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MANAGER
GUILLERMO ARREOLA, PLANNING
MANAGER
ANGIE HERNANDEZ, COMMISSION
SECRETARY
CHRISTY MARIE LOPEZ,
ASSISTANT CITY ATTORNEY

**CITY OF SOUTH EL MONTE
REGULAR MEETING OF THE SOUTH EL MONTE PLANNING COMMISSION**

AGENDA

February 21, 2023, 6:00 PM
1415 Santa Anita Avenue, South El Monte, CA 91733

PUBLIC COMMENT

To participate during public comment via teleconference, see below:

Link: <https://us02web.zoom.us/j/82199217612>

Webinar ID: 821 9921 7612

Or Call In: 1 669 444 9171, when prompted, enter 821 9921 7612#

AMERICANS WITH DISABILITIES ACT

In accordance with the Americans with Disabilities Act of 1990, if you require a disability-related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's office at (626) 652-3180 or (626) 652-3121 at least 72 hours prior to the meeting.

GENERAL COMMENT

Members of the public wishing to submit a general comment or a comment on an agenda item, can email ahernandez@soelmonte.org or call (626) 652-3175 to leave a voicemail message. All comments received an hour before the scheduled meeting will be read during public comment and made part of the record.

MEETINGS

The Planning Commission holds regular meetings on the Third Tuesday of every month. Regular meetings start at 6 p.m. in the Council Chambers at City Hall, 1415 Santa Anita Avenue, South El Monte, California.

POSTING LOCATIONS OF AGENDA AND/OR CANCELLATION NOTICES

Regular meeting agendas will be posted at least 72 hours before the meeting (GC 54954(a)(1)).

Agenda and Cancellation Notices can be viewed online and are also posted at the following three (3) locations: City Hall located at 1415 Santa Anita Avenue, Senior Center located at 1556 Central Avenue and the Community Center located at 1530 Central Avenue, South El Monte, California.

VIEWING OF AGENDA PACKETS

Full agenda packet can be viewed either at <https://www.cityofsouthelmonte.org/373/Agendas-Minutes> or in the Community Development's Office at City Hall during normal business hours Monday through Thursday 7:00 a.m. to 5:30 p.m. Closed on Fridays and major holidays.

ISSUES RELATED TO AGENDA

For issues related to the agenda, including a disability-related accommodation necessary to participate in this meeting, please contact:

Angie Hernandez, Community Development Executive Assistant
Ph (626) 652-3175

AGENDA BEGINS ON THE FOLLOWING PAGE

1. ROLL CALL

Commissioners: Barrera, Ortiz, Rodriguez and Tang

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF AGENDA

This is the time for the commission to remove any items from the agenda, continue, add items, to make a motion to rearrange the order of this agenda, or accept Agenda “as-is”.

4. PUBLIC COMMENT

Any person wishing to address the Planning Commission on any items not on the agenda, or any other matter, is invited to do so at this time. Pursuant to the Brown Act, the Commission cannot discuss or take action on items not on the agenda. Matters brought before the Commission that are not on the agenda may be, at the Commissions’ discretion, be referred to staff or placed on the next agenda.

5. CONSENT CALENDAR

Items on the consent calendar are considered to be routine and customary and are enacted by a single motion with the exception of items previously removed by a member of the Planning Commission during "Approval of the Agenda" for individual consideration. Any items removed shall be individually considered immediately after taking action on the Consent Calendar

5.a. Minutes for January 17, 2023

RECOMMENDATION: Staff recommends that the Planning Commission approve the above reference minutes.

6. GENERAL BUSINESS/ PUBLIC HEARING

6.a. Consideration of Time Extension Request (MODSTD 23-01) for Conditional Use Permit (CUP) No. 20-06 to allow for the construction of a 65,084 square foot warehouse, office, and retail at 2512 Rosemead Boulevard.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 23-01, approving the Time Extension (MODSTD 23-01) for Conditional Use Permit No. 20-06 for the proposed development of a 2.54 acre site with a 65,084 square foot warehouse, office, and retail building.

Public Notice was posted 02/09/2023

7. DIRECTOR UPDATE

8. COMMISSIONER COMMENTS

9. ADJOURNMENT

March 21, 2023 at 6:00 p.m.

**CITY OF SOUTH EL MONTE
PLANNING COMMISSION - MINUTES**

Tuesday, January 17, 2023, 6:00 P.M.

1. **ROLL CALL** – Chair Barrera called the meeting to order at 6:02 p.m.
PRESENT: Commissioner(s): Chair Barrera, Vice Chair Rodriguez, Ortiz, and Tang.
Commissioner Diaz has vacated his seat as of 01/01/2023. One seat is vacant.

STAFF PRESENT: Christy Lopez, Assistant City Attorney, Rene Salas, City Manager; Guillermo Arreola, Planning Manager; and Angie Hernandez, Planning Commission Secretary.

CITY COUNCIL PRESENT: Gloria Olmos, Mayor

Zoom was provided for the Public to participate during public comment via teleconference.

2. **PLEDGE OF ALLEGIANCE** – Commissioner Barrera led the Pledge of Allegiance.

3. **APPROVAL OF AGENDA**

A motion was made by Commissioner Rodriguez, seconded by Commissioner Ortiz, to approve the agenda. Motion carried 4-0, by the following vote:

AYES: Commissioner(s): Barrera, Rodriguez, Ortiz and Tang

NAYS: Commissioner(s): None

ABSENT: Commissioner(s): (Vacant- seat)

4. **PUBLIC COMMENT** - Chair Barrera opened public comment, Gloria Olmos, Mayor made a public comment opposing the project CUP-22-03type of business on the agenda. Chair Barrera closed public comment.

5. **CONSENT CALENDAR – MINUTES FOR DECEMBER 20, 2022**

Correction to the agenda was noted to correct the Consent Calendar date of the minutes to December 20, 2022.

A motion was made by Commissioner Ortiz, seconded by Commissioner Tang, to approve the agenda. Motion carried 4-0, by the following vote:

AYES: Commissioner(s): Barrera, Rodriguez, Ortiz and Tang

NAYS: Commissioner(s): None

ABSENT: Commissioner(s): (Vacant- seat)

6. **GENERAL BUSINESS/PUBLIC HEARING**

- 6.a. **Consideration of Resolution No. 22-03 a Conditional Use Permit (CUP) (No. 22-03) to allow for the operation of a massage establishment (Sunny Spa) located at 1648 Tyler Ave, South El Monte CA 91733.**

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 22-03 approving CUP (No. 22-03).

Public Notice was posted 12/08/2022

The Planning Manager gave an overview of the application submitted. Planning Manager addressed the Commission's follow up items of concern. Planning Commission requested the following conditions of approval to be amended. Condition No. 14 changed the hours of operation from its proposed hours of 10:00am to 10:00pm to new hours of operation from 9:00am to 9:00pm, Monday through Sunday. Condition No. 37 requires the conditional use permit to return to Planning Commission for a six-month review after the opening date of the business or issuance for a certificate of occupancy. The Commission also requested that staff reach out to the Church to inform them of the proposed business and that the public hearing was being continued to the January 17th, 2023 Planning Commission meeting. Staff spoke with Parish Life Director, Dr. Humberto Ramos, PhD. on Thursday January 12, 2023. The church did not express any concern over the proposed business. Lastly, the applicant indicated that she also had two out-of-state massage establishments. Planning Commission requested staff contact the local jurisdiction for the out-of-state massage establishments, specifically, the local Police Departments, and both indicated that they did not have any specific calls-for-service for either of the massage establishments. (Keizer and Salem, Oregon). Based on the recommended changes to the conditions of approval, the lack of negative feedback regarding the applicant's other two massage establishments, and lack of concern from the adjacent church, staff recommends that Commission adopt the attached resolution approving CUP-22-03

Chair Barrera and Assistant City Attorney requested a ten-minute recess. (Time: 6:12pm) Commission reconvened at 6:20pm.

Chair Barrera opened public comment.

1. Commission Secretary read two public comment letters for the record. One was prepared by the resident at 10458 Thienes Ave, South El Monte CA 91733 dated January 17, 2023 stating they did not receive a notification of the project, this was a result of their address being less than the required 500-foot notification radius. Municipal code states any CUP application must notify all tenants and homeowners with 500-foot radius of the subject property. The resident at 10458 Thienes Avenue opposed the project at 1648 Tyler Avenue, Suite A – Sunny Spa, CUP 22-03. The second letter was from Epiphany Catholic School, prepared by Gabriela Negrete, Principal, dated January 17, 2023 opposing the project at 1648 Tyler Avenue, Suite A – Sunny Spa, CUP 22-03.
2. Xiaoping Chen, applicant and Mike Chen, translator was present to answer any Commissioner questions. Applicant stated that she has followed all city and state guidelines to comply with requirements. She stated she is unhappy with how the city handled this application.
3. Commissioner Ortiz suggested the General Plan include more detailed language addressing Massage Parlors to include a limit on how many of these establishments shall be allowed in the city. Assistant City Attorney stated unfortunately State regulations limit jurisdictions on imposing limitations on this specific type of business.

4. Commission requested city staff amend Condition No. 26, approved by Assistant City Attorney to read as follows: In accordance with the Zoning Code, no covering of windows shall exceed 25% of the window. 75% of the window shall remain unobscured.

There being no further comments, Chair Barrera closed public comment.

A motion was made by Commissioner Rodriguez, seconded by Commissioner Tang as amended above, to approve the application for consideration of resolution No. 22-03 of a Conditional Use Permit (CUP) (No. 22-03) to allow for the operation of a massage establishment (Sunny Spa) located at 1648 Tyler Ave, South El Monte CA 91733. Motion carried 3-1-0, by the following vote:

AYES: Commissioner(s): Rodriguez, Ortiz and Tang

NAYS: Commissioner(s): Barrera

ABSENT: Commissioner(s): (Vacant- seat)

7. **DIRECTOR UPDATE** – City Manager had no comments. Planning Manager had no comments. Assistant City Attorney had no comments.

8. **COMMISSIONERS' COMMENTS**

Commissioner Tang – Thanked Commissioner Diaz for his service as a Planning Commissioner.

Commissioner Rodriguez – Thanked the Public Work City Staff for their hard work during the rain and cleaning the streets and gutters.

Commissioner Ortiz – No comment.

Chair Barrera– No comment.

9. **ADJOURNMENT**

A motion was made by Commissioner Rodriguez, second by Commissioner Ortiz to adjourn the meeting at 6:43 p.m. Motion carried 4-0 by the following vote:

AYES: Commissioner(s): Barrera, Rodriguez, Ortiz and Tang

NAYS: Commissioner(s): None

ABSENT: Commissioner(s): (Vacant- seat)



Planning Commission Agenda Report

**Agenda
Item No.
6.a.**

DATE: February 21, 2023

TO: Honorable Chairman and Members of the Planning Commission

FROM/PREPARED BY: Guillermo Arreola, Planning Manager

SUBJECT: Consideration of Time Extension Request (MODSTD 23-01) for Conditional Use Permit (CUP) No. 20-06 to allow for the construction of a 65,084 square foot warehouse, office, and retail at 2512 Rosemead Boulevard.

PUBLIC NOTICE: Notice of Public Hearing was posted on February 9, 2023.

ENVIRONMENTAL DETERMINATION: Categorical Exemption, Section 15332 Class 32 – In Fill Development.

PROJECT

LOCATION: Address: 2512 Rosemead Blvd.
 Project Applicant: JWDA-MS Architects
 Property Owner: Golden Trinity, LLC.
 Zone: C-M (Commercial-Manufacturing)
 Lot Size: 110,612 square feet (2.54 acres)

SURROUNDING ZONING AND LAND USE:

	Zone	General Plan	Land Use
North	“C-M” (Commercial-Manufacturing)	Commercial-Manufacturing	Retail
South	“C-M” (Commercial-Manufacturing)	Commercial-Manufacturing	Wholesale
East	“C-M” (Commercial-Manufacturing)	Commercial-Manufacturing	Previous Starlite Drive-In
West	“C-M” (Commercial-Manufacturing)	Commercial-Manufacturing	Wholesale

BACKGROUND: On July 21, 2020, The Planning Commission adopted Resolution No. 20-06 approving a conditional use permit to develop the vacant 2.54 acre site for the construction of a 65,084 warehouse, office, and retail building at 2512 Rosemead Boulevard. On February 6, 2023, the Applicant submitted a one year extension of their Project.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 23-01, approving the Time Extension No. 23-01 for Conditional Use Permit No. 20-06 for the proposed development of a 2.54 acre site with a 65,084 square foot warehouse, office, and retail building.

ANALYSIS:

JWDA-MS Architects (“Applicant”) has requested a Time Extension for a CUP that was approved by Planning Commission on July 21, 2020. Per South El Monte Municipal Code (“SEMMC”) Section 17.68.100, a CUP shall automatically become null and void if not utilized within 24 months from the date of approval. If the conditional use permit is not utilized within the twenty-four-month timeframe, the applicant may apply for an extension before the expiration of the permit. While the CUP has expired, the applicant has recently submitted plans for Building Plan Check and is awaiting comments and corrections. Approval of the Time Extension will allow the building plan check process to continue, and once approved, the Applicant will then move forward with construction of the Project.

Disapproval of the current request would create an undue hardship onto the property owner, in that the Applicant has invested time and money to prepare the necessary construction plans to develop the site with a 65,084 sq. ft. building. The Applicant, as detailed in the attached Extension Request Letter, has experienced internal delays due to Covid-19 restrictions on their business operations over the past few years. In addition the Applicant has indicated that the Regional Water Quality Control Board requested an analysis of the site due to potential brownfield contamination, however, according to the Applicant, no contamination was found. Approval of this request will not be detrimental to the health, safety and general welfare of the public, in that the approval will allow the development of a 2.54 acre parcel of land that has been vacant for more many years.

ENVIRONMENTAL REVIEW: This proposed Project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15332, Class 32, In-Fill Development Projects). Class 32 consists of projects characterized as in-fill development. The Project falls within the criteria of consisting of less than five acres and falls within city limits.

ATTACHMENTS:

- A – Resolution No. 23-01
- B – Request from Applicant
- C – Approved Resolution (No. 20-06)
- D – Copy of Original Staff Report

ATTACHMENT – A
PLANNING COMMISSION
RESOLUTION NO. 23-01

A RESOLUTION OF THE SOUTH EL MONTE PLANNING COMMISSION APPROVING A TIME EXTENSION (MODSTD 23-01) FOR CONDITIONAL USE PERMIT (CUP 20-06) TO CONSTRUCT A NEW 65,084 SQ. FT. WAREHOUSE, OFFICE, AND RETAIL BUILDING ON PROPERTY LOCATED AT 2512 ROSEMEAD BOULEVARD.

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1. JWDA-MS Architects (“Applicant”) was approved for a Conditional Use Permit (CUP 20-06), to construct a new 65,084 sq. ft. warehouse, office, and retail building (“Project”) at 2512 Rosemead Boulevard (“Property”) on July 21, 2020 and submitted the request for extension on February 6, 2023.

SECTION 2. Pursuant to the South El Monte Municipal Code Section 17.68.100, a proposed project’s CUP approval shall automatically become null and void if not utilized within 24 months from date of approval. If the conditional use permit is not utilized within the twenty-four-month timeframe, the applicant may apply for an extension before the expiration of the permit Staff determines that the termination of approval will cause an undue hardship on the Applicant since they are currently in the Building Department Plan Check process and will be starting construction later this year. Denying the extension will delay the project for a large amount of time and push back the construction.

SECTION 3. The Planning Commission hereby finds that the adoption of Resolution 23-01 is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15332, Class 32, In-Fill Development Projects). Class 32 consists of projects characterized as in-fill development. The Planning Commission finds that the Project is exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are located in the Department of Community Development and are in the custody of the Director of Community Development.

SECTION 4. The Planning Commission hereby approves Time Extension (MODSTD 23-01) for Conditional Use Permit (CUP 20-06) for the construction of a 65,084 square foot building for twelve months from the date of this approval.

ADOPTED this 21st day of February, 2023.

Chairman

ATTEST:

Secretary

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

I, Angie Hernandez, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 23-01 was duly passed and adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 21st day of February 2023.

AYES:
NOES:
ABSENT:
ABSTAIN:

Secretary

ATTACHMENT - B

J W D A – MS ARCHITECTS

A R C H I T E C T U R E / P L A N N I N G / I N T E R I O R D E S I G N

Phone: 626-288-9199

Fax No.: 626-288-9159

E-mail: jwda@sbcglobal.net

JWDA, Inc.
8932 E. Mission Dr, Ste 101
Rosemead, CA 91770

February 06, 2023

City of South El Monte
Planning Department
1415 Santa Anita Avenue South El Monte, CA 91733

Project: A&A MEDICAL SUPPLIES INC SOUTH EL MONTE MIXED-USE
Resolution No. 20-06, Conditional Use Permit No. 20-06,
2512 ROSEMEAD BLVD, S EL MONTE, CA 91733

Subject: Request for extension of CUP

Dear Mr. Arreola Guillermo

We respectfully petition the City of South Monte for an extension for the project stated above.

The project has had various delays out of our control. The first one is the coronavirus that forced our company to close and work at home for about a year. All our consulting engineers (structural, civil, mechanical, electrical, and plumbing) also were working on and off making progress very slow. The second one was the Water Board requested the site to be analyzed due to potential brownfield contamination which took around a year of investigation. Please take special consideration and grant us the extension to finish the building plan review process and consequently begin construction. Thank you so much for your kind assistance.

Respectfully,



Michael Sun Architect.
JWDA-MS Architects

PLANNING COMMISSION

RESOLUTION NO. 20-06

A RESOLUTION OF THE SOUTH EL MONTE PLANNING COMMISSION APPROVING AN APPLICATION FOR CONDITIONAL USE PERMIT (NO. 20-06) ALLOWING FOR THE CONSTRUCTION OF A 65,084 SQUARE FOOT WAREHOUSE AND OFFICE BUILDING AT 2512 ROSEMEAD BOULEVARD

WHEREAS, JWDA-MS Architects (“Applicant”), filed an application for a Conditional Use Permit (“CUP”) to construct a 65,084 square foot warehouse, office, and retail building (“Project” or “proposed Project”) located at 2512 Rosemead Boulevard, South El Monte, CA 91733 (“Property” or “project site”); and

WHEREAS, pursuant to South El Monte Municipal Code (“SEMMC”) Section 17.16.040(A), the Project requires Planning Commission review and approval because the Project is being developed on a property one acre or larger in size and the building is 25,000 square feet or more; and

WHEREAS, a public hearing was held before the Planning Commission on July 21, 2020, to consider the application. All evidence, both written and oral, presented during said public hearing was considered by the Planning Commission in making its determination.

THE PLANNING COMMISSION OF THE CITY OF SOUTH EL MONTE HEREBY FINDS, RESOLVES, AND ORDERS AS FOLLOWS:

SECTION 1: The Planning Commission hereby finds that the adoption of Resolution 20-06 is exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15332, Class 32, In-Fill Development Projects). Class 32 consists of projects characterized as in-fill development. The Planning Commission finds that the Project is exempt from the provisions of CEQA. The documents and other material, which constitute the record on which this decision is based, are located in the Department of Community Development and are in the custody of the Director of Community Development.

SECTION 2: A record of the public hearing indicates the following:

A. With regard to the application for a CUP, SEMMC Section 17.68.040 requires that the Planning Commission find that the proposed Project shall not be detrimental to persons or properties in the immediate vicinity nor to the City in general. State law requires that the Project be compatible with surrounding uses.

B. The General Plan Land Use designation for the Property is “Commercial-Manufacturing.” The Zoning Code designation is “C-M” (Commercial-Manufacturing).

C. The proposed Project promotes the City’s goals and objectives stated in the General Plan. No goal or policy will be impaired.

D. The construction and operation of the warehouse, office, and retail building should

not become a nuisance to surrounding properties.

SECTION 3: Based on the record of the hearing, including all information presented at the hearing, including the Staff Report dated July 21, 2020, which is hereby incorporated into this Resolution 20-06 by reference, the Planning Commission hereby finds:

A. As conditioned, the Project meets the requirements of SEMMC Chapter 17.16 and will not be detrimental to the public health, safety, or welfare, nor will it adversely affect property values or the present or future development of the surrounding areas. The conditions that are included in this resolution, as well as the fact that many of the surrounding parcels are industrial uses, ensures that this will hold true in the future.

B. Pursuant to SEMMC Section 17.68.040, the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. This is because the Project will be required to operate in a way that does not negatively impact the area through conditions imposed.

C. As conditioned, the Project represents a quality establishment that will be compatible with surrounding commercial and manufacturing uses, the surrounding area, and the goals of the City. The proposed Project will contribute to the general well-being of the City in that the Project benefits neighboring uses and will be an asset to the surrounding area, as well as to the rest of the City. As a result, approving this application will not adversely affect the General Plan or the Zoning Ordinance.

D. As conditioned, the proposed Project is consistent with the City's General Plan. The proposed Project is compatible with the objectives, policies, general land uses, economic development and programs specified in the General Plan which includes, but is not limited to, the following goals:

Land Use Element

- (1) Policy 1.5: *Continue to provide opportunities for establishment and expansion of a broad range of industrial businesses within those areas of the City designated for industrial.* This Project will serve the area by creating a single location for storage, wholesale, operations, and retail for a company that is expanding operations within the area;
- (2) Goal 2: *Focus new revenue-generating development in those areas of the City with high visibility* by creating a mixed use retail/wholesale development along State Route 19 (Rosemead Blvd) that sees a high volume of vehicle trips every day;
- (3) Policy 2.2: *Expand development opportunities along Rosemead Boulevard by allowing for a broader range of commercial, as well as office uses.* This is accomplished through the development of a multi-unit retail establishment that faces Rosemead Boulevard and offices;

- (4) Goal 3.0: *Accommodate new development that is compatible with and complements existing land uses* by allowing for the establishment of a warehouse, office, and retail that fits with the surrounding uses;
- (5) Goal 6.0: *Provide for the revitalization of deteriorating land uses and properties* by developing a property that has lain vacant for many years and has been underdeveloped; and

Economic Development Element

- (6) Goal 1.0: *Continue to provide opportunities for a wide range of industries to operate in South El Monte* by allowing a mixed use development that will allow for warehouse, office, and retail uses.

SECTION 4: Based on the aforementioned findings, the Planning Commission hereby **approves** CUP (No 20-06) to construct a 65,084 square foot warehouse, office, and retail building, subject to the following conditions:

General Conditions

1. The Applicant and the business entity allowed for hereunder shall indemnify, defend, and hold harmless the City, its officers, agents, employees, and volunteers from any and all claims, lawsuits, or actions arising from the granting of, or the exercise of, the rights permitted by this approval, and from any and all claims or losses occurring or resulting to any person, firm, corporation, or property for damage, injury, or death arising out of, or connected in anyway, with the performance of the use permitted hereby. The Applicant's obligation to indemnify, defend, and hold harmless the City shall include, but not be limited to, paying all legal fees and costs incurred by legal counsel of the City's choice in representing the City in connection with any such claims, losses, lawsuits, or actions, and any award of damages or attorney's fees in any such lawsuit or action.
2. The Applicant and the business entity allowed for hereunder shall execute an Affidavit of Acceptance of these conditions in the presence of a Notary Public and return the Affidavit to the Director of Community Development within ten calendar days of the date of the Planning Commission's approval.
3. The approval shall lapse and become void if the privilege authorized is not utilized or where some form of construction pursuant to issuance of a building permit has not commenced within two years from the date of this approval.
4. Applicant and its employees, agents and contractors shall comply with all Municipal Code provisions.

Planning Conditions

5. Any graffiti painted or marked upon the Property or on any adjacent area under the control of the Applicant shall be removed or painted over within 24 hours of discovery or notice from the City.

6. The Property shall be maintained in a safe and clean condition and the Applicant shall ensure that no trash or litter originating from the site is deposited on neighboring properties or the public right-of-way. At the end of each business day, the Applicant shall pick up any and all litter including but not limited to large discarded items that may have collected in the Property's parking area and public right-of-way.
7. The Applicant shall maintain all required permits and licenses in good standing.
8. The Applicant understands that any violation of the foregoing conditions shall be grounds for the suspension or revocation of the CUP.
9. The construction site shall always be kept in a clean manner prior, during, and after construction.
10. The Applicant shall develop the Property as shown in the site plan and landscaping plan approved by the Planning Commission.
11. The Applicant shall provide a detailed landscape and irrigation plan, prepared by a registered Landscape Architect to the Community Development Director for review and approval prior to submitting the plans to the Building Division.
12. The Applicant shall install drought tolerant landscaping in strict compliance with a landscape plan prepared by a Landscape Architect drawn at a minimum scale of 1"=10' which will include all proposed softscape elements (included areas of ornamental plantings and turf areas), with the perimeter planting design for the exterior of building. The Applicant shall incorporate the following into the landscape plan:
 - a. Enclose all planters within parking lot areas with raised six-inch P.C.C. curbs, except at sidewalks.
 - b. Provide an automated underground irrigation system for all landscaped areas.
 - c. Provide adequate landscaping to screen all ground mounted mechanical equipment
13. All exterior doors shall be lit with a minimum of one-foot candle power of intensity and constructed of tamper-resistant fixtures.
14. The Applicant shall have no outside storage of material or equipment during or after hours in the required parking lot areas or near the front entrance of the Property visible from Rosemead Boulevard.

Building Conditions

15. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission Decision letter. This information shall be incorporated into the plans prior to the first submittal for plan check.
16. School Developmental Fees shall be paid to School District prior to the issuance of the building permit.

17. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
18. The building shall be addressed as 2512 Rosemead Blvd. and an application to assign unit numbers for each tenant space shall be filed with City prior to plan check submittal.
19. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
20. Structural calculations prepared under the direction of an architect, civil engineer, or structural engineer shall be provided.
21. A geotechnical and soils investigation report is required. The duties of the soils engineer of record, as indicated on the first sheet of the approved plans, shall include the following:
 - a. Observation of cleared areas and benches prepared to receive fill;
 - b. Observation of the removal of all unsuitable soils and other materials;
 - c. The approval of soils to be used as fill material;
 - d. Inspection of compaction and placement of fill;
 - e. The testing of compacted fills; and
 - f. The inspection of review of drainage devices.
22. The Applicant shall retain the soils engineer preparing the Preliminary Soils and/or Geotechnical Investigation accepted by the City for observation of all grading, site preparation, and compaction testing. Observation and testing shall not be performed by another soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has accepted by the Public Works Department, a new Preliminary Soils and/or Geotechnical Investigation.
23. A grading and drainage plan shall be approved by Public Works Department Engineering Division prior to issuance of the building permit. The grading and drainage plan shall indicate how all storm drainage including contributory drainage from adjacent lots is carried to the public way or drainage structure approved to receive storm water.
24. Prior to submitting grading plans to Engineering Department, LID review shall be completed and approved.
25. All State of California disability access regulations for accessibility and adaptability shall be complied with.
26. At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility, including mezzanines per Section 11B-206.2.4 of the California Building Code.
27. The building permit will not be issued until the Property has been surveyed and the

boundaries marked by a land surveyor licensed by the State of California.

28. Foundation inspection will not be made until setback on all sides of the proposed building have been surveyed and the location of the footings has been determined to be in accordance with the approved plans by a land surveyor licensed by the State of California. THIS NOTE IS TO BE PLACED ON THE FOUNDATION PLAN IN A PROMINENT LOCATION.
29. Electrical plan check is required.
30. Mechanical plan check is required.
31. Plumbing plan check is required.
32. Plumbing fixtures shall be provided as required by the Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.
33. Floor plan shall be revised to provide code compliant restroom for customers. The plumbing code requires that each building or structure shall be provided with toilet facilities for employees and customers. (CPC 422.4) Access to the required toilet facilities for customers shall not pass through areas designated as for employee use only such as kitchens, food preparation areas, storage rooms, closets, or similar spaces. (CPC 422.4.1)
34. Unconditioned enclosed spaces that are greater than 5,000 square feet and that are directly under a roof with ceiling heights greater than 15 feet shall comply with minimum daylighting requirement per Section 140.3(c) of the California Energy Code.
35. Project shall comply with the CalGreen Non-Residential mandatory requirements.
36. Demolition permit is required for any existing buildings which are to be demolished.
37. Separate plan review and permit is required for each detached retaining wall.
38. Fire-resistance rating requirements for exterior walls based on fire separation distance of 5 to 10 feet shall comply with Table 602 of the Building Code.
39. Maximum area of exterior wall openings and degree of open protection based on fire separation distance of 5 to 10 feet shall comply with Table 705.8 of the Building Code.
40. Prior to the issuance of building permit, a written consent shall be obtained from the current easement holder(s) for any proposed development encroaching into existing easement(s).
41. All fire sprinkler hangers must be designed, and their location approved by an engineer or an architect. Calculations must be provided indicating that the hangers are designed to carry the tributary weight of the water filled pipe plus a 250-pound point load. A plan indication this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.
42. Separate permit is required for Fire Sprinklers

43. City records indicate the Property is a combination of lots under common ownership. The two lots shall be combined and shall be processed prior to issuance of the building permit.
44. Building permits shall not be issued until the final map has been prepared to the satisfaction of the Building Official.

Engineering Conditions

45. LID review shall be completed prior submitting grading plans for plan review. Grading plans shall be submitted including the proof of approval of LID or exemption of LID.
46. Install new driveway approach in accordance with SPPWC Standard Plan 110-2, and as directed by the City Engineer or his/her designee.
47. Close existing driveway apron, and install necessary improvements (parkway, landscape, sidewalk, curb and gutter, any others as applicable) to match required adjacent sections, and as directed by the City Engineer or his/her designee.
48. Install new concrete sidewalk along the length of the Property frontage in accordance with SPPWC Standard Plan 113-2, and as directed by the City Engineer and/or his/her designee.
49. Remove and replace broken off grade curb and gutter in accordance with SPPWC Standard Plan 120-2, and as directed by the City Engineer or his/her designee.
50. Rehabilitate existing AC street pavement along the length of the Property frontage to the centerline of the street as directed by the City Engineer or his/her designee:
51. Underground all utility services to the Property.
52. Project shall be reviewed and approved by the City Traffic Engineer, prior to the issuance of permits.

Traffic Conditions

53. Trip Generation of Proposed Project and justification that this Project is eligible for Project Type VMT Screening and is primarily assumed to be local serving.
54. Due to the median island, both driveways will be limited to right turn in and right turn out.
55. Truck Turning Templates will be submitted to the City showing how trucks will turn in and out of the driveway. Trucks will need to be able to make the right turn into Property driveways from the curb lane to prevent cars passing on the right. This will need to be submitted to Traffic Engineering for review and approval.
56. On-site Truck Turning Templates will be submitted to the City showing how trucks will enter from each driveway and back into proposed loading docks. This will need to be submitted to Traffic Engineering for review and approval.
57. Description of gate entrances with explanation of if there is enough room for trucks to queue on site in order to avoid any queuing on Rosemead Boulevard, and if the gates will

remain open during business hours so trucks do not queue or wait on-street for gate to be opened.

58. Currently there is no on-street parking in front of the Property. If this changes, then a clear line of sight calculation focusing on any needed red curb, following AASHTO guidelines, at the driveway will need to be submitted for review.
59. Each side of Project driveways will have clear corner sight distance with low vegetation or walls that do not obscure the view of exiting vehicles or trucks.
60. Identification of Truck or Trailer parking on-site.

Fire Department Condition

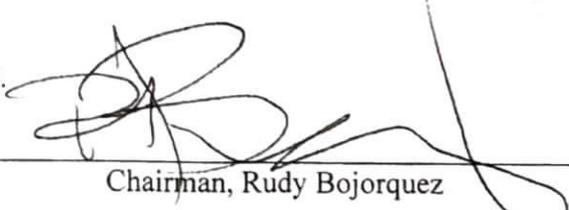
61. Review and approval by the County of Los Angeles Fire Department, Fire Prevention Engineering Section Building Plan Check Unit may be required for this Project prior to building permit issuance.

Planning Commission Condition

62. All commercial vehicles approaching the property for deliveries or the like, shall approach the property coming from Rosemead Boulevard driving in the North direction. When exiting the property, all commercial vehicles shall be required to travel in the North direction towards the 10 freeway. No right turns shall be allowed on Garvey Avenue or Bruin Avenue.

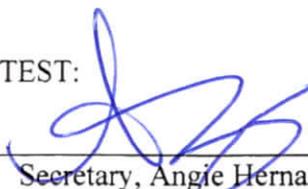
SECTION 5: Any interested party may appeal this decision to the City Council pursuant to SEMMC Section 17.74.050.

ADOPTED this 21st day of July, 2020.



Chairman, Rudy Bojorquez

ATTEST:



Secretary, Angie Hernandez

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

I, Angie Hernandez, Secretary to the Planning Commission of the City of South El Monte, do hereby certify that the foregoing Resolution, being Resolution No. 20-06 was duly passed and

adopted by the Planning Commission of the City of South El Monte at a regular meeting of said Commission held on the 21st day of July 2020.

AYES: Bojorquez, Rodriguez, Ortiz and Barrera
NOES: Yepez
ABSENT: None
ABSTAIN: None



Secretary, Angie Hernandez



Planning Commission Agenda Report

**Agenda
Item No.
7.a.**

DATE: July 21, 2020

TO: Honorable Chairman and Members of the Planning Commission

APPROVED BY: Rachel Barbosa, City Manager

REVIEWED BY: Rene Salas, Public Works Director

PREPARED BY: Ian McAleese, Assistant Planner

SUBJECT: Adoption of Resolution No. 20-06 approving a Conditional Use Permit (CUP) (No. 20-06) to allow for the construction of a 65,084 square foot warehouse, office, and retail at 2512 Rosemead Boulevard.

PUBLIC NOTICE: Notice of public hearing was posted on July 9, 2020.

ENVIRONMENTAL DETERMINATION: Categorical Exemption, Section 15332 Class 32 – In Fill Development.

PROJECT

LOCATION: Address: 2512 Rosemead Boulevard
 Project Applicant: JWDA-MS Architects
 Property Owner: Kelly Deng (A&A Medical Supplies Inc.)
 Zone: "C-M" (Commercial-Manufacturing)
 Lot Size: 110,612 square feet (2.54 acres)

SURROUNDING ZONING AND LAND USE:

	Zone	General Plan	Land Use
North	"C-M" (Commercial-Manufacturing)	Commercial-Manufacturing	Retail
South	"C-M" (Commercial-Manufacturing)	Commercial-Manufacturing	Wholesale
East	"C-M" (Commercial-Manufacturing)	Commercial-Manufacturing	Starlite Swap Meet
West	"C-M" (Commercial-Manufacturing)	Commercial-Manufacturing	Wholesale

BACKGROUND: The property located at 2512 Rosemead Boulevard (“Property”) is currently made up of two separate parcels measuring approximately 110,612 square feet on the east side of Rosemead Boulevard midway between Rush Street and Garvey Avenue in the City of South El Monte (“City”). The Property was originally developed for manufacturing that operated from the 1960s through 1991 when most of the structures, along with subterranean tanks, were demolished. In years past, the Property was utilized as storage of metals, and manufacturing of hydraulic forklifts with the Property being utilized for parking until laying vacant. The proposed warehouse, office, and a portion of the retail will be utilized for A&A Medical Supplies which is currently operating in two buildings located on Loma Avenue.

RECOMMENDATION: Staff recommends that the Planning Commission adopt Resolution No. 20-06, approving Conditional Use Permit (No. 20-06, as conditioned).

ANALYSIS:

General Plan/Zoning Consistency

The Property is designated as “Commercial-Manufacturing” in the City’s General Plan and is zoned “C-M” (Commercial-Manufacturing) in the City’s Zoning Code. The construction of a 65,084 square foot warehouse, office, and retail building (“Proposed use” or “Project”) falls within the scope of the General Plan’s “Commercial-Manufacturing” land use designation and is also a conditionally permitted use in the “C-M” zone. When considering consistency with the General Plan, staff determined that the Project will help further the City’s goals and objectives found in the General Plan and satisfy all development requirements within the Zoning Code.

Land Use Element

Policy 1.5: *Continue to provide opportunities for establishment and expansion of a broad range of industrial businesses within those areas of the City designated for industrial.* This project will serve the area by creating a single location for storage, wholesale, operations, and retail for a company that is expanding operations within the area.

Goal 2: *Focus new revenue-generating development in those areas of the City with high visibility by creating a mixed use retail/wholesale development along State Route 19 (Rosemead Blvd) that sees a high volume of vehicle trips every day.*

Policy 2.2: *Expand development opportunities along Rosemead Boulevard by allowing for a broader range of commercial, as well as office uses.* This is accomplished through the development of a multi-unit retail establishment that faces Rosemead Boulevard and offices.

Goal 3.0: *Accommodate new development that is compatible with and complements existing land uses by allowing for the establishment of a warehouse, office, and retail that fits with the surrounding uses.*

Goal 6.0: *Provide for the revitalization of deteriorating land uses and properties by developing a property that has lain vacant for many years and has been underdeveloped.*

Economic Development Element

Goal 1.0: *Continue to provide opportunities for a wide range of industries to operate in South El Monte* by allowing a mixed use development that will allow for warehouse, office, and retail uses.

The establishment of a medical supply office and warehouse, as well as proposed retail units has the potential to be a viable asset to the City's economy. The Project will also promote a balanced and dynamic economic growth in the area as well as the City as a whole. Considering all of the above, the Project is consistent with both the General Plan and the Zoning Code.

Conditional Use Permit (CUP)

In order to grant a CUP, the Commission must make the following finding pursuant to South El Monte Municipal Code ("SEMMC") Section 17.68.040:

The commission shall find that the proposed use shall not be detrimental to persons or properties in the immediate vicinity nor to the city in general.

The parcels directly adjacent to the Property are developed with warehouses that perform retail or wholesale, as well as the undeveloped Starlight Swap Meet. Staff believes the approval of the CUP will not be detrimental to persons or properties in the immediate vicinity nor to the City in general because of the conditions that are included in the resolution, as well as many of the surrounding parcels being utilized as industrial.

Proposed Project

The Applicant is proposing to build a 65,084 square foot warehouse, office, and retail building. The operations on the Property will entail receiving, storing, and selling medical equipment, as well as retail units that will be leased out. Once the Project is complete, 15 employees will be utilized for the medical supply business. The business will operate Monday through Friday from 8:00 a.m. to 6:00 p.m., with truck deliveries taking place during operating hours.

Floor Plan

The building will mainly be utilized as a warehouse with 46,172 square feet being dedicated to this use. The west side of the building that faces the street will be comprised of a second story office with a mezzanine and total of 8,562 square feet, and a small office at the east end of the building measuring 874 square feet. The first floor on the west end of the building is dedicated to a total of 8,562 square feet of retail space.

Off-Street Parking

As the majority use of the building is warehousing, SEMMC Section 17.60.020 states that parking shall be provided at one parking space for every one thousand square feet and retail required one parking space per three hundred square feet. The building's interior square footage of 64,210 square feet requires the following number of parking spaces:

Proposed Use	Size of Area	Required
Warehouse with office	55,628 sq. ft.	56

Retail	8,582 sq. ft.	29
	Total Proposed	90
	Total Required	85

Landscaping

The Project provides landscaping along the Property’s frontage, near the retail entrance, along the south of the building and Property, and all along the north and northeast portion of the Property. This is sufficient to satisfy the City’s landscaping requirements found in SEMMC Section 17.16.180. This section requires the front five feet of the Property and five percent of the parking area to be landscaped. The parking lot area is approximately 21,632 square feet in size, which requires 1,082 square feet of landscaping in the parking lot area. The Applicant has proposed to landscape 2,070 square feet or 9.6 percent of the parking lot area exceeding the required amount, and providing a total of 5,655 square feet of landscaping throughout the Property.

Circulation and Loading

Pursuant to SEMMC Section 17.16.160, the Project is required to provide on-site truck maneuvering and loading areas, if possible. As indicated, the Project will provide sufficient on-site circulation due to the size of the Property. On-site loading is provided by three loading docks. The Traffic Engineer requires truck turning templates as well as queuing information as required in Conditions #55 and #56 which will ensure that traffic will not be impacted on Rosemead Boulevard. Thus, it is anticipated that the Project will continue to be consistent with the City’s Zoning Ordinance.

Impacts on Surrounding Uses and Properties

The Property is surrounded by a mixture of industrial uses and underdeveloped land. The Project will not significantly increase the amount of industrial activities and therefore the Project’s potential impact on surrounding properties would be slight. Truck traffic generated by the Project could possibly impact this stretch of Rosemead Boulevard, but should be mitigated by the Focused Traffic Analysis required by the Traffic Engineer.

ENVIRONMENTAL REVIEW: This proposed Project is categorically exempt from environmental review pursuant to the guidelines of the California Environmental Quality Act (Public Resources Code §21080(b)(9); Administrative Code, Title 14, Chapter 3, §15332, Class 32, In-Fill Development Projects). Class 32 consists of projects characterized as in-fill development. The Project falls within the criteria of consisting of less than five acres and falls within city limits.

CONCLUSION: Staff has reviewed the Applicant’s request and has determined that the Project meets all of the development standards as set forth in SEMMC Chapters 17.16 and 17.60. Approval of the Conditional Use Permit, as conditioned, will not be detrimental to persons or properties in the immediate vicinity nor to the City in general. Staff recommends the Planning Commission adopt Resolution 20-06 to approve Conditional Use Permit No. 20-06 for the proposed 65,084 square foot building.

ATTACHMENTS:

- A – Draft Resolution No. 20-06
- B – Relevant Code Sections
- C – Vicinity Map/Aerials
- D – Project Plans