



**PLANNING COMMISSION
MEETING AGENDA**

TUESDAY, MARCH 19, 2024 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

NVAIR G. DEUKMEJIAN, DEPUTY CITY 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, March 19, 2024 by 3:00 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

PLANNING COMMISSION REORGANIZATION

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. Approval of the Minutes from the Planning Commission meeting held on November 7, 2023.
2. Approval of the Minutes from the Planning Commission meeting held on January 16, 2024.
3. Approval of the Minutes from the Planning Commission meeting held on March 5, 2024.

PUBLIC HEARING

4. **Modification to Conditional Use Permit ("CUP") No. 07-71 to authorize the reconfiguration of the existing Ford of Montebello automobile dealership located at 2747 Via Campo including the demolition of 16 outdoor service bays and the construction of 25 new indoor service bays within a new 15,200 square foot structure with roof top parking.**

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

1. ADOPT Resolution No. 08-24 conditionally approving the demolition of 16 outdoor service bays and allowing the construction of 25 new indoor service bays within a new 15,200 square foot structure with roof top parking for the property located at 2747 Via Campo and make related findings that the Proposed Project is consistent with the Montebello General Plan; and
2. DETERMINE and FIND that the foregoing actions will not include substantial changes and/or cause significant effects to the environment as described in Section 15162 of the California Environmental Quality Act ("CEQA") Guidelines, nor result in any new impacts or increase the significance of environmental impacts beyond those identified in the previously approved Initial Study/Mitigated Negative Declaration ("IS/MND") (Case No. CUP 07-71, MOD 02-16), and therefore approval of the attached Addendum to the MND is appropriate.

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").**

RECOMMENDATION: It is recommended that the Planning Commission of the City of Montebello ("Planning Commission") review, receive and file this report, attachments, and/or any other supportive evidence to confirm:

1. That Sizzler USA Restaurant Inc. (the "Applicant") has demonstrated compliance with the conditions of approval contained in Resolution No. 09-22/Conditional Use Permit No. PC-2022-0011-CUP (Attachment "A") for the property located at 1908 West Beverly Boulevard.

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 **April 2, 2024 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, March 14, 2024 at 5:30 p.m.



Alexis Huerta, Senior Administrative Assistant



CITY OF MONTEBELLO

PLANNING COMMISSION MEETING AGENDA

MINUTES

**TUESDAY, NOVEMBER 7, 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 6:32 p.m.

ROLL CALL – Chair Cuevas, Commissioner Medina, Commissioner Lomeli, and Commissioner Morales. The record shall reflect that Commissioner Valdez was 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. **Approval of the Minutes from the Planning Commission Meeting held on September 19, 2023.**
2. **Approval of the Minutes from the Planning Commission Meeting held on September 26, 2023.**
3. **Approval of the Minutes from the Planning Commission Meeting held on October 17, 2023.**

Motion to approve the meeting minutes was motioned by Commissioner Lomeli and seconded by Commissioner Medina. Director Palombi took roll and the items were approved 4-0.

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.**

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 6:38 p.m. Upon Ms. Emilie Fernandez’s presentation, the applicant’s representative John Blake with Blake Sign Company, Inc. spoke in support of the item and provided more information regarding the installation of the sign. Sergio, a representative from the LED company that provides the equipment for the sign, elaborated on the illumination of the sign. The Public Hearing was closed at 6:44 p.m. Commissioner Lomeli motioned to approve Case No. PC-2023-0013-ZV and was Seconded by Chair Cuevas. Director Palombi stated for the record that Commissioner Morales joined the meeting prior to the discussion of the item. Director Palombi took roll and the item was approved 4-0.

MOTIONED: Commissioner Lomeli

SECONDED: Chair Cuevas

APPROVED: 4-0-0-1

AYES: Chair Cuevas, Commissioner Lomeli, Commissioner Medina, and Commissioner Morales

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Valdez

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.**

Director Palombi introduced the item. Assistant Planner, Ms. Emilie Fernandez provided a presentation regarding Case No. PC-2023-0015-SPR to the Planning Commission. The Public Hearing was opened at 6:56 p.m. Upon Ms. Emilie Fernandez’s presentation, the Applicant Daniel Reynoso addressed the Planning Commission to provide background on the project. The Public Hearing was closed at 7:01 p.m. Commissioner Lomeli motioned to approve Case No. PC-2023-0015-SPR and was Seconded by Commissioner Morales. Director Palombi took roll and the item was approved 4-0.

MOTIONED: Commissioner Lomeli

SECONDED: Commissioner Morales

APPROVED: 4-0-0-1

AYES: Chair Cuevas, Commissioner Lomeli, Commissioner Medina, and Commissioner Morales

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Valdez

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”).**

Director Palombi introduced the item. Assistant Planner, Ms. Grace Hayashi provided a presentation regarding Case No. PC-2023-0009-CUP-M1 to the Planning Commission. The Public Hearing was opened at 7:10 p.m. Upon Ms. Hayashi’s presentation, Bryan Strong addressed the Planning Commission on behalf of the applicant to provide background on the project. The Public Hearing was closed at 7:15 p.m. Commissioner Medina motioned to approve Case No. PC-2023-0009-CUP-M1 and was Seconded by Commissioner Lomeli. Director Palombi took roll and the motion was approved 4-0.

MOTIONED: Commissioner Medina

SECONDED: Commissioner Lomeli

APPROVED: 4-0-0-1

AYES: Chair Cuevas, Commissioner Lomeli, Commissioner Medina, and Commissioner Morales

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Valdez

PLANNING COMMISSION ORALS

None.

ADJOURNMENT

The meeting was adjourned at 7:17 p.m. to the next regularly scheduled meeting that will be held on November 21, 2023.

Joseph Palombi, Planning Commission Secretary



CITY OF MONTEBELLO

PLANNING COMMISSION MEETING AGENDA

MINUTES

TUESDAY, JANUARY 16, 2024 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, Commissioner Lomeli, Commissioner Valdez, and Commissioner Medina. The record shall reflect that Commissioner Morales was 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

1. Director Palombi stated that the introduction from the City Manager would be postponed to the next Planning Commission meeting due to a scheduling conflict.

PUBLIC HEARING

2. **MODIFICATION OF CONDITIONAL USE PERMIT (“CUP”) NO. 2-64 (CASE NO. PC-2023-0014-CUP-M1) FOR MONTEBELLO PLYMOUTH CONGREGATIONAL CHURCH (THE “APPLICANT”) TO ESTABLISH A SURFACE PARKING LOT AT AN EXISTING VACANT LOT LOCATED AT 141 S.10TH STREET (THE “VACANT LOT”) PROVIDING SUPPLEMENTAL PARKING FOR THE EXISTING CHURCH LOCATED AT 149 S. 10TH STREET (THE “CHURCH”), AND TO ESTABLISH INGRESS/EGRESS FROM THE CHURCH TO THE PUBLIC RIGHT-OF-WAY, AND CONSTRUCT A DRIVEWAY TO ACCESS THE NEW SURFACE PARKING LOT; THE**

APPLICANT ALSO REQUESTS OTHER MINOR IMPROVEMENTS SUCH AS REPLACING NON-CONFORMING ACCESSIBLE PARKING AND RAMPS ON THE VACANT LOT AND THE CHURCH SITE (COLLECTIVELY REFERRED TO AS THE “PROJECT SITE”).

Director Palombi introduced the item. Assistant Planner, Ms. Grace Hayashi provided a presentation regarding Case No. PC-2023-0014-CUP-M1 to the Planning Commission. The Public Hearing was opened at 6:39 p.m. Upon Ms. Hayashi’s presentation, the applicant Wesley Okamoto spoke in support of the item and provided more information regarding the project. The Pastor of the Church, Reverend Mitchell Young, spoke regarding the parsonage. The Public Hearing was closed at 6:42 p.m. Commissioner Lomeli motioned to approve Case No. PC-2023-0014-CUP-M1 and was Seconded by Commissioner Medina. Director Palombi took roll and the item was approved 4-0.

MOTIONED: Commissioner Lomeli

SECONDED: Commissioner Medina

APPROVED: 4-0-0-1

AYES: Chair Cuevas, Commissioner Lomeli, Commissioner Medina, and Commissioner Valdez

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Morales

3. CONDITIONAL USE PERMIT (“CUP”) CASE NO. PC-2023-0003-CUP TO DEMOLISH AN EXISTING CAR WASH LOCATED AT 113 N. GARFIELD AVENUE (“PROJECT SITE”) AND CONSTRUCT A NEW TWO-STORY EXPRESS CAR WASH AND CAR POLISHER AT THE PROJECT SITE.

Director Palombi introduced the item. Assistant Planner, Mr. Daniel Ruiz provided a presentation regarding Case No. PC-2023-0003-CUP to the Planning Commission. The Public Hearing was opened at 6:54 p.m. Upon Mr. Daniel Ruiz’s presentation, the Applicant’s representative Michael Paulos addressed the Planning Commission to provide background on the project. The Public Hearing was closed at 6:57 p.m. The Public Hearing was re-opened at 7:10 p.m to allow the applicant’s representative to address the concerns raised by the Planning Commission. The Public Hearing was closed at 7:14 p.m. Commissioner Lomeli motioned to approve Case No. PC-2023-0003-CUP and was Seconded by Chair Cuevas. Commissioner Lomeli amended her motion to include the condition of a one-year compliance review and was Seconded by Chair Cuevas. Director Palombi took roll and the item was approved 4-0.

MOTIONED: Commissioner Lomeli

SECONDED: Chair Cuevas

APPROVED: 4-0-0-1

AYES: Chair Cuevas, Commissioner Lomeli, Commissioner Medina, and Commissioner Valdez

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Morales

4. SITE PLAN REVIEW (“SPR”) (CASE NO. PC-2023-0017-SPR) TO ALLOW THE INSTALLATION OF A NEW 7,150 SQUARE FOOT PRE-MANUFACTURED METAL WAREHOUSE FOR GENERAL STORAGE OF FURNITURE AND AUTO PARTS FOR FORD OF MONTEBELLO PURSUANT TO MONTEBELLO MUNICIPAL CODE CHAPTER 17.74 ET SEQ. (SITE PLAN REVIEW), ON AN EXISTING LOT LOCATED AT 652 SOUTH MAPLE AVENUE.

Director Palombi introduced the item. Assistant Planner, Ms. Emilie Fernandez provided a presentation regarding Case No. PC-2023-0017-SPR to the Planning Commission. The Public Hearing was opened at 7:21 p.m. Upon Ms. Fernandez’s presentation, Robert Plant addressed the Planning Commission on behalf of the applicant to provide background on the project. The Public Hearing was closed at 7:23 p.m. Commissioner Medina motioned to approve Case No. PC-2023-0017-SPR and was Seconded by Commissioner Lomeli. Director Palombi took roll and the motion was approved 4-0.

MOTIONED: Commissioner Medina

SECONDED: Commissioner Lomeli

APPROVED: 4-0-0-1

AYES: Chair Cuevas, Commissioner Lomeli, Commissioner Medina, and Commissioner Valdez

NOES: None

ABSTAIN: None

ABSENT: Commissioner Morales

PLANNING COMMISSION ORALS

Chair Cuevas thanked staff for their contributions and assistance. Director Palombi announced that Planning Manager Monica Mercado-Rodriguez is no longer with the City of Montebello.

ADJOURNMENT

The meeting was adjourned at 7:25 p.m. to the next regularly scheduled meeting that will be held on February 6, 2024.

Joseph Palombi, Planning Commission Secretary



CITY OF MONTEBELLO

PLANNING COMMISSION MEETING AGENDA

MINUTES

TUESDAY, MARCH 5, 2024 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, Commissioner Medina, Commissioner Morales, and Commissioner Valdez. The record shall reflect that Commissioner Lomeli was 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. RESOLUTION NO. 02-24 RECOMMENDING CITY COUNCIL TO ADOPT AN ORDINANCE AMENDING CHAPTER 17.37 “HEAVY TRUCKING USES” AND CHAPTER 17.49 “BROWNFIELD OVERLAY DISTRICT” OF THE MONTEBELLO MUNICIPAL CODE TO CLARIFY, SIMPLIFY AND SPECIFY THE CONDITIONS AND REQUIREMENTS FOR ZONING COMPLIANCE OF HEAVY TRUCKING OPERATORS IN THE CITY OF MONTEBELLO AND IN THE BROWNFIELD OVERLAY DISTRICT AND FINDING THAT THE CODE AMENDMENT IS STATUTORILY EXEMPT UNDER CEQA SECTION NOS. 15301 (EXISTING FACILITIES) AND 15061(B)(3) (COMMON SENSE EXEMPTION).**

Director Palombi introduced the item. Director Palombi provided a presentation regarding Resolution No. 02-24 to

the Planning Commission. Deputy City Attorney Nvair G. Deukmejian provided additional information and clarification on the item. The Public Hearing was opened at 6:37 p.m. There were two (2) requests for public comment. Staff received the first comment in support of the item from Bobby Nassir, a representative of the property owners in the Brownfield area. Director Palombi informed the Planning Commission of a comment letter received via email regarding the item. The second comment received in support of the item was from Matt Wickersham, an attorney representing the property owner at 1501 Chapin Road within the Brownfield Overlay District. The Public Hearing was closed at 6:41 p.m. Commissioner Medina motioned to approve Resolution No. 02-24 recommending City Council to adopt an ordinance amending Chapter 17.37 "Heavy Trucking Uses" and Chapter 17.49 "Brownfield Overlay District" of the Montebello Municipal Code to clarify, simplify and specify the conditions and requirements for zoning compliance of heavy trucking operators in the City of Montebello and in the Brownfield Overlay District and was Seconded by Commissioner Morales. Senior Administrative Assistant Alexis Huerta took roll and the item was approved 4-0.

MOTIONED: Commissioner Medina

SECONDED: Commissioner Morales

APPROVED: 4-0-0-1

AYES: Chair Cuevas, Commissioner Medina, Commissioner Morales, and Commissioner Valdez

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Lomeli

2. RESOLUTION NO. 01-24 RECOMMENDING CITY COUNCIL CERTIFY AN ENVIRONMENTAL IMPACT REPORT ("EIR") AND ADOPT FINDINGS OF FACT, A STATEMENT OF OVERRIDING CONSIDERATIONS, AND A MITIGATION MONITORING AND REPORTING PROGRAM ("MMRP"); APPROVAL OF THE MONTEBELLO 2040 GENERAL PLAN UPDATE; DOWNTOWN MONTEBELLO SPECIFIC PLAN AND ZONE CHANGE; AND MONTEBELLO BICYCLE MASTER PLAN.

Director Palombi introduced the item. Kaizer Rangwala of Rangwala & Associates provided a presentation to the Planning Commission regarding the General Plan and the Downtown Montebello Specific Plan. Following Mr. Rangwala's presentation, Greg Martin from Rincon Consultants provided a presentation regarding the Final Environmental Impact Report. After Mr. Martin's presentation, Michael Sahimi of Kittelson and Associates provided a presentation regarding the Bicycle Master Plan. The Public Hearing was opened at 7:36 p.m. Chair Cuevas stated that the Planning Commission received two comments via email related to the Bike Master Plan. Director Palombi addressed these comments to the Planning Commission and stated that the Public Works Department would be responsible for implementation related to bike lanes. The second comment related to the legalization of bicycles on sidewalks, which Director Palombi mentioned would be included as a recommendation in the Bicycle Master Plan. The Public Hearing was closed at 7:38 p.m. Commissioner Morales motioned to approve Resolution No. 01-24 recommending City Council certify an Environmental Impact Report ("EIR") and adopt Findings of Fact, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program ("MMRP"); approval of the Montebello 2040 General Plan Update; Downtown Montebello Specific Plan and Zone Change; and Montebello Bicycle Master Plan and was Seconded by Commissioner Medina. Senior Administrative Assistant Alexis Huerta took roll and the item was approved 4-0.

MOTIONED: Commissioner Morales

SECONDED: Commissioner Medina

APPROVED: 4-0-0-1

AYES: Chair Cuevas, Commissioner Medina, Commissioner Morales, and Commissioner Valdez

NOES: None.

ABSTAIN: None.

ABSENT: Commissioner Lomeli

PLANNING COMMISSION ORALS

Chair Cuevas requested that the Planning Commission reorganization be placed on the next Planning Commission agenda.

ADJOURNMENT

The meeting was adjourned at 7:48 p.m. to the next regularly scheduled meeting that will be held on March 19, 2024.

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: Daniel Ruiz, Assistant Planner

SUBJECT: **Modification to Conditional Use Permit (“CUP”) No. 07-71 to authorize the reconfiguration of the existing Ford of Montebello automobile dealership located at 2747 Via Campo including the demolition of 16 outdoor service bays and the construction of 25 new indoor service bays within a new 15,200 square foot structure with roof top parking.**

DATE: March 19, 2024

RECOMMENDATION(S):

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

1. ADOPT Resolution No. 08-24 conditionally approving the demolition of 16 outdoor service bays and allowing the construction of 25 new indoor service bays within a new 15,200 square foot structure with roof top parking for the property located at 2747 Via Campo and make related findings that the Proposed Project is consistent with the Montebello General Plan; and
2. DETERMINE and FIND that the foregoing actions will not include substantial changes and/or cause significant effects to the environment as described in Section 15162 of the California Environmental Quality Act (“CEQA”) Guidelines, nor result in any new impacts or increase the significance of environmental impacts beyond those identified in the previously approved Initial Study/Mitigated Negative Declaration (“IS/MND”) (Case No. CUP 07-71, MOD 02-16), and therefore approval of the attached Addendum to the MND is appropriate.

FISCAL IMPACT:

None.

BACKGROUND:

On December 21, 2023, Robert Plant of Roar Architecture, the representative for Ford of Montebello (the “Applicant”), filed an application for a modification to CUP No. 7-71 to demolish 16 outdoor service bays at 2747 Via Campo (the “Project Site”) and construct 25 new indoor service bays within a new 15,200 square foot structure with roof top parking. This will result in nine (9) net new service bays within the proposed structure.

On December 27, 2023, staff issued a deemed complete letter to the Applicant.

PROJECT /APPLICANT INFORMATION

Project Location: 2747 Via Campo
Project Applicant: Ford of Montebello
Property Owner: Draneb Properties 2 LLC
General Plan Designation: General Commercial
Zoning: C-2 (General Commercial)
Existing Use on Property: Commercial (Automobile Dealership)

Project Site

The surrounding zoning and land uses are listed as follows:

Direction	Zone	Land Use
North	N/A	California State Highway 60 (Pomona Freeway)
South	R-1	Low-Density Residential (Church)
East	C-2	General Commercial
West	C-2	General Commercial

PROJECT DESCRIPTION

The proposed modification to CUP No. 07-71 seeks approval to permit the demolition and removal of 16 existing outdoor service bays at the Project Site and approval for the construction and continued use of a new 15,200 square foot building that would include 25 new indoor service bays, roof top parking, and related amenities (the “Proposed Project”). The existing Ford of Montebello automobile sales and service facility located at the Project Site was originally approved on July 6, 1971, under CUP 07-71 (Planning Commission Resolution PC-43-71). CUP 07-71 was approved “to conduct an automobile agency for the sale of new and used automobiles and mechanical and auto body repair work” at the Project Site.

Subsequently, a modification to the CUP was approved in 1972 to allow for a 60-foot-tall pole sign and a modification was approved in 1973 to allow for the construction of a service building on the site. In 2005, the Planning Commission approved a modification to the site to allow a new office/showroom/ parts department totaling 16,444 square feet to be constructed within the same footprint as the existing 11,312 square foot one story building (CUP 7-71, Modification 1-04). These modifications reflect the most current layout and configuration of the Ford of Montebello automobile dealership. In 2016, a modification was approved by the Planning Commission (CUP 07-71, MOD 02-16) to allow the construction of a new three-level structure consisting of a total of 112,480 square feet that included an expansion of the sales area, service area, and inventory, but ultimately these modifications to the site were not made. If this CUP request is approved, the previous CUP entitlements and modifications for the project site will remain in effect. The case number associated with this request is CUP 07-71-M3.

The existing Ford of Montebello Automobile Dealership at the Project Site consists of 34,827 square feet of building area including 15,657 square feet for the 1st and 2nd floor of the showroom, 5,420 square feet for the 1st and 2nd floor parts area, and 13,750 square feet for the service area. Under this project request, 4,890 square feet would be removed from the existing service area and a new 15,200 square foot service area would be constructed to the rear of the site with a parking area on the roof of the new structure also consisting of 15,200 square feet. The rooftop parking as proposed includes a total of 41 parking spots dedicated to the service area. Combined, the gross square footage of the existing buildings at the Project Site with the proposed modifications along with the square footage of the newly proposed service structure is 60,337 square feet. The proposed hours of operation for the new service structure are from 8:00 am to 6:00 pm consistent with the hours of operation for the existing service building. The maximum proposed height of the new service structure is 22 feet and 6 inches, and the structure will be constructed of painted concrete masonry unit (CMU) walls with aluminum and metal composite panels as reflected in the project plans (Attachment D).

Regarding the other development standards found within Chapter 17.22 (Commercial Zones Generally) of the MMC, the project proposal is consistent with the requirements for minimum lot size, maximum building height, maximum lot coverage, maximum floor area ratio, setbacks, as well as all other requirements of the MMC shown in the table below.

C-2 Commercial Development Standards		
Minimum Lot Area	Requirement within MMC	Provided by Project
Minimum Lot Width	2,500 square feet	117,900 square feet
Minimum Lot Depth	25 feet	300 feet (front lot line); 195 feet (rear property line)
Maximum Building Height	100 feet	520 feet

PLANNING COMMISSION AGENDA REPORT - MEETING OF MARCH 19, 2024

Page 4 of 8

Maximum Floor Area Ratio	35 ft. where common lot line with R-1 (25 ft. for any portion of building within 15 ft. of R-1 property)	22 Feet 6 Inches (Proposed Structure)
	3:1 353,700 square feet (3x117,900)	51% of lot area (60,337/117,900)
Maximum Lot Coverage	Unlimited except for required yard areas	31% (36,517/117,900)
Minimum Front Setback	5 feet; 0 feet with a decorative facade. 10 feet if abutting an R-zone. 20 feet in C-R if side abuts an R-zone.	33' – 11" provided
Minimum Side Setback	5 feet (15 feet if abutting R-zone); or 0 feet if no windows or doors (and decorative if abutting an R-zone). 5 feet minimum in first 20 feet back from the street if abutting an R-zone and has a decorative facade.	0 feet (no windows or doors provided)
Minimum Rear Setback	5 feet (15 feet if abutting R-zone); or 0 feet if no windows or doors (and decorative if abutting R-zone). 5 feet minimum in first 20 feet back from street if a reverse corner lot abutting an R-zone and has a decorative facade.	0 feet (no windows or doors provided)
Number of Parking Spaces	1 per 1,000 sq. ft. used for open display or sales—if area exceeds 10,000 sq. ft., then 1 space per 5,000 sq. ft. in excess of first 10,000	225 Parking Spots

	60,337 square feet (10 spaces required for first 10,000 square feet, 10 spaces required for next 50,337 square feet)	
--	--	--

GENERAL PLAN LAND USE ELEMENT

The General Plan Land Use Element designation for the Project Site is the City's General Commercial land use designation. The following General Plan Land Use Element goals, objectives, and policies are applicable to the project proposal:

General Plan Land Use Element Goal #1 is “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.”

General Plan Land Use Element Objective #2 states “that sufficient land in close freeway proximity be allocated for an Auto Center.”

General Plan Land Use Element Commercial Policy #1 states that “Commercial development in the City should be sited in appropriate locations according to need.”

General Plan Land Use Element Commercial Policy #2 states that the “City should contain a variety of commercial development, including regional and community shopping facilities, local neighborhood convenience centers, highway oriented development and professional office type areas.”

General Plan Land Use Element Commercial Policy #5 states that the “City should contain ample commercial facilities to meet the needs of its residents as well as provide taxable revenues to the City.”

General Plan Land Use Element Commercial Policy #6 states that “frontage areas along the Pomona and Santa Ana Freeways with good accessibility should be preserved for future commercial and industrial development.”

The Proposed Project conforms to the City of Montebello General Plan Land Use Element Goal #1, Commercial Policy #1, and Commercial Policy #2 related to commercial developments being responsive to the needs of the community, to commercial developments being situated in appropriate locations according to need, and to the City containing a variety of commercial developments including highway-oriented developments. Additionally, the Proposed Project relates to Land Use Element Objective #2 which states that sufficient land in close freeway proximity should be allocated for an Auto Center. The existing Ford of Montebello automobile dealership at the Project Site has been established since 1972 and has been able to assist residents of Montebello and the surrounding communities to meet their automobile needs and services. The dealership is located near the Pomona Freeway (California State Route 60), consistent

with the intent of the General Plan Land Use Element to have an Auto Center near freeways in the city. By demolishing and upgrading the existing service bays while adding additional roof parking, the Ford of Montebello will be able to improve the quality of the services offered to local community clientele and to utilize the site more efficiently and effectively. Additionally, the project is consistent with General Plan Land Use Element Commercial Policy #5 and #6 related to commercial facilities providing taxable revenues to the City and to commercial developments being situated in frontage areas along the Pomona Freeway. The expanded service area proposed as a part of this project will allow for an improved quality of service while simultaneously providing additional taxable revenues to the city.

CONDITIONAL USE PERMIT

Pursuant to Chapter 17.70 (Conditional Use Permits) and Appendix A of the MMC, the approval of a CUP is required for “Automobile Sales, New & Used” in the C-2 (General Commercial) zone. Section 17.70.010 of the MMC specifies that the purpose of conditional use permits is to “allow proper integration of uses into the community which may only be suitable in specific locations, or only if such uses are designed and constructed in a particular manner on the site, and under certain conditions.”

Pursuant to Section 17.70.070 of the MMC, before any CUP shall be granted, the following findings must be made:

A. That the site for the proposed use is adequate in size and shape;

The subject site is located within the C-2 (General Commercial) Zone which allows for uses with higher traffic and longer hours such as retail sales, medical and professional offices, general offices, as well as service stations and automobile sales yards. The subject site is physically suitable for the type of land use proposed on the subject property given that it is already developed with an automobile dealership on a site consisting of approximately 117,900 square feet or 2.7 acres with ample room available for the proposed service station area expansion. The subject site is adequate in size and shape to accommodate the development features of the Proposed Project and is in a proper location for the Project. By clustering the new building at the back of the property it will provide a placement for the expansion which should allow for good onsite traffic flow and there is no impact anticipated for the current traffic flow along Via Campo. The Proposed Project meets all the development standards of the City’s Zoning Code for commercial zones including the requirements for minimum lot size, maximum building height, minimum setbacks, minimum parking requirements, and all other commercial development standards.

B. That 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 site will continue to have direct vehicular access from Via Campo, a collector road per the Circulation Element of the City of Montebello’s General Plan. The site is located adjacent to the Pomona Freeway allowing for greater accessibility to the site. The streets

and highways are adequate in width and pavement to carry the quantity of traffic generated by the proposed service area expansion and the CEQA addendum prepared for the proposal specifies that there will not be any additional traffic generation directly related to the construction of the new service building or proposed modifications.

C. That the proposed use will not have an adverse effect upon adjacent or abutting properties;

The subject site has been developed with the Ford of Montebello automobile dealership since 1972. The expanded service use is compatible with existing and future land uses within the general area in which the proposed use is to be located. The granting of this conditional use will not adversely affect the adjacent uses, nor will it be detrimental to the public health, safety, or welfare. By demolishing the 16 outdoor service bays and moving them indoors, it is anticipated that the noise levels heard during the day from current operations will be diminished and that the proposed CMU walls of the new structure will further dampen the service station related noise. Mitigation measures are also included as a part of this proposal to limit air quality impacts, traffic impacts, public service impacts, and other impacts.

D. That the proposed use meets the general purpose and intent of the Zoning Code and is consistent with the purpose and intent of the General Plan.

The proposed modification to the Ford of Montebello Automobile dealership is consistent with the City's General Plan and Zoning Code. The General Plan Land Use classification of the site is General Commercial, which is consistent and compatible with the current zoning designation of C-2 (General Commercial). "Automobile Sales, New & Used" is a conditionally permitted use in the C-2 zone. Additionally, Chapter 17.28 of the MMC ("C-2 General Commercial Zone") specifies that automobile service and garages are permitted as an accessory use within the C-2 zone when the repair is incidental to the operation of a permitted automobile service station or auto sale use.

Related to consistency with the General Plan, the proposed use is consistent with General Plan Land Use Element Goal #1, with General Plan Land Use Element Objective #2, as well as with General Plan Land Use Element Commercial Policies #1, 2, 5, and 6. These goals, objectives, and policies relate to the project being responsive to the needs of the community, to the City permitting for the orderly arrangement of land uses including locating an auto center near the freeway, to the City situating commercial developments in appropriate locations according to need, to the City providing a variety of types of commercial development, as well as to commercial developments providing taxable revenue to the City. The Proposed Project conforms with the City of Montebello General Plan Land Use Element in that the proposed use is in a developed commercial area with an already existing automobile dealer, is compatible with the surrounding commercial uses, and the proposed modifications will increase the taxable revenue provided to the City of Montebello.

ENVIRONMENTAL:

The modification to the Conditional Use Permit (CUP 07-71) is considered a "project,"

per the California Environmental Quality Act (CEQA) definition of a “project.” Pursuant to CEQA Guidelines section 15063, an Initial Study/Mitigated Negative Declaration was approved by the Planning Commission on August 2, 2016, finding that, with mitigation, the potential environmental impacts of the original project could be reduced to a significance threshold of Less than Significant. Pursuant to CEQA Guidelines Section 15162(b), an addendum to an adopted negative declaration should be prepared where none of the conditions described in CEQA Guidelines Section 15162(a) apply which would otherwise call for preparation of a subsequent environmental impact report. The Proposed Project as amended does not call for substantial changes and/or the involvement of new significant environmental effects as described in Section 15162(a), therefore, only an addendum to the previously approved Mitigated Negative Declaration has been prepared for consideration under this project. The proposed Addendum concludes that approving the project would not result in any new or increased significant impacts on the environment.

ANALYSIS:

None.

SUMMARY:

REPORTS RECEIVED

On December 27, 2023, the application materials for Case Number CUP 07-71-M3 were forwarded to the Building Division as well as the following departments: 1) Public Works Department; 2) Montebello Fire Department; 3) Recreation and Community Services Department; and 4) Montebello Police Department for review, comments, and conditions. The conditions of approval that were provided are included in “Attachment A.”

PUBLIC NOTIFICATION

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

- On March 7, 2023, the Public Hearing Notice was published in the Daily Journal (Whittier Daily News); and
- On March 7, 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. 03-24 with conditions and Mitigation Monitoring and Reporting Program (MMRP)
2. CEQA Addendum – CUP 07-71 (Dated February 15, 2024)
3. Public Hearing Notification
4. Project Plans

**CITY OF MONTEBELLO
PLANNING COMMISSION**

RESOLUTION NO. 03-24

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO, CALIFORNIA, APPROVING A MODIFICATION TO A CONDITIONAL USE PERMIT (“CUP 07-71”) WITH CONDITIONS TO DEMOLISH 16 OUTDOOR SERVICE BAYS AND TO ALLOW THE CONSTRUCTION OF 25 INDOOR SERVICE BAYS WITH ROOFTOP PARKING AT 2747 VIA CAMPO (“PROJECT SITE”) AND ADOPTING AN ADDENDUM TO A MITIGATED NEGATIVE DECLARATION IN CONNECTION WITH THE PROPOSED PROJECT PURSUANT TO SECTION 15162(A) OF THE CEQA GUIDELINES (ENV NO. 18-23).

WHEREAS, the City of Montebello (“City”) received an application from ROAR Architecture on behalf of Ford of Montebello (“Applicant”) for a modification to a Conditional Use Permit (“CUP”) (CUP 07-71) to allow the demolition of 16 outdoor service bays and to allow the construction of 25 indoor service bays with rooftop parking (“Project”) at 2747 Via Campo (“Project Site”); and

WHEREAS, the approval of a Conditional Use Permit for “Automobile Sales, New & Used” in the C-2 (General Commercial) zone is required per Montebello Municipal Code (“MMC”) Appendix A (Index of Primary Uses); and

WHEREAS, the CUP modification (CUP 07-71-M3) is considered a “Project,” as per the CEQA definition of a “Project”; and

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

WHEREAS, consistent with the requirements of CEQA, a Mitigated Negative Declaration was approved by the Planning Commission on August 2, 2016 (“MND”), finding that the Original Project would not have a significant effect on the environment subject to compliance with the mitigation measures specified therein, and the City has conducted an analysis of the environmental impacts of the Project and concluded that the proposed Project does not include substantial changes that require major revisions to the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; no substantial changes have occurred with respect to the circumstances under which the Project is proposed to

be undertaken that require major revisions due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; there is no new information of substantial importance showing the proposed Project will have a significant environmental impact that is more severe or new when compared to the MND's evaluation of the Original Project; and no mitigation measures identified in the MND are rendered infeasible or considerably different by the proposed Project; and therefore, analyzing and disclosing the potential environmental impacts of the Project by way of an addendum to the previously prepared MND is appropriate pursuant to Section 15162 of the CEQA Guidelines;

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 substantial evidence presented at the public hearing and included in the record for this matter; 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 17.70.070, before any CUP is granted, the following findings must be made:

1. *That the site for the proposed use is adequate in size and shape;*

The subject site is located within the C-2 (General Commercial) Zone which allows for uses with higher traffic and longer hours such as retail sales, medical and professional offices, general offices, as well as service stations and automobile sales yards. The subject site is physically suitable for the type of land use proposed on the subject property given that it is already developed with an automobile dealership on a site consisting of approximately 117,900 square feet or 2.7 acres with ample room available for the proposed service station area expansion. The subject site is adequate in size and shape to accommodate the development features of the proposed Project and is in a proper location for the Project. By clustering the new building at the back of the property it will provide a placement

for the expansion which should allow for good onsite traffic flow and there is no impact anticipated for the current traffic flow along Via Campo. The proposed Project meets all the development standards of the City's Zoning Code for commercial zones including the requirements for minimum lot size, maximum building height, minimum setbacks, minimum parking requirements, and all other commercial development standards.

2. *That 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 site will continue to have direct vehicular access from Via Campo, a collector road per the Circulation Element of the City of Montebello's General Plan. The site is located adjacent to the Pomona Freeway allowing for greater accessibility to the site. The streets and highways are adequate in width and pavement to carry the quantity of traffic generated by the proposed service area expansion and the CEQA addendum prepared for the proposal specifies that there will not be any additional traffic generation directly related to the construction of the new service building or proposed modifications.

3. *That the proposed use will not have an adverse effect upon adjacent or abutting properties;*

The subject site has been developed with the Ford of Montebello automobile dealership since 1972. The expanded service use is compatible with existing and future land uses within the general area in which the proposed use is to be located. The granting of this conditional use will not adversely affect the adjacent uses, nor will it be detrimental to the public health, safety, or welfare. By demolishing the 16 outdoor service bays and moving them indoors, it is anticipated that the noise levels heard during the day from current operations will be diminished and that the proposed CMU walls of the new structure will further dampen the service station related noise. Mitigation measures are also included as a part of this proposal to limit air quality impacts, traffic impacts, public service impacts, and other impacts.

4. *That the proposed use is consistent with the objectives of the community redevelopment project area in which the site is located. Put another way, the finding must be made that the proposed use will meet the general purpose and intent of the Zoning Code and will be consistent with the purpose and intent of the General Plan and any applicable specific plan.*

The proposed modification to the Ford of Montebello Automobile dealership is consistent with the City's General Plan and Zoning Code. The General Plan Land Use classification of the site is General Commercial, which is consistent and compatible with the current zoning designation of C-2 (General Commercial). "Automobile Sales, New & Used" is a conditionally permitted use in the C-2 zone. Additionally, Chapter 17.28 of the MMC ("C-2 General Commercial Zone") specifies that automobile service and garages are permitted as an accessory use within the C-2 zone when the repair is incidental to the operation of a permitted automobile service station or auto sale use.

Related to consistency with the General Plan, the proposed use is consistent with General Plan Land Use Element Goal #1, with General Plan Land Use Element Objective #2, as well as with General Plan Land Use Element Commercial Policies #1, 2, 5, and 6. These goals, objectives, and policies relate to the Project being responsive to the needs of the community, to the City permitting for the orderly arrangement of land uses including locating an auto center near the freeway, to the City situating commercial developments in appropriate locations according to need, to the City providing a variety of types of commercial development, as well as to commercial developments providing taxable revenue to the City. The proposed Project conforms with the City of Montebello General Plan Land Use Element in that the proposed use is in a developed commercial area with an already existing automobile dealer, is compatible with the surrounding commercial uses, and the proposed modifications will increase the taxable revenue provided to the City of Montebello.

SECTION 3. CEQA. Pursuant to the California Environmental Quality Act (CEQA), a Mitigated Negative Declaration was approved by the Planning Commission on August 2, 2016 ("MND"), finding that the Original Project would not have a significant effect on the environment subject to compliance with the mitigation measures specified therein, and the City has conducted an analysis of the environmental impacts of the Project and concluded that the proposed Project does not include substantial changes that require major revisions to the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; no substantial changes have occurred with respect to the circumstances under which the Project is proposed to be undertaken that require major revisions due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; there is no new information of substantial importance showing the proposed Project will have a significant environmental impact that is more severe or new when compared to the MND's evaluation of the Original Project; and no mitigation measures identified in the MND are rendered infeasible or

considerably different by the proposed Project; and therefore, analyzing and disclosing the potential environmental impacts of the Project by way of an addendum to the previously prepared MND is deemed appropriate by the Planning Commission pursuant to Section 15162 of the CEQA Guidelines. The Planning Commission hereby adopts the Mitigated Monitoring and Reporting Program attached as Exhibit A to this Resolution, setting forth the agencies / persons responsible for monitoring the conditions of approval and when such must be implemented to reduce Project impacts to Less Than Significant.

SECTION 4. APPROVALS. The Planning Commission hereby approves the CUP (Case No. CUP 07-71-M3) to allow the demolition of the 16 service bays at the Project Site and to allow the construction of 25 indoor service bays with roof top parking subject to the conditions 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.

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. The development of the subject site shall be consistent with all provisions of the MMC, Conditional Use Permit No. CUP 07-71-M3/ENV No. 18-23, and the specifications of the City's Planning Division ("Planning Division" or "Planning Department").
3. 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.
4. 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.
 5. 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 use. The Planning Commission may revoke the CUP (CUP 07-71-M3/ENV No. 18-23) if sufficient cause is given.
 6. Any change in ownership, lease, and/or any other change requires a written notice be provided to the Director of Planning and Community Development prior to the change.
 7. The Applicant or successor in interest shall meet the applicable code requirements and all other City department regulations.
 8. Prior to issuance of a building permit, the plans must include four loading spaces as required by Montebello Municipal Code Section 17.22.030.
 9. Construction shall only occur between the hours of 7:00 a.m. and 8:00 p.m. Monday thru Friday, and 9:00 a.m. to 6:00 p.m. on Saturdays, Sundays, and legal holidays, except in the case of an emergency where such action is immediately required to prevent injuries to persons or damage to property, as determined by the Building Official.
 10. 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.
 11. The Applicant, Owner, Management and/or successor of the use shall bear full cost 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 and/or the Mitigation Monitoring and Reporting Program.
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 Montebello Planning Commission ("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 the entitlement shall expire if the rights granted are not exercised within one (1) year from the CUP'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.
 15. The approval of this CUP can be extended up to and not to exceed an additional two years with a written request by the property owner stating the reason the extension is necessary. The extension request is subject to the review and approval of the Director.
 16. 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.
 17. No signs shall be installed on the site until a sign permit has been approved by the Planning Division and the Building & Safety Division in conformance with the provisions set forth in the MMC.
 18. A landscape and irrigation plan prepared by a licensed landscape architect shall be submitted during the plan check process and must be approved prior to the issuance of building permits.
 19. The property owner shall have all on-site graffiti removed within 24 hours of its appearance.
 20. The operation of the said use shall at all times be conducted in a manner not detrimental to surrounding properties or residents by reason of lights, noise, activities, parking, or other actions.
 21. All business operators shall take the necessary step to assure the orderly conduct of employees, patrons, and visitors on the premises.

22. All employees of the businesses on-site shall be out of the premises no later than one hour after closing. No "after hours" operations shall be permitted.
23. The premises shall be kept clean and the operator 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.
24. Exterior storage of any kind shall be prohibited unless explicitly allowed by the MMC.
25. The parking area shall be sufficiently lit and secured to discourage loitering and/or late-night activity.
26. The Planning Commission shall have the right to impose additional conditions for the protection of the public health, safety, and welfare.

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 the Building Division for review prior to permit issuance.
3. Fees shall be paid to the County of Los Angeles Sanitation District prior to issuance of the building permit.
4. For plan review submittal purposes, the project shall be addressed as 2747 Via Campo. Prior to issuance of building permits, an application to assign unit numbers for both service garages shall be filed with the City.
5. In accordance with paragraph 5538(b) of the California Business and Professions Code, plans are to be prepared and stamped by a licensed architect.
6. Structural calculations prepared under the direction of an architect, civil engineer or structural engineer shall be provided.
7. 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.
8. 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 another soils and/or geotechnical engineer unless the subsequent soils and/or geotechnical engineer submits and has accepted by the Public Works Department, a new Preliminary Soils and/or Geotechnical Investigation.
9. The property shall be surveyed, and the boundaries marked by a land surveyor licensed by the State of California.
10. 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.
11. Repair garages shall be constructed in accordance with the Fire Code and Sections 406.2 and 406.8 of the Building Code.
12. Fire-resistance rating requirements for exterior walls based on fire separation distance of 0 to 5 feet shall comply with Table 602 of the Building Code.
13. Maximum area of exterior wall openings and degree of open protection based on fire separation distance of 0 to 3 feet shall comply with Table 705.8 of the Building Code.
14. Service garage of occupant load exceeding 29 shall require 2 exit or egress doors per Table 100.6.2.1 of the Building Code. Egress doors shall be of the side-hinged swinging door, pivoted door, or balanced door types per Section 1010.1.2. Vehicle roll-up doors shall not be used as egress doors.
15. Rooftop open parking garage of S-2 Group Occupancy having occupant load greater than 29 shall require 2 exits per Table 100.6.2.1 of the Building Code. Where persons other than parking attendants are not permitted, there shall be not fewer than two exit stairways per Section 406.5.7.
16. Exterior exit stairways and ramps shall have a minimum fire separation distance of 10 feet measured at right angles from the exterior edge of the

- stairway or ramps, including landings, to the adjacent lot lines per Section 1027.5.
17. Repair garage designed to contain conditioned space shall require Photovoltaic (PV) and Battery Storage Systems per Section 140.10 of the California Energy Code. When PV is required, a solar PV array structure may be installed on the rooftop per Section 503.1 of the Building Code to facilitate parking.
 18. All State of California disability access regulations for accessibility shall be complied with.
 19. Access aisles of the accessible parking spaces shall adjoin an accessible route leading the accessible entrance of the building they served per Section 11B-502.3. Parking spaces, access aisles and vehicular routes serving them shall provide a vertical clearance of 98 inches minimum per Section 11B-502.5. Parking spaces and access aisles shall be designed so that persons using them are not required to travel behind parking spaces other than to pass behind the parking space in which they parked per Section 11B-502.7.1.
 20. Separate application and plan review is required for Electrical plans.
 21. Separate application and plan review is required for Mechanical plans.
 22. Separate application and plan review is required for Plumbing plans.
 23. Plumbing fixtures shall be provided as required by Chapter 4 of the California Plumbing Code. Additional fixtures may be required if not in compliance.
 24. Project shall comply with the CalGreen Nonresidential mandatory requirements.
 25. No form work or other construction materials will be permitted to encroach into adjacent property without written approval of the affected property owner.
 26. Demolition permit is required for any existing buildings which are to be demolished.
 27. 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 indicating this information must be stamped by the engineer or the architect and submitted for approval prior to issuance of the building permit.

28. Separate permit is required for fire sprinklers.

C. Fire Department Conditions

1. Fire sprinkler per 2022 Edition California Fire Code, NFPA 13 and Montebello Municipal Code 15.32.190.
2. Fire sprinkler monitoring per 2022 Edison California Fire Code and NFPA-72.
3. Fire extinguishers per 2022 Edition California Fire Code.
4. Additional requirements may be added during the plan check process.

D. Public Works - Engineering Conditions

1. The Applicant will abide by any additional conditions imposed by the Public Works Department and Engineering Division during the plan check process and will, upon request, provide the Public Works Department with any additional information or documentation required.
2. Onsite Groundwater Monitoring Wells, including legally removed, permanent, temporary and active wells, must be depicted on all site plans, grading plans and all other relevant plans. Include a legend that demonstrates ownership, date installed, and type of monitoring well and all other relevant information.
3. Comply with the City's ordinance pertaining to construction debris recycling. Contact the Building & Safety Department to obtain a Construction & Demolition Debris Diversion Program form. The Construction & Demolition Debris Diversion Program is also applicable with respect to the grading process.
4. All USA/Dig Alert paint markings must be removed by the contractor from the sidewalk, curb & gutter and/or asphalt pavement once offsite improvements are completed.
5. Encroachment permit required to be obtained by a license contractor to work in the public right-of-way.
6. Preserve existing survey monuments (property corners, centerline ties, etc.) in the public right-of-way. All disturbed and removed survey monuments in the public right-of-way shall be re-established and record of survey shall be filed with the County surveyor in accordance with applicable provisions of the state law.

7. Alternative engineering methods for filtration and infiltration must be used to defray a percentage of the storm water runoff into the storm drain system.
8. Comply with all Federal, State, and local agency requirements pertaining to the Clean Water Act, which established regulations, set forth in the Countywide National Pollutant Discharge Elimination System (NPDES) Permit.
9. Low Impact Development (LID) is a requirement of the NPDES Permit No. CAS004004, Order No. ORDER NO. R4-2021-0105 and local Ordinances. The LID is a narrative report that explains the type of development and drainage of the site. It must address the post-construction water quality and habitat impact issues.
10. Engineer to show the location of the sewer mainline, nearest manholes, lateral serving the project and configuration of the onsite sewer including diameter and material of the onsite sewer.
11. Engineer to show the location of water meters servicing the development and any newly proposed water meter locations.
12. The City Engineer may require other information or may impose additional conditions and requirements as deemed necessary to protect health and safety, and to benefit the public.

PASSED AND ADOPTED this 19th day of March, 2024 by the Planning Commission.

Chair Cuevas:	() AYE () NOE () ABSENT () ABSTAIN
Commissioner Lomeli:	() AYE () NOE () ABSENT () ABSTAIN
Commissioner Medina:	() AYE () NOE () ABSENT () ABSTAIN
Commissioner Morales:	() AYE () NOE () ABSENT () ABSTAIN
Commissioner Valdez:	() AYE () NOE () ABSENT () ABSTAIN

Victor Cuevas, Chair

ATTEST:

Joseph A. Palombi, Director
Planning & Community Development Department

**RESOLUTION NO. 03-24
EXHIBIT A**

**MITIGATION MONITORING AND REPORTING PROGRAM
2747 VIA CAMPO**

INTRODUCTION

California Environmental Quality Act (CEQA) Statute and Guidelines Section 15074(d) states that, when adopting a Mitigated Negative Declaration, the lead agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the Project or made a condition of approval to mitigate or avoid significant environmental effects.

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that mitigation measures are successfully implemented. The City of Montebello is the lead agency for the proposed Project and is responsible for implementation of the MMRP.

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

The MMRP for the proposed Project will be active through all phases of the proposed Project, including design, construction, and operation.

The attached table identifies those mitigation measures required by the city to mitigate to LESS THAN SIGNIFICANT threshold impacts associated with the implementation of the proposed Project and includes the department responsible for monitoring, the timing of implementation, and completion verification.

Mitigation Measure	Implementation Responsibility	Timing of Implementation	Responsible for Monitoring	Compliance Signature Date
<i>Mitigation Measure 1 (Air Quality Impacts).</i> All unpaved demolition and construction areas must be watered (using non-potable water) at least three times per day during excavation, grading and construction, and temporary dust covers must be used to reduce dust emissions and meet SCAQMD Rule 403. Watering could reduce fugitive dust by as much as 60 percent.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	

<i>Mitigation Measure 2 (Air Quality Impacts).</i> The building contractors shall ensure that trucks carrying demolition debris are hosed off (using non-potable water) or securely covered before leaving the construction site as approved by the Chief Building Official prior to grading operations.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	
<i>Mitigation Measure 3 (Air Quality Impacts).</i> The project contractors will ensure that all diesel trucks and equipment are not left to idle for longer than five minutes.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	
<i>Mitigation Measure 4 (Air Quality Impacts).</i> Construction staging and queuing will be prohibited from taking place on-site. Construction vehicle queuing and staging must take place at a designated area that is at least 1,000 feet from the nearest sensitive receptor at a location approved by the Community Development Department.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	
<i>Mitigation Measure 5 (Air Quality Impacts).</i> Via Campo shall be swept as needed upon cessation of daily construction activities to ensure that all dust is removed from the street.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	
<i>Mitigation Measure 6 (Hazardous & Hazardous Materials Impacts).</i> The building contractors must adhere to all requirements governing the handling, removal, and disposal of asbestos-containing materials, lead paint, underground septic tanks, and other hazardous substances and materials that may be encountered during demolition and land clearance activities. Any contamination encountered during the demolition, grading, and/or site preparation activities must also be	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	

removed and disposed of in accordance with applicable laws prior to the issuance of any building permit.				
<i>Mitigation Measure 7 (Hydrology & Water Quality Impacts).</i> Prior to issuance of any construction permit for the project that would result in soil disturbance of one or more acres of land (the entire dealership occupies a site that has a total land area of two acres), the building contractors shall demonstrate that coverage has been obtained under California's General Permit for Storm water Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board, and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing shall be provided to the Chief Building Official and the City Engineer.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	
<i>Mitigation Measure 8 (Hydrology & Water Quality Impacts).</i> The building contractors shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall be submitted to the Chief Building Official and City Engineer prior to the issuance of a grading permit. The building contractors shall register their SWPPP with the State of California. A copy of the current SWPPP shall be kept at the project site and be available for review on request.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	
<i>Mitigation Measure 9 (Hydrology & Water Quality Impacts).</i> The building contractors shall be responsible for the construction of all on-site drainage	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	

facilities as required by the City Engineer, which will be enforceable through project permits.				
<i>Mitigation Measure 10 (Noise Impacts).</i> The building contractors shall conduct construction activities between the hours of 7:00 AM and 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays, with no construction permitted on Sundays or Federal holidays.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	
<i>Mitigation Measure 11 (Noise Impacts).</i> The building contractors shall use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	
<i>Mitigation Measure 12 (Noise Impacts).</i> All interior noise levels must comply with the City's noise control requirements. The building contractors shall notify in writing, the Our Lady of Miraculous Medal Parish and School.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	
<i>Mitigation Measure 13 (Noise Impacts).</i> To ensure that noise from equipment and vehicles are kept to a minimum, the project Contractors shall ensure that all diesel trucks and equipment are not left to idle for longer than five minutes. This mitigation will be enforced through a demolition and building permit.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	
<i>Mitigation Measure 14 (Public Services Impacts).</i> The proposed project will undergo review by the City of Montebello Fire Department to ensure that sprinklers, hydrants, fire flow, etc. are adequate in meeting the Department's requirements.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	

<i>Mitigation Measure 15 (Public Services Impacts).</i> The City of Montebello Police Department shall review the site plan for the proposed project to ensure that the development adheres to the Department requirements.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	
<i>Mitigation Measure 16 (Traffic and Circulation Impacts).</i> The unloading of new vehicles from trucks must occur within the existing dealership. No unloading will be permitted within the existing Via Campo public right-of-way.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	
<i>Mitigation Measure 17 (Traffic and Circulation Impacts).</i> The truck(s) that are being unloaded may not obstruct ingress onto the property. (No parking is permitted on Via Campo.) No trucks unloading will be permitted within 90 feet of the curb-cut with Via Campo.	Project Applicant / Contractor	Duration of Construction	Planning & Community Development	



CEQA ADDENDUM

TO: Los Angeles County Registrar-Recorder
County Clerk Main Office
12400 Imperial Highway
Norwalk, California 90650

FROM: City of Montebello
1600 W. Beverly Blvd.
Montebello, California 90640

NAME: Ford of Montebello Addendum to CUP 7-71 and Modification 1-04 & 02-16

ADDRESS: 2747 Via Campo, Montebello, California 90640

CITY/COUNTY: City of Montebello, Los Angeles County.

APPLICANT: Jim Ross, President. Ford of Montebello. 2747 Via Campo, Montebello, California 90640

PROJECT: The proposed "project" would involve the demolition of 16 service bays south of the existing Carwash and the construction of a new service bay building with 25 light truck service bays located along the south side of the project site. Conditional Use Permit (CUP) 7-71 and Modification 1-04 was approved in 2005. Modification 02-16 was approved in 2016. The current CUP 7-71 and Modification 1-04 & 02-16 allows for a number of improvements to the Ford of Montebello auto dealerships located at 2747 Via Campo. The existing auto dealership is currently in operation. The original project would include the demolition of a portion of the existing service building and the construction of a new three-level structure that would be integrated into the existing sales and service area. The ground level of the new three-level building would include a customer service check-in area and a new car inventory display area. The second level would also be used as a new car inventory display area. Finally, the third level would be open to the sky and would also be used for new car inventory and display. The new floor area that would be provided totaled 112,480 square feet. The maximum height of the new building would be 35 feet. Finally, new landscaping would total 4,250 square feet. The existing buildings on site are the 2 story auto dealership showroom, the 1 story service building, the 8 service bay building, the carwash, and a 16 service bay building. The site area to be demolished and paved would be located south of the carwash. This includes the 16 service bay and the parking located on the south side of the project. The new service bay building would contain 25 parking spaces for light trucks and would be located in the southmost part of the project site.

All of the relevant conditions and mitigation measures from CUP 7-71 and Modification 1-04 & 02-16 would be applied to the modified project as deemed appropriate by the City Planning Commission. Finally, a new development agreement would further provide and/or address any modifications to the site plan required to meet specified criteria consistent with the previous CEQA.

CITY CONTACT Daniel Ruiz, Assistant Planner
City of Montebello Planning Division
1600 W. Beverly Boulevard
Montebello, California 90640

Signature_____

Date_____



THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.



CEQA ADDENDUM

**FORD OF MONTEBELLO
ADDENDUM TO CUP 7-71 AND MODIFICATION 1-04 & 02-16
2747 DEL CAMPO
MONTEBELLO, CALIFORNIA 90640**



LEAD AGENCY:

**CITY OF MONTEBELLO PLANNING DIVISION
1600 W. BEVERLY BLVD.
MONTEBELLO, CALIFORNIA 90640**

REPORT PREPARED BY:

**BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING
2211 S. HACIENDA BOULEVARD, SUITE 107
HACIENDA HEIGHTS, CALIFORNIA 93140**

FEBRUARY 15, 2024

MONT 033



THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.



TABLE OF CONTENTS

1. INTRODUCTION	7
2. CEQA AUTHORITY FOR AN ADDENDUM	7
3. PROJECT LOCATION & ENVIRONMENTAL SETTING	8
<i>Exhibit 1 Regional Map</i>	<i>10</i>
<i>Exhibit 2 Citywide Map</i>	<i>11</i>
<i>Exhibit 3 Local Map</i>	<i>12</i>
<i>Exhibit 4 Aerial View</i>	<i>13</i>
<i>Exhibit 5 On Site Photographs</i>	<i>14</i>
<i>Exhibit 6 Site Plan</i>	<i>15</i>
4. PROJECT DESCRIPTION	16
5. ENVIRONMENTAL ANALYSIS	16
AESTHETIC IMPACTS	16
AGRICULTURE & FORESTRY RESOURCES IMPACTS	17
AIR QUALITY IMPACTS	18
BIOLOGICAL RESOURCES IMPACTS	21
CULTURAL RESOURCES IMPACTS	22
GEOLOGY IMPACTS	23
GREENHOUSE GAS EMISSIONS IMPACTS	24
HAZARDOUS MATERIALS IMPACTS	25
HYDROLOGY & WATER QUALITY IMPACTS	26
LAND USE & PLANNING IMPACTS	28
MINERAL RESOURCES IMPACTS	29
NOISE IMPACTS	30
POPULATION & HOUSING IMPACTS	31
PUBLIC SERVICES IMPACTS	32
RECREATION IMPACTS	33
TRANSPORTATION IMPACTS	34
UTILITIES IMPACTS	36



THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.



1. INTRODUCTION

The proposed “project” (the proposed Addendum) would involve the demolition of 16 service bays south of the existing carwash and the construction of a new 25 slot light truck service bay building located on the southmost part of the project site. Conditional Use Permit (CUP) 7-71 and Modification 1-04 was originally approved in 2005. Modification 02-16 was approved in 2016. The existing CUP 7-71 and Modification 1-04 & 02-16 that is subject to this Addendum allowed for a number of improvements to the Ford of Montebello auto dealerships located at 2747 Via Campo. The Ford of Montebello auto dealership is currently in operation. The original project would include the demolition of a portion of the existing service building and the construction of a new three-level structure that would be integrated into the existing sales and service area. The ground level of the new three-level building would include a customer service check-in area and a new car inventory display area. The second level would also be used as a new car inventory display area. Finally, the third level would be open to the sky and would also be used for new car inventory and display. The new floor area that would be provided would total 112,480 square feet. The maximum height of the new building would be 35 feet. Finally, new landscaping would total 4,250 square feet. The existing buildings on site are the 2 story auto dealership showroom, the 1 story service building, the 8 service bay building, the carwash, and a 16 service bay building. The site area to be demolished and paved would be located south of the carwash. This includes the 16 service bay and the parking area located on the south side of the project. The new service bay building would contain 25 parking spaces for light trucks and would be located in the southmost part of the project site.

All of the *pertinent and relevant* conditions and mitigation measures from CUP 7-71 and Modification 1-04 & 02-16 would be applied to the modified project as deemed appropriate by the City Planning Commission. Finally, a new development agreement would further provide and/or address any modifications to the site plan required to meet specified criteria consistent with the previous CEQA.

2. CEQA AUTHORITY FOR AN ADDENDUM

The California Environmental Quality Act (CEQA) has established the type of environmental documentation that is required when changes to a project occurs after an environmental impact report or mitigated negative certified. Specifically, Section 15164(a) of the CEQA Guidelines states that: The lead agency or responsible agency shall prepare an addendum to a previously certified EIR if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. Section 15162 of the CEQA Guidelines requires a Subsequent EIR when an MND has already been adopted or an EIR has been certified and one or more of the following circumstances exist:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes occur with respect to the circumstances under which the project is undertaken, which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or



- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
 - The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
 - Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

California Public Resources Code (CPRC) Section 21166 states that unless one or more of the following events occur, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency:

- Substantial changes are proposed in the project which will require major revisions of the environmental impact report;
- Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report; or
- New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.

As demonstrated by the analysis herein, the consolidated CUP would not result in any new additional significant impacts, nor would it substantially increase the severity of previously anticipated significant impacts. Rather, all of the impacts associated with the Modified Project are within the envelope of impacts addressed in the Certified EIR and do not constitute a new or substantially increased significant impact. Based on this determination, the consolidated CUP does not meet the requirements for preparation of a Subsequent or Supplemental EIR pursuant to Section 15162 of the CEQA Guidelines.

3. PROJECT LOCATION & ENVIRONMENTAL SETTING

The project site is located in the northwest portion of the City of Montebello. The City is located in the southwestern portion of the San Gabriel Valley approximately 7.8 miles to the east of Downtown Los Angeles. The City of Montebello is bounded by Montebello, Rosemead, and unincorporated County areas to the north; by the Whittier Narrows Dam Recreation Area and Pico Rivera to the east; by Pico Rivera and Commerce to the south; and by Commerce and unincorporated East Los Angeles to the west.¹ Regional

¹ Quantum GIS, Google Maps, and the GIS Community.



access to Montebello is provided by the Pomona Freeway (SR-60), which traverses the northern portion of the City in an east-west orientation, and by the Santa Ana Freeway (I-5), which extends along the southernmost boundary of the City in a north-south orientation. Major physiographic features in the area include the Montebello Hills, located 1.69 miles to the east of the project site; the Rio Hondo River, located approximately 2.52 miles to the southeast of the project site; the Puente Hills, located approximately 5.73 miles to the east of the project site; and the San Gabriel Mountains, located 11.34 miles to the north.²

The project site's legal address is 2747 Via Campo, Montebello, California. Major roadways located in the vicinity of the project site and the Ford of Montebello auto dealership includes Via Campo that extends along the project site's north side. Via Campo provides direct vehicular access to the project. Other arterial roadways the serve the immediate area includes North Garfield Avenue (located approximately 900 feet to the west) and North Wilcox Avenue (located approximately 450 feet to the east). The Pomona Freeway (SR-60) is located approximately 120 feet north of the project site. A regional location map is provided in Exhibit 1. The project site's location in the City of Montebello is shown in Exhibit 2.

In addition, a local map is provided in Exhibit 3. The site is bounded on the west by 99 Cents Only Stores and restaurants, on the east by a food and retail plaza, on the south by Olmm After School Care and Our Lady of the Miraculous Medal Catholic Church, and north by Via Campo as well as Pomona Freeway (Freeway 60). An aerial view of the project area is provided in Exhibit 4. Some on site photographs of the project site is provided in Exhibit 5. The site plan of the proposed project is shown in Exhibit 6.

The project site is currently zoned *General Commercial (C-2)* in the City of Montebello Zoning Map. The land uses and development found within the vicinity of the project area includes the following:

- North of the project site: Via Campo extends along the project site's north side. Pomona Freeway (State Route [SR] 60) is located further north of Via Campo. Commercial stores are located north of SR 60.
- West of the project site: A shopping plaza which includes a 99 Cents Only Stores, East West Bank, as well as multiple fast food restaurants are located to the west of the project site. This area is zoned as General Commercial (C-2).
- South of the project site: Olmm After School Care and Our Lady of the Miraculous Medal Catholic Church are located to the south of the project site. This area is zoned as One-Family Residential (R-1).
- East of the project site: Denny's, Paradise Buffet Montebello, as well as other restaurants are located to the east of the project site. This area is zoned as General Commercial (C-2).³

² Google Earth. Website accessed June 16, 2016.

³ City of Montebello. *Final Official Zoning Map Oct2016.36x48.pdf*. October 2016.

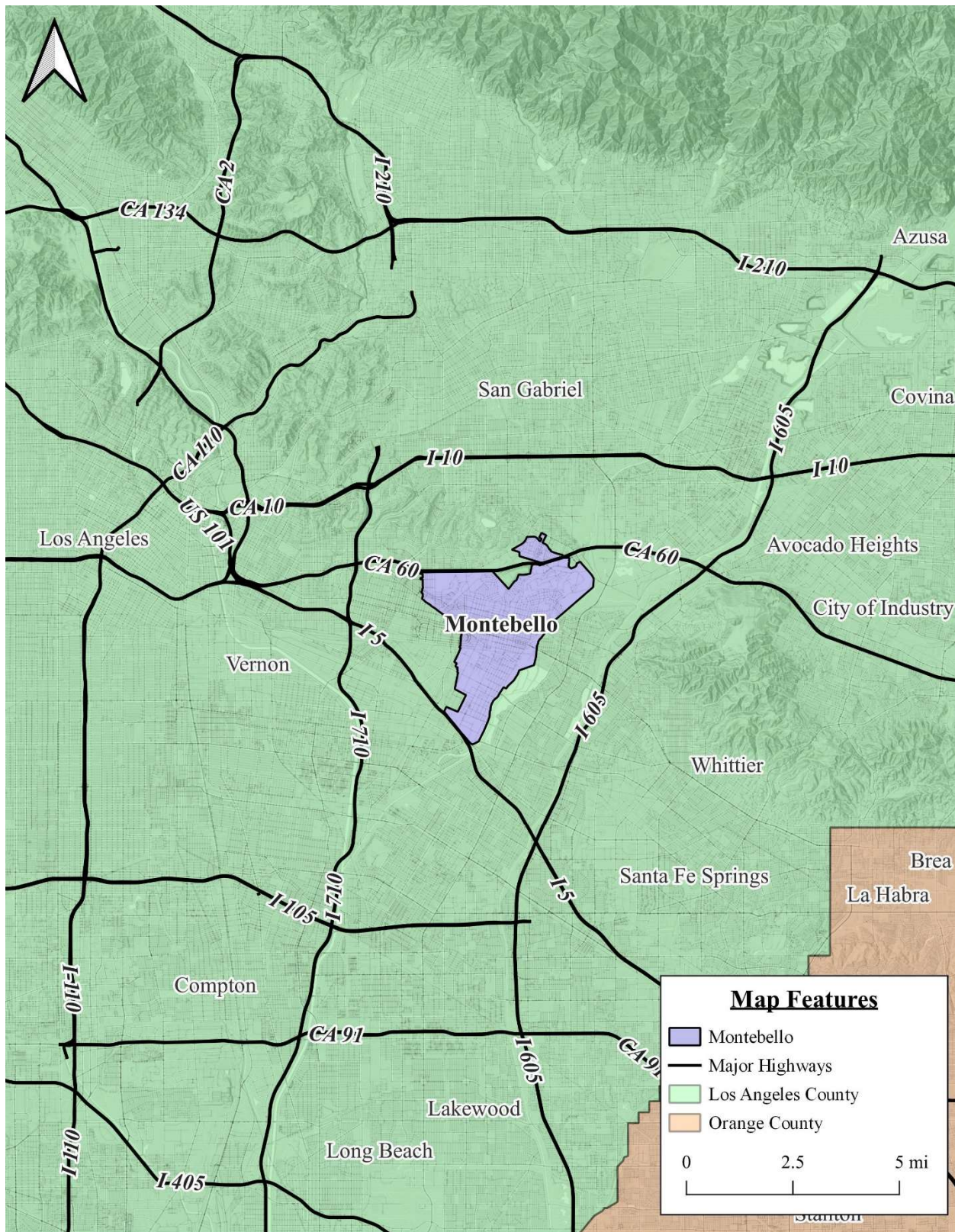


EXHIBIT 1 REGIONAL MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

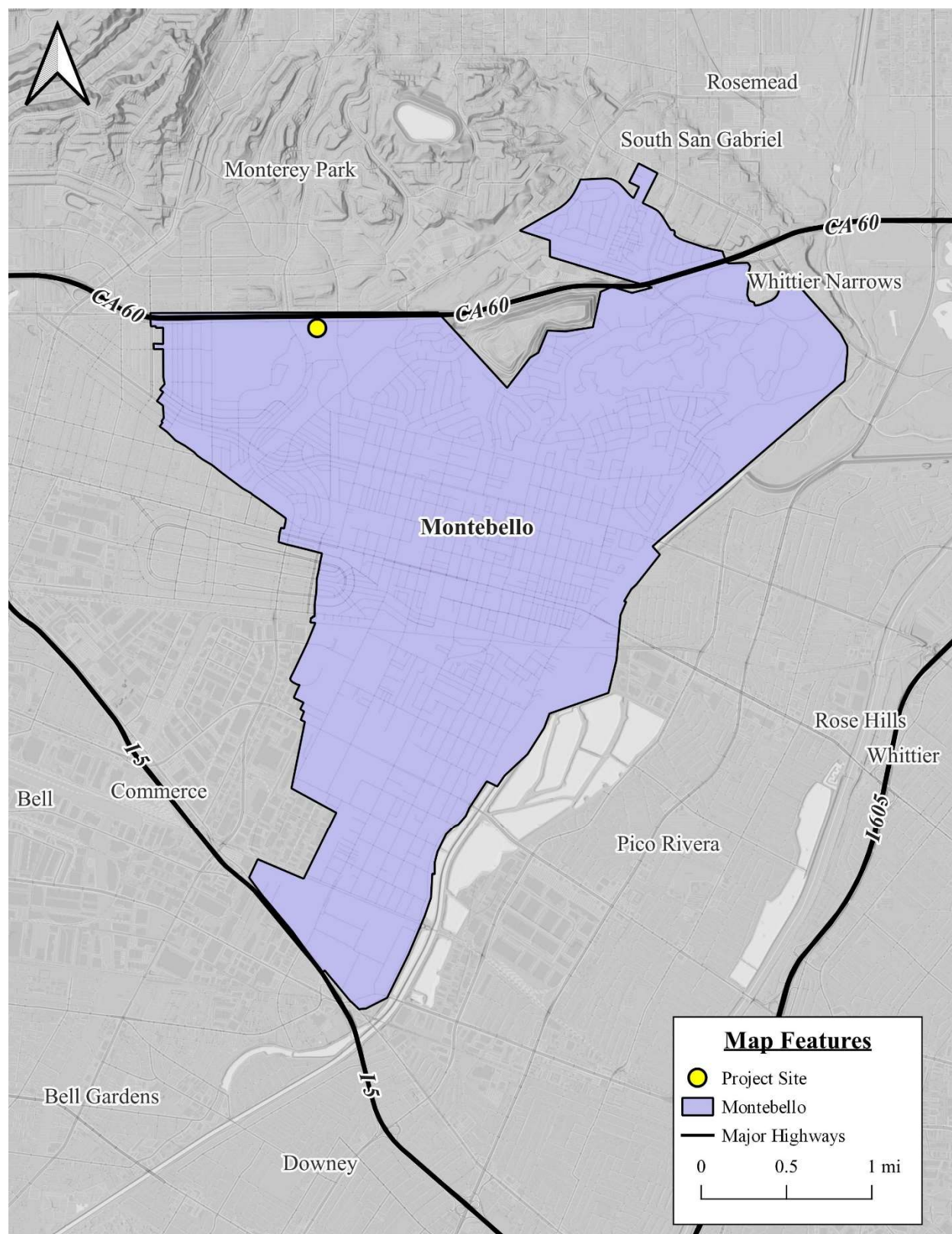


EXHIBIT 2 CITYWIDE MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

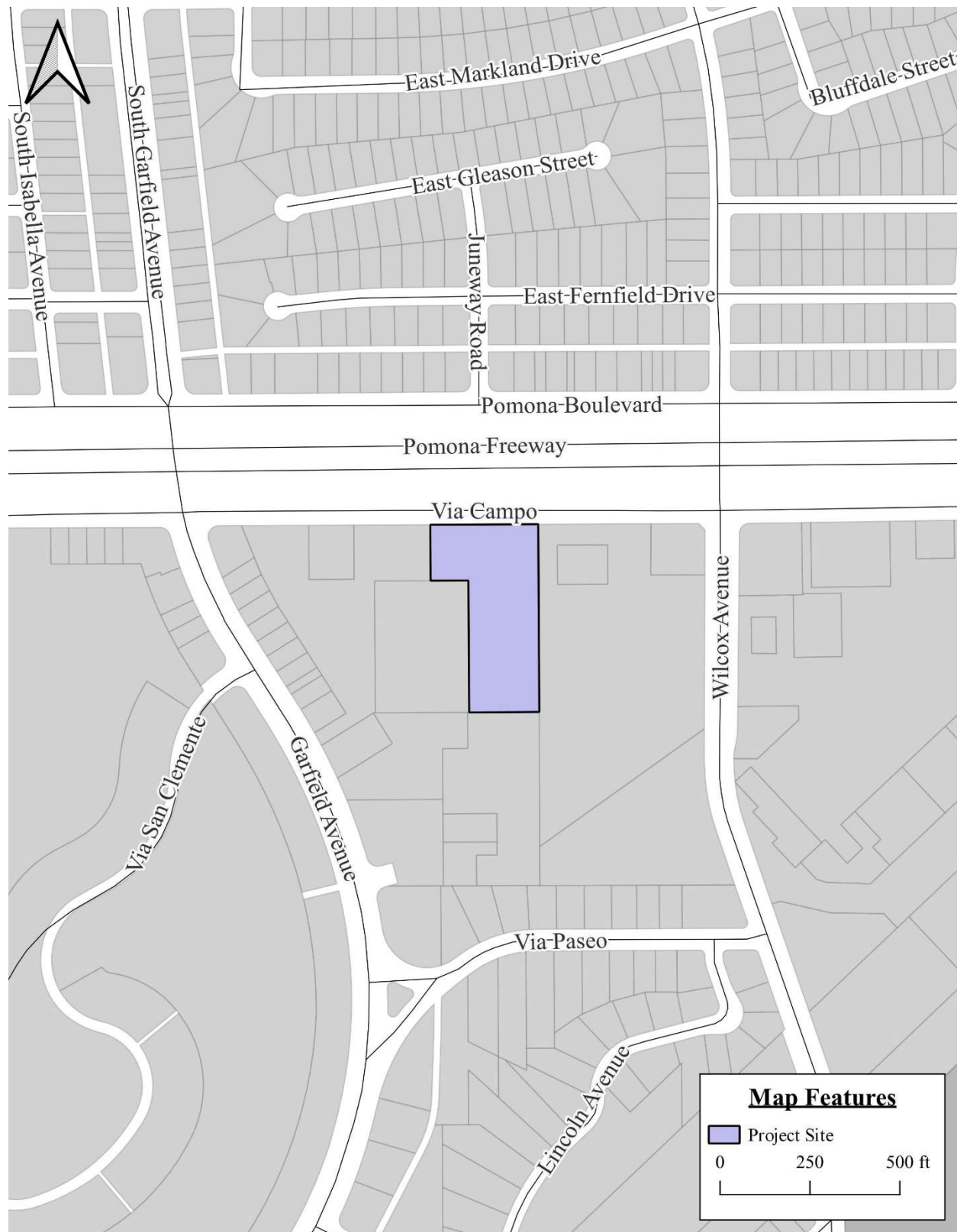


EXHIBIT 3 LOCAL MAP

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING



EXHIBIT 4 AERIAL VIEW
SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING



Picture C



Picture D



Picture B



Picture A



Picture E



Picture F

EXHIBIT 5 ON SITE PHOTOGRAPHS

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

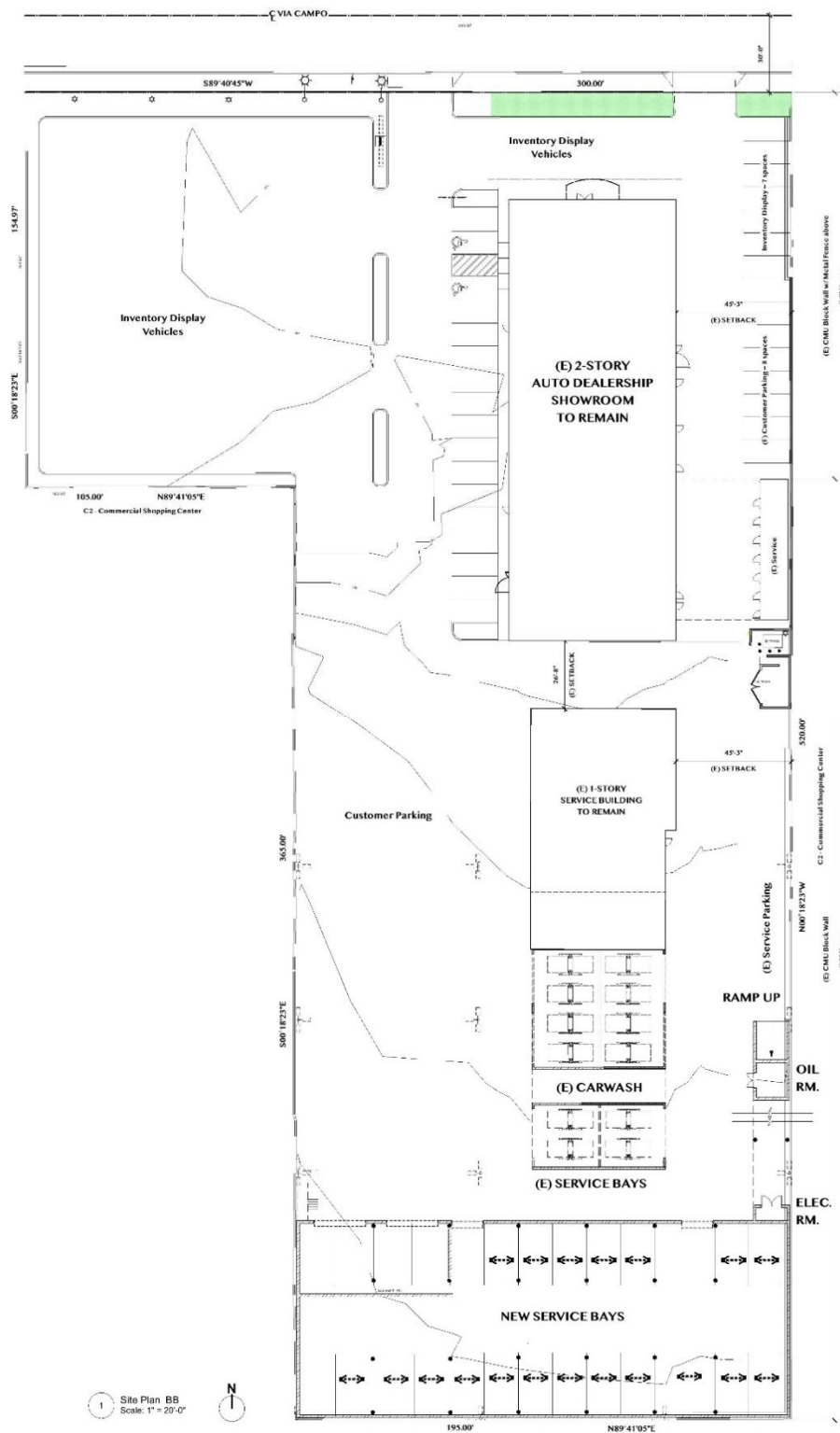


EXHIBIT 6 SITE PLAN

SOURCE: BLODGETT BAYLOSIS ENVIRONMENTAL PLANNING

PAGE 15



4. PROJECT DESCRIPTION

The proposed “project” that is subject to this proposed Addendum to CUP 7-71 would involve the demolition of the existing 16 service bays located to the south of the existing carwash and the construction of a new service bay building that would contain 25 new light truck service bays located along the south side of the project site. Conditional Use Permit (CUP) 7-71 and Modification 1-04 was approved in 2005. Modification 02-16 was approved in 2016. The current CUP 7-71 and Modification 1-04 & 02-16 allows for a number of improvements to the Ford of Montebello auto dealerships located at 2747 Via Campo. The existing auto dealership is currently in operation. The original project would include the demolition of a portion of the existing service building and the construction of a new three-level structure that would be integrated into the existing sales and service area. The ground level of the new three-level building would include a customer service check-in area and a new car inventory display area. The second level would also be used as a new car inventory display area. Finally, the third level would be open to the sky and would also be used for new car inventory and display. The new floor area that would be provided totaled 112,480 square feet. The maximum height of the new building would be 35 feet. Finally, new landscaping would total 4,250 square feet. The existing buildings on site are the 2 story auto dealership showroom, the 1 story service building, the 8 service bay building, the carwash, and a 16 service bay building. As indicated previously, the improvements anticipated under this this Addendum would involve the demolition the existing 16 service bays located to the south of the existing carwash. This includes the parking area located on the south side of the project. The new service bay building would contain 25 parking spaces for light trucks and would be located in the southmost part of the project site.

All of the relevant conditions and mitigation measures from CUP 7-71 and Modification 1-04 & 02-16 would be applied to the modified project as deemed appropriate by the City Planning Commission. Finally, a new development agreement would further provide and/or address any modifications to the site plan required to meet specified criteria consistent with the previous CEQA.

5. ENVIRONMENTAL ANALYSIS

AESTHETIC IMPACTS	Potentially Significant Impact	Less Than Significant Impact with	Less Than Significant Impact	No Impact
A. Would the project have a substantial adverse effect on a scenic vista?				X
B. Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?				X
C. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?				X
D. Would the project create a new source of substantial light or glare that would adversely affect day or night-time views in the area?				X



ENVIRONMENTAL DETERMINATION

Light and glare at the project site is currently being created by street lights along Via Campo, security lighting, and lighting from the building interiors. The existing structures have no reflective surfaces. On-site LED light poles are located throughout the site to light up the parking lot area. These light sources do not present significant light or glare problems in the area since they are directed downwards toward the ground in a cone shape area. The proposed project will not affect scenic vistas along Garfield Avenue because views of the San Gabriel Mountains and Puente Hills has been blocked by the existing SR 60 Freeway. The San Gabriel Mountains and Puente Hills are located approximately 13 miles north of the project site and 6 miles east of the project site, respectively. The new building will be connected to the existing service building. Both the existing and new building will be comparable in height. Single-family homes, located to the north of the Via Campo and SR 60, is approximately 550 feet away from the project site. Single-family homes are also located south of the project site approximately 600 feet away. There will be no loss in scenic view-sheds from the single-family homes and apartments located further south. The new structure will not affect views of the San Gabriel Mountains from the residential uses because the building will not be in the direct line-of-sight of the San Gabriel Mountains.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

he analysis determined that the proposed project would not result in any significant adverse aesthetic and/or light and glare impacts. As a result, no mitigation is required.

AGRICULTURE & FORESTRY RESOURCES IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
B. Would the project conflict with existing zoning for agricultural use, or a Williamson Act Contract?				X
C. Would the project conflict with existing zoning for or cause rezoning of forest land (as defined in Public Resources Code §4526), or zoned timberland production (as defined by Government Code §51104[g])?				X
D. Would the project result in the loss of forest land or the conversion of forest land to a non-forest use?				X
E. Would the project involve other changes in the existing environment that, due to their location or nature, may result in conversion of farmland to non-agricultural use or the conversion of forestland to non-forest land use?				X

ENVIRONMENTAL DETERMINATION

No agricultural uses are located in the vicinity of the site. According to the California Department of Conservation, the City of Montebello does not contain any areas of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The entire area is designated as Urban and Built-Up Land. As a result,



no impacts associated with the conversion of farmland uses in the area. No active agricultural activities are located within or adjacent to the project site. The City's applicable General Plan and Zoning designations do not contemplate agricultural land uses on-site or in the surrounding area. In addition, the project site is not subject to a Williamson Act Contract. As a result, no impacts on existing or future Williamson Act Contracts will result from the modification of CUP 7-71 and Modification 1-04 & 02-16. No forest lands are found within the City of Montebello nor does the applicable General Plan and Zoning Land Use Designations provide for any forest land protection. No loss or conversion of existing forest lands will result from the implementation of the proposed project. As a result, no impacts are anticipated with the proposed addendum to CUP 7-71 and Modification 1-04 & 02-16.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The analysis of agriculture and forestry resources indicated that no significant adverse impacts would result from the proposed project's implementation. As a result, no mitigation measures are required.

AIR QUALITY IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project conflict with or obstruct implementation of the applicable air quality plan?				X
B. Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X
C. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X
D. Would the project expose sensitive receptors to substantial pollutant concentrations?				X
E. Would the project create objectionable odors affecting a substantial number of people?				X

ENVIRONMENTAL DETERMINATION

Overall, the proposed improvements will not change the facility's *approved* capacity or intensity. The proposed project is not considered to be regionally significant, according to the SCAQMD. In addition, the proposed project will not affect the City's local population and housing projections. The proposed project would not be in conflict with or result in an obstruction of, an applicable air quality plan, and no impacts are anticipated. Sensitive receptors refer to land uses and/or activities that are especially sensitive to poor air quality. Sensitive receptors typically include homes, schools, playgrounds, hospitals, convalescent homes, and other facilities where children or the elderly may congregate. These population groups are



generally more sensitive to poor air quality.⁴ Sensitive receptors located near the project site include the following:

- Single-family homes are located approximately 550 feet to the north of the project site.
- Single-family homes are located in the neighborhood approximately 600 feet to the south of the project site.
- The nearest school is Schurr High School located approximately 2,100 feet to the southeast.⁵

The estimated daily construction emissions (shown in Appendix A) assume compliance with applicable SCAQMD rules and regulations for the control of fugitive dust and architectural coating emissions, which include, but are not limited to, water active grading of the site and unpaved surfaces at least 3 times daily, daily clean-up of mud and dirt carried onto paved streets from the site, and use of low VOC paint. However, since the project area is located in a non-attainment area for ozone and particulates, the following standard conditions would be applicable to the proposed project as a means to mitigate potential emissions during construction:

- Unpaved construction areas shall be watered during excavation, grading and construction, and temporary dust covers shall be used to reduce dust emissions and in order to meet SCAQMD Rule 403. Watering would reduce fugitive dust by as much as 55 percent.
- The Applicant or General Contractor shall keep the construction area sufficiently dampened to control dust caused by construction and hauling, and at all times provide reasonable control of dust caused by wind.
- Materials transported off-site shall either be sufficiently watered or securely covered to prevent excessive amounts of dust and spillage.
- All clearing, earthmoving, or excavation activities shall be discontinued during periods of high winds (i.e., greater than 15 mph), so as to prevent excessive amounts of fugitive dust.
- The Applicant shall ensure that trucks carrying debris are hosed off before leaving the construction site pursuant to the approval of the Community Development Department.
- The Applicant shall ensure that the contractors adhere to all pertinent SCAQMD protocols regarding grading, site preparation, and construction activities. The Applicant shall ensure that the construction contractors adhere to all pertinent provisions of Rule 403 pertaining to the generation of fugitive dust during grading and/or the use of equipment on unpaved surfaces. The contractors

⁴ South Coast Air Quality Management District. *CEQA Air Quality Handbook, Appendix 9*. 2004 (as amended).

⁵ Google Maps. Website Accessed November 1, 2023.



would be responsible for being familiar with and implementing any pertinent best available control measures.

The aforementioned mitigation would further reduce the potential construction-related impacts to levels that are less than significant.

Long-term (operational) emissions refer to those air quality impacts that would occur once the proposed project has been constructed and is operational. These impacts would continue over the operational life of the project. The long-term air quality impacts associated with the proposed project includes mobile emissions associated with vehicular traffic and stationary emissions. The analysis of long-term operational impacts was completed using the CalEEMod computer model. The projected long-term emissions would be below the SCAQMD thresholds considered to be a significant impact.

The aforementioned mitigation will reduce the potential impacts to levels that are less than significant.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

As indicated previously, the proposed project will not result in any significant adverse operational air quality impacts. However, the following mitigation measures will be effective in further reducing potential air emissions related to construction activities:

Mitigation Measure 1 (Air Quality Impacts). All unpaved demolition and construction areas must be watered (using non-potable water) at least three times per day during excavation, grading and construction, and temporary dust covers must be used to reduce dust emissions and meet SCAQMD Rule 403. Watering could reduce fugitive dust by as much as 60 percent.

Mitigation Measure 2 (Air Quality Impacts). The building contractors shall ensure that trucks carrying demolition debris are hosed off (using non-potable water) or securely covered before leaving the construction site as approved by the Chief Building Official prior to grading operations.

Mitigation Measure 3 (Air Quality Impacts). The project contractors will ensure that all diesel trucks and equipment are not left to idle for longer than five minutes.

Mitigation Measure 4 (Air Quality Impacts). Construction staging and queuing will be prohibited from taking place on-site. Construction vehicle queuing and staging must take place at a designated area that is at least 1,000 feet from the nearest sensitive receptor at a location approved by the Community Development Department.

Mitigation Measure 5 (Air Quality Impacts). Via Campo shall be swept as needed upon cessation of daily construction activities to ensure that all dust is removed from the street.



BIOLOGICAL RESOURCES IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project have a substantial adverse effect either directly or through habitat modifications, have an impact on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service?				X
B. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				X
C. Would the project have a substantial adverse effect on Federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
D. Would the project have a substantial adverse effect in interfering substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory life corridors, or impede the use of native wildlife nursery sites?				X
E. Would the project have a substantial adverse effect in conflicting with any local policies or ordinances, protecting biological resources, such as a tree preservation policy or ordinance?				X
F. Would the project have a substantial adverse effect by conflicting with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?				X

ENVIRONMENTAL DETERMINATION

The entire area is urban with no natural habitat remaining. As a result, no impacts on any candidate, sensitive, or special status species will result from the proposed project's implementation. The project site does not contain sensitive species that warrant preservation or represent a unique habitat. Furthermore, there are no sensitive or unique biological resources located within adjacent areas that depend on or utilize this property. The project site is occupied by the existing buildings. The proposed project will not result in any potentially significant adverse environmental effects upon the existing natural communities, resources, or any individual component. The nearest body of water is the Rio Hondo, a tributary from the Los Angeles River located approximately 3 miles east of the site. The San Gabriel River, located approximately 4 miles to the east of the project site is the next nearest body of water.

The surrounding area is also presently developed, with no natural communities or habitats on-site or in the surrounding area. As a result, no impacts related to natural communities or conservation plans will result. No wetland or riparian areas are found on-site or in the adjacent areas. Therefore, no impacts on wetlands are expected with the proposed development.



PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The analysis of biological resources indicated that no significant adverse impacts would result from the proposed project's implementation. As a result, no mitigation measures are required.

CULTURAL RESOURCES IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines?				X
B. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?				X
C. Would the project directly or indirectly destroy a unique paleontological resource, site, or unique geologic feature?				X
D. Would the project disturb any human remains, including those interred outside of formal cemeteries?				X

ENVIRONMENTAL DETERMINATION

There are no prehistoric or historic structures or objects within the proposed project site or in the adjacent area. Thus, the proposed improvements will not have an adverse impact on any historic site or other historic structures in the City and no impacts will occur. The project site is developed and no archaeological resources were reported. Furthermore, the project site is not known to be historically or culturally significant to any group of residents. No archaeological or historical resources are expected to be found on-site because very limited grading and excavation activities would occur. The project site is located in a commercial area of the City of Montebello. The project site is presently covered over in impervious surfaces. Furthermore, no excavation will occur. As a result, no impacts are anticipated.

The project site has undergone extensive ground disturbance associated with past development and excavation. The potential for paleontological resources in the area is considered low, as no paleontological resources have been uncovered in the area. Furthermore, no excavation will occur. Thus, the proposed project will not impact any paleontological resources. There are no cemeteries located in the immediate area that would be affected by the proposed project. In addition, the project site does not contain any religious or sacred structure. Thus, no impact on existing religious facilities in the City will occur with the proposed project.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The environmental analysis in the preceding sections determined that the proposed project would not result in any significant impacts. As a result, no mitigation is required.



GEOLOGY IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in or expose people to potential impacts involving the exposure of people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, ground-shaking, liquefaction, or landslides?				X
B. Would the project result in or expose people to potential impacts involving substantial soil erosion or the loss of topsoil?				X
C. Would the project result in or expose people to potential impacts involving the location on a geologic unit or a soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
D. Would the project result in or expose people to potential impacts involving the location on expansive soil, as defined in California Building Code (2010), creating substantial risks to life or property?				X
E. Would the project result in or expose people to potential impacts involving soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X

ENVIRONMENTAL DETERMINATION

The nearest Alquist-Priolo Special Studies Zone is the Montebello Fault located 2.8 miles to the northeast. The Montebello Fault extends roughly 1.28 miles in a northwest to southeast orientation. The fault's northern terminus is the San Gabriel Boulevard and Garvalia Avenue intersection. The fault's southern terminus is just south of the Pomona Freeway. Furthermore, the City is also underlain by the following blind thrust faults: the Puente Hills Fault, the Elysian Park Earthquake Fault, and the East Los Angeles Fault. Finally, the Puente Hills Blind Thrust Fault is located in the area generally north of the SR-60 Freeway. Despite the project site's location in proximity to the aforementioned faults, the risk of the project sustaining damage related to fault rupture and ground-shaking is no greater in and around the project site than for the rest of the area. As a result, the impacts are anticipated to be less than significant. Recent studies have been completed by the State of California Geological Survey's (CGS) Seismic Hazard Zones Mapping Program. According to maps completed by the CGS, the project site is not located within an area subject to potential liquefaction risk. The proposed project would demolish part of an existing building that occupies the property and construct a new building. No unstable earth conditions or changes in geologic substructures are anticipated to occur. The ground motion impacts on-site are no greater than those expected for the surrounding region. As a result, the potential impacts are anticipated to be less than significant. The project sites are presently paved over and is part of the existing business. The project will involve the continued coverage of the site with impervious materials. As a result, the proposed project's implementation will not result in any soil erosion or loss of topsoil following the implementation of the project and no new impacts will occur. No topographic changes, excavation, and compaction of the soil will be associated with the implementation of the proposed project. The site is considered to be geologically stable, inasmuch as landslides or active faults are not present on-site. The site's topography, and that of the surrounding area, is generally level, with no hillside areas. As a result, no impacts are anticipated. No septic



tanks will be used as part of the proposed project's implementation. As a result, no impact related to the use of septic tanks will result from the proposed project.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The analysis of geological resources indicated that no significant adverse impacts would result from the proposed project's implementation. As a result, no mitigation measures are required.

GREENHOUSE GAS EMISSIONS IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in the generation of greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
B. Would the project increase the potential for conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing emissions of greenhouse gases?				X

ENVIRONMENTAL DETERMINATION

The proposed project will not introduce any new greenhouse gas (GHG) emissions or other GHG chemicals. As a result, no impacts related to additional greenhouse gas emissions from the proposed project's implementation are anticipated. The proposed improvements will not result in the generation any additional greenhouse gasses (GHG) emissions beyond that identified in the original ISMND. The overall land (floor) area of the existing buildings will not significantly change and the facility's traffic generation will not significantly change. The proposed project will not introduce any new GHG chemicals. As a result, no impacts are expected to occur.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

As indicated previously, the proposed project will not result in any significant adverse GHG emissions impacts. As a result, no mitigation is required.



HAZARDOUS MATERIALS IMPACTS	Potentially Significant Impact	Less Than Significant Impact With	Less Than Significant Impact	No Impact
A. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
B. Would the project create a significant hazard to the public or the environment or result in reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
C. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
D. Would the project be located on a site, which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5, and as a result, would it create a significant hazard to the public or the environment?				X
E. Would the project be located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or a public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
F. Would the project be located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area?				X
G. Would the project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?				X
H. Would the project expose people or structures to a significant risk of loss, injury, or death involving wild lands fire, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?				X

ENVIRONMENTAL DETERMINATION

The new building will be located within the existing Ford of Montebello auto dealership and service facility. The project will also involve the demolition of a portion of the existing service building and its overall modernization. The dealership's use of chemical products will not change from those that are presently in use. Some common hazardous substances in auto dealership service areas include oil, antifreeze, gasoline, brake fluid, cleaning fluids, paints, and solvents. These chemicals can be corrosive, reactive, toxic, or flammable. Furthermore, the City of Montebello Fire Department will review the project's plans and will continue with periodic safety inspections. Lead based paint and/or asbestos containing materials may be found the buildings on-site due to their age. Buildings constructed up through the 1970's typically contain lead based paint and/or asbestos-containing materials found in insulation and other building materials. As a result, mitigation is required. No overall land area of the existing building will not change. As a result, the impacts related to the release of hazardous materials are anticipated to be less than significant. As a result, no hazardous or acutely hazardous materials will be emitted that may affect a school site, and no impacts associated with school sites will occur. The project site is not located within two miles of an operational public airport. The nearest airport is the San Gabriel Valley Airport located approximately 6 miles northeast of the project site. No wilderness areas are located in the immediate vicinity. As a result, there is no wildfire risk from off-site locations and no impacts are expected to occur.



PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The environmental analysis determined that there may be a potential for hazardous materials to be encountered during the land clearance and grading phases of development. As a result, the following mitigation measure is required:

Mitigation Measure 6 (Hazardous & Hazardous Materials Impacts). The building contractors must adhere to all requirements governing the handling, removal, and disposal of asbestos-containing materials, lead paint, underground septic tanks, and other hazardous substances and materials that may be encountered during demolition and land clearance activities. Any contamination encountered during the demolition, grading, and/or site preparation activities must also be removed and disposed of in accordance with applicable laws prior to the issuance of any building permit.

HYDROLOGY & WATER QUALITY IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project violate any water quality standards or waste discharge requirements?				X
B. Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge in such a way that would cause a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
C. Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?				X
D. Would the project substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner that would result in flooding on- or off-site?				X
E. Would the project create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?				X
F. Would the project substantially degrade water quality?				X
G. Would the project place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
H. Would the project place within a 100-year flood hazard area, structures that would impede or redirect flood flows?				X
I. Would the project expose people or structures to a significant risk of flooding because of dam or levee failure?				X
J. Would the project result in inundation by seiche, tsunami, or mudflow?				X



ENVIRONMENTAL DETERMINATION

The project site is currently developed and covered over in impervious surfaces. As a result, there will not be any significant change in the site's drainage following the construction of the new building. In the absence of mitigation, the new impervious surfaces (internal driveways, parking areas, buildings, etc.) that will be constructed as part of the site's development could lead to the presence of debris, leaves, soils, oil/grease, and other pollutants within the parking areas. These pollutants may enter the storm drain system during periods of rainfall in the absence of any required mitigation. The proposed project will be required to implement storm water pollution control measures pursuant to the National Pollutant Discharge Elimination System (NPDES) requirements. The Rio Hondo is a tributary from the Los Angeles River located approximately 3 miles east of the site. The San Gabriel River is located to the east of the City, along the east side of the I-605 Freeway. According to maps produced by the United States Geological Survey (USGS), no blue-line streams or other bodies of water are located within the project site or within the adjacent properties. There are no natural lakes or streams within or adjacent to the project site. As indicated previously, the project site is presently covered over in impervious surfaces. This hardscape includes the existing building and asphalt paving. No natural drainage or riparian areas remain within the project area due to the past development.

The project site is currently covered over in impervious surfaces. Following the implementation of the proposed project, the number of impervious surfaces will not change. In addition, all of the unloading, processing, and loading activities will take place inside enclosed buildings. No material will be stored outside of the buildings. In addition, the site will be swept daily to ensure that any materials that may have inadvertently fallen off of trucks will be collected. The proposed project improvements will include the installation of a water clarifier to treat surface runoff prior to being conveyed to the storm drains. While no impacts on water quality are anticipated as part of the proposed project's operation, mitigation measures would be required. The proposed improvements will be required to conform to applicable water quality regulations and to obtain waste water discharge permits in accordance with any applicable Clean Water Act requirements. Adherence to applicable regulations and policies will ensure future development does not impact the local hydrological system and that water quality within the City is maintained. The implementation of the aforementioned mitigation measures will ensure that the potential water quality impacts are reduced to levels that are less than significant.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The following mitigation is required as part of this project to ensure that potential water quality impacts are mitigated:

Mitigation Measure 7 (Hydrology & Water Quality Impacts). Prior to issuance of any construction permit for the project that would result in soil disturbance of one or more acres of land (the entire dealership occupies a site that has a total land area of two acres), the building contractors shall demonstrate that coverage has been obtained under California's General Permit for Storm water Discharges Associated with Construction Activity by providing a copy of the Notice of Intent (NOI) submitted to the State Water Resources Control Board, and a copy of the subsequent notification of the issuance of a Waste Discharge Identification (WDID) Number or other proof of filing shall be provided



to the Chief Building Official and the City Engineer.

Mitigation Measure 8 (Hydrology & Water Quality Impacts). The building contractors shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall be submitted to the Chief Building Official and City Engineer prior to the issuance of a grading permit. The building contractors shall register their SWPPP with the State of California. A copy of the current SWPPP shall be kept at the project site and be available for review on request.

Mitigation Measure 9 (Hydrology & Water Quality Impacts). The building contractors shall be responsible for the construction of all on-site drainage facilities as required by the City Engineer, which will be enforceable through project permits.

LAND USE & PLANNING IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project physically divide an established community, or otherwise result in an incompatible land use?				X
B. Would the project conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?				X

ENVIRONMENTAL DETERMINATION

The General Plan designation that is applicable to the project site is *General Commercial* and the site is zoned as *C-2 (General Commercial)*. This designation permits a wide range of commercial activities. According to the City of Montebello General Plan, the existing use is conditionally permitted within this land use designation. As a result, no Zone Change or General Plan Amendment is required as part of the proposed project's implementation. The approval of the proposed project will not be in conflict with any regional land use or environmental plans. The project will be required to conform to all applicable land use regulations and plans and no impacts are anticipated.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The analysis of land use and development impacts indicated that no significant adverse impacts on land use and development would result from the implementation of the proposed project. As a result, no mitigation measures are required.



MINERAL RESOURCES IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?				X
B. Would the project result in the loss or availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

ENVIRONMENTAL DETERMINATION

The project site is located within the *General Commercial* zone. Natural resources that are utilized by development include air, mineral, water, sand and gravel, timber, energy, and other resources used for construction and operation. The City of Montebello does not contain any significant mineral or timber resources. A review of the California Department of Conservation Well Finder Map indicates that there are no wells within the project site. Thus, the project will not result in any impacts on mineral resources in the region. There are no mineral, oil, or energy extraction and/or generation activities taking place within the project site. Review of maps prepared by the California Department of Conservation indicates that there are no abandoned nor capped wells within the project site. As a result, the new project will not result in any impacts on mineral resources in the region.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The analysis of potential impacts related to mineral resources indicated that no significant adverse impacts would result.



NOISE IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
B. Would the project result in exposure of people to, or generation of, excessive ground-borne noise levels?				X
C. Would the project result in substantial permanent increase in ambient noise levels in the project vicinity above noise levels existing without the project?				X
D. Would the project result in substantial temporary or periodic increases in ambient noise levels in the project vicinity above levels existing without the project?				X
E. For a project located with an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
F. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

ENVIRONMENTAL DETERMINATION

The noise environment within the project site is dominated by vehicle traffic noise along Via Campo and SR-60 Freeway. Certain activities are particularly sensitive to noise. These include sleeping, studying, reading, leisure, and other activities requiring relaxation or concentration. Hospitals and convalescent homes, churches, libraries, schools, and childcare facilities are considered noise-sensitive uses. The residential uses located to the north of the freeway, and south of the project site are also considered noise-sensitive land uses.

Noise associated with the proposed project's operations will include traffic noise from the trucks traveling to and from the site, noise from on-site equipment loading and unloading the trucks, machinery noise associated with the sorting and baling of materials, and miscellaneous stationary noise from machinery. The majority of the noise will occur within the enclosed buildings. The exception will be the trucks maneuvering within the site as part of the loading and unloading activities. Truck back-up alarms, hydraulic motors from forklifts, and lot sweeping equipment will be audible during the day-time peak activity period. The noise from the back-up alarms, forklifts, and lot sweeping equipment in the yard area will be attenuated by the surrounding buildings and the distance to any noise sensitive receptors. The busiest shift will occur during the period between 5:00 PM and 9:00 PM. The Applicant has indicated that the receiving area will be open from 9:00 AM to 9:00 PM. Maintenance and cleaning activities will occur after 9:00 PM and on an as needed basis during other times of the day. The proposed project will be required to adhere to the City's Noise Control Ordinance. As a result, no significant impacts with respect to a potential violation of noise control standards are envisioned. For the yard activities to have a significant audible impact on a sensitive



receptor, a “line of sight” would typically be required along with a shorter distance between the noise source and the receptor. The majority of the loading and unloading activities would occur during the daytime periods. After hour activities during the night-time and early morning periods would largely be limited to general maintenance and cleaning. The wall along the site’s western, southern, and eastern will further attenuate noise related to the facility’s operation.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The following measures will further ensure that on-site construction and operational activities do not adversely impact noise sensitive land uses located nearby:

Mitigation Measure 10 (Noise Impacts). The building contractors shall conduct construction activities between the hours of 7:00 AM and 7:00 PM on weekdays and 8:00 AM to 5:00 PM on Saturdays, with no construction permitted on Sundays or Federal holidays.

Mitigation Measure 11 (Noise Impacts). The building contractors shall use construction equipment that includes working mufflers and other sound suppression equipment as a means to reduce machinery noise.

Mitigation Measure 12 (Noise Impacts). All interior noise levels must comply with the City’s noise control requirements. The building contractors shall notify in writing, the Our Lady of Miraculous Medal Parish and School.

Mitigation Measure 13 (Noise Impacts). To ensure that noise from equipment and vehicles are kept to a minimum, the project Contractors shall ensure that all diesel trucks and equipment are not left to idle for longer than five minutes. This mitigation will be enforced through a demolition and building permit.

POPULATION & HOUSING IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?				X
B. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
C. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

ENVIRONMENTAL DETERMINATION

The proposed project does not include the construction of any new residential units. Therefore, the proposed project will not directly induce any level of population growth. Growth-inducing impacts are generally associated with the provision of urban services to an undeveloped or rural area. The project site is located in the midst of an urbanized environment. No growth-inducing impacts are anticipated. As a



result, no growth-inducing impacts will result from the proposed project's implementation. The proposed project will not involve the removal of any existing residences. No housing units are located within the project site. As a result, no housing displacement necessitating the construction of new replacement housing elsewhere in the City will occur with the proposed project's implementation. No displacement of housing or persons will occur. No new off-site infrastructure improvements will be installed other than those that will be designed to serve the project site only. As indicated previously, the proposed project will not result in any housing displacement, nor necessitate the construction of replacement housing elsewhere. As a result, no impacts associated with the displacement of persons will occur.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The analysis of potential population and housing impacts indicated that no significant adverse impacts would result from the proposed project's implementation.

PUBLIC SERVICES IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in <i>fire protection services</i> ?				X
B. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in <i>police protection services</i> ?				X
C. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in <i>school services</i> ?				X
D. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which would cause significant environmental impacts in order to maintain acceptable service ratios, response times, or other performance objectives in <i>other governmental services</i> ?				X

ENVIRONMENTAL DETERMINATION

The City of Montebello Fire Department provides fire prevention and emergency medical services within the City. The department's organization consists of the Administration, Operations, Fire Prevention, Communications, and Emergency Preparedness divisions. These five divisions coordinate all department activities, and report to, and receive direction from the Fire Chief. The department consists of 67 sworn personnel including the Fire Chief, Administrative Battalion Chief, three Suppression Battalion Chiefs, one



Fire Marshal, 15 Fire Captains, 15 Fire Engineers, 22 Firefighter Paramedics, and nine Firefighters. The balance of the departments' 75 personnel include one Fire Inspector, one Emergency Services Coordinator, one Telecommunications Supervisor, one Telecommunications Technician, and four support personnel. The fire department operates from three fire stations located throughout the City. The closest first response station to the project site is Montebello Fire Department Station 57, located 0.47 miles to the southwest of the project site along Via Acosta.

The City of Montebello Police Department is responsible for management of all law enforcement services within the City. The agency consists of 75 sworn Officers, 17 Reserve Officers, and 45 Civilian personnel organized into three divisions: Field Services, Investigative Services, and Support Services. The police station is located one mile to the southeast of the project site. The proposed project will place an incremental demand on the Department's services.

The proposed project will not involve any development and/or uses that could potentially affect school enrollments. Nevertheless, the Applicant will be required to pay any pertinent development fees to the local school districts. As a result, no impacts on schools will result. No new governmental services will be needed, and the proposed project is not expected to have any impact on existing governmental services. As a result, no impacts are anticipated.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The following mitigation measures will further reduce the project's potential impacts on public services:

Mitigation Measure 14 (Public Services Impacts). The proposed project will undergo review by the City of Montebello Fire Department to ensure that sprinklers, hydrants, fire flow, etc. are adequate in meeting the Department's requirements.

Mitigation Measure 15 (Public Services Impacts). The City of Montebello Police Department shall review the site plan for the proposed project to ensure that the development adheres to the Department requirements.

RECREATION IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
B. Would the project affect existing recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				X

ENVIRONMENTAL DETERMINATION

The City of Montebello operates eight public parks devoted to active recreation. The project site is located within the existing Ford of Montebello dealership. The nearest park to the project site is Bicknell Park.



Bicknell Park contains the Armenian Genocide Martyrs Memorial Monument, which is located in the center of the park. The monument is surrounded by open space which is enclosed by a drive aisle with parking spaces. The proposed project will not result in an increase in service demands for the existing park facility. In addition, the project is not anticipated to place an additional demand on other parks and recreation facilities. As a result, the potential impacts are expected to be less than significant.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The analysis of potential impacts related to parks and recreation indicated that no significant adverse impacts would result from the proposed project's implementation. As a result, no mitigation measures are required.

TRANSPORTATION IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project cause a conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				X
B. Would the project exceed, either individually or cumulatively, a level of service standard established by the County Congestion Management Agency for designated roads or highways?				X
D. Would the project substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
E. Would the project result in inadequate emergency access?				X

ENVIRONMENTAL DETERMINATION

All of the proposed improvements will be confined to the property that is presently occupied by the Ford of Montebello new vehicle sales and service dealership. The primary element of the proposed project involves the construction of a new three-level structure that will be located immediately west of the existing showroom and sales office building. The new structure will largely be used to provide a new on-site storage and display area for new vehicles. A portion of the new structure will also be used for a modernized service area. Currently, the dealership maintains an off-site area for the storage of new vehicles. The proposed project will enable the dealership to maintain and secure the inventory of new vehicles more efficiently.

Due to the nature of the project, the increased floor area will not result in any direct increase in the dealership's sales volumes. A wide range of variables will typically impact sales volumes and customer patronage that are independent of the proposed improvements. In addition, the proposed improvements will not specifically increase on-site employment due to the improved efficiency that will be realized with



the new building. For example, new vehicles currently must be stored at an off-site location and then transported to the dealership. With the construction of the new three-level structure, the need for the off-site new car storage area will be eliminated or reduced. As a result, there will not be any additional traffic generation directly related to the construction of the new three-level building. As a result, no traffic generation or level of service impacts will result.

The proposed project will require the transport of new vehicles to the dealership. These new cars may be placed either on display in the existing display area or within the new building where the new inventory will be stored. The modification of the CUPs would not generate any new vehicle trips; a VMT traffic analysis is not required for the CUP modification. No significant additional floor area will be added to the existing building. As a result, no impacts are anticipated to occur.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The analysis determined that no significant traffic impacts would result from the proposed project's implementation. The following mitigation is required to address potential loading and unloading impacts.

Mitigation Measure 16 (Traffic and Circulation Impacts). The unloading of new vehicles from trucks must occur within the existing dealership. No unloading will be permitted within the existing Via Campos public right-of-way.

Mitigation Measure 17 (Traffic and Circulation Impacts). The truck(s) that are being unloaded may not obstruct ingress onto the property. (No parking is permitted on Via Campo.) No trucks unloading will be permitted within 90 feet of the curb-cut with Via Campo.



UTILITIES IMPACTS	Potentially Significant Impact	Less Than Significant Impact With Mitigation	Less Than Significant Impact	No Impact
A. Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
B. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental impacts?				X
C. Would the project require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
D. Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
E. Would the project result in a determination by the provider that serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
F. Would the project be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
G. Would the project comply with Federal, State, and local statutes and regulations related to solid waste?			X	

ENVIRONMENTAL DETERMINATION

The Street Division of the City's Public Works Department is responsible for the maintenance and repairs of streets, alleys, sanitary sewers, storm drains, sidewalks, curbs, and gutters. The division maintains 125 miles of dedicated roadways and approximately 165 miles of sewer and storm drains. Sewage from the area is conveyed through City maintained sewer mains into the Los Coyotes Water Reclamation Plant (WRP) located in Cerritos. The Los Coyotes WRP is located at 16515 Piuma Avenue in the City of Cerritos and occupies 34 acres at the northwest junction of the San Gabriel River (I-605) and the Artesia (SR-91) Freeways. The plant was placed in operation on May 25, 1970, and initially had a capacity of 12.5 million gallons per day and consisted of primary treatment and secondary treatment with activated sludge. The Los Coyotes WRP provides primary, secondary, and tertiary treatment for 37.5 million gallons of wastewater per day. The plant serves a population of approximately 370,000 people. Over five million gallons per day of the reclaimed water is reused at over 270 reuse sites. Reuse includes landscape irrigation of schools, golf courses, parks, nurseries, and greenbelts; and industrial use at local companies for carpet dying and concrete mixing. The remainder of the effluent is discharged to the San Gabriel River. The Los Coyotes WRP has a treatment capacity of 350 million gallons of wastewater per day and serves a population of approximately 3.5 million people. Treated wastewater is disinfected with chlorine and conveyed to the Pacific Ocean. The reclamation projects utilize pump stations from the two largest Sanitation Districts' Water Reclamation plants includes the San Jose Creek WRP in Whittier and Los Coyotes WRP in Cerritos.



The proposed project will connect to existing sewer line located within Via Campo. The future wastewater generation will be within the treatment capacity of the Los Coyotes WRP. Therefore, no new water and wastewater treatment facilities will be needed to accommodate the excess effluent generated by the proposed project and no impacts are anticipated to occur.

The project will be required to connect to the existing storm drain located in Via Campo. Storm water runoff will be conveyed into the City storm drains via the existing drain inlets along Via Campo. Once operational, the proposed project will be required to comply with all pertinent Federal Clean Water Act requirements. The addition of landscaping will also help water runoff percolate into the ground. As a result, no impacts will result.

The City of Montebello is served by four water companies: California Water Service, Montebello Land and Water Company, San Gabriel Valley Water Company, and South Montebello Irrigation District. The proposed project is located within the service boundaries of the East Los Angeles District of the California Water Service. California Water Service uses local groundwater and purchased water from the Metropolitan Water District of Southern California (MWD), which is imported from the Colorado River and the State Water Project in northern California. The East Los Angeles water system currently includes ten active wells, 26 booster pumps, 16 storage tanks, and three MWD connections. California has experienced a prolonged drought over the past four years. In response to this drought, Governor Brown announced emergency legislation aimed at reducing water consumption. Governor Brown signed an Executive Order in April in which cities, including Montebello, are required to reduce their citywide water consumption by 28 percent. Governor Brown also outlined other initiatives that would include fines for those consumers that fail to conserve water. The proposed project will incorporate several design features that will reduce water consumption. These features include water conserving appliances and fixtures. As a result, the potential impacts will be less than significant.

PREVIOUS MITIGATION MEASURES FOR CUP 7-71 AND MODIFICATION 1-04 & 02-16

The analysis of utility impacts indicated that no significant impacts are anticipated. As a result, no mitigation is required.



THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK.



**NOTICE OF PUBLIC HEARING
CITY OF MONTEBELLO PLANNING COMMISSION**

**Modification to Conditional Use Permit (CUP 07-71)
Addendum to IS/MND (Section 15164 "Addendum to an EIR or Negative Declaration")**

Location: 2747 Via Campo, Montebello, CA 90640

Case No.: CUP 07-71-M3/ENV No. 18-23

Applicant: Jim Ross, Ford of Montebello

Project Description: The Applicant seeks approval of a proposed modification to Conditional Use Permit (CUP) No. 07-71 to authorize the reconfiguration of the existing automobile dealership (Ford of Montebello) located at 2747 Via Campo (the "Project Site"). This request includes, among other things, the demolition of 16 outdoor service bays and the construction of 25 new indoor service bays within a new 15,200 square foot structure with roof top parking (the "Proposed Project").

Zone: C-2 (General Commercial)

General Plan Designation: General Commercial

Environmental: The proposal is considered a "Project", and an Initial Study/ Mitigated Negative Declaration (IS/MND) was previously prepared and approved by the Planning Commission on August 2, 2016, for proposed modifications at the Project Site. The IS/MND determined that, with mitigation measures, the potential environmental impacts can be reduced to a significance threshold of Less than Significant. An addendum to the previously approved IS/MND was prepared for the Proposed Project pursuant to the California Environmental Quality Act ("CEQA") Guidelines Section 15164(a) and none of the conditions calling for the preparation of a subsequent EIR under section 15162 have occurred.

NOTICE IS HEREBY GIVEN that the City of Montebello ("City") Planning Commission ("Planning Commission") will hold a public hearing to consider the CUP application described above. The meeting is scheduled to be held on:

Date: Tuesday, March 19, 2024

Time: 6:30 p.m.

Place: City Hall Council Chambers
1600 West Beverly Boulevard, Montebello, CA, 90640

For those interested in participating in-person during the Public Comment period(s) or public testimony period for Public Hearings of the Planning Commission, you may address the Planning Commission in person the day of the meeting. Speakers will be required to fill out a speaker card provided at the door and turn it into the Administrative Secretary prior to each Public Comment announcement period. Staff will number and call each speaker card in the order received.

The public may also submit emailed comments via the City's email address: pcpubliccomment@montebellocal.gov where the public can submit written public comments up until the day of the meeting, **Tuesday, March 19, 2024 between 7:30 a.m. – 6:00 p.m.** These comments will be read out loud and submitted for the record. Additional Information related to the Planning Commission meetings can be located on the City's webpage: <https://www.montebellocal.gov/cms/One.aspx?portalId=58756&pageId=61848>.

Written comments may also be mailed or delivered to the Planning Commission at the Planning Division office address identified below on or before the meeting date. If you challenge the matter in court, you may be limited to raising those issues you or someone else raised at the public hearing, or in written correspondence delivered to the City of Montebello at, or prior to, the public hearing.

For more information about the project and the related environmental documentation please contact:

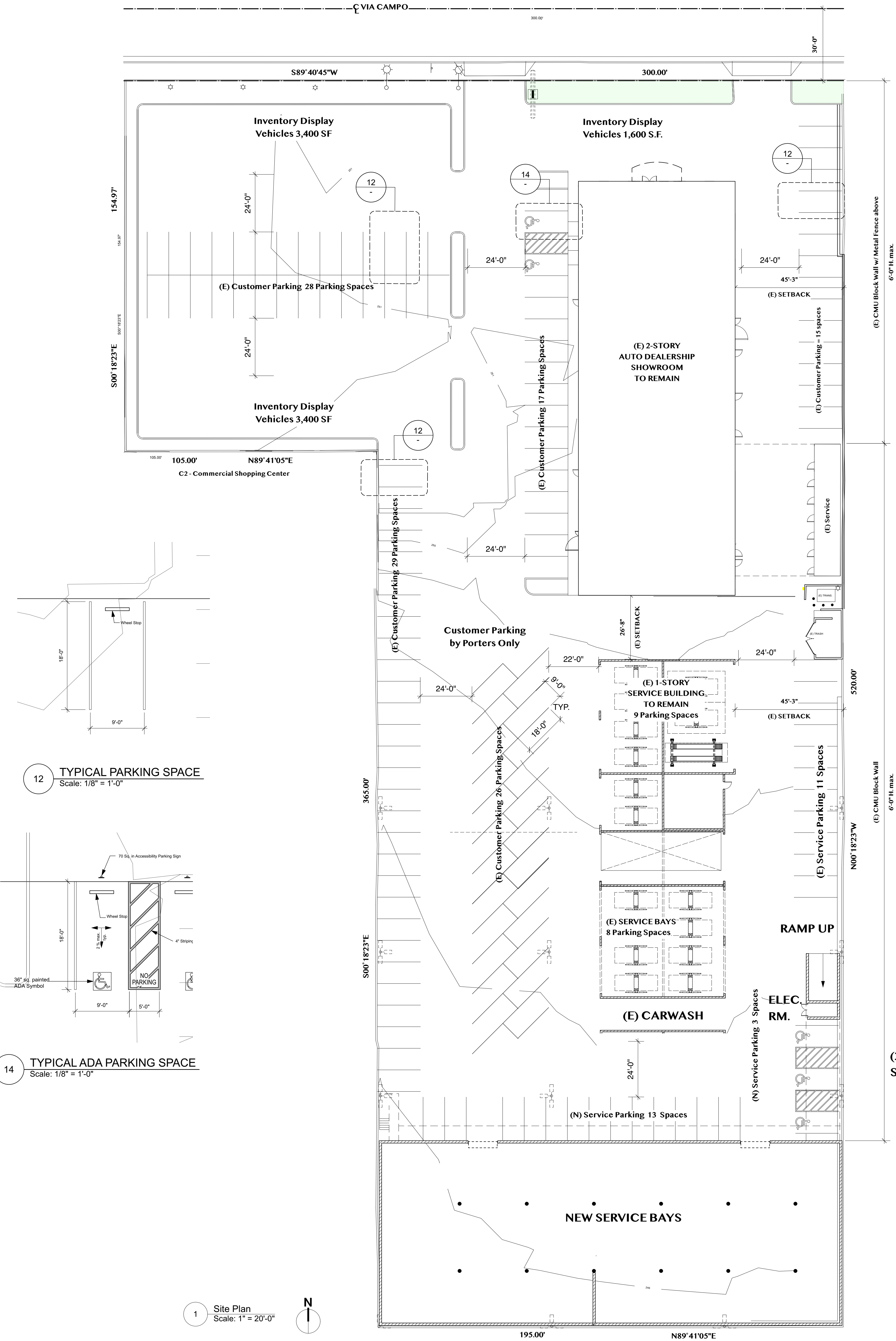
Contact Person: Daniel Ruiz, Assistant Planner

Phone: 323.887.1200 Ext. 1484 / **Email:** druiz@montebellocal.gov

Address: City of Montebello, City Hall, Planning Division, 1600 W. Beverly Blvd, Montebello, CA 90640

City Website: www.montebellocal.gov

Date of Publication: March 7, 2024



CODE ANALYSIS

A. APPLICABLE CODE:

Governing Jurisdiction: 2022 CalGreen Code
City of Montebello 2022 California Building Code
Los Angeles County 2022 California Mechanical Code
State of California 2022 California Electrical Code
2022 California Plumbing Code
2022 California Energy Code
2022 California Fire Code

B. PROJECT DATA:

OWNER: FORD OF MONTEBELLO
TENANT: FORD OF MONTEBELLO
LEGAL ADDRESS: 652 S. Maple Avenue
APN NUMBER: #5288-001-042
CITY: MONTEBELLO
COUNTY: LOS ANGELES

C. SITE DATA:

ZONING SUMMARY:

LAND USE: General Commercial
ZONING: C2
USE: (E) Car dealership with ancillary automobile servicing
REDEVELOPMENT AREA: None

AREA SUMMARY:

SITE AREA: 116,413 sq. ft. (2 Acres)
(N) SITE COVERAGE: 36,517 S.F.
(N) FLOOR AREA RATIO: 31% of site
(N) LANDSCAPING: 4,250 sq. ft. (3.6% of Site)

BUILDING SUMMARY:

(N) NUMBER OF STORIES: (E) 1-Story Service
(E) 2-Story Showroom
(N) 3-Story Vehicle Structure
NUMBER OF TENANTS: 1
BUILDING HEIGHT: 35'-0" max.
CONSTRUCTION TYPE: TYPE ONE
FIRE SPRINKLERS

D. BUILDING DATA

	Occupant Load	Existing (SQ. FT.)	Proposed (SQ. FT.)	Occupants	Occupant Width Stairways (.3)	Occupant Width Egress (.2)
1ST FLOOR	(E) SHOWROOM = B	1:100	11,457	11,457	115	34.5 in.
	(E) SERVICE = S-1	1:300	13,750	8,860	30	9.0 in.
	(E) PARTS = S-1	1:300	1,000	1,000	4	1.2 in.
	(N) SERVICE = S-1	1:300	0	15,200	51	15.4 in.
	SUB-TOTAL		26,207	36,517	166	49.9 in.
2ND FLOOR	(E) SHOWROOM = B	1:100	4,200	4,200	43	12.8 in.
	(E) PARTS = S-1	1:300	4,420	4,420	15	4.6 in.
	SUB-TOTAL		8,620	8,620	58	17.3 in.
ROOF	(N) PARKING = S-2	1:300	0	15,200	51	15.4 in.
	SUB-TOTAL		0	15,200	51	15.4 in.
	BUILDING TOTAL		34,827	60,337	275	

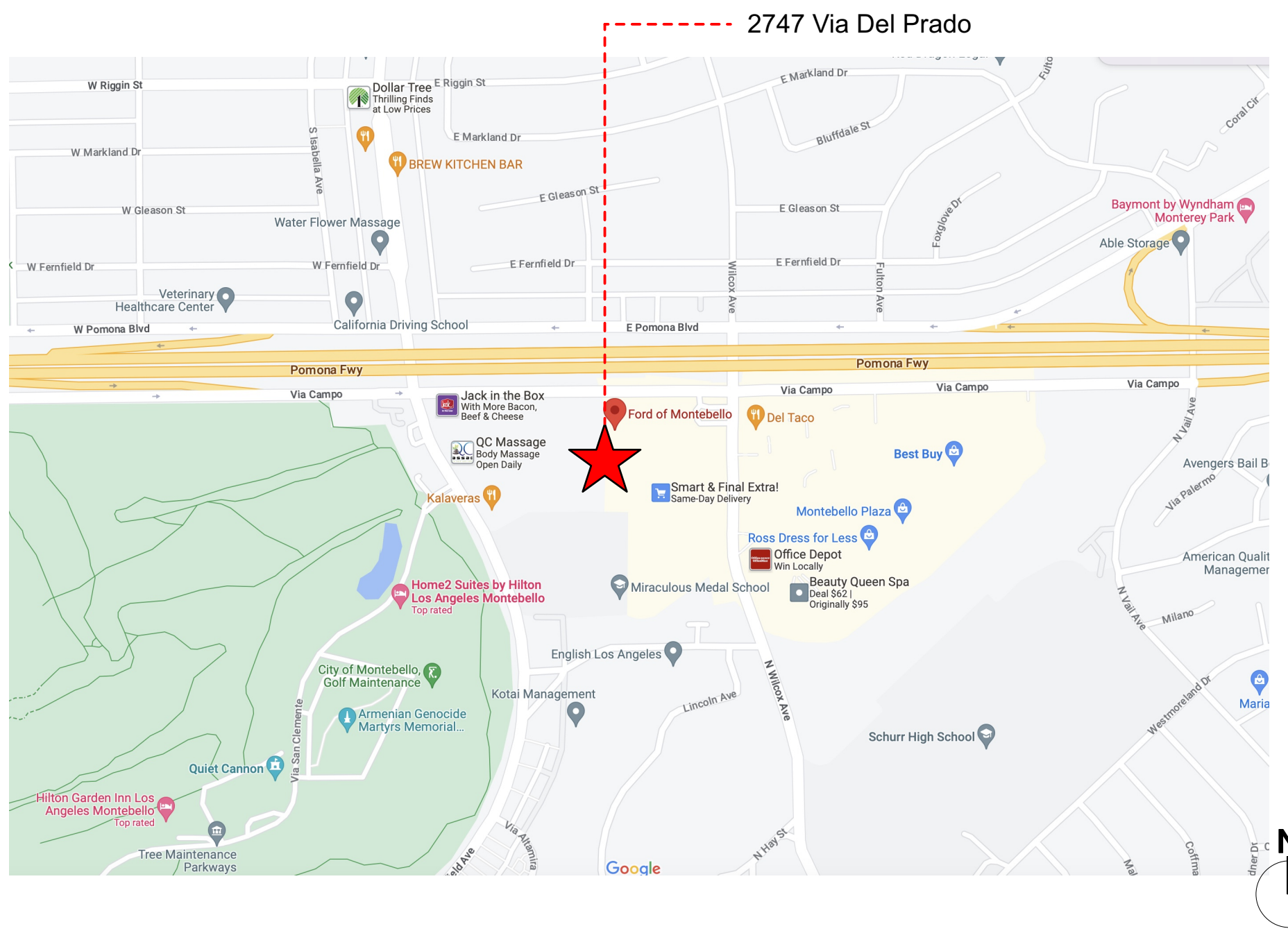
E. PARKING REQUIREMENTS

BUSINESS: 1 PER 400 SF
45,137 SF @ 1 PER 400 = 113 Parking Spots
OUTDOOR AUTO SALES: 8,400 SF 1 PER 1,000 SF
<10,000 = 1 per 5,000 in excess of 1st 10,000
or 1 for each 2 employees (whichever is greater)
REQUIRED PARKING: 113 Spaces
PROVIDED PARKING: (N) 8 Spaces
121 Required
225 SPACES

SHEET INDEX

- A1.0 COVER SHEET & SITE PLAN
- A1.1 DEMO PLAN & Existing SITE PLAN
- A1.2 LANDSCAPE PLAN
- A2.0 FIRST FLOOR
- A2.1 ROOF PLAN
- A3.0 EXTERIOR ELEVATIONS

VICINITY MAP



PROJECT

FORD OF
MONTEBELLO



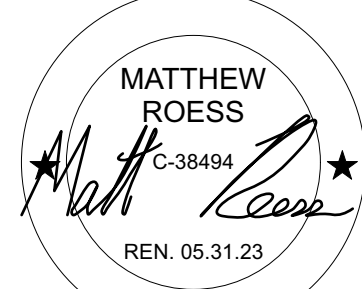
2747 Via Del Campo
Montebello, CA.



www.roar.archi
350 W. ELM AVE.
BURBANK, CA 91506

VERSION

STAMP



DESCRIPTION

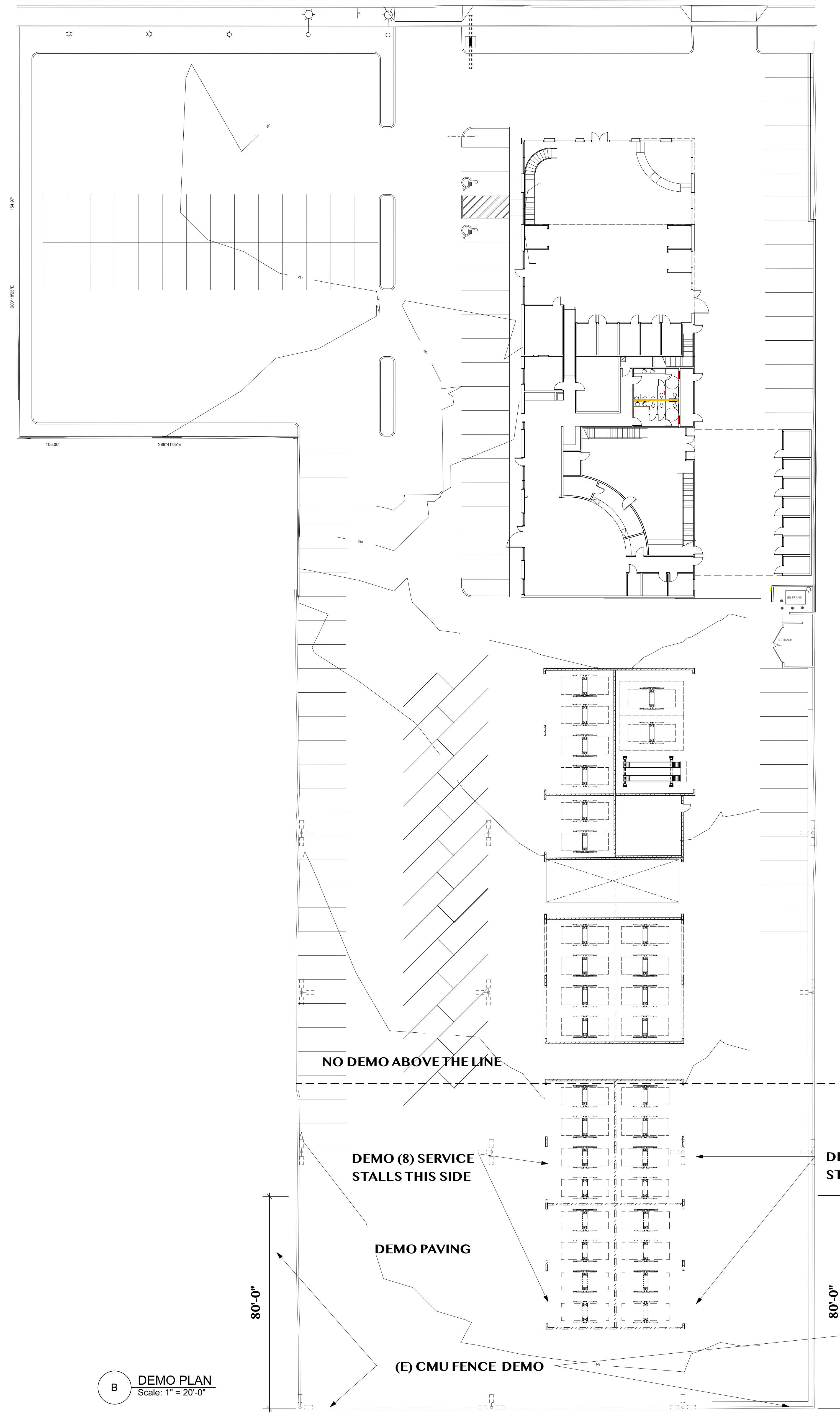
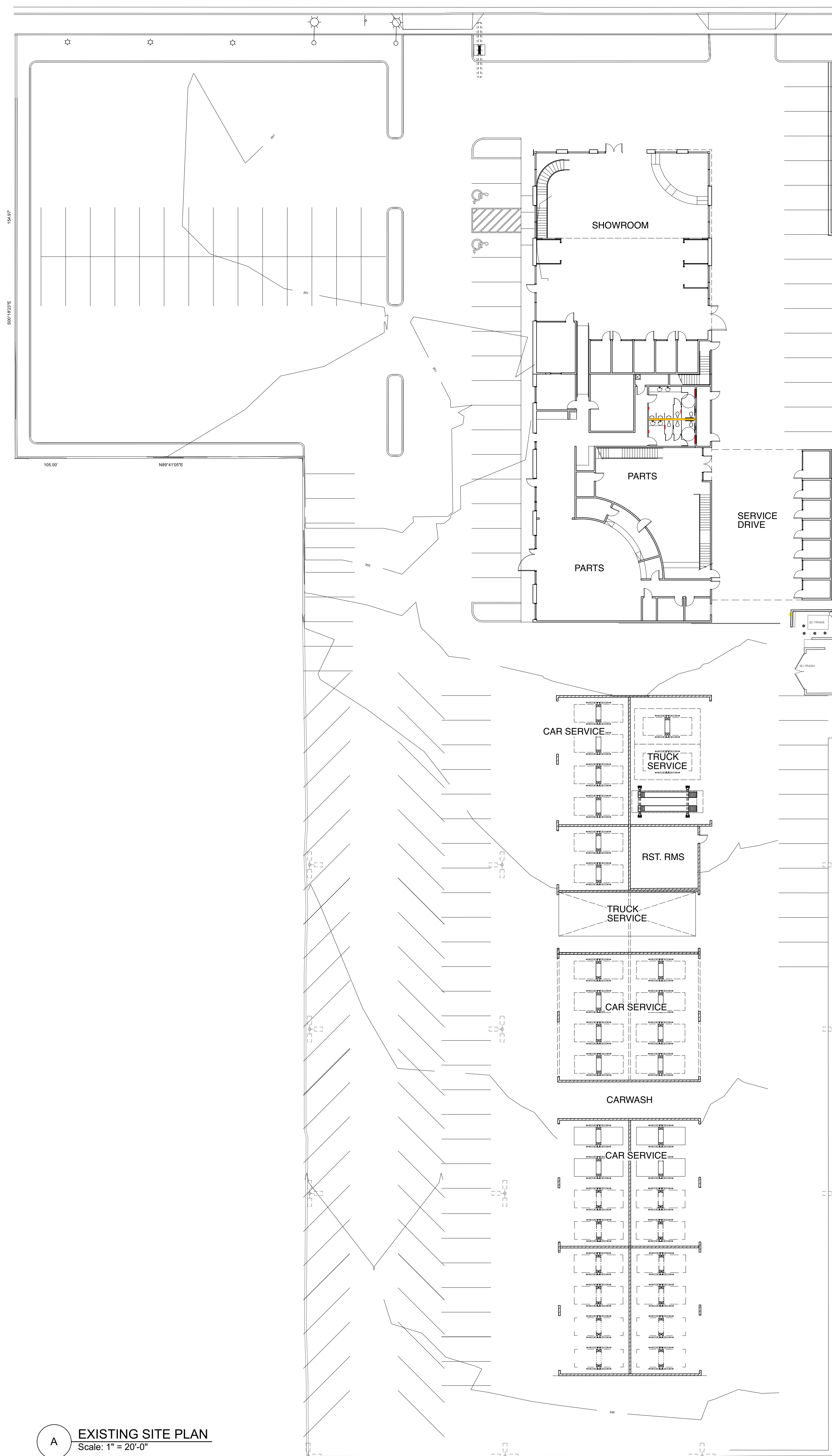
SYMBOL	DATE	DESCRIPTION
	07-05-23	PLAN CHECK

TITLE BLOCK

SHEET

A0.0

The drawings and specifications, ideas, designs and arrangements are and shall remain the property of the Architect. No part thereof shall be copied or used in connection with any work or project other than the specific project for which they have been prepared without the written consent of the Architect. All work shall conform to the drawings and specifications, which shall be subject to change without notice. The Architect shall be responsible for all dimensions and conditions on the job and the office must be advised of any variation from the dimensions and conditions shown on these drawings. Shop details must be submitted to the office for approval before proceeding with fabrication.

[illegible]

FORD OF
MONTEBELLO



652 South Maple Avenue
Montebello, CA.



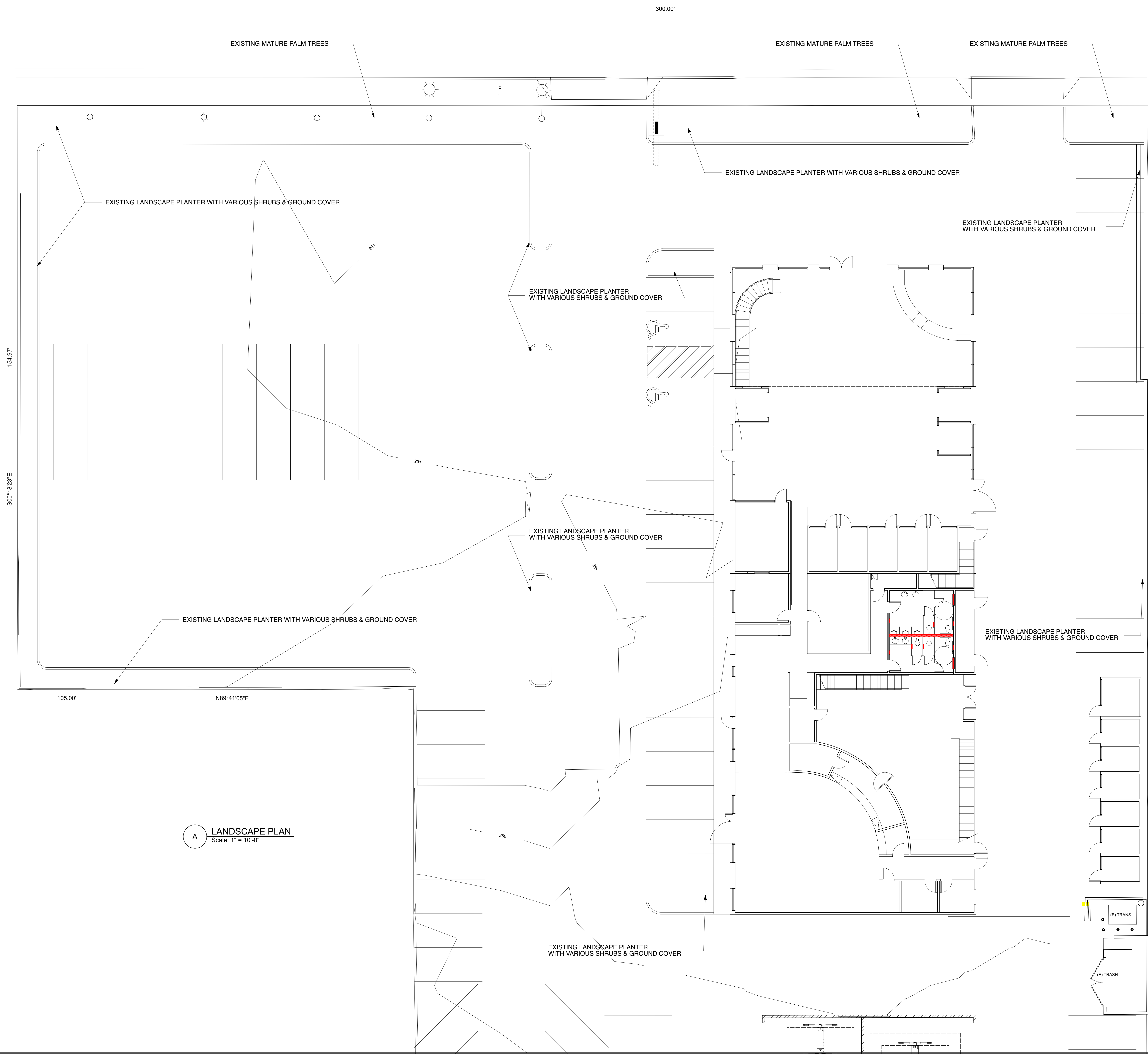
www.roar.archi
350 W. ELM AVE.
BURBANK, CA 91506

[illegible]

A1.2

The drawings and specifications, ideas, designs and arrangements are and shall remain the property of the Architect: no part thereof shall be copied or used in connection with any work or project other than the specific project for which they have been prepared without the written consent of the designer.

Visual contact with these drawings or specifications shall constitute evidence of acceptance of these restrictions. Written dimensions on these drawings shall have precedence over scaled dimensions: contractor shall verify and be responsible for all dimensions and conditions on the job and this office must be notified of any variations from the drawings and specifications shown by these drawings. Shop details must be submitted to this office for approval before proceeding with fabrication.



FORD OF
MONTEBELLO



2747 Via Del Campo
Montebello, CA.



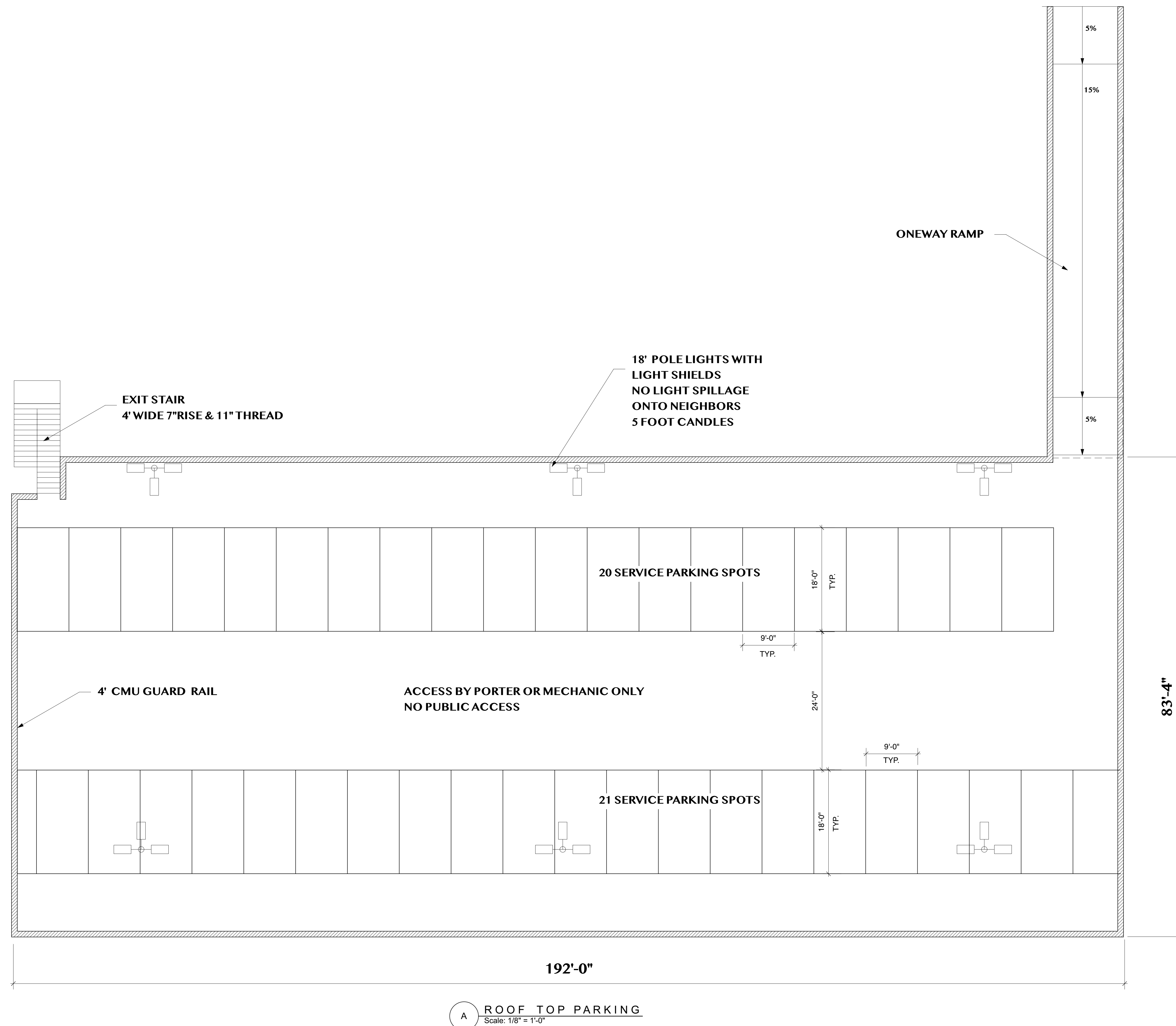
www.roar.archi
350 W. ELM AVE.
BURBANK, CA 91506

[illegible]

ROOF TOP
PARKING

A2.1

The drawings and specifications, ideas, designs and arrangements are and shall remain the property of the Architect; no part thereof shall be copied or used in connection with any work or project other than this specific project for which they have been prepared without the written consent of the designer. Visual contact with these drawings or specifications shall constitute evidence of acceptance of these restrictions. Written dimensions on these drawings shall have precedence over scaled dimensions; contractor shall verify and be responsible for all dimensions and conditions on the job and this office must be notified of any variation from the dimensions and conditions shown by these drawings. Shop drawings submitted to this office for review become the property of this office.



FORD OF
MONTEBELLO



2747 Via Del Campo
Montebello, CA.



ARCHITECTURE

www.roar.archi
350 W. ELM AVE.
BURBANK, CA 91506



DESCRIPTION

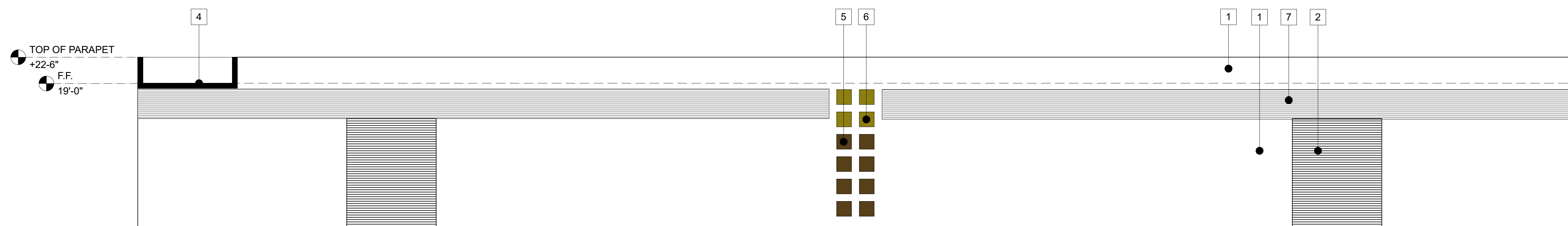
[illegible]

SERVICE ELEVATIONS

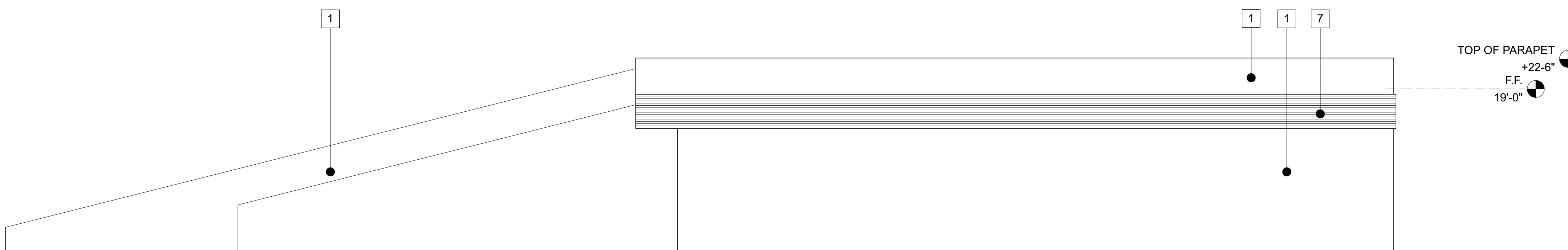
A3.0

The drawings and specifications, ideas, designs and arrangements are and shall remain the property of the Architect; no part thereof shall be copied or used in connection with any work or project other than the specific project for which they have been prepared without the written consent of the designer.

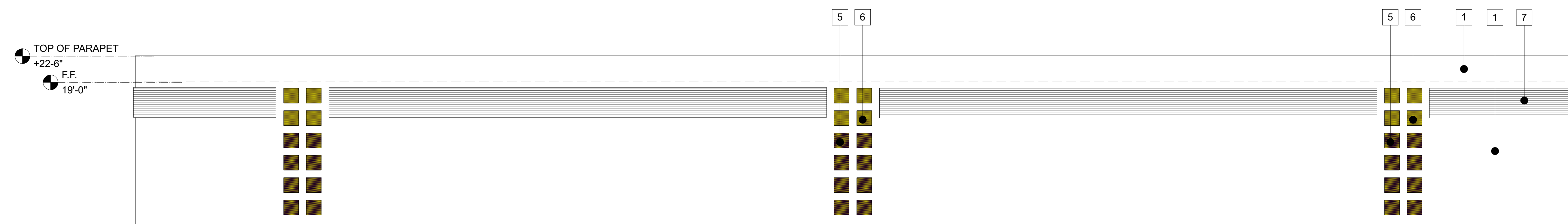
Visual contact with these drawings or specifications shall constitute evidence of acceptance of these restrictions. Written dimensions on these drawings shall have precedence over scaled dimensions; contractor shall verify and be responsible for all dimensions and conditions on the job and this office must be notified if any variation from the dimensions and conditions shown on these drawings. Shop details must be submitted to the office for accuracy and coordination with fabrication.



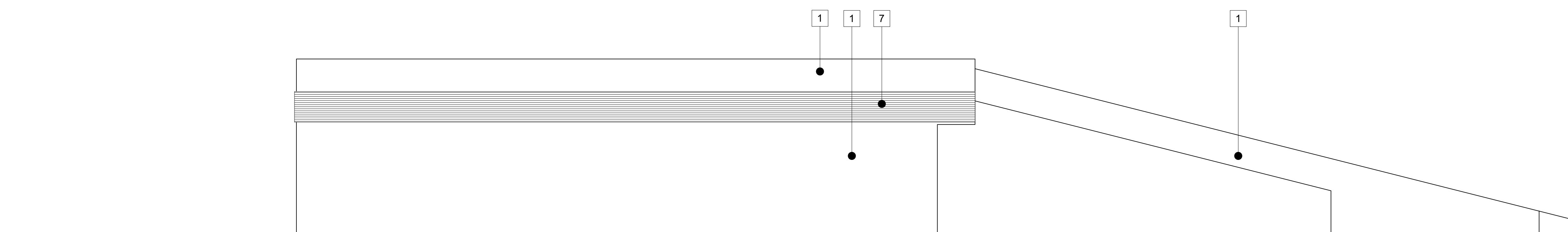
A NORTH ELEVATION
Scale: 1/8" = 1'-0"



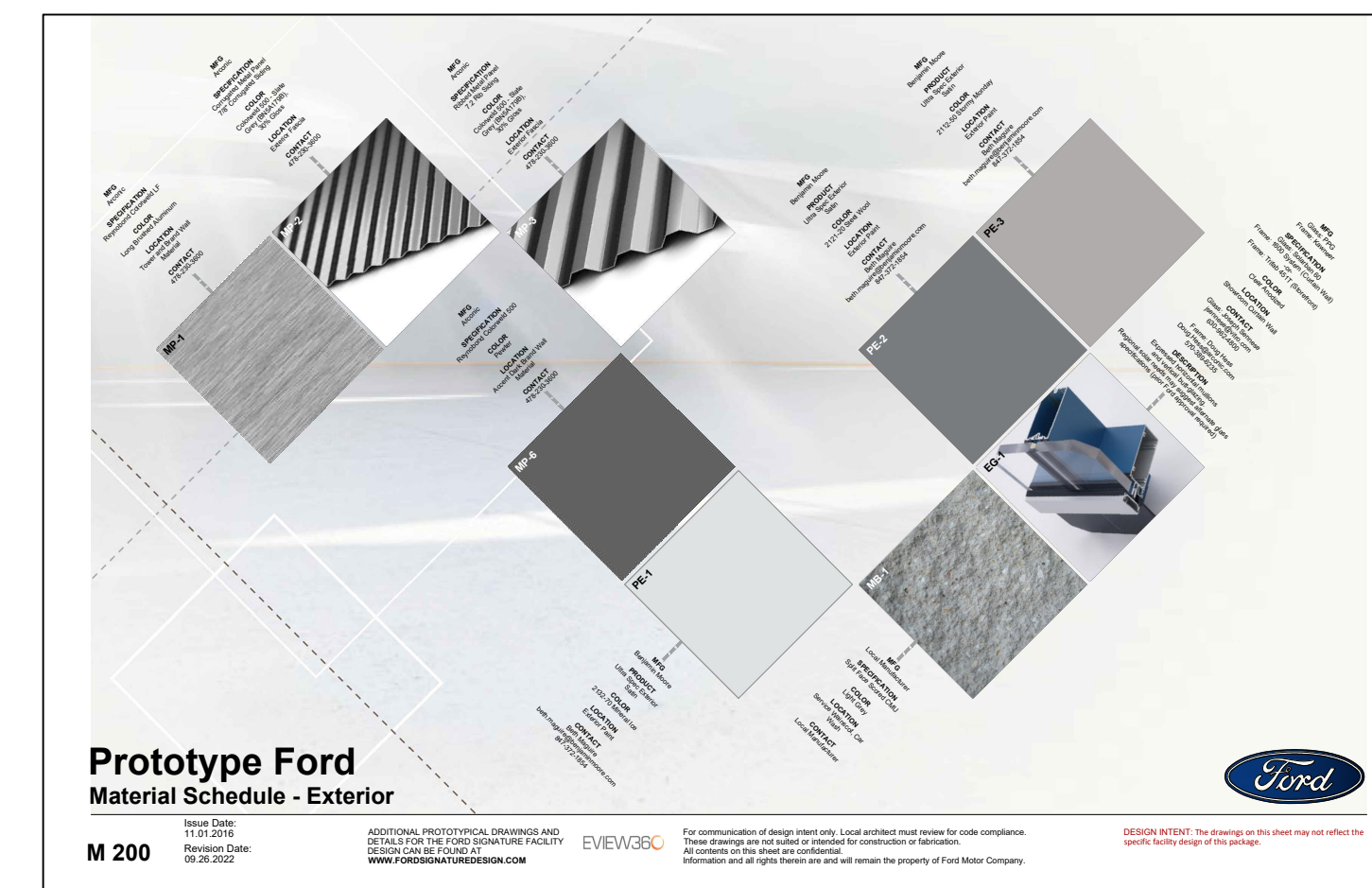
B WEST ELEVATION
Scale: 1/8" = 1'-0"



C SOUTH ELEVATION
Scale: 1/8" = 1'-0"



D EAST ELEVATION
Scale: 1/8" = 1'-0"





ITEM # 5

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

TO: Members of the Planning Commission

FROM: Joseph Palombi, Planning & Community Development Director

BY: Daniel Ruiz, Assistant Planner

SUBJECT: **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”).**

DATE: March 19, 2024

RECOMMENDATION(S):

It is recommended that the Planning Commission of the City of Montebello (“Planning Commission”) review, receive and file this report, attachments, and/or any other supportive evidence to confirm:

1. That Sizzler USA Restaurant Inc. (the “Applicant”) has demonstrated compliance with the conditions of approval contained in Resolution No. 09-22/Conditional Use Permit No. PC-2022-0011-CUP (Attachment “A”) for the property located at 1908 West Beverly Boulevard.

FISCAL IMPACT:

None.

BACKGROUND:

PLANNING COMMISSION AGENDA REPORT - MEETING OF MARCH 19, 2024

Page 2 of 4

- On May 10, 2022, the Applicant filed a Conditional Use Permit application (PC-2022-0011-CUP) to allow the on-sale dispensing of beer and wine at the Project Site.
- On June 21, 2022, the Planning Commission approved Resolution No. 09-22 (Attachment “A”), with conditions, allowing for the on-sale dispensing of beer and wine (Type 41 License) for the property located at 1908 West Beverly Blvd.
- Pursuant to Condition No. 7 of Resolution No. 09-22, the Applicant is required to demonstrate compliance with the conditions of approval in the form of a quarterly compliance review starting from the date of issuance of an Alcoholic Beverage Control (“ABC”) license. The report is due quarterly for the first two (2) years of alcohol sales.
- On August 4, 2022, a Type 41 ABC license was issued by the CA Department of Alcoholic Beverage Control. The first compliance report would have been initiated in November 2022, however, to allow the applicant to establish their alcohol license and provide the applicant sufficient time to furnish the required reports, the compliance review was postponed.
- On February 21, 2023, the first compliance report was conducted, and the applicant demonstrated compliance with the conditions of approval found within Resolution No. 09-22/Conditional Use Permit No. PC-2022-0011-CUP.
- On February 26, 2024, Planning Division staff conducted a site visit to confirm continued compliance with the conditions of approval outlined in Resolution No. 09-22 for the most recent compliance review.
- Since the most recent quarterly compliance review was conducted on March 19, 2024, the next compliance review will be due on June 19, 2024.

PROJECT/APPLICANT INFORMATION

Project Location: 1908 W. Beverly Blvd
Project Applicant: Sizzler USA Restaurant, Inc.
Property Owner(s): BEVMONT LLC
General Plan Designation: Boulevard Commercial
Zoning: C-2 (General Commercial)
Existing Use on Property: Restaurant

PROJECT SITE

Direction	Zone	Land Use
North	C-1	Boulevard Commercial
South	C-1	Boulevard Commercial
East	C-2	Boulevard Commercial
West	C-2	Boulevard Commercial

COMPLIANCE REPORT

Pursuant to Condition No. 7 of Resolution No. 09-22, “[t]he applicant and operator shall submit an annual project compliance report. This report is due quarterly for the first two

(2) years of alcohol sales, starting from the date of issuance” of an ABC license. Additionally, Condition No. 7 states that “the Director shall transmit the quarterly project compliance report to the Planning Commission to either receive and file or take any other action as deemed necessary”. The Planning Commission adopted Resolution No. 09-22 on June 21, 2022, and the Applicant was issued an ABC license on August 4, 2022. The first compliance review was conducted on February 21, 2023. For this compliance review, the Applicant submitted the Compliance Report on February 5, 2024.

The compliance report (Attachment “B”) received from the Applicant has been reviewed by Planning staff. Staff has confirmed that the compliance report demonstrates compliance with the conditions of approval.

Based on staff’s inspection conducted on February 26, 2024, and based on the information provided by the Applicant, the following provides status of compliance with the conditions of approval:

- Conditions No. 1-41 outlined in the approved Resolution No. 09-22 have been met.

POLICE CALLS FOR SERVICE/ CODE ENFORCEMENT CASES

The Montebello Police Department (MPD) has confirmed calls for service between the dates of August 1, 2023, to December 27, 2023. During this time, a total of 6 calls were received. The calls for service report received by the MPD is included for reference as “Attachment D”.

Separate from the MPD Calls for Service, one complaint was recently made to the Code Enforcement Division on March 1, 2024, related to possible parking violations, littering, and other safety concerns. The Code Enforcement Division opened a case related to the matter and will continue to monitor the site to determine the validity of the claims and, if necessary, to pursue additional enforcement action.

ENVIRONMENTAL:

The compliance review for CUP No. PC-2022-0011-CUP is not considered a “project” per the California Environmental Quality Act (CEQA) definition of a “project.” CEQA is not applicable to this compliance review since the item is not considered a project, does not have the potential for resulting in a physical change in the environment, and since no discretionary action is being taken by the Planning Commission.

ANALYSIS:

None.

SUMMARY:

The results of the compliance review for Sizzler USA Restaurant, Inc. show that the restaurant is in compliance with the conditions contained in Resolution No. 09-22/Conditional Use Permit No. PC-2022-0011-CUP. Based on the findings and attachments contained in this report, it is recommended that this information be received

and filed.

Pursuant to Resolution No. 09-22/Conditional Use Permit No. PC-2022-0011-CUP, the next quarterly compliance report is due on June 19, 2024.

ATTACHMENT(S)

1. Resolution No. 09-22
2. CUP Compliance Report
3. Sizzler's Compliance Review Items
4. Calls for Service

**CITY OF MONTEBELLO
PLANNING COMMISSION**

RESOLUTION NO. 09-22

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MONTEBELLO, CALIFORNIA, APPROVING CONDITIONAL USE PERMIT NO. PC-2022-0011-CUP TO ALLOW THE ON-SALE DISPENSING OF BEER AND WINE FOR THE PROPERTY LOCATED AT 1908 WEST BEVERLY BOULEVARD AND FINDING THE CALIFORNIA ENVIRONMENTAL QUALITY ACT CATEGORICAL (CEQA) EXEMPTION § 15301(A) (EXISTING FACILITIES) TO BE APPLICABLE TO THE PROPOSED PROJECT (ENV NO. 14-22-CE).

WHEREAS, a Conditional Use Permit ("CUP") (PC-2022-0011-CUP) application has been received and accepted; and

WHEREAS, the CUP would allow on-sale dispensing of beer and wine within a bona fide restaurant at the property located at 1908 West Beverly Boulevard ("Project Site"); and

WHEREAS, on May 10th, 2022, Sizzler USA Restaurant Inc. ("Applicant") filed a CUP application (PC-2022-0011-CUP) to allow the on-sale dispensing of beer and wine at the Project Site; and

WHEREAS, the establishment meets the definition of a "bona fide restaurant" contained in MMC Section 17.61.020; and

WHEREAS, per MMC Section 17.61.030, approval of a CUP by the Planning Commission is required to allow 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 California Environmental Quality Act (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-2022-0011-CUP) is considered a "project," as per the CEQA definition of a "project"; and

WHEREAS, the project is Categorically Exempt per CEQA Section §15301, Class 1 (Existing Facilities); 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. *The site for the proposed use would not adversely affect the general welfare of the surrounding property owners;*

The project is located within the General Commercial (C-2) zone and Boulevard Commercial land use designation. The zoning district is intended to offer a large variety of commercial opportunities serving the local community. Some of the identified commercial uses include, but are not limited to, retail, professional offices, restaurants and/or specialty shops. The current use at the Project Site is an existing restaurant and the proposal will allow the Applicant to sell alcohol for on-site consumption.

The restaurant has been servicing their customers for several years at this location and the approval of this permit will create a consistent service experience for returning guests of the restaurant. It is located adjacent to commercial uses and is in close proximity to residential uses via walking or public transit. Consistent with MMC Section 17.61.070 "Mandatory conditions of approval for on-sale alcoholic beverage establishments," the proposed sale of alcohol for on-site consumption requires imposition of strict, mandatory conditions addressing operational and alcohol-related issues to ensure that the service will not be disruptive to the community or jeopardize the safety and welfare of the community. In addition, the mandatory conditions will also offer a consistent experience to the returning guests of the local community and visitors to the area when dining at the establishment.

2. *Would not result in an undesirable concentration of premises for the sale of alcoholic beverages, including beer and wine, in the area;*

The "Project Site" is located in Census Tract No. 5302.03, which permits three (3) on-sale license types and two (2) off-sale license types. Census Tract No. 5302.03 currently has six (6) on-sale type licenses and two (2) off-sale type license, therefore this census tract would continue to be over concentrated with a proposed total of seven (7) on-sale type licenses.

By State law, Alcoholic Beverage Control (“ABC”) may only grant a limited number of alcohol licenses based on a “per census-tract” quantity. Meaning that only a certain number of licenses types are granted in any given census tract area to avoid undue concentration of alcohol sales. As a result, the approval of PC-2022-0011-CUP does not guarantee that the Applicant will receive an alcohol license from the State. As the sole alcohol licensing and enforcement agency, 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).

The establishment is a family friendly environment with a focus on serving the community and ultimately improving the City as a whole. Food establishments offer a convenient service to the local residents, working population and visitors to the area. The City of Montebello is consistently developing commercial enhancements. The proposed request supports the community’s progress, adding to the growth of the City. Any operational, training, or security conditions placed on the approval of the request will safeguard the public’s welfare and further protect the integrity of the community.

3. *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;*

If operated in accordance with the law and the mandatory conditions of approval, the primary use of the subject site as a family restaurant should not be problematic to surrounding sensitive uses because the conditions of approval will contain mitigation measures including, but not limited to, noise levels limits, adequate lighting, security measures imposed by Montebello Police Department, alcohol awareness training for staff, and an annual compliance review. Additionally, the Applicant may be required to meet further conditions of approval that the Planning Commission sees fit to impose with respect to the business operation and surrounding uses. The restaurant meets the MMC definition of a “bona fide restaurant” (see MMC 17.61.020) and will not contain a bar. As a member of the community, the applicant understands the character of the neighborhood and is committed to help uphold its integrity through reasonable service of alcoholic beverages.

4. *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 Applicant is requesting a CUP to allow on-site alcohol sales to complement its primary use as a restaurant. As a compliment to the primary use, the potential to aggravate any existing problems created by the sale of alcohol is minimal. There are currently no existing problems and the restaurant will not have live entertainment, a dance floor, or a designated bar area. The mandatory conditions of approval will also help mitigate any potential issues related to noise, lighting, and operation. In addition, a mandatory employee training program related to the sale of alcohol will be required.

5. *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 Elements of the General Plan establish policies that provide for the regulatory environment in managing the City and for addressing concerns and problems. Except for those entitlements described herein, the project does not propose to deviate from any of the requirements of the MMC or the General Plan. The restaurant is located within an existing structure with no plans to expand or alter the exterior or interior. The proposed use conforms with the City of Montebello 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;" Objective #3, "cluster" type commercial development is preferential to proliferation of strip commercial;" Policy Commercial #1, "Commercial development in the City should be sited in appropriate locations according to need," and 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.

6. *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);*

Approximately 35 - 40 employees will be hired at the restaurant driven from the local area. The request to have an alcohol license will also attract more

customers, thus generating more revenue and subsequently the hiring of more employees.

- *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 choose to dine at Sizzler resulting in an increase in business revenue. Obtaining an on-sale license to sell alcohol will help the restaurant continue to 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.

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

The restaurant is an existing establishment that has been at this location for many years, but has been able to survive the tumultuous conditions brought upon by the pandemic and would like to continue to be a part of the Montebello business community. This will be the only full-service Sizzler restaurant in the City.

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

The Applicant's restaurant adds to the character of the City as a whole since it provides a neighborhood serving amenity that is enjoyed by nearby residents and visitors. Additionally, it contributes positively to the City's economic health due to the fact that the 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 restaurant is an existing establishment and approval of the proposed use will only help continue its operation as a family-oriented restaurant. As mentioned, there is no bar on-site and the project has been conditioned to require the business to provide training to their employees to ensure proper handling of alcoholic beverages. 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 operations of a Sizzler's restaurant does not require alcohol sales in order to sustain itself, the revenue earned through such sales is always a benefit that only ensures the business's success and longevity.

SECTION 3. CEQA. The Planning Commission approves and adopts the CEQA Categorical Exemption §15301 (Existing Facilities) Class 1 exemption, as the proposed use constitutes 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 this proposed Project.

SECTION 4. APPROVALS. The Planning Commission hereby approves CUP (PC-2022-0011-CUP) for the on-sale dispensing of beer and wine 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-2022-0011-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-2022-0011-CUP) if sufficient cause is given.
6. 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.
7. The applicant and operator shall prepare and submit an annual project compliance report. This report is due quarterly for the first two (2) years of alcohol sales, starting 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 quarterly project compliance report to the Planning Commission to either receive and file or take any other action as deemed necessary.
8. In the event of a change of ownership, business name, or transfer of ABC License, the CUP will be brought back to the Planning Commission for review. The Planning Department shall be notified within 30 days of said changes.
9. Any outdoor entertainment activities or sponsored events shall be subject to a Temporary Use Permit pursuant to Chapter 12.16 *et seq.*, of the MMC.
10. 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.
11. 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.
12. Prior to the commencement of alcohol sales, all employees who will sell alcoholic beverages shall be required to attend either ABC LEAD 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 LEAD training or the approved in-house training within thirty (30) days of their hire date.
13. 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 ABC upon request.

14. 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.
15. No sale of alcohol shall be allowed prior to 30 minutes before closing.
16. 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.
17. While the MMC requires that a decorative masonry wall of six feet in height 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., the City hereby waives this condition No. 17, finding that it is not applicable given the current site specifications.
18. That 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.
19. That 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.
20. That 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 ABC for off-sale consumption.
21. That adequate security measures shall be provided as specified by the Police Department, including, but not limited to, retaining trained staff and security personnel and providing security devices such as surveillance or burglar alarm systems.
22. All bona fide restaurants 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.

23. 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.
24. That 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.
25. 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.
26. That 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.
27. 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.
28. 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.
29. 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.
30. In addition to the conditions enumerated above, any other condition may be imposed by City staff.
31. No alcoholic beverages shall be served in any disposable container such as disposable plastic or paper cups.
32. No outside alcoholic beverages shall be brought into the establishment, Project Site, or premises for personal use or consumption.
33. 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.

34. 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.
35. 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").
36. 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.
37. 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.
38. 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.
39. 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
40. This approval shall not supersede the approval of any other affected agencies. The applicant shall comply with Federal, State, and local requirements.
41. 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. Live entertainment (i.e. musician(s), disc jockey, comedy acts, pay-per-view sporting broadcasts, recitals, seminars and other live acts) is authorized during

permitted hours unless expressly stated otherwise in this Resolution. The Applicant, Operator and/or Management of the establishment is required to notify the City and obtain the Director's approval for live entertainment.

- b. 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.
- c. All live entertainment (when permitted) shall cease no later than 30 minutes prior to closing time.
- d. 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.
- e. 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.
- f. There shall be no bottle service provided, except for wine.
- g. Dial-A-Ride and taxicab phone numbers shall be posted in conspicuous locations throughout the establishment at all times.
- h. The availability of a variety of non-alcoholic beverages shall be made known and offered to the customers.
- i. 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.
- j. 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.
- k. No promotional or reduced drink specials shall be allowed all day on Saturday and/or Sunday, and/or after 8:00 p.m. Monday through Friday, and/or when dancing and/or live entertainment are occurring in any area.

- l. 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.
- m. 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.
- n. 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.
- o. No person under the age of 21 may serve alcohol.
- p. No gambling of any type shall be allowed on the premises.
- q. 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.
- r. 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.
- s. The business owner shall install, maintain, and obtain City permits for a burglary and robbery alarm system. The Police Department shall approve the plans for the alarm system and placement of the panic buttons prior to the issuance of a Certificate of Occupancy or commencement of alcohol sales, as applicable.
- t. Doors that are not utilized for customer access shall be locked from the outside and have alarmed panic hardware.
- u. If police or fire services are required at the location, the Applicant will be responsible for reimbursing the City for all related costs.
- v. 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.
- w. 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.

- x. A signed copy of the Acceptance Form shall be kept at the business and presented to any law enforcement officer on demand.
- y. Any violation of the conditions of this permit may cause the revocation of the subject CUP.

PASSED AND ADOPTED this 21st day of June, 2022 by the Planning Commission.

Vacant:	() AYE () NOE () ABSENT () ABSTAIN
Chair Franco:	(X) AYE () NOE () ABSENT () ABSTAIN
Commissioner Alikasianian:	() AYE () NOE (X) ABSENT () ABSTAIN
Commissioner Lomeli:	(X) AYE () NOE () ABSENT () ABSTAIN
Commissioner Cuevas:	(X) AYE () NOE () ABSENT () ABSTAIN



Edward Franco, Commissioner

ATTEST:



Joseph A. Palombi, Director
Planning & Community Development Department

CONDITIONAL USE PERMIT COMPLIANCE REVIEW REPORT

Conditions	Agreed	Evidence of Compliance
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-2022-0011-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-2022-0011-CUP) if sufficient cause is given.	✓	
6. 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.	✓	
7. The applicant and operator shall prepare and submit an annual project compliance report. This report is due quarterly for the first two (2) years of alcohol sales, starting 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 quarterly project compliance report to the Planning Commission to either receive and file or take any other action as deemed necessary.	✓	
8. In the event of a change of ownership, business name, or transfer of ABC License, the CUP will be brought back to the Planning Commission for review. The Planning Department shall be notified within 30 days of said changes.	✓	
9. Any outdoor entertainment activities or sponsored events shall be subject to a Temporary Use Permit pursuant to Chapter 12.16 et seq., of the MMC.	✓	
10. 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.	✓	Exhibit A - Photo of menu
11. 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.	✓	
12. Prior to the commencement of alcohol sales, all employees who will sell alcoholic beverages shall be required to attend either ABC LEAD 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 LEAD training or the approved in-house training within thirty (30) days of their hire date.	✓	Exhibit B - ABC RBS Training Certifications & Server Roster
13. 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 ABC upon request.	✓	Exhibit C - P & L / ytd gross alcohol sales report (Staff verified)
14. 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.	✓	
15. No sale of alcohol shall be allowed prior to 30 minutes before closing.	✓	
16. 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.	✓	
17. While the MMC requires that a decorative masonry wall of six feet in height 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., the City hereby waives this condition No. 17, finding that it is not applicable given the current site specifications.	n/a	
18. That 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.	✓	
19. That 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.	✓	
20. That 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 ABC for off-sale consumption.	✓	
21. That adequate security measures shall be provided as specified by the Police Department, including, but not limited to, retaining trained staff and security personnel and providing security devices such as surveillance or burglar alarm systems.	✓	Exhibits M, N, O, P and Q - Photos of cameras and camera views

22.	I bona fide restaurants 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.	✓	
23.	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.	✓	
24.	That 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.	✓	
25.	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.	✓	Exhibits D & E - Photo of "Drinking in Public" Sign
26.	That 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.	✓	
27.	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.	✓	
28.	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.	✓	Exhibit F - Copy of ABC License and CUP Notice
29.	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.	✓	
30.	In addition to the conditions enumerated above, any other condition may be imposed by City staff.	✓	
31.	No alcoholic beverages shall be served in any disposable container such as disposable plastic or paper cups.	✓	
32.	No outside alcoholic beverages shall be brought into the establishment, Project Site, or premises for personal use or consumption.	✓	
33.	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.	✓	
34.	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.	✓	
35.	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").	✓	Complete
36.	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.	✓	Exhibit G- Photos 1-6 / public view of exterior equipment
37.	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.	✓	
38.	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.	✓	Exhibit H - Confirmed at inspection
39.	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.	✓	
40.	This approval shall not supersede the approval of any other affected agencies. The applicant shall comply with Federal, State, and local requirements.	✓	
41.	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.	Live entertainment (i.e. musician(s), disc jockey, comedy acts, pay-per-view sporting broadcasts, recitals, seminars and other live acts) is authorized during permitted hours unless expressly stated otherwise in this Resolution. The Applicant, Operator and/or Management of the establishment is required to notify the City and obtain the Director's approval for live entertainment.	✓	n/a
b.	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.	✓	n/a
c.	All live entertainment (when permitted) shall cease no later than 30 minutes prior to closing time.	✓	n/a
d.	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.	✓	
e.	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.	✓	n/a
f.	There shall be no bottle service provided, except for wine.	✓	n/a
g.	Dial-A-Ride and taxicab phone numbers shall be posted in conspicuous locations throughout the establishment at all times.	✓	Exhibit D - Photo of Dial-a-Ride and Yellow Taxi Sign
h.	The availability of a variety of non-alcoholic beverages shall be made known and offered to the customers.	✓	Exhibits D & I - Photos of non-alcoholic beverages
i.	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.	✓	

j.	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.	✓	
k.	No promotional or reduced drink specials shall be allowed all day on Saturday and/or Sunday, and/or after 8:00 p.m. Monday through Friday, and/or when dancing and/or live entertainment are occurring in any area.	✓	
l.	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.	✓	Exhibit J - Confirmed at inspection
m.	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.	✓	
n.	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.	✓	
o.	No person under the age of 21 may serve alcohol.	✓	
p.	No gambling of any type shall be allowed on the premises.	✓	
q.	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.	✓	
r.	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.	✓	
s.	The business owner shall install, maintain, and obtain City permits for a burglary and robbery alarm system. The Police Department shall approve the plans for the alarm system and placement of the panic buttons prior to the issuance of a Certificate of Occupancy or commencement of alcohol sales, as applicable.	✓	Exhibit K - Copy of Alarm Permit
t.	Doors that are not utilized for customer access shall be locked from the outside and have alarmed panic hardware.	✓	Exhibit R, S and T - Photos of Panic Alarm, ADT Alarm Panel, and backdoor push bar.
u.	If police or fire services are required at the location, the Applicant will be responsible for reimbursing the City for all related costs.	✓	
v.	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.	✓	
w.	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.	✓	Exhibit L - Confirmed at inspection
x.	A signed copy of the Acceptance Form shall be kept at the business and presented to any law enforcement officer on demand.	✓	
y.	Any violation of the conditions of this permit may cause the revocation of the subject CUP.	✓	

Condition Number 10

COMBO NATION

STEAK COMBOS SERVED WITH
6OZ. TRI-TIP SIRLOIN & CHOICE OF SIDE 80-760 CALS

		CALS
STEAK* & JUMBO CRISPY SHRIMP (6)	17.49	720
★ STEAK* & UNLIMITED CRISPY SHRIMP	20.99	900+
STEAK* & ITALIAN HERB CHICKEN	16.49	490
STEAK* & MALIBU CHICKEN®	15.99	920
STEAK* & GRILLED SHRIMP SKEWERS (2)	20.99	690
<i>New!</i> ALL-NATURAL, WILD CAUGHT JUMBO SHRIMP		
★ CLASSIC STEAK* TRIO	20.99	1270
STEAK, JUMBO CRISPY SHRIMP & MALIBU CHICKEN®		
★ STEAK* & LOBSTER	27.99	720
WILD CAUGHT, COLD WATER LOBSTER		

UNLIMITED ITEMS ARE PRICED PER PERSON. PLEASE NO SHARING.

UPGRADE YOUR STEAK* TO 8OZ. FOR AN EXTRA \$3.29



Steak & LOBSTER

★ SIZZLER FAVORITES

*THESE ITEMS ARE COOKED TO ORDER. CONSUMING RAW OR UNDERCOOKED MEATS, POULTRY, SEAFOOD, SHELL FISH OR EGGS WHICH MAY CONTAIN HARMFUL BACTERIA MAY INCREASE YOUR RISK OF FOODBORNE ILLNESS. ESPECIALLY IF YOU HAVE CERTAIN MEDICAL CONDITIONS. ALL SPECIFIED STEAK WEIGHTS ARE BASED ON PRE-COOKED WEIGHTS. WE FRY IN TRANS FAT FREE OIL ONLY. 2,000 CALORIES A DAY IS USED FOR GENERAL NUTRITION ADVICE. BUT CALORIE NEEDS VARY. CALORIES DO NOT INCLUDE CHOICE OF SIDE. WRITTEN NUTRITION INFORMATION IS AVAILABLE UPON REQUEST.



HAND CUT STEAKS

CHOICE OF SIDE INCLUDED 80-760 CALS

		CALS
TRI-TIP SIRLOIN* 8OZ.	16.99	340
OUR SIGNATURE STEAK PERFECTLY SEASONED & FULL OF FLAVOR		
★ NEW YORK STRIP* 12OZ.	20.99	830
THE STEAK LOVERS CUT. LEAN, JUICY & TENDER		
★ RIB EYE* 14OZ.	24.49	1100
WELL-MARBLED, TENDER, JUICY & DELICIOUS		
ADD SAUTÉED MUSHROOMS	2.59	180
ADD SAUTÉED ONIONS	2.29	80

SAVORY SEAFOOD

CHOICE OF SIDE INCLUDED 80-760 CALS

		CALS
★ ♥ FRESH GRILLED SALMON 6OZ.	17.99	370
CILANTRO LIME BARRAMUNDI	17.49	450
THE SUSTAINABLE SEABASS®		
♥ GRILLED SHRIMP SKEWERS (2)	16.49	440
<i>New!</i> ALL-NATURAL, WILD CAUGHT JUMBO SHRIMP		
SHRIMP, SHRIMP, SHRIMP	17.99	1240
MINI CRISPY, JUMBO CRISPY AND SHRIMP SKEWER ON RICE SIDE NOT INCLUDED		

★ SIZZLER FAVORITES ♥ HEALTHY DINING APPROVED ENTRÉE

*THESE ITEMS ARE COOKED TO ORDER. CONSUMING RAW OR UNDERCOOKED MEATS, POULTRY, SEAFOOD, SHELL FISH OR EGGS WHICH MAY CONTAIN HARMFUL BACTERIA MAY INCREASE YOUR RISK OF FOODBORNE ILLNESS. ESPECIALLY IF YOU HAVE CERTAIN MEDICAL CONDITIONS. ALL SPECIFIED STEAK WEIGHTS ARE BASED ON PRE-COOKED WEIGHTS. WE FRY IN TRANS FAT FREE OIL ONLY. 2,000 CALORIES A DAY IS USED FOR GENERAL NUTRITION ADVICE. BUT CALORIE NEEDS VARY. CALORIES DO NOT INCLUDE CHOICE OF SIDE. WRITTEN NUTRITION INFORMATION IS AVAILABLE UPON REQUEST.



SLOW COOKED RIBS & CHICKEN

CHOICE OF SIDE INCLUDED 80-760 CALS

		CALS
STEAK HOUSE RIBS	18.49	1870
1LB. SERVED WITH FRIES & COLESLAW		
STEAK HOUSE RIBS & CHICKEN	18.49	1170
1/2LB. RIBS & CHICKEN BREAST SERVED WITH FRIES & COLESLAW		
★ DOUBLE MALIBU CHICKEN®	15.99	1090



SMALLER PLATES

INCLUDES CREATE YOUR OWN SIDE SALAD* & CHOICE OF SIDE 80-760 CALS

*SEE SALAD BAR FOR CALORIE DECLARATIONS.

		CALS
SENIORS RECEIVE A FREE BEVERAGE 0-300 CALS		
★ TRI-TIP SIRLOIN* 6OZ.	14.99	260
MALIBU CHICKEN®	11.99	680
♥ ITALIAN HERB CHICKEN	12.99	230
JUMBO CRISPY SHRIMP (6)	11.99	430

UPGRADE TO A FULL UNLIMITED CRAFT SALAD BAR only \$5.79



KIDS MENU AVAILABLE AT REGISTER

★ SIZZLER FAVORITES ♥ HEALTHY DINING APPROVED ENTRÉE

*THESE ITEMS ARE COOKED TO ORDER. CONSUMING RAW OR UNDERCOOKED MEATS, POULTRY, SEAFOOD, SHELL FISH OR EGGS WHICH MAY CONTAIN HARMFUL BACTERIA MAY INCREASE YOUR RISK OF FOODBORNE ILLNESS. ESPECIALLY IF YOU HAVE CERTAIN MEDICAL CONDITIONS. ALL SPECIFIED STEAK WEIGHTS ARE BASED ON PRE-COOKED WEIGHTS. WE FRY IN TRANS FAT FREE OIL ONLY. 2,000 CALORIES A DAY IS USED FOR GENERAL NUTRITION ADVICE. BUT CALORIE NEEDS VARY. CALORIES DO NOT INCLUDE CHOICE OF SIDE. WRITTEN NUTRITION INFORMATION IS AVAILABLE UPON REQUEST.



HAND CRAFTED BURGERS

SMOKEY BACON BURGER

SERVED WITH FRIES 500 CALS

		CALS
★ MEGA BACON BURGER* 1/3LB.	12.49	900
CLASSIC BURGER* 1/3LB.	10.69	670
SMOKEY BACON BURGER* 1/3LB.	12.49	930
GRILLED CHICKEN CLUB	11.99	760

SPECIALTY LEMONADES

MANGO | PEACH | STRAWBERRY



★ SIZZLER FAVORITES

*THESE ITEMS ARE COOKED TO ORDER. CONSUMING RAW OR UNDERCOOKED MEATS, POULTRY, SEAFOOD, SHELL FISH OR EGGS WHICH MAY CONTAIN HARMFUL BACTERIA MAY INCREASE YOUR RISK OF FOODBORNE ILLNESS. ESPECIALLY IF YOU HAVE CERTAIN MEDICAL CONDITIONS. ALL SPECIFIED STEAK WEIGHTS ARE BASED ON PRE-COOKED WEIGHTS. WE FRY IN TRANS FAT FREE OIL ONLY. 2,000 CALORIES A DAY IS USED FOR GENERAL NUTRITION ADVICE. BUT CALORIE NEEDS VARY. CALORIES DO NOT INCLUDE CHOICE OF SIDE. WRITTEN NUTRITION INFORMATION IS AVAILABLE UPON REQUEST.



HOW TO SALAD AT SIZZLER

SALAD BAR UNLIMITED
LUNCH OR DINNER

=



OR *Add Something Special to Your Entrée*

ADD TO ENTRÉE
Unlimited Salad Bar
LUNCH OR DINNER

=



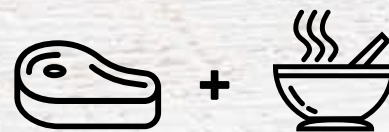
ADD TO ENTRÉE
Create Your Own Side Salad

=



ADD TO ENTRÉE
Soup Bar

=



Craft Salad

PREPARED FRESH DAILY

UNLIMITED SALAD BAR*	PER GUEST	15.29
LUNCH* MON-FRI UNTIL 4PM		12.29
SENIORS* BEVERAGE INCLUDED (0-300 CALS)		12.99
KIDS*		7.29

*SEE SALAD BAR FOR CALORIE DECLARATIONS.

OVER 50 FRESH ITEMS INCLUDING SOUPS, HOT BAR & DESSERTS

ADD TO YOUR ENTRÉE

SALAD BAR (UNLIMITED)*	7.49
INCLUDES SALAD BAR, HOT BAR, SOUPS & DESSERTS	
CREATE YOUR OWN SIDE SALAD*	5.29
SOUP BAR*	5.29

*SEE SALAD BAR FOR CALORIE DECLARATIONS.
ITEMS PRICED PER PERSON. DINE IN ONLY PLEASE NO SHARING.

SALAD TO GO

SALAD BAR TO GO*	12.99
EXCLUDES SOUP, HOT BAR & DESSERTS	

*SEE SALAD BAR FOR CALORIE DECLARATIONS.



Complete Your
PERFECT MEAL!

Add-On

MUSHROOMS 2.59 180 CALS

OR

ONIONS 2.29 80 CALS



Add-On

**LOADED
BAKED POTATO**

BACON, CHEESE
& SOUR CREAM

2.89

760 CALS



Add-On

**UNLIMITED
CRAFT SALAD
BAR 7.49**

**SIDE SALAD
(CREATE YOUR OWN)**

5.29



Savory
SIDES

SELECT YOUR CHOICE OF SIDE
INCLUDED WITH YOUR MEAL

	CALS
BAKED POTATO	510
FRENCH FRIES	500
RICE PILAF	170
GARLIC MASHED POTATOES	150
♥ CILANTRO LIME RICE	150
♥ VEGETABLE MEDLEY	80

♥ **HEALTHY DINING APPROVED ENTRÉE**

2,000 CALORIES A DAY IS USED FOR GENERAL NUTRITION ADVICE, BUT CALORIE NEEDS VARY.
WRITTEN NUTRITION INFORMATION IS AVAILABLE UPON REQUEST.



Refreshing DRINKS

START WITH REFRESHING DRINKS

0-300 CALS



ASK YOUR CASHIER FOR ADDITIONAL FOUNTAIN AND BOTTLED DRINK OPTIONS

COFFEE
FRESH BREWED

ICED TEA
FRESH BREWED

HOT TEA
FRESH BREWED

Iced Cold BEER

BY THE BOTTLE



BUDWEISER, BUD LIGHT, CORONA, HEINEKEN
ASK YOUR CASHIER ABOUT OUR SEASONAL OPTIONS

Line 39 WINE

BY THE GLASS OR BOTTLE



CHARDONNAY
ROSÉ
CABERNET SAUVIGNON
MERLOT

Specialty LEMONADES

MANGO | PEACH | STRAWBERRY



Condition Number 36





Roster for Sizzler (#637018)

INSTRUCTIONS: To search for a specific Server in your Roster, type either their First Name, Last Name, or both names in the specified name fields, then click the SEARCH button. To clear the name fields, click on the CLEAR button. To remove a Server from the Roster, click on the trash can icon.

Name ↑	Server ID	Training Received	Status	Expiration Date	
Flores, Daniel Rica...	313175449	10/21/2022	Certified	11/04/2025	
Harrison, Avery Ra...	313171761	10/15/2022	Certified	10/31/2025	
Rojas, Moises	313175256	10/21/2022	Certified	11/02/2025	
coca, fabian	313175436	11/12/2022	Certified	11/13/2025	
flores, julio cesar	313172897	10/19/2022	Certified	11/08/2025	
velazquez, oscar C	313157405	10/04/2022	Certified	10/05/2025	

Rows per page:

25

1-6 of 6



Condition Number 12

Condition Number 25 and 41





We deliver with
DOORDASH

A

Hours We Sizzle!

Sunday - Thursday
11AM - 9PM

Friday - Saturday
11AM-9:30P

**CITY
ORDINANCE
9.04.010
NO DRINKING
IN PUBLIC
PROHIBITED**



STATE OF CALIFORNIA
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
ALCOHOLIC BEVERAGE LICENSE

ON-SALE BEER AND WINE - EATING PLACE

VALID FROM

Aug 01, 2023

EXPIRES

Jul 31, 2024

SIZZLER USA RESTAURANTS INC
23352 MADERO RD
STE B
MISSION VIEJO, CA 92691

TYPE NUMBER DUP

41 637018

AREA CODE

1938 02

RENEWAL

BUSINESS ADDRESS DBA: SIZZLER
(IF DIFFERENT) 1908 W BEVERLY BLVD
MONTEBELLO, CA 90640-3957

CONDITIONS

OWNERS: SIZZLER USA RESTAURANTS INC

7



Condition Number 28

IMPORTANT INFORMATION

EFFECTIVE PERIOD: This license is effective only for the operating period shown above. A new license will be sent 4 to 6 weeks after the expiration date on your license if payment is timely. Your license status will remain in good standing for 60 days after the expiration date if the renewal payment was received timely. To check the status of your license, visit <http://www.abc.ca.gov/datport/LQSMMenu.html>.

RENEWAL NOTICES: Renewal notices are sent to premises address unless a specific mailing address is requested. If a notice is not received 30 days before expiration date shown above, contact the nearest ABC office. To assure receipt of notices, advise your local ABC office of any change in address.

RENEWAL DATES: It is the licensee's responsibility to pay the required renewal fee by the expiration date shown above.

A Penalty is charged for late renewal and the license can be automatically revoked for failure to pay.

RENEWAL PAYMENTS: Renewal payments can be made in person by visiting your local office or sent by mail to ABC Headquarters, 3927 Lennane Drive, Suite 100, Sacramento, CA 95834. If you do not have your renewal notice, your license number and the reason for payment (ex. ?renewal?) must be clearly indicated on the check. You can contact your local ABC office for your renewal fee amount.

SEASONAL LICENSES: It is the licensee's responsibility to pay the required renewal fee prior to the next operating period.

POSTING: Cover this license with glass or other transparent material and post it on premises in a conspicuous place.

CONDITIONS: A copy of all applicable conditions must be kept on premises.

LICENSEE NAME: Only 10 names will be printed on each license. If there are more names associated with the license, they will be indicated by "AND XX OTHERS". All names are on file and available upon request from your local ABC office.

DBA: If you change your business name please notify your local ABC office.

If you have any questions regarding this license, contact your local ABC office. You can find the contact information for each district office at <http://www.abc.ca.gov/distmap.html>.

NOTE: CONTACT YOUR LOCAL ABC OFFICE IF YOUR LICENSED PREMISES WILL BE TEMPORARILY CLOSED FOR MORE THAN 15 DAYS OR WILL BE PERMANENTLY CLOSED.

<http://www.abc.ca.gov>



@ca_abc



CaliforniaABC

DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL

3927 Lennane Drive, Suite, 100
Sacramento, CA 95834
(916) 419-2530



Dear Licensee:

The enclosed license is issued conditionally, pursuant to the petition for a conditional license filed with the original application. A copy of the conditions is also attached.

The conditions must be retained upon the premise at all times, and you should be prepared to produce it immediately upon the request of any peace officer.

Sincerely,

A handwritten signature in black ink that reads 'Debra Holden'.

Debra Holden
Staff Services Manager I

**BEFORE THE
DEPARTMENT OF ALCOHOLIC BEVERAGE CONTROL
OF THE STATE OF CALIFORNIA**

IN THE MATTER OF THE APPLICATION OF

SIZZLER USA RESTAURANTS INC
SIZZLER
1908 W BEVERLY BLVD
MONTEBELLO, CA 90640-3957

} FILE 41-637018

}

} REG.

}

}

}

}

}

**PETITION FOR CONDITIONAL
LICENSE**

For Issuance of an On-Sale Beer And Wine - Eating Place -
License

Under the Alcoholic Beverage Control Act

WHEREAS, petitioner(s) has/have filed an application for the issuance of the above-referred-to license(s) for the above-mentioned premises; and,

WHEREAS, pursuant to Section 23958 of the Business and Professions Code, the Department may deny an application for a license where issuance would result in or add to an undue concentration of licenses; and

WHEREAS, the proposed premises are located in Census Tract 5300.06 where there presently exists an undue concentration of licenses as defined by Section 23958.4 of the Business and Professions Code; and,

WHEREAS, the proposed premises and/or parking lot, operated in conjunction therewith, are located within 100 feet of residences(s), and issuance of the applied-for license without the below-described conditions would interfere with the quiet enjoyment of the property by nearby residents and constitute grounds for the denial of the application under the provisions of Rule 61.4, of Chapter 1, Title 4, of the California Code of Regulations; and,

WHEREAS, the proposed premises are located within the immediate vicinity of a church or hospital, to wit: St. John Lutheran Church at 433 N 18th St, and issuance of the applied-for license without the below-described conditions would interfere with the normal operation of said facility and constitute grounds for the denial of the application under the provisions of Section 23789 of the Business and Professions Code; and

WHEREAS, the proposed premises are located within 600 feet of a school, public playground or non-profit youth facility, to wit: Montebello/Commerce at 2000 E Beverly Blvd, and issuance of the applied-for license without the below-described conditions would interfere with the normal operation of said facility and constitute grounds for the denial of the application under the provisions of Section 23789 of the Business and Professions Code; and,

CP

Initials

WHEREAS, the issuance of an unrestricted license would be contrary to public welfare and morals;

NOW, THEREFORE, the undersigned petitioner(s) do/does hereby petition for a conditional license as follows, to-wit:

- 1 Entertainment provided shall not be audible beyond the area under the control of the licensee(s) as depicted on the most recently certified ABC-257.
- 2 No alcoholic beverages shall be consumed on any property adjacent to the licensed premises under the control of the licensee(s) as depicted on the most recently certified ABC-257 and ABC-253.

This petition for conditional license is made pursuant to the provisions of Sections 23800 through 23805 of the Business and Professions Code and will be carried forward in any transfer at the applicant-premises.

Petitioner(s) agree(s) to retain a copy of this petition on the premises at all times and will be prepared to produce it immediately upon the request of any peace officer.

The petitioner(s) understand(s) that any violation of the foregoing condition(s) shall be grounds for the suspension or revocation of the license(s).

DATED THIS 22nd DAY OF July, 20 22.

Applicant/Petitioner

Applicant/Petitioner

LICENSED PREMISES DIAGRAM (RETAIL)

1 APPLICANT NAME (If individual, last, first, middle)

SIZZLER USA RESTAURANTS, INC.

2 LICENSE TYPE

41

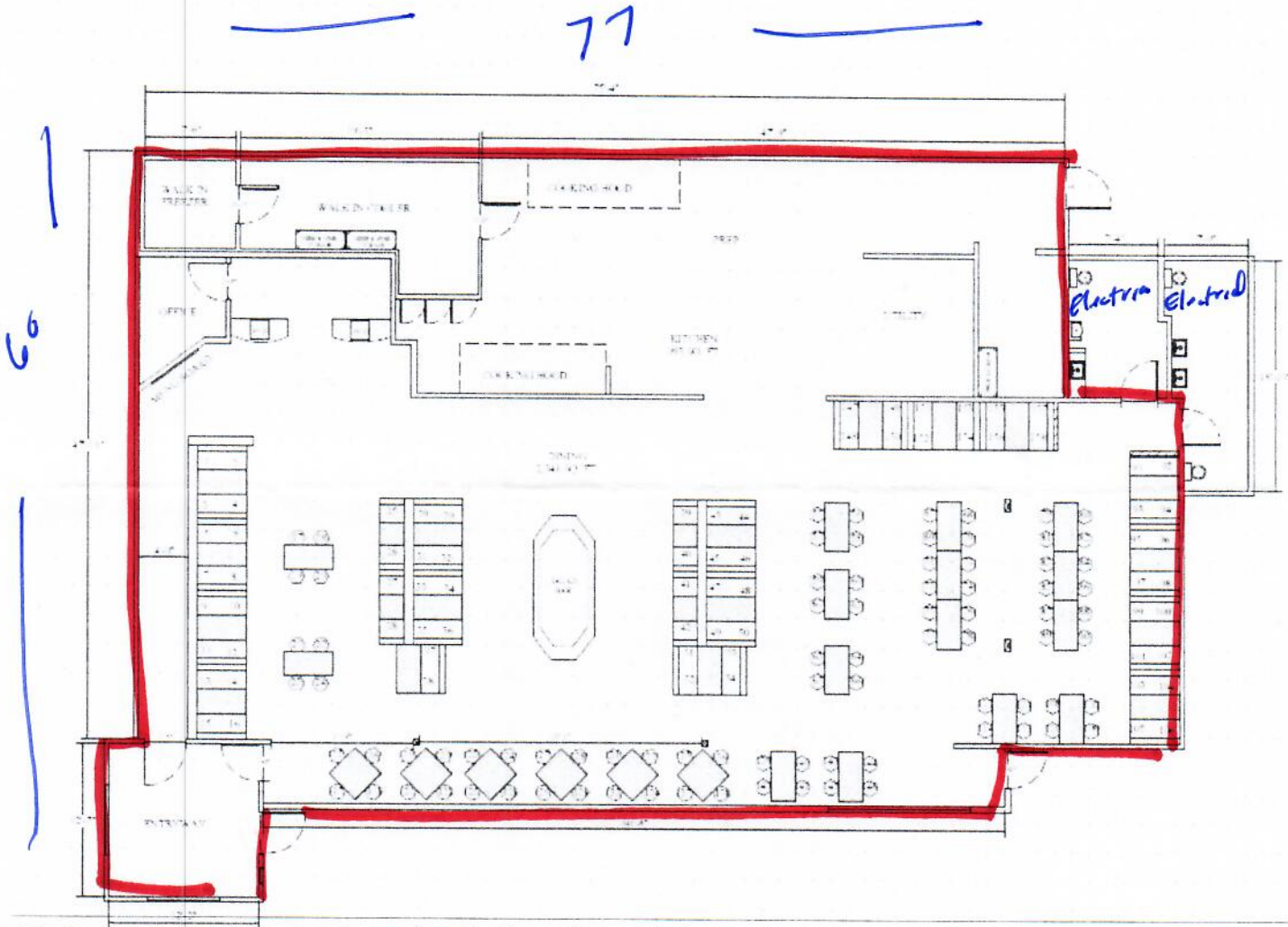
3 PREMISES ADDRESS (Street number and name, city, zip code)

1908 W BEVERLY BLVD MONTEBELLO CA 90640

4 NEAREST CROSS STREET

N 19TH STREET

The diagram below is a true and correct description of the entrances, exits, interior walls and exterior boundaries of the premises to be licensed, including dimensions and identification of each room (i.e., "storeroom", "office", etc.).

DIAGRAM

It is hereby declared that the above-described premises and character of premises, as indicated on the reverse side, will not be changed in accordance with Rule 64.2 of the California Code of Regulations without first notifying and securing approval of the Department of Alcoholic Beverage Control. Substantial changes to the premises may require an application fee in accordance with Section 24072 of the Business and Professions Code. I declare under penalty of perjury that the foregoing is true and correct.

APPLICANT SIGNATURE (Only one signature required)

DATE SIGNED

8/16/22

CERTIFIED CORRECT (Signature)

PRINTED NAME

FOR ABC USE ONLY

INSPECTION DATE

4/27/22

ABC-257 (07/19)

PLANNED OPERATION (RE1. .-)

SECTION I - FOR ALL RETAIL APPLICANTS

1 APPLICANT NAME(S) (If individual: Last, First, Middle Initial)

SIZZLER USA RESTAURANTS, INC.

2 LICENSE TYPE(S)

41

3 PREMISES ADDRESS (Street number and name, city, zip code)

1908 W BEVERLY BLVD MONTEBELLO CA 90640

4 NEAREST CROSS STREET

N 19TH STREET

5 TYPE OF BUSINESS (Choose one that best describes the planned operation)

☒ Full Service Restaurant☐ Cafeteria/Hofbrau☐ Cocktail Lounge☐ Private Club☐ Deli or Specialty Restaurant☐ Comedy Club☐ Night Club☐ Veterans Club☐ Cafe/Coffee Shop☐ Brew Pub☐ Tavern☐ Fraternal Club☐ Bed & Breakfast☐ Theater☐ Wine Tasting Room☐ Supermarket☐ Membership Store☐ Service Station☐ Swap Meet/Flea Market☐ Liquor Store☐ Department Store☐ Convenience Market☐ Drive-in Dairy☐ Variety/Drug Store☐ Gift Shop/Florist☐ Convenience Market w/Gasoline☐ Other - describe:

6 PATRON CAPACITY

150

7 SURROUNDING AREA

☒ Commercial☐ Rural☐ Residential☐ Industrial☐ Other

8 PREMISES IS LOCATED IN

☒ Free Standing Building☐ Shopping Center (Name):☐ 10 Units or Less☐ More than 10 Units

9 FOOD SERVICE

☐ None☐ Minimal☒ Full Meals

10 PARKING LOT?

☒ Yes☐ No

11 PATIO?

☐ Yes☒ No12 WILL YOU HIRE A
MANAGER? (Rule 57.5)☐ Yes☒ No13 WILL YOU HAVE A
FOOD LESSEE? (Rule 57.7)☐ Yes☒ No

14 MEAL TYPE

☒ Dinner House☐ Seafood☒ American☐ Greek☐ Indian☐ French☐ Fast Food/Deli☐ Other:☐ Chinese☐ Korean☐ Italian☐ Thai☐ Pizza/Pasta☐ Japanese☐ Other:16 HOURS OF FOOD SERVICE
BREAKFAST HOURS

From: To:

LUNCH HOURS

From: 11:00 AM To: 4:30 PM

DINNER HOURS

From: 4:30 PM To: 9:30 PM

17 OPERATING HOURS

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Opening Time	10:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM	11:00 AM
Closing Time	9:00 PM	9:00 PM	9:00 PM	9:00 PM	9:00 PM	9:30 PM	9:30 PM

18 ENTERTAINMENT (One or more may apply. Please describe any entertainment with an asterisk (*) below)

☒ None☐ *Amplified Music☐ Patron Dancing☐ Card Room☐ Recorded Music☐ *Live Entertainment☐ Bikini/Topless/Exotic☐ Movies☐ Juke Box☐ *Floor/Stage Shows☐ Pool/Billiard Tables☐ "Hot Spot"/Lottery☐ *Other☐ Karaoke☐ *Amateur/Pro Sports Events☐ Video/Coin-Operated Games

*Description:

19 PREMISES IS LOCATED ON

☒ Major Thoroughfare☐ Secondary Street☐ Other

20 TYPE OF STRUCTURE

☒ Single Story☐ Two-Story☐ Multi-Story - Number of stories:

21 PASS-THROUGH WINDOW?

☐ Yes☒ No

22 FIXED BARS?

☐ Yes - how many:☒ No23 WHAT PERCENTAGE OF YOUR TOTAL SALES WILL BE
ALCOHOLIC BEVERAGES?

5%

FOR ABC USE ONLY

24 INFORMATION GIVEN (R-27, R-107, Sec. 25612.5, Sec. 23790.5, etc.)

25 DATE ENTERED INTO CABIN

SUPPLEMENTAL DIAGRAM**Instructions to Applicant:**

Draw a sketch of the area on which the licensed premises is or will be located. Show adjacent structures and nearest cross streets. *If this is an event for a daily license, catering authorization, event authorization or miscellaneous use, show the area where sales and consumption of alcoholic beverages will occur. Post a copy of this diagram with Daily License, Catering Authorization or Event Authorization where the event is held. Sales and consumption of alcoholic beverages must be confined to the area designated in the diagram and supervised to prevent violations of the Alcoholic Beverage Control Act.*

1 APPLICANT NAME (Last, first, middle)

SIZZLER USA RESTAURANTS, INC.

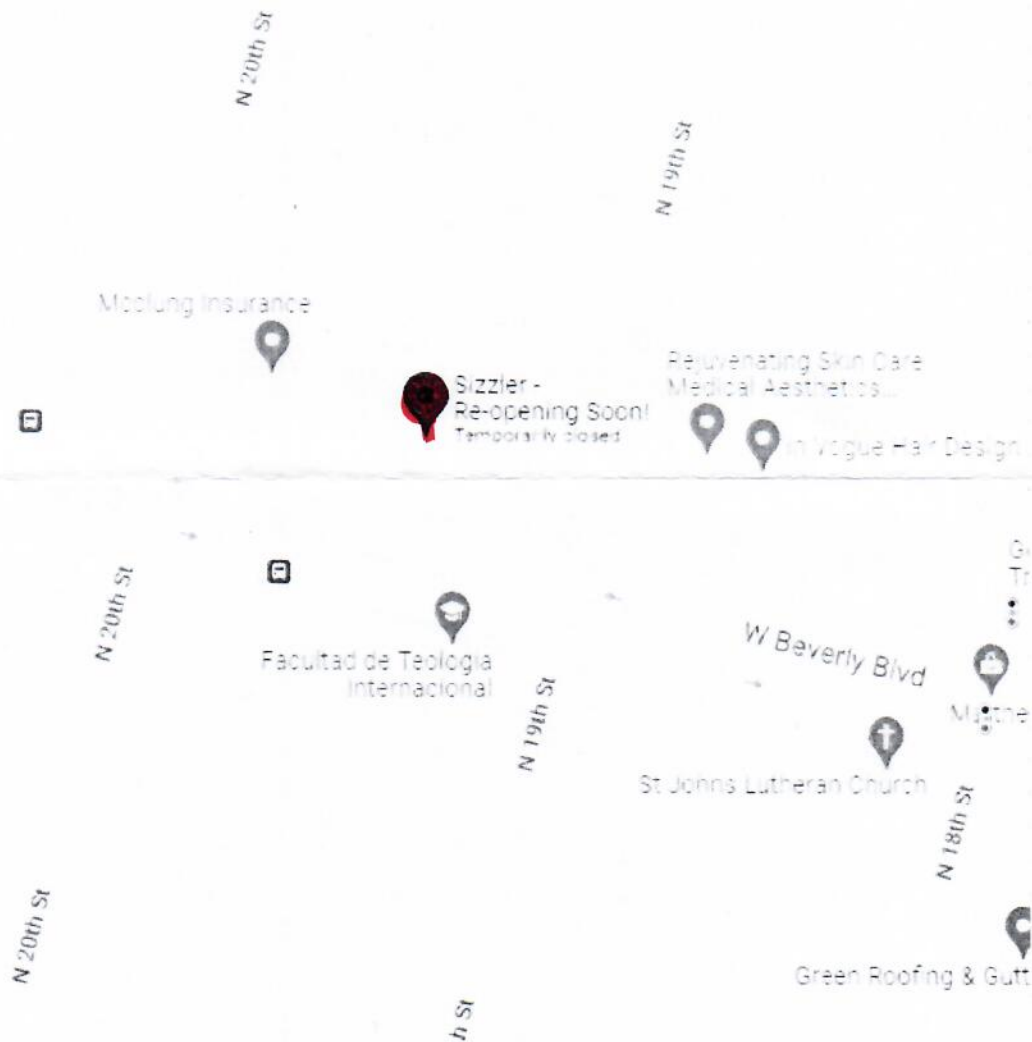
2 LICENSE TYPE

41

3 PREMISES ADDRESS (Street number and name, city, zip code)

1908 W BEVERLY BLVD MONTEBELLO CA 90640

4 NEAREST CROSS STREET

N 19TH STREET**DIAGRAM**

I have read the above instructions and I declare under penalty of perjury that the above diagram is true and correct.

APPLICANT SIGNATURE

DATE SIGNED

9/16/22

CERTIFIED CORRECT (Signature)

PRINTED NAME

FOR ABC USE ONLY

INSPECTION DATE

4/27/22

Condition Number 41

Permit Information

Permit #

22-665248

Permit Status

Permitted

Alarm Company

*ALARM COMPANY UNKNOWN

Expiration Date

2024-07-22

Delivery Preference

Email

Contact Information

Name

CHRIS PERKINS

 jgomez@sizzlerusa.com

 949-273-4497

 310-429-2066

Alarm Location Address

SIZZLER

1908 W BEVERLY BOULEVARD

MONTEBELLO, CA 90640

Alarm Billing Address

Sizzler USA Restaurants, Inc.
23352 MADERO ROAD B
MISSION VIEJO, CA 92691

Condition Number 21 and 41









					Primary Incident
Create Date/Time	Call Type	Location			
1/14/2024 17:01	415HOM	1908 W	BEVERLY BLVD, MONTEBELLO		2024-00001292
12/22/2023 1:02	459S	1908 W	BEVERLY BLVD, MONTEBELLO		2023-00034415
11/3/2023 5:33	TCHR MFD	1908 W	BEVERLY BLVD, MONTEBELLO		
10/4/2023 18:22	REQUEST	1908 W	BEVERLY BLVD, MONTEBELLO		2023-00026658
8/8/2023 23:56	415HOM MFD	1908 W	BEVERLY BLVD, MONTEBELLO		2023-00021143
8/2/2023 16:10	REQUEST	1908 W	BEVERLY BLVD, MONTEBELLO		