

1. Agenda For August 14, 2012

Documents: [8-14-12.PDF](#)

2. Item For August 14, 2012

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4. Item Three For August 14, 2012

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CITY OF MONTEREY PARK PLANNING COMMISSION AGENDA

REGULAR MEETING
CITY HALL—COUNCIL CHAMBERS
320 W. NEWMARK AVENUE
August 14, 2012
7:00 P.M.

Planning Commission

Michael Hamner, Chairperson
Larry Sullivan, Vice-Chair
Hans Liang
Peter Ruiz
Vacant

Staff

Jim Basham, Director of Community Development
Elizabeth M. Calciano, Assistant City Attorney
Samantha Tewasart, Associate Planner
Crystal Landavazo, Assistant Planner

CALL TO ORDER:

ROLL CALL:

ORAL AND WRITTEN COMMUNICATIONS:

The public may at this time address the members of the Planning Commission on any matters within the jurisdiction of the Planning Commission, prior to any action taken on the agenda. No action may be taken on off-agenda items except as authorized by law. Speakers are requested to limit their comments to no more than **five minutes** each.

If you would like to address the Planning Commission, please complete the **white speaker's card**. The card is available at the speaker's podium or from the Secretary. Please identify on the card your name, address and the item on which you would like to speak and return to the Secretary. The **speaker's card** assists the Chairperson in ensuring that all persons wishing to address the Commission are recognized. If you wish to speak on an agenda item, your name will be called at the time the matter is heard by Planning Commission.

AGENDA CHANGES AND ADOPTION:

APPROVAL OF MINUTES:

PUBLIC HEARING:

UNFINISHED BUSINESS:

1. CONTINUED – TENTATIVE PARCEL MAP NO. 071187 AND VARIANCE – 429 E GRAVES AVENUE (PM-12-01/V-12-01)

The applicant Hayk Martirosian of Techna Land Co Inc, on behalf of the property owner, Danny Tak-Yip Lau, is requesting approval of a tentative parcel map for the subdivision of air rights to establish and maintain a three-unit condominium project and a variance for a 50 feet lot width in the R-3 (High Density Residential) Zone.

ENVIRONMENTAL: The proposed project is categorically exempt in accordance with California Environmental Quality Act (CEQA) Guidelines Section 15302 Class 2 (Replacement or Reconstruction) because the project consists of the replacement of existing structures where the new structures will be located on the same site as the structures replaced, will have substantially the same purpose and capacity as the structures replaced and Section 15303 Class 3 (New Construction or Conversion of Small Structures) because the project consists of the construction of a multi-family residential structure totaling no more than four dwelling units.

RECOMMENDATION: Continue this item to the Planning Commission meeting of August 28, 2012, per applicant's request.

NEW BUSINESS:

2. TENTATIVE PARCEL MAP NO. 071158 – 141, 221, 331 NORTH ATLANTIC BOULEVARD (PM-11-01)

The applicant, Karig McCloskey of Westcon Engineering, Inc., on behalf of the property owner, Mar Center LLC, is requesting approval of a tentative parcel map to subdivide one lot into three parcels in the R-S (Regional Specialty) Zone.

ENVIRONMENTAL: Pursuant to the guidelines of the California Environmental Quality Act (CEQA), the project is categorically exempt from CEQA review under CEQA Guidelines Section 15315, Class 15 (Minor Land Subdivisions) because the project consists of the division of property in an urbanized area that is zoned for commercial use into four or fewer parcels. The project is in conformance with the General Plan because according to the Land Use Element, the

Commercial land use category provides opportunities for a broad range of retail and service commercial uses intended to meet the needs of Monterey Park residents and businesses, as well as regional shopping demand. Commercial development is located primarily along major thoroughfares and the freeway corridors. The project is the subdivision of one lot into three parcels. The project is consistent with the zoning because the project complies with all the building standards set forth in the City's Zoning Code. No variances or exceptions are required for this project, all services and access to the proposed lots to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

RECOMMENDATION: It is recommended that the Planning Commission (1) adopt the attached Resolution approving Tentative Parcel Map No. 071158 (PM-11-01), subject to conditions contained therein; and (2) take such related action that may be desired.

3. CONDITIONAL USE PERMIT – 430 POTRERO GRANDE DRIVE (CU-12-01)

The applicant, Joseph Karaki of Western States Engineering Inc., on behalf of the property owner, Moustaph El Roudi, is requesting approval of a Conditional Use Permit to permit the re-opening of an existing service station and general off-sale alcoholic beverages (Type 21) in the R-S (Regional Specialty) Zone.

ENVIRONMENTAL: The proposed project is categorically exempt in accordance with California Environmental Quality Act (CEQA) Guidelines § 15301 (Class 1 – Existing Facilities) as CEQA only applies to projects that have the potential to cause a significant effect on the environment. The project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving no expansion of the existing commercial building.

RECOMMENDATION: It is recommended that the Planning Commission 1) adopt the Resolution approving the requested Conditional Use Permit (CU-12-01) subject to conditions of approval contained therein; and 2) take such additional, related action that may be desirable.

**ITEMS FROM COMMUNITY
DEVELOPMENT:**

Climate Action Plan and Draft Ordinance

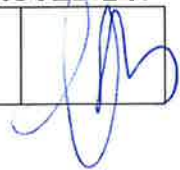
**ITEMS FROM THE
COMMISSION:**

ADJOURNMENT:

Next regular meeting on August 28, 2012, at 7:00 p.m.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN THIS MEETING, YOU SHOULD CONTACT CITY HALL, (626) 307-1359 OR TTD/TTY (626) 307-2540. PLEASE NOTIFY THE CITY CLERK'S OFFICE TWENTY-FOUR HOURS PRIOR TO THE MEETING SO THAT REASONABLE ARRANGEMENTS CAN BE MADE TO ASSURE ACCESSIBILITY TO THIS MEETING. STAFF REPORTS, WRITINGS, OR OTHER MATERIALS RELATED TO AN ITEM ON THIS AGENDA, WHICH ARE DISTRIBUTED TO THE PLANNING COMMISSION LESS THAN 72 HOURS BEFORE THIS SCHEDULED MEETING SHALL BE AVAILABLE FOR PUBLIC INSPECTION IN THE PLANNING DIVISION LOCATED AT 320 WEST NEWMARK AVENUE, MONTEREY PARK, CA 91754, DURING NORMAL BUSINESS HOURS. SUCH STAFF REPORTS, WRITINGS, OR OTHER MATERIALS ARE ALSO ON THE CITY'S WEBSITE SUBJECT TO STAFF'S ABILITY TO POST THE MATERIALS BEFORE THE MEETING. THE CITY'S WEBSITE IS LOCATED AT [HTTP://WWW.CI.MONTEREY-PARK.CA.US](http://www.ci.monterey-park.ca.us).

APPROVED BY:

JIM BASHAM	
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PLANNING COMMISSION STAFF REPORT

ITEM NUMBER

1

TO: Planning Commission

FROM: Director of Community Development

MEETING DATE: August 14, 2012

SUBJECT: PUBLIC HEARING

TENTATIVE PARCEL MAP NO. 071887 (PM-12-01) TO SUBDIVIDE AIR RIGHTS TO ESTABLISH AND MAINTAIN A THREE-UNIT CONDOMINIUM PROJECT AND VARIANCE (V-12-01) FOR A 50 FEET WIDE LOT IN THE R-3 (HIGH DENSITY RESIDENTIAL) ZONE

LOCATION: 429 East Graves Avenue

APPLICANT: Hayk Martirosian
Techna Land Co Inc
1545 N Verdugo Road, Suite 2
Glendale, CA 91208

PROJECT PLANNER: Samantha Tewasart
Associate Planner

RECOMMENDATION: That the Planning Commission continues Tentative Parcel Map No. 071887 (PM-12-01) and Variance (V-12-01), pursuant to the applicant's request.

A handwritten signature in blue ink, appearing to read "Jim Basham", is written over a horizontal line.

Jim Basham
Director of Community Development

Attachments:

1. Applicant's Letter dated July 30, 2012



PLANNING COMMISSION STAFF REPORT

ITEM NUMBER

2

TO: Planning Commission

FROM: Director of Community Development

MEETING DATE: August 14, 2012

SUBJECT: PUBLIC HEARING
TENTATIVE PARCEL MAP NO. 071158 (PM-11-01) TO
SUBDIVIDE ONE LOT INTO THREE PARCELS IN THE
R-S (REGIONAL SPECIALTY) ZONE

LOCATION: 141, 221, 331 North Atlantic Boulevard

APPLICANT: Karig McCloskey
Westcon Engineering, Inc.
6355 Topanga Canyon Boulevard, Suite 411
Woodland Hills, CA 91367

PROJECT PLANNER: Samantha Tewart
Associate Planner

RECOMMENDATION: After holding the public hearing, (1) adopt the attached
Resolution approving Tentative Parcel Map No. 071158
(PM-11-01), subject to conditions contained therein; and
(2) take such related action that may be desired.

ZONE: R-S (Regional Specialty)

GENERAL PLAN DESIGNATION: Commercial

SITE DESCRIPTION:

Property Size: 185' x 765.60' = 141,636 sq. ft. (3.25 acre)

Surrounding Properties:

North:	R-S (Regional Specialty); Emerson Avenue, commercial
South:	R-S (Regional Specialty); Garvey Avenue, commercial
East:	R-S (Regional Specialty); Atlantic Boulevard, commercial
West:	City of Alhambra

PROJECT SITE BACKGROUND/PAST CITY APPLICATIONS:

- CU-06-01 Resolution No. 22-06 – establish and maintain on-sale alcoholic beverages (beer and wine) at a bona fide eating place in the R-S zone
- CU-04-02 Resolution No. 11-04 – establish and maintain on-sale (beer and wine) of alcoholic beverages in conjunction with a bona fide restaurant in the R-S (Regional Specialty) zone – 141 N Atlantic Boulevard, Suite 113
- CU-01-05 Resolution No. 18-01, AP-01-02 Resolution No. 10662 – modification to a previously-approved conditional use permit to revise or delete conditions of approval as it pertains to use of the parking facilities – 141-331 N Atlantic Boulevard
- V-99-02 Resolution No. 12-99 – to install a projecting sign on the same elevation as a wall sign for a business establishment in the R-S (Regional Specialty) zone – 141 N Atlantic Boulevard, Suite 110
- CU-99-02 – establish and maintain a health spa – 331 N Atlantic Boulevard, Suite 201
- CU-96-07 Resolution No. 18-96, APP-96-02 Resolution No. 10083 – modification to a previously granted CUP to 1) extend hours of alcoholic beverage services (beer and wine) to 2 a.m. and 2) establish a place of entertainment (karaoke) in conjunction with a bona fide restaurant in the R-S zone – 141 N Atlantic Boulevard, Suite 200
- APP-96-001 Resolution No. 10053, CU-96-003 Resolution No. 5-96 – a modification to a previously approved CUP to 1) extend hours of operation from 2 a.m. and 2) establish a place of entertainment (karaoke) in conjunction with a bona fide restaurant in the R-S (Regional Specialty) Zone – 141 N Atlantic Boulevard, Suite 100-B

- CU-94-01 Resolution No. 09-94 – establish and maintain an ATM location – 331 N Atlantic Boulevard
- APP-94-001 Resolution No. 9841, CU-93-010 Resolution No. 4-94 – Appeal to PC denial of CU-93-10 to allow on-sale alcohol (beer and wine) in a bona fide restaurant – 141 N Atlantic Boulevard, Suite 100-B
- CU-93-008 Resolution 33-93 – to allow a financial institution and automated teller to occupy a portion of Building #3 located at the southwest corner of Emerson and Atlantic Boulevard – 331 N Atlantic Boulevard, Suite 200
- CU-92-014 V-92-008 Resolution No. 51-92, CC Resolution No. 97-30 – PC approved and denied on 11-19-92 CC approved on 1-11-93 to allow a store front sign above 15 feet on the second floor and on-sale alcoholic beverages – 141 N Atlantic Boulevard, Suite 200
- CU-92-011 Resolution No. 27-92 – to change the permitted use for the northernmost tenant space of building no. III of Kim Mar Shopping Center to allow a financial institution use instead of the conditionally approved and required retail use – PC denied for Sanwa Bank be allowed to occupy this space as a tenant and do business as a first-rate bank – 331 N Atlantic Boulevard, Suite 100
- V-92-005 – Appeal denial of variance to allow a wall sign in conjunction with a restaurant less than 10,000 square feet – 141 N Atlantic Boulevard, Suite 200
- CU-92-001 Resolution No. 12-92 to 19-92 – PC denied 30 foot high pole sign, sign area 191.25 square feet – 141 N Atlantic Boulevard
- V-91-024 Resolution No. 9635 – to allow wall signs 27 feet above the grade on the second story and 15 feet above grade in the R-S zone – 141 and 331 N Atlantic Boulevard, Suite 201
- APP-90-007 Resolution 33-90 – PC upheld the DRB decision granting applicant relief from the requirement to submit a master sign and landscape plan prior to applying for building permit to remodel the former Pic-N-Save building – 145 N Atlantic Boulevard
- CU-89-017, MSP-90-001 Resolution No. 12-90 and 13-90 – to allow 1) construction of more than five units on a lot over one acre in size, 2) financial institution, 3) on-sale alcohol (general), and 4) entertainment in conjunction with a bona fide restaurant; modification to the North Atlantic Specific Plan to allow approval of additional commercial uses – more restaurant and office/financial institution uses and reduction of retail use; Tenant Mix Leasing Plan – 145 N Atlantic Boulevard
- CUP Resolution No. 55-84 – 145 N Atlantic Boulevard

– CU-83-024 Resolution No. 1-84 – 145 N Atlantic Boulevard

LEGAL NOTIFICATION:

The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **August 1, 2012** and published in the Monterey Park Progress on **August 1, 2012**, with affidavits of posting and publication on file. The legal notice of this hearing was mailed to **68** property owners within a 300 feet radius and current tenants of the property concerned on **August 1, 2012**.

ENVIRONMENTAL ASSESSMENT:

Pursuant to the guidelines of the California Environmental Quality Act (CEQA), the project is categorically exempt from CEQA review under CEQA Guidelines Section 15315, Class 15 (Minor Land Subdivisions) because the project consists of the division of property in an urbanized area that is zoned for commercial use into four or fewer parcels. The project is in conformance with the General Plan because according to the Land Use Element, the Commercial land use category provides opportunities for a broad range of retail and service commercial uses intended to meet the needs of Monterey Park residents and businesses, as well as regional shopping demand. Commercial development is located primarily along major thoroughfares and the freeway corridors. The project is the subdivision of one lot into three parcels. The project is consistent with the zoning because the project complies with all the building standards set forth in the City's Zoning Code. No variances or exceptions are required for this project, all services and access to the proposed lots to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent.

GENERAL PLAN CONSISTENCY:

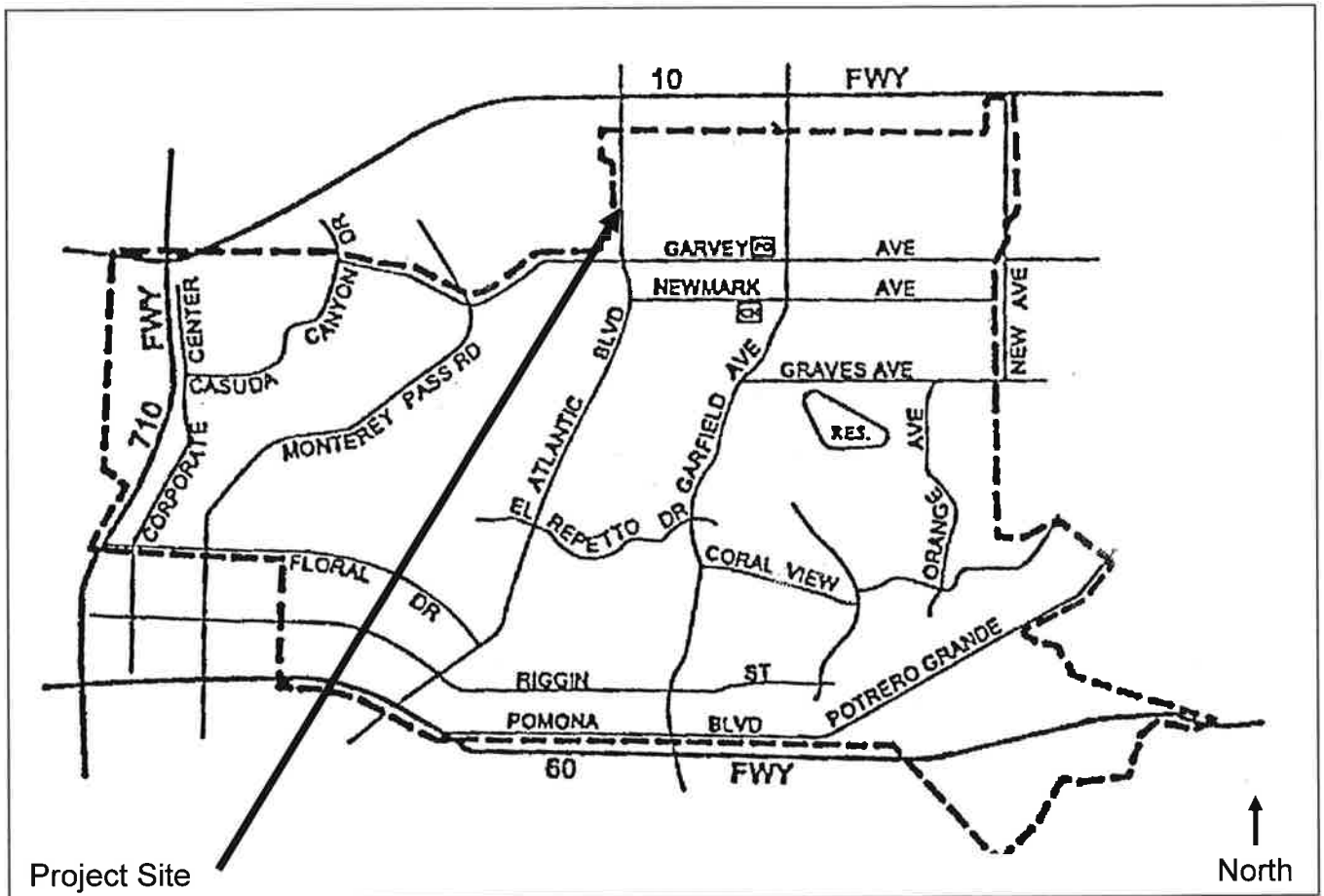
The proposed map is consistent with applicable general and specific plans as specified in Section 66473.5 of the Subdivision Map Act. The subject property is designated Commercial in the General Plan. The Commercial land use category provides opportunities for a broad range of retail and service commercial and professional office uses intended to meet the needs of Monterey Park residents and businesses, as well as regional shopping demands. According to the General Plan, the property is also located in the North Atlantic Focus Area. Pursuant to Policy 3.4 in the Land Use Element, the proposed project will allow multi-story buildings along Atlantic Boulevard while ensuring appropriate buffering from adjacent residential neighborhoods. The proposed project is the subdivision of one lot into three parcels. The property is currently developed with three detached commercial buildings. The existing buildings were approved by the City in 1984. No changes are proposed to the existing buildings. To the west of the property is the City of Alhambra and residentially zoned and developed lots. The existing commercial buildings are situated on the eastern portion of the lot and are separated from the residential dwellings by the existing parking area.

The subject property is also located in the North Atlantic Specific Plan area. The North Atlantic Specific Plan contains parcel development standards and specific guidelines for development opportunities on each parcel within the Specific Plan Area. The parcels described in the Specific Plan are underserved, undersized and do not meet the minimum lot and development standards set for in the R-S Zone. The North Atlantic Specific Plan focuses on creating best use development opportunities within the Specific Plan Area.

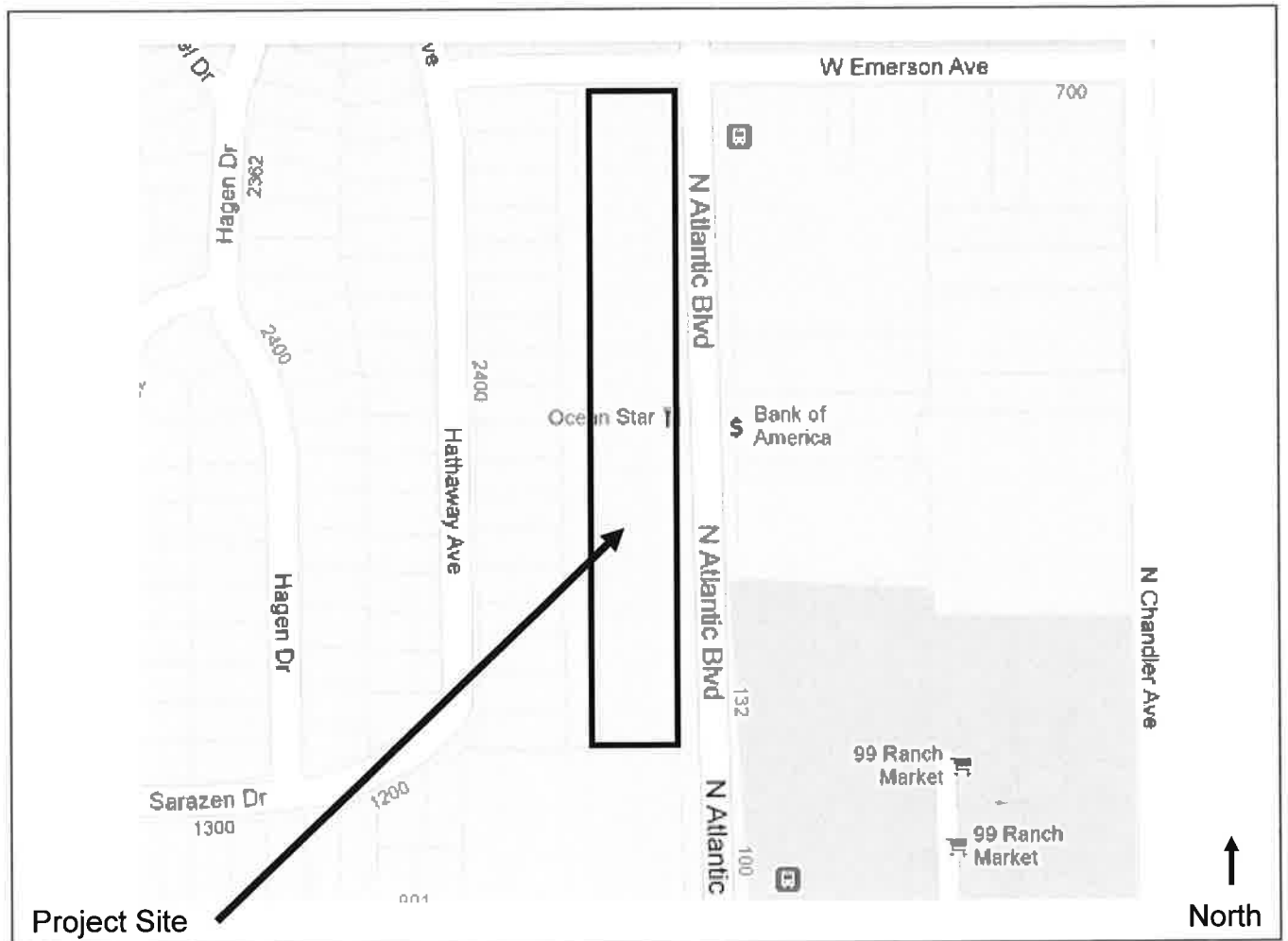
According to the North Atlantic Specific Plan, one of the fundamental land use goal is to foster more intensive use of the valuable land resources along Atlantic Boulevard. The proposed subdivision is consistent with the land use goal because the proposed three parcels meet the minimum lot size requirements and the existing buildings meet the minimum development standards in the Zoning Ordinance. The objectives of the North Atlantic Specific Plan are to eliminate blight and provide retail facilities and services. The subject property is not blighted and proposed subdivision will not create blight. Additionally, the proposed three parcels are developed with existing commercial buildings that provide retail and service uses.

According to the North Atlantic Specific Plan, the design goals are to improve the street front image, promote pedestrian-oriented shopping, and control the scale of buildings. The proposed project is the subdivision of an existing lot into three parcels. The project does not include new development or changes to the existing commercial buildings, which are consistent with design goals of the North Atlantic Specific Plan.

VICINITY MAP:



STREET MAP:



AERIAL MAP:



ANALYSIS AND EVALUATION OF PROJECT:

The applicant, Karig McCloskey of Westcon Engineering, Inc., on behalf of the property owner, Mar Center LLC, is requesting approval of a tentative parcel map to subdivide one lot into three parcels at 141, 221, 331 North Atlantic Boulevard. The subject property is zoned R-S (Regional Specialty) and designated Commercial in the General Plan.

The lot is 141,636 square feet in size. The lot width is 185 feet and the depth is 765.60 feet. The property is currently developed with three detached commercial buildings with subterranean and above grade parking. The existing number of parking spaces meets the required number of parking spaces for the existing commercial buildings on the existing property. The total building area on the existing property is 79,093 square feet. Currently, all of the uses in the development are general retail uses. The required number of parking spaces for general retail use is 5.5 per 1,000 square feet of gross building area pursuant to MPMC Section 21.40.020. The required number of parking spaces based on the square

footage of the existing buildings is 435 spaces. The existing number of parking spaces provided is 544 spaces, which exceeds the required number of parking spaces.

Project Description

The proposed project is the subdivision of an existing lot into three parcels. Pursuant to Monterey Park Municipal Code (MPMC) Section 21.24.070(a), each proposed lot will have a minimum lot area of 30,000 square feet. Pursuant to MPMC Section 21.24.070(b), each lot will have a minimum lot width of 200 feet. Pursuant to MPMC Section 21.24.050(c), each lot will have a minimum lot depth of 150 feet. According to MPMC Section 21.24.080, no setbacks are required except when adjacent to a residentially zoned lot, the setback shall be at 15 feet in depth. The property is adjacent to a residentially zoned lot to the west and the building is setback more than 15 feet from the west property line. Pursuant to MPMC Section 21.24.090, the existing buildings do not exceed 4-stories or 50 feet in height.

Before the Planning Commission approves the proposed subdivision, the Commission must determine that each proposed lot meets or exceeds the number of required off-site parking spaces or require that an off-site parking covenant and agreement be provided (See Government Code Section 66474 (c); MPMC Section 21.40.210). Proposed Parcel 2 can only meet the requirement with off-site parking covenants. The following table shows the required, provided, and surplus/deficit parking spaces for the three parcels.

Parcel	Use(s)	Gross Floor Area (SF)	Required Parking	Provided Parking	Surplus/Deficit in Parking
Parcel 1	General Retail	43,841	241	390	+149
Parcel 2	General Retail	20,720	114	10	-104
Parcel 3	General Retail	14,532	80	144	+64
Total			435	544	+109

As stated above, Parcel 1 will have a gross lot area of 91,082 square feet. Parcel 1 will have an existing 43,841 square feet, two-story commercial building and three levels of subterranean parking and two levels of above grade parking. The floor area ratio will be 0.48 percent of the lot, which is less than the permitted 2.0 percent of the lot area. Based on the existing building area of 43,841 square feet, the required number of parking spaces is 241 spaces and 390 spaces are provided.

Parcel 2 will have a gross lot area of 42,299 square feet. Parcel 2 will have an existing one-story 20,720 square feet commercial building. The floor area ratio will be 0.49 percent of the lot, which is less than the permitted 1.5 percent of the lot area. Based on the existing building area of 20,720 square feet, the required number of parking spaces is 114 spaces and 10 spaces are provided. The parking spaces required for the proposed project will be addressed in a Covenant and Agreement for Access and Maintenance and Use of Off-Street Parking pursuant to MPMC Sections 21.40.210 and 21.40.230, which permits off-site parking facilities, not located on the same lot as the principal use when proper agreements evidencing the existence of the off-street parking facilities for the duration of the principal use is approved as to form by the City Attorney.

Parcel 3 will have a gross lot area of 37,364 square feet. Parcel 3 will have an existing 14,532 square feet, two-story commercial building. The floor area ratio will be 0.39 percent of the lot, which is less than the permitted 1.5 percent of the lot area. Based on the existing building area of 14,532 square feet, the required number of parking spaces is 80 spaces and 144 spaces are provided.

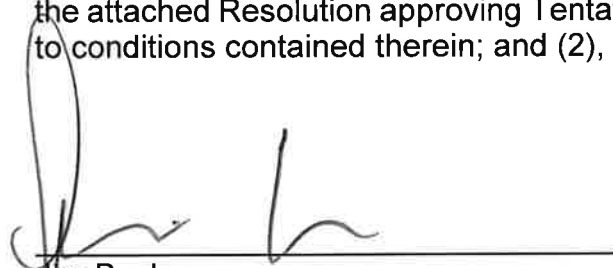
An off-site parking covenant and agreement must be required of the property owner to ensure that Parcel 2 has adequate parking pursuant to MPMC Section 21.40.210. Further, the covenant will provide that if any uses on any of the lots results in greater parking requirements than is currently possessed by each lot, then the Owner of such lot must be required to obtain the required joint use or off-site parking agreement before permitting the use on that lot.

In addition, the property owner must also be required to prepare and record a Declaration of Covenants, Conditions, Restrictions (C, C & Rs) to allow for the continued use of common driveway access use, and address property maintenance and shared utilities.

The proposed project was reviewed by all City Departments and no concerns were expressed.

RECOMMENDATION:

After holding the public hearing, staff recommends that the Planning Commission (1) adopt the attached Resolution approving Tentative Parcel Map No. 071158 (PM-11-01), subject to conditions contained therein; and (2), take such related actions that may be desired.



Jim Basham
Director of Community Development

Attachments:

1. Draft Resolution
2. Site, Floor, and Elevation Plans
3. Tentative Parcel Map No. 071158
4. Draft Declaration of Covenants, Conditions, and Restrictions

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEREY PARK APPROVING TENTATIVE PARCEL MAP NO. 071158 (PM-11-01) TO SUBDIVIDE ONE LOT INTO THREE PARCELS IN THE R-S (REGIONAL SPECIALTY) ZONE AT 141, 221, 331 NORTH ATLANTIC BOULEVARD

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On March 29, 2012, Karig McCloskey of Westcon Engineering, Inc., on behalf of the property owner, Mar Center LLC, submitted an application pursuant to Tile 20 of the Monterey Park Municipal Code, requesting approval of Tentative Parcel Map No. 071158 (PM-11-01) to subdivide one lot into three parcels at 141, 221, 331 North Atlantic Boulevard, ("Project");
- B. The proposed Project was reviewed by the City of Monterey Park Community Development Department for, in part, consistency with the General Plan and conformity with the Monterey Park Municipal Code ("MPMC");
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines" and determined the proposed project to be exempted from environmental review pursuant to Section 15315 of the CEQA Guidelines which is a Class 15 (Minor Land Subdivisions) Categorical Exemption;
- D. The Community Development Department completed its review and scheduled a public hearing regarding the proposed Project, before the Planning Commission for August 14, 2012; and that notice of public hearing on such proposed Project was posted and mailed as required by the MPMC;
- E. On August 14, 2012, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed Project, including, without limitation, information provided to the Planning Commission by City staff and public testimony, and representatives of Mar Center LLC; and,
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its August 14, 2012 hearing including, without limitation, the staff report submitted by the Community Development Department.

SECTION 2: The Planning Commission hereby determines that Tentative Parcel Map No. 071158 (PM-11-01) is **APPROVED**, pursuant to Section 66474 of the Subdivision Map Act, subject to the Conditions listed in Section 3 below, and based upon the following findings:

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1. The proposed map is consistent with applicable general and specific plans as specified in Section 66473.5 of the Subdivision Map Act. The subject property is designated Commercial in the General Plan. The Commercial land use category provides opportunities for a broad range of retail and service commercial and professional office uses intended to meet the needs of Monterey Park residents and businesses, as well as regional shopping demands. According to the General Plan, the property is also located in the North Atlantic Focus Area. Pursuant to Policy 3.4 in the Land Use Element, the proposed project will allow multi-story buildings along Atlantic Boulevard while ensuring appropriate buffering from adjacent residential neighborhoods. The proposed project is the subdivision of one lot into three parcels. The property is currently developed with three detached commercial buildings. The existing buildings were approved by the City in 1984. No changes are proposed to the existing buildings. To the west of the property is the City of Alhambra and residentially zoned and developed lots. The existing commercial buildings are situated on the eastern portion of the lot and are separated from the residential dwellings by the existing parking area.

The subject property is also located in the North Atlantic Specific Plan area. The North Atlantic Specific Plan contains parcel development standards and specific guidelines for development opportunities on each parcel within the Specific Plan Area. The parcels described in the Specific Plan are underserved, undersized and do not meet the minimum lot and development standards set for in the R-S Zone. The North Atlantic Specific Plan focuses on creating best use development opportunities within the Specific Plan Area.

According to the North Atlantic Specific Plan, one of the fundamental land use goal is to foster more intensive use of the valuable land resources along Atlantic Boulevard. The proposed subdivision is consistent with the land use goal because the proposed three parcels meet the minimum lot size requirements and the existing buildings meet the minimum development standards in the Zoning Ordinance. The objectives of the North Atlantic Specific Plan are to eliminate blight and provide retail facilities and services. The subject property is not blighted and proposed subdivision will not create blight. Additionally, the proposed three parcels are developed with existing commercial buildings that provide retail and service uses.

According to the North Atlantic Specific Plan, the design goals are to improve the street front image, promote pedestrian-oriented shopping, and control the scale of buildings. The proposed project is the subdivision of an existing lot into three parcels. The project does not include new development or changes to the existing commercial buildings, which are consistent with design goals of the North Atlantic Specific Plan.

2. The site is physically suitable for the project. The project is the subdivision of an existing lot into three parcels. The property is currently developed with three detached commercial buildings with multi-level parking. The size of the property is 141,636 square feet (3.25 acres). The proposed three parcels will be adequate in size to

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RESOLUTION NO.
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accommodate the existing buildings on the properties. The subject property is accessible from North Atlantic Boulevard, a principal arterial street with a 100-foot right-of-way, which is adequate in size and capacity to accommodate the traffic that is currently generated by the existing commercial buildings. No changes are proposed to the existing commercial buildings.

Parcel 1 will have a gross lot area of 91,082 square feet. Parcel 1 will have an existing 43,841 square feet, two-story commercial building and three levels of subterranean parking and two levels of above grade parking. The floor area ratio will be 0.48 percent of the lot, which is less than the permitted 2.0 percent of the lot area. Based on the existing building area of 43,841 square feet, the required number of parking spaces is 241 spaces and 291 spaces are provided.

Parcel 2 will have a gross lot area of 42,299 square feet. Parcel 2 will have an existing one-story 20,720 square feet commercial building. The floor area ratio will be 0.49 percent of the lot, which is less than the permitted 1.5 percent of the lot area. Based on the existing building area of 20,720 square feet, the required number of parking spaces is 114 spaces and 10 spaces are provided. The parking spaces required for the proposed project will be addressed in a Covenant and Agreement for Access and Maintenance and Use of Off-Street Parking pursuant to MPMC Sections 21.40.210 and 21.40.230, which permits off-site parking facilities, not located on the same lot as the principal use when proper agreements evidencing the existence of the off-street parking facilities for the duration of the principal use is approved as to form by the City Attorney.

Parcel 3 will have a gross lot area of 37,364 square feet. Parcel 3 will have an existing 14,532 square feet, two-story commercial building. The floor area ratio will be 0.39 percent of the lot, which is less than the permitted 1.5 percent of the lot area. Based on the existing building area of 14,532 square feet, the required number of parking spaces is 80 spaces and 144 spaces are provided.

The property owner has prepared a draft Declaration of Covenants, Conditions, Restrictions (C, C & Rs) to allow for the continued use of shared parking and common driveway access use, and address property maintenance and shared utilities.

3. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subject property is bordered by commercially developed lots to the north, south, and east and residentially developed lots to the west. There are no rare plants, wild animals nor cultural, historical or scenic aspects within the surrounding area.
4. The design of the subdivision or the type of improvements is not likely to cause serious public health problems. The proposed subdivision will not cause any public health

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problems because the subject development will be constructed according to all City, State, and Federal regulations and specifications.

5. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within proposed subdivision because there are no public easements for access within the proposed development.

SECTION 3: The Planning Commission hereby determines that the approval of Tentative Parcel Map No. 071158 (PM-11-01) is subject to the following conditions:

PLANNING:

1. That the applicant/property owner and each successor in interest to the property which is the subject of this project shall defend, indemnify and hold harmless the City of Monterey Park and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, City Council, Planning Commission, or Design Review Board concerning this subdivision, which action is brought within the time period provided for in Government Code Section 66499.37. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.
2. The applicant/property owner shall maintain substantial conformance to submitted map date-stamped March 29, 2012, except as modified herein.
3. Approval shall expire 24 months after the date the application was conditionally approved. A one-year extension may be approved by the granting body upon application, payment of fee, and findings of good cause and such extensions do not exceed an aggregate of three years.
4. The property, subject to this approval, shall remain well-maintained and free of graffiti by the applicant/property owner. Failure of the applicant/property owner to remove any graffiti upon 24 hours written notice by the City shall authorize the City to remove or mask said graffiti at the cost of the applicant/property owner.
5. The City may process the formation and creation of an assessment district or districts pursuant to and as permitted by state or local law to fund the maintenance, repair and operation of some or all public improvements constructed for and serving this proposed development. The public improvements or easements upon which benefit assessment districts may be formed and created include, but are not limited to, street medians, parkway trees, landscaping, street lighting, sewers, storm drains. As a condition of this project approval, applicant/property owner agrees to and waives any protest to the formation of any such assessment districts and/or the imposition of any

**PLANNING COMMISSION
RESOLUTION NO.
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fee, pursuant to Condition No. 6. Applicant/property owner, by his approval, does not waive its statutory right to object or protest the amount of any assessment proposed for any individual lot or lots.

6. In addition to and/or in lieu of Condition No. 5 herein, the applicant/property owner agrees to be subject to any development impact fee that the City may process to finance any one or more of the matters set forth in Condition No. 5 herein, and/or to finance police protection services, fire protection and suppression services.
7. The subject site and parkway shall be maintained by the applicant/property owner to City standards, during any period prior, during and after the processing of the proposed development.
8. The applicant and property owner shall sign a notarized Affidavit of Acceptance of all conditions of approval and return it to the Planning Division within 30 days after the effective date of this approval or prior to the issuance of a building permit or certificate of occupancy, whichever may occur first.
9. A final map shall be recorded prior to occupancy approval.
10. Prior to submittal for final map, a Covenant and Agreement for Access and Maintenance of Off-Street Parking pursuant to Monterey Park Municipal Code Section 24.40.210, in a form approved by the City Attorney, shall be recorded agreeing that the usable and accessible automobile parking spaces that comply with the MPMC will be maintained and made available for the required parking for the use of the building located on proposed Parcel 2 and providing for access to driveways for proposed Parcel 2.

ENGINEERING:

11. Prior to submittal of final map, the owner/developer shall submit to city for review and approval by the City Engineer and the City Attorney, Covenants, Conditions and Restrictions ("CC&Rs") for reciprocal agreement and easements for ingress and egress, parking, sewer and water lines, public utilities, drainage systems, landscaping, irrigation as well as provisions for maintenance of these items. The extent of shared items shall be determined by the City of Monterey Park upon review of a detailed site plan which shows all the utilities. Such approved CC&Rs shall be recorded prior to the recordation of the final map.
12. Record the final Parcel map after approval of the map by the City Engineer and acceptance of required bonds and agreements by the City Council. A refundable \$191 cash deposit is to be submitted, prior to recordation of final map, to guarantee that developer will provide the City with the (1) transparent 4 mil thick mylar tracing, and two (2) blueprints of the recorded map which shall be filed with the City Engineers

**PLANNING COMMISSION
RESOLUTION NO.
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Office within three (3) months of recordation. If recorded copy is not submitted by the end of the three month time period, developer will forfeit the \$191 cash deposit.

13. Prior to submittal of final map for City approval, the applicant/property owner shall provide written proof that there are no liens against the subdivision for unpaid taxes or special assessments; submit L.A. County tax bill, tax payment receipt, and copy of cancelled check.
14. The developer/owner is responsible for ascertaining and paying all City development fees such as, but not limited to, sewer deficiency fees, water meter fees and metered water service impact fees as required by MPMC.
15. A grading plan will not be required for this subdivision. However, a Drainage Plan showing all existing drainage systems/patterns will be required. If there is any cross-lot drainage, the developer/engineer shall prepare the necessary easement documents and agreements between the proposed lots. All improvement plans shall be based upon City approved datum and benchmark references to be obtained from the Engineering Division. All improvement plans shall be reviewed and approved by the City Engineer prior to the issuance of building permits.
16. Water Division requirements are to be determined by the City Engineer upon completion and submittal of a water meter sizing sheet by the applicant. This may include up sizing of water meter and water services. All upgrading costs are the responsibility of the property owner and shall be paid for prior to the issuance of building permits.
17. Provide survey monuments denoting the new property boundaries and lot lines to the satisfaction of the City Engineer. All maps must be prepared from a field survey. Compiled maps will not be permitted unless prior approval is granted by the City Engineer. Whenever possible, lot lines shall be located to coincide with the top of all man-made slopes. Any deviation from this requirement must be approved by the City Engineer.
18. A site drainage plan shall be prepared for review and approval by the City Engineer prior to the issuance of building permits. The property drainage shall be designed so that the property drains to the public street or in a manner otherwise acceptable to the City Engineer. Drainage from contiguous properties shall not be blocked and shall be accommodated to the satisfaction of the City Engineer. A hydrology and hydraulic study of the site may be required for submittal to the City Engineer for review and approval.
19. All storm drainage facilities serving the development shall accommodate a 50 year storm prior to the issuance of building permits. If existing storm drain facilities are inadequate they shall be enlarged as necessary. All storm drain facilities shall be

**PLANNING COMMISSION
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designed and constructed to Los Angeles County Department of Public Works standards and specifications and also to the satisfaction of the City Engineer.

20. Any damage done to existing street improvements and utilities during construction shall be repaired before acceptance of the project. Pre-existing damaged, deteriorated, substandard or offgrade curb, gutter, driveways and sidewalk must also be repaired or replaced to the satisfaction of the City Engineer. All existing driveways, if not to be used, must be removed and replaced with curb and sidewalk. Sidewalk shall be 5 foot wide adjacent to the full parkway width.
21. All public works improvements shall comply with the standards and specifications of the City and to the satisfaction of the City Engineer. All public works improvements must be completed and accepted by the City or a public works improvement guarantee and agreement posted prior to final map approved by the City Council.
22. All electric, telephone and cable TV utility services shall be installed fully underground and to required City standards as determined by the City Engineer. Satisfactory provisions for all other utilities and service connections, including water, sewer and gas, shall be made to City and public utility standards. The owner/developer must demonstrate that each lot of the proposed subdivision will be independently served by all necessary utilities. Therefore, a separate Water Plan will not be required; however, a Utility Services Plan will be required. The Utility Services Plan should clearly indicate where all existing sewer, water, electrical, gas, telephone, and cable television lines, etc. are located, including the points of connection from the existing buildings to the street right of way. If there are any cross-lot connections of any utilities (i.e. sewer), the developer/engineer shall prepare the necessary easement documents and agreements between the proposed lots.
23. All buildings shall have roof gutters and all roof drainage shall be conducted to the public street or an approved drainage facility in a manner approved by the City Engineer.
24. Parkways shall be irrigated and landscaped per plans submitted for review and approval by the City Engineer. The need for preserving existing street trees and/or providing additional street trees shall be reviewed and approved by the City Recreation and Parks Department.
25. The City reserves the right to restrict driveway access to and from the project in the event future traffic conditions warrant such restricted turn movements.
26. At the time of development, the center was studied and approved as multiple buildings with a mix use of retail floor space. This site development is designed with interior circulation across the entire lot, with shared parking, and multiple access points to the street right of way. The existing access, circulation and parking through reciprocal

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agreements and or easements must be preserved. A new traffic study shall be necessary when a change in the use warrants said study.

27. The off-site driveway approach shall align true and square with the on-site driveway.
28. One-way traffic shall have a minimum of 12 feet in width; Two-traffic shall have a minimum of 26 feet in width pursuant to MPMC Section 21.40.090.2.
29. Show existing curb markings and street signage fronting the project on plans as required by MPMC Section 21.40.090.1.B
30. Each parking stall shall have a minimum of 18 feet perpendicular to the stall and 12 feet parallel to the stall, directly adjacent to the rear of the stall, to allow for vehicle maneuverability clearance.

FIRE:

31. Existing fire lanes must remain in place.

SECTION 4: *Reliance on Record.* Each and every one of the findings and determinations 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 5: *Limitations.* The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 6: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

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

SECTION 8: The Secretary shall certify to the adoption of this Resolution and forward a copy hereof to the City Council.

ADOPTED AND APPROVED this 14th day of August 2012.

Chairperson Michael Hamner

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 14th day of August 2012, by the following vote of the Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

Jim Basham, Staff Liaison
Director of Community Development

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

By:

Elizabeth M. Calciano,
Assistant City Attorney



PLANNING COMMISSION STAFF REPORT

ITEM NUMBER

3

TO: Planning Commission

FROM: Director of Community Development

MEETING DATE: August 14, 2012

SUBJECT: PUBLIC HEARING
CONDITIONAL USE PERMIT (CU-12-01) TO PERMIT
AN AUTOMOBILE SERVICE STATION AND OFF-
SALE ALCOHOLIC BEVERAGES (TYPE 21 –
GENERAL)

LOCATION: 430 Potrero Grande Drive

APPLICANT: Joseph Karaki of Western States Engineering Inc.
4887 E. La Palma Avenue
Anaheim CA 92807

PROJECT PLANNER: Samantha Tewasart
Associate Planner

RECOMMENDATION: After holding the public hearing, 1) adopt the Resolution approving the requested Conditional Use Permit (CU-12-01) subject to conditions of approval contained therein; and 2) take such additional, related action that may be desirable.

ZONE: R-S (Regional Specialty)

GENERAL PLAN DESIGNATION: Commercial

SITE DESCRIPTION:

Property Size: 41,378 sq ft (0.95 acres)

Surrounding Properties:

North:	R-1 (Single Family Residential); Potrero Grande Drive and residential
South:	R-S (Regional Specialty); Southern California Edison
East:	R-S (Regional Specialty); Markland Best Western
West:	C-S, (Commercial Service); Markland Drive and a vacant lot

PROJECT SITE BACKGROUND/PAST CITY APPLICATIONS:

- Resolution No. 5-68 – Special Use Permit (SUP) to construct a service station
- Resolution No. 6-68 – Special Use Permit (SUP) to permit a 60 foot high, ground sign at a service station
- Resolution No. 7-68 – Variance to permit a driveway to be closer than 20 feet to a common lot line on a proposed service station

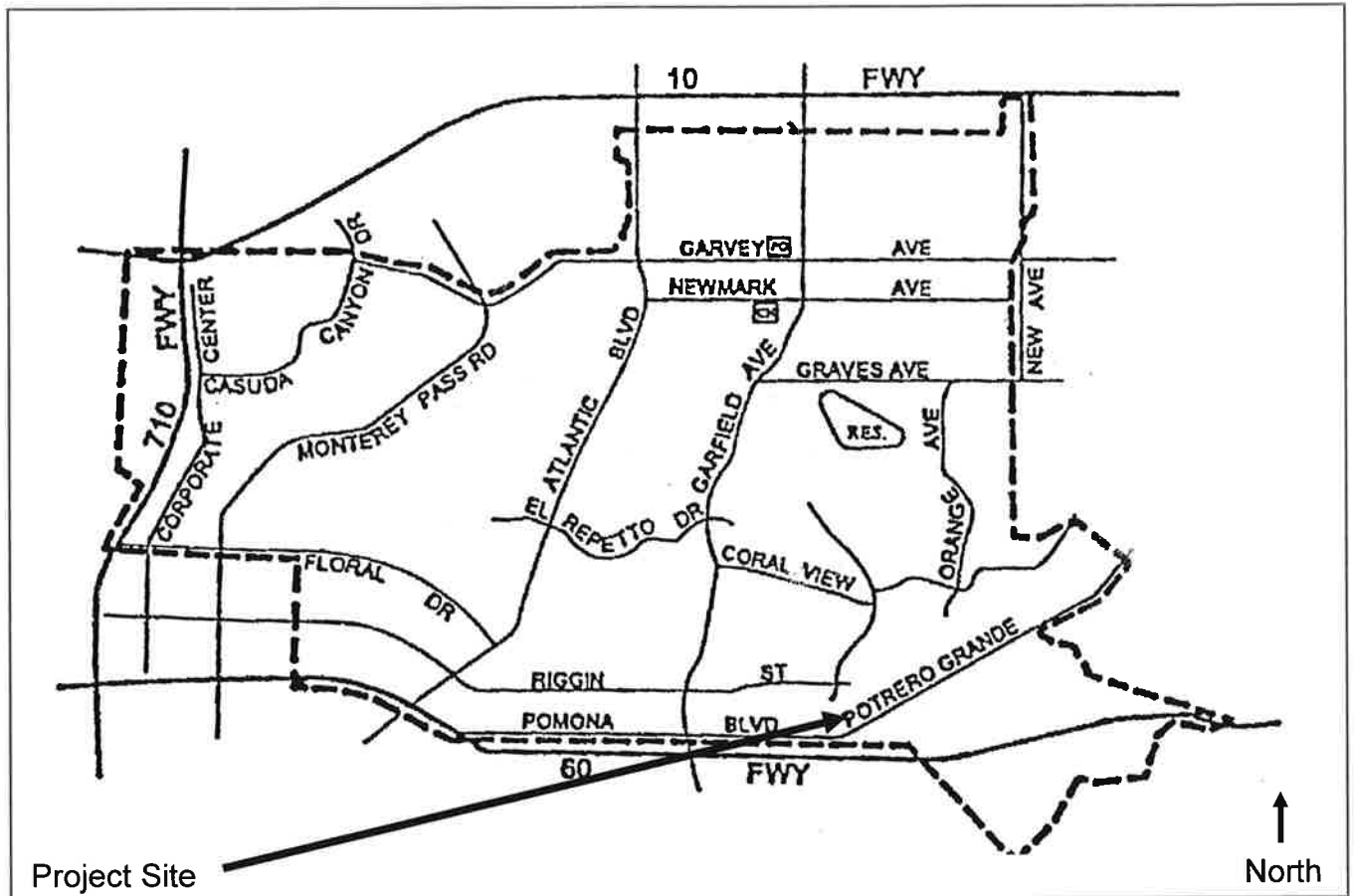
LEGAL NOTIFICATION:

The legal notice of this hearing was posted at the subject site, City Hall, Bruggemeyer Memorial Library, and Langley Center on **August 1, 2012**, with affidavits of posting on file. The legal notice of this hearing was mailed to **27** property owners within a 300 foot radius and current tenants of the property concerned on **August 1, 2012**.

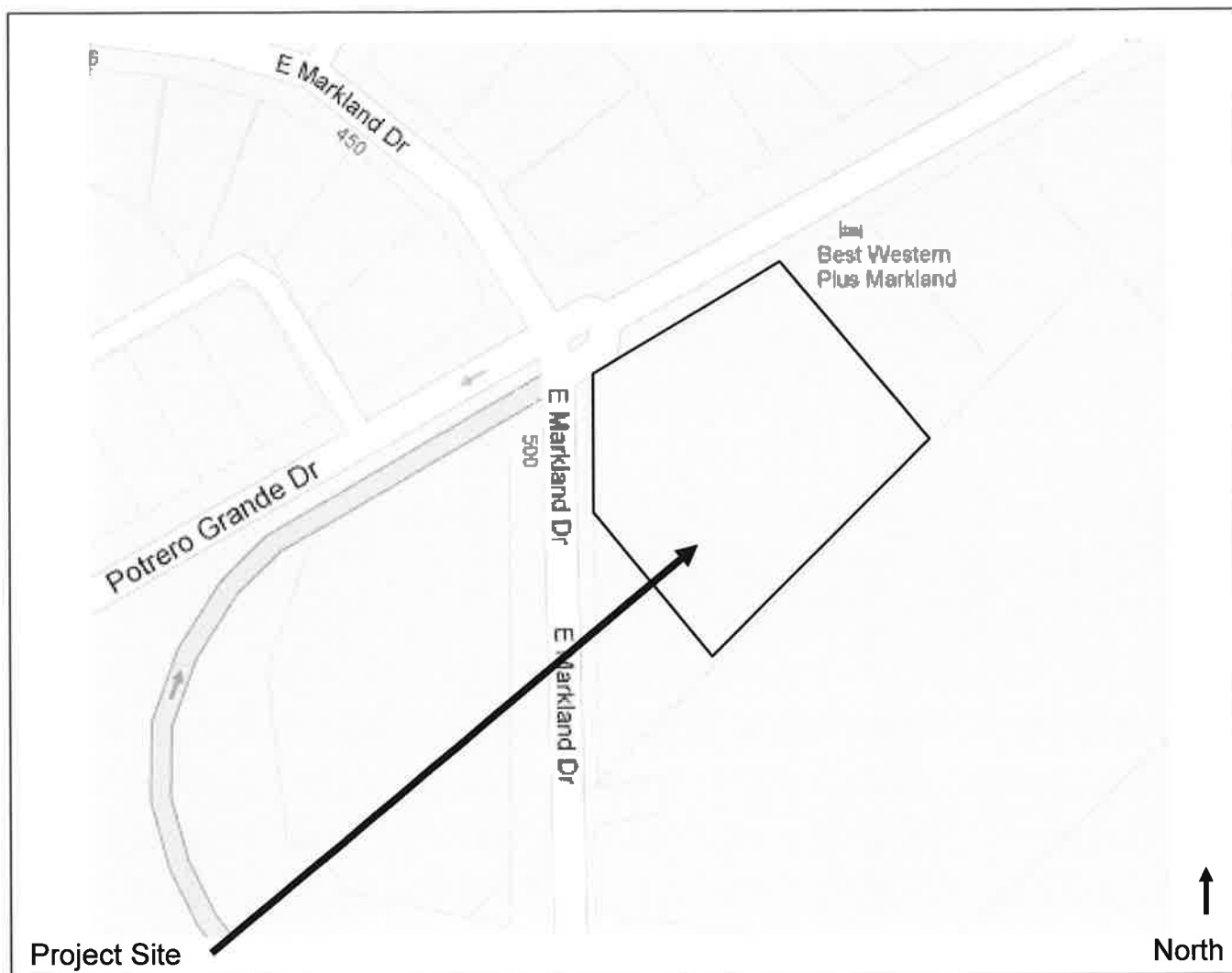
ENVIRONMENTAL ASSESSMENT:

This project was determined to be a Class 1 (Existing Facilities) Categorical Exemption pursuant to Section 15301 of the California Environmental Quality Act of 1970, as amended.

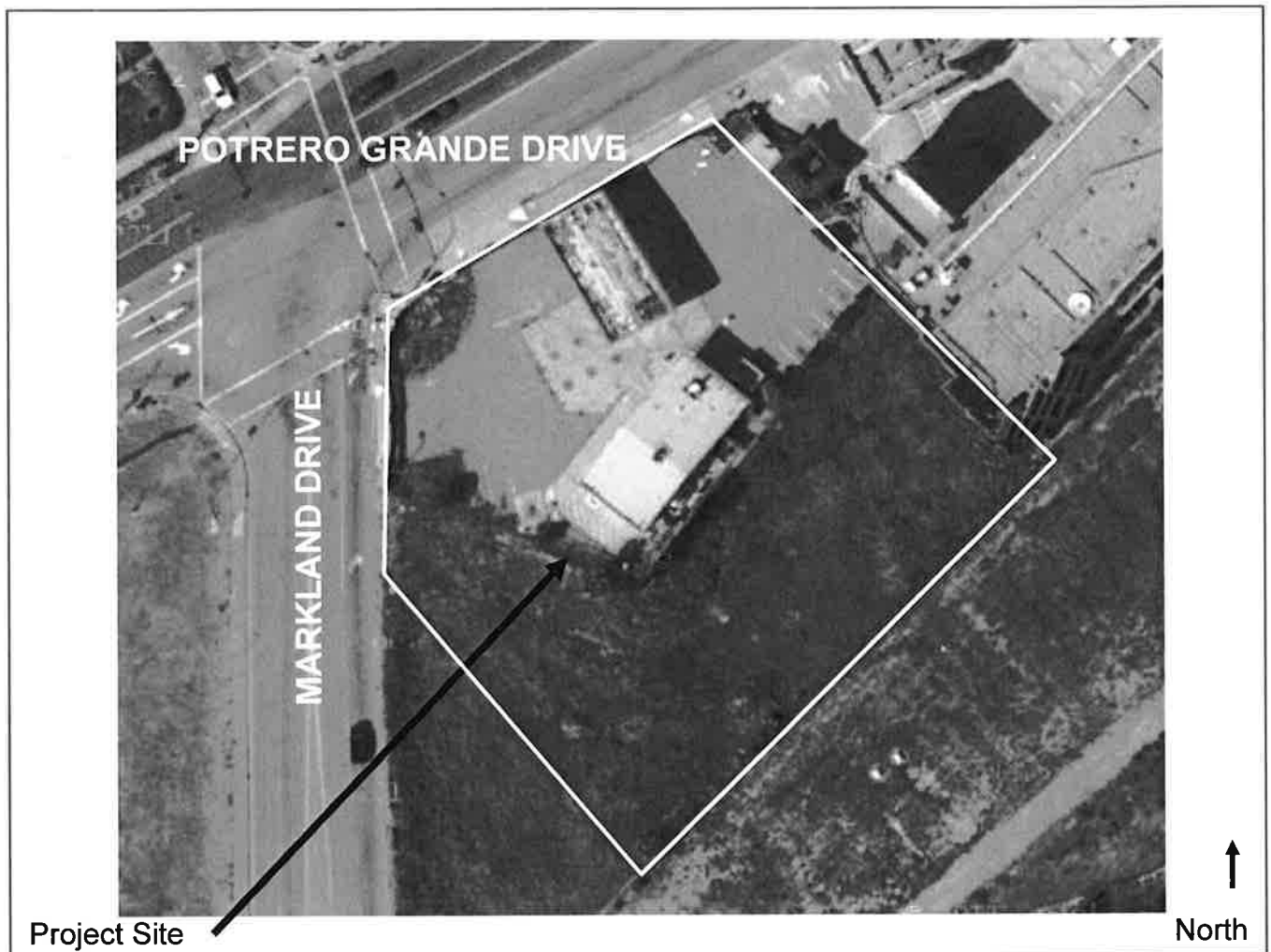
VICINITY MAP:



STREET MAP:



AERIAL MAP



ANALYSIS AND EVALUATION OF PROJECT:

The applicant, Joseph Karaki of Western States Engineering Inc., on behalf of the property owner, Moustaph El Roudi, is requesting approval of a Conditional Use Permit to permit the re-opening of an existing service station and general off-sale alcoholic beverages (Type 21). The property is zoned R-S (Regional Specialty) and designated Commercial in the General Plan. The existing service station was approved by the Planning Commission in 1968 but ceased operation in 2007.

Property Description

The subject property is located at the southeast corner of Potrero Grande Drive and Markland Drive. The lot is 41,378 (0.95 acre) in size, 220 feet wide, and is currently developed with an existing service station constructed in 1975. To the east of the property is Markland Best Western Hotel, to the south is Southern California Edison property, to the

north is Potrero Grande Drive and single-family residential dwellings, and west is Markland Drive and a vacant commercial lot.

The existing service station includes a 1,600 square foot minimart and 24 feet by 47 feet canopy structure. Below the canopy are four existing gas dispensers. The lot is relatively flat at the northern portion of the property and slopes down at the midpoint of the lot. The minimart is situated at the midpoint of the lot, just before the lot starts to slope. The canopy is located at the northern portion of the lot, towards Potrero Grande Drive. The required number of parking spaces for retail use is 5.5 spaces per 1,000 square feet of building area. Based on the existing size of the minimart, the required number of parking spaces is 9 and 11 parking spaces are currently provided on the property. The minimart is comprised of a 784 square feet sales area, 430 square feet of cooler and storage space, 232 square feet of office space and a restroom.

Service Station

According to MPMC Section 21.58.020, the Planning Commission shall not grant a conditional use permit for a service station or gasoline station unless it finds that all of the following are true:

1. The proposed use complies with all requirements set for the issuance of a conditional use permit, as follows:
 - (1) That the site is adequate in size, shape and topography for the proposed use; and
 - (2) That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use; and
 - (3) That the proposed use is deemed to be part of the general plan and shall subserve the objectives of the general plan and the zoning ordinance and conform thereto; and
 - (4) That the proposed use will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood in which it is proposed; and
 - (5) For any use, other than a use within the ambit of the First Amendment of the United States Constitution that the proposed use will not have an adverse effect on the public health, safety and general welfare.

The proposed use complies with all requirements for the issuance of the conditional use permit. First, the site is adequate in size, shape and topography for the proposed use because the requirements of MPMC Section 21.58.040 are met in that the lot size is greater than fourteen thousand four hundred square feet and the lot width is not less than one hundred twenty feet. Further, the proposed use is

reopening of a service station that was previously in existence. No new construction or changes to the existing building or parking layout is proposed.

Second, the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use. The site is accessible from Potrero Grande Drive, a 100 foot wide right-of-way principal arterial street and Markland Drive, a 60 foot wide local street. The proposed use is not expected to significantly increase traffic because the use is an existing service station that closed in 2007 and the request is to reopen the service station.

Third, the proposed use is deemed to be part of the general plan and shall subserve the objectives of the general plan and the zoning ordinance and conform thereto because the subject property is designated Commercial in the General Plan and the Commercial land use category provides opportunities for a broad range of retail and service commercial and professional office uses intended to meet the needs of the Monterey Park residents and businesses, as well as regional demand, such as a service station. Further, according to the General Plan, the subject property is located in the Operating Industries Incorporated (OII)/Edison Focus Area. According to the Focus Area, properties adjacent to the Pomona Freeway, with good access via Potrero Grande Drive such as this property possesses, are well suited for commercial uses and thus are designed Commercial on the Land Use Policy Map. Policy 8.2 in the General Plan states to encourage development of retail businesses within the OII/Edison area which serve a regional market and maximize tax revenue potential. The proposed use is consistent with the General Plan because the service station is located one block north of the Pomona 60 Freeway and will provide gas service to a regional market. The proposed use to reopen an existing service station is permitted in the R-S (Regional Specialty) Zone with Conditional Use Permit approval. According to MPMC Section 21.70.030, the proposed use is a service station which is permitted in the R-S (Regional Specialty) Zone with Conditional Use Permit approval.

Fourth, the proposed use, as conditioned, will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood as required security measures will minimize the potential for any negative impacts.

Lastly, the proposed use will not have an adverse effect on the public health, safety, and general welfare because security measures and the limited size of the use will limit any potential adverse effects to neighboring properties.

2. The proposed use will not substantially increase vehicular traffic on any street in a residentially zoned district.

The proposed use will not substantially increase vehicular traffic on any street in a residentially zoned district because the proposed use is to reopen an existing service station that was in operation until 2007. No new square footage is proposed and no changes are proposed to the existing layout of the building and canopy

structure. The amount of vehicular traffic will be similar to the amount of traffic generated when the service station was previously in operation. Further, the proposed service station is surrounded on three sides by non-residential uses and is across a large arterial street from the only adjacent residential zone.

3. The proposed use will not lessen the suitability of any nearby commercially zoned property for commercial use by interfering with the pedestrian traffic.

The proposed use will not lessen the suitability of any nearby commercially zoned property for commercial use by interfering with the pedestrian traffic because no changes are proposed to the existing property. To the east, south and west of the property are commercially zoned properties. East of the property is Markland Best Western Hotel, south is Southern California Edison property, and east are Markland Drive and a vacant commercial lot. There is low pedestrian traffic in the vicinity.

4. The proposed use will not create increased traffic hazards to pedestrians when located near a school, church, auditorium, theater or other place of assembly.

The proposed use will not create increased traffic hazards to pedestrians because the proposed use is not located near a school, church, auditorium, theater or other place of assembly, and there is low pedestrian traffic in the vicinity.

5. No more than one-half of the number of corners within the city limits of any street intersection of two arterial, secondary or collector streets or state highways or any combination thereof, as designated on the adopted circulation element of the general plan, shall be developed for a service station or super service station; provided, however, that a conditional use permit may be granted for a preexisting service station or super service station that has remained continuously in operation to the time of application for a conditional use permit and which operation was not subsequently abandoned, whether or not such station is located at the intersection of two arterial, secondary or collector streets or state highways or any combinations thereof, as designated on the adopted circulation element of the general plan, and whether or not more than one-half of the number of corners at the intersection where it is located are occupied by service stations or super service stations.

No more than one-half of the number of corners within the city limits shall be developed with a service station. The proposed use is the only service station at the intersection of Potrero Grande Drive and Markland Drive.

Off-Sale Alcoholic Beverages General

Based on a population of 4,074 in the census tract, the Department of Alcoholic Beverage Control (ABC) allows 2 off-sale licenses in the tract and currently licenses 2 establishments.

Off-sale uses in conjunction with a service station must comply with the list of requirements specified in the Section 21.52.070 of the Monterey Park Municipal Code. Some of the

requirements include 1) no alcohol shall be displayed within 10 feet of the cash register or the front door unless it is in a permanently affixed cooler, 2) no advertisement of alcoholic beverages shall be displayed at motor fuel islands, buildings or windows, 3) no sale of alcoholic beverages shall be made from a drive-in window, 4) no display or sale of alcoholic beverages shall be made from an ice tub, and 5) employees on duty between the hours of 10:00 p.m. and 2:00 a.m. shall be at least 21 years of age to sell alcoholic beverages. The Police Department has included conditions numbers 14 through 18 in the Resolution to address security and alarm requirements.

According to MPMC Section 21.52.040, the Planning Commission shall not grant a conditional use permit for on-sale and off-sale alcohol unless it finds that all of the following are true:

1. That the proposed use complies with all requirements as set forth for the issuance of a conditional use permit, as follows:
 - (1) That the site is adequate in size, shape and topography for the proposed use; and
 - (2) That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use; and
 - (3) That the proposed use is deemed to be part of the general plan and shall subserve the objectives of the general plan and the zoning ordinance and conform thereto; and
 - (4) That the proposed use will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood in which it is proposed; and
 - (5) For any use, other than a use within the ambit of the First Amendment of the United States Constitution that the proposed use will not have an adverse effect on the public health, safety and general welfare.

The proposed use complies with all requirements for the issuance of the conditional use permit. First, the site is adequate in size, shape and topography for the proposed use because the proposed use is to reopen an existing service station. No changes are proposed to the site.

Second, the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use. The site is accessible from Potrero Grande Drive, a 100 foot wide right-of-way principal arterial street and Markland Drive, a 60 foot wide local street. The proposed use is not expected to significantly increase traffic because the use is an existing service station that closed in 2007 and the request is to reopen the service station.

Third, the proposed use is deemed to be part of the general plan and shall subserve the objectives of the general plan and the zoning ordinance and conform thereto because the subject property is designated Commercial in the General Plan and the Commercial land use category provides opportunities for a broad range of retail and service commercial and professional office uses intended to meet the needs of the Monterey Park residents and businesses, as well as regional demand, such as a service station. Further, according to the General Plan, the subject property is located in the Operating Industries Incorporated (OII)/Edison Focus Area. According to the Focus Area, properties adjacent to the Pomona Freeway, with good access via Potrero Grande Drive such as this property possesses, are well suited for commercial uses and thus are designed Commercial on the Land Use Policy Map. Policy 8.2 in the General Plan states to encourage development of retail businesses within the OII/Edison area which serve a regional market and maximize tax revenue potential. The proposed use is consistent with the General Plan because the service station is located one block north of the Pomona 60 Freeway and will provide gas service to a regional market. According to MPMC Section 21.70.030, the proposed use to reopen an existing service station is permitted in the R-S (Regional Specialty) Zone with Conditional Use Permit approval.

Fourth, the proposed use, as conditioned, will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood as required security measures will minimize the potential for any negative impacts.

Lastly, the proposed use will not have an adverse effect on the public health, safety, and general welfare because security measures and the limited size of the use will limit any potential adverse effects to neighboring properties.

2. The proposed use will not present problems, including, but not limited to, loitering, obstruction of pedestrian traffic, vehicular traffic, parking, crime, interference with children on their way to school, interference with shoppers using streets, defacement and damage to structures.

Monterey Park Municipal Code Section 21.52.080 requires off-sale alcoholic beverage establishments to meet distance requirements from consideration points such as schools, church, hospitals, parks, and playgrounds. The proposed use is not located near a school, church, hospital, park or playground.

3. The proposed use will not lessen the suitability of any nearby commercially-zoned properties for commercial use.

The proposed use will not lessen the suitability of any nearby commercially-zoned properties for commercial use because the proposed use is permitted with a conditional use permit and the nearby commercially-zoned properties are already developed, including Markland Best Western Hotel to the east, Southern California Edison property to the south and Markland Drive to the west. West of the Markland Drive is a vacant commercially-zoned property. The proposed use will not hinder development on the vacant lot.

4. The use shall not adversely affect the welfare of area residents or result in undue concentration in the neighborhood of establishments dispensing alcoholic beverages including beer and wine. Consideration shall be given regarding whether the proposed use will detrimentally affect nearby residentially-zoned communities, considering distance to residential buildings, churches, schools, hospitals, public playgrounds and other establishments dispensing alcoholic beverages.

Undue concentration is an application for an alcohol license in a crime reporting district with a twenty percent higher-than-average crime rate compared to all the crime reporting districts of the local law enforcement agency, and a higher-than-average ratio of retail licenses to population in the applicant's census tract or district as compared to the ratio for the applicant's county. According to the Police Department the crime reporting in this area is not twenty percent higher than the average crime rate compared to all the crime reporting districts of the local law enforcement agency. The City is not divided into reporting crime districts, but the Police Department maintains reported crimes by address and the statistics are compiled on an annual basis. Staff compared the reporting crimes from this location with the total number of crimes reported in the City's geographical area. From 2009 to 2012 year to date, the number of crimes reported from the address location is 5 as compared to the entire City which was 600 reported crimes. According to the statistics, the reported number of crimes represents less than one percent of the reported crimes in the City. The Police Department does not view this geographical area as an area of high crime. Although there are two existing businesses in the area that currently sell alcoholic beverages, crime has not been a factor. Therefore, the proposed request under this application will not adversely affect the welfare of area residents or result in undue concentration in the neighborhood.

CONCLUSION:

Staff recommends adopting the Resolution approving the requested Conditional Use Permit (CU-12-01), subject to conditions contained therein.



Jim Basham
Director of Community Development

Attachments:

1. Draft Resolution
2. Plans

RESOLUTION NO.

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEREY PARK, CALIFORNIA APPROVING CONDITIONAL USE PERMIT (CU-12-01) TO PERMIT A SERVICE STATION AND OFF-SALE ALCOHOLIC BEVERAGES (TYPE 21 – GENERAL) AT 430 POTRERO GRANDE DRIVE

The Planning Commission of the City of Monterey Park does resolve as follows:

SECTION 1: The Planning Commission finds and declares that:

- A. On May 3, 2012, Joseph Karaki of Western States Engineering Inc., on behalf of the property owner, Moustaph El Roudi, submitted an application, pursuant to Tile 21, Chapters 21.52, 21.58, and 21.70 of the Monterey Park Municipal Code, requesting approval of Conditional Use Permit (CU-12-01) to permit a service station and off-sale alcoholic beverages (Type 21 – General) at 430 Potrero Grande Drive, ("Project");
- B. The proposed Project was reviewed by the City of Monterey Park Development Services Department for, in part, consistency with the General Plan and conformity with the Monterey Park Municipal Code ("MPMC");
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines") and determined the proposed project to be exempt from environmental review pursuant to Section 15301 of the CEQA Guidelines which is a Class 1 (Existing Facilities) Categorical Exemption;
- D. The Development Services Department completed its review and scheduled a public hearing regarding the proposed Project, before the Planning Commission for August 14, 2012; notice of public hearing on such proposed Project was posted and mailed as required by the MPMC;
- E. On August 14, 2012, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed Project, including, without limitation, information provided to the Planning Commission by City staff and public testimony, and representatives of Joseph Karaki of Western States Engineering Inc.; and,
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its August 14, 2012 hearing including, without limitation, the staff report submitted by the Development Services Department.

SECTION 2: The Planning Commission hereby determines that Conditional Use Permit (CU-12-01) is **APPROVED**, subject to the Conditions listed in Section 3 below, based upon the following findings:

**PLANNING COMMISSION
RESOLUTION NO.
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Service Station

1. The proposed service station use ("Service Station use") complies with all requirements set for the issuance of a conditional use permit in compliance with MPMC Section 21.70.040 as follows:
 - (1) That the site is adequate in size, shape and topography for the proposed use; and
 - (2) That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use; and
 - (3) That the proposed use is deemed to be part of the general plan and shall subserve the objectives of the general plan and the zoning ordinance and conform thereto; and
 - (4) That the proposed use will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood in which it is proposed; and
 - (5) For any use, other than a use within the ambit of the First Amendment of the United States Constitution that the proposed use will not have an adverse effect on the public health, safety and general welfare.

The proposed Service Station complies with all requirements for the issuance of the conditional use permit. First, the site is adequate in size, shape and topography for the proposed use because the requirements of MPMC Section 21.58.040 are met in that the lot size is greater than fourteen thousand four hundred square feet and the lot width is not less than one hundred twenty feet. Further, the proposed use is reopening of a service station that was previously in existence. No new construction or changes to the existing building or parking layout is proposed.

Second, the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use. The site is accessible from Potrero Grande Drive, a 100 foot wide right-of-way principal arterial street and Markland Drive, a 60 foot wide local street. The proposed use is not expected to significantly increase traffic because the use is an existing service station that closed in 2007 and the request is to reopen the service station.

Third, the proposed Service Station is deemed to be part of the general plan and shall subserve the objectives of the general plan and the zoning ordinance and conform thereto because the subject property is designated Commercial in the General Plan and the Commercial land use category provides opportunities for a broad range of retail and service commercial and professional office uses intended to meet the needs of the Monterey Park residents and businesses, as well as regional demand, such as a

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service station. Further, according to the General Plan, the subject property is located in the Operating Industries Incorporated (OII)/Edison Focus Area. According to the Focus Area, properties adjacent to the Pomona Freeway, with good access via Potrero Grande Drive such as this property possesses, are well suited for commercial uses and thus are designed Commercial on the Land Use Policy Map. Policy 8.2 in the General Plan states to encourage development of retail businesses within the OII/Edison area which serve a regional market and maximize tax revenue potential. The proposed use is consistent with the General Plan because the service station is located one block north of the Pomona 60 Freeway and will provide gas service to a regional market. The proposed use to reopen an existing service station is permitted in the R-S (Regional Specialty) Zone with Conditional Use Permit approval. According to MPMC Section 21.70.030, the proposed use is a service station which is permitted in the R-S (Regional Specialty) Zone with Conditional Use Permit approval.

Fourth, the proposed Service Station, as conditioned, will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood as required security measures will minimize the potential for any negative impacts.

Lastly, the proposed Service Station will not have an adverse effect on the public health, safety, and general welfare because security measures and the limited size of the use will limit any potential adverse effects to neighboring properties.

2. The proposed use will not substantially increase vehicular traffic on any street in a residentially zoned district.

The proposed Service Station will not substantially increase vehicular traffic on any street in a residentially zoned district because the proposed Service Station use is to reopen an existing service station that was in operation until 2007. No new square footage is proposed and no changes are proposed to the existing layout of the building and canopy structure. The amount of vehicular traffic will be similar to the amount of traffic generated when the service station was previously in operation. Further, the proposed Service Station is surrounded on three sides by non-residential uses and is across a large arterial street from the only adjacent residential zone.

3. The proposed Service Station will not lessen the suitability of any nearby commercially zoned property for commercial use by interfering with the pedestrian traffic. The proposed use will not lessen the suitability of any nearby commercially zoned property for commercial use by interfering with the pedestrian traffic because no changes are proposed to the existing property. To the east, south and west of the property are commercially zoned properties. East of the property is Markland Best Western Hotel, south is Southern California Edison property, and east are Markland Drive and a vacant commercial lot. There is low pedestrian traffic in the vicinity.

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4. The proposed Service Station will not create increased traffic hazards to pedestrians when located near a school, church, auditorium, theater or other place of assembly. The proposed use will not create increased traffic hazards to pedestrians because the proposed use is not located near a school, church, auditorium, theater or other place of assembly, and there is low pedestrian traffic in the vicinity.
5. No more than one-half of the number of corners within the city limits of any street intersection of two arterial, secondary or collector streets or state highways or any combination thereof, as designated on the adopted circulation element of the general plan, shall be developed for a service station or super service station; provided, however, that a conditional use permit may be granted for a preexisting service station or super service station that has remained continuously in operation to the time of application for a conditional use permit and which operation was not subsequently abandoned, whether or not such station is located at the intersection of two arterial, secondary or collector streets or state highways or any combinations thereof, as designated on the adopted circulation element of the general plan, and whether or not more than one-half of the number of corners at the intersection where it is located are occupied by service stations or super service stations.

No more than one-half of the number of corners within the city limits shall be developed with a service station. The proposed Service Station use is the only service station at the intersection of Potrero Grande Drive and Markland Drive.

Off-Sale Alcoholic Beverages General

1. That the proposed Off-Sale Alcohol Beverage use ("OSAB use") complies with all requirements as set forth for the issuance of a conditional use permit as set forth in MPMC Section 21.70.040 as follows:
 - (1) That the site is adequate in size, shape and topography for the proposed use; and
 - (2) That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use; and
 - (3) That the proposed use is deemed to be part of the general plan and shall subserve the objectives of the general plan and the zoning ordinance and conform thereto; and
 - (4) That the proposed use will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood in which it is proposed; and
 - (5) For any use, other than a use within the ambit of the First Amendment of the

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United States Constitution that the proposed use will not have an adverse effect on the public health, safety and general welfare.

The proposed OSAB use complies with all requirements for the issuance of the conditional use permit. First, the site is adequate in size, shape and topography for the proposed use because the proposed use is to reopen an existing service station. No changes are proposed to the site.

Second, the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed OSAB use. The site is accessible from Potrero Grande Drive, a 100 foot wide right-of-way principal arterial street and Markland Drive, a 60 foot wide local street. The proposed OSAB use is not expected to significantly increase traffic because the use is an existing service station that closed in 2007 and the request is to reopen the service station.

Third, the proposed OSAB use is deemed to be part of the general plan and shall subserve the objectives of the general plan and the zoning ordinance and conform thereto because the subject property is designated Commercial in the General Plan and the Commercial land use category provides opportunities for a broad range of retail and service commercial and professional office uses intended to meet the needs of the Monterey Park residents and businesses, as well as regional demand, such as a service station. Further, according to the General Plan, the subject property is located in the Operating Industries Incorporated (OII)/Edison Focus Area. According to the Focus Area, properties adjacent to the Pomona Freeway, with good access via Potrero Grande Drive such as this property possesses, are well suited for commercial uses and thus are designed Commercial on the Land Use Policy Map. Policy 8.2 in the General Plan states to encourage development of retail businesses within the OII/Edison area which serve a regional market and maximize tax revenue potential. The proposed OSAB use is consistent with the General Plan because the service station is located one block north of the Pomona 60 Freeway and will provide gas service to a regional market. According to MPMC Section 21.70.030, the proposed use to reopen an existing service station is permitted in the R-S (Regional Specialty) Zone with Conditional Use Permit approval.

Fourth, the proposed OSAB use, as conditioned, will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood as required security measures will minimize the potential for any negative impacts.

Lastly, the proposed use will not have an adverse effect on the public health, safety, and general welfare because security measures and the limited size of the use will limit any potential adverse effects to neighboring properties.

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2. The proposed use will not present problems, including, but not limited to, loitering, obstruction of pedestrian traffic, vehicular traffic, parking, crime, interference with children on their way to school, interference with shoppers using streets, defacement and damage to structures.

Monterey Park Municipal Code Section 21.52.080 requires off-sale alcoholic beverage establishments to meet distance requirements from consideration points such as schools, church, hospitals, parks, and playgrounds. The proposed OSAB use is not located near a school, church, hospital, park or playground.

3. The proposed use will not lessen the suitability of any nearby commercially-zoned properties for commercial use.

The proposed OSAB use will not lessen the suitability of any nearby commercially-zoned properties for commercial use because the proposed use is permitted with a conditional use permit and the nearby commercially-zoned properties are already developed, including Markland Best Western Hotel to the east, Southern California Edison property to the south and Markland Drive to the west. West of the Markland Drive is a vacant commercially-zoned property. The proposed OSAB use will not hinder development on the vacant lot.

4. The use shall not adversely affect the welfare of area residents or result in undue concentration in the neighborhood of establishments dispensing alcoholic beverages including beer and wine. Consideration shall be given regarding whether the proposed use will detrimentally affect nearby residentially-zoned communities, considering distance to residential buildings, churches, schools, hospitals, public playgrounds and other establishments dispensing alcoholic beverages.

Undue concentration is an application for an alcohol license in a crime reporting district with a twenty percent higher-than-average crime rate compared to all the crime reporting districts of the local law enforcement agency, and a higher-than-average ratio of retail licenses to population in the applicant's census tract or district as compared to the ratio for the applicant's county. According to the Police Department the crime reporting in this area is not twenty percent higher than the average crime rate compared to all the crime reporting districts of the local law enforcement agency. The City is not divided into reporting crime districts, but the Police Department maintains reported crimes by address and the statistics are compiled on an annual basis. Staff compared the reporting crimes from this location with the total number of crimes reported in the City's geographical area. From 2009 to 2012 year to date, the number of crimes reported from the address location is 5 as compared to the entire City which was 600 reported crimes. According to the statistics, the reported number of crimes represents less than one percent of the reported crimes in the City. The Police Department does not view this geographical area as an area of high crime. Although there are two existing businesses in the area that currently sell alcoholic beverages,

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crime has not been a factor. Therefore, the proposed request under this application will not adversely affect the welfare of area residents or result in undue concentration in the neighborhood.

SECTION 3: The Planning Commission hereby determines that the approval of the Conditional Use Permit (CU-12-01) is subject to the following conditions:

PLANNING:

1. That the applicant and property owner and each successor in interest to the property which is the subject of this project shall defend, indemnify and hold harmless the City of Monterey Park and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or null any approval of the City, City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.
2. The project shall substantially conform to submitted plans date-stamped May 3, 2012 except as modified herein. Future modifications that are not in substantial conformance, as determined by the Planner, shall require modification of this approval subject to the provisions of MPMC Section 21.70.170.
3. Approval of this Conditional Use Permit shall be null and void if the use hereunder is not exercised by obtaining all necessary permits within one year. A single one-year extension may be approved by the granting body upon application, payment of fee, and finding of good cause.
4. The applicant and property owner shall establish and execute a monthly maintenance program that calls for the cleaning and deodorizing of the trash enclosure in a manner that does not violate NPDES regulations. The program shall be established in writing and a copy submitted to the City for review and approval. The program shall include any attachments such as a current contract for services to do such work.
5. The applicant and property owner shall establish and execute a maintenance program that calls for the cleaning of the grease interceptor in a manner that does not violate NPDES regulations. The program shall be established in writing and a copy submitted to the City's Fire and Development Services Departments for review and approval. The program shall include any attachment such as a current contract for services to do such work. The applicant/property owner shall submit to the City's Fire Department any confirmation of periodic clean out work and any annual inspection fee.

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6. The applicant and property owner shall be responsible for maintaining the area adjacent to the business location and the site in general, including any parkways and alleys.
7. The applicant and property owner shall sign a notarized Affidavit of Acceptance of all conditions of approval and return it to the Planning Division within 30 days after the effective date of this approval.
8. A copy of the Conditions of Approval for the Conditional Use Permit must be kept on the premises of the establishment and presented to any authorized City official upon request.
9. The applicant and owner of the establishment shall comply with all state requirements. The applicant must obtain and maintain a valid Alcoholic Beverage License for Off-Sale General. All conditions of the Alcoholic Beverage Control license must be maintained at all times and failure to do so will be grounds for revocation.
10. The property shall remain well maintained and free of graffiti. Failure of the applicant/property owner to remove graffiti within 24 hours written notice by the City shall authorize the City to remove or mask said graffiti at the cost of the applicant/property owner.
11. There shall be no exterior advertising of any type including advertising directed to the exterior within, promoting or indicating the availability of alcoholic beverages.
12. The applicant and property owner must comply with all MPMC requirements for alcohol sales at service states as is currently set forth in MPMC Section 21.52.070.
13. The applicant and property owner must comply with all MPMC requirements for service stations as is currently set forth in MPMC Chapter 21.58.
14. The exterior lighting of the parking area shall be kept at an intensity of between one and two foot-candles so as to provide adequate lighting for patrons while not disturbing surrounding residential or commercial areas.

LICENSING

15. Additional business license fees must be paid upon approval of license from Alcoholic Beverage Control (ABC) pursuant to MPMC Section 5.12.230 (29)(B)

POLICE

16. The business shall have security video cameras operating during all hours that the business is open. All cameras must record onto a videotape or similar recording device. The recordings of the security video cameras shall be maintained for a

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minimum period of 30 days, and the recordings must be made immediately available for any law enforcement officer who is making the request as a result of official law enforcement business. The video cameras shall be located at the gas pump and parking lot areas and all areas of the cash register/cashier and where cash is stored. If the Chief of Police determines that there is a necessity to have additional security cameras installed, the manager/owner of the business must comply with the request within 7 days. The Chief of Police can also require the position of the video cameras to be changed if it is determined that the position of the camera does not meet security needs. The manager/owner of the business must comply with the request within 7 days. The picture quality of the video cameras and recording devices installed on the complex must meet the approval of the Chief of Police.

17. All conditions of the Alcoholic Beverage Control Board must be adhered at all times.
18. The manager/owner shall be responsible for maintaining the property free of litter and graffiti.
19. Three or more complaints substantiated by City staff within any one year period regarding disturbances caused by patrons of the restaurant (whether inside or within close proximity of the restaurant) provides grounds for the City to revoke this Conditional Use Permit.
20. The business shall be equipped with a panic/hold up alarm system. Employees shall have access to panic button(s) that will notify an alarm monitoring company of a robbery or other emergency at the location and who will in turn notify the Monterey Park Police Department of the emergency. The business manager/owner will obtain an alarm permit from the Monterey Park Police Department. The permit be my obtained by calling the Monterey Park Police Community Relations Bureau at (626) 307-1215.

RECREATION AND PARKS

21. Applicant and owner shall make a new 4 feet by 4 feet tree well in the sidewalk area between the two existing driveways on Potrero Grande Drive and plant and properly maintain a new 15-gallon white Crape Myrtle in a manner acceptable to the Director of Public Works.

SECTION 4: *Reliance on Record.* Each and every one of the findings and determinations 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.

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SECTION 5: *Limitations.* The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 6: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

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

SECTION 8: The Secretary shall certify to the adoption of this Resolution and forward a copy hereof to the City Council.

ADOPTED AND APPROVED this 14th day of August 2012.

Chairperson Michael Hamner

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 14th day of August 2012, by the following vote of the Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

Jim Basham, Staff Liaison
Director of Community Development

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

By:

Elizabeth M. Calciano,
Assistant City Attorney