



CITY OF MONTEREY PARK PLANNING COMMISSION AGENDA

REGULAR MEETING
CITY HALL—COUNCIL CHAMBERS
320 W. NEWMARK AVENUE
March 26, 2013
7:00 P.M.

Planning Commission

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

Staff

James Funk, Lead Planner/Economic and
Development Special Projects Manager
Robert Smith, Deputy City Attorney
Samantha Tewasart, Associate Planner
Vacant, 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:

1. [TITLE 21 COMPREHENSIVE ZONING CODE AMENDMENT](#)

ENVIRONMENTAL:

In addition to drafting the proposed revisions, staff also analyzed any potential environmental impacts that may

result from the changes and prepared an initial study pursuant to the California Environmental Quality Act ("CEQA"). The initial study was sent to relevant public agencies and notice was provided pursuant to CEQA. The public comment period ends the date of the Planning Commission's hearing. Pursuant to CEQA, the Community Development Department, with concurrence from the City Attorney's Office, has determined after the preparation of the Initial Study and environmental assessment that there is no substantial evidence that the Zoning Code Amendment may have a significant effect on the environment, because the amendments are primarily related to updating the Zoning Code to be consistent with changes in State law and the City's General Plan and the revisions do not themselves permit any additional development, increased density, increased building height, or other significant changes in development patterns within the City. Any projects permitted pursuant to the amended Zoning Code regulations would be required to separately undergo environmental review when a specific project is proposed. Therefore, a Negative Declaration has been prepared in accordance with the provisions of CEQA.

RECOMMENDATION: It is recommended that the Planning Commission 1) adopt the Resolution recommending that the City Council adopt the Zoning Code Amendment amending Title 21 of Monterey Park Municipal Code (CA-13-01) and associated negative declaration.

2. **DETERMINATION OF CONSISTENCY OF THE FISCAL YEAR 2012-13 CAPITAL IMPROVEMENT PROGRAM WITH THE CITY OF MONTEREY PARK GENERAL PLAN**

The applicant, Monterey Park Public Works Department, is requesting approval for a determination of consistency of the Fiscal Year 2012-13 Capital Improvement Program with the City of Monterey Park General Plan.

ENVIRONMENTAL: The proposed Resolution is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures to implement government funding mechanisms; does not involve any commitment to a specific project which could result in a potentially

significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, this Resolution does not constitute a “project” that requires environmental review (see specifically 14 CCR § 15378(b)(4-5)).

RECOMMENDATION: It is recommended that the Planning Commission adopt the Resolution determining that the Capital Improvement Program is consistent with the City of Monterey Park General Plan.

3. CONDITIONAL USE PERMIT – 2180 SOUTH ATLANTIC BOULEVARD #B (CU-13-03)

The applicant, Valerie Sacks of Liquor License Specialists, on behalf of the Manager Kim Oganeseayan of Chipotle Mexican Grill, Inc., is requesting approval of a Conditional Use Permit to permit on-sale beer and wine (Type 41) in conjunction with a bona fide retail eating establishment in the S-C (Shopping Center) 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-13-03), subject to conditions of approval contained therein; and 2) take such additional, related action that may be desirable.

ITEMS FROM COMMUNITY DEVELOPMENT:

ITEMS FROM THE COMMISSION:

ADJOURNMENT:

Next regular meeting on April 9, 2013, 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:

JAMES FUNK	
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PLANNING COMMISSION STAFF REPORT

ITEM NUMBER

1

TO: Planning Commission

FROM: Lead Planner/Economic and Development Special
Projects Manager

MEETING DATE: March 26, 2013

SUBJECT: PUBLIC HEARING
TITLE 21 ZONING CODE AMENDMENT (CA-13-01)

LOCATION: Citywide

APPLICANT: City of Monterey Park

PROJECT PLANNER: Samantha Tewasart
Associate Planner

RECOMMENDATION: After holding the public hearing, staff recommends that the Planning Commission adopt the Resolution recommending that the City Council adopt the Zoning Code Amendment amending Title 21 of the Monterey Park Municipal Code (CA-13-01).

ZONE: Citywide

GENERAL PLAN DESIGNATION: Citywide

SITE DESCRIPTION: Citywide

PROJECT SITE BACKGROUND/PAST CITY APPLICATIONS:

None

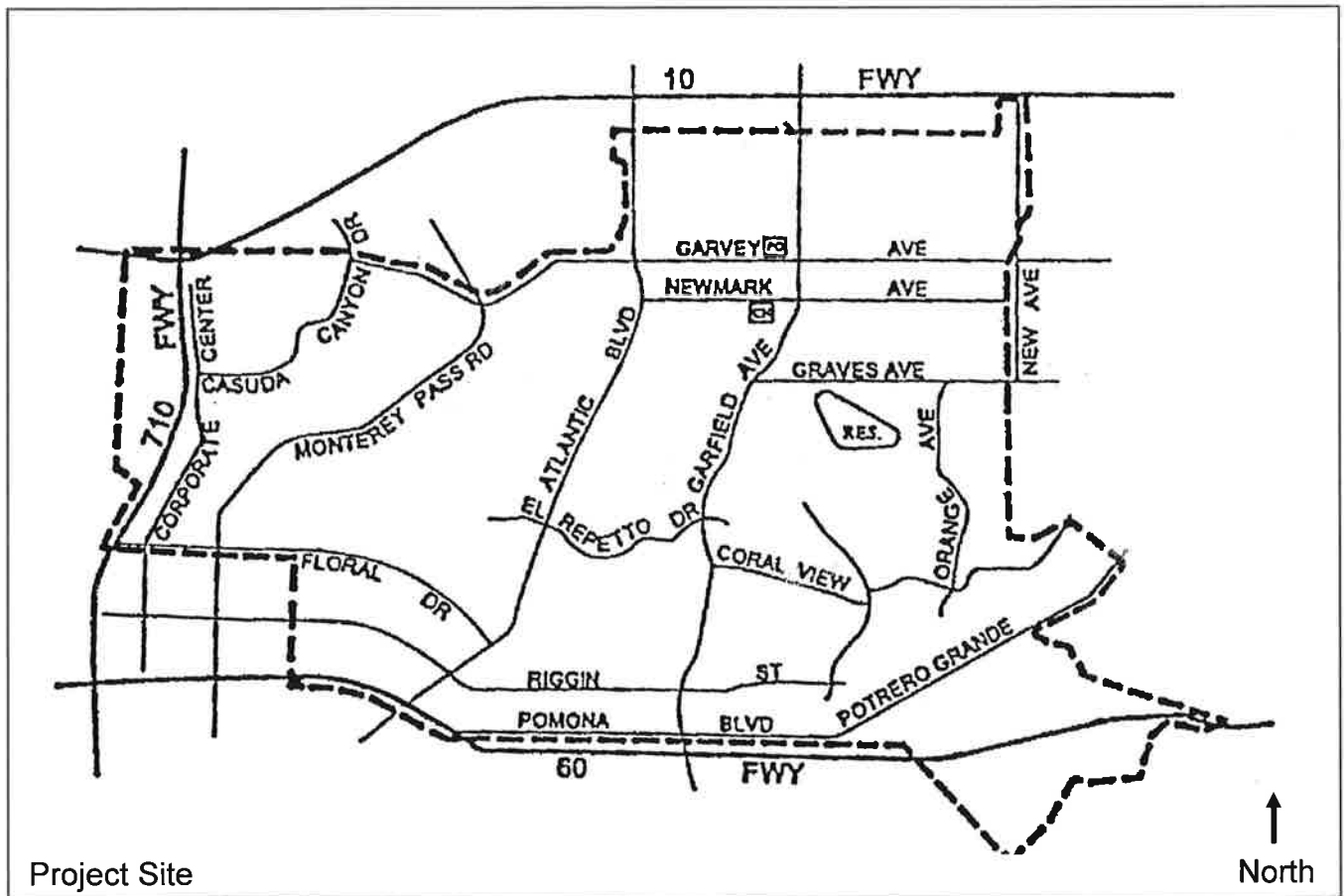
LEGAL NOTIFICATION:

The legal notice of this hearing was published in **The Wave** on **February 21, 2013** and posted on **February 14, 2013**, in the Monterey Park Bruggemeyer Library, Langley Center and the City Hall with affidavits of publishing and posting on file.

ENVIRONMENTAL ASSESSMENT:

In addition to drafting the proposed revisions, staff also analyzed any potential environmental impacts that may result from the changes and prepared an initial study pursuant to the California Environmental Quality Act ("CEQA"). The initial study was sent to relevant public agencies and notice was provided pursuant to CEQA. The public comment period ends the date of the Planning Commission's hearing. Pursuant to CEQA, the Community Development Department, with concurrence from the City Attorney's Office, has determined after the preparation of the Initial Study and environmental assessment that there is no substantial evidence that the Zoning Code Amendment may have a significant effect on the environment, because the amendments are primarily related to updating the Zoning Code to be consistent with changes in State law and the City's General Plan and the revisions do not themselves permit any additional development, increased density, increased building height, or other significant changes in development patterns within the City. Any projects permitted pursuant to the amended Zoning Code regulations would be required to separately undergo environmental review when a specific project is proposed. Therefore, a Negative Declaration has been prepared in accordance with the provisions of CEQA.

VICINITY MAP:



ANALYSIS AND EVALUATION OF PROJECT:

The proposed Zoning Code Amendment will accomplish three primary tasks, including:

- 1) Implementing Measures D and O, which were voted on by the people of Monterey Park in 1998 and 2001, respectively, and resolve inconsistencies between the Zoning Code and General Plan; and
- 2) Implementing the policies of the updated Housing Element 2009-2014; and
- 3) Creating a user-friendly Code by changing the format and organization of the Code, removing redundant information and outdated land uses, eliminating internal inconsistencies, and updating the Code to be consistent with changes in State law.

While the Code changes amend certain restrictions concerning which uses may be permitted in a specific zone, the amendment does not directly permit any additional new development as compared to the existing Zoning Code and does not directly increase the height, density, or permitted uses within the City (other than as required by State law).

State and Municipal Laws

In 2001, the City updated the General Plan and adopted new goals and policies, which focused on physical development and land use mixes. These changes included several goals and policies which impact the City's Zoning Code, thereby requiring that the Zoning Code be updated to maintain consistency. Since zoning is one of the primary means of implementing the General Plan, the success of the General Plan, and in particular the Land Use Element, rests in part upon the effectiveness of a consistent Zoning Ordinance in translating the long-term objectives and policies contained in the General Plan into everyday decisions. According to Government Code Section 65400, after the City Council adopts all or part of the General Plan, the planning agency must investigate and make recommendations to the City Council regarding reasonable and practical means for implementing the General Plan so that it will serve as an effective guide for orderly growth and development. Therefore, one of the primary goals of the Zoning Code Amendment is to implement the goals and policies of the General Plan update to ensure consistency with the previously adopted General Plan changes.

Additionally, the Zoning Code has not been comprehensively updated in over 30 years. There are several areas of State law that have changed over the years that require changes in City regulations to ensure consistency. For example, State regulations regarding density bonuses, adult-oriented businesses, affordable housing, regulation of transitional housing, medical services, and treatment centers, all have evolved over time and require changes to City zoning regulations to provide predictable and transparent regulation in these areas. While the proposed changes address most of these concerns, the Zoning Code Amendment does not update the City's adult business ordinance, which will be prepared and considered separately.

Description of Tasks

In April 14, 1998, the People of Monterey Park adopted Ordinance No. 1933 approving Measure D (see attached Ordinance), which affected the land use and zoning designations of the McCaslin Business Park area, located in the southeastern portion of the City. The following amendments to the General Plan, Zoning Code, and Zoning Map were approved by the vote of the people:

1. Creation and addition of Chapter 21.14, entitled O-P (Office Professional) Zone in the Zoning Code;
2. Modification of Section 21.70.030 of the Zoning Code by adding certain conditionally permitted uses in the O-P Zone; and
3. McCaslin Business Park was affected by Measure D, which changed the General Plan land use from Industrial to Commercial and the Zoning designation, from Manufacturing (M) to Office Professional (O-P).

In July 18, 2001, the City Council adopted Resolution No. 10655 (Measure O) approving a comprehensive update of the City's General Plan (see attached Resolution). The following amendments to the Land Use Element were approved by the vote of the people:

1. Commercial and/or Residential zoning was changed to Mixed-Use commercial residential zoning along portions of the North Atlantic, Garfield, East Garvey, Baltimore, and Pomona;
- 2a. Industrial zoning was changed to Employment Technology zoning along Monterey Pass Road and west of the Long Beach Freeway;
- 2b. Industrial zoning was changed to Public Facilities zoning west of the Long Beach Freeway and adjacent to the west City boundary;
- 2c. Industrial zoning was changed to commercial zoning between Potrero Grande Drive and the Pomona Freeway;
3. Public and Semi-Public Facilities zoning was changed to Open Space zoning south of the Pomona Freeway;
4. Residential zoning was changed to Commercial zoning on Hillview, and Mable; and
5. Increased residential density uses were permitted on Cesar Chavez across from East Los Angeles College and on Potrero Grande east of Kenton.

In March 4, 2009, the City Council adopted Ordinance 2062 approving the 2008-2014 Housing Element (see attached Ordinance). The following programs were created to illustrate to the Department of Housing and Community Development (HCD) Monterey Park's commitment to promote conservation and improvement of the existing housing stock:

1. Program 5: Efficient Permit Processing

- Review existing design review procedures for residential and mixed-use development and revise the Zoning Ordinance, as part of the comprehensive update, to include design guidelines related to scale and massing for new residential and mixed-use development for the Design Review Board to use in assessing projects; and

2. Program 6: Density Bonuses

- Adopt the State density bonus law to facilitate development of affordable housing; and
- Continue to provide regulatory incentives to developers of senior housing through the Senior Citizen Housing Overlay Zoning; and

3. Program 7: Extremely Low-Income and Special Needs Housing

- Amended Zoning Ordinance shall facilitate housing opportunities for extremely low-income persons by establishing definitions, performance standards, and siting regulations for transitional and supportive housing development and single-room occupancy developments (SROs). Establish a process to monitor applications for SROs to ensure processing procedures and standards do not hinder the development of SROs;
- Continue to allow the establishment of transitional housing and supportive housing that functions as residential uses in the residential zones consistent with similar residential uses; and
- Permit emergency shelters by right in the Office-Professional (O-P) Zone and to amend the Zoning Ordinance to include emergency shelters as a permitted use in the M Zone. Emergency shelters are to have the same development standards as dwelling units allowed in the M Zone for the purpose of guarding and caretaking operations and businesses. Additional written objective standards are to be developed for emergency shelters to regulate the following, as permitted under SB 2:
 - The maximum number of beds/persons permitted to be served nightly;
 - Off-street parking based on demonstrated need, but not to exceed parking requirements for other residential or commercial uses in the same zone;
 - The size/location of exterior and interior on-site waiting and client intake areas;
 - The provision of on-site management;
 - The proximity of other emergency shelters are not required to be more than 300 feet apart;

- The length of stay;
- Lighting; and
- Security during hours of operation.

4. Program 16: Zoning Ordinance Revision

- Amend the Zoning Ordinance, as part of the comprehensive Zoning Ordinance revision, to revise or remove the definition of family.

Summary of Changes

Most of the proposed changes are intended to resolve internal inconsistencies, eliminate redundancy, and make the Code easier to understand and more accessible to City residents and applicants. The below table represents a summary of the changes that staff believes are most significant as compared to the existing Code, and the reason for the proposed change.

Proposed Change	Reason for Change
Community Centers are Conditionally Permitted in R-2 and R-3 Zones	Consistent with City's Climate Action plan of locating community uses nearby residential areas to decrease vehicular trips
Congregate Care Facilities are Conditionally Permitted in R-2 and R-3 Zones	Required by Welfare & Institutions Code (Lanterman Developmental Disabilities Services Act)
Golf Courses and Public Parks are Conditionally Permitted in Residential Zones	Increases recreational uses nearby residential areas, thereby promoting City parks and recreation consistent with the General Plan
Supportive and Transitional Housing is Conditionally Permitted in the R-3 Zone	Required by Welfare & Institutions Code (Lanterman Developmental Disabilities Services Act) and Government Code Section 65583
New regulations of Extended Lodging Facilities	Provides regulation of facilities that offer lodging for more than 30 days. Permitted in R-S, C-S, and C-P Zones.
Eliminate Manufacturing Zone	Consistent with Measure O previously approved by City voters
Include tattoo/body piercing and emergency shelters as permitted uses in the O-P Zone	Pursuant to State law and recent case law, these uses cannot be prohibited in the City. Staff believes that these uses would be best situated in the O-P Zone.
Include wholesaling use in O-P Zone.	Given the large size of many of the existing structures in the O-P Zone, wholesaling uses are appropriate, given the need for a large amount of floor area for sales and storage. This provides a beneficial use for certain properties that cannot be used for manufacturing, warehousing, or industrial uses pursuant to Measure O.

Incorporation of Design Standards for Downtown	Consistent with General Plan policy of enhancing the aesthetic character of Downtown with a unifying development theme.
Update affordable housing, senior citizen housing, and density bonus regulations.	Required to comply with changes in State affordable housing and senior citizen housing regulations.
Revised parking regulations.	Required to update confusing and ambiguous regulations regarding the required number of parking spaces per use.
Regulations for minor modifications and minor variances.	Creates a procedure for minor changes in code requirements (less than 20%) or changes to previous approvals to permit more efficient streamlining of projects and approvals.
Wireless telecommunications facility regulations.	Required to comply with Federal Telecommunications Act.

CONCLUSION:

After holding the public hearing, staff recommends that the Planning Commission adopt the Resolution recommending that the City Council adopt the Zoning Code Amendment amending Title 21 of Monterey Park Municipal Code (CA-13-01) and associated negative declaration.



James Funk
Lead Planner/Economic and Development Special Projects Manager

Attachments:

1. Draft Resolution
2. Draft Title 21 Zoning Code Amendment
3. Initial Study and Draft Negative Declaration
4. Resolution No. 10655
5. Ordinance No. 1933
6. Ordinance No. 2062



PLANNING COMMISSION STAFF REPORT

ITEM NUMBER

2

TO: Planning Commission

FROM: Interim Director of Community Development

MEETING DATE: March 26, 2013

SUBJECT: PUBLIC HEARING

DETERMINATION OF CONSISTENCY OF THE
FISCAL YEAR 2012-13 CAPITAL IMPROVEMENT
PROGRAM WITH THE CITY OF MONTEREY PARK
GENERAL PLAN.

LOCATION: Citywide

APPLICANT: City of Monterey Public Works Department
320 West Newmark Avenue
Monterey Park CA 91754

PROJECT ENGINEER: Rey Alfonso
Assistant City Engineer

RECOMMENDATION: Adopt a Resolution determining that the Capital
Improvement Program is consistent with the City of
Monterey Park General Plan.

ZONE: Not applicable.

GENERAL PLAN DESIGNATION: Not applicable.

SITE DESCRIPTION: Not applicable.

PROJECT SITE BACKGROUND/PAST CITY APPLICATIONS: None.

LEGAL NOTIFICATION:

The legal notice of this hearing was posted at the subject site, City Hall, Bruggemeyer Memorial Library, and Langley Center on **March 6, 2013**, with affidavits of posting on file.

ENVIRONMENTAL ASSESSMENT:

The proposed Resolution is exempt from review under the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA") and CEQA regulations (14 California Code of Regulations §§ 15000, *et seq.*) because it establishes rules and procedures to implement government funding mechanisms; does not involve any commitment to a specific project which could result in a potentially significant physical impact on the environment; and constitutes an organizational or administrative activity that will not result in direct or indirect physical changes in the environment. Accordingly, this Resolution does not constitute a "project" that requires environmental review (see specifically 14 CCR § 15378(b)(4-5)).

INTRODUCTION:

The City of Monterey Park annually reviews its Capital Improvement Program ("CIP") for the purpose of identifying and prioritizing capital projects to be completed within the upcoming fiscal year. These projects are needed to adequately maintain current facilities, maintain existing infrastructure and provide new infrastructure where needed for the health and welfare of our citizens.

This annual review of the CIP is required by Government Code § 65103(c). That Section states that each planning agency must: "Annually review the capital improvement program of the city or county and the local public works projects of other local agencies for their consistency with the general plan, pursuant to Article 7 (commencing with Section 65400)." Additionally, Government Code § 65401 requires that cities prepare a coordinated program of proposed public works projects and that they be reviewed by the city planning agency for conformity with the City's General Plan. The planning agency in the City of Monterey Park is the Planning Commission.

BACKGROUND:

CIP review process

City staff annually reviews the City's capital improvement needs; sets goals for addressing those needs; and identifies projects necessary to achieve those goals. The Public Works Department, with input from the City Manager and other City departments, prepares a draft CIP that typically includes improvements to the City's streets, parks, water system and public buildings. The draft CIP is then presented to the City Manager and Finance Director for review. The City Manager and Finance Director evaluate all the capital and community projects proposed for funding and make a formal recommendation to the City Council.

The 2012-13 CIP

The proposed 2012-13 CIP is more fully described in the table below. In summary, the Public Works Department will administer sixteen (16) projects at an estimated cost of \$6,966,000. The CIP includes projects anticipated to be started or completed during the 2012-13 fiscal year. Each project will require the preparation of design plans and/or bid specifications by the City's Engineering staff or a paid consultant. As design plans for each project are completed, staff will request the City Council's approval of the plans for construction and authorization to advertise the project for bids.

ANALYSIS:

The following table lists and describes all the CIP projects anticipated to be started or completed by the Public Works Department during fiscal year 2012-13. The CIP as a whole is consistent with the General Plan's commitment to "implementing a long-range plan that enhances the physical, economic and human resources of the community." Each project is necessary to improve and maintain the City's infrastructure, thereby allowing the City to continue providing high-level services to the community, and improve the quality of life for residents. The below projects are consistent with the goals and objectives of the Monterey Park General Plan based on the sections cited.

	Project Name & Description	Funding	General Plan Consistency
1	Slurry Seal of Various Streets – Application of an asphalt emulsion slurry seal coat on various city streets. The proposed project will encompass the area bound by Atlantic Boulevard to the west, El Repetto Drive to the north, Garfield Avenue to the east, and Riggins Street to the south.	\$200,000	Consistent with Circulation Element Policy 2.5, to implement intelligent transportation system technologies to improve traffic flow.
2	Localized Pavement Repairs – Repair local pavement failures and water main repair cuts at various	\$150,000	Consistent with Circulation Element Policy 2.5, to implement intelligent transportation system

	locations city wide. Approximately 200 locations will be identified by the street maintenance supervisor and public works inspector.		technologies to improve traffic flow.
3	Traffic Signal Upgrades at Atlantic Boulevard and Hellman Avenue – Replace old traffic signal poles, conduit and cable; Provide left-turn phasing from eastbound Hellman Avenue to northbound Atlantic Boulevard, and interconnect to the traffic signal at the north entrance to the Atlantic Times Square; Update pavement markings, signage and striping at the intersection.	\$100,000	Consistent with Circulation Element Policy 2.5, to implement intelligent transportation system technologies to improve traffic flow.
4	Replacement of Park Monument Signs – Replace old wood and steel post park signs with new concrete monuments.	\$60,000	Consistent with Resources Element Policy 1.1, to assess usage of park facilities, and identify physical changes needed to accommodate anticipated use patterns, and Resources Element Goal 1.0, to optimize use of established public parks, and provide park facilities that meet the needs of the City's population.
5*	Replacement of City Hall Emergency Generator – Replace the old emergency generator at City Hall to provide dependable backup power as needed.	\$108,000	Consistent with the Standard Emergency Management System, a related plan identified in the Safety and Community Services Element.
6**	Park ADA Access Improvements – Construct concrete walkways, ramps and landings at 10 City parks to comply with Americans with Disabilities Act (ADA) access requirements. The work will also include expanding the entrances to restroom facilities, and installing ADA drinking fountains, handrails, handicap signs and pavement	\$750,000	Consistent with Resources Element Policy 1.1, to assess usage of park facilities, and identify physical changes needed to accommodate anticipated use patterns, and Resources Element Goal 1.0, to optimize use of established public parks, and provide park facilities that meet the needs of the City's population.

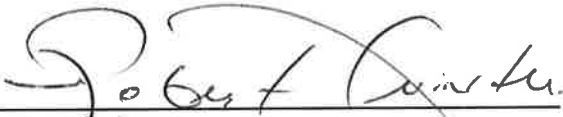
	markings to improve access into and around the individual park facilities.		
7*	Auto Shop Roof Repair and Painting – Repair recurring roof and wall leaks at the City Yard Auto Shop and paint the building interior and exterior.	\$80,000	Consistent with the General Plan goal of implementing a long-range plan that enhances the physical, economic and human resources of the community.
8*	City Hall Skylight Repairs – Repair the skylights at City Hall which involves removing, cleaning and resealing the leaking panels.	\$67,000	Consistent with the General Plan goal of implementing a long-range plan that enhances the physical, economic and human resources of the community.
9	Barnes Pool Filters Replacement – Replace up to seven 15-year-old pool filters at Barnes Park Swimming Pool with new filters that should last another 15 years.	\$72,000	Consistent with Resources Element Policy 1.1, to assess usage of park facilities, and identify physical changes needed to accommodate anticipated use patterns, and Resources Element Goal 1.0, to optimize use of established public parks, and provide park facilities that meet the needs of the City's population.
10	Barnes Pool Heaters Replacement – Replace two 15-year-old pool heaters at Barnes Park Swimming Pool with new energy efficient models that should last another 15 years.	\$54,000	Consistent with Resources Element Policy 1.1, to assess usage of park facilities, and identify physical changes needed to accommodate anticipated use patterns, and Resources Element Goal 1.0, to optimize use of established public parks, and provide park facilities that meet the needs of the City's population.
11	Various Park Site Improvements	\$50,000	Consistent with Resources Element Policy 1.1, to assess

	- Install new fencing, replace old picnic tables, plant new trees and shrubs as necessary to improve the appearance at various park sites.		usage of park facilities, and identify physical changes needed to accommodate anticipated use patterns, and Resources Element Goal 1.0, to optimize use of established public parks, and provide park facilities that meet the needs of the City's population.
12	City Hall Lobby/Exterior Painting – Paint the main lobby and exterior of the City Hall building, including the adjacent parking structure.	\$50,000	Consistent with the General Plan goal of implementing a long-range plan that enhances the physical, economic and human resources of the community.
13	Sanitary Sewer Rehabilitation – Rehabilitate the sewer mainline in Harding Street from Ynez Avenue to Chandler Avenue as identified in the Sewer Master Plan.	\$125,000	Consistent with Safety and Community Services Element Policy 13.1 to implement recommended sewer system improvements in the Sewer Master Plan.
14	Fire Station 61 Apparatus Floor Repair and Resurfacing – Repair floor cracks and deteriorated areas, and resurface the apparatus floor at Fire Station 61.	\$50,000	Consistent with Safety and Community Services Element Goal 11.0 to provide City residents and the business community with a high level of fire protection, and Safety and Community Services Element Policy 11.1 to continue to fund maintenance and staffing to ensure a five- to six-minute fire response time citywide.
15	Fire Station 61 Parking Lot Improvement – Remove deteriorated asphalt concrete pavement in the parking area at Fire Station 61 and replace with reinforced concrete pavement to support the continuous heavy loading from City trucks, buses and fire apparatus.	\$50,000	Consistent with Safety and Community Services Element Goal 11.0 to provide City residents and the business community with a high level of fire protection, and Safety and Community Services Element Policy 11.1 to continue to fund maintenance and staffing to ensure a five- to six-minute fire response time citywide.
16*	Water Main Replacement –	\$5,000,000	Consistent with Safety and Community Services Element

*	Upgrade the existing water main lines (from 4-inch to 8-inch) in McPherrin, Huntington, and Baltimore Avenues, between Garvey Avenue and Hellman Avenue, to improve fire protection as recommended in the City's Water Master Plan.		Goal 11.0 to provide City residents and the business community with a high level of fire protection and Safety and Community Services Element Policy 13.2 to implement the recommended water system improvements in the Water Master Plan.
	Total:	\$6,966,000	
*	Note – These projects were carried over from previous fiscal years as not yet completed but currently in progress.		
**	Note – These projects were not included in the 2012-2013 City Budget. However, the City Manager has directed staff to proceed with engineering design.		

CONCLUSION:

Staff recommends adopting the attached Resolution determining that the Capital Improvement Program is consistent with the General Plan pursuant to Government Code § 65103.


 Robert Quintero
 Interim Director of Community Development

Attachment: Draft Resolution



PLANNING COMMISSION

STAFF REPORT

ITEM NUMBER

3

TO: Planning Commission

FROM: Lead Planner/Economic and Development Special Projects Manager

MEETING DATE: March 26, 2013

SUBJECT: PUBLIC HEARING

CONDITIONAL USE PERMIT (CU-13-03) TO PERMIT ON-SALE ALCOHOLIC BEVERAGES (BEER AND WINE) IN CONJUNCTION WITH A BONA FIDE EATING ESTABLISHMENT

LOCATION: 2180 South Atlantic Boulevard #B

APPLICANT: Valerie Sacks of Liquor License Specialists
12304 Santa Monica Boulevard Suite 100
Los Angeles CA 90025

PROJECT PLANNER: Samantha Tewasart
Associate Planner

RECOMMENDATION: After holding the public hearing, 1) adopt the Resolution approving the requested Conditional Use Permit (CU-13-03) subject to conditions of approval contained therein; and 2) take such additional, related action that may be desirable.

ZONE: S-C (Shopping Center)

GENERAL PLAN DESIGNATION: Commercial

ASSESSORS PARCEL NUMBER: 5266-003-032

SITE DESCRIPTION:

Property Size: 226,948 sq ft (5.20 acres)

Surrounding Properties:

North:	S-C (Shopping Center); vacant commercial lot
South:	S-C (Shopping Center); commercial center
East:	R-1 (Single Family Residential); single family dwelling
West:	S-C (Shopping Center); commercial center

PROJECT SITE BACKGROUND/PAST CITY APPLICATIONS:

None

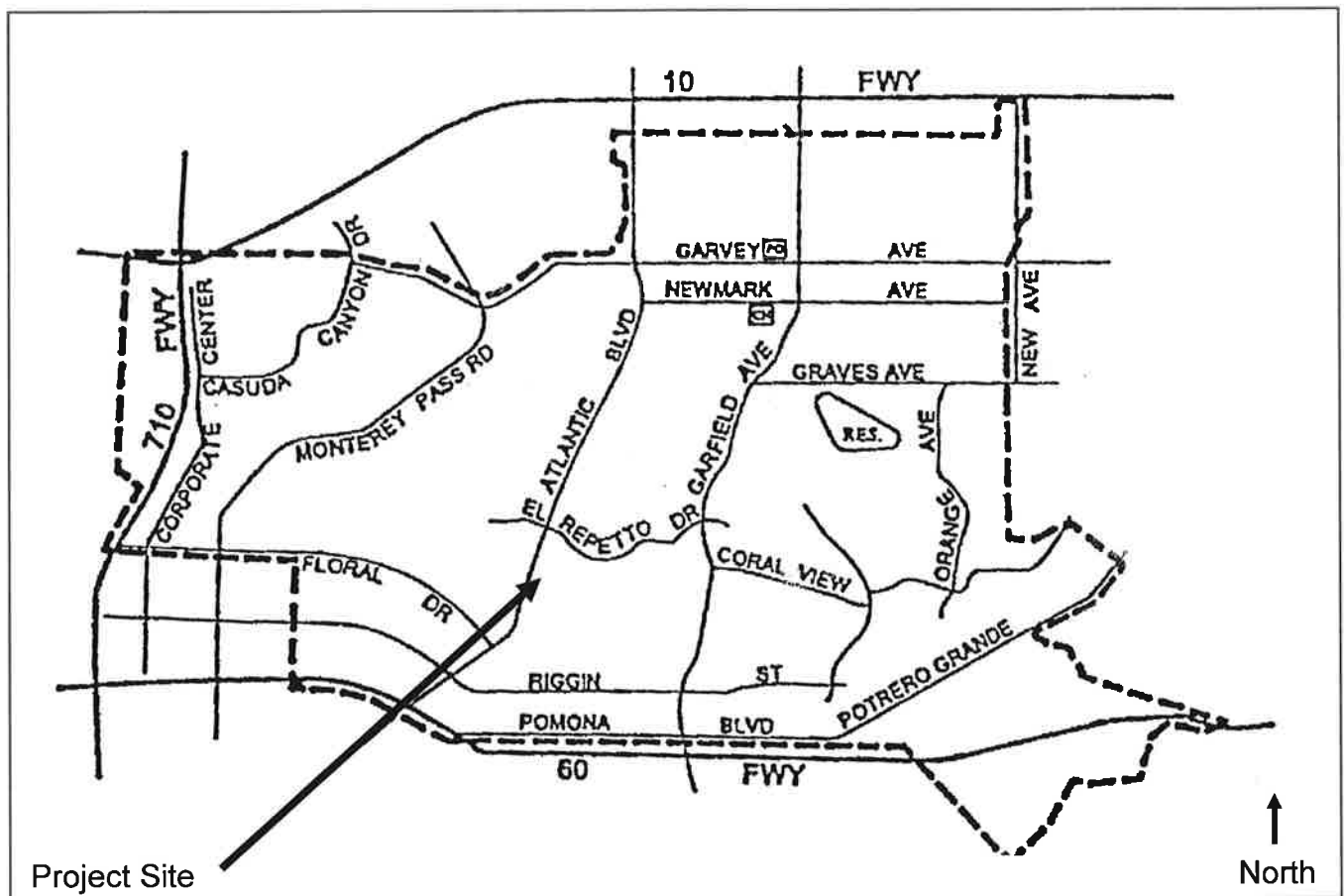
LEGAL NOTIFICATION:

The legal notice of this hearing was posted at the subject site, City Hall, Bruggemeyer Memorial Library, and Langley Center on **March 6, 2013**, with affidavits of posting on file. The legal notice of this hearing was mailed to **179** property owners within a 300 feet radius and current tenants of the property concerned on **March 6, 2013**.

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, Valerie Sacks of Liquor License Specialists, on behalf of the Manager Kim Oganeseayan of Chipotle Mexican Grill, Inc., is requesting approval of a Conditional Use Permit to allow on-sale of beer and wine (Type 41) in conjunction with a bona fide public eating place. The subject business is a retail eating place located on the east side of South Atlantic Boulevard, between Brightwood Street and Floral Drive. The lot is 226,948 square feet (5.20 acres) in area and is developed with a 73,938 square feet, one-story multi-tenant building. The subject unit is 2,270 square feet in area. The property is zoned S-C (Shopping Center) and designated Commercial in the General Plan. To the north, south, and west of the subject property are commercial uses and to the east are single-family dwellings.

According to the floor plan, less than half of the restaurant will be used for dining purposes. The remaining area includes the kitchen, restrooms, storage, employee break room, and the entry/waiting area. The restaurant will continue to serve lunch and dinner while maintaining their current hours of operation, seven days a week from 11:00 a.m. to 10:00 p.m. The serving of alcoholic beverages will complement the restaurant's meals. The

restaurant will not have a separate drinking bar area, nor is any entertainment proposed for the business.

Based on a population of 4,295 in the census tract, the Department of Alcoholic Beverage Control (ABC) allows 4 on-sale licenses in the tract and currently licenses 5 establishments. New licenses that exceed the threshold are permissible with the adoption of a Public Convenience and Necessity (PCN). As an eating establishment, ABC assumes this responsibility and no action is required of the City in this regard other than as specified in the Municipal Code. Based on Staff's discussion with ABC, if the CUP is approved by the City, and because this is an eating establishment, ABC will issue the PCN as a matter of routine.

Pursuant to Section 21.52.080 of the Monterey Park Municipal Code, there are no distance requirements for on-sale alcoholic beverages when sold in conjunction with a bona fide retail eating establishment. However, on-sale uses must comply with the list of requirements specified in the Section 21.52.050 of the Monterey Park Municipal Code. Some of the requirements include limiting the exterior lighting of the parking area to intensities between one and two foot-candles so as to provide adequate lighting for patrons while not disturbing surrounding residential or commercial areas and special security measures, such as security guards and alarm systems. Staff conducted a site inspection and found that the subject property has adequate exterior lighting attached to the front, east elevation. The exterior lights provide lighting to the parking area. The existing exterior lights provide adequate lighting without disturbing the single-family dwellings to the east. The Police Department has included conditions in the Resolution to address security and alarm requirements.

This application is for a Type 41 on-sale license for the serving of beer and wine in conjunction with a bona fide public eating place. The applicant has clearly stated that they do not wish to provide entertainment uses, however if a request were to be submitted at any future date, the applicant would have to request a modification to the Conditional Use Permit.

CONCLUSION:

Staff recommends adopting the Resolution approving the requested Conditional Use Permit (CU-13-03), subject to conditions contained therein.



James Funk
Lead Planner/Economic and Development Special Projects Manager

Attachments:

1. Draft Resolution
2. Plans