



# CITY OF MONTEREY PARK

# PLANNING COMMISSION

# AGENDA

REGULAR MEETING  
CITY HALL—COUNCIL CHAMBERS  
320 W. NEWMARK AVENUE  
August 13, 2013  
7:00 P.M.

## **Planning Commission**

Michael Hamner, Chairperson  
Larry Sullivan, Vice-Chair  
Ricky Choi  
Rodrigo T. Garcia  
Stephen Lam

## **Staff**

James Funk, Lead Planner/Economic and  
Development Special Projects Manager  
Karl Berger, Assistant City Attorney  
Samantha Tewasart, Acting Senior Planner  
Vacant, Assistant Planner

## **CALL TO ORDER:**

## **SWEAR IN:**

## **ROLL CALL:**

## **ELECTIONS:**

## **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:**

**OLD BUSINESS:**

**1. [CONDITIONAL USE PERMIT – 133 EAST GRAVES AVENUE \(CU-13-02\)](#)**

The applicant, John F. Page of Meher Montessori School, is requesting a continuance to the meeting of September 24, 2013 to allow for additional time to conduct further research on the proposed project.

RECOMMENDATION: It is recommended that the Planning Commission consider taking the following actions: (1) open the public hearing and take testimonial and documentary evidence; (2) close the public hearing; and (3) after considering the evidence represented during the public hearing, continue the requested Conditional Use Permit (CU-13-02); and (4) take such additional, related, action that may be desirable.

**NEW BUSINESS:**

**2. [ZONE CHANGE, CONDITIONAL USE PERMIT AND TENTATIVE TRACT MAP NO. 071978 – 809 E NEWMARK AVENUE \(ZC-12-01/CU-12-07/TM-12-02\)](#)**

The applicant, Curt Wang, is requesting approval to permit a Zone Change, Conditional Use Permit, and Tentative Map No. 071978 for the subdivision of air rights to establish and maintain a 45-unit affordable senior housing condominium project at 809 E Newmark Avenue in the R-3 (High Density Residential) Zone.

ENVIRONMENTAL: As required by the California Environmental Quality Act (CEQA), the City prepared an Initial Study to determine what environmental impacts, if any, would be generated by the proposed project. Staff recommends that after consideration of the Initial Study and comments received during the public review period, that the Planning Commission exercise its independent judgment and recommend to the City Council that with the implementation of certain mitigation measures, the proposed Project would not have a significant impact on the environment and therefore a Mitigated Negative Declaration with Mitigation Measures and Mitigation Monitoring and Reporting Plan is recommended.

RECOMMENDATION: It is recommended that the Planning Commission: (1) open the public hearing; (2) consider the evidence

submitted during the public hearing including, without limitation, this staff report; (3) adopt the draft resolution recommending approval of the project; and (4) take such additional, related, action that may be desirable.

### **3. CONDITIONAL USE PERMIT – 760 WEST GARVEY AVENUE (CU-13-04)**

The applicant, Alexander Ngo, is requesting approval to permit a Conditional Use Permit to permit office uses located on the first floor of an existing commercial center at 760 W Garvey Avenue 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(a) – Existing Facilities) as CEQA only applies to projects that have the potential to cause a significant effect on the environment. The project involves leasing a unit, within an existing commercial building, to a low-intensity office use and involves no expansion of the existing commercial building.

**RECOMMENDATION:** It is recommended that the Planning Commission (1) adopt Resolution approving Conditional Use Permit (CU-13-04) subject to conditions of approval contained therein; and (2) take such additional, related, action that may be desirable.

#### **ITEMS FROM COMMUNITY DEVELOPMENT:**

Workshop – 500 E Markland Drive – Specific Plan for proposed three-story public storage

#### **ITEMS FROM THE COMMISSION:**

#### **ADJOURNMENT:**

Next regular meeting on August 27, 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:**

|                   |  |
|-------------------|--|
| <b>JAMES FUNK</b> |  |
|-------------------|--|



# PLANNING COMMISSION

## STAFF REPORT

ITEM NUMBER

1

**TO:** Planning Commission

**FROM:** Lead Planner/Economic and Development Special Projects Manager

**MEETING DATE:** August 13, 2013

**SUBJECT:** PUBLIC HEARING

CONDITIONAL USE PERMIT (CU-13-02) TO PERMIT A PRIVATE MIDDLE SCHOOL AND PRESCHOOL WITH EXTENDED CHILD DAY CARE WITHIN AN EXISTING ASSEMBLY USE BUILDING

**LOCATION:** 133 East Graves Avenue

**APPLICANT:** John F. Page of Meher Montessori  
2009 South Garfield Avenue  
Monterey Park CA 991754

**PROJECT PLANNER:** Samantha Tewasart  
Acting Senior Planner

**RECOMMENDATION:** It is recommended that the Planning Commission consider taking the following actions: (1) open the public hearing and take testimonial and documentary evidence; (2) close the public hearing; and (3) after considering the evidence represented during the public hearing, continue the requested Conditional Use Permit (CU-13-02) to the meeting of September 24, 2013; and (4) take such additional, related, action that may be desirable.

A handwritten signature in blue ink that reads "James Funk".

James Funk  
Lead Planner/Economic and Development Special Projects Manager

Attachments:

1. Applicant's Continuance Letter, dated July 24, 2013

Thu, Jul 25, 2013 11:17 AM

**Subject: Change of date for Planning Commission Hearing****Date:** Wednesday, July 24, 2013 3:59 PM**From:** Kookie Chavez <echavez@mehermontessori.org>**To:** "STewasart@MontereyPark.ca.gov" <STewasart@MontereyPark.ca.gov>**Conversation:** Change of date for Planning Commission Hearing

Hello Samantha, we just received notice from Fr. Lo of St. Gabriel's Church that he will be out of the Country until September 7th and we would like to move the date with the commission until September. Please let me know if this possible.

Thank you and sorry for any inconvenience.

Kookie

--  
Elodia Chavez  
Meher Montessori School  
2009 S. Garfield Ave  
Monterey Park, Ca 91754  
(323)724-0683

**RECEIVED****JUL 25 2013****CITY OF MONTEREY PARK  
COMMUNITY DEVELOPMENT DEPT.**



# PLANNING COMMISSION

## STAFF REPORT

ITEM NUMBER

2

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**TO:** Planning Commission

**FROM:** Lead Planner/Economic and Development Special Projects Manager

**MEETING DATE:** August 13, 2013

**SUBJECT:** PUBLIC HEARING

ZONE CHANGE TO CREATE SENIOR-CITIZEN-HOUSING (S-C-H) OVERLAY ZONE (ZC-12-01), CONDITIONAL USE PERMIT FOR AFFORDABLE SENIOR CITIZEN HOUSING DEVELOPMENT (CU-12-07), AND TENTATIVE MAP NO. 071978 (TM-12-02) TO SUBDIVIDE AIR RIGHTS TO ESTABLISH AND MAINTAIN A 45-UNIT SENIOR CITIZEN HOUSING CONDOMINIUM PROJECT IN THE R-3 (HIGH DENSITY RESIDENTIAL) ZONE

**LOCATION:** 809 East Newmark Avenue

**APPLICANT:** Curt Wang  
802 E Mission Road  
San Gabriel, CA 91776

**PROJECT PLANNER:** Samantha Tewasart  
Acting Senior Planner

**RECOMMENDATION:** After holding the public hearing, (1) adopt the attached Resolution recommending that the City Council approve Zone Change (ZC-12-01), Conditional Use Permit (CU-12-07), and Tentative Map No. 071978 (TM-12-01), subject to conditions contained therein; and (2) take such related action that may be desired.

**ZONE:** R-3 (High Density Residential)

**GENERAL PLAN DESIGNATION:** High Density Residential

**SITE DESCRIPTION:**

Property Size: 120.25' x 300.20' = 36,099 sq. ft. (0.83 acre)

Surrounding Properties:

|        |                                                                       |
|--------|-----------------------------------------------------------------------|
| North: | R-2, P-D (High Density Residential, Planned Development); residential |
| South: | R-3 (High Density Residential); residential                           |
| East:  | R-3 (High Density Residential); residential                           |
| West:  | R-3 (High Density Residential); residential                           |

**PROJECT SITE BACKGROUND/PAST CITY APPLICATIONS:**

None

**LEGAL NOTIFICATION:**

A Notice of Intent to adopt a Mitigated Negative Declaration was published on **June 4, 2013** in the Monterey Park Progress and circulated for public review for a period of 20 days (**June 4, 2013 to June 24, 2013**) and posted on **June 4, 2013**, in the Monterey Park Bruggemeyer Library, Langley Center and the City Hall with affidavits of publishing and posting on file. The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **June 18, 2013** and published in the Monterey Park Progress on **June 18, 2013**, with affidavits of posting and publication on file. The legal notice of this hearing was mailed to **110** property owners within a 300 feet radius and current tenants of the property concerned on **June 18, 2013**.

**ENVIRONMENTAL ASSESSMENT:**

As required by the California Environmental Quality Act (CEQA), the City prepared an Initial Study to determine what environmental impacts, if any, would be generated by the proposed project. Staff recommends that after consideration of the Initial Study and comments received during the public review period, that the Planning Commission exercise its independent judgment and recommend to the City Council that with the implementation of certain mitigation measures, the proposed Project would not have a significant impact on the environment and therefore a Mitigated Negative Declaration with Mitigation Measures and Mitigation Monitoring and Reporting Plan is recommended.

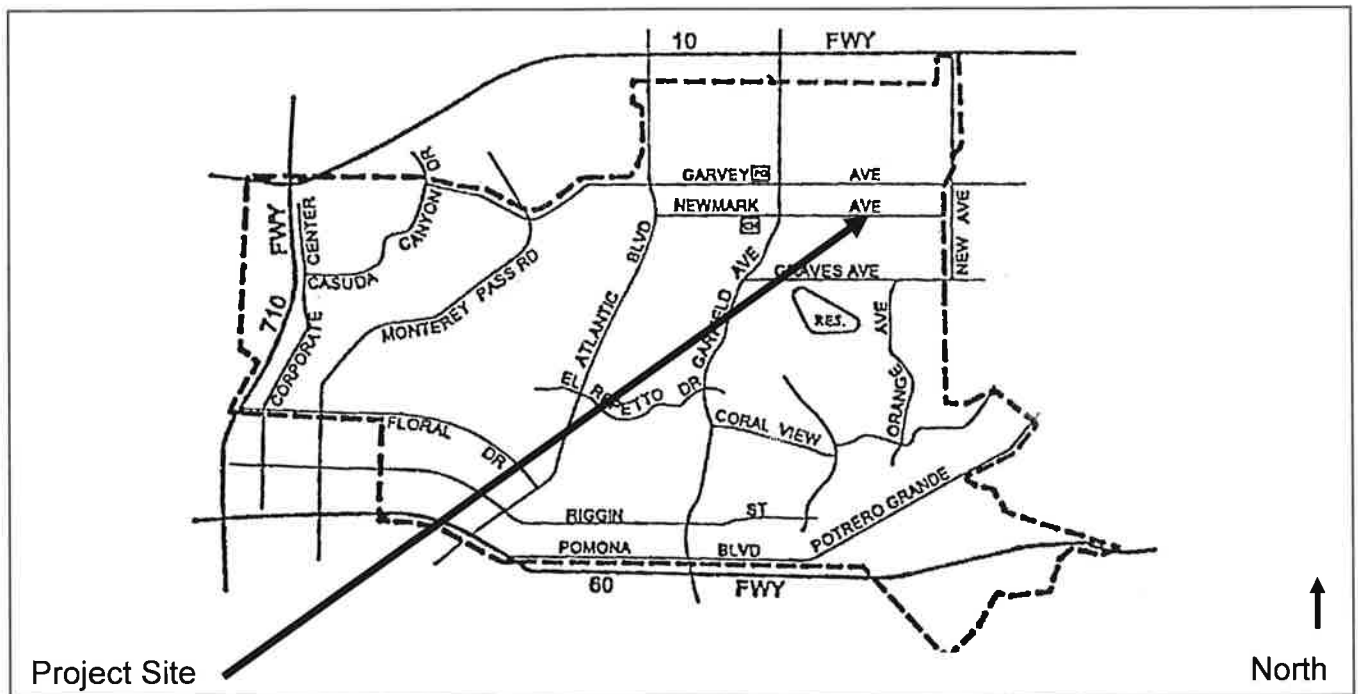
**GENERAL PLAN CONSISTENCY:**

The proposed project is consistent with the City's General Plan because the High Density Residential land use category allows for a broad range of dwelling unit types which may be attached or detached. The residential units consist typically of apartments, condominiums,

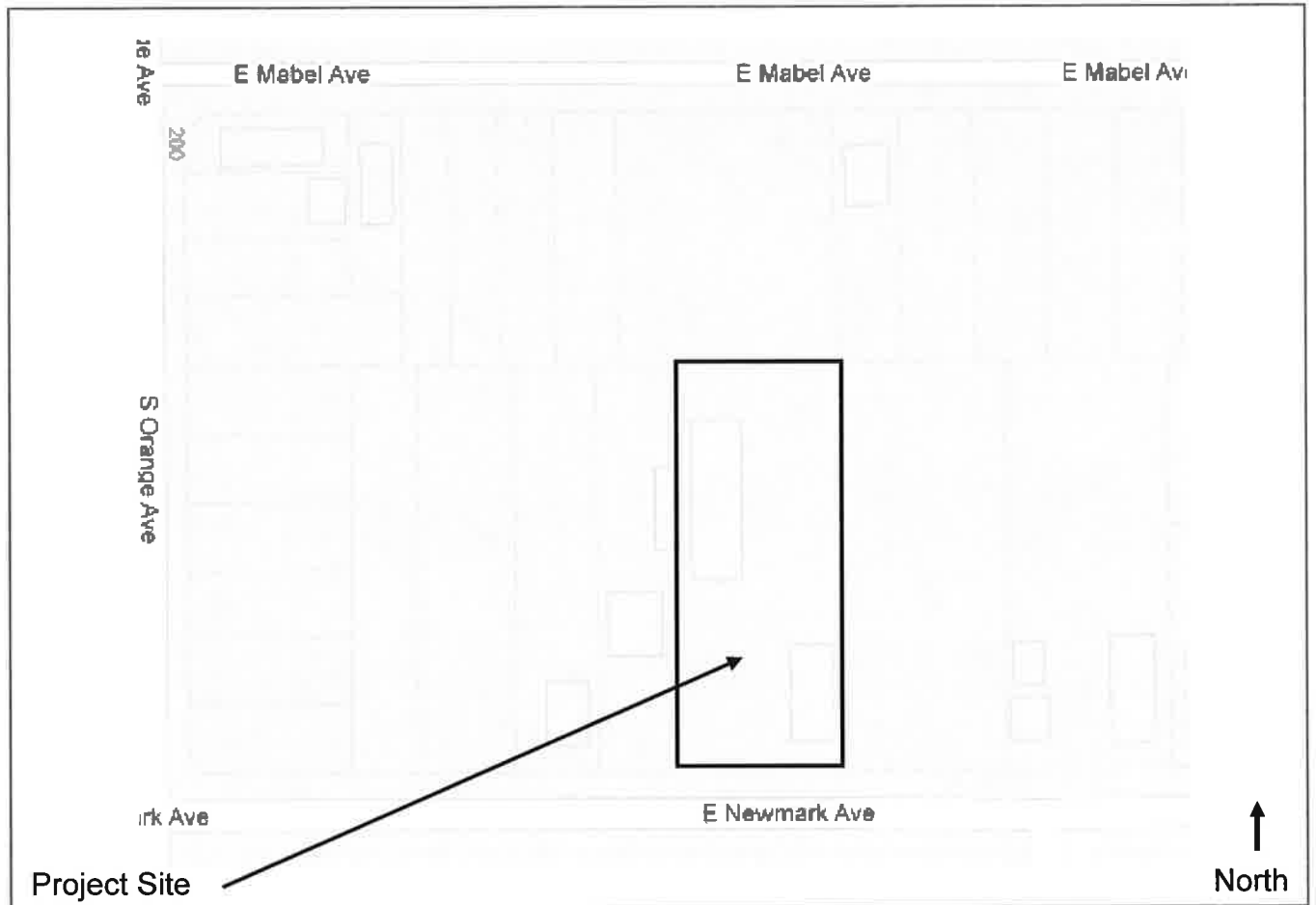
and townhomes built at a maximum density of 25 units per acre. The average population density is 84 persons per acre. The General Plan Land Use Element contains a goal (Goal 11.0) which is to continue to provide opportunities for persons of all incomes to find suitable housing. The proposed project is a 45-unit affordable senior housing development, which will provide affordable housing options to senior citizens.

A goal (Goal 2) contained in the 2009 Housing Element is to remove or reduce governmental constraints on affordable housing development. One of the policies (Policy 2.2) in the Housing Element is to encourage the use of density bonuses and provide other regulatory concessions to facilitate affordable housing development. The proposed project conforms to the density permitted by Monterey Park Municipal Code (MPMC) Section 21.36.090 for mixed affordable senior housing developments and meets the State density law. Also, the project helps to attain Goal 4 which is to assist in the provision of housing that meets the needs of all economic segments of the community. The project will provide affordable housing to senior citizens.

#### VICINITY MAP:



**STREET MAP:**



**AERIAL MAP:**



**ANALYSIS AND EVALUATION OF PROJECT:**

Property Description

The applicant, Curt Wang, is requesting approval for a Zone Change, Conditional Use Permit, and Tentative Map No. 071978 for the subdivision of air rights to establish and maintain a 45-unit affordable senior housing condominium project at 809 E Newmark Avenue. The subject property is zoned R-3 (High Density Residential) and the General Plan designation is High Density Residential. The lot is 36,099 square feet (0.83 acre) in size. The lot width is 120.25 feet and the depth is 300.20 feet. The property is currently developed with a 12-unit apartment complex constructed in 1947.

Project Description

Per R-3 zoning standards, a maximum building density of 1 unit per 3,000 square feet of lot area would apply to this property, which permits up to 12 units. However, the proposed project is an affordable senior housing development, which according to MPMC Chapter 21.16, permits a higher density for affordable senior housing units. Pursuant to MPMC

Chapter 21.16, the project is comprised of a mixture of income groups, provided that not more than 60 percent of the units will be moderate income and 40 percent will be low income. For moderate income units, 1 unit per 871 square feet of lot area is permitted. For low income units, 1 unit per 691 square feet of lot area is permitted. The project includes 46 percent low income units and 54 percent moderate income units, which equates to 24 moderate income units and 21 low income units, respectively.

The project will be 3-stories and 40 feet in height and will meet the required setbacks of 25 feet for the front and rear yards and 10 feet for the side yard setbacks. The proposed low income units will be 756 square feet in size and will have one bedroom. The moderate income units will range in size from 902 square feet to 993 square feet. Nine of the 24 moderate units will have 2 bedrooms and the remaining 15 units will have one bedroom. The development will have one, 1,054 square feet, one bedroom manager unit.

### *Parking*

Parking required for the site is based on the income group. For mixed moderate and low/very low income units, 0.8 parking space is required for each dwelling unit, plus one guest space for every four units, plus one space for the property manager/caretaker unit. The required number of parking spaces is 36 spaces plus 12 guest parking spaces and 1 manager space, totaling 49 spaces and 54 spaces are provided. All the parking spaces will be provided in one level of subterranean parking. The required driveway width for an R-3 zoned lot is 18 feet. The driveway width at the entrance will be 21 feet, but will be 26 feet wide in the subterranean parking level.

### *Open Space*

The minimum required usable open space area is also based on the income group. For moderate income units 250 square feet of usable open space is required. For low income units 200 square feet of usable open space is required. The total required usable open space area is 10,200 square feet and 10,049 square feet is provided. The minimum required private open space is 100 square feet for all ground units and 75 square feet for all second and third story units. The minimum required common open space is 40 percent of the total usable open space area, which is 4,080 square feet and the provided common open space is 10,049 square feet. The private and usable open space total provided meets the minimum requirements.

### *Covenant to Continue as Senior Housing*

As a condition of approval for any senior housing development pursuant Chapter 21.16, the property owner must enter into a covenant, running with the land that the development is for senior citizen housing use only for a minimum period of fifty-five (55) years. The covenant must specify the periodic period that the property owner or homeowners association, as applicable, submit a semi-annual report to the City confirming requirements of § 21.16.040. The covenant must be submitted to the City for review and approved by the City Attorney and be recorded in the office of the County Recorder before the City issues building permits for the development.

### Zone Change

According to MPMC Chapter 21.16, the Senior Citizens Housing (S-C-H) Overlay Zone can be created in the same manner as property is reclassified from one zone to another within the City, as set forth in Chapter 21.34. According to MPMC Section 21.34.020, amendments may be initiated by the owner of any real property located within the City. A Zone Change application must be filed; the Planning Commission conducts a public hearing; and following the public hearing, the Planning Commission makes a recommendation to the City Council regarding the proposed zone change.

### Tentative Map No. 071978

The project includes a tentative map to subdivide air rights for condominium purposes. In accordance with MPMC Title 20 and the Subdivision Map Act (Government Code §§ 66410, *et seq.*), the project is in compliance with map requirements.

### Conditional Use Permit

According to MPMC 21.16.030, all affordable senior housing developments must be approved with a conditional use permit. According to MPMC Section 21.32.020, before any conditional use permit is granted, the applicant must show, to the satisfaction of the Planning Commission, all of the following facts:

1. That the site is adequate in size, shape and topography for the proposed use.

The site is adequate in size, shape and topography for the proposed use. The subject property is zoned R-3 (High Density Residential). The minimum required lot size in the R-3 Zone is 7,000 square feet, the minimum required lot width is 60 feet, and the minimum required lot depth is 100 feet. The subject property is 36,099 square feet (0.83 acre) in size. The lot width is 120.25 feet and the depth is 300.20 feet. The lot is regular shaped and relatively flat. The property is currently developed with a 12-unit apartment complex constructed in 1947.

The proposed use is a 45-unit affordable senior housing development. Pursuant to MPMC Chapter 21.16, the project is comprised of a mixture of income groups, including 60 percent of the units will be moderate income and 40 percent will be low income. For moderate income units, 1 unit per 871 square feet of lot area is permitted. For low income units, 1 unit per 691 square feet of lot area is permitted. The project includes 46 percent low income units and 54 percent moderate income units, which are 21 low income units and 24 moderate income units, respectively. The project will be 3-stories and 40 feet in height and will meet the required setbacks of 25 feet for the front and rear yards and 10 feet for the side yard setbacks. All the units will be attached in a rectangular formation with a courtyard at the center of the property.

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.

The site has sufficient access to streets and highways and is adequate in width and pavement type. The site is accessible from East Newmark Avenue, an 84 feet wide right-of-way collector street. The driveway will be 21 feet wide at the entrance, which exceeds the required 18 feet width for an R-3 zoned property and will be 26 feet wide in the subterranean parking level. The site is located half a mile south from the Interstate 10 Freeway.

3. That the proposed use is deemed to be part of the general plan and fulfills the objectives of the general plan and the zoning regulations and conforms with them.

The proposed use is consistent with the City's General Plan because the High Density Residential land use category allows for a broad range of dwelling unit types which may be attached or detached. The residential units consist typically of apartments, condominiums, and townhomes built at a maximum density of 25 units per acre. The average population density is 84 persons per acre. General Plan Land Use Element Goal 11.0 states to continue to provide opportunities for persons of all incomes to find suitable housing. The proposed project is a 45-unit affordable senior housing development, which provides affordable housing options to senior citizens.

According to the 2009 Housing Element Goal 2 states to remove or reduce governmental constraints on affordable housing development. Policy 2.2 states to encourage the use of density bonuses and provide other regulatory concessions to facilitate affordable housing development. The proposed project provides the density permitted by MPMC Chapter 21.16 for mixed affordable senior housing developments and meets with the State density law. Goal 4 states to assist in the provision of housing that meets the needs of all economic segments of the community. The project will provide affordable housing units to senior citizens.

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.

The proposed 45-unit affordable senior housing development will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood. According to MPMC Section 21.16.020, a senior housing development may only be created in the R-2, R-3 zones in the City, and any commercial zone within an area designated by the general plan as mixed use. The subject property is zoned R-3 and is permitted to construct a senior housing development with a conditional use permit. The subject property is currently developed with a multi-unit apartment complex and the proposed senior housing development will also be a multi-unit residential development. Properties located to the south, east and west of the subject property are R-3 zoned lots and are developed with multi-unit residential developments. North of the subject property are R-2 zoned lots that are developed with multi-unit residential developments. The proposed senior housing development

is consistent with the type of the uses that are currently developed in that neighborhood.

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 senior housing development will not have an adverse effect on the public health, safety and general welfare. Pursuant to CEQA, an initial study was conducted and it was determined that the project will not have adverse impacts and a negative declaration was prepared.

#### **RECOMMENDATION:**

It is recommended that the Planning Commission: (1) open the public hearing; (2) consider the evidence submitted during the public hearing including, without limitation, this staff report; (3) adopt the draft resolution recommending approval of the project; and (4) take such additional, related, action that may be desirable.



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James Funk

Lead Planner/Economic and Development Special Projects Manager

#### **Attachments:**

1. Draft Resolution
2. Site, Floor, and Elevation Plans
3. Tentative Parcel Map No. 071978
4. Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Plan, dated May 2013

## RESOLUTION NO.

**A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL APPROVE ZONE CHANGE (ZC-12-01); CONDITIONAL USE PERMIT (CU-12-07); AND TENTATIVE MAP NO. 071978 (TM-12-01) TO SUBDIVIDE AIR RIGHTS TO ESTABLISH AND MAINTAIN A 45-UNIT AFFORDABLE SENIOR CITIZENS HOUSING DEVELOPMENT AND CERTIFY A MITIGATED NEGATIVE DECLARATION AT 809 EAST NEWMARK AVENUE.**

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

**SECTION 1:** The Planning Commission finds and declares that:

- A. On September 27, 2012, applicant, Curt Wang, submitted an application pursuant to Title 20 of the Monterey Park Municipal Code (MPMC), requesting approval of a Tentative Map No. 071978 (TM-12-01) to subdivide air rights to establish and maintain a 45-unit affordable senior citizens housing development and Title 21 of MPMC for a Zone Change to add Senior Citizens Housing (S-C-H) Overlay Zone and Conditional Use Permit to permit an affordable senior citizens housing development in the R-3 (High Density Residential) Zone at 809 East Newmark Avenue (collectively, the "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");
- D. The Community Development Department completed its review and scheduled a public hearing regarding the proposed Project before the Planning Commission for August 13, 2013;
- E. On August 13, 2013, 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 Curt Wang; and
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its August 13, 2013 hearing including, without limitation, the staff report submitted by the Community Development Department.

**PLANNING COMMISSION  
RESOLUTION NO.  
PAGE 2 OF 7**

SECTION 2: *Environmental Assessment.*

- A. The Project was analyzed for its environmental impacts and an Initial Study was prepared pursuant to CEQA Guidelines §15063. The Initial Study demonstrated that the project would not have a significant effect on the environment with the implementation of mitigation measures. A Mitigated Negative Declaration of Environmental Impacts is proposed for this project pursuant to CEQA Guidelines §15070. A Notice of Intent to Adopt a Mitigated Negative Declaration was prepared pursuant to CEQA Guidelines §§ 15072 and 15073, and was available for public comment from June 4, 2013 to June 24, 2013.
- B. In accordance with § 15074 of the CEQA Guidelines, the record on which the Planning Commission's findings are based is located at the City of Monterey Park Community Development Department – Planning Division at City Hall, 320 West Newmark Avenue, Monterey Park, California 91754.
- C. When considering the whole record for the draft Initial Study and Mitigated Negative Declaration, there is no evidence that the Project will have the potential for an adverse effect on wildlife resources or the habitat on which the wildlife depends, because the project is in a built-out urban environment.
- D. These findings are based on the various mitigation measures to be required in the implementation of the project as adopted in the Mitigated Negative Declaration as already having been incorporated into the Project. The Planning Commission finds that all the mitigation measures now incorporated into the project are desirable and feasible.
- E. Accordingly, based upon the evidence presented to the Planning Commission, the City need not prepare an environmental impact report for the proposed project. Consequently, the Planning Commission recommends that the City Council certify the draft mitigated negative declaration.

SECTION 3: *Conditional Use Permit Findings.* After considering the factual findings of this Resolution and the accompanying staff report, the Commission finds as follows pursuant to MPMC § 21.32.020:

- 1. The site is adequate in size, shape and topography for the proposed senior housing development. The subject property is zoned R-3 (High Density Residential). The minimum required lot size in the R-3 Zone is 7,000 square feet, the minimum required lot width is 60 feet, and the minimum required lot depth is 100 feet. The subject property is 36,099 square feet (0.83 acre) in size. The lot width is 120.25 feet and the depth is 300.20 feet. The lot is regular shaped and relatively flat. The property is currently developed with a 12-unit apartment complex constructed in 1947.

**PLANNING COMMISSION  
RESOLUTION NO.  
PAGE 3 OF 7**

The proposed use is a 45-unit affordable senior housing development is comprised of a mixture of income groups, including 60 percent of the units will be moderate income and 40 percent will be low income pursuant to MPMC Chapter 21.16. For moderate income units, 1 unit per 871 square feet of lot area is permitted. For low income units, 1 unit per 691 square feet of lot area is permitted. The project includes 46 percent low income units and 54 percent moderate income units, which are 21 low income units and 24 moderate income units, respectively. The project will be 3-stories and 40 feet in height and will meet the required setbacks of 25 feet for the front and rear yards and 10 feet for the side yard setbacks. All the units will be attached in a rectangular formation with a courtyard at the center of the property.

2. The site has sufficient access to streets and highways and is adequate in width and pavement type. The site is accessible from East Newmark Avenue, an 84 feet wide right-of-way collector street. The driveway will be 21 feet wide at the entrance, which exceeds the required 18 feet width for an R-3 zoned property and will be 26 feet wide in the subterranean parking level. The site is located half a mile south from the Interstate 10 Freeway.
3. The proposed senior housing development is consistent with the City's General Plan because the High Density Residential land use category allows for a broad range of dwelling unit types which may be attached or detached. The residential units consist typically of apartments, condominiums, and townhomes. The average population density is 84 persons per acre. General Plan Land Use Element Goal 11.0 states to continue to provide opportunities for persons of all incomes to find suitable housing. The proposed project is a 45-unit affordable senior housing development, which provides affordable housing options to senior citizens.

According to the 2009 Housing Element Goal 2 states to remove or reduce governmental constraints on affordable housing development. Policy 2.2 states to encourage the use of density bonuses and provide other regulatory concessions to facilitate affordable housing development. The proposed project provides the density permitted by MPMC Section 21.16.090 for mixed affordable senior housing developments and meets with the State density law. Goal 4 states to assist in the provision of housing that meets the needs of all economic segments of the community. The project will provide affordable housing units to senior citizens.

4. The proposed 45-unit affordable senior housing development will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood. According to MPMC Section 21.16.020, a senior housing development may only be created in the R-2, R-3 zones in the City, and any commercial zone within an area designated by the general plan as mixed use.

**PLANNING COMMISSION  
RESOLUTION NO.  
PAGE 4 OF 7**

The subject property is zoned R-3 and is permitted to construct a senior housing development with a conditional use permit. The subject property is currently developed with a multi-unit apartment complex and the proposed senior housing development will also be a multi-unit residential development. Properties located to the south, east and west of the subject property are R-3 zoned lots and are developed with multi-unit residential developments. North of the subject property are R-2 zoned lots that are developed with multi-unit residential developments. The proposed senior housing development is consistent with the type of the uses that are currently developed in that neighborhood.

5. The proposed senior housing development will not have an adverse effect on the public health, safety and general welfare.

SECTION 4: *Tentative Map Findings.* The Commission finds as follows pursuant to Government Code § 66474 and MPMC Title 20:

1. The proposed map is consistent with applicable general and specific plans as specified in Government Code § 66473.5. The proposed Tentative Map is consistent with the City's General Plan in that the High Density Residential land use category allows for a broad range of dwelling unit types which may be attached or detached. The residential units consist typically of apartments, condominiums, and townhomes. The average population density is 84 persons per acre. Goal 10.0 in the General Plan Land Use Element is to maintain the quality and character of Monterey Park's residential neighborhoods. In order to achieve Goal 10.0, Policy 10.1 states to ensure that the City's zoning regulations, subdivision regulations, and design guidelines are crafted to achieve compatibility between established residential dwellings and new residential developments within the same neighborhood. Properties to the north, south, east, and west of the subject property are developed with apartment, condominium, and multi-unit buildings. Approval of the Tentative Map will not adversely affect the zoning regulations because the proposed project will be in compliance with the zoning development standards. There is no specific plan adopted for this area.
2. The design and improvement of the proposed subdivision is consistent with applicable general and specific plans. The design of the proposed subdivision is consistent with the City's General Plan in that the project is a 45-unit affordable senior housing condominium project, which is compatible with the high density housing either attached or detached allowed in the high density residential category. There is no specific plan adopted for this area.
3. The site is physically suitable for the type of development and proposed density of the development. The size of the property is 36,099 square feet (0.83 acre)

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and adequate in size to accommodate a 45-unit condominium project. The proposed project is an affordable senior housing development, which according to MPMC Chapter 21.16 permits a higher density for affordable senior housing units. Pursuant to MPMC Chapter 21.16, the project is comprised of a mixture of income groups, including 60 percent of the units will be moderate income and 40 percent will be low income. For moderate income units, 1 unit per 871 square feet of lot area is permitted. For low income units, 1 unit per 691 square feet of lot area is permitted. The project includes 46 percent low income units and 54 percent moderate income units, which are 21 low income units and 24 moderate income units, respectively.

4. 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 surrounded by residentially developed lots to the north, south, east and west. There are no rare plants, wild animals nor cultural, historical or scenic aspects within the surrounding area.
5. 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 problems in that the subject development will be constructed according to all City, State, and Federal regulations and specifications.
6. 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. There are no public easements for access within the proposed development.

SECTION 5: Zone Change Findings. The Commission finds as follows pursuant to MPMC § 21.38.050:

- A. The proposed amendment is consistent with the goals, policies, and objectives of the General Plan. The proposed amendment is to add an S-C-H (Senior Citizen Housing) Overlay Zone to the existing R-3 (High Density Residential) Zone. The proposed amendment is consistent with the General Plan because according to the Housing Element adopted in 2009, several policies were created to encourage affordable housing developments. Policy 2.2, states to encourage the use of density bonuses and provide other regulatory concessions to facilitate affordable housing development. Program 6: Density Bonuses, states to continue to provide regulatory incentives to developers of senior citizen housing through the Senior Citizen Housing Overlay zoning. Policy 3.2, states to assist private developers in identifying and preparing vacant land suitable for lower-income and senior citizen housing developments.

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- B. The proposed amendment will not adversely affect surrounding properties. The properties to the north, south, east and west are zoned R-3 and designated high density residential. A MND has been prepared for the proposed amendment and the MND shows that impacts will be less significant with the implementation of mitigation measures.
- C. The proposed amendment promotes public health, safety, and general welfare and serves the goals and purposes of the Zoning Code. The proposed amendment will allow for the development of affordable senior housing units. According to MPMC 21.26.010, the purpose of the Senior Citizen Housing Overlay Zone is to provide for the unique needs of special housing for senior citizens in a manner compatible with existing and future developments in surrounding areas and in compliance with the General Plan.

SECTION 6: Recommendations. Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission recommends that the City Council certify the Mitigated Negative Declaration ("MND"); approve Tentative Map No. 071978 (TM-12-01); approve Conditional Use Permit (CU-12-07); and adopt an ordinance implementing the proposed Zone Change (ZC-12-01).

SECTION 7: 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 8: 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 9: 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 10: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 11: A copy of this Resolution will be mailed to Curt Wang and to any other person requesting a copy.

SECTION 12: This Resolution may be appealed within nineteen (19) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 13: Except as provided in Section 9, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

**ADOPTED AND APPROVED** this 13<sup>th</sup> day of August 2013.

\_\_\_\_\_  
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 13<sup>th</sup> day of August 2013, by the following vote of the Planning Commission:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
James Funk, Secretary

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

By: \_\_\_\_\_  
Karl H. Berger,  
Assistant City Attorney

## **RESOLUTION NO.**

### **Exhibit A**

## **CONDITIONS OF APPROVAL**

### **809 E NEWMARK AVENUE**

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Curt Wang agrees that he will comply with the following provisions as conditions for the City of Monterey Park's approval of Tentative Map No. 071978 (TM-12-01), Conditional Use Permit (CU-12-07), and Zone Change (ZC-12-01) ("Project Conditions").

#### **PLANNING:**

1. Curt Wang (the "Applicant"), agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of TM-12-01 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of TM-12-01, CU-12-07, and ZC-12-01, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and on file. Before the City issues a building permit, the Applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Divisions. Any subsequent modification must be referred to the Director of the Community and Economic Development Department for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The tentative map expires twenty-four months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. Three one-year extensions may be granted by the Planning Commission upon finding of good cause.
4. The conditional use permit expires twelve months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A single one-year extension may be granted by the Planning Commission upon finding of good cause.
5. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.

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6. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.
7. The real property subject to TM-12-01, CU-12-07, and ZC-12-01 must remain well-maintained and free of graffiti.
8. Building permits are required for any interior tenant improvements.
9. Landscaping/irrigation must be maintained in good condition at all times.
10. A final map must be approved and recorded before the City issues a certificate of occupancy.
11. The property owner must enter into a covenant, running with the land that the development is for senior citizen housing use only for a minimum period of fifty-five (55) years. The covenant must specify the periodic period that the property owner or homeowners association, as applicable, submit a semi-annual report to the City confirming requirements of § 21.16.040. The covenant must be submitted to the City for review and approved by the City Attorney and be recorded in the office of the County Recorder before the City issues building permits for the development.
12. The developer is to submit a complete master landscape and irrigation plan to the Planning Division of the Community and Economic Development Department with the required fee for review.
13. The developer must enter into a covenant, running with the land that the development is for senior citizen housing use only for a minimum period of fifty-five (55) years. The covenant must specify the periodic period that the property owner or homeowners association, as applicable, submit a semi-annual report to the City confirming requirements of § 21.16.040. The covenant must be submitted to the City for review and approved by the City Attorney and be recorded in the office of the County Recorder before the City issues building permits for the development.
14. Construction or demolition work must be conducted between the hours of seven a.m. and seven p.m. on weekdays and the hours of nine a.m. and six p.m. on Saturdays, Sundays and holidays per MPMC § 9.53.070(6).
15. The operation of any mechanically powered saw, sander, drill, grinder, lawn or garden tool or similar tool between the hours of seven a.m. and seven p.m. on weekdays and the hours of nine a.m. and six p.m. on Saturdays, Sundays and holidays per MPMC § 9.53.070(5).
16. All construction equipment, fixed or mobile, must be equipped with properly operating and maintained mufflers.

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17. Stationary equipment must be placed such that emitted noise is directed away from neighboring residential receivers.
18. Block walls must be constructed with decorative materials, including slump stone, split face block, river rock, brick, stucco covered precision, combination of block pilaster with wrought iron, or similar material, subject to the review and approval of the Planner.

**19. Mitigation Measures:**

- C-1 Prior to excavation and construction of the project site, the prime construction contractor(s) must be cautioned on the legal and/or regulatory implications of knowingly destroying cultural resources and removing artifacts, human remains, bottles and other cultural materials from the project site. A signed statement of understanding must be provided to the City Planning Director prior to issuance of grading permits. The applicant must bear the cost of implementing this mitigation.
- C-2 If potential archaeological materials are uncovered during grading or other earth moving activities, the contractor must be required to halt work in the immediate area of the find and to retain a professional archaeologist to examine the materials to determine whether it is a unique archaeological resource as defined in Section 21083.2(g) of the State CEQA Statutes. If this determination is positive, the resource must be left in place, if determined feasible by the project archaeologist. Otherwise, the scientifically consequential information must be fully recovered by the archaeologist. Work may continue outside of the area of the find; however, no further work must occur in the immediate location of the find until all information recovery has been completed and a report concerning it filed with the City Planning Director. The applicant must bear the cost of implementing this mitigation.
- C-3 If paleontological materials are uncovered during grading or other earth moving activities, the contractor must be required to halt work in the immediate area of the find, and to retain a professional paleontologist to examine the materials to determine whether it is a significant paleontological resource. If this determination is positive, resource must be left in place, if determined feasible by the project paleontologist. Otherwise, the scientifically consequential information must be fully recovered by the paleontologist. Work may continue outside of the area of the find; however, no further work must occur in the immediate location of the find until all information recovery has been completed and a report concerning it filed with the Planning Director. The applicant must bear the cost of implementing this mitigation.
- HM-1 Prior to commencement of demolition activities, the existing on-site structures must be surveyed for the presence of asbestos containing materials (ACM) by a contractor registered with Asbestos Contractors' Registration Unit, as

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required by the State law. Should ACM be detected, appropriate abatement measures pursuant to South Coast Air Quality Management District Rule 1403 must commence by a registered contractor at the expense of the developer. Documentation certifying that ACM have been removed to satisfactory levels as required by State law must be delivered to the City Building Division prior to demolition of existing structures on-site. The applicant must bear the cost of implementing this mitigation.

- HW-1 Prior to commencement of demolition activities, the existing on-site structures must be surveyed for the presence of lead. If lead existing in levels determined to be hazardous, such materials must be removed by an abatement contractor prior to demolition of the buildings. Demolition debris and waste categorized as hazardous waste must be handled, transported, and disposed of in accordance with applicable federal, state, and local laws and rules to ensure that potential impacts to health and the environment are minimized. Specifically, employees who perform trigger tasks, such as manual demolition, are required to receive employer provided training, air monitoring, protective clothing, respirators, and hand washing facilities. Standard work practices required by CCR Title 17, Division 1, Chapter 8 also include the use of wet methods and HEPA vacuums. Documentation verifying appropriate disposal of hazardous wastes must be provided to the City Building Division prior to issuance of building permits. The developer must bear the cost of implementing this mitigation.
- N-1 During excavation and grading activities, construction contractors must equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer's standards.
- N-2 Construction contractors must place all stationary construction equipment in a central site location, where possible, so as to maximize the distance from nearby receptors.
- N-3 Construction contractors must locate equipment and materials staging in areas that will create the greatest distance between equipment and materials staging and nearby receptors.

**BUILDING:**

20. The second sheet of the building plans must list all City of Monterey Park conditions of approval.
21. A validly issued building permit does not allow excavations to encroach into adjacent property. Requirements for protection of adjacent property are defined in Civil Code § 832.

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22. The site plan must be approved before the City issues building permits. Among other things, it must indicate the proposed path of building sewer, size of sewer line, location of cleanouts, and the invert elevation of the lateral at the property line.
23. A soils and geology report prepared by a civil engineer is required as part of plan check submittal.
24. The applicant must submit a valid permit obtained from CAL-OSHA to the City before the City issues a building permit.
25. A compaction report for demolition of previous buildings must be submitted to the City of Monterey Park before the City issues grading permits for excavating new foundations.
26. The building must conform to the 2008 Edition of the Energy Efficiency Standards by the California Energy Commission.
27. Access and accessibility requirements, per the 2010 California Building Code, apply to this newly constructed, privately funded, multi-family dwelling units building.
28. The applicant must provide mechanically operated exhaust ventilation for S-2 garage.
29. Egress balconies must conform to the same requirements as corridors and be separated from the interior of the building by a wall and the opening protected as required for corridors per California Building Code ("CBC") § 1019(B), as adopted by the Monterey Park Municipal Code ("MPMC").
30. Exit access travel distance in a sprinklered building cannot exceed 250 feet.
31. The project design must comply with the "CAL Green Code" – 2010 California Green Building Standards Code, as adopted by the MPMC.

**ENGINEERING:**

32. This project involves the disturbance of soils by grading, clearing and/or excavation. Accordingly, developer/owner is required to obtain a "General Construction Activity Storm Water" permit from State Water Resources Control Board. The City will not issue a grading permit until the applicant submits satisfactory evidence of compliance with this permit and its requirements. Compliance information is available in the Public Works Department.
33. Applicant must deposit a refundable \$191 cash deposit to guarantee that developer will provide the City with the (1) transparent 4 mil thick mylar tracing; one (1) electronic file of approved final map tracings transferable to City's AutoCAD and GIS systems; and two (2) blueprints of the recorded final map which must be filed with the Public Works Department within three (3) months of recordation. If recorded

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copy is not submitted by the end of the three month time period, developer will forfeit the \$191 cash deposit.

34. Before submitting a final map for City approval, the applicant/property owner must 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.
35. The developer/owner is responsible for ascertaining and paying all City development fees such as, without limitation, sewer deficiency fees, water meter fees and metered water service impact fees as required by MPMC.
36. The applicant must record covenants, conditions and restrictions ("CC&Rs") and establish a homeowner's association to address common maintenance and utilities. CC&Rs must be reviewed and approved by the City Attorney and the City Engineer at the applicant's sole cost. Applicant is responsible for securing the CC&R requirements from the Public Works Department. A copy of the recorded CC&Rs must be submitted to the Public Works Department before the City performs final inspection and issues a certificate of occupancy.
37. All improvement plans, including grading and public improvement plans, must be based upon City approved datum. Benchmark references to be obtained from the Engineering Division.
38. A water plan must be submitted for review and approval by the Public Works Director, or designee. This plan must substantiate adequate water service for domestic flow, fire flow and identify backflow prevention. If current fire flow and pressure tests are not available to substantiate adequate pressure and flow to serve the development, the developer will be responsible for conducting the appropriate tests and submitting copies of the test results for review and ultimate approval by the City. The substantiation of adequate water services must be confirmed by the Public Works Director, or designee, before the City issues building permits.
39. The applicant must submit water meter sizing sheet to the Public Works Department. The Public Works Department will then determine what water requirements must be met. This may include up sizing of water meter and water services. All upgrading costs are the responsibility of the property owner and must be completed before final inspection approval.
40. The applicant must provide survey monuments denoting the new property boundaries and lot lines to the satisfaction of the Public Works Director, or designee, before the approval of the final map. All maps must be prepared from a field survey. Compiled maps are not permitted unless prior approval is granted by the Public Works Director, or designee. Whenever possible, lot lines must be located to coincide with the top of all man-made slopes. Any deviation from this requirement must be approved by the Public Works Director, or designee.

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41. A site drainage plan must be prepared for review and approval by the Public Works Director, or designee before the City issues building permits. The property drainage must be designed so that the property drains to the public street or in a manner otherwise acceptable to the Public Works Director, or designee. Drainage from contiguous properties cannot be blocked and must be accommodated to the satisfaction of the Public Works Director, or designee. A hydrology and hydraulic study of the site may be required for submittal to the Public Works Director, or designee for review and approval.
42. All storm drainage facilities serving the development must accommodate a 50 year storm. If existing storm drain facilities are inadequate they must be enlarged as necessary. All storm drain facilities must be designed and constructed to Los Angeles County Department of Public Works standards and specifications and also to the satisfaction of the Public Works Director, or designee before the issuance of building permits.
43. Any damage done to existing street improvements and utilities during construction must be repaired before acceptance of the project. Pre-existing damaged, deteriorated, substandard or off-grade curb, gutter, driveways and sidewalk must also be repaired or replaced to the satisfaction of the Public Works Director, or designee. All existing driveways, if not to be used, must be removed and replaced with curb and sidewalk.
44. All public works improvements must comply with the standards and specifications of the City and to the satisfaction of the Public Works Director, or designee. All public works improvements must be completed and accepted by the City or a public works improvement guarantee and agreement posted before final map approved by the City Council.
45. All electric, telephone and cable TV utility services must be installed fully underground and to required City standards. Satisfactory provisions for all other utilities and service connections, including water, sewer and gas, must be made to City and public utility standards. A utility plan must be prepared and submitted before the issuance of building permits, showing all existing and proposed utilities. The utilities may be shown on either a separate plan or on the proposed site plan.
46. A sewer connection reconstruction fee will be assessed at the time that the City issues a building permit in accordance with MPMC Chapter 14.06.
47. All buildings must have roof gutters and all roof drainage must be conducted to the public street or an approved drainage facility in a manner approved by the Public Works Director, or designee before the City issues building permits.
48. The grading and drainage plan must be submitted at time of plan check and must incorporate all pertinent site development comments from the City's geological and

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geotechnical consultants and must also include the approved geological and geotechnical report submitted by the developer's consultant.

49. Parkways must be irrigated and landscaped per plans submitted for review and approval by the Public Works Director, or designee, before final inspection approval. The need for preserving existing street trees and/or providing additional street trees must be reviewed and approved by the Recreation and Parks Director, or designee.
50. 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.

WATER:

51. Water calculations must be submitted to the Public Works Department at the time of plan check to determine whether the two existing meters may be retained and used for irrigation purposes. Based on the review of the submitted plans, the development will require at least a 3-inch service for domestic water use, a 6-inch line for fire protection and possibly an on-site fire hydrant. Due to the meter size, a 3-inch meter will require a vault to be installed. The location of the vault will be review and approved by the Public Works Director, or designee. Additionally, any fire line will require a backflow device to be installed and inspected annually.
52. The City also requires the average daily domestic water demand, the maximum daily domestic water demand and the fire demand for the project. The developer will be financially responsibly should the City require a study to determine the feasibility of the existing 6-inch main meeting the additional demand of the project and/or any required main line upgrades.

FIRE:

53. The applicant must provide a minimum unobstructed width of 20 feet, except for approved security gates in accordance with California Fire Code ("CFC") § 503.6, as adopted by the MPMC, and an unobstructed vertical clearance "clear to sky" Fire Department vehicular access to within 150 feet of all portions of the exterior building walls pursuant to CFC § 503.2.1, as adopted by the MPMC
54. Dead-end fire apparatus access roads exceeding 150 feet in length must be provided with an approved Fire Department turnaround per CFC § 503.2.5, as adopted by the MPMC.
55. Fire Department vehicular access roads must be provided with a 32 foot centerline turning radius per CFC § 503.2.4, as adopted by the MPMC.
56. Fire Department vehicular access roads must be installed and maintained in a serviceable manner before and during the time of construction per CFC § 501.4, as adopted by the MPMC

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57. A minimum of 5 foot wide approved firefighter access walkway leading from the fire apparatus access road to the building's exterior openings must be provided for fire fighting and rescue purposes per CFC § 504.1, as adopted by the MPMC.
58. The map must all existing public fire hydrants within 250 feet of the lot frontage on both sides of the street. The map must specify size of fire hydrants(s) and dimensions(s) to property lines. Additional fire hydrant requirements may be necessary after this information is provided per CFC § 507.1, as adopted by the MPMC.
59. All fire hydrants must measure 6" x 4" x 2-1/2", brass or bronze, conforming to American Water Works Association Standard C503, or approved equal; and must be installed in compliance with CFC § 507, as adopted by the MPMC.
60. The applicant must submit a completed "Fire Flow Availability" form to the Fire Department per CFC § 507, as adopted by the MPMC.
61. Provide Building Code occupancy classification(s) for all separate and distinct uses of the structure(s) in accordance with California Building Code ("CBC") § 302.1, as adopted by the MPMC.
62. The height and area of buildings of different construction types must be governed by the intended use of the building and cannot exceed the limits in CFC Table 503, except for area modifications in CFC § 506, as adopted by MPMC.
63. The applicant must install an approved automatic fire sprinkler system as set forth in CBC § 903 and CFC § 903, as adopted by the MPMC. Plans must be submitted to the Sprinkler Plan Check Unit for review and approval before installation.
64. The applicant must install an approved Class I Standpipe System as set forth in CBC and CFC §§ 905, as adopted by the MPMC. Submit plans to the Sprinkler Plan Check Unit for review and approval before installation.
65. The applicant must provide occupant load calculation and exit width analysis for all portions of the building in accordance with CBC §§ 1004, 1005, Table 1004.1.1 and Table 1005.1, as adopted by the MPMC.

POLICE:

66. Adequate exterior lighting must be provided so that the units are visible from the street during the hours of darkness.
67. An alarm system must be installed in each residential unit before the City issues a certificate of occupancy. An alarm permit must be maintained and kept updated on each residential unit. Contact the Monterey Park Police Department Community Relations Bureau at (626) 307-1215 for the alarm permits.



# PLANNING COMMISSION

## STAFF REPORT

ITEM  
NUMBER

3

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**TO:** Planning Commission

**FROM:** Lead Planner/Economic and Development Special Projects Manager

**MEETING DATE:** August 13, 2013

**SUBJECT:** PUBLIC HEARING

CONDITIONAL USE PERMIT (CU-13-04) TO PERMIT PROFESSIONAL OFFICE USE ON THE FIRST FLOOR OF AN EXISTING COMMERCIAL BUILDING IN R-S (REGIONAL SPECIALTY) ZONE

**LOCATION:** 760 W Garvey Avenue

**APPLICANT:** Alexander Ngo  
4603 Bartlett Ave.  
Rosemead, CA 91770

**PROJECT PLANNER:** Samantha Tewasart  
Acting Senior Planner

**RECOMMENDATION:** It is recommended that the Planning Commission consider taking the following actions: (1) open the public hearing and take testimonial and documentary evidence; (2) close the public hearing; (3) after considering the evidence presented during the public hearing, adopt the Resolution approving the requested Conditional Use Permit (CU-13-04); and (4) take such additional, related, action that may be desirable.

**ZONE:** R-S (Regional Service)

**GENERAL PLAN DESIGNATION:** Commercial

**ASSESSORS PARCEL NUMBER:** 5257-001-042

**SITE DESCRIPTION:**

Property Size: 87,747 square feet (2.015 acres)

Surrounding Properties:

|        |                                                    |
|--------|----------------------------------------------------|
| North: | R-S, P-D (Regional Specialty, Planned Development) |
| South: | R-3 (Residential)                                  |
| East:  | C-B, P-D (Central Business, Planned Development);  |
| West:  | R-S, P-D (Regional Specialty, Planned Development) |

**PROJECT SITE BACKGROUND/PAST CITY APPLICATIONS:**

None

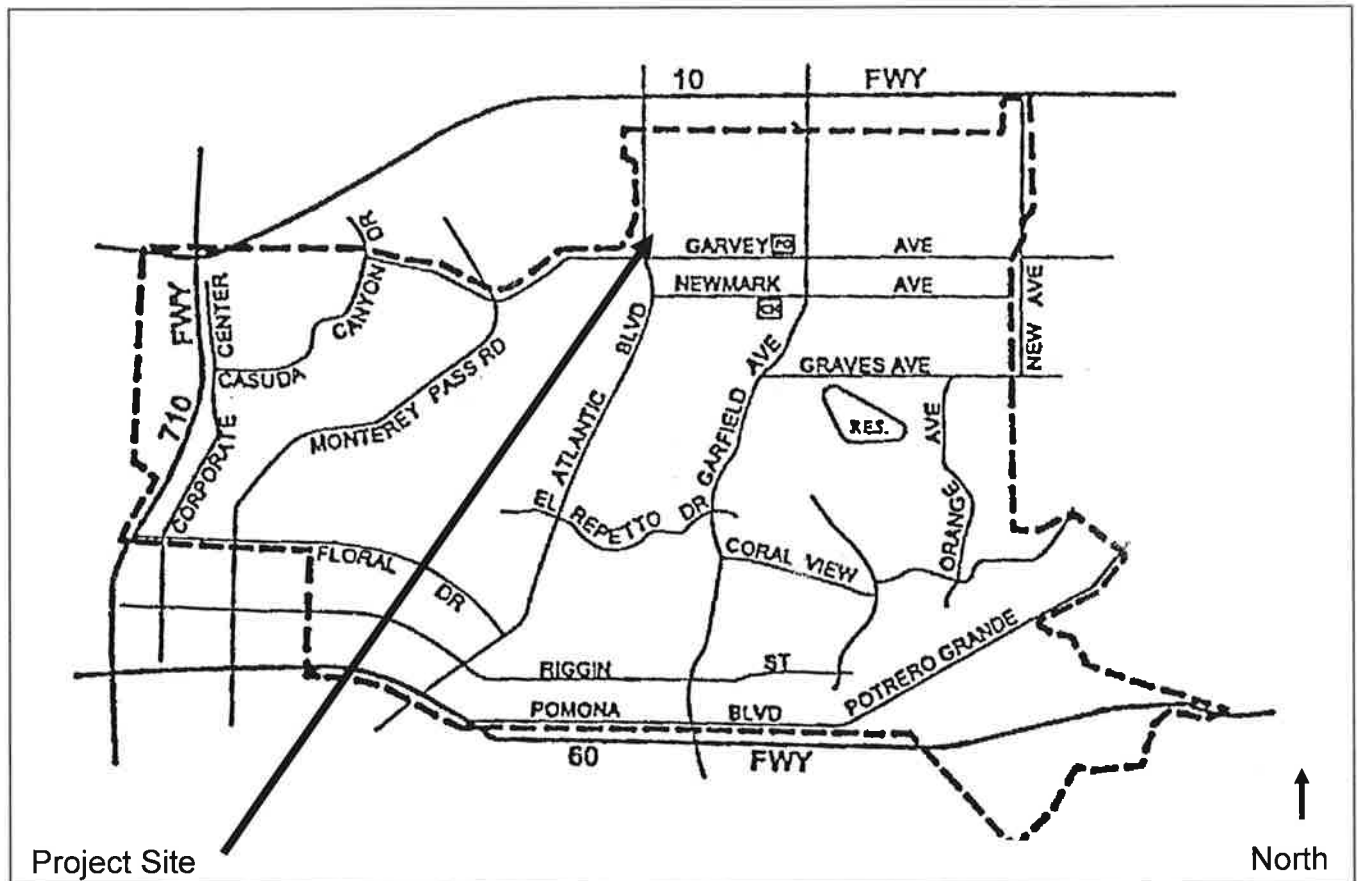
**LEGAL NOTIFICATION:**

The legal notice of this hearing was posted at the subject site, City Hall, Bruggemeyer Memorial Library, and Langley Center on **July 24, 2013**, with affidavits of posting on file. The legal notice of this hearing was mailed to **25** property owners within a 300 foot radius and current tenants of the property concerned on **July 24, 2013**.

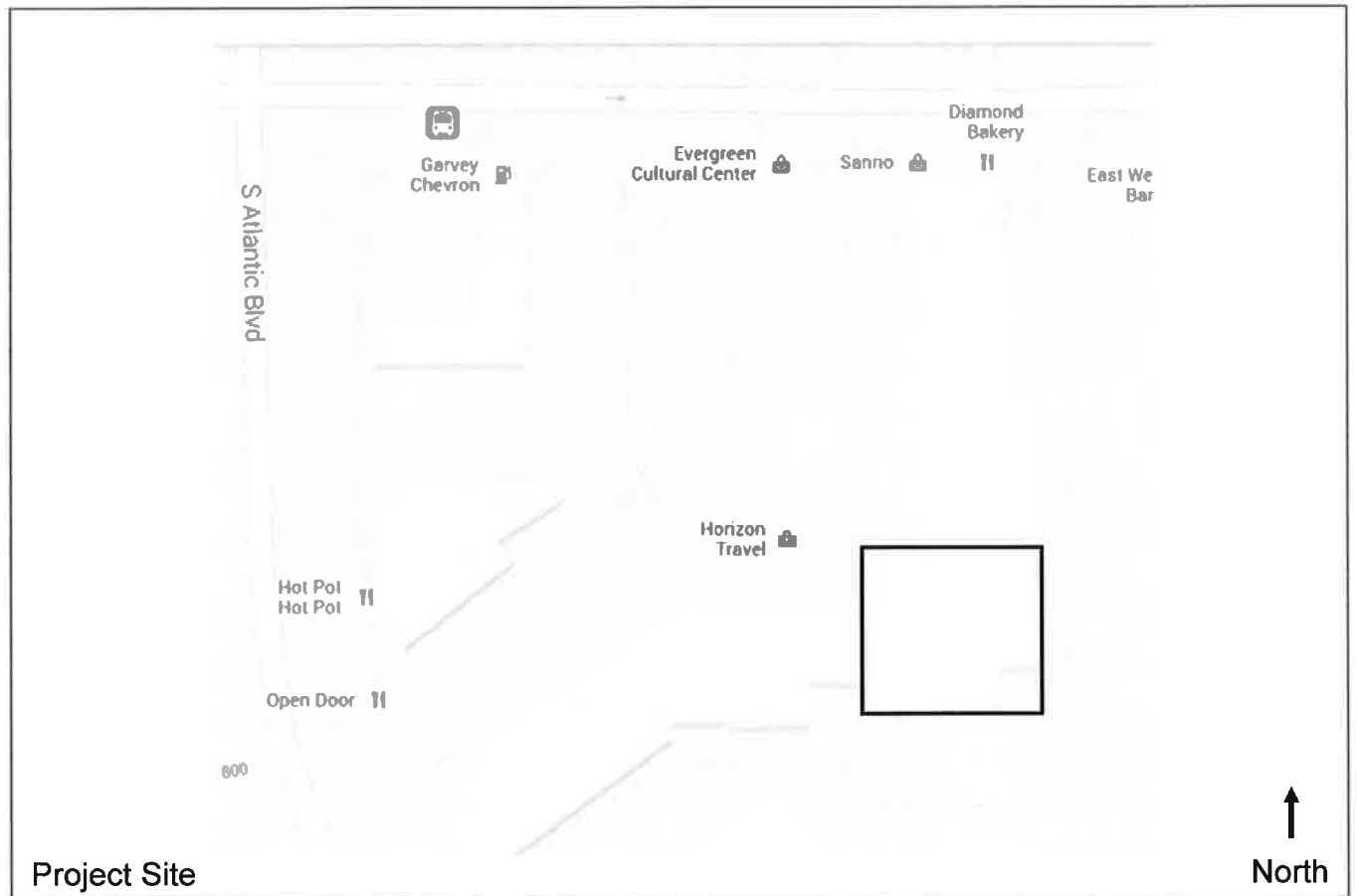
**ENVIRONMENTAL ASSESSMENT:**

The City reviewed the project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§15000, *et seq.*, the "CEQA Guidelines"), and the City's Environmental Guidelines. This project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15301.

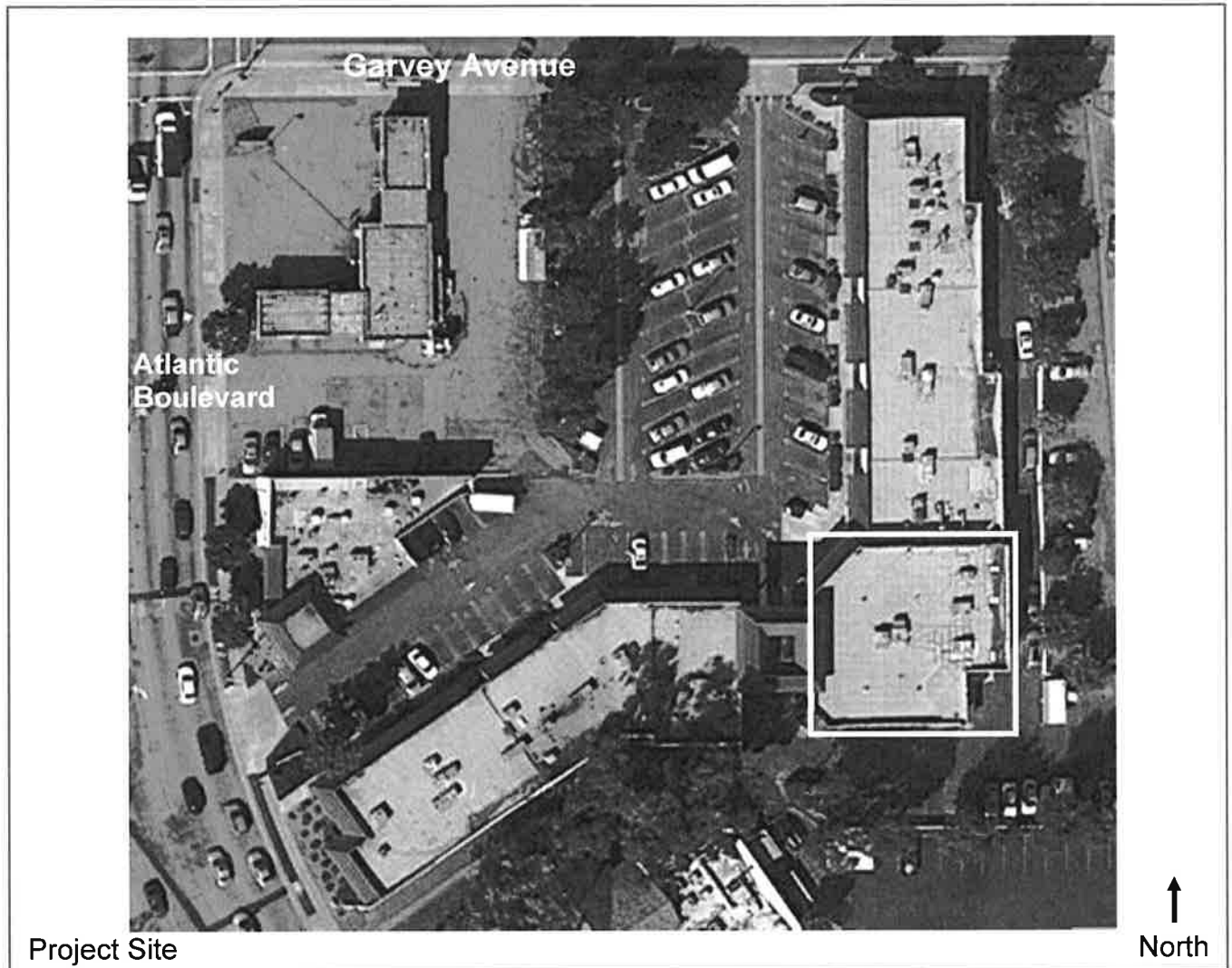
**VICINITY MAP:**



**STREET MAP:**



## AERIAL MAP



### ANALYSIS AND EVALUATION OF PROJECT:

The applicant, Alexander Ngo, is requesting a Conditional Use Permit to permit a medical clinic at 760 W Garvey Avenue. The subject property is located in Deerfield Plaza, on the south side of Garvey Avenue, east of the intersection of Garvey Avenue and Atlantic Boulevard. The property is zoned R-S (Regional Specialty) and designated Commercial in the General Plan. To the north of the property are West Garvey Avenue and commercial uses, east is a bank, west are South Atlantic Boulevard and a vacant lot, and south are multi-family dwellings. The lot is 87,747 square feet (2.015 acres) in area and is developed with three detached one-story commercial buildings totaling 28,159 square feet. The applicant proposes to operate a medical clinic in a 5,682 square feet unit at the southeast corner of the commercial plaza.

Two of the three detached buildings are setback from the street, situated in an L-shaped layout adjacent to the east and south property lines. There are twenty tenant spaces in total, including eleven along the east property line and nine along the south property line. Surface parking is provided in front of the buildings. The property is accessible from South Atlantic Boulevard and two driveways off of West Garvey Avenue.

Deerfield Plaza is comprised of a mixture of retail and service type uses, including a travel agency, bakery, photo processing store, a framing store, three retail eating establishments, a beauty salon, and gift store. In the business description provided by the applicant, the applicant states that it is difficult to lease the subject tenant space to retail stores or restaurants, due to the its obscure location. The unit is setback approximately 250 feet set from Garvey Avenue and lacks visibility from South Atlantic Boulevard due to trees and a Chevron Gas Station located at the corner. So, the applicant proposes to offer the space to a medical clinic.

### **Conditional Use Permit**

According to MPMC § 21.10.030, a medical clinic is permitted with a Conditional Use Permit. A review of the facts in this matter show that the findings required by MPMC § 21.32.020 may be made as follows:

1. That the site is adequate in size, shape and topography for the proposed use.

The site will be adequate in size, shape and topography for the proposed medical clinic. The site is developed with an existing commercial plaza with twenty tenant spaces. The subject tenant space is a 5,682 square feet corner unit and is the largest tenant space amongst the twenty units. A total of 120 surface parking spaces are provided in front of the existing buildings, which are set back from the street. The applicant is proposing to convert the corner unit from an existing bookstore to a medical clinic.

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.

The site has sufficient access to streets and highways and is adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed medical clinic. The site is accessible from both Garvey Avenue, a minor arterial street, and Atlantic Boulevard, a principal arterial street. The required number of parking spaces for retail use and medical clinic is 5.5 spaces per 1,000 square feet of building area according to MPMC § 21.10.030. There are 120 existing parking spaces on the property and the project does not include new construction or additional square footage. No changes are proposed to the buildings or parking area.

3. That the proposed use is deemed to be part of the General Plan and conforms to all requirements of the General Plan and zoning regulations.

MPMC § 21.10.030 allows a professional office subject to a conditional use permit in the R-S (Regional Specialty) Zone. The subject property is designated Commercial in the General Plan Land Use Element, and the Commercial land use category permits retail and service commercial, and professional uses. The proposed medical clinic is consistent with the professional office use permitted in the General Plan. Additionally, according to the North Atlantic Specific Plan Land Use Element, professional offices, integrated throughout a commercial complex, emphasizing public-serving businesses like medical/dental clinics, financial services, personal and homeowner insurance, etc. are permitted. Offices must be developed in conjunction with retail uses.

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.

The proposed medical clinic will not have adverse affects on the enjoyment or valuation of neighboring properties. To the north of the property are West Garvey Avenue and commercial uses, east is a bank, west are South Atlantic Boulevard and a vacant lot, and south are multi-family dwellings. The properties to the north and west are also zoned R-S (Regional Specialty) and permit the same land uses. To the east is the C-B (Central Business) Zone, which permits similar land uses.

5. For any use, other than a use within the protections of the First Amendment of the United States Constitution or California Constitutions that the proposed use will not have an adverse effect on the public health, safety and general welfare.

The proposed medical clinic will not have an adverse effect on the public health, safety and general welfare. The medical clinic will occupy an existing tenant space in a multitenant commercial plaza. No new construction or addition of square footage is proposed. The medical clinic proposes to provide health services.

## CONCLUSION:

Staff recommends adopting the Resolution approving the requested Conditional Use Permit (CU-13-04), subject to the draft conditions of approval.



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James Funk  
Lead Planner/Economic and Development Special Projects Manager

CU-13-04  
August 13, 2013  
Page 8 of 8

**Attachment:**

1. Site, floor, and elevation plans

## **RESOLUTION NO.**

### **A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CU-13-04) TO PERMIT A PROFESSIONAL OFFICE USE ON THE FIRST FLOOR OF AN EXISTING COMMERCIAL BUILDING AT 760 WEST GARVEY AVENUE**

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

#### **SECTION 1:** The Planning Commission finds and declares that:

- A. On June 4, 2013, Alexander Ngo, submitted an application pursuant to Title 21 of Monterey Park Municipal Code ("MPMC") requesting approval of Conditional Use Permit (CU-13-04) to permit a professional office use within an existing commercial building at 780 W Garvey Avenue, ("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 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");
- D. The Community Development Department completed its review and scheduled a public hearing regarding the proposed Project, before the Planning Commission for August 13, 2013; notice of public hearing on such proposed Project was posted and mailed as required by the MPMC;
- E. On August 13, 2013, 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 Alexander Ngo; and,
- F. The Planning Commission considered the information provided by City, public testimony and the representatives of Alexander Ngo. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its August 13, 2013 hearing including, without limitation, the staff report submitted by the Community Development Department.

#### **SECTION 2:** *Factual Findings and Conclusions.* The Planning Commission finds the following facts exist and makes the following conclusions:

- A. The Applicant seeks to open a medical clinic within an existing commercial plaza at 760 W Garvey Avenue;

**PLANNING COMMISSION  
RESOLUTION NO.  
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- B. 760 W Garvey Avenue is zoned R-S (Regional Specialty) and designated Commercial in the Monterey Park General Plan;
- C. The Project property is located in Deerfield Plaza, on the south side of Garvey Avenue, east of the intersection of Garvey Avenue and Atlantic Boulevard. To the north of the property are West Garvey Avenue and commercial uses, east is a bank, west are South Atlantic Boulevard and a vacant lot, and south are multi-family dwellings;
- D. The Project property is 87,747 square feet (2.015 acres) in area and is developed with three detached one-story commercial buildings totaling 28,159 square feet;
- E. No new construction or additions to the existing building is proposed;
- F. The Applicant seeks to occupy the existing 5,682 square feet unit at the southeast corner of the commercial plaza.

SECTION 3: *Environmental Assessment.* Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations CEQA §§ 15301 and 15332 as a Class 1 categorical exemption (Existing Facilities) and Class 32 categorical exemption (Infill Development). The Project would open a new medical clinic within an existing commercial plaza. The project is not anticipated to have any significant impacts with regard to traffic, noise, air quality, or water quality. Moreover, the project is proposed to be built on sites of not more than five acres surrounded by urban uses. Further, the sites have no value as habitat for endangered, rare, or threatened species. There are adequate utilities and public services to serve the project.

SECTION 4: *Conditional Use Permit Findings.* After considering the factual findings of this Resolution and the accompanying staff report, the Commission finds as follows pursuant to the MPMC § 21.32.020:

1. The Project site is adequate in size, shape and topography for the proposed use.  
  
The site is adequate in size, shape and topography for the proposed medical clinic. The site is developed with an existing commercial plaza with twenty tenant spaces. The subject tenant space is a 5,682 square feet corner unit and is the largest tenant space amongst the twenty units. A total of 120 surface parking spaces are provided in front of the existing buildings, which are set back from the street. The applicant is proposing to convert the corner unit from an existing bookstore to a medical clinic.
2. The Project 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.

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The site has sufficient access to streets and highways and is adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed medical clinic. The site is accessible from both Garvey Avenue, a minor arterial street, and Atlantic Boulevard, a principal arterial street. The required number of parking spaces for retail use and medical clinic is 5.5 spaces per 1,000 square feet of building area according to MPMC § 21.10.030. There are 120 existing parking spaces on the property and the project does not include new construction or additional square footage. No changes are proposed to the buildings or parking area.

3. The Project is deemed to be part of the General Plan and conforms with all the requirements of the General Plan and zoning regulations.

MPMC § 21.10.030 allows a professional office subject to a conditional use permit in the R-S (Regional Specialty) Zone. The subject property is designated Commercial in the General Plan Land Use Element, and the Commercial land use category permits retail and service commercial, and professional uses. The proposed medical clinic is consistent with the professional office use permitted in the General Plan. Additionally, according to the North Atlantic Specific Plan Land Use Element, professional offices, integrated throughout a commercial complex, emphasizing public-serving businesses like medical/dental clinics, financial services, personal and homeowner insurance, etc. are permitted. Offices must be developed in conjunction with retail uses.

4. The Project will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood in which it is proposed.

The proposed medical clinic will not have adverse affects on the enjoyment or valuation of neighboring properties. To the north of the property are West Garvey Avenue and commercial uses, east is a bank, west are South Atlantic Boulevard and a vacant lot, and south are multi-family dwellings. The properties to the north and west are also zoned R-S (Regional Specialty) and permit the same land uses. To the east is the C-B (Central Business) Zone, which permits similar land uses.

5. The Project will not have an adverse effect on the public health, safety and general welfare.

The proposed medical clinic will not have an adverse effect on the public health, safety and general welfare. The medical clinic will occupy an existing tenant space in a multitenant commercial plaza. No new construction or addition of square footage is proposed. The medical clinic proposes to provide health services.

**SECTION 5: Approvals.** Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission approves Conditional Use Permit CU-13-04.

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RESOLUTION NO.  
PAGE 4 OF 5**

SECTION 6: *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 7: *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 8: *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 9: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 10: A copy of this Resolution will be mailed to Alexander Ngo and to any other person requesting a copy.

SECTION 11: This Resolution may be appealed within nineteen (19) calendar days after its adoption. All appeals must be in writing and filed with the City Clerk within this time period. Failure to file a timely written appeal will constitute a waiver of any right of appeal.

SECTION 12: Except as provided in Section 9, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

**ADOPTED AND APPROVED** this 13<sup>th</sup> day of August 2013.

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RESOLUTION NO.  
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\_\_\_\_\_  
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 13<sup>th</sup> day of August 2013, by the following vote of the Planning Commission:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
James Funk, Secretary

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

By:

\_\_\_\_\_  
Karl H. Berger,  
Assistant City Attorney

## **PLANNING COMMISSION RESOLUTION NO.**

### **Exhibit A**

#### **CONDITIONS OF APPROVAL**

##### **760 W GARVEY AVENUE**

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Alexander Ngo agrees that it will comply with the following provisions as conditions for the City of Monterey Park's approval of Conditional Use Permit (CU-13-04) ("Project Conditions").

#### **PLANNING:**

1. Alexander Ngo (the "Applicant") agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of CU-13-04 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out the City approval of CU-13-04, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and on file. Before the City issues a building permit, the applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Department. Any subsequent modification must be referred to the Director of the Planning and Building Safety Department for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The conditional use permit expires twelve months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A single one year extension may be granted by the Planning Commission upon finding of good cause.
4. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.
5. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.

6. The real property, subject to CU-13-04 must remain well-maintained and free of graffiti.
7. Building permits are required for any interior tenant improvements.
8. Landscaping/irrigation must be maintained in good condition at all times.

BUILDING:

9. The second sheet of the building plans must include all City of Monterey Park conditions of approval.
10. Specify the type of construction and occupancy on the plan. Provide analysis per the California Building Code (CBC) § 504 and § 506 for allowable floor area and maximum height of building.
11. All work must conform to the requirements of the 2010 CBC, as adopted by the MPMC.
12. Accessibility requirements per 2010 CBC, as adopted by the MPMC, apply to this project.
13. Provide separate accessible sanitary facilities for each sex for each building.
14. All alterations to the existing building subject to licensure must comply with CBC § 1226, as adopted by the MPMC, for clinics.
15. Refer to CBC § 304.1.1 for outpatient clinic definition.

FIRE:

16. Provide Building Code occupancy classification(s) for all separate and distinct uses of the structure(s) in accordance with CBC § 302.1, as adopted by the MPMC. Indicate on the site plan.
17. Provide Building Code type of construction in accordance with CBC § 602.1 and CBC Table 601, as adopted by the MPMC. Indicate type of construction on the site plan and provide construction details for the structural elements in CBC Table 601.
18. Provide occupant load calculation and exit width analysis for all portions of the building in accordance with CBC § 1004, Table 1004.1.1 and 1005, as adopted by the MPMC.

19. Cross-hatch the Fire Department vehicle access on the site plan and clearly show the required width. Cross-hatch the Fire Department turnaround on the site plan and include the dimensions of the turnaround.
20. Exit passageways serving as components of the egress system must comply with CBC § 1023, as adopted by the MPMC.
21. Provide approved signs or other approved notices or markings that include the words No Parking – Fire Lane. Signs must be provided for fire apparatus access roads, to clearly indicate the entrance to such road, or prohibit the obstruction thereof, as required by the California Fire Code (CFC) § 503.3, as adopted by the MPMC.
22. Show all existing public fire hydrants within 250 feet of the lot frontage on both sides of the street. Specify size of fire hydrant(s) and dimension(s) to the property lines. Additional fire hydrant requirements may be necessary after this information is provided per CFC § C105.2.2, as adopted by the MPMC.
23. The height and area of buildings of different construction types must be governed by the intended use of the building and must not exceed the limits in CFC Table 503 except for area modifications in CFC § 506, as adopted by the MPMC. Incorporate calculations on the site plan.
24. The fire-resistance rating of exterior walls with a fire separation distance shall comply with California Building Code Table 602 and Table 705.8, as adopted by the MPMC. Indicate fire resistance of exterior walls on site plan, floor plan and provide a construction detail. Indicate openings protection door/window schedule.
25. Provide an approved fire alarm system as set forth by California Fire Code § 907, as adopted by the MPMC. Plans must be submitted for review and approval before installation.
26. Provide portable fire extinguishers as set forth by California Fire Code § 906, as adopted by the MPMC. Indicate size and locations of all exiting fire extinguishers on site plan.
27. The required fire flow for public fire hydrants at this location must be determined per California Fire Code § 507.3, Table B105.1, as adopted by the MPMC.
28. Show all existing public fire hydrants within 250 feet of the lot frontage on both sides of the street. Specify size of fire hydrant(s) and dimension(s) to the property lines. Additional fire hydrant requirements may be necessary after this

information is provided (CFC § 507.1, as adopted by the MPMC). Indicate size and locations of all existing fire hydrants on site plan.

29. Provide occupant load calculation and exit width analysis for all portions of the building in accordance with CBC §§ 1004, 1005, Table 1004.1 and Table 1005.1, as adopted by the MPMC. Incorporate calculations on site plan or provide and exit analysis plan.

POLICE:

30. All outdoor lighting must be located and shielded so as to prevent the direct spillage of light or glare onto adjacent lots and streets. Areas of open parking must be illuminated to provide an average lighting level of no less than two foot-candles, and a minimum individual lighting level of no less than one foot-candle. All parking garage structures must be illuminated to provide an average lighting level of no less than five foot-candles, and a minimum individual lighting level of no less than two foot-candles.
31. An alarm system must be installed at the main ingress and egress to the facility/lobby. The alarm system will be a deterrent to criminal activity, and allow notification of the Police and security in the event of any such attempt. Contact the Monterey Park Police Department Community Relations Bureau at (626) 307-1215 for additional information and alarm permits.
32. Any outside ladders leading to the rooftop must be secured to prevent unauthorized access to the roof.
33. Address numbers must be illuminated during hours of darkness and positioned as to be readily readable from street. Numbers must be at least 12 inches in height.
34. All common open areas must be well lit during the hours of darkness, to include service areas, alleys, rear entrance, and walkways.

By signing this document, Alexander Ngo, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

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Alexander Ngo, Applicant

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68. The shrubbery on the property must be installed and maintained in such condition to permit visibility of the units from the streets. Any shrubbery surrounding the complex and in the courtyard areas must be planted and maintained where the height of the greenery would not easily conceal persons.
69. The driveway leading into the complex must be constructed and maintained in such a condition that traffic is easily visible to those entering or leaving the location.
70. All common open areas must be well lit during the hours of darkness.
71. Signs identifying guest parking spaces must be posted at the guest parking areas and in the driveway leading into the complex preventing illegal or overnight parking of unwanted guests.
72. A proper thoroughfare for residents, guests, and any necessary emergency vehicles and/or personnel must be maintained at all times. The Monterey Park Police Department Traffic Bureau must be contacted for sign verbiage and posting locations. The Traffic Bureau Sergeant can be reached at (626) 307-1481.

**RECREATION AND PARKS:**

73. On the site plan, show the existing trees in the parkway. One street tree may be removed for the new driveway. If an existing street tree is closer than 10 feet from the new driveway, the tree must be removed and a new tree must be planted per planting requirements. The new street tree must be a Pryus Calleryana "Bradford Pear."

By signing this document, Curt Wang, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

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Curt Wang, Applicant