPORATE CAMPUS SPECIFIC PLAN (CCSP)
LEGAL DESCRIPTION: TR=72287 LOT 22 COMMERCIAL UNIT A (AIRSPACE AND 1/3 INT IN COMMON AREA)

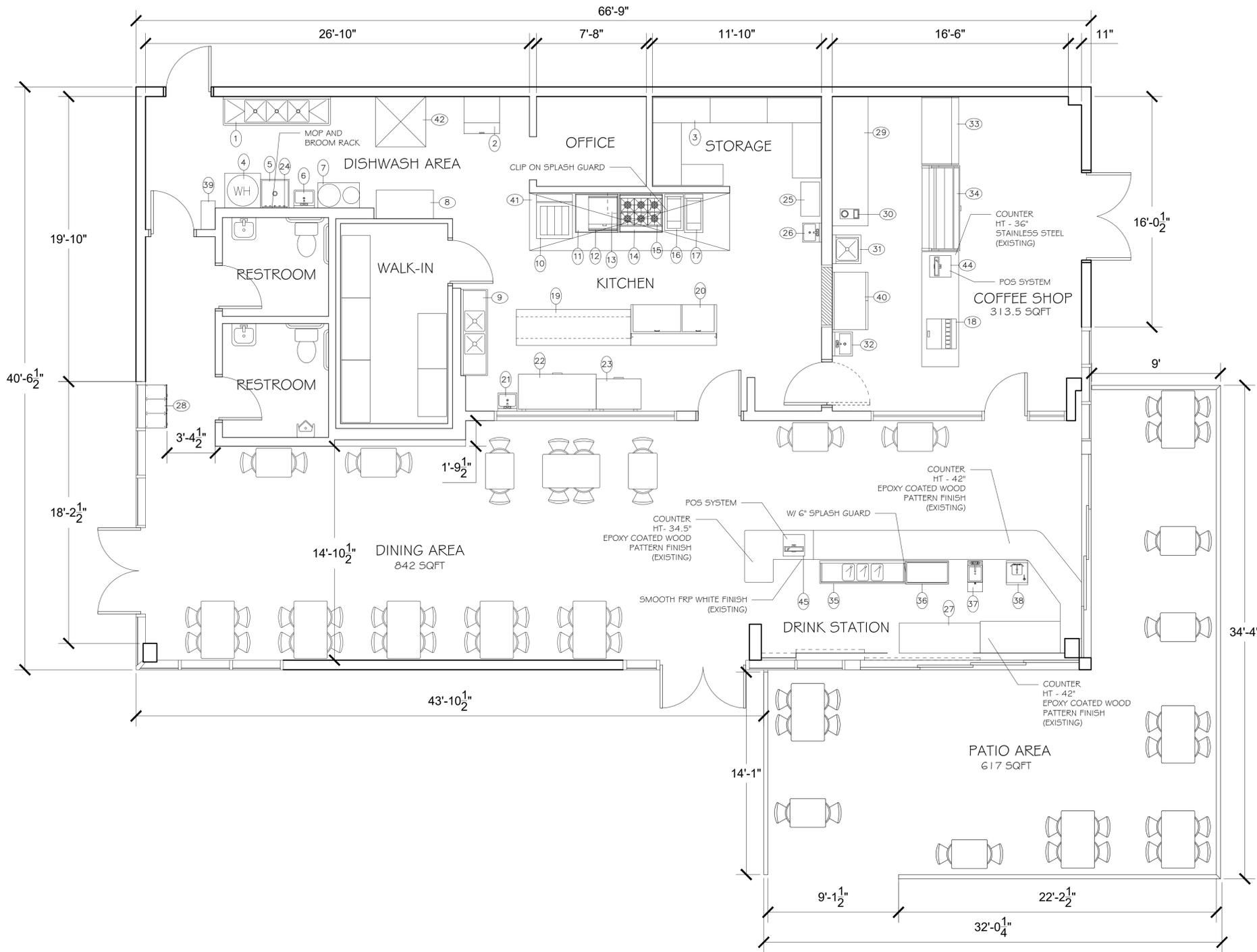
THE SECOND WIND
747 N DOUGLAS ST
EL SEGUNDO, CA 90245
1 STORY COMMERCIAL
1,703 SQ FT



PROGRAM ELEMENT:	1703 - RESTAURANT (2,000-3,999 SF)
OWNER / REQUESTER:	THEO SHIO
DBA:	THE SECOND WIND
ADDRESS:	747 N DOUGLAS ST EL SEGUNDO, CA 90245
SCALE:	1/16" = 1'-0"
DATE:	11/01/24
SHEET TITLE:	SITE PLAN
SHEET NUMBER:	A8



THE SECOND WIND

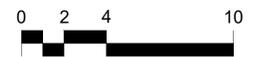


EQUIPMENT SCHEDULE				
#	EQUIPMENT	MANUFACTURER MODEL NO.	NOTE	X
1	3-COMPARTMENT SINK 18"X18"X12"	STELTON - 522C531016LK	2 - 1" DRAIN BOARDS	EXISTING
2	ICE-O-MATIC 30" AIR-COOLED HALF-DICE CUBE ICE MACHINE	MODEL NO. CIM0330HA	ICE STORAGE BIN - 334 LB.	EXISTING
3	CAMSHELVING UNITS	CAMBRO	CAMGUARD ANTIMICROBIAL SHELF PALTES	EXISTING
4	COMMERCIAL GAS WATER HEATER	MODEL NO. UG5100H1993N SERIAL NO. PK404122G1	199,999 BTU	EXISTING
5	24" WHITE FIBERGLASS MOP SINK	MUSTEE MODEL 63M	FLOOR-MOUNTED W/ VACUUM BREAKER FAUCET	EXISTING
6	WALL-MOUNTED HAND SINK 17"X15"	SANI-LAV 707F	GOOSENECK FAUCET W/ 6" SPLASH GUARD	EXISTING
7	WATER SOFTENER	MODEL NO. WS-5812		EXISTING
8	STAINLESS STEEL WORK TABLE 24"X48"	REGENCY 18-GAUGE 304		EXISTING
9	FOOD PREPARATION SINK 2-COMPARTMENT 17"X17"X12"	REGENCY 18-GAUGE 2 COMP	2 - 1" DRAIN BOARDS	EXISTING
10	DONUT FRYER 24"X24"	BELSHAW 724CG-120V/NG		EXISTING
11	REFRIGERATED CHEF BASE	TRUE TRCB-3G-HC	36 3/4" WITH 2 DRAWERS	EXISTING
12	24" COUNTERTOP GAS GRIDDLE	AVENTCO CAG-24TG	THERMOSTATIC CONTROLS - 70,000 BTU	EXISTING
13	THERMO FOOD FINISHER	HATCO TFM36-3900		EXISTING
14	REFRIGERATED CHEF BASE	TRUE TRCB-3G-HC	36 3/4" WITH 2 DRAWERS	EXISTING
15	36" - 6 BURNER COUNTERTOP	AMERICAN RANGE AR-HP-36-G	192,000 BTU	EXISTING
16	FLOOR FRYER	VULCAN LG300-1	W/ CLIP ON SPLASH GUARD 90,000 BTU	EXISTING
17	FLOOR FRYER	PITCO 35C+5	90,000 BTU	EXISTING
18	SODA DISPENSER MACHINE	REYNOLDS 166564102	W/ DROP IN ICE BIN	EXISTING
19	STAINLESS STEEL WORK TABLE 30"X96"	REGENCY 18-GAUGE 304	WITH OVERSHELF 18"X96"	EXISTING
20	TOP REFRIGERATED SANDWICH PREP TABLE	TRUE TFP-72-30M	72" - 3 DOOR	EXISTING
21	WALL-MOUNTED HAND SINK 17"X15"	SANI-LAV 707F	GOOSENECK FAUCET W/ 6" SPLASH GUARD	EXISTING
22	CHEST FREEZER 18CUFT	ULTRA-CF-18	W/ CASTERS WHEEL	EXISTING
23	CHEST FREEZER 8 CUFT	ULTRA-CF-8	W/ CASTERS WHEEL	EXISTING
24	MOP AND BROOM BRACKET	UNGER INDUSTRIAL 964770		EXISTING
25	SODA BOX RACK	MULTIFLEX SERVID 020008231 6- PUMP	ETL	EXISTING
26	WALL-MOUNTED HAND SINK 17"X15"	SANI-LAV 707F	GOOSENECK FAUCET W/ 6" SPLASH GUARD	EXISTING
27	60" BAR REFRIGERATOR	EVEREST EBB63G-24		EXISTING
28	LOCKERS 18"X36"	ULINE SIX TIER LOCKERS		EXISTING
29	STAINLESS STEEL CABINET 30"X102"	REGENCY UC8H3096SE	STAINLESS STEEL	EXISTING
30	COFFEE BREWER	BUNN 33200.0015	NO WATER LINE/ POUR OVER MODEL	NEW
31	DUMP SINK 18"X18"	STELTON 522C51106NF5		NEW
32	WALL-MOUNTED HAND SINK 20"X17 1/2"	SANI-LAV 707F	GOOSENECK FAUCET W/ 6" SPLASH GUARD	EXISTING
33	57" REFRIGERATED BAKERY DISPLAY CASE	LEADER HBK57	SELF-CONTAINED DRAINAGE	EXISTING
34	HORIZONTAL OPEN AIR COOLER	STRUCTURAL CONCEPTS C033K-F9	SELF-CONTAINED DRAINAGE	EXISTING
35	3 BOWL UNDERBAR SINK 18"X36"	REGENCY 600B31014219	2 - 1" DRAIN BOARDS	EXISTING
36	UNDERBAR ICE BIN 18"X36"	REGENCY 600IB83G	WITH SLIDING LID	EXISTING
37	BLENDER STATION 18"X23"	ADVANCE TARC05L-RS-1.2	WITH DUMP SINK AND FAUCET	EXISTING
38	UNDERBAR HAND SINK 20"X18"	REGENCY 60B11014K	WITH SOAP AND TOWEL DISPENSER	EXISTING
39	CHEMICAL SHELF 12"X24"	REGENCY 460C1224KM54		NEW
40	WORKTOP REFRIGERATOR 48"X30"	AVANTCO AWMT-48R-HC	W/ 3/2" BACKSPLASH	NEW
41	TYPE 1 COMMERCIAL KITCHEN HOOD SYSTEM	NE METAL	14'-0" X 4'-0"	EXISTING
42	TYPE 2 HEAT AND FUME REMOVAL HOOD SYSTEM	CAPTIVEAIRE	3'-6" X 3'-6" DISHWASHER REMOVED	EXISTING
43	MAKEUP AIR LOUVERS	CAPTIVEAIRE	2'-0" X 2'-0"	EXISTING
44	POS SYSTEM		POSITION	
45	POS SYSTEM		POSITION	

ROOM	AREA	SEATS
DINING AREA	842	40
DRINK STATION	215	
COFFEE SHOP	313.5	
KITCHEN	383	
STORAGE	78	
OFFICE	48	
DISHWASH AREA	225	
WALK-IN	104	
RESTROOM	112	
PATIO AREA	617	28
OTHER	321	
TOTAL	3390	64

NO.	DESCRIPTION	CONTENTS
A1	FLOOR PLAN	EQUIPMENT SCHEDULE AREA SUMMARY TABLE FINISH SCHEDULE
A2	LIGHT PLAN	SWITCH AND LIGHT
A3	ELECTRICAL PLAN	OUTLET ELECTRICAL PANEL
A4	DRAINAGE LAYOUT PLAN	FLOOR DRAIN FLOOR SINK EQUIPMENT DRAIN
A5	CEILING PLAN	CEILING LIGHT POSITION CEILING MATERIALS LIGHT FIXTURES
A6	HOOD AND AC PLAN	EXHAUST HOOD SPECIFICATION CFM CALCULATION MAKE UP AIR POSITION HOOD DIAGRAM
A7	DOOR AND WINDOW PLAN	DOOR SCHEDULE WINDOW SCHEDULE

	FLOORS	BASE COVING	WALLS	CEILING
COFFEE AREA	TROWELED EPOXY FLOOR - SMOOTH	CONTINUOUS SMOOTH EPOXY FLOORING 6" UP TO THE WALL	CERAMIC TILES	GYPSUM BOARD CEILING - SEMI-GLOSS PAINT
BAR AREA	TROWELED EPOXY FLOOR - SMOOTH	CONTINUOUS SMOOTH EPOXY FLOORING 6" UP TO THE WALL	GYPSUM BOARD SMOOTH SEMI-GLOSS WHITE	GYPSUM BOARD CEILING - SEMI-GLOSS PAINT
BATHROOM	SEALED CONCRETE - SMOOTH	6" CERAMIC TILES	GYPSUM BOARD SMOOTH SEMI-GLOSS WHITE	GYPSUM BOARD CEILING - SEMI-GLOSS PAINT
WALK-IN REFRIGERATOR	TROWELED EPOXY FLOOR - SMOOTH	CONTINUOUS SMOOTH EPOXY FLOORING 6" UP TO THE WALL	COATED INSULATED METAL WALL PANEL	COATED INSULATED METAL WALL PANEL
KITCHEN AND DISHWASHING AREA	TROWELED EPOXY FLOOR - SMOOTH	CONTINUOUS SMOOTH EPOXY FLOORING 6" UP TO THE WALL	CERAMIC TILES	DROP CEILING MINERAL FIBER SMOOTH - WHITE



PLAN CHECK NUMBER:
SRO385693

PROGRAM ELEMENT:
1703 - RESTAURANT
(2,000-3,999 SF)

OWNER / REQUESTER:
THEO SHIO

DBA:
THE SECOND WIND

ADDRESS:
747 N DOUGLAS ST
EL SEGUNDO, CA 90245

SCALE:
1/4" = 1'0"

DATE:
03/27/25

SHEET TITLE:
FLOOR PLAN

SHEET NUMBER:
A1



Planning Commission Agenda Statement

Meeting Date: April 24, 2025

Agenda Heading: NEW BUSINESS

Item Number: C.4

TITLE:

Consideration of a Live/Work Preference Policy for New Affordable Housing Projects in the City of El Segundo

RECOMMENDATION:

1. Adopt Resolution No. 2964, recommending City Council adopt a live/work preference policy for new city assisted affordable housing projects in the City of El Segundo.
2. Find that the Resolution is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to 14 California Code of Regulations § 15061 (b)(3).
3. Alternatively, discuss and take other action related to this item.

FISCAL IMPACT:

None.

BACKGROUND:

In accordance with California law, the City of El Segundo ("City") is required to prepare a Housing Element for its general plan every 8 years. The current planning cycle runs from October 15, 2021, through October 15, 2029 for jurisdictions within the Southern California Association of Governments ("SCAG").

On February 1, 2022, City Council adopted El Segundo's 6th Cycle Housing Element, which included a commitment to develop an Affordable Housing Strategic Plan (AHSP) under Program Four of the Housing Element. To facilitate community and stakeholder engagement, a public workshop and study session with the City's Planning Commission was conducted on March 24, 2022. This session provided the Commission and the public with an opportunity to review and provide input on the draft AHSP.

City Council reviewed the draft AHSP and Planning Commission recommendations on June 21, 2022, and provided feedback to staff regarding their preferred proposed affordable housing programs. Staff incorporated this feedback into the final AHSP, which was subsequently adopted by the City Council on December 19, 2023. The AHSP includes a total of ten policies, programs, and funding strategies intended to encourage the creation of affordable housing within the city and further implement housing element policies and goals. Subsequently, the City retained RSG, Inc. on July 15, 2024, to provide on-call housing consulting services.

During the January 23, 2025, Planning Commission meeting, Staff and RSG held an affordable housing strategic plan study session in which they presented potential funding opportunities identified to date to help subsidize the costs of affordable housing development, and presented considerations for the development of an affordable housing local preference policy to further support the City's housing objectives. The Commissioners asked staff to look further into a tenant preference policy, providing additional considerations related to additional preference for public safety and school district employees, distance criteria, and the appropriate percentage of units set aside for "local preference."

DISCUSSION:

Prioritization of the development of a local preference policy for city-assisted affordable housing projects stems from concern that lower-income individuals residing in El Segundo experience displacement pressure due to increasing housing prices and need access to housing that is affordable as properties are redeveloped. The City Council prioritized the establishment of a Live/Work Preference Policy ("Policy") in the AHSP, which would require that city-assisted affordable housing projects provide local priority preference for applicants who live or work in El Segundo. The Policy's intent is to preserve a certain percentage of affordable housing units for local preference, and to support access to housing for those facing risk of displacement to remain in the community.

Local Tenant Preferences:

- Percentage of Units: 15% of the deed-restricted affordable rental units must prioritize certain applicants, with these preferences applying both at the initial lease-up.
- Applicant Preferences:
 - Local Residency: Preference is given to applicants with at least one member who lives in El Segundo.
 - Local Employment: Applicants with at least one member working or who have a job offer within El Segundo, with additional priority for public safety

personnel, teachers in the El Segundo Unified School District, and City of El Segundo employees.

- Education or Job Training: Applicants with at least one member involved in education or job training in El Segundo.

Implementation:

- Affordable housing agreements must include provisions for these preferences.
- The project owner is responsible for enforcing this policy throughout the affordability period, including:
 - Marketing the preference units with eligibility criteria.
 - Maintaining a list of eligible applicants and ensuring compliance with preference requirements.
 - Offering Preference Units on a first-come, first-served basis if multiple applicants are equally eligible.

Limitations:

- This policy applies only when other funding sources or regulations don't prohibit it.
- It must comply with federal and state fair housing laws.

Decision Points

- Should the Policy only apply to affordable rental projects, or should it also include affordable ownership?
- Should the Policy specify the types of public safety personnel (police, fire, EMTs, paramedics, etc.) in the Policy. If public safety personnel are not defined, then it will be up to the owners to formulate the definition.
- Does the teacher preference apply only to those working in ESUSD, Weisburn School District, or any school district? Should the Policy also consider whether this applies to any employee employed by a school district (teacher aids, janitors, etc.) or only teachers?

April 24, 2025

Page 4 of 4

CITY STRATEGIC PLAN COMPLIANCE:

Goal 5: Champion Economic Development and Fiscal Sustainability

Strategy D: Implement community planning, land use, and enforcement policies that encourage growth while preserving El Segundo's quality of life and small-town character.

PREPARED BY:

Agnes Ho, Administrative Analyst

REVIEWED BY:

Michael Allen, AICP, Community Development Director

APPROVED BY:

Michael Allen, AICP, Community Development Director

ATTACHED SUPPORTING DOCUMENTS:

1. Reso No. 2964

RESOLUTION NO. 2964

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT A LIVE/WORK PREFERENCE TENANT POLICY FOR NEW AFFORDABLE CITY-ASSISTED HOUSING IN THE CITY OF EL SEGUNDO

(ENVIRONMENTAL ASSESSMENT NO. 1389)

The Planning Commission of the City of El Segundo does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. In accordance with California law, the City of El Segundo (“City”) is required to prepare a Housing Element for its general plan every 8 years. The current planning cycle runs from October 15, 2021, through October 15, 2029 for jurisdictions within the Southern California Association of Governments (“SCAG”).
- B. On February 1, 2022, the City Council initially adopted El Segundo’s 6th Cycle Housing Element, which articulated the City’s commitment to adopting an Affordable Housing Strategic Plan (“AHSP”).
- C. On December 19, 2023, the City adopted its AHSP, which includes a total of ten policies, programs, and funding strategies created to encourage the creation of affordable housing within the city and further implement housing element goals.
- D. The City Council prioritized the establishment of a Live/Work Preference Policy (“Policy”) in the AHSP, which would require that affordable housing agreements for new affordable housing rental units provide local priority preference for applicants who live or work in El Segundo. The Policy’s intent is to remedy or mitigate the displacement and gentrification impacts that may result from development activities.
- E. During the January 23, 2025, Planning Commission meeting, Staff and RSG held an affordable housing strategic plan study session in which they presented potential funding opportunities identified to date to help subsidize the costs of affordable housing development and presented considerations for the development of an affordable housing local preference policy to further support the City’s housing objectives. The Commissioners asked staff to look further into a tenant preference policy.
- F. This Resolution and its findings are made based upon the evidence presented to the Commission at its April 24, 2025, hearing including, without limitation, the staff report submitted by the Community Development Department and the totality of the evidence in the administrative record.

SECTION 2: Findings and Conclusions. The Planning Commission finds that the Policy aligns with the Housing Element and adopted AHSP and has the potential to ensure local residents and workers benefit from new affordable housing opportunities in the City of El Segundo.

SECTION 3: Environmental Assessment. Based on the facts set forth in Section 2, and on the evidence in the record as a whole, the Planning Commission finds and determines that as a policy document, there is no substantial evidence that the proposed project will have a significant effect on the environment, cumulative or otherwise. The proposed Policy does not modify or affect any allowable use or development standard with the City. Future development will require independent environmental assessment at time of implementation. Accordingly, adoption of this Resolution is exempt from further review under the California Environmental Quality Act (“CEQA”), pursuant to CEQA Guidelines § 15061(b)(3), since it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 4: Recommendations. The Planning Commission recommends that the City Council adopt the Ordinance attached as Exhibit “A” which would implement the Zone Text Amendment.

SECTION 5: Reliance on Record. Each and every one of the findings and determination in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 6: Limitations. The Planning Commission’s analysis and evaluation of the project is based on information available at the time of the decision. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. In all instances, best efforts have been made to form accurate assumptions.

SECTION 7: This Resolution will remain effective unless and until superseded by a subsequent resolution.

SECTION 8: The Commission secretary is directed to mail a copy of this Resolution to any person requesting a copy.

PASSED AND ADOPTED this 24th day of April 2025.

Kevin Maggay, Chair
City of El Segundo Planning Commission

ATTEST:

Michael Allen, Secretary and
Community Development Director

Maggay -
Inga -
Christian -
McCaverty -
Taylor -

APPROVED AS TO FORM:
Mark D. Hensley, City Attorney

By: _____
Joaquin Vazquez, Deputy City Attorney

Exhibit “A”

Live/Work Preference Policy for New Affordable Housing in the City of El Segundo

I. Definitions

- A. “Affordable Housing” shall mean deed-restricted residential property where the rent is limited to no more than affordable rent, as such term is defined in California Health & Safety Code Section 50053, or the housing cost is limited to no more than affordable housing cost, as such term is defined in California Health & Safety Code Section 50052.5, for low and moderate income households whose gross income does not exceed 120 area median income for the County of Los Angeles, adjusted for family size.
- B. “City-Assisted Affordable Housing Project” shall mean Affordable Housing that receives financing or ground lease property interest from the City of El Segundo for new construction or acquisition rehabilitation; or is required to provide Affordable Housing under a development agreement with the City of El Segundo.
- C. “Owner” shall mean any person or entity having a legal right of ownership or rights under a ground lease in real property, or entities responsible for the management and leasing of the property to residential tenants.
- D. “Preference Units” shall mean units within a City-Assisted Affordable Housing Project that are subject to preference requirements set forth in this Policy.

II. Tenant Preferences

- A. Owners of a City-Assisted Affordable Housing Project shall give preference in occupying, renting, or selling a percentage of their units. The preferences shall apply to 15% of the deed-restricted affordable units not otherwise designated for a set-aside population. Preference requirements for the Preference Units shall be required at initial lease-up or sale and continuing thereafter throughout the term of the affordability restriction.
- B. Owners of a City-Assisted Affordable Housing Project shall give preference to the following applicant households to the maximum extent allowed by law:
 - i. Applicants with at least one household member whose primary place of residence is in El Segundo.
 - ii. Applicants with at least one household member who works or who has received and accepted a bona fide offer of employment within El Segundo.

1. Additional preference will be given to applicant households with at least one household member who is employed as one of the following:
 - a. Public safety personnel, including but not limited to law enforcement, firefighters, emergency medical technicians, and paramedics
 - b. Employees of a school district
 - c. Employees of the City of El Segundo
- iii. Applicants with at least one household member who participates in an education or job training program located within the City of El Segundo.

III. Implementation

- A. Affordable housing agreements for City-Assisted Affordable Housing Projects, including, but not limited to, a Development Agreement or Density Bonus Agreement, entered into with the Owner shall contain preference provisions consistent with this Policy.
- B. The Owner of a City-Assisted Affordable Housing Project shall be responsible for the initial and continuous implementation of the Policy throughout the term of the affordability restriction, including the following:
 - i. The Owner shall incorporate information about the Policy in marketing materials for the City-Assisted Affordable Housing Project, including documentation required by the Owner to qualify eligible applicants for the Preference Units. The marketing materials must not exclude individuals based upon their citizenship status (unless otherwise prohibited based upon funding source) and must allow alternative forms of documentation that establishes their residency and income.
 - ii. The Owner shall maintain a list of applicants who have filed a complete application for the Preference Units and who have incomes which would qualify them as an eligible tenant.
 - iii. The Owner shall determine eligibility for the preferences established by the Policy and offer to Preference Units in accordance with requirements set forth in the Policy.
 1. If multiple tenants are equally eligible and qualified to rent a Preference Unit, the Owner shall implement a lottery system based on the preference provisions consistent with this Policy to eligible Applicants.

IV. Limitations

- A. This Policy shall be applied only if and to the extent that other funding sources for the project do not prohibit the preference.
- B. This Policy shall be applied only if and to the extent that the program does not violate federal and state fair housing law.