



**PLANNING COMMISSION
MEETING AGENDA**

TUESDAY, NOVEMBER 7, 2023 AT 6:30 PM

**CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA**

PLANNING COMMISSION MEMBERS

VICTOR CUEVAS, CHAIR

ALICIA MORALES, PLANNING COMMISSIONER

NATALIA LOMELI, PLANNING COMMISSIONER

JOELLANN VALDEZ, PLANNING COMMISSIONER

ARMANDO MEDINA, PLANNING COMMISSIONER

CITY STAFF

JOSEPH PALOMBI, DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT

MONICA MERCADO-RODRIGUEZ, PLANNING MANAGER

NVAIR G. DEUKMEJIAN, ASSOCIATE ATTORNEY

ALEXIS HUERTA, SENIOR ADMINISTRATIVE ASSISTANT

NOTICES

This Planning Commission Meeting will be held in person and will meet at **City Hall – City Council Chambers, 1600 West Beverly Boulevard, Montebello, California**. The meeting will be live streamed and can be watched on the City's website and YouTube Channel via the following link: <https://www.montebelloca.gov>, and may also be viewed on Spectrum Public Access Channel 3 for all Spectrum cable subscribers.

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act (ADA) any person with a disability who requires special accommodations in order to participate in a meeting should contact Alexis Huerta at (323) 887-1324 Monday-Thursday from 7:30 a.m.-5:30 p.m. Please call 48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II 1203). If you require translation services, please contact us 24 hours before this meeting.

PUBLIC COMMENTS:

In-Person: For those interested in participating during the Public Comment period(s) or public testimony period for Public Hearings of the Planning Commission meetings, you may address the Planning Commission in person the day of the meeting. Speakers will be required to complete a speaker card provided at the door and submit it to Alexis Huerta, Senior Administrative Assistant, prior to each Public Comment announcement period. Staff will number and call each speaker card in the order received.

Via Email: The public may also submit emailed comments via the following email address: pcpubliccomment@montebelloca.gov up until the day of the meeting, Tuesday, November 7, 2023 by 6:00 p.m. These comments will be submitted to all members of the Planning Commission and will not be read aloud, but will be entered into the record of the proceedings to the extent they relate to matters listed on the posted agenda or otherwise address matters/issues within the subject matter jurisdiction of the Planning Commission. Any requests to provide public comment which is submitted after the deadlines indicated above will not be submitted to the Planning Commission, with the exception of non-agenda written item comments which will be held over for the next regularly scheduled meeting.

RULES OF DECORUM:

Pursuant to Section 54957.95 of the Government Code, the presiding member of the legislative body conducting a meeting, or their designee, is authorized to remove, or cause the removal of, an individual for disrupting the meeting. Any such removal will be preceded by a warning to the disruptive individual by the presiding member of the legislative body or their designee that the individual's behavior is disrupting the meeting and that the individual's failure to promptly cease their disruptive behavior may result in their removal.

AGENDA MATERIALS: The agenda and agenda packet related to items on this agenda are available for public inspection at City's website at: [Agendas, Minutes, and Videos](#),

IN CONSIDERATION OF OTHERS, PLEASE TURN OFF, OR MUTE, ALL CELL PHONES AND PAGERS
THANK YOU FOR YOUR COOPERATION

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

CORRECTIONS TO THE AGENDA

PUBLIC COMMENTS (30 MINUTES)

At this time, the general public may address the Commission/Committee on any items listed on the Agenda, including items not listed on the Agenda (Non-Agenda Items) that are within subject matter jurisdiction. Please be aware that the maximum time allotted for members of the public to speak shall not exceed three (3) minutes per person. State Law prohibits the Commission/ Committee from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Chairperson.

STAFF COMMUNICATIONS

MINUTES

1. **September 19, 2023 - Minutes**

RECOMMENDATION: Approval of the Minutes from the Planning Commission meeting held on September 19, 2023.

2. **September 26, 2023 - Minutes**

RECOMMENDATION: Approval of the Minutes from the Special Planning Commission meeting held on September 26, 2023.

3. **October 17, 2023 - Minutes**

RECOMMENDATION: Approval of Minutes from the Planning Commission meeting held on October 17, 2023.

PUBLIC HEARING

4. **Zone Variance ("ZV") (Case No. PC-2023-0013-ZV) to allow the installation of a new internally illuminated pylon sign with an electric LED message board pursuant to Montebello Municipal Code Chapter 17.72 (Variances), for the property located at 900 W Lincoln Ave. within the City of Montebello.**

RECOMMENDATION: It is recommended that the Planning Commission take the following action:

1. ADOPT Resolution No. 14-23 Approving Zone Variance ("ZV") No. PC-2023-0013-ZV with conditions to allow a new internally illuminated pylon sign with an electronic LED message board with a new concrete footing and pole at an existing church ("Project") Blake Sign Company, Inc. ("Applicant") at the property located at 900 W. Lincoln Ave ("Project Site") pursuant to Montebello Municipal Code ("MMC") Chapter 17.72 – Variances; and

2. DETERMINE AND FIND that the project (ENV No. 12-23-CE) is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section (15311) - Class 11 (Accessory Structures) consists of the construction, or replacement of minor structures accessory to (appurtenant to) existing commercial and/or institutional facilities, including on-premise signs.

5. **Site Plan Review ("SPR") (Case No. PC-2023-0015-SPR) to allow the demolition of an existing single-family residential dwelling unit including an existing detached garage and allow the construction of three (3) attached two-story residential dwelling units (ranging from 1,772 square feet to 1,888 square feet) and**

two (2) detached single-story Accessory Dwelling Units (ADUs) each comprised of 945 square feet pursuant to Montebello Municipal Code Chapter 17.74 et seq. (Site Plan Review), for the property located at 141 South Spruce Street.

RECOMMENDATION: It is recommended that the Planning Commission conduct a public hearing and take the following action:

1. ADOPT Resolution No. 15-23 Approving the Site Plan Review (“SPR”) No. PC-2023-0015-SPR with conditions to allow the demolition of an existing single-family residential dwelling unit including an existing detached garage and allow the construction of three (3) attached two-story residential dwelling units (ranging from 1,772 square feet to 1,888 square feet) and two (2) detached single-story Accessory Dwelling Units (ADUs) each comprised of 945 square feet (the “Project”) for the property located at 141 South Spruce Street (the “Project Site”) with conditions pursuant to Montebello Municipal Code (“MMC”) Chapter 17.74 - Site Plan Review; and

2. DETERMINE AND FIND that the project (ENV No. 14-23-CE) is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section (15332) - Class 32 (In-Fill Development) as it meets the conditions set forth under class 32 (In-Fill Development Projects).

6. **Modification of Conditional Use Permit (“CUP”) No. 14-03 (Case No. PC-2023-0009-CUP-M1) to upgrade the Department of Alcoholic Beverage Control (ABC) Licensing from Type 41 (On-sale beer and wine) to Type 47 (On-sale General) to allow a full line of alcohol for on-site consumption located at 1813 W. Whittier Boulevard (collectively “the property”).**

RECOMMENDATION: It is recommended that the Planning Commission conduct a public hearing and take the following action:

1. ADOPT Resolution No. 18-23 approving a modification to Conditional Use Permit No. 14-03 (Case No. PC-2023-0009-CUP-M1), subject to certain findings and conditions to change the ABC licensing from Type 41 to Type 47 for the property located at 1813 W. Whittier Blvd. (“Mr. Tempo restaurant”); and

2. DETERMINE AND FIND that the project (ENV No. 3-23-CE) is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section (15301) related to Class 1 “Existing Facilities” as it involves negligible or no expansion of the existing or former use.

PLANNING COMMISSION ORALS

Planning Commission member announcements; requests for future agenda items; conference/meetings reports.

ADJOURNMENT

The City of Montebello Planning Commission will adjourn to the next Regular Meeting on Tuesday, November 21, 2023 at 6:30 p.m. at City Hall Council Chambers located at 1600 W. Beverly Boulevard, Montebello, CA 90640.

I, Alexis Huerta, Senior Administrative Assistant for the City of Montebello hereby certify that a copy of this agenda has been posted on or before Thursday, November 2, 2023 at 5:30 p.m.

Alexis Huerta

Alexis Huerta, Senior Administrative Assistant



CITY OF MONTEBELLO

PLANNING COMMISSION MEETING AGENDA

MINUTES

TUESDAY, SEPTEMBER 19, 2023 AT
6:30 PM

**CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA**

CALL TO ORDER – Chair Cuevas called the meeting to order at 6:30 p.m.

ROLL CALL – Chair Cuevas and Commissioner Lomeli. The record shall reflect that Commissioner Medina, Commissioner Morales, and Commissioner Valdez were absent.

PLEDGE OF ALLEGIANCE – Chair Cuevas

CORRECTIONS TO THE AGENDA – None.

PUBLIC COMMENTS (30 MINUTES)

At this time, the general public may address the Commission/Committee on any items listed on the Agenda, including items not listed on the Agenda (Non-Agenda Items) that are within subject matter jurisdiction. Please be aware that the maximum time allotted for members of the public to speak shall not exceed three (3) minutes per person. State Law prohibits the Commission/ Committee from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Chairperson.

STAFF COMMUNICATIONS – None.

MINUTES

1. **August 1, 2023 Minutes**

RECOMMENDATION: Approval of the Minutes from the Planning Commission meeting held on August 1, 2023.

2. **August 15, 2023 Minutes**

RECOMMENDATION: Approval of the Minutes from the Planning Commission meeting held on August 15, 2023.

PUBLIC HEARING

3. **LOT LINE ADJUSTMENT (“LLA”) (CASE NO. PC-2023-0005-LLA) TO ADJUST THE EXISTING PROPERTY BOUNDARY LINES LOCATED AT 2302 W. WHITTIER BLVD (COLLECTIVELY “THE PROPERTY”).**
4. **CONDITIONAL USE PERMIT (“CUP”) (CASE NO. PC-2023-0010-CUP-ZV) TO ALLOW PERMANENT COSMETICS AT AN EXISTING BEAUTY SALON AND A ZONE VARIANCE TO PERMIT THE PROPOSED USE WITHIN 1,000 FEET OF SENSITIVE USES, PURSUANT TO MONTEBELLO MUNICIPAL CODE CHAPTER 17.70 AND 17.72, ON AN EXISTING LOT AT 806 W BEVERLY BLVD WITHIN THE CITY OF MONTEBELLO.**

CONSENT ITEM(S)

5. **COMPLIANCE REVIEW FOR CONDITIONAL USE PERMIT (“CUP”) NO. PC-2022-0011-CUP FOR THE SALE OF ALCOHOL (TYPE 41 LICENSE – ON-SALE BEER AND WINE - EATING PLACE) WITHIN AN EXISTING BONA FIDE RESTAURANT (SIZZLER’S) LOCATED AT 1908 WEST BEVERLY BOULEVARD (“PROJECT SITE”).**
6. **COMPLIANCE REVIEW FOR CONDITIONAL USE PERMIT (“CUP”) CASE NO. PC-2020-0014-CUP FOR THE SALE OF A FULL-LINE OF ALCOHOL (TYPE 41 LICENSE – ON-SALE BEER AND WINE - EATING PLACE) WITHIN AN EXISTING FOOD INCUBATOR (BLVD MRKT) LOCATED AT 520 WEST WHITTIER BOULEVARD (“PROJECT SITE”).**
7. **COMPLIANCE REVIEW FOR CONDITIONAL USE PERMIT (“CUP”) NO. 24-19 FOR THE SALE OF BEER AND WINE (TYPE 20 – OFF-SALE BEER & WINE) AT A CONVENIENCE STORE OPERATED BY 7-ELEVEN, INC. AND LOCATED AT 2900 WEST BEVERLY BOULEVARD, SUITES A-B.**

PLANNING COMMISSION ORALS

Planning Commission member announcements; requests for future agenda items; conference/meetings reports.

ADJOURNMENT

The meeting was adjourned due to lack of quorum at 6:47p.m. to a special meeting that will be held on September 26, 2023.

Joseph Palombi, Planning Commission Secretary



CITY OF MONTEBELLO

SPECIAL PLANNING COMMISSION MEETING AGENDA

MINUTES

**TUESDAY, SEPTEMBER 26, 2023 AT
4:00 PM**

**CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA**

CALL TO ORDER – Commissioner Lomeli called the meeting to order at 4:03 p.m.

ROLL CALL – Commissioner Lomeli, Commissioner Medina, Commissioner Morales and Commissioner Valdez. The record shall reflect that Chair Cuevas is absent.

PLEDGE OF ALLEGIANCE – Commissioner Lomeli.

CORRECTIONS TO THE AGENDA – None.

PUBLIC COMMENTS (30 MINUTES)

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STAFF COMMUNICATIONS – None.

MINUTES

1. **August 1, 2023 Minutes**

2. **August 15, 2023 Minutes**

Commissioner Lomeli motioned to approve the meeting minutes of August 1, 2023 and August 15, 2023 and was Seconded by Commissioner Medina.

MOTIONED: Commissioner Lomeli

SECONDED: Commissioner Medina

APPROVED: 3-0-0-2

AYES: Commissioner Lomeli, Commissioner Medina, and Commissioner Morales.

NOES: None.

ABSTAIN: None.

ABSENT: Chair Cuevas and Commissioner Valdez.

PUBLIC HEARING

3. **LOT LINE ADJUSTMENT (“LLA”) (CASE NO. PC-2023-0005-LLA) TO ADJUST THE EXISTING PROPERTY BOUNDARY LINES LOCATED AT 2302 W. WHITTIER BLVD (COLLECTIVELY “THE PROPERTY”).**

Director Palombi introduced the item. Assistant Planner Ms. Grace Hayashi provided a presentation regarding Case No. PC-2023-0005-LLA to the Planning Commission. The Public Hearing was opened at 4:12 p.m. Upon Ms. Hayashi's presentation, Daniel Freedman spoke on behalf of the Applicant. The property owner spoke following Mr. Freedman in response to a question brought for by Commissioner Valdez. The Public Hearing was closed at 4:17 p.m. Commissioner Morales motioned to approve Case No. PC-2023-0005-LLA and was Seconded by Commissioner Lomeli. Director Palombi took roll and the item was approved 4-0.

MOTIONED: Commissioner Morales

SECONDED: Commissioner Lomeli

APPROVED: 4-0-0-1

AYES: Commissioner Lomeli, Commissioner Medina, Commissioner Morales, and Commissioner Valdez

NOES: None.

ABSTAIN: None.

ABSENT: Chair Cuevas.

4. **CONDITIONAL USE PERMIT (“CUP”) (CASE NO. PC-2023-0010-CUP-ZV) TO ALLOW PERMANENT COSMETICS AT AN EXISTING BEAUTY SALON AND A ZONE VARIANCE TO PERMIT THE PROPOSED USE WITHIN 1,000 FEET OF SENSITIVE USES, PURSUANT TO MONTEBELLO MUNICIPAL CODE CHAPTER 17.70 AND 17.72, ON AN EXISTING LOT AT 806 W BEVERLY BLVD WITHIN THE CITY OF MONTEBELLO.**

Director Palombi introduced the item. Assistant Planner Ms. Emilie Fernandez provided a presentation regarding Case No. PC-2023-0010-CUP-ZV to the Planning Commission. The Public Hearing was opened at 4:22 p.m. Upon Ms. Fernandez's presentation, Allia spoke on behalf of the Applicant. Mr. Palombi answered questions from Commissioners. The Public Hearing was closed at 4:24 p.m. Commissioner Morales motioned to approve Case No. PC-2023-0010-CUP-ZV and was Seconded by Commissioner Lomeli. Director Palombi took roll and the item was approved 4-0.

MOTIONED: Commissioner Morales

SECONDED: Commissioner Lomeli

APPROVED: 4-0-0-1

AYES: Commissioner Lomeli, Commissioner Medina, Commissioner Morales, and Commissioner Valdez

NOES: None.

ABSTAIN: None.

ABSENT: Chair Cuevas.

CONSENT ITEM(S)

PUBLIC COMMENT

Barney Santos spoke regarding noise levels at 520 Whittier Blvd. “BLVD Market.” Planning Manager Mrs. Mercado-Rodriguez and Director Palombi provided a response. Assistant Planner Mr. Daniel Ruiz spoke regarding Resolution No. 18-20 regarding noise conditions. City Attorney Nvair Ozonian provided clarification regarding conditions.

5. **COMPLIANCE REVIEW FOR CONDITIONAL USE PERMIT (“CUP”) NO. PC-2022-0011-CUP FOR THE SALE OF ALCOHOL (TYPE 41 LICENSE – ON-SALE BEER AND WINE - EATING PLACE) WITHIN AN EXISTING BONA FIDE RESTAURANT (SIZZLER’S) LOCATED AT 1908 WEST BEVERLY BOULEVARD (“PROJECT SITE”).**

Director Palombi introduced the item. Assistant Planner, Mr. Daniel Ruiz provided a presentation regarding Compliance Review for Conditional Use Permit No. PC-2022-0011-CUP. Commissioner Lomeli motioned to Receive and File the Compliance Review for Conditional Use Permit No. PC-2022-0011-CUP and was Seconded by Commissioner Medina. Director Palombi took roll and the item was approved 4-0.

6. **COMPLIANCE REVIEW FOR CONDITIONAL USE PERMIT (“CUP”) CASE NO. PC-2020-0014-CUP FOR THE SALE OF A FULL-LINE OF ALCOHOL (TYPE 41 LICENSE – ON-SALE BEER AND WINE - EATING PLACE) WITHIN AN EXISTING FOOD INCUBATOR (BLVD MRKT) LOCATED AT 520 WEST WHITTIER BOULEVARD (“PROJECT SITE”).**

Assistant Planner, Mr. Daniel Ruiz provided a presentation regarding Compliance Review for Conditional Use Permit No. PC-2020-0014-CUP. Commissioner Lomeli motioned to Receive and File the Compliance Review for Conditional Use Permit (“CUP”) No. PC-2020-0014-CUP and was Seconded by Commissioner Medina. Director Palombi took roll and the item was approved 4-0.

7. **COMPLIANCE REVIEW FOR CONDITIONAL USE PERMIT (“CUP”) NO. 24-19 FOR THE SALE OF BEER AND WINE (TYPE 20 – OFF-SALE BEER & WINE) AT A CONVENIENCE STORE OPERATED BY 7-ELEVEN, INC. AND LOCATED AT 2900 WEST BEVERLY BOULEVARD, SUITES A-B.**

Assistant Planner, Ms. Grace Hayashi provided a presentation regarding Compliance Review for Conditional Use Permit No. 24-19. Commissioner Lomeli motioned to Receive and File the Compliance Review for Conditional Use Permit No. 24-19 and was Seconded by Commissioner Medina. Director Palombi took roll and the item was approved 4-0.

PLANNING COMMISSION ORALS

Planning Commission member announcements; requests for future agenda items; conference/meetings reports.

ADJOURNMENT

The meeting was adjourned at 4:42 p.m. to the next regularly scheduled meeting that will be held on October 3, 2023.

Joseph Palombi, Planning Commission Secretary



CITY OF MONTEBELLO

PLANNING COMMISSION MEETING AGENDA

MINUTES

**TUESDAY, OCTOBER 17, 2023 AT 6:30
PM**

**CITY HALL COUNCIL CHAMBERS
1600 WEST BEVERLY BOULEVARD
MONTEBELLO, CALIFORNIA**

CALL TO ORDER – Chair Cuevas called the meeting to order at 6:29 p.m.

ROLL CALL – Chair Cuevas, Commissioner Valdez, and Commissioner Medina. The record shall reflect that Commissioner Lomeli and Commissioner Morales were absent.

PLEDGE OF ALLEGIANCE – Chair Cuevas

CORRECTIONS TO THE AGENDA – None.

PUBLIC COMMENTS (30 MINUTES)

At this time, the general public may address the Commission/Committee on any items listed on the Agenda, including items not listed on the Agenda (Non-Agenda Items) that are within subject matter jurisdiction. Please be aware that the maximum time allotted for members of the public to speak shall not exceed three (3) minutes per person. State Law prohibits the Commission/ Committee from taking action or entertaining extended discussion on a topic not listed on the agenda. Please show courtesy to others and direct all of your comments to the Chairperson.

STAFF COMMUNICATIONS – None.

PUBLIC HEARING

- 1. ZONE VARIANCE (“ZV”) (CASE NO. PC-2023-0004-ZV) TO DEVIATE FROM THE FENCE HEIGHT REQUIREMENTS CONTAINED IN MONTEBELLO MUNICIPAL CODE SECTION 17.10.130 LOCATED AT 1741 APPIAN WAY.**

Director Palombi introduced the item. Assistant Planner, Ms. Grace Hayashi provided a presentation regarding Case No. PC-2023-0004-ZV to the Planning Commission. The Public Hearing was opened at 6:47 p.m. Upon Ms. Grace Hayashi’s presentation, the applicant Brian Oshima spoke in support of the item and provided more information regarding the project. The homeowner of 1741 Appian Way, Tracy Kitagawa, spoke in support of the

project after. Following this William Villalobos, a member of the neighborhood, spoke against the project. Francisco Villalobos, a member of the neighborhood spoke regarding his concerns about the project. The project's architect, Brian Oshima, responded to the concerns. The Public Hearing was closed at 7:00pm. Chair Cuevas motioned to approve Case No. PC-2023-0004-ZV and was Seconded by Commissioner Medina with the conditions that the current design and look is maintained. Director Palombi took roll and the item was approved 3-0.

MOTIONED: Chair Cuevas

SECONDED: Commissioner Medina

APPROVED: 3-0-0-2

AYES: Chair Cuevas, Commissioner Medina and Commissioner Valdez

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Morales and Commissioner Lomeli.

2. **GENERAL PLAN AMENDMENT ("GPA"), ZONE CHANGE ("ZC"), AND LOT LINE ADJUSTMENT ("LLA") CASE NO. PC-2023-0012-GPA-ZC-LLA TO RECONFIGURE TWO LOTS LOCATED AT 437 N. SPRUCE STREET ("PROJECT SITE") AND TO AMEND THE GENERAL PLAN AND ZONING DESIGNATION OF THE NEWLY CONFIGURED LOTS FROM BOULEVARD COMMERCIAL (GENERAL PLAN DESIGNATION) AND NEIGHBORHOOD COMMERCIAL (ZONING DESIGNATION) TO BOULEVARD COMMERCIAL AND NEIGHBORHOOD COMMERCIAL FOR THE PROPOSED "LOT A" AS WELL AS LOW DENSITY RESIDENTIAL AND SINGLE FAMILY RESIDENTIAL FOR THE PROPOSED "LOT B". NO NEW CONSTRUCTION IS PROPOSED IN CONJUNCTION WITH THIS PROJECT.**

Director Palombi introduced the item. Assistant Planner, Mr. Daniel Ruiz provided a presentation regarding Case No. PC-2023-0012-GPA-ZC-LLA to the Planning Commission. The Public Hearing was opened at 7:25 p.m. Upon Mr. Ruiz's presentation, the Applicant Steven Rounds addressed the Planning Commission to provide background on the project. The Public Hearing was closed at 7:27 p.m. Commissioner Medina motioned to approve Case No. PC-2023-0012-GPA-ZC-LLA and was Seconded by Commissioner Valdez. Director Palombi took roll and the item was approved 3-0.

MOTIONED: Commissioner Medina

SECONDED: Commissioner Valdez

APPROVED: 3-0-0-2

AYES: Chair Cuevas, Commissioner Medina and Commissioner Valdez

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Morales and Commissioner Lomeli.

3. **ZONE VARIANCE ("ZV") (CASE NO. PC-2023-0013-ZV) TO ALLOW THE INSTALLATION OF A NEW INTERNALLY ILLUMINATED PYLON SIGN WITH AN ELECTRIC LED MESSAGE BOARD PURSUANT TO MONTEBELLO MUNICIPAL CODE CHAPTER 17.72 (VARIANCES), ON AN EXISTING LOT LOCATED AT 900 W LINCOLN AVE. WITHIN THE CITY OF MONTEBELLO.**

Director Palombi introduced the item. Assistant Planner, Ms. Emilie Fernandez provided a presentation regarding Case No. PC-2023-0013-ZV to the Planning Commission. The Public Hearing was opened at 7:35 p.m. Upon Ms. Fernandez's presentation, the Applicant John from the Blake Sign Company addressed the Planning Commission to provide background on the project. Susie Gabriel from the Holy Cross Armenian Church spoke regarding the project. The Public Hearing was closed at 7:44pm. Commissioner Medina motioned to continue Case No. PC-2023-0013-ZV to the next regularly scheduled meeting of the Planning Commission on November 7, 2023 and was seconded by Commissioner Valdez. Director Palombi took roll and the motion was approved 3-0.

MOTIONED: Commissioner Medina

SECONDED: Commissioner Valdez

APPROVED: 3-0-0-2

AYES: Chair Cuevas, Commissioner Medina and Commissioner Valdez

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Morales and Commissioner Lomeli.

4. GENERAL PLAN AMENDMENT (“GPA”) (CASE NO. PC-2023-0016-GPA) TO ADOPT TRANSPORTATION GUIDELINES FOR VEHICLE MILES TRAVELED RELATED TO LAND DEVELOPMENT, LAND USE PLANNING AND TRANSPORTATION PROJECTS.

Director Palombi introduced the item. Planning Manager, Mrs. Monica Mercado-Rodriguez provided a presentation regarding Case No. PC-2023-0016-GPA to the Planning Commission. Commissioner Valdez motioned to adopt General Plan Amendment Case No. PC-2023-0016-GPA and was seconded by Commissioner Medina. Director Palombi took roll and the item was approved 3-0.

MOTIONED: Commissioner Valdez

SECONDED: Commissioner Medina

APPROVED: 3-0-0-2

AYES: Chair Cuevas, Commissioner Medina and Commissioner Valdez

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Morales and Commissioner Lomeli.

CONSENT ITEM(S)

5. COMPLIANCE REVIEW FOR CONDITIONAL USE PERMIT (“CUP”) NO. PC-2021-0009-CUP FOR THE SALE OF ALCOHOL (TYPE 41 LICENSE – ON-SALE BEER AND WINE - EATING PLACE) WITHIN AN EXISTING BONA FIDE RESTAURANT (PLAYAS GUAYABITOS) LOCATED AT 1418 WEST BEVERLY BOULEVARD (“PROJECT SITE”).

Director Palombi introduced the item. Assistant Planner, Ms. Emilie Fernandez provided a presentation regarding compliance review for Conditional Use Permit (“CUP”) No. PC-2021-0009-CUP. Commissioner Valdez motioned to receive and file the Compliance Review Report for Conditional Use Permit PC-2021-0009-CUP and was seconded by Chair Cuevas. Director Palombi took roll and the item was approved 3-0.

PLANNING COMMISSION ORALS

Planning Commission member announcements; requests for future agenda items; conference/meetings reports.

ADJOURNMENT

The meeting was adjourned at 8:10 p.m. to the next regularly scheduled meeting that will be held on November 7, 2023.

Joseph Palombi, Planning Commission Secretary



ITEM # 4

**CITY OF MONTEBELLO
PLANNING COMMISSION AGENDA STAFF REPORT**

TO: Members of the Planning Commission

FROM: Joseph Palombi, Planning & Community Development Director

BY: Emilie Fernandez, Assistant Planner

SUBJECT: **Zone Variance (“ZV”) (Case No. PC-2023-0013-ZV) to allow the installation of a new internally illuminated pylon sign with an electric LED message board pursuant to Montebello Municipal Code Chapter 17.72 (Variances), for the property located at 900 W Lincoln Ave. within the City of Montebello.**

DATE: November 7, 2023

RECOMMENDATION(S):

It is recommended that the Planning Commission take the following action:

1. ADOPT Resolution No. 14-23 Approving Zone Variance (“ZV”) No. PC-2023-0013-ZV with conditions to allow a new internally illuminated pylon sign with an electronic LED message board with a new concrete footing and pole at an existing church (“Project”) Blake Sign Company, Inc. (“Applicant”) at the property located at 900 W. Lincoln Ave (“Project Site”) pursuant to Montebello Municipal Code (“MMC”) Chapter 17.72 – Variances; and
2. DETERMINE AND FIND that the project (ENV No. 12-23-CE) is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section (15311) - Class 11 (Accessory Structures) consists of the construction, or replacement of minor structures accessory to (appurtenant to) existing commercial and/or institutional facilities, including on-premise signs.

FISCAL IMPACT:

None.

BACKGROUND:

On August 9, 2023, Pace Kelly, contact person for Blake Sign Company (the “Applicant”) filed a Zone Variance application to allow the installation of an LED message board at 900 W. Lincoln Ave.

On August 14, 2023, staff issued a deemed complete letter to the Applicant.

PROJECT /APPLICANT INFORMATION

Project Location: 900 West Lincoln Ave.
Project Applicant: Blake Sign Company, Inc.
Property Owner: (Sossi Gabriel) Holy Cross Armenian Church
General Plan Designation: One Family Residential
Zoning: R-1 (Single Family Residential Zone)
Existing Use on Property: Holy Cross Armenian Church

PROJECT DESCRIPTION

The Applicant is requesting to allow the installation of a new internally illuminated pylon sign with an electric (24” by 72”) LED message board for the property located at 900 W Lincoln Ave. The pylon sign will include the name of the existing church (Holy Cross Armenian Apostolic Cathedral) as well as the property address (900 W Lincoln Ave). The proposed pylon sign will be a maximum of 10 feet in height and 6 feet in width with a (24” by 72”) LED electronic message board and a four (4) foot tall base. Pursuant to Section 17.62.080 of the MMC, the following signs are permitted in all residential zones:

1. One nonilluminated sign a maximum of twelve square feet in area pertaining only to the sale or lease of a particular building or property upon which it is displayed.
2. Outdoor advertising structures in conjunction with model homes.
3. Temporary architect’s or builders’ signs identifying persons engaged in construction on a site are permitted, as long as construction is in progress.

Holy Cross Armenian Apostolic Cathedral is located within the R-1 Zone, and the proposed sign does not meet any of the categories noted above; therefore, the sign is subject to the review and approval of a Zone Variance by the Planning Commission.

ENVIRONMENTAL:

The Conditional Use Permit (Case No. PC-2023-0013-ZV) is considered a “project,” per the CEQA definition of a “project.” The project is Categorically Exempt per Section §15311 (Accessory Structures). Class 11 consists of the construction, or replacement of minor structures accessory to (appurtenant to) existing commercial and/or institutional facilities, including on-premise signs. There will be no expansion to the interior or exterior of the existing facilities in this proposed Project.

ANALYSIS:

Project Site

PLANNING COMMISSION AGENDA REPORT - MEETING OF NOVEMBER 7, 2023

Page 3 of 7

The Project Site is located on the southwest corner of Montebello Boulevard and Lincoln Avenue with a zoning designation of R-1, Single Family residential. The Project Site is approximately 191,569 square feet (4.4 acres) in size. The property is currently developed with two buildings, which include a church and banquet hall. The Holy Cross Armenian Church can be viewed from Lincoln Avenue and the building size is approximately 12,963 square feet. Also located on the lot, directly behind the cathedral is a hall that is used for special events and meals. The hall is approximately 13,285 square feet in size. East of the Project Site is Taylor Ranch Park with a zoning designation of R-1. The properties located north and west of the Project Site are single family residential homes. South of the Project Site is a commercial retail shopping center.

The following table lists the zoning designations of the surrounding land uses:

Direction	Zone	Land Use
North	R-1	Single-Family Residential
South	C-2	General Commercial
East	R-1	Single-Family Residential
West	R-1	Single-Family Residential

Proposed Sign

The proposed pylon sign will be constructed of aluminum with a light texcote finish and paint to match the building color. The message board will be a dual full-face color LED display unit installed on a 4-foot-tall support base. The sign will include a custom fabricated cast bronze donor plaque as seen in Exhibit A. The proposed pylon sign will be located at 900 W Lincoln Avenue within an existing landscaped planter west of the entry only driveway. The sign will be double faced and can be viewed when driving east and west of Lincoln Avenue. The sign will not impede the visibility of drivers entering or exiting the parking lot.

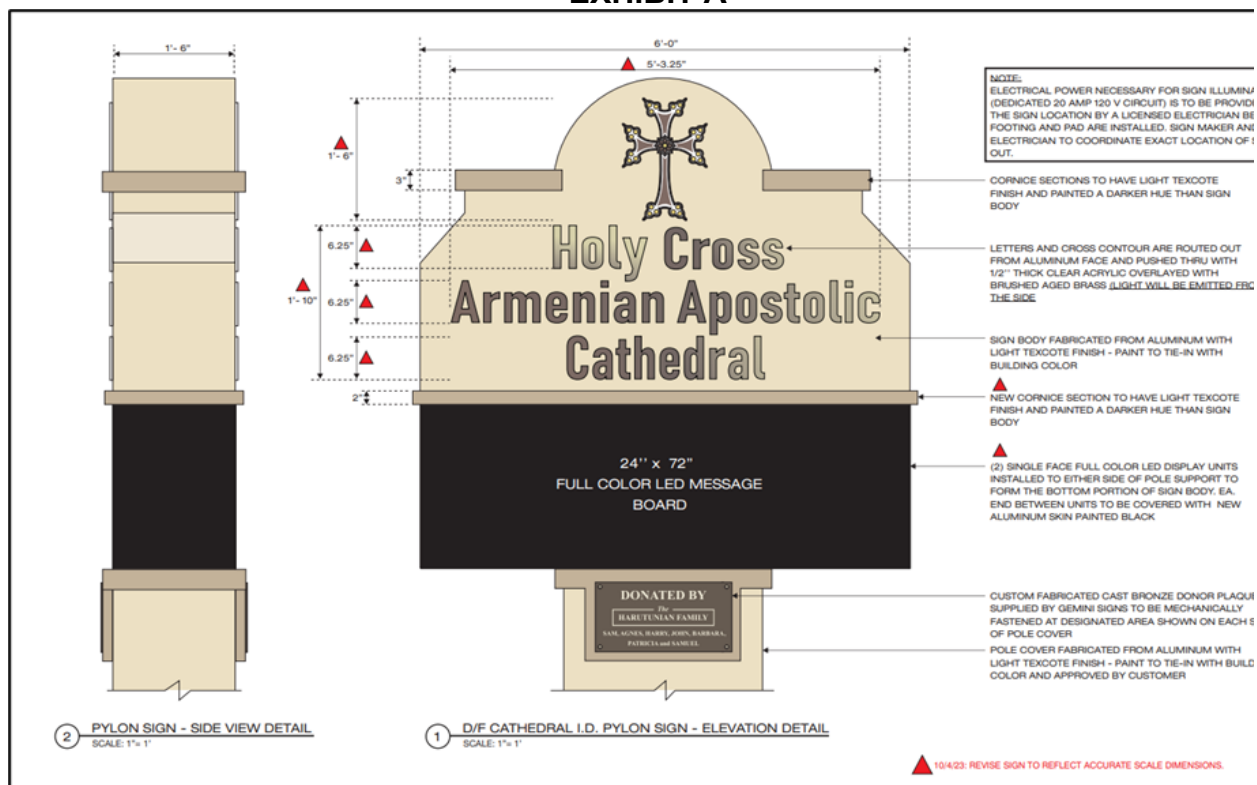
The Holy Cross Armenian Church has a one-way entrance and exit only driveway along Lincoln Avenue. Pursuant to MMC Section 17.62.100 pertaining to signs, the sign shall be at least 10 feet from any driveway access. The proposed pylon sign will be located 12 feet from the existing driveway entrance. Additionally, the MMC states that any pylon sign should be located at a minimum distance of at least 25 feet from a lot line of a residentially zoned property; the proposed pylon sign will be located approximately 130 square feet from the nearest residential property. The minimum setback requirement of a new pylon sign shall be located at a distance of at least five feet from the street abutting property line, the proposed pylon sign will be located 5 feet from the property line. The MMC states that the total sign area of the monument shall not exceed eighty square feet, with a maximum of forty square feet per individual sign face. The proposed pylon sign will have a total sign area of 39 square feet per individual sign face, which complies with the MMC requirements.

The Applicant has filed a zone variance to deviate from the following requirements:

1. Sign width: The maximum width of a pylon sign shall not exceed 4 feet. The applicant is proposing the pylon sign width of 6 feet.
2. Residential Zone: The Pylon sign does not meet the criteria for a sign allowed in residentially zoned properties. The applicant is proposing an internally illuminated sign at

the Holy Cross Armenian church located in a residential zone.

EXHIBIT A



GENERAL PLAN

Per the Montebello General Plan, the Project conforms to:

General Plan Circulation Element Goal #1 states a goal "To facilitate traffic movement and alleviate congestion in and around the city."

General Plan Circulation Element Goal #2 states "To protect residential areas from through traffic movement."

General Plan Land Use Element Goal #1 states that "To formulate a plan which is responsive to the needs of the community, and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development".

The proposed project conforms to the City of Montebello General Plan Land Use Element in that the proposed use will allow the Montebello community to benefit from the addition of the pylon sign making it possible for patrons to be able to identify the use of the structure, flowing traffic efficiently and leaving any confusion that could slow down traffic and cause distracted driving. The establishment of the proposed sign will be beneficial to those members of the community in search of this specific church. The location of the sign is in an appropriate location given that it will be located along Lincoln Avenue, which is a major thoroughfare in the city. The proposed pylon sign will be installed within an existing landscape planter adjacent to an entry only driveway apron. The pylon sign will be approximately 5 feet from the front property line.

REQUIRED FINDINGS MONTEBELLO MUNICIPAL CODE (MMC)

VARIANCES (MMC Chapter 17.72 et seq.)

The sole purpose of a variance shall be to ensure that no property, because of special circumstances applicable to it, shall be deprived of privileges commonly enjoyed by other properties in the same vicinity and zone. No variance shall be granted which would have the effect of granting a special privilege not shared by other properties in the same vicinity and zone.

Zone Variance is being requested to deviate from the type of signage allowed within an R-1 Zone and the sign width. The applicant would like to install a new internally illuminated pylon sign with an LED message board 6 feet in width. According to the MMC section 17.62.080, there are no circumstances that would allow an illuminated sign in a residential zone. Therefore, the applicant is seeking to deviate from the zoning code by receiving the zone variance to allow for the illuminated sign.

Pursuant to Section 17.72.060 of the MMC, before any variance shall be granted, the Planning Commission shall satisfy itself that the applicant has demonstrated the following facts:

A. Describe the special or unusual circumstances applicable to the subject property, which do not generally apply to other properties in the vicinity and with the same zoning designation.

The Holy Cross is an Armenian Church who desires to provide proper identification to promote their church similar to other churches within the city and assist patrons coming from other cities to be able to locate the existing church. Currently the Church is located within a single-family residential area, limiting the type and size of signage the church can provide for the location. Due to the fact that the church is located within an R-1 zone, in order to add the proposed illuminated sign, the applicant needs to obtain a zone variance that requires approval by the Planning Commission.

B. Detail how due to the special or unusual circumstances described above, strict application of the Zoning Code would result in practical difficulties or unnecessary hardships or would deprive the property privilege enjoyed by other properties in the vicinity and with the same zoning designation.

With the Cathedral being such a large property and a staple of the City of Montebello, obtaining a permit to allow this sign has become extremely difficult, not allowing the property owners to be able to share their church with the community. Along with the ease of new patrons locating the Cathedral, the proposal portion of the sign is that the 24" x 27" message board, is vital for them to assist in getting much needed community activity information out to the patrons in the area.

C. Explain how the Zoning Variance is necessary for the preservation of a substantial property right to allow a reasonable use of the subject property, which is possessed by other properties in the vicinity and with the same zoning designation.

The variance is necessary to deviate from the zoning restrictions, in particular signage requirements that limit the church from installing a 10-foot tall and 4 feet wide pylon sign to aid in welcoming current and new members of the church. The need for exterior identification (a pylon sign) is standard for all cathedrals, churches, and for vehicular traffic to easily locate them.

D. Describe how the proposed Zone Variance will not cause an adverse effect on the public welfare or surrounding properties.

The granting of the variance will not cause an adverse effect on the public welfare or the surrounding properties because the addition of the pylon sign will have a positive affect on the circulation of traffic at the property site and will not have any sort of change to any of the surrounding businesses. The proposed pylon sign will not have any adverse effect on the public welfare or activity in the area since it will be located within the boundaries of the existing church and distanced approximately 130 feet from the nearest residential property to the west. In addition, the proposed pylon sign will be illuminated on both sides, which will face towards Taylor Ranch Park and neighboring residential properties. The proposed pylon sign will be located within a landscape planter located near the middle of the property street adjacent to Lincoln Avenue, and as a result, surpasses the minimum setback of 25 feet from the adjacent residential properties located west of the Project Site.

E. Describe how the granting of the Zone Variance will be consistent with the general purpose and intent of the Zoning Code and will not adversely affect the General Plan.

The proposed sign has been designed to be an extension of the cathedral and building on the property, with similar features and the same color scheme. The addition of the sign will result in a positive outcome, making it easier for local patrons and visitors to be able to identify the use of the structure, and facilitating traffic movement as instead per Goal #1 of the General Plan Circulation Element. In addition, the proposed pylon sign will respond to the needs of the community and provide sufficient areas for reasonable development as stated in the General Plan Land Use Element Goal #1.

SUMMARY:

REPORTS RECEIVED

The application for Case No. PC-2023-0013-ZV was forwarded to the Fire Department, Building Department, Police Department, Parks, and Recreation Department, and Public Works Department for review, comments, and conditions. Below are the conditions that were received.

A. Building Division Conditions

1. 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.
2. Plans prepared in compliance with the current Building Code shall be submitted to the Building Division for review prior permit issuance.

3. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
4. Separate application and plan review is required for Electrical plans.

B. Recreation and community services

5. Note that the installer/ contractor shall not be able to stage construction equipment in the Taulor Ranch parking lot when the project is in construction period.

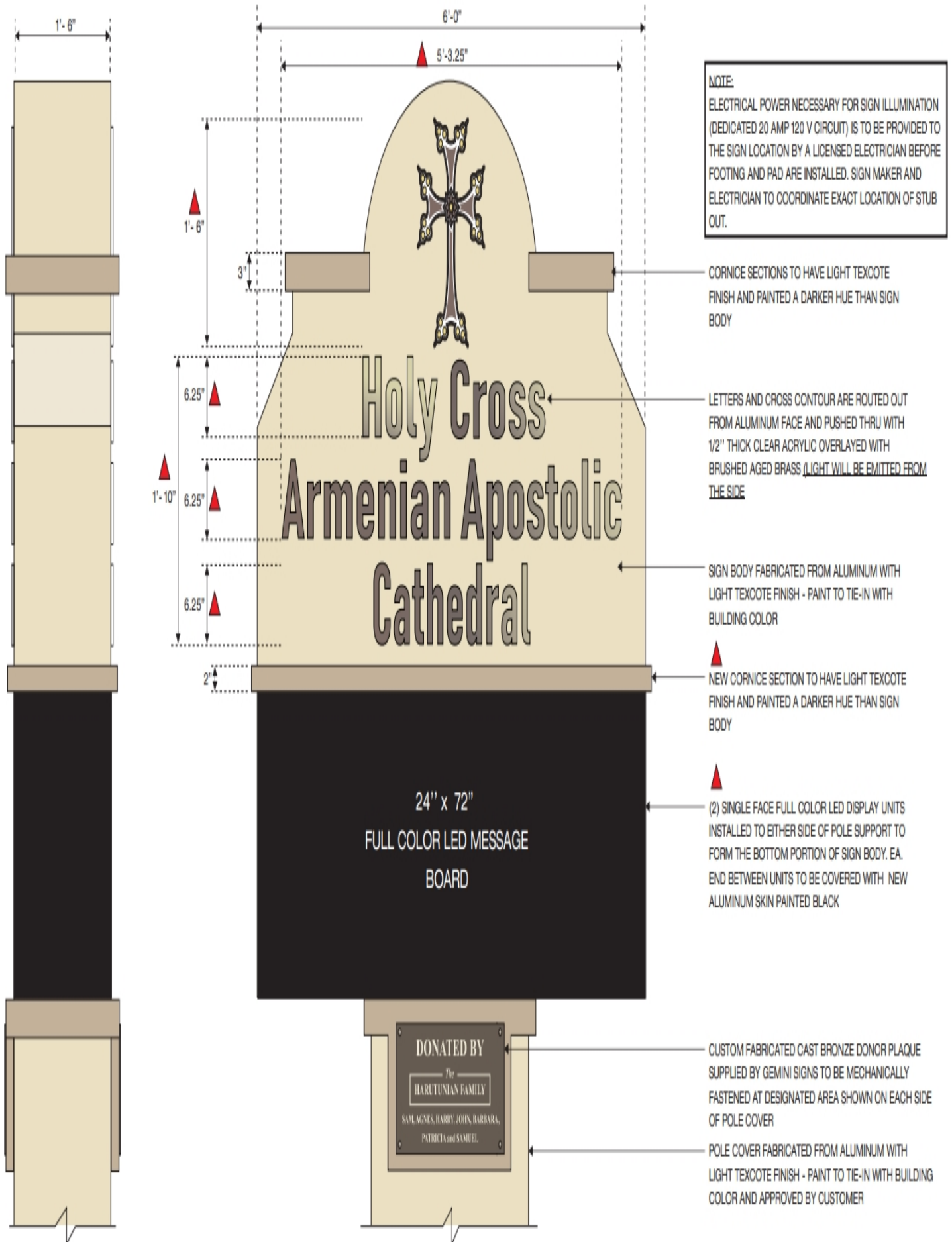
PUBLIC NOTIFICATION

Pursuant to MMC Section 17.78 (Public Hearings, Notices, and Appeals), the following noticing was performed:

- On October 5, 2023, the Public Hearing Notice was mailed to property owners within the 300-foot radius from the exterior boundaries of the subject property.
- On October 5, 2023, the Public Hearing Notice was published in the Daily Journal (Whittier Daily News).

ATTACHMENT(S)

1. Elevation drawings Exhibit A
2. Resolution No. 14-23
3. CEQA Notice of Exemption
4. Resolution No. PC-23-77
5. Resolution No. PC 13-06



2 PYLON SIGN - SIDE VIEW DETAIL
SCALE: 1"= 1'

1 D/F CATHEDRAL I.D. PYLON SIGN - ELEVATION DETAIL
SCALE: 1"= 1'

**CITY OF MONTEBELLO
PLANNING COMMISSION**

RESOLUTION NO. 14-23

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
MONTEBELLO APPROVING ZONE VARIANCE (PC-2023-0013-ZV)
WITH CONDITIONS TO PERMIT THE INSTALLATION OF AN
INTERNALLY ILLUMINATED SIGN WITH AN ELECTRIC LED
MESSAGE BOARD AT AN EXISTING CHURCH LOCATED AT 900
WEST LINCOLN BOULEVARD AND ADOPTING A NOTICE OF
EXEMPTION UNDER CEQA 15311 (ACCESSORY STRUCTURES)**

WHEREAS, a Zone Variance (ZV) application has been received and accepted;
and

WHEREAS, the Zone Variance would allow the installation of a new internally illuminated monument sign with an electric LED message board at an existing church located within the single-family residential zone ("Project") for Blake Sign Company ("Applicant") for the property located at 900 West Lincoln Avenue ("Project Site") pursuant to Montebello Municipal Code (MMC) Chapter 17.72 - Variances; and

WHEREAS, pursuant to section 21067 of the Public Resources Code, and section 15367 of the California Environmental Quality Act (CEQA) Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the City of Montebello ("City") is the lead agency for the proposed Project; and

WHEREAS, the Zone Variance for Case No. PC-2023-0013-ZV/ ENV No. 12-23-CE is considered a "project", as per CEQA's definition of a "project"; and

WHEREAS, the Project is Categorically Exempt per CEQA §15311, Class 11 (Accessory Structures) consists of the construction, or replacement of minor structures accessory to (appurtenant to) existing commercial and/or institutional facilities, including on-premise signs; and

WHEREAS, a duly noticed public hearing has been held, at which the Planning Commission received and considered staff presentations, recommendations, public testimony, and all other matters presented at the public hearing and included in the record for this matter, and all other legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the Planning Commission of the City of Montebello hereby resolves that:

SECTION 1. RECITALS. The foregoing recitals are true and correct and are hereby incorporated as substantive findings in this Resolution.

SECTION 2. FINDINGS

A. GENERAL PLAN. The Planning Commission of the City of Montebello finds that the proposed Project is consistent with the General Plan.

Per the Montebello General Plan, the Project conforms to:

1. **General Plan Circulation Element Goal #1** states a goal “To facilitate traffic movement and alleviate congestion in and around the city.”
2. **General Plan Circulation Element Goal #2** states “To protect residential areas from through traffic movement.”
3. **General Plan Land Use Element Goal #1** states that “To formulate a plan which is responsive to the needs of the community, and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development”.

The proposed project conforms to the City of Montebello General Plan Land Use Element in that the proposed use will allow the Montebello community to benefit from the addition of the pylon sign making it possible for patrons to be able to identify the use of the structure, flowing traffic efficiently and leaving any confusion that could slow down traffic and cause distracted driving. The establishment of the proposed sign will be beneficial to those members of the community in search of this specific church. The location of the sign is in an appropriate location given that it will be located along Lincoln Avenue, which is a major thoroughfare in the city. The proposed pylon sign will be installed within an existing landscape planter adjacent to an entry only driveway apron. The pylon sign will be approximately 5 feet from the front property line

B. VARIANCES. Pursuant to Section 17.72.060 of the MMC, before any variance shall be granted, the planning commission shall satisfy itself that the applicant has demonstrated the following facts:

1. *Describe the special or unusual circumstances applicable to the subject property, which do not generally apply to other properties in the vicinity and with the same zoning designation.*

The Holy Cross is an Armenian Church who desires to provide proper identification to promote their church similar to other churches within the city and assist patrons coming from other cities to be able to locate the existing church. Currently the Church is located within a single-

family residential area, limiting the type and size of signage the church can provide for the location. Due to the fact that the church is located within an R-1 zone, in order to add the proposed illuminated sign, the applicant needs to obtain a zone variance that requires approval by the Planning Commission.

2. *Detail how due to the special or unusual circumstances described above, strict application of the Zoning Code would result in practical difficulties or unnecessary hardships or would deprive the property privilege enjoyed by other properties in the vicinity and with the same zoning designation.*

With the Cathedral being such a large property and a staple of the City of Montebello, obtaining a permit to allow this sign has become extremely difficult, not allowing the property owners to be able to share their church with the community. Along with the ease of new patrons locating the Cathedral, the proposal portion of the sign is that the 24" x 27" message board, is vital for them to assist in getting much needed community activity information out to the patrons in the area.

3. *Explain how the Zoning Variance is necessary for the preservation of a substantial property right to allow a reasonable use of the subject property, which is possessed by other properties in the vicinity and with the same zoning designation.*

The variance is necessary to deviate from the zoning restrictions, in particular signage requirements that limit the church from installing a 10-foot tall and 4 feet wide pylon sign to aid in welcoming current and new members of the church. The need for exterior identification (a pylon sign) is standard for all cathedrals, churches, and for vehicular traffic to easily locate them.

4. *Describe how the proposed Zone Variance will not cause an adverse effect on the public welfare or surrounding properties.*

The granting of the variance will not cause an adverse effect on the public welfare or the surrounding properties because the addition of the pylon sign will have a positive affect on the circulation of traffic at the property site and will not have any sort of change to any of the surrounding businesses. The proposed pylon sign will not have any adverse effect on the public welfare or activity in the area since it will be located within the boundaries of the existing church and distanced

approximately 130 feet from the nearest residential property to the west. In addition, the proposed pylon sign will be illuminated on both sides, which will face towards Taylor Ranch Park and neighboring residential properties. The proposed pylon sign will be located within a landscape planter located near the middle of the property street adjacent to Lincoln Avenue, and as a result, surpasses the minimum setback of 25 feet from the adjacent residential properties located west of the Project Site.

5. *Describe how the granting of the Zone Variance will be consistent with the general purpose and intent of the Zoning Code and will not adversely affect the General Plan.*

The proposed sign has been designed to be an extension of the cathedral and building on the property, with similar features and the same color scheme. The addition of the sign will result in a positive outcome, making it easier for local patrons and visitors to be able to identify the use of the structure, and facilitating traffic movement as instead per Goal #1 of the General Plan Circulation Element. In addition, the proposed pylon sign will respond to the needs of the community and provide sufficient areas for reasonable development as stated in the General Plan Land Use Element Goal #1.

SECTION 3. CEQA. The Planning Commission approves and adopts the CEQA Categorical Exemption § 15311 (Accessory Structures) Class 11 exemption. A Class 11 exemption under CEQA § 15311 applies to projects that consists of consists of the construction, or replacement of minor structures accessory to (appurtenant to) existing commercial and/or institutional facilities, including on-premise signs. There will be no expansion to the interior or exterior of the existing facilities in the proposed Project.

SECTION 4. APPROVALS. The Planning Commission hereby approves Zone Variance (“ZV”) Case No. PC-2023-0013-ZV with conditions to permit the installation of a new internally illuminated pylon sign with an electric LED message board for Holy Cross Armenian Church (“Project”) for the property located at 900 W Lincoln Avenue (“Project Site”) located within the R-1, single-family residential zone pursuant to MMC Chapter 17.72 – Variances.

SECTION 5. CONDITIONS. The Planning Commission finds that the foregoing conditions of approval are necessary and appropriate:

A. Standard Conditions

1. The Applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers, and employees from any claim, action,

- or proceeding brought against the City, its elected and appointed officials, agents, officers, or employees arising out of, or which are related to the Applicant's project or application (collectively referred to as "proceedings"). The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities, and expenses incurred or awarded in connection with the proceedings whether incurred by the Applicant, the City and/or the parties initiating or bringing such proceedings. This indemnity provision shall include the Applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth herein. The City shall have the right to choose its own legal counsel to represent the City's interest in the proceedings.
2. Within thirty (30) days of the Planning Division transmittal of the Acceptance Form, the Applicant shall sign and return a copy of the Acceptance Form, agreeing to the conditions of approval and acknowledging that failure to comply with such conditions shall constitute grounds for potential revocation of the permit approval. Failure to return the Acceptance Form within thirty (30) days shall constitute grounds for terminating the permit.
 3. The Director of Planning & Community Development ("Director"), at any time, can call for a review of the approved conditions of approval at a duly noticed public hearing before the Planning Commission. These condition(s) may be modified, or new condition(s) added to reduce any impacts of the proposed signage. Pursuant to section 17.80.020 of the MMC, the Planning Commission may revoke the ZV (Case No. PC-2023-0013-ZV/ENV No. 12-23) if sufficient cause is given.
 4. The Applicant or successor in interest shall meet the applicable code requirements and all other City department regulations.
 5. This approval shall not supersede the approval of any other responsible agencies. The Applicant shall comply with all Federal, State and local laws.
 6. The approval of the entitlement shall expire if the rights granted are not exercised within one (1) year from the ZV's effective date. Exercise of right shall mean issuance of a building permit to commence construction or similar activities demonstrating the intent to proceed with the project, as determined by the Director.
 7. A copy of the approved Resolution shall be attached to the construction plans for any site improvement at the submittal of plans for plan check.

8. In the event the Applicant violates or fails to comply with any conditions of approval of this permit, no further permits, licenses, approvals, or certificate of occupancy shall be issued until such violation(s) has been fully remedied.
9. Any change, expansion, intensification and/or modification to the proposed plans use, or mode of operations shall be subject to the review and approval by the Director who may take action or call for review by the Montebello Planning Commission ("Planning Commission") at a noticed public hearing.

B. Building Division Conditions

1. 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.
2. Plans prepared in compliance with the current Building Code shall be submitted to Building Division for review prior permit issuance.
3. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
4. Separate application and plan review is required for Electrical plans.

C. Recreation and community services

1. Note that the installer/ contractor shall not be able to stage construction equipment in the Taylor Ranch parking lot when the project is in construction period.

PASSED AND ADOPTED this 7th day of November 2023 by the Planning Commission.

Commissioner Cuevas: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN
Commissioner Morales: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN
Commissioner Valdez: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN
Commissioner Lomeli: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN
Commissioner Medina: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN

Victor Cuevas, Chair

ATTEST:

Joseph A. Palombi, Director
Planning & Community Development Department

Notice of CEQA Exemption

To:

County of Los Angeles
Registrar-Recorder/County Clerk
12400 Imperial Highway
Norwalk, CA 90650

From:

City of Montebello
Planning & Community Development Department
1600 W. Beverly Blvd.
Montebello, CA 90640

Lead Agency: City of Montebello Planning and Community Development Department

Project Title: Zone Variance to allow the installation of a new internally illuminated pylon sign with an electric LED message board.

Project Location: 900 West Lincoln Avenue, Montebello, CA 90640

Case Number(s): PC-2023-0013-ZV & ENV No. 12-23-CE

Description of Nature, Purpose, and Beneficiaries of Project: Zone variance ("ZV") Case No. PC-2023-0013-ZV to allow installation of a new internally illuminated monument sign at an existing church (Holy Cross Armenian Cathedral Church) with an electric LED message board in a single-family residential zone located at 900 West Lincoln. ("Project Site").

Name of the Public Agency Approving the Project: City of Montebello

Name of Person or Agency Carrying Out the Project: Pace Kelly on behalf of Blake Sign Company, Inc (Sossi Gabriel) ("Property Owner") – Holy Cross Armenian Church

Exempt Status (*check one*)

- ☐ Ministerial (Sec. 21080(b)(1); 15268(b)(3))
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption. State type and section number: Class 11- CEQA Guidelines Section 15311 (Accessory Structures)
☐ Statutory Exemptions. State code number:

Justification for Project Exemption:

The Project is Categorically Exempt per §15311 - Class 11 (Accessory Structures) of the CEQA Guidelines consisting of the construction, or replacement of minor structures accessory to (appurtenant to) existing commercial and/or institutional facilities, including on-premise signs. The project is consistent with the General Plan as well as applicable zoning designation and regulations being in the C-2 Zone with various permitted uses, the Project occurs within City limits and is on a project site of no more than five (5) acres, and the Project Site has no value as habitat for endangered, rare, or threatened species because it is on an existing developed site. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality and the site can be adequately served by all required utilities and public services.

Lead Agency Contact Person: Joseph A. Palombi, Director of Planning & Community Development

Area Code/Telephone/Extension: (323) 887-1200

If filed by applicant, attach certified document issued by the Planning and Community Development Department stating that the Department has found the project to be exempt.

Signature: _____ **Date:** _____ **Title:** _____

☒ Signed by Lead Agency

☐ Signed by Applicant

A RESOLUTION OF THE PLANNING COMMISSION CITY OF MONTEBELLO, CALIFORNIA



PC-23-77

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO, CALIFORNIA APPROVING A CONDITIONAL USE PERMIT FOR THE USE OF CERTAIN PROPERTY WITHIN SAID CITY.

CONDITIONAL USE PERMIT NO. CUP-5-77

APPLICANT: HOLY CROSS ARMENIAN APOSTOLIC CHURCH

LOCATION: 900 WEST LINCOLN AVENUE

THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, in Case CUP-5-77, regarding property located at the above address, there has been filed with this Commission a verified petition requesting a Conditional Use Permit for the following use:

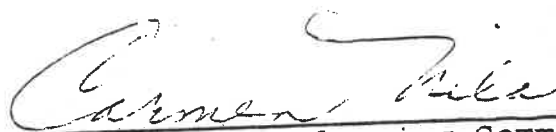
"A Conditional Use Permit to allow a church, social hall and school, as provided by Sections 9205.1D(3) and (4) MMC, on certain property located in the R-1 Zone."

WHEREAS, the Planning Commission upon giving the required notice did, on the 5th day of July 1977, conduct a duly advertised Public Hearing as prescribed by law to consider said application; and

NOW, THEREFORE, BE IT RESOLVED, that said application for a Conditional Use Permit be approved on the grounds that it meets the specifications of Section 9218.4 of the Montebello Municipal Code, subject to the following conditions:

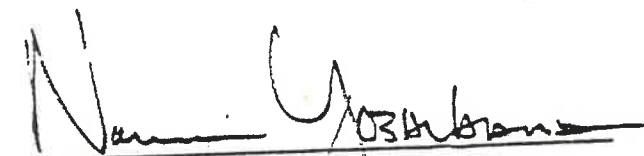
1. That prior to the issuance of any building permits for this facility, elevations shall be submitted and approved by the Planning Commission.
2. That the applicant provide ingress and egress easements to the Los Angeles County Flood Control District for the maintenance of on-site storm drain and manholes.
3. That prior to the issuance of any building permits, said plans shall be submitted to the Los Angeles County Flood Control District for their review and comment.
4. That a landscaping and sprinkler plan be submitted and subject to the approval of the City Planner.
5. That parkway trees be installed along the Lincoln Ave. frontage in the quantity and location as specified by the City Planner.
6. That a solid masonry wall be constructed along the west property line, a minimum height of six (6) feet, as measured from the finished grade of the church property; for the northerly 250 feet, said wall will not be required until such time as the property is developed.

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7. That a pilaster and ornamental iron fence be constructed along the La Merced frontage at such time as the northerly 250 feet is developed. In the interim, a chain link fence, minimum height of six (6) feet, may be installed along this frontage subject to the approval of the City Planner.
 8. That those portions of the subject site that will be undeveloped shall be kept free of weeds and maintained in such a manner as to minimize the creation of dust. Said maintenance shall be subject to the review of the City Planner.
 9. That a burglar security system be installed on each building and exterior security lighting, to facilitate police evening inspections, be installed. Said improvements shall be subject to the requirements and review of the City Planner and Police Department.
 10. That the property be developed in substantial accordance with Planning Commission Exhibits A, B, C and D, dated July 5, 1977, on file with this case.


Chairperson, Planning Commission

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of Montello at a regular meeting held on July 5, 1977, and carried by the following vote:

AYES:	COMMISSIONERS:	Koffman, Marquez, Michalek, Pizzorno, Shapiro, Nila
NOES:	COMMISSIONERS:	None
ABSENT:	COMMISSIONERS:	Algorri
ABSTAIN:	COMMISSIONERS:	None


Norman Y. Yoshihara
City Planner and Secretary
to the Planning Commission

Dated: July 6, 1977

RESOLUTION NO. PC 13-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO, CALIFORNIA, APPROVING A CONDITIONAL USE PERMIT FOR THE USE OF AN UNMANNED WIRELESS TELECOMMUNICATION FACILITY

Case No: Conditional Use Permit 5-06
Applicant: Royal Street Communications, LLC for Metro PCS
Location: 900 W. Lincoln Avenue

THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO DOES HEREBY RESOLVES AS FOLLOWS:

SECTION 1. That the Planning Commission of the City of Montebello does find, determine, and declare as follows:

1. That an application was made by Royal Street Communications, LLC for Metro PCS, for a Conditional Use Permit to allow the establishment of a rooftop wireless telecommunication facility on an assembly building on property located in the R-1 (Single-Family Residential) district;
2. That the Planning Commission conducted a duly noticed public hearing upon said application on October 3, 2006 and based on evidence presented in the staff report, the Planning Commission being familiar with the subject site, has determined that the facts necessary to support the approval of Conditional Use Permit 5-06 can be made, subject to the conditions of approval hereinafter set forth.

SECTION 2. Based on the entire record before the Planning Commission and all written and oral evidence presented, the Planning Commission finds that the proposed project complies with the California Environmental Quality Act (CEQA) and hereby adopts the Notice of Exemption for the following reasons:

1. This project was reviewed pursuant to the provisions of the California Environmental Quality Act (CEQA). The City of Montebello prepared a Notice of Exemption for this project, which determined that the proposed project is exempted under Class 1 Section 15301. A Class 1 exemption specifically relates to minor alterations of existing public or private structure to include mechanical equipment involving negligible or no expansion of the use beyond what already exists. In this case, the proposal would allow the establishment of an unmanned wireless telecommunication facility (mechanical equipment) on the rooftop of an existing assembly hall.

SECTION 3. That the following findings are hereby adopted as the Findings of the Planning Commission as follows:

1. *The site for the proposed wireless telecommunication facility is adequate in size and shape in that the subject site is developed with a two-story assembly hall and church building that is adequate in size to house the proposed facility. The proposed panel antennas will be located on the roof of the assembly hall surrounded by a parapet wall that will screen the antennas from public view. The transmission equipment and emergency back-up batteries for the proposed facility would be located on the ground behind the assembly hall on the east side, and would be screened from public view by a view-obscuring block wall. As such, the subject site is adequate in size and shape to accommodate the proposed wireless telecommunication facility with minimal changes to the existing building and site.*

2. *The site has sufficient access to streets and highways, and is adequate in width and pavement type to carry the quantity and quality of traffic generated by the proposed use.* The proposed project would be situated on an existing developed site that is located in close proximity to Lincoln Avenue, the secondary road, and Montebello Boulevard, the major north/south arterial, and as such, the existing access to the site is adequate for the proposed use. Furthermore, the proposed project is an unmanned wireless telecommunication facility that requires limited traffic access, and therefore is not expected to generate traffic to and from the site.
3. *The proposed use will not have an adverse effect upon adjacent or abutting properties.* The project as proposed will not be visible to the public at large and therefore will not have an aesthetic impact to the surrounding commercial and residential properties. The applicant is increasing the height of the parapet wall so as to screen the antennas from public view. As it relates to public health, there is no conclusive proof or evidence that wireless telecommunication facilities have an impact to the public health, and cannot be denied on such a concern based on the Federal Communication Act of 1996.
4. *The location of the conditional use and the conditions under which it would be operated or maintained will be consistent with the General Plan.* It is a policy of the General Plan Land Use Element that residential neighborhoods shall be free from encroachment of incompatible land uses. The establishment of an unmanned wireless telecommunication facility is subject to review and approval by the Planning Commission to evaluate the compatibility of the proposal to the surrounding land uses. In this case, the proposal would allow the establishment of an unmanned wireless telecommunication facility that has panel antennas and transmission equipment screened and camouflaged from public view.
5. *The proposed use is consistent with the objectives of the community redevelopment project area in which the site is located.* The subject site is located in the Montebello Hills Redevelopment Project area. The subject site has not been targeted for redevelopment at this time and the approval of this Conditional Use Permit would not hinder redevelopment efforts. Moreover, since the proposed facility would be screened from public view with an architectural element compatible with the building, the proposal would not visually impact the surrounding area.

SECTION 4. That the Planning Commission approves Conditional Use Permit 5-06 subject to the following conditions of approval:

1. The development and utilization of the subject site shall substantially conform to the site plan labeled Planning Commission Exhibit "A" dated October 3, 2006 including the uses as shown, except as provided for herein, and by subsequent revisions found by the Director of Planning to be in substantial compliance with these provisions.
2. The following improvements shall be completed in a manner subject to the approval of the Planning Department:
 - a. The proposed extension of the parapet wall shall be architecturally compatible with the building in regards to the exterior finish and color.
 - b. The proposed equipment cabinets shall be enclosed with a six-foot high decorative view-obscuring block wall that shall be texture-coated and painted so as to match the building, and with a chain link fenced roof to minimize vandalism.
 - c. All exposed cable enclosure(s), trays etc., shall be painted to match the assembly building.

- c. The existing mechanical equipment on the rooftop of the assembly hall shall be painted to match the color of the building, if feasible.
 - d. The radiation emitted from this communications facility shall not exceed the applicable public exposure standards specified by the Federal Communications Commission (FCC), nor any other applicable exposure standards for this type of facility, which may be specified in the future by the FCC or other regulatory agency having jurisdiction over the facility including the City of Montebello.
 - e. Operation of the facility shall cause no interference with the operation of any other pre-existing communications configurations, equipment, frequency, electronic or communications equipment, and other communications facilities located on the subject site. Metro PCS or any future operator of the communications facility shall rectify any interference issue or problem with the operation of such facility.
 - f. Utility service connections for the proposed unmanned wireless telecommunications facility shall be placed underground.
 - g. Any modification or expansion of this wireless telecommunication facility shall be subject to the review and approval of the Planning Department.
 - h. Should the use of the proposed facility cease in the future, the applicant or successor in interest shall remove all equipment associated with the wireless telecommunication facility and the property restored to the condition it was prior to the establishment of the facility, including but not limited to, removal of the equipment, the antennas, signage and any other installation as per the terms of the lease.
 - i. In the event that the City of Montebello obtains the legal ability to regulate wireless telecommunications facilities with respect to any health impacts which may be associated with radio frequency emissions from such facilities, the Director of Planning, at that time, may inform the then owner and/or operator of the facility of any operational or other requirements reasonably necessary to protect the public, and the owner or operator shall comply with those requirements. Should the owner or operator object to any such requirements, the owner and/or operator may appeal the matter to the Planning Commission.
 - j. All applicable City permits shall be obtained prior to construction.
 - k. A copy of the Planning Commission Resolution shall be incorporated into the construction plans prior to the submittal for plan check.
 - l. This approval shall not supersede the approval of any other affected agencies. The applicant shall comply with all of the requirements and conditions from any applicable state and outside agencies.
3. The development and utilization of the site shall comply with all the provisions of the Montebello Municipal Code and the City adopted versions of the Uniform Building and Fire Codes and/or the specifications of the Building Services Division, the Fire Department, and/or the Police Department including but not limited to the following:
- a. Complete building plans and electrical plans shall be submitted and all building and other applicable permits obtained.
 - b. All construction plans shall meet the requirements of the current City, State, and Federal codes.

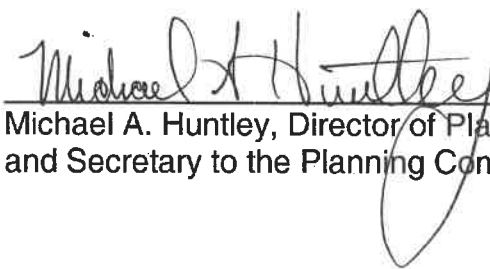
- c. The applicant shall contact the Building and Safety Division for inspection of each phase of construction work prior to proceeding to the next stage.
- d. A complete set of structural calculations and plans shall be submitted to evaluate the loads on the roof structure.
- e. A complete set of construction plans shall be reviewed by the City Telecommunications Supervisor during plan check.
- f. The applicant shall install signage on the structure/equipment that provides emergency contact information, operational/emergency procedures, etc.
- g. The applicant shall install address numbers on the structure and at the street (sign), at least twelve inches in height, contrasting in color to the background, and lighted, subject to the review and approval of the Fire Department.
- h. The applicant shall install a Knox key box.
- i. In the event of an emergency, the operator of the facility shall provide emergency contact names and phone numbers to the Crime Prevention Bureau. Such information shall be updated as necessary.

SECTION 5. FINALLY RESOLVED, that the Secretary be instructed to forward a copy of this Resolution to the applicant for his attention, and that the Secretary advise the applicant that this decision, or any part of it, may be appealed to the City Council by the applicant, opponent, or the City Council on its own motion, in the manner specified in Section 17.78.070 of the Montebello Municipal Code.


 Janis Agajanian, Chairperson

I HEREBY CERTIFY that the foregoing Resolution was adopted by the Planning Commission of the City of Montebello at a regular meeting held on Tuesday, October 3, 2006, and carried by the following vote:

AYES:	Commissioners:	Schneider, Manuel, Gutierrez, Montano, Guzman and Agajanian
NOES:	Commissioners:	None
ABSENT:	Commissioners:	None
ABSTAIN:	Commissioners:	None


 Michael A. Huntley, Director of Planning and Secretary to the Planning Commission



ITEM # 5

**CITY OF MONTEBELLO
PLANNING COMMISSION AGENDA STAFF REPORT**

TO: Members of the Planning Commission

FROM: Joseph Palombi, Planning & Community Development Director

BY: Emilie Fernandez, Assistant Planner

SUBJECT: **Site Plan Review (“SPR”) (Case No. PC-2023-0015-SPR) to allow the demolition of an existing single-family residential dwelling unit including an existing detached garage and allow the construction of three (3) attached two-story residential dwelling units (ranging from 1,772 square feet to 1,888 square feet) and two (2) detached single-story Accessory Dwelling Units (ADUs) each comprised of 945 square feet pursuant to Montebello Municipal Code Chapter 17.74 et seq. (Site Plan Review), for the property located at 141 South Spruce Street.**

DATE: November 7, 2023

RECOMMENDATION(S):

It is recommended that the Planning Commission conduct a public hearing and take the following action:

1. ADOPT Resolution No. 15-23 Approving the Site Plan Review (“SPR”) No. PC-2023-0015-SPR with conditions to allow the demolition of an existing single-family residential dwelling unit including an existing detached garage and allow the construction of three (3) attached two-story residential dwelling units (ranging from 1,772 square feet to 1,888 square feet) and two (2) detached single-story Accessory Dwelling Units (ADUs) each comprised of 945 square feet (the “Project”) for the property located at 141 South Spruce Street (the “Project Site”) with conditions pursuant to Montebello Municipal Code (“MMC”) Chapter 17.74 - Site Plan Review; and
2. DETERMINE AND FIND that the project (ENV No. 14-23-CE) is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section (15332) - Class 32 (In-Fill Development) as it meets the conditions set forth under class

PLANNING COMMISSION AGENDA REPORT - MEETING OF NOVEMBER 7, 2023

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32 (In-Fill Development Projects).

FISCAL IMPACT:

None.

BACKGROUND:

On September 13, 2023, Danny Reynoso (the “Applicant”) on behalf of Avalon 21 LLC (“Property Owner”) filed a Master Land Use Application requesting Site Plan Review to construct three (3) new two-story residential units and two (2) new ADUs (detached one-story units) at the Project Site.

On September 14, 2023, staff issued a deemed complete letter to the Applicant pursuant to California Government Code Section 65943 et seq.

PROJECT /APPLICANT INFORMATION

Project Location: 141 South Spruce Street
Project Applicant: Danny Reynoso
Property Owner: Avalon 21 LLC
General Plan Designation: Multiple Family Residential
Zoning: R-3 (Multiple- Family Residential Zone)
Existing Use on Property: Single Family Residence with detached garage

PROJECT DESCRIPTION

The Applicant seeks Site Plan Review approval to allow the demolition of an existing 1,826 square foot single-family residential dwelling unit including a 680 square foot existing detached garage to allow the construction of three (3) attached two-story residential dwelling units. Unit ‘A’ will propose a two story 3-bedroom 2-bathroom unit that has 1 kitchen, 1 living room, and 1 dining room totaling 1,772 square feet and a 494 square foot attached garage. Units ‘B’ and ‘C’ will also be two stories with 3 bedrooms, 2 bathrooms, 1 kitchen, 1 living room and 1 dining room as well as an attached 494 square foot two car garage with a total square footage of 1,888 each. All three units will have 215 square feet of private open space. The site will also be developed with two (2) detached single-story Accessory Dwelling Units (ADUs) each comprised at 945 square feet. The two (2) units will each have 2 bedrooms, 2 bathrooms, 1 kitchen, 1 dining room and 1 living room. The Project Site will include a common open space area consisting of 500 square feet with one dedicated guest parking space.

	Units	First Floor	Second Floor	Total	Livable	Garage
Unit A	3 BDR/2BTH	975 sf	797 sf	1,772 sf	1,278 sf	494 sf
Unit B/C	3 BDR/2 BTH	975 sf	913 sf	1,888 sf	1,394 sf	494 sf

ENVIRONMENTAL:

In accordance with the California Environmental Quality Act ("CEQA"), the proposed Site Plan Review, Case No. PC-2023-0015-SPR/ENV 14-23-CE, is considered a "project," per the (CEQA) definition of a "project." The project is considered a Class 32 and Categorically Exempt per CEQA Guidelines Section 15332 (In-Fill Development Projects), and none of the limitations set forth in CEQA Guidelines Section 15300.2 apply.

In order to qualify under an exemption pursuant to Class 32 of CEQA Guidelines Section 15332 (In Fill Development Projects), the following environmental findings must also be made:

A. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The proposed project conforms to the Montebello General Plan, Land Use Element in that the General Plan Land Use designation for the site is residential, and the zoning designation is R-3 (Multiple- Family Residential).

B. The proposed development occurs within the city limits on a project site of no more than five (5) acres substantially surrounded by urban uses.

The proposed development shall occur on a 10,500-square-foot (0.24 acres) corner lot located on South Spruce Street and W Los Angeles Ave within city limits and thus, is less than the maximum five acres specified in Section 15332(b) for this exemption. The site is surrounded by existing developed multi-family residential properties.

C. The project has no value as habitat for endangered, rare or threatened species.

The proposed project has been previously developed with a single-family residence. The subject property is surrounded by residential units.

D. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

The proposed project shall not have any significant effects relating to traffic, noise, air quality, or water quality as the site has been previously developed with a single-family residence.

E. The site can be adequately served by all required utilities and public services.

The project has been reviewed by City staff and it has been determined that it can be adequately served by all required utilities and public services.

ANALYSIS:

Project Site

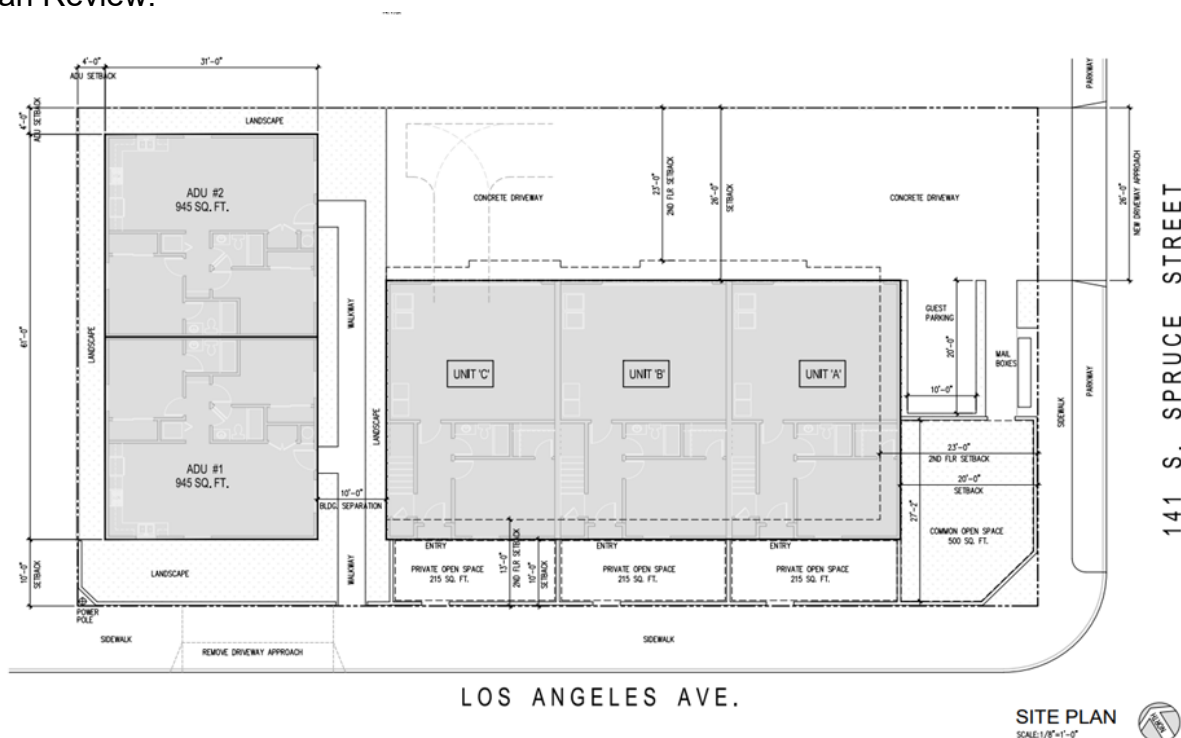
The Project Site is located on the corner of South Spruce Street and Los Angeles Ave. with a zoning designation of R-3, Multiple Family residential. The Project Site is comprised of a total lot area of approximately 10,500 square feet (0.24 acres). The Project Site is currently developed with one single family residence and a detached

garage. The current single-family residence has a driveway approach on Los Angeles Avenue. This 2,506 square foot unit will be demolished and the driveway approach will be relocated to S Spruce Street. The project site is surrounded by R-3 Multiple-Family Residential.

The following table list the zoning designations of the surrounding land uses:

Direction	Zone	Land Use
North	R-3	Multiple-Family Residential
South	R-3	Multiple-Family Residential
East	R-3	Multiple-Family Residential
West	R-3	Multiple-Family Residential

The following is intended to illustrate the development diagram associated with the Site Plan Review:



GENERAL PLAN

The Project conforms to the following goals and policies of the Montebello General Plan.

General Plan Land Use Element Goal #2 states a goal “to develop and apply residential density standards which will limit the total population while providing single family development and still provide for variety of housing types controlled by location to complement single family residential areas.”

General Plan Land Use Element Policy #1 states “Residential development should aim for the density standards outlined in the Housing Element of the General Plan.”

General Plan Land Use Element Goal #1 states that “To formulate a plan which is

responsive to the needs of the community, and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development”.

The proposed project conforms to the City of Montebello General Plan Land Use Element as the proposed use will allow the Montebello community to benefit from the addition of the three units with the development. The current project site and all the surrounding houses are zoned R-3 multiple family residential. With the current use of the single family residential, this property is not being utilized completely and the project site can accommodate more units, growing the community. With this increase in housing, it is supporting the general plan goals by responding to the needs of the community and by reflecting the density standards that are outlined in the housing element of the general plan.

REQUIRED FINDINGS MONTEBELLO MUNICIPAL CODE (MMC)

SITE PLAN REVIEW (MMC 17.74)

The purpose of the site plan review is to minimize or preclude potential adverse impacts to the public interest or on abutting properties and adjacent residential, commercial, and industrial neighborhoods, resulting from the design or layout of a proposed development.

Section 17.74.030- When required explains that a site plan review is required for all residential projects resulting in three or more dwelling units.

Pursuant to Section 17.74.070 of the MMC, before any site plan review shall be granted, all the following findings must be made:

A. That the proposed design for improvement complies with all requirements of the Montebello Municipal Code;

The proposed design meets all setbacks, height requirements, common and private space requirements. The unit does not exceed the lot coverage and the parking requirements are also met. Each of the units will have 2-car garage and the project site will also have one guest parking space. A Site Plan is required due to the project being in a residential zone and resulting in three or more dwelling units according to Section 17.74.030.

B. That the proposed design for improvement is consistent with the general plan; and

The proposed project site is consistent with the general plan and reflects the goals that were set in place when designating certain zoning areas with different housing types. This area is zoned for multiple family units and there is currently just one house on the property. With the addition of the units, this will reflect the zoning density that was originally imagined when the general plan was developed. Land Use Element Goal #1: To Formulate a plan which is responsive to the needs of the community and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development. The addition of the units will not only reflect the general plan but will benefit the surrounding land uses and grow the community.

The project site is currently on two separate parcels. The applicant is requesting a lot tie to tie parcels number 6350-005-013 and 6350-005-012 to be held as one lot and be able to build across property lines. The two will remain as two separate lots and will not be able to be sold separately.

C. That the proposed design for improvement will not have any significant adverse impact on the surrounding properties or on the general public welfare.

The proposed addition will not have any significant adverse impact on the surrounding properties as the surrounding area is currently developed with multi-family units that are also two story. Directly across the street (east) of the project site, there is a property that currently has (eight) 8 units and is two stories. Directly to the right (north) of the property is a multi-family development that has 4 units on this property. The addition of this project will be consistent with the surrounding land uses and will not have an adverse impact on surrounding properties.

SUMMARY:

REPORTS RECEIVED

The application for Case No. PC-2023-0015-SPR was forwarded to the Fire Department, Building Department, Police Department, Parks, and Recreation Department, and Public Works Department for review, comments, and conditions. Below are the conditions that were received.

A. Planning Division Conditions

1. The Applicant shall defend, indemnify, and hold harmless the city, its elected and appointed officials, agents, officers, and employees from any claim, action, or proceeding brought against the city, its elected and appointed officials, agents, officers, or employees arising out of, or which are related to the Applicant's project or application (collectively referred to as "proceedings"). The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities, and expenses incurred or awarded in connection with the proceedings whether incurred by the Applicant, the city and/or the parties initiating or bringing such proceedings. This indemnity provision shall include the Applicant's obligation to indemnify the city for all the city's costs, fees, and damages that the city incurs in enforcing the indemnification provisions set forth herein. The City shall have the right to choose its own legal counsel to represent the City's interest in the proceedings.

2. The development and utilization of the subject site shall conform to the allowed use, except as provided for herein and by subsequent revisions found by the Director of Planning and Community Development ("Director") to be in substantial compliance with these provisions.

3. The development and utilization of the subject site shall be consistent with all of the provisions of the MMC and SPR (Case No. PC-2023-0015-SPR) and the specifications of the Planning Division.
4. Within thirty (30) days of the City Planning Division transmittal of the Acceptance Form, the Applicant shall sign and return a copy of the Acceptance Form, agreeing to the conditions of approval and acknowledging that failure to comply with such conditions shall constitute grounds for potential revocation of the permit approval. Failure to return the Acceptance Form within thirty (30) days shall constitute grounds for terminating the permit.
5. In the event the Applicant violates or fails to comply with any conditions of approval of this permit, no further permits, licenses, approvals, or certificate of occupancy shall be issued until such violation(s) have been fully remedied.
6. No signs shall be installed on the site until a sign permit has been approved by the Planning Department and Building & Safety Division in conformance with the provisions set forth in Chapter 17.62.080 ("Signs- Residential zones") of the MMC and the provisions set forth in the SPR.
7. The approval of the entitlement shall expire if the rights granted are not exercised within one (1) year from the SPR's effective date. Exercise of right shall mean issuance of a building permit to commence construction or similar activities demonstrating the intent to proceed with the project, as determined by the director.
8. The Director, at any time, can call for a review of the approved conditions of approval at a duly noticed public hearing before the Planning Commission. These condition(s) may be modified, or new condition(s) added to reduce any impacts of the use (Case No. PC-2023-0015-SPR).
9. The Applicant or successor in interest shall meet the applicable code requirements and all other City Department regulations.
10. All applicable conditions of approval from previous entitlements on the property shall remain in full force and effect, unless otherwise specifically noted in this Resolution.
11. The property owner will bear the full costs of all monitoring and inspection activities to be conducted by City staff, or its designated representative(s), as necessary to ensure compliance with the conditions of this Resolution.
12. Any change, expansion, intensification and/or modification to the proposed plans use, or mode of operations shall be subject to the review and approval by the Director who may take action or call for review by the Planning Commission at a noticed public hearing.
13. This approval shall not supersede the approval of any other responsible agencies. The Applicant shall comply with all Federal, State and local laws.

14. The approval of this SPR (Case No. PC-2023-0015-SPR) can be extended up to and not to exceed an additional two (2) years with a written request by the property owner thirty (30) days prior to the expiration date stating the reason and need for an extension and upon review and approval by the Director.

15. In the event of a violation of the conditions of approval, no further permits, licenses, approvals or certificates of occupancy shall be issued until such violation has been fully remedied.

16. The development and utilization of the site shall comply with all the provisions of all of the current Building, Plumbing, Mechanical, Electrical Codes, and City Ordinances, as well as additional requirements from the Montebello Building and Safety Division.

17. The development and utilization of the site shall be subject to the review and approval of the Public Works Department. Additional Montebello Public Works Department requirements may be required prior to issuing building permits.

18. The development and utilization of the site shall comply with all the provisions of all of the California Fire Code, International Fire Code, and National Fire Protection Association standards as well as additional requirements from the Montebello Fire Department.

19. Modification to Plans. Subsequent modification to this approval, which do not intensify the use, including but not limited to reorientation of structures, alteration of parking and circulation design, minor changes to the Conditions of Approval, interpretations of the Conditions of Approval relative to intent, necessity of, and timing, may be approved by the Director within a 25% deviation, unless the Director requires a Substantial Conformance or revised Permit application in accordance with the City Development Code.

20. The Applicant shall contact the Planning Division to arrange a Planning Inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.

21. The Applicant shall submit detailed landscape and irrigation plans prepared by a licensed Landscape Architect, which meet the requirements set forth in MMC shall be required as a part of the project Plan Check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.

22. A copy of the approved Resolution shall be attached to the construction plans for any site improvement at the submittal of plans for plan check.

23. It is the responsibility of the property owner to have all graffiti on the site removed within twenty-four (24) hours of its appearance, or be subject to citation from the City Code Enforcement Division.

24. All improvements to the subject property shall be in compliance with all City Ordinances.

25. The hours of construction shall be 7:00 a.m. to 8:00 p.m., Monday through Friday, and weekends and holidays 9:00 a.m. to 6:00 p.m. as restricted by the MMC Section 9.08.050.

26. The street shall be swept at the end of the day if visible soil material is carried onto adjacent public paved roads.

27. The guest parking spaces shall be posted and striped with double lines spaced six (6) inches apart and shall comply with the City's off-street parking requirements as per MMC Section 17.52.070. Such striping shall be shown on the plans submitted for plan check.

28. Any parking space that fronts a building wall or fence with no separation between the front end of the parking space and the wall or fence, shall be provided with a concrete wheel stop or curb barrier not less than two (2) feet from such wall or fence property line. Such wheel stop or curb barrier shall be securely installed and maintained.

29. An application for a Lot Tie to hold the two contiguous parcels as one site and shall be approved prior to the issuance of building permits.

30. The specifications of the Montebello Public Works Department and the Engineering Division shall be complied with:

The Applicant will continue to work with the Public Works Department and Engineering Division to finalize the certification of the Lot Tie and will, upon request, provide the Public Works Department with any additional information or documentation required.

31. The landscape plan shall conform to the MMC requirements. Shrubs shall not be less than three (3) feet in height when planted and cover not less than thirty (30) percent of the landscaped area. All landscaping shall cover the designated planting areas from the outset.

32. All trees shall be at least twenty-four inch (24") box or equivalent.

33. All landscape planters shall be surrounded by a six (6) inch concrete curb.

34. A trash enclosure shall be constructed of decorative masonry block or masonry block with decorative finish, such as stucco, and view-obscuring doors that are compatible with the main residence, subject to the final review and approval of the Planning Department. The applicant shall reflect this requirement on the plans submitted for plan check.

35. All existing and proposed utilities (Gas, Electricity, Communications, etc.) shall be placed underground. The applicant shall reflect this requirement on plans submitted for "Plan Check".

36. All outdoor utilities or machinery located outside the exterior walls, including roof-mounted equipment, shall be completely screened from view from any public right-of-way or adjacent residential use by either view obscuring landscaping or architectural features of the main building (i.e. parapet walls, façade extension, etc.), subject to the final review and approval of the Planning Department.

37. Any inevitable exposed wires shall be neatly bolted and painted to match the building color.

38. The exterior of all structures and walls shall be a neutral color scheme and shall be consistent with the provisions of the Color Ordinance of the City of Montebello, subject to the review and approval of the Planning Department.

39. Any substantial change or modification to the proposed site plan shall be subject to review and approval by the Planning Commission.

Building Division Conditions

1. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission determination report. This information shall be incorporated into the plans prior to the first submittal for plan check.

2. Plans prepared in compliance with the current Building Code shall be submitted to the Building Division for review prior to permit issuance.

3. School Developmental Fees shall be paid to the Montebello Unified School District prior to the issuance of the building permit.

4. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.

5. The building shall be addressed as 141 S. Spruce Street Unit #A through E, and an application to assign unit numbers shall be filed with the City's Public Works Department prior to plan check submittal

6. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.

7. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.

8. 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.

9. The owner 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 other soils and/or geotechnical engineers unless the subsequent soils and/or geotechnical engineer submits and has been accepted by the City, a new Preliminary Soils and/or Geotechnical Investigation.

10. Apartment buildings with three (3) or more dwelling units shall comply with applicable housing accessibility requirements in Chapter 11A of the California Building Code. Housing accessibility requirements apply to common-use areas such as open space, guest parking, trash enclosure, and mailboxes.

11. At least 10 percent but not less than one of the multistory dwellings in apartment buildings with 3 or more dwelling units shall comply with Section 1102A.3.1 of the California Building Code. The private garage shall comply with Section 1109A.2.1.

12. The property shall be surveyed, and the boundaries marked by a land surveyor licensed by the State of California.

13. Foundation inspection will not be made until the excavation has been surveyed and the setbacks 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.

14. Separate application and plan review is required for Electrical plans.

15. Separate application and plan review is required for Mechanical plans.

- a. Separate application and plan review is required for Plumbing plans.

16. Project shall comply with the CalGreen Residential mandatory requirements.

17. Project shall comply with the CalGreen Residential Code Section 4.410.2 regarding recycling by occupants:

Where 5 or more multifamily dwelling units are constructed on a building site, provide readily accessible area(s) that serves all buildings on the site and are identified for the depositing, storage and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals, or meet a lawfully enacted local recycling ordinance, if more restrictive.

18. Demolition permit is required for any existing buildings which are to be demolished.

19. Fire-resistance rating requirements for exterior walls and Maximum area of exterior wall openings and degree of open protection based on fire separation distance of 0 to 5 feet for dwellings and accessory buildings shall comply with Table R302.1(1) or with Table R302.1(2) as applicable in the Residential Building Code for the detached ADUs.

20. 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.

21. Separate permit is required for Fire Sprinklers.

22. The proposed site is a combination of lots. Parcel merger shall be processed prior to issuance of the building permit.

Fire Department

1. Fire flow report based on 2019 Edition California Fire Code, Appendix B/BB.
2. Underground fire main/fire sprinkler supply plan based on 2022 Edition California Fire Code and NFPA 13/24 and Montebello Fire Department's plan check submittal requirements and notes.
3. Fire Sprinkler Overhead plan based on 2022 Edition California Fire Code and NFPA 13 and Montebello Fire Department's plan check submittal requirements and notes.
4. Fire Alarm plan based on 2022 Edition California Fire Code and NFPA 72 and Torrance Fire Department's plan check submittal requirements and notes.
5. Additional requirements maybe added during the plan check process.

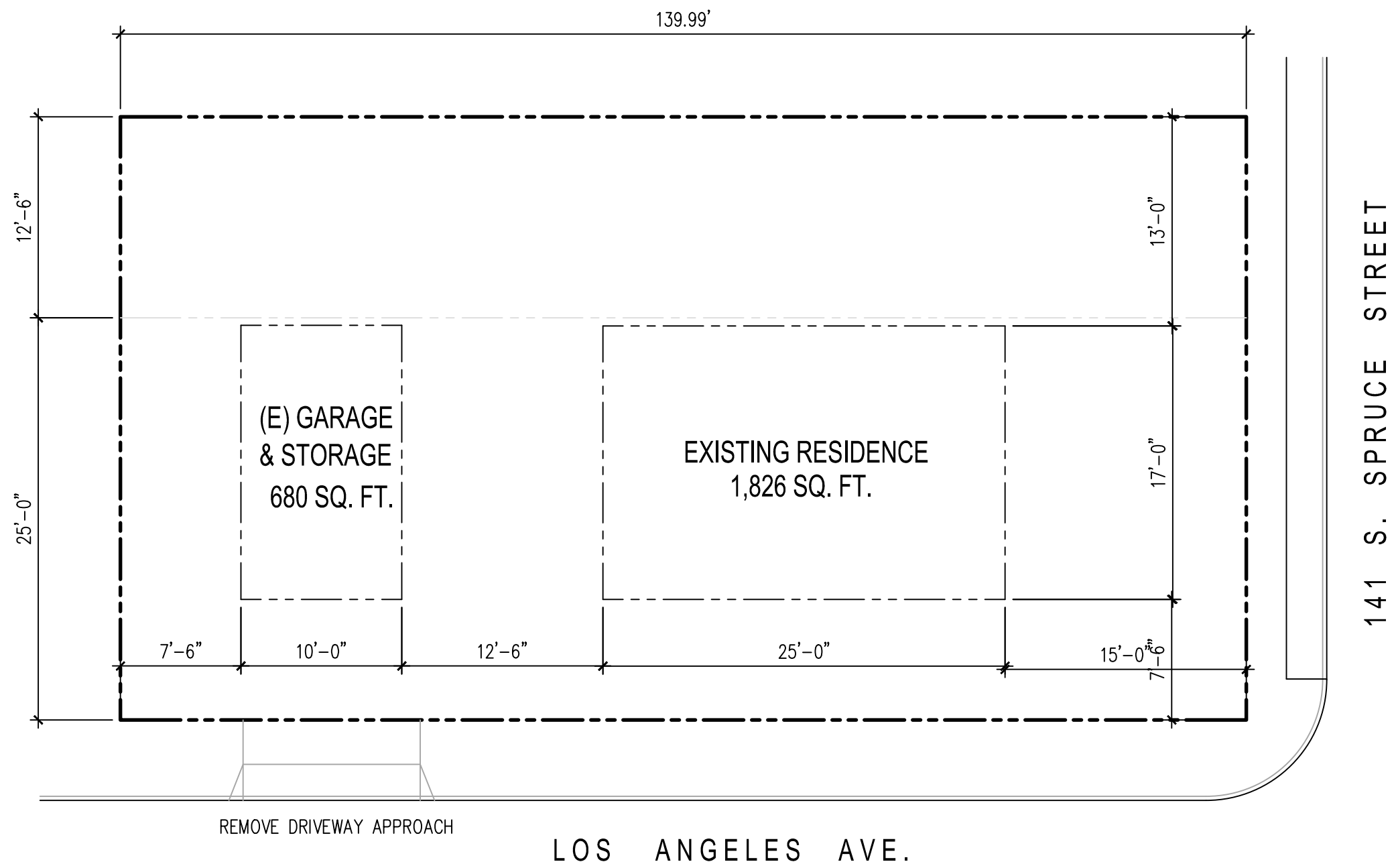
PUBLIC NOTIFICATION

Pursuant to MMC Section 17.78 (Public Hearings, Notices, and Appeals), the following noticing was performed:

- On October 26, 2023, the Public Hearing Notice was mailed to property owners within the 300-foot radius from the exterior boundaries of the Project Site.
- On October 26, 2023, the Public Hearing Notice was published in the Daily Journal (Whittier Daily News).

ATTACHMENT(S)

1. Site Plan, Floor Plan, and Elevations Exhibit A
2. Resolution No. 15-23
3. CEQA Notice of Exemption



PROJECT SUMMARY

GROSS AREA: 10,500 SQ. FT.

DEMO EXISTING RESIDENCE & GARAGE: 2,506 SQ. FT.

PROPOSED DEVELOPMENT:

GROSS AREA / 3,000 = ALLOWABLE UNITS

10,500 / 3,000 = 3.5 UNITS

PROPOSED 3 UNITS & 2 ADU's

UNIT 'A': 3 BDR / 2 BTH

FIRST FLOOR: 975 SQ. FT.

SECOND FLOOR: 797 SQ. FT.

TOTAL: 1,772 SQ. FT.

UNIT 'A':

LIVABLE: 1,278 SQ. FT.

2 CAR GARAGE: 494 SQ. FT.

TOTAL: 1,772 SQ. FT.

STORAGE: 100 CUBIC FT.

UNIT 'B','C': 3 BDR / 2 BTH

FIRST FLOOR: 975 SQ. FT.

SECOND FLOOR: 913 SQ. FT.

TOTAL: 1,888 SQ. FT.

UNIT 'B','C':

LIVABLE: 1,394 SQ. FT.

2 CAR GARAGE: 494 SQ. FT.

TOTAL: 1,888 SQ. FT.

STORAGE: 100 CUBIC FT.

ADU:

(2) 945 SQ. FT. ADU EA. = 1,890 SQ. FT. TOTAL

LOT COVERAGE:

TOTAL RESIDENCE / GROSS AREA = %

4,081 / 10,500 = 39% COVERAGE

MAX COVERAGE: 60%

MAX BUILDING HGT.: 25 FT - MAX HEIGHT PROVIDED: 24'-7"

MIN. OPEN SPACE: TOTAL 300 SF PER UNIT PROVIDED

PRIVATE: 150 SQ. FT. PER UNIT

COMMON: 100 SQ. FT. PER UNIT

1 VISITOR SPACE REQUIRED : 1 PROVIDED

100 CUBIC FEET OF STORAGE SPACE PROVIDED IN EACH GARAGE

SPRINKLERED: NO

CONSTRUCTION TYPE TYPE V-N

ZONE R3

OCCUPANCY RESIDENTIAL

PRIVATE OPEN SPACE PROVIDED: 150 SQ. FT EACH UNIT

COMMON OPEN SPACE PROVIDED: 100 SQ. FT EACH UNIT

AIN# 6350-005-012, 6350-005-013

TRACT # 2823, LOT 16 & SW 25 FT OF LOT 17

SCOPE OF WORK:

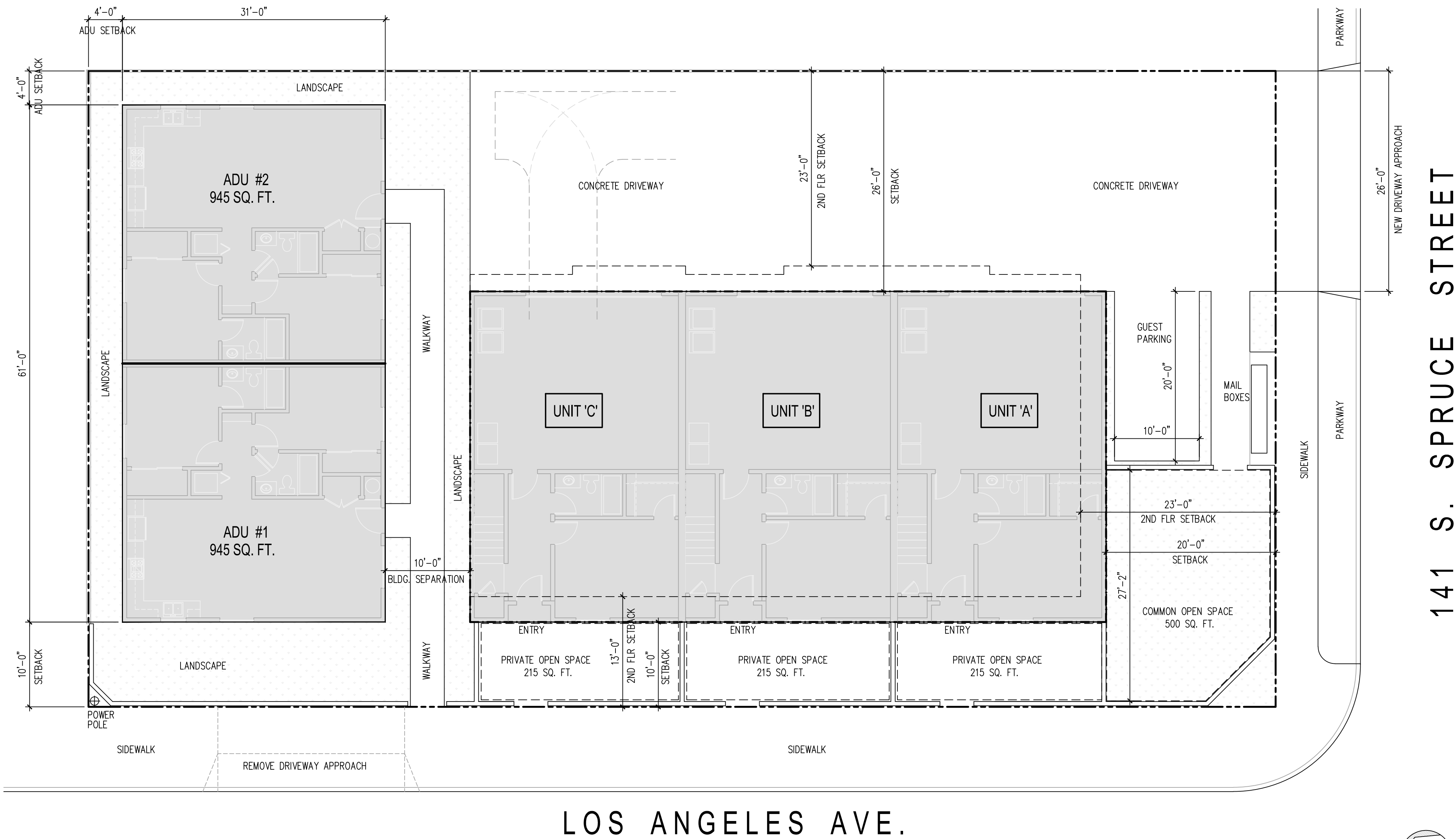
- DEMO EXISTING RESIDENCE & GARAGE
- CONSTRUCT NEW 3 UNITS - 2 STORY STRUCTURE
- CONSTRUCT NEW 2 ADU's - 1 STORY STRUCTURE

REYNOSO
design studio

17832 E. EDNA PLACE
COVINA, CA 91722
626-536-7786

designer: DANNY REYNOSO
ReynosoDesignStudio@gmail.com

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DEMO SITE PLAN
N.T.S.

SITE PLAN
SCALE: 1/8"=1'-0"



CLIENT:

FENIX DEVELOPMENT
3 UNITS / 2 ADUs
141 S. SPRUCE STREET
MONTEBELLO, CA 90640

LOCATION:

141 S. SPRUCE STREET
MONTEBELLO, CA 90640

DRAWING TITLE:

SITE PLAN

PROJECT NO: 2267

PHASE:

DATE:

SCALE: 1/8" = 1'-0"

DRAWN BY: dr

REVISIONS:

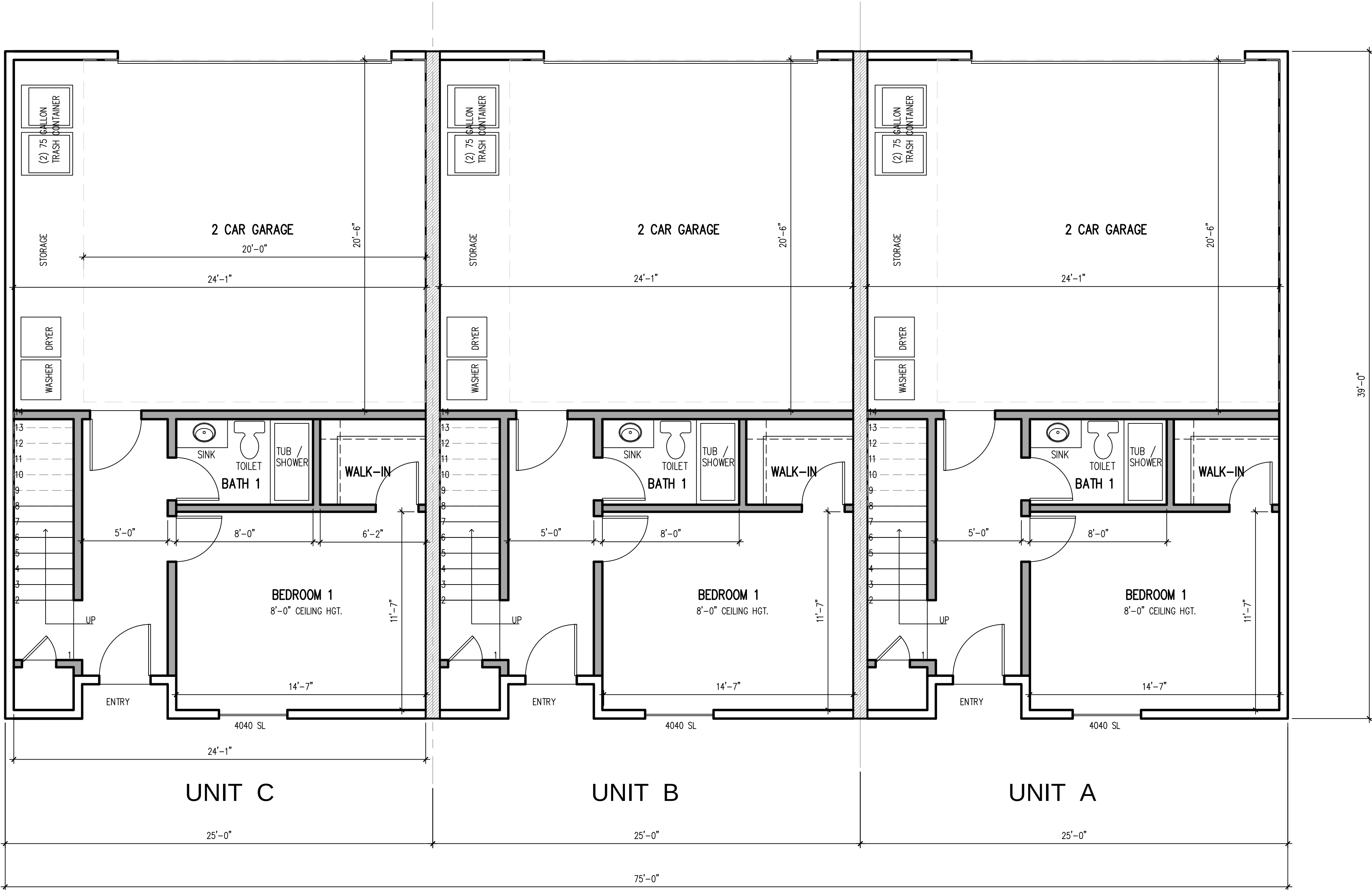
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SHEET NUMBER:

SP1

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1ST FLOOR PLAN
SCALE: 1/4"=1'-0"



CLIENT:
FENIX DEVELOPMENT
3 UNITS / 2 ADUs
141 S. SPRUCE STREET
MONTEBELLO, CA 90640

LOCATION:
141 S. SPRUCE STREET
MONTEBELLO, CA 90640

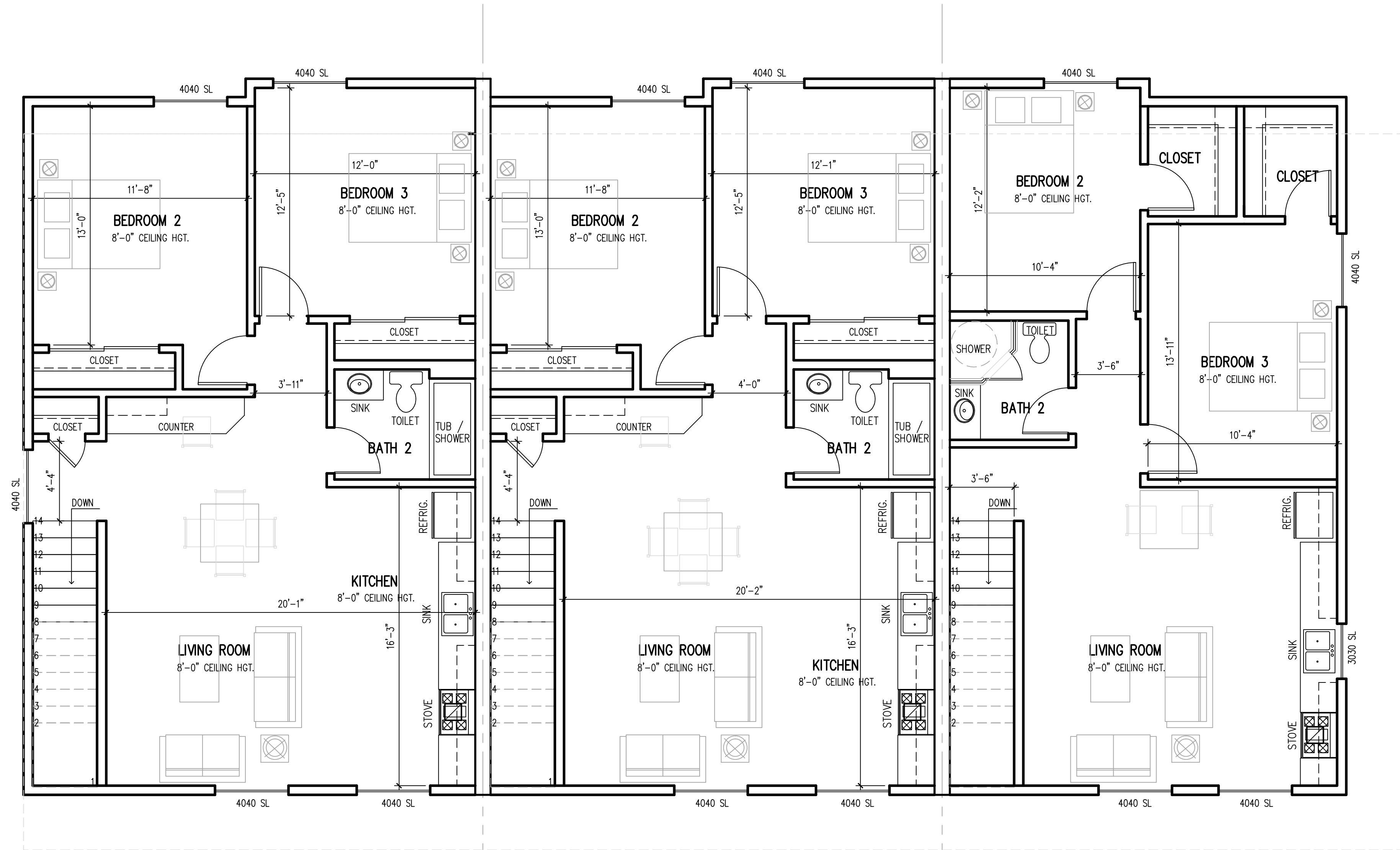
DRAWING TITLE:
1ST FLOOR PLAN

PROJECT NO: 2267
PHASE:
DATE:
SCALE: 1/4" = 1'-0"
DRAWN BY: dr

REVISIONS:	
DATE:	REVISION
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SHEET NUMBER:

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UNIT C

UNIT B

UNIT A

2ND FLOOR PLAN

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



CLIENT:

FENIX DEVELOPMENT
3 UNITS / 2 ADUs
141 S. SPRUCE STREET
MONTEBELLO, CA 90640

LOCATION:

141 S. SPRUCE STREET
MONTEBELLO, CA 90640

DRAWING TITLE:

2ND FLOOR PLAN

PROJECT NO: 2267

PHASE:

DATE:

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

DRAWN BY: dr

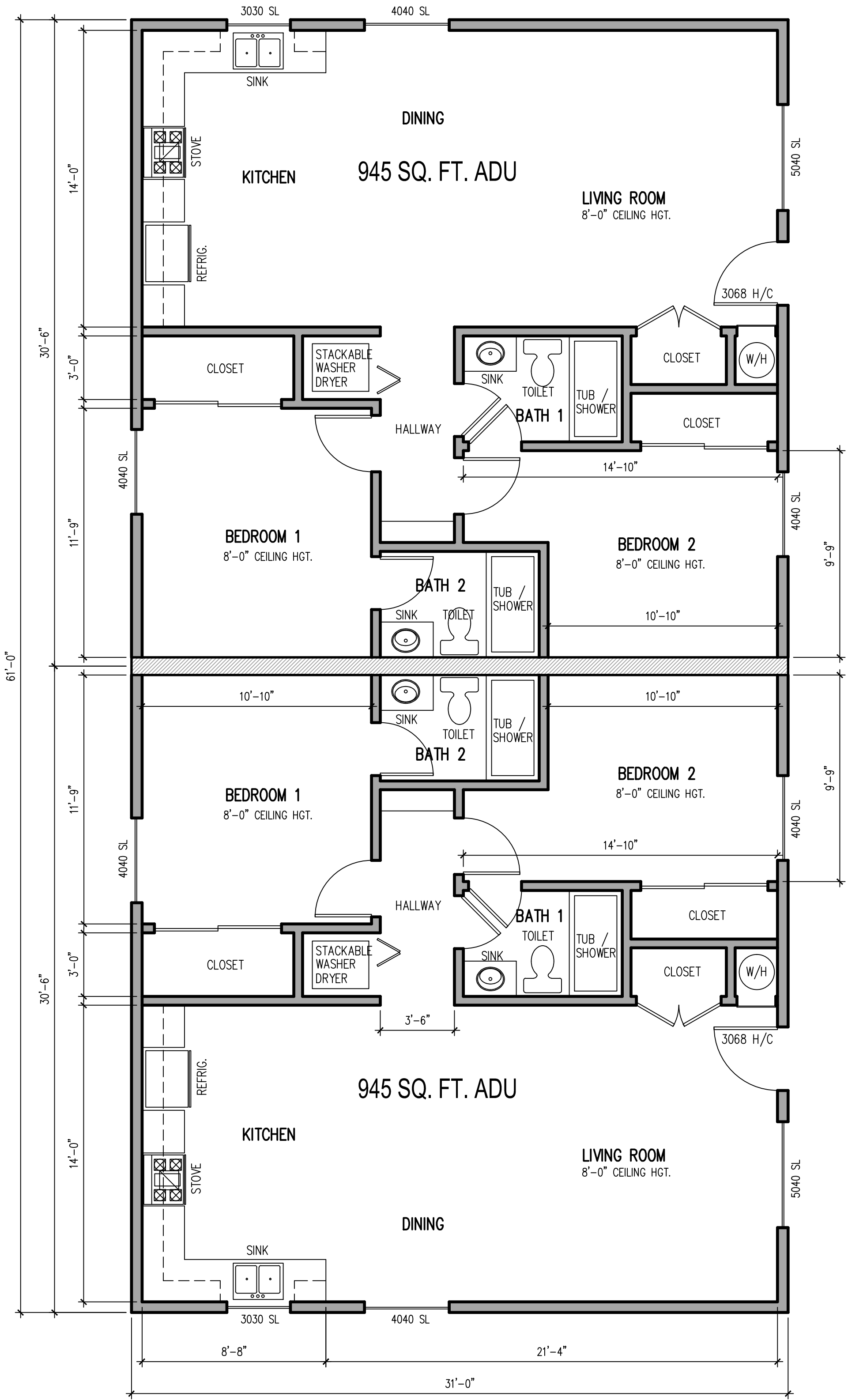
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(2) ADU's
945 SQ. FT. EACH
FLOOR PLAN
SCALE: 1/4"=1'-0"

CLIENT:
FENIX DEVELOPMENT
3 UNITS / 2 ADUs
141 S. SPRUCE STREET
MONTEBELLO, CA 90640

LOCATION:
141 S. SPRUCE STREET
MONTEBELLO, CA 90640

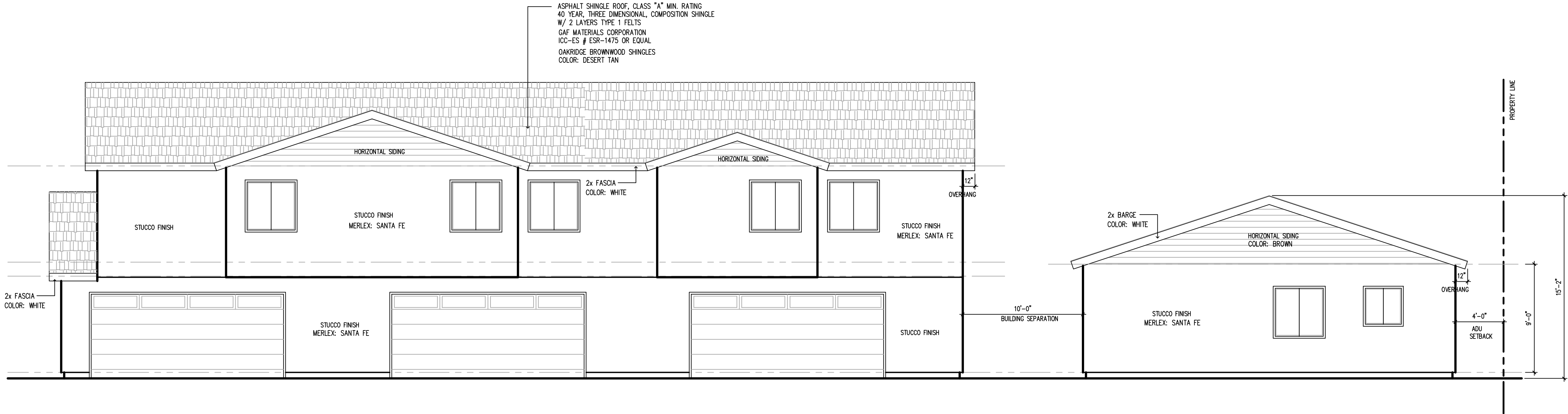
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ADU FLOOR PLANS

PROJECT NO: 2267
PHASE:
DATE:
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DRAWN BY: dr

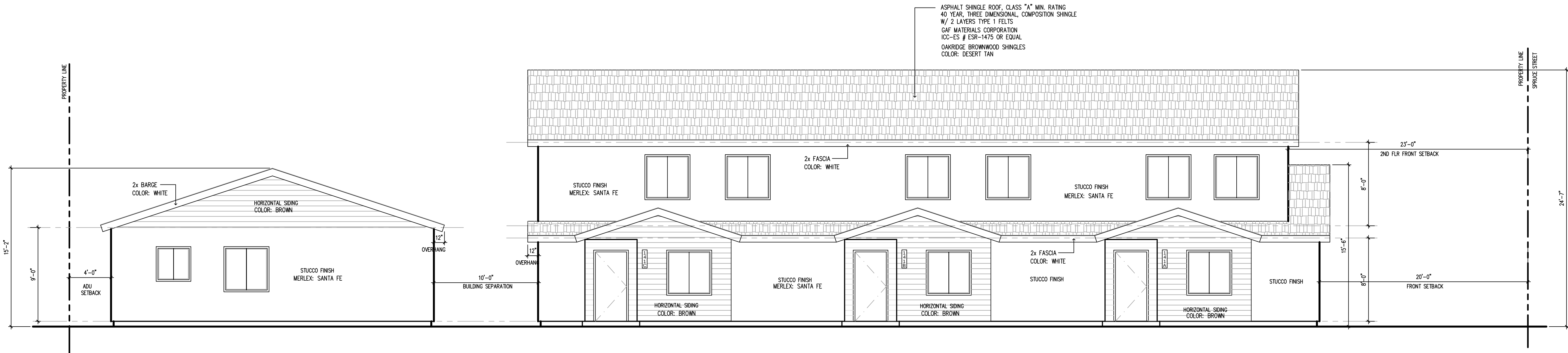
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NORTH (SIDE) ELEVATION
SCALE: 3/16" = 1'-0"



SOUTH (LOS ANGELES AVE.) ELEVATION
SCALE: 3/16" = 1'-0"

CLIENT:
FENIX DEVELOPMENT
3 UNITS / 2 ADUs
141 S. SPRUCE STREET
MONTEBELLO, CA 90640

LOCATION:
141 S. SPRUCE STREET
MONTEBELLO, CA 90640

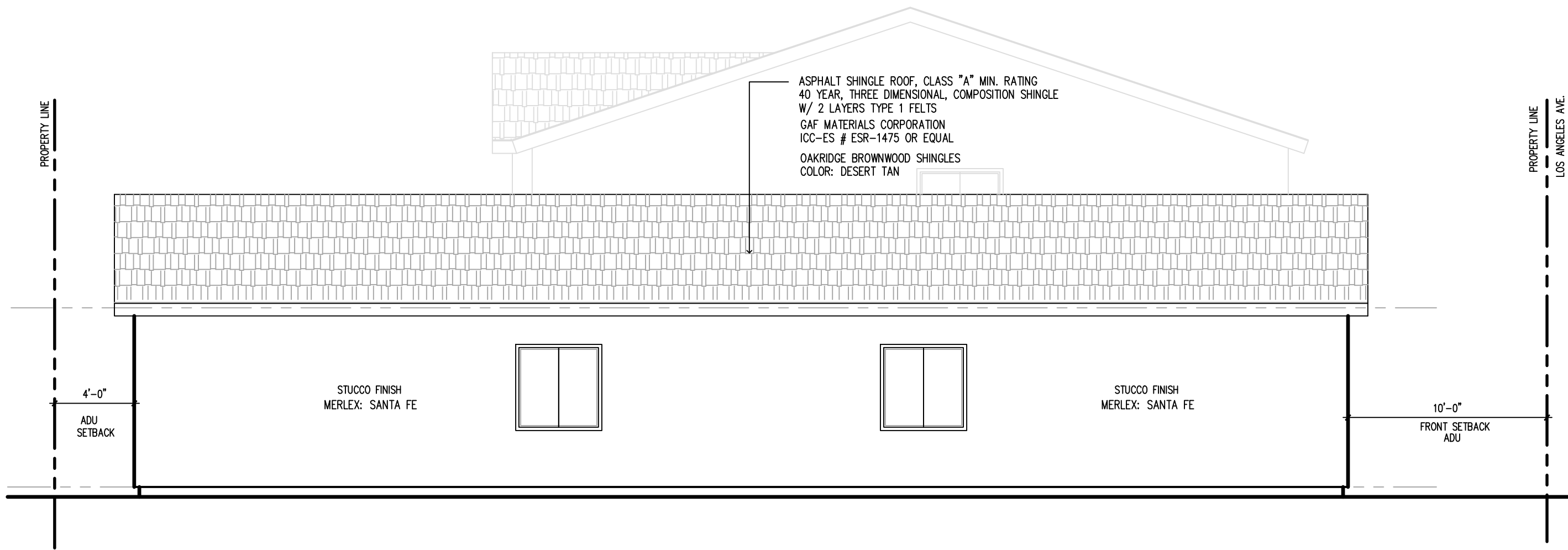
DRAWING TITLE:
ELEVATIONS

PROJECT NO: 2267
PHASE:
DATE:
SCALE: 3/16" = 1'-0"
DRAWN BY: dr

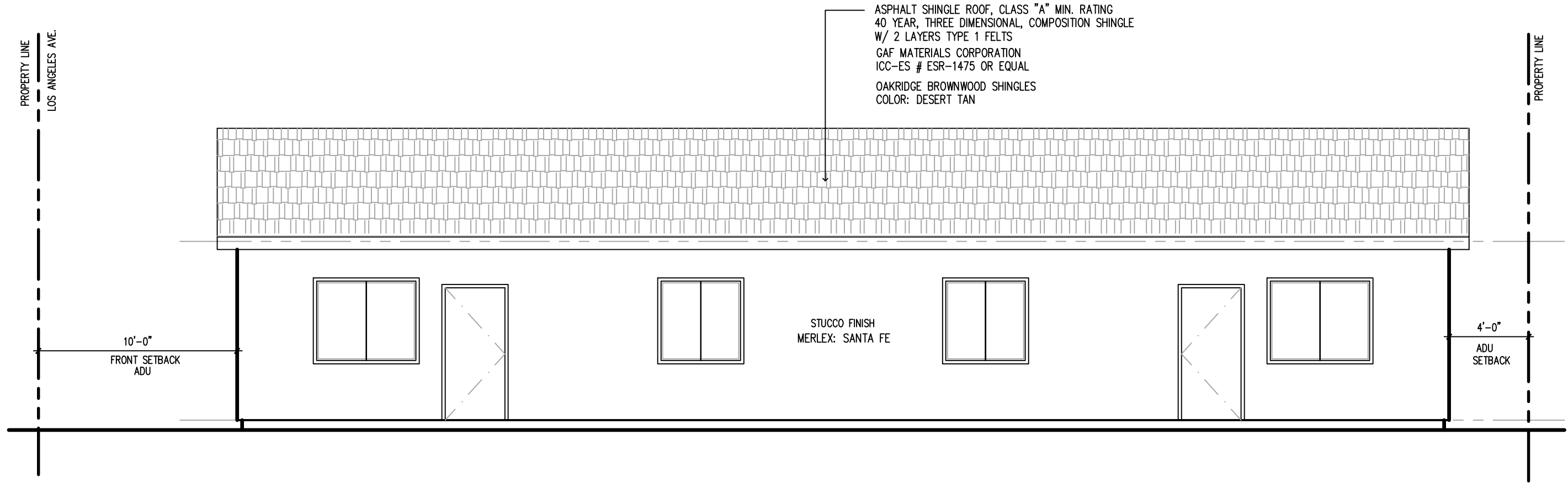
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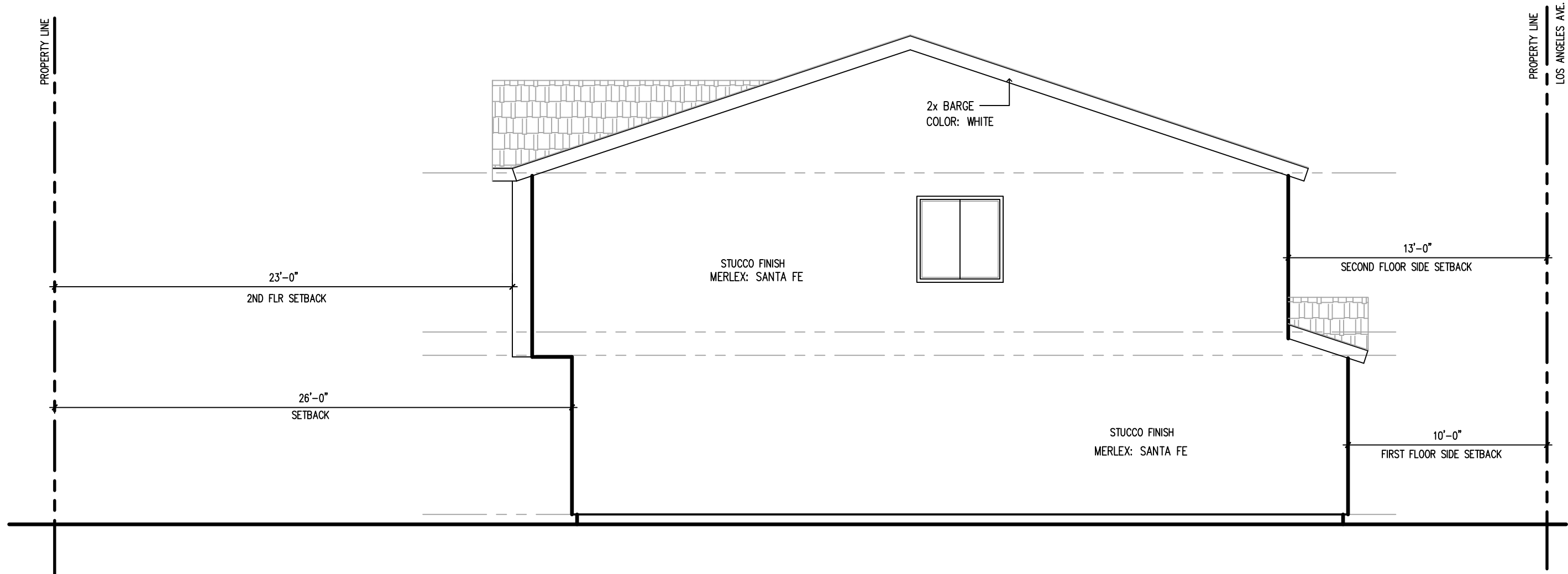
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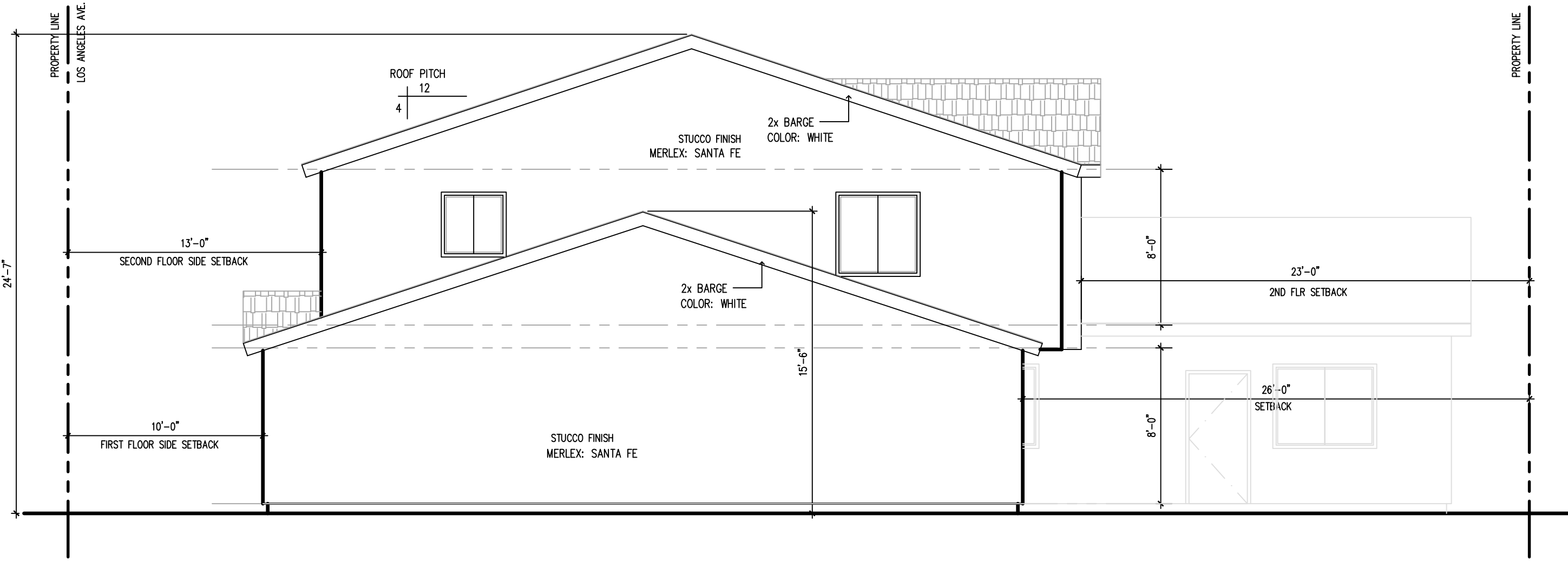
WEST (ADU REAR) ELEVATION
SCALE: 3/16" = 1'-0"



EAST (ADU FRONT) ELEVATION
SCALE: 3/16" = 1'-0"



WEST (REAR) ELEVATION
SCALE: 3/16" = 1'-0"



EAST (SPRUCE STREET) ELEVATION
SCALE: 3/16" = 1'-0"

CLIENT:
FENIX DEVELOPMENT
3 UNITS / 2 ADUs
141 S. SPRUCE STREET
MONTEBELLO, CA 90640

LOCATION:
141 S. SPRUCE STREET
MONTEBELLO, CA 90640

DRAWING TITLE:
ELEVATIONS

PROJECT NO: 2267
PHASE:
DATE:
SCALE: 3/16" = 1'-0"
DRAWN BY: dr

REVISIONS:
DATE: REVISION
1. _____
2. _____
3. _____

SHEET NUMBER:

**CITY OF MONTEBELLO
PLANNING COMMISSION**

RESOLUTION NO. 15-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO APPROVING CONDITIONAL USE PERMIT AND ZONE VARIANCE (PC-2023-0015-SPR) WITH CONDITIONS TO PERMIT THE DEMOLITION OF AN EXISTING SINGLE-FAMILY RESIDENTIAL DWELLING UNIT AND DETACHED GARAGE AND THE CONSTRUCTION OF THREE (3) ATTCHED TWO-STORY RESIDENTIAL DWELLING UNITS AND TWO (2) DETACHED SINLE-STORY ACCESSORY DWELLING UNITS LOCATED AT 141 S SPRUCE STREET AND ADOPTING A NOTICE OF EXEMPTION UNDER CEQA 15332- CLASS 32 (IN-FILL DEVELOPMENT)

WHEREAS, a Site Plan Review (SPR) application has been received and accepted; and

WHEREAS, the Site Plan Review would allow the demolition of an existing single-family residential dwelling unit including an existing detached garage and construction of (3) attached two-story residential dwelling units ("Project") for Danny Reynoso ("Applicant") on behalf of Martin Fierro ("Property Owner") at the property located at 141 South Spruce Street ("Project Site") pursuant to Montebello Municipal Code (MMC) Chapter 17.74- Site Plan Review; and

WHEREAS, pursuant to section 21067 of the Public Resources Code, and section 15367 of the California Environmental Quality Act (CEQA) Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the City of Montebello ("City") is the lead agency for the proposed Project; and

WHEREAS, the Site Plan Review for Case No. PC-2023-0015-SPR / ENV No. 14-23-CE is considered a "project", as per CEQA's definition of a "project"; and

WHEREAS, the Project is Categorically Exempt per CEQA §15332, Class 32 (In Fill Development) and meets the conditions set forth under Class 32 (In Fill Development Projects); and

WHEREAS, a duly noticed public hearing has been held, at which the Planning Commission received and considered staff presentations, recommendations, public testimony, and all other matters presented at the public hearing and included in the record for this matter, and all other legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the Planning Commission of the City of Montebello hereby resolves that:

SECTION 1. RECITALS. The foregoing recitals are true and correct and are hereby incorporated as substantive findings in this Resolution.

SECTION 2. FINDINGS

A. GENERAL PLAN. The Planning Commission of the City of Montebello finds that the proposed Project is consistent with the General Plan.

Per the Montebello General Plan, the Project conforms to:

1. **General Plan Land Use Element Goal #2** states a goal “to develop and apply residential density standards which will limit the total population while providing single family development and still provide for variety of housing types controlled by location to complement single family residential areas.”
2. **General Plan Land Use Element Policy #1** states “Residential development should aim for the density standards outlined in the Housing Element of the General Plan.”
3. **General Plan Land Use Element Goal #1** states that “To formulate a plan which is responsive to the needs of the community, and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development”.
4. The proposed project conforms to the City of Montebello General Plan Land Use Element as the proposed use will allow the Montebello community to benefit from the addition of the three units with the development. The current project site and all the surrounding houses are zoned R-3 multiple family residential. With the current use of the single family residential, this property is not being utilized completely and the project site can accommodate more units, growing the community. With this increase in housing, it is supporting the general plan goals by responding to the needs of the community and by reflecting the density standards that are outlined in the housing element of the general plan.

B. SITE PLAN REVIEW. Pursuant to Section 17.74 of the MMC, before any variance shall be granted, all of the following findings must be made:

1. Describe That the proposed design for improvement complies with all requirements of the Montebello Municipal Code;

The proposed design meets all setbacks, height requirements, common and private space requirements. The unit does not exceed the lot coverage and the parking requirements are also met. Each of the units will have 2 car garage and the project site will also have one guest parking space. A Site Plan is required due to the project being in a residential zone and resulting in three or more dwelling units according to Section 17.74.030.

2. That the proposed design for improvement is consistent with the general plan; and

The proposed project site is consistent with the general plan and reflects the goals that were set in place when designating certain zoning areas with different housing types. This area is zoned for multiple family units and there is currently just one house on the property. With the addition of the units, this will reflect the zoning density that was originally imagined when the general plan was developed. Land Use Element Goal #1: To Formulate a plan which is responsive to the needs of the community and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development. The addition of the units will not only reflect the general plan but will benefit the surrounding land uses and grow the community.

The project site is currently on two separate parcels. The applicant is requesting a lot tie to tie parcels number 6350-005-013 and 6350-005-012 to be held as one lot and be able to build across property lines. The two will remain as two separate lots and will not be able to be sold separately.

3. That the proposed design for improvement will not have any significant adverse impact on the surrounding properties or on the general public welfare.

The proposed addition will not have any significant adverse impact on the surrounding properties as the surrounding area is currently developed with multi-family units that are also two story. Directly across the street (east) of the project site, there is a property that currently has

(eight) 8 units and is two stories. Directly to the right (north) of the property is a multi-family that has 4 units on this property. The addition of this project will be consistent with the surrounding land uses and will not have an adverse impact on surrounding properties

SECTION 3. CEQA. The Planning Commission approves and adopts the CEQA Categorical Exemption § 15332 (In Fill Development) Class 32 exemption. A Class 32 exemption under CEQA § 15332 (In-Fill Development Projects), and none of the limitations set forth in CEQA Guidelines 15300.2 apply.

In order to qualify under an exemption pursuant to Class 32 of CEQA Guidelines Section 15332 (In Fill Development Projects), the following environmental findings must also be made:

- a. *The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.*

The proposed project conforms to the Montebello General Plan, Land Use Element in that the General Plan Land Use designation for the site is residential, and the zoning designation is R-3 (Multiple- Family Residential).

- b. *The proposed development occurs within the city limits on a project site of no more than five (5) acres substantially surrounded by urban uses.*

The proposed development shall occur on a 10,500-square-foot (0.24 acres) corner lot located on South Spruce Street and W Los Angeles Ave within city limits and thus, is less than the maximum five acres specified in Section 15332(b) for this exemption. The site is surrounded by existing developed multi-family residential properties.

- c. *The project has no value as habitat for endangered, rare or threatened species.*

The proposed project has been previously developed with a single-family residence. The subject property is surrounded by residential units.

- d. *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*

The proposed project shall not have any significant effects relating to traffic, noise, air quality, or water quality as the site has been previously developed with a single-family residence.

- e. *The site can be adequately served by all required utilities and public services.*

The project has been reviewed by City staff and it has been determined that it can be adequately served by all required utilities and public services.

SECTION 4. APPROVALS. The Planning Commission hereby approves Site Plan Review (“SPR”) Case No. PC-2023-0015-SPR with conditions to permit the demolition of an existing single-family residential dwelling unit including an existing detached garage and the construction of three (3) attached two-story Accessory Dwelling Units (ADUs) each comprised of 945 square feet (“Project”) for Dany Reynoso (“Applicant”) on behalf of Martin Fierro (“Property Owner”) at the property located at 141 South Spruce Street (“Project Site”) pursuant to MMC Chapter 17.74 – Site Plan Review.

SECTION 5. CONDITIONS. The Planning Commission finds that the foregoing conditions of approval are necessary and appropriate:

A. Planning Division Conditions

1. The Applicant shall defend, indemnify, and hold harmless the city, its elected and appointed officials, agents, officers, and employees from any claim, action, or proceeding brought against the city, its elected and appointed officials, agents, officers, or employees arising out of, or which are related to the Applicant’s project or application (collectively referred to as “proceedings”). The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney’s fees, and other costs, liabilities, and expenses incurred or awarded in connection with the proceedings whether incurred by the Applicant, the city and/or the parties initiating or bringing such proceedings. This indemnity provision shall include the Applicant’s obligation to indemnify the city for all the city’s costs, fees, and damages that the city incurs in enforcing the indemnification provisions set forth herein. The City shall have the right to choose its own legal counsel to represent the City’s interest in the proceedings.
2. The development and utilization of the subject site shall conform to the allowed use, except as provided for herein and by subsequent revisions found by the Director of Planning and Community Development (“Director”) to be in substantial compliance with these provisions.
3. The development and utilization of the subject site shall be consistent with all of the provisions of the MMC and SPR (Case No. PC-2023-0015-SPR) and the specifications of the Planning Division.
4. Within thirty (30) days of the City Planning Division transmittal of the Acceptance Form, the Applicant shall sign and return a copy of the Acceptance Form, agreeing to the conditions of approval and acknowledging

that failure to comply with such conditions shall constitute grounds for potential revocation of the permit approval. Failure to return the Acceptance Form within thirty (30) days shall constitute grounds for terminating the permit.

5. In the event the Applicant violates or fails to comply with any conditions of approval of this permit, no further permits, licenses, approvals, or certificate of occupancy shall be issued until such violation(s) have been fully remedied.
6. No signs shall be installed on the site until a sign permit has been approved by the Planning Department and Building & Safety Division in conformance with the provisions set forth in [Chapter 17.62.080](#) ("Signs- Residential Zones") of the MMC and the provisions set forth in the SPR.
7. The approval of the entitlement shall expire if the rights granted are not exercised within one (1) year from the SPR's effective date. Exercise of right shall mean issuance of a building permit to commence construction or similar activities demonstrating the intent to proceed with the project, as determined by _____ the _____ director.
8. The Director, at any time, can call for a review of the approved conditions of approval at a duly noticed public hearing before the Planning Commission. These condition(s) may be modified, or new condition(s) added to reduce any impacts _____ of _____ the _____ use.(Case No. PC-2023-0015-SPR)
9. The Applicant or successor in interest shall meet the applicable code requirements and all other City Department regulations.
10. All applicable conditions of approval from previous entitlements on the property shall remain in full force and effect, unless otherwise specifically noted in this Resolution.
11. The property owner will bear the full costs of all monitoring and inspection activities to be conducted by City staff, or its designated representative(s), as necessary to ensure compliance with the conditions of this Resolution.
12. Any change, expansion, intensification and/or modification to the proposed plans use, or mode of operations shall be subject to the review and approval by the Director who may take action or call for review by the Planning Commission at a noticed public hearing.
13. This approval shall not supersede the approval of any other responsible agencies. The Applicant shall comply with all Federal, State and local laws.
14. The approval of this SPR (Case No. PC-2023-0015-SPR) can be extended

up to and not to exceed an additional two (2) years with a written request by the property owner thirty (30) days prior to the expiration date stating the reason and need for an extension and upon review and approval by the Director.

15. In the event of a violation of the conditions of approval, no further permits, licenses, approvals or certificates of occupancy shall be issued until such violation has been fully remedied.
16. The development and utilization of the site shall comply with all the provisions of all of the current Building, Plumbing, Mechanical, Electrical Codes, and City Ordinances, as well as additional requirements from the Montebello Building and Safety Division.
17. The development and utilization of the site shall be subject to the review and approval of the Public Works Department. Additional Montebello Public Works Department requirements may be required prior to issuing building permits.
18. The development and utilization of the site shall comply with all the provisions of all of the California Fire Code, International Fire Code, and National Fire Protection Association standards as well as additional requirements from the Montebello Fire Department.
19. **Modification to Plans.** Subsequent modification to this approval, which do not intensify the use, including but not limited to reorientation of structures, alteration of parking and circulation design, minor changes to the Conditions of Approval, interpretations of the Conditions of Approval relative to intent, necessity of, and timing, may be approved by the Director within a 25% deviation, unless the Director requires a Substantial Conformance or revised Permit application in accordance with the City Development Code.
20. The Applicant shall contact the Planning Division to arrange a Planning Inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
21. The applicant shall submit detailed landscape and irrigation plans prepared by a licensed Landscape Architect, which meet the requirements set forth in MMC shall be required as a part of the project Plan Check review and approval process. Plans shall be forwarded to the Planning Division for final approval prior to issuance of building permits.
22. A copy of the approved Resolution shall be attached to the construction plans for any site improvement at the submittal of plans for plan check.

23. It is the responsibility of the property owner to have all graffiti on the site removed within twenty-four (24) hours of its appearance, or be subject to citation from the City Code Enforcement Division.
24. All improvements to the subject property shall be in compliance with all City Ordinances.
25. The hours of construction shall be 7:00 a.m. to 8:00 p.m., Monday through Friday, and weekends and holidays 9:00 a.m. to 6:00 p.m. as restricted by the MMC Section 9.08.050.
26. The street shall be swept at the end of the day if visible soil material is carried onto adjacent public paved roads.
27. The guest parking spaces shall be posted and striped with double lines spaced six (6) inches apart and shall comply with the City's off-street parking requirements as per MMC Section 17.52.070. Such striping shall be shown on the plans submitted for plan check.
28. Any parking space that fronts a building wall or fence with no separation between the front end of the parking space and the wall or fence, shall be provided with a concrete wheel stop or curb barrier not less than two (2) feet from such wall or fence property line. Such wheel stop or curb barrier shall be securely installed and maintained.
29. An application for a Lot Tie to hold the two contiguous parcels as one site and shall be approved prior to the issuance of building permits.
30. The specifications of the Montebello Public Works Department and the Engineering Division shall be complied with:

The Applicant will continue to work with the Public Works Department and Engineering Division to finalize the certification of the Lot Tie and will, upon request, provide the Public Works Department with any additional information or documentation required.

31. The landscape plan shall conform to the MMC requirements. Shrubs shall not be less than three (3) feet in height when planted and cover not less than thirty (30) percent of the landscaped area. All landscaping shall cover the designated planting areas from the outset.
32. All trees shall be at least twenty-four inch (24") box or equivalent.
33. All landscape planters shall be surrounded by a six (6) inch concrete curb.
34. A trash enclosure shall be constructed of decorative masonry block or

masonry block with decorative finish, such as stucco, and view-obscuring doors that are compatible with the main residence, subject to the final review and approval of the Planning Department. The applicant shall reflect this requirement on the plans submitted for plan check.

35. All existing and proposed utilities (Gas, Electricity, Communications, etc.) shall be placed underground. The applicant shall reflect this requirement on plans submitted for "Plan Check".
36. All outdoor utilities or machinery located outside the exterior walls, including roof-mounted equipment, shall be completely screened from view from any public right-of-way or adjacent residential use by either view obscuring landscaping or architectural features of the main building (i.e. parapet walls, façade extension, etc.), subject to the final review and approval of the Planning Department.
37. Any inevitable exposed wires shall be neatly bolted and painted to match the building color.
38. The exterior of all structures and walls shall be a neutral color scheme and shall be consistent with the provisions of the Color Ordinance of the City of Montebello, subject to the review and approval of the Planning Department.
39. Any substantial change or modification to the proposed site plan shall be subject to review and approval by the Planning Commission.

Building Division Conditions

1. The second sheet of building plans is to list all conditions of approval and to include a copy of the Planning Commission determination report. This information shall be incorporated into the plans prior to the first submittal for plan check.
2. Plans prepared in compliance with the current Building Code shall be submitted to the Building Division for review prior to permit issuance.
3. School Developmental Fees shall be paid to the Montebello Unified School District prior to the issuance of the building permit.
4. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
5. The building shall be addressed as 141 S. Spruce Street Unit #A through E, and an application to assign unit numbers shall be filed with the City's Public Works Department prior to plan check submittal.
6. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
7. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.

8. 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.
9. The owner 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 other soils and/or geotechnical engineers unless the subsequent soils and/or geotechnical engineer submits and has been accepted by the City, a new Preliminary Soils and/or Geotechnical Investigation.
10. Apartment buildings with three (3) or more dwelling units shall comply with applicable housing accessibility requirements in Chapter 11A of the California Building Code. Housing accessibility requirements apply to common-use areas such as open space, guest parking, trash enclosure, and mailboxes.
11. At least 10 percent but not less than one of the multistory dwellings in apartment buildings with 3 or more dwelling units shall comply with Section 1102A.3.1 of the California Building Code. The private garage shall comply with Section 1109A.2.1.
12. The property shall be surveyed, and the boundaries marked by a land surveyor licensed by the State of California.
13. Foundation inspection will not be made until the excavation has been surveyed and the setbacks 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.
14. Separate application and plan review is required for Electrical plans.
15. Separate application and plan review is required for Mechanical plans.
16. Separate application and plan review is required for Plumbing plans.
17. Project shall comply with the CalGreen Residential mandatory requirements.
18. Project shall comply with the CalGreen Residential Code Section 4.410.2 regarding recycling by occupants:

Where 5 or more multifamily dwelling units are constructed on a building site, provide readily accessible area(s) that serves all buildings on the site and are identified for the depositing, storage and collection of nonhazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics, organic waste, and metals, or meet a lawfully enacted local recycling ordinance, if more restrictive.
19. Demolition permit is required for any existing buildings which are to be demolished.

20. Fire-resistance rating requirements for exterior walls and Maximum area of exterior wall openings and degree of open protection based on fire separation distance of 0 to 5 feet for dwellings and accessory buildings shall comply with Table R302.1(1) or with Table R302.1(2) as applicable in the Residential Building Code for the detached ADUs.
21. 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.
22. Separate permit is required for Fire Sprinklers.
23. The proposed site is a combination of lots. Parcel merger shall be processed prior to issuance of the building permit.

Fire Department

1. Fire flow report based on 2019 Edition California Fire Code, Appendix B/BB.
2. Underground fire main/fire sprinkler supply plan based on 2022 Edition California Fire Code and NFPA 13/24 and Montebello Fire Department's plan check submittal requirements and notes.
3. Fire Sprinkler Overhead plan based on 2022 Edition California Fire Code and NFPA 13 and Montebello Fire Department's plan check submittal requirements and notes.
4. Fire Alarm plan based on 2022 Edition California Fire Code and NFPA 72 and Torrance Fire Department's plan check submittal requirements and notes.
5. Additional requirements maybe added during the plan check process.

PASSED AND ADOPTED this 7th day of November 2023 by the Planning Commission.

Commissioner Cuevas: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN
 Commissioner Morales: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN
 Commissioner Valdez: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN
 Commissioner Lomeli: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN
 Commissioner Medina: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN

Victor Cuevas, Chair

ATTEST:

Joseph A. Palombi, Director
 Planning & Community Development Department

Notice of CEQA Exemption

To:

County of Los Angeles
Registrar-Recorder/County Clerk
12400 Imperial Highway
Norwalk, CA 90650

From:

City of Montebello
Planning & Community Development Department
1600 W. Beverly Blvd.
Montebello, CA 90640

Lead Agency: City of Montebello Planning and Community Development Department

Project Title: Site Plan Review to allow the demolition of an existing single-family residential dwelling unit including an existing detached garage and allow construction of three (3) attached two-story residential dwelling units and two (2) detached single-story Accessory Dwelling Units.

Project Location: 141 South Spruce Street, Montebello, CA 90640

Case Number(s): PC-2023-0015-SPR & ENV No. 14-23-CE

Description of Nature, Purpose, and Beneficiaries of Project: Site plan review ("SPR") Case No. PC-2023-0015-SPR to allow the demolition of an existing single-family residential dwelling unit including an existing detached garage and allow construction of three (3) attached two-story residential dwelling units and two (2) detached single-story Accessory Dwelling Units at 141 South Spruce Street ("Project Site").

Name of the Public Agency Approving the Project: City of Montebello

Name of Person or Agency Carrying Out the Project: Danny Reynoso on behalf of Avalon 21 LLC, ("Property Owner")

Exempt Status (*check one*)

☐ Ministerial (Sec. 21080(b)(1); 15268(b)(3))

☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));

☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

☒ Categorical Exemption. State type and section number: Class 32- CEQA Guidelines Section 15332 (In-Fill Development)

☐ Statutory Exemptions. State code number:

Justification for Project Exemption:

The Project is Categorically Exempt per §15332 - Class 32 (In-Fill Development), as none of the limitations set forth in CEQA Guidelines 15300.2 apply. To qualify under an exemption pursuant to Class 32 of Section § 15332 (In Fill Development Projects), the following environmental findings must also be made. The project is consistent with the General Plan as well as applicable zoning designation and regulations being in the R-3 Zone with various permitted uses, the Project occurs within City limits and is on a project site of no more than five (5) acres, and the Project Site has no value as habitat for endangered, rare, or threatened species because it is on an existing developed site. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality and the site can be adequately served by all required utilities and public services.

Lead Agency Contact Person: Joseph A. Palombi, Director of Planning & Community Development

Area Code/Telephone/Extension: (323) 887-1200

If filed by applicant, attach certified document issued by the Planning and Community Development Department stating that the Department has found the project to be exempt.

Signature: _____ **Date:** _____ **Title:** _____

☒ Signed by Lead Agency

☐ Signed by Applicant



ITEM # 6

**CITY OF MONTEBELLO
PLANNING COMMISSION AGENDA STAFF REPORT**

TO: Members of the Planning Commission

FROM: Joseph Palombi, Planning & Community Development Director

BY: Grace Hayashi, Assistant Planner

SUBJECT: **Modification of Conditional Use Permit (“CUP”) No. 14-03 (Case No. PC-2023-0009-CUP-M1) to upgrade the Department of Alcoholic Beverage Control (ABC) Licensing from Type 41 (On-sale beer and wine) to Type 47 (On-sale General) to allow a full line of alcohol for on-site consumption located at 1813 W. Whittier Boulevard (collectively “the property”).**

DATE: November 7, 2023

RECOMMENDATION(S):

It is recommended that the Planning Commission conduct a public hearing and take the following action:

1. ADOPT Resolution No. 18-23 approving a modification to Conditional Use Permit No. 14-03 (Case No. PC-2023-0009-CUP-M1), subject to certain findings and conditions to change the ABC licensing from Type 41 to Type 47 for the property located at 1813 W. Whittier Blvd. (“Mr. Tempo restaurant”); and
2. DETERMINE AND FIND that the project (ENV No. 3-23-CE) is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section (15301) related to Class 1 “Existing Facilities” as it involves negligible or no expansion of the existing or former use.

FISCAL IMPACT:

None.

BACKGROUND:

On July 10, 2023, Brett Engstrom (“Applicant filed an application for a modification to Conditional Use Permit No. 14-03 (Case No. PC-2023-0009-CUP-M1) to allow for a full line of alcohol for on-site consumption in conjunction with the operation of an existing restaurant (ABC Licensing from Type 41 to Type 47) located at 1813 W. Whittier Boulevard.

On July 10, 2023, staff issued a deemed complete letter to the Applicant pursuant to California Government Code Section 65943 et seq.

PROJECT /APPLICANT INFORMATION

Project Location: 1813 W. Whittier Blvd.

Project Applicant: CH Montebello, LLC (Mr. Tempo restaurant)

Property Owner: 8734 Cleta LLC

General Plan Designation: General Commercial

Zoning: C-2

Existing Use on Property: Commercial

PROJECT DESCRIPTION

The Applicant, CH Montebello, LLC, seeks approval of a modification to an existing CUP to allow the upgrade of ABC Licensing Type 41 (on-sale -beer and wine) to Type 47 (on-sale general) for on-site consumption in conjunction with the operation of a restaurant (Mr. Tempo Cantina), issued by the California Department of Alcoholic Beverage Control (ABC). The operation was previously granted the ability to sell beer and wine only for on-site consumption via an ABC License Type 41. The new restaurant operators are now requesting the ability to upgrade their alcohol sales to a full line of alcohol for on-site consumption via an ABC License Type 47. An application has been submitted to the Department of ABC requesting the Type 47 License.

Pursuant to the Montebello Municipal Code (“MMC”) Section 17.61.020, “Substantial change in mode or character of operation” includes, but is not limited to the following situations:

A. The alcoholic beverage establishment has changed, or proposes to change, its type of retail liquor license with the department of alcoholic beverage control.

The subject site was recently acquired by 8743 CLETA LLC for Mr. Tempo Cantina restaurant. The subject property is currently not operating and is awaiting approval to operate as Mr. Tempo Cantina. If the proposed modification to Conditional Use Permit No. 14-03 is approved, the property owner will be required to obtain a business license from the City to occupy the building for the new restaurant. Consequently, the Applicant would obtain administrative building permits to complete proposed minor tenant improvements. The operating restaurant includes a full commercial kitchen on-site and offers approximately 1,160 square feet of dining area. Within this dining area are ninety-five (95) patron seats, including thirteen (13) at the bar/dining area. The bar/dining area is not separate from the main dining area seating, and a full menu of food items is

available throughout all seating areas. No outdoor seating or patio use is proposed. To accompany their meal selections, the restaurant would like to offer their patrons an alcoholic beverage to complement their food menu. The previous operators have done so since 2006 with no significant issues. The introduction of spirits to the restaurant is primarily to offer mixed drinks including Margaritas, Palomas, etc., which have been requested by their patrons. As with their beer and wine offerings, the sale of alcohol will remain ancillary to the main function of the restaurant being food preparation and meal service. The proposed business hours will be from 10:00am to 11:00pm Sunday through Thursday; and 9:00am to 12:00am Saturday and Sunday as the previous restaurant operator. A complete menu of food items will be available at all hours of operation. No entertainment is proposed at this restaurant. Only pre-recorded music played through the house speakers and a few televisions will be at the restaurant. Only on-site consumption is requested through this CUP amendment, and no off-site sales are proposed. Per the Department of ABC guidelines, all restaurant staff involved with the sale of alcohol will be required to complete an authorized Responsible Beverage Service (RBS) program to be trained how to sell alcohol safely and responsibly. This training program includes requesting and reviewing proper identification to confirm the legal drinking age and avoid over-service of restaurant patrons.

ENVIRONMENTAL:

The proposed Modification of Conditional Use Permit No. 14-03 (Case No. PC-2023-0009-CUP-M1) is considered a “project,” per the California Environmental Quality Act (“CEQA”) definition of a “project.” The project is Categorically Exempt per Section §15301 (a) (Existing Facilities), Class 1, of the CEQA Guidelines because the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency’s determination such as interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances is considered exempt. Other than minor interior improvements, there will be no expansion to the interior or exterior of the existing facilities in connection with the proposed Project.

ANALYSIS:

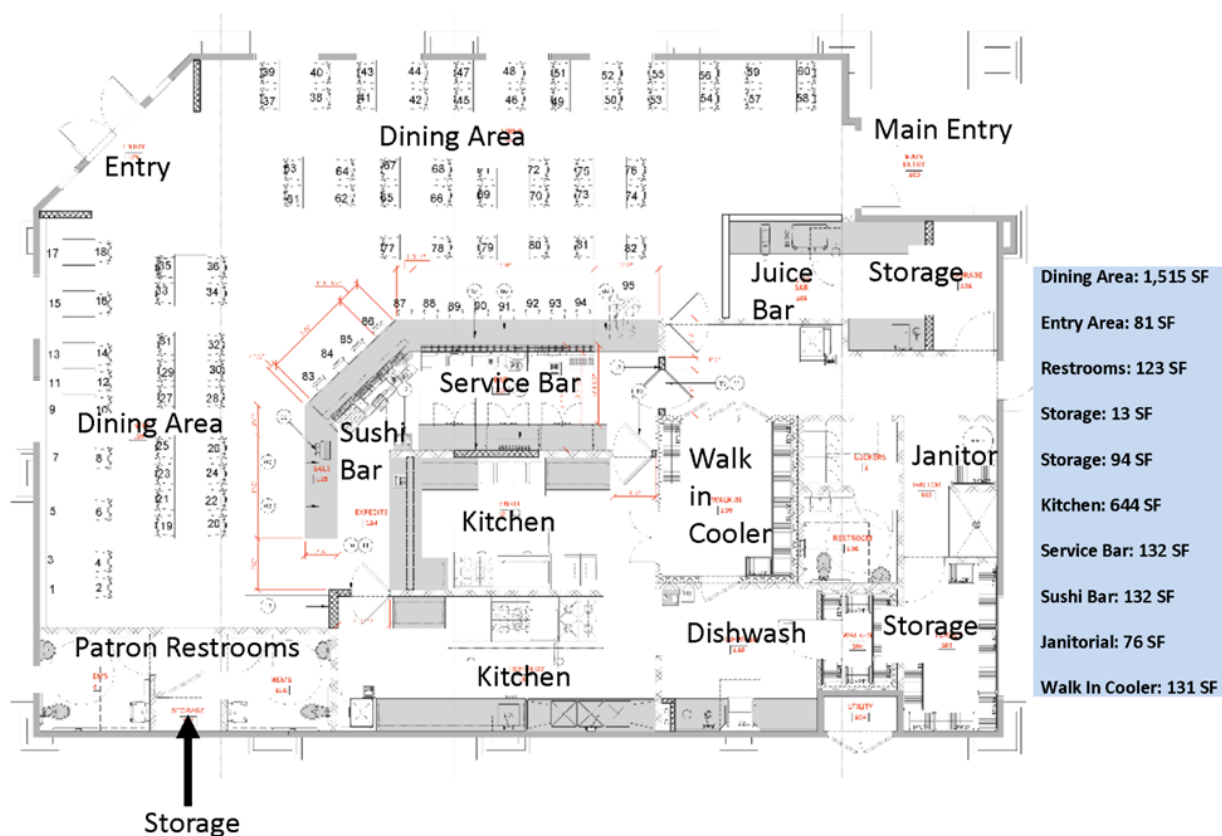
Project Site

The Project Site is zoned for General Commercial (C-2) and is designated General Commercial under the Land Use Element of the General Plan. Land uses surrounding the Project Site are other commercial uses and some residential uses. The surrounding zoning and land uses are listed as follows:

Direction	Zone	Land Use
North	C-2	General Commercial
South	R-2	Medium Density Residential
East	C-2	General Commercial
West	C-2	General Commercial

The project site is located within an existing standalone, single-story building at the southeast corner of W. Whittier Blvd and S. 19th Street. The lot size totals 16,490 square feet and is developed with a 3,280 square foot commercial building that will be occupied by the proposed restaurant. There are two patron entrances at the northwest and northeast corners of the building. The site offers thirty (30) on-site parking spaces, which are for the use of the subject restaurant. Vehicular access on the site is provided by driveways to both W. Whittier Blvd and S. 19th St. The site has an on-site security camera system which covers both the interior and exterior of the restaurant. The project plans (please see attachment B) contain information regarding the floor area of the proposed restaurant, Mr. Tempo Cantina.

Business Operation



PLANNING COMMISSION AGENDA REPORT - MEETING OF NOVEMBER 7, 2023

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of a full line of alcohol (Type 47) at a restaurant (Mr. Tempo Cantina). Table X identifies the number of licenses authorized by Census Tract number 5320.01. Table Y identifies the current alcoholic beverage licenses for that specific census tract number.

Table (X)

County Name	Population	Census Tract #	Census Tract Population	Allowed On Sale	Allowed Off Sale	Existing On Sale	Existing Off Sale
Los Angeles	10,044,458	5320.01	3,296	3	2	2	4

Table (Y)

License Number	Status	License Type	Premises Address	Business Name
432596	Active	41 (On- sale Retail Beer and Wine Eating Place)	1923 W. Whittier Blvd	Little Mexico
549001	Active	41 (On-sale/ Off-Sale Retail License)	1813 W. Whittier Blvd	El Burro Tacos & Beer
286262	Active	20 (Off-sale Beer and Wine)	505 S. Maple Ave	Montebello Sanitary
364538	Active	21 (Off-sale Retail License)	1709 W. Olympic Blvd	Olympic Liquor
422212	Active	20 (Off-sale Beer and Wine)	300 S. Vail Ave	Adriana's Market
485382	Active	21 (Off-sale Retail License)	1501 W. Whittier Blvd	Walgreens 02155

The Project Site is currently not in operation until the Applicant, Mr. Tempo, receives approval for the Type 41 ABC License upgrade to a Type 47 ABC License. The ABC License for this project site is still currently active until January of 2024, so it will be transferred to Mr. Tempo if it is approved. The applicants prepared to transfer the previous owner's Type 41 (beer & wine) license in the chance the Type 47 was denied. If the CUP is approved for a full line, the pending Type 47 license will be activated for Mr. Tempo restaurant.

FINDINGS-CONDITIONAL USE PERMIT

Pursuant to MMC Section 17.61.030, Planning Commission approval of a CUP for the sale of alcohol is required. The above-referenced code section states, "...no place where alcohol beverages are sold, served or given away as a normal course of business for on-sale consumption, shall be established without first obtaining a conditional use permit from the City of Montebello." The proposed alcohol sales would be an accessory use to the existing restaurant use, and alcohol sales would be permitted with a CUP.

Pursuant to Section 17.61.050 of the MMC, before any CUP shall be granted, all of the following findings must be made:

A. Describe how the site for the proposed use would not adversely affect the general welfare of the surrounding property owners.

The restaurant is properly located along Whittier Boulevard and is a long-standing established commercial thoroughfare. The site is located within the C-2 (General Commercial) zone, a restaurant being permitted to use within this zone. Abutting properties along Whittier Boulevard include a large variety of other commercial uses which also serve the surrounding community. The previous restaurant, El Burro Tacos & Beer, operated with a beer and wine license (Type 41) and has done so responsibly without causing any significant issues within the area. The requested upgrade of ABC Licensing, the only proposed change to the operating restaurant, will be transferred to Mr. Tempo Restaurant, if approved. The proposed request to change the licensing type to Type 47 will not alter the operations of the existing building. The proposed operator (Mr. Tempo Cantina) is proposing to operate a restaurant business within the existing building, as well as alter the interior to accommodate their future restaurant business. Therefore, the proposed request will not adversely affect the general welfare of the surrounding property owners.

B. Describe how the proposed use would not result in an undesirable concentration of premises for the sale of alcoholic beverages, including beer and wine, in the area:

The site has been operating as a restaurant with an ABC alcohol license since 2006. The restaurant is located within census tract #5320.01, and the Department of ABC has allocated three on-site licenses for this tract. There are currently two existing on-sale licenses within the tract, including the subject restaurant, so the tract is not considered over-concentrated. In addition, the existing type 41 license will be surrendered to the Department of ABC should the Type 47 license be granted to the future restaurant (Mr. Tempo Cantina). Therefore, the approval of the subject request will not result in a net increase in the number of ABC licenses within the area.

By State law, the Department of ABC may only grant a limited number of alcohol licenses based on a "per census-tract" quantity. Meaning that only a certain number of license types are granted in any given census tract area to avoid undue concentration of alcohol sales. As a result, the approval of Case No. PC-2023-0009-CUP does not guarantee that the Applicant will receive a Type 47 license from the State. As the sole alcohol licensing and enforcement agency, the Department of ABC will ultimately determine the appropriate license types and requirements at the proposed Project Site. To help with that determination, California Business and Professions Code Sections 23958 and 23858.4 (and as codified in Section 17.61.060 of the MMC) requires that the Applicant provide evidence allowing the Planning Commission to make the additional finding that the proposed CUP is necessary for public convenience or necessity, which is outlined in finding letter F of this Staff Report (below).

C. Describe how the proposed use would not detrimentally affect the nearby surrounding area after giving special consideration to the proximity and nature of the proposed use with respect to other on-sale or off-sale alcoholic beverage establishments, residential districts and uses, schools (public or private), day care centers, public parks, playgrounds and other recreational facilities, churches, and other places of religious worship, hospitals, clinics, or other health care facilities.

The project site is adjacent to commercially zoned businesses to the north, east, and west and residentially zoned properties to the south. The nearest sensitive use is located within 300 feet of the restaurant. These uses are sufficiently buffered from the operating restaurant as the business will be contained within the existing building. The restaurant is located along a major throughfare and within the general commercial zone. The restaurant has suitable operating hours, and all restaurant operations occur within the building which limits the chance of unnecessary noise disrupting the neighborhood. The hours of operation are 10:00am-11:00pm Sunday through Thursday, and 9:00am-12:00am Friday through Saturday. Should the subject request be granted, the restaurant will continue to operate in a responsible manner and avoid detrimentally affecting the surrounding area.

D. Describe how the proposed use would not aggravate existing problems created by the sale of alcohol (e.g., littering, loitering, noise, public drunkenness, calls for service, and sales to minors).

The subject restaurant has been operating with an ABC license since 2006 and has done so without detrimentally affecting the surrounding area. The sale of alcohol is ancillary to the main function of the restaurant which remains food preparation and meal service. The sale of alcoholic beverages is for on-site consumption only, and no off-site sales are proposed which eliminates many of the issues associated with that type of operation. Employees that are involved with the sale of alcohol will be trained in how to do so responsibly and safely. Per the Department of ABC requirements, each employee handling alcohol will be required to attend an ABC approved Responsible Beverage Service (RBS) training course.

E. Describe how the proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of this code and any applicable specific plan.

The location of the operating restaurant is appropriate. The site is located within a C-2 (General Commercial) zone and the underlying use of a restaurant is permitted by right in this zone. The Land Use Element of the General Plan recommends locations and the extent of the various uses to be allowed in the city, and the General Plan identifies the site as "Boulevard". The existing restaurant satisfies the Commercial Policies portion of the General Plan "commercial development in the city should be sited in appropriate locations according to need". An ABC licensed restaurant has operated in this location since 2006 and provides reasonably priced and quality dining that is conveniently located to both residents and visitors alike.

The restaurant is located within an existing structure with no plans to expand or alter the exterior of the existing building. The proposed use conforms with the following Policies/Goals of the City of Montebello Land Use Element:

Policy/Goal	Description
“Goal #1, “To formulate a plan which is responsive to the needs of the community, and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development;”	The plan for the restaurant aligns with the urban design goals of the General Plan. The building’s design, signage, and dining area will be in harmony with the surrounding area’s aesthetic character, thereby contributing to the visual appeal of the district.
“Goal #3, To provide for development and location of commercial shopping areas within the community in a manner compatible with other land uses”	The proposed use conforms to the Zoning Code’s provisions for the location which is designated for commercial use. A restaurant that offers a comprehensive dining experience, including beer and wine sales, is an appropriate use under this designation.
Policy Commercial #1, “Commercial development in the City should be sited in appropriate locations according to need,”	The proposed use conforms to the Zoning Code’s provisions for our location, which is designated for commercial use. A restaurant that offers a comprehensive dining experience, including beer and wine sales, is an appropriate use under this designation.
Policy Commercial #5, “The City should contain ample commercial facilities to meet the needs of its residents as well as provide taxable revenues to the City”; because the proposed use will add an additional service to an existing business that will increase the taxable revenue from this business to the City and that the site is in an appropriate location.”	As per the economic objectives outlined in the General Plan, the restaurant will contribute to the local economy by creating jobs, stimulating consumer spending within the city, and generating tax revenue.

F. Serves the public convenience or necessity based upon factors outlined in Section 17.61.060 of the MMC. This finding shall only apply to conditional use permit applications for bars, off-sale alcoholic beverage establishments, and any other applications that the State Department of Alcoholic Beverage Control determines are located in an area of undue concentration as defined by state law (California Business and Professions Code Section 23958.4.). The factors outlined in Section 17.61.060 of the MMC are:

- *Whether the proposed use will result in a net employment gain in the city (especially of local residents);*

If the Type 47 ABC license is approved for the Project Site, Mr. Tempo Cantina restaurant will be the newly operating business. This well-known restaurant chain will offer the option to order alcohol with a meal and having that option at this location will attract more customers, subsequently leading to an increase in sales and demand, and resulting in the hiring of additional employees. There will be 75 people employed for this location. Also, since the operating business is near residential uses, this will provide employment within walking distance. Mr. Tempo Cantina has been advertising on their business website that it is opening soon in the City of Montebello, which will bring local attraction to the site.

- *Whether the proposed use will result in a substantial increase in business taxes;*

Offering the sale of alcohol with a meal will result in an increase in tax revenues because more customers will be choosing to dine at Mr. Tempo Cantina resulting in an increase in business revenue. Obtaining an on-sale license to sell a full line of alcohol will help the restaurant grow and generate additional tax revenues for the City. This proposal will also help retain paying customers within the City instead of losing customers to surrounding cities. This increase will be due not only to the direct sales from the newly upgraded alcohol license, but also the indirect effect of attracting more customers to the new and well-known restaurant.

- *Whether the proposed establishment is a unique business addition to the community;*

Mr. Tempo Cantina will offer a unique dining experience, with a carefully curated menu and a comfortable atmosphere. The addition of a full line of alcohol sales will further differentiate the restaurant from others in the area, filling a niche for those looking for a new and exciting dining experience with alcoholic beverage options.

- *Whether the proposed use will contribute to the long-term economic development goals of the community;*

The Applicant's restaurant adds to the vitality of the commercial area in which it is located and to the City as a whole since it provides a neighborhood serving amenity that can be enjoyed by nearby residents and visitors. Additionally, it contributes positively to the City's economic health due to the fact that this well-known restaurant provides jobs and provides taxable revenues that can help provide essential services within the City.

- *Whether the aesthetic character ambiance of the proposed use will result in an overall positive upgrade in the area and community;*

The applicant's commitment to maintaining a clean, attractive, and welcoming environment will contribute to the aesthetic character of the area. The ambiance of the restaurant, combined with high standards of service and quality, will have a positive impact on the overall image of the community. Mr. Tempo Cantina provides a casual outlet offering creative Mexican dishes and drinks in a funky space. The business seeks to offer its customers the full experience and cater to each individual as much as possible.

- *The viability of the business to operate profitable without alcohol sales.*

While the applicant believes that offering a full line of alcohol will enhance their customers' dining experience, their primary focus is on providing high-quality food and excellent service. While their primary cuisine is Mexican food, they will also have a sushi bar as a unique part of their menu. The business model is not dependent on alcohol sales, but rather views them as an additional service for patrons. Therefore, the restaurant is expected to operate profitably even without alcohol sales.

SUMMARY:

REPORTS RECEIVED

On June 21, 2023, the application materials for Case Number PC-2023-0009-CUP were forwarded to the Building and Safety, Public Works, Parks and Recreation, Traffic, and Police Departments for review, comments, and conditions. No significant comments or conditions were made during the Department Review period.

PUBLIC NOTIFICATION

Pursuant to MMC Section 17.78 (Public Hearings, Notices, and Appeals), the following noticing was performed:

- On October 26, 2023, the Public Hearing Notice was published in the Daily Journal (Whittier Daily News); and
- On October 26, 2023, the Public Hearing Notice was mailed to all property owners within a 300-foot radius from the exterior boundaries of the project site.

ATTACHMENT(S)

1. Resolution No. 18-23
2. Project Site Plan
3. Notice of Exemption
4. Calls for Service

**CITY OF MONTEBELLO
PLANNING COMMISSION**

RESOLUTION NO. 18-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO, CALIFORNIA, APPROVING MODIFICATION TO CONDITIONAL USE PERMIT NO 14-03(CASE NOS. PC-2023-0009-CUP-M1) TO UPGRADE THE DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL (ABC) LICENSING FROM TYPE 41 (ON-SALE BEER AND WINE) TO TYPE 47 (ON-SALE GENERAL) FOR THE PROPERTY LOCATED AT 1813 W. WHITTIER BLVD AND ADOPTING A NOTICE OF EXEMPTION UNDER CEQA § 15301 (EXISTING FACILITIES)

WHEREAS, a Conditional Use Permit (“CUP”) (PC-2023-0009-CUP-M1) application has been received and accepted; and

WHEREAS, the CUP would allow the modification of an existing CUP to change and existing ABC license from Type 41 (On-sale beer and wine) to Type 47 (On-sale General) for on-site consumption in conjunction with the operation of an existing restaurant (Mr. Tempo Cantina) at the property located at 1813 W. Whittier (“Project Site”); and

WHEREAS, on July 10th, 2023, CH Montebello, LLC– Mr. Tempo (“Applicant”) filed a CUP application (PC-2023-0009-CUP-M1) to allow the on-sale consumption of a full line of alcohol at the Project Site (“Project”); and

WHEREAS, the establishment meets the definition of a “bona fide restaurant” pursuant to Montebello Municipal Code (MMC) Section 17.61.020; and

WHEREAS, per MMC Section 17.61.030, Planning Commission approval is required for the modification to an existing CUP for the sale of alcoholic beverages for on-sale consumption; and

WHEREAS, pursuant to Section 21067 of the Public Resources Code, and Section 15367 of the State CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.), the City of Montebello is the lead agency for the proposed Project; and

WHEREAS, the CUP (PC-2023-0009-CUP-M1) is considered a “project,” as per the California Environmental Quality Act (CEQA) definition of a “project”; and

WHEREAS, the Project here is Categorically Exempt per CEQA Section §15301, Class 1 (Existing Facilities) because there will be no expansion of the interior or exterior footprint of the existing facility; and

WHEREAS, a duly noticed public hearing has been held, at which the Planning Commission received and considered staff presentations, recommendations, public testimony, and all other matters presented at the public hearing and included in the record for this matter, and all other legal prerequisites to the adoption of this Resolution have occurred; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW THEREFORE, the Planning Commission of the City of Montebello hereby finds, declares and resolves as follows:

SECTION 1. RECITALS. The foregoing recitals are true and correct and are hereby incorporated as substantive findings in this Resolution.

SECTION 2. FINDINGS.

A. Per MMC 17.61.050 the proposed use must meet CUP findings and determine if the use:

1. *Describe how the site for the proposed use would not adversely affect the general welfare of the surrounding property owners.*

The restaurant is properly located along Whittier Boulevard and is a long-standing established commercial thoroughfare. The site is located within the C-2 (General Commercial) zone, a restaurant being permitted to use within this zone. Abutting properties along Whittier Boulevard include a large variety of other commercial uses which also serve the surrounding community. The previous restaurant, El Burro Tacos & Beer, operated with a beer and wine license (Type 41) and has done so responsibly without causing any significant issues within the area. The requested upgrade of ABC Licensing, the only proposed change to the operating restaurant, will be transferred to Mr. Tempo Restaurant, if approved. The proposed request to change the licensing type to Type 47 will not alter the operations of the existing building. The proposed operator (Mr. Tempo Cantina) is proposing to operate a restaurant business within the existing building, as well as alter

the interior to accommodate their future restaurant business. Therefore, the proposed request will not adversely affect the general welfare of the surrounding property owners.

2. *Describe how the proposed use would not result in an undesirable concentration of premises for the sale of alcoholic beverages, including beer and wine, in the area;*

The site has been operating as a restaurant with an ABC alcohol license since 2006. The restaurant is located within census tract #5320.01, and the Department of ABC has allocated three on-site licenses for this tract. There are currently two existing on-sale licenses within the tract, including the subject restaurant, so the tract is not considered over-concentrated. In addition, the existing type 41 license will be surrendered to the Department of ABC should the Type 47 license be granted to the future restaurant (Mr. Tempo Cantina). Therefore, the approval of the subject request will not result in a net increase in the number of ABC licenses within the area.

By State law, the Department of ABC may only grant a limited number of alcohol licenses based on a “per census-tract” quantity. Meaning that only a certain number of license types are granted in any given census tract area to avoid undue concentration of alcohol sales. As a result, the approval of Case No. PC-2023-0009-CUP does not guarantee that the Applicant will receive a Type 47 license from the State. As the sole alcohol licensing and enforcement agency, the Department of ABC will ultimately determine the appropriate license types and requirements at the proposed Project Site. To help with that determination, California Business and Professions Code Sections 23958 and 23858.4 (and as codified in Section 17.61.060 of the MMC) requires that the Applicant provide evidence allowing the Planning Commission to make the additional finding that the proposed CUP is necessary for public convenience or necessity, which is outlined in finding letter *F* of this Staff Report (below).

3. *Describe how the proposed use would not detrimentally affect the nearby surrounding area after giving special consideration to the proximity and nature of the proposed use with respect to other on-sale or off-sale alcoholic beverage establishments, residential districts and uses, schools (public or private), day care centers, public parks, playgrounds and other recreational facilities, churches and other places of religious worship, hospitals, clinics or other health care facilities;*

The project site is adjacent to commercially zoned businesses to the north, east, and west and residentially zoned properties to the south. The nearest sensitive use is located within 300 feet of the restaurant. These uses are sufficiently buffered from the operating restaurant as the business will be contained within the existing building. The restaurant is located along a major throughfare and within the general commercial zone. The restaurant has suitable operating hours, and all restaurant operations occur within the building which limits the chance of unnecessary noise disrupting the neighborhood. The hours of operation are 10:00am-11:00pm Sunday through Thursday, and 9:00am-12:00am Friday through Saturday. Should the subject request be granted, the restaurant will continue to operate in a responsible manner and avoid detrimentally affecting the surrounding area.

4. *Describe how the proposed use would not aggravate existing problems created by the sale of alcohol (e.g., littering, loitering, noise, public drunkenness, calls for service, and sales to minors);*

The subject restaurant has been operating with an ABC license since 2006 and has done so without detrimentally affecting the surrounding area. The sale of alcohol is ancillary to the main function of the restaurant which remains food preparation and meal service. The sale of alcoholic beverages is for on-site consumption only, and no off-site sales are proposed which eliminates many of the issues associated with that type of operation. Employees that are involved with the sale of alcohol will be trained in how to do so responsibly and safely. Per the Department of ABC requirements, each employee handling alcohol will be required to attend an ABC approved Responsible Beverage Service (RBS) training course.

5. *Describe how the proposed use is in conformance with the goals, policies, and objectives of the general plan and the purpose and intent of this code and any applicable specific plan;*

The location of the operating restaurant is appropriate. The site is located within a C-2 (General Commercial) zone and the underlying use of a restaurant is permitted by right in this zone. The Land Use Element of the General Plan recommends locations and the extent of the various uses to be allowed in the city, and the General Plan identifies the site as "Boulevard". The existing restaurant satisfies the Commercial Policies portion of the General Plan "commercial development in the city should be sited in appropriate locations according to need". An ABC licensed restaurant has operated in this location since 2006 and provides reasonably

priced and quality dining that is conveniently located to both residents and visitors alike.

The restaurant is located within an existing structure with no plans to expand or alter the exterior of the existing building. The proposed use conforms with the following Policies/Goals of the City of Montebello Land Use Element:

Policy/Goal	Description
“Goal #1, “To formulate a plan which is responsive to the needs of the community, and which permits the orderly arrangement of land uses, permitting sufficient areas for reasonable development;”	The plan for the restaurant aligns with the urban design goals of the General Plan. The building’s design, signage, and dining area will be in harmony with the surrounding area's aesthetic character, thereby contributing to the visual appeal of the district.
“Goal #3, To provide for development and location of commercial shopping areas within the community in a manner compatible with other land uses”	The proposed use conforms to the Zoning Code's provisions for the location which is designated for commercial use. A restaurant that offers a comprehensive dining experience, including on-sale of alcohol sales, is an appropriate use under this designation.
Policy Commercial #1, “Commercial development in the City should be sited in appropriate locations according to need,”	The proposed use conforms to the Zoning Code's provisions for our location, which is designated for commercial use. A restaurant that offers a comprehensive dining experience, including on-sale of alcohol sales, is an appropriate use under this designation.
Policy Commercial #5, “The City should contain ample commercial facilities to meet the needs of its residents as well as provide taxable revenues to the City”; because the proposed use will add an additional service to an existing business that will increase the taxable revenue	As per the economic objectives outlined in the General Plan, the restaurant will contribute to the local economy by creating jobs, stimulating consumer spending within the city, and generating tax revenue.

from this business to the City and that the site is in an appropriate location.”	
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Serves the public convenience or necessity based upon factors outlined in Section 17.61.060 of the MMC. This finding shall only apply to conditional use permit applications for bars, off-sale alcoholic beverage establishments, and any other applications that the California Department of Alcoholic Beverage Control determines are located in an area of undue concentration as defined by state law (California Business and Professions Code Section 23958.4.). The factors outlined in Section 17.61.060 of the MMC are:

- *Whether the proposed use will result in a net employment gain in the city (especially of local residents);*

If the Type 47 ABC license is approved for the Project Site, Mr. Tempo Cantina restaurant will be the newly operating business. This well-known restaurant chain will offer the option to order alcohol with a meal and having that option at this location will attract more customers, subsequently leading to an increase in sales and demand, and resulting in the hiring of additional employees. There will be 75 people employed for this location. Also, since the operating business is near residential uses, this will provide employment within walking distance. Mr. Tempo Cantina has been advertising on their business website that it is opening soon in the City of Montebello, which will bring local attraction to the site.

- *Whether the proposed use will result in a substantial increase in business taxes;*

Offering the sale of alcohol with a meal will result in an increase in tax revenues because more customers will be choosing to dine at Mr. Tempo Cantina resulting in an increase in business revenue. Obtaining an on-sale license to sell a full line of alcohol will help the restaurant grow and generate additional tax revenues for the City. This proposal will also help retain paying customers within the City instead of losing customers to surrounding cities. This increase will be due not only to the direct sales from the newly upgraded alcohol license, but also the indirect effect of attracting more customers to the new and well-known restaurant.

- *Whether the proposed establishment is a unique business addition to the community;*

Mr. Tempo Cantina will offer a unique dining experience, with a carefully curated menu and a comfortable atmosphere. The addition of a full line of alcohol sales will further differentiate the restaurant from others in the area, filling a niche for those looking for a new and exciting dining experience with alcoholic beverage options.

- *Whether the proposed use will contribute to the long-term economic development goals of the community;*

The Applicant's restaurant adds to the vitality of the commercial area in which it is located and to the City as a whole since it provides a neighborhood serving amenity that can be enjoyed by nearby residents and visitors. Additionally, it contributes positively to the City's economic health due to the fact that this well-known restaurant provides jobs and provides taxable revenues that can help provide essential services within the City.

- *Whether the aesthetic character ambiance of the proposed use will result in an overall positive upgrade in the area and community;*

The applicant's commitment to maintaining a clean, attractive, and welcoming environment will contribute to the aesthetic character of the area. The ambiance of the restaurant, combined with high standards of service and quality, will have a positive impact on the overall image of the community. Mr. Tempo Cantina provides a casual outlet offering creative Mexican dishes and drinks in a funky space. The business seeks to offer its customers the full experience and cater to each individual as much as possible.

- *The viability of the business to operate profitable without alcohol sales.*

While the applicant believes that offering a full line of alcohol will enhance their customers' dining experience, their primary focus is on providing high-quality food and excellent service. While their primary cuisine is Mexican food, they will also have a sushi bar as a unique

part of their menu. The business model is not dependent on alcohol sales, but rather views them as an additional service for patrons. Therefore, the restaurant is expected to operate profitably even without alcohol sales.

SECTION 3. CEQA. The Planning Commission approves and adopts the CEQA Categorical Exemption § 15301 (Existing Facilities) Class 1 exemption. A Class 1 exemption under CEQA § 15301 applies to projects resulting in the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing private structure involving negligible or no expansion of use. There will be no expansion to the interior or exterior of the existing facilities in the proposed Project.

SECTION 4. APPROVALS. The Planning Commission hereby approves a modification to an existing CUP (Case No. PC-2023-0009-CUP-M1) to upgrade the ABC license from type 41 to type 47 for the on-sale consumption of a full line of alcohol subject to the conditions of approval set forth in Section 5 of this Resolution.

SECTION 5. CONDITIONS. The Planning Commission finds that the foregoing conditions of approval are necessary and appropriate.

1. The Applicant shall defend, indemnify, and hold harmless the City, its elected and appointed officials, agents, officers, and employees from any claim, action, or proceeding brought against the City, its elected and appointed officials, agents, officers, or employees arising out of, or which are related to the Applicant's project or application (collectively referred to as "proceedings"). The indemnification shall include, but not be limited to, damages, fees and/or costs awarded against the City, if any, and cost of suit, attorney's fees, and other costs, liabilities, and expenses incurred or awarded in connection with the proceedings whether incurred by the Applicant, the City and/or the parties initiating or bringing such proceedings. This indemnity provision shall include the Applicant's obligation to indemnify the City for all the City's costs, fees, and damages that the City incurs in enforcing the indemnification provisions set forth herein. The City shall have the right to choose its own legal counsel to represent the City's interest in the proceedings.
2. The utilization of the subject site shall conform to the allowed use, except as provided for herein and by subsequent revisions found by the Director of Planning and Community Development ("Director") Department ("Planning Department") to be in substantial compliance with these provisions.

3. Development of the site shall be consistent with all of the provisions of the Montebello Municipal Code (“MMC”) and Conditional Use Permit (“CUP”) (PC-2023-0009-CUP), and the specifications of the Planning Department.
4. Within 30 days of the Planning Department transmittal of the Acceptance Form, the Applicant shall sign and return a copy of the Acceptance Form, agreeing to the conditions of approval and acknowledging that failure to comply with such conditions shall constitute grounds for potential revocation of the permit approval. Failure to return the Acceptance Form within 30 days shall constitute grounds for terminating the permit.
5. The Director at any time, can call for a review of the approved conditions of approval at a duly noticed public hearing before the Planning Commission. These conditions(s) may be modified, or new condition(s) added to reduce any impacts of the use. The Planning Commission may revoke the CUP (PC-2023-0009-CUP) if sufficient cause is given.
6. Existing and/or proposed table layout shall meet the minimum aisle clearance as determined by the Building and Safety Division and City of Montebello Fire Department (“Fire Department”).
7. In the event the Applicant violates or fails to comply with any conditions of approval of this permit, no further permits, licenses, approvals, or certificate of occupancy shall be issued until such violation(s) has been fully remedied.
8. The Applicant and operator shall prepare and submit an annual project compliance report. This report is due annually for the first three (3) years of alcohol sales, starting one-year from the date of issuance of an Alcoholic Beverage Control (“ABC”) license. The compliance report must be submitted to the Director to demonstrate compliance with the Conditions of Approval. The Director shall transmit the annual project compliance report to the Planning Commission to either receive and file or take any other action as deemed necessary.
9. In the event of a change of ownership transfer of ABC License, the conditional use permit will be brought back to the Planning Commission for review.
10. Any outdoor entertainment activities or sponsored events shall be subject to a Temporary Use Permit pursuant to Chapter 12.16 (“Temporary Permits for Outdoor Activities”) of the MMC.

11. The kitchen shall be open and serving food during all hours of operation in all dining areas of the establishment. Menus are subject to review and approval from the Planning Department as part of the annual compliance review.
12. The business shall be operated as a “bona fide restaurant” at all times, as defined in Section 17.61.020 of the MMC. A full menu shall be available to all patrons during all hours of operation. There shall be no restriction on the age of customers except as stated in the conditions of approval.
13. Prior to the commencement of alcohol sales, all employees who will sell alcoholic beverages shall be required to attend either the Department of ABC RBS training or a comparable in-house training program approved by the Director. Any employees hired after the commencement of alcohol sales shall be required to attend RBS training or the approved in-house training within thirty (30) days of their hire date.
14. No more than 50% of total gross revenues per year shall be from alcohol sales. The Applicant shall maintain records of gross revenue sources which shall be submitted to the Director and/or the Department of ABC upon request.
15. The operation shall at all times be conducted in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking, and other actions. Site project management (“Management”) shall patrol the business premises and the surrounding vicinity, including the public rights-of-way to the property, during all hours of operation. Management shall ensure that no littering, loitering, or consumption of alcohol occurs in and around the project site.
16. Permitted hours of operation shall be 11:00 AM to 10:00 PM Monday through Sunday.
17. The site and surrounding area shall be maintained in a litter and graffiti free manner. Any graffiti that occurs on the site shall be removed within 24 hours at Applicant, Site Owner (“Site Owner”), and/or Operator’s own expense.
18. A decorative masonry wall of six feet in height shall be constructed around the parking area of such establishments when said area is adjacent to properties zoned or used for residential purposes or any other sensitive use, such as schools, churches, parks, etc.

19. The noise levels generated by the operation of such establishment shall not exceed sixty-five (65) dBA between the hours of seven (7) a.m. to ten (10) p.m., and not exceed sixty (60) dBA between the hours of ten (10) p.m. to seven (7) a.m., so as to mitigate the impact of adjoining properties zoned or used for residential purposes. The measurement of noise levels shall be taken at the location of the shared property line.
20. The exterior lighting of the parking area shall be kept at an intensity of between one (1) and two (2) foot candles, so as to provide adequate lighting for patrons while not disturbing surrounding residential or commercial areas. Light sources shall be screened from adjacent properties and from the sky.
21. The sale of alcoholic beverages for consumption outside or off the premises shall be prohibited; except, that this provision shall not apply to bona fide restaurants with approved outdoor or sidewalk dining, or to a bona fide restaurant with an approved CUP and an approved license with the Department of ABC for on-sale consumption.
22. Adequate security measures shall be provided as specified by the Montebello Police Department ("Police Department"), including, but not limited to, retaining trained staff and security personnel, and providing security devices such as surveillance or burglar alarm systems.
23. As a bona fide restaurant, shall possess a supply of food and goods adequate to make substantial food sales and comply with Section 23038 of the Business and Professions Code. All food must be maintained in a sanitary condition and comply with all Health Department regulations. Failure to serve food (for any reason) shall result in the automatic suspension of all alcoholic beverage sales that are served for on-site consumption until food sales are resumed.
24. The sorting of empty bottles and other recyclable products shall be limited to the hours between 8:00 a.m. to 9:00 p.m. daily.
25. No signs shall be installed on the site until a sign permit has been approved by the Planning Department and Building & Safety Division in conformance with the provisions set forth in Chapter 17.62 ("Signs") of the MMC.
26. As stated in Section 9.04.010 ("Drinking in Public") of the MMC, no person shall drink any intoxicating liquor in or upon any public street or public place within the

City. Signs shall be posted on the premises both inside and outside specifically citing "Section 9.04.010 - Drinking in Public" of the MMC.

27. Premises shall be kept clean and the Applicant, Operator, and/or Management of the establishment shall insure that no trash or litter originating from the site is deposited onto neighboring properties or onto the public right-of-way.
28. The Applicant, Operator and/or Management of the establishment shall take the necessary steps to assure the orderly conduct of employees, patrons and visitors on the premises.
29. The Applicant/Operator/Management of the establishment shall maintain all required State and/or local permits and/or licenses for the sale of alcoholic beverages in good standing.
30. No person shall sell alcoholic beverages for on-site consumption if there has been any lapse or breach in good standing of any one or more of the permits and/or licenses required for such sale.
31. In addition to the conditions enumerated above, any other condition may be imposed by City staff.
32. No alcoholic beverages shall be served in any disposable container such as disposable plastic or paper cups.
33. No outside alcoholic beverages shall be brought into the establishment, Project Site, or premises for personal use or consumption.
34. Any outstanding violations of the MMC shall be remedied prior to the issuance of a Certificate of Occupancy or commencement of alcohol sales, as applicable. The Applicant, Operator, Site Owner, and/or Management shall be responsible for remedying outstanding Code Enforcement issues. When corrective action requires the issuance of a building permit, the building permit must be issued within 12 months of the effective date of this approval. Corrective action that does not require a building permit shall be remedied within one month of the effective date of this approval. The Director may grant an extension to these time frames, but such extensions shall not extend more than one (1) year from the date of this approval.

35. Exterior signage and window signs advertising brands of alcoholic beverages or other signage advertising alcoholic beverages shall not be visible from public right-of-way.
36. All windows of the facility shall be treated with anti-graffiti film. It is the responsibility of the Applicant, Site Owner, Operator and/or Management, at their sole expense and cost, to have all graffiti on the site removed within 24 hours of its appearance or be subject to citations from the City Code Enforcement Division ("Code Enforcement").
37. All outdoor utilities, machinery, and equipment, including roof-mounted equipment, shall be completely screened from public right-of-way, in a manner that is compatible with the structure. The method of screening shall be subject to the review and approval of the Planning Department prior to the issuance of building permits.
38. The approval of the entitlement shall expire if the rights granted are not exercised within one (1) year from the conditional use permit's effective date. Exercise of right shall mean issuance of a building permit to commence construction, issuance of alcohol license from ABC, or similar activities demonstrating the intent to proceed with the project, as determined by the Director.
39. Prior to commencement of alcohol sales, the Applicant/Operator/Management shall post a notice in a conspicuous location within the building stating that the site is regulated by a CUP and the Acceptance Form, which includes the establishment's conditions of approval, is available upon request. This notice shall remain posted at all times the establishment is in operation.
40. The Applicant, Operator, Management and/or successor of the use shall bear full cost (hereinafter referred to as the "Inspection Fees") of all monitoring and inspection activities to be conducted by City staff or its designated consultant representative(s) as necessary to ensure compliance with the conditions of this Resolution.
41. This approval shall not supersede the approval of any other affected agencies. The applicant shall comply with Federal, State, and local requirements.
42. The following on-site requirements of the MMC and/or the specifications of the Fire Department
 1. Fire/Life Safety systems to comply with 2019 Edition California Fire Code.

2. Commercial Hood Suppression systems to be inspected by a licensed fire protection contractor and inspection report submitted to Montebello Fire Department.
 3. Provide a Knox Box in approved location.
43. The following on-site requirements of the MMC and/or the specifications of the Police Department and Code Enforcement Division shall be complied with at all times:
- a. Promoter produced parties or events shall be prohibited. These events include private parties with outside promoters who profit from organizing and/or drawing attendees to the events. Any and all type of advertisements and promotions which promote events or operations in violation of this CUP and conditions of approval shall be subject to citation(s) from the Code Enforcement Division.
 - b. Fundraisers for non-profit organizations registered with the federal government shall be permitted provided that they are open to the public and fall within the conditions of this CUP.
 - c. Adult entertainment of any nature is strictly prohibited. Televised and/or recorded adult entertainment is prohibited. The Police Department and regulations contained in the MMC shall determine what constitutes "adult" entertainment and where it is allowed.
 - d. There shall be no bottle service provided, except for wine.
 - e. Dial-A-Ride and taxicab phone numbers shall be posted in conspicuous locations throughout the establishment at all times.
 - f. The availability of a variety of non-alcoholic beverages shall be made known and offered to the customers.
 - g. Licensed private patrol officers or security guards may be required for any events that trigger a Temporary Use Permit pursuant to MMC Chapter 12.16 – Temporary Permits for Outdoor Activities.
 - h. Should a line form outside the restaurant, the line shall be kept quiet and orderly at all times. Lines which block the entrances to any other open

business or any parking space or any part of the public-right-of way are prohibited.

- i. A copy of the ABC license, business license, health permit, seller's permit, and all other required licenses shall be posted and made readily available to any licensing, code enforcement, public health, and law enforcement officer.
- j. The premises shall be subject to inspection by members of the Police Department, Fire Department, Code Enforcement, Los Angeles County Department of Public Health or, any other law enforcement officer at any time without warrant.
- k. A responsible person over the age of 21 must be on the premises at all times while the business is open. This person must possess valid identification.
- l. Staff under the age of 21 cannot serve alcohol.
- m. No gambling of any type shall be allowed on the premises.
- n. The Police Department reserves the right to review this CUP at any time if there are excessive calls for service or if the Police Department feels that the operation of the establishment is a risk to public health, safety, welfare, or morals.
- o. The Police Department reserves the right to close the business if it appears that the continued operation would create an unsafe environment for the employees, patrons, bystanders, or emergency personnel. Examples would include, but not limited to, patrons fighting, overcrowding, unruly crowds, threats to public health and welfare, etc.
- p. The business owner shall install, maintain, and obtain City permits for a burglary and robbery alarm system.
- q. Doors that are not utilized for customer access shall be locked from the outside and have alarmed panic hardware.

- r. If police or fire services are required at the location, the Applicant will be responsible for reimbursing the City for all related costs.
- s. If Code Enforcement is required due to any code violations and/or violations of the conditions of this CUP, the applicant will be responsible to reimburse the City for all inspections and costs.
- t. An approved Emergency Access Plan shall be provided, subject to review and approval of the Police and Fire Departments prior to issuance of the Certificate of Occupancy or commencement of alcohol sales, as applicable.
- u. A signed copy of the Acceptance Form shall be kept at the business and presented to any law enforcement officer on demand.
- v. Any violation of the conditions of this permit may cause the revocation of the subject CUP.

44. Additionally, the following Fire Department specifications and comments shall be complied with at all times as well:

- a. Businesses with cooking operations which produce grease laden vapors will require a commercial hood/ fire protection system which is UL-300 compliant. The installation will meet 2019 Edition California Fire Code and NFPA Standards.
- b. Class K fire extinguishers are required in the kitchen area.
- c. Illuminated exit signs above exit doors with emergency lighting capability are required.

PASSED AND ADOPTED this 7th day of November, 2023 by the Planning Commission.

Commissioner Cuevas: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN
 Commissioner Morales: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN
 Commissioner Valdez: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN
 Commissioner Lomeli: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN
 Commissioner Medina: ☐ AYE ☐ NOE ☐ ABSENT ☐ ABSTAIN

Victor Cuevas, Chair

ATTEST:

Joseph A. Palombi, Director
Planning & Community Development Department

PROJECT SITE
1813 W. WHITTIER BLVD.
MONTEBELLO, CA 90640

LEGAL DESCRIPTION
TR=10508 EX OF ST
LOTS 1 THRU 5

APN: 6337-006-033

LOT AREA: 16,490 SF

ON-SITE PARKING: 30 SPACES

TOTAL PROJECT AREA: 3,760 SF

SEAT COUNT: 95 SEATS

NO LIVE ENTERTAINMENT OR DANCING AREAS

DINING AREA: 1,515 SF
ENTRY AREA: 81 SF
RESTROOMS: 123 SF
STORAGE: 13 SF
STORAGE: 94 SF
KITCHEN: 644 SF
SERVICE BAR: 263 SF
SUSHI BAR: 132 SF
OFFICE: 50 SF
JANITORIAL: 76 SF
WALK IN COOLER: 131 SF

NOTES

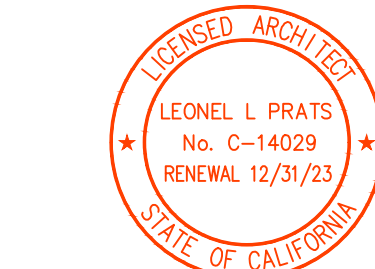
1. CONTRACTOR IS RESPONSIBLE FOR ALL NECESSARY EQUIPMENT, LABOR AND SUPPLIES TO COMPLETE DEMOLITION.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD VERIFICATION OF ALL EXISTING CONDITIONS PRIOR TO COMMENCEMENT OF DEMOLITION. REPORT ANY DISCREPANCIES TO THE ARCHITECT IMMEDIATELY.
3. ALL DEMOLITION MATERIAL SHALL BE REMOVED FROM THE PREMISES AND DISPOSED IN CONTAINERS SUPPLIED BY THE CONTRACTOR, IN ACCORDANCE WITH THE REQUIREMENTS OF THE CITY OF LOS ANGELES AND THE STATE OF CALIFORNIA.
4. THE CONTRACTOR SHALL PROVIDE ADEQUATE BRACING WHERE REQUIRED AND MAINTAIN THE INTEGRITY OF THE EXISTING STRUCTURE DURING THE COURSE OF DEMOLITION WORK.
5. THE ELECTRICAL CONTRACTOR SHALL LOCATE, SECURE AND DISCONNECT, AT SERVICE BOX, ALL CIRCUITS AFFECTED BY DEMOLITION AND CONSTRUCTION WORK.
6. THE CONTRACTOR SHALL COORDINATE ALL DEMOLITION WORK WITH THE FLOOR PLANS, REFLECTED CEILING PLANS, MECHANICAL, ELECTRICAL AND PLUMBING PLANS AS REQUIRED.
7. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PREVENT DAMAGE TO THE EXISTING FIRE SPRINKLER SYSTEM AND SHALL MAINTAIN EXISTING SYSTEM IN PROPER WORKING ORDER DURING THE COURSE OF DEMOLITION AND CONSTRUCTION WORK.

LEGEND - EXISTING

- (E) EXTERIOR WALL TO REMAIN
- (E) INTERIOR FULL HEIGHT WALL TO REMAIN
- (E) WALK-IN COOLER WALL
- (E) INTERIOR LOW WALL

KEYNOTES

- (01) (N) BEER TAPS, LINES RUN FROM ADJACENT WALK-IN
- (02) (N) BACK BAR COUNTER
- (03) (N) WALL INFILL
- (04) (N) ADA BAR COUNTER @ +34" MAX
- (05) (N) FRONT BAR COUNTER
- (06) (N) POINT OF SALE COUNTER @ +34" MAX
- (07) (N) FRONT BAR LOW WALL
- (08) (N) AQUAS BUILT-IN ICE BIN
- (09) (N) COUNTER
- (10) (N) ELIASON DOORS
- (11) (N) 7'-0" HEADER
- (12) (N) HANDSINK
- (13) (N) WALL EXTENSION



All drawings, specifications, ideas, designs, and arrangements provided by PRATS INC. are, and shall remain, the property of PRATS INC. No part shall be copied, reproduced, or otherwise used, directly or indirectly, in whole or in part, in connection with any other work or project without the written consent of PRATS INC. Violation of these drawings and/or specifications shall constitute a prima facie evidence of acceptance of these restrictions.

Prats Inc.
Architecture & Construction
4652 E 3rd Street
Los Angeles, CA 90022
T (323)780-4022

Project No. 220412

LA TAQUERIA
1813 W WHITTIER BLVD.
MONTEBELLO, CA 90640

Consultants:

ISSUED FOR:

NO. DESCRIPTION DATE

Plot Date: 09.28.2022

FLOOR PLAN,
PROPOSED

A2.0
Sheet No. © 2021

Notice of CEQA Exemption

To:

County of Los Angeles
Registrar-Recorder/County Clerk
12400 Imperial Highway
Norwalk, CA 90650

From:

City of Montebello
Planning & Community Development Department
1600 W. Beverly Blvd.
Montebello, CA 90640

Lead Agency: City of Montebello Planning and Community Development Department

Project Title: Modification to Conditional Use Permit

Project Location: 1813 W. Whittier Boulevard

Case Number(s): PC-2023-0009-CUP-M1 & ENV No. 8-23-CE

Description of Nature, Purpose, and Beneficiaries of Project: The Applicant, on behalf of Mr. Tempo Cantina, seeks approval of a modification to an existing Conditional Use Permit to allow the upgrade of ABC Licensing Type 41 (on-sale beer and wine) to Type 47 (on-sale general) for on-site consumption in conjunction with the operation of a restaurant located at 1813 W. Whittier Boulevard.

Name of the Public Agency Approving the Project: City of Montebello

Name of Person or Agency Carrying Out the Project: CH Montebello, LLC on behalf of Mr. Tempo Cantina

Exempt Status (*check one*)

- ☐ Ministerial (Sec. 21080(b)(1); 15268(b)(3))
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a)).
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c)).
☒ Categorical Exemption: "Existing Facilities, Class 1, Section 15301(a)"
☐ Statutory Exemptions. State code number:

Justification for Project Exemption:

The project is Categorically Exempt per Section §15301 (a) (Existing Facilities), Class 1, of the CEQA Guidelines because the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination such as interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances is considered exempt. Other than minor interior improvements, there will be no expansion to the interior or exterior of the existing facilities in connection with the proposed Project.

Lead Agency Contact Person: Joseph Palombi, Director of Planning & Community Development

Area Code/Telephone/Extension: (323) 887-1478

If filed by applicant, attach certified document issued by the Planning and Community Development Department stating that the Department has found the project to be exempt.

Signature: _____ **Date:** _____ **Title:** _____

☒ Signed by Lead Agency

☐ Signed by Applicant

Cleared Call Search Results

Report Time: 10/16/2023 15:31:17 **Login ID:** RIVERA **Jurisdiction:**
Incident Number: **Call Number:** **Agencies:** Police, Fire, EMS
From Date: **To Date:** **Phone Number:**
Last Name: **First Name:** **Location:** 1813 W WHITTIER BLVD, MONTEBELLO
Plate #: **Plate State:** **Include Canceled:** No
Type: **Priority:** **Source:**
Disposition: **Unit:** **Officer:**
Narrative:

Calls of Service: 10/16/2021-10/16/2023

Create Date/Time	Call Type	Location	Primary Incident	Case Number
1/14/2022 22:47	BUSCK	1813 W WHITTIER BLVD, MONTEBELLO		
5/15/2022 17:41	NEW CALL	1813 W WHITTIER BLVD, MONTEBELLO		
5/15/2022 17:44	415SUB	1813 W WHITTIER BLVD, MONTEBELLO		
	FOUND			2022-
6/3/2022 9:54	PROP	1813 W WHITTIER BLVD, MONTEBELLO	2022-00020848	00003440
8/18/2022 17:17	415SUB	1813 W WHITTIER BLVD, MONTEBELLO	2022-00028983	
9/3/2022 19:08	911CHK	1813 W WHITTIER BLVD, MONTEBELLO	2022-00030542	
3/29/2023 15:52	415HOM	1813 W WHITTIER BLVD, MONTEBELLO	2023-00007955	
5/27/2023 13:18	NARCO	1813 W WHITTIER BLVD, MONTEBELLO	2023-00013641	
				2023-
6/19/2023 17:10	602	1813 W WHITTIER BLVD, MONTEBELLO	2023-00015818	00003796
8/8/2023 13:25	459A	1813 W WHITTIER BLVD, MONTEBELLO	2023-00021080	
8/8/2023 15:43	459A	1813 W WHITTIER BLVD, MONTEBELLO	2023-00021097	
8/30/2023 8:22	459A	1813 W WHITTIER BLVD, MONTEBELLO	2023-00023187	
9/6/2023 12:51	459A	1813 W WHITTIER BLVD, MONTEBELLO	2023-00023898	
9/6/2023 17:43	459A	1813 W WHITTIER BLVD, MONTEBELLO	2023-00023922	
9/23/2023 14:32	459A	1813 W WHITTIER BLVD, MONTEBELLO	2023-00025590	
9/24/2023 12:55	459A	1813 W WHITTIER BLVD, MONTEBELLO	2023-00025675	Page 94 of 94