AGENDA

CITY OF EL MONTE PLANNING COMMISSION

TUESDAY, APRIL 23, 2019
7:00 P.M.

CITY HALL EAST – COUNCIL CHAMBERS
11333 VALLEY BOULEVARD

OPENING OF MEETING

1. Call Meeting to Order
2. Flag Salute
3. Roll Call
4. Approval of Agenda
5. Commission Disclosures
6. Public Comments

Citizens wishing to address the Planning Commission on land use and development matters may do so at this time. Note that the Commission cannot respond to or take any action on the item.

Citizens wishing to speak on an agenda item will be given the opportunity to speak after the item is presented by staff.

Limit your comments to three (3) minutes. State your name and address at the podium for the record.

CONSENT CALENDAR

7. Approval of Planning Commission Minutes

Action minutes from the Planning Commission Meeting of March 26, 2019.

8. Approval of Modification Minutes

None.
**PUBLIC HEARING**

None

**REGULAR AGENDA**

9. **Time Extension Request for Conditional Use Permit No. 23-17, Design Review No. 09-17 & Modification No. 16-17**

   **Address:** 2650 Seaman Avenue / APN: 8102-002-004

   **Request:** On February 13, 2018, the Planning Commission adopted Resolution No. 3498 approving Conditional Use Permit No. 23-17, Design Review No. 09-17 and Modification No. 16-17, to allow the construction and occupancy of a new 4,500 square foot warehouse building located on an M-1 Light Manufacturing zoned property that is within 150 feet of residentially zoned and used properties. A Modification entitlement request was also approved to reduce the required building rear setback from 20 to zero (0) feet. The property owner is requesting a 12-month extension for additional time to complete the building plan-check process to obtain necessary permits for construction. Any additional time extension requests will not be accepted.

   **Case Planners:** David Kim, Assistant Planner

   **Recommendation:** Approve the time extension request for Conditional Use Permit No. 23-17, Design Review No. 09-17 & Modification No. 16-17 with a new expiration date of February 12, 2020.

10. **Time Extension Request for Tentative Parcel Map No. 73160**

    **Address:** 2711 Meeker / APN: 8105-009-002

    **Request:** On January 31, 2017, the Planning Commission adopted Resolution No. 3467, approving Tentative Parcel Map No. 73160 to subdivide a 13,441 square foot vacant lot into three (3) parcels (two (2) residential lots and one (1) common driveway) for the construction of two (2) residential units both with an attached 2-car garage. The Applicant is requesting a one (1) year extension on entitlement approvals for additional time to complete the building plan-check process to obtain necessary permits for construction. Any additional time extension requests will not be accepted.
Case Planner: Tony Bu, Associate Planner

Recommendation: Approve the time extension request for Tentative Parcel Map No. 73160 with a new expiration date of February 10, 2020.

11. Time Extension Request for Conditional Use Permit Nos. 25-17, 12-18 & Design Review No. 11-17

Address: 3447 Peck Road / APN: 8567-019-038

Request: On April 24, 2018, the Planning Commission adopted Resolution No. 3504, approving Conditional Use Permit Nos. 25-17, 12-18 & Design Review No. 11-17 to allow the construction of a new automobile service station with a drive-thru carwash and multi-tenant commercial building. The applicant is requesting a one (1) year extension on entitlement approvals. Any additional time extension requests will not be accepted.

Case Planner: Tony Bu, Associate Planner

Recommendation: Approve the time extension request for Conditional Use Permit No. 25-17, 12-18 & Design Review No. 11-17 with a new expiration date of April 24, 2020.

12. Director's Report

13. City Attorney’s Report

14. Commissioner Comments
NEXT SCHEDULED CITY PLANNING COMMISSION MEETING

Tuesday, May 14, 2019 at 7:00 P.M.
City Hall East – City Council Chambers

Availability of staff reports: Copies of the staff reports or other written documentation relating to each item of business described hereinabove are on file in the offices of the Planning Division, City Hall West, 11333 Valley Boulevard, El Monte, California, 91731. These documents are available for public inspections during regular business hours, Monday through Thursday, 7:30 a.m. to 5:30 p.m., except legal City holidays. You may also call the Planning Division at (626) 258-8626 for information.

Individuals with special needs: The City of El Monte wishes to assist individuals with special needs. In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at (626) 258-8626. Notification 48 hours prior to the meeting will enable us to make reasonable arrangements to ensure accessibility to this meeting. [28 Code of Federal Regulations 35.102-35.104 ADA Title II]

General explanation of how the meeting is conducted:
1. The staff report is presented by City Planning staff.
2. The City Planning Commissioners ask questions if necessary for clarification.
3. The City Planning Commission Chair opens the public hearing.
4. The applicant makes a presentation to the City Planning Commission.
5. Individuals speaking in favor of the project address the Commission.
6. Individuals speaking against the project address the Commission.
7. The applicant responds to project opponents.
8. The public hearing is closed.
9. City Planning Commission members discuss the project.
10. City Planning Commission members vote on the project.
11. At the next scheduled Commission meeting, which is usually two weeks after the hearing, a resolution confirming the Commission action will be adopted.
12. Any interested party who disagrees with the City Planning Commission decision may appeal the Commission’s decision to the City Council within 10 calendar days of the adoption of the resolution. Any appeal filed must be directed to the City Clerk's Office and must be accompanied by a fee of $1,569.42. Any individual that received notice of this meeting from the City of El Monte will receive notice of an appeal, if one is filed.
1. Call Meeting to Order – Meeting was called to order by Chairperson Peralta at 7:03 p.m.

2. Flag Salute – The Flag Salute was led by Commissioner Wong

3. Roll Call – The roll call was led by Community & Economic Development Director Donavanik

**Commissioners present:** Cruz, Gonzalez, Peralta, Nuño, Wong

**Staff present:** Community & Economic Development Director Donavanik
Deputy City Attorney Vazquez
Senior Planner Lee
Associate Planner Bu
Planning Secretary Magdaleno

4. Approval of Agenda:

*Motion:* by Commissioner Cruz to approve the agenda, seconded by Commissioner Gonzalez.

Motion carried 5-0.

5. Commission Disclosures:

No disclosures.

6. Public Comments:

None.
CONSENT CALENDAR

7. Approval of Consent Calendar Item No. 7

Motion: by Commissioner Nuño to approve action minutes from the Planning Commission Meeting of March 26, 2019, seconded by Commissioner Gonzalez. Motion carried 5-0.

8. Approval of Modification Minutes
None.

PUBLIC HEARING

NONE

REGULAR AGENDA

9. Revision to Resolution No. 3540 (Tentative Parcel Map No. 74837 and Modification No. 09-18)

Revision of Resolution No. 3540 for Tentative Parcel Map No. 74837 and Modification No. 09-18.

PUBLIC COMMENTS:
None.

Motion: by Commissioner Nuño to approve revised Resolution No. 3540 (Tentative Parcel Map No. 74837 and Modification No. 09-18), seconded by Commissioner Gonzalez. Motion carried 5-0.

10. Housing Element 2018

The City of El Monte has completed the Housing Element Annual Report for 2018. This report tracks housing construction and implementation of housing programs during the reported period. The City Council adopted the “Vision El Monte” General Plan in 2011 and the Housing Element in 2013.

Commissioner Cruz Comments/Questions related to:
• Housing Goal amount

Commissioner Gonzalez Comments/Questions related to:
• Housing Goal projection
Commissioner Nuño /Questions related to:
- Housing quota; penalties if housing quota is not met
- Future housing projects and potential applicants

Commissioner Wong /Questions related to:
- Staff report and presentation numbers are inconsistent
- Information available for public knowledge; reader friendly posting on City’s website

Commissioner Peralta /Questions related to:
- Revise numbers for consistency

PUBLIC COMMENTS:

Speaker #1: Bill Chen, resident of Los Angeles, owns property in El Monte, looking for feedback; asked if there are handouts with City incentives in terms of volume and bonus density for the amount of units, or incentives for reduced parking for subsidized units. Mr. Chen asked what the Metro Rail radius is that allows for contribution towards meeting housing goal that’s within rapid transit line or major bus intersection or train station. He would like to know if the multi-generation housing includes student housing. (60 dwelling units per acre, what does that come out to in terms of dwelling unit per square foot of land?)

Motion: by Commissioner Gonzalez to adopt Resolution No. 3542 recommending City Council approval of report and directing staff to transmit the report to the Governor’s Office of Planning and Research and the State Department of Housing and Community Development, seconded by Commission Nuño. Motion carried 5-0.

11. Director’s Report - None

12. City Attorney’s Report - None

13. Commissioner Comments – Commissioner Cruz advised he would not be attending the Planning Commission meeting of April 9, 2019.

Commissioner Gonzalez stated there should be caution taken on Opportunity Zones and hopes the City of El Monte can provide a comprehensive all-encompassing lens that shows the relationship with all the different elements (Housing, Economic Development, Parks, young people, older folks).

Chairperson Peralta inquired about the Community Meeting regarding Parks Master Plan; additional information requested and questioned the time of the meeting; maybe times good be scheduled later, something to keep in mind for future meetings of this sort to be able to get maximum participation.

Commissioner Gonzalez asked if they can be notified of any future forums, activities and/or meetings in the City of El Monte.
Adjournment

Meeting adjourned at 7:38 p.m.

Respectfully submitted,

______________________________
Planning Commission Chairperson
Cesar Peralta

______________________________
Planning Commission Secretary
Marcella Magdaleno
TO: CITY PLANNING COMMISSION
FROM: BETTY DONAVANIK
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR
BY: JASON C. MIKAELIAN, AICP
CITY PLANNER
DAVID KIM
ASSISTANT PLANNER
SUBJECT: CONDITIONAL USE PERMIT NO. 23-17, DESIGN REVIEW NO. 09-17 & MODIFICATION NO. 16-17 (TIME EXTENSION)
LOCATION: 2650 SEAMAN AVENUE
APPLICANT: RICHARD STUPIN
605 W. BEVERLY BLVD.
MONTEBELLO, CA 90640
PROPERTY OWNER: NORAIR KAZEIAN
838 VIA VENTI
MONTEREY PARK, CA 91754
RECOMMENDATION: APPROVE TIME EXTENSION FOR CONDITIONAL USE PERMIT NO. 23-17, DESIGN REVIEW NO. 09-17 & MODIFICATION NO. 16-17 FOR ADDITIONAL TWELVE (12) MONTH.

REQUEST / STAFF RECOMMENDATION

On February 13, 2018, the Planning Commission adopted Resolution No. 3498, approving Conditional Use Permit No. 23-17, Design Review No. 09-17 and Modification No. 16-17 to allow the construction and occupancy of a new 4,500 square foot warehouse building on an M-1 Light Manufacturing zoned property located within 150 feet of residentially zoned and used properties. The Modification entitlement request was to reduce the required building rear setback from 20 feet to zero (0) feet. The property owner is requesting a 12-month time extension of the project’s entitlements to allow additional time to complete the building plan-check process and obtain the necessary permits to begin construction on the project.
The property owner initially submitted the project for building plan-check review on June 19, 2018. The project is currently in its fourth submittal of the building plan-check review. The first submittal of the project’s grading plan was submitted to the City on February 26, 2019 for review.

Staff recommends Planning Commission extend the project’s entitlements for an additional 12 months with a new expiration date of February 12, 2020. Any additional time extension request after this date will not be accepted.

**ATTACHMENTS:**

A. Approved Planning Commission Resolution No. 3498  
B. Signed Planning Application for Time Extension Request
RESOLUTION NO. 3498

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 23-17, DESIGN REVIEW NO. 09-17 AND MODIFICATION NO. 16-17 TO ALLOW THE CONSTRUCTION OF A NEW 4,455 SQUARE FOOT BUILDING FOR THE CONSTRUCTION AND OCCUPANCY OF A WAREHOUSE BUILDING IN THE M-1 (LIGHT MANUFACTURING) ZONE, AND ADOPTING A CATEGORICAL EXEMPTION FOR THE PROPERTY LOCATED AT 2650 SEAMAN AVENUE, EL MONTE, CALIFORNIA

The Planning Commission of the City of El Monte, County of Los Angeles, State of California, does hereby find, determine and resolve as follows:

SECTION 1 – PROJECT DESCRIPTION. On October 4, 2017, Richard Stupin (RAS Associates Inc.), 605 W. Beverly Boulevard, Montebello, California, filed an application for Conditional Use Permit No. 23-17, Design Review No. 09-17, and Modification No. 16-17. A Conditional Use Permit and Design Review are requested for the construction of a new 4,455 square foot building on a 10,450 square foot lot for the occupancy of a distributing company. A Modification is also requested to reduce the required side yard setback from 20 feet to zero (0) feet. The subject property is located in the M-1 (Light Manufacturing) zone. The request is made pursuant to the requirements of Chapters 17.20, 17.22 and 17.24 of the El Monte Municipal Code (EMMC).

SECTION 2 – PUBLIC HEARING. The property is located at 2650 Seaman Avenue, on the east side of Seaman Avenue, and described as follows, to-wit:

APN: 8102-002-004
Pursuant to which after due notice as required by law, a full and fair public hearing was held to consider Conditional Use Permit No. 23-17, Design Review No. 09-17 and Modification No. 16-17 before this Planning Commission on February 13, 2018 at which time, all interested persons were given full opportunity to be heard and present evidence.

**SECTION 3 - ZONING.** The property is located within the M-1 (Light Manufacturing) Zone. The surrounding zoning and land use of the adjacent properties are as follows:

- **North:** M-1 (Light Manufacturing); Residential Use
- **South:** M-1 (Light Manufacturing); Industrial Use
- **East:** M-1 (Light Manufacturing); Industrial Use
- **West:** M-1 (Light Manufacturing); Industrial Use

**SECTION 4 - ENVIRONMENTAL.** In accordance with the criteria and authority contained in the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines as amended, staff has conducted the appropriate environmental analysis and based on that assessment, the City has determined the project to be Categorically Exempt by Article 19 Section 15303 (Class 3 – New Construction or Conversion of Small Structures) in accordance with the requirements of the State CEQA Guidelines. No further environmental assessment is required.

**SECTION 5 - GENERAL PLAN.** The General Plan land use designation is Industrial/Business Park. Allowable uses include a mix of sustainable manufacturing, processing, office, warehousing, and distribution uses that generate employment, minimize traffic, and are compatible with residential neighborhoods. Supporting and limited retail uses are also allowed. Industrial uses are allowed at an intensity of up to 1.0 FAR.
SECTION 6 – CONDITIONAL USE PERMIT FINDINGS. All necessary
findings for the granting of Conditional Use Permit No. 23-17 pursuant to Section
17.24.050 of the El Monte Municipal Code can be made in a positive manner and are as
follows:

A. The granting of such conditional use permit will not be detrimental to the public
health or welfare or injurious to the property or improvements in such zone or
vicinity;

Finding of Fact:
The approval of the Conditional Use Permit will allow the construction of a 4,455
square foot building for the occupancy of a distribution company. All operations
will occur within the building. Conditions of approval have been imposed to
ensure that the proposed occupancy will not increase the demand for public
services or negatively impact the residential properties or residential land uses in
the area.

B. The use applied for at the location indicated is properly one for which a
conditional use permit is authorized;

Finding of Fact:
The site is zoned M-1 (Light-Manufacturing) and is currently occupied by a
deteriorated single family residence. Pursuant to Section 17.24.040(41) of the El
Monte Municipal Code, the proposed occupancy of the proposed building for the
occupancy of a distribution company is permitted upon the approval of a
Conditional Use Permit.

C. The site for the proposed use is adequate in size and shape to accommodate
such use; and that all yards, spaces, walls, fences, parking, loading, landscaping,
and other features required to adjust such use with the land and uses in the
neighborhood are provided;

Finding of Fact:
The site, as proposed, will provide 10 parking spaces and one (1) ADA parking
space for a total of 11 parking spaces. A single 15 feet by 25 feet loading space
is also provided. The current parking requirement requires 11 parking spaces
and one loading space. Furthermore, the site complies with all applicable zoning
requirements with an exception to the side yard setback in which the applicant
has applied for a Modification. The foregoing analysis, site-plan review, and
input from other City Divisions assure compliance with these requirements.

D. The site abuts streets and highways adequate in width and pavement type to
carry the kind of traffic generated by the proposed use;
Finding of Fact:
The site is served by Seaman Avenue, which is classified as a local street and fulfills the standard design requirements for its classification. The proposed distribution company that will occupy the warehouse will have approximately four (4) employees. Deliveries will take place with the hours of operation by 16 foot city trucks once or twice a month. The existing driveway will be repaired and widened to meet the EMMC’s requirement of 25 feet.

E. The granting of such conditional use permit will not adversely affect the purpose, goals and policies of the city general plan.

Finding of Fact:
The General Plan land use designation of the subject property is Industrial/Business Park. The Industrial/Business Park designation encourages a mixture of office, commercial and industrial uses within an integrated development setting and allows for uses such as warehousing, assembly, distribution, and administrative offices. The proposed construction of a warehouse building would be consistent with the General Plan, provided that a Conditional Use Permit is approved by the Planning Commission. The proposed use of the warehouse building is for distribution use only. Since there will not be heavy industrial uses in this proposal, the proposed business will be consistent with the General Plan in that it is a compatible use within 150 feet of residentially used properties.

SECTION 7 – DESIGN REVIEW FINDINGS. All necessary findings for the granting of Design Review No. 09-17 to construct a new 4,455 square foot warehouse on a 10,450 square foot lot, located in the M-1 (Light Manufacturing) zone, pursuant to Chapter 17.22 (Design Review) of the EMMC can be made in a positive manner as follows:

A. The granting of the design review request will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity;

Finding of Fact:
The applicant is proposing to construct a new 4,455 square foot building on a 10,450 square foot lot. The project site is zoned M-1, which permits the construction of a new building upon approval of a Design Review by the City’s Planning Commission. The subject property is surrounded on all sides by M-1 zoned properties. The overall placement, massing, and design of the proposed building will not be detrimental to the public health or welfare or injurious to the adjacent properties.
B. The design of the proposed project would provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, textures, and colors that will remain appealing and will retain a reasonably adequate level of maintenance.

Finding of Fact:
The building is proposed to be situated along the eastern part of the project site. There will be a new seven (7) foot landscape planter along the front property line. In order to ensure proper maintenance of the property, staff has added a condition of approval that requires the recordation of a property maintenance agreement prior to building permit issuance. Staff has determined that the overall site plan design and placement of the proposed building is consistent with the City’s Comprehensive Design Guidelines and will be a development that is aesthetically pleasing for the community.

C. The design and layout of the proposed project will not unreasonably interfere with the use and enjoyment of neighboring existing or future development, and will not result in vehicular and/or pedestrian hazards;

Finding of Fact:
The proposed layout of the project site was carefully considered by the applicant. The proposed building is situated closer to the rear of the property. The proposed new driveway approach will provide easier vehicle ingress and egress to the site. As proposed, staff has determined that the design and layout of the building will not interfere with the existing or future enjoyment of adjacent properties and uses.

D. The architectural design of the proposed project is compatible with the character of the surrounding neighborhood and will maintain the harmonious, orderly and attractive development contemplated by the provisions of this chapter and the general plan;

Finding of Fact:
The architectural design of the proposed building takes on a contemporary/modern style. The proposed entry facade area features a mix of decorative metal panels and stucco to create unique architectural detailing for the building. The building will be painted different shades of grey to draw attention to the different aspects of the building such as the pop out façade and parapet. Overall, the proposed colors and materials of the building create a dynamic and interesting design that is consistent with the City’s Comprehensive Design Guidelines and the General Plan’s goal of achieving exceptional commercial design along a commercial corridor.

E. The landscape considerations including the location, type, size and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas, have been provided to insure visual relief, to complement
buildings and structures and to provide an attractive environment.

Finding of Fact:
The proposed landscape plan provides a good mixture of drought tolerant plant materials. There are five (5) proposed box trees that are a mixture of 24" and 36" trees that are also methodically placed in the new landscape areas located along the north, west, and south part of the parking lot to not only add a landscape texture to the proposed building, but also serve as an alleviating element to break up the continuous concrete area of the proposed parking lot. Vertical evergreen screening will also be condition along the north property line to help provide screening for the adjacent residential property. The proposed landscape will provide an attractive environment and is consistent with the City's landscape regulations.

F. The architectural design, layout and site configuration is consistent with the City's adopted "comprehensive design guidelines."

Finding of Fact:
The proposed architecture of the building is of contemporary style and is consistent with the City's commercial design guidelines for massing and façade articulation. The project as proposed is consistent with the City's Comprehensive Design Guidelines.

SECTION 8 – MODIFICATION FINDINGS. All necessary findings for the granting of a Modification pursuant to Section 17.20.110 of the El Monte Municipal Code can be made in a positive manner and are as follows:

A. There are exceptional or extraordinary circumstances or conditions applicable to the property involved, or to the intended use of the property, that do not apply generally to the property or class of use in the same zone or vicinity.

Finding of Fact:
The M-1 (Light Manufacturing) zone requires a 20 foot side yard setback when the subject property is adjacent to a residentially zoned or used property. The side property line of the project site abuts the side yard of a residential property; therefore, the EMMC requires a 20 foot rear setback. The City's Subdivision Ordinance requires industrially zoned lots to have a minimum area of 40,000 square feet and dimensions of 200 feet wide and deep. The existing site is legal non-conforming as it has an area of only 10,450 square feet. In addition, the property is only 55 feet wide by 190 feet deep. This greatly limits the ability for any proposed building to meet all setback requirements. Furthermore, the proposed building location will be consistent with building setbacks of adjacent properties to the south and west.
B. The granting of the Modification will not be materially detrimental to the public health or welfare or be injurious to the property or to improvements in such zone or vicinity in which the property is located.

Finding of Fact: The proposed design of the building is consistent with the existing commercial/industrial character of the surrounding properties. Staff has determined the site plan design provides appropriate buffers to accommodate the transition from commercial, industrial and residential uses that are adjacent to the site. Therefore, the granting of the Modification will not be materially detrimental to the public health or welfare or be injurious to the property or to improvements in such zone or vicinity in which the property is located.

C. Because of special circumstances applicable to the subject property, including size, shape, topography, location, or surroundings, the strict application of the zoning ordinance is found to deprive the subject property of privileges enjoyed by other properties in the vicinity and under the identical zone classifications.

Finding of Fact:
The applicant is proposing to reduce the required side setback from 20 feet to zero (0) feet. The City’s Subdivision Ordinance requires industrially zoned lots to have a minimum area of 40,000 square feet and dimensions of 200 feet wide and deep. The existing site is legal non-conforming as it has an area of only 10,450 square feet. In addition, the property is only 55 feet wide by 190 feet. This greatly limits the ability for any proposed building to meet all setback requirements. Furthermore, the proposed building location will be consistent with building setbacks of adjacent properties to the south and west.

D. The granting of such modification will not adversely affect the comprehensive General Plan.

Finding of Fact:
The subject property is located within the Industrial/Business Park General Plan land use designation. The General Plan provides design guidance for Industrial/Business Park projects to ensure that they convey a high level of visual and physical quality and distinctive neighborhood character. The proposed project is consistent with the goals and policies of the General Plan by developing a building that is of high quality design, providing consistent use of architectural details and materials, is pedestrian in its focus and scale, and conveys a welcoming and inviting theme that coincides with the proposed use of the building.

The proposed project meets all of the design guidelines as listed in the Community Design Element, with conditions imposed. Therefore, the granting of such modification will not adversely affect the comprehensive General Plan.
SECTION 9 – APPROVALS AND CONDITIONS. The Planning Commission determines that the project is Categorically Exempt under Article 19 Section 15303 (Class 3 – New Construction and Conversion of Small Structures) in accordance with the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines, as amended, and does hereby approve Conditional Use Permit No. 23-17, Design Review No. 09-17 and Modification No. 16-17 subject to the following recommended conditions:

PROJECT GENERAL

1. The project shall substantially conform to Conditional Use Permit No. 23-17, Design Review No. 09-17, and Modification No. 16-17 presented to the Planning Commission on February 13, 2018.

2. The Conditional Use Permit No. 23-17, Design Review No. 09-17, and Modification No. 16-17 approval as contained herein shall be effective for a period of twelve (12) months from the date of effective approval thereof unless the applicant has obtained building occupancy permits from the City for the proposed project or has timely requested an extension within which to procure building permits.

3. If a more intense industrial/manufacturing business were to occupy the warehouse building, a separate Conditional Use Permit must be applied for and approved by the Planning Commission since this property is located within 150 feet of residential properties.

4. A copy of the approving resolution shall be printed or attached to the development plans that are to be submitted during the plan check process.

5. All Planning Division, Building Division, Code Enforcement Division, Engineering Division, and Los Angeles County Fire Department standards and conditions shall be complied with prior to the issuance of building permits or at another time specified in the conditions of approval or as outlined in City Codes.

6. The applicant and property owner shall sign and submit an affidavit accepting all conditions of approval contained in the Planning Commission Resolution prior to issuance of Building Permits or a Certificate of Occupancy Permit for the proposed project.

7. All activities on the property shall comply with the City of El Monte Noise Ordinance at all times.
8. By acceptance of the approval of the project by the City, the applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, and employees to challenge, set aside, void or annul the approval of the project from an action which may be brought within the time period provided for such actions or challenges under applicable law. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate in any such defense.

9. Subject to review and applicability by the Economic Development Director, Public Works Director, and the City Attorney and to ensure ongoing compliance with the conditions of approval set forth under this resolution and to ensure that the property and all improvements located thereupon are properly maintained, the applicant (and the owner of the property upon which the authorized use and/or authorized improvements are located if different from the applicant) shall execute a maintenance agreement with the City of El Monte which shall be recorded against the property and which shall be in a form reasonably satisfactory to the City Attorney. The maintenance agreement shall contain covenants, conditions and restrictions relating to the following:

   a. Compliance with operational conditions applicable during any period(s) of construction or major repair (e.g., proper screening and securing of the construction site; implementation of proper erosion control, dust control and noise mitigation measure; adherence to approved project phasing etc.).

   b. Compliance with ongoing operational conditions, requirements and restrictions, as applicable (including but not limited to hours of operation, security requirements, the proper storage and disposal of trash and debris, and/or restrictions on certain uses, including uses determined by the Planning Commission (or the City Council upon appeal) to be incompatible or inconsistent with any authorized uses; compliance with applicable State and/or federal statutes and regulations, including but not limited to compliance with statutes and regulations regarding the appropriate operating guidelines for certain equipment (e.g., emissions standards, radio frequency emissions standards etc.);

   c. Ongoing compliance with approved design and construction parameters, signage parameters and restrictions as well as landscape designs, as applicable;

   d. Ongoing maintenance, repair and upkeep of the property and all improvements located thereupon (including but not limited to controls on the proliferation of trash and debris about the property; the proper and timely removal of graffiti; the timely maintenance, repair and upkeep of damaged, vandalized and/or weathered buildings, structures and/or improvements; the timely maintenance, repair and upkeep of exterior paint, parking striping, lighting and irrigation fixtures, walls and fencing, publicly accessible
bathrooms and bathroom fixtures, landscaping and related landscape improvements and the like, as applicable);

e. If the applicant and the owner of the property are different (e.g., if the applicant is a tenant or licensee of the property or any portion thereof), both the applicant and the owner of the property shall be signatories to the maintenance agreement and both shall be jointly and severally liable for compliance with its terms.

f. The maintenance agreement shall further provide that any party responsible for complying with its terms shall not assign its ownership interest in the property or any interest in any lease, sublease, license or sublicense, unless the prospective assignee agrees in writing to assume all of the duties and obligations and responsibilities set forth under the maintenance agreement.

g. The maintenance agreement shall contain provisions relating to the enforcement of its conditions by the City and shall also contain provisions authorizing the City to recover costs and expenses which the City may incur arising out of any enforcement and/or remediation efforts which the City may undertake in order to cure any deficiency in maintenance, repair or upkeep or to enforce any restrictions or conditions upon the use of the property. The maintenance agreement shall further provide that any unreimbursed costs and/or expenses incurred by the City to cure a deficiency in maintenance or to enforce use restrictions shall become a lien upon the property in an amount equivalent to the actual costs and/or expense incurred by the City.

h. The execution and recordation of the maintenance agreement shall be a condition precedent to the issuance of final approval for any construction permit related to this entitlement.

CONSTRUCTION

10. Prior to the commencement of construction on the site, the developer shall schedule a pre-construction meeting between the general superintendent or field representative and the Planning Division to discuss the approved plans and construction requirements.

11. The project must comply and be designed to meet the all requirements of the current California Building Code. All building safety, geotechnical, mechanical, electrical, plumbing, and accessibility requirements will be reviewed for compliance during plan review.

12. Prior to commencing demolition and site preparation activities, the project site shall be secured with a fence to prevent unauthorized access to the site and the fence shall contain a screening material to screen construction activities from view. The temporary screening fence shall be installed to the satisfaction of the Economic Development Department and shall be maintained in good condition (free of tears, holes, crack lines, debris, etc.) at all times. At the primary entrance to the site, the screening material shall be reduced to a maximum height of four feet to provide visibility into the site at all times and for public safety purposes. The project site
shall also have a minimum of one sign of quality material depicting the proposed
development, which shall include renderings, project opening date, and City
Council information. The signs shall be designed and installed to the satisfaction of
the Economic Development Department and maintained in good condition (free of
tears, graffiti, holes, cracks, fading, debris, etc.) at all times.

13. During the construction process all related activities, including but not limited to,
loading, unloading, storage of equipment and materials, and parking of employee
vehicles are prohibited within the public R.O.W. All such activities shall be
conducted only on the project site and not in the public R.O.W.

14. All onsite activities shall comply with the City of El Monte Noise Ordinance at all
times.

15. Automatic gas shut off/earthquake safety valves shall be installed for each gas
meter location.

16. Fire protection facilities; including access, must be provided prior to and during
construction.

17. All staging areas and storage of equipment and materials shall be set back from
adjacent residential uses.

18. All trash and refuse (i.e. solid waste) shall be disposed of in dumpsters or other like
containers; and all such waste shall be removed from the premises on a routine
basis, as provided under EMMC Chapter 8.20, by a solid waste hauler duly
franchised to provide such service to the property. Applicant shall divert fifty
percent (50%) of its solid waste through recycling services provided by a solid
waste hauler duly franchised to provide such service to the property. Pending
completion of all construction activities upon the property, surplus construction
materials shall be stored so as to be screened from view when not actually in use.
All construction and demolition debris shall be removed from the property in
compliance with EMMC Chapter 8.20. The removal of all solid waste arising out of
the construction and demolition process shall be undertaken by a duly franchised
solid waste hauler authorized to provide solid waste services for construction and
demolition projects within the City of El Monte. The removal of all other wastes
from the property shall be undertaken by a duly franchised solid waste hauler
authorized to provide solid waste services to residential and commercial properties
within the City of El Monte.

a. Prior to the issuance of a Building Permit, the developer shall submit to the
Building Safety Division, the Environmental Services Division and the City Code
Enforcement Division, the name and contact information for the contracted
waste hauler. It shall be the developer’s obligation to ensure that the waste
contractor utilized has obtained permits from the City of El Monte to provide
such services.
b. Prior to final approval for occupancy, and in addition to any other requirements set forth under the El Monte Municipal Code or by the Chief Building Official, the developer shall submit to the Building and Safety Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed and/or diverted.

c. Except as otherwise authorized pending the completion of the construction and demolition activities authorized under this resolution, solid waste containers and bulky items may not be stored or maintained at locations designated for parking and must be maintained in those locations designated for the temporary storage of solid waste and bulky items.

19. The site and the public R.O.W. adjacent to any portions of the site shall be maintained in a condition which is free of debris both during and after the construction, addition or implementation of the entitlements granted herein. All trash and refuse shall be disposed of in dumpsters and be removed from the premises on an as needed basis. Any surplus construction materials shall be stored so as to be screened from public view when not actually in use and be removed from the property upon completion of construction activities. The removal of all trash, debris, and refuse, whether during or subsequent to construction shall be done only by the property owner, the applicant or by a permitted waste contractor, who has been authorized by the City to provide collection, transportation, and disposal of solid waste from residential, commercial, and construction areas within the City.

a. Prior to issuance of a Building Permit, the developer shall submit to the City, the name and contact information for the contracted waste hauler. It shall be the developer's obligation to insure that the waste contractor utilized has obtained permits from the City of El Monte to provide such services.

b. Prior to final approval for occupancy, the applicant shall submit to the Planning Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed.

OPERATION STANDARDS

20. Uses on the subject property shall be limited to uses that do not utilize heavy equipment and hazardous materials and generate minimal noise and odors.

21. The hours of operation for warehouse distribution uses shall be restricted to 7:00 a.m. to 7:00 p.m. Monday through Fridays and 7:00 a.m. to 7:00 p.m. on Saturdays. Only office related uses and janitorial activities may occur from 7:00 a.m. to 10:00 p.m. Mondays through Fridays and 7:00 a.m. to 10:00 p.m. on Saturdays. No operational activity of any kind may occur on Sundays or on legal holidays observed by the City of El Monte.

22. The site and the public R.O.W. adjacent to any portions of the site, shall be kept free of weeds, trash, or other debris, and that abandoned vehicles be promptly
reported, pursuant to the Municipal Code and Los Angeles County Fire and Health Codes at all times.

23. Graffiti must be removed from any interior/exterior surfaces to the structures and improvements on the property within 24 hours following the application of the graffiti. Graffiti shall be removed by either painting over the evidence of such vandalism with a paint that has been color-matched to the surface to which it is applied or graffiti may be removed with solvents or detergents, as appropriate.

24. All business activities and all storage shall take place within the confines of the building. There shall be no outdoor display, advertisement, merchandizing, debris, and storage of containers and inoperable vehicles at any time. No storage of materials or supplies or inventory shall be permitted outside of the structure.

25. Main warehouse door shall be closed at all times except during deliveries.

ARCHITECTURE

26. The applicant shall continue to work with staff to improve the building's architectural design and provide additional site enhancements. Such improvements may include the following:

   a. Double the width of the 2-story glass element of the entrance. Provide a horizontal metal awning supported by cables above the entrance.
   b. Increase the depth of the middle element of the building.
   c. Recess the loading portion of the building a minimum of two (2) feet.
   d. Provide a wider trim around the loading door (the door itself shall not exceed a height of 12 feet). Incorporate a door design that is more consistent with the building's modern architecture.
   e. Incorporate a more decorative accent feature between the windows, carry the feature above the garage door.
   f. Stucco and score the building's north, east and south elevations. Use anti-graffiti paint for the wall facing the alley way. Carry the cornice around all sides of the building.
   g. Add decorative paving at the driveway entrance and at the building entrance.
   h. Enclose the roof drains along the street elevations.
   i. Provide an accent color to the building façade. (Revised at the Planning Commission Meeting of 2/13/18)

LIGHTING

27. The developer shall submit a photometric plan to the Public Works Department for review and it shall provide a minimum of 1 foot-candle throughout the site. Where available and deemed necessary by the City Planner, the system must be equipped with vandal resistant covers and be shielded to direct light away from all neighboring uses, and comply with CALGreen or local ordinance, whichever is
more stringent. The lighting plan shall include the design and specifications for all proposed exterior site lighting fixtures and shall be reviewed for quality, aesthetics, and illumination values.

28. The developer shall submit for review by the Planning Division and the Engineering Department, the design and specifications for all proposed lighting fixtures proposed for the buildings, drive aisles, parkways, parking areas, pathways, and surrounding areas within the development. The fixtures shall be reviewed for quality, aesthetics, illumination values, sustainability values such as LED and shall be decoratively and architecturally consistent with the building design. The number, location, height, style and design shall be reviewed and approved by the Planning Division and Engineering Department prior to issuance of building permits.

TRASH ENCLOSURE

29. The Applicant shall submit a design for the onsite trash enclosure for review and approval by the Planning Division and the City’s Solid Waste Service Provider during building plan check review. The applicant shall work with staff to incorporate the trash enclosure within the building’s design (with access through the loading door). If that cannot be accommodated, the trash enclosure shall include a designated area for solid waste disposal and a designated area for recycling disposal as far from the street as possible. The design will be reviewed for aesthetic value and use of quality materials. All outside trash and garbage collection areas shall be paved and enclosed on at least three (3) vertical sides by solid five (5) foot high wall and on the fourth side by a view obscuring gate to screen the containers from view. The trash enclosure shall be of a size sufficient to contain all trash containers maintained outside the building. The finish and color of the trash enclosure shall be designed to match a primary element from the site building style as well as incorporate a decorative cover per the approval of the City Planner.

UTILITIES AND MECHANICAL EQUIPMENT

30. All onsite utilities service lines shall be underground and not visible to the public view.

31. The applicant shall submit a composite utility plan depicting the location of above ground utility appurtenances. The exact location of the equipment shall be approved by the Planning Division, during the plan check process, and shall be installed as per approved plans. They shall not be allowed within a required parking, turnaround and landscape areas or on any façade facing a public street.

32. All mechanical equipment placement and screening shall be included on the composite development plan and shall be reviewed and approved by the Planning Division prior to installation. Where practicable and as shown on the plans
approved by the Planning Commission in the course of obtaining the requested entitlements, mechanical equipment, heating, ventilation, air conditioning (HVAC) units, satellite dish systems, solar panels, thermal solar heaters, utility meters, above ground utility and fire safety connections will be screened and located out of public view or be architectural integrated into the project design. Plant material is not an acceptable screening device.

FENCES AND WALLS

33. Prior to the demolition of any existing property line walls and/or fences and construction of a new property line concrete block wall(s), the developer shall make reasonable efforts to coordinate and obtain approval from neighboring property owner(s) to remove any existing wall(s) and/or fence(s). Written authorization from the neighboring property owner shall be provided for the removal of an existing wall and construction of a new property line wall upon submittal for plan check.

34. All fences and walls shall be decorative. All proposed block walls and existing block walls shall have a decorative cap and be stuccoed to match the façade of the proposed warehouse building. All proposed block walls/fences shall be reviewed and approved by the Planning Division.

35. If a security fence/gate is proposed along Seaman Avenue, it shall be minimum 50 percent open with decorative pilasters, shall be behind the required landscaped planter and shall not exceed a maximum height of six (6) feet high; any gate shall remain open during business hours.

SIGNS

36. A sign permit application shall be reviewed and approved by the Planning Division prior to issuance of a building or sign permit for any signage. Any proposed wall sign shall include individually cut letters; no can or box signs shall be permitted. Any freestanding sign shall not exceed a height of six (6) feet. A maximum of one (1) wall sign shall be permitted.

37. Window signage shall not exceed five (5) percent of the window area. Only signs displaying the business name, operational status, and hours of operations may be approved.

LANDSCAPING

38. The applicant shall be required to submit to the Planning Division for review and approval of a detailed landscape/irrigation plan for the site that is prepared by a State Licensed Landscape Architect. The plan shall address the following items:
a. Comply with the State mandated Model Water Efficient Landscape Ordinance (MWELO) 2015 update and Chapter 17.11 - Water Efficiency of the El Monte Municipal Code (EMMC). The document package may be downloaded on the City website under Building and Safety or contact the Building and Safety Division at (626) 580-2050.

b. An automatic timed underground irrigation system shall be installed and maintained for each landscaped area.

39. The landscape plan shall provide for a variety of groundcover, grasses, shrubs, perennials, and ornamental trees with various textures, heights, size and a variety of foliage and flower color, per EMMC Section 17.10.030(A)(1). The landscape plan shall include a Plant Legend containing: plant symbol, scientific name of plant material, common name of plant material, plant container size, and plant spacing in "inches". Single row and triangle plant spacing are preferred. Very low, low and medium water usage plant materials are encouraged.

40. Additional climbing vines shall be added on property lines walls and trash enclosure ([Revised at the Planning Commission Meeting of 2/13/18]).

41. All required trees shall be a minimum 24" box. The applicant shall maximize the number of box shade trees along Seaman Avenue to the satisfaction of the City's Landscape Technician.

42. All landscape and irrigation areas shall be installed prior to a certificate of occupancy as outlined in the construction phasing plan, which shall be approved by the City's Landscape Technician.

43. The landscape planter along the north property line shall be widened to accommodate a two (2) feet overhang for the parking stalls as well as accommodate vertical evergreen screening.

FIRE DEPARTMENT

44. All City and LA County Fire Department standards and conditions shall be implemented prior to final inspection and prior to occupancy of the building.

45. If requested by the Fire Department and/or City of El Monte the applicant shall post signs on the fire lane stating: "No parking on Fire Lane: Violating Vehicles will be towed away at owners expense per CV 22658 EMMC 3219 EMPD 580-2110". All safety and directional signs shall incorporate a porcelain finish and meet Public Works Division Standards.

SURVEILLANCE

46. As a crime prevention measure, the project shall incorporate a High Definition Recording camera surveillance system for the entrance and project site and along
the alley way. An installation plan shall be submitted to the Police Department for review and approval. The Police Department shall have the authority to make changes to the plan as needed to enhance public safety. The System must be set up for at a minimum of 30 days rotation period. All recordings must be kept onsite for at least 45 calendar days and must be made available to a City Employee upon request. The system shall be maintained and operating at all times. The system shall also be strategically placed to only focus on the subject property and not on nearby properties.

ENGINEERING AND PUBLIC WORKS

The following conditions and public improvements will be required to be performed and completed in an acceptable manner to the City in accordance with all applicable rules and laws. Federal, State, County and local laws and regulations for project implementation must be adhere to throughout the duration of the project. The City Engineer may require other information or may impose additional conditions and requirements as deemed necessary to protect public health and safety.

47. General:

a) Development Impact Fees associated with this project include but are not limited to the following fees and deposits; applicable sewer fee, street fee, storm drain fee, traffic fee, quimby (Parkland Fees), deposits, technology enhancement fees, and all applicable fees associated with demolition of existing structures, drainage, site development, and construction are based on actual square footage of any commercial development and number of residential units.

b) Developer shall obtain approval from the Los Angeles Fire Department (LACFD) for development's fire protection, fire flow requirements, access for development, etc. and shall construct all Fire Department required improvements. LACFD approval will be required:
   i. Prior to Grading/Building Permits (LACFD Building Division)

c) Environmental Documentation. The time limits set forth in this chapter for taking action on tentative maps shall not be deemed to commence until the environmental documentation for the subdivision is completed in compliance with the California Environmental Quality Act (CEQA). The subdivision has been determined to be exempt.

d) Onsite Groundwater Monitoring Wells, including legally removed, permanent, temporary and active wells, must be depicted on all site plans, grading plans, tentative tract/parcel maps and all other relevant plans. Include a legend that demonstrates ownership, date installed, and type of monitoring well and all other relevant information.
e) Engineering Geology and/or Seismic Safety Report. A preliminary engineering geology and/or seismic safety report, prepared in accordance with Los Angeles County guidelines, is required if the subdivision lies within a “medium risk” or “high risk” geologic hazard area, as shown on maps on file contained within the safety element of Los Angeles County.

f) Comply with the City’s ordinance pertaining to construction debris recycling. Contact the Building & Safety Department to obtain a Construction & Demolition Debris Diversion Program form. The Construction & Demolition Debris Diversion Program is also applicable with respect to the grading process.

g) The applicant shall submit for review and approval to Caltrans any proposed work within the roadway that affects traffic utilizing Caltrans facilities. Applicant shall obtain necessary permits, pay all fees, and comply with all Caltrans requirements relative to such work.

h) All USA/Dig Alert graffiti markings must be removed by the contractor from the sidewalk, curb & gutter and/or asphalt pavement prior to final approval.

i) No encroachment into the City right-of-way from private property will be allowed.

j) The City Engineer may require other information or may impose additional conditions and requirements as deemed necessary to protect health and safety, and to benefit the public.

48. Grading and Drainage:

k) The Grading and Drainage Plan must include standard City of El Monte NPDES and Grading and Drainage Notes and be prepared in accordance with the City of El Monte Grading Manual.

l) Soils Report. A preliminary soils report prepared in accordance with the city’s grading ordinance shall be submitted. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the soils report accompanying the final map shall contain an investigation of each lot within the proposed development.

m) A Hydrology Study Report, based on a 50-year frequency design storm for Capitol Facilities and a 25-year frequency design storm for all other instances as dictated by the LA County DPW 2006 Hydrology Manual, must be submitted to the Engineering Division. The study must provide hydraulic calculations based on the given area and the ability of the existing storm drain infrastructure to receive and support the allotted drainage runoff. Drainage calculations shall adhere to City of El Monte standards, NPDES, and environmental regulations and requirements.
n) Historical drainage patterns from adjacent properties shall be identified and maintained. The project shall accept and include in the drainage design any current drainage from adjacent properties.

o) Enter into a public improvement agreement with the City and post a Faithfull Performance bond and a Labor and Materials Bond in the amount of 150% of the estimated cost to cover the construction of the proposed offsite agreements. A Warranty Bond shall be provided in the amount of 100% of the cost of the estimated improvements and shall be in effect for one year after the date of acceptance of the project improvements. Cash deposits will be accepted in lieu of the required bonding.

p) Low Impact Development (LID) is a requirement of the NPDES Permit No. CAS004001 Order No. ORDER NO. R4-2012-0175 and City of El Monte Ordinance No. 2840 This permit was issued by the State of California Regional Water Quality Control Board, Los Angeles Region on December 28, 2012 and the City Ordinance was passed and adopted June 10, 2014. The LID is a narrative report that explains the type of development and drainage of the site. It must address the post-construction water quality and habitat impact issues. Once the site has been developed, how will runoff be maintained? Was there a system that was designed to treat the runoff prior to discharging into the public system? Best Management Practices (BMPs) should be implemented to address storm water pollution and peak flow discharge impacts. All BMPs must be sized to meet specified water quality design and/or peak flow discharge criteria.
   i. Filtration and infiltration methods must be used to defray a large percentage of the storm water runoff into the storm drain system

49. Sewer:

q) Engineer to show the location of the sewer mainline, nearest manholes, lateral serving the project and configuration of the onsite sewer including diameter and material of the onsite sewer.
   i. Sewer cleanouts must be positioned at 100-foot intervals on the lateral coming off the main sewer line.
   ii. Applicant must obtain Will Serve Letter from County Sanitations District of Los Angeles County.

50. Water:

r) It is the applicants' responsibility to contact the Water Purveyor (San Gabriel Valley Water Company) to obtain approval of service and that the purveyor has adequate water to provide such service. Provide acceptable analysis to verify sufficient water pressure and flow for:
   i. General conditions
   ii. During MID (maximum instantaneous demand) conditions
iii. During fire flow and MID conditions

s) The water supply system serving the development shall be adequately sized to accommodate the total required domestic water and fire flows, in compliance with the San Gabriel Valley Water Company and Los Angeles County Fire Department requirements.

i. Engineer shall submit water system improvement plans and calculations for the development to the City for review and approval; or

ii. Engineer shall submit copy of all water system improvement plans and calculations required and approved by San Gabriel Valley Water Company for coordination and verification.

t) Relocate existing water meter out of existing drive approaches.

51. Overhead Utilities:

u) Developer shall underground any existing overhead utilities that are to serve the Project site. The final scope and design of the undergrounding of these overhead facilities is subject to SCE and other relevant utility provider approval.

v) Any utility poles conflicting with the proposed improvements shall be relocated at the applicant’s expense.

52. Parking Lot and Driveways:

w) All parking lots and driveways shall be surfaced with asphaltic concrete to a minimum thickness of three (3) inches over a minimum aggregate base of six (6) inches or surfaced with Portland Cement concrete with a minimum thickness of five (5) inches over a three (3) inch aggregate base. After review of the probable vehicular traffic and the soils report for the project, additional material may be required at the discretion of the City Engineer. EMMC 17.08.030.

x) All drive approaches shall be ADA compliant. Insufficient width in the parkway will require applicant to dedicate an easement at each drive approach to the City to accommodate a compliant drive approach.

53. Street and Traffic:

y) Seaman Avenue is a local street with a right-of-way of Sixty (60) feet and the alley has a twenty (20) feet right-of-way. Both streets meet the required right-of-way for their current road classification.

z) All streets fronting project shall be improved to meet current General Plan requirements for Roadway. Use Geotechnical Engineer’s Report and APWA standard plans and specifications for roadway improvements. Prepare offsite improvement plans as necessary and provide an engineer’s estimate for all
public improvements. All offsite improvements shall be in complete compliance with the Americans with Disabilities Act (ADA).

aa) Traffic control plans must be signed by a licensed State of California Traffic Engineer and submitted for review and approval.

bb) Public improvements will be generated on the basis of the approved site plan. P.C.C. pavement and asphalt-concrete (A.C.) thicknesses and strengths will be determined by the Registered Civil Engineer (project engineer of record) preparing the street plans and utility improvement plans.

c) Repair, remove, and replace deficient and/or damaged sidewalk and standard curb & gutter adjacent to the development at the direction of the City Engineer/City Inspector. Use APWA standard plans and specifications.

dd) Remove all existing improvements no longer intended for use (drive approaches, under sidewalk drains, meter boxes, etc.) and replace with new sidewalk and full height curb and gutter as required. Use APWA standard plans and specifications.

ee) Developer shall remove all existing curb paint and replace in kind on all curbs fronting the proposed development.

ff) Parkway trees shall be installed by the applicant per the City of El Monte Tree Ordinance in the quantities and locations as directed by the City of El Monte Public Works Department.
SECTION 10 – PLANNING COMMISSION APPROVAL. The Secretary of the Planning Commission of the City of El Monte, California, shall certify to the adoption of this resolution and shall cause a copy of the same to be forwarded to the applicant.

Dallas Baker, Chairperson
Alfredo Mora

ATTEST:

Marcella Magdaleno, Secretary
El Monte City Planning Commission

STATE OF CALIFORNIA  )
COUNTY OF LOS ANGELES  ) SS:
CITY OF EL MONTE  )

I, Marcella Magdaleno, Secretary of the Planning Commission of the City of El Monte, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution No. 3498 adopted by the Planning Commission of the City of El Monte, at a regular meeting by said Commission held on February 13, 2018 by the following votes to wit:

AYES: Baker, Morales, Nuno, Peralta

NOES:

ABSTAIN:

ABSENT:

Marcella Magdaleno, Secretary
El Monte City Planning Commission

RESOLUTION NO. 3498 [22]
CITY OF EL MONTE  
Economic Development Department  
Planning Division

ENTITLEMENT APPLICATION

☐ Change of Zone  ☐ Tentative Tract Map  ☐ FOR PLANNING USE ONLY
☐ Code Amendment  ☐ Revision to Approved Plan  Date Received: 4/1/19
☐ Conditional Use Permit  ☐ Specific Plan/Amendment  Received By: 04/3/2019
☐ Design Review  ☐ Lot Division (Tentative Parcel Map)  P.C. Hearing Date:
☐ General Plan Amendment  ☐ Time Extension  Case No(s):
☐ General Plan Conf. Finding  ☐ Variance  for CL#No. 2317, Design Rezoning 09-17-17
☐ Initial Plan Review  ☐ Zoning Clearance  Receipt No. 186416  Modification No. 16-17
☐ Modification

Project Address: 2650 SEAMAN AVE. EL MONTE, CA. 91733  Assessor's Parcel Number: 8/02-002-004
Zoning: M  Lot Size: 55' x 190'  Landscape Square footage:
General Plan Designation: M  Present Use of Property/Existing Improvements: VACANT LOT

Applicant's Name: RICHARD STUPIN  
Address: 605 W. BEVERLY BLVD  Telephone Number: 323)728 2534  Fax Number: 323)728 38 28
City: MONTEBELLO, CA  Zip Code: 90640  Email: RICHARD@RASASSOCIATES.NET

Contact Person: RICHARD STUPIN  
Address: 605 W. BEVERLY BLVD.  Telephone Number:  
Fax Number:  
City: MONTEBELLO, CA  Zip Code: 90640  Email:

Property Owner's Name: NORAIR KAZEIAN  
Address: 838 VIA VENTI  Telephone Number: 626)712 3960  Fax Number:  
City: MONTEREY PARK  Zip Code: 91754  Email: NORAIRFREIGHT@YAHOO.COM

Project Description: CONSTRUCT NEW 4,500 SF CONCRETE BLOCK STRUCT. 22' HIGH AT REAR OF SITE, LONG PAVING W/H CAR & LOADING ZONE PARKING, LANDSCAPE PLANTING PER CITY REG.
Owner's Affidavit

STATE OF CALIFORNIA )
COUNTY OF LOS ANGELES)

I/WE ARMEN KAZEIAN BEING DULLY SWORN, DEPOSE AND SAY, THAT I/WE AM/ARE THE OWNER (S) OF THE PROPERTY INVOLVED IN THIS PETITION, AND THAT THE FOREGOING STATEMENTS AND ANSWERS HEREIN CONTAINED AND THE INFORMATION HEREWIT SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF KNOWLEDGE AND BELIEF.

SIGNATURE: Armen Kazarian

ADDRESS: ________________________________

CITY: ________________________________

TELEPHONE: ________________________________

SIGNATURE: ________________________________

ADDRESS: ________________________________

CITY: ________________________________

TELEPHONE: ________________________________

NOTE: This application must be signed by the same persons, and in the same manner as that in which title is held. Before signing, please examine your deed or title insurance policy.

Armen Kazarian

Applicant's Signature

Date: 4-9-2019

Office Use

Date: 4/9/19 Received By: DOJ264 File Number: Time Extension for CUP No. 23-17, Design Review No. 09-17, 4 Mod No. 16-17

* The Application form being signed under penalty of perjury does not require notarization.
TO: CITY PLANNING COMMISSION

FROM: BETTY DONAVANIK
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

BY: JASON C. MIKAELIAN, AICP
CITY PLANNER

TONY BU
ASSOCIATE PLANNER

SUBJECT: TENTATIVE PARCEL MAP NO. 73160 (TIME EXTENSION)

LOCATION: 2711 MEEKER AVENUE

APPLICANT/PROPERTY OWNER: TING CAO
448 SEFTON AVENUE
MONTEREY PARK, CA 91755

RECOMMENDATION: APPROVE TIME EXTENSION FOR TENTATIVE TRACT MAP NO. 73160

REQUEST / STAFF RECOMMENDATION

On January 31, 2017, the Planning Commission adopted Resolution No. 3467, approving Tentative Tract Map No. 73160 to allow the subdivision of a 13,441 square foot vacant lot into three (3) parcels (two (2) residential lots and one (1) common driveway). The property owner is requesting a one (1) year time extension of the project’s entitlements to allow additional time to complete the final map plan-check process and obtain the necessary permits to begin construction.

The Planning Division approved grading plans for the project on January 16, 2019 and construction/building plans were approved by the Building Division on February 11, 2019. The property has since been sold to the applicant and a one (1) year extension is being requested to allow additional time to record the project’s final map.

Staff recommends that the Planning Commission extend the project’s entitlements for an additional year with a new expiration date of February 10, 2020. Additional time extension requests will no longer be accepted if the Planning Commission approves the applicant’s current request.
ATTACHMENTS:

A. Approved Planning Commission Resolution No. 3467
B. Signed Planning Application for Time Extension Request
RESOLUTION NO. 3467

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING TENATIVE PARCEL MAP NO. 73160 TO SUBDIVIDE THE EXISTING PARCEL INTO TWO RESIDENTIAL LOTS AND A COMMON LOT AND ADOPTING A CATEGORICAL EXEMPTION UNDER ARTICLE 19, SECTION 15315 OF THE CEQA GUIDELINES FOR THE PROPERTY LOCATED AT 2711 MEEKER AVENUE, EL MONTE, CALIFORNIA

The Planning Commission of the City of El Monte, County of Los Angeles, State of California, does hereby find, determine and resolve as follows:

SECTION 1 - PROJECT DESCRIPTION. That on October 20, 2015, Michael Hsiao, 2063 S. Atlantic Boulevard, Monterey Park, CA, 91754, filed an application for Tentative Parcel Map No. 73160 to subdivide a 13,441 square foot vacant lot into three (3) parcels (two (2) residential lots and one (1) common driveway). The applicant proposes to construct two (2) residential units with attached 2-car garages (Unit A is a total of 2,096 square feet and Unit B is 2,098 square feet).

SECTION 2 - PUBLIC HEARING. This request is made pursuant to the requirements of Title 16 (Subdivisions) Chapter 16.10 of the El Monte Municipal Code(EMMC). The property is located at 2711 Meeker, El Monte, California, and described as follows, to-wit:

APN: 8105-009-002

Pursuant to which after due notice as required by law, a full and fair public hearing was held to consider Tentative Parcel Map No. 73160 before this Planning Commission on January 31, 2017 at which time, all interested persons were given full opportunity to be heard and present evidence.
SECTION 3 - ZONING. That the property is located on the west side of Meeker Avenue, within the R-3 (Medium-density Multiple-family Dwelling) zone. The property is currently vacant. The surrounding zoning and land use of the adjacent properties are as follows:

- North: R-3; Single-family Dwelling & Multi-family
- South: R-3; Multi-family
- East: R-3; Single-family Dwelling & Multi-family
- West: R-3; Single-family Dwelling & Multi-family

SECTION 4 - ENVIRONMENTAL. That in accordance with the criteria and authority contained in the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines as amended, staff has determined that the proposed project to allow the construction of two (2) residential units and a common lot qualifies for a Categorical Exemption under Article 19, Section 15315 (Class 15 – Minor Lard Divisions) of the CEQA Guidelines. Therefore, no further environmental assessment is required.

SECTION 5 - GENERAL PLAN. That the 2011 El Monte General Plan Land Use Element designates the site as Medium Density Residential. The proposed residential development complies with applicable City General Plan Policies and has been designed to be compatible with the surrounding neighborhood and surrounding medium density residential land uses. The architectural designs proposed by the applicant provide a visually interesting and aesthetically appealing project. The proposed development will enhance the neighborhood and the development is consistent with the goals of the EMMC and the 2011 El Monte General Plan.

SECTION 6 - TENTATIVE PARCEL MAP FINDINGS. That all necessary findings for the granting of the Tentative Parcel Map pursuant to Section 16.10.110 of the EMMC can be made in a positive manner and are as follows:
A. That the proposed map is consistent with applicable general and specific plans.

Finding of Fact:
The proposed development makes efficient use of available land and serves to further goals listed within the City's 2011 General Plan by: 1) providing facades with rich detailing, varied rooflines, and consistent architectural styles; 2) designing detached family housing projects to convey a high level of visual and physical quality and distinctive neighborhood character; and 3) encouraging infill housing development and the reuse of sites. The Tentative Parcel Map as proposed will be consistent with the adopted General Plan Land Use designation and will be consistent with the zoning designation of the project site.

B. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

Finding of Fact:
The proposed subdivision and development is consistent with the General Plan land use designation of Medium Density Residential. The proposed development has a density of 6.5 du/ac and the General Plan allows up to 8.1-14.0 du/ac within this land use designation. Therefore, the Tentative Parcel Map is consistent with the General Plan.

C. That the site is physically suitable for the type of development.

Finding of Fact:
The proposed parcel measuring 13,441 square feet and the subsequent subdivision of the site into a total of two (2) residential parcels will result in a project density of approximately 6.5 du/ac, which is consistent with the General Plan Land Use designation of Medium Density Residential. The proposed residential development complies with all standards of Zoning Code including setbacks, FAR, lot coverage, height parking and density. The proposed lot configurations and location of the subject 13,441 square foot project site are physically suitable for development of the two-unit residential housing project.

D. That the site is physically suitable for the proposed density of development.

Finding of Fact:
The proposed development is consistent with the proposed General Plan land use designation of Medium Density Residential with a development density of 6.5 du/ac. The two (2) residential units would be accessible from a common driveway from Meeker Avenue. The proposed 20 foot wide common driveway shall meet all of Los Angeles County Fire Department’s and City requirements.

E. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. However, if an environmental impact report was prepared for the project and a finding was made pursuant to Subdivision (c) of Section 21081 of the Public Resources Code that specific economic, social and other
considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report, then the Planning Commission may still approve the proposed subdivision.

Finding of Fact:
The City of El Monte is an urbanized built-out community, and there are no fish or wildlife habitats within the vicinity of the subject property. This project is consistent with the General Plan Land Use Designation of Medium Density Residential.

F. That the design of the subdivision or the type of improvements is not likely to cause serious public health problems.

Finding of Fact:
The City of El Monte is an urbanized built-out community, and the residential development is not likely to cause serious public health problems. Conditions of approval have been accepted by the applicant and have been incorporated into the project or will be imposed to ensure that the proposed project will not negatively impact the surrounding properties or land uses in the area. Additionally, before the issuance of City development permits and/or a Certificate of Occupancy, the project is required to comply with all conditions set forth in the resolution of approval, from the Building and Safety Division, Engineering/Public Works Division, and Fire Department requirements. The referenced agencies through the permit and inspection process will ensure that the proposed project will not be detrimental to the public health, safety or welfare nor will it be materially injurious to the properties or improvements in the vicinity.

G. That 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 the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements for access or for use will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record and to easements established by judgment of a court of competent jurisdiction. No authority is granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.

Finding of Fact:
The proposed Tentative Parcel Map has been evaluated by the City’s Public Works Department and it has been determined that the proposed subdivision complies with the intent and requirements of Chapter 16 of the EMMC (Subdivisions) and that there are no easements. The proposed project will have a common driveway for access that will be maintained and used by the residential development.
SECTION 7 – APPROVALS AND CONDITIONS. The Planning Commission does hereby approve Tentative Parcel Map No. 73160, and adopt a Catergorical Exemption under Article 19, Section 15315 (Class 15 – Minor Land Divisions) of the CEQA Guidelines, as amended, subject to the following conditions:

1. The proposed project is Tentative Parcel Map No. 73160 (TPM No. 73160) to subdivide a 13,441 square foot vacant lot into three (3) parcels (two (2) residential lots and one (1) common driveway). The applicant proposes to construct two (2) residential units with attached 2-car garages (Unit A is a total of 2,096 square feet and Unit B is 2,088 square feet).

2. The project shall substantially conform to the Tentative Parcel Map, site plan, floor plans, elevation plans, and landscape plan on file with the City Planning Division and as presented to the Planning Commission on January 31, 2017 and as amended herein.

3. The Tentative Parcel Map approval as contained herein shall be effective for a period of twenty-four (24) months from the date of effective approval thereof; provided however, that prior to such date, building permits shall have been obtained or a time extension shall have been approved by the City Planning Commission in accordance with Section 16.10.140 of the EMMC and the State Subdivision Map Act.

4. The common lot shall include a driveway and utilities easement providing access to each for both residential lots shall be required and reviewed and approved by the City Attorney. Such easement shall provide both a grant of easement and maintenance of such easement. (Added by the Planning Commission on January 31, 2017)

5. CC&R’s for property maintenance shall be required and shall be reviewed and approved by the City Attorney. Said CC&R’s shall include, but not be limited to, the following: a) Home Owners Association b) the provision that the Conditions of Approval contained in this Resolution shall be transformed to the individual property owners of the three (3) parcels at the time of ownership transfer from the applicant to the buyer; and c) the provision that the Owner’s Association shall be administered by a professional property management company maintenance provisions for the common lot driveway and utilities easement. The CC&R's shall be submitted for review by the City Attorney and shall be approved and recorded before building permits are issued and before a final map is approved an/or recorded. (Modified by the Planning Commission on January 31, 2017)

6. The applicant and property owner shall sign and submit an affidavit accepting all conditions of approval contained in the Planning Commission Resolution prior to issuance of Building Permits for the proposed project.
CONSTRUCTION

7. Construction Hours shall be limited to Monday through Friday from 7:00 AM to 6:00 PM, Saturdays from 8:00 AM to 5:00 PM, and no construction activities on Sundays or Holidays. (Added by the Planning Commission on January 31, 2017)

8. Prior to commencing demolition and site preparation activities, the project site shall be secured with a fence to prevent unauthorized access to the site and the fence shall contain a screening material to screen construction activities from view. The temporary screening fence shall be installed to the satisfaction of the Economic Development Department and shall be maintained in good condition (free of tears, holes, crack lines, debris, etc.) at all times. At the primary entrance to the site, the screening material shall be reduced to a maximum six (6) feet to provide visibility into the site at all times and for public safety purposes.

9. Prior to the demolition of any existing property line walls and/or fences and construction of a new property line concrete block wall(s), the applicant shall coordinate and obtain approval from neighboring property owner(s) to remove any existing wall(s) and/or fence(s). Such evidence shall be submitted to the Planning Division for review and approval upon submittal for plan check.

10. Prior to the commencement of construction on the site, the developer shall schedule a pre-construction meeting between the general superintendent or field representative and the Planning Division to discuss the approved plans and construction requirements.

11. The applicant and project construction manager shall be required work with City Staff to identify all public and private schools within a 1,000-foot radius from the project site. The applicant/construction manager shall be required to contact all identified schools to notify the principal of the school about the proposed project, construction periods, and planned trucking routes, and to coordinate trucking activities to and from the site. Trucking deliveries and pickups from the project site shall be prohibited during the periods identified by a school within the radius and during peak hours when children are coming to or leaving the school. Additionally, all project sites located within this specified radius shall be required to maintain one (1) onsite flag personnel to direct trucking activities coming to and leaving the site during all phases of project construction and until the project has received final approval. The applicant shall be required to submit to the Planning Division written letter showing evidence that this condition has been satisfied prior to issuance of a building permit.

12. During the construction process all related activities, including but not limited to, loading, unloading, storage of equipment and materials, and parking of employee vehicles are prohibited. All such activities shall be conducted only on the project site and not in the public R.O.W.
13. A copy of the approving resolution(s) shall be printed or attached to the development plans that are to be submitted during the plan check process.

14. All applicable conditions shall be met or deemed to have been addressed by the Economic Development Director or his designee prior to final inspection, and prior to occupancy of any buildings.

15. All Building Division, Code Enforcement Division, Engineering Division, and Los Angeles County Fire Department standards and conditions shall be complied with prior to the issuance of building permits.

16. All onsite activities shall comply with the City of El Monte Noise Ordinance at all times.

17. Automatic gas shut off/earthquake safety valves shall be installed for each unit.

18. The applicant shall submit a proposal to address trash, recycle, and green waste containers storage for each unit within the project site. The location shall be located in a rear or side yard area and shall not be visible to view from the public right-of-way or from the private driveway within the project site.

19. The site and the public R.O.W. adjacent to any portions of the site shall be maintained in a condition which is free of debris both during and after the construction, addition or implementation of the entitlements granted herein. All trash and refuse shall be disposed of in dumpsters and be removed from the premises on an as needed basis. Any surplus construction materials shall be stored so as to be screened from public view when not actually in use and be removed from the property upon completion of construction activities. The removal of all trash, debris, and refuse, whether during or subsequent to construction shall be done only by the property owner, the applicant or by a permitted waste contractor, who has been authorized by the City to provide collection, transportation, and disposal of solid waste from residential, commercial, construction, and industrial areas within the City.

   a. Prior to issuance of a Building Permit, the applicant shall submit to the City, the name and contact information for the contracted waste hauler. It shall be the applicant's obligation to insure that the waste contractor utilized has obtained permits from the City of El Monte to provide such services.

   b. Prior to final approval for occupancy, the applicant shall submit to the Planning Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed.
LANDSCAPING

20. Landscape/Irrigation plans shall be reviewed during Building Plan-Check for compliance with the State's MWELO (Model Water Efficient Landscape Ordinance) and compliance with the City's Water Efficient Landscape Ordinance Documentation Package.

21. The applicant shall be required to submit to the Planning Division for review and approval of a detailed landscape/irrigation plan for the site that is prepared by a state licensed Landscape Architect. The plan shall provide for a variety of grasses and ground cover, flowering plants, and shrubs and trees, per Section 17.10.030(A)(1). The minimum size of trees to be planted is 36" box within the front yard area of the unit and in the City parkway within the frontage of the project site and shall be subject to review and approval by the Economic Development Director or his designee. An automatic timed underground irrigation system shall be installed and maintained for each landscaped area.

22. A 6" X 6" concrete curb and mow strips shall be constructed for all landscaped planters on each property. All parkway, front yard landscaping and irrigation shall be installed prior to the issuance of a Certificate of Occupancy.

23. The applicant shall submit a parkway design and landscape and lighting proposal for review and approval by the City Economic Development Department and by the City Engineer. The parkway shall include landscape and on street light standards per the approval of the Economic Development Director and the City Engineer. All trees to be installed in the public parkway shall be a 36" box size at the time of installation.

24. All landscape and irrigation proposed for all parkways, front yards, street side yards, and any areas visible from the public right-of-way from a given structure shall be installed prior to the issuance of a certificate of occupancy for said structure.

25. Decorative, interlocking, permeable pavers shall be utilized as indicated on the project plans.

26. All landscape and irrigation areas shall be installed prior to a Certificate of Occupancy.

LIGHTING

27. The applicant shall submit a photometric plan to the Public Works Department for review and it shall provide a minimum of 1 foot-candle along the proposed private street, and in the front yard setback areas of each proposed lot. The system must be equipped with vandal resistant covers and be shielded to direct light away from all neighboring uses. The lighting plan shall include the design and specifications for all proposed exterior site lighting fixtures and shall be reviewed for quality, aesthetics, and illumination values.
28. The applicant shall submit for review by the Planning Division and the Engineering Department, the design and specifications for all proposed lighting fixtures. The fixtures shall be reviewed for quality, aesthetics, illumination values, and shall be decoratively and architecturally consistent with the building design. The number, location, shine, style and design shall be reviewed and approved by the Planning Division and Engineering Department prior to installation.

MAINTENANCE

29. Graffiti must be removed from any interior/exterior surfaces to the structures and improvements on the property within 24 hours following the application of the graffiti or within 24 hours of applicant receiving notice of such graffiti by the City of El Monte. Graffiti shall be removed by either painting over the evidence of such vandalism with a paint that has been exactly color-matched to the surface to which it is applied. If a non-painted surface, graffiti may be removed with solvents or detergents, as appropriate.

PARKING

30. All enclosed garage and open parking spaces shall be used exclusively for the parking of operable, currently licensed motor vehicles of tenants, occupants, or visitors of each respective property. Each garage shall maintain an inside “clear” dimension of at least 20’ by 20’ for the parking of vehicles.

31. All garages shall incorporate the use of an automated garage door opener and lighting. Said garage door and opener must be maintained in an operable state at all times.

32. All paved parking and driveway areas shall be surfaced with P.C.C. with a minimum thickness of six (6) inches over three (3) inches of aggregate. The subbase shall be compacted to a minimum of 90% compaction.

SITE & ARCHITECTURAL DESIGN

33. All perimeter and interior separation walls between the proposed parcels shall not exceed six feet tall and shall be constructed of decorative concrete block, i.e., split face block, or shall consist of stucco over CMU block.

34. The applicant shall submit final selection and design of entry doors and garage doors to be approved by the Planning Division. Entry door and garage doors shall match in design and color. Color shall be a dark tone.

35. The applicant shall submit section and design drawings of the property line block walls to the Planning Division and that such walls shall be designed to the satisfaction of the Economic Development Director or his designee.
36. If a access driveway gate is proposed, such gate shall not exceed 3'-6" in height and shall be setback a minimum of 25 feet from the property line. The access gate shall be motorized and have an intercom system. A pedestrian gate shall also be included. The fence shall match the design of the proposed fence. All mechanical equipment shall be screened from public view. Such access shall obtain Fire Department clearance prior to issuing Planning and Building approval.

37. If a front property line fence is proposed in the future, the fence shall be setback 2 feet behind a landscape planter. The proposed fence shall be decorative block and wrought-iron and shall not exceed 3'-6" in height.

38. A mailbox elevation and detail shall be submitted for review and approval by the Planning Division and shall be designed to the satisfaction of the Economic Development Director or his designee. Mailboxes shall be decoratively designed and must have the property address designed to be shown clearly and must be visible from the public R.O.W. The design shall be submitted for review during the building plan check process.

39. Prior to construction, the applicant shall submit a final color, material and finish board to the City of El Monte for review and approval. The color palette shall include earth tones.

40. All onsite utilities service lines shall be underground. All meters, panels, connection box, etc... shall be integrate into the building façade and not be visible from the street view. The locations, design and screening features shall first be reviewed and must receive final approval from the Economic Development Director or his designee.

41. The applicant shall submit a plan depicting the location of above ground utility appurtenances. The Planning Division shall approve the exact location of the equipment. They shall not be allowed within the parking, turnaround and landscape areas.

42. All mechanical equipment including heating and air conditioning units, dish antennas and electronic equipment shall be screened from view and be located in an area approved by the Planning Division.

43. Colored elevations shall be revised to reflect the project plan Elevations.

ENGINEERING/PUBLIC WORKS

44. General:

a) Development Impact Fees associated with this project include but are not limited to the following fees and deposits; landscaped areas (impervious versus pervious) fee, applicable sewer fee, street fee, storm drain fee, traffic fee, quimby (Parkland Fees), deposits, technology enhancement fees, and all applicable fees associated with demolition of existing structures, drainage, site development, and
construction are based on actual square footage of any commercial development and number of residential units.

b) Developer shall obtain approval from the Los Angeles Fire Department (LACFD) for development's fire protection, fire flow requirements, access road(s) for development, etc. and shall construct all Fire Department required improvements. LACFD approval will be required:
   i. Prior to Tentative Map Approval (LACFD Land Development Division)
   ii. Prior to Grading/Building Permits (LACFD Building Division)

c) Onsite Groundwater Monitoring Wells, including legally removed, permanent, temporary and active wells, must be depicted on all site plans, grading plans, tentative tract map and all other relevant plans. Include a legend that demonstrates ownership, date installed, and type of monitoring well and all other relevant information.

d) Engineering Geology and/or Seismic Safety Report. A preliminary engineering geology and/or seismic safety report, prepared in accordance with Los Angeles County guidelines, is required if the subdivision lies within a "medium risk" or "high risk" geologic hazard area.

e) Comply with the City's ordinance pertaining to construction debris recycling. Contact the Building & Safety and Engineering Divisions to obtain a Construction & Demolition Debris Diversion Program form. The Construction & Demolition Debris Diversion Program is also applicable with respect to the grading process.

f) All USA/Dig Alert graffiti markings must be removed by the contractor from the sidewalk, curb & gutter and/or asphalt pavement prior to final approval.

g) No encroachment into the City right-of-way from private property will be allowed unless a proper permit is obtained from the City Engineer's Office.

h) The City Engineer may require other information or may impose additional conditions and requirements as deemed necessary to protect health and safety, and to benefit the public.

45. **Parcel Maps:**

i) All Parcel Maps are to be recorded in the Los Angeles County Recorder's Office prior to issuance of "Notice of Completion"/Certificate of Occupancy" and an electronic copy of the approved Parcel Map is submitted to the Engineering Division for our records. A Registered Civil Engineer or Land Surveyor licensed by the State of California must prepare and submit the proper documents, legal descriptions and maps describing the parcel map. The final City of El Monte approved parcel map must be submitted to the Los Angeles County Recorder's Office for recordation.
j) Applicant is responsible to install, document, and submit centerline tie information and replacement of centerline ties removed during construction. Preserve existing survey monuments (property corners, centerline ties, etc) in the public right of way. All disturbed and removed survey monuments in the public right of way shall be re-established and record of survey shall be filed with the County surveyor in accordance with applicable provisions of the state law.

k) City Attorney’s Office to approve the CC&R’s or applicable document for the project. Owner or developer to contact the City Attorney’s Office directly at (626) 580-2010 with any questions and comments. CC&R’s are an integral part of the development process. CC&R’s must be approved by the City prior to the final approval and release of the final map.

l) The Title Company must submit to the Engineering Division a Final Subdivision Guarantee prior to final Tract Map approval by the City Engineer.

46. **Grading and Drainage:**

m) The Grading and Drainage Plan must include standard City of El Monte NPDES and Grading and Drainage Notes and be prepared in accordance with the City of El Monte Grading Manual.

n) Soils Report. A preliminary soils report prepared in accordance with the city’s grading ordinance shall be submitted. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the soils report accompanying the final map shall contain an investigation of each lot within the proposed development.

o) A Hydrology Study Report, based on a 50-year frequency design storm for Capitol Facilities and a 25-year frequency design storm for all other instances as dictated by the LA County DPW 2006 Hydrology Manual, must be submitted to the Engineering Division. The study must provide hydraulic calculations based on the given area and the ability of the existing storm drain infrastructure to receive and support the allotted drainage runoff. Drainage calculations shall adhere to Los Angeles County standards, NPDES, and environmental regulations and requirements.

p) Historical drainage patterns from adjacent properties shall be identified and maintained. The project shall accept and include in the drainage design any current drainage from adjacent properties.

q) Filtration and infiltration methods must be used to defray a large percentage of the storm water runoff into the storm drain system. Follow City of El Monte adopted LID program and Los Angeles County MS4/NPDES permit requirements.
r) Enter into a public improvement agreement with the City and post a Faithful Performance bond in the amount of 100% and a Labor and Materials Bond in the amount of 100% of the estimated cost to cover the construction of the proposed offsite agreements. A Warranty Bond shall be provided in the amount of 100% of the cost of the estimated improvements and shall be in effect for one year after the date of acceptance of the project improvements.

s) Low Impact Development (LID) is a requirement of the NPDES Permit No. CAS004001, Order No. ORDER NO. R4-2012-0175 and City of El Monte Ordinance No. 2840 This permit was issued by the State of California Regional Water Quality Control Board, Los Angeles Region on December 28, 2012 and the City Ordinance was passed and adopted June 10, 2014. The LID is a narrative report that explains the type of development and drainage of the site. It must address the post-construction water quality and habitat impact issues. Once the site has been developed, how will runoff be maintained? Was there a system that was designed to treat the runoff prior to discharging into the public system? Best Management Practices (BMPs) should be implemented to address storm water pollution and peak flow discharge impacts. All BMPs must be sized to meet specified water quality design and/or peak flow discharge criteria.

i. Filtration and infiltration methods must be used to defray a large percentage of the storm water runoff into the storm drain system

47. Sewer

t) Engineer to show the location of the sewer mainline, nearest manholes, lateral serving the project and configuration of the onsite sewer including diameter and material of the onsite sewer. Sewer Capacity/Area Study per Los Angeles County Sanitation District standards will be required to ensure the existing sewer system has sufficient capacity for the proposed development. Sewer cleanout must be positioned at 100-foot intervals on the lateral coming off the main sewer line.

u) The following conditions and public improvements will be required to be performed and completed in an acceptable manner to the City in accordance with all applicable rules and laws. Federal, State, County and local laws and regulations for project implementation must be adhered to throughout the duration of the project. The City Engineer may require other information or may impose additional conditions and requirements as deemed necessary to protect public health and safety.

i. The submittal of a sewer area study or a sewer capacity study is the official process for adequately sizing a sanitary sewer or determining if there is sufficient capacity for a new connection to an existing sewer. The City requires the satisfactory completion of the capacity study by a private registered civil engineer prior to giving approval for projects that can affect the capacity of the public sewer system.

ii. The study will assess the impact of providing sanitary service to this particular area or connection and analyze the various alternates for providing such service.
iii. This study will detail the basis for the sewer design and provides the planning information necessary to assess the impact of this particular development on the City’s sanitary sewer system, as well as information on the anticipated sewage flows to include special wastes added to the system.

iv. The completed study will analyze the capacity and condition of the existing system and will set forth mitigation requirements for developers to ensure adequate capacity.

v. The study will also justify the sizing of proposed lines to accommodate the base, peak, and wet weather flows from all area tributary to the mainline sewer under consideration or pumping station, now and in the future.

vi. The approved capacity study is referenced directly by the plan checker when design plans for the new infrastructure are submitted to assure adequate capacity.

vii. All proposals for a new connection to an existing sewer must also comply with the City’s policies for managing available sewer capacity.

viii. Sewer plans for construction are prepared by registered civil engineers and submitted to the City for plan check.

ix. American Public Works Association Greenbook standards and the Los Angeles County Department of Public Works Standard Plans are referenced where more detailed-design data is to be specified. Permits for construction of any public sewer infrastructure are not issued until the plan check process has been satisfactorily completed, thus, ensuring the functional design and adequate capacity of the public sewer collection system.

x. Proof of Los Angeles County Sanitation District clearance must be submitted prior to the issuance of any permits.

48. **Water:**

v) It is the applicants' responsibility to contact the City of El Monte Water Department, 626-680-2058, to obtain approval of service and ensure adequate water to provide such service. A Water Serve letter from the El Monte Water Department must be submitted as part of the entitlement process. This must be completed at the initial stages of the tentative map process. A grading permit will not be issued unless the water service is resolved. Provide acceptable analysis to verify sufficient water pressure and flow for:

   i. General conditions
   ii. During MID (maximum instantaneous demand) conditions
   iii. During fire flow and MID conditions

w) Water system analysis/modelling is required. General requirements are verification of:

   i. Minimum of 40 psi delivered during PHD
   ii. Minimum of 20 psi delivered during MDD + FF. This test is usually coordinated with LA County Fire Department.
x) The water supply system serving the development shall be adequately sized to accommodate the total required domestic water and fire flows, in compliance with the City of El Monte Public Works Department and Los Angeles County Fire Department requirements. Engineer shall submit water system improvement plans and calculations for the development to the City for review and approval.

y) A minimum ten (10) feet wide non-exclusive easement is required for water system and incidental purposes for all water lines operated by the City of El Monte utilized in providing water to the development.

z) All existing water services no longer required as part of this development shall be abandoned at the mainline.

aa) Relocate existing water meter out of existing drive approaches.

49. **Overhead Utilities:**

bb) Any utility poles conflicting with the proposed improvements shall be relocated at the applicant’s expense.

50. **Parking Lot and Driveways:**

cc) All parking lots and driveways shall be surfaced with asphaltic concrete to a minimum thickness of three (3) inches over a minimum aggregate base of six (6) inches or surfaced with Portland Cement concrete with a minimum thickness of five (5) inches over a three (3) inch aggregate base. After review of the probable vehicular traffic and the soils report for the project, additional material may be required at the discretion of the City Engineer. EMMC 17.06.030.

dd) All drive approaches shall be ADA compliant. Insufficient width in the parkway will require applicant to dedicate an easement at each drive approach to the City to accommodate a compliant drive approach.

51. **Street and Traffic:**

ee) All streets fronting project shall be improved to meet current General Plan requirements for Right of Way and Roadway. Use Geotechnical Engineer's Report and APWA standard plans and specifications for roadway improvements. Prepare offsite improvement plans as necessary and provide an engineer’s estimate for all public improvements. Streets fronting the project site must be paved (overlay) at the half distance (centerline) of the street. All offsite improvements shall be in complete compliance with the Americans with Disabilities Act (ADA).

ff) Traffic control plans must be signed by a licensed State of California Traffic Engineer and submitted for review and approval.
gg) Public improvements on Meeker Avenue will be generated on the basis of the approved site plan. P.C.C. pavement and asphalt-concrete (A.C.) thicknesses and strengths will be determined by the Registered Civil Engineer (project engineer of record) preparing the street plans and utility improvement plans.

hh) Remove and replace all of the damaged sidewalk and standard curb & gutter adjacent to the development at the direction of the City Engineer/City Inspector. Use APWA standard plans and specifications

ii) Remove all existing improvements no longer intended for use (drive approaches, under sidewalk drains, meter boxes, etc.) and replace with new sidewalk and full height curb and gutter as required. Use APWA standard plans and specifications.

jj) Developer shall remove all existing curb paint and replace in kind on all curbs fronting the proposed development.

kk) On-site roadway lighting shall be designed in accordance with Illuminating Engineering Society (IES) standards. Engineer shall submit street lighting system improvement plans and calculations for the development to the City for review and approval.

ll) Parkway trees shall be installed by the applicant per the City of El Monte Tree Ordinance in the quantities and locations as directed by the City of El Monte Public Works Department. Requiring a minimum of two (2) trees in the public right of way.

mm) A focused traffic study shall be prepared by a Registered Traffic Engineer and submitted to the Public Works Department for review and approval. The study shall focus on onsite and offsite circulation including but not limited to access locations, inbound/outbound turning movements, internal circulation, and parking operations to determine the need for additional striping, pavement markings, and signage that will improve motor vehicle and pedestrian safety.

**FIRE DEPARTMENT**

52. All conditions of the Fire Department shall be met prior to building final occupancy.

53. If requested by the Fire Department and/or City of El Monte the applicant shall post signs on the fire lane stating: "No parking on Fire Lane: Violating Vehicles will be towed away at owners expense per CV 22658 EMMC 3219 EMPD 580-2110". All safety and directional signs shall incorporate a porcelain finish and meet Public Works Division Standards.

54. Fire Department Access shall be extended to within 150 feet distance of any exterior portion of all structures.
55. Access shall comply with Section 503 of the Fire Code, which requires all weather access. All weather access may require paving.

56. Provide water mains, fire hydrants and fire flows as required by the County of Los Angeles Fire Department, for all land shown on map which shall be recorded.

57. Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested, and accepted prior to construction.

58. The required fire flow for public fire hydrants at this location is 1250 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 1 hydrant(s) flowing simultaneously may be used to achieve the required fire flow.

59. All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access must be provided and maintained serviceable throughout construction.

60. Provide a copy of the CC&R's shall be provided prior to the approval of the final map.
SECTION 9 – PLANNING COMMISSION APPROVAL. That the Secretary of the City Planning Commission of the City of El Monte, California, shall certify to the adoption of this resolution and shall cause a copy of the same to be forwarded to the applicant.

Dallas Baker, Chairperson

ATTEST:

Marcella Magdaleno, Secretary
El Monte City Planning Commission

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) SS:
CITY OF EL MONTE)

I, Marcella Magdaleno, Secretary of the Planning Commission of the City of El Monte, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution No. 3457 adopted by the Planning Commission of the City of El Monte, at a regular meeting by said Commission held on January 31, 2017 by the following votes to wit:

AYES: Baker, Garcia, Morales, Nuño

NOES:  

ABSTAIN:  

ABSENT: Peralta

Marcella Magdaleno, Secretary
El Monte City Planning Commission

RESOLUTION NO. 3457| 18
CITY OF EL MONTE
Economic Development Department
Planning Division

ENTITLEMENT APPLICATION

☐ Change of Zone
☐ Code Amendment
☐ Conditional Use Permit
☐ Design Review
☐ General Plan Amendment
☐ General Plan Conf. Finding
☐ Initial Plan Review
☐ Modification
☐ Tentative Tract Map
☐ Revision to Approved Plan
☐ Specific Plan/Amendment
☐ Lot Division (Tentative Parcel Map)
☐ Time Extension
☐ Variance
☐ Zoning Clearance

FOR PLANNING USE ONLY

Date Received: 4/11/19
Received By: M
P.C. Hearing Date: 6/2-19
Case No(s): TPM 73160
Receipt No: 105413

Project Address: 2711 Meeker Ave., El Monte
Assessor's Parcel Number: 8105.009.002
Zoning: R-3
Lot Size: 13,441 SF.
Landscape Square Footage:

General Plan Designation: 7 New House
Present Use of Property/Existing Improvements:

subdivided 13,441 SF. Vacant lot into 3 parcels. (1) residential lot and
(1) common driveway. (2) residential units with attached 2-car garage.
Unit-A is 2096 SF, Unit-B is 2098 SF.

Applicant's Name: Ting Cao
Address: 445 Serrano Ave
City: Monterey Park Zip Code: CA 91755
Telephone Number: 626-532-9999 Fax Number: 
Email: 

Contact Person: Jimmy Zheng
Address: 2502 Cogswell Rd.
City: El Monte Zip Code: CA 91732 Email: zh123ong@yahoo.com
Telephone Number: 626-207-455 Fax Number: 

Property Owner's Name: Ting Cao
Address: 445 Serrano Ave
City: Monterey Park Zip Code: CA 91755
Telephone Number: 626-532-9999 Fax Number: 
Email: 

Project Description: New Build. 2 Single House with Attached 2-Car Garage.
Unit-A 2096 SF.
Unit-B 2098 SF.

City Hall West - 1333 Valley Boulevard, El Monte CA 91731-3293 Phone: (626)258-8626 Fax: (626)580-2293
Owner's Affidavit

STATE OF CALIFORNIA    
COUNTY OF LOS ANGELES

I/WE, TING CAO, BEING DULLY SWORN, DEPOSE AND SAY THAT I/WE AM/ARE THE OWNER (S) OF THE PROPERTY INVOLVED IN THIS PETITION, AND THAT THE FOREGOING STATEMENTS AND ANSWERS HEREIN CONTAINED AND THE INFORMATION HEREWITH SUBMITTED, ARE IN ALL RESPECTS TRUE AND CORRECT TO THE BEST OF KNOWLEDGE AND BELIEF.

SIGNATURE: TING CAO
ADDRESS: 44B SEPTON AVE.
CITY: Monterey Park
TELEPHONE: 626-550-9999

NOTE: This application must be signed by the same persons, and in the same manner as that in which title is held. Before signing, please examine your deed or title insurance policy.

Applicant’s Signature ______________________ Date 4-4-19

Office Use

Date: 4/4/19 Receiver By: N File Number: TPM 73160

* The Application form being signed under penalty of perjury does not require notarization.

Updated 6-2016
TO: CITY OF EL MONTE  
PLANNING DIVISION  

I am the new owner of 2711 meeker ave, el monte. Ting Cao  
I need to apply for an extetion of this project, TENTATIVE PARCEL MAP NO. 73160  
For this project, the building department has approved, grading plan is checking by public work.  
tentative final map is still working, will finish soon, and submit. 
landscape plan will finish soon, and submit.  

thank you  

Ting Cao 3/28/2018
TO: CITY PLANNING COMMISSION

FROM: BETTY DONAVANIK
COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR

BY: JASON C. MIKAELIAN, AICP
CITY PLANNER

TONY BU
ASSOCIATE PLANNER

SUBJECT: CONDITIONAL USE PERMIT NOS. 25-17, 12-18 & 13-18
AND DESIGN REVIEW NO. 11-17
(TIME EXTENSION REQUEST)

LOCATION: 3447 PECK ROAD

APPLICANT/
PROPERTY OWNER: FARBOD YOUSHEI
3447 PECK ROAD
EL MONTE, CA 91731

RECOMMENDATION: APPROVE TIME EXTENSION FOR CONDITIONAL USE
PERMIT NOS. 25-17, 12-18 & 13-18 AND DESIGN REVIEW
NO. 11-17

REQUEST / STAFF RECOMMENDATION

On April 24, 2018, the Planning Commission adopted Resolution No. 3504 approving Conditional Use Permit Nos. 25-17 and 12-18 and Design Review No. 11-17, to allow the construction of a new 3,189 square foot automobile services station with a drive-thru carwash and an existing multi-tenant building for ancillary uses. The property owner is requesting a one (1) year time extension of the project’s entitlements to allow additional time to complete the building plan-check process and obtain the necessary permits to begin construction.

On August 15, 2018, the Planning Commission adopted Resolution No. 3514, approving Conditional Use Permit No. 13-18, to allow the off-sale of alcohol (Type 20) to sell beer and wine at the previously approved 3,189 square foot gas station/mini-market. The property owner would also like to request a one (1) year time extension to allow additional time to obtain the alcohol license.
The applicant is requesting a one (1) year extension for all of the above mentioned entitlements due to legal matters concerning joint ownership. As a result, the applicant is unable to proceed with the project until a decision is made in court.

Staff recommends that the Planning Commission extend Conditional Use Permit Nos. 25-17 & 12-18 and Design Review No. 11-17 for an additional year with a new expiration date of May 4, 2020 and extend Conditional Use Permit No. 13-18 for an additional year with a new expiration date of August 25, 2020. Additional time extension requests will no longer be accepted if the Planning Commission approves the applicant’s current request.

ATTACHMENTS:

A. Approved Planning Commission Resolution No. 3404
B. Approved Planning Commission Resolution No. 3514
C. Signed Planning Application for Time Extension Request
RESOLUTION NO. 3504

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 25-17, AND 12-18, AND DESIGN REVIEW NO. 11-17 TO ALLOW THE CONSTRUCTION OF A NEW AUTOMOBILE SERVICE STATION WITH A DRIVE-THRU CARWASH AND MULTI-TENANT BUILDING IN THE C-3 (GENERAL COMMERCIAL) ZONE, AND ADOPTING A CATEGORICAL EXEMPTION FOR THE PROPERTY LOCATED AT 3447 PECK ROAD, EL MONTE, CALIFORNIA

The Planning Commission of the City of El Monte, County of Los Angeles, State of California, does hereby find, determine and resolve as follows:

SECTION 1 – PROJECT DESCRIPTION. On November 22, 2017, Farbco Youshei and A&S Engineering, 3447 Peck Road, El Monte, California, filed an application for Conditional Use Permit No. 25-17, 12-18, 13-18, and Design Review No. 11-17. A Conditional Use Permit and Design Review are requested for the following: 1) the construction of a new gas station and drive-thru carwash, 2) a multi-tenant building with ancillary uses, and 3) mini mart with off-site alcohol sales (continued to a date uncertain). The subject property is located in the C-3 (General Commercial) zone. The request is made pursuant to the requirements of Chapters 17.22 and 17.24 of the El Monte Municipal Code (EMMC). The proposed project was initially submitted with a Conditional Use Permit No. 13-1 for off-sale beer, wine, or liquor sales. Staff is currently acquiring more information from the California Department of Alcoholic Beverage Control and El Monte Police Department. Staff has no recommendation at
this time; therefore the conditional use permit for off-sales beer, wine, or liquor sales will be continued and re-noticed for a later date.

**SECTION 2 – PUBLIC HEARING.** The property is located at 3447 Peck Road, on the west side of Peck Road, and described as follows, to-wit:

APN: 8567-010 038

Pursuant to which after due notice as required by law, a full and fair public hearing was held to consider Conditional Use Permit No. 25-17, 12-18, and Design Review No. 11-17 before this Planning Commission on April 24, 2018 at which time, all interested persons were given full opportunity to be heard and present evidence.

**SECTION 3 - ZONING.** The property is located within the C-3 (General Commercial) Zone. The surrounding zoning and land use of the adjacent properties are as follows:

- **North:** C-3 (General Commercial); Automobile Repair/Body Shop
- **South:** C-2 (General Commercial); Motel
- **East:** C-3 (General Commercial); Automobile Dealership
- **West:** C-1 (Neighborhood Commercial); Residential Apartment Building

**SECTION 4 - ENVIRONMENTAL.** In accordance with the criteria and authority contained in the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines as amended, staff has conducted the appropriate environmental analysis and based on that assessment, the City has determined the project to be Categorically Exempt by Article 19 Section 15303 (Class 3 – New Construction or Conversion of Small Structures) in accordance with the requirements of the State CEQA Guidelines. No further environmental assessment is required.

**SECTION 5 - GENERAL PLAN.** The General Plan land use designation is General Commercial. Allowable uses are a wide range of retail and service
commercial uses to serve the community and the region. Permitted uses include a range of retail businesses, personal services, food and beverage establishments, hotel and other tourist uses, automotive sales and repair, retail, daycare centers, and professional offices. General commercial uses are primarily located along major corridors and are allowed at an intensity of up to 0.75 FAR.

SECTION 6 – CONDITIONAL USE PERMIT FINDINGS. All necessary findings for the granting of Conditional Use Permit No. 25-17 for an auto service station and drive-thru carwash pursuant to Section 17.24.050 of the El Monte Municipal Code can be made in a positive manner and are as follows:

A. The granting of such conditional use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity;

Finding of Fact: The approval of the Conditional Use Permit will allow the construction of an automobile service station and drive-thru carwash with a fueling canopy with eight (8) pumps. All operations will occur within the building. Conditions of approval have been imposed to ensure that the proposed occupancy will not increase the demand for public services or negatively impact the residential properties or residential land uses in the area.

B. The use applied for at the location indicated is properly one for which a conditional use permit is authorized;

Finding of Fact: The site is zoned C-3 (General Commercial) and is currently occupied by a carwash facility. Pursuant to Section 17.24.040(41) of the El Monte Municipal Code, the occupancy of an automobile service station with a drive-thru carwash and ancillary automobile accessories installation shop is permitted upon the approval of a Conditional Use Permit.

C. The site for the proposed use is adequate in size and shape to accommodate such use; and that all yards, spaces, walls, fences, parking, loading, landscaping, and other features required to adjust such use with the land and uses in the neighborhood are provided;
Finding of Fact:
The site, as proposed, will provide 16 parking spaces and one (1) ADA parking space for a total of 17 parking spaces. A single 10 feet by 50 feet loading space is also provided. The current parking requirement requires 17 parking spaces and one (1) loading space. Only three (3) spaces will have the dual purpose of also providing vacuum and air/water service for customers. Furthermore, the site complies with all applicable zoning requirements. The foregoing analysis, site-plan review, and input from other City Divisions assure compliance with these requirements.

D. The site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use;

Finding of Fact:
The site is served by Peck Road, which is classified as a major arterial and fulfills the standard design requirements for its classification. The proposed automobile service station with ancillary uses that will occupy the area will have approximately four (4) employees. Fuel deliveries will take place throughout the day. The existing driveway will be repaired and widened to meet the EMMC's requirement of 30 feet. A four (4) foot dedication will also be given for the public right-of-way. A Traffic Impact Letter was prepared for the proposed project to evaluate any traffic related issues. Based on the findings, this project will contribute a moderate volume of additional traffic to Peck Road.

E. The granting of such conditional use permit will not adversely affect the purpose, goals and policies of the city general plan.

Finding of Fact:
The General Plan land use designation of the subject property is general commercial. The general commercial designation encourages a wide range of retail and service commercial uses to serve the community and the region. General commercial uses are primarily located along major corridors. The proposed construction of an automobile service station with ancillary uses would be consistent with the General Plan, provided that a Conditional Use Permit is approved by the Planning Commission.

SECTION 7 – CONDITIONAL USE PERMIT FINDINGS. All necessary findings for the granting of Conditional Use Permit No. 12-18 for a multi-tenant building pursuant to Section 17.24.050 of the El Monte Municipal Code can be made in a positive manner and are as follows:
F. The granting of such conditional use permit will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity;

Finding of Fact:
The approval of the Conditional Use Permit will allow the construction of a 6,039 square foot multi-tenant building. All operations will occur within the building. Conditions of approval have been imposed to ensure that the proposed occupancy will not increase the demand for public services or negatively impact the residential properties or residential land uses in the area.

G. The use applied for at the location indicated is properly one for which a conditional use permit is authorized;

Finding of Fact:
The site is zoned C-3 (General Commercial) and is currently occupied by a carwash facility. Pursuant to Section 17.24.040(41) of the El Monte Municipal Code, the proposed construction and occupancy of a multi-tenant building with ancillary uses (automobile service station mini-mart and automobile accessory installation/repair) is permitted upon the approval of a Conditional Use Permit.

H. The site for the proposed use is adequate in size and shape to accommodate such use; and that all yards, spaces, walls, fences, parking, loading, landscaping, and other features required to adjust such use with the land and uses in the neighborhood are provided;

Finding of Fact:
The site, as proposed, will provide 16 parking spaces and one (1) ADA parking space for a total of 17 parking spaces. A single 10 feet by 50 feet loading space is also provided. The current parking requirement requires 17 parking spaces and one (1) loading space. Furthermore, the site complies with all applicable zoning requirements. The foregoing analysis, site-plan review, and input from other City Divisions assure compliance with these requirements.

I. The site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed use;

Finding of Fact:
The site is served by Peck Road, which is classified as a major arterial and fulfills the standard design requirements for its classification. The proposed auto accessories and tint shop that will occupy the tenant space will have approximately three (3) employees at any one time. The existing driveway will be repaired and widened to meet the EMMC’s requirement of 30 feet. A four (4) foot dedication will also be given for the public right-of-way. A Traffic Impact Letter was prepared for the proposed project to evaluate any traffic related issues. Based on the findings, this project will contribute a moderate volume of
additional traffic to Peck Road.

J. The granting of such conditional use permit will not adversely affect the purpose, goals and policies of the city general plan.

Finding of Fact:
The General Plan land use designation of the subject property is general commercial. The general commercial designation encourages a wide range of retail and service commercial uses to serve the community and the region. General commercial uses are primarily located along major corridors. The proposed construction of an automobile service station with ancillary uses would be consistent with the General Plan, provided that a Conditional Use Permit is approved by the Planning Commission.

SECTION 8 – DESIGN REVIEW FINDINGS. All necessary findings for the granting of Design Review No. 11-17 to construct a new 6,039 square foot multi-tenant automobile service station with a carwash and ancillary uses on a 44,730 square foot lot, located in the C-3 (General Commercial) zone, pursuant to Chapter 17.22 (Design Review) of the EMMC can be made in a positive manner as follows:

A. The granting of the design review request will not be detrimental to the public health or welfare or injurious to the property or improvements in such zone or vicinity;

Finding of Fact:
The applicant is proposing to construct a new 6,039 square foot multi-tenant building on a 44,730 square foot lot. The project site is zoned C-3, which permits the construction of a new building upon approval of a Design Review by the City’s Planning Commission. The subject property is surrounded on by C-1, C-2, and C-3 zoned properties. The overall placement, massing, and design of the proposed building will not be detrimental to the public health or welfare or injurious to the adjacent properties.

B. The design of the proposed project would provide a desirable environment for its occupants and visiting public as well as its neighbors through good aesthetic use of materials, textures, and colors that will remain appealing and will retain a reasonably adequate level of maintenance.

Finding of Fact:
The building is proposed to be situated along the south eastern part of the project site. There will be a new 12 foot landscape planter along the front property line in
addition to a four (4) foot dedication for public right-of-way purposes. In order to ensure proper maintenance of the property, staff has added a condition of approval that requires the recordation of a property maintenance agreement prior to building permit issuance. Staff has determined that the overall site plan design and placement of the proposed building is consistent with the City's Comprehensive Design Guidelines and will be a development that is aesthetically pleasing for the community.

C. The design and layout of the proposed project will not unreasonably interfere with the use and enjoyment of neighboring existing or future development, and will not result in vehicular and/or pedestrian hazards;

Finding of Fact:
The proposed layout of the project site was carefully considered by the applicant. The proposed building is situated closer to the rear of the property. The proposed new driveway approach will provide easier vehicle ingress and egress to the site. As proposed, staff has determined that the design and layout of the building will not interfere with the existing or future enjoyment of adjacent properties and uses.

D. The architectural design of the proposed project is compatible with the character of the surrounding neighborhood and will maintain the harmonious, orderly and attractive development contemplated by the provisions of this chapter and the general plan;

Finding of Fact:
The architectural design of the proposed building takes on a contemporary/modern style. The proposed entry facade area features a mix of decorative metal panels and stucco to create unique architectural detailing for the building. The building will be painted different shades of brown to draw attention to the different aspects of the building. Overall, the proposed colors and materials of the building create a dynamic and interesting design that is consistent with the City's Comprehensive Design Guidelines and the General Plan's goal of achieving exceptional commercial design along a commercial corridor.

E. The landscape considerations including the location, type, size and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas, have been provided to insure visual relief, to complement buildings and structures and to provide an attractive environment.

Finding of Fact:
The proposed landscape plan provides a good mixture of drought tolerant plant materials. There are 20 proposed 36” box trees that are also methodically placed in the new landscape areas located along the north, west, and south part of the parking lot to not only add a landscape texture to the proposed building, but also serve as an alleviating element to break up the continuous concrete area of the
The proposed parking lot. Vertical landscaped screening will also be conditioned along the west property line to help provide screening for the adjacent residential property. The proposed landscape will provide an attractive environment and is consistent with the City's landscape regulations.

F. The architectural design, layout and site configuration is consistent with the City's adopted "comprehensive design guidelines."

Finding of Fact:
The proposed architecture of the building is of contemporary style and is consistent with the City's commercial design guidelines for massing and façade articulation. The project as proposed is consistent with the City's Comprehensive Design Guidelines.
SECTION 9 – APPROVALS AND CONDITIONS. The Planning Commission determines that the project is Categorically Exempt under Article 19 Section 15303 (Class 3 – New Construction and Conversion of Small Structures) in accordance with the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines, as amended, and does hereby approve Conditional Use Permit No 25-17, 12-18, and Design Review No. 11-17 subject to the following recommended conditions:

PROJECT GENERAL

1. The project shall substantially conform to Conditional Use Permit No. 25-17 and 12-18, and Design Review No. 11-17 presented to the Planning Commission on April 24, 2018.

2. Conditional Use Permit No. 25-17 and 12-18, and Design Review No. 11-17 approval as contained herein shall be effective for a period of twelve (12) months from the date of effective approval thereof unless the applicant has obtained building occupancy permits from the City for the proposed project or has timely requested an extension within which to procure building permits.

3. A copy of the approving resolution shall be printed or attached to the development plans that are to be submitted during the plan check process.

4. All Planning Division, Building Division, Code Enforcement Division, Engineering Division, and Los Angeles County Fire Department standards and conditions shall be complied with prior to the issuance of building permits or at another time specified in the conditions of approval or as outlined in City Codes.

5. The applicant and property owner shall sign and submit an affidavit accepting all conditions of approval contained in the Planning Commission Resolution prior to issuance of Building Permits or a Certificate of Occupancy Permit for the proposed project.

6. All activities on the property shall comply with the City of El Monte Noise Ordinance at all times.

7. No alcohol shall be sold on the premises without the approval of an ABC License and Conditional Use Permit, to be presented to the Planning Commission at a future date.
8. The applicant shall continue to work with staff to further refine the architecture of the building and canopy. This includes additional architectural features, light fixtures, color palette, etc. **Provide an updated, full artist rendering of the building facing Peck Road. (Added at the Planning Commission meeting of 4/24/2018).**

9. **Prior to issuance of an occupancy permit, a clean-up plan shall be submitted for review and approval by the Planning Division. The plan shall identify the location of exterior waste receptacles and provide details for off-site litter clean-up. The applicant shall work with staff to determine an adequate clean-up distance from the tenant space. Clean-up areas shall only cover public right-of-way and the tenant's site. (Added at the Planning Commission meeting of 4/24/2018).**

10. **Implement bike racks/bike storage on-site. (Added at the Planning Commission meeting of 4/24/2018).**

**LEGAL**

11. By acceptance of the approval of the project by the City, the applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, and employees to challenge, set aside, void or annul the approval of the project from an action which may be brought within the time period provided for such actions or challenges under applicable law. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate in any such defense.

12. Subject to review and applicability by the Economic Development Director, Public Works Director, and the City Attorney and to ensure ongoing compliance with the conditions of approval set forth under this resolution and to ensure that the property and all improvements located thereupon are properly maintained, the applicant (and the owner of the property upon which the authorized use and/or authorized improvements are located if different from the applicant) shall execute a maintenance agreement with the City of El Monte which shall be recorded against the property and which shall be in a form reasonably satisfactory to the City Attorney. The maintenance agreement shall contain covenants, conditions and restrictions relating to the following:

   a. Compliance with operational conditions applicable during any period(s) of construction or major repair (e.g., proper screening and securing of the construction site; implementation of proper erosion control, dust control and noise mitigation measure; adherence to approved project phasing etc.).

   b. Compliance with ongoing operational conditions, requirements and restrictions, as applicable (including but not limited to hours of operation, security requirements, the proper storage and disposal of trash and debris,
and/or restrictions on certain uses, including uses determined by the Planning Commission (or the City Council upon appeal) to be incompatible or inconsistent with any authorized uses; compliance with applicable State and/or federal statutes and regulations, including but not limited to compliance with statutes and regulations regarding the appropriate operating guidelines for certain equipment (e.g., emissions standards, radio frequency emissions standards etc.);

c. Ongoing compliance with approved design and construction parameters, signage parameters and restrictions as well as landscape designs, as applicable;

d. Ongoing maintenance, repair and upkeep of the property and all improvements located thereupon (including but not limited to controls on the proliferation of trash and debris about the property; the proper and timely removal of graffiti; the timely maintenance, repair and upkeep of damaged, vandalized and/or weathered buildings, structures and/or improvements; the timely maintenance, repair and upkeep of exterior paint, parking striping, lighting and irrigation fixtures, walls and fencing, publicly accessible bathrooms and bathroom fixtures, landscaping and related landscape improvements and the like, as applicable);

e. If the applicant and the owner of the property are different (e.g., if the applicant is a tenant or licensee of the property or any portion thereof), both the applicant and the owner of the property shall be signatories to the maintenance agreement and both shall be jointly and severally liable for compliance with its terms.

f. The maintenance agreement shall further provide that any party responsible for complying with its terms shall not assign its ownership interest in the property or any interest in any lease, sublease, license or sublicense, unless the prospective assignee agrees in writing to assume all of the duties and obligations and responsibilities set forth under the maintenance agreement.

g. The maintenance agreement shall contain provisions relating to the enforcement of its conditions by the City and shall also contain provisions authorizing the City to recover costs and expenses which the City may incur arising out of any enforcement and/or remediation efforts which the City may undertake in order to cure any deficiency in maintenance, repair or upkeep or to enforce any restrictions or conditions upon the use of the property. The maintenance agreement shall further provide that any unreimbursed costs and/or expenses incurred by the City to cure a deficiency in maintenance or to enforce use restrictions shall become a lien upon the property in an amount equivalent to the actual costs and/or expense incurred by the City.

h. The execution and recordation of the maintenance agreement shall be a condition precedent to the issuance of final approval for any construction permit related to this entitlement.

13. Graffiti must be removed from any interior/exterior surfaces to the structures and improvements on the property within 24 hours following the application of the graffiti. Graffiti shall be removed by either painting over the evidence of such
vandalism with a paint that has been color-matched to the surface to which it is applied or graffiti may be removed with solvents or detergents, as appropriate.

CONSTRUCTION

14. Prior to the commencement of construction on the site, the developer shall schedule a pre-construction meeting between the general superintendent or field representative and the Planning Division to discuss the approved plans and construction requirements.

15. The project must comply and be designed to meet the all requirements of the current California Building Code. All building safety, geotechnical, mechanical, electrical, plumbing, and accessibility requirements will be reviewed for compliance during plan review.

16. Prior to commencing demolition and site preparation activities, the project site shall be secured with a fence to prevent unauthorized access to the site and the fence shall contain a screening material to screen construction activities from view. The temporary screening fence shall be installed to the satisfaction of the Economic Development Department and shall be maintained in good condition (free of tears, holes, crack lines, debris, etc.) at all times. At the primary entrance to the site, the screening material shall be reduced to a maximum height of four feet to provide visibility into the site at all times and for public safety purposes. The project site shall also have a minimum of one sign of quality material depicting the proposed development, which shall include renderings, project opening date, and City Council information. The signs shall be designed and installed to the satisfaction of the Economic Development Department and maintained in good condition (free of tears, graffiti, holes, cracks, fading, debris, etc.) at all times.

17. During the construction process all related activities, including but not limited to, loading, unloading, storage of equipment and materials, and parking of employee vehicles are prohibited within the public R.O.W. All such activities shall be conducted only on the project site and not in the public R.O.W.

18. All onsite activities shall comply with the City of El Monte Noise Ordinance at all times.

19. Automatic gas shut off/earthquake safety valves shall be installed for each gas meter location.

20. Fire protection facilities; including access, must be provided prior to and during construction.

21. All trash and refuse (i.e. solid waste) shall be disposed of in dumpsters or other like containers; and all such waste shall be removed from the premises on a routine basis, as provided under EMMC Chapter 8.20, by a solid waste hauler duly
franchised to provide such service to the property. Applicant shall divert fifty percent (50%) of its solid waste through recycling services provided by a solid waste hauler duly franchised to provide such service to the property. Pending completion of all construction activities upon the property, surplus construction materials shall be stored so as to be screened from view when not actually in use. All construction and demolition debris shall be removed from the property in compliance with EMMC Chapter 8.20. The removal of all solid waste arising out of the construction and demolition process shall be undertaken by a duly franchised solid waste hauler authorized to provide solid waste services for construction and demolition projects within the City of El Monte. The removal of all other wastes from the property shall be undertaken by a duly franchised solid waste hauler authorized to provide solid waste services to residential and commercial properties within the City of El Monte.

a. Prior to the issuance of a Building Permit, the developer shall submit to the Building Safety Division, the Environmental Services Division and the City Code Enforcement Division, the name and contact information for the contracted waste hauler. It shall be the developer’s obligation to ensure that the waste contractor utilized has obtained permits from the City of El Monte to provide such services.

b. Prior to final approval for occupancy, and in addition to any other requirements set forth under the El Monte Municipal Code or by the Chief Building Official, the developer shall submit to the Building and Safety Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed and/or diverted.

c. Except as otherwise authorized pending the completion of the construction and demolition activities authorized under this resolution, solid waste containers and bulky items may not be stored or maintained at locations designated for parking and must be maintained in those locations designated for the temporary storage of solid waste and bulky items.

22. The site and the public R.O.W. adjacent to any portions of the site shall be maintained in a condition which is free of debris both during and after the construction, addition or implementation of the entitlements granted herein. All trash and refuse shall be disposed of in dumpsters and be removed from the premises on an as needed basis. Any surplus construction materials shall be stored so as to be screened from public view when not actually in use and be removed from the property upon completion of construction activities. The removal of all trash, debris, and refuse, whether during or subsequent to construction shall be done only by the property owner, the applicant or by a permitted waste contractor, who has been authorized by the City to provide collection, transportation, and disposal of solid waste from residential, commercial, and construction areas within the City.

a. Prior to issuance of a Building Permit, the developer shall submit to the City, the name and contact information for the contracted waste hauler. It shall be
the developer’s obligation to insure that the waste contractor utilized has obtained permits from the City of El Monte to provide such services.

b. Prior to final approval for occupancy, the applicant shall submit to the Planning Division, the receipt(s) showing evidence that the waste and debris generated during the construction process were properly disposed.

**OPERATION STANDARDS**

23. Uses on the subject property shall be limited to uses that do not utilize heavy equipment and hazardous materials and generate minimal noise and odors.

24. Hours of operation for the fuel pumps and mini-mart may be 24 hours a day, seven (7) days a week. The drive-thru carwash shall have restricted hours from 7:00 a.m. to 10:00 p.m. daily. Any complaints regarding issues with operations, pollution, noise, etc. may cause a limitation on hours of operation which may go back to the Planning Commission for further review and approval.

25. All business activities from the automobile accessories/tint shop and mini-mart as well as all storage shall take place within the confines of the building. There shall be no outdoor display, advertisement, merchandizing, debris, and storage of containers and inoperable vehicles at any time. No storage of materials or supplies or inventory shall be permitted outside of the structure.

26. An automatic closing door shall be installed at the entrance of the drive-thru carwash facility to reduce noise pollution to the residential property immediately west of the carwash entrance.

27. Three (3) parking spaces shall be dedicated for air/water and vacuum services. 20 minute limit signs shall be installed for these spaces.

**LIGHTING**

28. The developer shall submit a photometric plan to the Public Works Department for review and it shall provide a minimum of 1 foot-candle throughout the site. Where available and deemed necessary by the City Planner, the system must be equipped with vandal resistant covers and be shielded to direct light away from all neighboring uses, and comply with CALGreen or local ordinance, whichever is more stringent. The lighting plan shall include the design and specifications for all proposed exterior site lighting fixtures and shall be reviewed for quality, aesthetics, and illumination values.

29. The developer shall submit for review by the Planning Division and the Engineering Department, the design and specifications for all proposed lighting fixtures proposed for the buildings, drive aisles, parkways, parking areas, pathways, and surrounding areas within the development. The fixtures shall be reviewed for quality, aesthetics, illumination values, sustainability values such as LED and shall
be decoratively and architecturally consistent with the building design. The number, location, height, style and design shall be reviewed and approved by the Planning Division and Engineering Department prior to issuance of building permits.

**TRASH ENCLOSURE**

30. The Applicant shall submit a design for the onsite trash enclosure for review and approval by the Planning Division and the City's Solid Waste Service Provider during building plan check review. The applicant shall work with staff to incorporate the trash enclosure within the building's design (with access through the loading door). If that cannot be accommodated, the trash enclosure shall include a designated area for solid waste disposal and a designated area for recycling disposal as far from the street as possible. The design will be reviewed for aesthetic value and use of quality materials. All outside trash and garbage collection areas shall be paved and enclosed on at least three (3) vertical sides by solid five (5) foot high wall and on the fourth side by a view obscuring gate to screen the containers from view. The trash enclosure shall be of a size sufficient to contain all trash containers maintained outside the building. The finish and color of the trash enclosure shall be designed to match a primary element from the site building style as well as incorporate a decorative cover per the approval of the City Planner.

**UTILITIES AND MECHANICAL EQUIPMENT**

31. All onsite utilities service lines shall be underground and not visible to the public view.

32. The applicant shall submit a composite utility plan depicting the location of above ground utility appurtenances. The exact location of the equipment shall be approved by the Planning Division, during the plan check process, and shall be installed as per approved plans. They shall not be allowed within a required parking, turnaround and landscape areas or on any façade facing a public street.

33. All mechanical equipment placement and screening shall be included on the composite development plan and shall be reviewed and approved by the Planning Division prior to installation. Where practicable and as shown on the plans approved by the Planning Commission in the course of obtaining the requested entitlements, mechanical equipment, heating, ventilation, air conditioning (HVAC) units, satellite dish systems, solar panels, thermal solar heaters, utility meters, above ground utility and fire safety connections will be screened and located out of public view or be architectural integrated into the project design. Plant material is not an acceptable screening device.
FENCES AND WALLS

34. Prior to the demolition of any existing property line walls and/or fences and construction of a new property line concrete block wall(s), the developer shall make reasonable efforts to coordinate and obtain approval from neighboring property owner(s) to remove any existing wall(s) and/or fence(s). Written authorization from the neighboring property owner shall be provided for the removal of an existing wall and construction of a new property line wall upon submittal for plan check.

35. All fences and walls shall be decorative. All proposed block walls and existing block walls shall have a decorative cap and be stucco to match the façade of the proposed warehouse building. All proposed block walls/fences shall be reviewed and approved by the Planning Division.

SIGNS

36. A sign permit application and master sign program shall be reviewed and approved by the Planning Division prior to issuance of a building or sign permit for any signage. Any proposed wall sign shall include individual channel letters; no cabinet or box signs shall be permitted. A freestanding sign shall be limited to a height of 22 feet.

37. Window signage shall not exceed five (5) percent of the window area. Only signs displaying the business name, operational status, and hours of operations may be approved.

38. No lighted bands shall be allowed on the fuel canopy.

39. Channel letter sign shall be limited on two sides of the canopy fascia.

40. The proposed 25 foot freestanding sign shall have columns to match the fuel canopy.

LANDSCAPING

41. The applicant shall be required to submit to the Planning Division for review and approval of a detailed landscape/irrigation plan for the site that is prepared by a State Licensed Landscape Architect. The plan shall address the following items:

   a. Comply with the State mandated Model Water Efficient Landscape Ordinance (MWELO) 2015 update and Chapter 17.11 - Water Efficiency of the El Monte Municipal Code (EMMC). The document package may be downloaded on the City website under Building and Safety or contact the Building and Safety Division at (626) 580-2050.
b. An automatic timed underground irrigation system shall be installed and maintained for each landscaped area.

42. The landscape plan shall provide for a variety of groundcover, grasses, shrubs, perennials, and ornamental trees with various textures, heights, size and a variety of foliage and flower color, per EMMC Section 17.10.030(A)(1). The landscape plan shall include a Plant Legend containing: plant symbol, scientific name of plant material, common name of plant material, plant container size, and plant spacing in "inches". Single row and triangle plant spacing are preferred. Very low, low and medium water usage plant materials are encouraged.

43. All required trees shall be a minimum 36" box.

44. A maximum of two (2) palm trees shall be allowed. (Revision from the Planning meeting of 4/24/2018).

45. Decorative paving should be used for walkways as well as outdoor areas which will be a condition in the approval.

46. All landscape and irrigation areas shall be installed prior to a certificate of occupancy as outlined in a construction phasing plan, which shall be approved by the City’s Landscape Technician.

47. Additional landscaping required on/in front of the building to soften the exterior. (Added at the Planning Commission meeting of 4/24/2018).

FIRE DEPARTMENT

48. All City and LA County Fire Department standards and conditions shall be implemented prior to final inspection and prior to occupancy of the building.

49. If requested by the Fire Department and/or City of El Monte the applicant shall post signs on the fire lane stating: "No parking on Fire Lane: Violating Vehicles will be towed away at owners expense per CV 22658 EMMC 3219 EMPD 580-2110". All safety and directional signs shall incorporate a porcelain finish and meet Public Works Division Standards.

SURVEILLANCE

50. As a crime prevention measure, the project shall incorporate a High Definition Recording camera surveillance system for the entrance and project site. An installation plan shall be submitted to the Police Department for review and approval. The Police Department shall have the authority to make changes to the plan as needed to enhance public safety. The System must be set up for at a minimum of 30 days rotation period. All recordings must be kept onsite for at least 45 calendar days and must be made available to a City Employee upon request.
The system shall be maintained and operating at all times. The system shall also be strategically placed to only focus on the subject property and not on nearby properties.

ENGINEERING AND PUBLIC WORKS

The following conditions and public improvements will be required to be performed and completed in an acceptable manner to the City in accordance with all applicable rules and laws. Federal, State, County and local laws and regulations for project implementation must be adhere to throughout the duration of the project. The City Engineer may require other information or may impose additional conditions and requirements as deemed necessary to protect public health and safety.

The City of El Monte requires the items below to be submitted and reviewed by Public Works Engineering prior to receiving preliminary approval of the subject development.

Required Submittals:

1. Provide copy of recorded documents depicting the Cross Access Easement

2. Provide proof the existing underground tanks meet current codes. If tanks are not up to current code, replacement with current approved tanks will be required (This is based also on the relocation of the gas pumps).

3. Provide details of containment of new fuel disbursement area.

4. ADA requirement along the frontage of the parcel(s) on Peck Road. The existing driveway approach is not ADA compliant. Existing sidewalk to be verified by licensed Civil Engineer to ensure compliance with Federal mandated ADA requirements.

5. City General Plan calls for 104’ to 116’ Right of Way on Peck Road, which is 52’ to 58’ half width from center line. Peck Road fronting the project must be improved to meet current General Plan requirements for the ultimate Right of Way. A minimum four (4) foot dedication will be required, no signs or curbs within the dedication.

6. Clearly define/show the width/distance from Peck Road centerline to face of curb and from curb face to property line.

7. The preparation of a Sewer Area/Capacity Study by a registered Civil Engineer’s required to determine the capacity of the City’s main line sewer (additional sheet provided – El Monte Sewer Area, Sewer Capacity Requirements). Flow monitoring will be required as part of this process.

8. Applicant shall show truck turning template for tanker trucks originating from Peck Road and existing onto Peck Road to validate existing site design can
accommodate the proposed vehicle expected to serve the site for gasoline deliveries. Show on plan, tanker truck turning radius dimension.

9. Site Plan shall comply with the comments from the City’s Traffic Engineer dated December 11, 2017.

General:

10. Development Impact Fees associated with this project including, but are not limited to the following fees and deposits; landscaped areas (impervious versus pervious) fee, applicable sewer fee, street fee, storm drain fee, traffic fee, deposits, technology enhancement fees, and all applicable fees associated with demolition of existing structures, drainage, site development, and construction are based on the actual square footage of the new commercial development.

11. Developer shall obtain approval from the Los Angeles Fire Department (LACFD) for development’s fire protection, fire flow requirements, access road(s) for development, etc. and shall construct all Fire Department required improvements. LACFD approval will be required:
   i. Prior to Grading/Building Permits (LACFD Building Division)

12. The developer shall provide such additional data and information and shall deposit and pay such fees as may be required for the preparation and processing of environmental review documents pursuant to the City’s procedures for implementation of the California Environmental Quality Act.

13. Onsite Groundwater Monitoring Wells, including legally removed, permanent, temporary and active wells, must be depicted on all site plans, grading plans, tentative tract/parcel maps and all other relevant plans. Include a legend that demonstrates ownership, date installed, and type of monitoring well and all other relevant information.

14. Engineering Geology and/or Seismic Safety Report. A preliminary engineering geology and/or seismic safety report, prepared in accordance with Los Angeles County guidelines, is required if the subdivision lies within a “medium risk” or “high risk” geologic hazard area, as shown on maps on file contained within the safety element of Los Angeles County.

15. Comply with the City’s ordinance pertaining to construction debris recycling. Contact the Building & Safety Department to obtain a Construction & Demolition Debris Diversion Program form. The Construction & Demolition Debris Diversion Program is also applicable with respect to the grading process.

16. All USA/Dig Alert graffiti markings must be removed by the contractor from the sidewalk, curb & gutter and/or asphalt pavement prior to project completion.
17. No encroachment into the City right-of-way from private property will be allowed.

Legal Descriptions/Dedication:

18. Applicant shall dedicate a minimum of four (4) feet along frontage of Peck Road to comply with General Plan Requirements for a Major Arterial. Applicant shall prepare exhibits, legal descriptions, and all required documents for the dedication for review and approval. Upon acceptance of the City Council applicant shall record the dedication documents with Los Angeles County.

Grading and Drainage:

19. The Grading and Drainage Plan must include standard City of El Monte NPDES and Grading and Drainage Notes and be prepared in accordance with the City of El Monte Grading Manual. Applicant must show proposed pad elevations are above or otherwise protected against a 100-year flood event.

20. Soils Report. A preliminary soils report prepared in accordance with the city’s grading ordinance shall be submitted. If the preliminary soils report indicates the presence of critically expansive soils or other soil problems which, if not corrected, would lead to structural defects, the soils report accompanying the final map shall contain an investigation of each lot within the proposed development.

21. A Hydrology Study Report, based on a 50-year frequency design storm for Capitol Facilities and a 25-year frequency design storm for all other instances as dictated by the LA County DPW 2006 Hydrology Manual, must be submitted to the Engineering Division. The study must provide hydraulic calculations based on the given area and the ability of the existing storm drain infrastructure to receive and support the allotted drainage runoff. Drainage calculations shall adhere to City of El Monte standards, NPDES, and environmental regulations and requirements.

22. Applicant must show 100 year flood elevation in adjacent flood control channel and provide information proposed pad elevations are above this elevation or otherwise protected against a 100-year flood event.

23. Historical drainage patterns from adjacent properties shall be identified and maintained. The project shall accept and include in the drainage design any current drainage from adjacent properties.

24. Comply with all Federal, State, and local agency requirements pertaining to the Clean Water Act, which established regulations, set forth in the Countywide National Pollutant Discharge Elimination System (NPDES) Permit.
25. For projects disturbing an area greater than one acre, a Storm Water Pollution Prevention Plan (SWPPP) is required. SWPPP is a document that addresses water pollution control for a construction project. The Construction General Permit (CGP) requires that all stormwater discharges associated with construction activity, where said activity results in soil disturbance of one acre or more of land area, must be permitted under the CGP and have a fully developed site SWPPP on-site prior to beginning any soil disturbing activities. The CGP requires the development of a project-specific SWPPP. The SWPPP must include the information needed to demonstrate compliance with all the requirements of the CGP. The SWPPP document must be written by a Qualified SWPPP Developer (QSD). The City requires that a Water Pollution Control Manager (WPC Manager) be responsible for the implementation of a SWPPP. The WPC Manager must have the same qualifications as a QSD. For further details pertaining to the State of California’s requirement, please visit the following website:
https://smarts.waterboards.ca.gov/smarts/faces/SwSmartsLogin.jsp
A Waste Discharge Identification Number (WDID#) must be obtained prior to commencing any work.

26. Low Impact Development (LID) is a requirement of the NPDES Permit No. CAS004001 Order No. ORDER NO. R4-2012-0175 and City of El Monte Ordinance No. 2840 This permit was issued by the State of California Regional Water Quality Control Board, Los Angeles Region on December 28, 2012 and the City Ordinance was passed and adopted June 10, 2014. The LID is a narrative report that explains the type of development and drainage of the site. It must address the post-construction water quality and habitat impact issues. Once the site has been developed, how will runoff be maintained? Was there a system that was designed to treat the runoff prior to discharging into the public system? Best Management Practices (BMPs) should be implemented to address storm water pollution and peak flow discharge impacts. All BMPs must be sized to meet specified water quality design and/or peak flow discharge criteria.
   i. Filtration and infiltration methods must be used to defray a large percentage of the storm water runoff into the storm drain system

Sewer:

27. Engineer to show the location of the sewer mainline, nearest manholes, lateral serving the project and configuration of the onsite sewer including diameter and material of the onsite sewer.
   i. Sewer Capacity/Area Study per Los Angeles County Sanitation District standards and City guidelines (Obtain approval from City Engineer on requirements for study) will be required to ensure the existing sewer system has sufficient capacity for the proposed development.
   ii. Sewer cleanouts must be positioned at 100-foot intervals on the lateral coming off the main sewer line.
iii. Applicant must obtain Will Serve Letter from County Sanitations District of Los Angeles County.

Water:

28. It is the applicants' responsibility to contact the Water Purveyor (City of El Monte Water Company) to obtain approval of service and that the purveyor has adequate water to provide such service. Provide acceptable analysis to verify sufficient water pressure and flow for:
   i. General conditions
   ii. During M D (maximum instantaneous demand) conditions
   iii. During fire flow and MID conditions

29. All existing water services no longer required as part of this development shall be abandoned at the mainline.

30. Relocate existing water meter out of existing drive approaches.

Overhead Utilities:

31. Developer shall underground any existing overhead utilities that are to serve the Project site. The final scope and design of the undergrounding of these overhead facilities is subject to SCE and other relevant utility provider approval.

32. Any utility poles conflicting with the proposed improvements shall be relocated at the applicant's expense.

Overhead Utilities:

33. Any utility poles conflicting with the proposed improvements shall be relocated at the applicant's expense.

Street and Traffic:

34. Peck Road shall be improved to meet current General Plan requirements for Right of Way and ADA Accessibility at drive approaches. Use Geotechnical Engineer's Report and APWA standard plans and specifications for roadway improvements. All offsite improvements shall be in complete compliance with the Americans with Disabilities Act (ADA).

35. Enter into a public improvement agreement with the City and post a Faithful Performance bond and a Labor and Materials Bond in the amount of 150% of the estimated cost to cover the construction of the proposed offsite agreements. A Warranty Bond shall be provided in the amount of 100% of the cost of the estimated improvements and shall be in effect for one year after the date of
acceptance of the project improvements. Cash deposits will be accepted in lieu of the required bonding.

36. Remove all existing improvements no longer intended for use (drive approaches, under sidewalk drains, meter boxes, etc.) and replace with new sidewalk and full height curb and gutter as required. Remove or modify the following improvements: 1) the common drive approach servicing the proposed development and adjacent property must be removed entirely. New compliant drive approaches shall be constructed to service the subject development and the affected adjacent property. The actual replacement quantities and limits will be determined by the City inspector prior to construction of the improvements. Use APWA standard plans and specifications.

37. All parking lots and driveways shall be surfaced with asphaltic concrete to a minimum thickness of three (3) inches over a minimum aggregate base of six (6) inches or surfaced with Portland Cement concrete with a minimum thickness of five (5) inches over a three (3) inch aggregate base. After review of the probable vehicular traffic and the soils report for the project, additional material may be required at the discretion of the City Engineer. EMMC 17.08.030.

38. Parkway trees shall be installed by the applicant per the City of El Monte Tree Ordinance in the quantities and locations as directed by the City of El Monte Public Works Department.
SECTION 10 – PLANNING COMMISSION APPROVAL. The Secretary of the Planning Commission of the City of El Monte, California, shall certify to the adoption of this resolution and shall cause a copy of the same to be forwarded to the applicant.

Alfredo Nuño, Chairperson

ATTEST:

Marcella Magdaleno, Secretary
El Monte City Planning Commission

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES ) SS:
CITY OF EL MONTE )

I, Marcella Magdaleno, Secretary of the Planning Commission of the City of El Monte, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution No. 3504 adopted by the Planning Commission of the City of El Monte, at a regular meeting by said Commission held on April 24, 2018 by the following votes to wit:

AYES: Baker, Morales, Peralta, Wong

NOES:

ABSTAIN:

ABSENT: Nuño

Marcella Magdaleno, Secretary
El Monte City Planning Commission

RESOLUTION NO. 3504 | 24
RESOLUTION NO. 3514

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EL MONTE, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. 13-18 ALLOWING THE OFF-PREMISE SALE OF BEER AND WINE WITHIN AN EXISTING GAS STATION MINI-MARKET AND ADOPTING A CATEGORICAL EXEMPTION FOR THE PROPERTY LOCATED AT 3447 PECK ROAD, EL MONTE, CALIFORNIA

The Planning Commission of the City of El Monte, County of Los Angeles, State of California, does hereby find, determine and resolve as follows:

SECTION 1 – PROJECT DESCRIPTION. On November 22, 2017, Farbod Youshe and A&S Engineering, 3447 Peck Road, El Monte, CA 91731, filed an application for Conditional Use Permit No. 13-18 to allow the off-sale of beer and wine within an existing gas station mini-market. On April 24, 2018 the Planning Commission approved Conditional Use Permit Nos. 25-17 and 12-18 and Design Review No. 11-17 to construct a new gas station canopy with four (4) fuel pumps, a new multi-tenant building with two (2) tenants and a self-service drive-thru car wash. One of the tenants will be a mini-mart. Conditional Use Permit No. 13-18 was originally noticed to be considered with the other entitlements. However, the item was continued to a date uncertain and is now being considered as a separate item.

SECTION 2 – PUBLIC HEARING. The property is located at 3447 Peck Road, on the west side of Peck Road, and described as follows, to-wit:

APN: 8567-019-038
Pursuant to which after due notice as required by law, a full and fair public hearing was held to consider Conditional Use Permit No. 13-18 before this Planning Commission on August 14, 2018 at which time, all interested persons were given full opportunity to be heard and present evidence.

**SECTION 3 - ZONING.** The property is located within the C-3 (General Commercial) Zone. The surrounding zoning and land use of the adjacent properties are as follows:

- **North:** C-3 (General Commercial); Automobile Repair/Body Shop
- **South:** C-2 (General Commercial); Motel
- **East:** C-3 (General Commercial); Automobile Dealership
- **West:** C-1 (Neighborhood Commercial); Residential Apartment Building

**SECTION 4 - ENVIRONMENTAL.** In accordance with the criteria and authority contained in the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines as amended, staff has conducted the appropriate environmental analysis and based on that assessment, the City has determined the project to be Categorically Exempt by Article 19 Section 15301 (Class 1 – Existing Facilities) in accordance with the requirements of the State CEQA Guidelines. No further environmental assessment is required.

**SECTION 5 - GENERAL PLAN.** The General Plan land use designation is General Commercial. Allowable uses are a wide range of retail and service commercial uses to serve the community and the region. Permitted uses include a range of retail businesses, personal services, food and beverage establishments, hotel and other tourist uses, automotive sales and repair, retail, daycare centers, and professional offices. General commercial uses are primarily located along major corridors and are allowed at an intensity of up to 0.75 FAR.
SECTION 6 – CONDITIONAL USE PERMIT FINDINGS. All necessary findings for the granting of Conditional Use Permit No. 13-18, to allow the off-sale of beer and wine within an existing gas station mini-market, pursuant to Section 17.24.040 (44) of the El Monte Municipal Code can be made in a positive manner and are as follows:

A. The granting of such Conditional Use Permit will not be detrimental to the public health or welfare or be injurious to the property or to improvements in such zone or vicinity.

Finding of Fact:

The Conditions of Approval have been imposed to ensure that the existing automobile service station and mini-market with the “off-sale” of beer and wine and will not negatively impact the surrounding properties or businesses. The gas station mini-market hours of operation are 24 hours a day, seven (7) days a week. Alcohol sales will only be allowed between the hours of 7:00 a.m. and 12:00 a.m. daily. The business’ sale of general alcohol is consistent with the surrounding area and its existing commercial uses.

B. The use applied for at the location is properly one for which a conditional use permit is authorized.

Finding of Fact:

The property is located within the City’s C-3 (General Commercial) zone. Section 17.24.040(44) of the EMMC authorizes the application and is subject to the approval of a Conditional Use Permit for the “off-sale” of general alcohol within the existing automobile service station with a mini-market.

C. The site for the proposed use is adequate in size and shape to accommodate said uses; and that all yards, spaces, walls, fences, parking, loading, landscaping and other features required to adjust said use with the land and surrounding uses are provided.

Finding of Fact:

The gas station mini-market complies with the EMMC. The proposed use of off-sale general alcohol can be adequately accommodated and will not create a negative impact to the adjacent land uses. The mini-market is 3,189 square feet, and the alcohol sales area contributes to less than two percent (2%) of the existing total gross floor area. The property is surrounded by a six foot high concrete block wall along the west and south property lines to buffer adjacent existing uses. Lighting is
distributed throughout the parking lot to provide adequate visibility during later store hours, and security is enforced by security cameras that monitor store and parking lot activity.

D. The site abuts streets and highways adequate in width and pavement type to carry the kind of traffic generated by the proposed uses

Finding of Fact:

The property in which the mini-market is located is accessible from Peck Road, a major arterial. This street complies with the standard design requirements and is able to accommodate the amount of traffic that is generated by adding alcohol sales to the existing automobile service station with a mini-market.

E. The granting of such Conditional Use Permit will not adversely affect the purpose, goals, and polices of the El Monte General Plan of 2011.

Finding of Fact:

The General Plan land use designation of the subject property is General Commercial. The General Commercial designation encourages a wide range of retail and service commercial uses to serve the community and the region. General commercial uses are primarily located along major corridors. The proposed off sale of alcohol within an automobile service station mini-market with ancillary uses would be consistent with the General Plan, provided that a Conditional Use Permit is approved by the Planning Commission.

F. The Finding of public convenience and necessity can be made in the affirmative (e.g. increases in employment, increases in business taxes, whether the project is a unique business addition to the community, whether the project will contribute to the economic goals of the area, and whether the project will result in a positive upgrade of the area). (Revised at the Planning Commission meeting on 8/14/18).

Finding of Fact:

The proposed application for alcohol sales is part of a larger overall project that was approved by the Planning Commission on April 24, 2018. The overall project calls to demolish an existing car wash facility and replace it with a brand new 3,636 square foot gas station canopy with four (4) pump islands and eight (8) pumps and a new 6,039 square foot multi-tenant building with two (2) tenants and a self-service drive-thru carwash. The mini-mart will occupy approximately half of the multi-tenant building. It is common for such a commercial project to include ancillary off-sale of alcohol. This will provide a high level of convenience for patrons to shop for food items, along with alcohol products located in dedicated coolers and racks for alcohol sales.
The overall project will also include new landscaping and signage. Overall, the project will be an attractive addition to the Peck Road commercial corridor. The project, with ancillary alcohol sales, will also generate additional sales tax revenues and provide some employment opportunities.

The mini-market space is 3,189 square feet, and the alcohol sales area will only occupy 49 square feet of the total gross floor area. Within a ¼ mile radius of the site, there are four (4) existing off-sale alcohol businesses with the closest being a Chevron gas station mini-market and a Walgreens. The Chevron mini-market is much smaller in overall size and has a much larger percentage of floor area devoted to alcohol sales, and the Walgreens is a pharmacy/drug store that also has general groceries and tobacco sales. **Because of the reasons above, the finding for Public Convenience and Necessity can be made in the affirmative. (Revised at the Planning Commission meeting of 8/14/18).**
SECTION 7 – APPROVALS AND CONDITION.

Commission determines that the project is Categorically Exempt under Article 19 Section 15301 (Class 1 - Existing Facilities) in accordance with the California Environmental Quality Act (CEQA) of 1970 and the CEQA Guidelines, as amended, and does hereby approve Conditional Use Permit No. 13-18 subject to the following conditions:

GENERAL

1. The approval is for Conditional Use Permit No. 13-18 to allow the “off-sale” of beer and wine (Type 20 ABC License) within an existing 3,189 square foot gas station mini-market.

2. All conditions of approval from Planning Commission Resolution No. 3504 (Approved by the Planning Commission on April 24, 2018) are hereby incorporated and made a part of this application’s approval. If a conflict should arise between the conditions of this approval and Resolution No. 3504, then the most restrictive condition shall prevail.

3. The Conditional Use Permit as contained herein shall be effective for a period of one (1) year from the date of final approval by the City Planning Commission; unless the applicant has obtained permits from the City for the proposed project or has timely requested an extension of time within which to procure permits.

4. The Conditional Use Permit authorizes the off-sale of beer and wine for off-premise consumption. The operations of the business shall strictly comply with the definition of “off-sale liquor establishment” 17.04.020 of the EMMC.

5. The project shall substantially conform to square footages outlined on the site plan, floor plans, and elevation plans on file with the City Planning Division and as presented to the Planning Commission on August 14, 2018 and as amended herein.

6. The applicant shall obtain all required approvals from the State Department of Alcohol Beverage Control (ABC) Board and provide such proof of approvals to the Planning Division prior to commencing the off-site sale of general alcohol.

7. All Building Department, Engineering Department, and L.A. County Fire Department standards and conditions shall be complied with, prior to issuance of permits.
LEGAL

8. By acceptance of the approval of the project by the City, the applicant shall defend, indemnify, and hold harmless the City and its agents, officers, and employees from any claim, action, or proceeding against the City or its agents, officers, and employees to challenge, set aside, void or annul the approval of the project from an action which may be brought within the time period provided for such actions or challenges under applicable law. The City shall promptly notify the applicant of any claim, action, or proceeding and the City shall cooperate in any such defense.

9. The applicant and property owner shall sign and submit an affidavit accepting all conditions of approval contained in the Planning Commission Resolution prior to issuance of permits for the proposed project.

OPERATION STANDARDS

10. Alcohol sales hours shall be no earlier than 7:00 a.m. and no later than 12:00 a.m. Monday through Sunday.

11. No on-site consumption of alcoholic beverages shall be permitted.

12. All alcoholic beverages shall be locked to prevent access by the general public between the hours of 12:00 a.m. and 7:00 a.m. Signs informing patrons of this restriction shall be placed at alcohol display areas and at the cashier.

13. Beer, malt liquor, wine coolers and other similar non-wine alcoholic beverages shall only be sold and purchased in minimum pre-packaged quantities of six (6) or more. These beverages shall not be displayed, offered for sale, or sold in any number less than the pre-packaged quantity of three or more regardless of size.

14. Wine and other similar alcoholic beverages shall not be sold in containers less than 750 milliliter size.

15. The amount of cooler space devoted to beer and wine sales shall be limited to two (2) door sections.

16. No ice coolers displaying alcohol shall be located within ten feet of the cash register of the convenience market to reduce advertising of alcohol sales.

17. The sale of alcoholic beverages shall be incidental to the principal business activity, and shall comprise less than thirty percent (30%) of the gross receipts of the business in a calendar year. The business shall keep written records of all sales, and shall provide those records upon request to City officials, so that the City shall have the ability to verify the business’ compliance with this condition. If the City determines that the business is not operating as a gas station mini-market, and/or is
not complying with the further requirements of this condition, such a determination shall be cause for revocation of this Conditional Use Permit.

18. There shall be no advertisement of alcoholic beverages on the exterior of the building.

19. Signs shall be posted on the site prohibiting consumption of alcohol on the premises, in the parking lot, and sidewalks. The applicant shall submit a proposal to the Planning Division for review and approval prior to installation of such signs.

20. Banners are prohibited onsite at all times with an exception that banners that are in compliance with the El Monte Sign Ordinance may be installed upon approval of a Temporary Sign Permit by the Planning Division. Attachment of non-city approved signs, banners, product signs, or advertisements to any light poles/standards on or offsite is prohibited at all times.

21. No gambling activities of any kind, other than those permitted by state law, shall occur or be conducted within the business by any person. No devices of any kind, either electronic or non-electronic, shall be allowed within the business if used for non-permitted gambling purposes.
SECTION 8 – PLANNING COMMISSION APPROVAL. The Secretary of the Planning Commission of the City of El Monte, California, shall certify to the adoption of this resolution and shall cause a copy of the same to be forwarded to the applicant.

Alfredo Nuno, Chairperson

ATTEST:

Marcella Magdaleno, Secretary
El Monte City Planning Commission

I, Marcella Magdaleno, Secretary of the Planning Commission of the City of El Monte, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution No. 3514 adopted by the Planning Commission of the City of El Monte, at a regular meeting by said Commission held on August 14, 2018, by the following votes to wit:

AYES: Morales, Nuno, Peralta, Wu

NOES:

ABSTAIN:

ABSENT: Wong

Marcella Magdaleno, Secretary
El Monte City Planning Commission

RESOLUTION NO. 3514 | 9
CITY OF EL MONTE
Economic Development Department
Planning Division

ENTITLEMENT APPLICATION

☐ Change of Zone
☐ Code Amendment
☐ Conditional Use Permit
☐ Design Review
☐ General Plan Amendment
☐ General Plan Conf. Finding
☐ Initial Plan Review
☐ Modification
☐ Tentative Tract Map
☐ Revision to Approved Plan
☐ Specific Plan/Amendment
☐ Lot Division (Tentative Parcel Map)
☐ Time Extension
☐ Variance
☐ Zoning Clearance

FOR PLANNING USE ONLY

Data Received: 11/11/19
Received By: 
P.C. Hearing Date:
Case No(s): Time Extension Requested for CUP Nos. 25-17, 12-18 & OR No. 11-17
Receipt No. 185421

Project Address: 3447 Reel Road, El Monte
Assessor's Parcel Number: 8567-019-026
Zoning: C-2 Lot Size: 
Landscape Square Footage: 
General Plan Designation: Present Use Of Property/Existing Improvements: Car wash & gas station

Applicant's Name: Faibod Yousefi
Address: 3447 Reel Road
City: El Monte Zip Code: 91731
Telephone Number: Fax Number:

Contact Person: Same as above
Address: 
City: 
Zip Code: Email:

Telephone Number: Fax Number:

Property Owner's Name: Faibod Yousefi/Show Temple, LLC
Address: 3447 Reel Road
City: El Monte Zip Code: 91731
Telephone Number: Fax Number:

Email:

Project Description: Request Time Extension For Approved CUP # 25-17, 12-18
Design Review No. 11-17, and Alcohol Lic No. 13-18

City Hall West - 1333 Valley Boulevard, El Monte CA 91731-3293 | Phone: (626)258-8526 | Fax: (626)580-2293
AGREEMENT ACCEPTING CONDITIONS  
CITY OF EL MONTE PLANNING COMMISSION

By: ____________________________

The Planning Commission, at its meeting of April 24, 2018, approved your request for Conditional Use Permit Nos. 25-17 & 12-18 and Design Review No. 11-17 subject to the Conditions of Approval in Resolution No. 3504. For and in consideration of the approvals granted by the City of El Monte Planning Commission, I (we) the undersigned do(es) hereby agree to all Conditions set forth in said Resolution No. 3504. The Resolution and Conditions of Approval of the discretionary permit(s) govern the use and/or development of the property identified and described below.

Address: 3447 Peck Road, El Monte, CA

Description: To allow the construction of a new automobile services station with a drive-thru carwash and an existing building (multi-tenant) for ancillary uses.

Applicant: Farbod Yousefi  
            3447 Peck Road  
            El Monte, CA 91731

This agreement shall run with the land and shall bind upon Declarant, its successors and assigns, and any future owners, encumbrances and their successors or assigns, and shall continue in effect until otherwise released by the authority of the relevant agency of the City of El Monte or until such time as the Municipal Code of the City of El Monte unconditionally permits the release of this Notice of Agreement.

CITY OF EL MONTE

By: Philip Coronel  
Title: Contract Planner  
Date: 4/30/18

Dated this 10 day of April, 2019  
Dated this 10 day of April, 2019

By: ____________________________  
Applicant 1 (Type or Print)

By: ____________________________  
Applicant 1 (Signature)

By: ____________________________  
Applicant 2 (Type or Print)

By: ____________________________  
Applicant 2 (Signature)

By: ____________________________  
Property Owner 1 (Type or Print)

By: ____________________________  
Property Owner 1 (Signature)

By: ____________________________  
Property Owner 2 (Type or Print)

By: ____________________________  
Property Owner 2 (Signature)
CALIFORNIA ACKNOWLEDGMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CALIFORNIA
County of LOS ANGELES

On 04/10/2019 before me, M. LAMANNA, Notary Public, personally appeared

__________________________
Farbod Yousheii

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that foregoing paragraph is true and correct.

WITNESS MY HAND AND OFFICIAL SEAL

Signature of Notary Public

================================ OPTIONAL =================================

Description of Attached Document

Title or Type of Document: Agreement Accepting Conditions (permits Nos 85-17 12-18)

Document Date: 04/20/18

Number of Pages: 1

Signer(s) Other Than Above: 

Capacity Claimed By Signer: 

Date: 4/11/2019

To: City of El Monte, Planning Division

Re: 3447 Peck Rd. El Monte CA 91731

CUP Nos. 25-17 & 12-18, Design Review No. 11-17, and Alcohol License No. 13-18

Honorable planning commission,

My name is Farbod Yousheil I am one of the owners of the property located at 3447 Peck Rd. My application for Conditional Use Permit Nos. 25-17 & 12-18 and Design Review No. 11-17, to move gas station pumps, express car wash, remodel store, etc. was approved on April 24, 2018. Also, my application for Conditional Use Permit No. 13-18 to sell Beer and Wine was approved in August 15, 2018. These two CUPS are results of years of efforts and going back and forth with the City of El Monte planning division, with help and assistance of Mr. Min Thai, Jason Mikaelian, and Phillip Coronel.

After much excitement for this success, I continued to prepare the plans to submit to City of El Monte building department however my project was stopped due to legal proceedings of my partner, Joseph Yousheil, and him retaliating against our business.

Around August of 2018, I became aware of my partner’s, (Joseph Yousheilt’s) personal creditor that was filing legal actions against our car wash since it was part of Joseph’s assets. Also due to fraudulent transactions done by my partner to escape this creditor, all Joseph’s assets including this car wash was put under restraining order prohibiting it from all major financial activities including financing, selling, etc. Enclosed please find the restraining order regarding this matter.

Around December of 2018, I became aware that my partner without my consent and against the restraining order was selling our property and business. I immediately contacted the escrow and stopped the fraudulent sale. As a result, my partner became furious and started retaliating against me and the car wash. I had no choice to file a lawsuit and restrain him legally to do more damages to the car wash and the business. Enclosed please find a stipulation signed by all parties and court regarding this matter.

As a result of all these, we are not able to proceed with our project until there is a decision or ruling made by the court. Therefore, we are asking for an extension for both our CUPS in hopes that by then we will be able to submit the plans and proceed with this project.

Your help, assistance and cooperation in this matter is much appreciated. Again we thank you the planning department for all hard work and assistance on this project from start to present.

If you have any questions please do not hesitate to call me at 818-378-3809.

Sincerely,

Farbod Yousheil
COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

KENNETH L. KAPLAN CPA, P.C., and
KENNETH L. KAPLAN, Individually,

Plaintiffs,

v.

AMERICAN STRONG SAFETY FOODS CORP.,
et al.,

Defendants.

PLYMOUTH SUPERIOR COURT
DOCKET NO. PL CV 2009-0400A

PRELIMINARY INJUNCTION

This matter came on before me on July 13, 2017. After hearing and review of the
documents submitted, the Court finds that, in accordance with M.G.L. ch. 214 and ch. 223, §
86A, the Plaintiff is entitled to Post-Judgment Injunctive Relief in the following form:

It is hereby ORDERED that —

1. The Defendants, Joseph Yousef and Jila Yousef (a/k/a Gila Yousef), and their agents, servants, employees, attorneys and all
other persons in active, concert or participation with them, are hereby
restrained and enjoined from transferring, selling, conveying,
hypothecating, encumbering or otherwise disposing of any of their
assets, property (whether real or personal), interests, claims, or funds
other than in the usual course of business or for necessary living
expenses, until further order of this Court;

A TRUE COPY

[Signature]
Clerk of Court

APR 1 1 2019
RECEIVED
Without limiting the terms or scope of paragraph (i) above, the Defendants Joseph Yousheci and Jila Yousheci (aka Gila Yousheci) are hereby restrained and enjoined from transferring, selling, conveying, encumbering or otherwise disposing of certain real property located at 268 South Almont Drive, Beverly Hills, California 90211 (described as Lot 512 of Tract No. 6380, per map recorded in Book 69, pages 11-20, in the office of the County Recorder of Los Angeles County, California; Assessor Parcel No. 4333-003-021), or property located at 9607 Lockford Street, Los Angeles, California 90035 (described as Lot 17 of Tract No. 13684 in the City of Los Angeles, County of Los Angeles, per map recorded in Book 343, pages 38-39, in the office of the County Recorder of said County; Assessor Parcel No. 4306-011-001).

Without limiting the terms or scope of paragraph (i) above, the Defendants Joseph Yousheci and Jila Yousheci (aka Gila Yousheci) are hereby restrained and enjoined from acting in any official capacity as officer, director, member, manager, partner, or trustee of any corporate entity they own or control which consists of distributing, transferring, selling, or encumbering any assets or interests, except in the usual course of business, including but not limited to the following entities:

a. LA Nashur, LLC (a California limited liability company, Secretary of State File No. 201107710261, 1620 W. Martin Luther King Jr. Blvd., Los
Angeles, California 90062, Joseph Yousheei as President, Manager and Resident Agent);

b. LA Shoor Corporation (a California corporation, California Corporate No. C3359123, 1620 W. Martin Luther King Jr. Blvd., Los Angeles, California 90062, Joseph Yousheei as CEO, Secretary, CFO, Director and Resident Agent);

c. Shoor Temple, LLC (a Delaware limited liability company, Cal. Secretary of State File No. 201420510195, with business address of 3447 North Peck Road, El Monte, California 91731, Joseph Yousheei as Manager and Resident Agent);

d. Eagle Nashor, LLC (a California limited liability company, Secretary of State File No. 201315810169, with business address of 3447 North Peck Road, El Monte, California 91731, Joseph Yousheei as Manager and Resident Agent).

iv. Alternatively, Defendants can remove the injunction herein by posting a bond in the amount of $500,000, in favor of the Plaintiffs, with a licensed Massachusetts surety company in a form satisfactory to the Plaintiffs or the Court.

SO ORDERED.

[Signature]
Justice of the Superior Court

DATED: July 12, 2017

3
SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

SHOOR TEMPLE, LLC, a Delaware limited liability company; EAGLE NASHER, LLC, a California limited liability company; and FARBOD YOUSHEI, an individual,

Plaintiffs,

vs.

JOSEPH YOUSHEI; and DOES 1 through 20, inclusive,

Defendants

WHEREAS, plaintiff Farbod Youshei ("Farbod") and defendant Joseph Youshei ("Joseph") are co-members of Shoor Temple, LLC ("Shoor Temple"), which owns the real property commonly known as 3447 N. Peck Road, El Monte, California (the "Property");

WHEREAS, plaintiff Farbod and defendant Joseph are also co-members of Eagle Nasher, which owns and operates the car wash on the Property (the "Carwash");

WHEREAS, disputes have arisen between Farbod, Joseph and Joseph's wife, Helena Radnia ("Radnia"); relating to the management, operation and ownership of the Car Wash; and

WHEREAS, the parties have agreed to make certain temporary arrangements among themselves relating to the operation of the Car Wash during the pendency of this action so as to ensure its uninterrupted and continued operation,

CASE NO: 19SMCV00047
(Assigned to Judge Lawrence Cho, Dept. K)

STIPULATION RE CO-EXISTENCE PENDING LITIGATION; [PROPOSED] ORDER THEREON
IT IS HEREBY STIPULATED AND AGREED BETWEEN THE PARTIES AS FOLLOWS:

1. Joseph shall not prevent Farbod and/or Radnia from having access to the Carwash in connection with their operation of the Carwash.

2. Joseph agrees that he will not attempt to gain access to the interior portion of the Carwash consisting of the office, cash register area and market, unless he gives Farbod and/or Radnia 2 hour prior notice of his intent to do so, and further agrees to allow Farbod and/or Radnia the opportunity to monitor his presence once inside the Carwash to Monday to Friday between the hours of 10 a.m. - Noon, Religious and Federal Holidays excluded.

3. Farbod and Nadia shall not prevent Joseph from having access to any other area of the Property or the Carwash including without limitation, the Carwash tunnel, where Joseph has equipment stored.

4. Neither of the parties shall change any of the locks at the Carwash to prevent access to any area of the Carwash by any of the other parties, all of which presently have keys to gain access to all areas of the Carwash.

5. Each of the parties shall have access to the security cameras which are currently installed inside the Carwash, and shall have the right to monitor the activities inside the Carwash via a vis these cameras.

6. Going forward, neither of the parties shall remove or replace any personal property, equipment or money belonging to the Carwash, with the exception of regular and proper activities conducted by the parties relating to the operation of the Carwash, without the prior written consent of Farbod and Joseph.

7. Joseph, Farbod and Radnia shall not threaten or otherwise intimidate any Carwash employees or tenants at the Property.

8. Farbod and Nadia shall not remove any personal belongings or equipment belonging to Joseph which are being stored in the Carwash.

8A. Any "monitoring" in Paragraph 2 which is videotaped shall be at a distance of no less than 15 feet.

8B. Joseph agrees to remove all personal property from the interior Carwash to be stored in the water bottle room by 6/15/2019.

February 15, 2019.
Joseph shall return all Carwash property removed from the
Carwash which he removed between October 1, 2015 to present.

Farbod contends that Joseph has not returned all items of personal property removed from the Carwash. This issue will be
resolved through litigation.

On a going forward basis, Farbod and/or Radnia shall provide Joseph and/or his
counsel, with true and accurate weekly sales reports detailing the number of sales, and amount of
money, generated by the Carwash each week.

Farbod and Radnia shall provide Joseph and/or his counsel with true and correct copies of all federal and state tax returns filed on behalf of Eagle Nasher since its inception, and shall also provide Joseph with true and correct financial statements for Eagle Nasher for the year 2018, to the extent they exist.

Farbod and Radnia shall provide Joseph and/or his counsel with true and correct copies of all bank statements for any and all bank accounts owned by Eagle Nasher for the past two years.

Neither party shall attempt to sell the Carwash or the Property unless by stipulation or order of the Court.

The stipulation and order thereon shall not be a substitute for or replace each party's right to conduct discovery per Code.

DATED: January 24, 2019

Farbod Yousheli

DATED: January 24, 2019

Helena Radnia

DATED: January 24, 2019

Joseph Yousheli

STIPULATION RE CO-EXISTENCE (PROPOSED) ORDER THEREON
DATED: January 21, 2019

STEINBERG, NUTTER & BRENT

By: Peter Steinberg
Attorneys for Plaintiff
Farbod Youshei and
Helena Radnia

DATED: January 21, 2019

LANG, HANIGAN & CARVALHO, LLP

By: Timothy R. Hanigan
Attorneys for Defendant
Joseph Youshaei

GOOD CAUSE APPEARING THEREFOR, IT IS SO ORDERED.

DATED: 1/22/19

Judge of the Superior Court

Judge Bobbi Tillmon

STIPULATION RE CO-EXISTENCE, (PROPOSED) ORDER THEREON
<table>
<thead>
<tr>
<th>DATE</th>
<th>TIME</th>
<th>LOCATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tuesday April 16</td>
<td>11:30 a.m. – 1:30 p.m.</td>
<td>Legislative Luncheon</td>
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<td>Grace T. Black Auditorium</td>
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<td></td>
<td>3130 Tyler Avenue, El Monte</td>
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<tr>
<td>Tuesday April 16</td>
<td>6:00 Closed Session</td>
<td>Regular City Council Meeting</td>
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<td></td>
<td>7:00 Open Session</td>
<td>City Hall East, Council Chambers</td>
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<td>11333 Valley Boulevard, El Monte</td>
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<tr>
<td>Wednesday April 17</td>
<td>4:00 p.m.</td>
<td>Coordinating Council Meeting</td>
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<td>City Hall East, City Manager’s Office Conference Room</td>
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<td>11333 Valley Boulevard, El Monte</td>
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<tr>
<td>Saturday April 20</td>
<td>10:00 a.m.</td>
<td>Tortas Ahogadas El Rey Ribbon Cutting</td>
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<td>11537 Garvey Avenue, El Monte</td>
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<tr>
<td>Saturday April 20</td>
<td>11:00 a.m. – 2:00 p.m.</td>
<td>DEMBA Easter Bunny &amp; Free Baskets Raffle</td>
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<td>El Monte Valley Mall</td>
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<tr>
<td>Saturday April 20</td>
<td>1:00 p.m.</td>
<td>Tiki Tiki Frozen Yogurt &amp; Ice Cream Ribbon Cutting</td>
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<td>10815 Valley Mall</td>
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<tr>
<td>Friday April 26</td>
<td>9:00 a.m. – 2:00 p.m.</td>
<td>Earth Day</td>
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<td>Longo Toyota</td>
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<td>3534 Peck Road, El Monte</td>
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<tr>
<td>Saturday April 27</td>
<td>10:00 a.m. – 1:00 p.m.</td>
<td>Pet Resource Clinic</td>
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<td>Lambert Park</td>
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<td>11431 McGirk Avenue, El Monte</td>
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<tr>
<td>Saturday April 27</td>
<td>10:30 a.m. – 2:00 p.m.</td>
<td>El Monte Women’s Club “Run for the Roses” Fashion Show Fundraiser</td>
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<td>Grace T. Black Auditorium</td>
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<td>3130 Tyler Avenue, El Monte</td>
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<tr>
<td>Sunday April 28</td>
<td>1:00 p.m. – 3:00 p.m.</td>
<td>Historical Society Tea: “An Afternoon with Donna Crippen”</td>
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<td>El Monte Museum</td>
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<td>3150 Tyler Avenue, El Monte</td>
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<tr>
<td>Wednesday May 1</td>
<td>7:30 a.m. – 9:00 a.m.</td>
<td>Chamber Breakfast Mixer</td>
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<td>El Monte Rosemead Adult School</td>
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<td>10807 Ramona Boulevard, El Monte</td>
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<td>Thursday May 2</td>
<td>7:00 a.m. – 8:30 a.m.</td>
<td>El Monte/South El Monte Ministerial Association National Day of Prayer</td>
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<td>Grace T. Black Auditorium</td>
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<td>3130 Tyler Avenue, El Monte</td>
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<tr>
<td>Thursday May 2</td>
<td>11:30 a.m.</td>
<td>Senior Center Cinco de Mayo</td>
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<td>Jack Crippen Senior Center</td>
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<td>3120 Tyler Avenue, El Monte</td>
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</table>