

**PLANNING COMMISSION OF MONTEREY PARK
AGENDA**

REGULAR TELECONFERENCE MEETING

**NOTE THAT THESE MEETINGS WILL BE CONDUCTED PURSUANT TO SECTION 3
OF EXECUTIVE ORDER NO. N-29-20 ISSUED BY GOVERNOR NEWSOM ON
MARCH 17, 2020.**

**ACCORDINGLY, PLANNING COMMISSION MEMBERS WILL BE PROVIDED WITH
A MEETING LOGIN NUMBER AND CONFERENCE CALL NUMBER; THEY WILL
NOT BE PHYSICALLY PRESENT AT COUNCIL CHAMBERS.**

**PURSUANT TO THE GOVERNOR'S ORDER, THE PUBLIC MAY PROVIDE PUBLIC
COMMENT UTILIZING THE METHODS SET FORTH BELOW.**

**NOTE THAT CITY HALL IS CURRENTLY CLOSED TO THE PUBLIC. YOU WILL
NOT BE ADMITTED TO CITY HALL.**

**Tuesday
September 14, 2021
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.**

Documents related to an Agenda item are available to the public in the Public Works Department – Planning Division located at 320 West Newmark Avenue, Monterey Park, CA 91754, during normal business hours and the City's website at www.montereypark.ca.gov/AgendaCenter/Planning-Commission-11.

PUBLIC COMMENTS ON AGENDA ITEMS

You may speak up to 5 minutes on Agenda item. You may combine up to 2 minutes of time with another person's speaking. No person may speak more than a total of 10 minutes. The Board Chair and Board Members may change the amount of time allowed for speakers.

Per the Americans with Disabilities Act, if you need special assistance to participate in this meeting please call City Hall at (626) 307-1359 for reasonable accommodation at least 24 hours before a meeting. Council Chambers are wheelchair accessible.

CALL TO ORDER

Chairperson

FLAG SALUTE

Chairperson

ROLL CALL

Ricky Choi, Theresa Amador, Tammy Sam, Dr. Kevin K. Lo, Peter Fung

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS

PUBLIC COMMUNICATIONS

In accordance with Executive Order No. N-29-20 and guidance from the California Department of Public Health on gatherings, remote public participation is allowed in the following ways:

Participants are encouraged to join the meeting 15 minutes before the start of the meeting.

Public comment will be accepted via email to jrimando@montereypark.ca.gov during the meeting, before the close of public comment, and read into the record during public comment, when feasible. We request that written communications be limited to not more than 50 words.

Public comment may be submitted via telephone during the meeting, before the close of public comment, by calling (888) 788-0099 or (877) 853-5247 and entering Zoom Meeting ID: 863 8893 8629 then press pound (#). When prompted to enter participation ID number press pound (#) again. If participants would like to make a public comment they will enter “*9” then the host will be notified and you will be in the rotation to make a public comment.

Important Disclaimer – When a participant calls in to join the meeting, their name and/or phone number will be visible to all participants. Note that all public meetings will be recorded.

[1.] PRESENTATIONS – None

1-A. SWEARING IN OF NEW COMMISSIONER

1-B. CITY OF MONTEREY PARK REDISTRICTING 2021 – PRESENTATION BY THE CITY CLERK’S OFFICE

[2.] CONSENT CALENDAR

2-A. RECEIVE AND FILE ZONING REGULATION INTERPRETATION OF A RELOCATION OF AN EXISTING BANK FROM 2323 SOUTH ATLANTIC BOULEVARD TO 2325 SOUTH ATLANTIC BOULEVARD

It is recommended that the Planning Commission consider:

- (1) Receiving and filing of Zoning Regulation Interpretation; and
- (2) Take such additional, related, action that may be desirable.

[3.] PUBLIC HEARING

3-A. TENTATIVE MAP NO. 83139 (TM-20-04) TO ALLOW THE SUBDIVISION OF AIR-RIGHTS TO ESTABLISH AND MAINTAIN A 3-UNIT RESIDENTIAL DEVELOPMENT IN THE R-3 (HIGH DENSITY RESIDENTIAL) ZONE – 314 SOUTH MOORE AVENUE

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting the Resolution approving Tentative Map No. 83139 (TM-20-04) subject to conditions of approval; and
- (5) Taking such additional, related action that may be desirable.

California Environmental Quality Act (CEQA):

Pursuant to the California Environmental Quality Act (CEQA) guidelines, the project is Categorically Exempt under § 15315 as a Class 15 categorical exemption (Minor Land Divisions) in that the project consists of the subdivision of air-rights to establish and maintain a 3-unit residential condominium development.

3-B. CONDITIONAL USE PERMIT (CU-20-01) TO ALLOW FOR THE CONSTRUCTION FOR A NEW CONVENIENCE STORE AND FUELING FACILITY IN THE (NEIGHBORHOOD SHOPPING) ZONE – 616 NORTH NEW AVENUE

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting the Resolution approving the requested Conditional Use Permit (CU-20-01), subject to conditions of approval; and
- (5) Taking such additional, related action that may be desirable.

California Environmental Quality Act (CEQA):

Pursuant to the California Environmental Quality Act (CEQA) guidelines, the project is Categorically Exempt under § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) in that the project consists of a construction and operation of a new convenience store and fueling facility. The proposed development will take place within City limits on a project site of no more than five acres substantially surrounded by urban uses. The project site has not value as habitat for endangered, rare or threatened species as the site is fully developed with existing uses to be demolished as part of the project; furthermore, the construction of the proposed convenience store and fueling facility will take place entirely upon the existing, developed lot. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality in that the project is an in-fill project in an existing developed and urban area. Lastly, the site can be adequately served by all required utilities and public services.

[4.] OLD BUSINESS - None

[6.] NEW BUSINESS - None

[7.] COMMISSION COMMUNICATIONS AND MATTERS

[8.] STAFF COMMUNICATIONS AND MATTERS

ADJOURN

Next regular scheduled meeting on September 28, 2021.

APPROVED BY:

Frank Lopez	
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Planning Commission Staff Report

DATE: September 14, 2021

AGENDA ITEM NO: 2-A

TO: The Planning Commission
FROM: Frank A. Lopez, Director of Public Works/City Engineer/City Planner
SUBJECT: Receive and file City Planner zoning regulation interpretation to allow a financial institution use (bank) at 2325 South Atlantic Boulevard.

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Receiving and filing of City Planner zoning regulation interpretation; and
- (2) Taking such additional, related, action that may be desirable.

EXECUTIVE SUMMARY:

The Applicant, Community Commerce Bank, is requesting approval to allow the operation of a bank/financial institution at 2325 South Atlantic Boulevard. The bank currently occupies the tenant located at 2323 South Atlantic Boulevard and is seeking to downsize and relocate to the adjacent tenant on 2325 South Atlantic Boulevard. The City Planner found that the proposed use is consistent with the Monterey Park Municipal Code and the General Plan and recommends that the Planning Commission receive and file this report clarifying the City Planner's interpretation as elaborated in "Attachment 1" to permit the relocation of the existing bank.

FISCAL IMPACT:

No fiscal impact.

Respectfully submitted by:

A blue ink signature of Frank A. Lopez, written over a horizontal line.

Frank A. Lopez
Director of Public Works /City
Engineer/City Planner

Prepared by:

A blue ink signature of Jeffrey Rimando, written over a horizontal line.

Jeffrey Rimando
Assistant Planner

Reviewed by:

A blue ink signature of Karl H. Berger, written over a horizontal line.

Karl H. Berger
City Attorney

ATTACHMENTS:

Attachment 1: Zoning Regulation Interpretation

Staff Report
September 14, 2021

ATTACHMENT 1

Zoning Regulation Interpretation

ZONING REGULATION INTERPRETATION

SUBJECT: 2325 South Atlantic Boulevard – Community Commerce Bank

**MPMC §§: § 21.10.030 (Table 21.10(A)) [S-C Zone]
§ 21.30.070 [Allowable Changes]
§ 21.30.020 [Establishment of Nonconforming Status]**

This interpretation and clarification of ambiguity is made pursuant to Monterey Park Municipal Code (“MPMC”) §§ 21.02.090 and 21.02.120 (collectively, the “Interpretation”). The Interpretation is made in response to a request for a relocation of an existing “bank” located in 2323 South Atlantic Boulevard into an adjacent tenant located in 2325 South Atlantic Boulevard (“Subject Unit”). The units are located within the same lot in the commercial plaza commonly known as “Monterey Park Village.”

- **A legal nonconforming bank located within the Shopping Center (S-C) Zone may relocate within the same lot without the need for a conditional use permit (“CUP”) since it is the same, or less intensive, use as currently exists.**

For the reasons stated below, this Interpretation finds that the bank, an existing legal nonconforming use, may relocate upon the same parcel without the need for a CUP pursuant to MPMC § 21.30.070(C).

➤ **Analysis**

The Monterey Park Village is zoned as Shopping Center (S-C) and is a 124,146 square foot (2.85 acres) commercial plaza (located on the northeast corner of South Atlantic Boulevard and West 1st Street) currently developed with a commercial building consisting of four commercial units. An existing bank seeks to relocate to an adjacent vacant unit.

MPMC § 21.10.030 and Table 21.10(A) regulate permitted uses within the S-C Zone. Relevant to this analysis, Table 21.10(A) permits a bank upon approval of a CUP.

The existing bank was established in 2001. At that time, the MPMC did not require a CUP for banks. The MPMC was amended in 2013 to require a CUP for banks. Consequently, the existing bank became a legal nonconforming use.

MPMC § 21.30.070(c) allows legal nonconforming uses to “be changed to a less intensive nonconforming use.” The proposed relocation of the existing bank will

reduce its floor area from 4988 square feet to 1637 square feet within the same commercial building. This change meets the requirements of MPMC § 21.30.070(c) and, therefore, may be allowed without the need for a CUP. The bank will retain its legal nonconforming status after its relocation.

DATE: September 14, 2021
By: Jeffrey Rimando, Assistant Planner.



Planning Commission Staff Report

DATE: September 14, 2021

AGENDA ITEM NO: 3-A

TO: The Planning Commission
FROM: Frank A. Lopez, Director of Public Works/City Engineer/City Planner
SUBJECT: Consideration of Tentative Map No. 83139 (TM-20-04) for a Single Lot Subdivision, for Condominium Purposes, on 0.27 acres located at 314 South Moore Avenue in the R-3 Zone to Facilitate a Three-Unit Residential Development.

RECOMMENDATION:

It is recommended that the Planning Commission consider:

- (1) Opening the public hearing;
- (2) Receiving documentary and testimonial evidence;
- (3) Closing the public hearing;
- (4) Adopting the Resolution approving Tentative Map No. 83139 (TM-20-04) subject to conditions of approval; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act)

The proposed project is categorically exempt from the provision of the California Environmental Quality Act (CEQA) per CEQA Guidelines § 15315 (Class 15 – Minor Land Divisions), because the project is the subdivision of air rights for residential condominium purposes. The project is under construction and the proposal is consistent with the city's zoning standards and General Plan designation and is capable of being served with existing utilities.

EXECUTIVE SUMMARY:

The applicant, Chi Pok Cheung, seeks to subdivide air rights to allow the individual sale/ownership of three residential units under construction.

The R-3 (High Density Residential) zone allows for a density of up to three units and three units are currently under construction on the property. The residential units meet all zoning regulations and development standards prescribed under the R-3 Zone and Monterey Park Municipal Code. The High Density Residential land use provides for attached or detached units at a density range of 0 to 25 units per acre.

South Moore Avenue between West Newmark Avenue and Harding Avenue is currently developed with a mixture of one and two-story detached and attached multi-family residential buildings and single-family dwelling units. Multi-unit residential developments are not uncommon within the vicinity of the subject property. The existing developments range in year of construction from the 1920s to the 1990s. The residential dwelling unit and duplex in the rear have been under construction since 2020.

BACKGROUND:

Property Description

The property is located on the east side of South Moore Avenue, four lots south of West Newmark Avenue. The property is zoned R-3 (High Density Residential) and designated High Density Residential in the General Plan. Properties located to the north, south, east, and west of the property are R-3 zoned lots. The subject property is approximately 62 feet wide and 185 feet deep, totaling 11,600 square feet in area.

Project Description

The property will remain as one lot. Under California law, a tentative map is required for condominium purposes to subdivide air space for separate ownership of each of the units.

The front dwelling is 1,660 square feet in size and has 3-bedrooms and the two dwellings located at the rear of the parcel are 2,121 square feet and 1,348 square feet with the former consisting of 4-bedrooms and the latter consisting of 3-bedrooms. The units meet the required front and rear setback of 25 feet, 5-foot side setback for the first floor, and 10-foot side setback for the second floor. The units are two stories, at a maximum height of 25 feet 2 inches.

Pursuant to Monterey Park Municipal Code (MPMC) § 21.22.050, condominium units with three bedrooms require 2 enclosed garage spaces, plus 1 guest parking space per 2 dwelling units and four bedrooms require 2 enclosed garage spaces, plus 1 guest parking space per dwelling unit. Overall, 6 enclosed garage spaces and 2 guest parking spaces are provided. Each unit has a two-car garage plus two guest parking spaces are provided between the front and rear units meeting the off-street parking requirement. The driveway has a width of 21 feet.

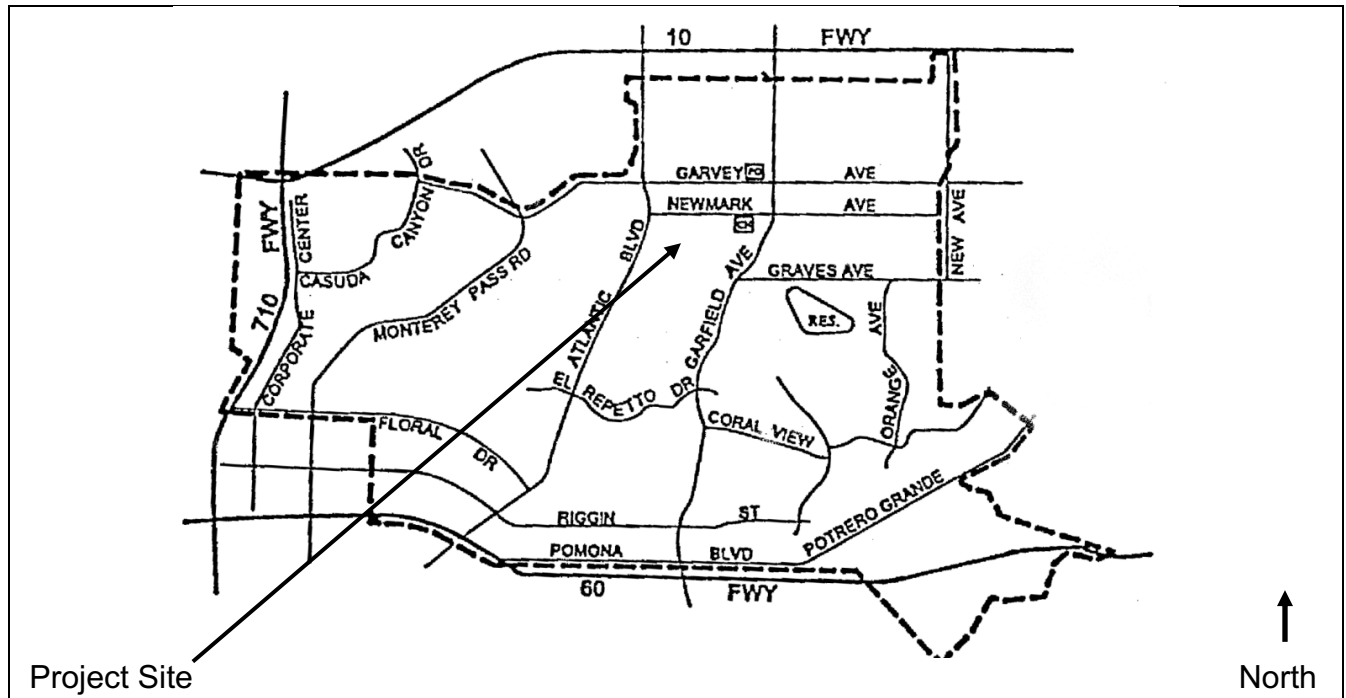
Per the MPMC, a minimum of 400 square feet of common open space and a minimum of 250 square feet of private open space per unit is required. According to the site plan, the project will provide a 929 square foot common open space throughout the property and each unit will provide at least 250 square feet of private open space adjacent to the units. The common open space area will be regulated by CC&Rs and maintained by a Homeowner's Association.

The project complies with R-3 development standards.

Legal Notification

The legal notice of this hearing was posted at City Hall, Monterey Park Bruggemeyer Library, and Langley Center and published in the Monterey Park Progress on September 2, with affidavits of posting and publication on file.

Vicinity Map



Aerial Map



FISCAL IMPACT:

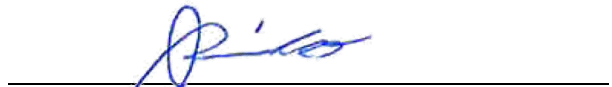
There may be an increase in property tax revenues based on the sale prices of the individual units. Calculations of the exact amount would be speculative.

Respectfully submitted by:



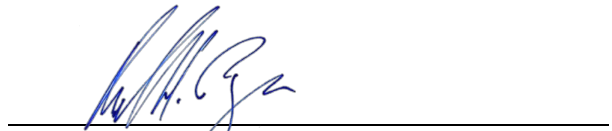
Frank A. Lopez,
Director of Public Works
City Engineer / City Planner

Prepared by:



Jeffrey Rimando,
Assistant Planner

Reviewed by:



Karl H. Berger
City Attorney

ATTACHMENTS:

- Attachment 1: Draft Resolution
- Attachment 2: Tentative Map No. 83139

ATTACHMENT 1

Draft Resolution

RESOLUTION NO.

A RESOLUTION APPROVING TENTATIVE MAP NO. 83139 (TM-20-04) TO CREATE ONE LOT ON 0.27 ACRES FOR CONDOMINIUM PURPOSES LOCATED AT 314 SOUTH MOORE AVENUE IN THE R-3 ZONE.

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 13, 2020, Chi Pok Cheung, submitted an application requesting approval of Tentative Map No. 83139 (TM-20-04) to subdivide airspace for condominium purposes at 314 South Moore Avenue (“Project”);
- B. The proposed Project was reviewed by the City Planner 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 City Planner completed review and scheduled a public hearing regarding the proposed Project, before the Planning Commission for September 14, 2021. Notice of the public hearing on the proposed Project was posted and mailed as required by the MPMC;
- E. On September 14, 2021, the Planning Commission held a public hearing to receive public testimony and other evidence regarding the proposed Project including, without limitation, information provided to the Planning Commission by City staff and public testimony, and representatives of the Applicant; and
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its September 14, 2021 hearing including, without limitation, the staff report submitted by the Public Works 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 to subdivide air space for condominium purposes;
- B. 314 South Moore Avenue is zoned R-3 (High Density Residential) and designated High Density Residential in the Monterey Park General Plan. The High Density Residential category allows a broad range of dwelling unit types which may be attached or detached. The residential units consist typically of apartments, condominiums, and townhomes;
- C. The Project property is located on the east side of South Moore Avenue, four

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PAGE 2 OF 4**

lots south of West Newmark Avenue. The properties located to the north, south, east, and west are R-3 zoned lots; and

- D. The Project property is 11,600 square feet (0.27 acres) in area and is currently being developed with three residential dwelling units.

SECTION 3: *Environmental Assessment*. Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15315 as a Class 15 categorical exemption (Minor Land Divisions). The project is under construction and the proposal is consistent with the City's zoning regulations and General Plan designation and is capable of being served with existing utilities.

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

- A. The proposed tentative map is consistent with applicable general and specific plans as required by Government Code § 66473.5. The tentative map for this project would allow three condominium units to be constructed on the site. This is less than the maximum density of 25 dwelling units per acre for this site. Consequently, the project complies with the General Plan. The property is located on South Moore Avenue, a local street with a 60-foot right-of-way, which is adequate in size and capacity to accommodate the anticipated traffic that will be generated by the proposed development. There is no specific plan adopted for this area.
- B. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans. The design of the proposed subdivision is consistent with the General Plan in that the project is a 3-unit condominium project, which is compatible with the high density housing either attached or detached allowed in the high density residential category. There is no specific plan adopted for this area.
- C. The site is physically suitable for the type of development and the proposed density of the development. The size of the property is 11,600 square feet (0.27 acres) and adequate in size to accommodate a 3-unit condominium conversion project because in the R-3 Zone, one dwelling unit is allowed for every 3,000 square feet of lot area on lots of 7,000 square feet or more and having a front lot line of at least 50 feet.
- D. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The subject property is bordered by 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.

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- E. The design of the subdivision or the type of improvements is not likely to cause serious public health problems. The proposed subdivision will not cause any public health problems in that the subject development will be constructed according to all federal, state, and local regulations.
- F. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within proposed subdivision. There are no public easements for access within the proposed development.

SECTION 5: *Approval.* Subject to the conditions listed on the attached Exhibits “A” and “B,” which are incorporated into this Resolution by reference, the Planning Commission approves Tentative Map No. 83139 (TM-20-04).

SECTION 6: *Reliance on Record.* Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: *Limitations.* The Planning Commission’s analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission’s lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City’s ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 8: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9: *Electronic Signatures.* Pursuant to Monterey Park Municipal Code § 3.95.020, this Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

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

**PLANNING COMMISSION
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SECTION 11: A copy of this Resolution will be mailed to the Applicant and to any other person requesting a copy.

SECTION 12: This Resolution may be appealed within 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 13: Except as provided in Section 11, this Resolution is the Planning Commission's final decision and will become effective immediately upon adoption.

ADOPTED AND APPROVED this 14th day of September 2021.

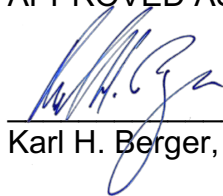
Chairperson

I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 14th day of September 2021, by the following vote of the Planning Commission:

AYES: Commissioners Fung, Sam, Amador, Lo and Choi
NOES:
ABSTAIN:
ABSENT:

Frank A. Lopez, Secretary

APPROVED AS TO FORM:



Karl H. Berger, City Attorney

PLANNING COMMISSION RESOLUTION NO.

Exhibit A

CONDITIONS OF APPROVAL

314 SOUTH MOORE AVENUE

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Angus Lin agrees that he will comply with the following conditions for approval of Tentative Map No. 83139 (TM-20-04) ("Project Conditions").

PLANNING:

1. Chi Pok Cheung (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-20-04 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 of the City approval of TM-20-04, 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 Division. Any subsequent modification must be referred to the Director of Public Works 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. A total of three, one year, extensions may be granted by the Planning Commission upon finding of good cause. An application requesting an extension must be filed with the Public Works Department.
4. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.
5. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.

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6. The real property subject to TM-20-04 must remain well-maintained and free of graffiti.
7. Landscaping/irrigation must be maintained in good condition at all times.
8. A final map must be approved and recorded before the City issues a certificate of occupancy.
9. All enclosed garage spaces must be used for off-street parking only. There cannot be any personal storage or conversion of this space that would prevent the parking of vehicles in the enclosed garage. This condition must be included in the conditions, covenants and restrictions ("CC&Rs") recorded for this property.
10. The ownership must retain the services of a professional property management company to oversee the maintenance of the property.
11. Pursuant to Resolution No. 12199, adopted September 16, 2020, the Applicant must create a homeowner's association. The standard conditions of approval required by Resolution No. 12199 are incorporated by reference and attached as Exhibit B to this Resolution.

ENGINEERING:

12. The applicant must record the Final Map after the City approves the final map in accordance with the MPMC and accepts any applicable bonds or agreements. The developer will provide the City with one (1) transparent 4 mil thick mylar tracing, one (1) electronic file of approved final map tracings transferable to City's AutoCAD and GIS systems and two (2) blueprints of the recorded map which must be filed with the City Engineer within three (3) months of recordation.
13. The applicant/property owner must provide written proof that there are no liens against the subdivision for unpaid taxes or special assessments and submit Los Angeles county tax bill, tax payment receipt, and copy of cancelled check before filing a Final Map with the City for approval.
14. Applicant agrees to pay City any development impact fees ("DIFs") that may be applicable to the Project. Applicant takes notice pursuant to Government Code 66020(d) that City is imposing the DIFs upon the Project in accordance with the Mitigation Fee Act (Government Code 66000, et seq.).
15. All improvement plans, including grading and public improvement plans must be based upon City approved criteria. Benchmark references to be obtained from the Engineering Division.

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FIRE:

16. All conditions identified by the Fire Department are subject to the review and approval of the Fire Chief for determination of applicability and extent to which any condition may be required.
17. The at grade access road shall be a minimum of 20 feet wide and have a minimum 13'-6" vertical clearance. Signage and markings are required for all Fire Lanes. California Fire Code ("CFC") 503, as adopted by the MPMC
18. An interior emergency access lane must be provided on the first level. The lane must be properly marked as required by the Fire Inspector.
19. Fire Flow
The minimum fire flow required is determined as specified by the current adopted edition of the California Fire Code Appendix B, as adopted by the MPMC. Given the present plans and information, the required fire flow for the new structure is 1,750 gallons per minute at 20 psi for a minimum of a 1 hour duration. The applicant must verify obtain a will-serve letter from the City before the City issues a building permit.
20. Fire Hydrant for Combustible Construction

Before combustible construction on any parcel, a fire hydrant capable of providing 1,000 gallons per minute at 20 psi must be provided and in service along the access road/driveway at a location approved by the Fire Chief, or designee, but not further than 250 feet from the construction site. The owner of the combustible construction is responsible for the cost of this hydrant installation.
21. Fire Flow Verification
Before fire approval and/or map recordation, the applicant must obtain a will-serve letter from the City confirming that it can provide the required fire flow of 1,750 gallons per minute at 20 psi for a minimum a 2 hour duration.
22. Per CFC § 507.5.1, fire hydrants must be provided within 600 feet of all points of all new structures. Locations of all existing and/or new hydrants must be shown on the Site Plan.
23. The applicant/developer must provide an approved automatic fire sprinkler system as set forth by CFC § 903.
24. The applicant/developer must 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. All smoke alarms locations must be identified on as-built plans. CFC § 907.2.11.1.

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RESOLUTION NO.**

25. 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. California Building Code ("CBC") § 420.6, as adopted by the MPMC.
26. An approved number or address must be provided 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. CFC § 505.1.
27. Knox boxes must be provided adjacent to main gates. Knox switches must be provided for vehicle gates. CFC § 506.1.
28. Portable fire extinguishers must be installed on all floors per CFC § 906.1.

POLICE:

29. Adequate exterior lighting must be provided so that the units are visible from the street during the hours of darkness.
30. 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 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.
31. The shrubbery on the property must be installed and maintained in such condition to permit good visibility of the units from the streets. Any shrubbery surrounding the complex and in the courtyard areas must be planted and maintained where the height of the greenery would not easily conceal persons.
32. 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.
33. Address numbers should be illuminated during hours of darkness and positioned as to be readily readable from the street.
34. Each distinct unit within the building must have its address displayed on or directly above the front door.
35. All common open areas must be well lit during the hours of darkness.
36. Proper signs must be posted at the guest parking areas and in the driveway leading into the complex preventing illegal or overnight parking of unwanted guests.

**PLANNING COMMISSION
RESOLUTION NO.**

37.A proper thoroughfare for residents, guests, and any necessary emergency vehicles and/or personnel shall 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.

By signing this document, Chi Pok Cheung, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

Chi Pok Cheung, Applicant

EXHIBIT B

STANDARD CONDITIONS OF APPROVAL FOR PROJECTS REQUIRING OWNER ASSOCIATIONS

General Conditions

1. The Applicant and its successors in interest must indemnify, protect, defend (with legal counsel reasonable acceptable to the City), and hold harmless, the City, its elected and appointed officials, officers, employees, and agents from and against any and all liabilities, claims, actions, causes of action, proceedings, suits, damages, judgments, liens, levies, costs, and expenses of whatever nature, including reasonable attorney's fees and disbursements (collectively "Claims") arising out of or in any way relating to this project, any discretionary approvals granted by the City related to the development of the project or the environmental review conducted under the California Environmental Quality Act, Public Resources Code § 21000, *et seq.*, for the project. If the City Attorney is required to enforce any conditions of approval, all costs, including attorney's fees, must be paid for by the Applicant in accordance with the Monterey Park Municipal Code ("MPMC").
2. The Applicant must reimburse the City for all attorneys' fees expended by the City that are directly related to the processing of this project. The City will not issue a Certificate of Occupancy or other final occupancy approval until all attorneys' fees are paid by the Applicant.
3. The Applicant must submit to the City Manager, or designee, a signed copy of these conditions of approval acknowledging acceptance, and compliance with these conditions within 30 days from the date of approval by the Planning Agency. The conditions of approval must be signed, notarized and returned to the City Manager, or designee, before any plan check submittal or construction permit application or implementation of the requested entitlement.
4. This decision is not effective until Applicant acknowledges acceptance of all conditions and any appeal period has lapsed, or a waiver of right to appeal is filed or if there is an appeal, until a final decision has been made on the appeal. By use of the entitlements granted by a development application, the Applicant acknowledges agreement with conditions of approval.
5. Anything which is not shown on the application/plans, or which is not specifically approved, or which is not in compliance with this section, is not approved. Any application and/or plans which are defective as to, without

limitation, omission, dimensions, scale, use, colors, materials, encroachments, easements, will render any entitlements null and void.

6. The property must be kept in a clean and safe condition by, at a minimum, performing all of the following tasks:
 - a. Properly removing and storing all trash, litter, rubbish and debris on the property at the end of each business day;
 - b. Properly disposing of all trash, litter, rubbish and debris from the Cannabis business;
 - c. Removing graffiti placed upon the Property within forty-eight hours of its occurrence;
 - d. Keeping driveways, sidewalks, park strips, fire access roads and streets on or adjacent to the property clear and clean; and
 - e. Providing lighting on the property to ensure the safety of the public.
7. The owner/applicant's failure to comply with, or breach of, any condition can, in addition to any other civil or criminal action, result in modification or revocation of this permit. The City may, in accordance with applicable law, undertake action and incur costs that may be required to effect compliance. All such costs including, without limitation, attorney's fees, must be reimbursed by the applicant or current property owners in accordance with applicable law.
8. This permit is subject to an ongoing review. If at any time valid, substantiated complaints are received, a public hearing may be held in accordance with the MPMC, at the sole discretion of the City but in accordance with applicable law, to determine if any condition or the permit should be modified, amended or revoked.
9. The permit is granted for the subject Property only and is not transferable.

Planning

A. Before the City issues Building Permits:

10. Plans submitted to the City to obtain building permits must conform to all the conditions applicable to use and development of the Property.
11. Plans submitted to the City to obtain building permits must have the conditions printed directly onto the building plans and the Project number, "[Project Number]," in the title blocks of the blue prints for this Project.

12. The exterior of the building(s) must be treated with anti-graffiti material. All structures and walls must be maintained free of graffiti.
13. The property owner must repave and re-stripe the parking areas as directed by the City Planner.
14. All parking areas must remain accessible for parking. Garages cannot be converted to storage space or other means, which could impede vehicle parking.

B. Post-Finalization Requirements:

15. The Planning Director may approve minor changes to the approved plans, but any substantial change will require modification in accordance with the MPMC.
16. The Conditional Use Permit will expire in the event that the licensee or owner fails to exercise the use for more than 30 days, except in the case of a remodeling, fire, natural disaster, or other physical calamity beyond the control of the owner. In such cases, the Conditional Use Permit will expire within one year.
17. The Property and all landscaping must be maintained in a neat and healthy condition and in a manner that prevents adverse public health, safety, and welfare effects.
18. Proper signage must be installed within 60 days **([Month Day, Year])** of the approval of this Project.

E. Homeowners Association Requirements:

19. To ensure all common areas (e.g., driveway, hardscape, landscape) are properly maintained, a Homeowners' Association (HOA) and Covenants, Conditions and Restrictions (CC&R's) are required for the proposed Project. The developer(s) must hire a management company for the HOA. During sales of the units, the sales managers must sit on the HOA board. The developer(s) representatives can remove themselves from the HOA board only when 1) a new HOA board is selected from the new home owners; 2) the new home owners are trained on how to run the HOA; and 3) the units are fully occupied. The documents related to the HOA and CC&R's must be reviewed and approved by the City Attorney before the City approves a final map. In addition, the Applicant/Property Owner(s) must pay for all attorneys' fees associated with the review of the document.
20. The final approved floor plan for the residential units must be incorporated

into CC&R's.

21. The Homeowners Association must maintain a current and active business license with the City for the life of the project. Association dues may not be collected unless the Association has a current and active business license with the City.
22. Draft covenants, conditions and restrictions ("CC&Rs"), in a form approved by the City Attorney, must obtain approval from the City Planner, or designee, and include the following clauses:
 - a. *Payment of Municipal Charges.* The amount of the assessments levied by the Association must include sums sufficient to cover the cost of all municipal charges imposed against the Property including, without limitation, sums sufficient to ensure the payment of invoices from the City of Monterey Park ("City") for water, wastewater, and solid waste charges. In addition, the Association and the Owners, and the management agent, if any, must continuously guarantee payment to the City of all such municipal charges.
 - b. *Access and Entry.* The Association and each Owner covenants, in favor of the City, to provide access and entry to all common areas of the Property, and all buildings, structures and units situated thereon, to any authorized Fire Inspector, Building Official and any other official charged with carrying out the laws of the City, the State of California, or the United States of America.
 - c. *Signs.* Except as otherwise allowed by applicable law, the Association and each Owner covenant, in favor of the City, that no sign of any kind of advertising any service, business or other commercial project or venture can be displayed on the Property.
 - d. *Parking.*
 - i. The Association and each Owner covenants, in favor of the City, that all automobiles used by an Owner or an Owner's invitees must be identified to a representative of the Association and subject to tow if parked in an area not designated for parking automobiles or in a guest parking space.
 - ii. All driveways and garages must be maintained in a neat and orderly condition and garage doors must be maintained in closed condition except as necessary to permit ingress and egress of authorized vehicles or to clean or work in the garage. The garages are to be used for the parking of

standard authorized vehicles and may not be converted to living quarters or workshops or used for the storage of boats, trailers, campers or recreation vehicles in a way which will preclude the parking of the Owner's or occupant's authorized vehicles within the garage.

- iii. Designated guest parking areas within the Common Areas are to remain open for use by guests only and are not to be used by Owners or other residents, either permanently or temporarily, for the parking of their authorized vehicles or the storage of boats, trailers or similar items of personal property, unless expressly authorized by the Association.
 - iv. No motor vehicle can be constructed, reconstructed or repaired within the Property and no dilapidated or inoperable vehicle, including vehicles without wheel(s) or an engine, can be stored on the Property; provided, however, that the provisions of this Section does not apply to emergency vehicle repairs.
 - v. Campers, boats, trailers, motorcycles, commercial vehicles and trucks in excess of three-quarter tons cannot be parked within the Property, other than within enclosed garages except for periods not to exceed two hours for the purpose of loading and unloading.
 - vi. Personal property other than authorized vehicles cannot be stored in garages if such storage will necessitate or result in the parking of vehicles on streets within or adjacent to the Property. Parking by commercial vehicles for the purpose of making deliveries or service calls must be permitted in accordance with the Association Rules.
 - vii. Each Owner must maintain their garage or parking spaces in a manner which ensures that it is capable of accommodating not less than the number of vehicles the space was designed to contain.
- e. *Graffiti.* The Association and each Owner covenants and agrees to maintain, or to cause to be maintained, all buildings and structures within the Property free of graffiti. In an event that the Association or an Owner fails to remove or to cause the removal of any graffiti within 24 hours of its receipt of written notice from the City requesting such removal, the City has the right and authority to enter upon the Property and remove or mask said graffiti. Any and all costs incurred by the City in connection with the removal or masking of such graffiti must be reimbursed to the City by the

Association and/or the Owner, if any, of affected building or structure.

- f. *Maintenance of Property.* The maintenance of all common wastewater and storm drainage facilities, and all landscaping, irrigation systems, slopes, drainage facilities and retaining walls, if any, located within the Common Area are Association's responsibility, and the maintenance of all irrigation systems, slopes, drainage, facilities and retaining walls, if any, situated within an Exclusive Use Common Area are the responsibility of the Association in the event the applicable Owner fails to provide such maintenance.
- g. *Filing of Information.*
 - i. Filing (Unincorporated Associations Only). The Association must cause the names and addresses of the officers and members of the Association to be filed annually with the City Clerk of the City of Monterey Park during the month of July.
 - ii. Filing (Incorporated Associations Only). The Association must cause the names and address of the officers and members of the Board of Directors of the Association to be filed annually with the City Clerk of the City of Monterey Park during the month of July.
- h. *Amendment of CC&Rs.* Notwithstanding any other provision of this Declaration the contrary, the statements and covenants set forth herein in favor of the City of Monterey Park cannot be modified and rescinded without the prior written consent of the City of Monterey Park.
- i. *Third-Party Beneficiary; Enforcement Rights.* City Enforcement of Declaration. Notwithstanding any other provision of this Declaration to the contrary, the city of Monterey Park has the power and the right, but not the obligation, to enforce any or all provisions of this Declaration as a third party beneficiary to the extent this Declaration contains provisions implementing the Monterey Park Municipal Code ("MPMC") or any condition of approval adopted by City Council resolution or ordinance. Failure by the City to enforce any restriction, covenant, condition, limitation or reservation imposed by the provisions of this Declaration does not constitute a waiver of the City's right to do so. The Association agrees to pay all costs associated with such enforcement including, without limitation, reasonable attorney's fees. The City may exercise its rights of enforcement without regard to any alternative dispute resolution provision in the CC&Rs or any other restriction on

enforcement otherwise applicable to owners, tenants, other residents, or the Association including, without limitation, provisions with regard to notice.

ATTACHMENT 2
Tentative Map No. 83139

OWNER/CLIENT:
MR. CHI POK CHEUNG
1930 NEW AVE, #G,
SAN GABRIEL, CA 91776
TEL.: (626) 782-8883
EMAIL: CHEUNGCHPOK@GMAIL.COM

CIVIL ENGINEER:
CAL LAND ENGINEERING, INC.
JACK LEE, R.C.E., G.E., P.L.S.
576 E. LAMBERT RD.,
BREA, CA 92821
TEL.: (714) 671-1050

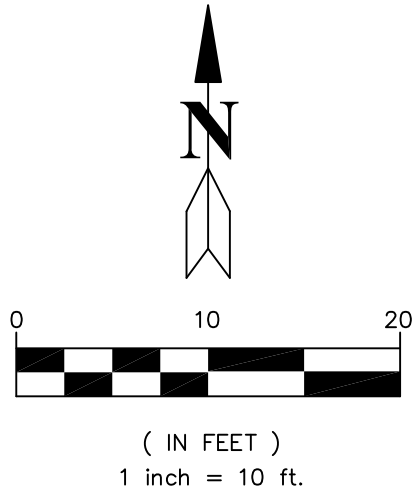
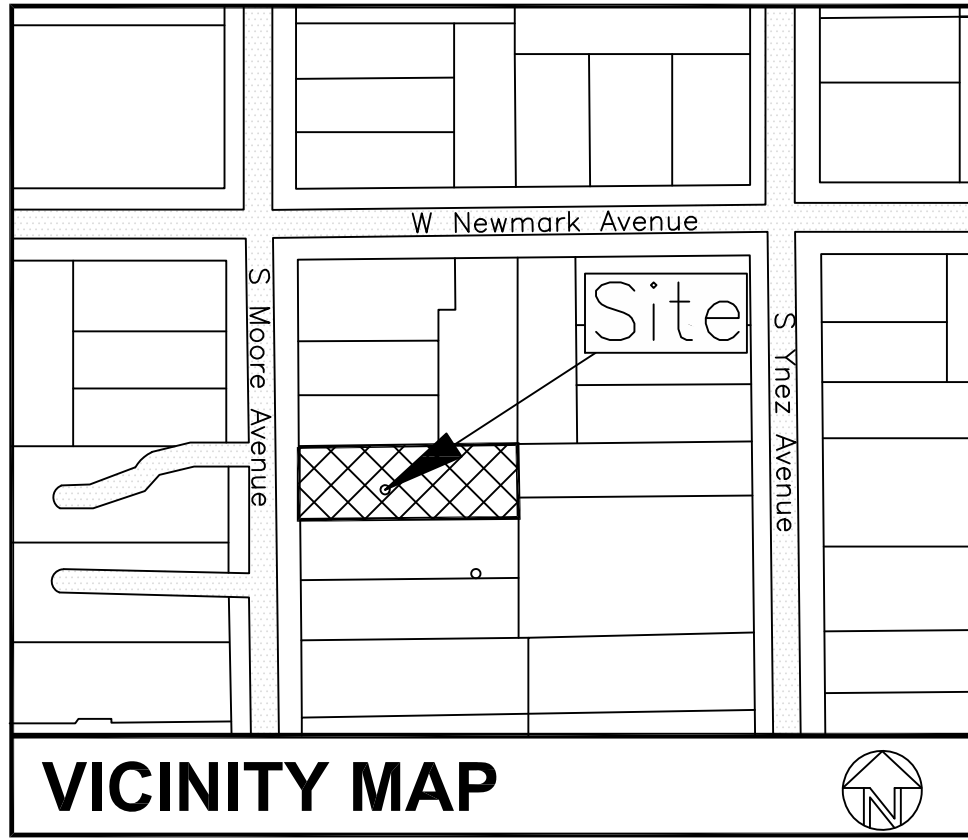
LAND SURVEYOR:
CAL LAND ENGINEERING, INC.
JACK LEE, R.C.E., G.E., P.L.S.
576 E. LAMBERT RD.,
BREA, CA 92821
TEL.: (714) 671-1050

TENTATIVE PARCEL MAP NO. 83139

IN THE CITY OF MONTEREY PARK, COUNTY OF LOS ANGELES
STATE OF CALIFORNIA
FOR CONDOMINIUM CONVERSION

A PORTION OF LOT 341 OF RAMONA ACRES PLAT NO. 2, IN THE CITY OF MONTEREY PARK, COUNTY OF LOS ANGELES,
STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 18, PAGE 52, OF MAPS, IN THE COUNTY RECORDER OFFICE OF SAID COUNTY.
APN: 5257-006-012

BENCHMARK:
CITY BENCHMARK NO. 40
CHISELED ON CURB 3' SOUTH OF E.C. AT S.W. CORNER OF
YNEZ AVENUE AND HARDING AVENUE.
ELEVATION: 360.80'



LEGEND:
(527.63).....EXISTING ELEVATION
520.00.....PROPOSED ELEVATION
--(530).....EXISTING COUNTOUR
--530.....PROPOSED ELEVATION
.....DRAINAGE PATTERN
.....PROPOSED STRUCTURE
.....PROPOSED BLOCK WALL
.....EXISTING BLOCK WALL
SW.....SIDE WALK
.....LIGHT
.....CENTER LINE
.....PROPERTY LINE
.....CONSTRUCTION NOTES
.....SANDBAG LINE
T.C.....TOP OF CURB
F.L.....FLOW LINE
F.G.....FINISH GRADE
F.S.....FINISH SURFACE
F.F.....FLOOR FINISH
H.P.....HIGH POINT
P.P.....POWER POLE
DW.....DRIVEWAY
W.M.....WATER METER
INV.....INVERT ELEVATION
T.G.....TOP OF GRATE

UTILITY SERVICES:
WATER
ADDRESS - CITY OF MONTEREY PARK
- 320 W NEW MARK AVE., MONTEREY PARK, CA 91754
PHONE - (626) 307-1458
SEWER
ADDRESS - CITY OF MONTEREY PARK
- 320 W NEW MARK AVE., MONTEREY PARK, CA 91754
PHONE - (626) 307-1458
GAS
ADDRESS - SOUTHERN CALIFORNIA GAS CO.
- 7 S. 1ST. ST., ALHAMBRA, CA 91801
PHONE - (800) 427-2200
ELECTRICAL
ADDRESS - SOUTHERN CALIFORNIA EDISON
- 1700 W. VALLEY BLVD., ALHAMBRA, CA
PHONE - (800) 747-8908
TELEPHONE
ADDRESS - PACIFIC BELL
- 810 E. VALLEY BLVD., ALHAMBRA, CA 91801
PHONE - (626) 382-0241
SCHOOL
ADDRESS - ALHAMBRA CITY ELEMENTARY
- 15 WEST ALHAMBRA RD., ALHAMBRA, CA 9180
PHONE - (626) 308-2200
FIRE
ADDRESS - CITY OF MONTEREY PARK FIRE DEPARTMENT
- 350 W. NEWMARK AVE., MONTEREY PARK, CA 91754
PHONE - (626) 307-1262
POLICE
ADDRESS - CITY OF MONTEREY PARK POLICE DEPT.
- 320 W NEWMARK AVE., MONTEREY PARK, CA 91754
PHONE - (626) 307-1211

PROJECT DETAIL:
EXISTING ZONE: R-3
PROPOSED ZONE: R-3
NO. OF EX. LOT: 1
NO. OF PROP. LOT: 1
NO. OF PROP. UNIT: 3
AREA OF THE LOT:
LOT 1: (APN: 5257-006-012) 11,605 SQ. FT. (0.2664 AC)

NO. OF STORIES: 2
NO. OF PARKING: 8 (6 RESIDENTIAL, 2 GUEST)
SEWAGE DISPOSAL: BY GRAVITY SEWER PIPE TO STREET MAIN

PROJECT DESCRIPTION:
TO CONVERT 3-UNIT RESIDENTIAL LOT INTO 3-UNIT CONDOMINIUM

	UNIT A	UNIT B	UNIT C
GARAGE	428 S.F.	457 S.F.	480 S.F.
1ST FLOOR	758 S.F.	1,044 S.F.	539 S.F.
2ND FLOOR	902 S.F.	1,077 S.F.	809 S.F.
TOTAL LIVING	1,660 S.F.	2,121 S.F.	1,348 S.F.

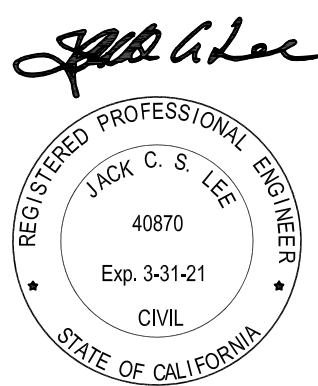
FIRST FLOOR

SECOND FLOOR

CAL LAND ENGINEERING, INC.
dba QUARTECH CONSULTANTS
576 E. LAMBERT ROAD, BREA, CA 92821
TEL: (714) 671-1050 FAX: (714) 671-1090

PROJECT LOCATION:
314 S MOORE AVENUE,
MONTEREY PARK, 91754

DRAWN: M.W.
CHECKED:
DATE: 12/15/2020
JOB NO: 19-022-012
SCALE: 1" = 10'
FILE NAME:



T-1



Planning Commission Staff Report

DATE: September 14, 2021

AGENDA ITEM NO: 3-B

TO: The Planning Commission
FROM: Frank A. Lopez, Director of Public Works/City Engineer/City Planner
SUBJECT: Consideration of a Conditional Use Permit (CU-20-01) for the construction of a new convenience store and fueling facility at 616 North New 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) After considering the evidence received during the public hearing, adopting a resolution approving the requested Conditional Use Permit (CU-20-01), subject to conditions of approval; and
- (5) Taking such additional, related, action that may be desirable.

CEQA (California Environmental Quality Act):

The Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects). The project consists of a construction and operation of a new convenience store and fueling facility. The property is designated Commercial in the General Plan Land Use Element. The proposed development will take place within City limits on a project site of no more than five acres substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species as the site is fully developed with existing uses to be demolished as part of the project; furthermore, the construction of the proposed convenience store and fueling facility will take place entirely upon the existing, developed lot. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality in that the project is an in-fill project in an existing developed and urban area. Lastly, the site can be adequately served by all required utilities and public services.

EXECUTIVE SUMMARY:

The Applicant seeks a conditional use permit ("CUP") for construction and operation of a new service station with a convenience store within a commercial zone. Pursuant to Monterey Park Municipal Code ("MPMC") § 21.10.250, a service station is a conditionally permitted use. Based on the application, the proposed use is consistent with the General Plan and zoning regulations within the MPMC.

TYPE OF ACTION (QUASI-JUDICIAL)

The recommended action is to adopt a CUP. In considering such actions, the Planning Commission acts in a quasi-judicial role. When doing so, the Planning Commission acts like a court: it applies facts gathered during a public hearing to existing law. Just like a court, the Planning Commission can only consider facts that are relevant to the case. A party appearing before the legislative body is entitled to

- Notice of the proposed action;
- Reasons for the action;
- A copy of the evidence on which the action is based; and
- The right to respond before a reasonably impartial, noninvolved reviewer.

The Planning Commission must base its decisions upon substantial evidence within the record. “Substantial evidence” generally means enough relevant information and reasonable inferences from information gathered during a public hearing that a fair argument can be made to support a conclusion, even though other conclusions might also be reached. Argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts does not constitute substantial evidence. Substantial evidence includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. If the Planning Commission asks irrelevant questions and bases its decision-making on such questions, a court may overturn the Planning Commission’s decision and potentially hold the City liable for violating the applicant’s constitutionally protected due process rights.

To approve the CUP (per MPMC §§ 21.32.020 and 21.10.250), the Planning Commission must find 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 the MPMC;
- 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 consistent with the General Plan and any applicable specific plan;
- 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 use will not have an adverse effect on the public health, safety and general welfare; and
- The use applied for at the location set forth in the application is properly one authorized by conditional use permit pursuant to the MPMC.

These findings are included in the draft Resolution.

BACKGROUND AND DISCUSSION:

The Applicant seeks a conditional use permit to operate a new service station and convenience store at 616 North New Avenue. The property is zoned N-S (Neighborhood Shopping), which is a commercial zoning designation, and designated Commercial (C) in the General Plan. A “service station” is a place of business where motor vehicle fuel is sold and delivered into the fuel tanks of motor vehicles (MPMC § 21.04.783).

The property is located on the southeast corner of North New Avenue and Hellman Avenue. It is comprised of two consolidated parcels totaling 31,361 square feet (0.72 acres). The property consists of one vacant parcel and another parcel currently developed with a single-family dwelling. Properties located north of the site across Hellman Avenue is a two-story Rosemead Dialysis building within the City of Rosemead and the I-10 freeway. Properties located south and west of the site and across North New Avenue are N-S zoned lots. Properties located east of the site are residentially zoned within the jurisdiction of City of Rosemead. The Applicant is proposing to combine and develop both lots in a single phase as part of the Project. The Applicant’s proposed business will be operated 24-hours. To address security and alarm requirements, the Police Department included Conditions of Approval Nos. 55 through 58.

The proposed Project proposes demolishing the existing structures on site and constructing a new convenience store and a fueling station. In total, the proposed improvements will be 5,908 square feet in area. Specifically, the service station canopy will be 53 feet long, 36 feet wide and 17 feet 6 inches tall and the convenience store will be 85 feet 2 inches long, 47 feet wide and 20 feet tall.

All buildings and structures on the property will be one-story. The convenience store exterior will be a combination of wood siding and varying shades of gray. The service station canopy will also implement the same exterior elements to match accordingly with the convenience store.

The MPMC requires that the proposed Project provide at least 20 parking spaces; the Project provides 21 spaces. The existing property consists of three driveway cuts. The proposed Project will close two driveway cuts and modify an existing driveway cut along the southern portion of the property on North New Avenue. A new driveway cut will be created on Hellman Avenue.

In June of 2019, a Focused Traffic Impact Analysis was prepared. That analysis concluded that the Project would result in no significant traffic impacts at the study intersections. Nevertheless, on-site and site-adjacent improvements (including Project

driveways, roadway design, traffic signing and striping) and traffic control improvements relating to the proposed Project must be constructed in accordance with applicable engineering standards to the satisfaction of the Public Works Director, or designee.

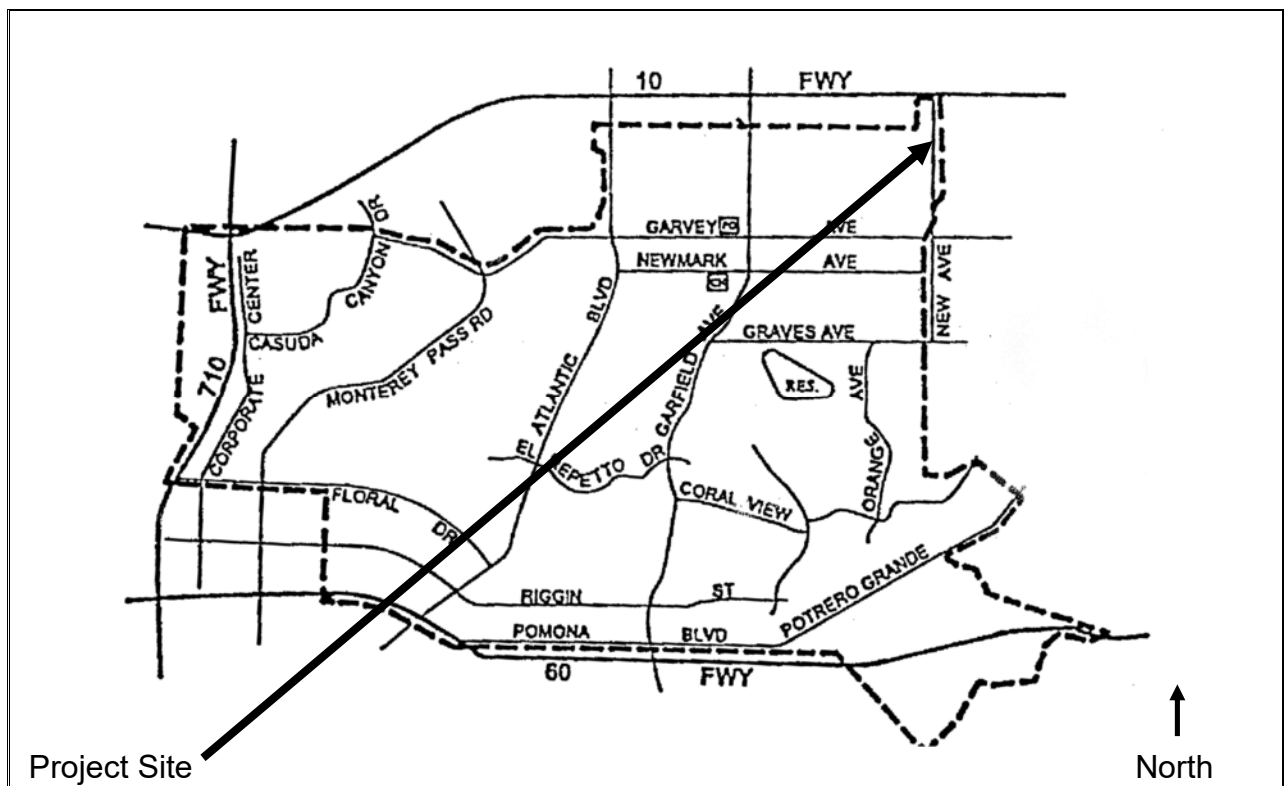
The Commercial land use category of the Monterey Park General Plan allows for a broad range of retail and service commercial and professional office uses intended to meet the needs of Monterey Park residents and businesses, as well as regional shopping demand.

OTHER ITEMS:

Legal Notification

The legal notice of this hearing was posted at the subject site, City Hall, Monterey Park Bruggemeyer Library, and Langley Center on September 2, 2021 and published in the Monterey Park Progress on September 2, 2021 with affidavits of posting on file. The legal notice of this hearing was mailed to 46 property owners within a 300 feet radius and current tenants of the property concerned on September 2, 2021.

Vicinity Map



Aerial Map



ALTERNATIVE COMMISSION CONSIDERATIONS:

None

FISCAL IMPACT:

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

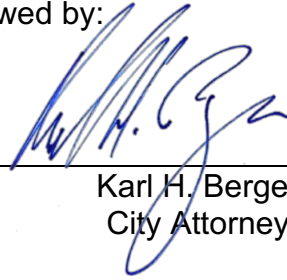
Respectfully submitted by:

Frank A. Lopez,
Director of Public Works
City Engineer / City Planner

Prepared by:

Jeffrey Rimando,
Assistant Planner

Reviewed by:

A handwritten signature in blue ink, appearing to read 'K. H. Berger', is written over a horizontal line.

Karl H. Berger
City Attorney

ATTACHMENTS:

Attachment 1: Draft Resolution

Attachment 2: Site, floor, elevation plans

Staff Report
September 14, 2021

ATTACHMENT 1

Draft Resolution

RESOLUTION NO.

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CU-21-02) TO ALLOW THE CONSTRUCTION OF A NEW SERVICE STATION AND CONVENIENCE STORE AT 616 NORTH NEW 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 August 17, 2020, Cadence Acquisition LLC (“Applicant”) submitted an application requesting approval of a Conditional Use Permit (CU-21-02) to allow construction of a new service station and convenience store (the “Project”);
- B. The Project was reviewed by the City Planner 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 City Planner completed review and scheduled a public hearing regarding the Project before the Planning Commission for September 14, 2021. Notice of the public hearing was posted and mailed as required by the MPMC;
- E. On September 14, 2021, the Planning Commission opened the 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 the Applicant; and
- F. This Resolution and its findings are made based upon the testimony and evidence presented to the Commission at its September 14, 2021 public hearing including, without limitation, the staff report submitted by the City Planner.

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

- A. 616 North New Avenue (“the Project Site”) is located at the southeast corner of North New Avenue and East Hellman Avenue. It is comprised of two consolidated parcels totaling 31,361 square feet (0.72 acres) in size, rectangularly shaped and relatively flat. All the existing structures located at-grade would be demolished. The proposed total building area of the convenience store would be 4,000 gross square feet; this is 13% of the lot area. All buildings and structures on the property would be one-story. The proposed fueling canopy will be set back a minimum 15 feet from North New Avenue a minimum 20 feet from East Hellman Avenue. The convenience store will be set back 25’-0” from the east property line and 10’-0” from the south property line.

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

- B. The MPMC requires that the Project provide at least 20 parking spaces; the Project proposes 21 spaces. The Project will maintain two driveway cuts along East Hellman Avenue and North New Avenue.
- C. To the north of the Project Site are East Hellman Drive, a two-story dialysis center within the City of Rosemead and the San Bernardino Freeway (I-10); directly to the west is North New Avenue (a principal arterial street); to the east are multi-family development within the City of Rosemead; and to the south is a multi-family development with commercial uses on the ground floor.
- D. The proposed Project is forecast to result in no significant traffic impacts at the study intersections.
- E. The Project is located within a commercial area of the City that contains no environmentally sensitive habitat and/or species. There are no identified physical constraints such as soil and/or geologic conditions indicating substrate instability that would prohibit development of the proposed Project. The Project Site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services.

SECTION 3: Environmental Assessment. Because of the facts identified in Section 2 of this Resolution, the Project is categorically exempt from additional environmental review pursuant to CEQA Guidelines § 15332 as a Class 32 categorical exemption (In-Fill Development Projects) because the Project site is located in an urban area already developed. The Project is proposed within city limits on a site of no more than five acres substantially surrounded by urban uses; the site has no value as habitat for endangered, rare or threatened species; the Project will not result in any significant effects relating to traffic, noise, air quality, or water quality; and the site can be adequately served by all required utilities and public services. The Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. It can be seen with certainty that no special circumstances exist that would create a reasonable possibility that the proposed Project will have a significant adverse effect on the environment.

SECTION 4: Conditional Use Permit Findings. Based upon the findings in Section 2, the Planning Commission finds as follows pursuant to MPMC §§ 21.10.250 and 21.32.020(B):

- A. The project site is adequate in size, shape and topography for the proposed Project. The site is two parcels totaling 31,361 square feet (0.72 acres), rectangularly shaped, and relatively flat. The total building area of the convenience store will be 4,000 square feet. The proposed total building area will be substantially less than the maximum floor area allowed.
- B. The site has sufficient access to streets and highways and is adequate in width and pavement type. The Project would include two driveway cuts.

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

- C. The proposed use is consistent with the General Plan. No changes are proposed to the Commercial designation of the property and the Commercial land use category of the City's General Plan allows 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.
- D. The Project will not have an adverse effect on the use, enjoyment or valuation of property in the neighborhood. The Project's contribution to cumulative impacts to local and regional transportation facilities will not be considerable.
- E. The proposed Project will not have an adverse effect on the public health, safety and general welfare. The proposed Project will promote general welfare of the community by improving the aesthetics of an aging property and increasing the economic vitality of the surrounding neighborhood. The Project would not significantly impact any scenic vistas, scenic resources, or the visual character of the area and would not result in excessive light or glare. Based on the analysis of the Project's impacts, there is no indication that this project could result in substantial adverse effects on human beings.
- F. The use is properly one authorized by conditional use permit pursuant to the MPMC. A service station is permitted in the N-S zone subject to a conditional use permit (as set forth in MPMC §§ 21.10.250 and 21.32.020(B)).
- G. Not more than one-half of corners within the street intersection will be developed for a service station use.

SECTION 5: Approval. Subject to the conditions listed on the attached Exhibit "A," which are incorporated into this Resolution by reference, the Planning Commission approves Conditional Use Permit (CU-20-01).

SECTION 6: Reliance on Record. Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the Planning Commission in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 7: Limitations. The Planning Commission's analysis and evaluation of the project is based on the best information currently available. It is inevitable that in evaluating a project that absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on analysis of the project is the Planning Commission's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are in effect regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

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PAGE 4 OF 5**

SECTION 8: *Summaries of Information.* All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9: *Electronic Signatures.* Pursuant to Monterey Park Municipal Code § 3.95.020, this Resolution may be executed with electronic signatures in accordance with Government Code §16.5. Such electronic signatures will be treated in all respects as having the same effect as an original signature.

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

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

SECTION 12: This Resolution may be appealed within 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 13: 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 14th day of September 2021.

Chairperson

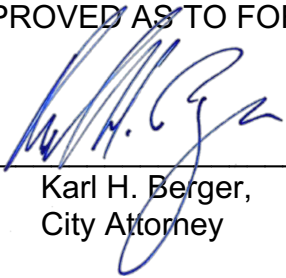
I hereby certify that the foregoing Resolution was duly adopted by the Planning Commission of the City of Monterey Park at the regular meeting held on the 14th day of September 2021, by the following vote of the Planning Commission:

AYES: Commissioners Fung, Sam, Amador, Lo and Choi
NOES: None
ABSTAIN: None
ABSENT: None

Frank A. Lopez, Secretary

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

APPROVED AS TO FORM:



Karl H. Berger,
City Attorney

RESOLUTION NO.

Exhibit A

CONDITIONS OF APPROVAL

616 NORTH NEW AVENUE

In addition to all applicable provisions of the Monterey Park Municipal Code ("MPMC"), Cadence Acquisition LLC agrees that it will comply with the following conditions for the City of Monterey Park's approval of Conditional Use Permit (CUP-20-01) ("Project Conditions").

PLANNING:

1. Cadence Acquisition LLC ("Applicant") agrees to indemnify and hold the City harmless from and against any claim, action, damages, costs (including, without limitation, attorney's fees), injuries, or liability, arising from the City's approval of CUP-20-01 except for such loss or damage arising from the City's sole negligence or willful misconduct. Should the City be named in any suit, or should any claim be brought against it by suit or otherwise, whether the same be groundless or not, arising out of the City approval of CUP-20-01, 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 City Planner for a determination regarding the need for Planning Commission review and approval of the proposed modification.
3. The conditional use permit expires 12 months after its approval if the use has not commenced or if improvements are required, but construction has not commenced under a valid building permit. A single one-year extension may be granted by the Planning Commission upon finding of good cause.
4. All conditions of approval must be listed on the plans submitted for plan check and on the plans for which a building permit is issued.
5. Before building permits are issued, the applicant must obtain all the necessary approvals, licenses and permits and pay all the appropriate fees as required by the City.
6. The real property subject to CUP-20-01 must remain well-maintained and free of graffiti. Failure of the applicant/property owner to remove graffiti within 24 hours written

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notice by the City shall authorize the City to remove or mask said graffiti at the cost of the applicant/property owner.

7. Building permits are required for any interior tenant improvements.
8. Landscaping/irrigation must be maintained in good condition at all times.
9. A copy of the Conditions of Approval for the Conditional Use must be kept on the premises of the establishment and presented to any authorized City official upon request.
10. The applicant and property owner are responsible for maintaining the area adjacent to the business location and the site in general, including any parkways and alleys.
11. The applicant and property owner must comply with all MPMC requirements for service stations as currently set forth in MPMC § 21.10.250.

BUILDING:

12. The second sheet of building plans is to list all conditions of approval. This information must be incorporated into the plans before the first submittal for plan check.
13. Fees must be paid to the County of Los Angeles Sanitation District before the City issues a building permit.
14. If required, a licensed architect or registered engineer must stamp plans in accordance with Business and Professions Code § 5537(b).
15. The Applicant must provide structural calculations prepared by a design professional to the Public Works Director, or designee.
16. The Applicant must provide a geotechnical and soils investigation report prepared by a qualified professional.
17. The Applicant must submit a grading and drainage plan to the Public Works Director, or designee, which must be approved before the City issues a building permit.
18. The Applicant must obtain approval from the Los Angeles County Health Department for food handling and/or storage in the form of a health permit.
19. Following a lot line adjustment, the Applicant must cause the property to be surveyed, and the boundaries marked by a land surveyor licensed by the State of California, before the City issues a building permit.
20. This note is to be placed on the foundation plan in the lower right-hand corner of the page in bold lettering: "The City will not inspect the foundation until all setbacks are confirmed by a land surveyor licensed by the State of California".

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21. Separate plan review and building permit is required for each detached structure including, without limitation, the service station canopy.
22. Fire-resistance rating requirements for exterior walls based on fire separation must comply with Table 602 of the California Building Code, as adopted by the MPMC (the "CBC").
23. Maximum area of exterior wall openings and degree of open protection based on fire separation distance must comply with Table 705.8 of the CBC.

ENGINEERING:

24. This project requires preparation of a Storm Water Pollution Prevention Plan (SWPPP). The Applicant must comply with the conceptual Low Impact Development (LID) Plan prepared by Candence Capital Investments, LLC dated October 22, 2020. A final LID plan must be submitted to the Public Works Director, or designee. Upon approval of these plans, the developer/owner must submit an electronic copy of the approved files, including site drawings, before the City issues a grading or building permit.
25. The developer must record a Storm Water Maintenance Covenant Agreement with the LA County Recorder's Office as required by the MS4 Permit before the City issues a grading permit.
26. All improvement plans, including grading and public improvement plans must be based upon City approved geodetic data. Survey benchmark references are to be obtained from the Engineering Division. All public works improvements must comply with the standards and specifications of the City and to the satisfaction of the City Engineer, or designee.
27. A drainage plan must be prepared for review and approval by the City Engineer, or designee. The property drainage must be designed so that the property drains to an approved storm water facility or in a manner otherwise acceptable to the City Engineer.
28. A hydrology and hydraulic study of the site relative to the LID plan must be submitted to the City Engineer for review and approval.
29. Any or all utility poles/line fronting the property on Hellman Avenue must be placed underground, if practical, as required by MPMC § 14.20.020.
30. All electric, telephone and cable TV utility services must be installed fully underground from the right-of-way to the site.
31. The developer/owner must cause the repair or reconstruction of curb, gutter, sidewalk and driveway approaches along the entire frontage on New Avenue and Hellman Avenue, as determined by a field investigation and the City Engineer, to be shown on the public improvement plans before approval.

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- 32. The developer must comply with the recommendations of the Transportation Impact Study prepared by KOA, dated February 12, 2021, which is incorporated by reference as if fully set forth.
- 33. The developer must submit a lot line adjustment for the purpose of merging lots prepared by a land surveyor licensed by the State of California for review and approval before any building permits are issued. The submittal must include, without limitation, a preliminary title report and copies of recorded easement and encumbrances as listed in the title report.

FIRE:

- 34. The developer must comply with all conditions identified by the Fire Department unless otherwise approved by the Fire Chief, or designee.
- 35. The minimum required fire flow is 1,750 gpm at 20 psi for a two-hour duration. Plans must include fire flow test data obtained within six months of the submittal date. The fire flow may be reduced to 1,000 gpm by written request to the Fire Chief, or designee. California Fire Code, as adopted by the MPMC ("CFC").
- 36. Before the City issues building permits, the Applicant must install a fire hydrant capable of providing 1,000 gallons per minute at 20 psi along the access road/driveway at a location approved by the Fire Chief, or designee, but not further than 250 feet from the construction site. The owner of the combustible construction is responsible for the cost of this installation. CFC § 507.1.
- 37. The convenience store must be constructed with an approved automatic fire sprinkler system and fire alarm as set forth by CFC § 903 and § 907.
- 38. The fuel dispensing area must comply with all CFC Chapter 23 requirements.
- 39. The grease waste interceptor within the convenience store must be approved by the LA County Health Inspector, or designee, approval of a final certificate of occupancy.
- 40. An approved number or address must be provided 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. CFC § 505.1
- 41. Knox boxes must be provided adjacent to the main entrances, Fire Control rooms, and at stairwells at approved locations. CFC § 506.1
- 42. Portable fire extinguishers must be installed on all floors per CFC § 906.1.
- 43. If "as-built" plans are required, additional fees will be due for the review of the drawings.

POLICE:

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44. The business must have security video cameras operating during all hours which the business is open. The video must be recorded onto a digital storage device and be maintained for a minimum of 30 days. The video footage must be made immediately available to any law enforcement officer who is making the request as a result of official law enforcement business.
45. The video cameras must be installed and cover all the main areas which are accessible to the public including the entrance/exits, cash register area, general merchandise area, gas pump area to include video of vehicles and people at gas pumps. If the Police Chief, or designee, determines that there is a necessity to have additional security cameras installed, the owner must comply with the request within seven calendar days. The Police Chief, or designee, may 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 owner of the business must comply with the request within seven calendar days. The picture quality of the video cameras and recording devices installed must meet the approval of the Police Chief, or designee.
46. The business must be equipped with an alarm system that alerts as to potential robberies and break-ins (break in alarm not necessary if open 24 hrs – 7 days a week). The alarm must be monitored by an alarm monitoring company who will notify the Monterey Park Police 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 manager/owner will 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.
47. The business should participate in the Monterey Park Police Department's Business Watch Program, a free service designed to educate businesses about minimizing criminal activity.
48. The manager/owner shall be responsible for maintaining the property free of litter and graffiti.

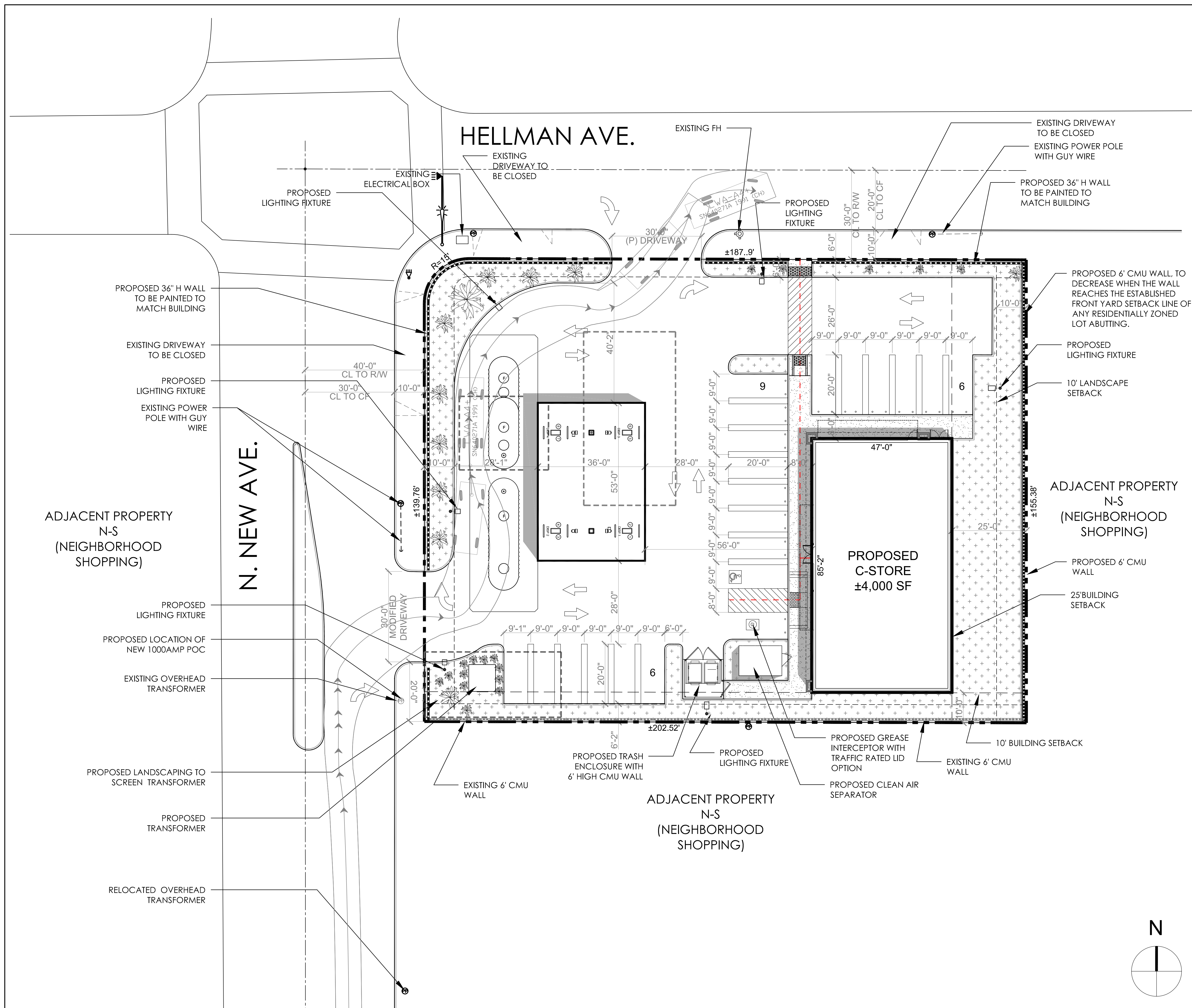
By signing this document, Joey Ly, certifies that the Applicant read, understood, and agrees to the Project Conditions listed in this document.

Cadence Acquisition LLC, Applicant

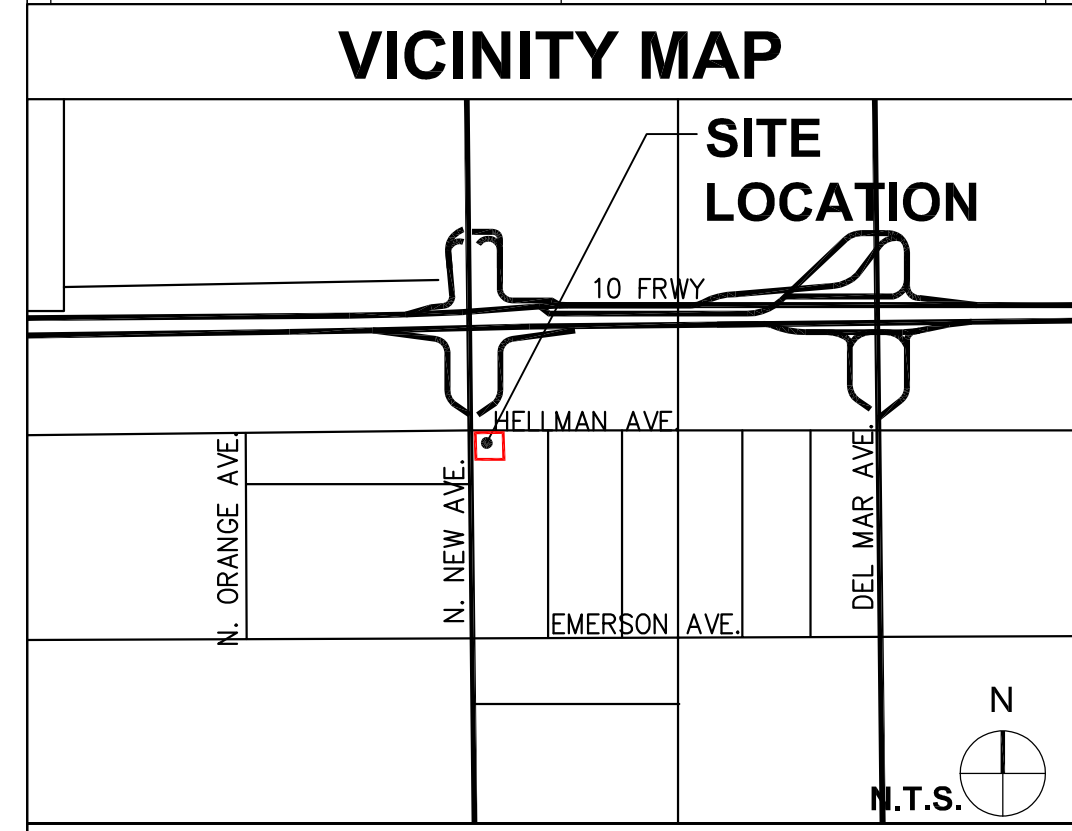
Staff Report
September 14, 2021

ATTACHMENT 2

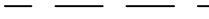
Site, floor, elevation plans



PROJECT DATA	
ASSESSOR'S PARCEL NUMBER:	5286-010-017
ADDRESS:	616 NEW AVE. MONTEREY PARK, CA 91755
DESCRIPTION:	NEW CONVENIENCE STORE & FUEL
SPRINKLED:	N/A
EXISTING ZONING:	N-S - NEIGHBORHOOD SHOPPING
PROPOSED ZONING:	N-S - NEIGHBORHOOD SHOPPING
BUILDING DATA	
SITE AREA GROSS:	±31,361 SF (0.72 AC)
ALLOWABLE BUILDING HEIGHT:	28' 2 STORIES
CONSTRUCTION TYPE:	V-B
DEMO BUILDING AREA:	±3,775 SF
PROPOSED BUILDING AREA:	±4,000 SF
CANOPY AREA:	±1,340 SF
PROPOSED LS AREA:	±6,410 SF (20.4%)
PROPOSED LOT COVERAGE:	±4,000 SF (13.0%)
PARKING REQUIREMENTS	
C-STORE PARKING REQUIRED: SERVICE STATION:	16 (4/1,000 SF for 4,000 SF + 4 STALLS SERVICE STATION
TOTAL PARKING PROVIDED:	21 TOTAL STALLS 17 C-STORE STALLS 4 FOR SERVICE STATION
LANDSCAPE SETBACKS	
FRONT	3' FT
REAR	3' FT
SIDE	3' FT
SIDE	3' FT
BUILDING SETBACKS	
FRONT	30' FT
REAR	25' FT
SIDE	30' FT
SIDE (INTERIOR)	10' FT



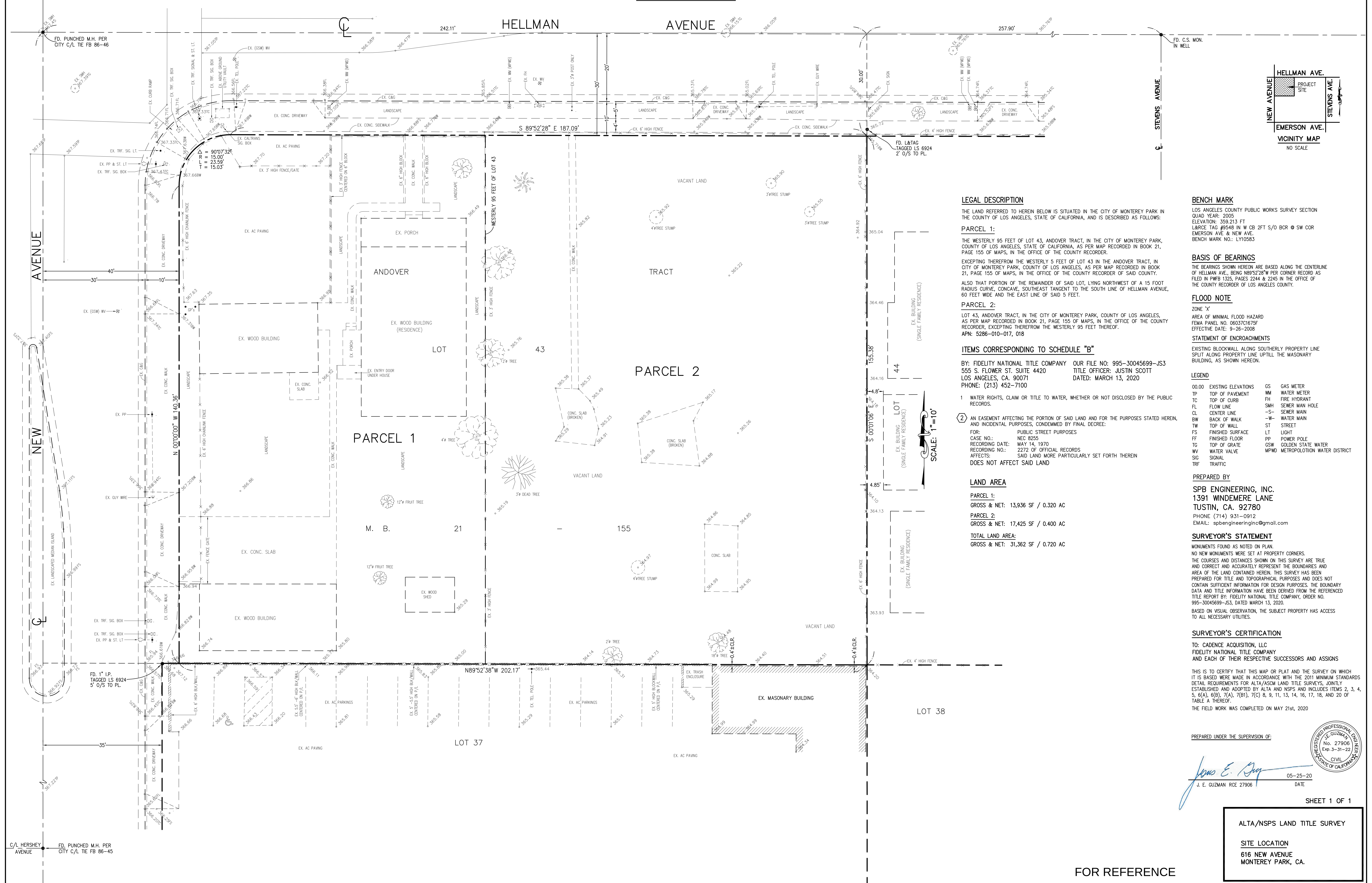
LEGEND

	PROPERTY LINE
	LANDSCAPE SETBACK
	ADA PATH
	BUILDING SETBACK
	DEMO LINE
	3'H MASONRY WALL (PROPOSED)
	6'H MASONRY WALL (PROPOSED)
	6'H MASONRY WALL (EXISTING)
	DROUGHT TOLERANT LANDSCAPE AREA
	CONCRETE PAVING/ SIDEWALK
	STANDARD A.C. PAVING

ALTA/NSPS LAND TITLE SURVEY

616 NEW AVE., MONTEREY PARK, CA.

APN. 5286-010-017,018



LEGAL DESCRIPTION

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF MONTEREY PARK, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:

THE WESTERLY 95 FEET OF LOT 43, ANDOVER TRACT, IN THE CITY OF MONTEREY PARK, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 21, PAGE 155 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER.

EXCEPTING THEREFROM THE WESTERLY 5 FEET OF LOT 43 IN THE ANDOVER TRACT, IN CITY OF MONTEREY PARK, COUNTY OF LOS ANGELES, AS PER MAP RECORDED IN BOOK 21, PAGE 155 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY.

ALSO THAT PORTION OF THE REMAINDER OF SAID LOT, LYING NORTHWEST OF A 15 FOOT RADIUS CURVE, CONCAVE, SOUTHEAST TANGENT TO THE SOUTH LINE OF HELLMAN AVENUE, 60 FEET WIDE AND THE EAST LINE OF SAID 5 FEET.

PARCEL 2:

LOT 43, ANDOVER TRACT, IN THE CITY OF MONTEREY PARK, COUNTY OF LOS ANGELES, AS PER MAP RECORDED IN BOOK 21, PAGE 155 OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER, EXCEPTING THEREFROM THE WESTERLY 95 FEET THEREOF.

APN: 5286-010-017, 018

ITEMS CORRESPONDING TO SCHEDULE "B"

BY: FIDELITY NATIONAL TITLE COMPANY OUR FILE NO: 995-30045699-JS3
555 S. FLOWER ST. SUITE 4420 TITLE OFFICER: JUSTIN SCOTT
LOS ANGELES, CA. 90071 DATED: MARCH 13, 2020
PHONE: (213) 452-7100

1 WATER RIGHTS, CLAIM OR TITLE TO WATER, WHETHER OR NOT DISCLOSED BY THE PUBLIC RECORDS.

2 AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, CONDEMNED BY FINAL DECREE:

FOR: PUBLIC STREET PURPOSES
CASE NO.: NEC 8255
RECORDING DATE: MAY 14, 1970
RECORDING NO.: 2272 OF OFFICIAL RECORDS
AFFECTS: SAID LAND MORE PARTICULARLY SET FORTH THEREIN
DOES NOT AFFECT SAID LAND

LAND AREA

PARCEL 1:
GROSS & NET: 13,936 SF / 0.320 AC

PARCEL 2:
GROSS & NET: 17,425 SF / 0.400 AC

TOTAL LAND AREA:
GROSS & NET: 31,362 SF / 0.720 AC

BENCH MARK

LOS ANGELES COUNTY PUBLIC WORKS SURVEY SECTION
QUAD YEAR: 2005
ELEVATION: 358.213 FT
L&RCE TAG #9548 IN W CB 2FT S/O BCR @ SW COR
EMERSON AVE & NEW AVE.
BENCH MARK NO.: LY10583

BASIS OF BEARINGS

THE BEARINGS SHOWN HEREON ARE BASED ALONG THE CENTERLINE OF HELLMAN AVE., BEING N89°52'28"W PER CORNER RECORD AS FILED IN FWPB 1325, PAGES 2244 & 2245 IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY.

FLOOD NOTE

ZONE "X"
AREA OF MINIMAL FLOOD HAZARD
FEMA PANEL NO. 0603701675F
EFFECTIVE DATE: 9-28-2008

STATEMENT OF ENCROACHMENTS

EXISTING BLOCKWALL ALONG SOUTHERLY PROPERTY LINE
SPLIT ALONG PROPERTY LINE, UPTILL THE MASONARY BUILDING, AS SHOWN HEREON.

LEGEND

00.00	EXISTING ELEVATIONS	CS	GAS METER
TP	TOP OF PAVEMENT	WM	WATER METER
TC	TOP OF CURB	FH	FIRE HYDRANT
FL	FLOW LINE	SMH	SEWER MAIN HOLE
CL	CENTER LINE	-S-	SEWER MAIN
BW	BACK OF WALK	-W-	WATER MAIN
TW	TOP OF WALL	ST	STREET
FS	FINISHED SURFACE	LT	LIGHT
FF	FINISHED FLOOR	PP	POWER POLE
TG	TOP OF GRATE	GSW	GOLDEN STATE WATER
WV	WATER VALVE	MPWD	METROPOLITATION WATER DISTRICT
SG	SIGNAL		
TRF	TRAFFIC		

PREPARED BY

SPB ENGINEERING, INC.
1391 WINDEMERE LANE
TUSTIN, CA. 92780
PHONE (714) 931-0912
EMAIL: spbengineeringinc@gmail.com

SURVEYOR'S STATEMENT

MONUMENTS FOUND AS NOTED ON PLAN.
NO NEW MONUMENTS WERE SET AT PROPERTY CORNERS.
THE COURSES AND DISTANCES SHOWN ON THIS SURVEY ARE TRUE AND CORRECT AND ACCURATELY REPRESENT THE BOUNDARIES AND AREA OF THE LAND CONTAINED HEREIN. THIS SURVEY HAS BEEN PREPARED FOR TITLE AND TOPOGRAPHICAL PURPOSES AND DOES NOT CONTAIN SUFFICIENT INFORMATION FOR DESIGN PURPOSES. THE BOUNDARY DATA AND TITLE INFORMATION HAVE BEEN DERIVED FROM THE REFERENCED TITLE REPORT BY: FIDELITY NATIONAL TITLE COMPANY, ORDER NO. 995-30045699-JS3, DATED MARCH 13, 2020.
BASED ON VISUAL OBSERVATION, THE SUBJECT PROPERTY HAS ACCESS TO ALL NECESSARY UTILITIES.

SURVEYOR'S CERTIFICATION

TO: CADENCE ACQUISITION, LLC
FIDELITY NATIONAL TITLE COMPANY
AND EACH OF THEIR RESPECTIVE SUCCESSORS AND ASSIGNS

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2011 MINIMUM STANDARDS DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 2, 3, 4, 5, 6(A), 6(B), 7(A), 7(B), 7(C), 8, 9, 11, 13, 14, 16, 17, 18, AND 20 OF TABLE A, THEREOF.
THE FIELD WORK WAS COMPLETED ON MAY 21st, 2020

PREPARED UNDER THE SUPERVISION OF:

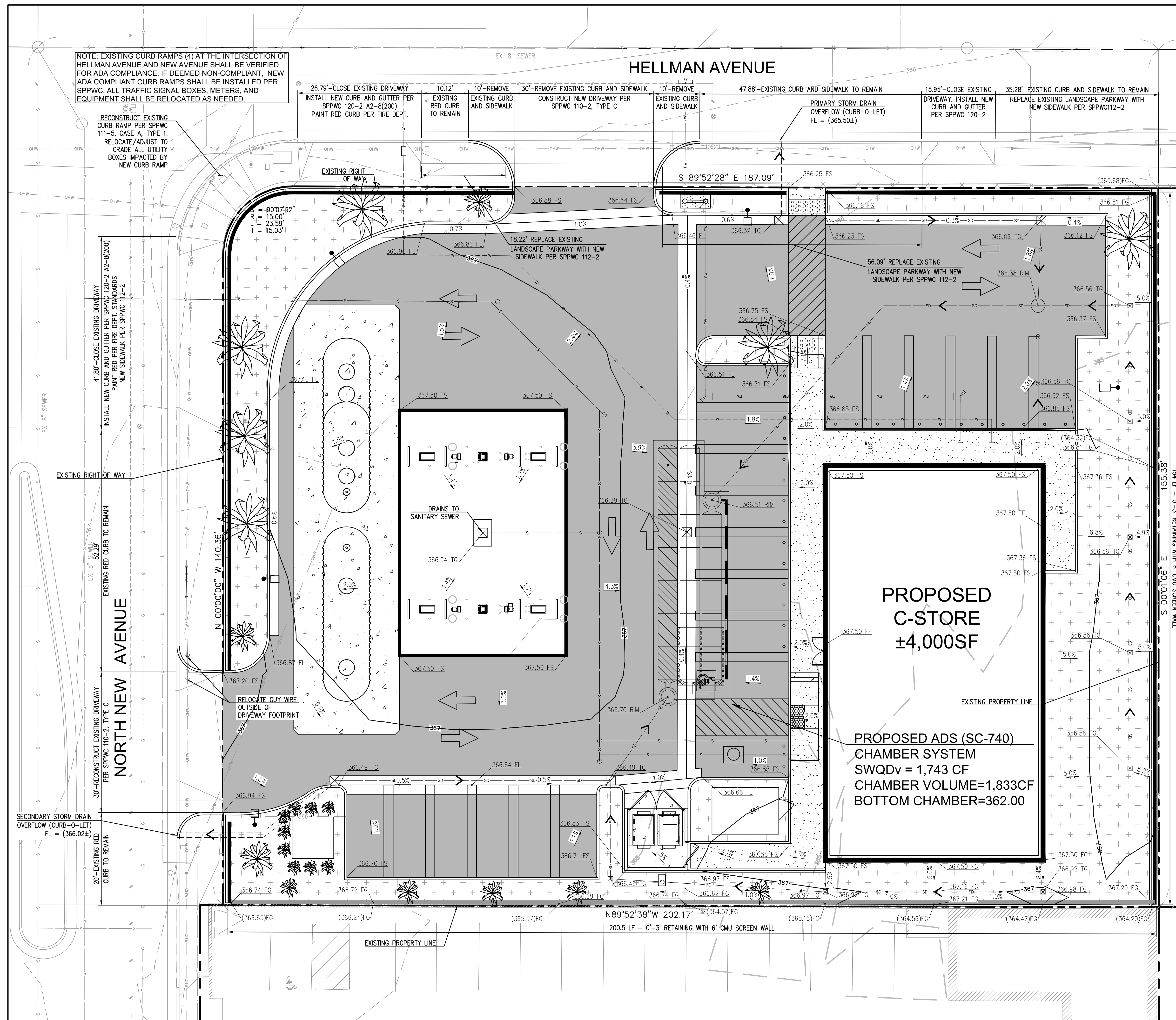
J. E. Guzman
J. E. GUZMAN RCE 27906
05-25-20
DATE

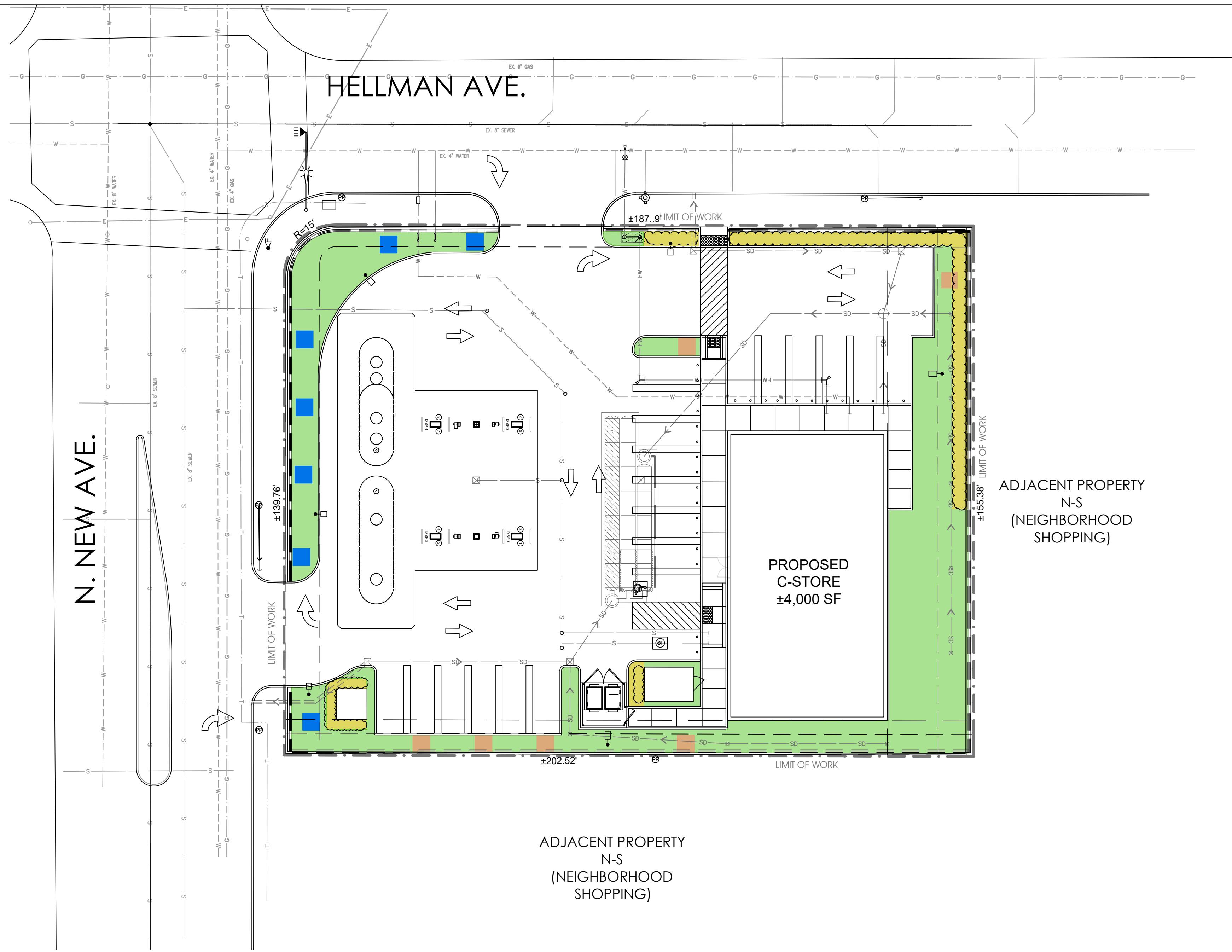


ALTA/NSPS LAND TITLE SURVEY

SITE LOCATION
616 NEW AVENUE
MONTEREY PARK, CA.

FOR REFERENCE





WATER CONSERVATION LEGEND

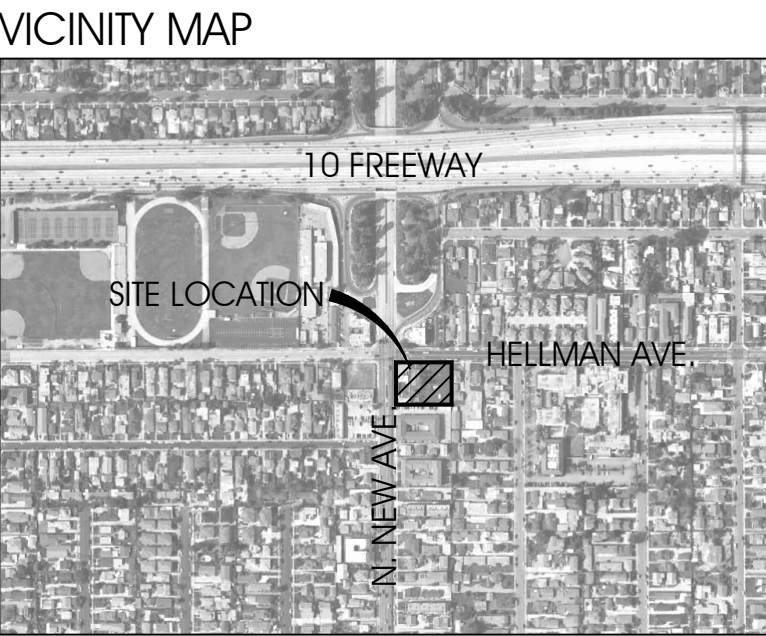
SYMBOL	DESCRIPTION
	HYDROZONE 1 - (SHRUB, GROUNDCOVER) PLANT TYPE: LOW WATER USE IRRIGATION: LOW VOLUME MICRO-SPRAY AREA: 5159 S.F. NOTE: OVERHEAD IRRIGATION SHALL NOT BE PERMITTED WITHIN 12" OF ANY NON-PERMEABLE SURFACE.
	HYDROZONE 2 - (TREES) PLANT TYPE: LOW WATER USE IRRIGATION: TREE BUBBLERS AREA: 175 S.F. NOTE: OVERHEAD IRRIGATION SHALL NOT BE PERMITTED WITHIN 24" OF ANY NON-PERMEABLE SURFACE.
	HYDROZONE 3 - (TREES) PLANT TYPE: MODERATE WATER USE IRRIGATION: TREE BUBBLERS AREA: 150 S.F. NOTE: OVERHEAD IRRIGATION SHALL NOT BE PERMITTED WITHIN 24" OF ANY NON-PERMEABLE SURFACE.
	HYDROZONE 4 - (HEDGE) PLANT TYPE: MODERATE WATER USE IRRIGATION: LOW VOLUME MICRO-SPRAY AREA: 872 S.F. NOTE: OVERHEAD IRRIGATION SHALL NOT BE PERMITTED WITHIN 12" OF ANY NON-PERMEABLE SURFACE.

LANDSCAPE WATER CONSERVATION STATEMENT

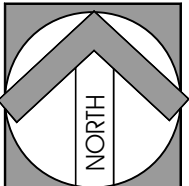
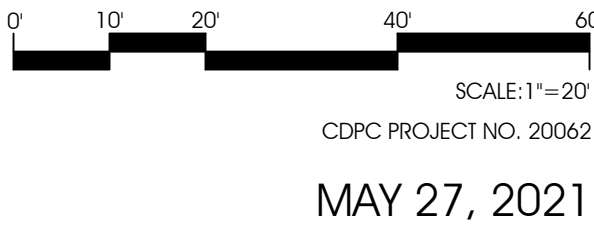
- WATER CONSERVATION IS ACHIEVED IN THIS LANDSCAPE CONCEPT PLAN AS DESCRIBED BELOW:
- ALL PLANT MATERIALS SELECTED FOR THIS SITE WERE APPROPRIATE FOR THE GEOGRAPHICAL LOCATION AND LOCAL CLIMATE. THEIR ADAPTABILITY TO DROUGHT, DATA FROM WULCOLS III HAS BEEN USED FOR DETERMINING SPECIES' PLANT FACTOR FOR THE WATER USE CALCULATIONS.
 - PLANTS WITH SIMILAR WATER USE REQUIREMENTS WERE GROUPED TOGETHER.
 - 85% OF LANDSCAPE AREAS ARE PLANTED WITH LOW WATER USE PLANTS, THE BALANCE WITH MODERATE USE PLANTS. NO HIGH WATER USE PLANTS ARE USED.
 - IRRIGATION SECTIONS/HYDROZONES ARE SEPARATED BY CONSIDERING PLANT SPECIES FACTOR, PLANT DENSITY AND MICROCLIMATE. IF LOW WATER USE PLANTS ARE MIXED WITH MODERATE WATER USE PLANTS IN THE SAME HYDROZONE, THE MODERATE WATER USE FACTOR IS USED FOR WATER USE CALCULATIONS.
 - THE USE OF TURF IS ELIMINATED. ALL TREE, SHRUB AND GROUNDCOVER AREAS WILL BE DRESSED WITH MINIMUM 3" LAYER OF MULCH MOISTURE RETENTION AND TO DISCOURAGE WEEDS. EXCEPT IN AREAS WITH GROUNDCOVER PLANTED FROM FLATS WHERE MULCH DEPTH SHALL BE ONE AND ONE HALF INCHES (1-1/2").

LANDSCAPE TABULATION

DESCRIPTION	AREA	OVERALL %
LOW WATER USE AREA:	5334 SF	84%
MODERATE WATER USE AREA:	1022 SF	16%
TOTAL AREA:	6356 SF	100%



CONCEPTUAL IRRIGATION PLAN
7-ELEVEN RETAIL PROJECT
MONTEREY PARK, CA.

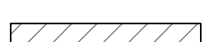


conceptual design & planning company
Corporate Office
3195-C Airport Loop Drive
Studio One
Costa Mesa, CA 92626
T: 949.399.0870
www.cdpcinc.com

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WALL TYPE LEGEND

EXISTING WALL	
EXISTING COLUMN	
NEW WALL	
NEW PARTIAL HEIGHT WALL	
NEW COOLER WALL	

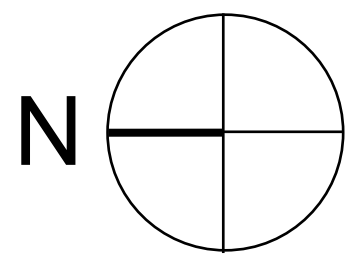
OCCUPANCY CALCULATION

MERCHANDISE	2129 SF	/	60	=	36 PEOPLE
KITCHEN / SALES	307 SF	/	200	=	2 PEOPLE
STORAGE/ BACK ROOM	1204 SF	/	300	=	5 PEOPLE
OFFICE	56 SF	/	100	=	1 PERSON
RESTROOM	304 SF	/	N/A	=	0 PEOPLE
TOTAL					= 44 PEOPLE

LAYOUT INFORMATION

ROLLER GRILLS	2 (SELF SERVE)
SANDWICH CASE	9'
VAULT DOORS	12
LOW TEMP DOORS	2
ICE MERCH. DOORS	1
NOVELTY CASE	1
BAKERY CASE	1 (LG)
SLURPEE BARRELS	8
GONDOLA UNITS (60"H)	36
END CAPS (60"H)	12
POWER WINGS	(05) - NOT IN TOTAL
LOW WALLS (36"H)	00
HIGH WALLS (72"H)	02
TOTAL	50

GAS: YES	LIQUOR: NO
BEER: YES	WINE: YES
OCCUPANCY LOAD (>49) = 44	
TRAVEL DISTANCE (<200) = 76'	
COMMON PATH OF TRAVEL (<75) = 48'	
RESTROOMS REQUIRED = 2	
EXITS REQUIRED = 2	
OVERHEAD SHELVES = 49 FT	
FLOOR SHELVES = 45 FT	
TOTAL SQ FT = 4,000 SF	
SALES FLOOR AREA = 2,129 SF	



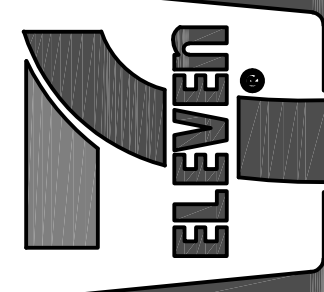
1047740 - Monterey Park, CA - FP2 LAYOUT 3

616 New Avenue
Monterey Park, CA

SCALE: 1/4"=1'-0"

APPROVED: YES ☒ NO ☐
07/01/21

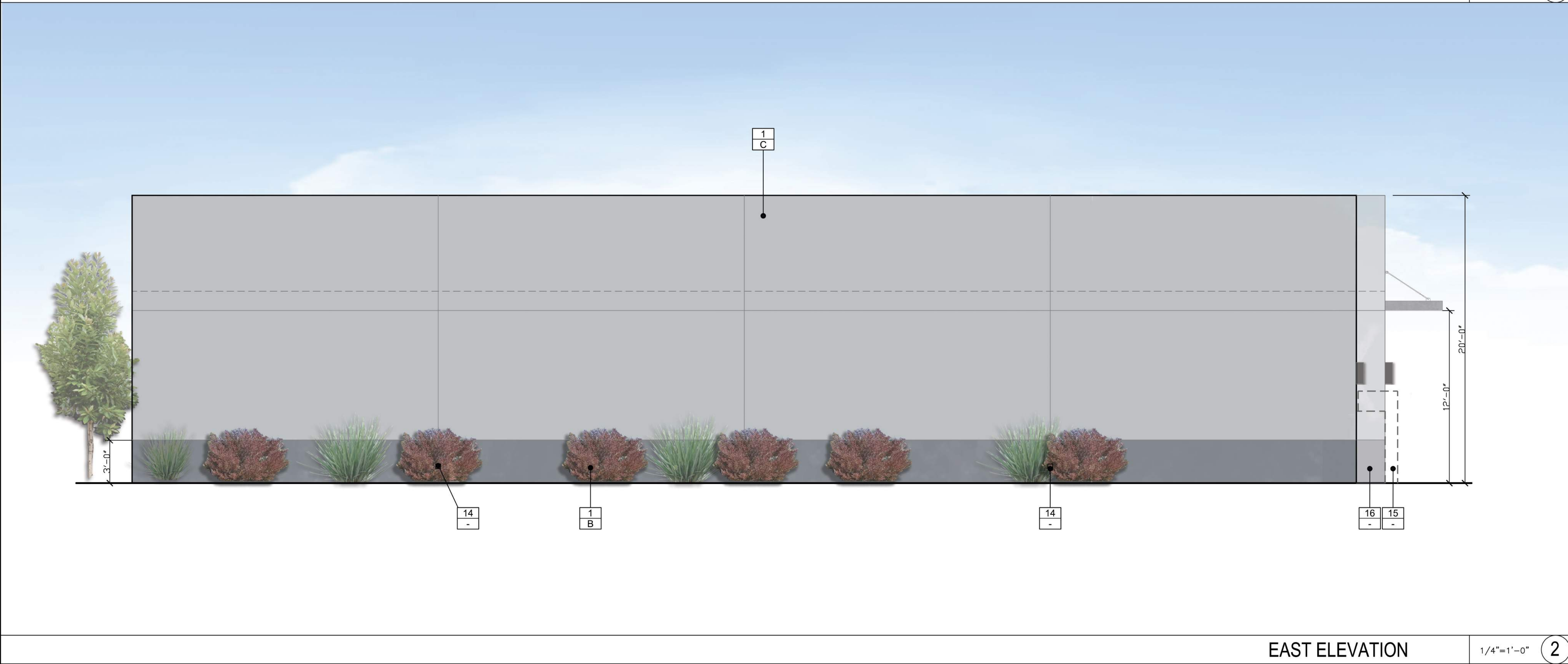
07/01/21

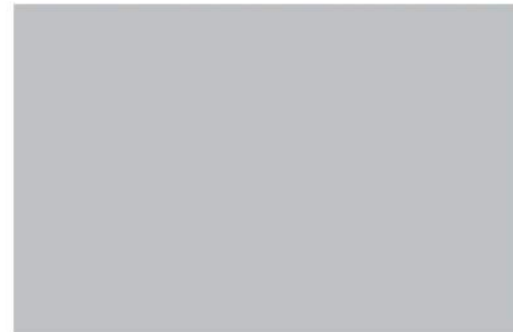
 GPD GROUP Professional Corporation 535 South Main Street 330192.1100 Fax 330192.2102		7-ELEVEN, INC. 3200 Hackberry Rd. Irving, Texas 75063		
		7-11 #1047740 616 New Avenue Monterey Park, CA		
		Job#:	2021216.38	
 PRELIMINARY DRAWINGS NOT FOR CONSTRUCTION	Scale:	AS NOTED	Date:	7/9/21
	Drawn By:	Checked By:		
	SHEET:			

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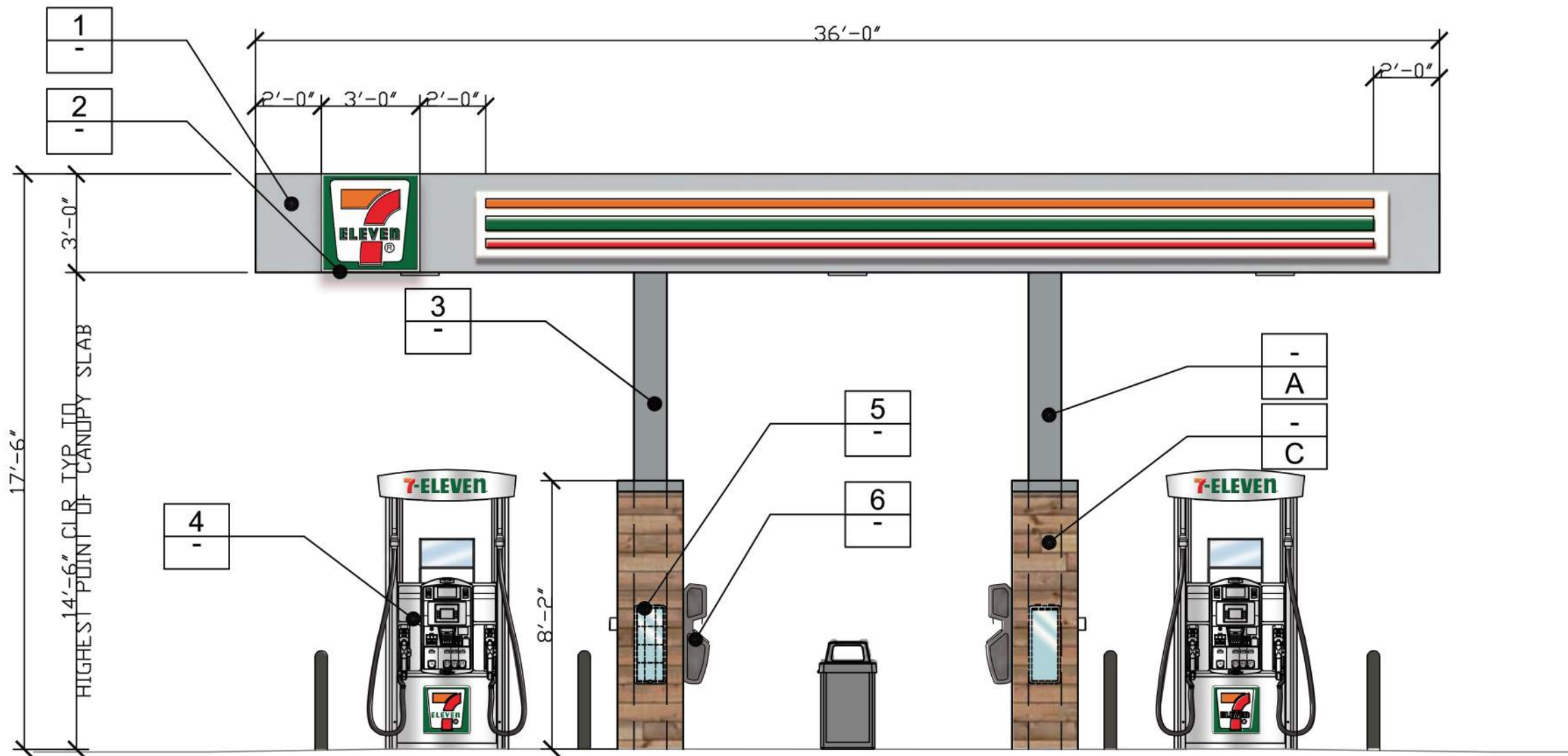


KEYED NOTES	
1 —	EXTERIOR STUCCO TO BE PAINTED
2 —	EMERGENCY EGRESS LIGHT
3 —	PREFINISHED METAL CANOPY
4 —	STREET ADDRESS WHITE VINYL
5 —	WINDOW STRIPING AT TOP OF MULLION
6 —	EXTERIOR WALL CYLINDER — KICHLER — 9264BA — BRONZE
7 —	SERVICE & SECONDARY EGRESS DOOR
8 —	SPANDREL STOREFRONT
9 —	SURVEILLANCE CAMERA
10 —	ICE MACHINE
11 —	SIGNAGE — BACKLIT CHANNEL LETTERS
12 —	OUTDOOR TRASH
13 —	ELECTRICAL ROOM DOOR
14 —	INTERNAL DOWNSPOUT FOR PRIMARY DRAIN
15 —	CO2 CAGE
16 —	PROPANE CAGE
NOTES	
- ALL EXTERIOR DOORS SHALL HAVE A VANDAL RESISTANT LIGHT FIXTURE INSTALLED ABOVE THE DOOR. THE DOORS SHALL BE ILLUMINATED WITH A MINIMUM 1 FC ILLUMINATION AT GROUND LEVEL, EVENLY DISPERSED." - NUMBER AND/OR LETTERS WILL BE CLEARLY VISIBLE FROM THE STREET."	
EXTERIOR COLORS & FINISHES	
— A	CLADDING/SIDING FIBERON — WARM SIENA



- C	SHERWIN WILLIAMS PAINT # SW 6254 - LAZY GRAY
- D	ANODIZED ALUMINUM STOREFRONT SYSTEM #40 DARK BRONZE AA-M10C21A44
- E	SHERWIN WILLIAMS PAINT # SW 7076 - CYBER SPACE
	
FIBERON - WARM SIENA	
	
SHERWIN WILLIAMS PAINT #SW 6256 - SERIOUS GRAY	
	
SHERWIN WILLIAMS PAINT #SW 6254 - LAZY GRAY	
	
SHERWIN WILLIAMS PAINT #SW 7076 - CYBER SPACE	

ELEV		Job #:		M - 1096		CADENCE CAPITAL INVESTMENTS LLC 6400 FIDDLERS GREEN CIR, STE. 1020 GREENWOOD VILLAGE, CO 80111 616 NEW AVE. MONTEREY PARK, CA 91755 EXTERIOR ELEVATION	Rev. #	Date	Description
		Date:	07/06/21						
		Scale:	AS NOTED						
		Drawn By:	SPD						



KEYED NOTES

- | | |
|---|--|
| 1 | ACM CANOPY FASCIA WITH TATEYAMA IMAGE TRI-STRIPE |
| 2 | ILLUMINATED LOGO |
| 3 | CANOPY COLUMN |
| 4 | GAS DISPENSER |
| 5 | FIRE EXTINGUISHER—MOUNT MAX. 48" FROM GRADE |
| 6 | WASH BUCKET—MOUNT MAX. 48" FROM GRADE |
| 7 | OVERFLOW PROTECTION AS REQUIRED |
| 8 | GAS DISPENSER OUTLINE |

EXTERIOR COLORS & FINISHES

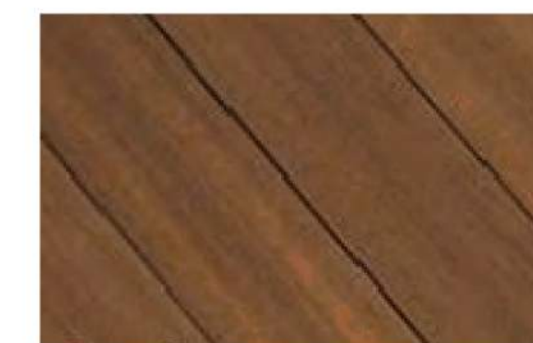
- | | |
|---|--------------------------|
| - | SHERWIN WILLIAMS PAINT |
| A | # SW 9162 - AFRICAN GRAY |
| - | SHERWIN WILLIAMS PAINT |
| B | # SW 6254 - LAZY GRAY |
- | | |
|---|------------------------|
| - | SHERWIN WILLIAMS PAINT |
| B | # SW 6254 - LAZY GRAY |



SHERWIN WILLIAMS PAINT
SW 9162 - AFRICAN GRAY



SHERWIN WILLIAMS PAINT
SW 6254 - LAZY GRAY

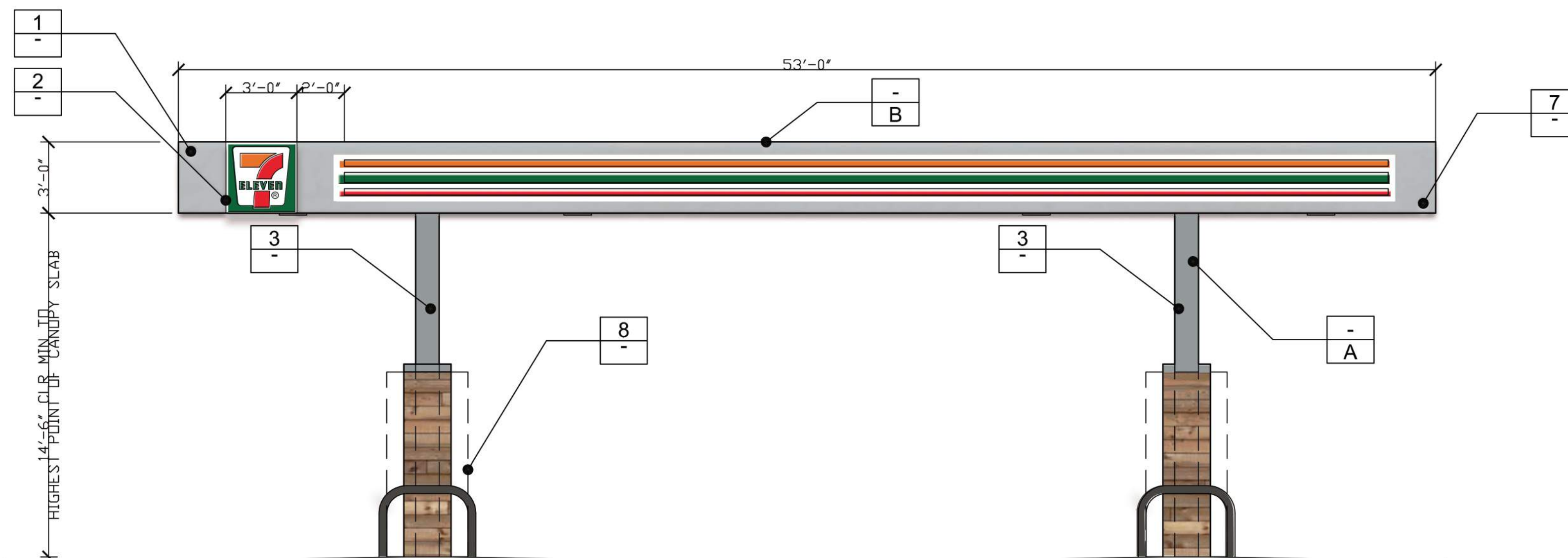


FIBERON - WARM SIENA

SOUTH ELEVATION

1/4"=1'-0"

1



WEST ELEVATION

1/4"=1'-0"

2

CADENCE CAPITAL INVESTMENTS LLC
6400 FIDDLERS GREEN CIR, STE. 1820
GREENWOOD VILLAGE, CO 80111

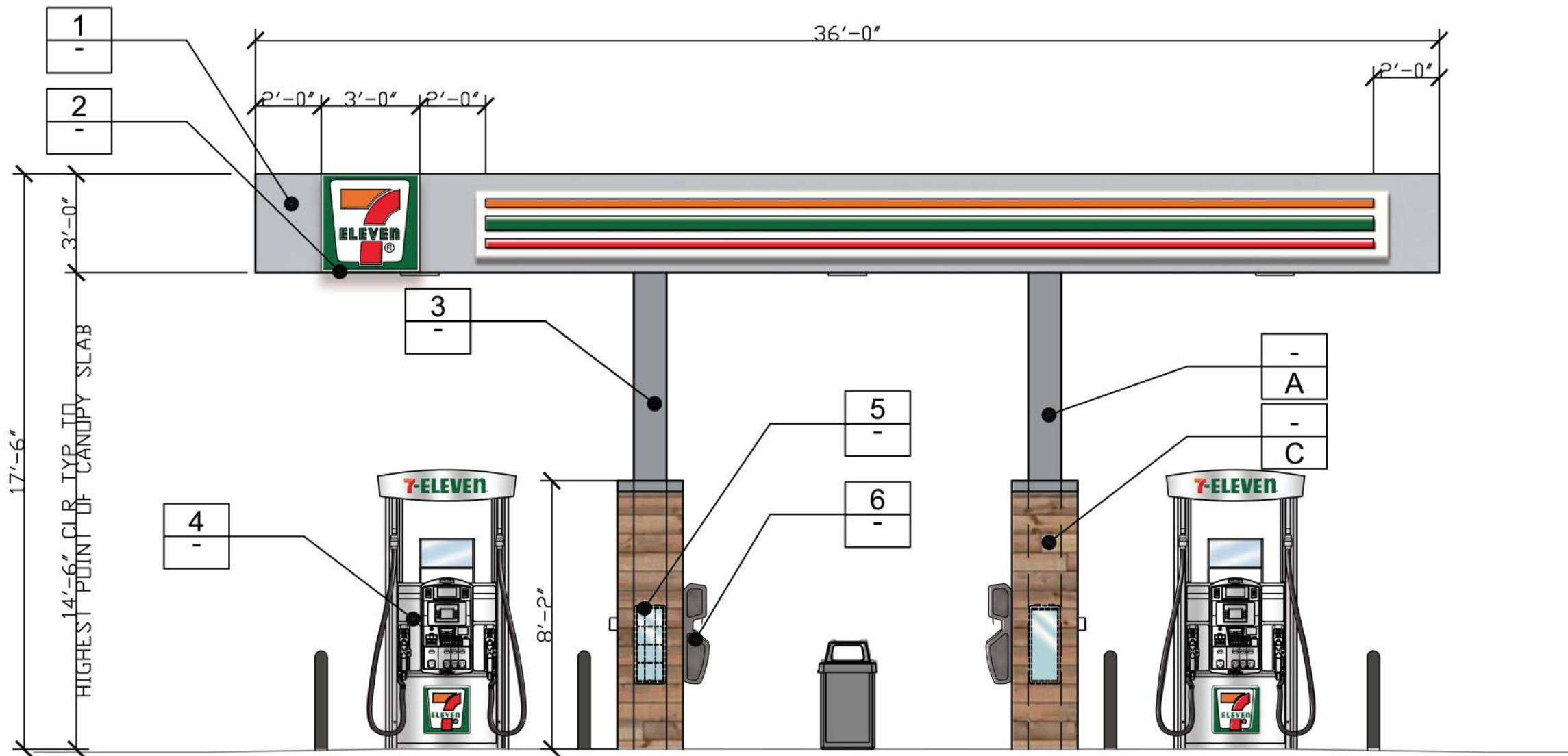
616 NEW AVE.
MONTEREY PARK, CA 91755

EXTERIOR ELEVATION (FUEL)



Job #: M - 1096
Date: 10/23/20
Scale: AS NOTED
Drawn By: SPD

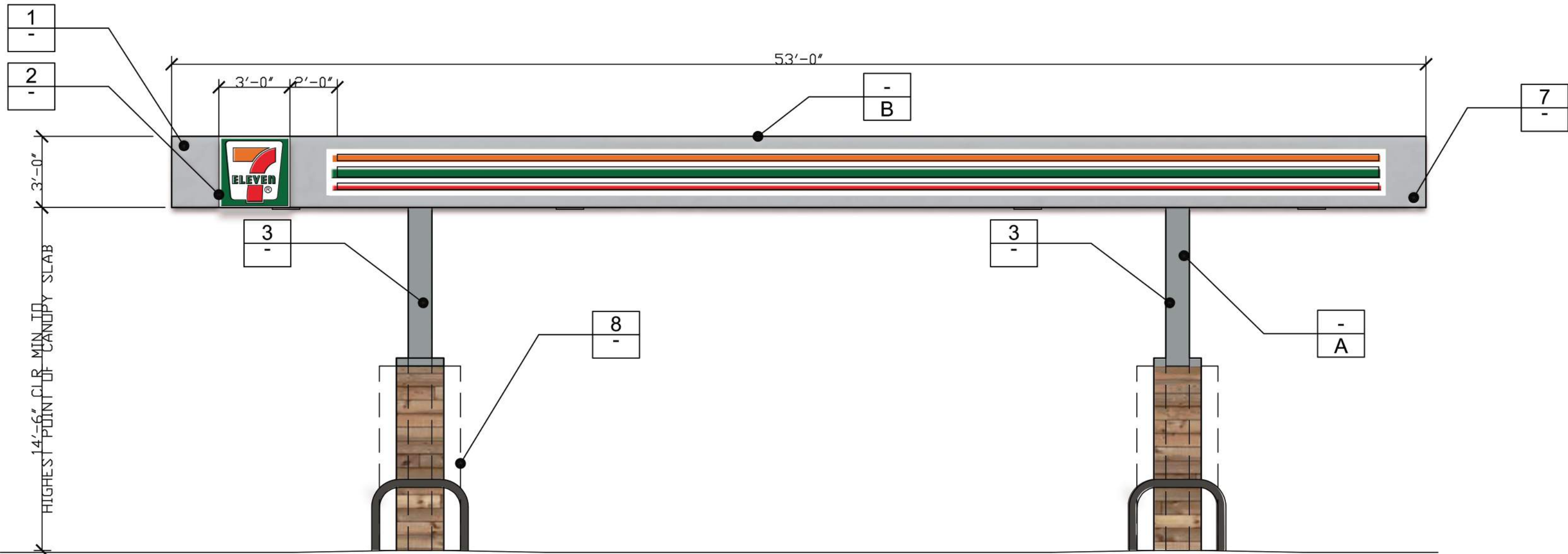
ELEV-1



KEYED NOTES		Description	Date	Rev. #	CADENCE CAPITAL INVESTMENTS LLC 6400 FIDDLERS GREEN CIR, STE. 1820 GREENWOOD VILLAGE, CO 80111	616 NEW AVE. MONTEREY PARK, CA 91755	EXTERIOR ELEVATION (FUEL)		
1	ACM CANOPY FASCIA WITH TATEYAMA IMAGE TRI-STRIPE								
2	ILLUMINATED LOGO								
3	CANOPY COLUMN								
4	GAS DISPENSER								
5	FIRE EXTINGUISHER—MOUNT MAX. 48" FROM GRADE								
6	WASH BUCKET—MOUNT MAX. 48" FROM GRADE								
7	OVERFLOW PROTECTION AS REQUIRED								
8	GAS DISPENSER OUTLINE								
EXTERIOR COLORS & FINISHES		SHERWIN WILLIAMS PAINT	# SW 6254 - LAZY GRAY	FIBERON - WARM SIENA	Job #:	Date:	Scale:	Drawn By:	ELEV-2

NORTH ELEVATION

1/4"=1'-0" 1

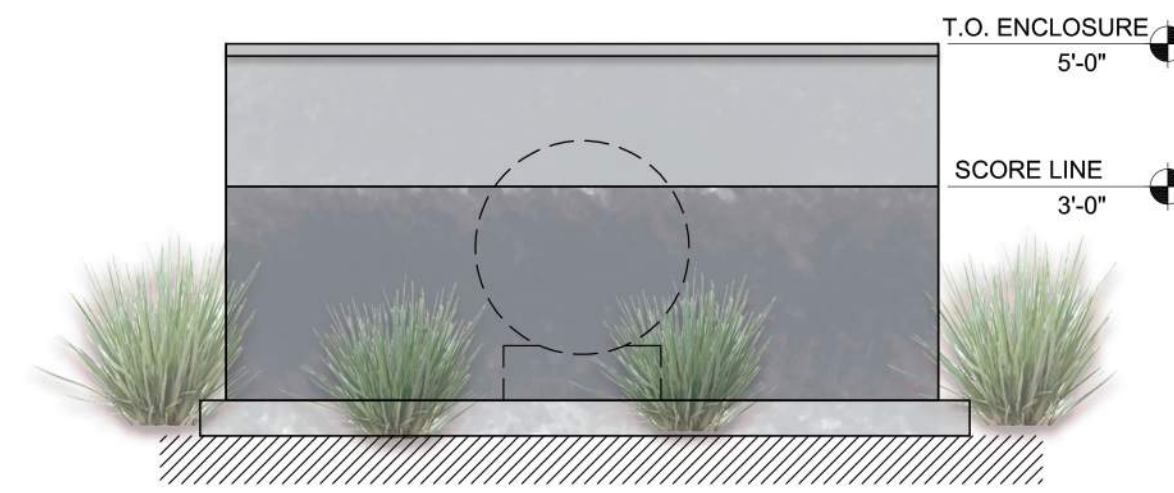


EAST ELEVATION

1/4"=1'-0" 2



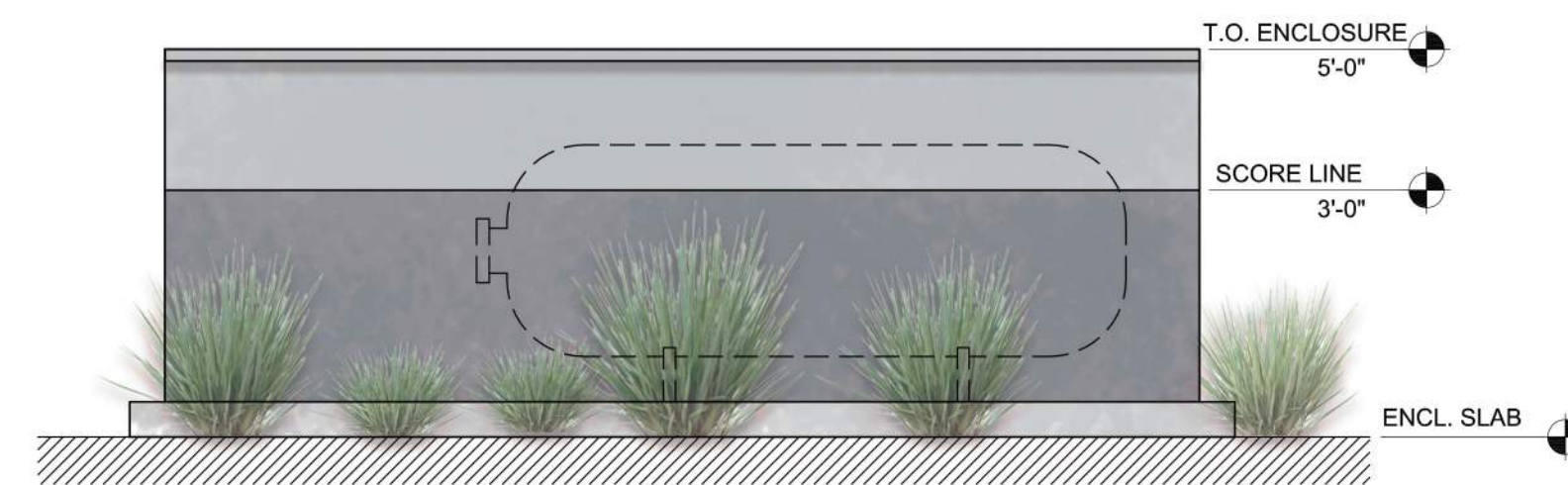
Job #:	M - 1096
Date:	10/23/20
Scale:	AS NOTED
Drawn By:	SPD



ENCLOSURE EAST

$$3/8"=1'$$

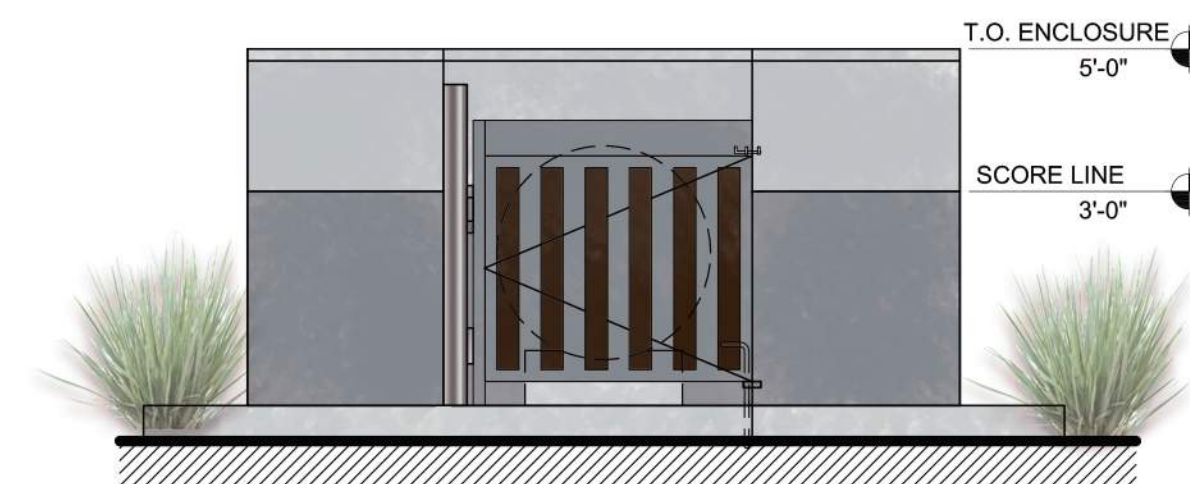
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ENCLOSURE SOUTH

$$3/8"=1'$$

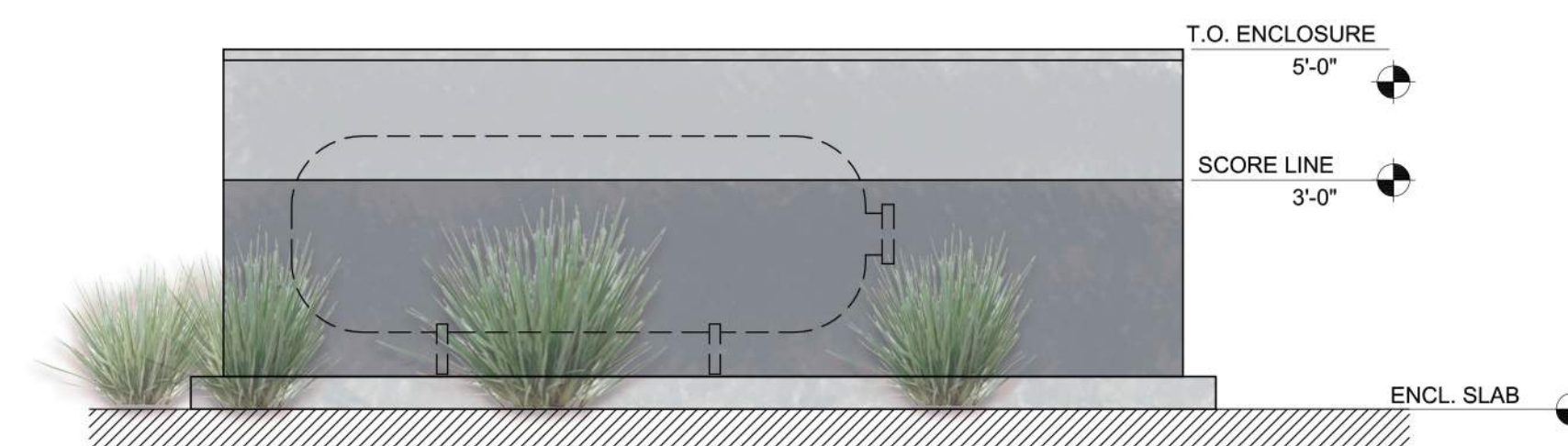
3



ENCLOSURE WEST

$$3/8"=1'$$

2



ENCLOSURE NORTH

$$3/8"=1'$$

1

KEYED NOTES

- 1 8" R.C.M. BLOCK W/ STUCCO PAINT TO MATCH BUILDING.
- 2 2" CONCRETE CAP
- 3 6" PCC FOUNDATION, EXTENDING 6" BEYOND ENCLOSURE WALLS, OVER 90% COMPACTED BASE. WITH A MIN. SLOPE OF 2" TO DRAIN ENCLOSURE.
- 4 18 GA. METAL GATES AND STEEL MINI V-BEAM PANEL. HUNG ON 3" STEEL PIPES.
- 5 NOT USED
- 6 4"x4" STEEL PIPE
- 7 CLEAN AIR SEPARATOR ENCLOSURE

EXTERIOR COLORS & FINISHES

- | | |
|---|--------------------------|
| - | SHERWIN WILLIAMS PAINT |
| A | # SW 6254- LAZY GRAY |
| - | SHERWIN WILLIAMS PAINT |
| B | # SW 6256 - SERIOUS GRAY |



SHERWIN WILLIAMS PAINT
SW 6254 - LAZY GRAY



SHERWIN WILLIAMS PAINT
SW 6256 - SERIOUS GRAY



ANODIZED ALUMINIUM
DARK BRONZE

CAS	Job #: M - 1096	 CADENCE	CADENCE CAPITAL INVESTMENTS LLC 6400 FIDDLERS GREEN CIR, STE. 1820 GREENWOOD VILLAGE, CO 80111	Rev. #	Date	Description
	Date: 05/15/20		616 NEW AVE. MONTEREY PARK, CA 91755			
	Scale: AS NOTED					
	Drawn By: SPD					
			CLEAN AIR SEPARATOR ENCLOSURE			

CAS

