

**OFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
October 27, 2015**

The Planning Commission of the City of Monterey Park held a Regular Meeting of the Board in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, October 27, 2015 at 7:00 p.m.

CALL TO ORDER:

Chairperson Garcia called the meeting to order at 7:00 p.m.

ROLL CALL:

Planner Tewasart called the roll:

Commissioners Present: Rodrigo Garcia, Larry Sullivan, Margaret Leung, and Lincoln Lee

Commissioners Absent: Ricky Choi

ALSO PRESENT: Karl H. Berger, Assistant City Attorney, Michael A. Huntley, Director of Community and Economic Development, Samantha Tewasart, Senior Planner

ORAL AND WRITTEN COMMUNICATIONS:

None

AGENDA CHANGES AND ADOPTION:

None

APPROVAL OF MINUTES:

October 13, 2015 –

Action Taken: The Planning Commission approved the minutes of October 13, 2015 with modifications.

Motion: Moved by Commissioner Lee and seconded by Commissioner Sullivan, motion carried by the following vote:

Ayes: Commissioners: Garcia, Sullivan, Leung and Lee

Noes: Commissioners: None

Absent: Commissioners: Choi

Abstain: Commissioners: None

August 25, 2015 –

Action Taken: The Planning Commission approved the minutes of August 25, 2015 with modifications.

Motion: Moved by Commissioner Lee and seconded by Commissioner Sullivan, motion carried by the following vote:

Ayes: Commissioners: Garcia, Lee, Leung, and Sullivan
Noes: Commissioners: None
Absent: Commissioners: Choi
Abstain: Commissioners: None

PUBLIC HEARING:

None

CONSENT CALENDAR:

1-A. TENTATIVE MAP NO.073571 – 404 EAST NEWMARK AVENUE (TM-15-07)

Action: The Planning Commission **CONTINUED** Tentative Map No. 073571 to subdivide air rights to develop a 2-unit condominium project at 404 East Newmark Avenue in the R-3 (High Density Residential) Zone, to a date uncertain.

Motion: Moved by Commissioner Lee and seconded by Commissioner Sullivan, motion carried by the following vote:

Ayes: Commissioners: Garcia, Sullivan, Leung and Lee
Noes: Commissioners: None
Absent: Commissioners: Choi
Abstain: Commissioners: None

UNFINISHED BUSINESS:

None

NEW BUSINESS:

3-A. TENTATIVE MAP NO. 073787 – 234 NORTH CHANDLER AVENUE (TM-15-08)

The applicant, Yazhong Li, seek a Tentative Map to subdivide air rights to develop a 2-unit condominium project at 234 North Chandler Avenue in the R-3 (High Density Residential) Zone.

Planner Tewasart provided a brief summary of the staff report.

Commissioner Sullivan stated that one of the slides do not match the tentative tract map. Planner Tewasart stated that the slide is showing a side by side elevation of the unit.

Chair Garcia opened the public hearing.

Commissioner Lee inquired about the reason why the applicant did not propose a family room and why the size of the study room is as big as a bedroom.

Representative Ming Huo, 554 North Nora Avenue, West Covina, CA 91790, stated that the owner requested a study room for his children to study and the owner will use the dining area as a family gathering place.

Commissioner Lee inquired about the reason for bathroom 5. Representative Huo stated that the owner prefers to have bathroom 5 for his guests.

Commissioner Lee inquired if the guests will be staying at the study room. Representative Huo replied no.

Commissioner Lee stated that he does not see the reason to have a shower adjacent to the living room. Representative Huo stated that a shower at the first floor will create a better resale value.

Commissioner Lee stated that he does not believe this is a 4-bedroom development. Commissioner Lee inquired rather an additional bedroom will require the applicant to provide an additional parking space. Planner Tewasart replied no.

Commissioner Sullivan stated that he has a problem with the layout of the development.

Chair Garcia inquired about the owner's desired use for the proposed units. The owner stated that it is convenient for each unit to have multiple bathrooms. Chair Garcia inquired if the owner will be selling the dwelling units. The owner stated that he will be occupying the unit.

Director Huntley stated that the item present today is for an approval of a tentative tract map so the number of proposed bedrooms should not be a factor for the approval.

Chair Garcia stated that he would like to continue the item and hear the concerns the other Commissioners have.

Commissioner Lee expressed his concern that the proposed dwelling could easily be converted into a 6 bedroom dwelling. Commissioner Lee stated that he would like the owner to sign an agreement saying that the proposed dwelling will only be use as a single-family dwelling.

Chair Garcia inquired about Director Huntley's opinion. Director Huntley stated that the boarding house ordinance will be enforced more strictly and if the Commission still has an issue on this matter, staff can provide a report to the Commission.

Chair Garcia inquired if Commissioner Lee's suggestion can be implemented.

Attorney Berger stated that he understands the Commission's concerns but item is for an approval for a subdivision map and there are no evidences that show the subdivision map does not meet the City Code. Attorney Berger stated that a Covenant Agreement can only be enforced to a property with a second dwelling unit, but the proposal subdivision is for 2 primary units.

Attorney Berger stated that the Commission can suggest for modifications to the code but the item present today is for an approval of a tentative map.

Chair Garcia inquired if it is possible for staff to require the applicant to sign an agreement after plan check. Director Huntley stated that staff can mandate the usage of the dwelling unit and during plan check staff will work with the architect to modify anything that is suspicious for illegal use.

Director Huntley stated that most illegal conversions happen at the kitchen or living room of a dwelling unit and staff can provide a report regarding how other cities deal with this issue. Chair Garcia stated that he would like staff to provide a report regarding this issue.

Commissioner Leung inquired about the number of bedrooms that will trigger a three car garage. Planner Tawasart replied that a three car garage only applies to single-family dwelling that has 5 or more bedroom, but the proposed development is a multi-family development.

Commissioner Sullivan inquired rather the Commission is only here for the approval of the tentative map. Attorney Berger replied yes.

Commissioner Sullivan inquired whether the layout of the dwelling unit is acceptable for the Planning Division. Planner Tawasart stated that due to the recent Housing Element cycle, the City is not permitted to provide a definition for the term "family". The current boarding house ordinance allows staff to identify what constitute a board house. If the property is identify as a boarding house the property owner must apply for a conditional use permit, and if the owner cannot obtain an approval of a Conditional Use Permit then the owner must meet the current rental regulations.

Commissioner Sullivan stated that he would like to review the regulations on the number of bedrooms.

Commissioner Leung stated that she would like to modify the definition of a single-family home. Director Huntley stated that staff will do some research and talk with the city attorney before reporting back to the Commission.

Commissioner Lee suggested that the staff should look at the City provision to see if there is a need to add a definition for a flexible unit.

Chair Garcia closed public hearing

Action Taken: The Planning Commission after considering the evidence presented during the public hearing adopted **Resolution No. 19-15** approving Tentative Map No. 073787 to subdivide air rights to develop a 2-unit condominium project at 234 North Chandler Avenue in the R-3 (High Density Residential) Zone.

Resolution No. 19-15, entitled:

A RESOLUTION APPROVING TENTATIVE MAP NO. 073787 (TM-15-08) TO SUBDIVIDE AIR RIGHTS FOR A TWO-UNIT RESIDENTIAL CONDOMINIUM DEVELOPMENT AT 234 NORTH CHANDLER AVENUE.

Motion: Moved by Commissioner Lee and seconded by Commissioner Leung motion carried by the following vote:

Ayes: Commissioners: Garcia, Lee, and Leung

Noes: Commissioners: Sullivan

Absent: Commissioners: Choi

Abstain: Commissioners: None

3-B. CONDITIONAL USE PERMIT – 111 NORTH ATLANTIC BOULEVARD #118 (CU-15-06)

The applicant, Luen H. Chan, is requesting approval of a Conditional Use Permit to allow on-sale beer and wine (Type 41) for a public eating place and indoor commercial recreational facility (karaoke) at 111 North Atlantic Boulevard #118. The property is zoned R-S (Regional Specialty) Zone.

Planner Tewasart provided a brief summary of the staff report.

Commissioner Sullivan inquired whether the residential area west of the plaza belongs to City of Alhambra. Planner Tewasart replied yes and the residents have been notified about this meeting.

Chair Garcia inquired about the previous applicant who applied for a CUP. Planner Tewasart stated that the previous CUP application is for a Korean BBQ restaurant located at the third floor of the same building.

Chair Garcia opened the public hearing

Representative Alice Chiu, 1508 Kempton Avenue, Monterey Park CA 91754, presented a short summary of the business.

Commissioner Leung inquired about the egress of the unit. Planner Tewasart stated that the project designer worked closely with the city plan checker to ensure there is adequate egress for this business.

Commissioner Leung stated that the exterior opening on the first floor is not clearly identified on the plans. Designer Jenny Xu, 615 Las Tunas Drive, #205, Arcadia, CA 91006, stated that there are two exit doors, one located at the front and the second one located next to the storage.

Commissioner Lee inquired if the second egress will exit to Atlantic Boulevard. Designer Jenny replied yes.

Commissioner Leung inquired about the maximum number of occupant for the business. Designer Jenny replied that the maximum number of occupant will be one hundred.

Commissioner Leung asked whether one security guard will be adequate. Police Chief stated that they initially require one security guard but they can request the business to provide additional security guard if needed. Police officers will check the business regularly for security issues.

Lieutenant Steve Coday stated that the applicant will hire a security guard that will be serving the karaoke business only. Representative Chiu stated that they will hire an additional security guard for the weekend.

Commissioner Leung inquired if the property has its own security service on-site. Lieutenant Coday replied that he believe they do.

Commissioner Sullivan inquired about the starting time of the security guard. Lieutenant Coday stated that the business is required to have one security guard at all times during business hour and on the weekend additional security guard is required from 6 PM till closing.

Commissioner Sullivan inquired if this requirement applies to other businesses. Lieutenant Coday replied that yes.

Director Huntley stated that the requirement is standard for any on-site alcohol establishment but since this business has a karaoke component to it, this provision will give the City the ability to require additional security. Director Huntley stated that staff will talk with the property owner regarding security issues with more tenants moving into the plaza.

Commissioner Sullivan inquired if this building has issues with egress and ingress along Atlantic Boulevard. Lieutenant Coday stated that he is not aware of any excessive amounts of collision there.

Chair Garcia inquired about additional information about the business. Representative Chiu stated that each room has a minimum and maximum number of

people in it and the layout is fairly similar to their other business in the City of Industry. Representative Chiu stated that the private room will provide a sense of security to the customers.

Commissioner Lee would like to know whether the Police Department has reviewed the layout of the business. Lieutenant Coday replied that the Police Department had reviewed the plans and they also visited the applicant's other business in the City of Industry.

Lieutenant Coday stated that as part of the Conditional of Approval the Police Department will have the right to required additional security depending on the situation once the business becomes operational.

Chair Garcia closed the public hearing.

Commissioner Leung stated that she would like the staff to work with the landlord to provide a better signage at the elevator.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing adopted **Resolution No. 20-15** approving Conditional Use Permit to (CU-15-06) to allow on-sale beer and wine (Type 41) for a public eating place and an indoor commercial recreational facility (karaoke) at 111 North Atlantic Boulevard #118 in the R-S (Regional Specialty) Zone.

Resolution No. 20-15, entitled:

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CU-15-06) TO ALLOW ON-SALE BEER AND WINE (TYPE 41) FOR A PUBLIC EATING PLACE AND AN INDOOR COMMERCIAL RECREATIONAL FACILITY AT 111 NORTH ATLANTIC BOULEVARD #118.

Motion: Moved by Commissioner Lee and seconded by Commissioner Leung motion carried by the following vote:

Ayes: Commissioners: Garcia, Sullivan, Leung and Lee
Noes: Commissioners: None
Absent: Commissioners: Choi
Abstain: Commissioners: None

ITEMS FROM COMMUNITY AND ECONOMIC DEVELOPMENT:

None

ITEMS FROM THE COMMISSION:

Commissioner Sullivan inquired if there are any updates regarding the meeting being held by the City. Director Huntley stated that the meeting is more of an informational meeting for the community.

Chair Garcia would like to know when the staff can provide a staff report regarding number of bedrooms. Director Huntley stated that staff will provide a report after gathering more information and talking with the city attorney.

Commissioner Leung inquired rather there is a possibility for residential units to provide additional parking space for dwelling unit with 4 or more bedrooms. Director Huntley replied that this will be a code amendment item.

ADJOURNMENT

There being no further business for consideration, the meeting was adjourned on November 27, 2015 at 8:10 p.m. to the next regular meeting on November 11, 2015 at 7:00 p.m. in the Council Chambers.

Michael A. Huntley
Director of Community and Economic Development

Approved on at the regular Planning Commission meeting.