

**OFFICIAL MINUTES
MONTEREY PARK PLANNING COMMISSION
REGULAR MEETING
APRIL 23, 2019**

The Planning Commission of the City of Monterey Park held a regular meeting of the Board in the Council Chambers, located at 320 West Newmark Avenue in the City of Monterey Park, Tuesday, April 23, 2019 at 7:00 p.m.

CALL TO ORDER:

Chairperson Delario Robinson called the Planning Commission meeting to order at 7:00 p.m.

ROLL CALL:

Planner Tewasart called the roll:

Board Members Present: Delario Robinson, Eric Brossy De Dios, Theresa Amador, and Margaret Leung

Board Members Absent: Ricky Choi

ALSO PRESENT: Karl H. Berger, Assistant City Attorney; Samantha Tewasart, Senior Planner; and Jeffrey Rimando, Assistant Planner

AGENDA ADDITIONS, DELETIONS, CHANGES AND ADOPTIONS: None

ORAL AND WRITTEN COMMUNICATIONS:

[1.] **PRESENTATIONS:** None

[2.] **CONSENT CALENDAR:** None

[3.] **PUBLIC HEARING:**

3-A. CONDITIONAL USE PERMIT (CU-19-02) TO ALLOW ON-SALE (TYPE 41 – BEER AND WINE) LICENSE FOR A BONA FIDE PUBLIC EATING PLACE AT 501 WEST GARVEY AVENUE #108

Planner Tewasart provided a brief summary of the staff report.

Chairperson Robinson opened the public hearing.

Representative Frank Fu, 5585 Stafford Court, Chino Hills, 91709 present to speak on behalf of the applicant, David Shi.

Commissioner Amador inquired about the opening date, since there is no activity in the interior. Representative Fu replied that the intent is to open the business in the next 30 to 45 days.

MISSION STATEMENT

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Commissioner Brossy de Dios inquired about the operating hours from 7:00 to 2:00. Representative Fu replied that it starts at 10:00 for breakfast and continues into the lunch hours, then there is going to be a little bit of a break in between and then in the evening hours will be dinner and then after that to be competitive service till 1:00. Commissioner Brossy de Dios inquired if there any limitations to code regarding service hours. Planner Tewasart replied no.

Commissioner Leung inquired about the security system. Representative Fu replied that the business will be equipped with electronic monitoring devices, audible alarms and security services.

Chairperson Robinson closed the public hearing.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing adopted **Resolution No. 07-19** approving Conditional Use Permit (CU-17-06) to allow on-sale alcoholic beverages (beer and wine) in conjunction with a bona fide public eating place in the C-B (Central Business) Zone at 501 West Garvey Avenue #108.

Resolution No. 07-19

A RESOLUTION APPROVING CONDITIONAL USE PERMIT (CUP-19-02) TO ALLOW ON-SALE ALCOHOLIC BEVERAGES (BEER AND WINE) IN CONJUNCTION WITH A BONA FIDE PUBLIC EATING PLACE AT 501 WEST GARVEY AVENUE #108.

Motion: Moved, by Commissioner Choi and seconded by Commissioner Amador, motion carried by the following vote:

Ayes: Commissioners: Robinson, Brossy de Dios, Amador, and Leung
Noes: Commissioners: None
Absent: Commissioners: Choi
Abstain: Commissioners: None

3-B. CONDITIONAL USE PERMIT (CUP-19-01) TO ALLOW THE ALTERATION OF A NONCONFORMING USE FROM A LAUNDROMAT TO A COMPUTER REPAIR SERVICE BUSINESS – 441 WEST POMONA BOULEVARD

Planner Rimando provided a brief summary of the staff report.

Commissioner Brossy de Dios inquired about landscaping requirements. Planner Tewasart replied that there may be a requirement adjacent to the parking stall. If required by code, it will be something that the applicant would have to provide and can also be added as a condition of approval.

Commissioner Amador stated that the property has had several challenges and shared in the concern with the landscaping.

Chairperson Robinson opened the public hearing.

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Applicant Bryan Yung, 9939 Duffy Street, Temple City, stated that he began his business in 2003 to provide T.I. services for people who do not have in-house T.I. services. They provide contract services and help to repair computers as well. They connect remotely or go out to assist with repairs.

Property Owner, Bernard Smukler, 15475 Greenleaf Street, Sherman Oaks, 91403 stated that he has owned the property for many years. He stated that he understands it was a condition with the dance studio and there would be limited space for landscaping, but the buyer.

Commissioner Amador inquired if the property is being sold. Replied yes and it is conditioned upon obtaining approval for operating the business.

Commissioner Amador inquired from the Assistant City Attorney if there is an issue with that. Attorney Berger inquired how long the Laundromat has been closed. Property owner Smukler replied that it may have closed about a year ago.

Assistant City Attorney Berger requested a continuance of the matter to find out the exact date the Laundromat closed. The concern is with § 21.30.080 that talks about the abandonment of a legal nonconforming use. Attorney Berger quoted the code section and stated that the concern is that the property owner is uncertain of exactly when the Laundromat closed. If the business has been closed more than a year ago, then there is no CUP that can be issued. The municipal code prohibits the continuance of any legal nonconforming use at that site. Property owner Smukler inquired if that is a year from when the CUP was filed. Attorney Berger replied that the legal nonconforming use has to be in continuous operation and if it is not for a year or more it has to conform to the underlying zoning and all the other applicable provisions of the code. The request is a continuance and not a denial to find out the exact date. The question was prompted by the shuttered window that appeared in the PowerPoint. Attorney Berger stated that the Commission can continue matter with the concurrence of the applicant and property owner.

Commissioner Amador inquired if the property owner understands what is being requested. Property owner Smukler replied yes.

Chairperson Robinson closed the public hearing.

Action Taken: The Planning Commission after considering the evidence presented during the public hearing **continued** Conditional Use Permit (CU-19-01) to allow the alteration of a nonconforming use from a Laundromat to a service office (computer repairs) in the R-1 (Single-Family Residential) Zone at 441 West Pomona Boulevard, to the meeting of May 14, 2019.

Motion: Moved, by Commissioner Brossy de Dios and seconded by Commissioner Amador, motion carried by the following vote:

Ayes: Commissioners: Robinson, Brossy de Dios, Amador, and Leung
Noes: Commissioners: None

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Absent: Commissioners: Choi
Abstain: Commissioners: None

[4.] OLD BUSINESS: None

[5.] NEW BUSINESS: None

[6.] COMMISSION COMMUNICATIONS AND MATTERS:

Commission Leung stated that this will be her last meeting and the City Councilmember has been informed.

[7.] STAFF COMMUNICATIONS AND MATTERS:

Planner Tewasart introduced Assistant Planner Jeffrey Rimando.

ADJOURNMENT:

There being no further business for consideration, the Planning Commission meeting was adjourned at 7:45 p.m.

Next regular scheduled meeting on May 14, 2019 at 7:00 p.m. in the Council Chambers.

Mark A. McAvoy
Director of Public Works/City Engineer

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