

**CITY OF MONTEREY PARK
PLANNING COMMISSION AGENDA**

REGULAR MEETING

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

**TUESDAY
DECEMBER 13, 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

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

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

ORAL AND WRITTEN COMMUNICATIONS

MINUTES – None

[1.] CONSENT CALENDAR – None

[2.] UNFINISHED BUSINESS – None

[2-A. ZONE CHANGE \(ZC-16-01\) TO CREATE A SENIOR-CITIZEN-HOUSING \(S-C-H\) OVERLAY ZONE, CONDITIONAL USE PERMIT \(CU-16-04\) FOR AN AFFORDABLE SENIOR HOUSING DEVELOPMENT, AND TENTATIVE MAP NO. 073741 \(TM-16-02\) TO SUBDIVIDE AIR RIGHTS FOR THE CONSTRUCTION OF A 54-UNIT SENIOR CITIZEN HOUSING CONDOMINIUM PROJECT AT 130-206 SOUTH CHANDLER AVENUE](#)

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 recommending that the City Council approve Zone Change (ZC-16-01), Conditional Use Permit (CU-16-04), and Tentative Map No. 074731 (TM-16-02) subject to conditions of approval; and
- (5) Taking such additional, related, action that may be desirable.

[3.] NEW BUSINESS (PUBLIC HEARING)

[3-A. CONDITIONAL USE PERMIT \(CU-16-08\) TO ALLOW A NEW 5-STORY MIXED-USE DEVELOPMENT AND GENERAL ON-SALE ALCOHOL USE AND TENTATIVE MAP NO. 073693 \(TM-16-04\) TO ALLOW FOR THE SUBDIVISION OF AIR-RIGHTS TO ESTABLISH A HOTEL AND 84 RESIDENTIAL UNITS IN THE R-S, P-D \(REGIONAL SPECIALTY, PLANNED DEVELOPMENT\) ZONE AT 420 NORTH ATLANTIC BOULEVARD](#)

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 attached Resolution approving Conditional Use Permit (CUP-16-08) and Tentative Map (TM-16-04), subject to conditions contained therein; and
- (5) Take 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. NONE

ADJOURN

To the next regularly scheduled meeting on January 10, 2016

APPROVED BY:

MICHAEL A. HUNTLEY	
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Planning Commission Staff Report

DATE: December 13, 2016

AGENDA ITEM NO: 2-A

TO: The Planning Commission
FROM: Michael A. Huntley, Community and Economic Development Director
SUBJECT: A Public Hearing to consider a Zone Change (ZC-16-01) to create a senior-citizen-housing (S-C-H) Overlay Zone, Conditional Use Permit (CU-16-04) for an affordable senior housing development, and Tentative Map No. 073741 (TM-16-02) to subdivide air rights for the construction of a 54-unit senior citizen housing condominium project at 130-206 South Chandler 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 recommending that the City Council approve Zone Change (ZC-16-01), Conditional Use Permit (CU-16-04), and Tentative Map No. 074731 (TM-16-02) subject to conditions of approval; and
- (5) Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

On November 22, 2016, the Planning Commission reviewed this application and expressed concerns about several items, including the number of required parking spaces for affordable housing generally, providing additional setbacks, and the consideration of providing additional affordable units.

Since the meeting, the applicant has revised the plans to provide 3 feet of additional setback on the north and south sides of the project on the second, third, and fourth floors. Aside from the setbacks no other revisions were made to proposed project, nor did the project architect response to the comments on off-street parking or additional affordable housing. Staff believes that any additional setback beyond the minimum code requirements will help to provide further relief to the building mass and the proposed project is designed according to the MPMC and is consistent with the density allowed in the General Plan. The project architect will provide more discussion on the changes made to the building elevations.

Respectfully submitted,

Michael A. Huntley
Community and Economic
Development Director

Prepared by:

Reviewed by:



Samantha Tewasart
Senior Planner

Karl H. Berger
Assistant City Attorney

Attachments:

- Attachment 1: Draft Resolution
- Attachment 2: Site, floor, elevation plans and Tentative Map
- Attachment 3: Planning Commission staff report dated November 22, 2016

ATTACHMENT 1

Draft Resolution

RESOLUTION NO.

A RESOLUTION RECOMMENDING THAT THE CITY COUNCIL ADOPT A MITIGATED NEGATIVE DECLARATION; APPROVE ZONE CHANGE (ZC-16-01); CONDITIONAL USE PERMIT (CU-16-04); AND TENTATIVE MAP NO. 073741 (TM-16-02) TO SUBDIVIDE AIR RIGHTS TO CONSTRUCT A 54-UNIT MIXED-AFFORDABLE SENIOR CITIZENS HOUSING DEVELOPMENT AT 130-206 SOUTH CHANDLER 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 April 5, 2016, Latigo Canyon Development LLC (the "Applicant"), submitted an application to construct a 54-unit mixed-affordable senior citizens housing development at 130-206 South Chandler Avenue. To complete the development, the Applicant seeks discretionary approvals for Tentative Map No. 073741 (TM-16-02); a zone change to secure a Senior Citizens Housing (S-C-H) Overlay Zone; and a Conditional Use Permit to permit an affordable senior citizens housing development in the R-3 (High Density Residential) Zone (collectively, the "Project");
- B. The 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 Monterey Park Municipal Code ("MPMC");
- C. In addition, the City reviewed the Project's environmental impacts under the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA") and the regulations promulgated thereunder (14 California Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines");
- D. The Community and Economic Development Department completed its review and scheduled a public hearing regarding the proposed Project before the Planning Commission for November 22, 2016. After considering the matter, the Planning Commission continued the public hearing until December 13, 2016;
- E. On December 13, 2016, the Planning Commission reopened the continued 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 Latigo Canyon Development LLC; and
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its November 22, 2016 and December 13, 2016 public hearings including, without limitation, the staff report submitted by the Community and Economic Development Department.

SECTION 2: *Factual findings and Conclusions.* After considering all of the evidence in the record, the Planning Commission makes the following factual findings and conclusions:

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- A. The General Plan designation for the project site is High Density Residential. This allows for a broad range of dwelling unit types which may be attached or detached.
- B. The average population density within the project site's vicinity is 84 persons per acre.
- C. General Plan Land Use Element Goal 11.0 provides the City's goal is to continue to provide opportunities for persons of all incomes to find suitable housing.
- D. General Plan Housing Element Goal 2 is to remove or reduce governmental constraints on affordable housing development.
- E. General Plan Housing Element Policy 2.2 is to encourage the use of density bonuses and provide other regulatory concessions to facilitate affordable housing development.
- F. General Plan Housing Element Goal 4 is to assist in providing housing that meets the needs of all economic segments of the community. The project will provide affordable housing units to senior citizens.
- G. The project site is zoned R-3 (High Density Residential). The minimum required lot size in the R-3 Zone is 7,000 square feet, the minimum required lot width is 60 feet, and the minimum required lot depth is 100 feet. The project site is 35,520 square feet (0.82 acre) in size; the lot width is 185 feet and the depth is 192 feet.
- H. The project site is currently developed with a multi-unit apartment complex.
- I. Properties located to the south, east and west of the subject property are R-3 zoned lots and are developed with multi-unit residential developments. North of the subject property are R-2 zoned lots that are developed with multi-unit residential developments. The proposed senior housing development is consistent with the type of the uses that are currently developed in that neighborhood.
- J. The project site is regular shaped and relatively flat. Two parcels are currently vacant and the third parcel is developed with three detached residential units and two detached garages constructed in 1921.
- K. The proposed use is a 54-unit mixed-affordability senior housing development comprised of a mixture of income groups.
- L. The R-3 Zone allows up to 14 units on the project site. The project cannot be

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developed on the project site without the zone change to Senior Citizen Housing Overlay Zone as proposed by the Applicant.

- M. With a Senior Citizen Housing Overlay Zone, the project site may be developed up to a maximum of 50 units per acre per MPMC Chapter 21.16. All the units will be attached in a rectangular formation with a courtyard at the center of the property.
- N. The Applicant also seeks a density bonus pursuant to MPMC Chapter 21.18. A density bonus will allow the Applicant to build an additional 4 units on the project site for a total of 54 units.
- O. To obtain a density bonus, the project proposes 2.5 percent very-low income units for a 10 percent density bonus; and 15 percent low income units for a 23 percent density, which equates to 1 very-low income units and 5 low income unit, respectively.
- P. The project will be 4-stories and 40 feet in height.
- Q. The project will meet the required setbacks of 25 feet for the front and rear yards and 10 feet for the side yard setbacks.
- R. The project site is accessible from South Chandler Avenue a 60-foot-wide right-of-way local street. The driveway will be 26 feet wide at the entrance, which exceeds the required 18 feet width; it will be 26 feet wide in the subterranean parking level. The site is located within a mile south of the Interstate 10 Freeway.

SECTION 3: SECTION 2: *Environmental Assessment.*

- A. Based upon the information set forth in Section 2, the Project was analyzed for its environmental impacts and an Initial Study was prepared pursuant to CEQA Guidelines §15063. The Initial Study demonstrated that the project would not have a significant effect on the environment with the implementation of mitigation measures. A Mitigated Negative Declaration of Environmental Impacts is proposed for this project pursuant to CEQA Guidelines §15070. A Notice of Intent to Adopt a Mitigated Negative Declaration was prepared pursuant to CEQA Guidelines §§ 15072 and 15073, and was available for public comment from October 6, 2016 to October 25, 2016.
- B. In accordance with § 15074 of the CEQA Guidelines, the record on which the Planning Commission's findings are based is located at the City of Monterey Park Community and Economic Development Department – Planning Division at City Hall, 320 West Newmark Avenue, Monterey Park, California 91754.

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- C. When considering the whole record for the draft Initial Study and Mitigated Negative Declaration, there is no evidence that the Project will have the potential for an adverse effect on wildlife resources or the habitat on which the wildlife depends, because the project is in a built-out urban environment.
- D. These findings are based on the various mitigation measures to be required in the implementation of the project as adopted in the Mitigated Negative Declaration as already having been incorporated into the Project. The Planning Commission finds that all the mitigation measures now incorporated into the project are desirable and feasible.
- E. Accordingly, based upon the evidence presented to the Planning Commission, the City need not prepare an environmental impact report for the proposed project. Consequently, the Planning Commission recommends that the City Council adopt the draft mitigated negative declaration.

SECTION 4: *Conditional Use Permit Findings.* Based upon Section 2, the Planning Commission finds as follows pursuant to MPMC § 21.32.020:

- A. The project site is adequate in size, shape and topography for the proposed senior housing development.
- B. The site has sufficient access to streets and highways and is adequate in width and pavement type.
- C. The project is consistent with the General Plan.
- D. The project will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood.
- E. The proposed senior housing development will not have an adverse effect on the public health, safety and general welfare.

SECTION 5: *Subdivision.* Based upon Section 2, the Planning Commission cannot make any of the findings for denial set forth in in the Subdivision Map Act (Government Code §§ 66410, *et seq.*) for the following reasons:

- A. The proposed map is consistent with the General Plan per Government Code § 65451.
- B. The design of the proposed subdivision is consistent with the General Plan.
- C. The site is physically suitable for the proposed type of development in that the proposed lots meet the size and dimension requirements to allow the subdivision of the existing project site.

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- D. Following a zone change, the site is physically suitable for the proposed density of development.
- E. The design of the subdivision or the proposed improvements is unlikely to cause substantial damage or substantially and avoidably injure fish or wildlife or their habitat.
- F. The design of the subdivision will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

SECTION 6: *Zone Change Findings.* Based upon Section 2, the Planning Commission finds as follows pursuant to MPMC § 21.38.050:

- A. The project is consistent with the goals, policies, and objectives of the General Plan.
- B. The project will not adversely affect surrounding properties.
- C. The proposed amendment promotes public health, safety, and general welfare and serves the goals and purposes of the MPMC.

SECTION 7: *Recommendations.* Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference along with the mitigations set forth in the Mitigated Negative Declaration ("MND"), the Planning Commission recommends that the City Council adopt the MND; approve Tentative Map No. 073741 (TM-16-02); approve Conditional Use Permit (CU-16-04); and adopt an ordinance implementing the proposed Zone Change (ZC-16-01).

SECTION 8: *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 9: *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.

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SECTION 10: *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 11: This Resolution will remain effective until superseded by a subsequent resolution.

SECTION 12: A copy of this Resolution will be mailed to the Applicant and to any other person requesting a copy.

SECTION 13: 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.

SECTION 14: Except as provided in Section 13, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

ADOPTED AND APPROVED this 13th day of December 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 13th day of December 2016, by the following vote of the Planning Commission:

AYES:

NOES:

ABSTAIN:

ABSENT:

Michael Huntley, Secretary

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

By: _____
Karl H. Berger,
Assistant City Attorney

RESOLUTION NO.

Exhibit A

CONDITIONS OF APPROVAL

130-206 SOUTH CHANDLER AVENUE

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Latigo Canyon Development, LLC agrees that it will comply with the following conditions for the City of Monterey Park's approval of Tentative Map No. 073741 (TM-16-02), Conditional Use Permit (CU-16-04), and Zone Change (ZC-16-01) ("Project Conditions").

PLANNING:

1. Latigo Canyon Development LLC (the "Applicant"), agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of TM-16-02 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of TM-16-02, CU-16-04, and ZC-16-01, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and on file. Before the City issues a building permit, the Applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building Safety Divisions. Any subsequent modification must be referred to the Director of the Community and Economic Development Department for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The tentative map expires twenty-four months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. Three one-year extensions may be granted by the Planning Commission upon finding of good cause.
4. The conditional use permit expires twelve months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A single one-year extension may be granted by the Planning Commission upon finding of good cause.

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5. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.
6. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.
7. The real property subject to TM-16-02, CU-16-04, and ZC-16-01 must remain well-maintained and free of graffiti.
8. Building permits are required for any interior tenant improvements.
9. Landscaping/irrigation must be maintained in good condition at all times.
10. A final map must be approved and recorded before the City issues a certificate of occupancy.
11. The Homeowner's Association (HOA) must retain the services of a professional property management company to oversee the maintenance and operation of the property. The management company must provide an Annual Verification Report to the Community and Economic Development Department to confirm that all the occupants of the property comply with the age and income restrictions.
12. The developer is to submit a complete master landscape and irrigation plan to the Planning Division of the Community and Economic Development Department with the required fee for review.
13. The developer must enter into a covenant, running with the land that the development is for senior citizen housing use only for a minimum period of fifty-five (55) years. The covenant must specify the periodic period that the property owner or homeowners association, as applicable, submit a semi-annual report to the City confirming requirements of § 21.16.040. The covenant must be submitted to the City for review and approved by the City Attorney and be recorded in the office of the County Recorder before the City issues building permits for the development.
14. Construction or demolition work must be conducted between the hours of seven a.m. and seven p.m. on weekdays and the hours of nine a.m. and six p.m. on Saturdays, Sundays and holidays per MPMC § 9.53.070(6).
15. The operation of any mechanically powered saw, sander, drill, grinder, lawn or garden tool or similar tool between the hours of seven a.m. and seven p.m. on weekdays and the hours of nine a.m. and six p.m. on Saturdays, Sundays and holidays per MPMC § 9.53.070(5).
16. All construction equipment, fixed or mobile, must be equipped with properly operating and maintained mufflers.

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17. Stationary equipment must be placed such that emitted noise is directed away from neighboring residential receivers.
18. Block walls must be constructed with decorative materials, including slump stone, split face block, river rock, brick, stucco covered precision, combination of block pilaster with wrought iron, or similar material, subject to the review and approval of the Planner.
19. The developer must submit an Ownership Selection Plan to the Community and Economic Development Director, or designee, for approval, which at a minimum gives priority to persons displaced by the construction of the project for ownership.

20. Mitigation Measures:

- A-1 The new six-foot high concrete masonry unit wall that will be provided along the project site's north, east, and south sides must be well maintained at all times. Fast growing, drought tolerant shrubs and/or tree plantings must be provided to provide an additional aesthetic buffer between the existing homes and the residential development.
- A-2 During the construction phases, the site must be maintained in good condition and secured from public access. Any temporary fencing must be maintained in good condition at all times. The development site must also be maintained free of rubbish and construction debris.
- A-3 In the event that the surrounding streets become cracked and dilapidated due to the volume of truck traffic during the construction phase, the Applicant must repave the dilapidated streets to the satisfaction of the Department of Public Works. This mitigation also applies if the surrounding streets are cut in order to remove various water lines.
- A-4 The Applicant must ensure that all lighting meet the equipment and illumination standards of the City to the satisfaction of the Community and Economic Development, or designee. Such lighting must be directed onto the driveways and parking areas within the project and away from the adjacent residential properties located to the west.
- A-5 Light equipment must be designed and installed so that light is directed away from light-sensitive receptors such as the nearby homes.
- C-6 Before excavating and constructing of the project site, the prime construction contractor(s) must be cautioned on the legal and/or regulatory implications of knowingly destroying cultural resources and removing artifacts, human remains, bottles and other cultural materials from the project site. A signed statement of understanding must be provided to the Community and Economic Development Director before the City issues grading permits. The applicant must bear the cost of implementing this mitigation.

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- C-7 If potential archaeological materials are uncovered during grading or other earth moving activities, the contractor is required to halt work in the immediate area of the find and to retain a professional archaeologist to examine the materials to determine whether it is a unique archaeological resource as defined in Public Resources Code § 21083.2(g). If this determination is positive, the resource must be left in place, if determined feasible by the project archaeologist. Otherwise, the scientifically consequential information must be fully recovered by the archaeologist. Work may continue outside of the area of the find; however, no further work must occur in the immediate location of the find until all information recovery has been completed and a report concerning it filed with the Community and Economic Development Director. The applicant must bear the cost of implementing this mitigation.
- N-8 During excavation and grading activities, construction contractors must equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer's standards.
- N-9 Construction contractors must place all stationary construction equipment in a central site location, where possible, to maximize the distance from nearby receptors.
- N-10 Construction contractors must locate equipment and materials staging in areas that will create the greatest distance between equipment and materials staging and nearby receptors.
- T-11 Landscaping, signage, and any wall and design elements must be setback so that vehicles exiting the garage will have sufficient views of the sidewalk and travel lanes on Chandler Avenue. A clear line-of-sight must be provided so that exiting vehicles may safely exit onto Chandler Avenue.

BUILDING:

21. The second sheet of the building plans must list all City of Monterey Park conditions of approval.
22. A validly issued building permit does not allow excavations to encroach into adjacent property. Requirements for protection of adjacent property are defined in Civil Code § 832.
23. The site plan must be approved before the City issues building permits. Among other things, it must indicate the proposed path of building sewer, size of sewer line, location of cleanouts, and the invert elevation of the lateral at the property line.
24. A soils and geology report prepared by a civil engineer is required as part of plan check submittal.

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25. The applicant must submit a valid permit obtained from CAL-OSHA to the City before the City issues a building permit.
26. A compaction report for demolition of previous buildings must be submitted to the City of Monterey Park before the City issues grading permits for excavating new foundations.
27. The building must conform to the 2008 Edition of the Energy Efficiency Standards by the California Energy Commission.
28. Access and accessibility requirements, per the California Building Code, apply to this newly constructed, privately funded, multi-family dwelling units building.
29. The applicant must provide mechanically operated exhaust ventilation for S-2 garage.

ENGINEERING:

30. Pursuant to the Los Angeles County Municipal "National Pollutant Discharge Elimination System (NPDES) Permit," under 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. This project will require the preparation of a Low Impact Development (LID). 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.
31. Applicant must deposit a refundable \$187 cash deposit to guarantee that developer will provide the City with the (1) transparent 4 mil thick mylar tracing; one (1) electronic file of approved final map tracings transferable to City's AutoCAD and GIS systems; and two (2) blueprints of the recorded final map which must be filed with the Public Works Department within three (3) months of recordation. If recorded copy is not submitted by the end of the three month time period, developer will forfeit the \$187 cash deposit.
32. Before submitting a final map for City approval, the applicant/property owner must provide written proof that there are no liens against the subdivision for unpaid taxes or special assessments; submit L.A. County tax bill, tax payment receipt, and copy of cancelled check.
33. The developer/owner is responsible for ascertaining and paying all City development fees such as, without limitation, sewer deficiency fees, water meter fees and metered water service impact fees as required by MPMC.

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34. The applicant must record covenants, conditions and restrictions ("CC&Rs") and establish a homeowner's association to address common maintenance and utilities. CC&Rs must be reviewed and approved by the City Attorney and the City Engineer at the applicant's sole cost. Applicant is responsible for securing the CC&R requirements from the Public Works Department. A copy of the recorded CC&Rs must be submitted to the Public Works Department before the City performs final inspection and issues a certificate of occupancy.
35. All improvement plans, including grading and public improvement plans, must be based upon City approved datum. Benchmark references to be obtained from the Engineering Division.
36. A water plan must be submitted for review and approval by the Public Works Director, or designee. This plan must substantiate adequate water service for domestic flow, fire flow and identify backflow prevention. If current fire flow and pressure tests are not available to substantiate adequate pressure and flow to serve the development, the developer will be responsible for conducting the appropriate tests and submitting copies of the test results for review and ultimate approval by the City. The substantiation of adequate water services must be confirmed by the Public Works Director, or designee, before the City issues building permits.
37. The applicant must submit water meter sizing sheet to the Public Works Department. The Public Works Department will then determine what water requirements must be met. This may include up sizing of water meter and water services. All upgrading costs are the responsibility of the property owner and must be completed before final inspection approval.
38. The applicant must provide survey monuments denoting the new property boundaries and lot lines to the satisfaction of the Public Works Director, or designee, before the approval of the final map. All maps must be prepared from a field survey. Compiled maps are not permitted unless prior approval is granted by the Public Works Director, or designee. Whenever possible, lot lines must be located to coincide with the top of all man-made slopes. Any deviation from this requirement must be approved by the Public Works Director, or designee.
39. A site drainage plan must be prepared for review and approval by the Public Works Director, or designee before the City issues building permits. The property drainage must be designed so that the property drains to the public street or in a manner otherwise acceptable to the Public Works Director, or designee. Drainage from contiguous properties cannot be blocked and must be accommodated to the satisfaction of the Public Works Director, or designee. A hydrology and hydraulic study of the site may be required for submittal to the Public Works Director, or designee for review and approval.
40. 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

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necessary. All storm drain facilities must be designed and constructed to Los Angeles County Department of Public Works standards and specifications and also to the satisfaction of the Public Works Director, or designee before the issuance of building permits.

41. Any damage done to existing street improvements and utilities during construction must be repaired before acceptance of the project. Pre-existing damaged, deteriorated, substandard or off-grade curb, gutter, driveways and sidewalk must also be repaired or replaced to the satisfaction of the Public Works Director, or designee. All existing driveways, if not to be used, must be removed and replaced with curb and sidewalk.
42. All public works improvements must comply with the standards and specifications of the City and to the satisfaction of the Public Works Director, or designee. All public works improvements must be completed and accepted by the City or a public works improvement guarantee and agreement posted before final map approved by the City Council.
43. All electric, telephone and cable TV utility services must be installed fully underground and to required City standards. Satisfactory provisions for all other utilities and service connections, including water, sewer and gas, must be made to City and public utility standards. A utility plan must be prepared and submitted before the City issues building permits, showing all existing and proposed utilities. The utilities may be shown on either a separate plan or on the proposed site plan.
44. A sewer connection reconstruction fee will be assessed at the time that the City issues a building permit in accordance with MPMC Chapter 14.06.
45. All buildings must have roof gutters and all roof drainage must be conducted to the public street or an approved drainage facility in a manner approved by the Public Works Director, or designee, before the City issues building permits.
46. The grading and drainage plan and a separate street improvement plan must be submitted by the first plan check. The street improvement plan must include the removal and reconstruction of the sidewalk, driveway approach, and curb and gutter along the entire property frontage. It must also include asphalt pavement removal and replacement to the centerline of the street.
47. The shoring design 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 and geotechnical report submitted by the developer's consultant.
48. Parkways must be irrigated and landscaped per plans submitted for review and approval by the Public Works Director, or designee, before final inspection approval.

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The need for preserving existing street trees and/or providing additional street trees must be reviewed and approved by the Recreation and Parks Director, or designee.

49. The City reserves the right to restrict driveway access to and from the project in the event future traffic conditions warrant such restricted turn movements.

FIRE:

50. All conditional identified by the Monterey Park 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.
51. The minimum required fire flow is 6,000 gallons per minute (gpm) for 4-hour duration. Plans must include fire flow test data obtained with one-year of the submittal date. The fire flow may be reduced by 50 percent by written request to the Fire Chief, or designee, per California Fire Code (CFC) Appendix B as adopted by the MPMC.
52. A minimum of 6 fire hydrants must be provided within 150 feet of the structure with an average spacing of 250 feet. Show all existing and proposed fire hydrants on the site plan, per CFC Appendix C.
53. The building height and area will be determined by the CBC Table 503, per CBC §§ 504.2 and 506.3, installation of an automatic fire sprinkler system in the R-1 occupancy will allow either an increase in stories/height or allowable floor area, but not both.
54. Provide an approved Class I standpipe system in all stairwells on all levels including the roof as set forth by the CBC and CFC § 905.
55. Provide an approved automatic fire sprinkler system and fire alarm as set forth by the CFC §§ 903 and 907.
56. Provide smoke alarms in each room for sleeping purposes and at a point centrally located in the corridor or area giving access to each separate sleeping area.
57. Smoke alarms must be installed in accordance with the manufacturers' instructions. Indicate the smoke alarm locations on the plans, per CFC § 907.2.11.1
58. Carbon monoxide alarms must be provided either within all the sleeping units or else the building must be provided with a carbon monoxide alarm system that protects all common areas, per CBC § 420.6.
59. Dwelling units and common areas must be provided with alarm notification appliances, per CFC § 907.2.9.

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60. All dwelling units assigned as accessible must be provided with visual notification appliances, per CFC § 907.5.2.3.4.
61. 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 § 1022.8.
62. A minimum of one elevator providing general stretcher dimensions and extending to the top floor must be provided, per CBC § 3002.8.
63. An approved number or address must be provided on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers must be a minimum of 6-inch high by ½ stroke and be a contrasting background, per CFC § 505.1.
64. A Knox box must be provided adjacent to the main entrance at an approved location, per CFC § 506.1.
65. Portable fire extinguishers must be installed on all floors per the CFC § 510.0.
66. Provide a minimum of one standpipe system for use during construction. Such standpipe must be installed when the progress of construction is not more than 40 feet in height above the lowest level of fire department access, per CFC § 3313.
67. An on-site Fire Inspector may be required for this project at no expense to the jurisdiction for the duration of the project construction as determined by the Fire Chief. The on-site inspector must be approved by the Fire Chief.
68. A building code and egress analysis report of the applicable portions of the 2013 California Fire and Building code must be prepared by a qualified and licensed professional. The report will bear the stamp of a registered design professional to analyze the fire safety properties of the design, operation, or use of the building or premise and the facilities and appurtenances for review by the fire code official without charge to the jurisdiction, CFC § 104.7.2.
69. If "as-built" plans are required, additional fees will be due for the review of the drawings.

POLICE:

70. Adequate exterior lighting must be provided so that the units are visible from the street during the hours of darkness.
71. If security gates are installed on the property it is recommended that an access control system such as a keypad, card reader, or electric latch retraction devices are installed at ingress and egress gates and doors in order to control and deter

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unwanted access onto the property. A key card or key code must be provided to the police department to access the property in case of an emergency.

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

RECREATION:

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

By signing this document, Latigo Canyon Development LLC, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

Latigo Canyon Development LLC, Applicant

ATTACHMENT 2

Site, floor, elevation plans and Tentative Map No. 073741

ATTACHMENT 3

Planning Commission Staff Report, dated
November 22, 2016

Planning Commission Staff Report

DATE: December 13, 2016

AGENDA ITEM NO: 3-A

TO: The Planning Commission
FROM: Michael A. Huntley, Community and Economic Development Director
SUBJECT: Public Hearing: Conditional Use Permit (CUP-16-08) to allow a new 5-story mixed-use development and general on-sale alcohol use and Tentative Map No. 073693 (TM-16-04) to allow for the subdivision of air-rights to establish a hotel and 84 residential units in the R-S, P-D (Regional Specialty, Planned Development) Zone – 420 North Atlantic Boulevard.

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 attached Resolution approving Conditional Use Permit (CUP-16-08) and Tentative Map (TM-16-04), subject to conditions contained therein; and
- (5) Take such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The applicant, James Chou, is requesting approval of a Conditional Use Permit for a mixed-use development and general on-sale alcohol use, and a Tentative Map to allow for the construction a new mixed-use development at 420 North Atlantic Boulevard.

An initial study of environmental impacts was prepared for the project. Based on the analysis, less than significant impacts have been identified subject to the addition of appropriate mitigation measures. As it relates to traffic and circulation, no significant impacts were identified even with the inclusion of the three additional hotels along the Atlantic Boulevard corridor.

The project as proposed is consistent with the General Plan's vision for the North Atlantic area anticipating development at the height and floor area ratio proposed for the project. One of the goals of the General Plan (Goal 3.0) is to establish the North Atlantic area as a focal point for diverse retail, entertainment, and hospitality development. The proposed project will be a hospitality development that includes 102 hotel rooms, a 4,061 square feet restaurant, and 84 residential units.

According to the General Plan, the North Atlantic Focus Area encompasses properties east to Chandler Avenue and south around the Atlantic/Newmark intersection. During the 1980s, the City successfully encouraged development of two to three commercial centers. Thereafter, public and private redevelopment efforts stalled due to several factors, including the sluggish economy of the early to mid-1990s, high land prices, and stringent regulations. The mixed-use areas were established to expand development opportunities within the Focus Areas by allowing higher density development around and south of the Atlantic Boulevard/Hellman Avenue intersection, encouraging shared parking and parking in parking structures, and allowing multi-story buildings along Atlantic Boulevard. The subject property is located within the North Atlantic Focus Area and is designed according to the vision specified in the General Plan.

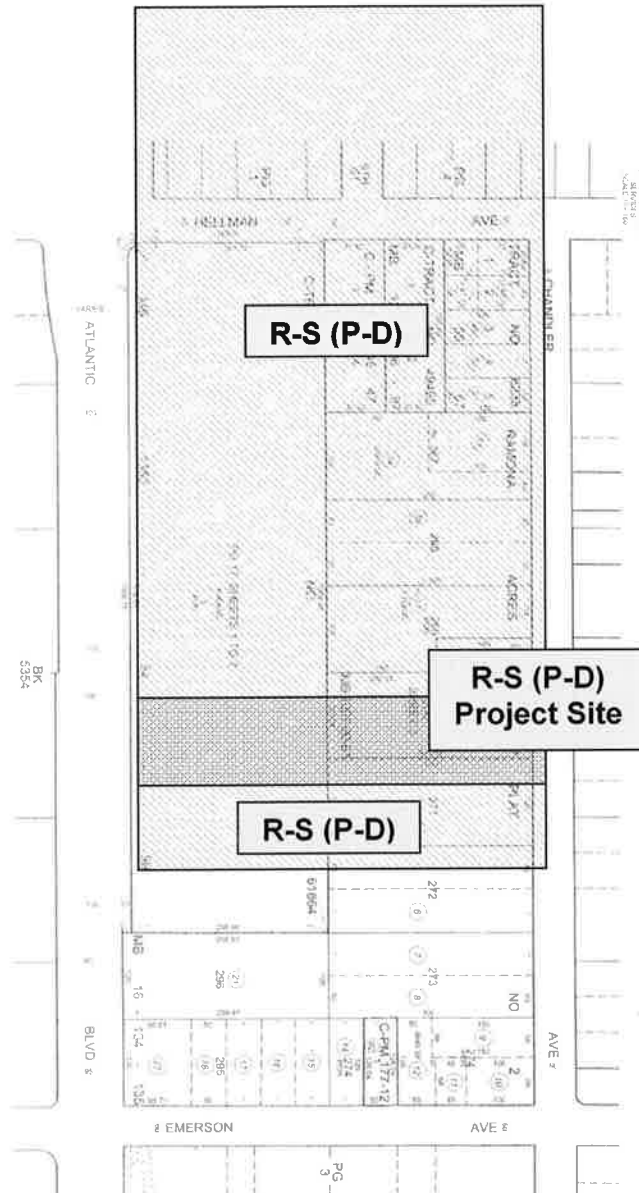
ANALYSIS:

Property Description

The subject property is located on the east side of Atlantic Boulevard, between West Hellman Avenue and West Emerson Avenue. The property is zoned R-S, P-D (Regional Specialty, Planned Development) and the General Plan designation is Mixed-Use I. The project site is comprised of three parcels totaling 75,600 square feet (1.74 acres). One parcel has frontage on Atlantic Boulevard and is currently developed with a two-story motel (Best Western Monterey Park Inn), comprised of three detached buildings totaling 56-rooms. The existing motel is 16,226 square feet and was constructed in 1978. There are approximately 49 existing parking spaces. The second and third parcels have frontage on Chandler Avenue. The second parcel is currently developed with a 15-unit two-story apartment building constructed in 1961. The third parcel is vacant.

Properties located to the north of the subject property include Atlantic Times Square, south is a one-story auto sale building, west is Atlantic Boulevard and Shun Fat Supermarket, and east is Chandler Avenue and R-3 zoned lots.

Surrounding Properties



Project Description

The proposal is a 5-story mixed-use project, including 102 hotel rooms, a 4,061 square feet restaurant and 84 residential units. The hotel will have a lobby/reception area, great room/business area, conference rooms, exercise room, and swimming pool. According to Monterey Park Municipal Code (MPMC) § 21.50.090, the minimum lot area required for Mixed-Use I (MU-I) developments is 1.5 acres; the subject property is 1.74 acres. According to MPMC Table 21.14, mixed-use projects located on North Atlantic Boulevard are allowed to build a maximum floor are ratio (FAR) of 2.25; the subject project will have a 2.0 FAR.

According to MPMC § 21.14.090(E), for the residential portion of a mixed-use development, a minimum of 2 off-street parking spaces per unit must be provided, plus an additional 0.25 parking spaces per unit must be provided for guest parking. The required number of parking spaces for the residential units will be 168, plus 21 guest parking spaces. According to MPMC Table 21.22(C), 1 parking space will be required per hotel room. For the proposed 102 hotel rooms, 102 spaces will be required and will be provided. The required number of parking spaces for the proposed restaurant use will be 10 parking spaces per 1,000 square feet of gross building area, which equates to 41 parking spaces. The total required number of parking spaces will be 332 and the number of provided parking spaces will be 340. Parking will be provided in two-levels of subterranean parking, one level at-grade, and one level above-grade. The parking for the hotel and restaurant use will be accessible from North Atlantic Boulevard and the parking for the residential units will be accessible from North Chandler Avenue.

The proposed architectural style of the building will be contemporary. This project was presented to the Design Review Board for preliminary comments on October 18, 2016. The Board supported the proposed building design and provided some preliminary comments.

Conditional Use Permit

The P-D Overlay District is intended to provide design flexibility in achieving the purpose and intent of other base zoning districts with which it is combined per MPMC § 21.14.020. Application of the P-D Overlay District is intended to assist in achieving consistency with the policy and intent of the General Plan by allowing flexibility in site design where superior quality attainment can be enhanced by such flexibility. According to MPMC § 21.14.010(C), a conditional use permit must be prepared for projects developed in the P-D Overlay District. Additionally, per MPMC § 21.14.150, a conditional use permit requires a public hearing before the Planning Commission can consider making the findings to approve it.

The proposed project and conditional use permit are appropriate for the subject property because the project fulfills the objectives of the General Plan and is designed according to the regulations required by the P-D Overlay Zone. The project site is 1.74 acres and is adequate in size for the proposed project. The project will have a contemporary building design and the building will be articulated and setback so it will not overwhelm adjacent

properties. The project will provide a drop off area for commercial vehicles and also provides a parking space for buses and moving vans on-site.

General On-Sale Alcohol Use

The conditional use permit application also includes a request for general on-sale alcohol use for the hotel and restaurant. According to MPMC § 21.10.230(G), there are no distance requirements for on-sale alcoholic beverages when sold in conjunction with a public place. However, on-site sale uses must comply with the list of requirements specified in the MPMC § 21.10.230(C). Some of the requirements include limiting the exterior lighting of the parking area to intensities between one and two foot-candles so as to provide adequate lighting for patrons while not disturbing surrounding residential or commercial areas and special security measures, such as security guards and alarm systems. Additionally, conditions of approval have been added in the Resolution to address security and alarm requirements. The Police Department will monitor the subject property relative to safety items such as hours of operation, whether complaints are received, and alcohol must be served along with food only.

Amenities

According to MPMC § 21.14.110, as an incentive to include additional amenities needed in the area, additional floor area ratio for mixed-use developments and commercial developments with pedestrian amenities may be permitted at intensities up to 2.25 upon a project providing substantial benefits for not only the project, but also to the surrounding community. The project provides substantial additional benefits. First, the project will provide 10 percent of additional parking spaces for public use which is in excess of those required for the uses on the site: 33 surplus parking spaces. Second, the project will provide a major portion of the required parking underground. Third, the project will provide a community facility in the project that may be used by residents and others from the community through a reservation system. Lastly, the project will provide a national tenant which the City wishes to attract to provide a wide range of goods and services in downtown.

Tentative Map No. 073741

The project includes a tentative map to subdivide air rights for condominium purposes. In accordance with MPMC Title 20 and the Subdivision Map Act (Government Code §§ 66410, *et seq.*), the project complies with map requirements. The property will remain as one lot. Under California law, a tentative map is required to subdivide air space for separate ownership of the hotel and 84 residential units.

Planned Development (P-D) Overlay Zone Consistency

The building will be compatible with developments in the general area. The project is designed according to the standards required by the P-D Overlay Zone. The proposed building will be 60 feet tall, which is less than the 75 feet maximum height allowed in the P-D Overlay Zone. According to MPMC § 21.14.090(B), the building height cannot exceed

40 feet within 20 feet of the pedestrian realm along Atlantic Boulevard. The proposed building height within 20 feet of the pedestrian realm will not exceed 20 feet in height. The building mass will be articulated with architectural elements, such as metal awnings, wall off-sets, recessed windows and entries, and a variety of exterior finishes. According to MPMC § 21.14.090(D), 200 square feet of open space is required per residential unit. The project requires a minimum of 16,800 square feet of open space and will provide 17,786 square feet of open space, which exceeds the minimum requirement. The open space areas will be provided throughout the project. At the second level, approximately 9,000 square feet of open space will be provided, which will include a pool and open court yards.

General Plan Consistency

The proposed building and its use complies with the General Plan. The subject property is designated Mixed-Use I (MU-I) in the General Plan.

Goal 3.0 General Plan Land Use Element

...Establish the North Atlantic area as a focal point for diverse retail, entertainment, and hospitality development.

Policy 3.1 states to allow higher intensity development around and south of the Atlantic Boulevard/Hellman Avenue intersection. The proposed project will be a hospitality development with a retail use. The project as proposed is consistent with the General Plan's vision for the North Atlantic area anticipating development at the height and floor area ratio proposed for the project.

City Gateway

Also, according to the General Plan Land Use Element, the intersection of Hellman Avenue and Atlantic Boulevard is identified as one of the gateways into Monterey Park. The City has the opportunity to improve its overall image by capitalizing on the quality of its best parts, improving its public rights-of-way, and enhancing development standards for new construction and redevelopment.

Goal 2.0 General Plan Economic Development Element

...Attract new business to the commercial Focus Areas identified in the Land Use Element.

The City's economic development goals and policies respond to the challenges of fiscal viability, limited land area for development, and high land costs. In the short term, the City has generalized areas of focus for its development efforts. One of the development efforts is to build retail credibility and national credit tenant status in the North Atlantic Boulevard

Focus Area and another is to strengthen the hospitality uses in the Focus Area. Policy 2.2 states to concentrate investment in sectors where growth is forecast in short- to mid-term and focus efforts on retail and hospitality uses. As previously stated, the proposed project will be a hospitality development with a retail use. The project is consistent with the General Plan's economic developments efforts to build on the economic opportunities in the Focus Areas.

Traffic Study

A Traffic Study was prepared as part of the environmental assessment for the proposed project. The Traffic Study studied the intersections and on-site and off-site circulation. The trip generation and parking demand of the project was calculated using the nationally accepted rates defined by the Institute of Transportation Engineers (ITE). Additionally, the City has established specific thresholds for project-related increases in the Intersection Capacity Utilization (ICU) values of signalized study intersections. As part of the traffic analysis, the cumulative impacts were evaluated which included all three of the hotel projects along Atlantic Boulevard. According to the Traffic Study, based on the ITE rates and City's traffic criteria, the proposed project will not create significant traffic impacts at the study intersections. Moreover, the proposed project is not anticipated to generate a demand on tour buses.

According the Traffic Study, the project has incorporated several design features into the project to reduce any potential traffic impacts. The property will be accessible from North Atlantic Boulevard and North Chandler Avenue. With regard to the on-site and off-site improvements proposed as part of the development, at the western portion of the property adjacent to North Atlantic Boulevard, 13-feet of the depth will be dedicated to the City for street widening purposes. The existing driveway located at the northern portion of the lot will be relocated to the southern portion of the lot. The project access on Atlantic Boulevard will be restricted to right-turns in and out and left-turns in only. Left-turns out will be restricted. Additionally, an exclusive southbound left-turn lane will be provided on Atlantic Boulevard to provide a shelter location for drivers to wait to access the property.

Public Outreach

The applicant hosted a community outreach workshop on October 22, 2016 at the Langley Center. The applicant mailed written notification to the properties within a 300 feet radius of the project site for the outreach workshop. No member of the public attended the meeting.

OTHER ITEMS:

Legal Notification

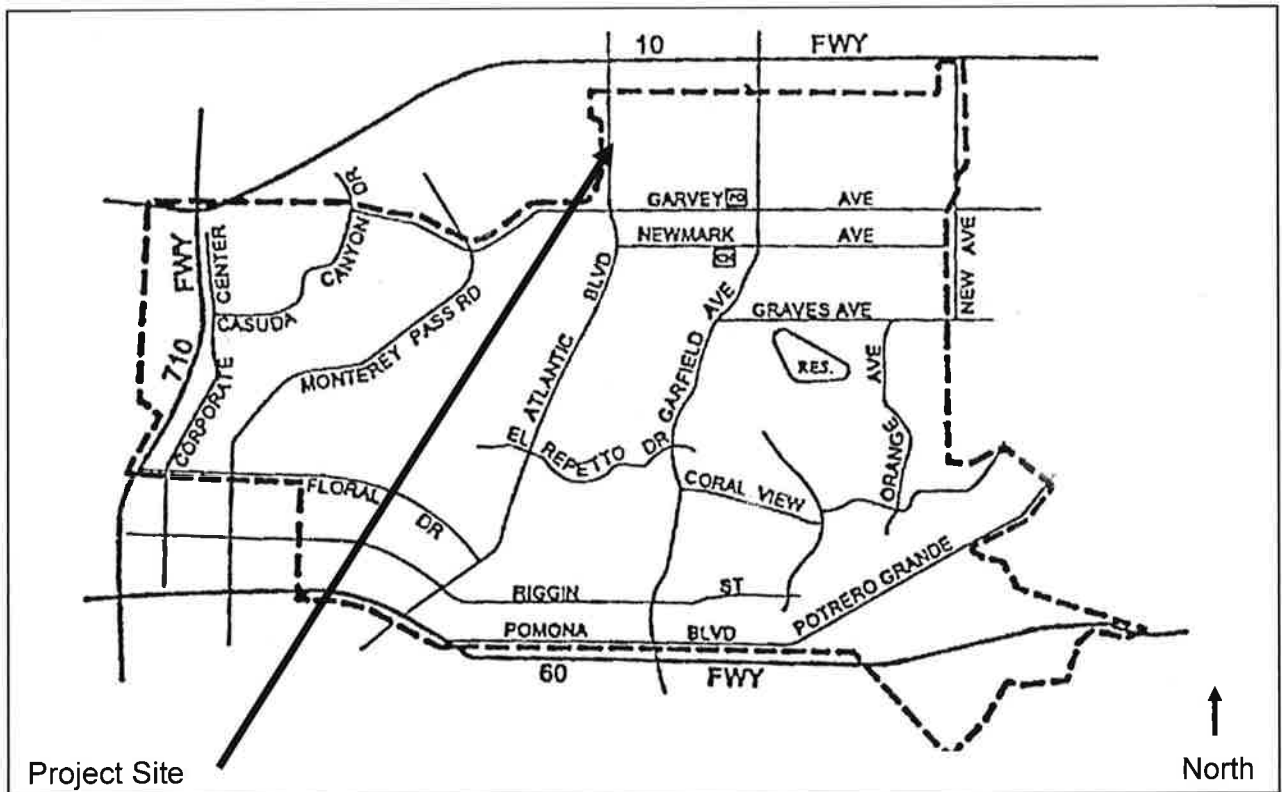
A Notice of Intent to adopt a Mitigated Negative Declaration was published on **November 10, 2016** in the Monterey Park Progress and circulated for public review for a period of 20 days (**November 7, 2016 to November 28, 2016**) and posted on **November 7, 2016**, in the Monterey Park Bruggemeyer Library, Langley Center and the City Hall with

affidavits of publishing and posting on file. The legal notice of this hearing was mailed to **164** property owners within a 300 feet radius **November 7, 2016**.

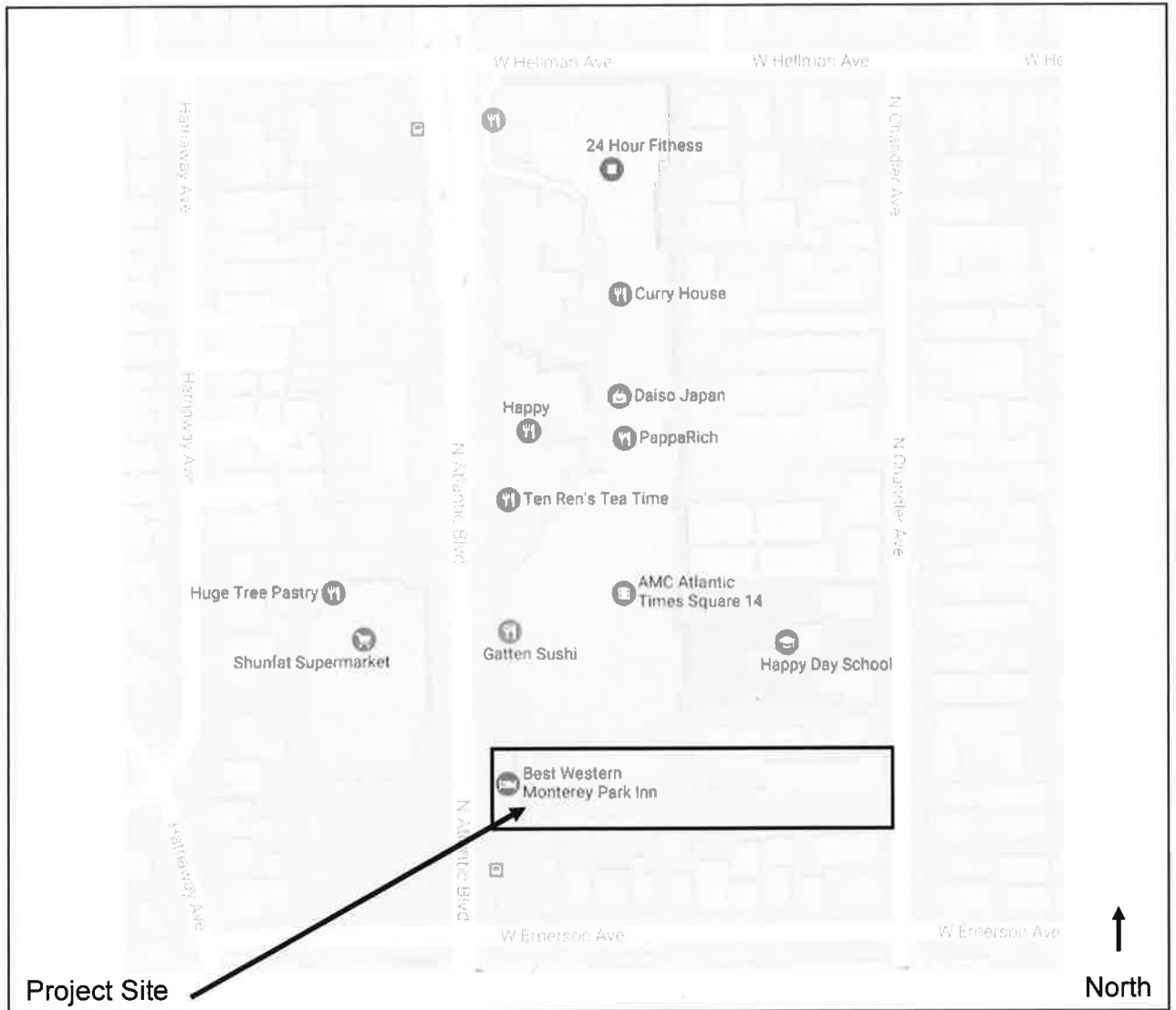
Environmental Assessment

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, Tribal Cultural Resources, Noise, and Transportation and Traffic. The mitigation measures relative to air quality, cultural resources, tribal 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 transit occupancy tax that will be generated by the hotel is 12 percent of the taxable rent. The business licensing fees that will be generated from the restaurant are based on the number of seats and whether on-sale alcoholic beverages will be provided. The business licensing fee for a restaurant that has over 20 seats is \$5 per seat, plus a \$75 base fee and a \$1 state fee. The business licensing fee for a restaurant that has over 20 seats and provides on-sale alcoholic beverages is \$7 per seat, plus a \$75 base fee and a \$1 state fee. Sales tax will also be assessed for sales originating at the project site.

Respectfully submitted,

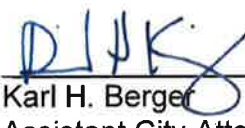
Michael A. Huntley
Community and Economic
Development Director

Prepared by:



Samantha Tewasart
Senior Planner

Reviewed by:

 for

Karl H. Berger
Assistant City Attorney

Attachments:

- Attachments 1: Draft Resolution
- Attachments 2: Site, floor, and elevation plans
- Attachments 3: Master Plan
- Attachments 4: Initial Study and Mitigated Negative Declaration

ATTACHMENT 1

Draft Resolution

RESOLUTION NO.

A RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING A CONDITIONAL USE PERMIT (CUP-16-08) AND A TENTATIVE MAP NO. 073693 (TM-16-04) FOR THE CONSTRUCTION OF A NEW MIXED-USE DEVELOPMENT AT 420 NORTH ATLANTIC BOULEVARD.

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

SECTION 1: The Planning Commission finds and declares that:

- A. On August 4, 2016, Pacific Plaza LLC, submitted an application pursuant to Titles 20 and 21 of the Monterey Park Municipal Code ("MPMC") requesting approval of a Conditional Use Permit (CUP-16-08) and Tentative Map No. 073693 (TM-16-04) to subdivide air rights to construct a new mixed-use development at 420 North Atlantic Boulevard ("Project");
- B. The proposed Project was reviewed by the 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 December 13, 2016. Notice of the public hearing on the proposed Project was posted and mailed as required by the MPMC;
- E. On December 13, 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 the applicant's representatives; and
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its December 13, 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 5-story, 60-feet tall and 154,048-square feet mixed-use development. The Project includes 102 hotel rooms, 4,061 square feet restaurant, 84 residential units and 340 parking spaces;

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- B. 420 North Atlantic Boulevard is zoned R-S, P-D (Regional Specialty, Planned Development) and the General Plan designation is Mixed-Use I;
- C. The Project property is located on the east side of North Atlantic Boulevard, between West Hellman and West Emerson Avenue. Properties located to the north of the subject property include Atlantic Times Square, south is a one-story auto sale building, west is Atlantic Boulevard and Shun Fat Supermarket, and east is Chandler Avenue and R-3 zoned lots; and
- D. The Project site is comprised of three parcels totaling 75,600 square feet (1.74 acres) in size. One parcel has frontage on Atlantic Boulevard and is currently developed with a two-story motel, comprised of three detached buildings totaling 56-rooms. The existing motel is 16,226 square feet in size and constructed in 1978. There are approximately 49 existing parking spaces. The second and third parcels have frontage on Chandler Avenue. The second parcel is currently developed with a 15-unit, 11,519 square feet two-story apartment building constructed in 1961. The third parcel is vacant.

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 "A," 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 November 7, 2016 to November 28, 2016.
- 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.

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PAGE 3 OF 10**

SECTION 4: Conditional Use Permit for P-D Overlay Zone – Planner Findings. Pursuant to MPMC § 21.14.150, before submitting this application to the Planning Commission, the City Planner has determined that the project complies with the following findings:

- A. The plan for the proposed project consists of buildings and structures that are of good design and in general contributes to the image of Monterey Park as a place of creativity and individuality.

The architectural style of the proposed project will be contemporary and the finishes will be high quality. The building finishes include smooth stucco in various earth tones, stone and wood veneer, aluminum panels, and metal awnings. The proposed building design will be consistent with the architectural styles that the Planning Commission has been approving along Atlantic Boulevard. Prior to the construction of Atlantic Times Square, the existing commercial buildings along Atlantic Boulevard, between West Hellman Avenue and West Garvey Avenue were constructed in the 1980s and the architectural styles were reflective of that time period. Within the past five years, the Planning Commission has approved the Courtyard by Marriott, Hilton Doubletree, and the AG Hotel, which all have contemporary/modern styles.

- B. The proposed buildings or structures are not of inferior quality such as to cause the nature of the local environment to materially depreciate in appearance and value.

As stated above, the proposed project will include high quality materials. Also, the project will provide new street trees along Atlantic Boulevard as well as throughout the project in raised planters. According to MPMC 21.14.090(C), a 12 feet wide pedestrian realm is required on Atlantic Boulevard and a 13 feet wide pedestrian realm will be provided. The project will provide generous landscaping, which includes special pavements, screen walls, planters, and site furniture, which will be consistent with the requirements of the Planned Development Overlay Zone.

- C. The proposed buildings or structures and use thereof are compatible with developments of land in the general area. Consideration of scale, height, bulk, materials cohesiveness, community, traffic, the desirability of preserving a sense of open space, and the need for privacy are deemed to be important considerations of compatibility.

The building will be compatible with developments in the general area. The project is designed according to the standards required by the P-D Overlay Zone. The proposed building will be 60 feet tall, which is less than the 75 feet maximum height allowed in the P-D Overlay Zone. According to MPMC § 21.14.090(B), the building height must vary to provide a human scale adjacent to the pedestrian realm. To create a human scale, the building height must not exceed 40 feet within 20 feet of the pedestrian realm along Atlantic Boulevard. The proposed building height within 20 feet of the pedestrian realm will not exceed 20 feet in height. The building mass will be articulated with architectural elements, such as metal awnings, wall off-sets, recessed windows

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and entries, and a variety of exterior finishes. According to MPMC § 21.14.090(D), 200 square feet of open space is required per residential unit. The project requires a minimum of 16,800 square feet of open space and will provide 17,786 square feet of open space, which exceeds the minimum requirement. The open space areas will be provided throughout the project. At the second level, approximately 9,000 square feet of open space will be provided, which will include a pool and open court yards.

- D. The proposed development is in conformity with the standards of this chapter and other applicable ordinances insofar as the location and appearance of the buildings and structures are involved.

The proposed development is in conformity with the standards of the P-D Overlay Zone chapter and other ordinances. As stated above, the proposed project is designed according to the standards included in the P-D Overlay Zone chapter.

- E. The proposed buildings or structures and its use would not unreasonably interfere with the use or enjoyment of property in the vicinity by the occupants thereof of lawful purposes, and would not adversely affect the public peace, health, safety or general welfare.

The proposed building and its use will not unreasonably interfere with the use or enjoyment of properties in the vicinity. First, the proposed project is designed according to the regulations in the P-D Overlay Zone chapter. Second, both the P-D Overlay Zone and proposed project considers the properties abutting the subject property. The project abuts R-S, P-D (Regional Specialty, Planned Development) zoned properties to the north, south, and west, and R-3, P-D (High Density Residential, Planned Development) zoned properties to the east. The commercial components of the project will be located towards Atlantic Boulevard and the residential components will be located towards Chandler Avenue.

- F. The proposed buildings or structures and its use are in compliance with the General Plan.

The proposed building and its use are in compliance with the General Plan. The subject property is designated Mixed-Use I (MU-I) in the General Plan. One of the goals of the General Plan (Goal 3.0) is to establish the North Atlantic area as a focal point for diverse retail, entertainment, and hospitality development. The proposed project will be a hospitality development with a restaurant use. The project is a mixed-use development, which includes 102 hotel rooms and 84 residential units.

SECTION 5: Conditional Use Permit for P-D Overlay Zone – Planning Commission Findings.
Pursuant to MPMC § 21.32.020, the Planning Commission finds as follows:

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1. That the site is adequate in size, shape and topography for the proposed use including without limitation, any required yards, walls, fences, parking and loading facilities, landscaping, setbacks, and other development standards prescribed in this code;

The project site is adequate in size, shape and topography for the proposed mixed-use project. The project is 75,600 square feet (1.74 acres) in size, regular shape, and relatively flat. The proposed project is designed according to the development standards allowed in MPMC § 21.14.090.

2. That the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use;

The project site has sufficient access to streets and highways. The project site will be accessible from 26 feet wide driveway on both North Atlantic Boulevard and North Chandler Avenue and is located less than a mile from the Interstate 10 Freeway. North Atlantic Boulevard is a principal arterial street that serves as a regional travel route, accommodating through trips and linking the local street system to through routes. Chandler Avenue is a two lane undivided local street to designed to serve the local circulation.

3. That the proposed use is consistent with the General Plan and any applicable specific plan;

The proposed use is consistent with the General Plan and any applicable specific plan. The subject property is designated Mixed-Use I (MU-I) in the General Plan. One of the goals of the General Plan (Goal 3.0) is to establish the North Atlantic area as a focal point for diverse retail, entertainment, and hospitality development. The proposed project will be a hospitality development with a restaurant use. The project is a mixed-use development, which includes 102 hotel rooms and 84 residential units.

4. That the proposed 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;

The proposed project is a mixed-use development comprised of 102 hotel rooms and 84 residential units. The project is designed according to the development standards allowed in the P-D Overlay Zone District and in such a way that that will not create unusual noise, traffic, or other conditions.

5. That the proposed use will not have an adverse effect on the public health, safety and general welfare; and

The proposed use will not have an adverse effect on the public health, safety and general welfare. The proposed project is designed according to the standards allowed by MPMC Chapter 21.14.

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6. That the use applied for at the location set forth in the application is properly one authorized by conditional use permit pursuant to the Zoning Code.

The proposed mixed-use project applied for at the subject property is properly one authorized by a conditional use permit pursuant to the Zoning Code. According to MPMC § 21.14.010, a conditional use permit must be prepared for a project proposed in the P-D Overlay Zone District.

SECTION 6: Conditional Use Permit for On-Sale and Off-Sale Alcohol Findings. Pursuant to MPMC § 21.10.230, the Planning Commission finds as follows:

1. That the proposed use complies with all requirements as set forth for the issuance of a conditional use permit.

The proposed use complies with all requirements for a conditional use permit. First, the site is adequate in size, shape and topography for the proposed use because the proposed use is the addition of general alcohol sales for on-site consumption to an existing restaurant. No physical changes are proposed to the site. Second, the site has sufficient access to streets and highways, adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use. The proposed use is not expected to significantly increase traffic. Third, the proposed use is consistent with the General Plan and conforms to objectives of the General Plan and the Monterey Park Municipal Code 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 the addition of general on-sale alcohol use. On-sale alcoholic beverage sales are permitted in the R-S, P-D (Regional Specialty, Planned Development) Zone with Conditional Use Permit approval. Fourth, the proposed use, as conditioned, will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood as required security measures will minimize the potential for any negative impacts. Lastly, the proposed use will not have an adverse effect on the public health, safety, and general welfare because security measures and the limited size of the use will limit any potential adverse effects to neighboring properties.

2. That the proposed use will not present adverse secondary impacts, including, without limitation, loitering, obstruction of pedestrian traffic, vehicular traffic, parking, crime, interference with children on their way to school, interference with shoppers using streets, defacement and damage to structures.

The proposed use is general on-sale alcohol use. On-sale alcoholic beverage use is permitted with a conditional use permit.

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3. That the proposed use is consistent with any nearby commercially-zoned properties for commercial use.

The subject property is zoned R-S, P-D (Regional Specialty, Planned Development). There are no distance requirements, no schools or playgrounds exist within the immediate vicinity of the subject property. The suitability of any nearby commercial-zoned properties for commercial use will remain the same.

4. The use does not adversely affect the welfare of area residents or result in undue concentration in the neighborhood of establishments dispensing alcoholic beverages including beer and wine.

The applicant's request to for on-site consumption in conjunction with the existing eating establishment will enhance the business and will not adversely affect the welfare of area residents and will be incidental to the primary use. According to MPMC § 21.10.230(G), there are no distance requirements for on-sale alcoholic beverages when sold in conjunction with a bona fide retail eating establishment. However, on-sale uses must comply with the list of requirements specified in the MPMC § 21.10.230(C). Some of the requirements include limiting the exterior lighting of the parking area to intensities between one and two foot-candles so as to provide adequate lighting for patrons while not disturbing surrounding residential or commercial areas and special security measures, such as security guards and alarm systems. The Police Department has included conditions in the Resolution to address security and alarm requirements.

SECTION 7: Tentative Map Findings. The Commission finds as follows pursuant to Government Code § 66474 and MPMC Title 20:

1. The proposed map is consistent with applicable general and specific plans as required by Government Code § 66473.5. The proposed Tentative Map is consistent with the General Plan. The subject property is designated Mixed-Use I (MU-I) in the General Plan, which provides opportunities for complementary service and retail commercial businesses, professional offices, and residential uses to locate within the City's core business districts. A board range of commercial and residential uses can be established within areas designated MU-I.

Allowable residential uses include those identified in the High Density Residential category. Residential projects must be combined with a commercial use; no stand-alone residential development is allowed. Also, no residential use is allowed on the ground floor at the street frontage. According to Monterey Park Municipal Code (MPMC) § 21.14.110, the maximum residential density permitted in the General Plan is 30 dwelling units per acre for projects that contain commercial and residential uses. The density may be increased up to 50 units per acre by providing three or more substantial amenities needed in areas designated as MU-I. Substantial amenities mean amenities that are significantly great enough to provide benefit, not only to the

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project itself, but to the greater community. In this case, the project will provide a public gathering space, a major portion of the required parking on-site will be located underground, and a community room will be provided.

2. 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. The project is a mixed-use development comprised of 102 hotel rooms and 84 residential units, which is consistent with the uses allowed in the Mixed-Use I land use category.
3. The site is physically suitable for the type of development and the proposed density of the development. The size of the property is 75,600 square feet (1.74 acres) and adequate in size to accommodate the proposed mixed-use project.
4. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subject property is bordered by residentially developed lots to the north, south, east, and west. There are no rare plants, wild animals nor cultural, historical or scenic aspects within the surrounding area.
5. The design of the subdivision or the type of improvements is not likely to cause serious public health problems. The proposed subdivision will not cause any public health problems in that the subject development will be constructed according to all City, State, and Federal regulations and specifications.
6. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within proposed subdivision. There are no public easements for access within the proposed development.

SECTION 8: Actions. The Planning Commission takes the following actions:

- A. Adopts the MND set forth in Exhibit A and directs the Director of Community and Economic Development 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; and

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- C. Approves Conditional Use Permit (CUP-16-08) and Tentative Map No. 073693 (TM-16-04) attached as Exhibit C in its entirety including, without limitation, the conditions of approval set forth in the attached Exhibit "D," which is incorporated by reference.

SECTION 9: *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 10: *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 11: *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 12: This Resolution will become effective immediately upon adoption and remain effective unless superseded by a subsequent resolution.

SECTION 13: A copy of this Resolution will be mailed to the applicant and to any other person requesting a copy.

SECTION 14: 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.

ADOPTED AND APPROVED this 13th day of December 2016.

Chairperson Ricky Choi

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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 13th day of December 2016, 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:



for

Karl H. Berger
Assistant City Attorney

PLANNING COMMISSION RESOLUTION NO.

Exhibit A

CONDITIONS OF APPROVAL

420 NORTH ATLANTIC BOULEVARD

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Pacific Plaza LLC agrees that it will comply with the following provisions as conditions for the City of Monterey Park's approval of Conditional Use Permit (CUP-16-08) and Tentative Map No. 073693 (TM-16-04) ("Project Conditions").

PLANNING:

1. Pacific Plaza LLC (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-16-08 and TM-16-04 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out the City approval of CU-16-08 and TM-16-04, the Applicant agrees to defend the City (at the City's request and with counsel satisfactory to the City) and will indemnify the City for any judgment rendered against it or any sums paid out in settlement or otherwise. For purposes of this section "the City" includes the City of Monterey Park's elected officials, appointed officials, officers, and employees.
2. This approval is for the project as shown on the plans reviewed and approved by the Planning Commission and on file. Before the City issues a building permit, the applicant must submit plans, showing that the project substantially complies with the plans and conditions of approval on file with the Planning and Building and Safety Department. Any subsequent modification must be referred to the Director of the Community and Economic Development Department for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. 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.
4. 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.
5. The real property, subject to CU-16-08 and TM-16-04 must remain well-maintained and free of graffiti; any graffiti must be removed within 24 hours after discovery.

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6. Landscaping/irrigation must be maintained in good condition at all times.
7. In addition to all applicable provisions of the MPMC, the Applicant must comply with the Mitigation Monitoring and Reporting Program (MMRP) that were prepared as a part of the environmental review for this project and all of the mitigation measures identified therein. The MMRP is incorporated into these conditions by reference.
8. The property owner is responsible for maintaining the area adjacent to the business location and the site in general, including any parkways.
9. The property must remain well maintained and free of graffiti. Failure of the applicant/property owner to remove graffiti within 24 hours written notice by the City will cause the City to abate the graffiti at the cost of the applicant/property owner.
10. A copy of the Conditions of Approval for Conditional Use Permit (CUP-16-08) and Tentative Map (TM-16-04) must be kept on the premises of the establishment and presented to any authorized City official upon request.
11. The exterior lighting of the parking area must be kept at an intensity of between one and two foot-candles so as to provide adequate lighting for patrons while not disturbing surrounding residential or commercial areas.
12. All conditions of the Alcoholic Beverage Control license must be maintained at all times and failure to do so will be grounds for revocation.
13. The sale of alcoholic beverages for consumption outside or off the premises is prohibited. Signs must be posted at all entrances and exits of the premises indicating that the sale of alcoholic beverages for consumption outside or off the premises is prohibited.
14. The applicant must obtain and maintain all licenses required by the Alcohol Beverage Control Act (Business & Professions Code §§ 23300, *et seq.*).
15. The applicant must post a sign in a clear and conspicuous location listing a phone number at which a responsible party may be contacted during all open hours of the establishment to address any concerns of the community regarding noise at the restaurant. Said contact's name and phone number must also be available through restaurant staff at all times.
16. The applicant must, at all times, display a *Designated Driver* sign of at least ten inches by ten inches (10" X 10") within the dining room lobby at eye level. The sign must be worded in a way that reminds patrons who are consuming alcohol to designate a *non*-drinking driver.

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17. There must be no exterior advertising of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages. Interior displays of alcoholic beverages which are clearly visible to public view from the exterior constitute a violation of this condition.
18. All employees serving alcoholic beverages to patrons must enroll in and complete a certified training program approved by the State Department of Alcoholic Beverages Control (ABC) for the responsible sales of alcohol. The training must be offered to new employees on not less than a quarterly basis.
19. Any and all employees hired to sell alcoholic beverages must provide evidence that they have either:
 - a. Completed training from the State of California Department of Alcoholic Beverage Control (ABC), Monrovia District Office administered *Leadership and Education in Alcohol and Drugs* (LEAD) Program in the form of an ABC-issued certificate; or
 - b. Completed an accepted equivalent by the ABC, Monrovia District Office to ensure proper distribution of beer, and wine to adults of legal age. If any prospective employee designated to sell alcoholic beverages does not currently have such training, then the ABC-licensed proprietors must have confirmed with the Community and Economic Development Department within fifteen (15) days of the Director's decision, or by final project approval, that a date certain has been scheduled within the local ABC Office to complete the LEAD course.
 - c. Within thirty (30) days of taking said course, the employees, or responsible employer must deliver each required certificate showing completion to the Police Department.
20. If complaints are received regarding excessive noise, lighting, building access, or other disturbances associated with alcohol service at the restaurant, the city may, in its discretion, take action to review the Conditional Use Permit, including without limitation, adding conditions or revoking the permit.

BUILDING:

21. Demolition permits are required to remove existing structures. The building permit will not be issued until the demolition and sewer cap are signed off, and a compaction report is submitted to the Building Division showing adequate compaction of fills, if any. All underground utility lines must be capped within 5 feet of the property line and clearly marked.

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22. Grading permit is required by the Engineering Division. The grading permit will not be issued until the rough grading is completed and approved by the Engineering Division.
23. A building permit does not allow the Applicant to excavate, construct or store building materials encroaching into adjacent properties. Requirements for protection of adjacent property during construction must be per the California Civil Code § 832.
24. Temporary shoring must be provided to the satisfaction of the Public Works Director, or designee, to prevent movement or settlement of the public right-of-way during excavation.

ENGINEERING:

25. 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 disturbance of soils by grading, clearing and/or excavation. Developer/owner is required to obtain a "General Construction Activity Storm Water" Permit, and the City of Monterey Park will condition the grading permits on evidence of compliance with this permit and its requirements. Compliance information is available from the City Engineer. Upon approval of the NPDES document by the City, the Developer/Owner must submit an electronic copy of the approved NPDES file, including site drawings, before the City issues a building or grading permit (the electronic copy requirement pertains to projects greater than an acre.)
26. Record the final map after approval of the map by the City Council. A refundable \$187 cash deposit is to be submitted to guarantee that developer will provide the City with one transparent 4 mil thick mylar tracing, one electronic file of approved final map tracings transferable to the City's AutoCAD and GIS systems and two blueprints of the recorded map which must be filed with the City Engineer within three months of recordation. If recorded copy is not submitted by the end of the three month time period, developer will forfeit the \$187 cash deposit.
27. Before submitting a final map with the City, the applicant/property owner must provide written proof that there are no liens against the subdivision for unpaid taxes or special assessments; and submit L.A. County tax bill, tax payment receipt, and copy of cancelled check.
28. The developer/owner is responsible for ascertaining and paying all City fees such as, without limitation, sewer deficiency fees, water meter fees and metered water service impact fees as required by the MPMC.

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29. The Applicant must record Covenants, Conditions, & Restrictions that , among other things, establish a homeowner's association to address common maintenance and utilities, and must be prepared to the satisfaction of the City Attorney and the City Engineer. Developer/owner is responsible for securing the C.C. & R. guidelines from the City Engineer.
30. All improvement plans, including grading and public improvement plans, must be prepared in accordance with City approved information. Benchmark references to be obtained from the City Engineer.
31. 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 and identify backflow prevention. If current fire flow and pressure tests are not available to substantiate adequate pressure and flow to serve the development, the developer will be responsible for conducting the appropriate tests and submitting copies of the test results for review and ultimate approval by the City.
32. 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 property owner and must be completed before the City approves grading and drainage plans.
33. 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 will not be 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.
34. A site drainage plan must be prepared 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 must not 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.
35. All drainage facilities serving the development must accommodate a 25 year storm. If existing storm drain facilities are inadequate they must be enlarged as necessary. All storm drain facilities must be designed and constructed to Los Angeles County Department of Public Works standards and specifications and also to the satisfaction of the City Engineer before the City approves grading and drainage plans.

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36. Any damage done to existing street improvements and utilities during construction must be repaired before acceptance of the project. Pre-existing damaged, deteriorated, substandard or off-curb curb, gutter, driveways and sidewalk must also be repaired or replaced to the satisfaction of the City Engineer.
37. 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 improvement guarantee and agreement must be posted prior to approval of the final map by the City Council.
38. All electric, telephone and cable TV utility services must be fully installed underground and to required City standards. Satisfactory provisions for all other utilities and service connections, including water, sewer and gas, must be made to City and public utility standards. A utility plan must be prepared and submitted before the City approves grading and drainage plans, showing all existing and proposed utilities. The utilities may be shown on either a separate plan or on the proposed site plan.
39. A sewer connection reconstruction fee will be assessed at the time the City issues a building permit pursuant to MPMC Chapter 14.06.
40. Dedicate a 13 feet strip of land along the Atlantic Boulevard frontage for street and public utility purposes per City Council Ordinance 1946. Provide a separate Street Improvement Plan by the first plan check. The Street Improvement Plan must include the removal and reconstruction of sidewalk, driveway approach, and curb and gutter along the entire property frontage of Atlantic Boulevard.
41. Construct two new ADA curb ramps in the corner curb returns at the intersection of Chandler and Emerson Avenues.
42. Provide pedestrian level street lighting for rear entry and sidewalk along Chandler Avenue.
43. The Grading and Drainage Plan, excavation and temporary Shoring Plan must incorporate all pertinent site development comments from the City's geotechnical consultant, and must also include the approved geotechnical report submitted by the developer's consultant.
44. Parkways must be irrigated and landscaped in accordance with plans approved by the City Engineer.
45. The City reserves the right to restrict driveway access to and from the project in the event future traffic conditions warrant such restricted turn movements.
46. Show existing curb markings and street signage fronting the project on the plans.

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47. Provide a plan to show limited access for trash trucks.

FIRE:

48. All conditions identified by the Fire Department are subject to review and approval by the Fire Chief for determination of applicability and extent to which any condition may be required.
49. Building height exceeds 30 feet in height. A dedicated ladder truck access road is required. Access road must be provided from Atlantic Boulevard to Hellman Avenue. The minimum unobstructed width must be 26 feet and be at least 15 feet, but not further than 30 feet, from the west side of the building. Except for approved security gates in accordance with California Fire Code (CFC) § 503.6, as adopted by the MPMC, a minimum unobstructed vertical clearance of 13 feet 6 inches must be provided for the access road, per the CFC Appendix D105.1, as adopted by the MPMC.
50. When security gates are provided, maintain a minimum access width of 20 feet. The security gate must be provided with an approved means of emergency operation, and must be maintained operational at all times. Electric gate operators, where provided, must be listed in accordance with Underwriters Laboratories (UL) 325. Gates intended for automatic operation must be designed, constructed and installed to comply with the requirements of ASTM F220 per the CFC § 503.6, as adopted by the MPMC.
51. Fire Department vehicular access roads must be provided with a 32-foot centerline turning radius, per the CFC § 503.2.4, as adopted by the MPMC.
52. Fire Department vehicular access roads must be hardscape all weather access in accordance with the Department's All Weather Access Requirements per the CFC § 503.2.3, as adopted by the MPMC.
53. Fire apparatus access roads must be identified with approved signs. 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 the CFC § 505.2, as adopted by the MPMC.
54. The minimum required fire flow for the entire structure must be 8,000 gallons per minute for 4-hour duration, per the 2013 CFC. At the time plan check submittal, the fire flow test data obtained must be within one-year of the submittal date.
55. A minimum of eight fire hydrants must be provided within 120 feet of the structure. Show all the existing and proposed fire hydrants on both sides of the property, per CFC § C105.2.2.

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56. Building height and area must be determined by the California Building Code (CBC) Table 503, as adopted by the MPMC. Per the CBC §§ 504.2 and 506.3, installation of an automatic fire sprinkler system in an R-1 occupancy will allow either an increase in stories/height or allowable floor area but not both.
57. Provide an approved Class I standpipe system in all stairwells on all levels including the roof as set forth by CBC and CFC § 905.
58. Provide an approved automatic fire sprinkler system and fire alarm as set forth by the CFC §§ 903 and 907.
59. An approved grease interceptor is required for all new restaurants in the City of Monterey Park. The grease interceptor must be designed and constructed in accordance to the County of Los Angeles, Department of Public Works Standard Plan No. 2046-0 or other design specifically approved by the Environmental Programs Division. Indicate the type of grease interceptor and the installation location. The property owner must be responsible for maintenance of the grease interceptor and submit quarterly manifest reports to the fire department for review.
60. Provide smoke alarms in each room for sleeping purposes and at a point centrally located in the corridor or area giving access to each separate sleeping area. Smoke alarms must be installed in accordance with the manufacturers' instructions. Indicate the smoke alarms locations on plans per the CFC § 907.2.11.1, as adopted by the MPMC.
61. Carbon monoxide alarms must be provided either within all sleeping units or else the building must be provided with a carbon monoxide alarm system that protects all common areas per the CBC § 420.6, as adopted by the MPMC.
62. Guest rooms designated as accessible by the Building Department must be provided with visible alarm notification appliances per the CFC § 907.5.2.3.3, as adopted by the MPMC.
63. Smoke dampers must be provided whenever ducts penetrate smoke barriers and elevator lobbies as set forth by the CBC. Fire dampers must be provided whenever ducts penetrate the ceiling of fire-resistive floor-ceiling or roof-ceiling assemblies, an atrium enclosure element, or areas of refuge. In addition, the building exterior must have protected opening as set forth by the CBC Chapter 7. Identify smoke/fire dampers per the CBC § 716.4, as adopted by the MPMC.
64. A minimum of one rated stairwell must extend to the roof per the CFC § 504.3, as adopted by the MPMC.
65. Provide approved stairway identification signs located approximately 5-feet above the floor landing, at each floor level, and in all enclosed stairways in

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buildings three or more stories in height. Provide stairway identification signs for review and approval by the Fire Department per the CFC §§ 1022.8 and 1022.8.1, as adopted by the MPMC.

66. Every guest room must have clearly visible emergency procedures information printed on a floor plan representative of the floor level and posted on the interior of each entrance door per the CFC § 404.7.2, as adopted by the MPMC.
67. A minimum of one elevator providing general stretcher dimensions and extending to the top floor must be provided per the CBC § 3002.4a, as adopted by the MPMC.
68. Fire protection, including fire apparatus access roads and water supplies for fire hydrant must be installed and made serviceable before and during the time of construction per the CFC § 501.4, as adopted by the MPMC.
69. Marking of fire apparatus access roads and approved signs must be provided to identify such roads and prohibits the obstruction thereof or both that include the words NO PARKING – FIRE LANE per the CFC § 503.3, as adopted by the MPMC.
70. An approved number or address must be provided on all new and existing buildings in such a position as to be plainly visible and legible from the street or road fronting the property. Numbers must be a minimum of 6-inch high by ½-inch stroke and be a contrasting background per the CFC § 505.1, as adopted by the MPMC.
71. The suite address designation shall be installed on or near all exterior doors of the suite in 3-inch high numbers or letters on a contrasting background per CFC § 505.1, as adopted by the MPMC.
72. All rated exit stairwells must have keyed exterior doors on the ground level. Knox boxes must be provided adjacent to all exit stairwell exterior doors at approved locations. A Knox box must also be provided adjacent to the main entrance at an approved location per the CFC § 506.1, as adopted by the MPMC.
73. Fire/Smoke dampers, when required, must be interconnected to the Fire Alarm (if the building is equipped with a fire alarm system). A separate plan submittal and permit is required for the alarm work as per the CFC § 901.2.1, as adopted by the MPMC.
74. 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 must not be installed unless approved by the Fire Inspector per the CFC § 901.2, as adopted by the MPMC.

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75. Any fire alarm and/or fire sprinkler system monitoring installation or modification requires a separate plan check submittal and approval by the Fire Chief, or designee. Work cannot commence until a fire permit is obtained. Inspection of the system shall be performed and subject to acceptance tests before operation per the CFC § 907.1.1, as adopted by the MPMC.
76. Other fire protection systems and appurtenances (e.g., commercial cooking operations for hood fire suppression, underground fire line, standby power systems, FM-200) installation or modification requires a separate plan check submittal and approval. Inspection of the system must be performed and subject to acceptance tests before operation per the CFC § 904.1, as adopted by the MPMC.
77. A two-way, approved Fire Department communication system must be provided for Fire Department use. It must operate between the main control room and elevators, elevator lobbies, emergency and standby power rooms and at entries into enclosed stairways per the CFC §§ 907.2.13.2 and 914.3.4, as adopted by the MPMC.
78. Emergency responder radio coverage must be provided per the CFC § 510.1 and MPMC § 17.02.110.
79. Provide a minimum of one standpipe system for use during construction. Such standpipe shall be installed when the progress of construction is not more than 40 feet in height above the lowest level of fire department access per the CFC § 1413, as adopted by the MPMC.
80. Provide a parking space clearly labeled and reserved for "Fire Vehicles" on the ground floor. This parking space must be located within close proximity of the business. The location of the parking space is subject to the approval of the Fire Chief.
81. The owner of the protected premises will be responsible for all annual inspection, testing, and maintenance for all fire protection systems and their appurtenances within the protected premises in accordance to their referenced national standards and submit said reports annually to the Fire Chief, or designee, one year after commissioning of each system. The Fire Chief, or designee, will review the annual reports that will be subject to a fee for review and inspections as deemed required by the Fire Chief per CFC § 901.1.1, as adopted by the MPMC.
82. An on-site Fire Inspector may be required for this project at no expense to the jurisdiction for the duration of the project construction as determined by the Fire Chief, or designee. The on-site inspector must be approved by the Fire Chief, or designee.

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83. A building code and egress analysis report of the applicable portions of the 2013 California Fire and Building code must be prepared by a qualified and licensed professional. The report will bear the stamp of a registered design professional to analyze the fire safety properties of the design, operation, or use of the building or premise and the facilities and appurtenances for review by the fire code official without charge to the jurisdiction per the CFC § 104.7.2, as adopted by the MPMC.

LICENSING:

84. Additional business license tax must be paid upon approval of license from Alcoholic Beverage Control (ABC) pursuant to MPMC § 5.12.230.

POLICE:

85. Exterior lighting must be in full operation at all times.
86. The property owner must hire and private security for the entire complex. The private security company must be properly licensed and meet all the criteria and legal obligations to operate a private security company. There must be a minimum of two security guards on the premises at all times. The Chief of Police has the authority to increase or decrease the number of security guards as the situation calls for.
87. 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. Security video cameras must be installed at all the entrance/exits and must be positioned to capture the faces of people entering and exiting. All recordings must be maintained for a minimum of 30 days. 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 additional security cameras are required, the management must comply with the direction within 7 days. Also, access to all security video cameras must be made available to the Police Department, via the internet, by providing the IP address for all cameras. 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. A comprehensive security plan must be submitted to the Police Department for final review and approval before the project opening.
88. The applicant/property owner must install an adequate alarm system in the hotel office, hotel front desk area, and any fixed money handling areas. The alarm system will be a deterrent to criminal activity, and allow notification of the Police

Department in the event of any such attempt. The type of alarm system installed must be connected with the alarm company, and the system must have the capability to distinguish if the need for the police service is for a robbery or burglary. The hotel must obtain an alarm permit from the Police Department.

89. At no time shall any hotel room be rented at any rate other than a daily rate, or any length of time that is in conflict with the Monterey Park Municipal Code. If found in violation of this condition, the hotel's business license may be subject to revocation.
90. The hotel must keep a record of all people renting rooms from the hotel. At a minimum the following information must be obtained, name, driver's license, identification number, and make, year, and license plan of vehicle (if applicable). This information must be made available to any police officer, upon demand.
91. Property management will work with the Police Department to identify a designated area on the property where emergency vehicles may park within close proximity of the business complex when responding for calls for service at the location. This area can be designated at a later time but must be subject to the approval of the Chief of Police.
92. Any gate code/key must be provided to the Police Department so that access can be made in case of emergencies.
93. Access to the roof of the hotel building will be locked and secured. Access to the roof will be restricted to maintenance personnel, building management, or other authorized personnel.
94. All businesses in the complex are encouraged to join and participate in the Monterey Park Police Department's Business Watch Program; a fee service designed to educate businesses about minimizing criminal activity. The Community Relations Bureau can be contacted at (626) 307-1215
95. The shrubbery on the property must be installed and maintained in such a condition as to not restrict visibility from the street or easily conceal persons.
96. All business locations must comply with federal, state, and local laws governing business licensing, noise levels, alcohol sales and consumption. All business locations must obtain the appropriate license(s) from the regulation agency in order to conduct business in the City of Monterey Park.
97. The Chief of Police reserves the right to revoke any or all permits issued to an establishment for violations of federal, state, or local law, deemed to be a nuisance to the community due to continued negative contact with law enforcement or failure to comply with these and/or subsequent provisions.

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98. The sale of alcoholic beverages for consumption off the premise is prohibited.
99. Food service for the restaurant is required at all hours that the establishment is open for business.
100. The restaurant must have security video cameras operating during all hours that the business is open. All cameras must record onto a media device, such as a videotape, digital storage CPU, DVR or similar recording device. The recordings of the security video cameras must be maintained for a minimum period of 30 days, and the 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 that are accessible to the public, all areas of the cash register/cashier and all areas where cash is stored. If the Chief of Police determines that there is a necessity to have additional security cameras installed, the manager/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 does not meet security needs. The manager/owner of the business must comply with the request within 7 days. The picture quality of the video cameras and recording devices installed on the complex must meet the approval of the Chief of Police.
101. All conditions of the Alcoholic Beverage Control Board must be adhered to at all times.
102. The quarterly gross sales of alcoholic beverages cannot exceed the gross sales of food during the same period.
103. The manager/owner is responsible for maintaining the property free of litter and graffiti.
104. Three or more violations of applicable law including, without limitation, these conditions within a one year period (as calculated starting on the resolution approval date and every anniversary date thereafter) may result in the City commencing revocation of this Conditional Use Permit.
105. The restaurant must be equipped with an alarm system that covers break-ins and robberies. The alarm must be monitored by an alarm monitoring company who will notify the Monterey Park Police Department of any break-ins or robberies. Employees must have access to a hidden button that will trigger a silent alarm, notifying the alarm monitoring company that a robbery is taking place. The restaurant manager/owner must obtain an alarm permit from the Monterey Park Police Department. The permit may be obtained by calling the Monterey Park Police Community Relations Bureau at (626) 307-1215.

106. If the establishment is open for business past midnight (12:01 a.m.), the restaurant will employ one licensed security guard to remain on the premises during the hours of 6:00 p.m. to closing. The security guard will cooperate with the Police Department in any official police investigations or other related matters. If at any time, the Chief of Police deems that the security guard/company is inadequate, the Chief may require the owner to retain additional security guards or a new security company. If such a situation arises, the Chief of Police must notify the restaurant owner/manager in writing and the manager/owner will have 7 business days to make the necessary changes.

By signing this document, the authorized representative of Pacific Plaza LLC, certifies that the he or she has read, understood, and agrees to the Project Conditions listed in this document.

Name:

Title:

On behalf of Pacific Plaza LLC, Applicant

EXHIBIT B
420 NORTH ATLANTIC BOULEVARD MIXED USE
MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MEASURE	AGENCY RESPONSIBLE FOR IMPLEMENTATION	TIMING OF IMPLEMENTATION	COMPLIANCE MONITOR	DOCUMENTATION OF COMPLIANCE	
				SOURCE	SIGNATURE
AIR QUALITY					
AQ-1: Before the City issues building permits, the Community and Economic Development Director, or designee, must approve construction plans submitted by the developer. Such plans must include architectural coatings where the content of volatile organic compounds (VOC) does not exceed zero grams per liter (g/l) for interior and exterior applications. This measure must be verified through standard building inspections in light of the performance standard that emissions of volatile organic compounds from application of interior or exterior coatings do not exceed the daily emissions thresholds established by the South Coast Air Quality Management District. The applicant bears the cost of implementing this mitigation.	City of Monterey Park	Before building permits are issued	Community and Economic Development Director, or designee	(PC Minutes/Final Action Letter)	(Community and Economic Development Director, or designee, signature/Date of Compliance)
CULTURAL RESOURCES					
C-1: Conduct Archaeological Sensitivity Training for Construction Personnel. The Applicant shall retain a qualified professional archaeologist who meets U.S. Secretary of the Interior's Professional Qualifications and Standards, to conduct an Archaeological Sensitivity Training for construction personnel prior to commencement of excavation activities. The training session shall be carried out by a cultural resources professional with expertise in archaeology, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. The training session will include a handout and will focus on how to identify archaeological resources that may be encountered during earthmoving activities and the procedures to be followed in such an event, the duties of archaeological monitors, and, the	City of Monterey Park	Before grading occurs	Community and Economic Development Director, or designee	(PC Minutes/Final Action Letter)	(Community and Economic Development Director, or designee, signature/Date of Compliance)

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general steps a qualified professional archaeologist would follow in conducting a salvage investigation if one is necessary. C-2: Cease Ground-Disturbing Activities and Implement Treatment Plan if Archaeological Resources Are Encountered. In the event that archaeological resources are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until a qualified archaeologist has examined the newly discovered artifact(s) and has evaluated the area of the find. Work shall be allowed to continue outside of the buffer area. All archaeological resources unearthed by project construction activities shall be evaluated by a qualified professional archaeologist, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. Should the newly discovered artifacts be determined to be prehistoric, Native American Tribes/Individuals should be contacted and consulted and Native American construction monitoring should be initiated. The Applicant and City shall coordinate with the archaeologist to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis.	City of Monterey Park	Before the completion of grading	Community and Economic Development Director, or designee	(PC Minutes/Final Action Letter)	(Community and Economic Development Director, or designee, signature/Date of Compliance) (City Attorney signature/Date of Compliance)
C-3: Monitor Construction Excavations for Archeological Resources in Younger Alluvial Sediments. The Applicant shall retain a	City of Monterey Park	Before the completion of grading	Community and Economic Development		

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qualified archaeological monitor, who will work under the direction and guidance of a qualified professional archaeologist, who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards. The archaeological monitor shall be present during all construction excavations (e.g., grading, trenching, or clearing/grubbing) into non-fill younger Pleistocene alluvial sediments. Multiple earth-moving construction activities may require multiple archaeological monitors. The frequency of monitoring shall be based on the rate of excavation and grading activities, proximity to known archaeological resources, the materials being excavated (native versus artificial fill soils), and the depth of excavation, and if found, the abundance and type of archaeological resources encountered. Full-time monitoring can be reduced to part-time inspections if determined adequate by the project archaeologist.			Director, or designee	(PC Minutes/Final Action Letter)	(Community and Economic Development Director, or designee, signature/Date of Compliance)
C-4: Prepare Report Upon Completion of Monitoring Services. The archaeological monitor, under the direction of a qualified professional archaeologist who meets the U.S. Secretary of the Interior's Professional Qualifications and Standards, shall prepare a final report at the conclusion of archaeological monitoring. The report shall be submitted to the Applicant, the South Central Coastal Information Center, the City, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures. The report shall include a description of resources unearthed, if any, evaluation of the resources with respect to the California Register and CEQA, and	City of Monterey Park	Before the completion of grading	Community and Economic Development Director, or designee	(PC Minutes/Final Action Letter)	(Community and Economic Development Director, or designee, signature/Date of Compliance)

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treatment of the resources.					
C-5: Conduct Paleontological Sensitivity Training for Construction Personnel. The Applicant shall retain a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, shall conduct a Paleontological Sensitivity Training for construction personnel prior to commencement of excavation activities. The training will include a handout and will focus on how to identify paleontological resources that may be encountered during earthmoving activities, and the procedures to be followed in such an event; the duties of paleontological monitors; notification and other procedures to follow upon discovery of resources; and, the general steps a qualified professional paleontologist would follow in conducting a salvage investigation if one is necessary.	City of Monterey Park	Before the completion of grading	Community and Economic Development Director, or designee	(PC Minutes/Final Action Letter)	(Community and Economic Development Director, or designee, signature/Date of Compliance)
C-6: Conduct Periodic Paleontological Spot Checks during grading and earth-moving activities. The Applicant shall retain a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, shall conduct periodic Paleontological Spot Checks beginning at depths below four (4) feet to determine if construction excavations have extended into the Puente Formation or into Pleistocene older alluvial deposits. After the initial Paleontological Spot Check, further periodic checks will be conducted at the discretion of the qualified paleontologist. If the qualified paleontologist determines that construction excavations have extended into the Puente Formation or into older Pleistocene alluvial deposits, construction	City of Monterey Park	Before the completion of grading	Community and Economic Development Director, or designee	(PC Minutes/Final Action Letter)	(Community and Economic Development Director, or designee, signature/Date of Compliance)

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monitoring for Paleontological Resources will be required. The Applicant shall retain a qualified paleontological monitor, who will work under the guidance and direction of a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology. The paleontological monitor shall be present during all construction excavations (e.g., grading, trenching, or clearing/grubbing) into the Puente Formation or into older Pleistocene alluvial deposits. Multiple earth-moving construction activities may require multiple paleontological monitors. The frequency of monitoring shall be based on the rate of excavation and grading activities, proximity to known paleontological resources and/or unique geological features, the materials being excavated (native versus artificial fill soils), and the depth of excavation, and if found, the abundance and type of paleontological resources and/or unique geological features encountered. Full-time monitoring can be reduced to part-time inspections if determined adequate by the qualified professional paleontologist.					
C-7: Cease Ground-Disturbing Activities and Implement Treatment Plan if Paleontological Resources Are Encountered. In the event that paleontological resources and/or unique geological features are unearthed during ground-disturbing activities, ground-disturbing activities shall be halted or diverted away from the vicinity of the find so that the find can be evaluated. A buffer area of at least 50 feet shall be established around the find where construction activities shall not be allowed to continue until appropriate paleontological	City of Monterey Park	Before the completion of grading	Community and Economic Development Director, or designee	(PC Minutes/Final Action Letter)	(Community and Economic Development Director, or designee, signature/Date of Compliance)

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treatment plan has been approved by the Applicant and the City. Work shall be allowed to continue outside of the buffer area. The Applicant and City shall coordinate with a professional paleontologist, who meets the qualifications set forth by the Society of Vertebrate Paleontology, to develop an appropriate treatment plan for the resources. Treatment may include implementation of paleontological salvage excavations to remove the resource along with subsequent laboratory processing and analysis or preservation in place. At the paleontologist's discretion and to reduce construction delay, the grading and excavation contractor shall assist in removing rock samples for initial processing.					
C-8: Prepare Report Upon Completion of Monitoring Services. Upon completion of the above activities, the professional paleontologist shall prepare a report summarizing the results of the monitoring and salvaging efforts, the methodology used in these efforts, as well as a description of the fossils collected and their significance. The report shall be submitted to the Applicant, the City, the Natural History Museums of Los Angeles County, and representatives of other appropriate or concerned agencies to signify the satisfactory completion of the project and required mitigation measures.	City of Monterey Park	Before the completion of grading	Community and Economic Development Director, or designee	(PC Minutes/Final Action Letter)	(Community and Economic Development Director, or designee, signature/Date of Compliance)
C-9: Cease Ground-Disturbing Activities and Notify County Coroner If Human Remains Are Encountered. If human remains are unearthed during implementation of the Proposed Project, the City of Monterey Park and the Applicant shall comply with State Health and Safety Code Section 7050.5. The City of Monterey Park and	City of Monterey Park	Before the completion of grading	Community and Economic Development Director, or designee	(PC Minutes/Final Action Letter)	(Community and Economic Development Director, or designee, signature/Date of

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the Applicant shall immediately notify the County Coroner and no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). After the MLD has inspected the remains and the site, they have 48 hours to recommend to the landowner the treatment and/or disposal, with appropriate dignity, the human remains and any associated funerary objects. Upon the reburial of the human remains, the MLD shall file a record of the reburial with the NAHC and the project archaeologist shall file a record of the reburial with the CHRIS-SCCIC. If the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the landowner rejects the recommendation of the MLD and the mediation provided for in Subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall inter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance.					Compliance)
NOISE					
N-1: The following measures are required to ensure that project-related short-term construction noise levels are reduced to less-than-significant levels. Prior to issuance of	City of Monterey Park	Before building permits are issued	Community and Economic Director, or designee		

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demolition permits, a noise mitigation plan verifying that compliance with the following measures would reduce construction noise to within the allowable levels of 65 dBA for commercial uses and 55 dBA for residential uses. Should construction noise exceed allowable levels after implementation of the following measures, the use of sound curtains or other noise barriers shall be required. The noise mitigation plan shall identify the type and location of sound curtains or other noise barriers to be utilized to reduce construction noise to within allowable levels. - Stationary construction noise sources such as generators or pumps must be located at least 100 feet from sensitive land uses, as feasible, or at maximum distance when necessary to complete work near sensitive land uses. This mitigation measure must be implemented throughout construction and may be periodically monitored by the Community and Economic Development Director, or designee during routine inspections. - Construction staging areas must be located as far from noise sensitive land uses as feasible. This mitigation measure must be implemented throughout construction and may be periodically monitored by the Community and Economic Development Director or designee during routine inspections. - Throughout construction, the contractor shall ensure all construction equipment is equipped with included noise attenuating devices and are properly maintained. This mitigation measure				(PC Minutes/Final Action Letter)	(Community and Economic Development Director or designee Signature/Date of Compliance)

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shall be periodically monitored by the Planning Director, or designee during routine inspections. - Idling equipment must be turned off when not in use. This mitigation measure may be periodically monitored by the Community and Economic Development Director, or designee during routine inspections. - Equipment must be maintained so that vehicles and their loads are secured from rattling and banging. This mitigation measure may be periodically monitored by the Community and Economic Development Director, or designee during routine inspections.					
TRANSPORTATION / TRAFFIC					
TIA-1: Prior to issuance of occupancy permits, the project proponent shall coordinate with the Public Works Department and shall contribute towards the cost of necessary improvements on a fair share or "pro-rata" basis at the Atlantic Boulevard and Hellman Avenue intersection.	City of Monterey Park	Before certificates of occupancy are issued	Community and Economic Development Director, or designee	(PC Minutes/Final Action Letter)	(Community and Economic Development Director or designee Signature/Date of Compliance)

ATTACHMENT 2

Site, floor, and elevation plans

ATTACHMENT 3

Conditional Use Permit Project Plan

ATTACHMENT 4

Initial Study and Mitigated Negative Declaration