

**CITY OF MONTEREY PARK
PLANNING COMMISSION AGENDA**

REGULAR MEETING

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

**TUESDAY
JUNE 14, 2016
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 Ricky Choi

PLEDGE OF ALLEGIANCE

SWEAR IN

ROLL CALL – Commissioners Sullivan, Leung, Amador, and Robinson

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

ORAL AND WRITTEN COMMUNICATIONS

MINUTES – April 26, 2016 and May 10, 2016

[1.] CONSENT CALENDAR – None

[2.] UNFINISHED BUSINESS - None

[3.] NEW BUSINESS (PUBLIC HEARING)

[3-A. MITIGATED NEGATIVE DECLARATION, CONDITIONAL USE PERMIT AND TENTATIVE MAP NO. 073665 – 120 WEST HELLMAN AVENUE \(CU-15-07/TM-15-09\)](#)

The applicant, Jin Zeng, is requesting a Conditional Use Permit to allow a 1.0 floor area ratio and Tentative Map to subdivide air rights to construct a medical office condominium project at 120 West Hellman Avenue.

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. Following the Initial Study, it was determined that although the proposed project could have a significant effect on the environment, there will not be significant effects in this case because revisions in the project have been made by or agreed to by the project proponent and a Mitigated Negative Declaration was prepared. Less than significant impacts with mitigations incorporated were identified in the areas of Air Quality, Cultural Resources, Noise, and Transportation and Traffic. The mitigation measures relative to air quality, cultural resources, and noise addresses actions that must be taken prior and during the construction process. Staff recommends that after consideration of the Initial Study and comments received during the public review period that the Planning Commission adopt the Mitigated Negative Declaration.

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 adopting the Mitigated Negative Declaration and approving the requested Conditional Use Permit (CUP-16-05) and Tentative Map No. 073665 (TM-15-09), subject to conditions of approval contained therein; and
- (5) Taking such additional, related, action that may be desirable.

[4.] COMMISSION COMMUNICATIONS

[5.] FUTURE AGENDA ITEMS AS DIRECTED BY THE COMMISSION

[6.] STAFF UPDATES

[7.] CLOSED SESSION

ADJOURN

To the next regularly scheduled meeting on June 28, 2016

APPROVED BY:

MICHAEL A. HUNTLEY	
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Planning Commission Staff Report

DATE: June 14, 2016

AGENDA ITEM NO: 3-A

TO: The Planning Commission
FROM: Michael A. Huntley, Community and Economic Development Director
SUBJECT: A Public Hearing to consider a Mitigated Negative Declaration, Conditional Use Permit (CUP-15-07) to allow a 1.0 floor area ratio and Tentative Map No. 073665 (TM-15-09) for a 12-unit medical office condominium development – 120 West Hellman Avenue.

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting the Resolution approving a Mitigated Negative Declaration, the requested Conditional Use Permit (CUP-15-07) and Tentative Map No. 073665 (TM-15-09) subject to conditions of approval; and
- (5) Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The applicant, Jin Zeng, is requesting a Conditional Use Permit (CU-15-07) to allow a 1.0 floor area ratio and Tentative Map No. 073665 (TM-15-09) to allow for the subdivision of air rights to establish and maintain a 12-unit medical office condominium development (Citizen's Medical Plaza) at 120 West Hellman Avenue.

A version of the proposed project was previously approved by the Planning Commission in June 2006. The approval was subject to the condition that construction permits were to be obtained within one-year of the approval date or the approval will become null and void. Per MPMC § 21.32.160(A), a one-year time extension was approved by the Planning Commission on July 2007. According to the property owner/developer at the time, the extension was necessary to allow for additional time to finish the engineering and construction plans. The one-year time extension expired on July 2008.

The current property owner is seeking approval for a similar project with a few adjustments to the proposed project scope, including an updated exterior building design and reductions in the number of units, square footages, and parking spaces.

Staff believes that the proposed project is appropriate for the subject property. The property is adequate in size, shape, and topography for the proposed development. As part of the proposal, the applicant submitted a shared parking analysis prepared by a

licensed traffic engineer. The shared parking analysis determined that the joint use parking facility proposed for the medical office building will not conflict with the principal operating hours of the medical uses for which the joint use parking facility is proposed. The proposed medical office building and related uses are consistent with the uses allowed in the C-P Zone. Land uses immediately adjacent to the site include Garfield Medical Hospital and other medical buildings.

Property Description

The property is located at the southeast corner of the West Hellman Avenue and Baltimore Avenue. The property is zoned C-P (Commercial Professional) Zone and is designated Commercial in the General Plan. To the north of the property are Hellman Avenue and one-story single-family dwelling units in the City of Alhambra, to the east and south is a 3-story hospital (Garfield Medical Center) and west are R-3, P-D (High Density Residential, Planned Development) zoned lots. The property is regular-shaped, relatively flat, 18,527 square feet (0.43 acres) in size, and currently vacant.

Project Description

The proposed medical office building will be 3-stories with a gross floor area of 27,583 square feet. There will be 11 medical office suites and 1 retail suite with 83 on-site parking spaces located at-grade and in a two-level subterranean parking garage. The gross floor area for the ground floor will be 6,114 square feet, the second 10,680 square feet, and the third floor will be 10,789 square feet.

The building will be situated towards Hellman Avenue with parking south of the building. According to the floor plan, the ground floor will have a general lobby area and four units that range in size from 1,044 square feet to 1,218 square feet. The proposed uses include a pharmacy and three medical offices. The second and third floors will have identical layouts with unit sizes ranging from 1,585 square feet to 1,910 square feet. The intended use will be medical offices.

Table 1: Square Footage Summary

	2006	2016	
Number of Tenant Space	16	12	-4
Gross Square Footage	29,778	27,583	-2,195
Net Square Footage	22,307	18,511	-3,796

The applicant is requesting to subdivide the units for condominium purposes. Staff has discussed the concerns that the City generally has with office condominium projects, including (1) the use and control of the units, (2) whether the business association will have a Board and (3) whether the units will be owner-occupied to avoid absentee ownership. In response to these concerns, the Covenants, Conditions, and Restrictions (CC&Rs) have been drafted to address the City's concerns. The CC&Rs set limitations on the size and number of units and will deal with ownership and maintenance matters. Staff has added a condition of approval that the ownership is required to hire a professional management company to oversee the long-term maintenance and operation of the property.

Subsequent to Planning Commission review, the project design must be formally reviewed and approved by the Design Review Board. On November 17, 2015, the project was brought before the Design Review Board for an informal review. Generally, the Board spoke favorably about the project design and provided some feedback to improve the overall design.

Floor Area Ratio (FAR)

The proposed Tentative Map defines the air space for separate ownership. The property will remain as one lot. Under California law, a tentative map is required to subdivide air space for separate ownership of each of the units. The common areas will be regulated by CC&Rs and maintained by a professional management company. According to the proposed floor plan, the common areas will be the lobby, elevators, stairwells, interior pedestrian walkways, and trash, maintenance, and mechanical rooms. As a result, the total net square footage of the air space will be 18,511 square feet.

Due to the City's above-referenced concerns regarding the creation of commercial condominiums and the creation of functional medical office space, the size of each commercial condominium/medical office unit should at least be a minimum of 1,200 square feet. Staff reviewed previous applications for medical office condominiums located on South Atlantic Boulevard and North Garfield Avenue and the minimum functional floor area for medical office uses is at least 1,200 square feet.

According to MPMC §21.10.070 and the development standards in Table 21.10(B) (as amended by Ordinance No. 2131, adopted March 2016), in the C-P Zone lots greater than 20,000 square feet in size are allowed a maximum FAR of 0.80 percent. The floor area can be increased to 1.0 subject to review and approval of a conditional use permit by the Planning Commission. As proposed, the gross floor area of the medical office building is 27,583 square feet; and the net floor area is 18,511 square feet. Since the proposed net floor area exceeds the 0.80 FAR but is below the 1.0 FAR, a conditional use permit is required for this project.

Parking and Traffic

Pursuant to MPMC § 21.22.130, in the case of mixed uses in a building or on a lot, the total requirement for off-street parking facilities is the sum of the requirements for the various uses computed separately. A shared parking analysis prepared by a traffic engineer may establish off-street parking requirements, including a shared use analysis, for development, with various commercial uses. Additionally, MPMC § 21.22.140 allows for joint use of parking facilities if the applicant can show that there is no substantial conflict in the principal operating hours of the uses for which the joint use of off-street facilities is proposed.

A Traffic and Parking Study was prepared by Katz, Okitsu and Associates. The Study analyzed the peak parking demand and shared parking utilization based on the Transportation Engineers (ITE) *Parking Generation* rate and Urban Land Institute (ULI) *Shared Parking* hourly demand breakdown. Based on the ITE parking demand rates, a total of 60 parking spaces would be necessary to meet the peak parking demand when

all the uses are fully occupied. The Project would provide a total of 83 parking spaces, which would result in a surplus of the 23 parking spaces.

The ULI *Shared Parking* methodology documents the daily variation in parking demand for various land uses. The time-of-day factor calculates the expected peak parking demand by hour for a certain use. This methodology provides a more enhanced overall parking demand calculation. The ULI *Shared Parking* analysis indicates that the peak demand would be 100 percent occupied between the hours of 2:00 p.m. to 4:00 p.m. This would result in a surplus of 23 parking spaces that would be available during the peak hours and more spaces will be available during other hours of the day. Based on this parking analysis, the 83 parking spaces provided on-site will be adequate to support the peak parking demand while providing a surplus parking per the shared parking analysis. Table 3 summarizes the parking breakdowns.

Table 3: Parking Ratios

<i>ITE Parking Generation</i>			
Land Use	Square Footage	Ratio	Parking Required
Pharmacy	1,044	4.1/1,000 SF	4
Medical Office	17,467	3.2/1,000 SF	56
Total	18,511	-	60
Parking Provided			83
Excess			+23
<i>City of Monterey Park Municipal Code</i>			
Pharmacy	1,044	4/1,000 SF	4
Medical Office	17,467	5.5/1,000 SF	96
Total	18,511	-	100
Parking Provided			83
Deficit			-17

The proposed project also provides a 16-feet by 18-feet loading area. Since the project does not have a significant amount of retail, deliveries will be minimal. The CC&R's will restrict the uses, so the site and building uses cannot be altered. Modifications to the proposed uses, number of off-street parking spaces and loading space will require Planning Commission review and approval.

The Traffic and Parking Study also analyzed traffic impacts by looking at level of service (LOS) at signalized intersections and trip generation estimates. For analysis of LOS at signalized intersections, the Intersection Capacity Utilization (ICU) methodology was utilized in the study. The concept of roadway level of service under the ICU methodology is calculated as the volume of vehicles that pass through a facility divided by the capacity of that facility. A facility is considered to be at maximum capacity (V/C of 1.00 or greater) when extreme congestion occurs. This volume/capacity ratio value is based upon volumes by lane, signal phasing, and approach lane configuration.

The project study area includes the intersections of Garfield Avenue and Hellman Avenue and Garfield Avenue and Emerson Avenue. The Project includes closing the driveway on Hellman Avenue and opening a new 26 feet wide driveway on Baltimore Avenue. The analysis shows that the intersection of Hellman Avenue and Baltimore

Avenue will continue to operate at acceptable levels of services even with the development of the project.

The Project trip generation estimates were based on trip rates defined by the ITE *Trip Generation Manual*. A retail use (pharmacy) is provided as part of the Project, and the medical offices are the primary uses of the Project site. According to the analysis, the proposed Project will not result in significant traffic impacts at the analyzed study intersections, under either the existing plus-Project or the future with-Project scenarios. Additionally, the proposed Project is not anticipated to cause significant traffic impacts on any Congestion Management Plan arterial monitoring intersections or mainline freeway-monitoring locations. Mitigation measures are therefore not recommended as part of the analysis.

The City's Engineering Department reviewed the project and traffic analysis and did not express any concerns or objections.

OTHER ITEMS:

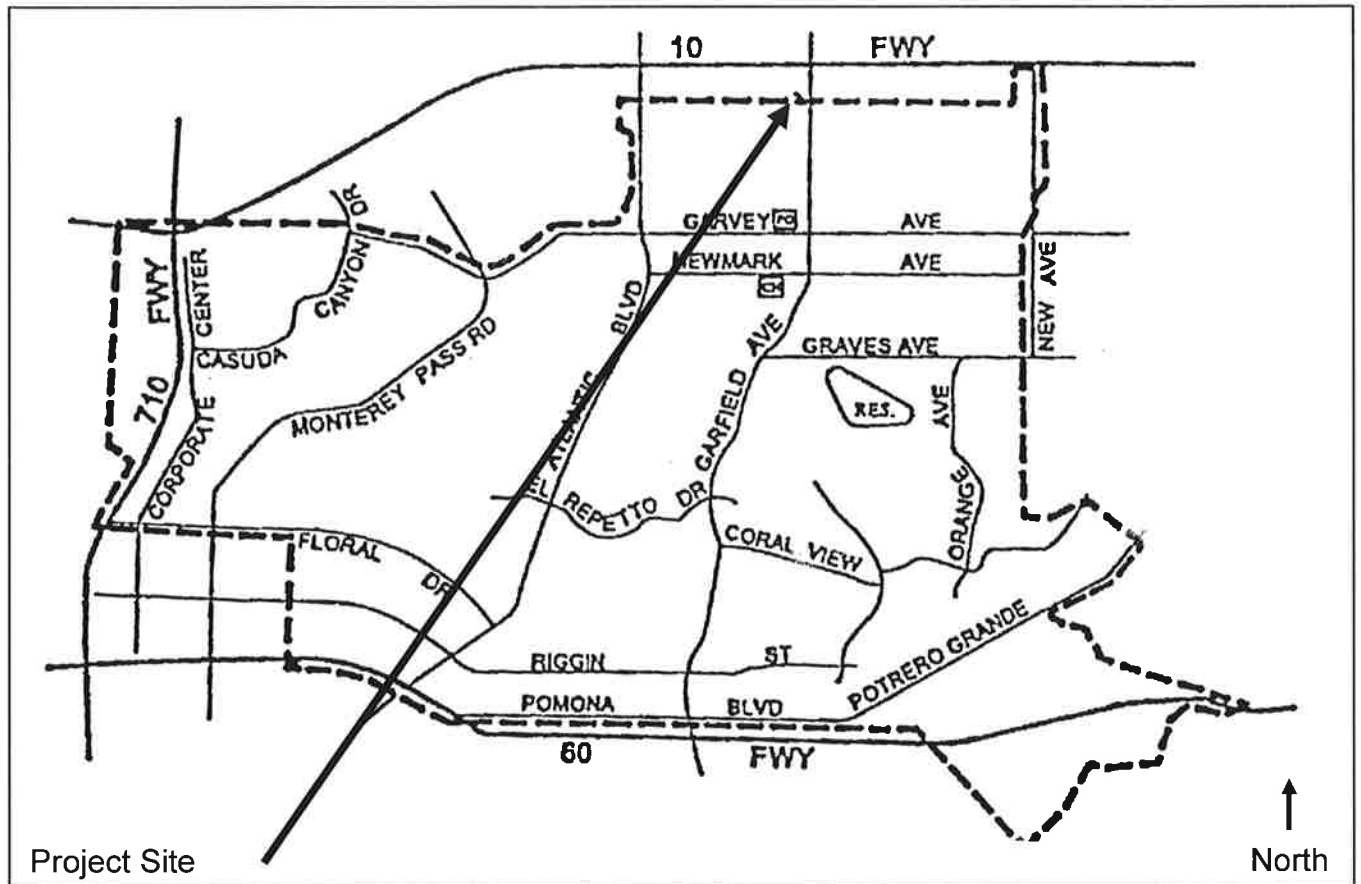
Legal Notification

A Notice of Intent to adopt a Mitigated Negative Declaration was published in the Monterey Park Progress and circulated for public review for a period of 20 days (December 1, 2015 through December 20, 2015) and posted on **December 1, 2015** and **May 20, 2016**, 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 mailed to **24** property owners within a 300 feet radius on **December 1, 2015** and **May 23, 2016**.

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. Following the Initial Study, it was determined that although the proposed project could have a significant effect on the environment, there will not be significant effects in this case because revisions in the project have been made by or agreed to by the project proponent and a Mitigated Negative Declaration was prepared. Less than significant impacts with mitigations incorporated were identified in the areas of Air Quality, Cultural Resources, Noise, and Transportation and Traffic. The mitigation measures relative to air quality, cultural resources, and noise addresses actions that must be taken prior and during the construction process. Staff recommends that after consideration of the Initial Study and comments received during the public review period that the Planning Commission adopt the Mitigated Negative Declaration.

Vicinity Map



Street Map



Aerial Map



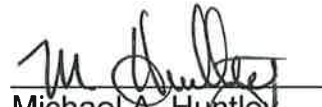
ALTERNATIVE COMMISSION CONSIDERATIONS:

None.

FISCAL IMPACT:

The project may cause an increase in sales tax revenue and business license tax revenue. Calculations of the exact amount would be speculative.

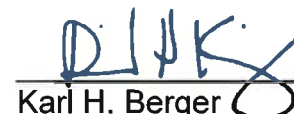
Respectfully submitted,


Michael A. Huntley
Community and Economic
Development Director

Prepared by:


Samantha Tewasart
Senior Planner

Reviewed by:


Karl H. Berger for
Assistant City Attorney

Attachments:

- Exhibit A: Draft Resolution
- Exhibit B: Site, floor, elevations plans and Tentative Map
- Exhibit C: Initial Study/ Mitigated Negative Declaration

EXHIBIT A

Draft Resolution

RESOLUTION NO.

A RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION, APPROVING CONDITIONAL USE PERMIT (CUP-15-07) TO ALLOW A 1.0 FLOOR AREA RATIO AND TENTATIVE MAP NO. 073665 (TM-15-09) FOR THE SUBDIVISION OF AIR RIGHTS FOR A 12-UNIT MEDICAL OFFICE CONDOMINIUM DEVELOPMENT AT 120 WEST HELLMAN 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 24, 2015, Jin Zeng, submitted an application, pursuant to Monterey Park Municipal Code ("MPMC") §§ 21.10.070 (Table 21.10(B)) and 21.32.020 requesting approval of Conditional Use Permit (CUP-15-09) to allow a 1.0 floor area ratio and Tentative Map No. 073571 (TM-15-07) to subdivide air rights for a 12-unit medical office condominium project at 120 West Hellman Avenue ("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 Project before the Planning Commission for June 14, 2016. Notice of the public hearing was posted and mailed as required by the MPMC;
- E. On June 14, 2016, 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 Jin Zeng; and
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its June 14, 2016 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 that the following facts exist and makes the following conclusions:

- A. The Applicant seeks approval to construct a new 3-story medical office condominium project with 83 on-site parking spaces located at-grade and in a two-level subterranean parking garage;
- B. 120 West Hellman Avenue is zoned C-P (Commercial Professional) and designated Commercial in the General Plan;

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

- C. The subject property is located at southeast corner of the West Hellman Avenue and Baltimore Avenue. To the north of the property are Hellman Avenue and one-story single-family dwelling units in the City of Alhambra, to the east and south is a 3-story hospital (Garfield Medical Center) and west are R-3, P-D (High Density Residential, Planned Development) zoned lots; and
- D. The lot is regular-shaped, relatively flat, 18,527 square feet (0.43 acres) in size, and currently vacant. The property will be accessible from Baltimore Avenue.

SECTION 3: 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 (the "MND"). The MND is attached as Exhibit "B," and incorporated by this reference. A Notice of Intent to Adopt a Negative Declaration was prepared pursuant to CEQA Guidelines §§ 15072 and 15073, and was available for public comment from December 1, 2015 to December 20, 2015.
- B. In accordance with CEQA Guidelines § 15074, the record on which the Planning Commission's findings are based is located at the City of Monterey Park Community and Economic 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 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 set forth in the MND 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.

SECTION 4: Conditional Use Permit Findings. Pursuant to MPMC § 21.10.070 (Table 21.10(B), as amended by Ordinance No. 2131) and §21.32.020, the Planning Commission finds as follows:

- A. The site is adequate in size, shape and topography for the proposed 3-story medical office building with a 1.0 net floor area including, without limitation, any required yards,

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

walls, fences, parking and loading facilities, landscaping, setbacks, and other development standards required by the MPMC. The site is large enough to accommodate proposed use. The proposed medical office building complies with all requirements for the issuance of the conditional use permit.

- B. 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 with a 1.0 net floor area. The site will be accessible from Baltimore Avenue and is located less than half a mile from the Interstate 10 Freeway. The proposed use is a 3-story medical office building and is not expected to significantly increase traffic. A Traffic and Parking Study was prepared by Katz, Okitsu and Associates. The Study analyzed the peak parking demand and shared parking utilization based on the Transportation Engineers (ITE) *Parking Generation* rate and Urban Land Institute (ULI) *Shared Parking* hourly demand breakdown. Based on the ITE parking demand rates, a total of 60 parking spaces would be needed to meet the peak parking demand when all the uses are fully occupied. The Project would provide a total of 83 parking spaces, which would result in a surplus of the 23 parking spaces.

The Traffic and Parking Study also analyzed traffic impacts by looking at level of service (LOS) at signalized intersections and trip generation estimates. The Project trip generation estimates were based on trip rates defined by the ITE *Trip Generation Manual*. A retail use (pharmacy) is provided as part of the Project, and the medical offices are the primary uses of the Project site. According to the analysis, the proposed Project will not result in significant traffic impacts at the analyzed study intersections, under either the existing plus-Project or the future with-Project scenarios. Additionally, the proposed Project is not anticipated to cause significant traffic impacts on any Congestion Management Plan arterial monitoring intersections or mainline freeway-monitoring locations. Mitigation measures are therefore not recommended as part of the analysis. The City's Engineering Department has reviewed and project and traffic analysis and had no concerns or objections.

- C. The proposed use is consistent with the General Plan and conforms to objectives of the General Plan and the MPMC zoning regulations. The subject property is designated Commercial in the General Plan. The Commercial land use category provides opportunities for a broad range of retail and service commercial and professional office uses intended to meet the needs of Monterey Park residents and businesses, as well as, regional shopping demand. The proposed use is a new 3-story medical office condominium project. A conditional use permit is required for the 1.0 net floor area (18,511 square feet/18,527 square feet) ratio. The 1.0 floor area will allow the project to provide the necessary square footage for the medical office use. The use is consistent with the uses allowed in the C-P Zone. Land uses immediately adjacent to the site include Garfield Medical Hospital and other medical buildings.

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

- D. The proposed use, as conditioned, will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood because the use will not create unusual noise, traffic, or other conditions that may be objectionable, detrimental, or incompatible with surrounding properties or other permitted uses in the City.
- E. The proposed use will not have an adverse effect on the public health, safety, and general welfare because the use is a new 3-story medical office building with a 1.0 net floor area. The use applied for at the location set forth in the application is properly one authorized by conditional use permit pursuant to the MPMC. The proposed use is authorized by MPMC §§ 21.10.070 (Table 21.10(B)) and 21.32.020. The use is consistent with the C-P Zone and will not generate a significant amount of the noise, traffic or visual impacts.

SECTION 5: Tentative Map Findings. The Commission finds as follows pursuant to Government Code § 66474 and MPMC Title 20:

- A. The proposed tentative map is consistent with applicable general and specific plans as required by Government Code § 66473.5. The tentative map for this project will allow for the subdivision of air rights for a 3-story medical office condominium project to be constructed on site. Goal 6.0 in the General Plan is to create a diverse medical district within the North Garfield Avenue corridor. Policy 6.1 encourages expanding opportunities for the development of new medical offices and facilities surrounding the Garfield Medical Center. The property is located at the southeast corner of West Hellman Avenue, a minor arterial street with an 80-foot right-of-way, and North Baltimore Avenue, a local street with a 50-foot right-of-way. Both streets are adequate in size and capacity to accommodate the anticipated traffic that will be generated by the proposed development. There is no specific plan adopted for this area.
- B. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans. The design of the proposed subdivision is consistent with the General Plan. According to the General Plan North Garfield Focus Area, the Garfield Medical Center on North Garfield Avenue represents the focal point of a successful medical district extending south toward Downtown. Despite the many medical facilities surrounding the hospital, demand continues to exist for additional medical offices, diagnostic centers, laboratories, and related uses. To accommodate demand, the Land Use Element provides for an extended professional office/medical district from Hellman Avenue south of Garcelon Avenue, and for entire blocks between Atlantic Boulevard and Baltimore Avenue north of Hilliard Avenue. There is no specific plan adopted for this area.
- C. The site is physically suitable for the type of development and the proposed density of the development. The size of the property is adequate in size to accommodate

**PLANNING COMMISSION
RESOLUTION NO.
PAGE 5 OF 7**

the property project. The proposed medical office building complies with the development standards as allowed in the C-P Zone.

- D. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subject property is bordered by 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.
- E. 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.
- F. 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 6: Actions. The Planning Commission takes the following actions:

- A. Approves the MND set forth in Exhibit B and directs the Director of Community and Economic Development, or designee, to file any appropriate notifications in accordance with applicable law;
- B. Pursuant to Public Resources Code §§ 21081(a) and 21081.6, the Planning Commission adopts the Mitigation Monitoring and Reporting Program (MMRP) set forth in the attached Exhibit B, which is incorporated into this Resolution by reference. The Planning Commission adopts each of the mitigation measures as conditions of approval for the Project. Other Project conditions of approval and compliance with applicable codes, policies and regulations will further ensure that the environmental impacts of the Project will not be greater than set forth in the MND and these findings.
- C. 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 (CUP-15-07) and Tentative Map No. 073665 (TM-15-09).

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.

**PLANNING COMMISSION
RESOLUTION NO.
PAGE 6 OF 7**

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.

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

SECTION 11: Pursuant to Government Code § 66452.5, this Resolution may be appealed within ten 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 11, this Resolution is the Planning Commission's final decision and will become effective on the tenth day after its adoption.

ADOPTED AND APPROVED this 14th day of June 2016.

Chairperson Ricky Choi

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 14th day of June 2016, by the following vote of the Planning Commission:

AYES:
NOES:
ABSTAIN:
ABSENT:

Michael A. Huntley, Secretary

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

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

120 WEST HELLMAN AVENUE

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Jin Zeng will comply with the following conditions of approval for Conditional Use Permit (CUP-15-07) and Tentative Map No. 073665 (TM-15-09) ("Project Conditions").

PLANNING:

1. Jin Zeng (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 CUP-15-07 and TM-15-09 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 CUP-15-07 and TM-15-09, 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 and Safety Divisions. Any subsequent modification must be referred to the Director of Community and Economic Development for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The conditional use permit expires 12 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 total of one-year extension may be granted by the Planning Commission upon finding of good cause. An application requesting an extension must be filed with the Community and Economic Development Director, or designee (the "Director").
4. A copy of the Conditions of Approval for Conditional Use Permit (CUP-15-07) and Tentative Map (TM-15-09) must be kept on the premises of the establishment and presented to any authorized City official upon request.

**PLANNING COMMISSION
RESOLUTION NO.**

5. The ownership must retain the services of a professional property management company to oversee the maintenance and operation of the property.
6. Modifications to the proposed uses, number of off-street parking spaces and loading space will require Planning Commission review and approval.
7. A Joint Use Parking Agreement must be recorded against the property and all air parcels identified on the tentative map, subject to the review and approval of the City Attorney.
8. No on-site parking can be leased to any adjacent properties.
9. All on-site parking must be used strictly for vehicle parking and not storage.

BUILDING:

10. The second sheet of the building plans must list all City of Monterey Park conditions of approval.
11. A building permit does not permit excavations to encroach into adjacent properties. Requirements for protection of adjacent properties are defined in the Civil Code § 832.
12. The site plan 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.
13. A soils and geology report is required as part of plan check submittal.
14. Before the City issues a building permit, the applicant must obtain a permit from CAL-OSHA to construct the project.
15. The applicant must submit a compaction report for demolition of previous buildings to the Monterey Park Public Works Department for approval before the City allows the applicant to excavate new foundations.
16. The conditioned space of the building must conform to the Energy Efficiency Standards by the California Energy Commission.
17. Accessibility requirements must conform to the current California Building Code.
18. On the east elevation, provide a four-hour exterior wall with no openings if the distance to the property line is less than 5 feet.

ENGINEERING:

**PLANNING COMMISSION
RESOLUTION NO.**

19. Under the Los Angeles County Municipal "National Pollutant Discharge Elimination System (NPDES) Permit," which the City of Monterey Park is a permittee; this project involves the distribution of soils by grading, clearing and/or excavation. The applicant/property owner is required to obtain a "General Construction Activity Storm Water" Permit, and the City of Monterey Park will condition a grading permit on evidence of compliance with this permit and its requirements. Compliance information is available in the office of the City Engineer. Upon approval of the NPDES document by the City, the applicant/property owner must submit an electronic copy of the approved NPDES file, including site drawings, before the City issues a building or grading permit.
20. The applicant must record the final map after the City approves the final map in accordance with the MPMC and accepts any applicable bonds or agreements. A refundable \$87 cash deposit must be submitted to guarantee that developer will provide the City with one (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 map which must be filed with the City Engineer within three (3) months of recordation. If recorded copy is not submitted by the end of the three-month time period, developer will forfeit the \$87 cash deposit.
21. The applicant/property owner must provide written proof that there are no liens against the subdivision for unpaid taxes or special assessments and submit Los Angeles County tax bill, tax payment receipt, and copy of cancelled check before filing a Final Map with the City for approval.
22. Applicant agrees to pay City any development impact fees ("DIFs") that may be applicable to the Project. Applicant takes notice pursuant to Government Code § 66020(d) that City is imposing the DIFs upon the Project in accordance with the Mitigation Fee Act (Government Code § 66000, *et seq.*). Applicant is informed that it may protest DIFs in accordance with Government Code § 66020.
23. Covenants Conditions & Restrictions (CC&Rs) must be prepared and filed with the City to obtain City Attorney and the City Engineer approval. The Applicant is responsible for securing the CC&Rs guidelines from the Office of the City Engineer. A copy of the recorded CC&Rs must be submitted before final inspection and clearance of the building permit. The applicant must pay for the City's costs associated with reviewing the CC&Rs including, without limitation, legal costs.
24. All improvement plans, including grading and public improvement plans must be based upon City approved criteria. Benchmark references to be obtained from the Engineering Division.
25. A water plan must be submitted for review and approval by the City Engineer. This plan must substantiate adequate water service for domestic flow, fire flow

**PLANNING COMMISSION
RESOLUTION NO.**

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 is responsible for conducting the appropriate tests and submitting copies of the test results for review and ultimate approval by the City.

26. Water Division requirements are to be determined upon completion and submittal of a water meter sizing sheet by the applicant. This may include up sizing of water meter and water services. All upgrading costs are the responsibility of the applicant/property owner.
27. The applicant must provide survey monuments denoting the new property boundaries and lot lines to the satisfaction of the City Engineer. All maps must be prepared from a field survey. Compiled maps are not permitted unless prior approval is granted by the City Engineer. 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 City Engineer.
28. The applicant must provide a site drainage plan for review and approval by the City Engineer. The property drainage must be designed so that the property drains to the public street or in a manner otherwise acceptable to the City Engineer. Drainage from contiguous properties cannot be blocked and must be accommodated to the satisfaction of the City Engineer. A hydrology and hydraulic study of the site may be required for submittal to the City Engineer for review and approval.
29. 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 the satisfaction of the City Engineer before approving grading and drainage plans.
30. Any damage done to existing street improvements and utilities during construction must be repaired before the City issues certificates of occupancy. Pre-existing damaged, deteriorated, substandard or off-grade curb, gutter, driveways and sidewalk must be repaired or replaced to the satisfaction of the City Engineer.
31. All public works improvements must comply with the standards and specifications of the City and to the satisfaction of the City Engineer. All public works improvements must be completed and accepted by the City or a public works improvement guarantee and agreement posted before final map approved by the City Council.
32. All electric, telephone and cable TV utility services must be installed fully underground and to required City standards. Satisfactory provisions for all other

**PLANNING COMMISSION
RESOLUTION NO.**

utilities and service connections, including water, sewer and gas, shall be made to City and public utility standards. A utility plan must be prepared and submitted showing all existing and proposed utilities. The utilities may be shown on either a separate plan or on the proposed site plan.

33. Remove the existing 18-inch diameter Palm tree in the parkway adjacent to the proposed North Baltimore Avenue driveway.
34. Remove the existing 30-inch diameter Palm tree in the parkway east of the Baltimore/Hellman intersection.
35. Dedicate street right-of-way to provide a 15 feet corner property radius.
36. Install a new fluted steel street light pole and fixture on the east side of Baltimore Avenue, 35 feet south of the centerline of Hellman Avenue. The overhead feed must match the existing lighting on Baltimore Avenue of 100 watt equivalent L.E.D. At time of plan check, show the location of the light fixture on the site plan.
37. Install a new commercial Jones 6-inch fire hydrant assembly and valve on Hellman Avenue. Cap and abandon the obsolete fire hydrant at the corner of Hellman Avenue. Show the location of the fire hydrant on the site plan and provide the details on the Plumbing Plan.
38. A sewer connection reconstruction fee will be assessed at the time the City issues a building permit in accordance with MPMC Chapter 14.06.
39. 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 City Engineer.
40. A Grading and Drainage Plan must be submitted by the first plan check and must incorporate all pertinent site development comments from the City's geological and geotechnical consultants and must also include the approved geological report submitted by the applicant's/developer's consultant.
41. Parkways must be irrigated and landscaped per plans submitted for review and approval by the City Engineer. The need for preserving existing street trees and/or providing additional street trees must be reviewed and approved by the City Recreation and Parks Department. Parkway improvements may include full width concrete and tree wells per City approval.
42. The City reserves the right to restrict driveway access to and from the project in the event that future traffic conditions warrant such restricted turn movements.
43. Automatic irrigation system controllers for landscaping must be weather- or soil moisture-based controllers that automatically adjust irrigation in response to conditions change.

**PLANNING COMMISSION
RESOLUTION NO.**

- 44. Weather-based controllers without integral rain sensors or communication systems that account for local rainfall must have a separate wired or wireless rain sensor which connects or communicates with the controller(s). Soil moisture-based controllers are not required to have rain sensor input.
- 45. Each plumbing fixture and fitting must meet the 30 percent reduced flow rate specified. A calculation demonstrating a 30 percent reduction in the building "water use baseline" as established in Table A5.303.2.2 must be provided.

FIRE:

- 46. All conditions identified by the Fire Department are subject to the review and approval of the Fire Chief for determination of applicability and extent to which any condition may be required.
- 47. All structures must be fully sprinklered per National Fire Protection Association (NFPA) 13D and local amendments.
- 48. Fire flow for the entire project is 3,000 gallons per minute (gpm) at 20 (pounds per square inch (psi) for two-hour duration. Verification of water supply available must be provided by the water purveyor upon building plan submittal. A reduction in the required fire flow up to 50 percent is allowed by a written request to the Monterey Park Fire Department per California Fire Code (CFC) Appendix B/C.
- 49. A minimum of three fire hydrants must be provided within 225 feet of the structure and spaced at an average of 400 feet per CFC Appendix C.
- 50. An emergency responder radio coverage system must be provided per CFC 510.1.
- 51. A dedicated ladder truck access road is required on at least one entire side of the structure, if the building height exceeds 30 feet. The access road must be a minimum unobstructed 26 feet wide, and at least 15 feet, but no further than 30 feet from the west side of the building. Any proposed vegetation must not exceed 13 feet 6 inches in height or encroach into the access road per CFC Appendix D105.1.
- 52. Knox boxes must be provided adjacent to stairwell exterior doors at approved locations. A Knox box must also be provided adjacent to the main entrance at an approved location per CFC 506.1.
- 53. Class I standpipes must be provided in all stairwells on all levels per CFC 905.3.1.
- 54. All areas must be provided with full fire alarm notification per CFC 907.2.2.

**PLANNING COMMISSION
RESOLUTION NO.**

55. The fire alarm system annunciator must be located in the main lobby at an approved location per NFPA 72 10.16.3.
56. Provide approved stairway identification signs located approximately 5 feet above the floor landing, at each floor level, and in all enclosed stairways in buildings three or more stories in height. Provide stairway identification signs for review and approval by the Fire Department per CFC 1022.9.
57. A minimum of one elevator providing general stretcher dimensions must be provided extending to the top floor unless verification is provided that the stairwells are capable of accommodating the carrying of a gurney per CBC 3002.4a.
58. Address numbers must be provided on the building frontage in such a position as to be plainly visible and legible from the street or road fronting the property. Numerals must be 6-inch in height by ½-inches stroke and be a contrasting background per CFC 505.1.

POLICE:

59. Adequate exterior lighting must be provided so that the units are visible from the street during the hours of darkness.
60. Private security must be provided for the entire property. The private security company must be properly licensed and meet all the criteria and legal obligations to operate a private security company. The Police Chief must have the authority to increase or decrease the number of security guards as the circumstances calls for.
61. All major common areas of the locations, including all parking areas, must be covered by security video cameras. All security cameras must operate 24-hours a day, seven days a week. All cameras must record onto a recording medium and all recordings must be maintained in a secure and locked enclosure. All recordings must be made readily available for any law enforcement official who requests the recording(s) for official purposes. If the Chief of Police determines that there is a necessity to have additional security cameras installed, the management must comply with the request within 7 days. The Chief of Police can also require a change in the position of the video cameras if it is determined that the position of the camera does not meet security needs. The management must comply with the request within 7 days.
62. The shrubbery on the property must be installed and maintained in such condition to permit good 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.

**PLANNING COMMISSION
RESOLUTION NO.**

- 63. The driveway leading into the property must be constructed and maintained in such a condition that traffic is easily visible to those entering or leaving the location.
- 64. Any outside ladders leading to the roof top must be secured to prevent unauthorized access to the roof.
- 65. Each distinct unit within the building must have its address displayed on or directly above both the front and rear doors.
- 66. All common open areas must be well lit during the hours of darkness.

By signing this document, Jin Zeng, certifies that he/she has read, understood, and agrees to the Project Conditions listed in this document.

Jin Zeng, Applicant