

**CITY OF MONTEREY PARK
PLANNING COMMISSION AGENDA**

REGULAR MEETING

**Monterey Park City Hall Council Chambers
320 West Newmark Avenue
Monterey Park, CA 91754**

**TUESDAY
NOVEMBER 25, 2014
7:00 PM**

MISSION STATEMENT

**The mission of the City of Monterey Park is to provide excellent services
to enhance the quality of life for our entire community.**

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 are available for public inspection in the City Clerk's Office 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://ci.monterey-park.ca.us/home/index.asp>. Copies of staff reports and/or written documents pertaining to any item on the Agenda are on file in the Community and Economic Development Department – Planning Division and are available for public inspection during regular business hours.

PUBLIC COMMENTS ON AGENDA ITEMS

For members of the public wishing to address the Planning Commission regarding any item on this Agenda, including Oral Communications, please fill out a speaker card and return it to Planning staff before the announcement of the Agenda Item.

Speakers are provided five (5) minutes per individual on each published agenda item. Individual speakers may consolidate time with another speaker's time; the total consolidated time cannot exceed two (2) minutes per speaker giving up time. However in the interest of ensuring that all members of the Public have an equal opportunity to participate, a single speaker cannot speak for more than ten (10) minutes on an individual Agenda item. If there are a large number of speakers on a particular agenda item, the Chairperson, as confirmed by the Planning Commission, may reduce the amount of time allotted to each speaker or limit the total amount time allowed for speakers to address the agenda item. At the conclusion of that period of time, the speaker will be asked to please conclude their remarks so that the next speaker may begin their comments.

In accordance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please call City Hall, (626) 307-1359. Please notify the Community and Economic Development Department twenty-four hours prior to the meeting so that reasonable arrangements can be made to ensure availability of audio equipment for the hearing impaired. Council Chambers are wheelchair accessible.

CALL TO ORDER – Chairperson Larry Sullivan

ROLL CALL – Commissioners Choi, Hamner, Garcia and Lam

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

ORAL AND WRITTEN COMMUNICATIONS

MINUTES – October 28, 2014

[1.] PUBLIC HEARINGS

1-A. DETERMINATION OF CONSISTENCY OF THE MONTEREY PARK BICYCLE MASTER PLAN WITH THE CITY OF MONTEREY PARK GENERAL PLAN

The City of Monterey Park is the lead agency of a multi-jurisdiction project to adopt a regional San Gabriel Valley Bicycle Master Plan that includes bicycle plans for each of the 5 participating cities.

Under the existing California Environmental Quality Act (CEQA) and National Environmental Protection Act (NEPA) Regulations, the creation of bicycle lanes on existing rights-of-way is considered a minor alteration of land and is categorically exempt (CEQA Guidelines § 15304). Similarly, under NEPA, construction of bicycle and pedestrian lanes, paths and facilities are categorically excluded (23 CFR § 771.117(c) (3)). Unless the proposed path will have significant environmental impacts due to unusual circumstances, no environmental documents need to be prepared. A California bill signed in 2012 (AB 2245 Bike Lane Statutory Exemption) has exempted all bicycle transportation plans from CEQA. AB 417 CEQA & Bike Plans exemptions, passed in 2013, provides that Bike Transportation Plans have statutory exemption from CEQA for an urbanized area for restriping of streets and highways, bicycle parking and storage, signal timing, and related signage.

Traffic and safety analyses will be conducted at the time of construction of the proposed bicycle lanes. Environmental review requirements will be determined on a project specific basis, based on the extent of the physical changes such as paving, drainage and construction.

It is recommended that the Planning Commission consider taking the following actions:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopt Resolution no. _____ determining that the Monterey Park Bicycle Master Plan is consistent with the City of Monterey Park General Plan;
- (5) Recommending that the City Council approve the San Gabriel Valley Regional Bicycle Master Planer; and
- (6) Take such additional, related, action that may be desirable.

1-B. CONDITIONAL USE PERMIT – 331 NORTH ATLANTIC BOULEVARD #202 (CU-14-07)

The applicant, Zhi Cheng Chen, is requesting approval of a Conditional Use Permit to allow a commercial recreational facility at 331 North Atlantic Boulevard #202 in the R-S (Regional Specialty) Zone.

The Project is categorically exempt from the requirements of CEQA pursuant to CEQA Guidelines § 15301 (Existing Facilities).

It is recommended that the Planning Commission consider taking the following actions:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting the Resolution approving the requested Conditional Use Permit (CU-14-07), subject to conditions of approval contained therein; and
- (5) Take such additional, related, action that may be desirable.

[2.] UNFINISHED BUSINESS

None

[3.] NEW BUSINESS

None

[4.] COMMISSION COMMUNICATIONS AND MATTERS

[5.] CLOSED SESSION

ADJOURN

APPROVED BY:

MICHAEL A. HUNTLEY	
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City Council Staff Report

DATE: November 25, 2014

AGENDA ITEM NO: A-1

TO: The Planning Commission
FROM: Ron Bow, Director of Public Works/Assistant City Manager
SUBJECT: Public Hearing regarding determination of consistency of the Monterey Park Bicycle Master Plan with the City of Monterey Park General Plan.

RECOMMENDATION:

It is recommended that the Planning Commission:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopt Resolution no. _____ determining that the Monterey Park Bicycle Master Plan is consistent with the City of Monterey Park General Plan;
- (5) Recommending that the City Council approve the San Gabriel Valley Regional Bicycle Master Planer; and
- (6) Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The City of Monterey Park is the lead agency of a multi-jurisdiction project to adopt a regional San Gabriel Valley Bicycle Master Plan that includes bicycle plans for each of the 5 participating cities.

BACKGROUND:

In June 2013, City Council adopted a resolution to participate in a regional bicycle plan for 5 cities in the San Gabriel Valley, including Baldwin Park, El Monte, San Gabriel, and South El Monte. Monterey Park was the lead city of a joint application to the Los Angeles Department of Public Health (DPH) Healthy Eating Active Living (HEAL) competitive grant program to develop the regional bicycle program. Bike SGV (San Gabriel Valley) - the non-profit bicycle advocacy group - administered the project. The Project Team headed by Bike SGV and including planning and public works staff from each agency and the DPH grant administrator conducted a Request for Proposal (RFP) process to hire a planning/engineering consultant firm to prepare the design plans. Alta Planning was the successful bidder.

This San Gabriel Valley Regional Bicycle Master Plan mirrors other regional plans that recognize that bicycle paths should not end at a jurisdiction's boundaries but provide regional connectivity. A lesson learned from previous endeavors is the importance of

the community's buy-in and the need to conduct extensive public outreach from the initiation of the project.

A kick-off to the project was community events held at each city. Monterey Park's event was held on December 3, 2013 at the Bruggemeyer Library. Bike SGV also hosted booths to solicit community input at City events to include Harmony Month Car Show (October 2013), Lunar Festival (January 2014), Earth Day (April 2014), and the Farmer's Market/Night Market (August 2014). Since the inception of the project, interested parties could submit comments and suggestions via the website that was specifically created for public outreach: www.dobikeplan.com. The Project Team collected over 600 surveys that were instrumental in guiding the development of the bike plan.

Bike SGV enlisted the assistance of students from the Mark Keppel Senior Honor Society Club to conduct Street Audits throughout Monterey Park. The purpose of the street audits was to determine hazards to bicyclists and opportunities for bicycle infrastructure improvements. Mark Keppel students also assisted with manual bicycle counts that are necessary to assess before and after evaluations.

The Environmental Commission was actively involved in the plan's development and established a Bicycle Subcommittee made up of Monterey Park constituents for the purpose of advocating the plan's adoption and future implementation. Both the Traffic Commission and Planning Commission received copies of the plan for their review and were invited to participate in the Subcommittee meetings.

Bike Plan Overview

The Monterey Park Bicycle Master Plan is a component of the larger San Gabriel Valley Regional Bicycle Master Plan. The regional sections of the Plan include overarching goals and policies that apply to all 5 cities. Each city adopts its own individual bicycle plan that identifies infrastructure improvements (i.e., bike lanes) within that city. The Regional Bicycle Master Plan includes the following chapters:

Chapter 1. Introduction: purpose and history of the Plan, description of the different types of bike infrastructures (e.g., Class I, II, and III), and discussion on the benefits of bicycling.

Chapter 2. Vision, Goals, Objectives, and Policies: overall vision for the planning area, goals and objectives to be achieved, and policies to ensure plan implementation. Chapter 2 also provides an overview of existing State and regional-level transportation plans, policies and programs that affect the planning area.

Chapter 5. Monterey Park Chapter (Chapters 3, 4, 6 and 7 refer to the other participating cities): recommendations for bicycle facilities for the City of Monterey Park. Most notably are Class II lanes along Monterey Pass Road, Avenida Cesar Chavez to Riggan Avenue, and Potrero Grande Drive to Pomona Boulevard. Class III facilities are proposed for street segments where the

available street width is not wide enough to accommodate a designated bike lane (Class II). These streets include Garvey Avenue and Emerson Avenue. Low traffic streets in residential neighborhoods are good candidates for Class III lanes.

Enhanced bike facilities are recommended for a number of streets. These are innovative and unconventional treatments that are being applied to increase safety. Some examples include cycle tracks along Rosemead Boulevard in Temple City and *Sharrows* (shared lanes) and bike boxes for built-out urban centers.

An overview of existing conditions and bicycle ridership is followed by projected bicycle demand. Annual benefits such as improvements to air quality as a result of reduced automobile are assessed. A prioritized list of recommended bicycle facilities is provided in addition to a menu of recommended education, encouragement, enforcement and evaluation programs that can increase bicycling and safety. Finally, project cost and potential funding sources are identified in this chapter.

Chapter 8. Recommended Programs: proposed education, encouragement, enforcement and evaluation programs that are listed in Chapter 5 in greater detail.

Chapter 9. Potential Funding Sources: detailed information on the funding source listed in Chapter 5.

Chapter 10. Appendices: design guidelines, outreach meetings, poll results and comments, Complete Streets policy, bicycle counts data, and bicycle parking standards.

CONFORMS TO GENERAL PLAN

As set forth in the draft resolution, the Bicycle Master Plan is consistent with the City's General Plan. The Bicycle Master Plan will advance the City toward the achieving goals and policies found in the City's General Plan.

LEGAL NOTIFICATION:

The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **November 4, 2014**, with affidavits of posting on file.

ENVIRONMENTAL ASSESSMENT:

The Bicycle Master Plan is statutorily exempt from additional environmental review under the California Environmental Quality Act (Pub. Res. Code §§ 21000, *et seq.*; "CEQA") and CEQA regulations (Cal. Code Regs. tit. 14, §§ 15000, *et seq.*; the "CEQA Guidelines") pursuant to CEQA § 21080.20. If the City Council approves the Master Plan and, at some future date, decides to implement its recommendations, the City may be required to conduct additional environmental review. Traffic and safety analyses will

be conducted at the time of construction of the proposed bicycle lanes. Environmental review requirements will be determined on a project specific basis, based on the extent of the physical changes such as paving, drainage and construction.

FISCAL IMPACT:

There is no cost to the City to adopt the Bicycle Master Plan. An adopted bike plan will make the city eligible for certain grant funding that would be available for construction. The total cost for the construction of the proposed bicycle infrastructure is estimated to be \$2.26 million.

Respectfully submitted by:



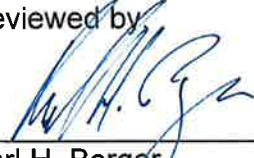
Ron Bow
Director of Public Works/
Assistant City Manager

Prepared by:



Amy Ho
Principal Management Analyst

Reviewed by:



Karl H. Berger
Assistant City Attorney

ATTACHMENT:

1. San Gabriel Valley Bicycle Master Plan
2. Resolution No.
3. General Plan Bicycle Route Plan (Figure C-4)

RESOLUTION NO. ____

**A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT
THE SAN GABRIEL VALLEY REGIONAL BICYCLE MASTER PLAN.**

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

SECTION 1: The Planning Commission finds and declares that:

- A. In June 2013, the City Council adopted a resolution to participate in the San Gabriel Valley Regional Bicycle Master Plan ("Regional Plan") which includes Baldwin Park, El Monte, San Gabriel, and South El Monte;
- B. Each of the cities participating in the Regional Plan also develop their own local bicycle plan. Consequently, the Monterey Park Bicycle Master Plan (the "Master Plan") attached as Exhibit "A," and incorporated by reference, is a component of the larger San Gabriel Valley Regional Bicycle Master Plan;
- C. The Master Plan was reviewed by the Community and Economic Development Department (the "Department") for, in part, consistency with the General Plan and conformity with the Monterey Park Municipal Code ("MPMC");
- D. 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");
- E. The Department completed its review and scheduled a public hearing regarding the application before this Commission for November 25, 2014;
- F. On November 25, 2014, the Commission held a public hearing to receive public testimony and other evidence regarding the Master Plan including, without limitation, information provided to the Commission by City staff, and public testimony; and
- G. This Resolution, and its findings, are made based upon the evidence presented to the Commission at its November 25, 2014 hearing including, without limitation, the staff report submitted by the Department.

SECTION 2: *Factual Findings and Conclusions.* The Commission finds that the following facts exist:

- A. The Master Plan will affect public and private properties in all five participating cities;
- B. The purpose of the Master Plan is to provide a) a broad vision and specific strategies and actions to improve bicycling conditions; b) direction for expanding the existing network and improve connectivity within and between cities; and c) recommendations for education, encouragement, enforcement, and evaluation programs. The overall goal of the Master Plan is to increase the numbers of new bicyclists and bicycle trips in the region by providing a safer bicycling environment;
- C. The Master Plan recommends new bicycling related goals, objectives, and policies regarding for all the participating cities;
- D. The Master Plan recommends specific route classifications for each street proposed in the bicycle network;
- E. The Master Plan recommends an expansion of the existing bikeway network in the City of Monterey Park by approximately 53 miles; and
- F. The Master Plan recommends possible locations for bicycle parking and storage facilities in the City of Monterey Park.

SECTION 3: *Environmental Assessment.* Because of the facts identified in Section 2 of this Resolution, the Master Plan is statutorily exempt from additional environmental review under the California Environmental Quality Act (Pub. Res. Code §§ 21000, *et seq.*; “CEQA”) and CEQA regulations (Cal. Code Regs. tit. 14, §§ 15000, *et seq.*; the “CEQA Guidelines”) pursuant to CEQA § 21080.20. If the City Council approves the Master Plan and, at some future date, decides to implement its recommendations, the City may be required to conduct additional environmental review.

SECTION 4: *General Plan.* The proposed Master Plan conforms to the City’s General Plan as follows:

- A. The proposed Master Plan is consistent with numerous goals, policies, and objectives of the General Plan. Specifically, it is consistent with the

Land Use, Circulation, Air Quality, and Open Space and Recreation Elements as discussed below.

- B. *Goal 5.0* - Create and maintain a connected system of bicycle routes and pedestrian facilities that meets the need of City residents.
- C. *Policy 5.1*- Provide for a citywide bicycle path system consistent with the Bicycle Route Plan (Figure C-4 of the General Plan). In certain instances the Master Plan proposes more aggressive approaches to the General Plan such as a Class II Route for Monterey Pass Road and Pomona Boulevard where the General Plan may have only proposed Class III facilities.
- D. *Policy 5.2* - Require that bicycle racks and adequate pedestrian facilities be incorporated into new commercial development projects.
- E. *Policy 5.3*- Coordinate with the Los Angeles County Metropolitan Transportation Authority to improve City bicycle routes within the Los Angeles County bicycle route system. In particular, encourage linkages to light rail and other transit stations.
- F. The Master Plan also supports the new Healthy Community and Sustainable Elements of the General Plan. The Healthy Community Elements advocates safe bicycling and walking access to parks.
- G. The Master Plan conforms to the Sustainable Elements by sharing the following policies:
 - 1. *Policy 5.6 Multipurpose Trails* - Seek opportunities to provide off-street multipurpose trails for biking and walking that increase connectivity throughout the City while providing an attractive environment for walking and bicycling separated from the roadway. The Bike Plan proposes a Class I bike facility along the Utility Right-of-Way from Isabella Ave. to Floral Dr.
 - 2. *Policy 6.1 Public Bicycle Parking* - Ensure adequate bicycle parking is available at City facilities and bus stops.
 - 3. *Policy 6.2 Bicycle Parking in Development Projects* - Require the provision of bicycle parking for new buildings and expansion

projects as specified in the California Green Building Standards Code (CALGreen).

4. *Policy 6.3 End-of-Trip Facilities at Businesses* - Encourage businesses to provide bike parking and other end-of-trip facilities that promote bicycling.
5. *Policy 7.2 Safe Driver Behavior* - Promote safe driver behavior around bicycle riders and pedestrians.
6. *Policy 7.3 Bicyclist and Pedestrian Education* - Encourage and promote the education of community members, including children, as safe and alert bicycle riders and pedestrians.

- H. The City's Climate Action Plan (CAP) recommends the creation and adoption of a Master Bike Plan. The CAP seeks to reduce Vehicle Miles Traveled (VMT) in the City by 2.5% by the year 2020 through expanding bicycle and pedestrian networks.

SECTION 5: Zoning Consistency. The Master Plan is consistent with the general purpose of the MPMC's zoning regulations, which is to promote the public health, safety, and general welfare and to provide the economic and social advantages resulting from an orderly planned use of land resources. The Master Plan promotes the orderly development of a safe and convenient bikeway network and encourages increased use of the bicycle as a means transportation, which promotes improved public health.

SECTION 6: Recommendations. The Planning Commission recommends that the City Council adopt the Monterey Park Master Plan.

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

SECTION 10: The Commission secretary is directed to mail a copy of this Resolution to any person requesting a copy.

SECTION 11: This Resolution may be appealed within ten (10) 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.

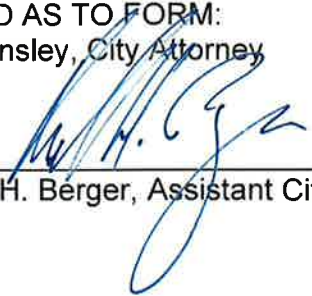
PASSED AND ADOPTED this 25th day of November 2014.

Larry Sullivan, Chairperson

ATTEST:

Michael Huntley, Secretary

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

By: _____
Karl H. Berger, Assistant City Attorney



Planning Commission Staff Report

DATE: November 25, 2014

AGENDA ITEM NO: 1-B

TO: The Planning Commission
FROM: Michael A. Huntley, Community and Economic Development Director
SUBJECT: Public Hearing regarding Conditional Use Permit (CU-14-07) to allow a commercial recreational use in the R-S (Regional Specialty) Zone.

RECOMMENDATION:

It is recommended that the Planning Commission:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopt Resolution no. _____ approving Conditional Use Permit (CU-14-07), subject to conditions contained therein; and
- (5) Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The applicant, Zhi Cheng Chen, is requesting a Conditional Use Permit to allow a commercial recreational facility at 331 North Atlantic Boulevard #202.

Property Description

The subject property is located on the southwest corner of Atlantic Boulevard and Emerson Avenue. The property is zoned R-S (Regional Specialty) and designated Commercial in the General Plan. To the north of the property are Emerson Avenue and a commercially zoned lot, south is a commercially zoned lot, east are North Atlantic Boulevard and Ralph's Supermarket, and west are R-1 zoned lots in the City of Alhambra. The lot is 164,221 square feet (3.77 acres) in area and is developed with three detached, two-story, multi-tenant commercial buildings. On-site parking includes two-levels of subterranean parking, at-grade parking, and one-level of above grade parking. The applicant proposes to occupy a 1,188 square feet unit on the second floor.

Project Description

According to the applicant, the proposed use is a commercial recreational facility (ACEscape). The use is described by the applicant as a gaming facility where players in groups of 3 to 10 people walk through different rooms to solve puzzles. Smaller groups will be paired with teams until the capacity per room is reached. Players will receive one hour of play time per ticket and ticket prices will be \$25. The players will be ushered into the puzzle rooms by a guide. Before entering the rooms the guide will ensure that the group does not bring any metallic objects into the room by scanning each player with a metal detector. This is done for safety purposes and to prevent players from taking

pictures inside the puzzle rooms. Players are also required to sign a form that agrees to the rules of the game. Once inside the rooms, the usher will leave and watch the room from cameras. The room doors cannot be locked and the players are free to exit the rooms at any time. The cameras installed in each room gives the usher full view of every player. To solve the puzzle in each room, each group is given a hint card. The premise of the game is to solve block puzzles. Once the blocks are correctly assembled a projector will provide the players with the codes to move onto the next puzzle. Every room requires an usher to operate the equipment in each room; therefore, the game cannot function without an usher.

The Police Department included condition numbers 26 through 29 in the Resolution to address camera and security requirements. The Police Department will monitor the subject property relative to safety items.

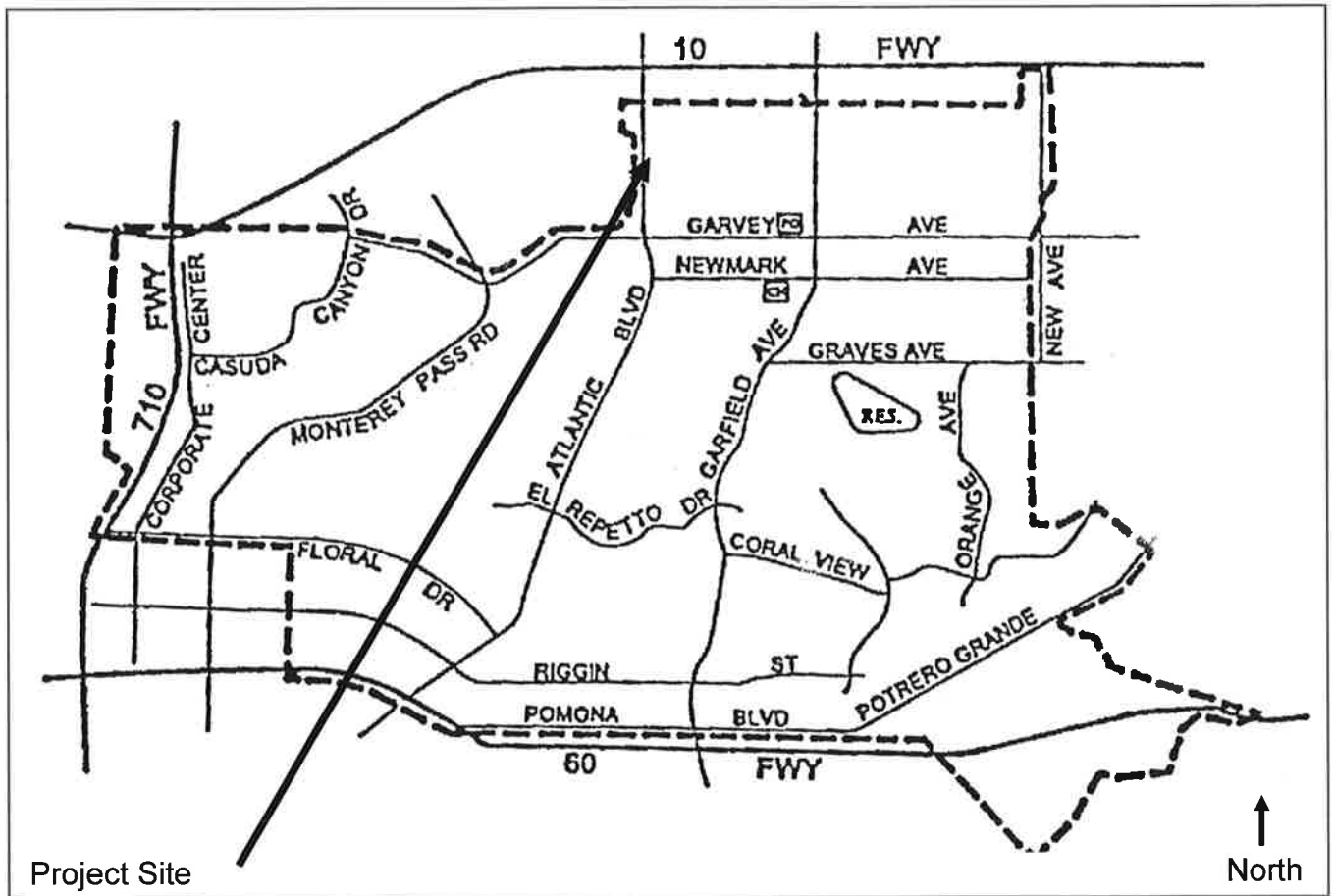
LEGAL NOTIFICATION:

The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on **November 14, 2014**, with affidavits of posting on file. The legal notice of this hearing was mailed to **70** property owners within a 300 foot radius and current tenants of the property concerned on **November 14, 2014**.

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 (Existing Facility).

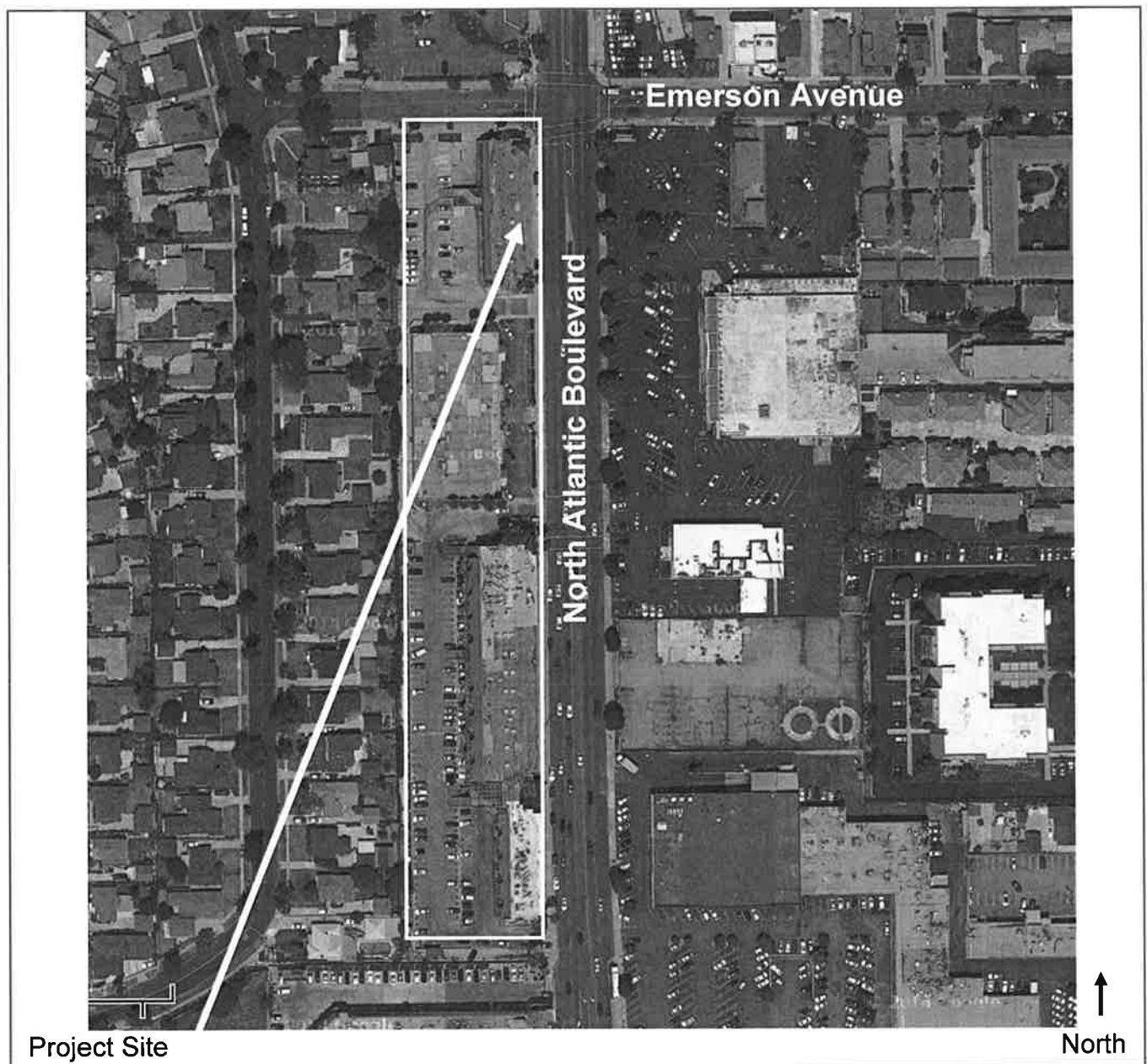
Vicinity Map



Street Map



Aerial Map



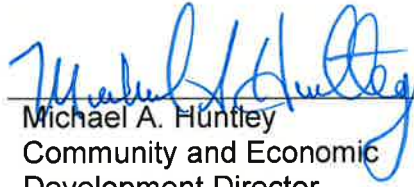
ALTERNATIVE COMMISSION CONSIDERATIONS:

None.

FISCAL IMPACT:

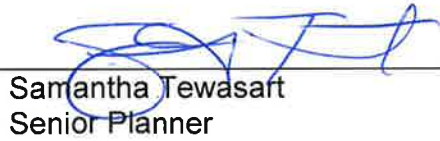
No fiscal impacts.

Respectfully submitted by:



Michael A. Huntley
Community and Economic
Development Director

Prepared by:



Samantha Tewasart
Senior Planner

Reviewed by:



Karl H. Berger
Assistant City Attorney

ATTACHMENTS:

Exhibit A: Draft Resolution
Exhibit B: Site and floor plans

RESOLUTION NO.

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CU-14-07) TO ALLOW A COMMERCIAL RECREATIONAL FACILITY ON THE FIRST FLOOR OF AN EXISTING COMMERCIAL BUILDING AT 331 NORTH ATLANTIC BOULEVARD #202.

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 30, 2014, Zhi Cheng Chen, submitted an application pursuant to Title 21 of Monterey Park Municipal Code ("MPMC") requesting a Conditional Use Permit (CU-14-07) to allow a commercial recreational facility within an existing commercial building at 331 N Atlantic Boulevard #202, ("Project");
- B. The proposed Project was reviewed by the City of Monterey Park Community and Economic 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 and Economic Development Department completed its review and scheduled a public hearing regarding the proposed Project, before the Planning Commission for November 25, 2014; notice of public hearing on such proposed Project was posted and mailed as required by the MPMC;
- E. On November 25, 2014, 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 Zhi Cheng Chen; and
- F. The Planning Commission considered the information provided by City, public testimony and the representatives of Jeff Hsin. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its November 25, 2014 hearing including, without limitation, the staff report submitted by the Community and Economic 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 commercial recreational facility within an existing commercial plaza at 331 N Atlantic Boulevard #202;
- B. 331 N Atlantic Boulevard #202 is zoned R-S (Regional Specialty) and designated Commercial in the Monterey Park General Plan;

**PLANNING COMMISSION
RESOLUTION NO.
PAGE 2 OF 5**

- C. The subject property is located on the southwest corner of Atlantic Boulevard and Emerson Avenue. The property is zoned R-S (Regional Specialty) and designated Commercial in the General Plan. To the north of the property are Emerson Avenue and a commercially zoned lot, south is a commercially zoned lot, east are North Atlantic Boulevard and Ralph's Supermarket, and west are R-1 zoned lots in the City of Alhambra;
- D. The lot is 164,221 square feet (3.77 acres) in area and is developed with three detached, two-story, multi-tenant commercial buildings. On-site parking includes two-levels of subterranean parking, at-grade parking, and one-level of above grade parking;
- E. No new construction or additions to the existing building is proposed; and
- F. The Applicant seeks to occupy a 1,188 square feet unit on the second floor.

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 CEQA Guidelines § 15301 as a Class 1 categorical exemption (Existing Facilities). The Project would open a new commercial recreational facility within an existing commercial building. 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 MPMC § 21.32.020:

- A. 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 commercial recreational facility. The lot is 164,221 square feet (3.77 acres) in area, rectangular shaped, and relatively flat. The property is developed with three detached, two-story, multi-tenant commercial buildings. On-site parking includes two-levels of subterranean parking, at-grade parking, and one-level of above grade parking. The subject tenant space is a 1,188 square feet unit on the second floor. The site is accessible from North Atlantic Boulevard and Emerson Avenue.

- B. 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.

**PLANNING COMMISSION
RESOLUTION NO.
PAGE 3 OF 5**

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 Emerson Avenue, a minor arterial street, and Atlantic Boulevard, a principal arterial street. The required number of parking spaces for a commercial recreational facility is 1 per 4 guest according to MPMC § 21.10.030. Adequate parking is provided at the surface level and two subterranean parking levels 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.

- C. 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 commercial recreational facility 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 commercial recreational facility is consistent with the General Plan in that the Commercial land use category provides opportunities for a broad range of retail and service commercial and professional office uses intended to meet the needs of the Monterey Park residents and businesses. The property is located in the North Atlantic Focus Area and one of the goals (Goal 3.0) of the Focus Area is to establish the North Atlantic area as a focal point for diverse retail, entertainment, and hospitality development. The proposed use is consistent with the uses encouraged by the Focus Area.

- D. 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 commercial recreational facility will not have adverse affects on the enjoyment or valuation of neighboring properties. To the north of the property are Emerson Avenue and commercial uses, west are R-1 zoned lots in the City of Alhambra, south is a commercially zoned lot, and east are North Atlantic Boulevard and Ralph's Supermarket. The properties to the north and south are also zoned R-S (Regional Specialty) and permit the same land uses.

- E. The proposed use will not have an adverse effect on the public health, safety and general welfare.

The proposed commercial recreational facility will not have an adverse effect on the public health, safety and general welfare. The commercial recreational facility will occupy an existing tenant space in a multitenant commercial building. No new construction or addition of square footage is proposed.

**PLANNING COMMISSION
RESOLUTION NO.
PAGE 4 OF 5**

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-14-07.

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 Zhi Cheng Chen 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.

**PLANNING COMMISSION
RESOLUTION NO.
PAGE 5 OF 5**

ADOPTED AND APPROVED this 25th day of November 2014.

Chairperson Larry Sullivan

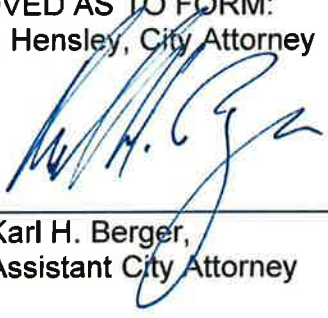
I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 25th day of November 2014, by the following vote of the Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

Michael A. Huntley, 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

331 N ATLANTIC BOULEVARD #202

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Zhi Cheng Chen agrees that he will comply with the following provisions as conditions for the City of Monterey Park's approval of Conditional Use Permit (CU-14-07) ("Project Conditions").

PLANNING:

1. Zhi Cheng Chen (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-14-07 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-14-07, 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.

**PLANNING COMMISSION
RESOLUTION NO.
PAGE 2 OF 4**

6. The real property, subject to CU-14-07 must remain well-maintained and free of graffiti; any graffiti must be removed within 24 hours after discovery.
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. All work must conform to the requirements of the 2013 California Building Code ("CBC"), as adopted by the MPMC.
11. Plan checks are required before the City considers issuing building permits.
12. At time of plan check, submit an exit plan that labels and clearly shows compliance with all required egress features such as, common path of travel, required number of exits, occupant load, required width, continuity, travel distance etc.
13. At time of plan check, the applicant must submit information about accessibility to commercial building in accordance with CBC Chapter 11B.

FIRE:

14. Submit plans to Monterey Park Fire Department for approval before obtaining a building permit.
15. Temporary signs must be installed at each street intersection when construction of new roadways allows passage by vehicles. Signs must be of an approved size weather resistant and be maintained until replaced by permanent signs per California Fire Code (CFC) 505.2, as adopted by the MPMC.
16. Any fire sprinkler system installation or modification requires a separate plan check submittal and approval. Work cannot commence until a fire permit is obtained. Inspection of the rough piping must be performed before being concealed. Ceiling tiles and/or dry wall cannot be installed unless approved by the Fire Inspector per 2013 CFC § 901.2, as adopted by the MPMC.
17. Any fire alarm and/or fire sprinkler system monitoring installation or modification required a separate plan check submittal and approval. Work cannot commence until a fire permit is obtained. Inspection of the system must be performed and subject to acceptance tests before operation per CFC § 907.1.1, as adopted by the MPMC.

**PLANNING COMMISSION
RESOLUTION NO.
PAGE 3 OF 4**

18. A readily visible and durable sign must be provided above the main entrance door stating, "THIS DOOR TO REMAIN UNLOCKED DURING BUSINESS HOURS" in occupancy Group A having an occupant load of 300 or less, groups B; F; M and S Occupancies per CFC § 1008.1.9.3, as adopted by the MPMC.
19. The suite address designation must be installed on or near all exterior doors of the suite in 4-inch high numbers or letters on a contrasting background per CFC § 505.1, as adopted by the MPMC.
20. Provide the CBC occupancy classification(s) for all separate and distinct uses of the structure(s) in accordance with CBC 302.1, as adopted by the MPMC.
21. Provide CBC type of construction in accordance with CBC § 602.1 and CBC Table 601, as adopted by the MPMC.
22. Provide occupant local circulation 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.
23. The means of egress, and exit discharge, must be illuminated at any time the building is occupied with a light intensity of not less than 1 foot-candle at the walking surface level per CBC 1006.2, as adopted by the MPMC.
24. The power supply for means of egress illumination must normally be provided by the premises' electrical supply. In the event of power supply failure, the emergency power system must provide power for duration of not less than 90 minutes and must consist of storage batteries, unit equipment or an on-site generator per CBC 1006.3, as adopted by the MPMC.
25. Exits, exit access doors and paths of egress travel that is not immediately visible to the occupants must be marked by an approved exit sign that is readily visible from any direction of egress travel. Exit signs must be internally or externally illuminated per CBC 1011, as adopted by the MPMC.

POLICE:

26. The business must have security video cameras operating at all times. All video cameras must be recorded on videotape or other recording medium. The video recordings must be maintained for a minimum period of 30 days, and the video recordings must be made immediately available for any law enforcement officer who is making the request as a result of official law enforcement business. The video cameras must be located to cover the main areas which are accessible to the public. If the Chief of Police determines that there is a necessity to have additional security cameras installed, the owner of the business must comply with the request within 7 days. The Chief of Police can also require the position of the video cameras to be changed if it is determined that the position of the camera

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

does not meet security needs. The owner of the business must comply with the request within 7 days. The picture quality of the video cameras and recording devices installed at the business must meet the approval of the Chief of Police.

27. At all times, all hallway and stairwells must be well lit to deter any criminal activity. There must also be adequate lighting in all common areas of the facility. All lighting locations and lighting intensity must be subject to the approval of the Police Department.
28. The Police Department recommends the property owner maintain a uniformed security guard during business hours, but will not mandate security guard unless, the level of calls for service or number of complaints that generate from this business dictates the necessity for security guards. The Police Chief has the sole authority to determine if security guards are needed at the location and if security guards are required, the number of security guards and the times they are on duty. If the Police Chief determines that security guards are necessary at the location, the business owner must place the security guard(s) at the location within two weeks from the date of notification.
29. The businesses and management are encouraged to participate in the Monterey Park Police Department's Business Watch Program; a free service designed to educate the businesses about minimizing criminal activity.

By signing this document, Zhi Cheng Chen, certifies that he has read, understood, and agrees to the Project Conditions listed in this document.

Zhi Cheng Chen, Applicant